



Legislation Details (With Text)

File #:	21-564	Version:	1
Type:	New Business	Status:	Approved
File created:	8/25/2021	In control:	City Council
On agenda:	9/7/2021	Final action:	9/7/2021
Title:	PUBLIC HEARING: Consider an ordinance approving two Specific Use Permits (SUPs) for a 1,600 square-foot accessory structure legally described as Lot 1R1, Block A, Jackson Road Addition, being 0.82-acres located on the east side of Jackson Road, zoned Single-Family 36,000 square-foot lots (SF-36), addressed as 1404 Jackson Road. Dale Williamson, applicant/owner. (SUP-21-0025)		
Attachments:	1. 090721_1404 Jackson SUP_Ordinance, 2. 090721_1404 Jackson SUP_Staff Attachment A-Application/ Supporting Documentation, 3. 090721_1404 Jackson SUP_Staff Attachment B- Site Plan/ Similar Elevation, 4. 090721_1404 Jackson SUP_Maps, 5. H-4 1404 Jackson Road SUP		

Date	Ver.	Action By	Action	Result
9/7/2021	1	City Council	close the public hearing	Pass
9/7/2021	1	City Council	approve	Pass

To: Mark Hafner, City Manager

From: Trish Sinel, Senior Planner

Subject:

PUBLIC HEARING: Consider an ordinance approving two Specific Use Permits (SUPs) for a 1,600 square-foot accessory structure legally described as Lot 1R1, Block A, Jackson Road Addition, being 0.82-acres located on the east side of Jackson Road, zoned Single-Family 36,000 square-foot lots (SF-36), addressed as 1404 Jackson Road. Dale Williamson, applicant/owner. (SUP-21-0025)

Request:

The Applicant is requesting two Specific Use Permits (SUP) to allow the use of a 1,600 square-foot accessory structure to be utilized for personal storage and as a workshop.

Why Action is Required:

Section 4.03(D) of the UDC, SUPs may be approved by City Council after a recommendation by the Planning and Zoning Commission (Commission) for specific uses with certain conditions and development restrictions in order to be considered compatible in a district in which they are not allowed by right.

An SUP is required for accessory structures greater than 1,200 square-feet and an SUP is required if the combined area of all accessory buildings on a lot is more than fifty percent (50%) of the main structure in the SF-36 zoning district.

SUP Requests:

1. An SUP for an accessory structure 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 2,933 square-feet. There are no other accessory structures, so the proposed accessory structure would exceed the main structure by 54.5%.

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 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) which would not match the existing 100% brick structure.

The accessory structure does not meet design and materials requirements.

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 14' 5" feet.

The accessory structure meets height requirements.

Setback 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 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 accessory structure will meet all the setback requirements.

Lot Coverage:

The lot size is 36,099 square-feet. The total proposed lot coverage is 6,806 square-feet. The total lot coverage would be 18.8% (all accessory buildings, driveways, and the main building) which would comply with the current zoning district's 50% lot coverage maximum.

The accessory structure meets lot coverage requirements.

Citizen Input:

On July 30, 2021, the City mailed out 12 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 30, 2021.

As of today, Staff has not received any response from the public.

Planning and Zoning Recommendation:

On August 10, 2021, the Planning and Zoning Commission unanimously recommended approval of the Specific Use Permits. The Commission recognized the proposed metal structure was consistent with the neighborhood and that the applicant enjoyed neighborhood support. The applicant was

present. No person spoke in favor or opposition.

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.

Alternatives:

The City Council 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.