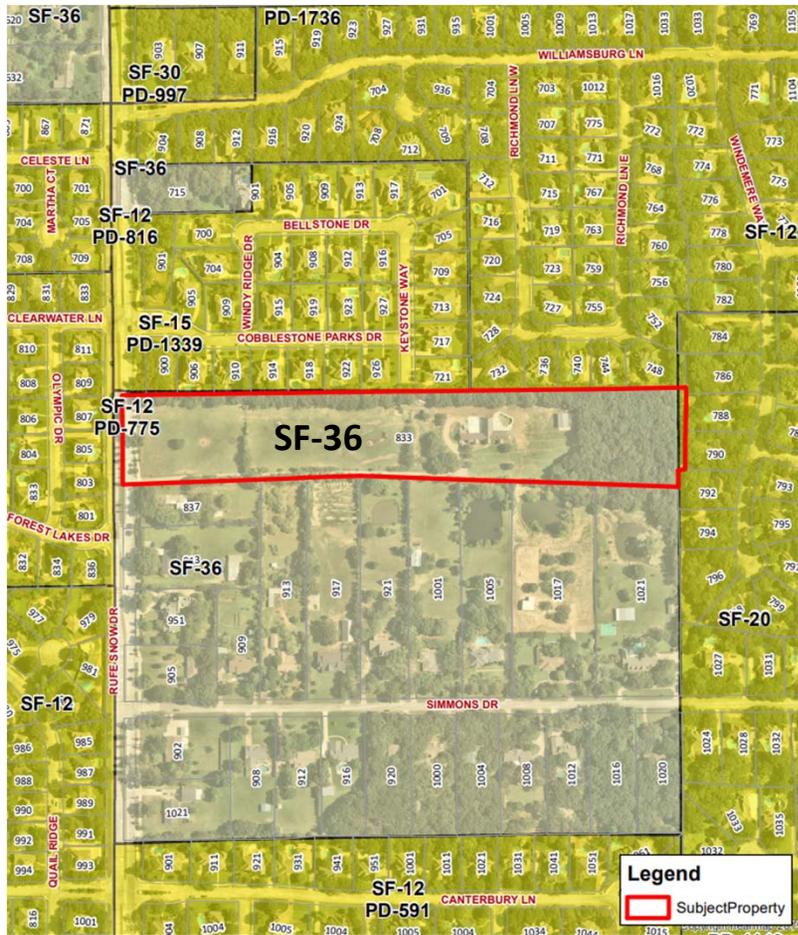


## Item H-1

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for the 800 square-foot expansion of an existing 1200 square-foot accessory structure on property legally described as Lot 1A, Block 1, of the William Slaughter Addition, being 9.83-acres located approximately 200 feet southeast of the intersection of Rufe Snow Drive and Cobblestone Parks Drive, zoned Single-Family Residential - 36,000 Square-Foot Lots (SF-36), addressed as 833 Rufe Snow Drive. Jeffrey and Loren Abate, Applicants/Owners. (SUP-21-0028)

# Item H-1 Zoning Map



# Item H-1 Aerial View



Zoned:  
SF-36

## Item H-1

### **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 by expanding the existing 1,200 square-foot barn by 800 square-feet (300 square-feet enclosed addition and a 500 square-foot lean-to).

### **Why Action is Required:**

Section 4.03(D) of the UDC, SUPs may be approved by City Council after a recommendation by the Planning and Zoning Commission for specific uses with certain conditions and development restrictions in order to be considered compatible in a district where 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.

## Item H-1

### **Background:**

The applicants brought forward a request to the Planning and Zoning Commission on October 27, 2020 for a 2,000 square-foot barn. Primarily because the structure had already been built without a permit (and there were other outstanding issues related to the home remodel), the Commission recommended Council deny by a vote of 7-0. After the Commission's meeting, the applicants withdrew the request and demolished part of the structure so that it was 1,200 square-feet enclosed. On December 9, 2020, the applicants obtained the building permit for the structure bringing it into compliance.

The applicants would now like to expand the size of the structure (barn) for agricultural purposes – feed, supplies, and other things necessary to raise the family's livestock (longhorns, horses, donkeys, and goats).



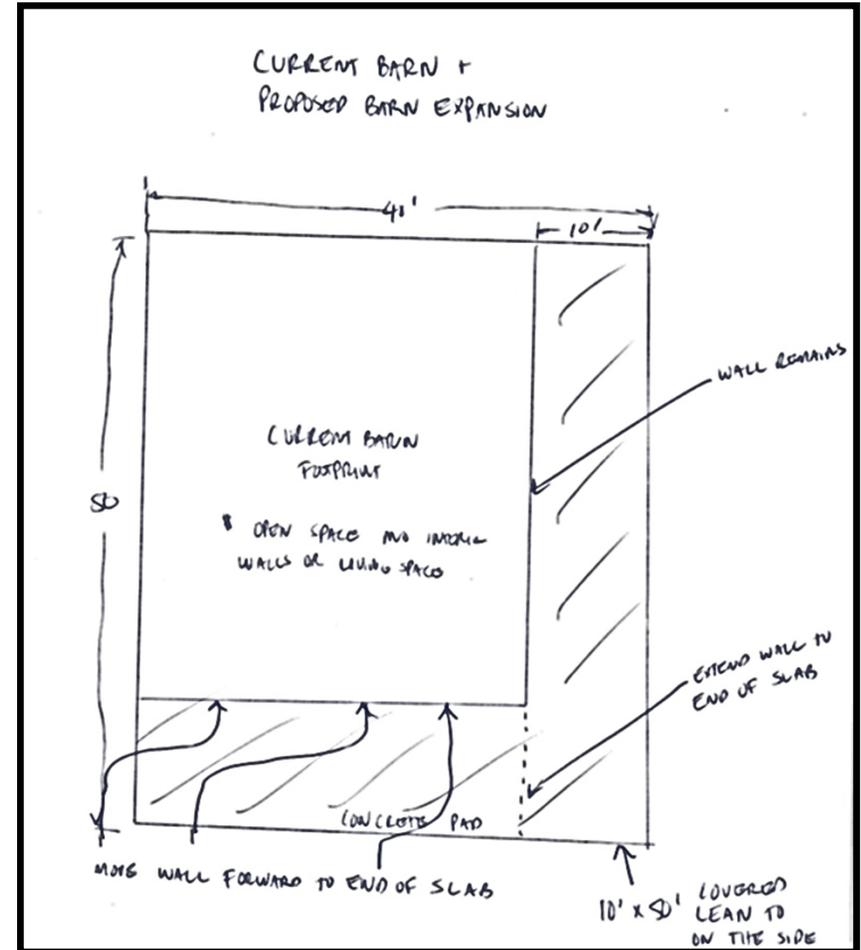
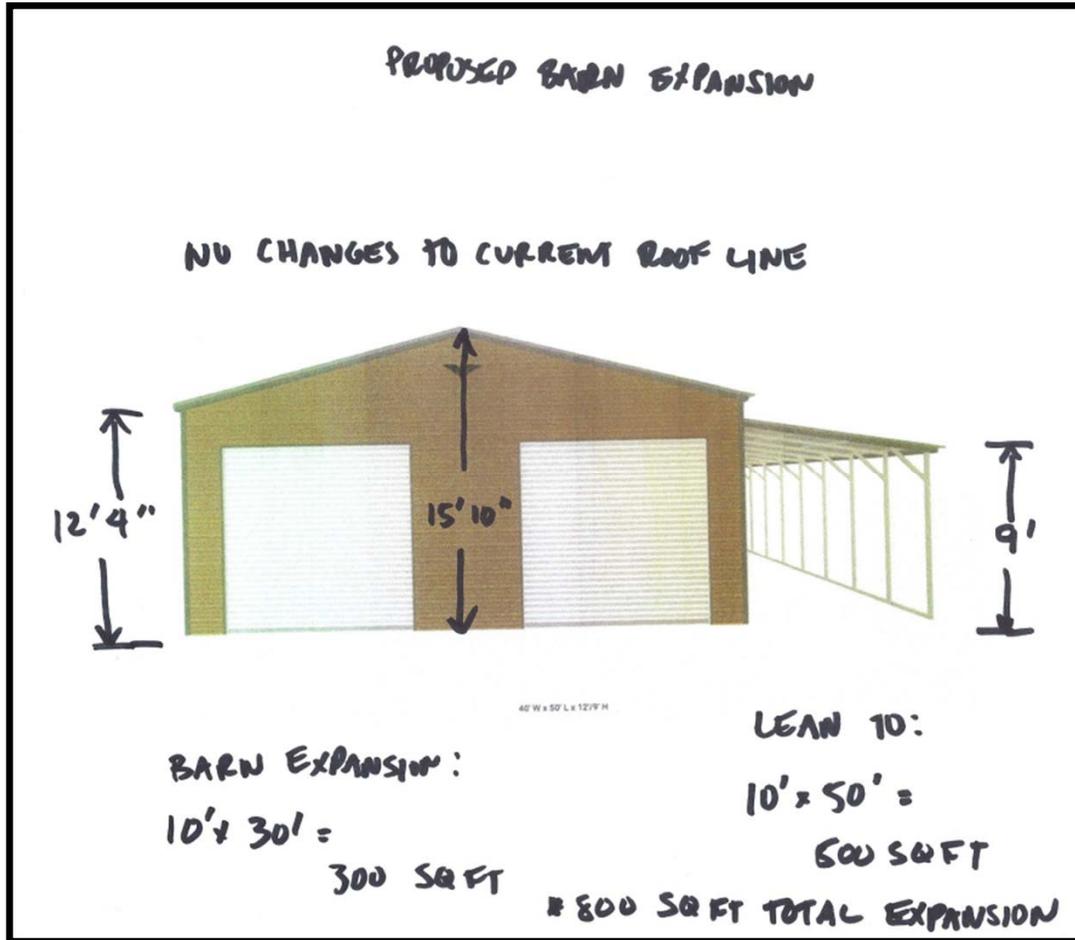
## Item H-1

### Existing Structure



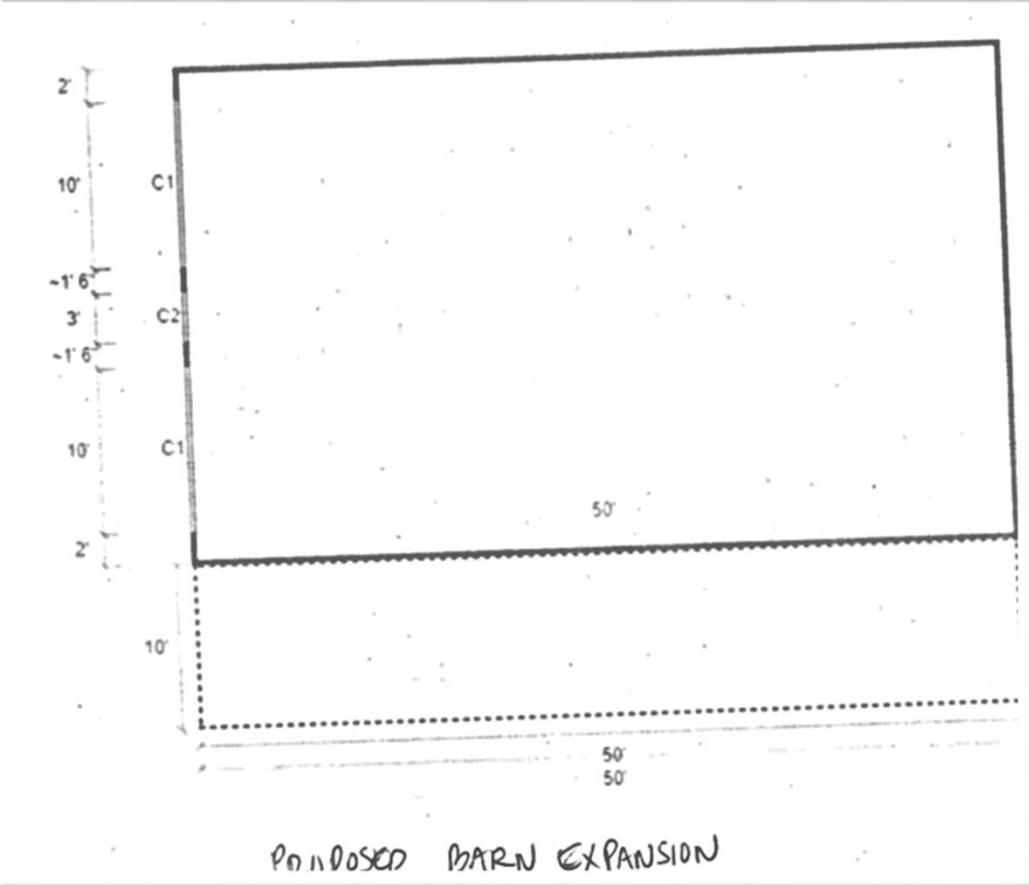
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# Item H-1

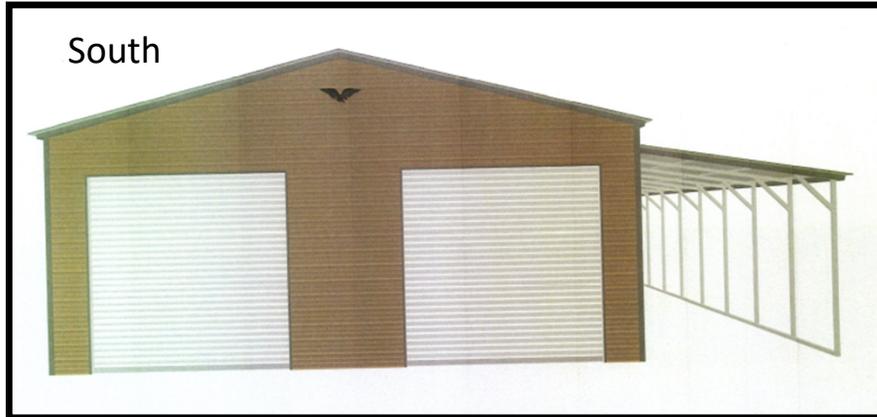
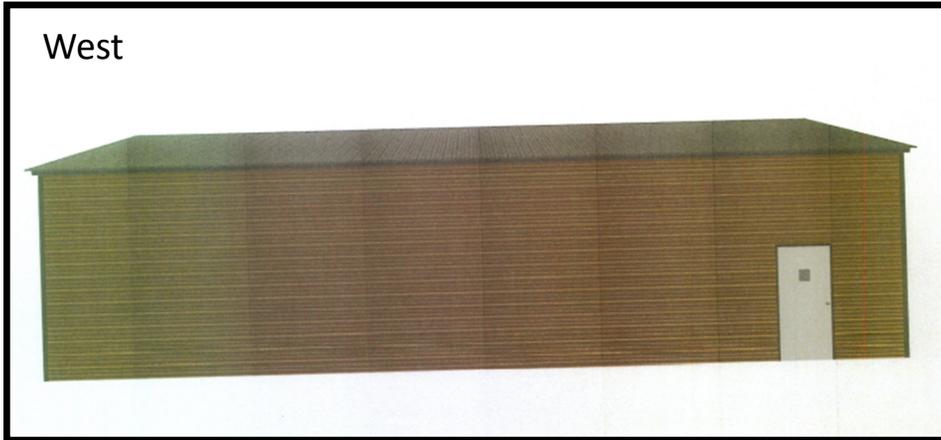
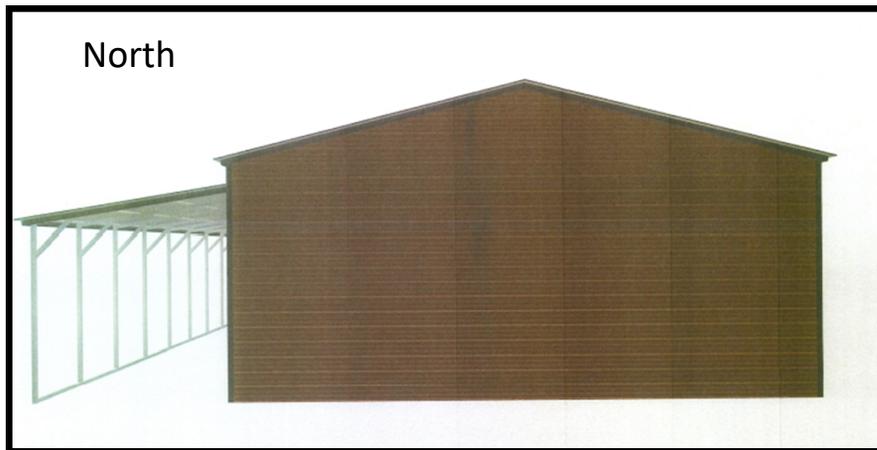
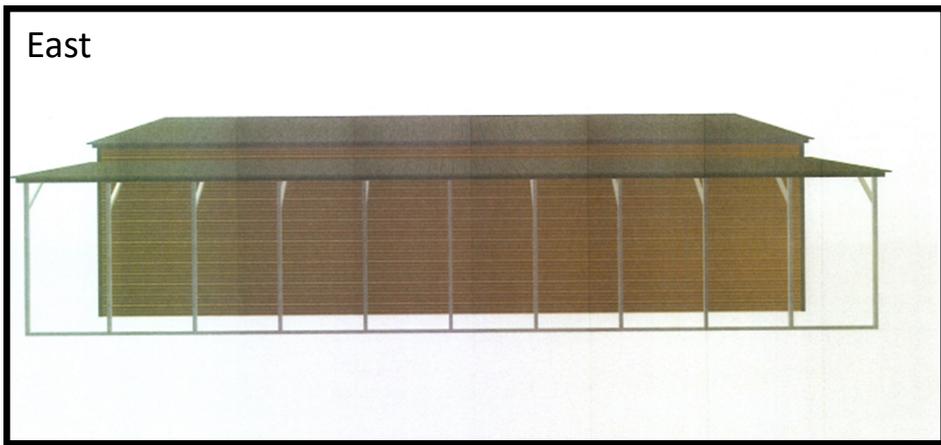


Item H-1

Proposed Floor Plan



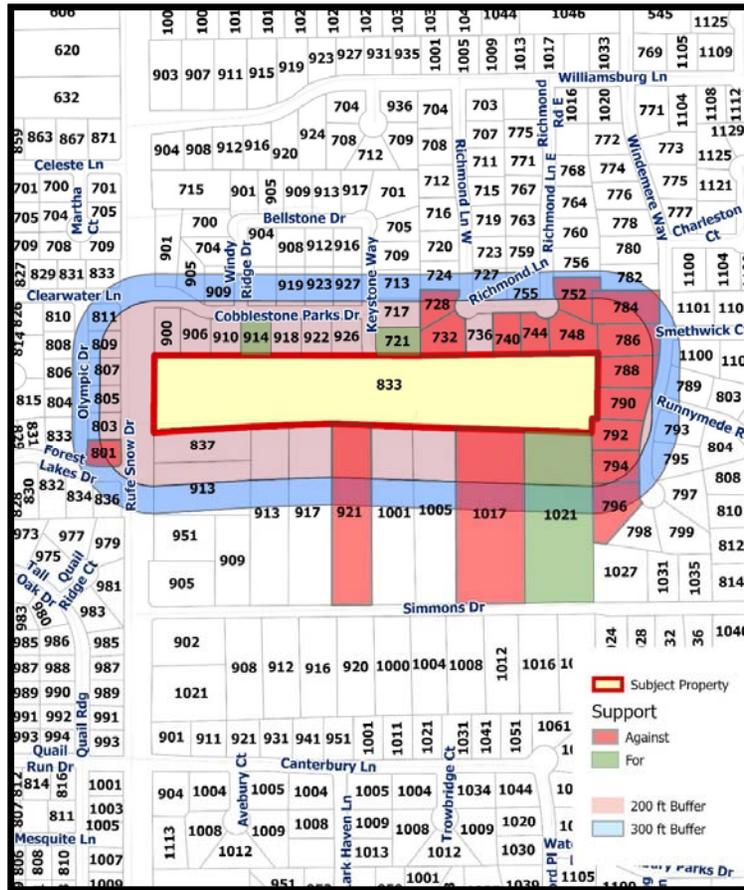
# Item H-1



Proposed Elevations

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## Item H-1



- On September 17, 2021, the City mailed out 63 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.
- As of October 12, 2021, Staff has received 3 letters of support representing 3 lots and 28 signatures in opposition representing 16 lots with 6.84 acres inside the 200' buffer area. With an opposition rate of 33.1%, super majority has been invoked.

## Item H-1

### **Planning and Zoning Recommendation:**

On September 28, 2021, the Planning and Zoning Commission unanimously recommended approval by a vote of 5-0 for the SUP request. The Commission recognized the proposed metal structure was consistent with other structures in the neighborhood. The Commission was concerned with the lack of neighborhood support but stated issues between neighbors were a civil matter but strongly urged the applicants to work with their neighbors. As a result, several emails have been exchanged regarding planting trees between the barn and the north property line.

## Item H-1

### **Planning and Zoning Recommendation, cont.:**

Commission was of the opinion that had the Applicant applied for an SUP in 2020 instead of constructing the original accessory structure without a permit, the Commission would have recommended approval of the SUP request. The Commission also expressed their appreciation to the Applicant for bringing all issues related to his property in compliance and recognized the expense of doing so.

The applicant was present. No person spoke in favor and two persons spoke in opposition.

## Item H-1

**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) Any additional conditions specified ensure that the intent of the district purposes are being upheld.

## Item H-1

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?

Patricia Sinel, AICP, CFM

817-743-4130

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