



Board of Adjustment Report

April 25, 2017

To: Board of Adjustment

From: Jessica Rees, City Planner

Case Number: BOA 17-004

GENERAL INFORMATION:

APPLICANT:

Mark McWatters

LOCATION:

4300 Hanover Street, City of University Park

REQUEST:

Requesting an appeal of a determination made by the Building Official with regard to Section 21-100 (d) (ii) of the comprehensive zoning ordinance which limits the rear yard coverage with a structure to 50%.

EXISTING ZONING:

The subject tract is currently zoned Single Family District 3 (SF-3) zoning district classification.

SURROUNDING LAND USE:

North: Single Family "SF-3", residential
South: Single Family "SF-3", residential
East: Single Family "SF-3", residential
West: Single Family "SF-3", residential

BACKGROUND:

Mr. McWatters' builder, Kevin Wylie, applied for a building permit to construct a covered outdoor kitchen on 7/15/2016. The proposed plans exceeded the 50% structure coverage in the rear half of the lot. Mr. Wylie resubmitted the plans and the building permit was issued on 9/7/2016.

On November 10, 2016, Mr. Wylie applied for the Board of Adjustment but since the plans were denied more than fifteen days before the application, the application was denied.

Mr. Wylie then modified the plans to cover the outdoor kitchen on 12/12/2016. Mr. Tim Green, building official at the time, denied the plans and Mr. Wylie applied for the Board of Adjustment on 2/1/2017.

Due to scheduling conflicts, the item was taken off of previous agendas.

NOTIFICATION:

Notices were mailed to property owners within 200 feet of the subject site and a public hearing notice was published in the Park Cities News on April 13, 2017. At the time of this report, staff has not received any responses. Staff will provide an update at the meeting.

RECOMMENDATION:

Staff recommends that the Board of Adjustment deny this appeal since the permissible allowable coverage percentage is a finite number and no interpretation was required.

ATTACHMENTS:

1. BOA Application
2. Denied permit application
3. Site plan
4. Photos