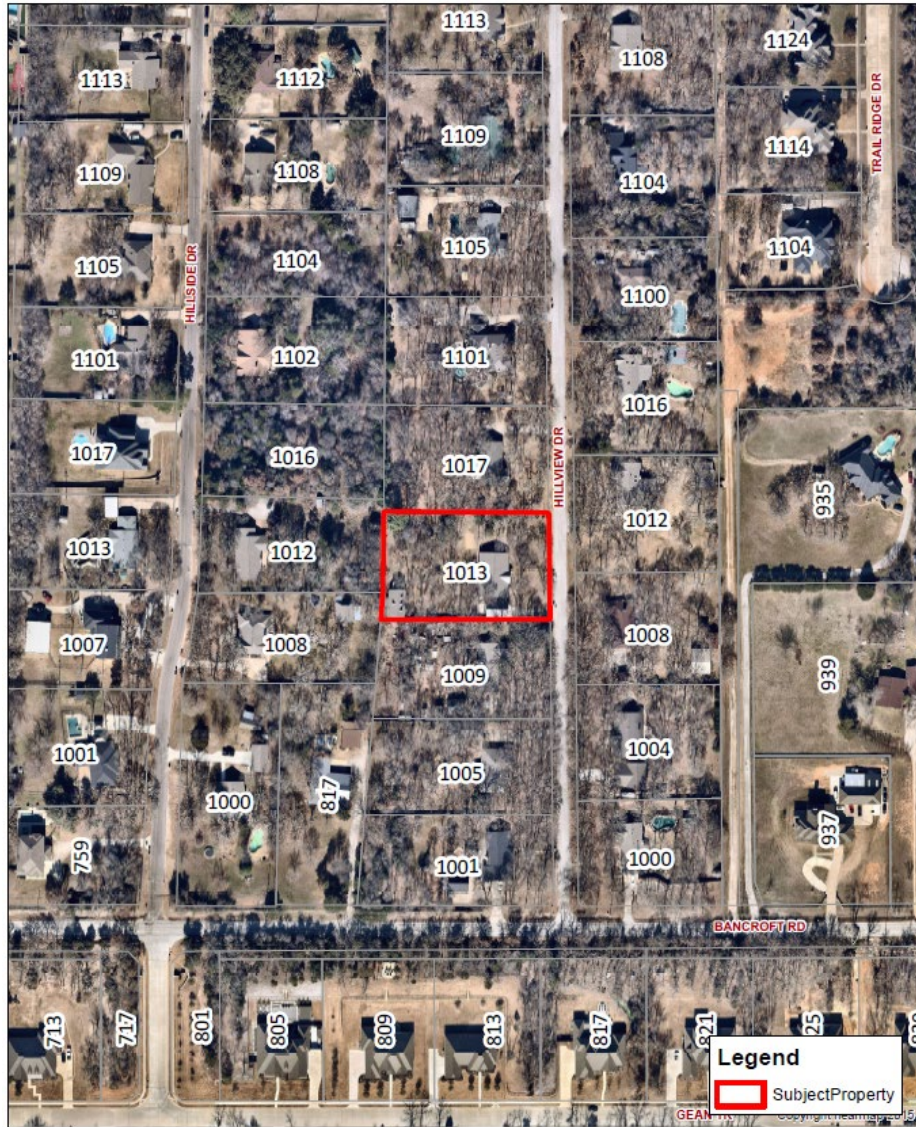


Item H-4

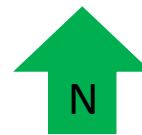
PUBLIC HEARING: Consider an ordinance approving for a Specific Use Permit (SUP) with variances for a carport on 0.93 acres located on the west side of Hillview Drive, approximately 440 feet northwest from the intersection of Hillview Drive and Bancroft Road, legally described as Lot 4, Block 2 of Rolling Oaks North Addition, zoned Single-Family 36,000 square-foot lot size or greater (SF-36) and addressed 1013 Hillview Drive. Daniel Evans, Owner/Applicant. (SUP-22-0033)

Item H-4

Aerial Map



Zoning Map



Zoned SF-36

Item H-4

Property Timeline:

- 1974 – primary dwelling constructed (approx. 2,680 square feet)
- 2005 or earlier – detached accessory structure (approx. 950 square feet) constructed without a permit in the rear- and side-yard setbacks
- 2015 – Applicant purchased home; two-car garage had already been partially enclosed by prior owner without a permit
- 2020 – Carport constructed without a permit
- 2022 – Garage enclosure completed without a permit; no replacement garage was constructed
- 2022 – Code Compliance received anonymous complaint regarding carport

Item H-4

UDC Requires Two-car Garages

The UDC requires that homes in all Single-Family zoning districts have a two-car garage (either attached or detached).

Section 8.03(c)(4)(d)(1) specifically states that garages shall not be converted:

A garage with a minimum capacity of two (2) cars shall be constructed on the same lot as the primary dwelling unit. The garage shall be maintained for parking and shall not be converted to living space.



Item H-4

UDC Requires Two-Car Garages

Any SUP the Commission recommends for approval for the carport will need to incorporate a variance to the UDC requirement for a two-car garage.

Variance Requested:

1. A variance to the parking regulations for the SF-36 Zoning District requiring a 2-car garage

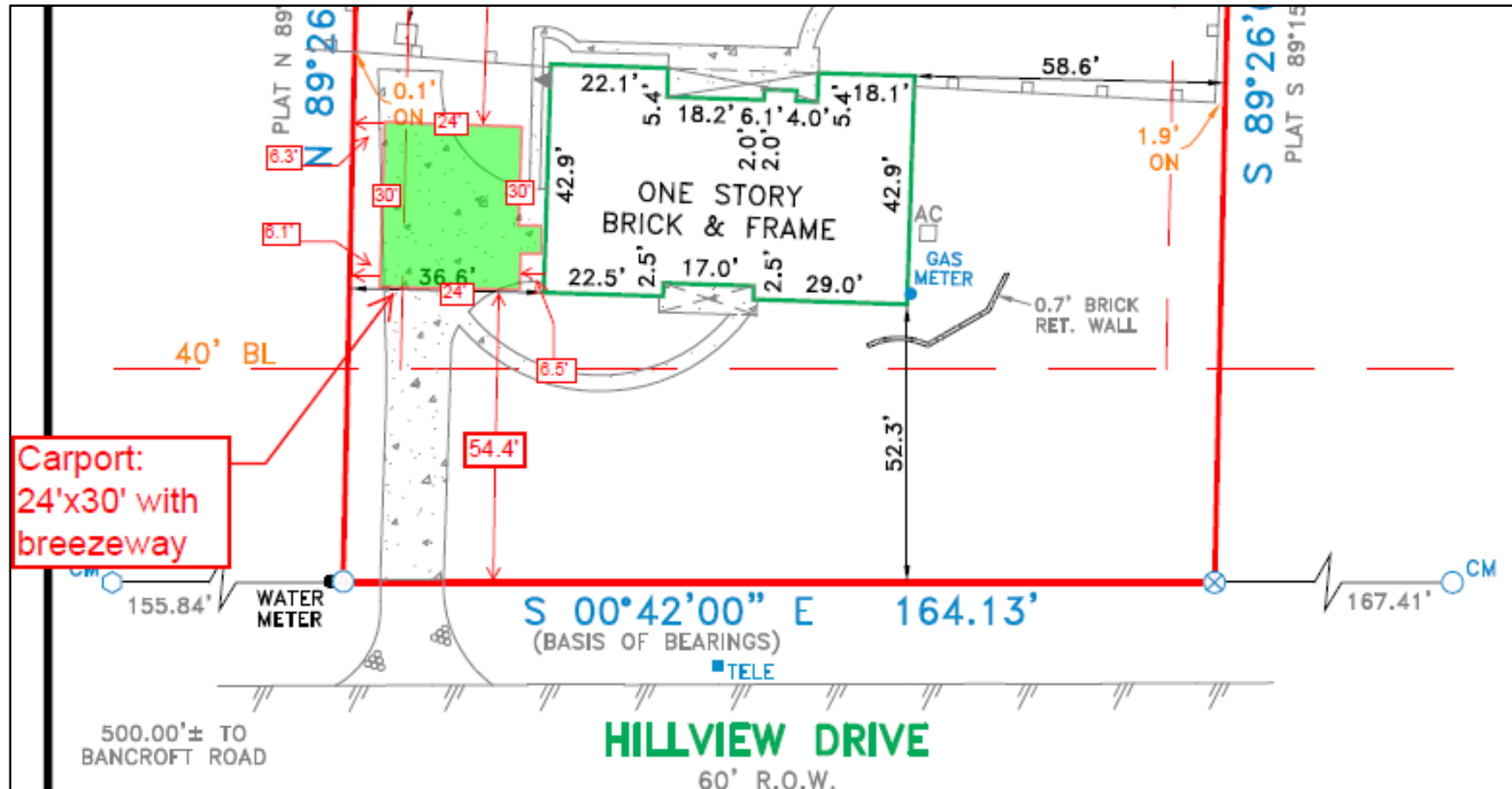


Item H-4

Carport Location

Variances Requested:

2. To encroach the side-yard setback by approximately 4'

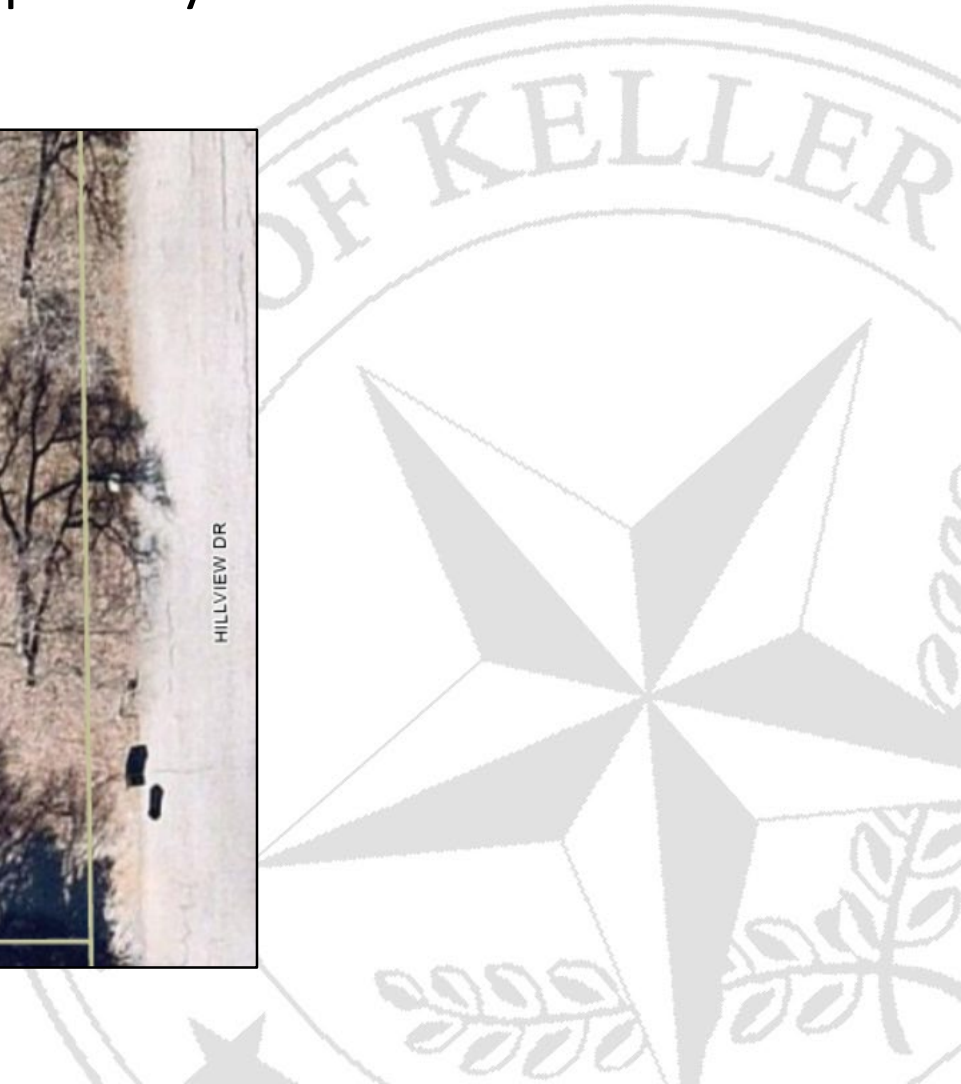


Item H-4

Carport Location

Variances Requested:

3. To allow the carport to be located in line with the primary dwelling



Item H-4

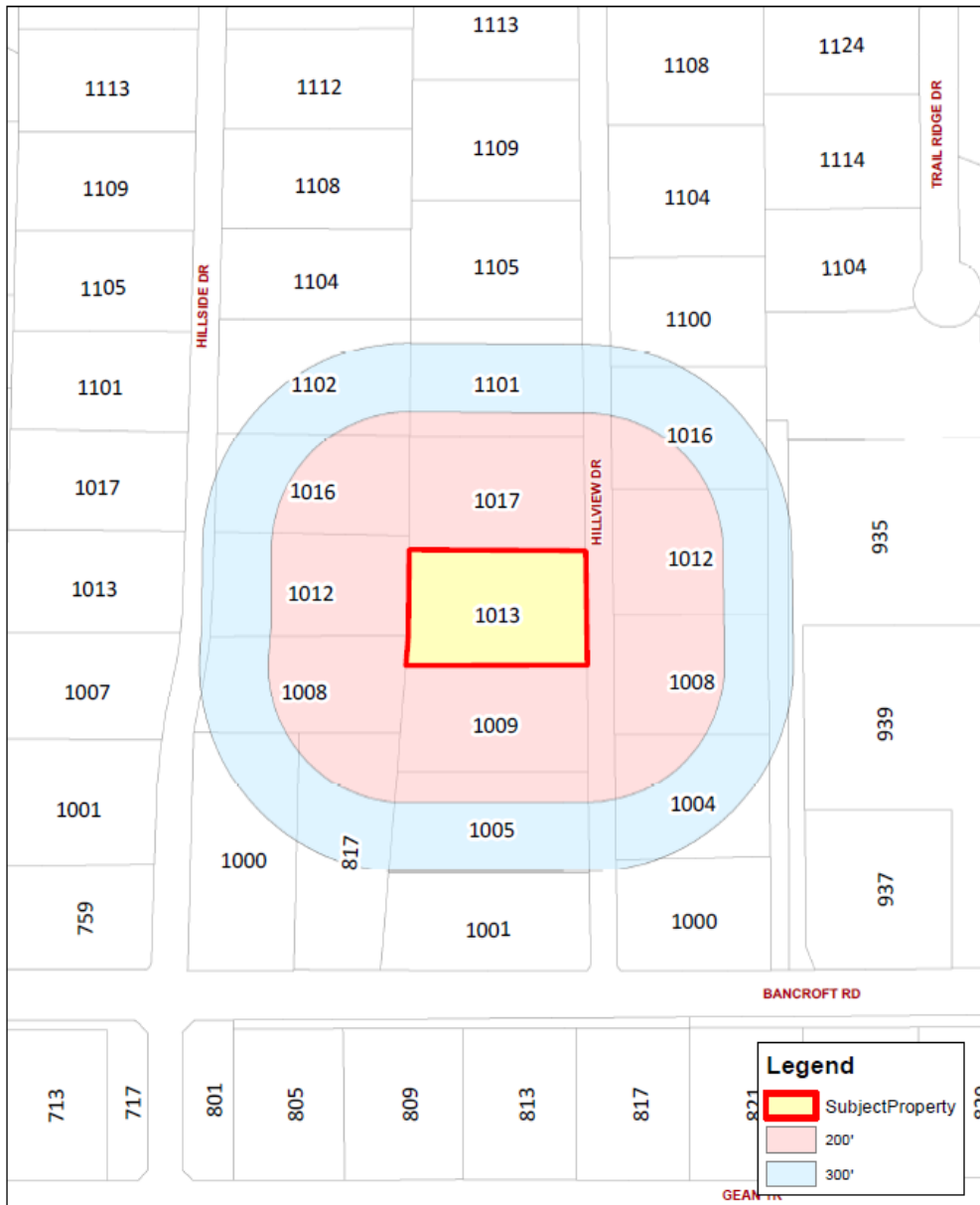
Structure: Meets UDC

The carport is constructed of stained cedar with a 6.5' breezeway connecting the structure to the home.

The covered area is approximately 24' wide and 30' deep (720 square feet total), and the average height of the carport is 12.25'.



Item H-4



- On Feb. 16, 2023, the City mailed 20 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 posted on the site.
- The Applicant provided a petition of support signed by several neighboring property owners.
- As of today, staff has received one letter from a neighboring property stating they had no objections to this SUP request.

Item H-4

Planning and Zoning Commission recommendation:

On Feb. 28, 2023, the Planning and Zoning Commission unanimously recommended denial of the SUP request and related variances as presented.

The Commission suggested the Applicant consider converting the accessory structure to a 2-car garage and explore purchasing 4' along his southern property line from the neighbor so the carport would not be in the setback.

Item H-4

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-4

SUP Request:

To permit an attached carport with the following variances:

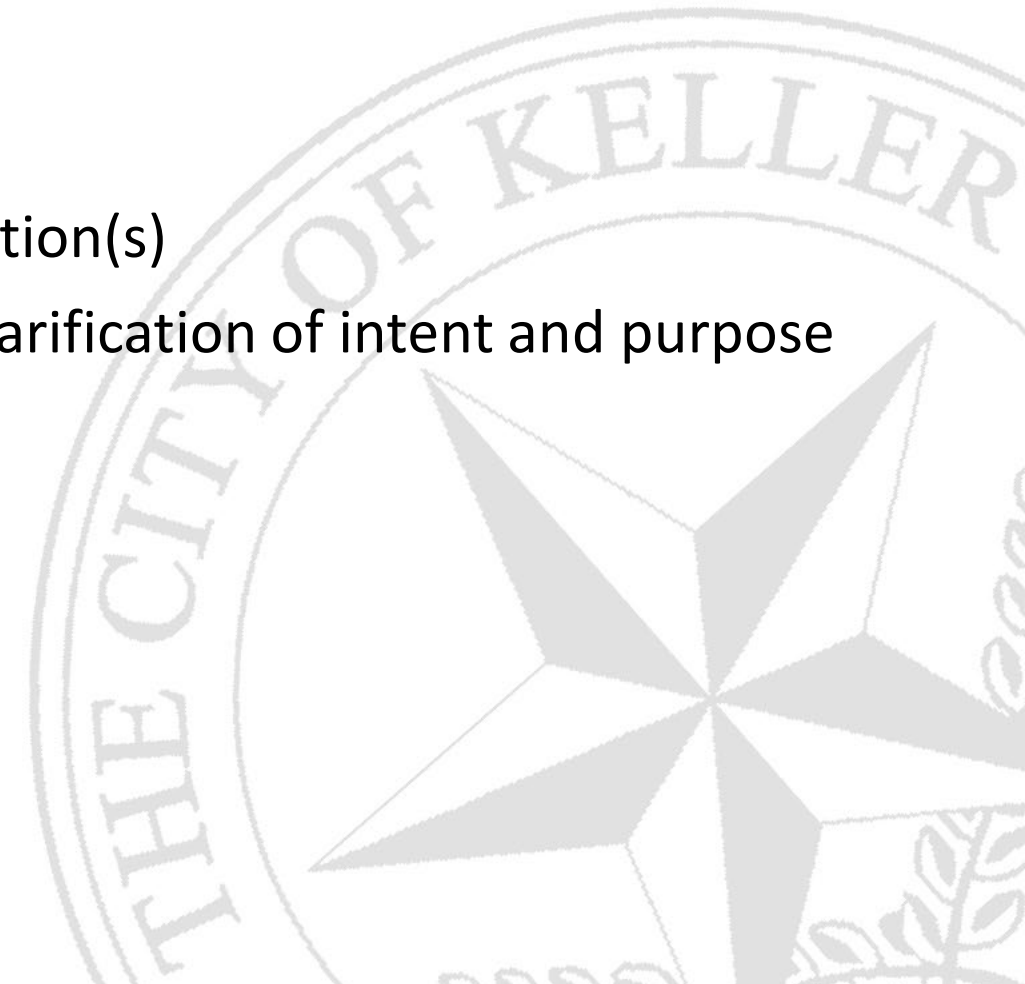
1. The variance to the parking regulations for the SF-36 Zoning District requiring a 2-car garage.
2. The variance to encroach the side-yard setback by approximately 4 feet.
3. The variance to allow the carport to be located in line with the primary dwelling.



Item H-4

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?
Sarah Hensley
817-743-4130