



STAFF REPORT

PLANNING & ZONING COMMISSION

Village Green Municipal Building, Council Chambers

47 Hall Street

Wednesday, November 10, 2021

7:00 P.M.

1. SKETCH PLAN REVIEW (Case 2021-36SP 60 E Case Ave)

Applicant: William Waddell
 Location: 60 E Case Ave
 Existing Zoning: DR – Downtown Residence District
 Request: Review and feedback for a Sketch Plan for a proposed 5,650 sqft single-family detached residence, including a lot split.

Aerial Site Image: <https://goo.gl/maps/DjJCrzkvHqmgis9HA>

Project Background

This is a new submission for parcel numbers 31942601015000 and 31942601016000, located on Case Avenue in the Downtown Residence District. Parcel 31942601015000, addressed 60 East Case Avenue, contains a single-family residence and detached garage on 0.714 acre. Parcel 31942601016000 is vacant and consists of 0.356 acre.

Proposal Overview

The applicant is proposing to split the 60 East Case Avenue parcel. The existing home and garage structures will remain on the southern portion of the lot, and the northern portion of the lot is proposed to merge with the vacant parcel to the west. The newly merged flag-shaped lot is planned for a new 5,650-square-foot single-family home.

Ordinance Review

In accordance with the requirements of Codified Ordinance [1105.04 – Approval of Subdivision Without Plat](#):

“A proposed division of a parcel of land along an existing public street, not involving the opening, widening or extension of any street or road, and involving no more than three lots after the original tract has been completely subdivided, may be submitted to the Planning and Zoning Commission for approval without plat. If the Commission acting through its properly designated representative is satisfied that such proposed division is not contrary to applicable platting, subdividing or zoning regulations, it shall within seven working days after submission approve such proposed division and, on presentation of a conveyance of said parcel, shall stamp the same “Approved by Planning and Zoning Commission; No Subdivision Plat Required” and have it signed by its Clerk, or designated representative. The request for approval of subdivision without plat shall include a deed map showing the boundaries of tract being subdivided, and the zoning classification of the tract. At such time as the subdivided tract is developed, submissions shall be made as described in Section 1105.09(b).”

In accordance with the requirements of Codified Ordinance [1143.11\(a\)](#), the Commission shall review the Sketch Plan with the Owner and provide the Owner with comments during the meeting, it being understood that no statement by officials of the City shall be binding upon either. This submission is informal and for the purpose of establishing communication and discussing the concept for developing the tract. No formal action will be taken on the Sketch Plan. Further reviews by the Commission will be for a Preliminary and Final Development Plan, which may be combined.

Comprehensive Plan Consistency

In the Future Land Use Map the properties are illustrated as Village Residential in the Mixed Use Village Center land use type. The use of the parcels as residential is not changing, and remains consistent with the Comprehensive Plan.

Staff Comments

This property is zoned as Downtown Residence District, as regulated by [Section 1143.16.1](#) of the Codified Ordinances of the City of Powell. Single-family detached dwellings and accessory buildings are permitted uses for this zoning district. Staff has noted the residential structure and pool do not meet all of the zoning requirements for the zoning district, including:

- The required rear setback is 30'. The northeast portion of the home is proposed 29.57' from the rear property line.
- The required front yard setback is a minimum of 20' and a maximum of 25'. The proposed front porch is proposed to be located 30.86' from the property line.
- The required pool setback is 12' from any easement or property line. The pool is proposed to be 10' from the east property line.

The existing home and garage at 60 East Case Avenue will meet all the setback requirements on new lot.

The process for the application will follow Code Section [1105.09 – Required Submissions](#) for (b) development or alteration to an existing lot or the subdivision of land without plat. Additionally, the Historic Downtown Advisory Commission will need to review and provide comments on the architectural details as the parcels are located within the Downtown Overlay District. The process will be as follows:

- (1) Planning and Zoning Commission review for a Sketch Plan
- (2) HDAC review as a Certificate of Appropriateness and comments back to Planning and Zoning Commission. The applicant has applied for HDAC review at the November 18th meeting.
- (3) Planning and Zoning review for a Combined Preliminary and Final Development Plan
- (4) City Council Combined Development Plan review reading #1
- (5) City Council Combined Development Plan review reading #2

Staff Recommendation

According to the Zoning Code, “the Commission shall review the Sketch Plan with the owner and provide the owner with comments during the meeting, it being understood that no statement by officials of the City shall be binding upon either. This submission is informal and for the purpose of establishing communication and discussing the concept for developing the tract. No formal action will be taken on the Sketch Plan”.

Staff recommends the Commission provide the applicant with comments regarding the following questions and any other topics the Commission wishes to discuss:

- 1) Does the Commission support the proposed building location given there appears to be adequate space to meet the Code requirements?
- 2) Does the Commission support the combination of the preliminary and final development plans after architectural review by HDAC?
- 3) Other comments by the Commission.