



City of Keller

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Legislation Text

File #: 19-359, **Version:** 1

To: Planning and Zoning Commission

From: JP Ducay, Planner I

Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) to construct an Accessory Dwelling Unit up to 2,400 square-feet, 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-19-0014)

Action Requested:

Conduct a public hearing and consider an ordinance approving a Specific Use Permit (SUP) for an accessory dwelling unit (guest house) proposed to be up to 2,400 square-feet 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; 4,718 square-feet is air-conditioned space.

The current SUP request is for an accessory dwelling unit up to 2,400 square-feet. 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.

SUP:

1. UDC Section 8.10 (B.2) states all accessory dwelling units require approval of a Specific Use Permit by the City Council. Specifically, the Applicant proposes to build an approximately 2,337 square-foot accessory dwelling unit - 1,137 square-feet larger than accessory structures are allowed by ordinance.

Variance:

2. 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 on the 2.2-acre lot is directly to the side of the main structure on the south side-yard. 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.

Surrounding Zoning and 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 SUP 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 with a variance, the 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.

Planning and Zoning Recommendation:

The Planning and Zoning recommended approval by a vote of 6-1 on June 24, 2019.

Citizen Input:

On June 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. As of July 9, 2019, staff has not received any information from the public regarding this SUP and variance application.

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

Alternatives:

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

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