

PLANNING AND ZONING COMMISSION MEMORANDUM

FROM: Planning & Zoning Department **DATE:** July 18, 2024

SUBJECT: ZC24-0101 Public hearing and consideration of a request from Jake and Virginia Murrah for a special use permit for a permanent accessory building and an accessory dwelling unit at 6909 Little Ranch Road, being 1.84 acres described as Lot 3, Block 1, Morgan Meadows.

PRESENTER: Clayton Comstock, Managing Director of Development Services

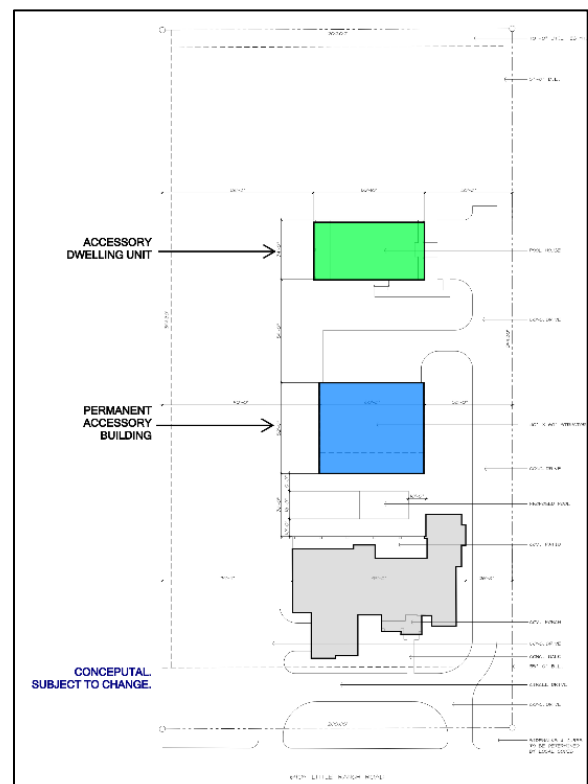
SUMMARY:

Jake and Virginia Murrah are requesting a special use permit for a permanent accessory building and an accessory dwelling unit on 1.84 acres at 6909 Little Ranch Road.

GENERAL DESCRIPTION:

The property under consideration is a 1.84-acre (80,150 square feet) lot located on the west side of Little Ranch Road just south of Hightower Drive. The property has 200 feet of frontage on Little Ranch Road and is approximately 399.8 feet deep. There is not a house on the property, but two small accessory buildings are located in the northwest corner.

The owner intends to construct a house and other improvements on the property (see exhibit right). As part of the development plans, the owner proposes to construct a permanent accessory building (detached garage) and an accessory dwelling unit on the property. These types of buildings are permitted by right on the property. However, the buildings exceed the maximum allowed size, and the accessory dwelling unit does not meet the design standards required by the zoning ordinance. As a result, the owner is requesting a special use permit for both buildings to address proposed modifications of these standards. A description of the request is attached, as well as a plot plan and building plans for the proposed structures.



Permanent accessory building

The proposed building would be located behind the house. The building is 2,400 square feet in size, with a 720-square-foot covered porch on the east side. The overall footprint of the structure is 3,120 square feet, measuring 52 feet in width and 60 feet in depth. The building is 23.7 feet tall, with a wall height of 16 feet and 4:12 roof pitch. The exterior walls are finished with board and batten siding. On the applicant's floor plan, the building is shown to be used for the parking of three (3) vehicles, exercise room, workshop equipment, and personal storage of household items and property maintenance equipment. Building elevation and floorplan drawings are attached.

[Section 118-718\(c\)](#) of the zoning ordinance establishes the requirements and standards for permanent accessory buildings and 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. The applicant is requesting modifications to the design standards described in the table below.

DEVELOPMENT STANDARD	PROPOSED BUILDING
<u>Maximum floor area</u> o 2,003 square feet (2.5% of lot area)	o 2,400 square feet enclosed area o 720 square feet covered porch o 3,120 square feet total area (3.9% of lot area)
<u>Maximum wall height</u> 12 feet (buildings over 500 SF)	o 16 feet wall height

Accessory dwelling unit

[Section 118-718\(e\)](#) of the zoning ordinance establishes the requirements and standards for accessory dwelling units, also called secondary living units. A secondary living unit is permitted by right in the RE-1 (Residential Estate) zoning district if the unit complies with the design standards in that section.

The maximum allowed floor area for accessory dwelling units is 650 square feet, and the unit must be located within 25 feet of the primary house and connected with a breezeway at least six feet wide attached to the roofline. 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 or have separate utility meters. However, the evolution of Short Term Rentals (STRs) regulation may impact how accessory dwelling units are used in the future.

The proposed accessory dwelling unit would be located approximately 150 feet away from the rear of the primary house. The building provides 2,364-square-feet of living area on the first floor and upstairs loft, with a 328-square-foot covered porch on the south side. The overall footprint of the structure is 2,079 square feet, measuring 33 feet in width and 63 feet in depth. The building is 23.8 feet tall with 9:12 roof pitch. The exterior walls are finished with board and batten siding. The floor plan provided by the applicant shows one bedroom, one and a half bathrooms, a full kitchen and laundry/utility room, an upstairs loft, family/dining room, and study. Building elevation and floorplan drawings are



attached. The applicant is requesting modifications to the design standards described in the table below.

DEVELOPMENT STANDARD	PROPOSED BUILDING
<u>Connection to primary residence</u> <ul style="list-style-type: none">Unit must be not more than 25 feet from the primary houseUnit must be connected to primary house by a breezeway attached to the roofline	<ul style="list-style-type: none">Unit 150 feet away from primary houseBuilding and primary house not connected
<u>Maximum total floor area</u> <ul style="list-style-type: none">650 square feet	<ul style="list-style-type: none">Building living area: 2,364 square feetBuilding footprint (covered area): 2,079 square feet

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	RE-1 (Residential Estate)	Residential Estate	Single-family residences
WEST	AG (Agricultural)	Low Density Residential	Drainage channel Single-family residences
SOUTH	RE-1 (Residential Estate)	Residential Estate	Single-family residences
EAST	RE-1 (Residential Estate)	Residential Estate	Single-family residences

PLAT STATUS: The property is platted as Lot 3, Block 1, Morgan Meadows Addition.

CITY COUNCIL: The City Council will consider this request at the August 12, 2024, meeting following a recommendation by the Planning and Zoning Commission.

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



The Development Review Committee (DRC) reviewed each building individually as part of the special use permit request. The DRC recommendation for approval of the special use permit for the permanent accessory building is based on previous approvals of buildings in similar contexts.

The Development Review Committee's (DRC) recommendation for denial of the special use permit application for the accessory dwelling unit is based on the following.

1. The accessory dwelling unit size is over 250% larger than permitted by the zoning ordinance.
2. The size of the accessory dwelling unit essentially creates two single-family residences on one lot. The size of the unit meets the 2,300 square foot minimum dwelling unit size for primary residences in the RE-1 (Residential Estate) zoning district and is in effect a primary residence.
3. A zoning change and plat request for two single-family residential units on the same amount of land 600 feet south of this property within the same subdivision was recently denied by the City Council.
4. The accessory dwelling unit is over 300 feet from proposed driveway access on Little Ranch Road and 150 feet from the primary residence. This exceeds the maximum separation from the primary residence by 125 feet.

RECOMMENDATION:

For case ZC24-0101, approve the special use permit for the permanent accessory building, and deny the special use permit for the accessory dwelling unit.