



Legislation Details (With Text)

File #: 21-465 **Version:** 1

Type: New Business **Status:** Approved

File created: 7/21/2021 **In control:** City Council

On agenda: 8/3/2021 **Final action:**

Title: PUBLIC HEARING: Consider an ordinance approving two Specific Use Permits (SUPs) for a 1,600 square-foot accessory structure situated on a .87-acre tract of land, located on the north side of Valle Vista Court, approximately 275 feet northwest from the intersection of Valle Vista Court and Valle Vista Lane, legally described as Lot 24, Block 1 Valle Vista Addition, zoned Single Family - 36,000 square-foot lot (SF-36), located at 633 Valle Vista Court. Marc Gerth, Owner; Jeremy Grant, Applicant. (SUP-21-0017)

Attachments: 1. 080321_633 Valle Vista_Proposed Ordinance, 2. 080321_633 Valle Vista_Aerial and Zoning Maps, 3. 080321_633 Valle Vista_Staff Attachment A- Application and Plans, 4. Item H-3 633 Valle Vista

Date	Ver.	Action By	Action	Result
8/3/2021	1	City Council	close the public hearing	Pass
8/3/2021	1	City Council	approve with conditions	Pass

To: Mark Hafner, City Manager

From: Julie Smith, Community Development Director

Subject:

PUBLIC HEARING: Consider an ordinance approving two Specific Use Permits (SUPs) for a 1,600 square-foot accessory structure situated on a .87-acre tract of land, located on the north side of Valle Vista Court, approximately 275 feet northwest from the intersection of Valle Vista Court and Valle Vista Lane, legally described as Lot 24, Block 1 Valle Vista Addition, zoned Single Family - 36,000 square-foot lot (SF-36), located at 633 Valle Vista Court. Marc Gerth, Owner; Jeremy Grant, Applicant. (SUP-21-0017)

Background:

The primary use of the accessory building is to be utilized for additional storage of lawn equipment.

SUP Requests:

1. An SUP to exceed 1,200 square-feet in the SF-36 zoning district.
2. An SUP for all accessory buildings combined to exceed 50% of the main structure. The main structure is 2,579 square-feet.

Building Size:

The Applicant is proposing a 1,600 square-foot accessory structure to be utilized for storage. The proposed accessory structure is 62% of the main structure's size.

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 is in compliance with this

section of 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) and would not match the existing structure, which is 100% brick.

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 an average height of 12' 6".

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 structure is proposed to be 15' away from the west (side-yard setback) property line.

The proposed structure will meet all the setback requirements.

Lot Coverage:

The lot size is 38,204 square-feet. The total lot coverage is 7,032 square-feet. The total lot coverage would be 18.4% (all accessory buildings, driveways, and the main building) which would comply with the current zoning district's 50% lot coverage maximum.

Current Structures on the Property:

There is a legal-nonconforming 192 square-foot shed located to the northwest of the property. The shed is approximately seven-feet away from the property line to the west and was constructed in 2004. Any expansion to this shed would require the structure to come into full compliance.

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 July 1, 2021, the City mailed out 22 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 July 1, 2021.

As of July 26, 2021, Staff has not received any response from the public.

Planning and Zoning Recommendation:

On July 13, 2021, the Planning and Zoning Commission unanimously recommended approval with conditions. These conditions were:

1. The front (street facing) elevation be 100% masonry in lieu of the metal material proposed.
2. Columns to be wrapped in brick or cedar.
3. Five gallon shrubs to be placed on both sides of the roll-up door.
4. The Bald Cypress in front of the structure will be protected during the construction phase.

Alternatives:

The City Council has the following options when considering an SUP application:

- Approve.
- Approve with modified or additional condition(s) as recommended by the Planning and Zoning Commission
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.