

Commission recommends ordinance



Rusty Berry (standing), of Berry Law Firm, explains plans for the Arkansas County Farm Bureau Subdivision Lot 1, located on the Main Street extension next to Allen and Hestir Dental, to Chairman Bill Holbert (left) and Vice Chairman Phillip Edwards during the Stuttgart Planning Commission meeting held Tuesday.

Shea Higgerson/Stuttgart Daily Leader

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By Shea Higgerson / Stuttgart Daily Leader

The Stuttgart Planning Commission voted to approve the recommendation of an ordinance to amend the Unified Development Code definitions for manufactured and modular homes during the regular meeting held Tuesday.

The definition for a manufactured home would read as follows, upon passage of the ordinance: "A detached dwelling unit factory built in the United States to the HUD Title 6 construction standards, which took effect June 15, 1976...bearing a red HUD certification label or its successor label on the outside of the dwelling. Other identifying factors of a manufactured home include a HUD data plate affixed inside the dwelling on or near the main electrical breaker box, or other readily visible location and/or a permanent chassis. Any factory built dwelling containing the HUD certification label or its successor label on the outside of the dwelling can only be classified as a manufactured home."

The definition of a modular home would read as follows, upon passage of the ordinance: "A factory assembled or prefabricated detached dwelling unit built and conforming to local and state codes for the City of Stuttgart, other than the manufactured home construction standards as set forth in the manufactured home definition herein, consisting of two or more modules designed for permanent attachment to make one dwelling. Other identifying factors of a modular home include a removable chassis frame."

This comes after several discussions and some confusion on the previous Unified Development Code definitions about the differences between a manufactured home and a modular home. In April, a manufactured home was placed at the intersection of Second and Wood Sts., which is a residential-2 (R-2) zone where manufactured and mobile homes are prohibited. If the ordinance passes, manufactured homes would no longer be allowed in R-2 zones.

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"This doesn't solve the problem that was created, because we still have a mobile home in an R-2 zone," commission member Neil Maynard said.

Commission Chairman Bill Holbert said the new definitions would set a guideline for the future and they can't do anything about the manufactured home in an R-2 zone now. Maynard said by the city allowing the manufactured home to be at Second at Wood Sts. they have set a precedent and he believes that anyone could put a mobile home in an R-2 zone and beat the city in a possible lawsuit, because of the one home that was allowed.

"Well, we just have to hope it doesn't happen," Holbert said.

The ordinance will have to be voted on by the Stuttgart City Council before it is passed, but the planning commission agreed on the new definitions, with Neil Maynard abstaining, and recommends that the council pass the ordinance. If the city council votes to pass this new ordinance, a building permit would be required for manufactured homes.

Commission members Elizabeth Hoskyn and Lana Roth gave an update on building permit fees after doing research on what other cities in Arkansas are charging. Hoskyn said Stuttgart's pricing was not far off base compared to other cities. Regarding modular and manufactured homes, there are no fees in place in Stuttgart, since nothing is built on site. They discussed a possible flat fee or a fee based on square footage. They also advised Stuttgart has no fee for building swimming pools and no time limit on

building permits, so people can continue building years after they originally buy a permit without having to buy a new one.

Hoskyn and Roth said there is still some research to be done on this subject and they need to ask questions of Stuttgart Code Enforcement Officer Gary Norris, but they wanted to present their recent findings to the commission for consideration. Nothing was voted on during this meeting and the commission will continue to discuss possibilities until a solution is reached. Roth said the main issue would be to educate the public on the permit process.

Rusty Berry, of Berry Law Firm, presented plans on behalf of Farm Bureau for the new Arkansas County Farm Bureau Subdivision Lot 1, located on the Main Street extension next to Allen and Hestir Dental office. It is a one lot subdivision to provide Farm Bureau with a new office building. After briefly reviewing the plans and finding no issues, the commission voted unanimously to approve the subdivision. ##

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