



## Legislation Details (With Text)

**File #:** 19-567      **Version:** 1

**Type:** New Business      **Status:** Agenda Ready

**File created:** 10/18/2019      **In control:** City Council

**On agenda:** 11/5/2019      **Final action:**

**Title:** PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for an accessory building, proposed to be a 2,160 square-foot accessory garage and workshop to exceed the maximum 15-foot height requirement and size ratio of fifty percent (50%) of the main structure, on an approximately 1.244-acre tract of land, located on the south side of Melody Lane, and approximately 1,000 feet east of the intersection of Roanoke Road and Melody Lane, being Lot 7R1, Melody Hills Estates Addition, at 1120 Melody Lane, and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36). Kevin and Marsha Holmes, owners/applicants.

**Attachments:** 1. 110519\_HolmesAccessorySUP-19-0020\_ProposedOrdinance, 2. 110519\_HolmesAccessorySUP-19-0020\_Maps, 3. 110519\_HolmesAccessorySUP-19-0020\_ExhibitA(1of3), 4. 110519\_HolmesAccessorySUP-19-0020\_ExhibitA(2of3), 5. 110519\_HolmesAccessorySUP-19-0020\_ExhibitA(3of3), 6. 110519\_HolmesAccessorySUP-19-0020\_ExhibitA(4of4), 7. 110519\_HolmesAccessorySUP-19-0020\_Photos, 8. 110519\_HolmesAccessorySUP-19-0020\_StaffAttachment(1of1), 9. Item H-1 Holmes Presentation

Date	Ver.	Action By	Action	Result
11/5/2019	1	City Council	close the public hearing	
11/5/2019	1	City Council	approve	Pass

**To:** Mark Hafner, City Manager

**From:** JP Ducay, Planner I

### Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for an accessory building, proposed to be a 2,160 square-foot accessory garage and workshop to exceed the maximum 15-foot height requirement and size ratio of fifty percent (50%) of the main structure, on an approximately 1.244-acre tract of land, located on the south side of Melody Lane, and approximately 1,000 feet east of the intersection of Roanoke Road and Melody Lane, being Lot 7R1, Melody Hills Estates Addition, at 1120 Melody Lane, and zoned Single-Family Residential-36,000 square-foot lot minimum (SF-36). Kevin and Marsha Holmes, owners/applicants.

### Action Requested:

Conduct a public hearing and consider an ordinance approving of a Specific Use Permit (SUP) for a proposed accessory garage and workshop up to 2,160 square-feet.

### Background:

The property was platted and approved by the Community Development Department in 2009. (See Staff Attachment A-1.) Earlier this year, the Applicant in cooperation with Tri-County abandoned an overhead electrical easement running through a section of the rear yard. (See Exhibit A-2.)

According to City records, the applicant's existing main structure was built in 2012 and is listed at approximately 4,517 square-feet with the addition of a patio that was built in 2017.

The current SUP request is for an accessory building up to 2,160 square-feet. The proposed accessory structure will be utilized as a garage for classic cars, a wood-working shop, and storage area. The Applicant is proposing the accessory structure have a top height of 26' and an average height of 21' to fit car lifts and a storage loft. (See Exhibit A-3.) The UDC requires the maximum height of an accessory structure to not exceed 15'.

The Applicant proposes the accessory building will be constructed out of white metal siding with a 4' brick veneer and cedar wood accents. According to plans provided by the Applicant, the front (north) elevation will be made up of 65% metal siding and 35% brick veneer. The renderings claim the side (west) elevation will be made up 48% metal siding and 52% brick veneer. However, these percentage do not appear to be accurate. The side (east) elevation will be made up of 64% metal siding and 36% brick veneer. The rear (south) elevation of the building will be made up of 100% metal siding with no brick veneer. UDC language related to material is as follows: all accessory buildings shall be complimentary to the main structure, constructed of brick or stone or the same material as the main structure.

#### **SUP:**

- 1. UDC Section 8.03 (C.2.g.2) states all accessory buildings greater than one thousand two-hundred (1,200) square feet require a SUP. Specifically, the Applicant proposes to build up to a 2,160 square-foot accessory building - 960 square-feet larger than accessory structures are allowed by ordinance.**
- 2. UDC Section 8.10 (A.1) states that the combined area of all accessory buildings on a lot shall be less than fifty percent (50%) of the main structure unless approved by a SUP. The existing accessory structure and the proposed accessory structure make up a combined area of approximately 2,436 square-feet which is 53.92% of the main structure.**
- 3. UDC Section 8.10 (A.9) states the maximum height of an accessory building shall not exceed fifteen feet (15') unless approved by a SUP. Because the structure will contain car lifts and a storage loft, the Applicant is proposing an average height of 21'.**

#### **Surrounding Zoning & Land Uses:**

North, South, East, West: Single-Family Residential Homes, zoned Single-Family Residential - 36,000 square foot lot minimum (SF-36) and adjacent property contains residential uses.

#### **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 September 13, 2019, the City mailed out 15 notification letters for this Public Hearing to all property owners within three hundred feet (300') of the subject property. As of October 29, 2019, staff has not received any information from the public regarding this SUP application.

The applicant supplied staff with a petition of support signed by adjacent property owners. (See Exhibit A-4)

**Planning and Zoning Recommendations:**

The Planning and Zoning Commission recommended approval by a vote of 3-2.

**Alternatives:**

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

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