

STAFF REPORT



Meeting: May 18, 2015

To: Planning Commission

From: Patrick B. Howard, AICP
Director

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Planner: Santiago Abasolo, AICP
Senior Planner

Request: A request for approval of a Replat and a Variance from Chapter 10, Section III.A.2 of the Subdivision Ordinance to allow for a pavement width of 34 feet in lieu of 36 feet for Oaklawn Boulevard, classified as a Local Street.

Location: A tract of land generally located west of Oaklawn Boulevard and south of East 25th Street, approximately 135 feet southeast from the intersection of Oaklawn Boulevard and East 25th Street.

Legal Description: Being 0.273 acres comprised of Lot 9 and the south 35feet of Lot 8, Block 5, Oak Lawn Addition, as per plat recorded in Volume 63, Page 623, Deed Records of Tom Green County, Texas

Size: 0.273 acres

General Information

Future Land Use: Neighborhood
Zoning: Manufactured Housing (MHS)
Existing Land Use: Vacant land

Surrounding Zoning / Land Use:

North:	Manufactured Housing (MHS), Single-Family Residential (RS-1)	Manufactured Housing, Single family dwellings, Vacant Land
West:	Manufactured Housing (MHS), Single-Family Residential (RS-1)	Manufactured Housing
South:	Manufactured Housing (MHS)	Manufactured Housing
East:	Single-Family Residential (RS-1)	Single family dwellings

District: CMD#4 – Don Vardeman

Neighborhood: Reagan

Thoroughfares/Streets: Per the Master Thoroughfare Plan (MTP), Oaklawn Boulevard is identified as a Local Street. Local Streets carry traffic to Arterial Streets at a moderate speed and provide the principal means of access to abutting property only.

Recommendation:

The Planning Division recommends APPROVAL of this Replat request **subject to the three (3) Conditions of Approval** listed below and APPROVAL of the variance request.

Background:

An application for a Replat was submitted to the Planning Division on March 16, 2015. It is the applicant's intent to re-subdivide the property into two (2) tracts. The two tracts are proposed to be developed as residential uses. Utility improvements and extensions are proposed to be provided by the City of San Angelo.

The applicant is requesting a Variance to allow for a pavement width of 34 feet in lieu of 36 feet for Oaklawn Boulevard. The applicant is required to improve his portion (half) of Oaklawn Boulevard to the required 36 feet, or an additional one (1) foot.

Analysis:

SECTION IV of the Land Development and Subdivision Ordinance requires that the Planning Commission consider, at minimum, four (4) factors in determining the appropriateness of any subdivision request variance.

- 1. The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.**

Based on the use of the surrounding properties, the required width compared to the existing width, location of the lot on the street, and the proposed use, granting a variance does not appear to be detrimental to the public safety, health or welfare, or be injurious to other property. The current width appears to be sufficient for emergency vehicles and the traffic load for the built-out area comprise mainly of single family homes. In addition, the widening along one lot of an entire stretch of roadway would cause confusion of the traffic flow through the area since there are no immediate plans to widen the entire roadway. The applicant has indicated that the lot dimensions were necessitated by the City's taking 15 feet for the alley on the north side of the subject property.

- 2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.**

The applicant has indicated that other properties are developed on this road and that these properties have provided the minimum width needed. The paving width requirements that would apply to the subject property are unique to the property as it does not seem that other properties in this residential neighborhood have been subject to similar requirements. Furthermore, the Engineering Services and Stormwater Divisions support the Variance request due to the location of the lot on the street, the use of the surrounding properties, and the existing width of the right-of-way.

- 3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.**

The applicant has indicated that the street improvements would be detrimental to the property and that the existing 35 foot width on Lot 8 would be very impractical for construction. Based on feedback from the Engineering Services/Stormwater Division, hardship on the lot owner may result if a Variance is not granted. If the streets curbing is required to be moved in order for the street to be widened and paved, the subject property will be affected by a street pavement with a different configuration and width than the properties facing the same road.

- 4. The variance will not, in any significant way, vary the provisions of applicable ordinances.**

Other than the requested Variance of paving width, all other ordinances must be applied to the property to comply with all applicable City of San Angelo requirements including the General Development Standards of the corresponding zoning district. The applicant believes that existing street is adequate and that the reduced lot width will allow for better construction.

Conditions:

1. Provide the Planning Division staff with a copy of certification from the Tom Green County Appraisal District, indicating there are no delinquent taxes on the subject property of this subdivision.

2. Prepare and submit plans for approval, illustrating the proposed installation of required water and sewer service connections and complete the installation in accordance with the approved version of these plans

Alternatively, submit a financial guarantee ensuring the completion of these improvements within an 18 month period.

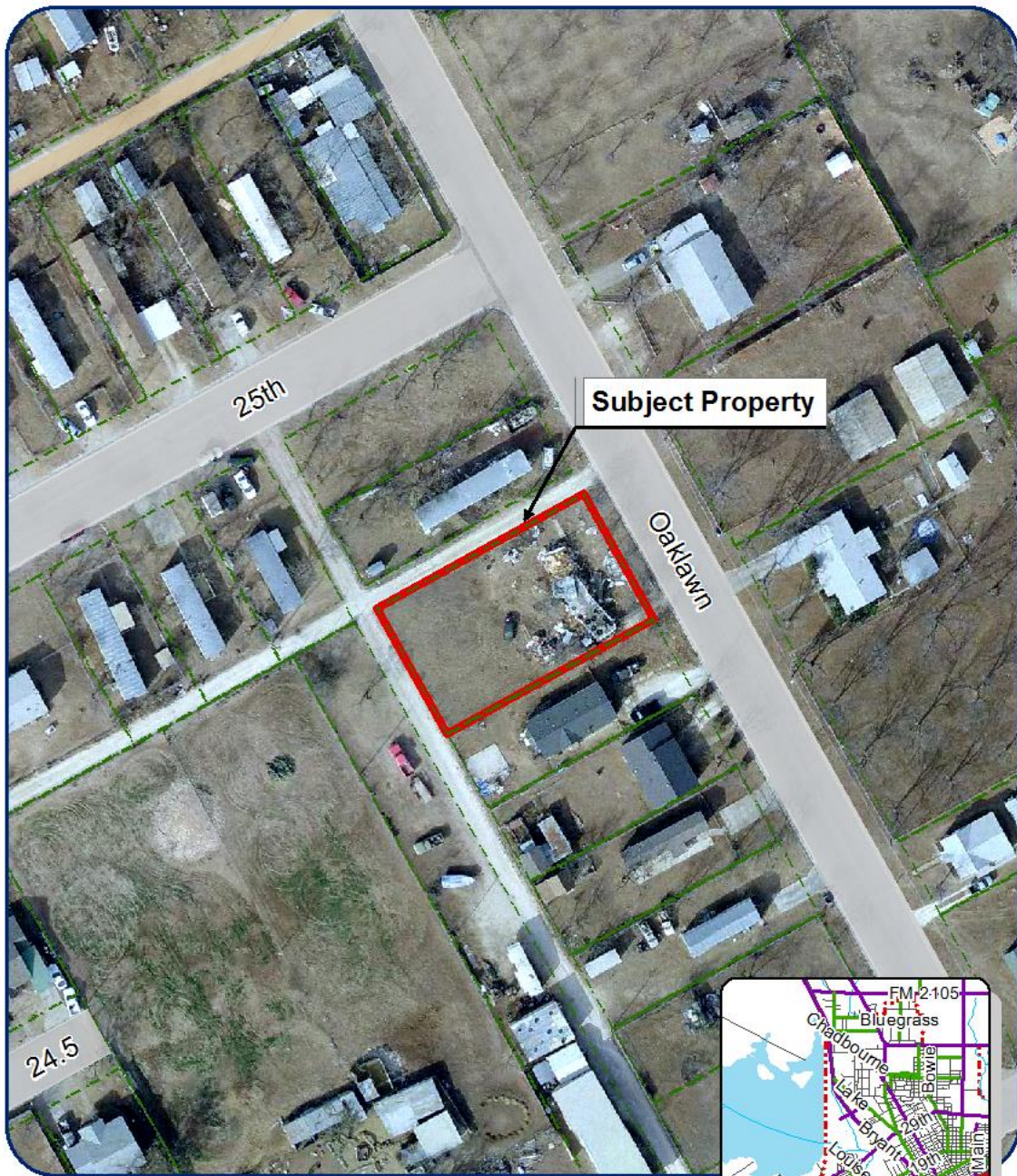
3. Install necessary water and wastewater service lines to each new lot

Action Requested:

The action requested is for the Planning Commission to **APPROVE** the Replat of Oak Lawn Addition, Replat of Blk 5, Lot 9 and part of Lot 8, **subject to three (3) Conditions of Approval**, and **APPROVE** a variance from Chapter 10, Section III.A.2 of the Subdivision Ordinance to allow for a pavement width of 34 feet in lieu of 36 feet for Oaklawn Boulevard.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Plan
Notification Map
Plat
Application



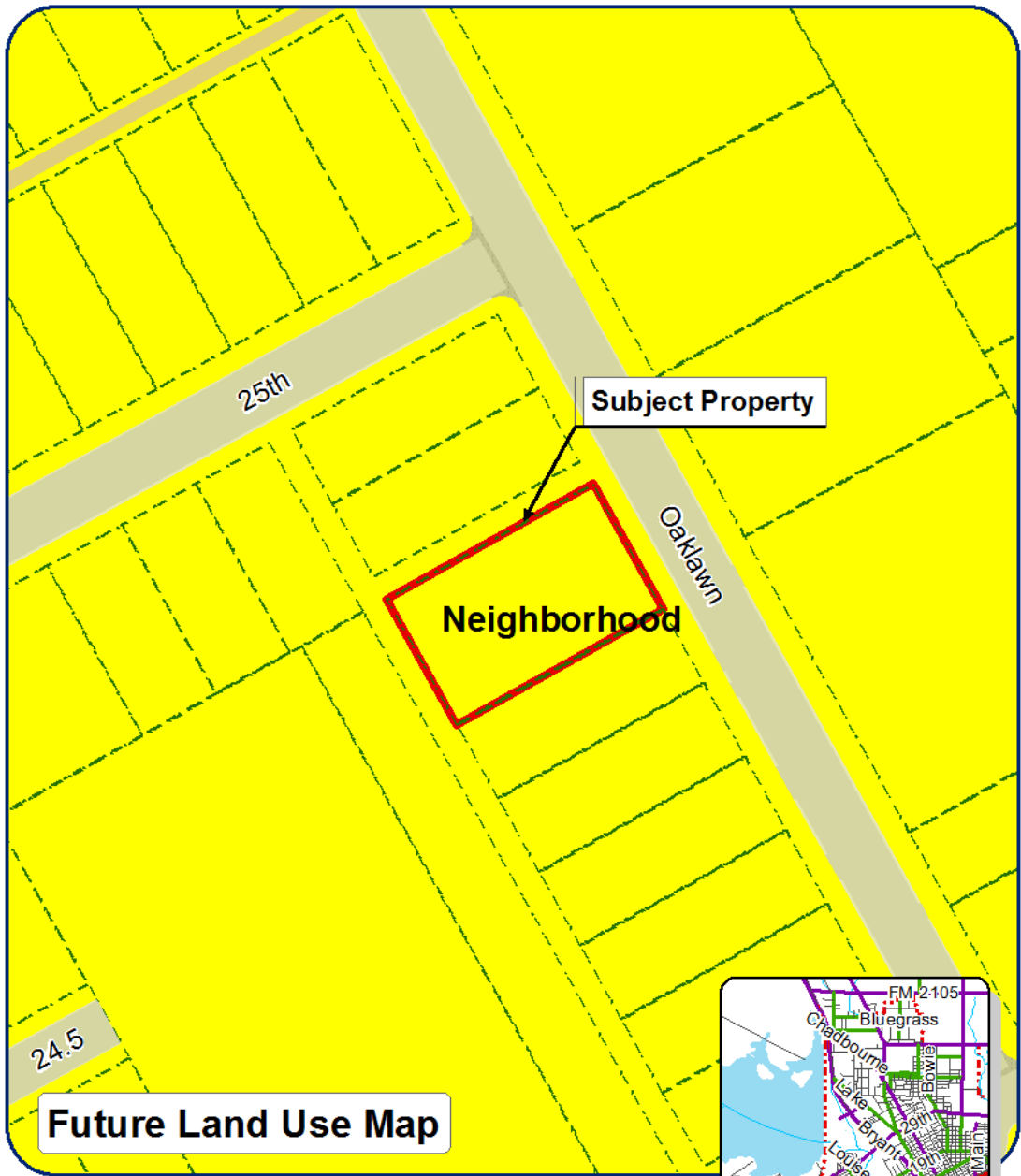
Subdivision Case File

Replat of Lot 9 and the South 35 feet Lot,
 Block 5 Oak Lawn Addition
 Council District: Don Vardeman
 Neighborhood: Reagan
 Scale: 1 in approx = 75 ft
 Subject Property: Lot 9 and the South 35 feet of Lot 8, Block 5 of the Oak Lawn Addition

Legend

Subject Properties: —
 Current Zoning: MHS
 Requested Zoning Change:
 Vision: Neighborhood





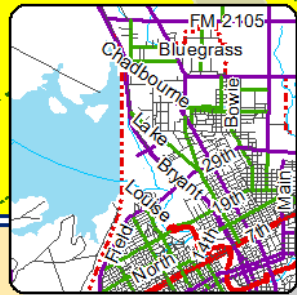
Future Land Use Map

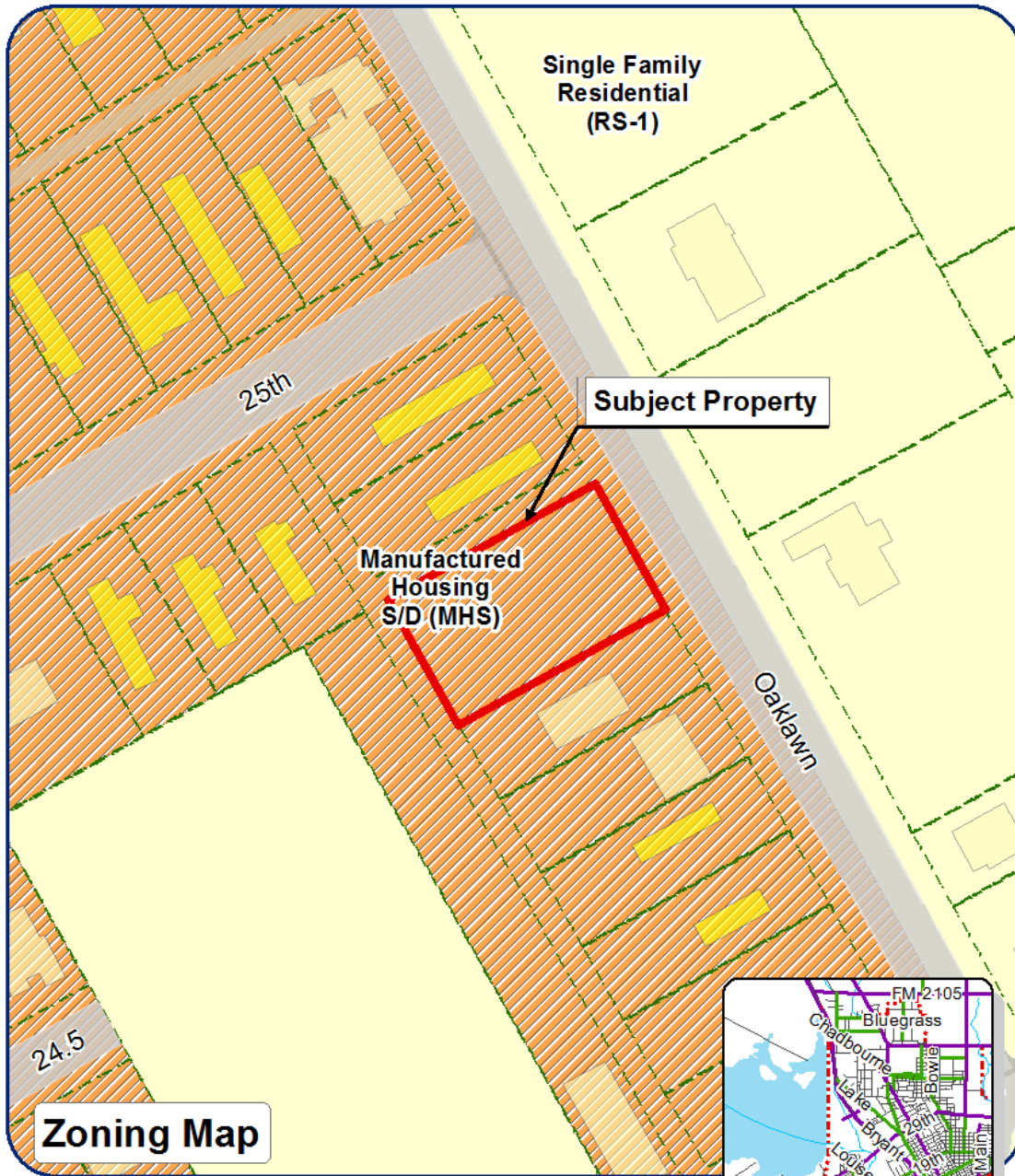
Subdivision Case File

Replat of Lot 9 and the South 35 feet Lot,
 Block 5 Oak Lawn Addition
 Council District: Don Vardeman
 Neighborhood: Reagan
 Scale: 1 in approx. = 75 ft
 Subject Property: Lot 9 and the South 35 feet of Lot 8, Block 5 of the Oak Lawn Addition

Legend

Subject Properties: —
 Current Zoning: MHS
 Requested Zoning Change:
 Vision: Neighborhood





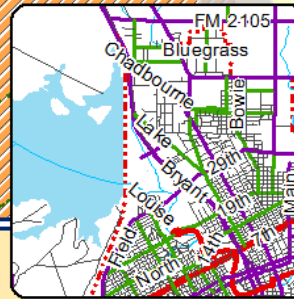
Zoning Map

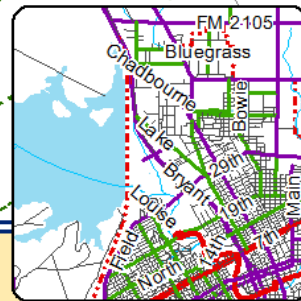
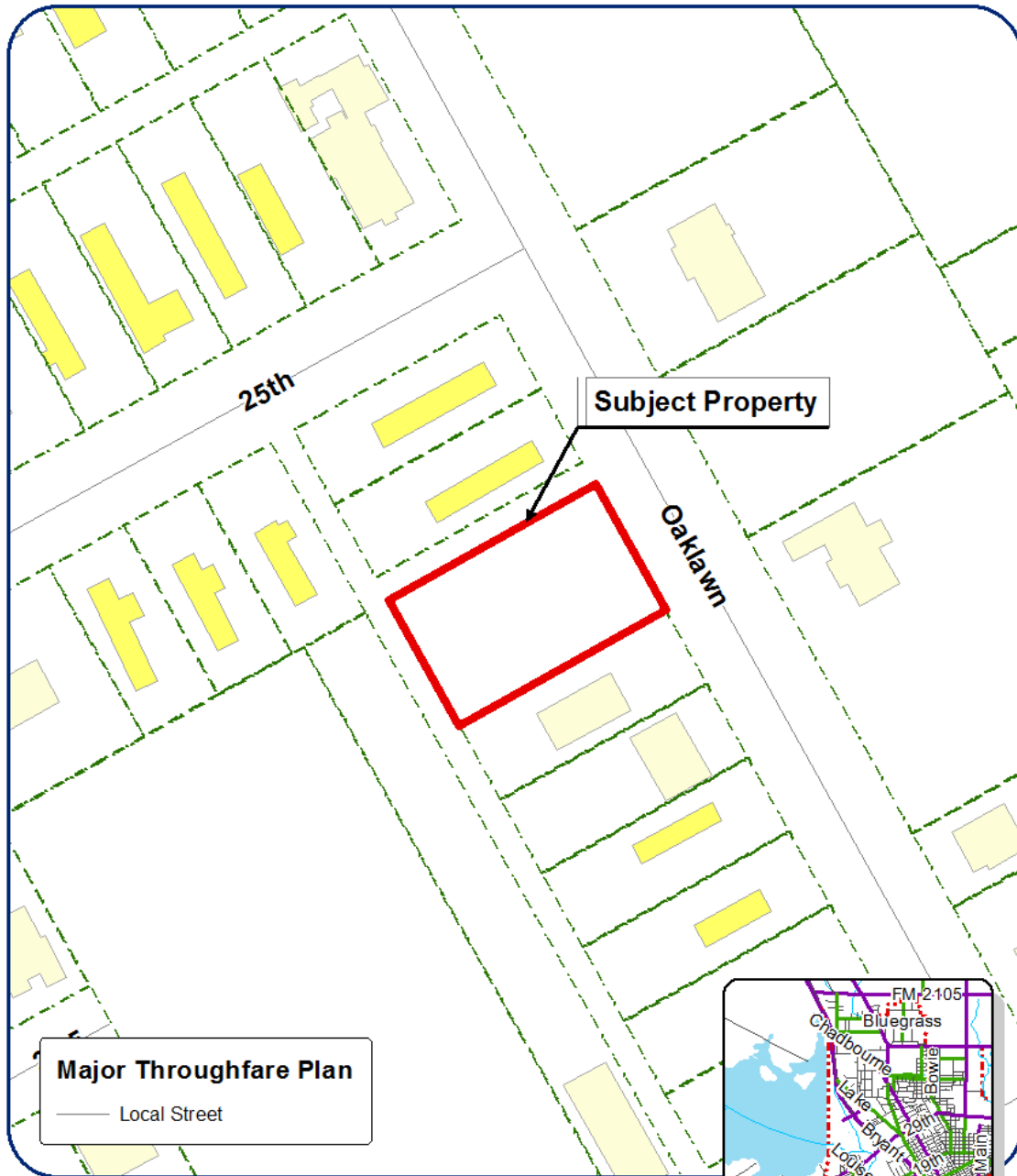
Subdivision Case File


Replat of Lot 9 and the South 35 feet Lot,
 Block 5 Oak Lawn Addition
 Council District: Don Vardeman
 Neighborhood: Reagan
 Scale: 1 in approx. = 75 ft
 Subject Property: Lot 9 and the South 35 feet of Lot 8, Block 5 of the Oak Lawn Addition



Legend

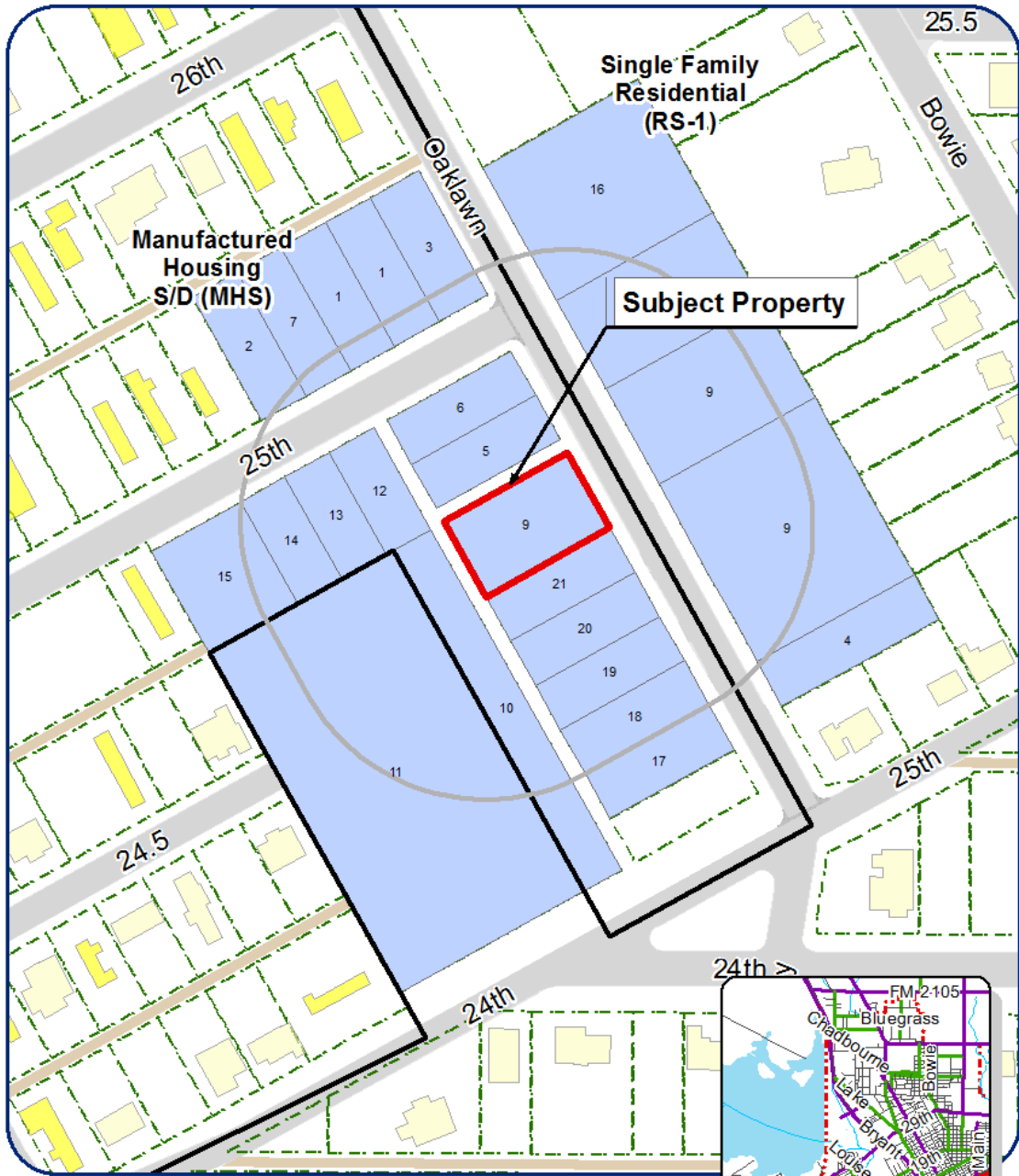
Subject Properties: —
 Current Zoning: MHS
 Requested Zoning Change:
 Vision: Neighborhood





Subdivision Case File	Legend
Replat of Lot 9 and the South 35 feet Lot, Block 5 Oak Lawn Addition Council District: Don Vardeman Neighborhood: Reagan Scale: 1 in approx. = 75 ft Subject Property: Lot 9 and the South 35 feet of Lot 8, Block 5 of the Oak Lawn Addition	Subject Properties:  Current Zoning: MHS Requested Zoning Change: Vision: Neighborhood

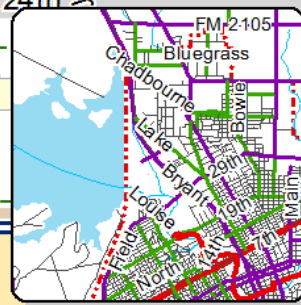


Subdivision Case File

Replat of Lot 9 and the South 35 feet Lot,
 Block 5 Oak Lawn Addition
 Council District: Don Vardeman
 Neighborhood: Reagan
 Scale: 1 in approx = 125 ft
 Subject Property: Lot 9 and the South 35 feet of Lot 8, Block 5 of the Oak Lawn Addition

Legend

Subject Properties: —
 Current Zoning: MHS
 Requested Zoning Change:
 Vision: Neighborhood





SCALE: 1"= 30'

0 15 30 45
GRAPHIC SCALE - FEET

NOTE: Bearings shown hereon are based on Oak Lawn Addition, as per Plat recorded in Volume 63, Page 623, Deed Records of Tom Green County, Texas. Distances are surface horizontal.

LEGEND:

- Found 1/2" Iron Pipe or Rod (unless otherwise noted)
- ◻ Set 1/2" Iron Rod with Cap

PLANNING COMMISSION
Approved for recording this ___ day
of ___ 20___ City Planning
Commission of San Angelo, Texas.

Chairman

Secretary

DEPARTMENT OF WATER UTILITIES
Approved for recording this ___ day
of ___ 20___

By: _____
Director of Water Utilities

DEPARTMENT OF PUBLIC WORKS
Approved for recording this ___ day
of ___ 20___

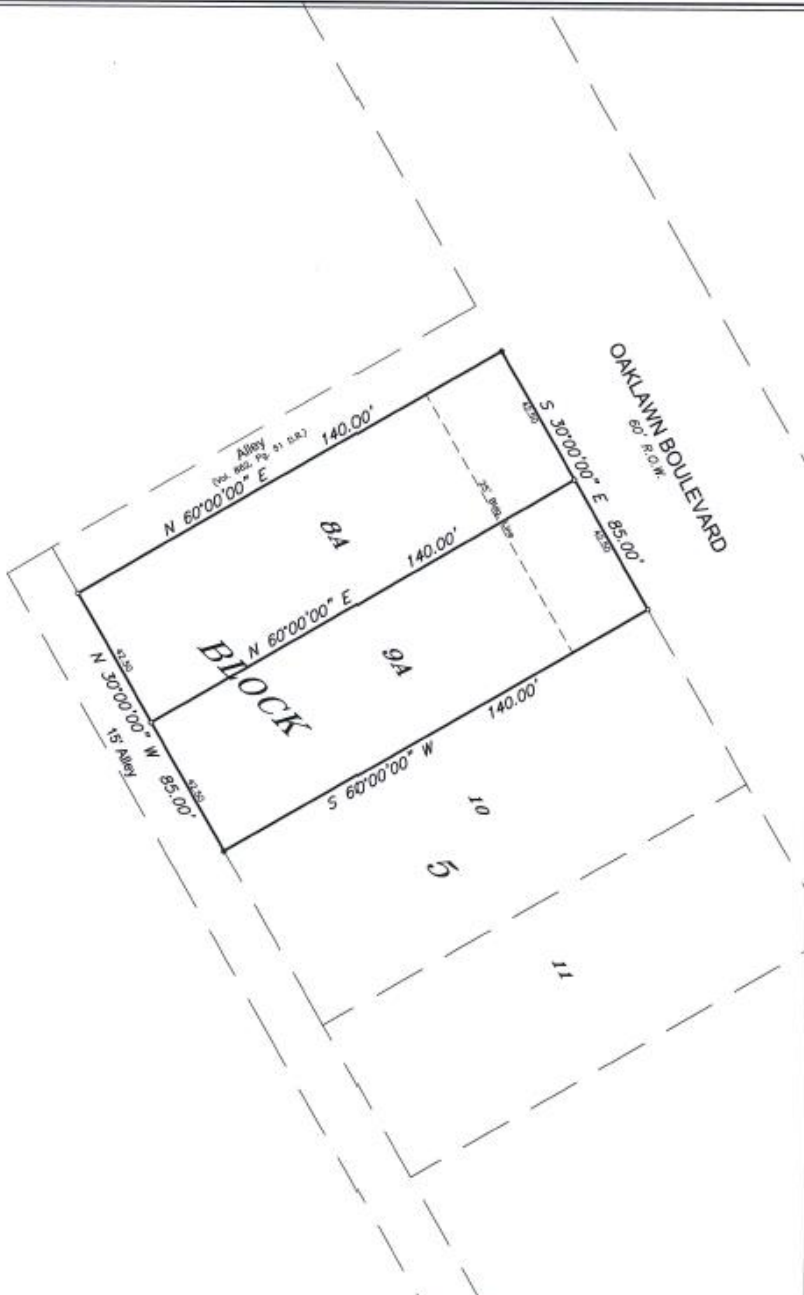
By: _____
Director of Public Works

COUNTY CLERK
Filed for record this ___ day of
20___ @
County Clerk of Tom Green Co., Tx.

By: _____

STATE OF TEXAS
COUNTY OF TOM GREEN
This instrument was acknowledged before
me on ___
by Jesus and Elva Ramirez.

Notary Public, State of Texas



**REPLAT OF LOT 9 AND
AND SOUTH 35 FEET OF
LOT 8, BLOCK 5
OAK LAWN ADDITION**

City of San Angelo, Tom Green County, Texas.
OWNER/DEVELOPER: Jesus and Elva Ramirez

DESCRIPTION: Being 0.273 acres comprised of Lot 9 and the south 35 feet of Lot 8, Block 5, Oak Lawn Addition, as per plat recorded in Volume 63, Page 623, Deed Records of Tom Green County, Texas.

ACKNOWLEDGEMENT/DEDICATION
We, Jesus Ramirez and Elva Ramirez do hereby adopt this plat as the subdivision of our property.

Jesus Ramirez

Elva Ramirez

SURVEYOR'S CERTIFICATE
Know all men by these presents: that I, Russell T. Guly RPLS, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that corner monuments shown hereon were properly placed, under my supervision, in accordance with the rules for land subdivision by the City Council of the City of San Angelo; and I further certify that the tract of land herein platted lies within the city limits of the City of San Angelo, Texas.

14-S-0967

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

This Replat is Filed in Cabinet ___ Side ___
Plat Records of Tom Green County, Texas.

SKG
ENGINEERING, LLC
SURVEYING + ENVIRONMENTAL + LAB/CMT

706 SOUTHWABE STREET PHONE: 325.856.1288
SAN ANGELO, TEXAS 76903 FAX: 325.857.8189

FIRM NO. 10102400
www.skg.com

-City of San Angelo, Texas
Planning Division

Application for Approval of a SUBDIVISION

Proposed Name of Subdivision: RECAT OF LOT 9 AND THE SOUTH 35'S LOT 8, Bk. 5
OAK LAWN ADDITION

Location: WEST OF OAKLAWN BOULEVARD

Proposed Request Type: Preliminary Final Replat
 Amended Vacation Revised

Owner Authorized Representative (Affidavit required)

Owner(s) of Subdivision: JESUS & EVA RAMIREZ

E-mail Address: _____

Mailing Address: 733 E. HARRIS AVE. Telephone: 327-7227

City/State/Zip: SAN ANGELO, TX 76903 Total Acreage: 0.273 AC.

Existing Land Use: VACANT

Proposed Land Use: RESIDENTIAL

Existing Structures on Property: NO

Number of Residential Lots: 2 Single-Family Two-Family Townhouse
 Zero Lot Line Other

Acres of: Multi-Family Commercial Industrial
 Open Other

Proposed Source of Water: City Individual Well Other

Proposed Sewage Disposal: City Individual Septic Private Septic

Are there existing deed restrictions? Yes No

Deed Reference Information (required): INST. NO. 681779 OPP

Are any off-site drainage, access or other easements necessary for this subdivision? Yes No

If yes, explain: _____

Are any exemptions or variances from regulations or policies requested? Yes No

If "yes", answer the questions below:

1. The granting of the variance will not be detrimental to the public safety, health or welfare, or be injurious to other property.

Explanation: EXISTING ROADWAY IS SUFFICIENT. LOT DIMENSIONS WERE
NECESSITATED BY THE CITY'S TAKING 15' FOR ALLEY ON NORTH.

2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.

Explanation: OTHER PROPERTIES ARE DEVELOPED ON THIS ROAD. OTHER PROPERTIES HAVE MINIMUM WIDTH.

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.

Explanation: STREET IMPROVEMENTS WOULD BE DETRIMENTAL TO PROPERTY. EXISTING 35' WIDTH ON LOT B WOULD BE VERY IMPRACTICAL FOR BUILDING.

4. The variance will not, in any significant way, vary the provisions of applicable ordinances.

Explanation: THE EXISTING STREET IS ADEQUATE. THE REQUIRED LOT WIDTHS WILL MAKE THEM BUILDABLE.

The owner hereby designates: SKG ENGINEERING, LLC as the official representative(s).

Address: 706 S. AER ST. SAN ANGELO, TX 76903 Phone: 655-1288

E-mail Address: HERB@SKGE.COM

All correspondence including billings are to be sent to: Owner Representative

The owner understands that upon approval of this submitted plat, certain site improvements may be required and that no plats will be released for recording or building permits issued until such improvements are installed and accepted by the City or a suitable performance guarantee accepted by the City. Furthermore, the owner is aware of all fees and costs involved in applying for subdivision approval and that the subdivision processing fee is payable to the City regardless of the outcome of this request.

The undersigned hereby applies for subdivision plat approval in accordance with the subdivision policies and regulations of the City of San Angelo and certifies that the information contained on this application is true and accurate to the best of my knowledge.

[Signature]
Owner's Signature

Date

[Signature]
Representative's Signature

03/16/2015
Date

OFFICE USE ONLY	
Date of application: <u>3/16/15</u>	Received by: <u>Jeff Fisher</u>
<input checked="" type="checkbox"/> walk-in <input type="checkbox"/> by mail	Nonrefundable application fee: <u>\$212.50</u>
Planning Commission? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	River Corridor Commission? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Planning Commission hearing date: _____	If yes, RCC meeting date: _____
Notifications Required? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Notification fee: <u>\$106.25</u>