

applicant requested a Variance to this LDR Section, and the ZBOA granted the Variance request on 10-4-2022 (file # APP-2022-12) (all or part of Tax Parcel 0118A-318).

The subject property is currently located within a Transitional Neighborhood (TN) Character Area on the Future Development Map of the Comprehensive Plan. The property is also located within the local Historic District. Any exterior changes to the building or site will require COA approval from the Historic Preservation Commission.

The subject property is eligible for consideration as its own Personal Care Home with up to 6 residents. This property is an ideal location for such a use in that it still maintains a residential character even though the surrounding land use pattern is already dominated by non-residential. Even as an institutional use, a Personal; Care Home of this size is less intensive than most professional offices that could otherwise locate here under R-P zoning. Staff is therefore supportive of this request with all the same conditions as approved for the previous request on the neighboring property.

Staff finds the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommends approval to the City Council, subject to the following conditions:

- (1) Approval shall be granted for a State-licensed and fully compliant Personal Care Home with up to 6 residents at the facility. No other uses allowed in R-P zoning shall be allowed on the property that are in addition to the Personal Care Home.
- (2) All parking associated with the facility shall be located on-site and in the rear yard only.
- (3) There shall be no temporary signage, and permanent signs shall be limited to those which are allowed in the Historic District under R-P zoning and in accordance with the Historic District Design Guidelines (LDR Appendix G).
- (4) Conditional Use approval shall expire after 2 years from the date of approval if no city Business License has been approved for the facility by that date.

Commissioner Bailey asked if this use would be problematic elsewhere to which Mr. Martin said yes, but this particular area is mostly converted for business/professional uses. Other discussion among the commissioners focused on parking and licensing requirements necessitating the separate requests and licenses for each property.

Chairperson Rountree opened the Public Hearing portion of the case.

No one spoke in favor of nor against the request.

There being no further discussion, Chairperson Rountree called for a motion. Motion by Commissioner Wildes to recommend approval of the request as presented with the 4 conditions, Commissioner Webb second. All in favor, no one opposed. Motion carried.