

MINUTES OF THE ZONING COMMITTEE
Thursday, July 29, 2021 - 3:30 p.m.

PRESENT: DeJoy, Grill, Hood, Rangel Morales, Syed, and Taghioff
EXCUSED: Reilly
STAFF: Marilyn Rosendahl, Samantha Langer, Kady Dadlez, and Luis Pereira

The meeting was chaired by Commissioner DeJoy. She stated that the chair of the Planning Commission had determined that due to the COVID-19 pandemic it is neither practical nor prudent for the Zoning Committee to meet in person, and therefore the meeting was being conducted remotely, with all members of the Zoning Committee attending the meeting remotely. The public is also able to join the meeting remotely and can speak during the public hearing portion or submit comments by noon on the day before the meeting.

1945 Rome Lot Split Appeal - 21-277-255 - Appeal of lot split approval by the planning administrator. 1945 Rome Avenue, between Howell and Wilder

Chair DeJoy stated that the item was laid over at the July 15, 2021, Zoning Committee to get clarification on a few issues. The public hearing was closed at the July 15, 2021, Zoning Committee meeting.

Marilyn Rosendahl presented the amendments to the staff report from July 15, 2021. She said there was no change to staff findings in response to the 3 specified grounds for appeal. There is clarification of the Certificate of Survey and grading plans used by staff in 2019 for the lot split review and approval process; clarification on staff use of a minimum building width of 22 feet as per Section 66.233 to determine compliance with Section 69.304(7) slope of building pad; and clarification that the building pad grade condition is outside of the initial 10 day appeal period for that decision. There was also review of Planning Commission's role and potential to modify the decision being appealed with reasonable conditions and accordingly staff revised recommendation to add standards of residential development on steep slopes as conditions in compliance with Section 63.111

Mrs. Rosendahl continues to recommend denial of the appeal and affirmation of lot split approval by the planning administrator for 1945 Rome Avenue with conditions. New houses shall be set back at least 7 feet from neighboring lots 6 and 9, designed with at least 2 stories to minimize the building footprints, and designed to fit into the site without significant regrading to protect the stability of slopes and preserve existing trees while preventing excessively tall retaining walls and unattractive trough-shaped yards between buildings and retaining walls. Finally, all grading and new construction on the lots must be designed to minimize grading within five feet of neighboring lots 6 and 9, and to protect neighboring property from surface water drainage.

Commissioner Hood asked what the enforcement mechanism is for the added conditions. Mrs. Rosendahl said the conditions are a requirement for building plans moving forward. The Department of Safety and Inspections (DSI) is aware of the conditions for the development and it will be included in their regular review process.

In response to Commissioner Hood, Mrs. Rosendahl said she doesn't see that it will be likely for the applicant to need to request any variance. Staff reviewed lot area and dimension

requirements for R4. Development is tight on the site but it is possible to fit two homes in appropriately by nestling them into the existing slope, designing two stories, and minimizing grading.

Luis Pereira, Planning Director, added that if there is a variance needed DSI staff will flag it and it will go through the Board of Zoning Appeals. The conditions recommended are part of the Zoning Code and would always apply. By adding them to the staff recommendation we are just ensuring that the applicant is aware of them.

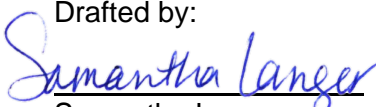
Commissioner Taghioff asked if there was a resolution between the two surveys presented at the last meeting that seemed not to agree with each other on technical issues. Mrs. Rosendahl presented a survey dated August 26, 2019 from McGibbon Land Surveying that was provided to staff in 2019. It was not included in the last presentation because it needed to be pulled from the records in the office. She referred to Finding 9 in the staff report that explains how staff used the August 26, 2019 stamped survey and the October 26, 2019 survey during the approval process. She said that there is adequate space at the minimum to build two new homes on two building pads with the required setbacks.

Commissioner Grill moved to deny the appeal with conditions. Commissioner Taghioff seconded the motion.

In response to Commissioner Rangel Morales, Mrs. Rosendahl confirmed that the appeal was filed within the 10 day period for the second appeal period.

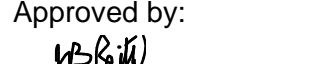
The motion passed by a vote of 6-0-0.

Adopted Yeas - 6 Nays - 0 Abstained - 0

Drafted by:

Samantha Langer
Recording Secretary

Submitted by:

Marilyn Rosendahl (Aug 27, 2021 10:54 CDT)
Marilyn Rosendahl
City Planner

Approved by:

J. B. Reilly (Aug 27, 2021 13:37 CDT)
Jake Reilly
Chair









21-277-255 1945 Rome minutes (7-29) MR

Final Audit Report

2021-08-27

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