

A G E N D A R E P O R T

DATE September 7, 2004

ITEM Amended Plat Lot 1, Block 18, Bel-View Palisades

INITIATED BY Kurt Kessner, Property Owner and Builder

ACTION REQUESTED Commission Conditionally Approve Amended Plat and Accompanying Findings of Fact

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Ben Rangel, Planning Director

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RECOMMENDATION:

The City-County Planning Board has recommended the City Commission approve the Amended Plat of Lot 1, Block 18, Bel-View Palisades, and the accompanying Findings of Fact, subject to specified conditions.

MOTION:

“I move the City Commission approve the Amended Plat of Lot 1, Block 18, Bel-View Palisades, and the accompanying Findings of Fact, subject to conditions specified by the City-County Planning Board.”

SYNOPSIS:

Subject Amended Plat subdivides a 3.7-acre block of land between Fern Drive and Bel-View Park into five lots.

BACKGROUND:

Kurt Kessner has submitted an application to subdivide Lot 1, Block 18, Bel-View Palisades, into five lots. Subject parcel is located between Fern Drive and Bel-View Park and contains 3.7 acres.

The parcel was replatted and zoned Planned Unit Development (PUD) District in 1989 as part of the Centennial Ridge Condominium project. The plan approved at that time permitted up to 21 dwelling units within Block 18.

The vacant parcel was subsequently sold to a consortium of individuals who plan to construct up to eight single-family residences on individual platted lots with a remaining interior area to be retained as common open space.

The attached Amended Plat creates four of the proposed buildable lots. The owners propose a second planned amended plat of Lot 5 in the future to create the remaining residential lots and open space.

No additional public infrastructure is necessary to serve the proposed development of subject parcel.

Three single-family residences are currently under construction within parcel (on proposed Lots 1-3).

As the PUD zoning classification does not specify minimum building setback requirements and maximum building envelopes for each proposed lot are presently unknown, the applicant is proposing a minimum 10-foot setback for each structure from every property line. To conform closer to the existing conventional “B” Area District zoning classification (minimum front yard of 20 feet) on the adjoining Blocks 17 and 19, staff is recommending the Amended Plat of Block 18 provide for a minimum 20-foot setback for each structure from any street right-of-way.

The City-County Planning Board considered the Amended Plat during a meeting held August 24, 2004. Mr. Kessner testified that 2 of the 3 residences currently under construction do not comply with the 20-foot setback proposed by staff. Mr. Kessner has reiterated his comments in the attached letter dated August 26, 2004.

After a brief discussion, the Planning Board passed a motion recommending approval of the Amended Plat of Lot 1, Block 18, Bel-View Palisades, and the accompanying Findings of Fact subject to fulfillment of the following conditions:

- 1) Any errors or omissions on the Amended Plat, noted by staff, shall be corrected including expanding the building setback line to provide a minimum 20* foot separation between any structure and existing street right-of-way and addition of the easements noted in the attached Memo dated August 16, 2004, from the City Engineer; and
- 2) A certificate of title prepared by a title company shall be recorded with the Amended Plat.

*Any permitted residence currently under construction in Block 18 that does not conform to this setback would be considered a legal nonconforming structure for setback purposes. Any subsequent building in Block 18 would have to comply with the 20-foot setback. The Commission has the option to change this minimum setback from 20 feet to 10 feet.

Attach: Vicinity Map

Amended Plat

Findings of Fact

(on file in City Clerk's Office)

Memo from City Engineer dated Aug. 16, 2004

(on file in City Clerk's Office)

Letter from Kurt Kessner dated Aug. 26, 2004

(on file in City Clerk's Office)

cc w/o attach: Kurt Kessner, 1905 Centennial Dr.
Wayne Dean, 2625 Central Ave.

