

## Legislation Details (With Text)

**File #:** 2018-2408      **Name:**  
**Type:** Public Hearing - Sworn      **Status:** Agenda Ready  
**File created:** 11/1/2018      **In control:** City Council - Regular Session  
**On agenda:** 2/5/2019      **Final action:**  
**Title:** Public Hearing - Application #PL2018-194 Unified Development Ordinance Amendment #3 - Article 6 Use Standards - Accessory Uses and Structures - Table 6.IV-1. Accessory Structures - amending detached garage size limitations and setbacks in all residential districts; City of Lee's Summit Applicant

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Proposed UDO Changes to Accessory Uses Detached Garages, 2. Presentation

Date	Ver.	Action By	Action	Result
1/10/2019	1	Planning Commission	recommended for approval	Pass
11/14/2018	1	Community and Economic Development Committee	referred	Pass

Public Hearing - Application #PL2018-194 Unified Development Ordinance Amendment #3 - Article 6 Use Standards - Accessory Uses and Structures - Table 6.IV-1. Accessory Structures - amending detached garage size limitations and setbacks in all residential districts; City of Lee's Summit Applicant

Staff received a request from a home owner to construct a detached garage on a lot exceeding 1 acre in size. The current conditions provide a formula allowing a detached garage of 250 sq. ft. for every 5,000 sq. ft. of lot area up to a maximum of 1,000 sq. ft. for lots less than 4 acres and 2,000 sq. ft. for lots of 4 acres or more. The requestor was looking to construct a 3 car detached garage of 1,500 sq. ft. but was limited to a maximum of 1,000 sq. ft. per the formula. The proposed amendment would still utilize the formula but increase maximum allowable square footage of a detached garage to 2,500 sq.ft. on residentially zoned lots of less than 5 acres. Lots 5 acres and greater would have a maximum limit of 3,500 sq. ft. The height limitation was also increased to 40 feet but not greater than the principal structure to allow for loft dwellings above the detached garage where permitted.

This proposed amendment would allow large lot owners the option to construct larger garages for vehicles or necessary maintenance equipment. Again the current formula stays in place while providing increased maximum size limitations. Agricultural zoning does not have a size limitation which is appropriate for the size of lots in that district.

Often UDO amendments are prompted by requests from citizens. Staff researches the intent of the original ordinance language and upon finding that the either the original intent is no longer valid or just outdated and a change is appropriate an amendment is brought forward for consideration. Staff believes the latter to be the case here and is providing an amendment that gives some increase in detached garages but still keeps a maximum in place.

The CEDC considered this request at their meeting on November 14th and recommended forwarding this proposed amendment to the Planning Commission for public hearing. They also recommended staff and Commission consider addressing graduated setbacks for the larger detached garages. Staff included

proposed graduated setbacks in the amendment.

The Planning Commission held a public hearing January 10, 2019 and recommended approval of the proposed amendment.

Attached for your consideration is the proposed amendment including graduated setbacks along with a sheet that shows calculated sizes, both current and proposed, and associated lot coverages as well. This proposed amendment primarily affects 3/4 acre and larger lots. The amendment should have little or no effect on standard lot sizes in the community based on the lot coverages shown on the calculations sheet.

Recommendation: Staff recommends approval of UDO Amendment #3.

Robert McKay, AICP, Director of Planning and Special Projects