

## **Dwelling Units in Single Family Districts PRESENTATION**

In response to a question regarding the remodeling of a home in Round Rock West to include what appears to be a second dwelling, staff will provide a presentation on how the City's Zoning and Development Code defines a dwelling unit. Round Rock's definition will be compared to the dwelling unit definitions used in other cities in the area. We will also explain how building inspection staff currently uses our definition to determine what constitutes a dwelling unit. Finally, the use of accessory dwelling units in other area cities will be presented, along with a list of pros and cons for two potential code amendment options:

- (1) Expanding Round Rock's dwelling unit definition to make prohibiting a second/accessory unit more enforceable; or
- (2) Revising the Code to allow for a second/accessory unit, with limitations.

Attached is a letter from Brad Wiseman in response to concerns about remodeling being done at 1802 Lightfoot Drive, which explains the City's position on enforcing the dwelling unit definition.



**ROUND ROCK TEXAS**  
PLANNING & DEVELOPMENT SERVICES DEPARTMENT

**Mayor**  
Craig Morgan

**Mayor Pro-Tem**  
Writ Baese

**Councilmembers**  
Tammy Young  
Rene Flores  
Matthew Baker  
Will Peckham  
Hilda Montgomery

**City Manager**  
Laurie Hadley

**City Attorney**  
Stephan L. Sheets

February 18, 2020

Pamela Blackwell, Blake Odneal, Luis and Lidia Cantu, Mickey and Katja Walker, Cody and Amy Little

**Re: 1802 Lightfoot Dr, Round Rock, TX**

Dear Ms. Blackwell, Mr. Odneal, Mr. and Mrs. Cantu, Mr. and Mrs. Walker, and Mr. and Mrs. Little:

I am in receipt of your letter dated February 7, 2020, to the City's Building Official regarding home modifications made at the above-referenced address. Thank you for bringing these concerns to our attention. As the Director of Planning & Development Services, I will address these concerns herein. I would also like to offer you the opportunity to meet in person so that we may discuss further.

Please note that upon receipt of your letter, Mr. Remmert reviewed the building permit, visited the home, and discussed the matter in detail with me and the contractor. Our determination is that the subject property is not in violation of the Code. This position was arrived at due to the way the City of Round Rock's Zoning & Development Code defines a dwelling unit:

*A building or portion of it designed and used for residential occupancy by a single household and that includes exclusive sleeping, cooking, eating and sanitation facilities. A building containing **more than one set of cooking facilities is considered to be a multi-dwelling unit structure.** The term "dwelling unit" does not include hotels, motels, lodging houses, sheds or similar accessory structures, campers or camp trailers, any recreational vehicle, or vehicle or portable structure having no permanent foundation other than wheels, jacks, or skirtings. **{Emphasis Supplied}***

It has been made clear to the property owner and contractor that the home cannot include more than one set of cooking facilities. This issue will be examined during the final inspection to ensure compliance. Unfortunately, the City's Zoning & Development Code does not restrict the placement or allocation of entrances, air conditioning units, or how the interior walls separate a living space(s). While it appears to me that the modifications being made to this home are not in the spirit and intent of the single-family zoning district, it is also not in direct conflict with the Code. A direct conflict is necessary for the City to deny a property owner his/her rights or to prosecute a violation in court.

Please feel free to contact me at (512) 341-3321 to schedule a meeting for us to discuss in more detail.

Sincerely,

Brad Wiseman, AICP  
Director of Planning and Development Services

cc: Craig Morgan, Mayor; City Council; Laurie Hadley, City Manager; David Pavliska, P&Z Chairman