

Oasis at Hyde Park - Waiver Justification

(Updated August 1, 2024)

- A. Modification of the Minimum lot area per lot to address Townhome Dwellings:

The UDO Standards contemplate a subdivision of individual lots or traditional larger multi-family buildings, not in-line Townhome dwellings (a type of attached residential). Individual Townhome lots will generally be 20-24' side by 80-90 feet in depth (typically 1,700 to 2,700 square feet in area depending on unit position and orientation). Therefore, the waiver is necessary from the 3,000 square feet applicable to multi-family (buildings including more than 3 dwellings).

- B. Modification of the Minimum lot width per lot to address Townhome Dwellings widths,

Again, the UDO Standards contemplate a subdivision of 60' wide lots or traditional larger multi-family buildings, not in-line Townhome dwellings (a type of attached residential) positioned parallel with the street. Individual Townhome lots will generally be 20-24' wide depending on unit position and orientation). Therefore, the waiver is necessary from the 150' applicable to multi-family (buildings including more than 3 dwellings).

- C. Modification of the front yard setback to address Townhome Dwellings:

The UDO Standards regulate Townhomes (attached dwellings over 3 units) as multi-family which require a 50' front yard building setback per the UDO. Therefore, the waiver is necessary to permit in-line Townhomes that are laid out parallel to the street right-of-way with adequate room for parking in front of the Townhomes (minimum of 20' as required in the PD Ordinance).

- D. Modification of the rear yard setback (20' required between buildings):

The UDO Standard is a 20' rear yard building setback. Front facing in-line Townhome dwellings will generally have between 12-14' behind the dwelling to common area or buffer depending on unit position and orientation. This area will accommodate a patio and the area beyond will be maintained in common by the HOA with the rest of all common areas as there will be not distinguishable rear yards for individual Townhomes. Therefore, the waiver is necessary.

- E. Modification of the maximum permitted floor area ratio per unit to address 3-story Townhome Dwellings:

The UDO floor area ratio standard contemplates a subdivision of individual lots or traditional multi-family dwellings and not in-line Townhomes. Therefore, the waiver is necessary to accommodate a lot line which in essence is the side perimeter of the individual dwelling plus the area forward of the dwelling to the street and/or alley as the case may be based on dwelling position and orientation.

- F. Modification of the maximum lot coverage requirement to address the overall coverage of the Real Estate:

See Waiver E above. Additionally, with a front stoop and sidewalk and /or a driveway most of the “Lot” is covered with structure or pavement. Significant open space and common area are provided which is maintained in common by the HOA but the Lot follows the site improvements including structure and driveway/walks. Therefore, the waiver is necessary.

G. Modification to Architectural Requirements (to address Townhome Buildings):

The UDO Standards regulate the structures as traditional larger multi-family buildings. Therefore, the waiver is necessary. Additionally, the dwelling architecture has been reviewed by staff and received approval by the ARB.

H. Increase in the entry monument sign to eight (8) feet in height and located in the entry median island:

The UDO Standards contemplate a subdivision with one sign located to one side of the subdivision entrance. The proposed sign would be located in the center island where line of sight has been reviewed and is adequate. The proposed sign height is an architectural column and places sign copy no higher than permitted under the 6’ sign height permitted by the UDO. Therefore, the waiver is necessary.

I. Modification of the lot landscaping standards of the PD Ordinance to address Townhome Dwellings:

The UDO Standards contemplate a subdivision of individual lots or traditional larger multi-family buildings, not in-line Townhome dwellings (a type of attached residential). Individual Townhome lots will generally be 20-24’ wide. The building based landscaping exhibits reflecting the proposed landscaping for the site and surrounding the buildings has been provided which adequately landscape the perimeter of the Townhome Dwellings.

J. Reduction and/or encroachment into the Landscape Buffer and Peripheral buffer Yards as noted in Section 8.B. of this Oasis at Hyde Park PD Ordinance:

1. North (adjacent to Campus Parkway) – Minimum 50’ with the sidewalk along the internal street in the 50’ area.
2. West (adjacent to Marilyn Ridge subdivision) – Two lots/dwellings are less than 50’ to the west perimeter due to the curve in the street which follows the flood zone limits. 20’ of tree preservation is maintained along the west perimeter in this vicinity however the setback to the closest of the two dwellings is approximately 30’ allowing for a 80’ buffer between the Townhome Dwelling and the closest lot in Marilyn Ridge. Additionally, the public Street from to 141st Street is within the 50’ buffer. All other Townhomes and street sections exceed the 50’ buffer yard.
3. South – More than 50’ provided.
4. East (adjacent to Hyde Park Open Space Areas) – A path is provided between 141st Street along the eastern site perimeter with the overall Hyde Park Open Space which is generally along the limits of the flood zone restricting development of the area and eliminating the need for an additional “buffer” on the subject site. Therefore, a buffer is not necessary as the adjacent area is park of the overall Hyde Park open space area.