



City of Keller

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Legislation Text

File #: 16-337, **Version:** 1

To: Mark Hafner, City Manager

From: David Hawkins, Planning Manager

Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for an approximately 2,100 square foot detached garage, located on 3.8-acres, on the west side of Randol Mill Avenue, approximately seventy-five feet (75') north of Wildwood Way, at 1150 Randol Mill Avenue, being Lot 1R1, Block, Aspen Oaks Addition, and zoned SF-36 (Single Family Residential - 36,000 square foot minimum). Marshall and Lynette Kovalik, owners/applicants. (SUP-17-0011)

Action Requested:

Conduct a public hearing and consider an ordinance approving a Specific Use Permit (SUP) for an approximately 2,100 square-foot accessory building with a condition to allow the building height to exceed an average of fifteen feet (15') and a variance to allow the building to be located in front of the primary structure.

Zoning:

SF-36 (Single Family-36,000 square foot minimum)

Background:

The property was originally platted in 1995. The existing house was also constructed in 1995. The property was replatted on February 22, 2016.

Analysis:

The purpose of this Specific Use Permit is to request the approval of an accessory building greater than 1,200 square feet in size, to allow the height of the building to exceed fifteen feet (15'), and to allow the building to be located in front of the main structure. The UDC requires a SUP to be considered for the size and height and a variance is required for the location of the building.

The proposed building is located in the northern portion of the lot in front of the primary structure.

The purpose of the building is to serve as a detached garage and workshop. The garage will house a recreational vehicle and the applicant has stated that the workshop will have a car lift installed. Due to the car lift, a greater building height is needed.

The proposed accessory building will utilize the same exterior brick and roofing material as the main house.

Site Design:

The lot setbacks are determined by the SF-36 zoning district standards in UDC Section 8.03 (C.4).

The side yard setback is to be ten percent (10%) of the lot width, but no greater than fifteen feet (15'). The minimum rear setback is fifteen feet (15').

The lot width of the subject property is approximately two hundred sixty-eight feet (268'). The side yard setbacks are fifteen feet (15'). The proposed addition will meet the setback requirements.

The proposed building will not encroach the rear building setback.

The front building line is sixty feet (60') along Randol Mill Avenue. The proposed building will not encroach within the front setback.

UDC Section 8.10 (A.5) states that accessory buildings must be located behind or to the side of the main structure.

Variance Request:

The applicant is requesting to place the building in front of the main structure. The house is setback approximately one hundred ninety-two feet (192') from the front property line. The proposed building will be located approximately one hundred twenty feet (120') from the front property line.

Section 8.06 (C.2.g.2) of the UDC states that all accessory buildings greater than 1,200 square feet will require a SUP.

Condition Requested: The applicant is proposing an approximately 2,100 square-foot accessory building.

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 main structure is approximately 7,552 square feet. There are no other accessory buildings on the property. The proposed building will not exceed fifty percent (50%) of the main structure.

UDC Section 8.10 (A.9) states that the average maximum height for an accessory building is fifteen feet (15') unless approved with a SUP.

Variance Request:

Due to the extra height of the RV and the intent to install a car lift, the building would be approximately thirty-two feet (32') in height at the peak. The average building height will be twenty-four feet (24').

Section 8.03 (C.4.c) of the UDC limits the maximum lot coverage to thirty percent (30%) for the main structure and fifty percent (50%) for pools and all other impervious surfaces including accessory buildings, driveways, parking areas and patio areas.

Staff is estimating the total lot area coverage to be 19,468 square feet (including the house, driveway, and the detached garage with the proposed addition). Total lot coverage is estimated to be twenty percent (20%).

Drainage & Utilities:

The applicant intends to meet the requirements of the UDC at time of building permit application. The grading and drainage plans will be submitted with the building permit. The permit review will determine that the proposed structure will have no adverse effect concerning the drainage to or from neighboring properties. Utility plans will also be included with the building permit.

Surrounding Zoning & Land Uses:

North: Brookforest Residential Subdivision, zoned SF-36

South: Wildwood Residential Subdivision, zoned PD-SF-20

East: City of Southlake

West: Wildwood Residential Subdivision, zoned PD-SF-20

Request:

There is one (1) conditions and two (2) variances being requested with this SUP application:

1. A condition specified in Section UDC 8.03 (C.g.2) to allow an accessory building greater than 1,200 square feet.
2. A variance to allow the building height to exceed fifteen feet (15'), up to thirty-two feet (32').
3. A variance to allow the building to be located in front of the primary structure.

Summary:

Section 8.04 (B.2.a) of the UDC states that when considering a Specific Use Permit request, the Planning and Zoning Commission and the City Council shall consider the following factors:

- 1) The use is harmonious and compatible with surrounding existing uses or proposed uses;

The adjacent properties are zoned SF-36. The use of a detached accessory building is permitted.

- 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;

Per Section 8.03 (C.1) "The SF-36, Single Family Residential District - 36,000 is intended to promote and encourage a suitable environment for family life on large parcels of land used for agricultural purposes and single-family homes. This District is intended to encourage more open space, permeable surfaces, and greater setbacks with characteristics of semi-rural areas." The proposed building will serve as a detached garage and workshop. This use is associated with the residential zoning. No activities beyond those permitted by home occupation or uses associated with the SF-36 zoning district would be permitted.

- 3) The nature of the use is reasonable and appropriate in the immediate area;

The adjacent properties are single-family homes. The building will be used to store vehicles and provide a work area for the property owner. This use is residential and reasonable in the immediate area.

- 4) Any negative impact on the surrounding area has been mitigated; and

Accessory buildings are generally located behind or to the side of the primary structure and not in the front.

Since the house is located towards the rear of the property the proposed building may encroach within the side or rear setbacks. At the proposed location the front and side setbacks will be observed. The building will be adequately screened by topography and tree cover located in the front of the property. The building will also be setback approximately one hundred twenty feet (120') from the front property line. There is an approximately twenty five-foot (25') difference in elevation between the property line and Randol Mill Avenue. A retaining wall blocks the heist point of the property from being viewed on Randol Mill Avenue. Even with the height of the building, Staff feels that it would be difficult to see from Randol Mill Avenue. See attached site photos taken from Randol Mill Avenue under the "Staff Attachments."

- 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

Staff does not anticipate any other factors which will substantially affect the health, safety, morals or general welfare.

Citizen Input:

On April 28, 2017, as required by State law, the City mailed out nineteen (19) letters of notifications for a Public Hearing, to all property owners within three hundred feet (300') of the subject site. A sign was also posted on the site. Notice of public hearing was posted in the local newspaper fifteen (15) days prior to the public hearing. The notification area measured included the area of Lot 2R, Block A, Aspen Oaks Addition.

As of May 31, 2017 Staff has not received any letters from the public regarding this SUP application.

Professional Opinion:

It is the opinion of staff to support this SUP request. A detailed architectural review will be completed with the accessory building permit. The lot will still have a significant amount of open area in the front and rear yards. Staff does not feel that the building size would be obstructive or cause the lot to seem overcrowded.

Staff is forwarding this Specific Use Permit application for City Council consideration with the following conditions:

1. The Specific Use Permit request for an approximately 2,100 square-foot detached accessory building to be considered.
2. The variance request for the accessory building height to exceed fifteen feet (15'), up to thirty-two feet (32') to be considered.

3. A variance to allow the accessory building to be located in front of the main structure to be considered.

Board Review:

The Planning and Zoning Commission considered this item at their May 6, 2017 meeting. They recommended approval as presented with a 7 to 0 vote with the following conditions:

1. The Specific Use Permit request for an approximately 2,100 square-foot detached accessory building shall be allowed.
2. The variance request for the accessory building height to exceed fifteen feet (15'), up to thirty-two feet (32') shall be allowed.
3. A variance for the accessory building to be located in front of the main structure shall be allowed.

City Council Action:

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

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