



## Legislation Details (With Text)

**File #:** 18-337      **Version:** 1

**Type:** New Business      **Status:** Approved

**File created:** 11/9/2018      **In control:** City Council

**On agenda:** 11/20/2018      **Final action:** 11/20/2018

**Title:** PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) allowing a 2,080 square-foot metal dwelling unit to have a combined area greater than 50% of the main structure, and an average height of approximately nineteen feet-three quarter inches, on a 1.9-acre lot on the northeast side of Melissa Drive, approximately 937 feet north of the Melody Lane and Melissa Drive intersection, located at 1221 Melissa Drive, Lot 6R, Block 2, Melody Hills Estates Addition, and zoned SF-36 (Single Family Residential - 36,000 square foot minimum). Russell and Tiffany O'Neal, owner/applicant; Christy Hill, designer. (SUP-18-0033).

**Attachments:** 1. 11202018\_Melissa Drive SUP\_Ordinance, 2. 11202018\_Melissa Drive SUP\_ExhibitA, 3. 11202018\_Melissa Drive SUP\_ExhibitA\_Applicant Letter, 4. 11202018\_Melissa Drive SUP\_ExhibitA\_TreeSurvey, 5. 11202018\_Melissa Drive SUP\_Maps, 6. 11202018\_Melissa Drive SUP\_Staff Attachment, 7. H-10 Presentation

Date	Ver.	Action By	Action	Result
11/20/2018	1	City Council	close the public hearing	
11/20/2018	1	City Council	approve	

**To:** Mark R. Hafner, City Manager

**From:** Scott Bradburn, Planner I

### Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) allowing a 2,080 square-foot metal dwelling unit to have a combined area greater than 50% of the main structure, and an average height of approximately nineteen feet-three quarter inches, on a 1.9-acre lot on the northeast side of Melissa Drive, approximately 937 feet north of the Melody Lane and Melissa Drive intersection, located at 1221 Melissa Drive, Lot 6R, Block 2, Melody Hills Estates Addition, and zoned SF-36 (Single Family Residential - 36,000 square foot minimum). Russell and Tiffany O'Neal, owner/applicant; Christy Hill, designer. (SUP-18-0033).

### Background:

The applicant's property was platted and officially recorded on August 18, 1969.

According to Tarrant Appraisal District, the applicant's existing main structure was built in 1975 and is listed at 2,150 square feet.

The applicants propose to build an accessory dwelling unit based on the anticipated future need of their young son who suffers from a medical condition and will need care throughout his life.

### Accessory Building Standards:

Section 8.03 (c.g.2) of the UDC states:

*2. All accessory buildings greater than one-thousand two-hundred (1,200) square feet require a*

### *Specific Use Permit.*

The proposed size of the accessory dwelling unit will be two-thousand eighty (2,080) square feet.

Section 8.10 (A.1) of the UDC states:

1. *The combined area of all accessory buildings shall be less than fifty percent (50%) of the main structure unless approved by a Specific Use Permit.*

The main structure is two-thousand one-hundred and fifty (2,150) square feet. The proposed accessory dwelling unit is greater than (50%) of the main structure.

Section 8.10 (B.2) of the UDC states:

2. *All accessory dwelling units require approval of a Specific Use Permit by the City Council.*

The proposed accessory building will be an accessory dwelling unit.

Section 8.10 (A.9) of the UDC states:

9. *The maximum height of an accessory building shall not exceed fifteen feet (15') unless approved by the Zoning Board of Adjustment or by a Specific Use Permit (SUP), whichever is applicable.*

The proposed average height of the accessory dwelling unit is nineteen feet-three quarter inches.

### **Specific Use Permit Request:**

1. The SUP request for the two-thousand eighty (2,080) square foot accessory dwelling unit, exceeding one-thousand two-hundred (1,200) square feet and fifty percent (50%) of the main structure, with an average building height of nineteen feet-three quarter inches, exceeding the allowed building height of fifteen feet (15') shall be allowed.

Section 8.10 (A.3) of the UDC states:

3. *All accessory buildings will be complimentary to the main structure, constructed of brick or stone, or the same material as the main structure.*

The applicants' proposed accessory building will be of a metal exterior, with paint comparable to the main structure.

### **Variance Request:**

1. To allow a metal exterior in lieu of brick, stone, or material complimentary to the main structure shall be allowed.

### **Summary:**

UDC variances and Specific Use Permits require consideration by the Planning and Zoning Commission and the City Council. If this UDC variance and SUP request was to be approved by the City, then the applicant would be allowed to move forward with the Building Plan Application.

Section 8.02 (B.2.a) of the UDC lists criteria for the approval of a Specific Use Permit. Section 2.07 (A.2) of the UDC lists criteria for the approval of a variance.

**Citizen Input:**

On October 12, 2018 the City mailed out 26 letters of Notifications for this Public Hearing notifying property owners within three hundred feet (300') of the subject site and KISD. A public hearing notice sign was posted on the site.

As of November 20, 2018, there have been two (2) letters of opposition. One of the letters of opposition is outside the 200 foot buffer.

**Professional Analysis and Opinion:**

The professional analysis and opinion **supports** this request for a SUP, as it meets the rural atmosphere of the surrounding community. There is no negative impact to surrounding neighbors, the accessory dwelling unit will be utilized for many years, the use is compatible and reasonable with surrounding uses, and the spirit of the code is met.

Staff forwards this Specific Use Permit request with a UDC variance to City Council for their consideration as presented with the following conditions:

1. The Specific Use Permit request for the 2,080 square-foot accessory dwelling unit exceeding fifty percent (50%) of the main structure shall be allowed.
2. The Specific Use Permit request to exceed the 1,200 square-foot maximum allowed in a SF-36 zoning district for an accessory building shall be allowed.
3. The Specific Use Permit request to allow the accessory dwelling unit shall not exceed the maximum height of twenty feet (20').
4. The variance to allow the exterior of the accessory dwelling unit to be 100% metal shall be allowed.

**Alternatives:**

The City Council has the following options when considering a Specific Use Permit:

- Approve
- Approve with modifications or additional condition(s)
- Tabling the agenda item to a specific date with clarification of intent and purpose
- Deny

**Board Action:**

On October 22, 2018, The Planning and Zoning Commission made a recommendation to approve this item unanimously, (5-0).