# <u>A GENDA</u>

The Waxahachie Planning & Zoning Commission will hold a regular meeting on *Tuesday, March* 15, 2022 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

<b>Commission Members:</b>	Rick Keeler, Chairman
	Melissa Ballard, Vice Chairman
	Betty Square Coleman
	Bonney Ramsey
	Jim Phillips
	David Hudgins
	Erik Test

- 1. Call to Order
- 2. Invocation
- 3. *Public Comments*: Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

#### 4. *Consent Agenda*

All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

- a. Minutes of the regular Planning & Zoning Commission meeting of March 1, 2022
- b. Minutes of the Planning and Zoning Commission briefing of March 1, 2022
- 5. *Public Hearing* on a request by Natasha Harris, Heritage of Love Academy, for a Specific Use Permit (SUP) for a Child Daycare Center use within an Office (O) zoning district located at 3084 W Hwy 287 (Property ID 202589) Owner: ELLIS COUNTY BAPTIST ASSOCIATION (ZDC-10-2022)
- 6. *Consider* recommendation of Zoning Change No. ZDC-10-2022
- Consider request by Andrew Tweedie for a Plat of The Shire, lots 1 & 2, Block A, being 4.278 acres, located at 430 Angus Road, situated in the R.M. Wyatt Survey, Abstract 1318, and R.M. Wyatt Survey, Abstract 1323, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 209052) Owner: ANDREW & ROBIN K TWEEDIE (SUB-8-2022)

- 8. **Public Hearing** on a request by Robert Fillingim for a Specific Use Permit (SUP) for an Accessory Structure equal to or greater than 700SF use within a Planned Development-23-Single Family-1 (PD-23-SF-1) zoning district located at 112 Homestead Ln (Property ID 269663) Owner: ROBERT & VANESSA FILLINGIM (ZDC-19-2022)
- 9. *Consider* recommendation of Zoning Change No. ZDC-19-2022
- 10. **Public Hearing** on a request by Angela Glass for a Specific Use Permit (SUP) for an Accessory Structure equal to or greater than 700SF use within a Single Family-1 (SF1) zoning district located at 808 W Main St (Property ID 171906) Owner: ROBERT V & ANGELA GLASS (ZDC-17-2022)
- 11. *Consider* recommendation of Zoning Change No. ZDC-17-2022
- 12. Adjourn

#### The P&Z reserves the right to go into Executive Session on any posted item.

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at (469) 309-4006 or (TDD) 1-800-RELAY TX.

Notice of Potential Quorum One or more members of the Waxahachie City Council may be present at this meeting. No action will be taken by the City Council at this meeting.



Planning and Zoning Commission March 1, 2022

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, March 1, 2022 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present:	Rick Keeler, Chairman Melissa Ballard, Vice Chairman Betty Square Coleman Bonney Ramsey Jim Phillips David Hudgins Erik Test
Others Present:	Jennifer Pruitt, Director of Planning Zack King, Planner Amber Villarreal, City Secretary Melissa Olson, Council Representative

#### 1. Call to Order

#### 2. Invocation

Chairman Rick Keeler called the meeting to order and gave the invocation.

#### 3. Public Comments

None

#### 4. Consent Agenda

- a. Minutes of the regular Planning & Zoning Commission meeting of February 15, 2022
- b. Minutes of the Planning and Zoning Commission briefing of February 15, 2022
- c. Minutes of the City Council and Planning & Zoning Commission Joint Work Session of February 15, 2022

#### Action:

Ms. Bonney Ramsey moved to approve items a. through c. on the Consent Agenda. Vice Chairman Melissa Ballard seconded, All Ayes.

5. Consider request by Tim Jackson, TXRCS, for a Replat of Lot 2, Park Place Professional Center, to create Lots 2A & 2B, Block A, Park Place Professional Center, 2 Commercial Lots, being 5.798 acres, located North of 114 & 115 Park Place Court (Property ID 247585) – Owner: STARPEACH TEXAS LP (SUB-4-2022)

Planner Zack King presented the case noting the applicant is requesting to replat the subject property into two (2) lots for commercial use and staff recommended approval as presented. Mr. King noted a 24' mutual access easement is proposed to be created with this replat in order to provide cross-lot access between Lot 2A and 2B.

#### Action:

Planning and Zoning Commission March 1, 2022 Page 2



Vice Chairman Melissa Ballard moved to approve a request by Tim Jackson, TXRCS, for a Replat of Lot 2, Park Place Professional Center, to create Lots 2A & 2B, Block A, Park Place Professional Center, 2 Commercial Lots, being 5.798 acres, located North of 114 & 115 Park Place Court (Property ID 247585) – Owner: STARPEACH TEXAS LP (SUB-4-2022) as presented. Mr. Erik Test seconded, All Ayes.

#### 6. Adjourn

There being no further business, the meeting adjourned at 7:03 p.m.

Respectfully submitted,

Amber Villarreal City Secretary Planning and Zoning Commission March 1, 2022



The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, March 1, 2022 at 6:45 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present:	Rick Keeler, Chairman Melissa Ballard, Vice Chairman Bonney Ramsey Jim Phillips David Hudgins Erik Test
Member Absent:	Betty Square Coleman
Others Present:	Jennifer Pruitt, Director of Planning Zack King, Planner Amber Villarreal, City Secretary Melissa Olson, Council Representative

#### 1. Call to Order

Chairman Rick Keeler called the meeting to order.

#### 2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting

Planner Zack King reviewed the following cases:

• SUB-4-2022, the applicant is requesting approval to replat the subject property into two (2) lots for commercial use. Staff recommends approval as presented.

#### 3. Adjourn

There being no further business, the meeting adjourned at 6:48 p.m.

Respectfully submitted,

Amber Villarreal City Secretary



5

# Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager

Date: March 8, 2022

Re: ZDC-10-2022- Heritage of Love Academy daycare

On March 7, 2022, the applicant requested the withdrawal of case no. ZDC-10-2022, Heritage of Love Academy daycare from the March 15, 2022, Planning and Zoning Commission meeting and the March 21, 2022, City Council meeting.

1|Page

## **Planning & Zoning Department**

## **Plat Staff Report**

## Case: SUB-8-2022

MEETING DATE(S) Planning & Zoning Commission:

March 15, 2022

#### **CAPTION**

**Consider** request by Andrew Tweedie, for a **Plat** of The Shire, lots 1 & 2, Block A, being 4.278 acres, located at 430 Angus Road, situated in the R.M. Wyatt Survey, Abstract 1318, and R.M. Wyatt Survey, Abstract 1323, an addition in the Extra Territorial Jurisdiction of the City of Waxahachie (Property ID 209052) – Owner: ANDREW & ROBIN K TWEEDIE (SUB-8-2022)

#### APPLICANT REQUEST

The applicant is requesting to plat the subject property into two (2) lots for single family residential use.

CASE INFORMATION Applicant:	Andrew Tweedie
Property Owner(s):	Andrew Tweedie & Robin K Tweedie
Site Acreage:	4.278 acres
Number of Lots:	2 lots
Number of Dwelling Units:	2 units
Park Land Dedication:	N/A (ETJ)
Adequate Public Facilities:	Adequate Public Facilities, for domestic services only, are available via BVBSUD and on-site sewage systems.
SUBJECT PROPERTY General Location:	430 Angus Road
Parcel ID Number(s):	209052
Current Zoning:	N/A (ETJ)
Existing Use:	A single family home currently exists on the subject property.
Platting History:	The subject property is currently a part of the R.M. Wyatt Survey, Abstract 1318 and the R.M. Wyatt Survey, Abstract 1323.



Site Aerial:



#### PLATTING ANALYSIS

The applicant is proposing to plat the subject property into two (2) lots for single family residential use. The applicant is providing a 40' ROW dedication along Angus Road in conformance with the Ellis County Thoroughfare Plan. All county lot size and dimension requirements have been met.

Adequate public facilities can be provided to the site via Buena Vista-Bethel SUD (BVBSUD) and on-site sewage systems. However, a Water Endorsement Letter received from BVBSUD stated that adequate water flow is available to the site for domestic services only. Water flow and pressure for firefighting and fire suppression purposes is not available. The City of Waxahachie Subdivision Ordinance allows plats of fewer than 4 lots in the Waxahachie ETJ to be approved without adequate fire flow; provided that the plat include a note indicating this fact. The applicant will provide this required note on the plat prior to plat filing.

#### RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

Denial

Approval, per the following comments:

 A revised version of the plat shall be provided to staff that includes a note stating the following: "NOTE: AT THE TIME OF PLAT APPROVAL, THIS DEVELOPMENT DOES NOT HAVE ADEQUATE WATER FLOW TO ALLOW FOR FIRE FIGHTING AND FIRE SUPRESSION SERVICES TO ANY IMPROVED PROPERTIES."

#### **ATTACHED EXHIBITS**

- 1. Plat
- 2. Water Letter

#### APPLICANT REQUIREMENTS

- 1. If approved by the Planning & Zoning Commission, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
- 2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
  - a. If comments were not satisfied, then applicant will be notified to make corrections.
  - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

# (7)

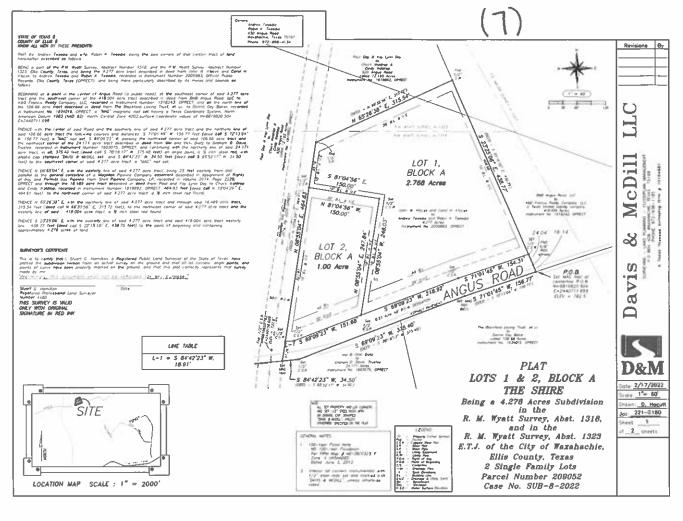
#### CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

A plat shall not be filed with the Ellis County Clerk until:

- 1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
- 2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

#### STAFF CONTACT INFORMATION

Prepared by: Zack King Planner zking@waxahachie.com Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com



Ounem Andres Fondle Robin X Teesse 430 Angus Roed Waungsche Teine 7516				
Phana 972-008-1131				Revisions By
do hereby certify and adopt this plat designa I do hereby dedicate to the public use forew	thing Mr. 274	NOTE - PROPERTY IS IN THE ARTSDUCTION OF ELL	15	
*£	L. L.	PLATTING RULES AND REGULATIONS	·]	
is by maintenance or repair my to use or using the same uniess the and Eke County's use thereof my buildings, fences, there, shrubs or other ar efficiency of their respective systems in th	"Се Ле Аг Сторо Торо	vetificate pf approval by the Conversion periored Due dete, the aby of Tadd Little County Judge Rendy Stream	. 2022	TLC
e - 78	4	Commissioner Precinct # 1 C	ammissioner Precinct # 2	
	1	Pod Perry X	ste Buller	
		-		
		Angar		Di
ly approved Andrew Twendre, inclusion in me to Unit the same for the purpose and considera	non (	NOTE		CI
		AURSDICTION (ETJ) OF THE DITY OF MAXAMICHE AND IS SUBJECT TO TH		M and Flo
	l			Manamed Microsoft
		COUNTY OF BLUE	issian City of Manadaschia	Service Prove
2 appeared topic in summary security in the left the party for the purpose and consideral	77-0113			20
		Стонрагаан		
		Arrest		
				0
r depende facétee und meets or exceeds the atom as may be reduced by the Elec Courts	¢ 1			
				Increased.
A certity ther ( ) Shart G Henriton, if Repair Utility the subdemoin nerves room on action in and dentil of those nerve been proceeds motion its that survey make by me <u>intro</u>	uney an bia pround and that all lot : ed on the pround, and that the plat : <u>Stated Tat. and purpose</u>	e at hat over convects boot convects boot convects convects R. M. R. M. E.T.J. o 2 Pa Pa	THE SHIRE a 4.278 Acres Subdivision in the Wyatt Survey, Abst. 1318, and in the Wyatt Survey, Abst. 1323 f the City of Waxahachie, Ellis County, Texas Single Family Lots reel Number 209052	D& 021-0180 Scole M Dran D. Hegyt Job 221-0180 Sheet 2 ct_2 bheets
	Avere from the set of	A detter freven Note freven Note of the second se	Average from the respect to the point of	<form>Provide And State St</form>

٦

PLANNING & ZONING DEPARTMENT 401 South Rogers Street   Waxahachie, Texas 75168 (469) 309-4290   www.waxahachie.com/Departments/PlanningandZoning WATER UTILITY PROVIDER'S ENDORSEMEN		
Applicant Name: ANDREW TWEEDTEarcel ID #:		
The City of Waxahachie requires new lots in subdivisions have adequate wate comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdiv providers outside of the City of Waxahachie will need to ensure they can provider per TCEQ and fire flow per the latest ISO guidelines. Applicants, please submit this form to your water provider for completion. This c	visions serve de water flo	d by water w/pressure
rurned in at the time you submit your application packet to the Planning Departi	• *	im must be
Buena Vista-Bethel SUD (972) 937-1212		
Carroll Water Company (972) 617-0817   Mountain Peak SUD (972) 775-3765   Rockett SUD (972) 617-3524   Sardis-Lone Elm WSC (972) 775-8566   Nash Foreston WSC (972) 483-3039   To be completed by the water utility provider:		
Mountain Peak SUD   (972) 775-3765     Rockett SUD   (972) 617-3524     Sardis-Lone Elm WSC   (972) 775-8566     Nash Foreston WSC   (972) 483-3039	Yes	No
Mountain Peak SUD   (972) 775-3765     Rockett SUD   (972) 617-3524     Sardis-Lone Elm WSC   (972) 775-8566     Nash Foreston WSC   (972) 483-3039	Yes	I No
Mountain Peak SUD (972) 775-3765   Rockett SUD (972) 617-3524   Sardis-Lone Elm WSC (972) 775-8566   Nash Foreston WSC (972) 483-3039   To be completed by the water utility provider:	Yes	
Mountain Peak SUD (972) 775-3765   Rockett SUD (972) 617-3524   Bardis-Lone Elm WSC (972) 775-8566   Nash Foreston WSC (972) 483-3039   To be completed by the water utility provider:   1. I have reviewed a copy of the proposed plat.	Yes	
Mountain Peak SUD (972) 775-3765   Rockett SUD (972) 617-3524   Sardis-Lone Elm WSC (972) 775-8566   Nash Foreston WSC (972) 483-3039   To be completed by the water utility provider:   1. I have reviewed a copy of the proposed plat.   2. The platted lots fall within our CCN area.   3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.   4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	AL X	
Mountain Peak SUD (972) 775-3765   Rockett SUD (972) 617-3524   Sardis-Lone Elm WSC (972) 775-8566   Nash Foreston WSC (972) 483-3039   To be completed by the water utility provider:   1. I have reviewed a copy of the proposed plat.   2. The platted lots fall within our CCN area.   3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.   4. Our water system can provide the water flow and pressure for	AL X X	
Mountain Peak SUD (972) 775-3765   Rockett SUD (972) 617-3524   Sardis-Lone Elm WSC (972) 775-8566   Nash Foreston WSC (972) 483-3039   To be completed by the water utility provider:   1. I have reviewed a copy of the proposed plat.   2. The platted lots fall within our CCN area.   3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.   4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.   5. The water line size servicing the lots is inches.		C C C C C C C C C C C C C C C C C C C
Mountain Peak SUD (972) 775-3765   Rockett SUD (972) 617-3524   Sardis-Lone Elm WSC (972) 775-8566   Wash Foreston WSC (972) 483-3039   To be completed by the water utility provider:   1. I have reviewed a copy of the proposed plat.   2. The platted lots fall within our CCN area.   3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.   4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.   5. The water line size servicing the lots is inches.   Buchgnan Buchgnan   Buchgnan Buchgnan   Name of General Manager of water provider or Designee Name of	X X C C C C C C C C C C C C C C C C C C	Bellel S, K

Page 1 of 1

## **Planning & Zoning Department**

## **Zoning Staff Report**

## Case: ZDC-19-2022

#### **MEETING DATE(S)**

Planning & Zoning Commission:

March 15, 2022

City Council:

March 21, 2022

#### **CAPTION**

**Public Hearing** on a request by Robert Fillingim, for a **Specific Use Permit (SUP)** for an **Accessory Structure equal to or greater than 700SF** use within a Planned Development-23-Single Family-1 (PD-23-SF-1) zoning district located at 112 Homestead Ln (Property ID 269663) - Owners: ROBERT & VANESSA FILLINGIM (ZDC-19-2022)

#### **APPLICANT REQUEST**

The applicant is requesting to construct a +700 sq. ft. (1,840 sq. ft.) accessory structure to the side and rear of a single family residential lot.

CASE INFORMATION Applicant:	Robert Fillingim
Property Owner(s):	Robert Fillingim
Site Acreage:	1.0 acres
Current Zoning:	PD-23-SF-1
Requested Zoning:	PD-23-SF-1 with a Specific Use Permit (SUP) for an accessory structure greater than 700 square feet.
SUBJECT PROPERTY General Location:	112 Homestead Lane
Parcel ID Number(s):	269663
Existing Use:	A single family home currently exists on the subject property.
Development History:	The subject property is platted as Lot 4, Block A of the Homestead Estates subdivision.

#### Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-23-SF-1	Single Family Residential Home
East	PD-23-SF-1	Single Family Residential Home (Homestead Estates)
South	PD-23-SF-1	Single Family Residential Home (Homestead Estates)
West	PD-23-SF-1	Single Family Residential Home (Homestead Estates)



Future Land Use Plan: Estate Residential

Lotate n

Comprehensive Plan:

This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

#### Thoroughfare Plan:

The subject property is accessible via Homestead Lane.

#### Site Image:



#### **PLANNING ANALYSIS**

The applicant is proposing to construct a +700 sq. ft. (1,840 sq. ft.) accessory structure to the side and rear of a single family residential lot at 112 Homestead Lane. The Ellis County Appraisal District states that the primary structure on the property is 4,116 square feet. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is equal to or greater than 700 square feet requires a Specific use Permit (SUP) to be approved by City Council.

#### Proposed Use:

The proposed accessory structure is comprised of 1,200 square feet of fully enclosed space and 640 square feet of partially covered patio space. The applicant is proposing to construct the structure out of exterior metal panels. The structure is intended to be used for the storage of vehicles and equipment, and serve as a workshop space. During site visits, staff noticed that there are other accessory structures in the surrounding area of a similar design and function. Larger comparable accessory structures (2,400 square feet & 3,100 square feet in size) were approved in the vicinity recently at 101 & 125 Homestead Lane respectively. However, the approved accessory structure at 125 Homestead Lane has yet to be constructed.

The applicant has confirmed to staff that the structure will not be used as a dwelling of any kind and will not be metered, sold, or leased separately from the existing home. The accessory structure will be connected to the exiting driveway with a concrete drive. At the time of this report (March 9, 2022), staff has yet to receive any correspondence from neighbors in the surrounding area regarding this SUP request, in support or opposition.

#### **PUBLIC NOTIFICATIONS**

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 9 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

#### **RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.

Approval, per the following comments:

- 1. The accessory structure shall not be used as a dwelling.
- 2. The accessory structure shall not be used for commercial purposes.
- 3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
- 4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.

#### ATTACHED EXHIBITS

- 1. Site Layout Exhibit
- 2. Site Plan
- 3. Elevations

#### **APPLICANT REQUIREMENTS**

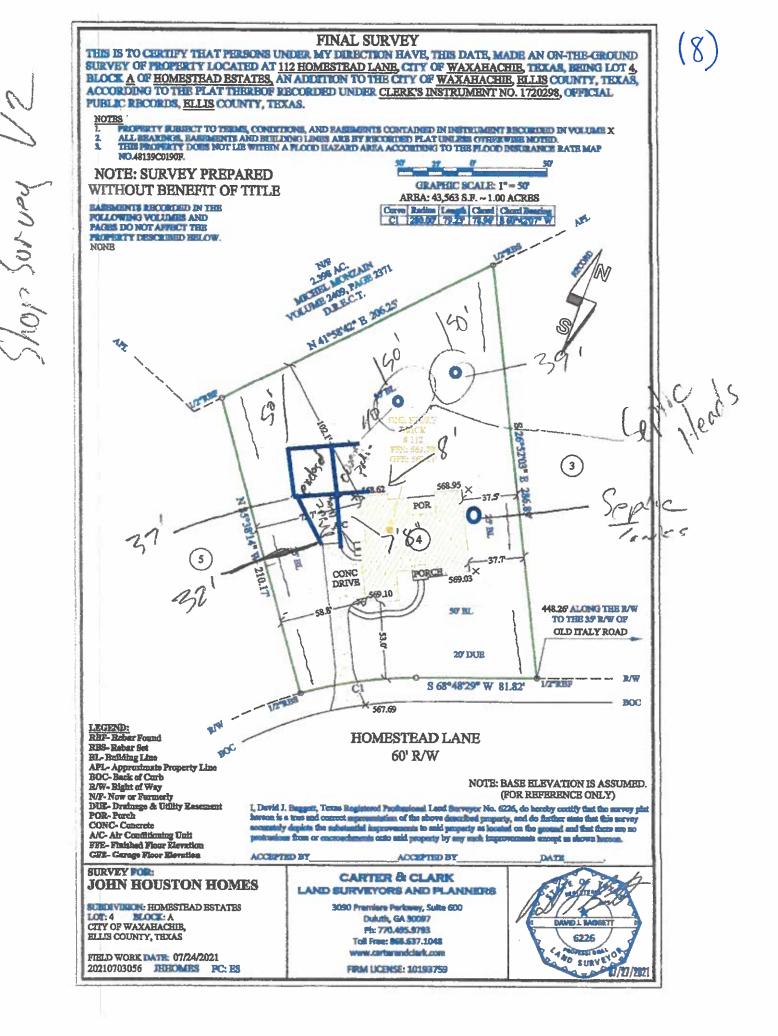
1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

#### **STAFF CONTACT INFORMATION**

Prepared by: Zack King Planner zking@waxahachie.com Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com

# (8)









## **Planning & Zoning Department**

## **Zoning Staff Report**

## Case: ZDC-17-2022

#### MEETING DATE(S)

Planning & Zoning Commission:

March 15, 2022

City Council:

March 21, 2022

#### **CAPTION**

Public Hearing on a request by Angela Glass, for a **Specific Use Permit (SUP)** for an **Accessory Structure** equal to or greater than **700SF** use within a Single Family-1 (SF1) zoning district located at 808 W Main St (Property ID 171906) - Owners: ROBERT V & ANGELA GLASS (ZDC-17-2022)

#### **APPLICANT REQUEST**

The applicant is requesting a specific use permit to construct a 952 square foot accessory structure on the rear portion of the single-family lot. The subject property is a double frontage lot with the front facade of the primary structure facing West Main Street and the rear oriented towards Water Street.

CASE INFORMATION Applicant:	Angela Glass		
Property Owner(s):	Angela and Ro	Angela and Robert Glass	
Site Acreage:	0.77 acres	0.77 acres	
Current Zoning:	SF-1		
Requested Zoning:	SF-1 with a sp equal to or gr	•	mit (SUP) for an accessory structure ) square feet.
SUBJECT PROPERTY General Location:	808 W Main S	treet	
Parcel ID Number(s):	171906		
Existing Use:	A single famil	y home curren	tly exists on the subject property.
Development History:	No previous d	evelopment h	istory.
Adjoining Zoning & Uses:			
	Direction	Zoning	Current Use
	North	С	Church (Water Street Baptist Church)
	East	SF-1	Single Family Residential Home
	South	SF-1	Single Family Residential Home

SF-1

West

A HACH THE CAR A HACH THE A HACH

(10

Single Family Residential Home

Future Land Use Plan: Low Density Residential

Comprehensive Plan:

The proposed SUP request will remain compatible with the Comprehensive Plan since the subject property is currently designated for low-density single-family uses in the Future Land Use Plan.

Thoroughfare Plan:

The subject property is a double frontage lot with access from West Main Street and Water Street.

#### Site Image:



#### PLANNING ANALYSIS

The Applicant is requesting a specific use permit to construct a +700 sq. ft. (952 square foot) accessory structure on the rear portion of the lot. The subject property is a double frontage lot with the front facade of the primary structure (approximately 7,727 square feet) facing West Main Street and the rear oriented toward Water Street. Per the City of Waxahachie Zoning Ordinance, an accessory structure equal to or greater than 700 square feet shall require a specific use permit approved by City Council.

#### Proposed Use

The accessory structure will have an enclosed space of 952 square feet and an open covered patio of 336 square feet. The Applicant has indicated to Staff that the accessory structure will not consist of a dwelling unit and will be used as a pool house for a pool that the property owner intends to construct in the future. Additionally, the Applicant has confirmed that the structure will not be metered, sold or leased separately from the primary structure. Since the subject property is within the West End Historic District, the Applicant has indicated that the property owner will use similar exterior finishing materials used on the primary structure, consisting of a combination of siding and brick.

The specific use permit request does not approve any future expansion or addition to the primary structure other than the accessory structure. The future addition to the primary structure and the pool on the site plan were shown and provided for informational purposes only. City staff has received one letter of support for this request at the time of this report (March 9, 2022).

#### PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 17 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property.

#### RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:
  - 1. The accessory structure shall not be used as a dwelling.
  - 2. The accessory structure shall not be used for commercial purposes.
  - 3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
  - 4. The applicant shall obtain a permit from the City of Waxahachie Building Department prior to construction of the accessory structure.

#### **ATTACHED EXHIBITS**

- 1. Site Plan
- 2. Elevations
- 3. Letter of Support

#### APPLICANT REQUIREMENTS

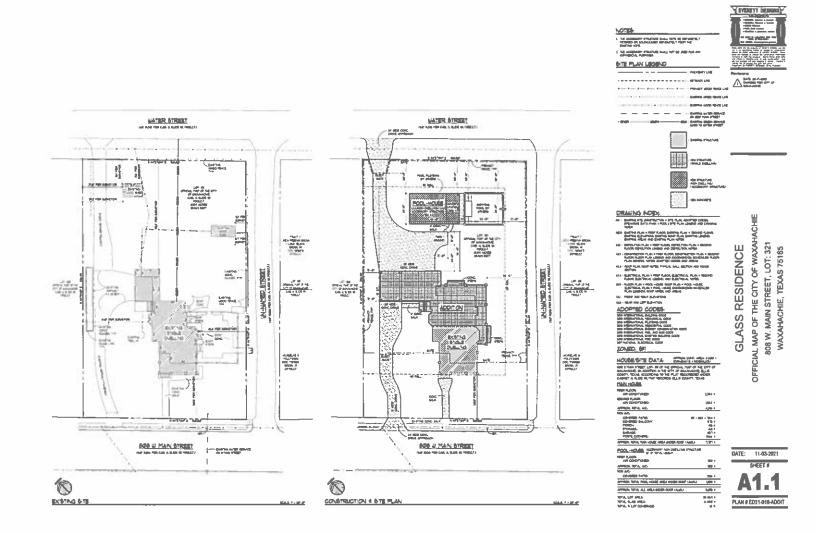
1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

#### **STAFF CONTACT INFORMATION**

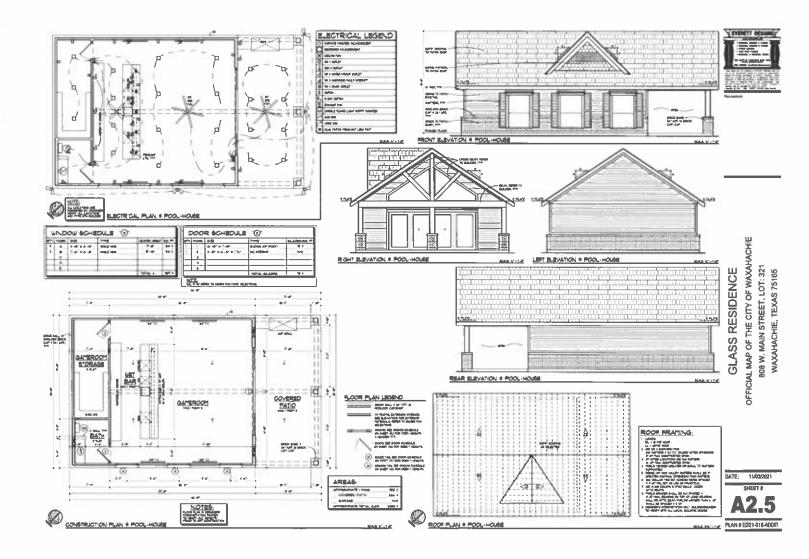
Prepared by: Eleana Tuley, AICP Senior Planner eleana.tuley@waxahachie.com Reviewed by: Jennifer Pruitt, AICP, LEED-AP, CNU-A Senior Director of Planning jennifer.pruitt@waxahachie.com

(10)





# (10)





Please notify of receipt of this. Thank you, Becky Kauffman

Attention: Pla	nning, 401 South Rogers Stree	u may drop off/mail your form to City of Waxahachie, t, Waxahachie, TX 75165.
Comments:		OPPOSE
Aspect R Signature	beke Kenftmen	2-27-22 Date
Jam 26 4 Re Printed Name a	beke Key Ffmen Ind Title	Date <u>817 W. Main</u> Address

(1D)

Sent from my iPhone