



# City of Grand Island

Tuesday, March 10, 2020

Council Session

## Item E-1

**Public Hearing on Request from Arturo and Claudia Nunez for a Conditional Use Permit for Construction of a Second Home located at 2108 E. Stolley Park Road**

*Council action will take place under Request and Referrals item H-1.*

Staff Contact: Craig Lewis

# **Council Agenda Memo**

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

**Meeting:** March 10, 2020

**Subject:** Request of Arturo & Claudia Nunez for Approval of a Conditional Use Permit to Allow for the Construction of a New Single Family Dwelling while Occupying the Existing Dwelling at 2108 E. Stolley Park Road

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

## **Background**

This request is for approval of a conditional use permit to allow for the construction of a new single family dwelling while continuing to utilize the existing dwelling on the site. The property is currently zoned TA Transitional Agriculture, and is approximately 5 acres in size.

City code provides that only one principal building shall be permitted on one zoning lot. Section 36-89 provides for temporary buildings and uses for periods not exceeding two years in undeveloped areas, as permitted conditional uses approved by the City Council.

## **Discussion**

To facilitate this request City Council approval of a temporary use is necessary. Approval will allow the owners to utilize the existing dwelling during construction of a new single family dwelling and allow the Building Department to issue a building permit for the new dwelling while the existing dwelling remains during the construction process. After the new dwelling is completed and a certificate of occupancy issued the existing dwelling is proposed to be converted to an accessory storage building. The proposed construction is anticipated to take 6 months to one year to complete and allowing 60 to 90 days to renovate the existing dwelling an expiration date for the conditional use permit appears reasonable for March 10, 2022 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 for a temporary use allowing a building permit to be issued and two principal buildings on the site for the time specified.

### **Sample Motion**

Move to approve the request to allow construction of a single family dwelling with the existing dwelling to remain until March 10, 2022 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: Building 2nd home on site
2. The owner(s) of the described property is/are: Arthur & Claudia Nuñez
3. The legal description of the property is: Wash TWP PT E 1/2 SE 1/4 SW 1/4 23-11-95 AC
4. The address of the property is: 2108 E Stolley Park Rd
5. The zoning classification of the property is: AG
6. Existing improvements on the property is: Single family home, Misc Utility Buildings
7. The duration of the proposed use is: Indefinite
8. Plans for construction of permanent facility is: Single Family Home
9. The character of the immediate neighborhood is: Rural Acreage Homes, Farm
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: We will be constructing a new single family home on the site where a single family home already exists. The existing single family home will be used as a storage building for the future.

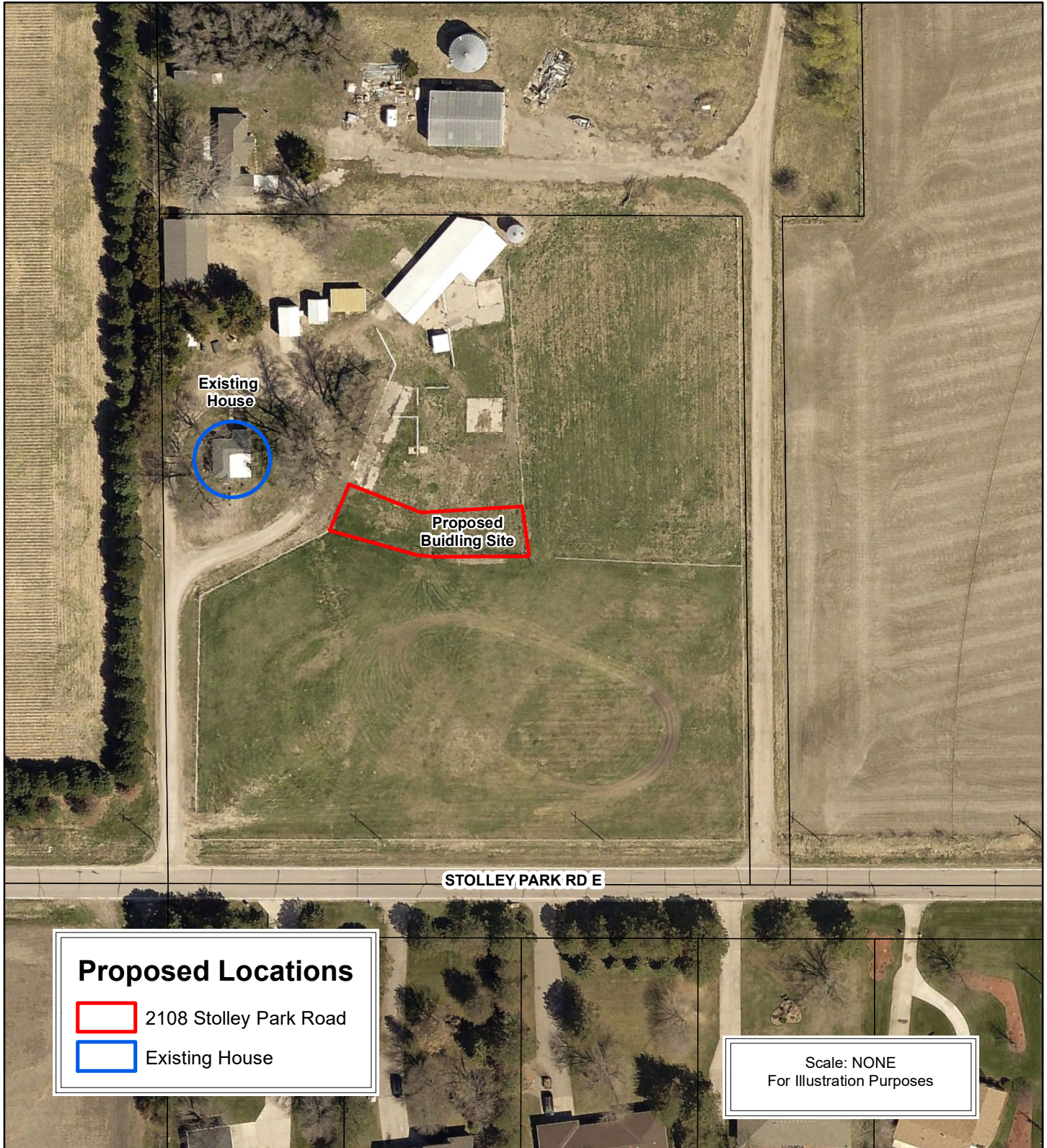
I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact.

2-12-2020  
Date  
308-383-1900  
Phone Number

Claudia Nuñez  
Owners(s)  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City State Zip

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

# Conditional Use Permit Application: 2108 Stolley Park Road E Arturo & Claudia Nunez



Conditional Use Permit Application: Arturo & Claudia Nunez  
Presenter: Craig Lewis, Building Department Director  
Grand Island City Council: March 10, 2020