



## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager   **DATE:** January 14, 2019  
**SUBJECT:** SUP 2018-15, Ordinance No. 3559, Public hearing and consideration of a request from CBG Surveying Texas, LLC for a special use permit for an accessory building at 8625 Rumfield Road, being 0.929 acres described as Tracts 14A and 14E, Stephen Richardson Survey, Abstract 1266.  
**PRESENTER:** Clayton Comstock, Planning Director

### **SUMMARY:**

On behalf of Luke and Aubrey Steinbrink, CBG Surveying Texas LLC is requesting a special use permit to authorize the construction of a metal accessory building on 0.929 acres located at 8625 Rumfield Road.

### **GENERAL DESCRIPTION:**

The property is located on the north side of Rumfield Road, between Kirk Road and Northfield Drive. The site is 0.929 acres (41,754 square feet) in size, 125 feet wide, and 335 feet deep. The property is developed with a single-family residence and two accessory buildings.

The property is zoned AG Agricultural, but the applicant has requested a zoning change to R-1 Single-Family Residential (see ZC 2018-26). The zoning application and a final application (FP 2018-09) are associated items on the January 14, 2019, agenda.

The proposed development on the property includes removal of the existing house and accessory buildings and construction of a new residence and accessory building/detached garage. The proposed accessory building would be constructed near the northwest corner of the property. A letter from the owners is attached, which describes the request and intended uses for the building. In addition, a site plan and plans for the building are attached.

### ***Permanent accessory building***

The proposed metal building is 1,976 square feet in area, measuring 38 feet wide and 52 feet long. The building includes a 40-square-foot covered porch on the east side over the personnel door. The overall height of the building is 18 feet with 11-foot tall walls. The side setback from the west property line is 15 feet and rear setback from the north property line is 20 feet. The building would include one overhead garage door on the south elevation, with a paved driveway that connects to Rumfield Road. The exterior walls of the building are proposed to be metal with a four-foot tall masonry wainscot.

The applicant modified the building size, height, and setbacks based on discussions at the December 20, 2018, Planning and Zoning Commission meeting. The applicant reduced the building size from 2,000 square feet to 1,976 square feet and increased the rear setback from 15 feet to 20 feet. The applicant has also committed to an 8-foot wood fence and evergreen trees between the proposed accessory building and the northern property line.

[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 proposed accessory building is compliant with all development standards except for the building size and masonry requirements. The applicant is requesting modifications to these standards as described in the table below.

DEVELOPMENT STANDARD	PROPOSED BUILDING
<u>Maximum floor area</u> 1,044 square feet (2.5% of lot area)	1,976 square foot building (38' x 52') 40 square foot covered porch
<u>Masonry requirements</u> 85% of exterior wall surface faced with brick or stone	Approximately 33% masonry coverage provided by four-foot tall wainscot

***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. These conditions are based on the applicant’s proposed construction.

- A. *Permitted use.* A special use permit is authorized for one (1) permanent accessory building on the property.
- B. *Permanent accessory building.* The permanent accessory building must comply with the standards described below.
  1. The building must be located as shown on the site plan attached as Exhibit “C.”
  2. The permanent accessory building must not exceed one thousand nine hundred seventy six (1,976) square feet in floor area.
  3. The building may include an attached covered porch. The porch must not exceed forty (40) square feet in area.
  4. A wainscot constructed of brick or stone must be installed on all sides of the building. The wainscot must be a minimum of four (4) feet in height and include a masonry cap/sill. The remaining wall surfaces of each elevation may be constructed of metal.

5. The minimum side building line must be at least fifteen (15) feet.
  6. The minimum rear building line must be at least twenty (20) feet.
- C. *Fences.* The fencing on the property must comply with the standards below.
1. An eight (8) foot wood privacy fence shall be located on the north property.
- D. *Buffer yard.* A landscaped buffer yard must be installed adjacent to the north property line. The buffer yard must comply with one of the standards below and must be irrigated.
1. At least seven (7) live oak trees must be planted. The trees must be generally spaced twenty (20) feet on center. The trees must be a minimum of four (4) caliper inches in size.
  2. At least thirteen (13) eastern red cedar trees must be planted. The trees must be generally spaced ten (10) feet on center. The trees must be a minimum of four (4) caliper inches in size.
- E. *Removal of existing buildings.* The two existing accessory buildings, as indicated on the attached exhibit, must be removed through the appropriate permitting process within 90 days of final inspection of the new building.

***DRC recommendation***

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

1. In December 2017, City Council approved revisions to the City's accessory building standards based on an analysis of special use permits approved since 2008. The revisions modified building design standards in order to provide greater flexibility for accessory buildings on estate and acreage lots and to reduce the number of special use permit applications for these types of structure.
2. The permanent accessory building exceeds the maximum floor area standards. The zoning ordinance limits the size to 2.5 percent of the lot area, which is 1,044 square feet for the lot under consideration.
3. The permanent accessory building does not satisfy the exterior wall material requirements. The zoning ordinance requires at least 85% of the exterior wall surface area of each elevation of the building to have a masonry exterior of brick, natural stone, cultured stone, or ceramic block.

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

**CURRENT ZONING:** The property is currently zoned AG Agricultural. The AG district is intended to preserve lands best suited for agricultural use from encroachment of incompatible uses, and to preserve in agricultural use, land suited to eventual development into other uses pending proper timing for practical economical provisions of



utilities, major streets, schools, and other facilities so that reasonable development will occur.

The applicant has requested a zoning change to R-1 Single-Family Residential (see ZC 2018-26), which is an associated item on the January 14, 2019, agenda.

**SURROUNDING ZONING | LAND USE:**

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	R-2 Single Family Residential	Low Density Residential	Single-family residences (Meadowview Estates)
WEST	AG Agricultural	Low Density Residential	Single-family residence
SOUTH	AG Agricultural R-2 Single-Family Residential	Low Density Residential	Single-family residences
EAST	AG Agricultural	Low Density Residential	Single-family residence

**PLAT STATUS:** The property is currently unplatted.

**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission conducted a public hearing and considered this item at the December 20, 2018, meeting and voted 3-1 to recommend denial.

**RECOMMENDATION:**

Deny Ordinance No. 3559, or approve with conditions that address the proposed waivers.