

AUGUST 13, 2009

7452 US HIGHWAY 60 W

## ZONE CHANGE

|  |             |
|--|-------------|
| From: B-4 General Business                               |             |
| To: R-1A Single-Family Residential                       |             |
| Proposed Use: Residence                                  |             |
| Acreage: 0.36+/- acres                                   |             |
| Applicant: George W. & Cynthia G. Johnson<br>(0908.1760) |             |
| Surrounding Zoning Classifications:                      |             |
| North: B-4   | South: R-1A |
| East: R-1A   | West: B-4   |

## Proposed Zone &amp; Land Use Plan

The applicant is seeking a R-1A Single-Family Residential zone. The subject property is located in a Rural Community Plan Area, where rural small-lot residential uses are appropriate in general locations.

## SPECIFIC LAND USE CRITERIA

- (a) **Separate lots fronting on public roads or streets** - Each dwelling should be located on its own individual lot that fronts on a public road or street. New subdivision streets should be constructed to urban specifications, including curb & gutters.
- (b) **Lot sizes adequate for septic tank systems** - Lots should be large enough in size to assure satisfactory operation of conventional septic tank systems as regulated by state law.

## Planning Staff Review

## GENERAL LAND USE CRITERIA

## Environment

- It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO105 D.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

## Urban Services

Electricity, water and gas are available to the subject property. Sanitary sewage disposal is accomplished by an on-site septic system.

## Development Patterns

The subject property is located in the Rural Community of Stanley. In the vicinity of the subject property are several rural-small lot residences as well as commercial zoning to

the north and west including an AT&T facility and a Masonic lodge.

The subject property has frontage on US Highway 60 W. In the vicinity of the subject property, US Highway 60 W is classified as a minor arterial roadway with a 75' building setback and 40' roadway buffer measured from the centerline of the roadway. The planned residence shall meet all applicable setbacks and roadway buffers.

Since the residential zoning will adjoin commercial zoning to the north and west, the applicant is required to install appropriate screening as required by the zoning ordinance. The screening shall consist of a six foot tall element with one tree every 40 linear feet or a double row of staggered pine trees as stipulated in Article 17 of the zoning ordinance.

## SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The subject property is an existing lot with frontage on a state maintained roadway. Although under the current minimum lot size required for septic system, the 0.37+/- acre tract is consistent in size with other residential lots in the vicinity and based on the applicant's findings, the health department has approved the site for a septic system.

## Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. This recommendation is made subject to the condition and findings of fact that follow:

**Condition:** Install screening in compliance with Article 17 of the zoning ordinance where adjoining commercially zoned property to the north and west.

## Findings of Fact:

- The subject property is located in a Rural Community Plan Area, where rural small-lot residential uses are appropriate in general locations;
- The subject property is an existing tract similar in size to other lots in the vicinity;
- The subject property has existing road frontage on US Highway 60 W, a state maintained highway; and,
- The subject property has received approval from the health department for an on-site septic system.