



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** February 27, 2023
SUBJECT: ZC22-0045, Ordinance No. 3780, Public hearing and consideration of a request from Randy Cheeks for a special use permit for a carport at 8213 Forrest Lane, being 1.96 acres described as Lot 13, Block 3, Woodbert Subdivision.
PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

Randy Cheeks is requesting a special use permit to authorize a carport on 1.96 acres located at 8213 Forrest Lane.

GENERAL DESCRIPTION:

The property under consideration is located at the north end of Forrest Lane, north of Starnes Road and west of Davis Boulevard. The lot is 1.943 acres in size, 359 feet wide, and approximately 236 feet deep. The property is developed with a single-family residence and one permanent accessory building located in the northeast portion of the site. The property is zoned R-2 (Single-Family Residential).

City Council approved a special use permit for the original 960-square-foot accessory building on December 8, 2014 (Ordinance 3347). Following that approval, the owner made additions to the building that included a 663-square-foot secondary living unit and a covered parking area. The additions were constructed without a permit and discovered when Building Inspections was on-site conducting a swimming pool permit inspection.

In 2021, the owner applied for a revised special use permit to allow the building as constructed. City Council approved the revised special use permit on April 21, 2021 (Ordinance 3549), allowing the secondary living unit to remain after all required permits, fees, and inspections had been completed and ordering that the structure be brought up to code. However, Ordinance 3549 did not allow the carport to remain. Mr. Cheeks paid a total of \$3,822 for permits, fees and inspections which included charging double for the permit fees in accordance with City Ordinances as a penalty for constructing without the required permits. The accessory building was brought up to code, and the carport was removed from the property to comply with the approved SUP.

The owner now proposes to reconstruct the carport on the site. Since the proposed design does not comply with the carport standards contained in the zoning ordinance, the owner is requesting a revised special use permit to allow the design as proposed. If the special use permit is approved, the owner must apply for a building permit for the construction.

Carport

Carport structures may be constructed on a residential lot, subject to certain development standards established by [Section 118-718\(d\)](#) of the zoning ordinance. The standards apply to carports attached to a house or other building as well as free-standing structures.

For lots greater than 40,000 square feet in area, the zoning ordinance allows for consideration of a special use permit for varying from specific development standards. Since the carport is attached to the existing accessory building and is considered an addition to the building, proposals to modify the design standards may be authorized through approval of a special use permit. A comparison of the required standards and the requested modifications is described in the table below.

CARPORT	
DEVELOPMENT STANDARD	PROPOSED BUILDING
<u>Maximum size</u> <ul style="list-style-type: none"> • 360 square feet 	<ul style="list-style-type: none"> • 830 square feet
<u>Vehicle parking surface</u> <ul style="list-style-type: none"> • Parking surface must be concrete • Concrete driveway access to a public street must be provided 	<ul style="list-style-type: none"> • Gravel parking surface under carport • Gravel driveway access to existing concrete driveway
<u>Design criteria</u> <ul style="list-style-type: none"> • Roof pitch must be at least 4:12 • Common metal posts not permitted. Must use architecturally enhanced materials 	<ul style="list-style-type: none"> • Roof pitch at least 2:12 • Common metal posts



SIDE VIEW OF EXISTING BUILDING



VIEW OF BUILDING IN 2022 (PRIOR TO REMOVAL OF CARPORT)



The attached special use permit exhibits include a written description of the request, survey of the property, carport drawings, and photographs of the building. The carport would be attached to the east side of the building and include a metal roof and steel columns. The carport is 830 square feet in area, being 20 feet wide and 41.5 feet long. The height of the carport is 14 feet at its tallest point.

Carports must provide a concrete parking area and include a concrete driveway that connects to the street. The owner is requesting that a crushed concrete (gravel) driveway surface be allowed for the site. The Development Review Committee recommends that the driveway be constructed of concrete.

LAND USE PLAN: This area is designated on the Land Use Plan as Low Density Residential. This designation promotes quality neighborhoods of conventional suburban single-family detached homes. General characteristics of these neighborhoods include a density of two to six dwelling units per acre and houses of one- and two-stories.

CURRENT ZONING: The proposed zoning is R-2 (Single-Family Residential). This district is intended to provide areas for low density development of single-family detached dwelling units which are constructed at an approximate density of 4.0 units per acre.

SURROUNDING ZONING | LAND USE:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	R-3 (Single-Family Residential)	Low Density Residential	Single-family residences
WEST	R-2 (Single-Family Residential)	Low Density Residential	Single-family residence
SOUTH	PD (Planned Development)	Low Density Residential	Single-family residences
EAST	C-1 (Commercial)	Retail Commercial	Religious assembly (Gateway Church)

PLAT STATUS: The property is platted as Lot 13, Block 3, Woodbert Addition.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the February 2, 2023, meeting and voted 5-0 to recommend approval.

DRC RECOMMENDATION:

Deny Ordinance 3780 since the previous SUP approved by City Council on April 21, 2021, (Ordinance No. 3549) did not allow the carport to remain.

Should City Council approve Ordinance 3780, the Development Review Committee recommends the approval include a condition that a concrete parking surface under the carport and a concrete driveway connecting to the street be provided.