

INTERDEPARTMENTAL COMMUNICATION

TO: **Urban Design Committee**
DEPT:
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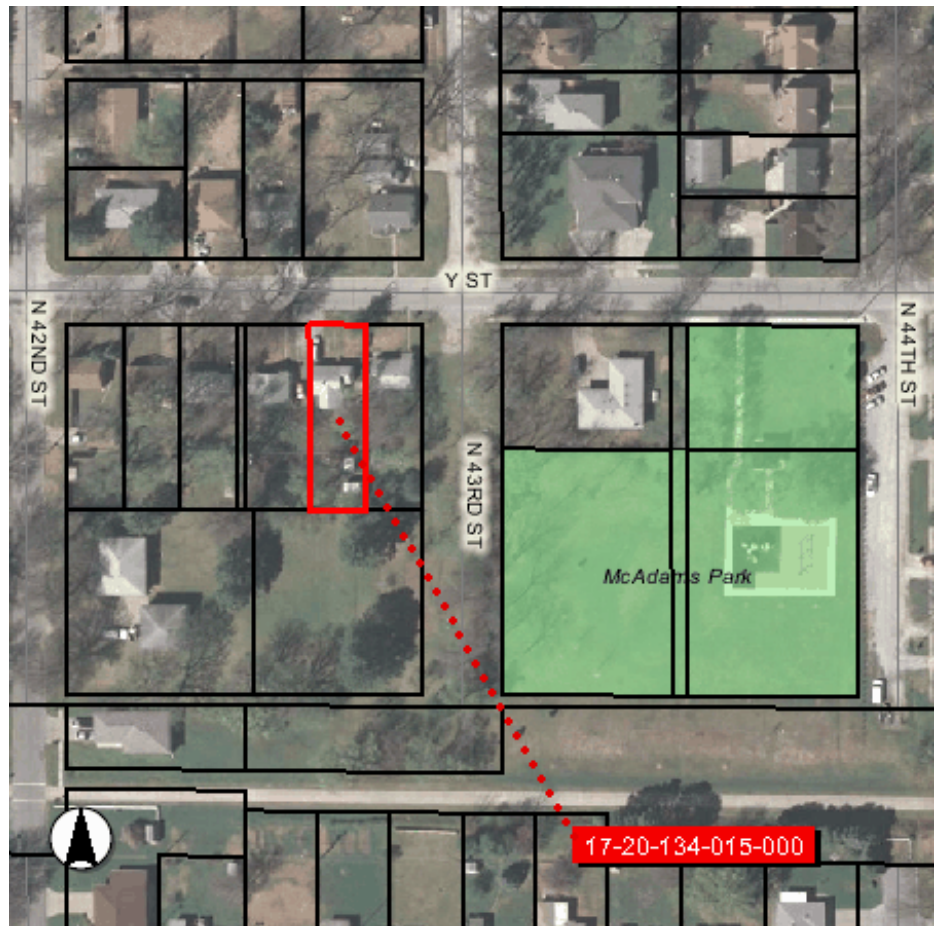
DATE: **April 1, 2010**
FROM: **Ed Zimmer**
DEPT: **Planning**

RE: Appeal of Neighborhood Design Standards decision of Planning Director, 4233 Y Street

The owner of a now-vacant lot at 4233 Y Street, north of the Mo Pac Trail and west of McAdams Park, has applied for a building permit to construct a single-family house on the site.

The plan meets the Neighborhood Design Standards in terms of orientation to the street, height, roof pitch, and most other standards. However, the plan incorporates a garage door in the main facade and locates the garage forward of the main living spaces (although a porch makes the apparent front of the house approximately on-line with the garage doors). Since only two of the 9 homes on the same and facing block have garage doors in their facades, the Neighborhood Design Standards are not met.

The Planning Director reviewed this finding at the request of the applicant and noted that the property has no alley and measures only 43 feet wide. Considering these obstacles to a rear-yard garage, and noting the presence in the area and on the facing blockface of ranch-style homes with facade garages, the Director exercised his authority to waive strict application of the garage standard and approved the design.



When the director waives a standard, all the property owners within 200 feet of the subject property are notified by letter and have two weeks (April 15) to appeal the waiver to the Urban Design Committee. The applicant voluntarily asked the Urban Design Committee to review the Director's approval (in effect appealing the approval) so as not miss the Commission's meeting date of April 7th (if a later appeal were filed).

Attached are the notification letter mailed to neighboring property owners, which contains the proposed design, and an image depicting all the existing houses on the 4200 block of Y Street.

Recommended Written Finding:

The proposed design for a single family house at 4233 Y Street meets the intent of the Neighborhood Design Standards to foster compatible infill construction, taking into account both the circumstances of the lot and the precedents offered by existing houses in its setting.

Ed Zimmer, Planner



4200



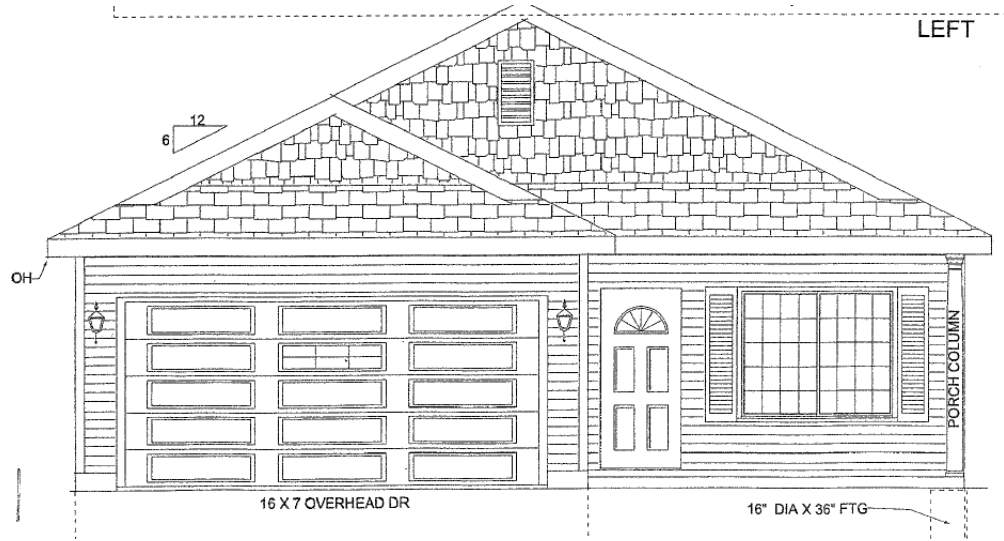
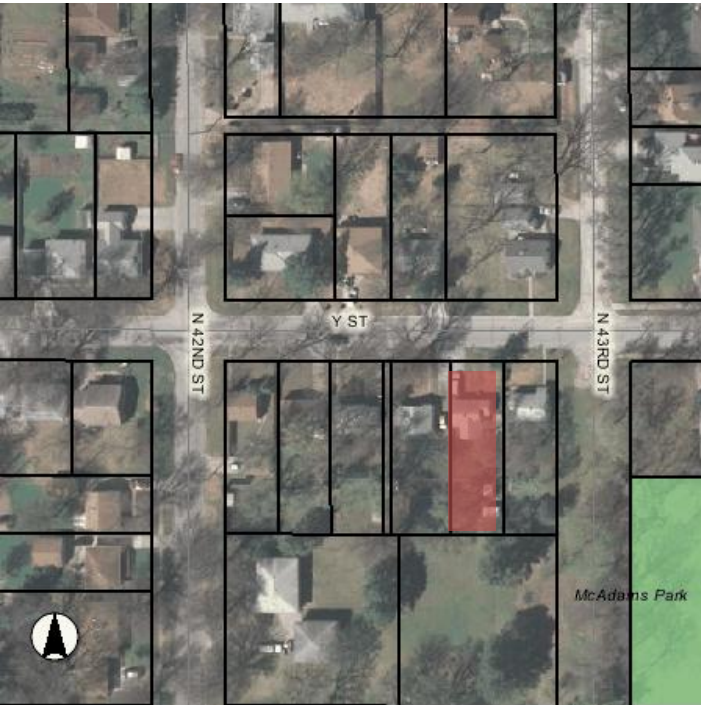
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Proposal for 4233 Y Street



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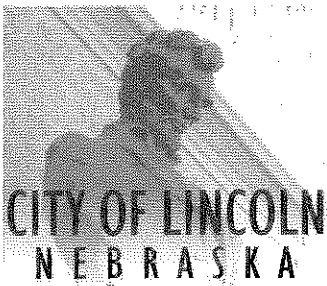
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4233 Y Street



4241



Lincoln-Lancaster County 555 South 10th Street / Suite 213 Lynn Sunderman, Chair
Planning Department Lincoln, Nebraska 68508 City-County
Marvin S. Krout, Director 402-441-7491 / fax: 402-441-6377 Planning Commission



MAYOR CHRIS BEUTLER

lincoln.ne.gov

March 31, 2010

to: Property owners in the vicinity of North 43rd and Y Streets

You are receiving this notice because you are the owner of record of a property within 200 feet of 4233 Y Street. The City of Lincoln has received a building permit application for single family home to be constructed at that address. As part of the review process, the designs (enclosed) were compared to the Neighborhood Design Standards.

The design generally meets or exceeds the Design Standards, but it does not strictly conform with one Standard, namely that a garage (if provided) should match the pattern of houses on the same and facing block, between 42nd and 43rd on Y Street.

As you can see from the proposed design, the new house would have a garage door in the front wall of the house, with a recessed porch beside the garage. Only two of the nine other houses on the block have garage doors in the front wall, so that Design Standard is not met.

When a project does not meet one of the standards, the regulations give Marvin Krout, the Planning Director, the authority to review whether the design meets the intent of the Neighborhood Design Standards. Mr. Krout has decided that this project advances the purpose of the Neighborhood Design Standards—to help stabilize older neighborhoods and to improve the design of infill projects. The lot at 4233 Y Street has no alley and is only 43 feet wide, posing challenges to accessing a rear garage. Furthermore, since there are “ranch-style” houses on the block with front garages, and the proposed design has a clear front entrance and usable front porch, Mr. Krout feels the project is compatible with the area and so he has approved it.

When the Planning Director waives a requirement and approves a design as meeting the intent of the Neighborhood Design Standards, we must notify the owners within 200 feet of this decision. **The Director’s decision may be appealed to the Urban Design Committee within 14 days of March 31, 2010 (namely, by April 14, 2010) by filing a letter of appeal with the City Clerk at 555 South 10th Street, Lincoln, NE 68508.**

If you do not choose to appeal this decision, you do not have to do anything in response to this notification.

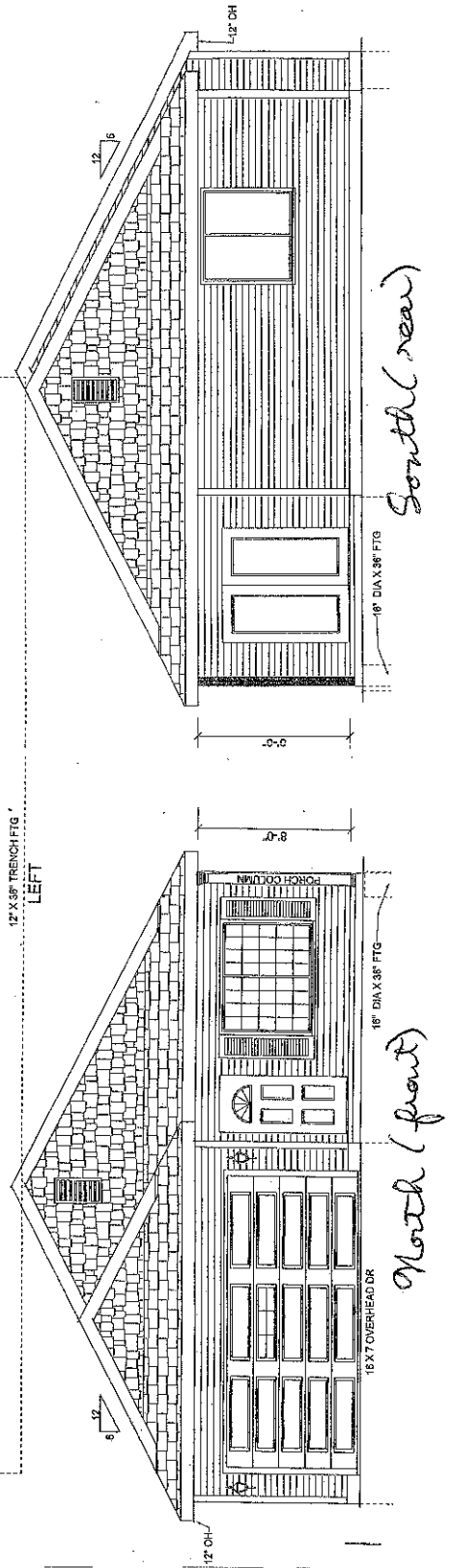
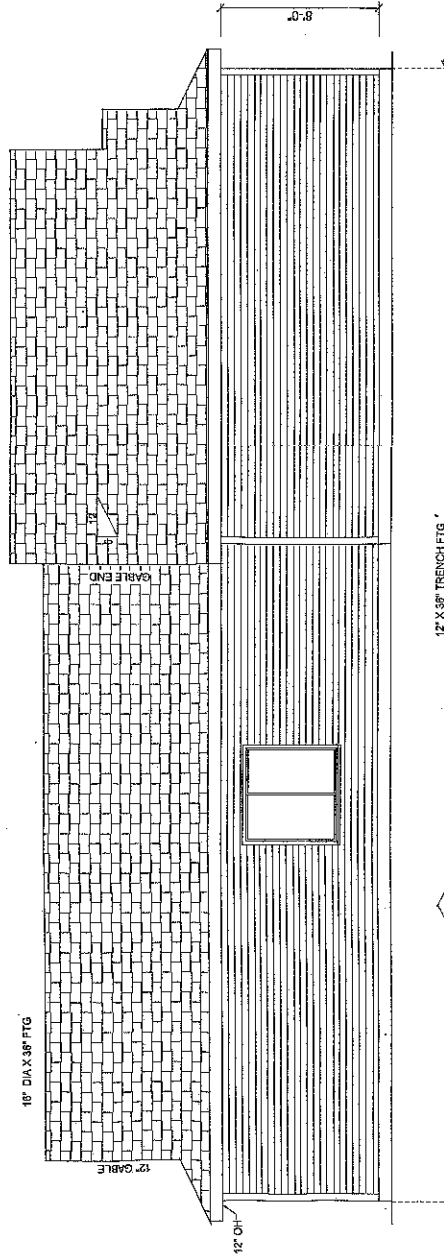
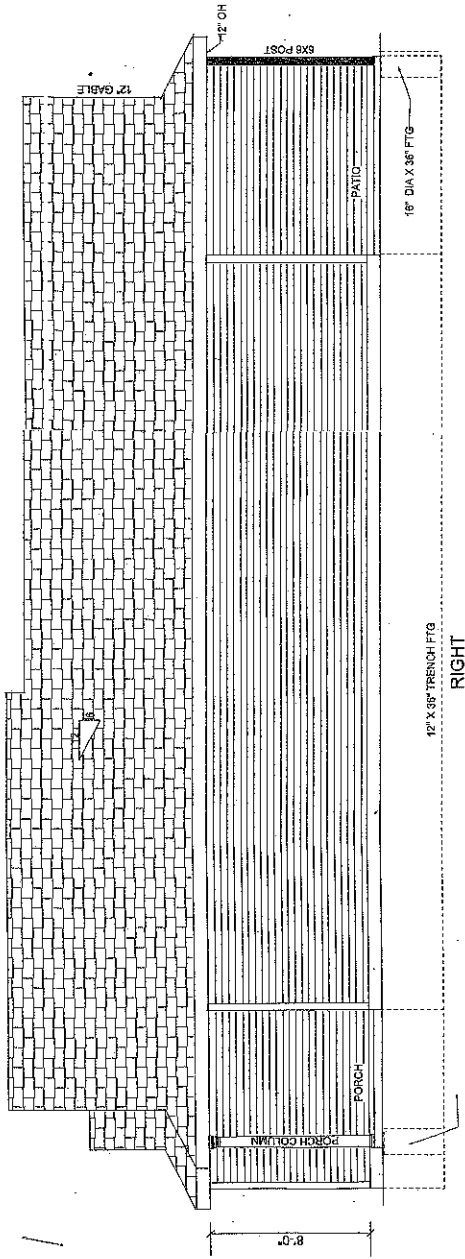
Please contact me (441-6360 or ezimmer@lincoln.ne.gov) if you have any questions. I hope you agree that this project will enhance your neighborhood.

Sincerely,

Ed Zimmer

Historic Preservation Planner

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Proposed single-family home, 4233^{1/2} St.