

*City of Jonesboro Planning Commission
Staff Report – CU 14-05– 2921 Dacus Lane.
Municipal Center- Council Chambers – 300 S. Church St.
For Consideration by the Planning Commission on May 13, 2014*

REQUEST: Applicant proposes to install a Pre-Manufactured Home within an R-1 Single Family Residential District under the Conditional Use process; applicant is also requesting a (Fair Housing) reasonable accommodation for an accessible housing unit that will replace an existing dilapidated single family home.

APPLICANT: Steven Evans, 2921 Dacus, Jonesboro, AR
OWNER: Mary Harris, 2921 Dacus, Jonesboro, AR

LOCATION: 2921 Dacus Lane, Jonesboro, AR

SITE DESCRIPTION:
 Tract Size: 1.62 acres
 Frontage: 230' along Dacus Lane
 Topography: Flat
 Existing Developmt.: Dilapidated Single Family Home

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	R-1	Residential
South:	R-1	Residential
East:	R-1	Residential
West:	R-1	Residential

HISTORY:
None

Zoning Code Analysis:

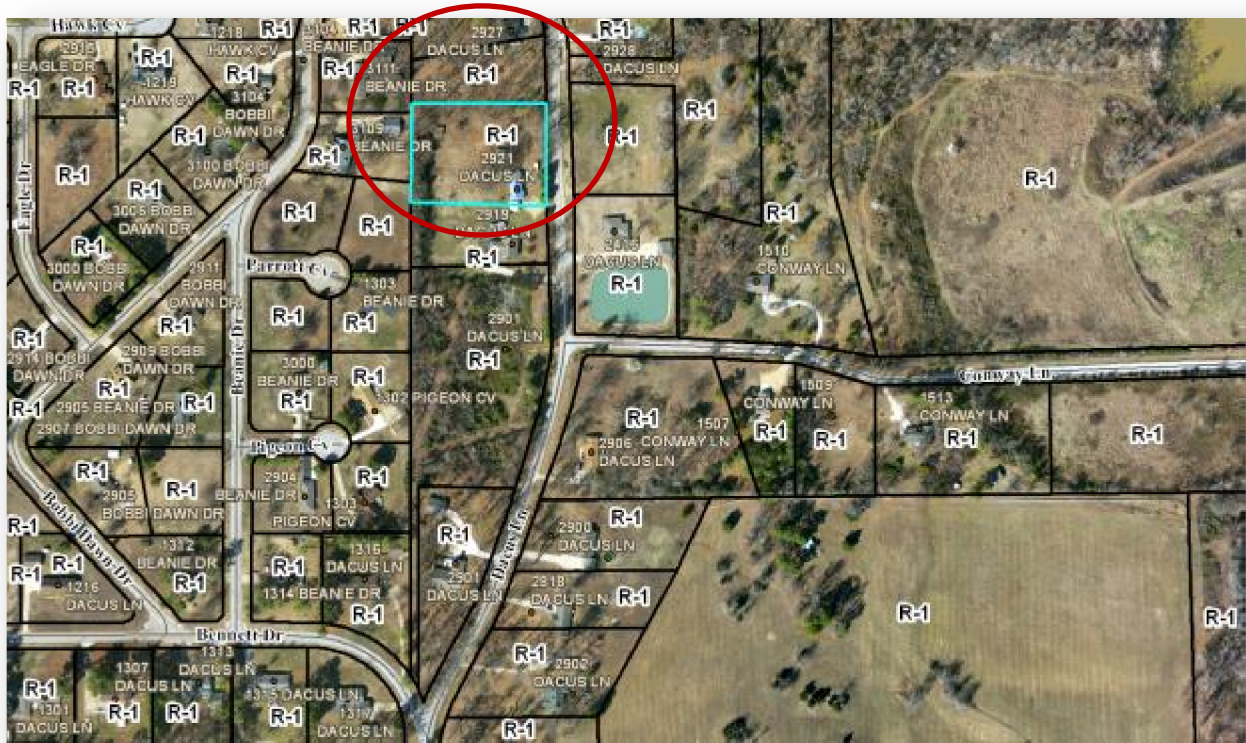
In carrying out the purpose of this section of Chapter 117 of the Jonesboro Code of Ordinances, the following development standards and design specifics shall be subject to review and approval. The appropriateness of these standards shall be determined for each specific conditional use location:

- (1) The proposed use is within the provision of conditional uses as set out in this chapter.
- (2) The proposed use conforms to all applicable provisions herein set out for the district in which it is to be located.
- (3) The proposed use is so designated, located and proposed to be operated that the public health, safety and welfare will be protected.
- (4) The proposed land use is compatible with and will not adversely affect other property in the area where it is proposed to be located.
- (5) The size and shape of the site, including the size, shape and arrangement of proposed structures, as well as signage related thereto, is in keeping with the intent of this chapter.
- (6) The proposed ingress and egress, internal circulation system, location and amount of off-street parking, loading and pedestrian-ways are sufficiently adequate, and not inconsistent with requirements of this chapter.
- (7) The proposed landscaping and screening of the proposed use are in accordance with provisions of

this chapter.

(8) Safeguards proposed to limit noxious or offensive emissions, including lighting, noise, glare, dust and odor are addressed.

(Zoning Ord., § 14.24.02)



Zoning/Vicinity Map

Findings:

The applicant proposes to gain MAPC approval to allow the placement of a manufactured home on this location. The general area/neighborhood is single family residential. The applicant is also requesting a (Fair Housing) reasonable accommodation for an accessible housing unit that will replace and existing dilapidated single family home. She submitted a statement of her disability along with her husband's disability as a veteran.

Manufactured Housing Units, Residential Design. Compliance with all of the standards of this section is required in order for a manufactured housing unit to be classified as a residential design, manufactured housing unit.

(a) Size.

- (1) The minimum width of a residential design, manufactured housing unit shall be twenty-two feet (22'), with width measured perpendicular to the longest axis at the narrowest part.
- (2) The length of a residential design, manufactured housing unit shall not exceed four times its width, with length measured along the longest axis.
- (3) A residential design, manufactured housing unit shall have a minimum area of one thousand one hundred fifty (**1,150**) square feet (enclosed and heated living area).

- (b) Roof.
- (1) Pitch. The roof must be predominantly double-pitched and have a minimum vertical rise of two inches (2") for every twelve inches (12") of horizontal run.
 - (2) Materials. The roof must be covered with material that is customarily used on site-built housing units. Customary materials include wood, asphalt composition shingles, or fiberglass shingles, but not aluminum, corrugated fiberglass, or metal.
 - (3) Eaves. The roof shall have a minimum eave projection and roof overhang of ten inches (10"), which may include a gutter.
- (c) Siding.
- (1) Materials. Exterior siding must be of a material customarily used on site-built housing units. Customary materials include wood, composition, simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco, or similar materials. Customary materials do not include smooth, ribbed or corrugated metal or plastic panels or material that has a high gloss finish.
 - (2) Design and Placement. Siding material shall extend below the top of the foundation or curtain wall, or the joint between the siding and enclosure wall shall be flashed in accordance with the city's adopted building code.
- (d) Installation of Unit.
- (1) Guidelines. The unit shall be installed in accordance with the recommended installation procedures of the manufacturer, and the standards established by the International Conference of Building Officials (ICBO) and published in the most recent edition of "Guidelines for Manufactured Housing Installations."
 - (2) Foundation. A continuous, permanent concrete or masonry foundation or masonry curtain wall, un-pierced except for required ventilation and access which may include walk-out basements and garages, shall be installed under the perimeter of the unit, also in accordance with the above referenced ICBO guidelines.
- (e) Entrance Landing Area. At the main entrance door to the unit there shall be a landing that is a minimum of five feet (5') which is constructed in accordance with building code requirements.
- (f) Transport Equipment. All running gear, tongues, axles, and wheels must be removed at the time of installation of the unit on the lot.
- (g) Finished Floor Elevation. The finished floor of the unit shall meet the manufacturer's specifications unless the unit is located in a floodplain; in which case floodplain regulations shall rule.
- (h) Additions. Attached additions and detached garages shall comply with the building code, and floodplain regulations, if applicable. All standards of this section shall apply to such additions and garages.

Reasonable Accommodation Policy:

Required Information. The applicant, as required has provided the required information in requesting a Reasonable Accommodation to allow for home replacement for her husband and herself.

The Code of Ordinances gives the Planning Director the authority to consider and take action on requests for Reasonable Accommodation(s). When a request for Reasonable Accommodation(s) is filed with the Planning Department, it will be referred to the Planning Director for review and consideration as an administrative action unless determined otherwise by the Planning Director, as in this case- Option C., below was chosen:

- a. Grant or deny the accommodation request; or
- b. Grant the accommodation request subject to specified nondiscriminatory condition(s); or
- c. *Forward the request to the Planning Commission for consideration as a Conditional Use Permit and subject to the findings stated in Section 117-31., 7.F. (Required Findings for Reasonable Accommodation(s)).*

In this case, the Planning Director has determined that the request for Reasonable Accommodation(s) is non-administrative in nature, such request was therefore forwarded to the Planning Commission in accordance with Section 117-197, Conditional Use Permit and has been made subject to the findings stated in Section 117-31., 7.F. (Required Findings for Reasonable Accommodation(s)), as outlined below.

Considerations.

Under our reasonable accommodation policy, the MAPC may consider, but is not limited to, the following factors in determining whether the requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling:

- Whether the requested accommodation will affirmatively enhance the quality of life of one or more individuals with a disability;
- Whether the individual or individuals with a disability will be denied an equal opportunity to enjoy the housing type of their choice absent the accommodation;
- The MAPC may consider, but is not limited to, the following factors in determining whether the requested accommodation would require a fundamental alteration in the nature of the City's Zoning Code (Section 117);
- Whether the requested accommodation would fundamentally alter the character of the neighborhood;
- Whether the accommodation would result in a substantial increase in traffic or insufficient parking;
- Whether granting the requested accommodation would substantially undermine any express purpose of either the City's Land Use or Comprehensive Plan or an applicable specific plan.

Findings for Reasonable Accommodation(s). In making a determination regarding the reasonableness of a requested Reasonable Accommodation(s), Staff has ascertained the following findings:

1. The housing which is the subject of the request for Reasonable Accommodation(s) will be used for an individual protected under the Fair Housing Act.
2. The request for Reasonable Accommodation(s) is necessary to make specific housing available to an individual protected under the Fair Housing Act.
3. The requested Reasonable Accommodation(s) does not impose an undue financial or administrative burden on the City and does not fundamentally alter City zoning, development standards, policies, or procedures.
4. The requested accommodation will not result in a fundamental alteration in the nature of the City's zoning process, as "fundamental alteration" is defined in fair housing laws and interpretive case law.
5. The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

Proposed Unit: The applicant has submitted a unit that will meet their physical needs. *Please see attached photographs of the proposed unit.* **Staff has made the applicant aware that the proposed unit does not meet the 8-year maximum age requirement.** She is requesting the MAPC waiver and consideration of the restriction only because the unit chosen has several double wide door openings which will work and serve their ADA handicap needs. The applicant also proposes to have the unit installed above a full foundation perimeter wall as approvable by the Chief Building Code Official.

Conclusion:

MAPC should consider the following conditions if the request is granted in full on the basis of the Conditional Use:

1. That upon issuance of the Conditional Use Approval, all future alterations to the structure shall be subject to Planning/Inspection Dept. approvals in the future.
2. That prior to any issuance of Certificate of Occupancy, all permits shall be acquired.
3. Final Occupancy shall be achieved within a one year time limit.

Sample Motion:

I move to approve Conditional Use Case CU 14:05 as presented for a pre-manufactured home to be located on the subject property; and we, the MAPC find that the use falls within the provisions for conditional use, and the reasonable accommodation policy and appropriate design standards have been applied. This approval is contingent upon the satisfaction of the conditions as recommended by the Planning Staff.

Respectfully Submitted for Commission Consideration,



Otis T. Spriggs, AICP
Planning & Zoning Director

Site Photographs



View looking west toward the subject property.



View looking west toward a property located north of subject property.



View looking east toward a property located southeast of subject property.



View looking east toward a property located east of subject property.



View looking west toward a property located south of subject property.



View looking east toward a property located northwest of subject property.



View looking east toward a property located west of subject property.