

Item H-2

PUBLIC HEARING: Consider approving an ordinance to amend an existing Specific Use Permit (SUP) to allow the property owner to temporarily reside in a 28-foot by 68-foot (or 1,904 square-feet) manufactured home for the purpose of living and overseeing construction of a permanent residence, 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. Christopher Cloy, Owner/Applicant. (SUP-21-0013)

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Zoning Map



Aerial View



Zoned:
SF-36

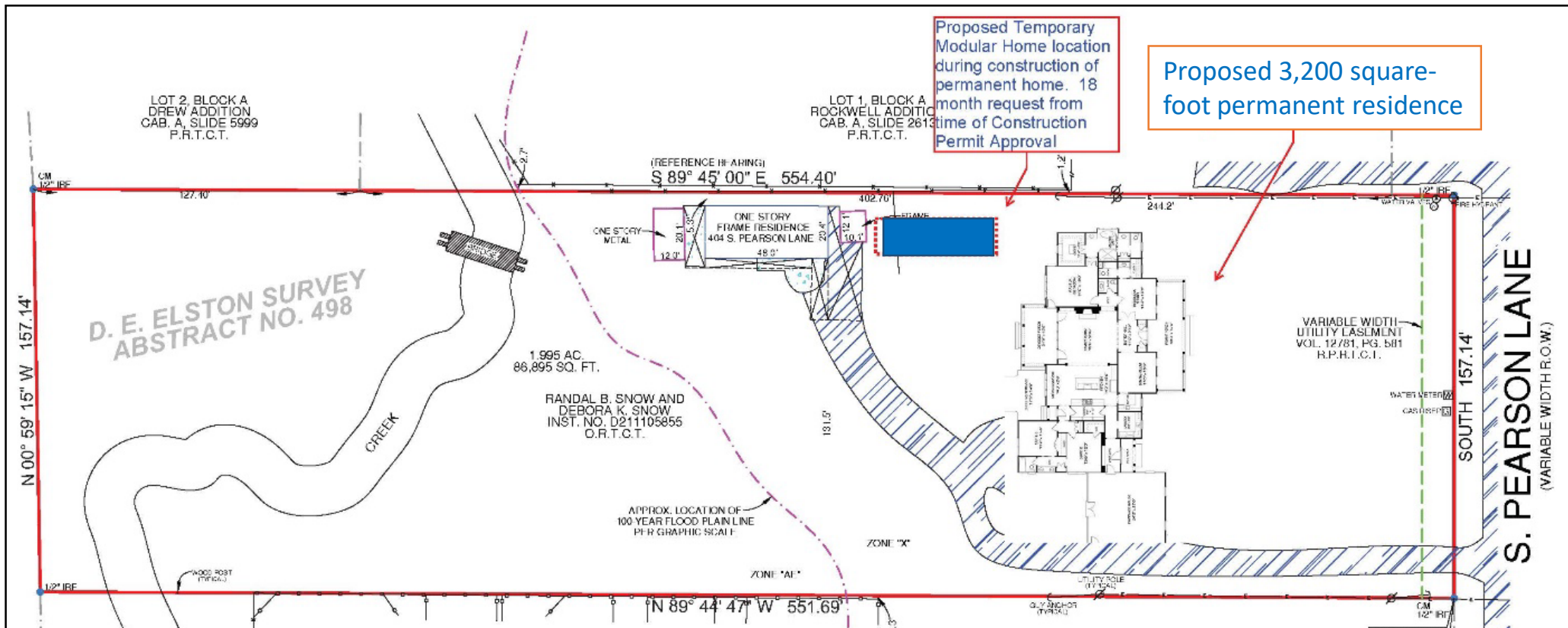
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On March 16, 2021, the Applicant requested and was granted a Specific Use Permit (SUP) to:

- Convert a 980-square-foot accessory structure into an accessory dwelling unit
- Reside in a temporary manufactured home for a period of no more than 24 months
- Install mobile skirting around the manufactured home
- Remove the manufactured home within 90 days of the final inspection of the residential home

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Existing SUP permits 1,000-square-foot temporary manufactured home to be located in the blue rectangle.



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The Applicant is now proposing to amend the SUP to increase the size of the temporary manufactured home from approximately 1,000 square feet to approximately 2,000 square feet and change the location to directly behind the proposed 3,200 square-foot future residence. The proposed temporary manufactured home would comply with all setbacks.

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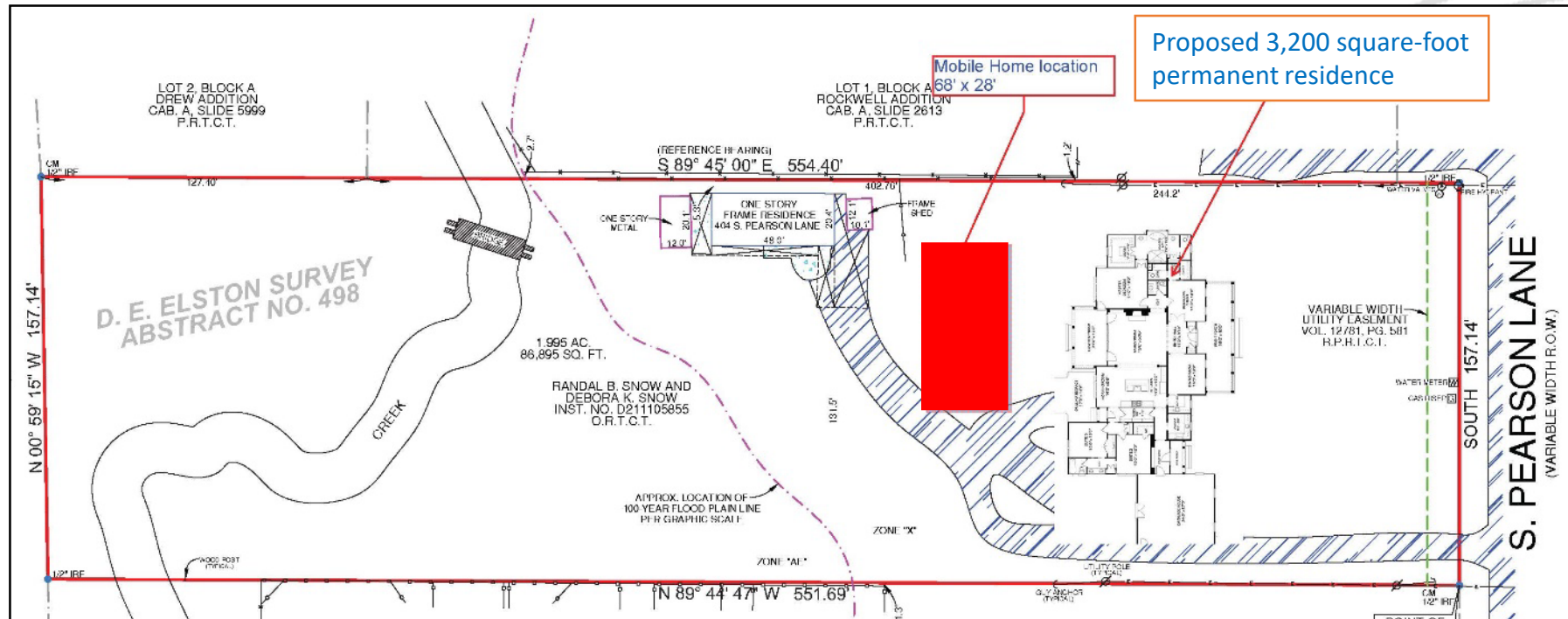
Proposed temporary manufactured home



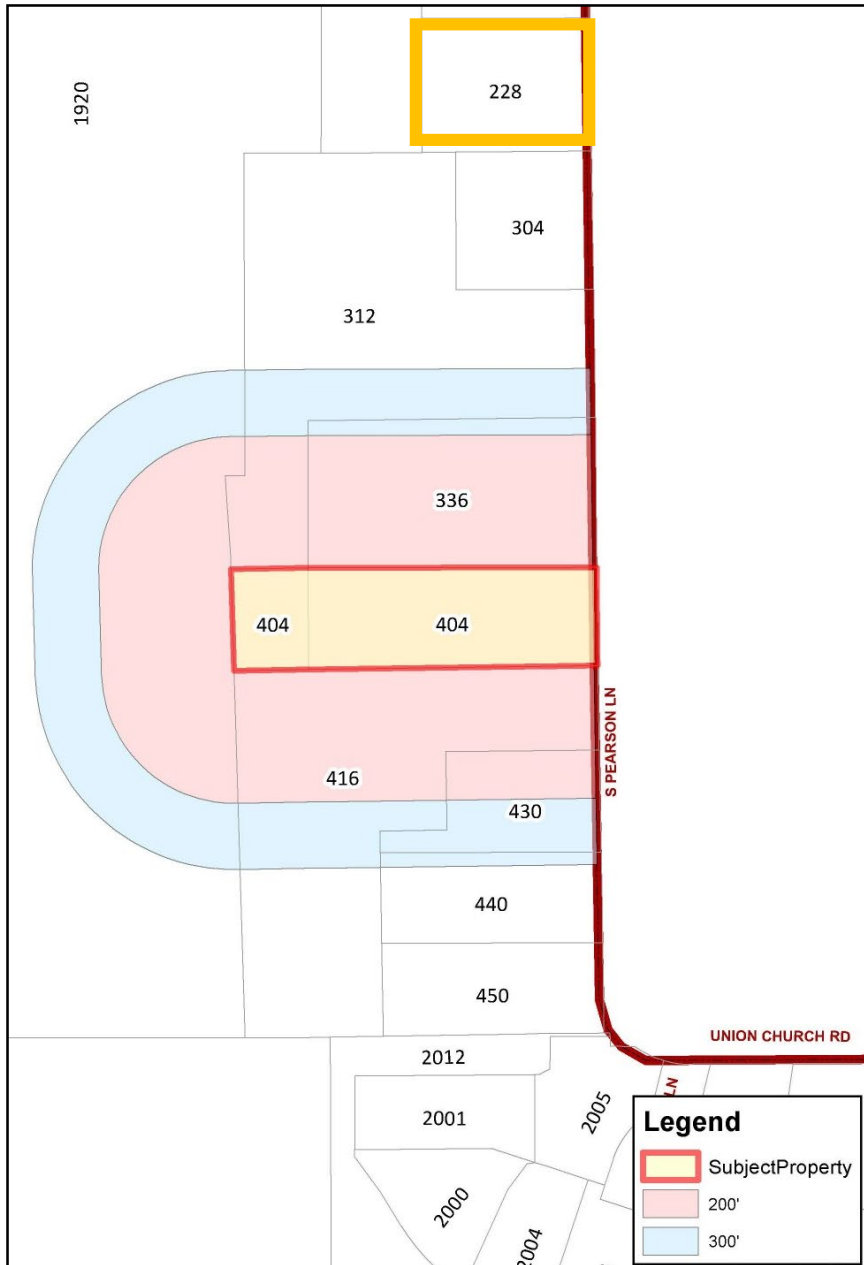
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The Applicant is requesting an SUP to reside in an approximately 2,000-square-foot temporary manufactured home for a period of 24 months to be located within the red rectangle.



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- On April 30, 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 May 24, 2021, staff has received:
 - One phone call from a resident that resides southeast of this property (not within the 300' buffer). The resident had several questions related to the structure and timing from when the temporary building will be on site versus when the building permit will be submitted.
 - One email in opposition from the owners at 228 S. Pearson Lane (size, timing, and type of temporary structure).

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Section 8.02 (F) (2) of the UDC states that when considering an 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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On May 11, 2021, the Planning and Zoning Commission recommended approval with the following conditions:

1. Release of temporary manufactured home permit to coincide with the issuance of the building permit for the permanent residence.
2. The 24-month period starts at the original approval date of March 16, 2021, and expires on March 16, 2023.
3. The temporary manufactured home shall be removed if the building permit is revoked, expires or lapses for 180 days (no construction activity).

Remaining Conditions:

4. Mobile home skirting shall be placed around the manufactured home
5. The accessory dwelling unit structure will be created by converting a 980-square-foot existing accessory building.
6. Once the permanent resident passes final inspection, the applicant has 90 days to remove the manufactured home.

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

- Approval as submitted
- Approval with modifications or additional condition(s) as recommended by the Planning and Zoning Commission
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny



Questions?
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