



City of Keller

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Legislation Text

File #: 21-608, **Version:** 1

To: Planning and Zoning Commission

From: Katasha Smithers, Planner II

Subject:

PUBLIC HEARING: Consider a request for 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)

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 City Council after a recommendation by the Planning and Zoning Commission (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 is proposing this structure to be utilized for personal storage of two classic cars, a recreational vehicle, lawn mower, and boat trailer.

SUP Requests:

The Applicant applied for an SUP for a 2,000 square-foot accessory structure in the SF-36 zoning district on September 8, 2021.

Building Size:

The Applicant is proposing a 2,000 square-foot accessory structure to be utilized for personal storage. An SUP is required for accessory structures greater than 1,200 square-feet.

Building Location:

UDC Section 8.10 (A) (5) states accessory structures shall be prohibited from being located in front

of the main dwelling unit.

The proposed location of the accessory structure will be located behind the main structure and is in compliance with the UDC.

Building Exterior:

The UDC Section 8.10 (A)(3) states accessory buildings shall be complimentary to the main structure (constructed of brick or stone or the same material as the main structure). The applicant proposes the building to be 100% metal (steel) which would not match the existing brick structure.

The accessory structure does not meet design and materials requirements.

Building Height:

UDC Section 8.10 (A) (9) states the maximum height of the building shall not exceed an average of 15 feet unless approved by a SUP. The applicant is proposing to keep the structure at a peak height of 12 feet.

The accessory structure meets height requirements.

Setback Regulations:

The lot setbacks are determined by SF-36 zoning district standards in UDC Section 8.03 (C) (4). The minimum front-yard building setback is 60 feet for a SF-36 lot on a major thoroughfare. The side-yard setback is 15 feet. The minimum rear-yard setback is 15 feet. The structure is proposed to exceed all the setbacks.

The accessory structure will meet all the setback requirements.

Lot Coverage:

The lot size is approximately 85,508 square-feet. The total lot coverage would be 42,754 square-feet or 23.64% (all accessory buildings, driveways, and the main building) which would comply with the current zoning district's 50% lot coverage maximum.

The accessory structure meets lot coverage requirements.

Citizen Input:

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. See Staff Attachment B.

As of today, Staff has not received any further responses from the public.

Summary:

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.

Alternatives:

The Planning and Zoning Commission has the following options when considering an SUP application:

- Recommend approval as submitted.
- Recommend approval with modified or additional condition(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Recommend denial.

City Council Action:

If the Planning and Zoning Commission takes action and makes a recommendation on this agenda item, this SUP application will be scheduled for City Council action on November 2, 2021.

Supporting Documents:

- Maps
- Staff Attachment A- Narrative and Information
- Staff Attachment B - Support Petition