

SPECIAL USE PERMIT

Case Coordinator: Loren Shapiro

GENERAL PROJECT INFORMATION

SITE ZONING: (SF-7/14) Single-Family Residential District

	<u>SURROUNDING ZONING</u>	<u>SURROUNDING LAND USES</u>
NORTH	(SF-7/14) Single-Family Residential District	Single-Family Residential Subdivision
SOUTH	(SF-7/14) Single-Family Residential District	Single-Family Residential Subdivision
EAST	(SF-7/14) Single-Family Residential District	Single-Family Residential Subdivision
WEST	(SF-7/14) Single-Family Residential District	Single-Family Residential Subdivision

REQUEST: Approve a Special Use Permit (SUP) to allow a short-term rental

PROPOSED USE: Short-Term Rental

ACRES/LOTS: 0.16-acres / 1 lot

LOCATION: 4017 Black Oak Drive

HISTORY: The approximately 2,578 square-foot house was constructed in 1993.
CZO Article 21 Special Use Permits regulates Short-Term Rental.

COMPREHENSIVE PLAN: Residential – Single Family Detached

TRANSPORTATION PLAN: Black Oak Drive is designated as a local roadway.

OWNER: AASHYA Construction, LLC

REPRESENTED BY: Yasin Mawani

STAFF ANALYSIS

REQUEST

This is a request for approval of a SUP to allow short-term rental.

ORDINANCE REQUIREMENTS

Article V. of Carrollton's Comprehensive Zoning Ordinance (CZO) requires a SUP for short-term rental in the (SF-7/14) Single-Family Residential District.

ELEMENTS TO CONSIDER

1. A short-term rental requires a SUP in the Single-Family Detached, Attached, and Duplex Residential Districts, Office and Retail Districts, Downtown Transit Center (DTC) subdistrict Urban Fringe, and is allowed by right in the DTC subdistricts Historic Square and Urban General.
2. The property is bounded by single-family residential properties.
3. The approximately 2,578 square-foot house was constructed in 1993.
4. Per Chapter 96, Sec. 96.06 of the Carrollton Code of Ordinances, the maximum number of occupants is 7. This is based on the finished area of the dwelling unit and the number of bedrooms and their sizes.
5. The property has driveway and garage access from an alley.
6. Each SUP application is discretionary and must be evaluated as to its probable effect on the adjacent properties and the community welfare and may be approved or denied as the findings indicate appropriate.
7. A SUP should not have negative impacts that exceed the impacts associated and anticipated with a use permitted "as-of-right" in the zoning district.
8. A short-term rental is likely to arise where tourists, seasonal population, or large gatherings, are interested in temporary rentals of single-family residences, without the owner being on the premises.
9. No code violations were noted by the Environmental Services or Police Departments for the subject property that would affect staff's recommendation on this request.
10. The applicant has stated that the owner will not reside at the subject property and that no signage will be posted at the subject property.
11. Staff is recommending two additional stipulations that were not previously included and/ or presented to the Planning and Zoning Commission:
 - a. Noise-monitoring devices shall be installed to alert property management to excessive noise levels.

- b. Each bedroom shall have a minimum of one egress window which meets the following criteria per the International Residential Code as amended and adopted by the City of Carrollton:
 - i. The minimum net clear opening size for grade-floor emergency escape and rescue openings shall be 5 square feet.
 - ii. The minimum net clear opening height dimension shall be 24 inches.
 - iii. The minimum net clear opening width dimension shall be 20 inches.
 - iv. The net clear opening dimensions shall be the result of normal operation of the opening.
 - v. Emergency escape and rescue openings shall have the bottom of the clear opening not greater than 44 inches above the floor.
12. The concern and input of neighbors affected by a proposed use is an integral component of the zoning process.
13. A large number of public comment cards were received, mostly in opposition to the request. *Staff calculated the percentage of land in opposition, in accordance with state statutes. The total percentage of land in opposition totaled to 23.74-percent. Therefore, the rezoning request shall not become effective except by the favorable vote of three-fourths (3/4) of all members of the City Council (a minimum 6 votes needed in support).*

PURPOSE OF THE SPECIAL USE PERMIT

The purpose of the Special Use Permit is to authorize and regulate uses which may be beneficial in a specific instance to the general welfare of the community yet ensure that such uses are not detrimental to surrounding property and are consistent with the stated purpose of the zoning district in which such uses are located regarding conditions of operation, location, arrangement, and construction.

CONCLUSION

Staff believes the request for a short-term rental is reasonable for consideration.