



## Legislation Text

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**File #:** 19-544, **Version:** 1

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**To:** Planning and Zoning Commission

**From:** JP Ducay, Planner 1

**Subject:**

PUBLIC HEARING: Consider a request for 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 a request 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 3,917 square-feet.

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 averaged 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 structures and the proposed accessory structure make up a combined area of approximately 2,700 square-feet which exceeds the main structure by 68.9%.
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 10, 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)

**Alternatives:**

The Planning and Zoning Commission has the following options when considering a Specific Use Permit:

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

**City Council Action:**

If the Planning and Zoning Commission takes action and makes a recommendation on this agenda item, then this Specific Use Permit application will be scheduled for City Council action on November 5, 2019.

**Supporting Documents:**

- Maps
- Exhibit A
  - o Application (1)
  - o Easement Abandonment (2)
  - o Narrative and Structural Renderings (3)
  - o Signatures of Support (4)
- Staff Attachment
  - o Approved Replat (1)