

Item H-1

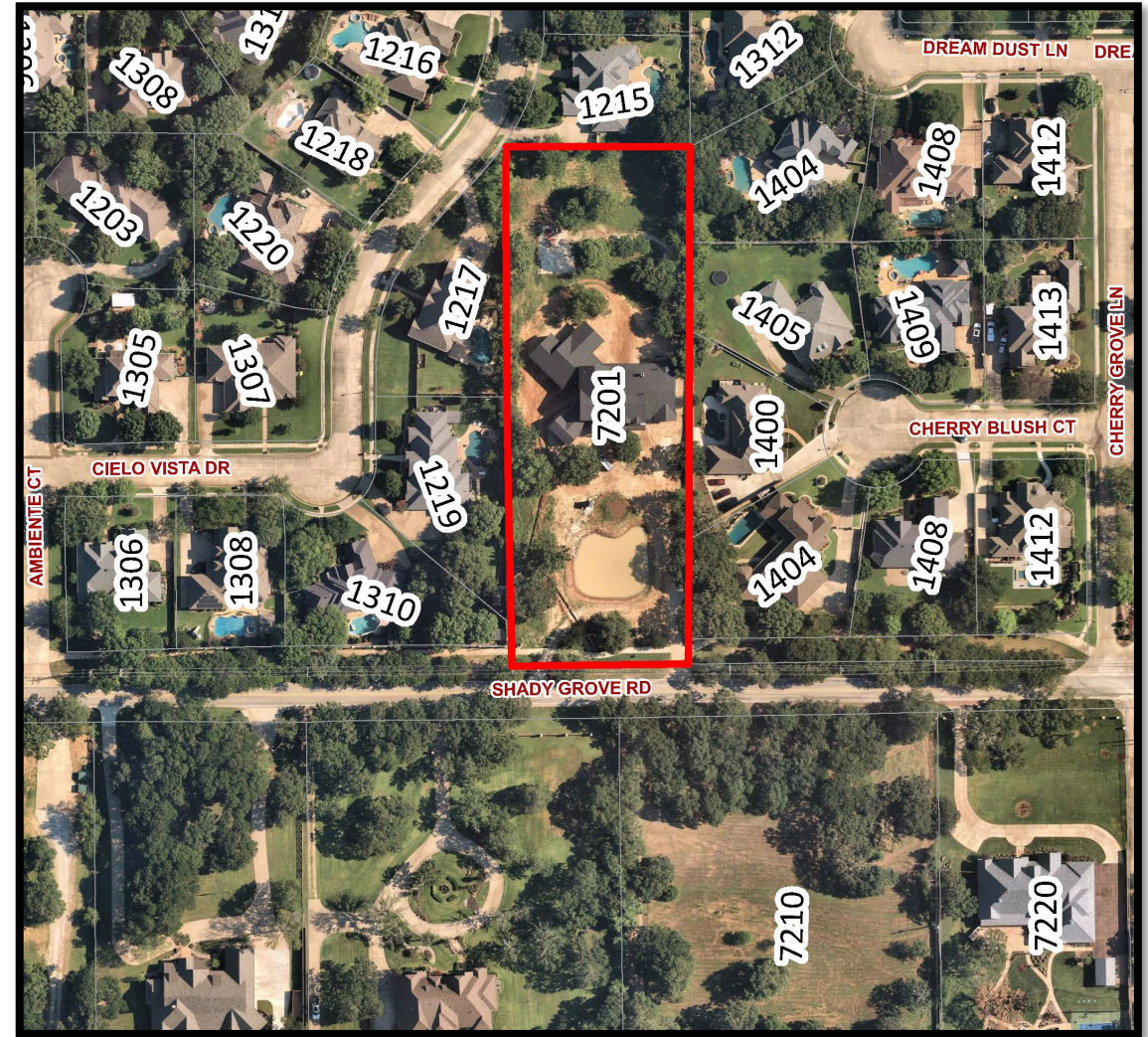
PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to construct a 2,000 square-foot accessory structure, legally described as a Lot 1, Block 1 of David Price Addition, being approximately 1.96-acres, located at the north side of Shady Grove Road, approximately 900 feet northwest from the intersection of Keller Smithfield Road and Shady Grove Road, zoned Single-Family 36,000 square-foot lots (SF-36) and addressed as 7201 Shady Grove Road. James Atherton, Applicant/Owner. (SUP-21-0030)

Item H-1 Zoning Map



**Zoned:
SF-36**

Item H-1 Aerial View



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Request:

The applicant is requesting a Specific Use Permit (SUP) to allow the use of a 2,000 square-foot accessory structure in the SF-36 zoning district.

Why Action is Required:

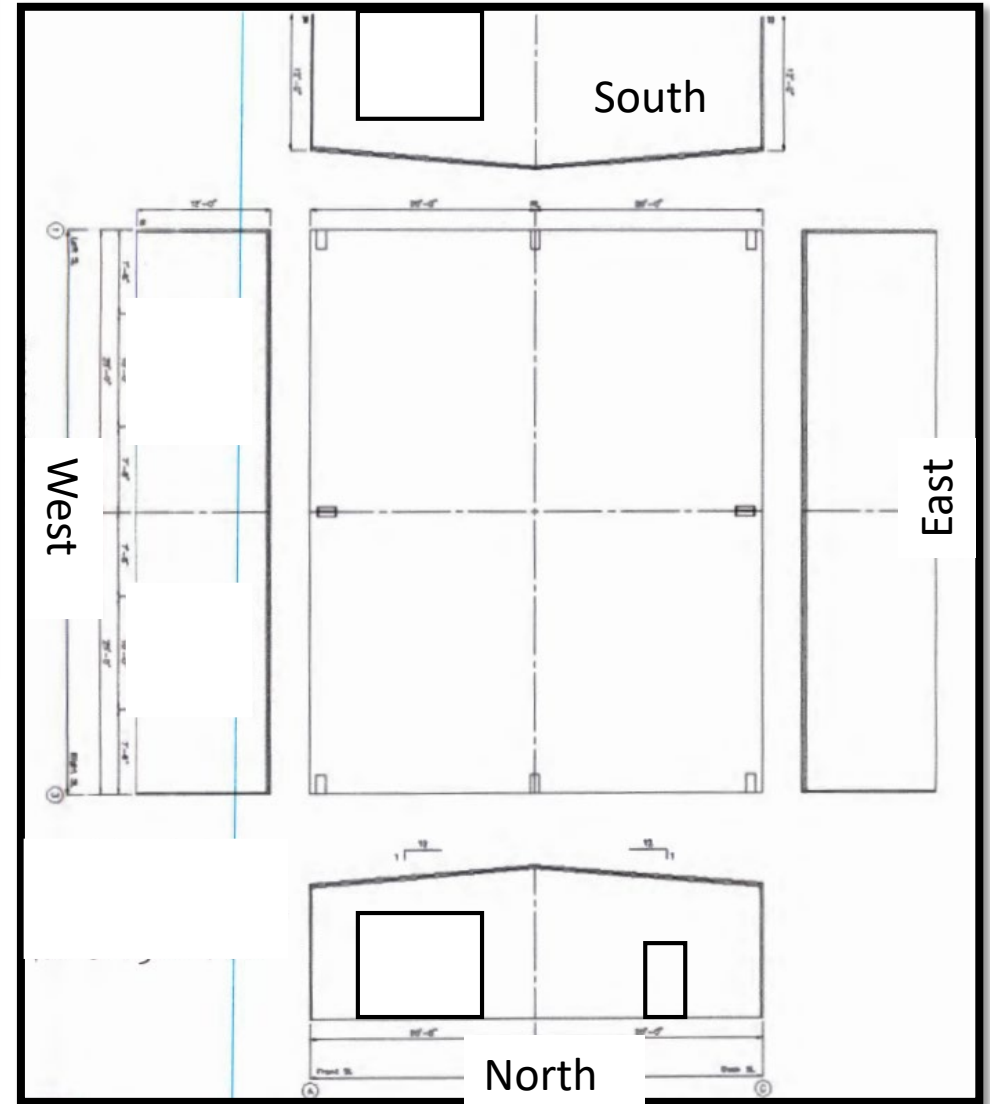
Section 4.03(D) of the UDC, SUPs may be approved by the City Council after a recommendation from the Planning and Zoning Commission for specific uses with certain conditions and development restrictions in order to be considered compatible in a district in which they are not allowed by right.

An SUP is required for accessory structures greater than 1,200 square-feet in the SF-36 zoning district.

Background:

The applicant proposes to use the structure to store two classic cars, a recreational vehicle, lawn mower, and boat trailer.

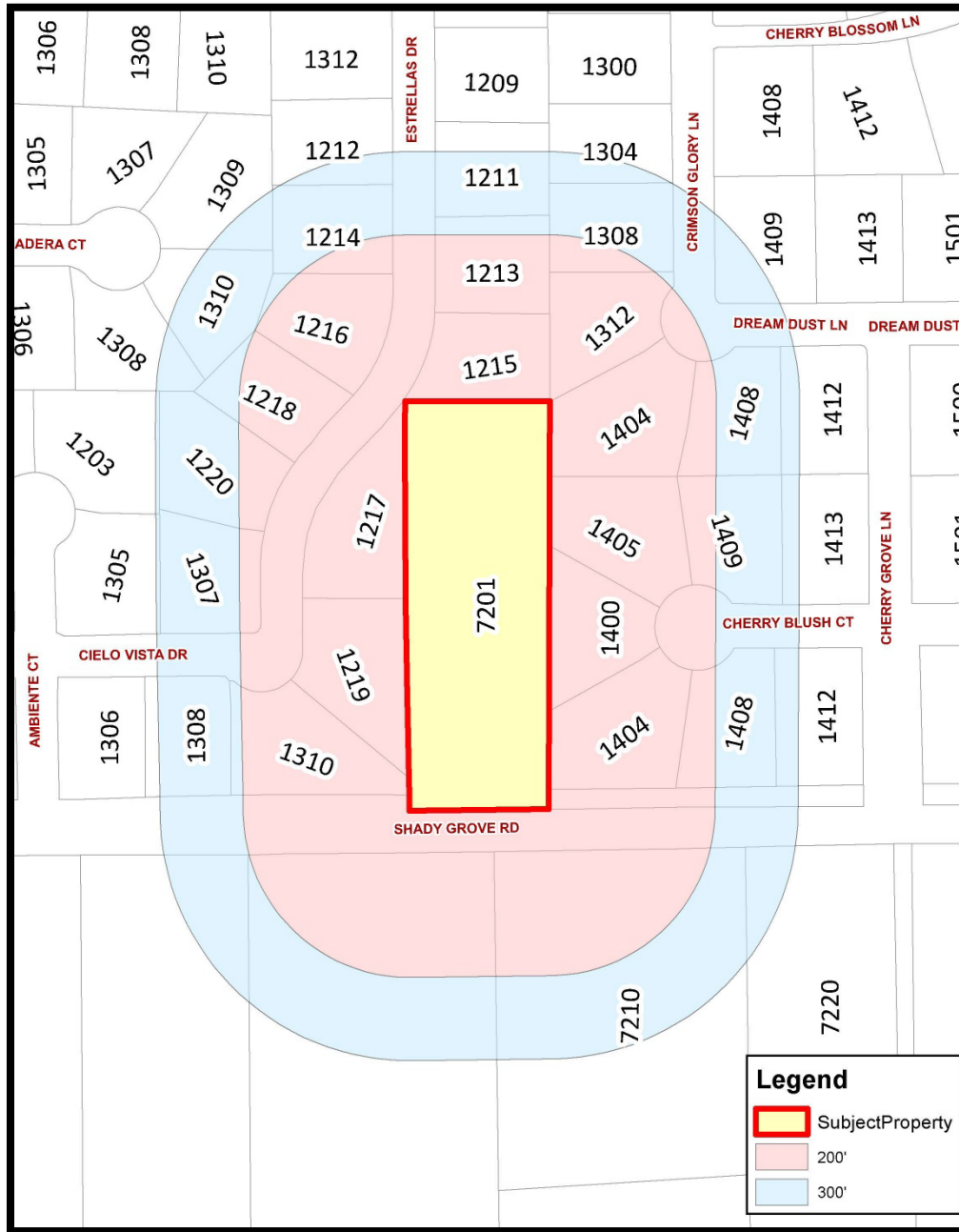
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New home under construction



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- On September 17, 2021, the City mailed out 41 Letters of Notification for this public hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was also posted on the site on September 17, 2021.
- The applicant has provided Staff with a support petition.
- As of today, Staff has not any further responses from the public.



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At the September 28, 2021 Planning and Zoning Commission meeting, one neighbor expressed concern about the potential visual impact of the height of the structure, but indicated she was not in support or in opposition to the item. The Commission recommended approval by a vote of 7-0 with the condition that the applicant make an effort to landscape to help obstruct the view from the neighbor (Susan Whitfield) to the west.

However, after the item was acted upon by Commission, both the applicant, Ms. Whitfield, and staff discussed the structure height. The conclusion drawn from the conversation was to not move forward with the landscaping in the area as it was too dense already.

The applicant requested to defer his application until the November 2, 2021 City Council meeting.



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Section 8.02 (F)(2)(a) 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 an SUP application:

- 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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