



PLANNING ANALYSIS

SPECIAL USE PERMIT CASE 19-SU-002

701 OSPREY DR. SPECIAL USE

GENERAL INFORMATION

- Owner:** Linda Tankersley
- Current Zoning:** SFE-2-B (Single-Family Estate)
- Proposed Zoning:** Special Use Permit to allow for the temporary residential use of a travel trailer or recreational vehicle for use by an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary residence, or a friend or relative providing necessary care for an ill, convalescent or otherwise disabled occupant.
- Size and Location:** The property is located at 701 Osprey Dr and includes approximately 0.83 acres.
- Staff Contact:** Michael Chenausky
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	SFE-2-B	Single-Family Residential
EAST	SFE-2-B	Single-Family Residential
SOUTH	SFE-2-B	Single-Family Residential
WEST	SFR-1-B	Undeveloped lot

ANALYSIS:

Uses permitted in a zoning district are classified in two ways. The first type of use is what is referred to as a use permitted by right. A use permitted by right is allowed in the specified zoning district provided that the property owner complies with specified building and site requirements. The second type of use is what is referred to as a special use. A special use permit allows for certain land uses in a given zoning district and generally requires more review by the Planning and Zoning Commission and City Council in order to ensure the compatibility of the proposed use with the surrounding land uses.

The property is currently developed as a residential use and zoned SFE-2-B (Single-Family Estate) district, and is located in the Falcon Oaks subdivision. The properties to the north, south, and east are also zoned SFE-2-B and the property to the west is zoned SFR-1-B (Single-Family Rural).

The property owner is requesting a special use permit to allow for a temporary residential use of a travel trailer to care for a friend or relative. Additionally, the applicant is requesting a waiver to the setback requirements, in order to place the travel trailer in front of the primary structure due to site constraints. The applicant is asking for a temporary use permit with a 5 year time frame. The Composite Zoning Ordinance allows for a temporary residential use of a travel trailer or recreational vehicle on a residential property when it meets the following standards:

- (i) The lot, tract, or parcel shall be at least 6,000 sq. feet in area.
- (ii) The use of the travel trailer or recreational vehicle shall be limited to residential use by an individual constructing their own home in an SFR district for nor more than a period of one year; or an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary residence, or a friend of relative providing necessary care for an ill, convalescent or otherwise disabled occupant of the primary residence. The need for care shall be documented by a letter from a physician.
- (iii) No more than two (2) people may occupy the travel trailer or recreational vehicle.
- (iv) The temporary unit may only be placed on a legal parcel with an existing primary residence except where the permanent residence is under construction as described above.
- (v) The temporary unit shall have an approved connection to a sanitary sewer system or septic system. The unit shall also have an approved connection to public water system or well.
- (vi) The temporary unit shall meet zoning setback requirements and shall be located no closer to a street than the front wall of the permanent residence.
- (vii) The temporary unit shall be currently licensed as required by the State of Texas, have a valid state inspection, and remain in mobile condition.
- (viii) The temporary unit shall not be considered a separate residential unit for the purpose of calculating impact fees.
- (ix) The temporary unit shall not be rented or leased.
- (x) If approved, an administrative permit for residential use of a travel trailer or recreational vehicle shall be obtained. Such permit shall expire one year form the date of issuance. Permits may be renewed annually in the discretion of the City Council. Permit and renewal applications shall be accompanied by a written statement signed by

- the applicant under penalty of perjury that the use will conform to the standards set forth in this subsection. Renewal applications shall be submitted prior to permit expiration and shall include an updated letter from a physician.
- (xi) Within sixty (60) days of cessation of the temporary residential use, all occupancy of the unit shall cease, the unit shall be disconnected from all utilities, and the unit shall be removed from the premises.

The applicant has submitted a letter of intent and provided all necessary documentation as outlined in the Composite Zoning Ordinance for compliance. The next step for the applicant if this application is recommended for approval by the P&Z Commission would be for the application to receive an approving vote from the City Council. After that, they would then need to obtain an administrative permit for residential use of a travel trailer or recreational vehicle from the Permits Department to place the trailer on the property in compliance with the ordinance requirements.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed Special Use Permit to allow for the following uses with a time limit of one (1) year as stated in the ordinance, given the applicant has the ability to renew the permit on an annual basis:

1. Use of a travel trailer or recreational vehicle for use by an ill, convalescent or otherwise disabled friend or relative needing care from the occupant of the primary residence.