

Liberty Road-Building 8 (Lot 17) Townhome

Adjustment Class-1 Application
Table 514-4 (Setbacks)

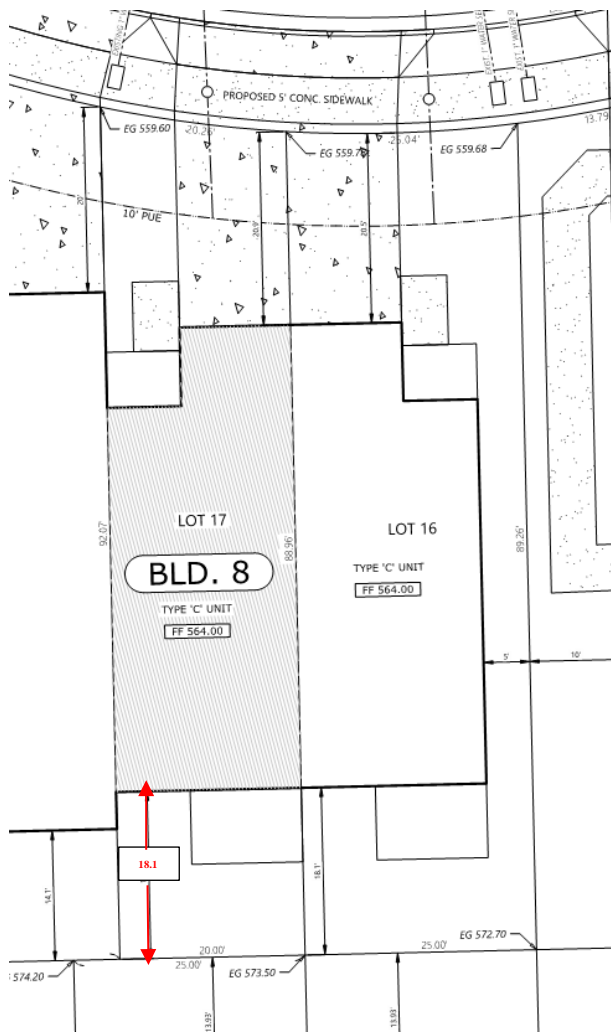
Background:

On March 17, 2021, SUB-UGA-ADJ20-05 was approved to allow a 45-lot subdivision on the site. The subdivision included lots for townhome development, per Condition 2.

Building Permit #24-121446-00-DW (5783 Joynak Street SE/Lot 17) has been submitted for Building 8 and is currently under review.

Proposal:

The applicant is requesting an adjustment to the rear yard setback for the Building 8 on Lot 17, to allow 18.1 feet where 20 feet is required for a 2-story townhome. Forty-two of the lots within this subdivision are designated for townhome development.



Adjustment Criteria-SRC 250.005(d)(1) Criteria

(A) The purpose underlying the specific development standard proposed for adjustment is:

- (i) Clearly inapplicable to the proposed development; or***
- (ii) Clearly satisfied by the proposed development***

(B) The proposed adjustment will not unreasonably impact surrounding existing or potential uses or development.

Applicant's Reasons:

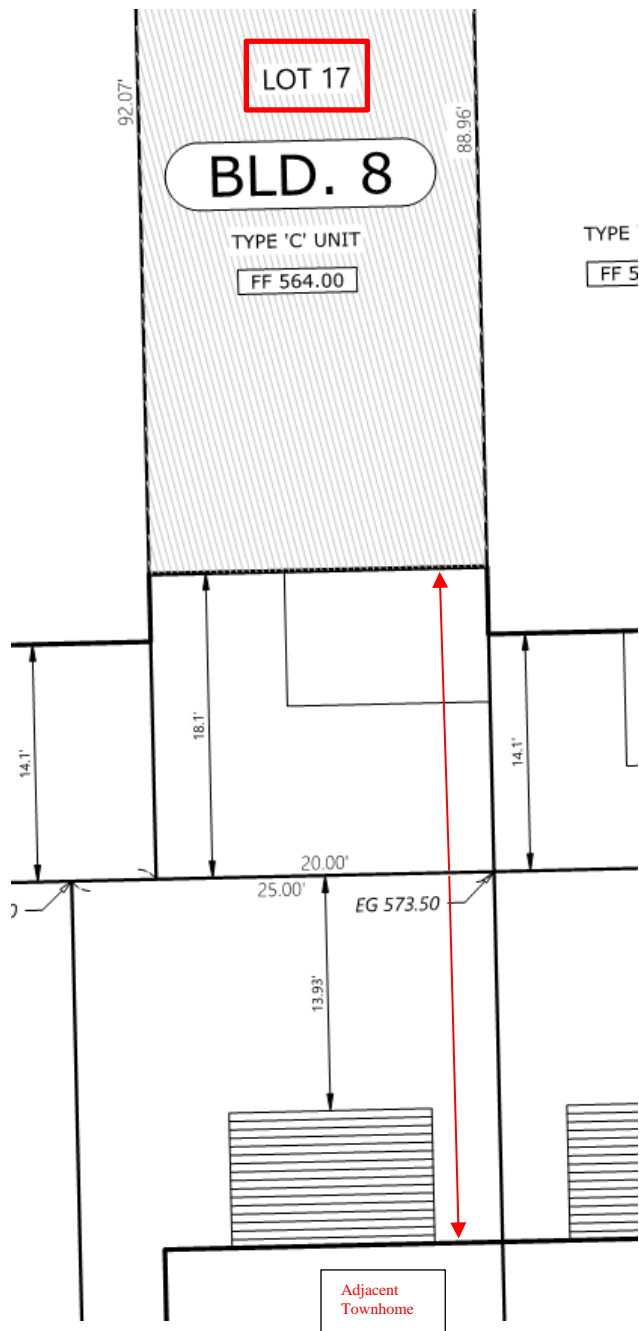
- (A) The applicant is requesting a zoning adjustment to Table 514-4, which requires 2-story structures to provide a 20-foot rear yard setback. The applicant is requesting a reduction in the rear yard setback to allow 18.1 feet as shown on the site plan.

In order to provide street connections and circulation, the size and layout of the lots had to be taken into consideration. Townhomes are longer in size and require longer lots. The proposed lots as shown on the site plan, can accommodate a townhome dwelling and also meet all other setback requirements, while allowing a 18.1-foot rear yard setback.

Due to the curve in Joynak Street and the type of unit proposed, a 20-foot setback could not be met. The purpose of this setback requirement is to provide separation from adjacent units for privacy, and a private open space area for residents. As shown on the site plan, the 18.1-foot rear yard setback meets the purpose of the requirement and still provides an adequate setback.

The longer townhouses actually help to provide larger open space areas on the lots in the front yards. The smaller rear yard allows for a larger front yard to be provided with an excess of open space area. Therefore, the proposed adjustment equally meets the standard.

- (B) The subject property is zoned RMII and is in a residential area. The properties to the north, east, west, and south are all zoned RMII (Multi-Family Residential) and proposed for townhomes. The townhome on the adjacent lot (Lot 23) to the southwest is setback over 20 feet, therefore, the proposed townhome on Lot 17 will have at least a 38.1-foot separation from an adjacent structure.



The reduction in the rear yard setback will have no impact on the existing or proposed uses. The purpose of this requirement is to provide separation and privacy. There is adequate separation provided from the proposed townhome and any adjacent uses.

This proposal will not detract from the livability or appearance of the residential area.