

## Item H-5

**PUBLIC HEARING:** Consider approving an ordinance for a Specific Use Permit (SUP) to allow the property owner to temporarily reside in a modular home for the purpose of living and overseeing construction of a permanent residence and to convert an existing 980 square-foot accessory structure into an accessory dwelling unit, situated on a 1.995-acre tract of land, located on the west side of South Pearson Lane, approximately 550 feet northwest from the intersection of South Pearson Lane and Union Church Road, being tract 6B01A1, 6B01B, and 6F01, Abstract 498 of the Elston, D E Survey, zoned Single Family - 36,000 square-foot lot (SF-36), located at 404 South Pearson Lane. Randal Snow, owner. Christopher Cloy, applicant. (SUP-21-0004)

# Item H-5

## Zoning Map



Zoned:  
SF-36



## Aerial Map



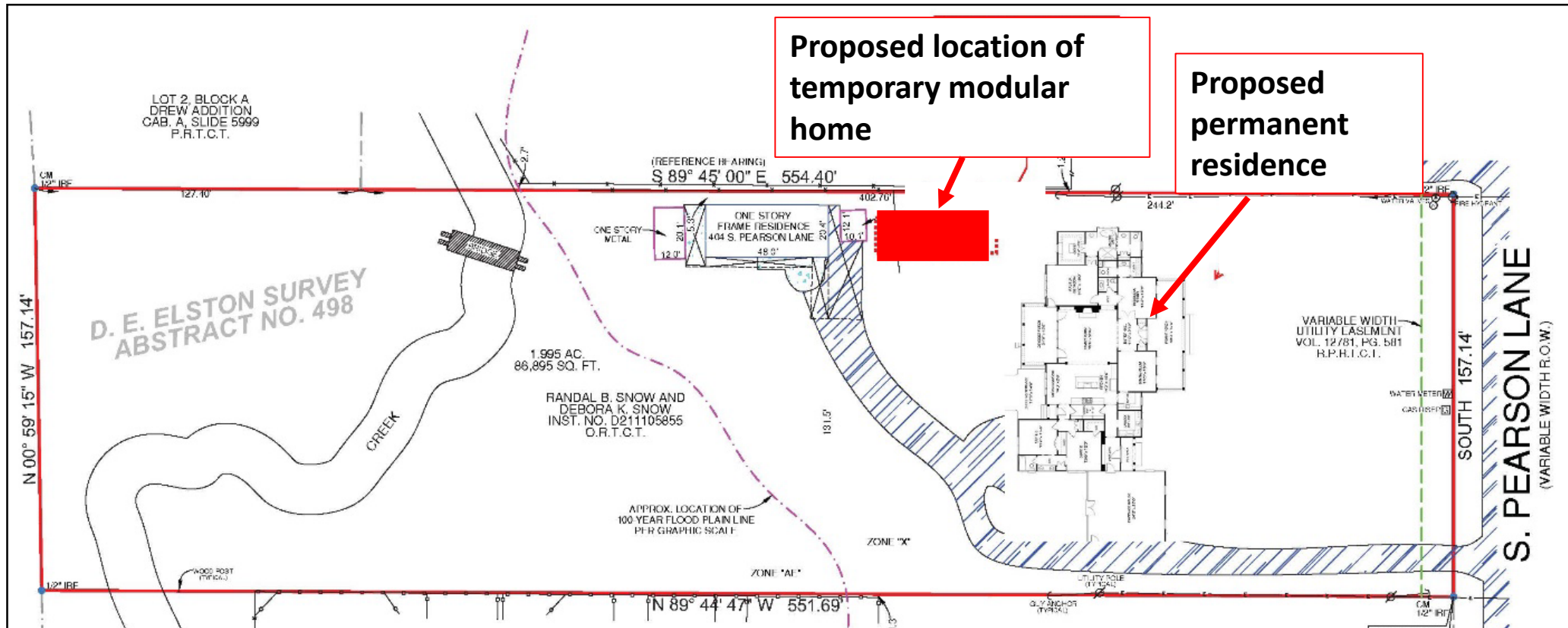
## Item H-5

There are two Specific Use Permits associated with this request:

1. The Applicant (potential buyer; property owner did sign application as well) is requesting to reside in a modular home while living on site and overseeing construction of a permanent residence. No permanent use of temporary dwellings (such as a mobile home, travel trailer, or recreational vehicle) may be used for on-site dwelling purposes without a SUP.
2. During the construction of the permanent residence, the Applicant is also proposing to renovate an existing one-story, 980-square-foot structure as an accessory dwelling unit. An SUP is required for an accessory dwelling unit on 1.5 acres or more. (This property is approximately 2 acres.)

# Item H-5

## SUP #1: Temporary Modular Home



## Item H-5

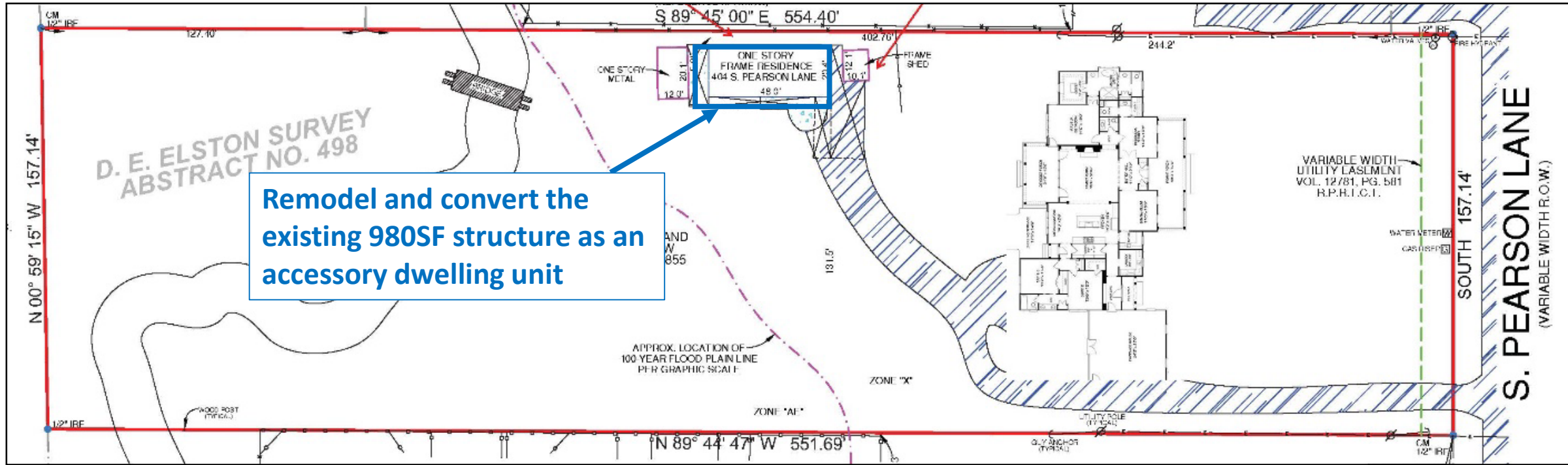


\*Proposed rendering of the temporary modular home

The applicant proposes to temporarily reside in an approximately 1,000-square-foot modular home.

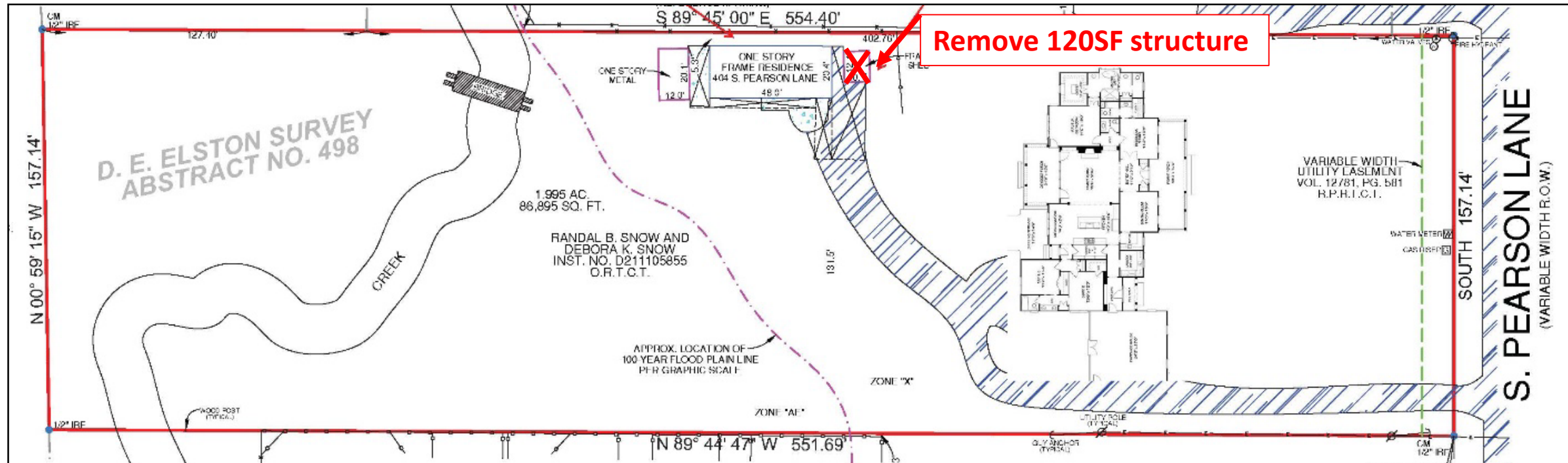
# Item H-5

## SUP #1: Accessory Dwelling Unit



## Item H-5

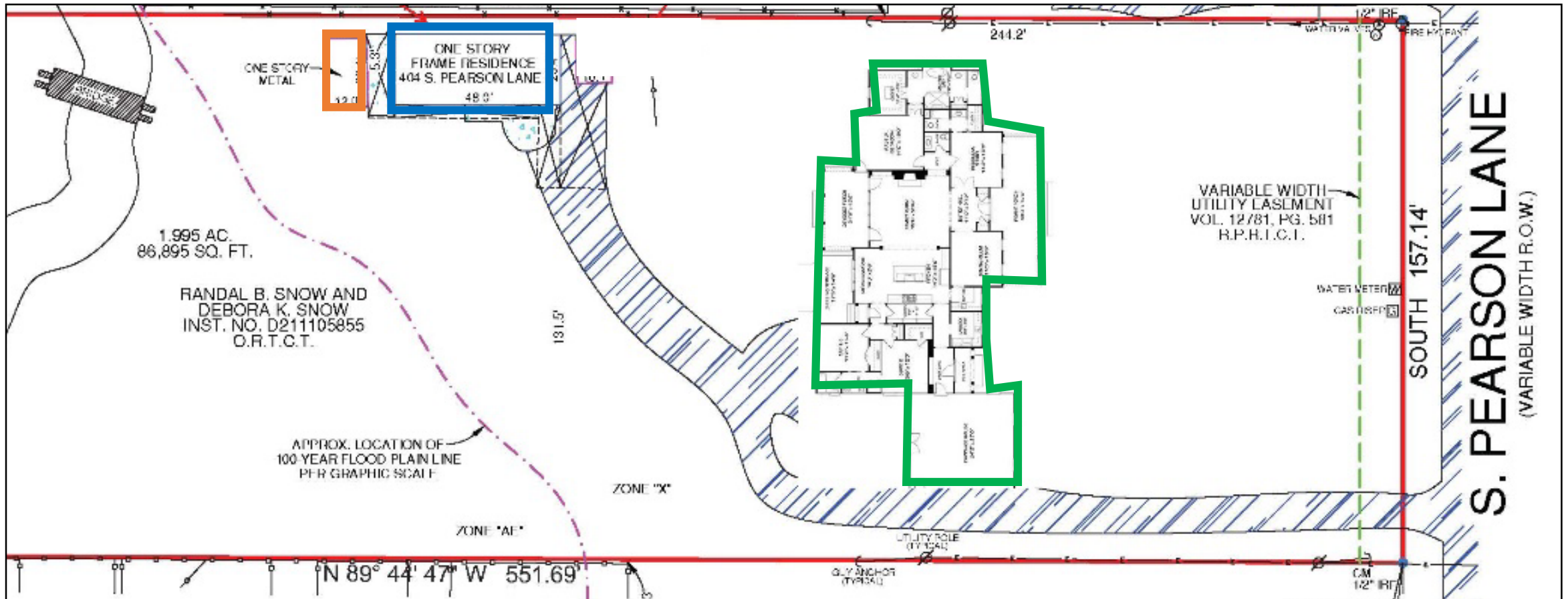
As part of the renovations and modifications, the applicant proposes to demolish one of the two existing smaller accessory structures in order to comply with the UDC's limitation of no more than two accessory structures per lot.



## Item H-5

As proposed and once construction is complete, there would be:

- New home - **Green**
- Newly remodeled 980 square-foot accessory dwelling unit - **Blue**
- Existing small accessory structure - **Orange**

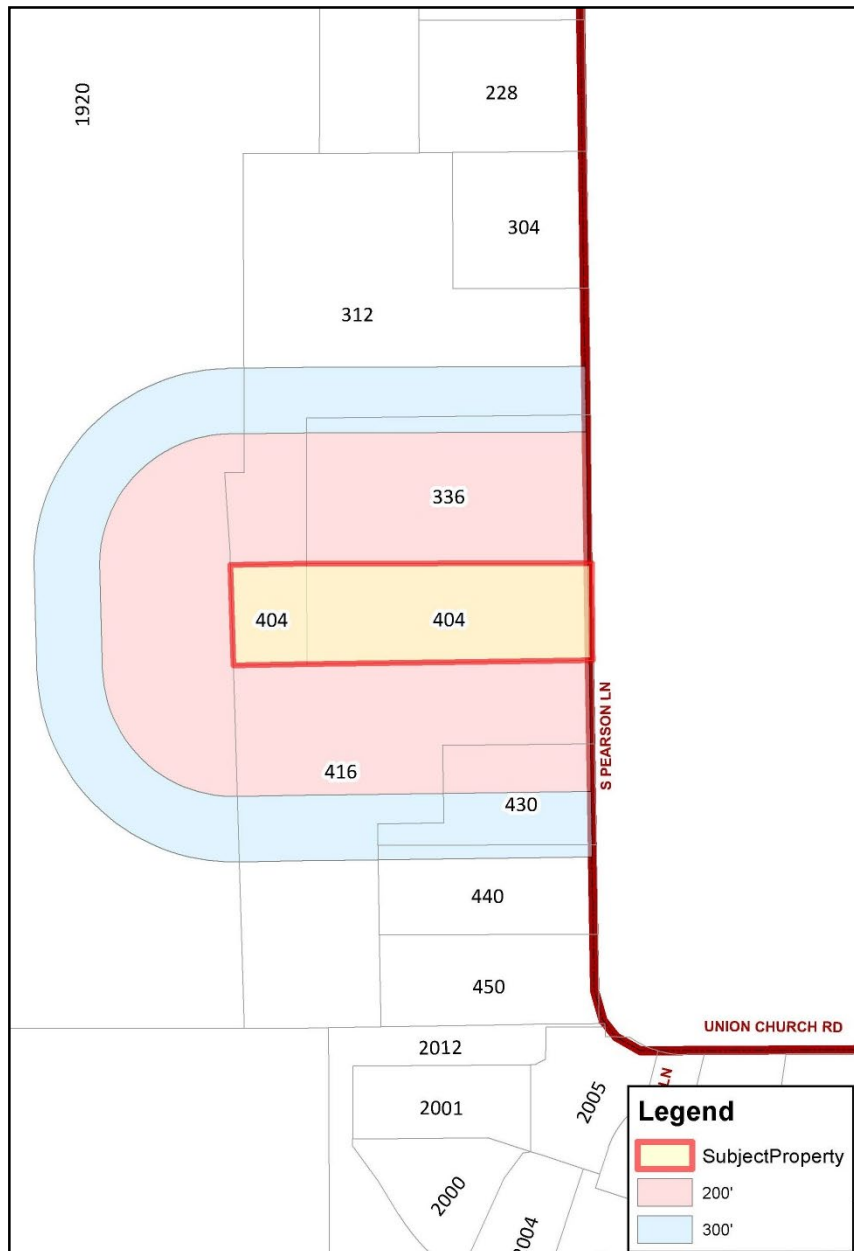




## Item H-5

On Feb. 11, 2021, the city mailed out seven Letters of Notification for this Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was posted on the site.

As of today, staff has not received any comments either in support or opposition from the public.



## Item H-5

Section 8.02 (F) (2) 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.

## Item H-5

On Feb. 23, 2021, the Planning and Zoning Commission voted 7-0 to recommend City Council approve the two SUP requests with a modification to allow the Applicant (potential buyer) to reside in a modular home for a period of 24 months in lieu of the 18 months due to potential weather delays or any other delay that may cause disruption in construction. The Commission also added a condition that once the final inspection is passed on the permanent residence, the Applicant (potential buyer) has 90 days to remove the modular home. The Applicant (potential buyer) was amenable to these changes.

## Item H-5

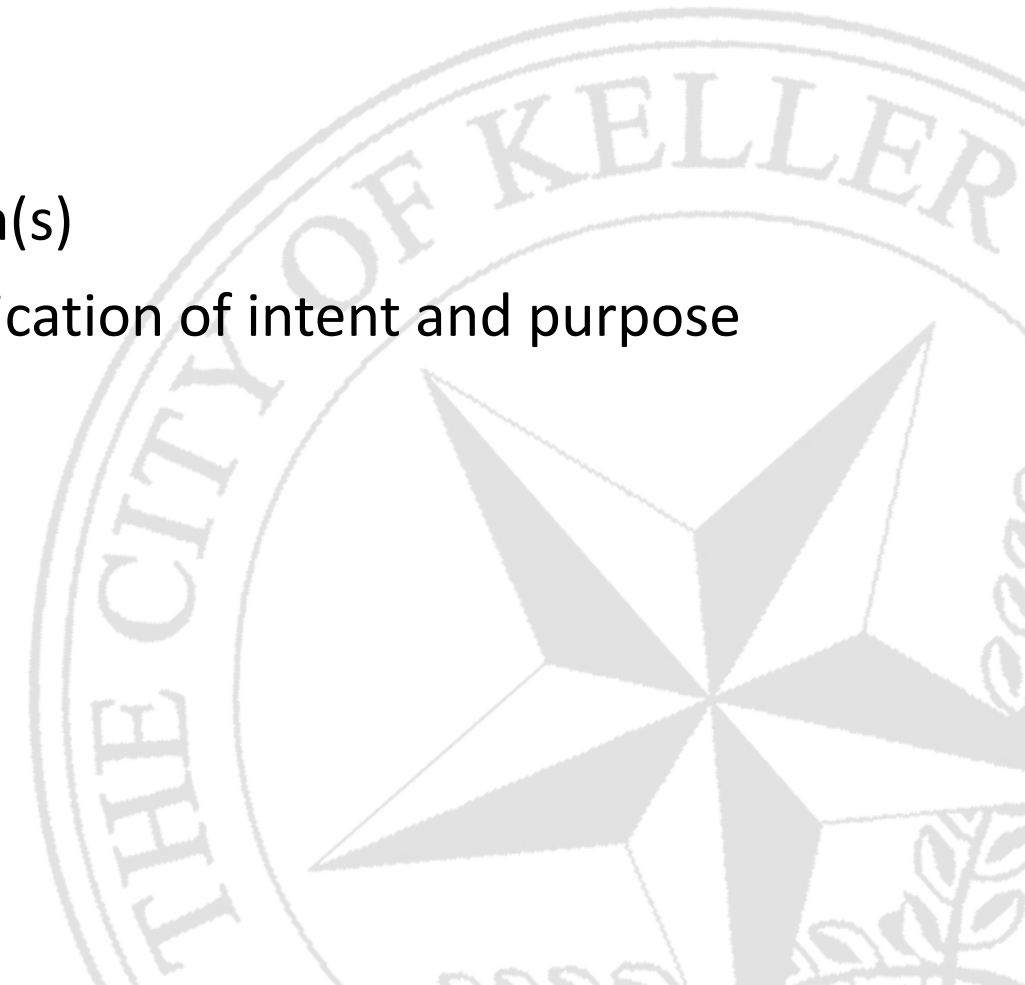
### SUP Requests and Conditions:

1. An SUP request to reside in a modular home for a period of 24 months starting upon approval and release of the new single-family residential permit.
2. An SUP for an accessory dwelling unit. The structure will be created by converting an existing 980-square-foot accessory building.
3. Once the final inspection is passed on the permanent residence, the Applicant (potential buyer) has 90 days to remove the modular home.
4. A small, 120-square-foot accessory structure building will be demolished so that once construction is completed, there will only be the main structure and two accessory structures (including the ADU).

## Item H-5

The City Council has the following options when considering a Specific Use Permit:

- 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?  
Julie Smith  
817-743-4128**