

PETITIONER: Jay Huebner, HSQ Group, agent for Celebration Pointe South, LLC

HEARING NO.: BA-16-2015

SECTION OF CODE: Sections 19.8 and 33.3

ZONING: Planned Unit Development PUD District

Code does not allow garages to be considered as provided parking for multi-family residential development. Petitioner is requesting permission to utilize garages for required parking in a multifamily residential development.

Celebration Pointe is marketed as a luxury rental community, consisting of two phases of development. Phase I consists of 282 dwelling units and features garages integrated into the apartment buildings. Phase II is situated on a similarly sized plot as Phase I, but features 252 dwelling units. The difference in the number of units is due to the larger sized units in Phase II. The second phase also features garages, but these garages are connected to specific units, whereas in Phase I the garages are available to any unit within the apartment building where it is located.

On August 7, 2008 the Board of Adjustment heard variance application BA-19-2008 for permission to reduce the amount of parking provided in Phase I of Celebration Pointe in order to allow garages. At that hearing staff recommended denial of the application due to concerns over property management and whether the garages of Phase I would be used for vehicle parking. The above referenced variance was granted, and Phase I of Celebration Pointe is now under construction. Phase II is currently under review for site plan approval and PUD amendment.

In reviewing similar variance requests that have been granted, staff found Variance BA-2-2002 was granted to allow garages to count toward required parking of a multi-family development. This variance was granted for the Merrick Preserve townhouse community on March 6, 2002.

Staff finds that since the garages of Phase II are going to be linked to specific dwelling units, then the garages are more likely to be used for vehicle parking rather than storage or some other unintended use. Staff also finds that approving this variance will provide consistency between Phase I and Phase II of Celebration Pointe. **Staff recommends approval of this variance and recommends that this Code provision be researched for possible revisions.**

RECOMMENDATION: APPROVE

APPROVE WITH
CONDITIONS

DENY



Director of Economic Development.

30 SEPT 15

Date