

**PLANNING AND ZONING COMMISSION ACTION ITEM
STAFF SUMMARY
May 11, 2016 PLANNING AND ZONING COMMISSION MEETING**

DATE: May 3, 2013

AGENDA ITEM NUMBER: 4

ACTION TO BE CONSIDERED:

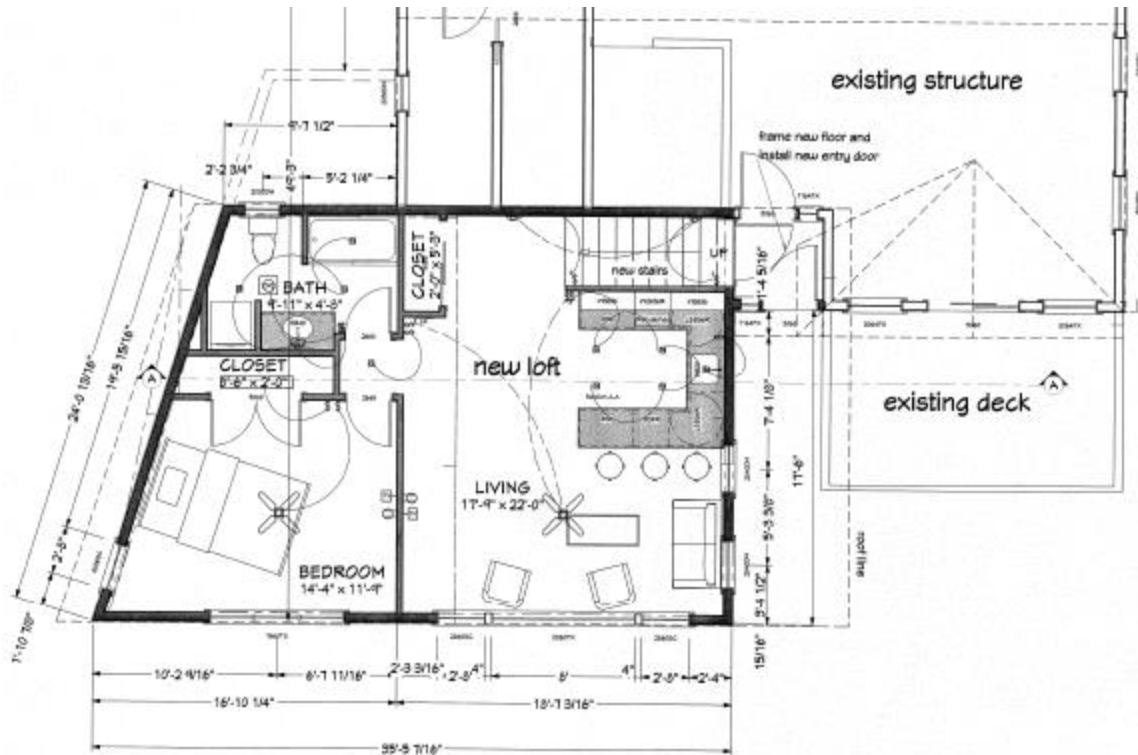
Consideration of a Resolution No. PZ 03-16, Series of 2016: **A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR A CONDITIONAL USE PERMIT FOR AN ACCESSORY DWELLING UNIT AT 11 CORINTHIAN CIRCLE, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO. PUBLIC HEARING**

SUMMARY:

The Town received an application for a Conditional Use Permit for an Accessory Dwelling Unit at 11 Corinthian Circle, Lot 1A, Block 1, Corinthian Hill Subdivision, Dillon, Colorado. The proposed project would include the construction of a one car garage addition with a small Accessory Dwelling Unit above it. The application demonstrates conformance to the Code Sections pertaining to Conditional Use Permits and Accessory Dwelling Units, Section 16-5-220 and Section 16-4-40, respectively.



Existing Residence at 11 Corinthian Circle with Attached Garage



Proposed 2nd Floor Plan

Code Analysis:

Permitted Uses: An Accessory Dwelling Unit may be permitted in the RE, RL, RM, and RH zones in a single family residence (Sec. 16-4-40). The subject property is zoned Residential Medium (RM). The provisions required in this Code section to satisfy this allowance are provided in detail, by subsection, in Resolution PZ 03-16, Series of 2016. This application does meet those provisions

Yards (Setbacks): The side setbacks for the RM zone are 10', and the proposed addition is 37.1' from the side lot line. The proposed addition is also well clear of the required 20' rear yard and 20' front yard. (Sec. 16-3-130)

Lot Coverage: The RM zone permits up to 45% lot coverage. The lot is approximately 15,246 SF, or 0.35 acres. The existing home footprint covers approximately 1567 SF, and 337 additional square feet of foot print are is proposed. The proposed lot coverage will be about 1904 SF, and thus only about 12.5% lot coverage is anticipated for the principal structure. (Sec. 16-3-130)

Building height: The RM zone permits building heights up to 35 feet. The proposed ridge line for the new addition will be approximately 27 feet high. (Sec. 16-3-130)

Easements: The proposed addition will not be constructed in any known easements. (Sec. 16-9-10)

Parking: Two (2) dedicated parking spaces are required for the proposed Accessory Dwelling Unit. The applicant provides two spaces for the Accessory Dwelling Unit, one (1) in the garage below, and one (1) in front of the garage. Two (2) existing spaces remain for the primary residence in the existing garage. (Sec. 16-6-40)

Impact Fees: Impact fees associated with new construction will not apply to this application because the proposed addition is smaller than the 1,499 SF threshold for assessing the fees.

Tap Fees (EQR's): The assessment of 0.65 EQR's is required for the addition of the proposed 1-bedroom Accessory Dwelling Unit. (Sec. 13-2-70 & Sec. 13-3-140)

Public Hearing Notification: The Public Hearing for this Resolution ran in the newspaper on Friday, April 29, 2016. The property was posted for the Public Hearing on Tuesday, May 3, 2016. These posting dates satisfy the Dillon Municipal Code requirement to provide Public Hearing notification at least seven (7) days and not more than fourteen (14) days (Sec. 16-2-210 (e)(1)).



Public Hearing Notice in the Summit Daily Newspaper on Friday, April 26, 2016



Public Hearing Posting on May 2, 2016 on Tract A, Property of the Owners of Lots 1A, 1B, & 1C

The following conditions are attached to the Conditional Use Permit for the Accessory Dwelling Unit:

1. The applicant shall re-vegetate all disturbed areas by planting a native grass seed or turf grass seed mix, ensure growth through watering or irrigation, and maintain a vegetative ground cover.
2. The applicant shall pay the required water and sewer tap fees.
3. The applicant shall file with the Town the required restrictive covenant preventing subdividing into separate ownership.
4. The applicant shall file with the Town a deed restriction that prevents short term rentals of the Accessory Dwelling Unit.
5. The applicant shall provide an Improvement Location Certification plat indicating the as-built location of the foundation meeting the setback requirements, and provide a building height certification meeting the maximum building height limit.
6. The applicant shall verify the functionality of the water service curbstop valve. The curbstop water service valve shall be observed and documented as functional by the Dillon Water Department. It is the owner's responsibility to maintain the curbstop valve in an operational condition.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution PZ 03-16, Series of 2016.

ACTION REQUESTED:

Public Hearing.

Motion, Second, Roll Call Vote.

Resolutions require the affirmative vote of a majority of the members present.

Unless called up by / a decision petitioned to Town Council, the ruling of the Planning and Zoning Commission on this matter shall stand.

STAFF MEMBER RESPONSIBLE: Ned West, Town Planner