

Staff Report
Zoning Board of Adjustment
August 14, 2013
Finch Proposed Development – 100 Micah Point, Lot 2L

The original zoning ordinance, Ordinance No. 23 was adopted circa 1975 and was overdue for review and updating when the city council adopted Ordinance No. 120910-01. Over the years the City of La Vernia had moved from a very small rural community to a growing small city. The original ordinance required the following parking:

Ordinance No. 23, Article V. Off-Street Parking and Loading, Section 3. Amount of Off-Street Parking:

The off-street parking required by this Article shall be provided and maintained on the basis of the following minimum requirements:

- (2) *Multiple-Family Dwellings – One (1) parking space for each dwelling unit up to four (4) dwelling units, plus one and one-quarter (1 ¼) parking spaces for each dwelling unit in excess of four (4) dwelling units.*

The current code requires the following:

Chapter 38 Zoning, Article IV. Supplemental Regulations, Section 38-402 Off-Street Parking and Loading Requirements:

(e) Schedule of off-street parking requirements

- (1) Quantities. Off-street parking shall be provided in sufficient quantities to provide the following ratio of vehicle spaces for the uses specified in the districts designated:*

Multifamily, duplex, two family, condominium or other similar uses: 1.5 spaces per bedroom

A visit to Micah Point Road will illustrate that development using the parking regulations from Ordinance No. 23 do not provide adequate parking. Contemporary society has seen an increase in vehicles, boats, trailers, and recreational trailers and ATV's, so a single parking space per unit is insufficient. Micah Point condominiums that were constructed with four units in each building and were designed with eight parking spaces. Even when exceeding the standards from the original zoning ordinance, there is insufficient parking. With nine buildable lots on the street, there are many driveways, so there is very little available street parking. Additionally, the small platted parcels leave no space for dumpsters. These issues create health and safety issues. If cars are parked on both sides of the roadway, and fire and EMS apparatus were called to the street, it would be difficult if not impossible for safe ingress and egress with vehicles parked on both sides of the roadway, and the street being designed as a cul-de-sac.

Possible solutions:

- Reduce the size of the footprint of the planned buildings (duplexes, tri-plexes instead of four-plexes);
- Replat and expand the lots;
- To alleviate parking and dumpster issues, construct a mutual shared parking lot on one of the vacant lots with legally binding maintenance/use agreements filed at the county.

The suggestion that the landlords regulate the number of vehicles that a tenant can park on the property would be difficult to enforce, would not prevent excess resident vehicles from using the street for parking, and could be removed from the rental agreement with a change in property ownership.

Covering the utility easement with parking lot creates numerous issues with repairs to water mains. Verizon is not supportive of the idea, and GVEC has not provided a response at this time. Telephone line can be placed in conduit, but the electrical is already placed with the pedestals already on site.

Staff does not recommend approval of the variance.

A handwritten signature or set of initials, possibly 'J' or 'K', written in black ink.