



Legislation Text

File #: 21-084, **Version:** 1

To: Planning and Zoning Commission

From: Matthew Cyr, Planner I

Subject:

PUBLIC HEARING: Consider a request for two Specific Use Permits (SUP) to allow the applicant to construct a 1,408 square-foot Accessory Dwelling Unit situated on a 2.65-acre tract of land, located on the east side of Bourland Road, approximately 350 feet southeast from the intersection of Bancroft Road and Bourland Road, legally described as Lot 3, Block 1 Village Mill Addition, zoned Single Family - 36,000 square-foot lot (SF-36), located at 921 Bourland Road. Jeff Aldredge, owner. Jeff Ground, applicant. (SUP-21-0003)

Background:

- This property was annexed into the City on January 20, 1969.
- The property was platted and approved in 2011. (See Attachment Final Plat)
- The applicant is proposing to construct a dwelling unit behind the existing main structure. The proposed one-story structure will have an enclosed area of 1,408 square-feet.
- There are two SUP requests for this proposed structure:
 1. An SUP for a dwelling unit on property that is at least 1.5 acres (the property is currently 2.65-acres).
 2. An SUP for exceeding 1,200 square-feet for any accessory building

Building Size:

UDC Section 8.03 (C.g.2) restricts the maximum square footage of a detached accessory building to exceed 1,200 square feet unless approved by a SUP.

The applicant is proposing a 1,886 square-foot accessory dwelling unit.

Building Location:

UDC Section 8.10 (B.1) states that accessory dwelling units shall be constructed behind the main dwelling on a lot with a minimum area of one-and-a-half acres. The proposed location of the accessory dwelling unit is in compliance with this section of the UDC.

The structure is proposed to be approximately 47-feet away from the main structure (directly west) and approximately 28-feet away from the nearest property, which is directly south.

Building Exterior:

The UDC Section 8.10 (B.4) states accessory dwelling units shall be constructed from the same materials as the main building.

The applicant proposes that the accessory dwelling unit be constructed from the same materials as the main building consisting of 100% HardiePlank. Ultimately, the applicant intends for the proposed building to match the main structure's design and style as a complimentary and matching set.

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 the structure at an average height 14' 8".

Zoning 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 thoroughfare. The side-yard setback is to be 10% of the lot width, but no more than 15 feet. The minimum rear-yard setback is 15 feet.

The proposed structure will meet all the setback requirements.

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.

Citizen Input:

On February 11, 2021, the City mailed out 21 letters of Notifications 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.

As of February 18, 2021, Staff has not received any responses from the Public.

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, then this SUP application will be scheduled for City Council action on March 16, 2021.

Supporting Documents:

- Aerial and Zoning Maps
- Exhibit A - Application and Narrative Letter
- Staff Attachment- Supporting Documentation
- Staff Attachment- Final Plat