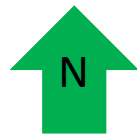


Item H-5

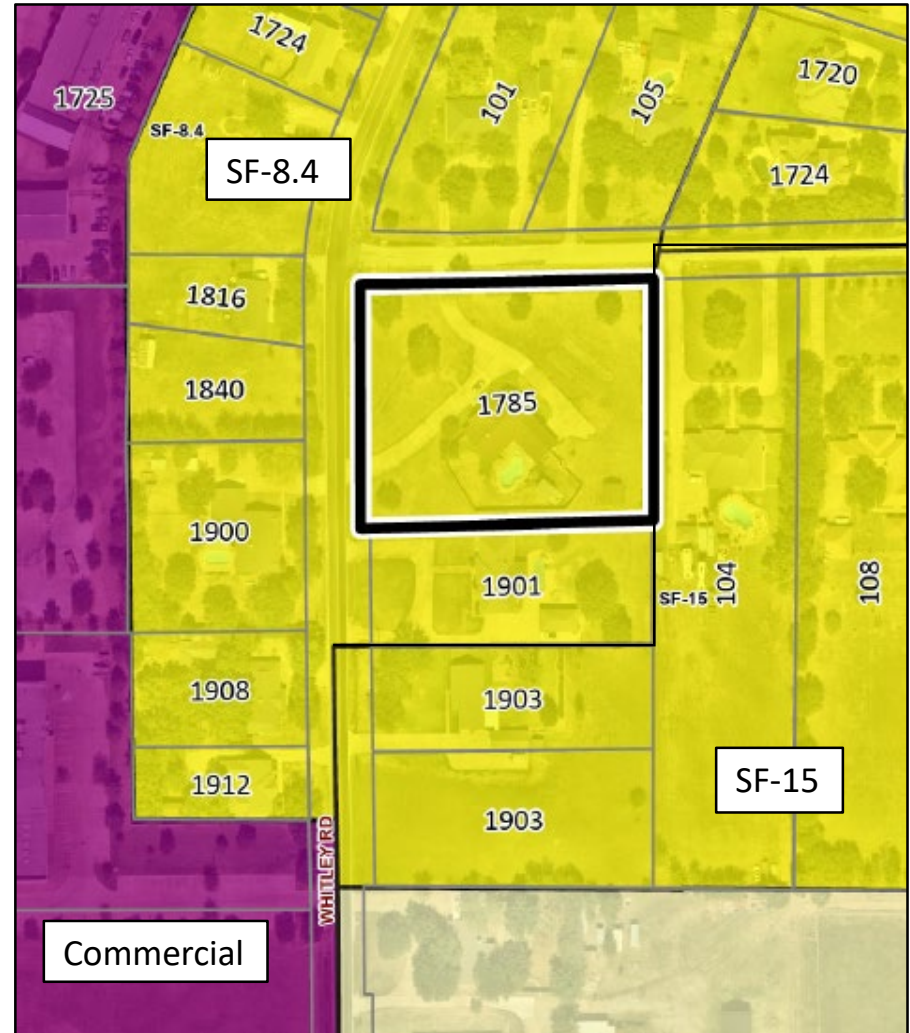
PUBLIC HEARING: Consider an ordinance approving Specific Use Permits (SUPs) with a variance to construct an approximately 3,093 square-foot Accessory Dwelling Unit, on approximately 2 acres, on the southeast corner of Whitley Road and Frank Lane, legally described as Lot 2 of the John Edmonds Subdivision, zoned Single-Family 8,400 square-foot lot size or greater (SF-8.4) and addressed 1785 Whitley Road. Randy Sullivan, Applicant. Gary Racine, Owner. (SUP-23-0031)

Item H-5 Aerial Map



Zoned: SF-8.4

Item H-5 Zoning Map



Item H-5

Background:

The Applicant requests three SUPs to construct an Accessory Dwelling Unit (ADU) that is ADA-accessible for himself and his wife, with the intent to move his children into the main home on the property.

An SUP is required for all ADUs. The other two SUPs are for the square footage of the proposed structure.

The applicant also requests a variance to allow for an additional accessory structure on the property (for a total of three).



Item H-5

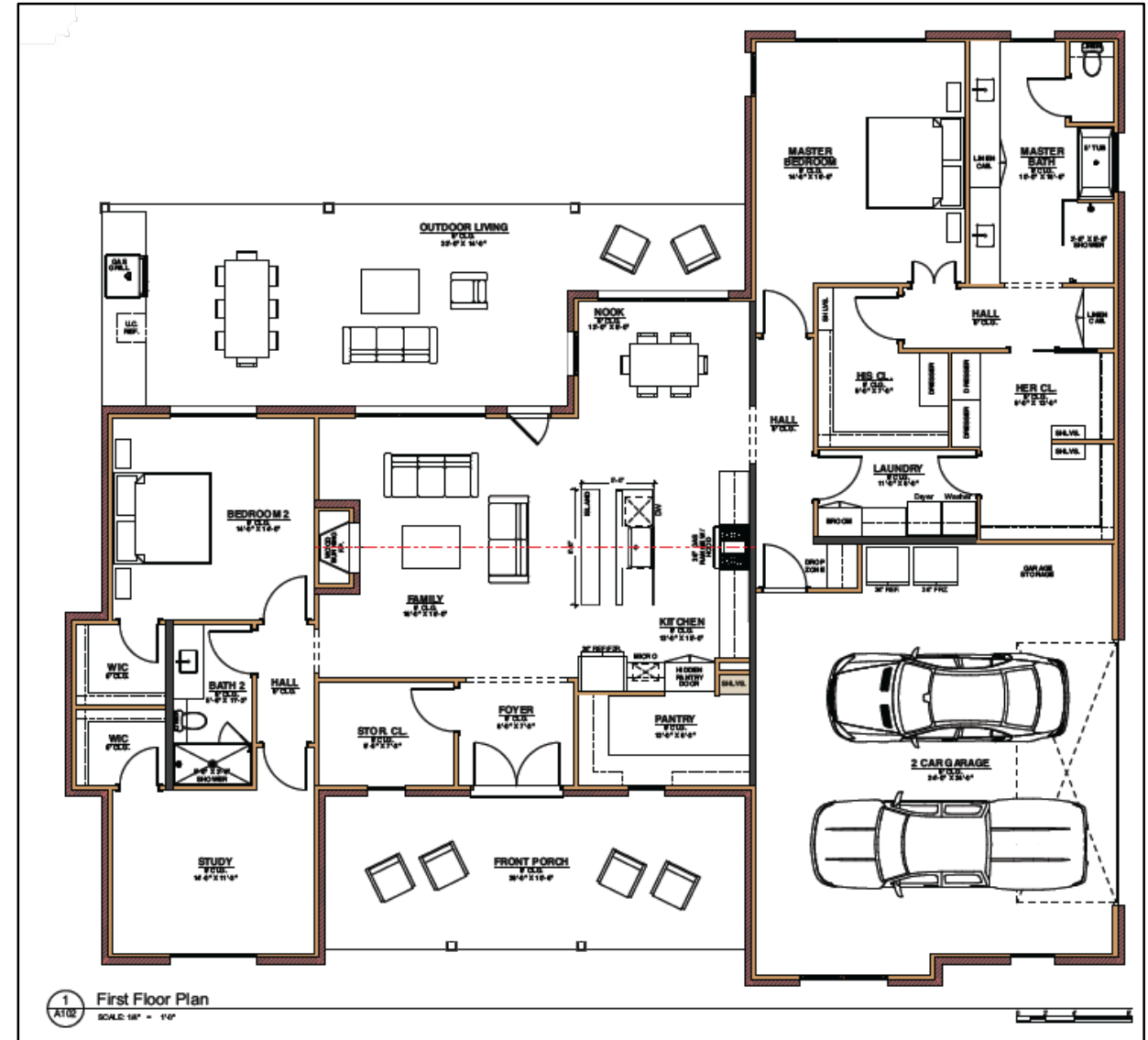
There are three SUPs for this proposed structure:

1. To construct an Accessory Dwelling Unit in the SF-8.4 Zoning District.
2. To construct an accessory building in the SF-8.4 Zoning District that is greater than 500 square feet.
3. To allow the total square footage of all accessory structures to exceed 50% of the square footage of the existing home.

Item H-5

The ADU's floorplan includes two bedrooms and a study, two bathrooms, a kitchen, storage space, living/dining room, a 2-car garage, and outdoor living space.

The average height of the proposed ADU is 12'4".



Item H-5

UDC Section 9.06 (1) states that the combined area of all accessory buildings on a lot shall be less than fifty percent (50%) of the main structure, unless approved by an SUP.

The proposed ADU has a total footprint of 3,927 square feet:

- Conditioned space 2,377 SF
- Garage 716 SF
- Covered porches 834 SF

The footprint of the existing main structure is 3,957 square feet:

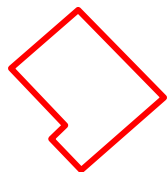
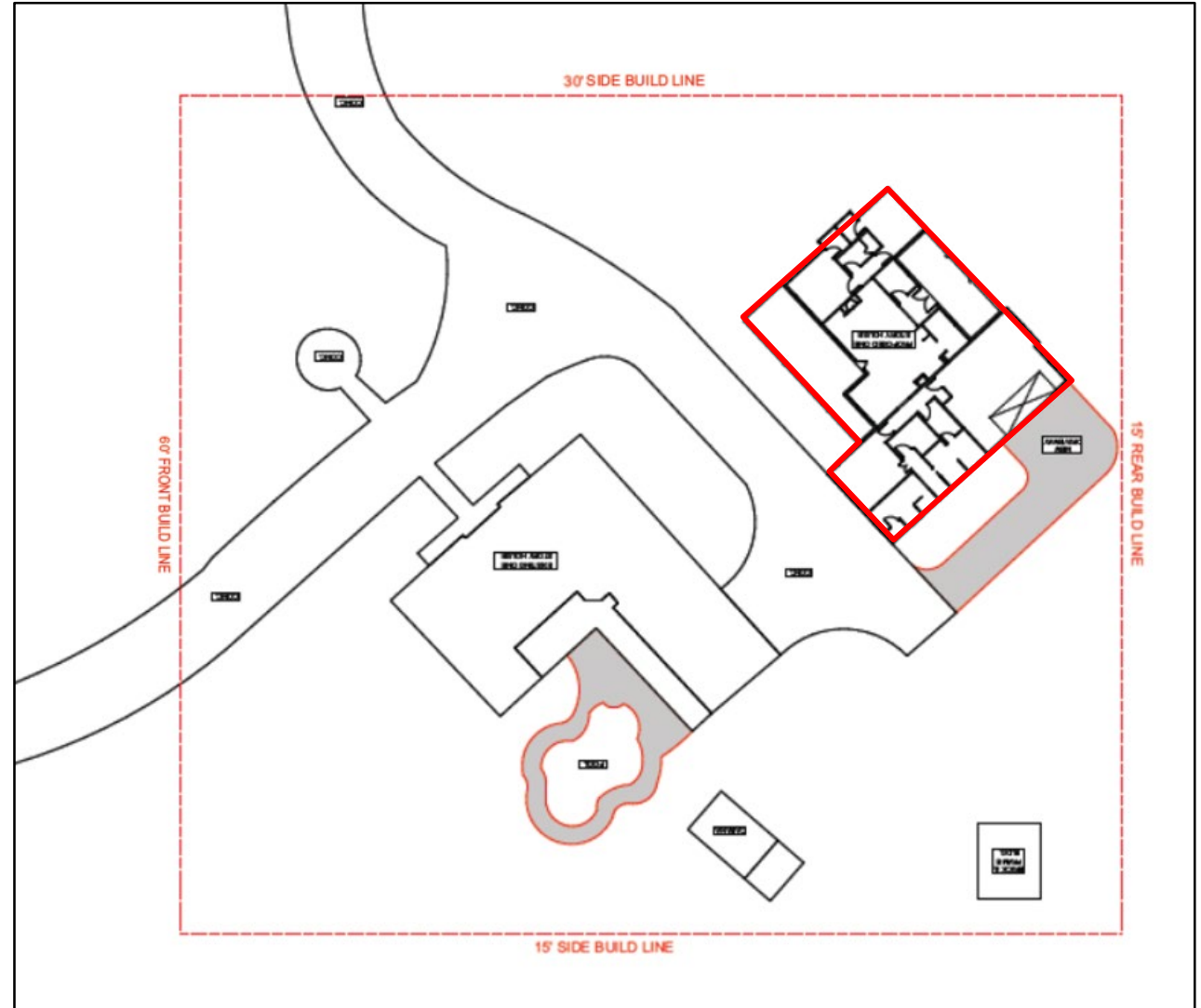
- Conditioned space 2,760 SF
- Garage 484 SF
- Covered porches 1,197 SF

The combined square footage of the existing accessory structures (660 SF) and the proposed ADU exceeds the 50% threshold of the existing main structure.

Item H-5

Site Design:

The proposed structure will conform to all setback requirements of the SF-8.4 Zoning District.



Proposed location



Item H-5

The UDC Section 9.06 (B)(4) states accessory dwelling units shall be constructed from the same materials as the main building. The proposed elevations show the structure to be constructed of primarily masonry. All building materials and colors will complement the existing home.



Northeast Elevation



Southeast Elevation



Southwest Elevation



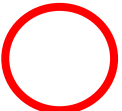
Northwest Elevation

Item H-5

Variance Requested:

The applicant currently has two detached accessory buildings and has requested a variance to allow for a third accessory structure on the property.

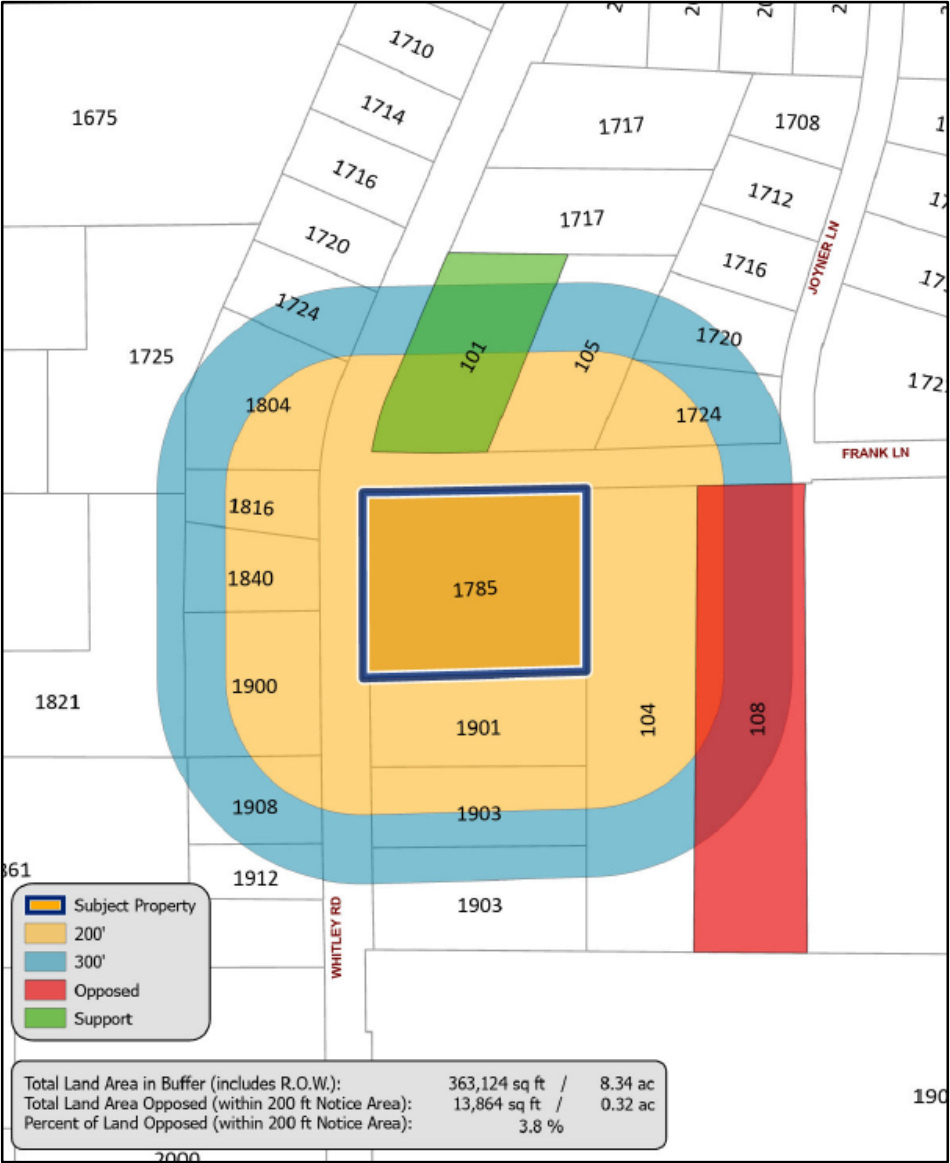


 Existing structures

Item H-5

On Nov. 2, 2023, the City mailed 20 Letters of Notification for this public hearing to all property owners within three-hundred feet (300') of the property. A public hearing notice sign was also posted on the site.

Staff has received one letter in support and one letter of opposition from within the 200' buffer.



Item H-5

Planning and Zoning Recommendation:

At the Nov. 14, 2023 Planning and Zoning Commission meeting, Commissioners unanimously recommended approval of the SUP request with the following condition:

That the proposed ADU be reoriented so that the front of the structure faces Frank Lane rather than the primary dwelling unit.

Item H-5

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.

Item H-5

SUP Requests:

1. An SUP to construct an Accessory Dwelling Unit in the SF-8.4 Zoning District.
2. An SUP for exceeding 500 square-feet for any accessory building in SF-8.4.
3. An SUP to allow the total square footage of all accessory structures to exceed 50% of the square footage of the existing home.

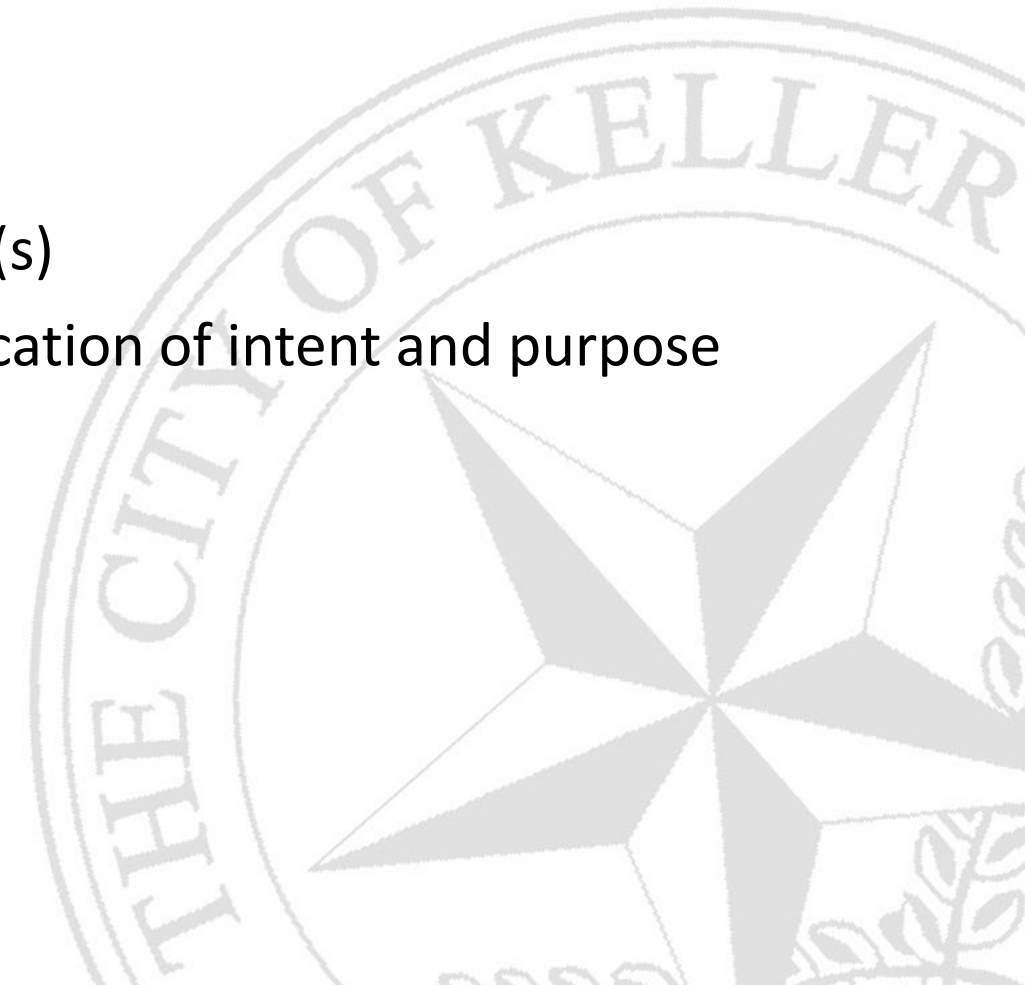
Variance Requests:

1. A variance to allow for an additional accessory structure on the property (for a total of three).

Item H-5

The City Council has the following options when considering a Specific Use Permit (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?
Alexis Russell
817-743-4130

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