

Planning & Zoning:	10/4/10	Staff Contact:	Jeremy Frazzell, Senior Planner
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SUBJECT: Hold a public hearing and consider a text amendment to Chapter 157: Unified Development Code; Amending Subchapter 4 Establishments of Districts and Boundaries, Residential Zoning Districts to add requirements addressing setbacks for storage sheds under and over 200 sq ft. (CA1009-01)

DISCUSSION

The Planning Department has been made aware of issues with existing storage sheds not meeting the rear and side yard and setbacks. We recently processed a special exception for such a request in the Highland Park North neighborhood.

The storage sheds in question are less than 200 square feet and do not require a building permit. Without a building permit being required, the homeowner may not be aware of the 5' setback requirements. With this in mind staff recommends amending the UDC to allow for reduced setbacks for storage sheds less than 200 square feet.

PROPOSED AMENDMENT:

The following excerpt from the UDC includes the proposed amendments in yellow:

SUBCHAPTER 4. ESTABLISHMENT OF DISTRICTS AND BOUNDARIES.

A. RESIDENTIAL ZONING DISTRICTS.

- (5) Permitted Encroachments into Setbacks Suburban Districts. The following are permitted in required yard areas provided that they comply with all other standards of this and other applicable codes and provided that: 50 percent of the setback nearest the adjacent side and rear property lines is limited to landscaping, fences and walls, pedestrian access or pedestrian, bike or equestrian trails; and 25 percent of the required front yard is limited to landscaping, fences and walls, pedestrian access, pedestrian, bike, or equestrian trails:
- (a) Landscaping.
 - (b) Vehicular Use Areas.
 - (c) Fences and walls.
 - (d) Stairways, balconies, covered porches, or other building extensions that do not intrude more than six feet into the Rear or Street Yard.

- (e) Every part of a required yard or court shall be open from its lowest point vertically to the sky, unobstructed, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features, and eaves.
- (f) An open fire escape may project into a required Side Yard up to one-half the width of such yard, or up to four feet from the building, whichever encroaches less. Fire escapes may project up to four (4') feet into a Rear Yard.
- (g) Improvements, signs, and landscaping taller than 36 inches, are prohibited in all Sight Triangles.
- (h) Accessory Buildings may encroach into required yards according to the following table:

Primary Use of Lot	Type of Accessory Building	Distance from boundary			
		Street	Rear	Side - Interior	Side - Exterior
Residential	Unattached Garage	25	7.5	10	15
Residential	Other than Unattached Garage including Storage Sheds 200 Square Feet and Greater	25	5	5	15
Residential	Storage Shed Less Than 200 Square Feet	25	2	2	15

- (7) Permitted Encroachments into Setbacks Urban Districts. The following may be permitted to intrude into required building and landscape setbacks, unless the setback is also required to serve as a buffer for existing single family detached adjacency.
 - (a) Landscaping.
 - (b) Required Driveways.
 - (c) Permitted Fences and walls.
 - (d) Awnings or overhanging eaves at least 9' above sidewalk grade
 - (e) Balconies up to 4' deep at least 10' above sidewalk grade
 - (f) Bay Windows up to 4' deep at least 10' above sidewalk grade
 - (g) Suspended planter or flower boxes up to 30"
 - (h) Stoops and stairs up to 5' in front and rear – side yard no limit as long as their remains 6' between intrusion and façade of neighboring structure
 - (i) Improvements, signs, and landscaping taller than 36 inches, are prohibited in all Sight Triangles.

- (j) Every part of a required yard or court shall be open from its lowest point vertically to the sky, unobstructed, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features, and eaves.
- (k) Accessory Buildings may encroach into required yards according to the following table:

Primary Use of Lot	Type of Accessory Building	Distance from boundary			
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STAFF RECOMMENDATION:

Staff recommends approval of the proposed text amendment as presented.

NOTIFICATION:

Newspaper Notification Published on September 16, 2010.

ATTACHMENTS:

NA