



Legislation Details (With Text)

File #: 19-134 **Version:** 1

Type: New Business **Status:** Approved

File created: 3/29/2019 **In control:** City Council

On agenda: 5/7/2019 **Final action:**

Title: PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for an Accessory Dwelling Unit, proposed to be a 1,886 square-foot guest house, with variances for size and location on an approximately 2.2-acre tract of land located on the west side of Willis Lane and approximately 2,800 feet northwest of the intersection of North Tarrant Parkway and Willis Lane, being Lot 1, Block A, Sandra Smith Addition, at 1660 Willis Lane (Account# 41563832), and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36). Janine and Nicholas Stevens, Owner/Applicant. (SUP-19-0005)

Attachments: 1. 050719_WillisDwellingUnitSUP-19-0005ProposedOrdinance, 2. 050719_WillisDwellingUnitSUP-19-0005_ExhibitA-App and Narrative, 3. 050719_WillisDwellingUnitSUP-19-0005_ExhibitA-Proposed Plans, 4. 050719_WillisDwellingUnitSUP-19-0005_StaffAttachment-Final Plat, 5. 050719_WillisDwellingUnitSUP-19-0005_Maps, 6. 050719_WillisDwellingUnitSUP-19-0005_Support, 7. 050719_WillisDwellingUnitSUP-19-0005_Opposition, 8. H-2 Presentation

Date	Ver.	Action By	Action	Result
5/7/2019	1	City Council	close the public hearing	
5/7/2019	1	City Council	approve	

To: Mark R. Hafner, City Manager

From: JP Ducay, Planner 1

Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for an Accessory Dwelling Unit, proposed to be a 1,886 square-foot guest house, with variances for size and location on an approximately 2.2-acre tract of land located on the west side of Willis Lane and approximately 2,800 feet northwest of the intersection of North Tarrant Parkway and Willis Lane, being Lot 1, Block A, Sandra Smith Addition, at 1660 Willis Lane (Account# 41563832), and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36). Janine and Nicholas Stevens, Owner/Applicant. (SUP-19-0005)

Action Requested:

Conduct a public hearing and consider an ordinance for a Specific Use Permit (SUP) for an accessory dwelling unit proposed to be a 1,886 square-foot guest house with variances on size and location.

Background:

The property was originally platted and approved by the Community Development Department in 2011.

According to City Records, the applicant's existing main structure was built in 2012 and is listed at 7,350 total square-feet, of which 4,718 square-feet is air-conditioned space.

The current SUP request is for a proposed 1,886 square-foot accessory dwelling unit. The proposed

accessory dwelling unit will be one story and will be constructed out of the same materials as the main structure. The applicant stated that it will be utilized as a guest house for family.

Analysis:

The purpose of this SUP is to consider a proposed 1,886 square-foot accessory dwelling unit with a variances to the location and size of the 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.

Variance Request:

- 1) The SUP request is to allow an approximately 1,886 square-foot accessory dwelling unit - 686 square feet larger than allowed by ordinance.

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 directly to the side of the main structure on the south side-yard.

Variance Request:

- 2) A variance would be necessary to allow the accessory dwelling unit to be located to the side of the main dwelling in lieu of being constructed behind the main dwelling as required by city code.

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 steel roofing, similar brick and hardy board siding, and similar stone work. 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 15 feet unless approved by a SUP.

The applicant is not requesting a variance as the average height of the structure is approximately fourteen feet (14').

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 addition will meet all the setback requirements.

Tree Preservation:

It does not appear that there will be any negative impact to existing trees on the property.

Drainage & Utilities:

The applicant intends to meet the requirements of the UDC at the time of building permit application.

Existing Roadway Access:

The property has access to Willis Lane, a two-lane collector, to the east.

Surrounding Zoning & Land Uses:

North, South, East: Single-Family Residential Homes, zoned Single-Family Residential - 36,000 square foot lot minimum (SF-36).

West: Single Family Residential Homes, zoned Single-Family Residential - 20,000 Square-foot lot minimum (SF-20)

Summary:

The applicant has met all requirements of the UDC for this specific use permit with the exception of the requested variances for the building size and location.

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 March 14, 2019, the City mailed out 18 notification letters for this Public Hearing to all property owners within three hundred feet (300') of the subject property. A public hearing notice sign was posted on the site.

The applicant supplied staff with a petition of support signed by adjacent property owners.

As of May 1, 2019, staff has received one (1) letter of opposition from the public regarding this SUP application.

Staff Analysis:

This SUP request meets all requirements of the UDC with the exception of the requested variances for building size and location. The applicant intends for the proposed building to match the main structure as a complimentary and matching set. Additionally, the applicant provided signatures of support signed by surrounding neighbors. However, one letter of opposition has been received by the public regarding this SUP request.

Alternatives:

The Planning and Zoning Commission has the following options when considering a Specific Use Permit:

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

Planning and Zoning Recommendation:

On March 25, 2019 the Planning and Zoning Commission voted to unanimously recommend approval of this SUP request.