

BOARD OF ALDERMEN

ITEM NO. C(7)

AGENDA ITEM ABSTRACT MEETING DATE: MARCH 16, 2010

TITLE: MINOR MODIFICATION OF ROBERSON PLACE CONDITIONAL USE PERMIT FOR CHANGE TO SETBACK ON PRIVATE LOT

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES <input type="checkbox"/> No <input checked="" type="checkbox"/>
ATTACHMENTS: A. RESOLUTION APPROVING MINOR MODIFICATION B. ORIGINAL CUP DOCUMENT AND EXCERPT FROM ORIGINAL PLANS C. LETTER FROM PROPERTY OWNER / APPLICANT AND PLOT PLAN SHOWING AREA OF PROPOSED ADDITION D. LETTERS OF SUPPORT AND PETITION SUPPORTING APPLICATION	FOR INFORMATION CONTACT: MARTY ROUPE, 918-7333

PURPOSE STATEMENT

Sophie Piesse and Robert Joyner have submitted an application for a Minor Modification to the Roberson Place AIS CUP to encroach into a CUP-mandated 30-foot setback from the northern property line of 100 Purple Leaf Place. The CUP Minor Modification, if approved, will allow the property owners to move forward with an addition to their single family home. Since the property owner immediately adjacent to the property supports the proposal, staff recommends that the Board of Aldermen approve the Minor Modification application.

INFORMATION

During the public hearing for the Roberson Place project in late 1995 and early 1996, one or more neighboring property owners to the north requested a 30-foot setback from the property line adjacent to their property. In turn, the Board included condition #9 on the CUP, which in fact requires the 30-foot setback on lots 13, 18, and 19, and the developer included the setback on the approved plans (**Attachment B**).

The owner of lot 19 is now asking permission to modify the 30-foot setback to complete a home addition that would encroach to within approximately 18-feet from the northern property line (**Attachment C**). Letters of support for this request are attached including: a letter from the neighboring property owner most affected by the change, a letter from the Roberson Place HOA supporting the request, and a petition of support signed by property owners within 150-feet of the 100 Purple Leaf Place property (**Attachment D**).

Staff has determined that this application constitutes a Minor Modification to the CUP, but based on the letters of support included, is recommending approval of the application and placing it on the consent agenda.

Public Hearing

It is within the purview of the Board of Aldermen to call a public hearing before rendering a decision on the requested changes. Specifically, with regard to Minor Modification requests, Section 15-64(b) of the LUO states the following: "Unless it is requested by the permit-issuing authority, no public hearing shall be required for such minor modification."

STAFF RECOMMENDATION

Town Staff recommends that the Board of Aldermen adopt the attached resolution approving the CUP Minor Modification request, based on the letters of support included with the application.