

C.4. SUP 2017-02 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM LARRY STEWART CUSTOM HOMES FOR A SPECIAL USE PERMIT FOR AN ACCESSORY BUILDING LARGER THAN 1,000 SQUARE FEET LOCATED AT 7416 BURSEY ROAD.

APPROVED WITH CONDITIONS

Chairman Randall Shiflet introduced the item, opened the public hearing, and asked for Principal Planner Clayton Husband to present the staff introduction and opened the public hearing.

Mr. Husband presented the staff introduction.

Chairman Shiflet called for the applicant to come forward.

The applicant, Larry Stewart, 5504 Valley View Drive West, Colleyville, Texas, explained the proposal and reason for the variance.

Chairman Shiflet called for Mr. Husband to present the staff report. Mr. Husband presented the staff report.

Kenneth Bartels, 7472 Woodhaven Drive, North Richland Hills, Texas, was called to speak. Mr. Bartels spoke in favor of the additional structure. *The public meeting appearance card completed by Mr. Bartels indicated support of the request.*

Glen Campbell, 7441 Woodhaven Drive, North Richland Hills, Texas, was called to speak and stated concern over drainage, sight obstruction, and resale of the property. He requested that the building be moved further away from the shared fence line. *The public meeting appearance card completed by Mr. Campbell indicated opposition of the request.*

Chairman Shiflet called for anyone wishing to speak for or against the request to come forward, seeing no one, he closed the public hearing.

Commissioner Kathy Luppy asked if the owner of the property could reduce the building's size to match current codes. The property owner stated that could be accomplished, but voiced concern over lack of storage space if the building was reduced and opposes purchasing a temporary free standing structure. The property owner also stated the improved drainage should not create any issues to answer Mr. Campbell's earlier concern.

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Ex-Officio Justin Welborn voiced support for a permanent structure rather than a free-standing structure and asked what the minimum setback is for this structure. Mr. Husband stated a 10 foot setback is the minimum requirement.

Commissioner Mark Haynes asked the applicant if the building could be reduced to 15 feet in height. Mr. Stuart replied that the height of the structure could be reduced, but would then not match the pitch of the home's roof.

Chairman Shiflet referred to the staff report description of the item.

Commissioner Don Bowen stated the board would be setting a precedent for such accessory buildings. Chairman Shiflet stated because this is a Special Use Permit, this type of application allows the Commission to evaluate on a case-by-case scenario and does not set a precedent.

A MOTION WAS MADE BY COMMISSIONER BOWEN, SECONDED BY COMMISSIONER HAYNES TO DENY SUP 2017-02. THE MOTION FAILED 2-4. (HAYNES, BOWEN)

APPROVED WITH CONDITIONS

Commissioner Jerry Tyner asked if the maximum square footage allowed by this Special Use Permit included the porch. Principal Planner Clayton Comstock replied yes.

A MOTION WAS MADE BY COMMISSIONER LUPPY, SECONDED BY COMMISSIONER TYNER TO APPROVE SUP 2017-02 WITH STIPULATIONS THAT THE PERMANENT ACCESSORY BUILDING NOT EXCEED 1,284 SQUARE FEET, CAN NOT EXCEED 16 FEET AND 7.75 INCHES IN HEIGHT, AND HAVE A SET BACK OF TWENTY FEET. MOTION TO APPROVE CARRIED 4-2. (HAYNES, BOWEN)