



Memorandum

August 11, 2022

TO: Planning and Zoning Commission
Julie Couch, Town Manager

FROM: Israel Roberts, AICP
Planning Manager

SUBJECT: **CONDITIONAL USE PERMIT FOR A SPORT COURT (CASE #CUP2022-5)**

BACKGROUND: This is a request for approval of a Conditional Use Permit (CUP) for a multi-use sports court. The 1.09-acre site is located at 530 Cottonwood Place and is zoned for the (RE-1) One-acre Ranch Estate District.

STATUS OF ISSUE: The applicant desires to construct an 1,800 square foot concrete pad (60x30) with the intention of creating multi-purpose sport court in the backyard of an existing homesite. As shown on the site plan, the project calls for a sports court with a ten (10) feet tall black nylon ball-containment netting, that would be surrounded by evergreen shrubs. The lot is bordered by a heavy wooded line of trees and understory vegetation on the eastern property line, that fully screens the site from County Club Road. A smaller, but full tree and shrub line also screens the project site from the adjacent neighbor to the south.

As the Commission is aware, the Town Council will be considering the amendments to the sport court regulations. That consideration will take place in September. Comments on this requested sport court in relation to the proposed regulations that Council will be considering, are provided within this report.

Staff Analysis

- In the (RE-1) one-acre Ranch Estate District:
 - As noted, the Town does not currently have a required setback for sport courts. The plan reflects a 15-foot side yard setback along the southern property line. *As proposed, the amendment to the sport court ordinance currently under*

consideration, suggests a 25-side yard setback for this zoning district, however, a reduction in the setback may be requested as part of the CUP process.

- Maximum lot coverage is 35%. *Including the proposed multi-use sport court, the lot coverage is approximately 20%, meeting the lot coverage requirement.*
- Lighting:
 - No lighting is proposed.
- Screening & Fencing/netting:
 - As shown by the aerial, there is a significant existing screening along the eastern property line that is adjacent to Country Club Road and along the southern property line. However, in order to provide additional year-round screening to all adjacent properties, the hedgerow of evergreen shrubs 5-feet tall at the time of planting, is shown surrounding the proposed court. *This feature is in conformance with the proposed sport court amendments.*
 - The plan calls for a ten (10) feet tall black nylon ball-containment netting. *This design would conform with the newly proposed sport court language.*
- Septic System
 - The septic system is located within the front yard of this lot, so there are no conflicts with the system and the proposed sport court location.

History

Since the adoption of the sport court ordinance in 2012, there have been thirteen (13) requests for CUPs for a sports court. Ten (10) of those have been approved. Most recently, in January 2022, the Council approved a tennis court in the Harper's Landing neighborhood.

Public Input

The town has notified 29 adjacent property owners within 500 feet of the subject property, and to date, have received one (1) letter of support.

STAFF RECOMMENDATION: Since the Town Council will not be discussing the amendments to the Sport Court Ordinance until September, staff will not be making a formal recommendation on this request, however, it appears this design meets or exceeds the proposed regulations of that amendment, as they are currently crafted. Should the Planning and Zoning Commission desire to recommend approval of the request, the following conditions are recommended:

1. Use, location and design of the proposed multi-use sport court shall generally conform with the submitted site plan.
2. A hedgerow of evergreen shrubs a minimum of 5-feet tall at the time planting, planted a maximum of 6-feet on center, shall be installed around the entirety of the court, excluding any entry points.
3. Lighting shall be prohibited.

ATTACHMENTS:

- Locator
- Exhibits



Subject

Pecan Dr

Cottonwood Pl

FM 1378 (Country Club Rd)



530 Cottonwood Place

Being Lot 44, in Block 3 of FOXGLEN ADDITION, an addition to the City of Fairview, Collin County, Texas, according to the map thereof recorded in Volume B, Page 100 of the Map Records of Collin County, Texas.



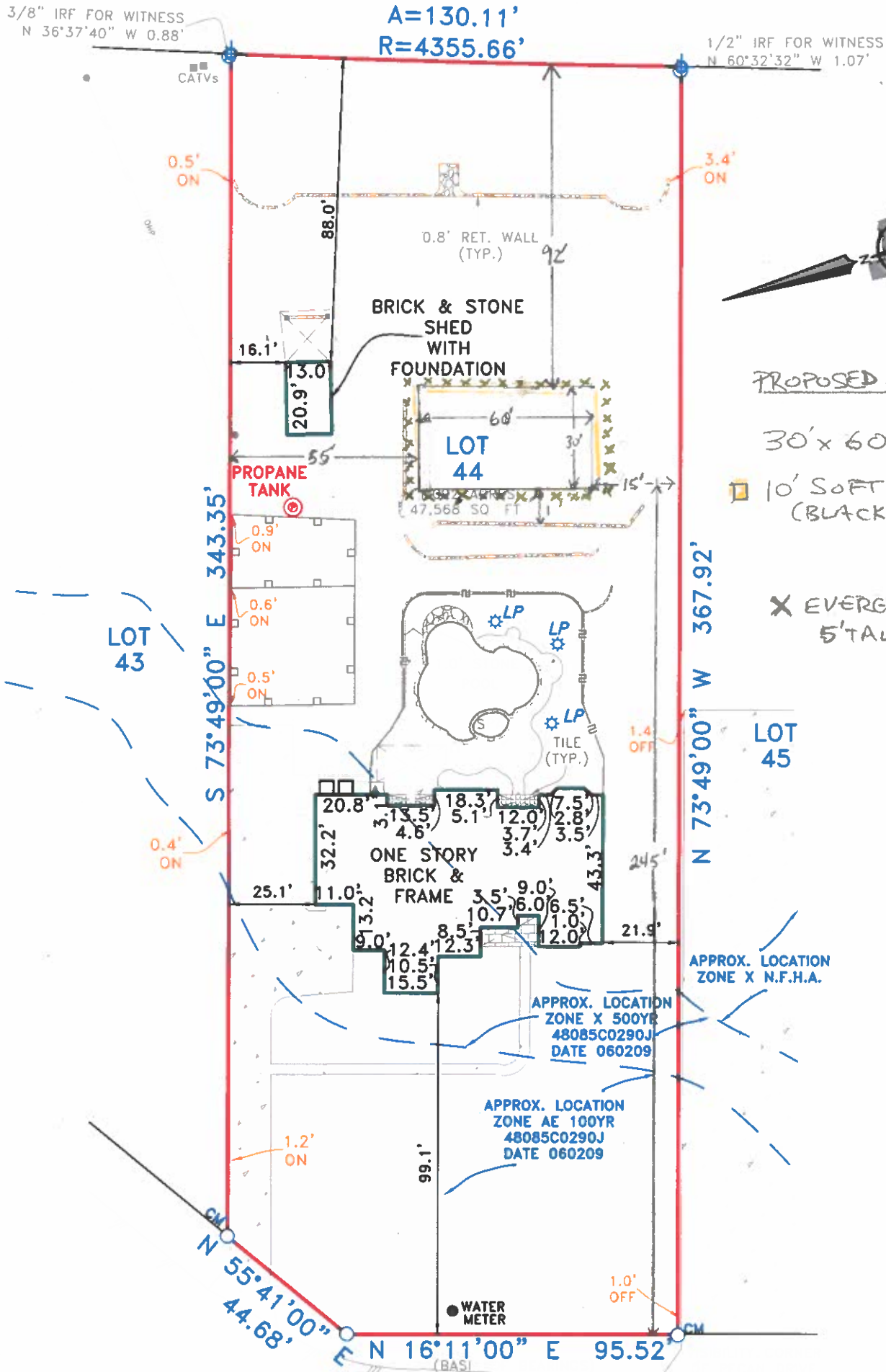
Secured Title of Texas



COUNTRY CLUB ROAD (F.M. HIGHWAY 1378 PER PLAT) PUBLIC R.O.W.

LEGEND

- 1/2" ROD FOUND
- ⊗ 3/8" ROD FOUND
- 1" PIPE FOUND
- ⊗ "X" FOUND/SET
- ⊗ 5/8" ROD FOUND
- ✦ POINT FOR CORNER
- FENCE POST FOR CORNER
- CM CONTROLLING MONUMENT
- AC AIR CONDITIONER
- PE POOL EQUIPMENT
- TE TRANSFORMER PAD
- COLUMN
- POWER POLE
- ▲ UNDERGROUND ELECTRIC
- △ OVERHEAD ELECTRIC
- OHP— OVERHEAD ELECTRIC POWER
- OES— OVERHEAD ELECTRIC SERVICE
- CHAIN LINK
- WOOD FENCE 0.5' WIDE TYPICAL
- ||— IRON FENCE
- X— BARBED WIRE
- DOUBLE SIDED WOOD FENCE
- /— EDGE OF ASPHALT
- ▲— EDGE OF GRAVEL
- CONCRETE
- ▨— COVERED AREA
- BRICK
- STONE



PROPOSED SPORT COURT

30' x 60'

10' SOFT NET FENCING (BLACK, NYLON)

X EVERGREEN TREE 5'TALL, 6'ON CENTER

EXCEPTIONS:

NOTE: PROPERTY SUBJECT TO TERMS, CONDITIONS, AND EASEMENTS CONTAINED IN INSTRUMENTS RECORDED IN VOL. B, PG. 100, VOL. 1080, PG. 299, VOL. 1082, PG. 256, VOL. 1172, PG. 228

NOTES:

NOTE: BEARINGS, EASEMENTS AND BUILDING LINES ARE BY RECORDED PLAT UNLESS OTHERWISE NOTED.

FLOOD NOTE: According to the F.I.R.M. No. 48085C0290J, this property does lie in Zone AE and DOES lie within the 100 year flood zone. EXCEPT AS SHOWN.

This survey is made in conjunction with the information provided by Secured Title of Texas. Use of this survey by any other parties and/or for other purposes shall be at user's own risk and any loss resulting from other use shall not be the responsibility of the undersigned. This is to certify that I have on this date made a careful and accurate survey on the ground of the subject property. The plat hereon is a correct and accurate representation of the property lines and dimensions are as indicated; location and type of buildings are as shown; and EXCEPT AS SHOWN, there are no visible and apparent encroachments or protrusions on the ground.

Date: _____

Accepted by: _____
Purchaser
Purchaser

Drawn By: RJE/JLR

Scale: 1" = 40'

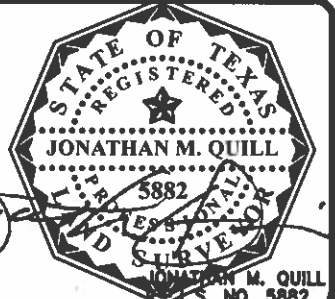
Date: 10/10/19

GF No.: CR0002379

Job No. 1920405



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Jul 31, 2022

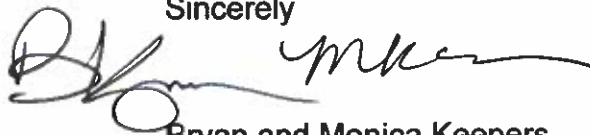
To: Planning & Zoning Commission, Fairview, TX
Town Council, Fairview, TX

Subject: Proposed Sport Court at 530 Cottonwood Place, Fairview

This letter is in reference to the request by David and Shawn Hansen to build a sport court on their property at 530 Cottonwood Place, Fairview, TX.

We understand that the Hansens are asking permission from the city of Fairview to build the sport court with a 15 foot setback from the property line we share. We have walked the Hansen's property and find the 15 foot setback acceptable. The foliage between our two properties provides an ample buffer such that we will hardly be able to even see the sport court from most of our property and house.

Sincerely

A handwritten signature in black ink, appearing to read 'Bryan and Monica Keepers', written over a horizontal line.

Bryan and Monica Keepers
520 Cottonwood Place
Fairview, Texas