

Item H-5

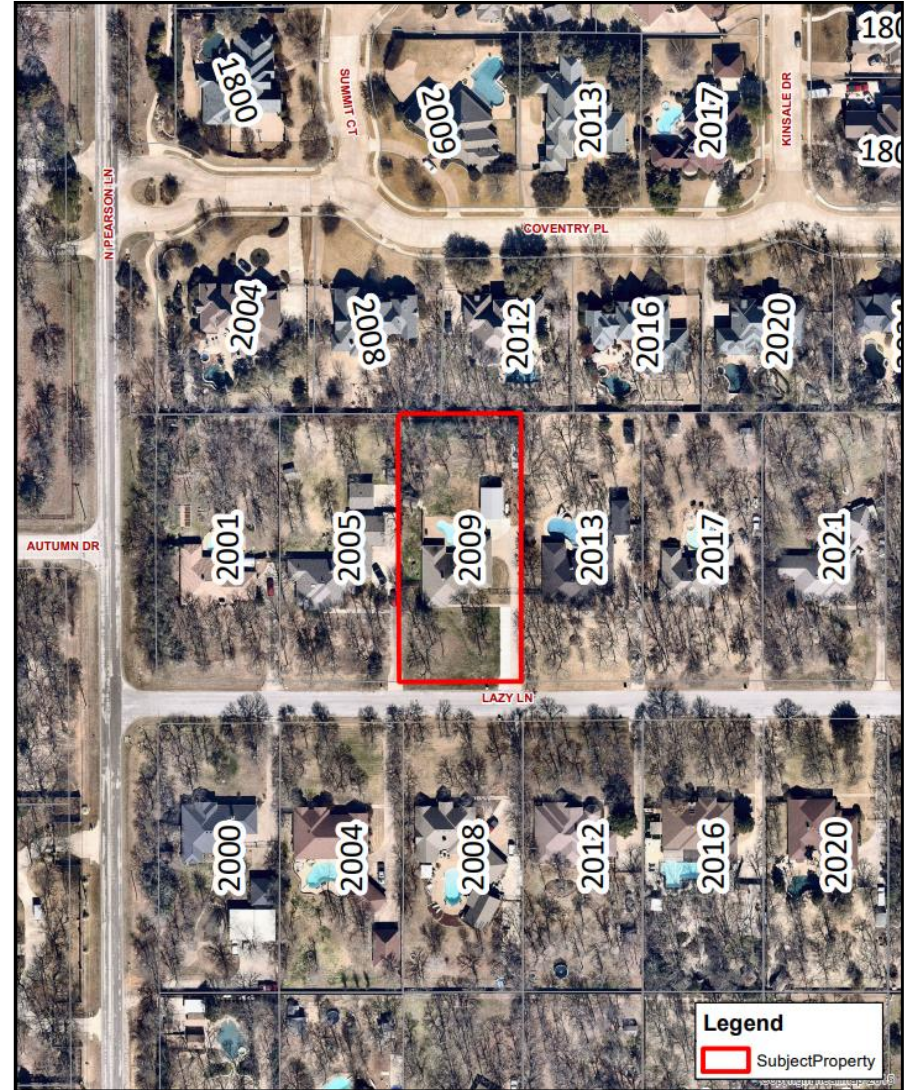
PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for a 600 square-foot carport situated on a 0.67-acre tract of land, located on the north side of Lazy Lane, approximately 425 feet northeast from the intersection of Lazy Lane and North Pearson Lane, legally described as Lot 22, Block 3 Hickory Hollow Estates, zoned Single Family - 20,000 square-foot lot (SF-20), located at 2009 Lazy Lane. Marc Clemons, applicant/Applicant. (SUP-21-0015)

Item H-5 Zoning Map



Zoned: SF-20

Item H-5 Aerial View



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Staff received a complaint on February 22, 2021, that a carport had been built. Upon investigation, staff found there was no Building Permit or SUP obtained prior to the construction of the carport.

Staff sent a courtesy notice to the property applicant on February 25, 2021, informing the applicant of the violations. Staff informed the Applicant of the correct procedure to apply for a permit for his carport. Because the Applicant failed to submit the requisite applications, Staff sent a violation letter on March 23, 2021.

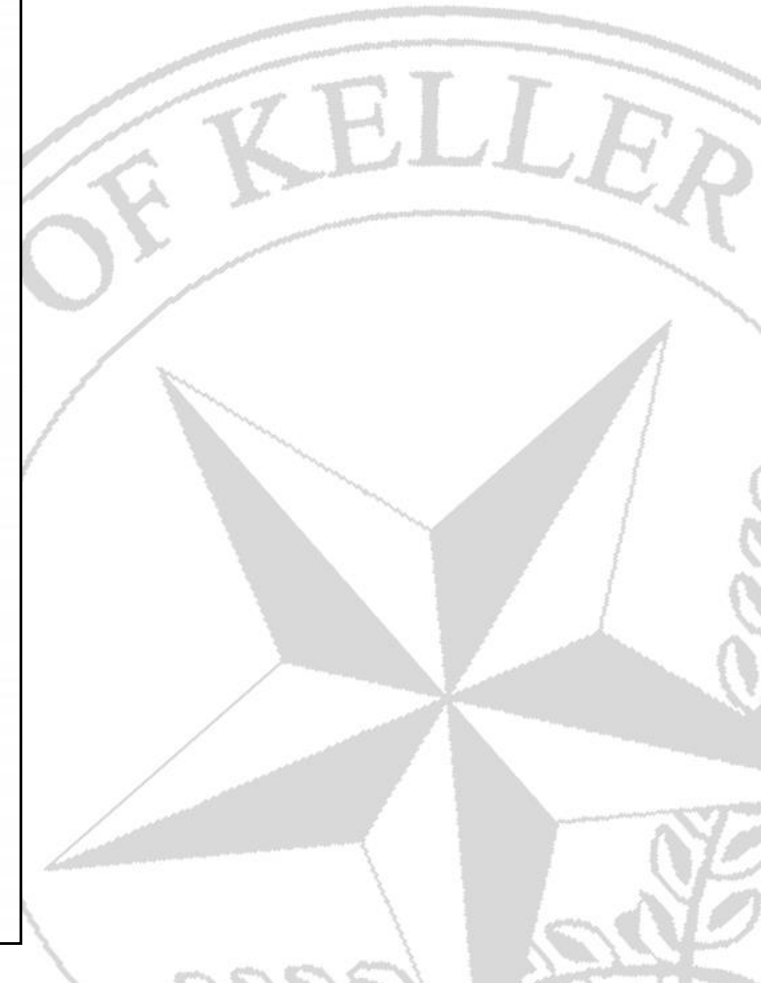
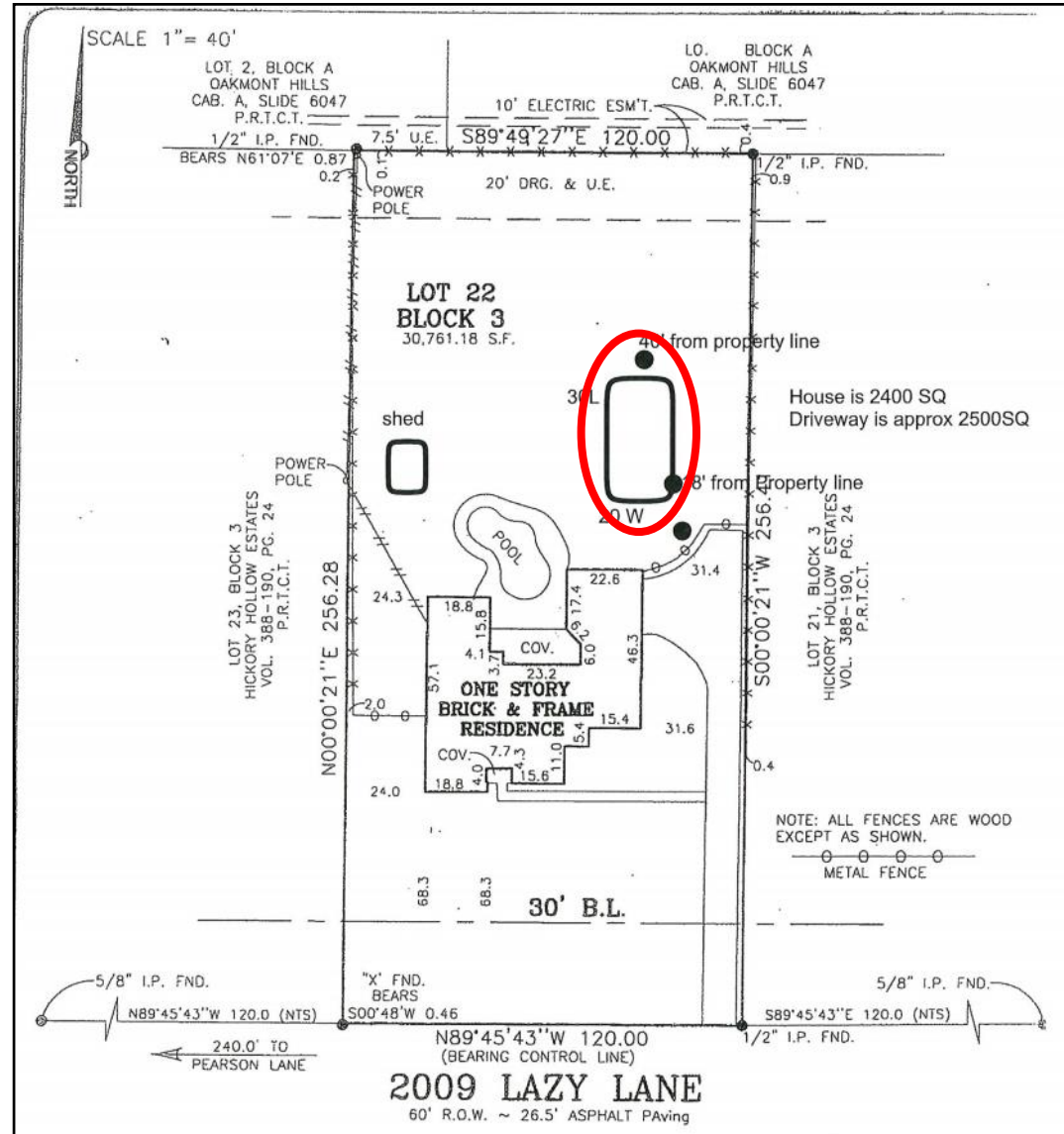
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Staff worked with the Applicant over the next six weeks to insure the applicant submitted the correct documentation to complete the application. Once the correct documentation was gathered, the Applicant scheduled an inspection with staff on May 18, 2021. Staff confirmed the plans submitted for the SUP matched the structure that was built.

The primary use of the 600-square-foot carport is to cover the Applicant's boat.

According to Section 8.06 of the UDC, all detached carports require an SUP in all residential zoning districts.

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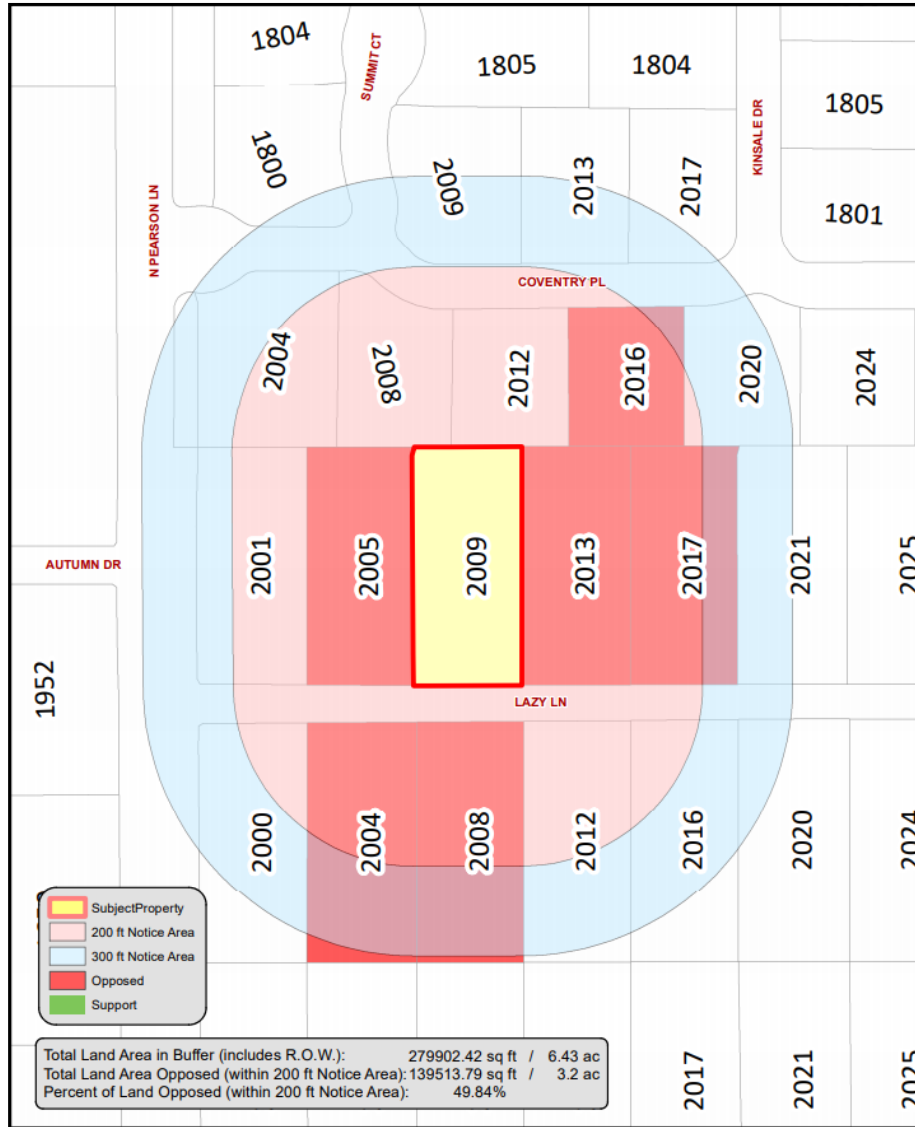


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- On July 1, 2021, the city mailed 21 Letters of Notification for this public hearing to all property applicants within three-hundred feet (300') of the subject site. A public hearing notice sign was also posted on the site on July 1, 2021.
- As of today, staff has received six (6) letters in opposition. All letters of opposition are within the two-hundred foot (200') buffer.
- This triggers a super-majority vote requirement for City Council (49.84%).

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On July 13, 2021, after hearing two neighbors speak during the public hearing expressing their opposition, the Planning and Zoning Commission unanimously recommended denial of the item as presented. The Commission noted that the other accessory structures in the area matched the primary structures, and this one did not.

On July 23, 2021, the Applicant sent written notice to Staff requesting to defer his application until the August 17, 2021 City Council meeting.

On August 3, 2021 City Council meeting, City Council voted 5-0 to table this application until the August 17, 2021 City Council meeting.

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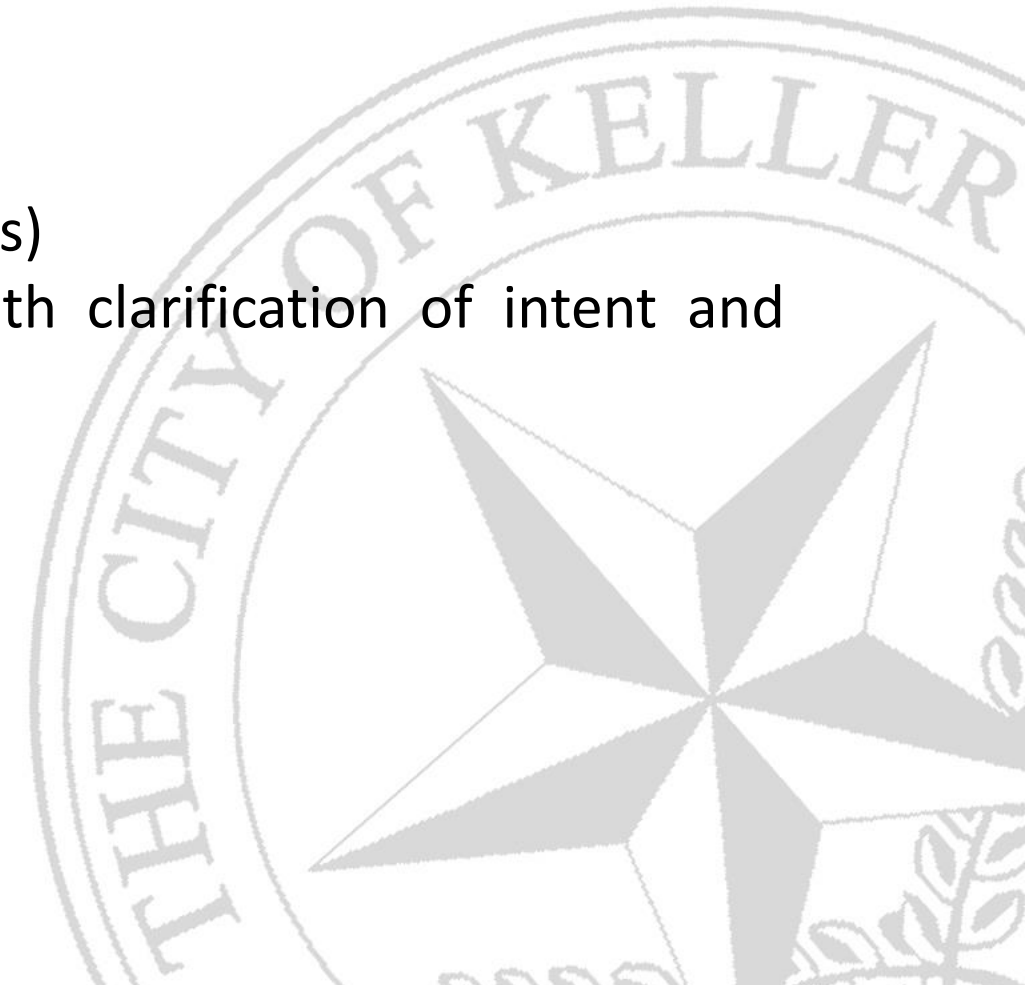
Section 8.02 (F)(2) of the UDC states that when considering a SUP request, the Planning and Zoning Commission and City Council shall consider the following factors:

1. The use is harmonious and compatible with surrounding existing uses or proposed uses;
2. The activities requested by the applicant are normally associated with the permitted uses in the base district;
3. The nature of the use is reasonable and appropriate in the immediate area;
4. Any negative impact on the surrounding area has been mitigated; and
5. That any additional conditions specified ensure that the intent of the district purposes are being upheld.

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The City Council has the following options when considering a Specific Use Permit:

- Approve as submitted
- Approve with modified or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny





Questions?
Trish Sinel
817-743-4129

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