



# City of Pflugerville

## Legislation Details (With Text)

<b>File #:</b>	2018-6893	<b>Version:</b>	1	<b>Name:</b>	W. Wilbarger BOA Variance
<b>Type:</b>	Agenda Item	<b>Status:</b>		<b>Status:</b>	Public Hearing
<b>File created:</b>	6/29/2018	<b>In control:</b>		<b>In control:</b>	Planning and Zoning Commission
<b>On agenda:</b>	8/22/2018	<b>Final action:</b>		<b>Final action:</b>	8/22/2018
<b>Title:</b>	To receive public comment and consider Variances on an undeveloped parcel (PID 276122) located along the south side of W. Wilbarger St., between N. 1st St. and N. 2nd St, zoned Single Family Suburban District (SF-S) and Downtown District Overlay (DD). The Variance requests include reductions in the minimum Site and Lot Area, minimum Lot Width, and minimum Lot Depth as stated in Subchapter 4.2.4 of the Unified Development Code; all to be known as the W. Wilbarger Variance. (BOA1803-01)				

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**Attachments:** 1. Staff Report W. Wilbarger (BOA1803-01), 2. Location Map W. Wilbarger (BOA1803-01)

Date	Ver.	Action By	Action	Result
8/22/2018	1	Board of Adjustment	Approved	Pass

To receive public comment and consider Variances on an undeveloped parcel (PID 276122) located along the south side of W. Wilbarger St., between N. 1st St. and N. 2nd St, zoned Single Family Suburban District (SF-S) and Downtown District Overlay (DD). The Variance requests include reductions in the minimum Site and Lot Area, minimum Lot Width, and minimum Lot Depth as stated in Subchapter 4.2.4 of the Unified Development Code; all to be known as the W. Wilbarger Variance. (BOA1803-01)

The subject property is located along the south side of W. Wilbarger St., between N. 1st St. and N. 2nd St., generally west of the W. Wilbarger St. and N. 1st St. intersection. The subject property is part of the George Pfluger Addition which was platted in 1904. The George Pfluger Addition included all properties south of Gilleland St., east of Fourth St., west of Railroad Ave., and north of Hall St. The subject property was originally part of a four (4) lot-block located south of Wilbarger St., east of Second St., west of First St., and north of Walnut St. The original four (4) lot-block included a 20' alley which stretched north and south between Wilbarger St. and Walnut St. The subject property and surrounding area were part of the original tract of land which became the City Limits when Pflugerville incorporated in 1965, and was zoned for residential with the first zoning ordinance in 1974. Through time, the nomenclature of the zoning districts have changed; however, the zoning has remained consistent for a residential use, including the current zoning Single Family Suburban Residential (SF-S). Based on historical zoning maps it appears the subject lot configuration may have occurred in the early 1990s. Today, if a residential lot was to be divided, it would require review through the subdivision process and compliance with all Unified Development Code (UDC) standards.

The Single Family Suburban Residential District (SF-S) establishes the minimum development requirements, including lot dimensions, dwelling unit size, and building setbacks, while the Downtown District Overlay (DD) influences the architectural standards. The following Single Family Suburban

Residential District (SF-S) “bulk” development requirements are not able to be achieved by the subject property:

1. Site/Lot Area of 9,000 sq. ft. or greater;
2. Lot Width of 70 sq. ft. or greater; and
3. Lot Depth of 125 sq. ft. or greater.

Staff recommends approval of the proposed three (3) Variances to provide for reductions in the minimum Site and Lot Area, minimum Lot Width, and minimum Lot Depth as stated in Subchapter 4.2.4 of the Unified Development Code (UDC). The subject property cannot be developed until such time adjacent properties are combined to enlarge the size of the subject property or the proposed three (3) Variances are granted. The surrounding properties are owned by different land owners and developed as single family lots which creates the challenge to increase both the Lot Depth and Width. Also, there is no guarantee the adjacent properties will become for sale in the recent future. The subject property can't increase its Lot Width by encroaching westward into the undeveloped 20' alley with a swale and a storm inlet within the Right-of-Way. The subject property is hindered by its inability to increase its Lot Width and Depth due to adjacent property boundaries; therefore, the minimum Site and Lot Area cannot be obtained.

The proposed Variances will not impact the public health, safety or welfare of the citizens of Pflugerville. The subject property and all future development will be held to the current zoning and development regulations. For example, the subject property will still adhere to the required setbacks, architectural requirements, and landscaping standards; therefore, not creating a negative impact to the adjacent neighbor's properties. The single family use of the property is compatible with the surrounding residential properties and Future Land Use Map. The non-conforming configuration of the subject property was not created by the Applicant or the owner of the property. Without approval of the request, the application of the provisions of the Unified Development Code will deprive the Applicant of the reasonable use of their land. After much deliberation, Staff does believe the proposed three (3) Variances are appropriate for the Board of Adjustment's (BOA) decision and Staff does recommend approval.

If the three (3) Variances are approved, the subject property will be granted reductions in the following bulk standards: Site and Lot Area, Lot Width, and Lot Depth. This will grant the Applicant or owner the ability to develop the property in accordance with both the Single Family Suburban Residential District (SF-S) base zoning district and Downtown District Overlay (DD) zoning overlay. If the request is denied, the subject property would remain vacant and undeveloped. No development is permitted on site until such time Variances are granted or the subject property is combined with adjacent properties to increase to bulk standards of the lot to come into conformance. Rezoning the property is not an option due to the current lot configuration of the subject property not being able to meet the bulk standards of any residential zoning district per the Unified Development Code (UDC).

Abigail Rose, Planner II