



## Legislation Text

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**File #:** 2019-0080, **Version:** 1

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Consider an ordinance amending Zoning and Development Code, Chapter 2, Article II, Section 2-26, Code of Ordinances (2018 Edition), regarding Residential Lot and Building Dimensional Standards. (First Reading)\*

The revisions to the City's Code of Ordinances, creating the Zoning and Development Code, were published on October 1, 2018. Since that time, staff has identified changes which are intended to improve specific sections or to correct errors.

The revisions to *Section 2-26 - Residential lot and building dimensional standards* are to correct errors in the standards for encroachment into setbacks on residential lots. The current code incorrectly includes accessory buildings or structures as prohibited in the rear building setback for residential uses. Instead, accessory buildings or structures are allowed in the rear setback, located at a minimum distance from the rear property line. This revision removes them from the prohibited list.

In addition, unenclosed patios or porches are incorrectly included as being allowed to encroach in the rear setback by a maximum of ten feet. This could result in an unintended consequence where a home addition, consisting of an unenclosed patio or porch, can encroach into the rear setback. In contrast, a covered patio, which is not a structural extension of the main roofline of the house, is considered an accessory structure and is allowed in the rear setback, located at a minimum distance from the rear property line. The revision also clarifies that any allowed encroachment into the front or rear setback is limited to two feet.

The Planning and Zoning Commission conducted a public hearing and voted 8-0 to recommend approval of the amendment to Section 2-26 at their meeting on January 9, 2019. There were no speakers at the hearing.