



307 Vine Street
Jonesboro, AR 72401
(870) 932-0406 Voice
(870) 336-3036 Fax
www.jonesboro.org

August 13, 2009

Stacey & Garrett Bond
4908 Southwest Drive
Jonesboro, AR 72404

Re: **C.U. 09-02 Pre-Manufactured Home- Conditional
Use- MAPC Record of Denial**

Dear Mr. & Mrs. Bond:

The purpose of this correspondence is to forward to you the official record of the Metropolitan Area Planning Commission's action on your Conditional Use request, Case CU 09-02. The MAPC voted 3 to 2 to deny your case, and the record of proceedings are attached for further details.

I have provided the Zoning Ordinance regulations regarding your denial and the process for appeal or future reapplication below:

14.24.03 Procedure for Authorizing. The following procedure is established to integrate properly the conditional use with other land uses located in the district. These uses shall be reviewed and authorized or rejected under the following procedure:

*If the planning commission disapproves or denies a conditional use application, the reasons for such action shall be given to the applicant with fifteen (15) days from the date of the decision. **The applicant may appeal such commission action, or any condition(s) placed upon application approval, to the city council within thirty (30) days of the commission's action.** The appeal shall be in writing to the City Clerk, and shall specifically state why the planning commission's findings and decision was arbitrary, capricious, and inappropriate. If denied, no application for such use or similar use shall be permitted involving any part of the same property for a period of six (6) months.*

If you require any additional information, please advise us at your convenience.

Sincerely,

Otis T. Spriggs, AICP
Planning Director
City Jonesboro, AR

OTS/gc

**Record of Proceedings: Conditional Use Request –
City of Jonesboro Metropolitan Area Planning Commission-
Public Hearing on August 11, 2009, 5:30 PM, 900 W. Monroe.**

C.U. 09-02 Stacey and Garrett Bond/Sandra D. Shopper, owner requests a conditional use to place a double wide mobile home at 4510 Harrisburg Rd. The location is in R-1 Single Family zoning which requires a conditional use approval.

Applicant:

Garret and Stacey Bonds addressed the Commission. Mr. Bonds stated that they would like to set a double or triple wide unit at 4510 Harrisburg Rd. Mrs. Bonds stated that they are trying to purchase a new \$80k to \$120k unit, to be installed on footings with a concrete slab foundation. She presented pictures to explain what they are trying to do. The way the property lays, this is the best way to locate the pre-manufactured unit there, because of the power lines overhead. They are not trying to bring in a rundown trailer. They want it to look like a house, similar to the houses that are in Kent Arnold's development where the walls were pre-fabricated and already put together. It will look more like a house with a block foundation and it will be bricked up completely. The one we are looking at is right at \$100k; it will look very nice. Applicant submitted photos for the record showing the foundation and it will be bricked completed. She added that a lot of people are concerned with the codes and the foundation it will meet all the code requirements. We will be putting a garage on it.

Opponents:

Mrs. Phyllis Murray, 1805 Fox Meadow stated that there are some more people in the back in opposition; she is spokesperson (total of 5). She went and talked to people about the matter and has a signed a petition with 18 signatures. We live in a residential zone, and there are no other mobile homes in the area. We formerly lived in an area in Valley View when we were transferred. We put our house on the market and that same week someone brought in a mobile home and put it next to us and it hurt us on the sale. Mr. Halsey asked if there is there a bill of assurance on the property. The applicant stated no.

Staff:

Mr. Spriggs summarized. In the R-1 District the code allows for a conditional use review for residentially design pre-manufactured unit within the R-1 Single Family Residential. The unit to be purchase will satisfy all of the criteria of the code in terms of setbacks, the pitch room, minimum square footage area, and the permanent foundation. The recommended conditions were read:

1. That the final site plan and building plans be submitted to and approved by the Planning Director indicating required setbacks and compliance with all the stipulations above.
2. The lot must conform to the proper plat procedure and standards.
3. That all building permits be obtained before the structure is allowed for dwelling.
4. That the unit be installed within a 1- year period of this approval on a permanent foundation.

Mr. Day asked if this is a temporary installation? Mr. Spriggs explained: No, this is a permanent installation of a home, permanent foundation and a permanent use.

Mr. Tomlinson stated that he counted the different types of standard within the residential design standards and there are about 17 requirements. Mr. Tomlinson stated that this application will meet all of those to his knowledge. He added that he does not have any problems with it, and it meets all those standards and will be inspected upon final occupancy.

Mr. Michael Stallings, stated that he was one of the people Mrs. Murray did not reach. He lives at 4521 Finn Rd. on 2 properties on 5 acres that runs along the property line. We bought that home for retirement. There was a mobile home across the street, of which we bought and tore down the trailer. We paid more to tear it down than it was worth. The mobile home will get appraised as a mobile home regardless of the veneer you put on them. It will decrease the value of the properties around it. That is my concern. We worked really hard for our final home and I hate to see my work on getting rid of the last mobile home there go for another one to be allowed in.

Mr. Tomlinson stated that history will tell you that cities use to exclude these, and were getting in deep trouble over just banning them. They keep referring to these as mobile homes, the official designation is pre-manufactured housing/residential design. The City did this as a protection and to impose standards they wanted to see in these, and this is the reason we have that designation now.

Mr. Kelton: I think as I recall as we worked on the land use plan in the mid 90's we ran into something on the State level in that any zoning authority had to allow at least one zoning or area for the use/location of manufactured housing. It's always been my thoughts that if this were a hardship situation; if this was temporary it would be more pleasant. To think of going in and set a precedent for others, I'm not sure that's anything I want to start.

Mr. Tomlinson stated that there is already a provision for emergency housing, and that is a situation that is different and separate altogether; there is usually a time limit set on those, but this does not.

Jim Jones, retired in Jonesboro Arkansas with wife in 2006. We bought a house that will be around this property. We love that neighborhood. We paid \$197k for it. We have no mortgage. I sold everything to buy that house for her. Do you want me to have a manufactured house that will be \$90k to 100k next to it. Would you really want that? Is it that much of a hardship to build a house?

Ms. Bond, my concern is based on what he said on being allowed to build a \$80k manufactured home. I could now build a \$50k house there and not be denied. I am looking for something top of the line. I would feel the same way in their shoes. This is the only thing we can do with this land; the land is 3 acres, and its wasted because of the power line. You can build a house for \$40k, but the \$100k trailer will be better.

Mr. Tomlinson. If this land is replated for the acreage for manufactured home, will they have frontage? Mr. Spriggs explained that they have proper frontage, and will satisfy the frontage standards. They are planning to provide sewer to the new unit, and will have to satisfy minimum Health District standards for the existing home that is on septic.

Action:

Mr. Tomlinson made a motion to approve the request subject to the 4 conditions by the Planning & Zoning Staff. Question by Mr. Hoelscher- How does the City verify the construction of the foundation during a Certificate of Occupancy, and the coordination of the utilities prior to occupancy? Mr. Spriggs stated that it will have all the necessary inspections for a single family residential permanent structure permit.

Mr. Hoelscher asked does the Conditional Use expire if something happens? Mr. Spriggs responded that Conditional Uses can go on forever; if the structure were to burn, they could replace the unit as-is.

Mr. Day asked if there is an opportunity for them to replat it and have another pre-manufactured unit without us seeing that? Mr. Spriggs responded that any future pre-manufactured units on any other part of the land would have to go through the same/separate request as a Conditional Use. The motion was 2nd by Mr. Hoelscher.

Roll Call: Mr. Tomlinson- Aye, Ms. Norris- Aye; Mr. Halsey- Nay; Mr. Kelton-Nay; Mr. Hoelscher – Aye. **Case denied.**

Mr. Spriggs stated that the appeal can be taken before City Council within 30 days; Staff can provide the Commission's official action of denial with the record of proceedings to be delivered to the City Clerk.

Mr. Day asked if manufactured homes are allowed in the RO- District. Mr. Spriggs stated that the pre-manufactured residential design unit is only permitted in the AG-1, RR, R-1a, R-2 Districts and conditional use in the others.