City of Balcones Heights

MEMO TO THE PLANNING & ZONING COMMISSION

DATE: **March 13, 2019**

FROM: **Rita Hoyl, Director of Community Development**

SUBJECT: **Discussion & Direction to Staff on Placement of Permanent Carports**

MEETING DATE: March 19, 2019, 6 pm

BACKGROUND: On November 19, 2018 City Councilmember White brought forth an agenda item to discuss and take possible action to allow construction of unenclosed carports within the 10' side yard setback on residential properties without approval of a variance (Agenda Request enclosed).

A committee was appointed to study, discuss, and bring forth a recommendation. The committee consisted of Councilmembers Jack Burton and Charles White, residents Shana and John Halpin, City Administrator David Harris and myself.

Enclosed are current regulations for Accessory Structures as outlined in our Zoning Code.

Also enclosed are responses from area cities that responded to our survey asking ***"Does your city code allow attached or detached carports to be constructed in the side yard setback by rights, i.e., not having to request a variance?"***

Since March 2015 City staff has received only three (3) Board of Adjustment Variance Applications for carport encroachments into the side yard setback.

9/2018 – Staff issued a permit in error
12/2018 – Request to encroach 3'5" into side yard setback
1/2019 – Request to encroach 7'4" into side yard setback

Committee met three times and recommended to send this subject and the questions below to the Planning & Zoning Commission for further study, discussion and recommendation to City Council.

Should the City of Balcones Heights allow permanent carport structures to be constructed within the 10' side yard setback without the approval of a variance if the following conditions are met?

- *Post and overhang must be placed within the property line.*
- *Must be a permanent structure; posts must be set in concrete/asphalt.*
- *Must be constructed of an approved non-combustible material.*
- *Carport can be detached or attached to main structure.*
- *Must be unenclosed on two (2) sides.*
- *Must be placed on an approved parking surface; concrete, asphalt or pavers.*

Respectfully,

Rita Hoyl

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