

ORDINANCE NO. 754

{JR Douglas SUP}

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS, GRANTING A SPECIAL USE PERMIT UNDER ORDINANCE NO. 483 SO AS TO ALLOW AN ACCESSORY BUILDING OF APPROXIMATELY 6,400 SQUARE FEET, WHICH IS IN EXCESS OF 2,500 SQUARE FEET, BUT LESS THAN 3% OF THE TOTAL SQUARE FOOTAGE OF THE PROPERTY IN A SF (SINGLE FAMILY RESIDENTIAL) DISTRICT AT 5001 HACKBERRY LANE, (JR DOUGLASS, OWNER); PROVIDING FOR A REPEALER CLAUSE; PROVIDING THAT THIS SPECIFIC USE PERMIT SHALL BE GRANTED SUBJECT TO CERTAIN CONDITIONS; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Planning and Zoning Commission and the City Council, in accordance with the state law and the ordinances of the City of Parker, have given the required notices and have held the required public hearings regarding this Special Use Permit; and

WHEREAS, the City Council finds that this use will complement or be compatible with the surrounding uses and community facilities; contribute to, enhance, or promote the welfare of the area of request and adjacent properties; not be detrimental to the public health, safety, or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council finds that it is in the public interest to grant this special use permit, subject to certain conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER, TEXAS:

SECTION 1. That, from and after the passage of this ordinance, JR Douglas (Owner), is granted a Special Use Permit to allow an approximately 6,400 square feet accessory building in a SF (Single Family Residential) District at 5001 Hackberry Lane, and that Ordinance No. 483 is hereby amended so as to hereafter include all of the property depicted in Exhibit "A," attached.

SECTION 2. That this specific use permit is granted on the following conditions:

Zoning:

1. All aspects of the SF (Single Family Residential) District must be followed.

2. Parking and service driveways are permitted on paved surfaces only; concrete or asphalt.
3. Shall comply with all EPA, City, Federal and State regulations for this use.
4. Review the zoning and development ordinance for additional requirements.
5. Site plan approval is valid for a period of one year, if progress has not been made within that time period; resubmission to the Planning & Zoning Commission is required.

Engineering:

6. Any new drive approaches shall conform to City of Parker standards and a permit is required.

Planning and Zoning Commission:

7. Per the site plan presented to the Planning and Zoning Commission on October 12, 2017.

SECTION 3. That this ordinance shall not become effective until entered upon the official zoning map as provided in Ordinance No. 483.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.00.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the 24th day of October, 2017.

ADOPTED on this the 24th day of October, 2017.

EFFECTIVE DATE on this the 24th day of October, 2017.

CITY OF PARKER, TEXAS



BY:

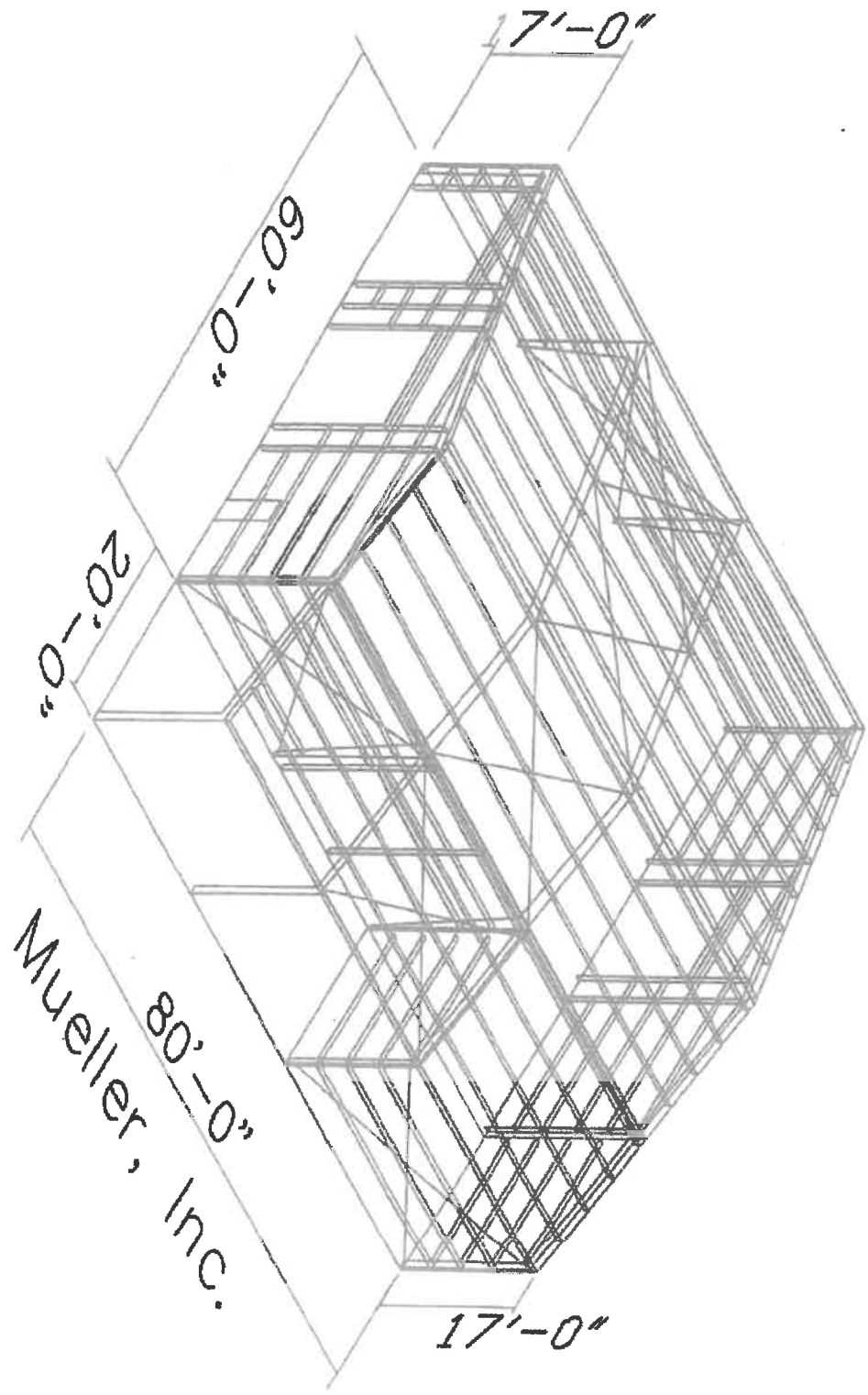

 Z MARSHALL, MAYOR

ATTEST:

BY: 
PATTI SCOTT GREY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: 
**BRANDON S. SHELBY,
CITY ATTORNEY**



Mueller, Inc.

§156.37 SUPPLEMENTARY DISTRICT REGULATIONS. (N) (5) (e)

(N) Accessory buildings. ACCESSORY USE, ACCESSORY STRUCTURE, OR ACCESSORY BUILDING is a use or structure which is clearly incidental and secondary to the primary use and which does not change the character thereof, including, but not limited to stables, barns, detached garages, bathhouses, greenhouses, tool sheds, shipping containers and portable buildings over 120 square feet floor area.

(1) Accessory buildings shall be constructed of materials similar in appearance to the main dwelling or with any of the following exterior materials:

(a) Brick, pre-finished metal, wood siding or simulated wood, masonry products, Portland cement plaster, stucco or exposed aggregate concrete.

(b) Corrugated sheet metal siding and roofing are expressly prohibited.

(2) All construction of accessory buildings requires the issuance of a building permit by the city. All construction shall meet the building code requirements of the city.

(3) Accessory buildings shall be located according to the most restrictive of the following:

(a) In the rear portion of the lot, behind the rear building line of the main dwelling.

(b) If on a corner, no closer to a street than the main dwelling.

(c) In compliance with the setbacks requirement required by the zoning classification or final plat of the lot.

(4) Maximum height.

(a) The maximum height of an accessory building is measured from the peak of the roof of the accessory building to grade level.

(b) The maximum height shall be 40 feet, or the height of the peak of the roof of the main dwelling, whichever is lower.

(c) The maximum height of a sidewall of an accessory building shall not exceed 15 feet.

(5) Additional requirements.

(a) The building area of an accessory building shall not exceed the lesser of 2,500 square feet or 3% of the lot area.

(b) The applicant shall submit a fully dimensioned site plan, showing the location and the dimensions of the accessory building, the property lines, easements and all structures within 100 feet of the property line. The sketch shall include a depiction of the size and location of all doors in the accessory building.

(c) Accessory buildings of any size used to shelter animals shall be at least 100 feet from the primary dwelling of adjacent residents on contiguous lots.

(d) No accessory building shall be closer to the front of the lot than the dwelling on an adjacent lot. This rule is waived if the residence on the adjacent lot is at least 200 feet from the proposed accessory building.

(e) Lots of less than 2 acres are limited to 1 accessory building. Lots greater than 2 acres are limited to 1 accessory building per acre. An SUP is required for more than 2 accessory buildings per lot, or 1 accessory building larger than 2,500 square feet.

(6) Usage and occupancy. Accessory buildings shall not be used for accessory dwellings, unless converted in accordance with all provisions governing accessory dwellings.

(7) A greenhouse is an accessory building, but because of its function, building options are different from other accessory buildings. Greenhouses shall be used only for the purpose of growing plants. Greenhouses exceeding 120 square feet shall be constructed in accordance with the following requirements:



NOTICE OF PUBLIC HEARING

The City Council for the City of Parker will meet at 7:00 p.m. on Tuesday, October 24, 2017 at Parker City Hall, 5700 E. Parker Road.

JR Douglas has requested a Special Use Permit to build an accessory building (barn) approximately 6400 square feet (s.f.), located at 5001 Hackberry Lane, 5 (+/-) acres. [Parker Municipal Code §156.37, (N) (5) (e).]

All interested parties are invited to attend this Public Hearing and express any comments either for or against the variance as requested.

Written comments may be mailed to Patti Scott Grey, City of Parker, 5700 E. Parker Road, Parker, Texas 75002 or email pgrey@parkertexas.us

Patti Scott Grey
City of Parker