



# City of Grand Island

Tuesday, April 23, 2019

Council Session

## Item E-5

**Public Hearing on Request from Stephen & Deborah Spaulding for  
an Extension of a Conditional Use Permit to Allow for  
Construction of a House while living in the Existing Double-wide  
Trailer located at 3204 So. Shady Bend Road**

*Council action will take place under Requests and Referrals Item H-1.*

Staff Contact: Craig Lewis

# **Council Agenda Memo**

**From:** Craig Lewis, Building Department Director

**Meeting:** April 23, 2019

**Subject:** Request of Stephen & Deborah Spaulding for Approval of a Conditional Use Permit to Allow Additional Time for the Construction of a New Single Family Dwelling while Occupying the Existing Dwelling at 3204 S. Shady Bend Road

**Presenter(s):** Craig Lewis, Building Department Director

## **Background**

This request is for approval of a conditional use permit to allow additional time for the construction of a new single family dwelling while continuing to occupy the existing dwelling on the site.

The property is currently zoned LLR, Large Lot Residential and is approximately 12 acres in size.

City Code provides that only one principal building shall be permitted on one zoning lot. A Conditional use permit was approved by the City Council on March 28, 2017 with the time limit of April 15, 2019, as construction has taken more time than originally anticipated it is requested to extend the time allowed for construction and removal of the existing dwelling to June 1, 2019.

## **Discussion**

To facilitate this request City Council approval of a temporary use is necessary. Approval will allow the owners to continue to occupy the existing dwelling during construction of the new dwelling and allow time to remove or demolish the existing dwelling. The Building Department issued a building permit for the new dwelling in November of 2018 while allowing the existing dwelling to remain and be utilized during the construction process. After the new dwelling is completed and a certificate of occupancy issued the existing dwelling is then required to be removed. The proposed construction is anticipated to take up to an additional 60 days to complete and then begin the process to remove the existing dwelling. An expiration date for the new conditional use permit

appears reasonable for August 15, 2019 or within 90 days after a certificate of occupancy is issued for the new dwelling.

### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the request for the conditional use permit finding that the proposed application is and will continue to be in conformance with the purpose of the zoning regulations.
2. Disapprove or Deny the request, finding that the proposed application does not conform to the purpose of the zoning regulations.
3. Approve the request with additional or revised conditions and a finding of fact.
4. Refer the matter to a special committee for a determination of a finding of fact.
5. Table the issue.

### **Recommendation**

Approve the request to extend the temporary use allowing construction to continue on the new dwelling and the existing dwelling to be utilized and allowing two principal buildings on the site for the time specified.

### **Sample Motion**

Move to approve the requested extension of time to allow construction to continue for a new single family dwelling with the existing dwelling to remain until August 15, 2019 or until 90 days after a certificate of occupancy is issued for the new dwelling, whichever occurs first.

## Conditional Use Permit Application

pc: Building, Legal, Utilities  
Planning, Public Works

1. The specific use/construction requested is: Extension of existing permit - 6 months
2. The owner(s) of the described property is/are: Stephen + Deborah Spaulding
3. The legal description of the property is: Parcel # 400207745 WA Twp  
PT E 1/2 SE 1/4 26-11-9
4. The address of the property is: 3204 S Shady Bend Rd, GI 68801
5. The zoning classification of the property is: LLR
6. Existing improvements on the property is: 45 yr old Double Wide Trailer, Building  
new home, will disassemble or move.
7. The duration of the proposed use is: trailer off property when we move in
8. Plans for construction of permanent facility is: Completion by June 1
9. The character of the immediate neighborhood is: Existing subdivision, farmland, some new  
construction.
10. There is hereby attached a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: Existing trailer <sup>home</sup> will be removed when house is  
finished. Because of problems with new house plans, did not  
begin work on new home until June 2018. Dan Kuzze is the  
builder, but I am doing some of the work. Expect to be  
completed by June 1 and trailer removed and ready for move-in.

I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact.

April 5, 2019  
Date

Owners(s)

913-544-9916  
Phone Number

Address

3204 S Shady Bend Rd  
Grand Island, NE 68801  
City State Zip

**Please Note: Delays May Occur if Application is Incomplete or Inaccurate.**





## Address

Address: 3204 SHADY BEND RD S  
( )  
Type: Single Family  
Sub Type:  
BHID: 18729



## Parcel

Assessor  
( )  
Treasurer  
( )  
District Information  
( )  
Photos/Sketches  
( )  
Pictometry Online  
( )  
Parcel: 400207745  
Owner: SPAULDING/STEPHEN J &  
DEBORAH A  
Situs: 03204 \S SHADY BEND RD

