

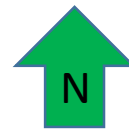
Item H-1

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for a commercial horse stable on 2.96-acre tract on a property located on the east side of Norma Lane, approximately 215 feet northeast from the intersection of Norma Lane and Johnson Road, at 608 Norma Lane, legally described as Lot 2A and 3D, Block 2 of Harvels Addition and zoned Single-Family 36,000 square-foot lot size or greater (SF-36). Brian Morovitz, Owner/Applicant. (SUP-21-0041)

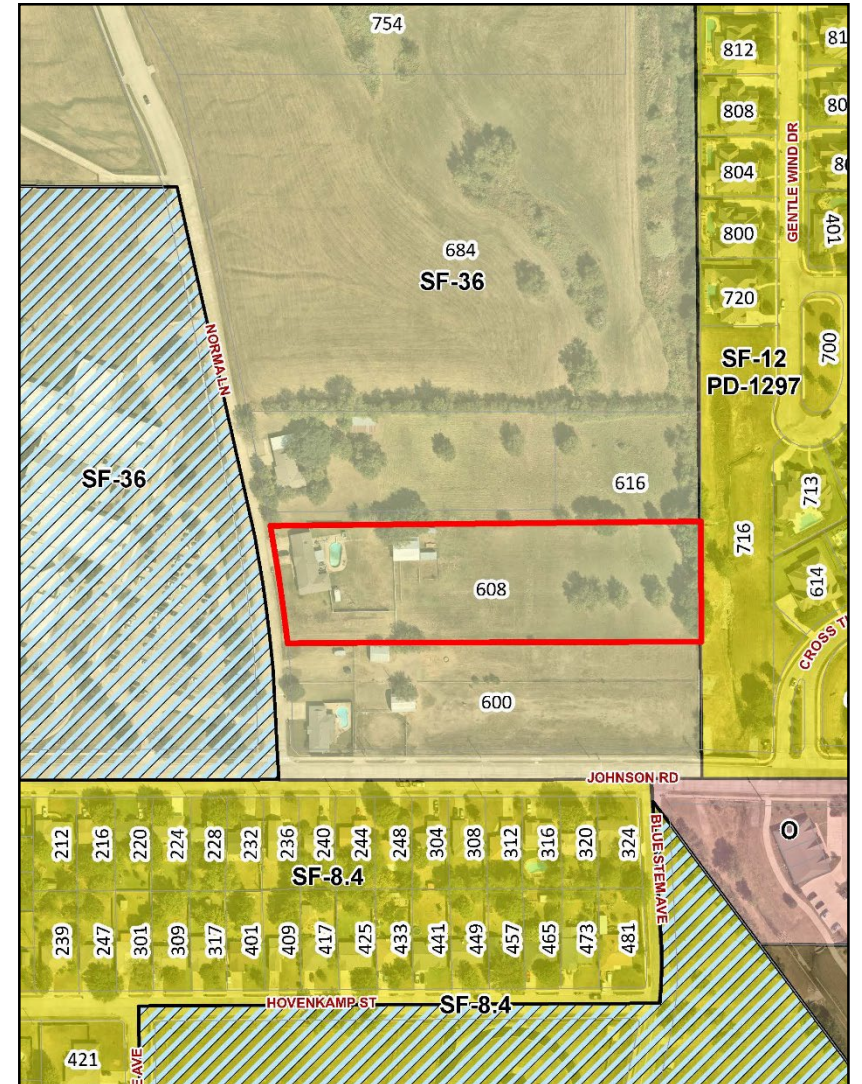
Item H-1 Aerial Map



Zoned:
SF-36



Item H-1 Zoning Map



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Background:

The 1959 plat including 608 Norma Lane contains deed/covenant restrictions limiting homes and outbuildings to private use only. Though somewhat unusual to find these restrictions on a plat, these restrictions likely prohibit the requested use.

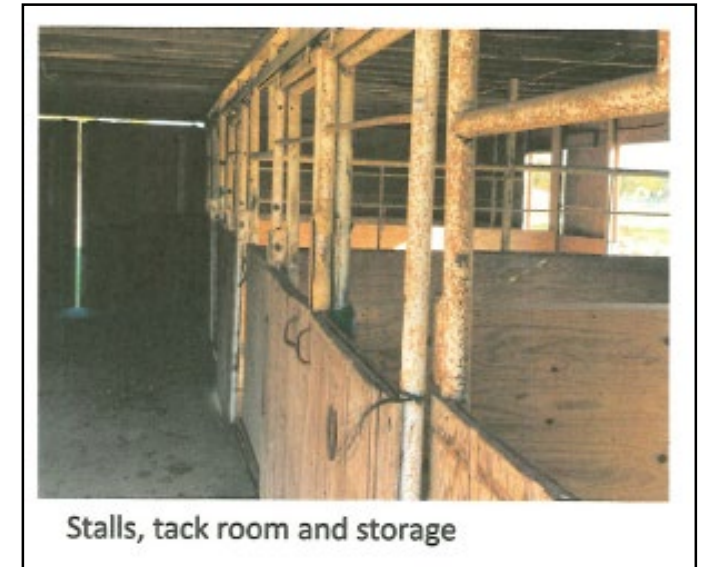
However, the City does not enforce deed restrictions, because the City's authority goes only to the zoning (in this case the SUP requirement for boarding horses in this zoning district), but not to deed restrictions. Consequently, City Council may consider the SUP request independent of the restrictions.

The Applicant requests a Specific Use Permit (SUP) to commercially board two horses in addition to the owners' personal horses.

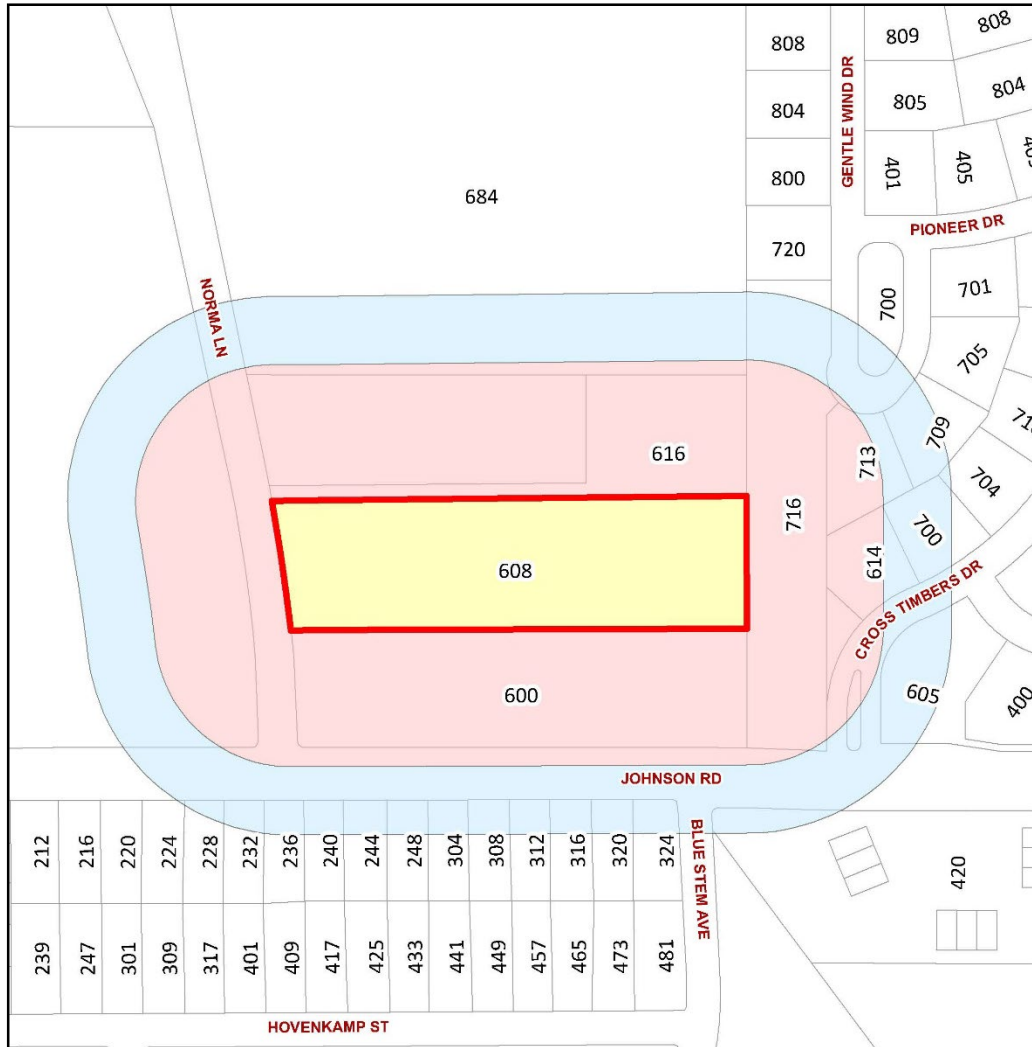
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Hours of Operation: 6 a.m. to 10 p.m. daily

Horse owners, veterinarians, farriers, trainers, etc. may be on site seven days a week from 6 a.m. to 10 p.m. and outside of those hours for emergency purposes.



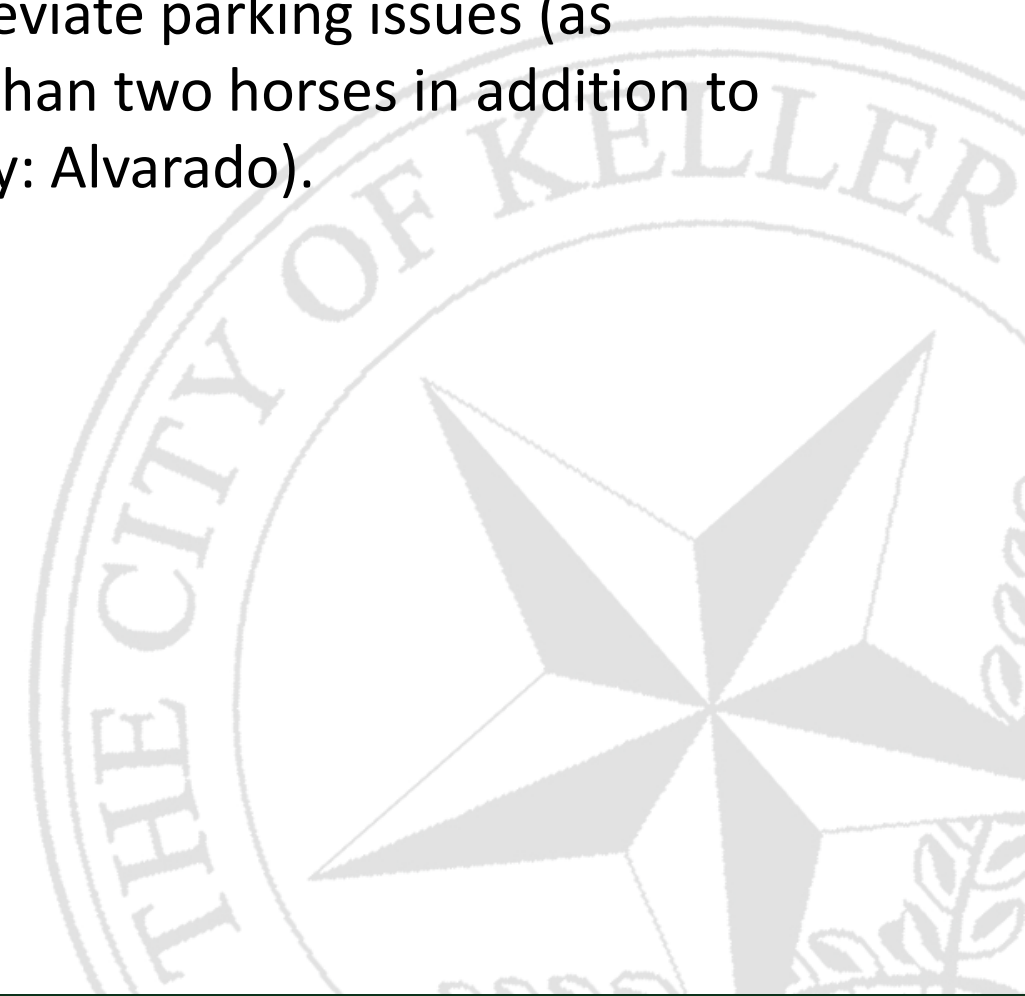
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- On Dec. 3, 2021, the City mailed 22 Letters of Notification for this public hearing to all property owners within three-hundred feet (300') of the site. A public hearing notice sign was also posted on the site on Dec. 3, 2021.
- As of today, staff has not received any responses from the public.

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On Jan. 25, 2022, the Planning and Zoning Commission recommended approval of this item with the condition to add gravel to alleviate parking issues (as required by Code) and limit boarding to no more than two horses in addition to the owners' personal horses by a vote of 6 - 1 (Nay: Alvarado).



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Section 8.02 (F)(2)(a) of the UDC states that when considering a SUP request, the Planning and Zoning Commission and City Council shall consider the following factors:

- 1) The use is harmonious and compatible with surrounding existing uses or proposed uses;
- 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;
- 3) The nature of the use is reasonable and appropriate in the immediate area;
- 4) Any negative impact on the surrounding area has been mitigated; and
- 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

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The City Council has the following options when considering an SUP application:

- Approve as submitted
- Approve with modifications or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny



Questions?
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