

**Unapproved Minutes of the November 6, 2019
Planning Commission Regular Meeting**

SUP-19-0019. 530 Neck O Land Road Tourist Home

Mr. Scott Whyte, Senior Landscape Planner II, stated that Mrs. Emily Huffman has applied for a Special Use Permit (SUP) to allow for the operation of two additional dwellings as Tourist Homes, providing a total of four Tourist Home units. Mr. Whyte stated that the property is located at 530 Neck O Land road, is zoned R-8, Rural Residential, is designated Low Density Residential in the Comprehensive Plan, and is located inside the Primary Service Area. Mr. Whyte stated that, if granted, this SUP would allow rentals throughout the year.

Mr. Whyte stated that staff considered the home's location, parking provisions, and appearance to be favorable factors in the evaluation of this application. Mr. Whyte further stated that the front dwelling has been operating as a residence and accessory apartment, and the back dwelling is a duplex which received a variance in 1985 to allow its construction. Mr. Whyte stated that ample parking is provided with a circular drive in the front and a parking area between the residence and the duplex. Mr. Whyte stated that staff is recommending conditions which are intended to mitigate the impacts of the use and preserve the residential character of the home. Mr. Whyte stated that such conditions include restrictions on commercial signage and lighting, and any future expansions of the use would require an SUP amendment.

Mr. Whyte stated that staff finds the proposal to be compatible with the 2035 Comprehensive Plan, Zoning Ordinance, and surrounding development, and recommends that the Planning Commission recommend approval of this application, subject to the proposed conditions.

Mr. Rich Krapf inquired about current rental units on the property.

Mr. Whyte stated that the front dwelling is currently being used as a main residence and has an accessory apartment which is rented. Mr. Whyte further stated that the duplex has two units which are currently rented long term.

Mr. O'Connor inquired about the purpose for granting a variance for the duplex.

Mr. Whyte noted that the variance was granted so that the duplex could be constructed.

Ms. Leverenz inquired if all units could be rented at the same time.

Mr. Whyte confirmed.

Mr. Haldeman inquired if there is a significance to the property being on a local road rather than a collector road.

Mr. Whyte stated that since the property has been operating as four units for long term rental, staff did not believe there would be a significant impact to traffic.

Mr. Haldeman inquired if there were any concerns from adjacent property owners.

Mr. Whyte stated that there were no concerns noted.

Mr. O'Connor inquired about the requirement for a family member to live in an accessory apartment.

Mr. Holt stated that the requirement is for detached accessory apartments.

Mr. Haldeman called for disclosures from the Commission.

There were no disclosures.

Mr. Haldeman opened the Public Hearing.

As no one wished to speak, Mr. Haldeman closed the Public Hearing.

Mr. Haldeman opened the floor for discussion by the Commission.

Mr. Krapf noted that the application is unusual as this involves two structures on a single lot and is on local road. Mr. Krapf noted that he has concerns about the density.

Mr. Holt stated that the dwellings are already in existence. Mr. Holt further stated that what is consistent across all the applications the Commission has reviewed is that it maintains the look and feel of residential units. Mr. Holt stated that even without the SUP for the Tourist Homes, the structures can still be occupied as long term rentals.

Mr. Schmidt noted that this is a good location from the tourism perspective.

Ms. Leverenz noted that she has concerns about taking three affordable units off the market.

Mr. O'Connor stated that as noted before, he believes that short-term rentals are not consistent with the goals of the Comprehensive Plan. Mr. O'Connor stated that he will not support the application.

Ms. Leverenz stated that she will not support the application as it sets a difficult precedent for future application.

Mr. Schmidt stated that it is important to note that there are many more short term rentals in the County that are not operating with the necessary permits. Mr. Schmidt stated that he appreciated the applicants working through the SUP process and complying with the Zoning Ordinance.

Mr. Polster stated that there is a need for affordable auxiliary units and that he has concerns about removing these auxiliary units from long term rental use.

Ms. Leverenz made a motion not to recommend approval of the application.

On a roll call vote, the Commission voted not to recommend approval of SUP-19-0019. 530 Neck
O Land Road Tourist Home. (4-2)