

Item H-4

PUBLIC HEARING: Consider a request for Specific Use Permit (SUP) with variances for an existing detached carport on 0.15 acres located on the east side of Highland Drive East, approximately 95 feet southeast from the intersection of Highland Drive East and Knox Road, legally described as Lot 31 of the Highland Terrace Mobile Home Park subdivision, zoned Single-Family 36,000 square-foot lot size or greater (SF-36) and addressed 1856 Highland Drive East. Jose Ortiz Rivera, Owner/Applicant. (SUP-24-0017)

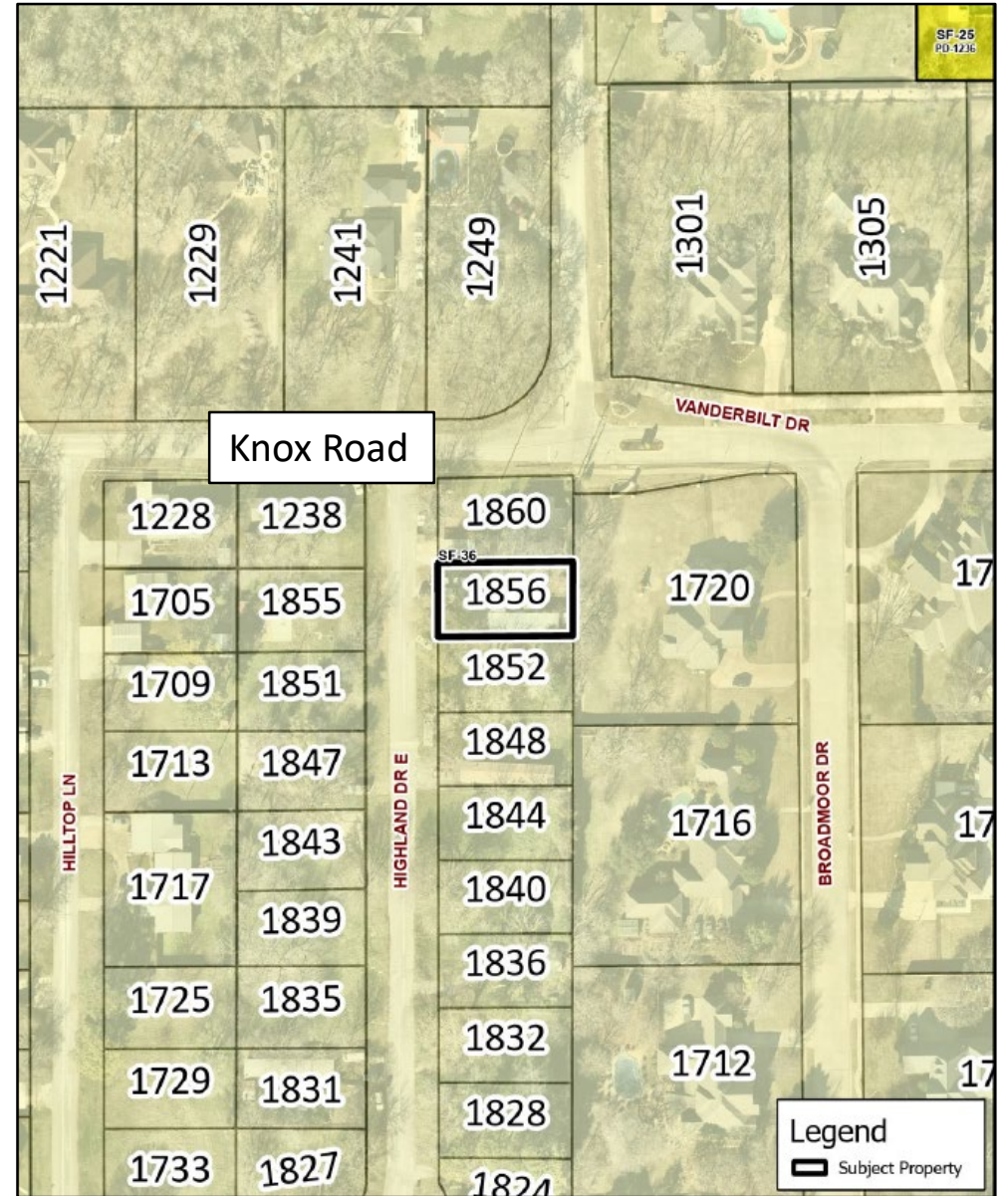
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Aerial Map



SF-36

Zoning Map



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Background:

On May 6, 2024, an anonymous complaint of a carport built without a permit was reported to city code compliance. The Applicant was contacted and an SUP application was submitted on May 14, 2024.

The Applicant is requesting an SUP for an approximately 625-square-foot carport with variances to encroach the front and side yard setbacks and have it remain in front of the primary dwelling.

In all residential zoning districts, an SUP is required for a detached carport.

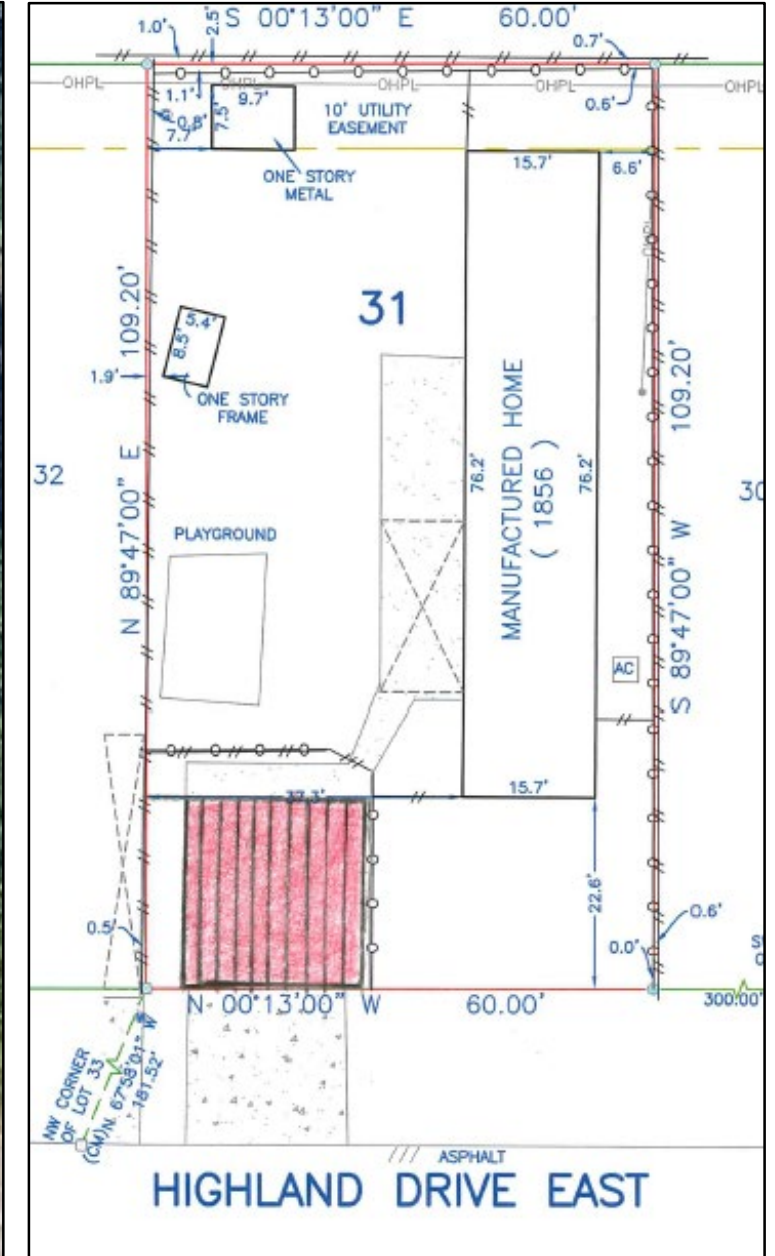


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Carport Location

Variances Requested:

1. To encroach the front yard setback by approximately 35'
2. To encroach the side yard setback by approximately 2'
3. To allow the carport to be located in front of the primary dwelling



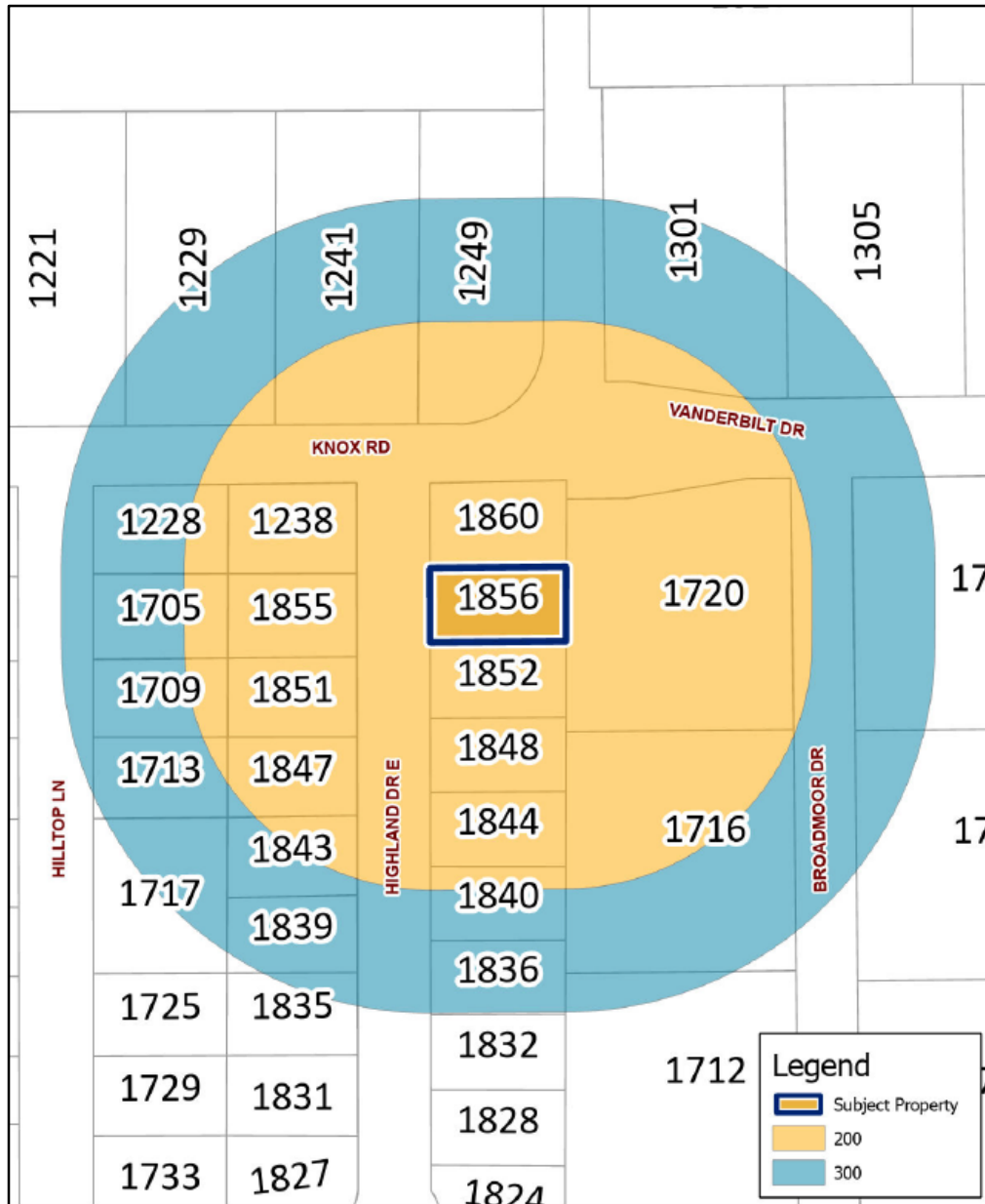
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Structure:

The covered area of the structure is approximately 25' wide and 25' deep (625 square feet total), with an average height of 8'7". The carport is constructed of metal support beams and a metal roof.



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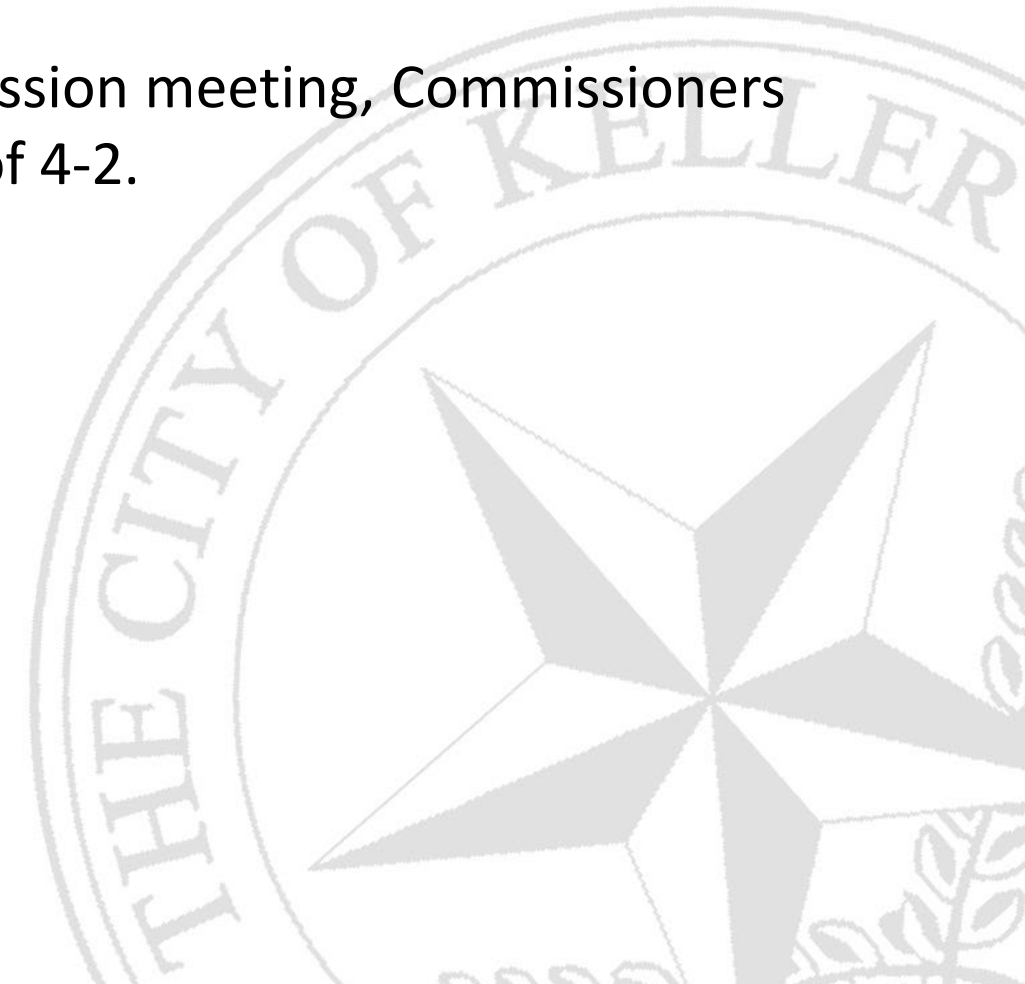
On June 13, 2024, the City mailed 29 Letters of Notification for this Public Hearing to all property owners within 300' of the subject site. A public hearing notice sign was posted on the site.

Comments received from one neighboring property have been included in the agenda packet.

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Planning and Zoning Commission Recommendation:

At the June 25, 2024, Planning and Zoning Commission meeting, Commissioners recommended approval of the request by a vote of 4-2.



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Section 8.02 (F)(2)(a) of the UDC states that when considering an SUP request, the 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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Request:

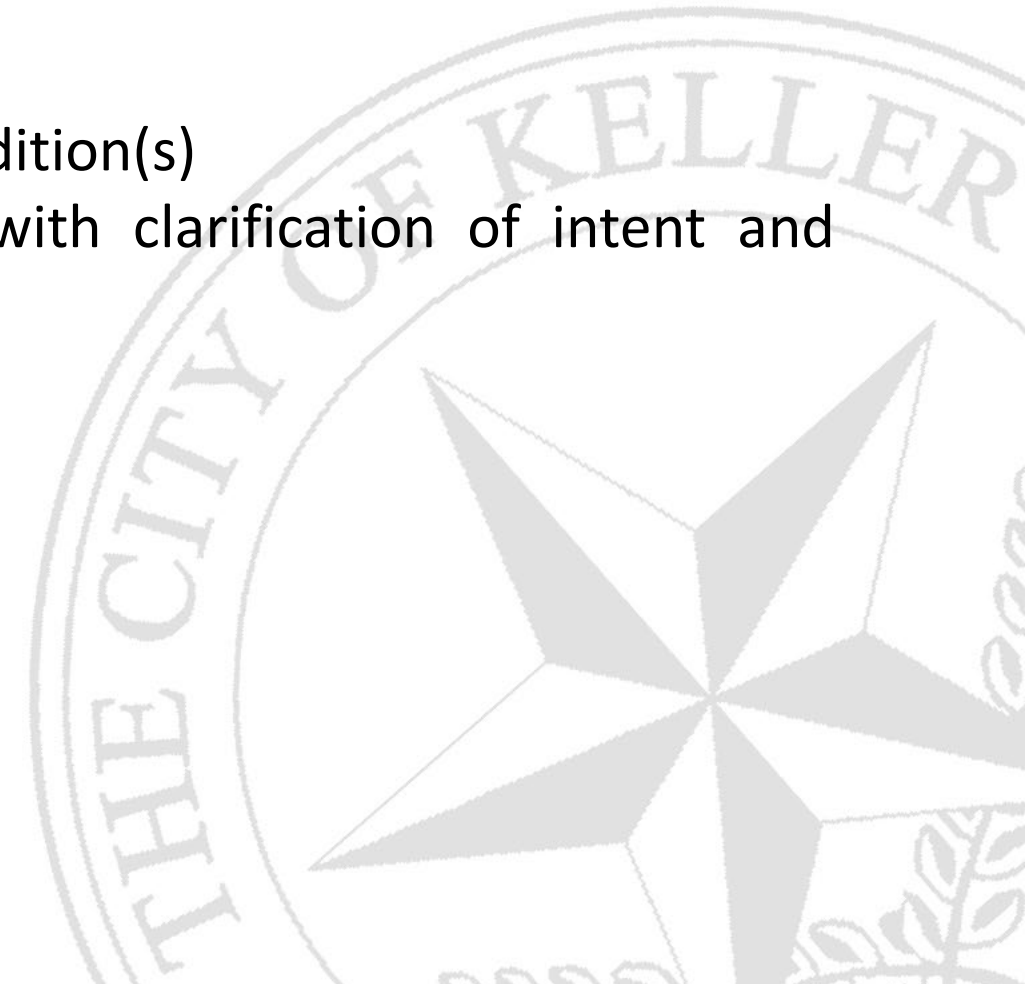
A Specific Use Permit (SUP) for an existing detached carport with the following variances:

1. The variance to encroach the front yard setback by approximately 35' shall be allowed.
2. The variance to encroach the side yard setback by approximately 2' shall be allowed.
3. The variance to allow the carport to be located in front of the primary dwelling shall be allowed.

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The City Council has the following options when considering an SUP request:

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





**Questions?
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