



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** October 9, 2023
SUBJECT: ZC23-0074, Ordinance No. 3819, Public hearing and consideration of a request from Jason Haynie for a special use permit for a permanent accessory building and an accessory dwelling unit at 7409 Bursey Road, being 2.784 acres described as Lot 8R, Block B, Green Valley Country Estates.
PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

Jason Haynie is requesting a special use permit for a permanent accessory building and an accessory dwelling unit on 2.784 acres at 7409 Bursey Road.

GENERAL DESCRIPTION:

The property under consideration is a 2.784-acre lot located on the north side of Bursey Road between Valley Drive and Hunter Lane. The site is developed with a single-family residence that was constructed in 2020. The property has 256 feet of frontage on Bursey Road and is approximately 515 feet deep.

There are two buildings associated with this special use permit application: a permanent accessory building and an accessory dwelling unit. The permanent accessory building is a new structure that would be constructed near the rear northwest corner of the property. An existing accessory building near the house would be renovated and repurposed as an accessory dwelling unit. The proposed special use permit would address the timing of construction and several requested modifications to design standards.

Permanent accessory building

The proposed building would be located near the northwest corner of the lot. The building is 1,600 square feet in size, with a 400-square-foot covered porch on the east side. The overall footprint of the structure is 2,000 square feet, measuring 50 feet in width and 40 feet in depth. The building is 14 feet tall, with a wall height of 10 feet. The exterior walls are finished with metal panels. The building is intended to be used for storage of household items along with property maintenance and woodworking equipment. The building is not intended for the parking of vehicles. A project narrative, site plan of the property, and building elevation 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 accessory building is compliant with



nearly all development standards, including size, height, and location. The one standard the applicant is requesting modifications to is described in the table below.

DEVELOPMENT STANDARD	PROPOSED BUILDING
<u>Minimum roof pitch</u> ○ 4:12 pitch on each side of the ridge	○ 3:12 pitch on each side of the ridge
<u>Separate electric service</u> ○ Accessory buildings not permitted to have separate utility meters	○ Allow separate electric meter and service

Accessory dwelling unit

An accessory dwelling unit, also known as a “secondary living unit” under the city’s 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 or have separate utility meters. A secondary living unit is permitted by right in the R-1-S (Special Single-Family) zoning district.

The accessory dwelling unit is proposed to be included with the renovation of an existing accessory building located about 22 feet behind the house. The building is 579 square feet in area and has been on the property since at least 1979, based on historic aerial photos. A 500-square-foot attached covered patio was constructed on the east side in 2014. The overall building footprint is 1,079 square feet.

The building is intended to include a bedroom and bath area that occupy approximately 284 square feet, and a gym area covering approximately 295 square feet. The building has water, sewer, and electricity service. The accessory building is compliant with all development standards except for the standards noted below. 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>Maximum total floor area</u> ○ 650 square feet	○ Building floor area: 579 square feet ○ Building footprint (covered area): 1,079 square feet

LAND USE PLAN: This area is designated on the Land Use Plan as Residential Estate. This designation promotes neighborhoods defined by larger single-family lots and homes at a density of 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 R-1-S (Special Single-Family). This district is intended to provide areas for very low-density development of single-family detached dwelling units that are constructed at an approximate density of one unit per acre in a quasi-rural setting. The R-1-S 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	AG (Agricultural)	Residential Estate	Single-family residence
WEST	R-1-S (Special Single-Family) AG (Agricultural)	Residential Estate	Vacant Single-family residence
SOUTH	R-1-S (Special Single-Family) AG (Agricultural)	Low Density Residential	Single-family residences
EAST	R-2 (Single-Family Residential)	Low Density Residential	Single-family residences

PLAT STATUS: The property is platted as Lot 8R, Block B, Green Valley Country Estates.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the September 21, 2023, meeting and voted 6-0 to recommend approval, with the allowance for a separate electric meter for the permanent accessory building.

RECOMMENDATION:

Approve Ordinance No. 3819.