

MEETING DATE: September 28, 2021

STAFF: Brian Harker, Planner

PROJECT NAME: Keller's Turf & Shrub Care Inc. (Storage Facility)

CASE NUMBER/REQUEST: 21-840-01 – An Appeal to an Administrative Adjustment decision to the Non-Residential Design Requirements

APPLICANT: John Carnes

OWNER: Joshau Keller

PROPERTY ADDRESS/LOCATION: 17608 S. Crackerneck Road

PROPERTY ZONING: C-2 (General Commercial)

SURROUNDING ZONING/LAND USE:

North: R-6...single-family Residence

South: C-2...big box shopping center

East: R-18/PUD...condominium apartments

West: R-12...duplexes

FURTHER ACTION:

- Unless the applicant seeks to appeal the action of the Planning Commission, this application is not reviewed by the City Council.

ACTION TO BE TAKEN

The Planning Commission must determine if the Planning Director's denial of the building elevation, submittal by the applicant, was correct.

PROJECT DESCRIPTION

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Elgin Edmondson requests approval to an appeal to an Administrative Adjustment decision to the Non-Residential Design Requirements

Current and Continuing Use: Landscaping Business

Acreage: 2.55-acres

ANALYSIS & BACKGROUND

Background: On July 14, 2021, Joshua Keller provided an application to Community Development after being issued a "Stop Work Order" for 2,040-square foot, five-bay, metal garage/storage building constructed without a building permit. The new building, erected without plan review, does not meet the Non-Residential Design standards in the City's Unified Development Ordinance (UDO). While all other the city departments and divisions involved in the plan review process have cleared

the project through the permitting process, Zoning requires that the UDO's Non-Residential Design standards be met. Mr. Keller applied for an Administrative Adjustment on August 16th, but the request was denied. Section 14-506-01-B Façade Materials and Building Requirements indicates that, "All buildings and other structures must utilize brick, wood, natural stone, architectural cast stone, glass or other comparable, quality materials approved during the plan review process". Also, Section 14-506-01-C Building Design delineates seven standards, two of which must be met by the proposed building. The applicant is now appealing to the Planning Commission to consider his request.

Consistency with *Independence for All*, Strategic Plan: The application is within keeping with the Goal of, "Growth – Increase in economic prosperity."

Comprehensive Plan Guiding Land Use Principles: The City Comprehensive Plan recommends Residential Established Neighborhood for this site.

Building Design and Materials: The building is constructed with steel tubing dark gray, metal panels. Section 14-506-01-B Façade Materials and Building Requirements indicates that, "All buildings and other structures must utilize brick, wood, natural stone, architectural cast stone, glass or other comparable, quality materials approved during the plan review process". Further, Section 14-506-01-C Building Design delineates seven standards, two of which must be met by the proposed building. The garage door supports and garage doors come close to providing, "Reveals and projections and changes in texture and color of wall surfaces." But in the view of staff, none of the seven standards has been met.

Landscaping: The value of the construction will not trigger a requirement for additional landscaping

Setbacks: The setbacks for the new structure are adequate per Code.

Parking: The new structure will not eliminate needed parking.

Utilities: All public utilities are readily available to the property.

Historic and Archeological Sites: There are no apparent historic/archeological issues with these properties.

Legal Non-Conforming: The existing perimeter fencing, gravel surfaces outdoor equipment and material storage associate with this Construction Services use are legal-nonconforming.

EXHIBITS

1. Aerial Map
2. Plot Plan
3. Photographs
4. Google Map
5. Construction Drawings
6. Ordinances