



## PLANNING AND ZONING COMMISSION MEMORANDUM

**FROM:** The Office of the City Manager    **DATE:** April 6, 2017

**SUBJECT:** 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.

**PRESENTER:** Clayton Husband, Principal Planner

### **SUMMARY:**

On behalf of James and Kim Scott, Larry Stewart Custom Homes is requesting a Special Use Permit to authorize the construction of an accessory building larger than 1,000 square feet in floor area on a 1.92-acre lot located at 7416 Bursey Road.

### **GENERAL DESCRIPTION:**

The property under consideration is located on the south side of Bursey Road between Londonderry Drive and Bursey Road South. The lot is 1.92 acres (83,433 square feet) in size. The owners are constructing a new 5,921-square-foot residence on the property, and the residence includes 1,185 square feet of porch and patio area and a 4-car attached garage. The owners also propose to construct a 1,284-square-foot accessory building near the southeast corner of the lot.

Section 118-718(c) of the zoning ordinance establishes the requirements and standards for permanent accessory buildings and structures. The proposed accessory building is compliant with all development standards except for floor area and building height. 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, which are described in the table below.

Development Standard	Proposed Building
<u>Maximum floor area</u> 1,000 square feet	1,284 square feet (30 feet length by 40 feet depth with attached covered porch)
<u>Maximum building height</u> 15 feet	16 feet 6.75 inches to peak of roof (4:12 roof pitch matches house)



A site plan, floor plan, and elevation of the building are attached. The building includes 1,200 square feet of garage/shop area and a 284-square-foot covered porch. Garage doors are located on the north and south sides of the building, and the building is connected to the main house by a paved driveway. All exterior walls of the building are proposed to be painted brick. In addition, the attached letter provided by the applicant explains their request in more detail and describes the overall plan for the property and proposed uses for the building.

### ***Special Use Permit***

The zoning ordinance provides that special use permits may establish reasonable conditions of approval on the operation and location of the use to reduce its effect on adjacent or surrounding properties.

The following are the proposed conditions of approval for this SUP application.

1. *Permitted use.* A special use permit is authorized for one (1) permanent accessory building on the property.
2. *Building size.* The accessory building must not exceed one thousand two hundred eighty four (1,284) square feet in floor area.
3. *Building height.* The accessory building must not exceed 16 feet 6.75 inches in overall height.

### ***DRC recommendation***

The Development Review Committee's recommendation for denial of the special use permit application is based on the following.

1. In December 2014, City Council adopted revisions to standards related to the size of accessory buildings. The standards were updated to base the maximum size of buildings on the size of the lot instead of providing a cap of 500 square feet. Prior to this update, the size depended on zoning designation, and property owners would typically request a zoning change to R-1-S to allow for a larger accessory building. The revisions were intended to help balance community interest in larger accessory buildings on estate and acreage lots with the policy of limiting the use of the R-1-S district to targeted areas in the city.
2. Alternative development options exist to achieve the desired accessory building square footage on the lot. A 1,000 square foot permanent accessory building may be combined with a 200 square foot temporary accessory building to provide an equivalent amount of floor space. Both buildings are permitted by right on the property without the need for approval of a specific use permit.

**COMPREHENSIVE PLAN:** This area is designated on the Comprehensive Land Use Plan as "Low Density Residential." This designation is intended to provide areas for the development of traditional, low-density single-family detached dwelling units.



**CURRENT ZONING:** The property is currently zoned R-1 Single Family Residential.

**PROPOSED ZONING:** The applicant is requesting a special use permit for an accessory building larger than 1,000 square feet in floor area.

**SURROUNDING ZONING | LAND USE:**

**North:** R-2 Single-Family Residential | Low Density Residential

**West:** AG Agricultural | Low Density Residential

**South:** R-2 Single-Family Residential | Low Density Residential

**East:** R-1 Single-Family Residential | Low Density Residential

**PLAT STATUS:** The property is currently platted as Oakvale Addition, Block 1, Lot 1.

**CITY COUNCIL:** The City Council will consider this request at the April 24, 2017, meeting following a recommendation by the Planning and Zoning Commission.

**RECOMMENDATION:**

Deny SUP 2017-02.