



CITY OF WOODSTOCK

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING, DESIGN & SUSTAINABILITY

770.592.6050

To: Chairman and Members of the Planning Commission

From: Brian Stockton, City Planner

Date: 05.24.2012

RE: Z#054-12

Case Information:

Zoning Case: Z#054-12
Parcel(s): 15N23G 015
Location: 123 Brendylynn Trace
Acres: ±0.65
Council Ward: 5
Owner: Stephen and Melissa Bankes
Applicant: Stephen Bankes
Current Zoning: R-3
Property Owner(s): Stephen and Melissa Bankes

Applicant's Request: Removal of Condition of Zoning #15 of the February 27, 2001 Woodlands Subdivision Annexation Ordinance for only his property at 123 Brendylynn Trace.

Comprehensive Plan Compatibility:

SUBURBAN LIVING (T3)

This character area includes both older established neighborhoods and those with limited existing development but where this pressure is the greatest due to location and community infrastructure. The intent of this character area is to preserve stable neighborhoods, while accommodating new neighborhoods that embody the spirit of traditional neighborhoods, such as neighborhood sense of place, human connectivity and safety. Both existing and proposed traditional single-family neighborhoods are essential to the community character of Woodstock. Each kind of development will offer an opportunity and choice to the residents of the City.

Surrounding Land Uses:

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PC Report Date:
05.24.12

NORTH: R-3
EAST: R-80
WEST: R-3
SOUTH: R-3

Background, Issues and Analysis:

The subject property is a residentially platted lot in the Woodlands Subdivision. The applicant is requesting the removal of Condition of Zoning #15 of the original annexation ordinance in order to relocate a fence on his property. Condition #15 below requires a 50 foot undisturbed buffer and the maintenance of a fence in the location specified;

15. All boundaries adjacent to surrounding uses shall maintain a fifty foot (50') undisturbed buffer (consistently of approximately 31 acres), excluding the commercial components and those portions of the subject property fronting on Hwy 92. Said undisturbed buffer shall be deed covenanted and shall be perpetually maintained by the mandatory Homeowners Association. On Pulte's side of the 50 foot undisturbed buffer, a 6 foot pressure treated wooden opaque fence shall be erected, with said fence also being the perpetual responsibility of the Homeowners Association. Where indicated by City of Woodstock's professional staff, the fifty foot (50') undisturbed buffer shall be enhanced with additional vegetation and, thereafter, maintained by the mandatory Homeowner's Association in an undisturbed fashion.

The applicant, Stephen Bankes stated that he removed portion of the buffer fence that is on his property after receiving verbal permission from the previous HOA administration to do so. The current administration has told the applicant that they are going to require that the fence be put back up in compliance with the Conditions of Zoning and HOA covenants which both place perpetual maintenance of the fence and buffer with the HOA. While staff has no objection to the removal of the fence requirement on this property, the fifty foot (50') consistently undisturbed buffer should remain as written in condition #15.

Development Process Committee Recommendation:

At the May 9, 2012 meeting the Development Process Committee recommended amending Condition of Zoning #15 for the property at 123 Brendylynn Trace, also referred to as Map and Parcel Number 15N23G 015, as Follows;

15. All boundaries adjacent to surrounding uses shall maintain a fifty foot (50') undisturbed buffer (consistently of approximately 31 acres), excluding the commercial components and those portions of the subject property fronting on Hwy 92. Said undisturbed buffer shall be deed covenanted and shall be perpetually maintained by the mandatory Homeowners Association. ~~On Pulte's side of the 50 foot undisturbed buffer, a 6 foot pressure treated wooden opaque fence shall be erected, with said fence also being the perpetual responsibility of the Homeowners Association.~~ Where indicated by City of Woodstock's professional staff, the fifty foot (50') undisturbed buffer shall be enhanced with additional vegetation and, thereafter, maintained by the mandatory Homeowner's Association in an undisturbed fashion.



