

Heritage Ranch Waiver Request

The applicant, Heritage Ranch Developers, LLC is requesting a waiver from the City of Olathe's Unified Development Ordinance (UDO).

We are requesting a waiver from the side yard setback per UDO 18.20.070 B. requiring a seven (7) foot side yard setback on interior lot lines and (20) foot side yard on corner lots for lots less than 60 feet wide. The request is for a five (5) foot interior side yard on Lots 15-44 and a fifteen (15) foot side yard on corner lots 15, 25, 26, 34, and 44.

The Heritage Ranch preliminary plat indicates that Lots 15-31 and 34-41 will be a minimum of fifty (50) feet wide as allowed in Section 12.20.070 of the UDO. The reduced lot width is allowed by right subject to 1) the building design standards found in Section 18.15.020.G. are met and 2) a minimum common open space of 15% is provided within the subdivision of which 50% shall be active open space. The remaining Lots 1-14, 32,33, and 45-305 will exceed the minimum lot width of sixty (60) feet for R-1.

The intent of the additional building design and open space requirements for smaller lots are to ensure that the plan and layout will result in a "superior design". Following this criterion, the UDO allows for various waivers where the results meet the intent of the regulations and create a streamlined process where the applicant can seek exceptions and where the exceptions create a "superior design". The above requested **waivers would only apply to the fifty (50) foot lots.**

In an effort to provide a mix of product over this one-hundred and twenty-nine (129) acre tract of property the applicant is proposing a mix of lot sizes and four market points to provide for housing for young families and established families alike. The market value of the fifty (50) foot lot is expected to be in the five hundred-thousand-dollar range and the sixty to eighty-five (60-85) foot lots up to a million plus range. Developing a plan that combines superior architecture and open space throughout the entire development will enhance the overall design of the neighborhood.

The approval criteria for these waivers are met by:

- 1) Providing a higher quality development design with increased architectural standards and open space.
- 2) The proposed waivers are limited to the fifty (50) foot lots and these lots are designed to create their own unique neighborhoods, with in this overall planned development.
- 3) These waivers are in line with the reduction in lots sizes, that are allowed, and will not injure, endanger or create any inconvenience on the private rights of others.