



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** December 9, 2024
SUBJECT: ZC24-0114, Ordinance No. 3879, Public hearing and consideration of a request from Justin and Michelle Compton for special use permit for an accessory dwelling unit at 7421 Hightower Drive, being 1.962 acres described as Tract 4B9, John Condra Survey, Abstract 311.
PRESENTER: Clayton Comstock, Managing Director of Development Services

SUMMARY:

Justin and Michelle Compton are requesting a special use permit for an accessory dwelling unit on 1.962 acres at 7421 Hightower Drive.

GENERAL DESCRIPTION:

The property under consideration is a 1.962-acre parcel located on the north side of Hightower Drive between Douglas Lane and Holiday Lane. The site is developed with a single-family residence and a permanent accessory building that were constructed in 1978. The property is zoned RE-1 (Residential Estate), has 186 feet of frontage on Hightower Drive, and is approximately 458 feet deep. The owner intends to convert a portion of the permanent accessory building at the back of the property into an accessory dwelling unit.

An accessory dwelling unit, also known as a secondary living unit under the zoning code, may be constructed on a residential lot, subject to certain development standards. These types of living units are intended for use by a family member or relative of the occupants of the primary house, and the units may not be rented or leased. A secondary living unit is permitted by right in the RE-1 (Residential Estate) zoning district.

The existing building is located near the northwest corner of the lot. It is currently used as a detached garage and storage area and is connected to Hightower Drive by a paved driveway. The building has a footprint of approximately 1,447 square feet, which includes a covered parking area on the east side of the building. It is situated approximately 300 feet from the rear of the house.

The owner proposes to renovate 750 square feet on the west side of the building into an accessory dwelling unit. The work includes converting the front portion of the area into living quarters and a rear portion into a bathroom area. The space would also include a storage closet and laundry room. The building has electricity service and an existing electric meter.



[Section 118-718\(e\)](#) of the zoning ordinance establishes the requirements and standards for accessory dwelling units. The accessory building is compliant with all development standards except for the standards noted below. Modifications to or deviations from the standards may be approved through approval of a special use permit, and the applicant is requesting modifications to these standards as described in the table. A project narrative, site plan of the property, and building photos are attached.

DEVELOPMENT STANDARD	PROPOSED BUILDING
<u>Connection to primary residence</u> ○ Unit must be connected to primary house by a breezeway attached to the roofline	○ Building and primary house not connected
<u>Proximity to primary residence</u> ○ Unit must be within 25 feet of the primary residence	○ Building is approximately 300 feet from the primary house
<u>Maximum total floor area</u> ○ 650 square feet	○ Living area: 750 square feet ○ Building footprint (covered area): 1,447 square feet
<u>Use</u> ○ Unit must not have a separate utility meter	○ Building has an existing utility meter for electric service

VISION2030 COMPREHENSIVE PLAN: This area is designated on the Vision2030 Land Use Plan as Residential Estate. This designation promotes neighborhoods defined by larger single-family lots and homes at a density less than two (2) units per acre. These neighborhoods are characterized by large lots, rural street design, estate-style fencing, barns, and livestock. These properties address a specific market niche and add to the diverse mix of housing and lot options for the community.

CURRENT ZONING: The property is currently zoned RE-1 (Residential Estate). This district was formerly named R-1-S (Special Single-Family) and is intended to provide areas for very low density development of single-family detached dwelling units which are constructed at an approximate density of one unit per acre in a quasi-rural setting. The RE-1 district is specifically planned to allow for the keeping of livestock in a residential setting.

SURROUNDING ZONING | LAND USE:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	R-1 (Single-Family Residential)	Low Density Residential	Single-family residences
WEST	R-3 (Single-Family Residential)	Residential Estate	Vacant
SOUTH	R-3 (Single-Family Residential)	Residential Estate	Single-family residence
EAST	R-1 (Single-Family Residential)	Low Density Residential	Single-family residences



PLAT STATUS: The property is unplatted. A plat is not required in this case because the area of the existing structures on the property is not being increased or a new building is not being constructed. Otherwise, the property would be required to plat prior to building permits.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the December 2, 2024, meeting and voted 7-0 to recommend approval. At the time of this staff report publication, meeting minutes had not been completed. They will, however, be distributed to City Council prior to the December 9 meeting.

DRC RECOMMENDATION. Modifications to design standards for accessory dwelling units are subject to approval of a special use permit or other zoning action.

The DRC recommendation for approval of the special use permit for the accessory dwelling unit is based on previous approvals of buildings in similar contexts.

RECOMMENDATION:

Approve Ordinance No. 3879.