



Planning and Zoning Commission
City of Glen Rose, Texas
P.O. Box 1949, Glen Rose, Texas 76043

**COMMISSION'S DETERMINATION
AND
RECOMMENDATION TO THE GLEN ROSE CITY COUNCIL**

Date and time of public hearing: November 1, 2022, 5:30 pm

Purpose of hearing:

- Request to rezone from PD (Planned Development) to R-1 (Single-Family Residential District) and obtain a Specific Use Permit for Short Term Rental for the property located at 1005 Holden Street, Lot: 00007, Tract: D7-30, Abst: A136, A136 MILAM CO SCH LD, HOLDEN STREET COTTAGES.

Request submitted by: Owners, Michael and Heidi Stephens and owner's representative, Michael Stephens.

After considering all information submitted, the Planning and Zoning Commission has made the determination to:

- ☒ Approve the request and further recommends approval to the City Council.
- ☐ Deny the request.

Reason for decision: SEE ATTACHED

Signature: Chair Paul B... Date: 11/2/2022
Position: _____

The City Council of the City of Glen Rose, Texas, has voted to:

- ☐ Approve ☐ Disapprove this recommendation.

Staff Representative Signature _____ Approval Date: _____

Comments: _____

Recommendations for 1005 Holden Street

Overview

- 18 letters sent representing 19 properties, 6 in opposition and 0 favorable
- The school district did not respond with a letter
- The hospital did not respond with a letter
- 6 opposed of the 19 properties equals 31.58% - engineers will need to do the land mass calculation to determine whether a super majority vote is needed.
- The planned development exists without proper covenants in place or filings with the city.
- The agenda topic was to move 1005 from PD to R1 and issue the SUP. We divided the topic into two votes
 - The request is to move the single property 1005 from the planned development to R1 without impacting the other residents
 - An SUP is to be issued with conditions that if not met would allow city council to withdraw the SUP.

Discussion:

- The neighbors that live in the Holden Street Cottages are very concerned about safety and privacy. 4 of the 5 homeowners were present and the common things with not comfortable with strangers being in and out all the time.
- First topic of changing zoning on 1005 Holden was handled through a series of attempted motions that failed for not getting a 2nd to the motion.
 - Original motion was to Move 1005 Holden to R1 by itself, failed to receive a second.
 - Next Motion was to deny 1005 Holden change to R1, it failed to receive a second.
 - After much discussion and checking on legal concerns, about what happens if all houses in the PD were changed to R1, it was determined that since none of the other homeowners have requested to be R1 and the implications it would mean if there was damage to their homes and how they would be allowed to rebuild, that the 5 homeowners not requesting to be R1 needed to remain in the PD and that the city should work with the homeowners to reinstate the planned development properly for them. That then meant that 1005 would be allowed to leave the Planned development at their choice and could move forward as an R1.
 - This time the Motion was passed allowing 1005 Holden to rezone to R1, which was the underlying zone before the PD was in place and also what matches all other homes in the area.
- Second Topic of issuing the SUP was discussed and decided that R1 all over the city have been allowed to have the SUP for short term rental and while we understand these homes are special due to their proximity to each other, we needed to stay with the precedent that has been previously set.

- All homeowners in the Holden Street Cottages agreed that safety was the priority and that if something should go wrong, the stopping of the short term rentals would be in the interest of everyone.
- To that end, a decision was made to grant the SUP with conditions to allow city council to remove the SUP if safety becomes an issue.

Conditions agreed upon by the homeowner of 1005 and the neighbors are as follows:

- No more than 3 police calls for genuine disturbances as defined by law enforcement responding to the calls.
- 1005 Holden owner would provide contact information to the neighbors so if the neighbors see issues, they can contact the landlord.
- No more than 4 individuals would be allowed to rent the home for shortterm stays
- No more than 2 cars would be allowed to park overnight and they must use the parking areas behind the home
- Day visitors cars would be allowed for street parking but the visitor car cannot stay on street overnight.