



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** April 12, 2021
SUBJECT: SUP 2021-03, Ordinance No. 3685, Public hearing and consideration of a request from Donald Cheeks for a special use permit for an addition to a permanent accessory building for a secondary living unit and carport at 8213 Forrest Lane, being 1.943 acres described as Lot 13, Block 3, Woodbert Addition.
PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

Donald Cheeks is requesting a special use permit to authorize a secondary living unit and an accessory building with attached covered parking on 1.943 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 accessory building on December 8, 2014 (Ordinance 3347). This ordinance authorized a 960-square-foot building on the property. Since that time, the owner made additions to the building that include a secondary living unit and a covered parking area. The additions were constructed without a permit. Since the secondary living unit and building do not comply with applicable zoning standards, the owner is requesting a special use permit to allow the design as proposed. If the special use permit is approved, the owner must apply for building permits for the additions and have them inspected for building code compliance. The standard fine of \$500 or twice the permit amount (whichever is greater) will be assessed at the time of building permit for work done without a permit.

Secondary living unit

A secondary living unit with kitchen facilities 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-2 (Single-Family Residential) zoning district.

The secondary living unit is attached to the existing accessory building. The unit provides 663 square feet of living area, including one bedroom, one full bathroom, a kitchen, and living and dining areas. All electrical, water, and sanitary sewer services are connected to the utilities for the main house.

The location and design of secondary living units is subject to design standards established by [Section 118-718\(e\)](#) of the zoning ordinance. 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.

SECONDARY LIVING UNIT	
DEVELOPMENT STANDARD	PROPOSED BUILDING
<u>Connection to primary residence</u> <ul style="list-style-type: none"> Constructed no more than 25 feet from main house Attached to main house by breezeway at least six (6) feet wide and attached to roofline 	<ul style="list-style-type: none"> Located approximately 95 feet from main house Not attached to main house
<u>Architecture</u> <ul style="list-style-type: none"> Same architectural style as primary structure (brick house with pitched roof) 	<ul style="list-style-type: none"> Metal siding with brick wainscot Low-pitch shed style roof
<u>Maximum total floor area</u> <ul style="list-style-type: none"> 650 square feet floor area 	<ul style="list-style-type: none"> 663 square feet floor area



FRONT OF SECONDARY LIVING UNIT



SIDE OF SECONDARY LIVING UNIT

Covered parking area

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.

The attached carport is 822 square feet in area, being 20 feet wide and 41.5 feet long. The height of the carport is 15 feet at its tallest point. It is attached to the east side of the building and includes a metal roof and steel columns.

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"> • 882 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 less than 1:12 • Common metal posts



SIDE VIEW OF ATTACHED CARPORT

The attached special use permit exhibits include a survey of the property, a floor plan of the secondary living unit, and photographs of the building.

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.

DEVELOPMENT REVIEW COMMITTEE: The DRC recommends approval of the request subject to a paved driveway connection.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the April 1, 2021, meeting and voted 6-0 to recommend approval subject to allowing the gravel driveway and parking surface to remain.

RECOMMENDATION:

Approve Ordinance No. 3685.