



DECEMBER 11, 2003

PORTION 9752 OAK ST

ZONE CHANGE

From: A-U Urban Agriculture		
To: R-1A Single-family Residential		
Acreage: 0.11 acres		
Applicant: Paul Cecil Land Surveying, Inc., Gerald O'Bryan (0312.1543)		
Property Zone Existing Use	to North R-1A Single-Family residence	
to West R-1A Single-Family residence	Subject A-U ➔ R-1A Single-family residence	to East R-1A Single-family residence
	to South A-U Single-Family residence	

GENERAL LAND USE CRITERIA

Apply, if marked below:

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ☒

- U1** Roadway Capacity
- ☒ **U2** Electricity Supply
- ☒ **U3** Water Supply
- ☒ **U4** Stormwater Disposal
- ☒ **U5** Sanitary Sewage Disposal

Development Patterns ♦

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- ♦ **D6** Residential Development
- D7** Non-Residential Development
- D8** Building Quality

Proposed Zone & Land Use Plan

The applicant is seeking an R-1A Single-Family Residential zone. The subject property is located in an Urban Residential Plan Area, where urban low-density residential uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

- (a) **Building and lot patterns** should conform to the criteria for “Urban Residential Development” (D6).
- (b) **Existing, expanded or new sanitary sewers** – Urban low-density residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

Applicant's Findings

This property is adjoined by R-1A zoned parcels on the north, east and west. This property and surrounding property will become more into compliance with the current zoning regulations.

Planning Staff Review

The subject property is located in the 9700 block of Oak Street in the City of Whitesville. Land use criteria applicable to this request are reviewed below.

GENERAL LAND USE CRITERIA

Environment

No important environmental criteria apply to the subject property.

Urban Services

All urban services are available to the site, including sanitary sewer. Sanitary sewer is provided by the City of Whitesville.

Development Patterns

The subject property is a portion of property occupied by a single-family home. The applicant is proposing to reduce the size of the existing lot that currently exists through the minor subdivision process. The existing lot currently has mixed zoning of A-U Urban Agriculture and R-1A Single-Family Residential. Because of the AU zoning, a lot division would need to be at least one half acre in size. The applicant proposes to zone the portion of the lot that is currently A-U to R-1A and create a lot that is less than

one-half acre in size, but greater than the 10,000 square feet in area required by the R-1A zone. The lot is served by sanitary sewers by the City of Whitesville. The proposed property division will reduce the length to width ratio of the existing lot, creating a regularly shaped lot meeting the recommended 3-to-1 depth to width ratio. Surrounding properties are also zoned R-1A Single-Family Residential and contain existing single-family residences.

SPECIFIC LAND USE CRITERIA

Existing sanitary sewers serve the subject property. Adjoining properties are zoned R-1A. The front portion of the lot not included in this zoning change is currently zoned R-1A and includes a single-family residence.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's Comprehensive Plan. Findings of fact in support of this recommendation follow:

1. The property is located in an Urban Residential Plan Area in the City of Whitesville, where urban low-density residential uses are appropriate in limited locations;
2. Rezoning the subject property is appropriate as it is a portion of a larger lot that is partly zoned R-1A currently;
3. Adjoining lots are zoned R-1A and are in use as single-family residence; and,
4. The City of Whitesville currently provides sanitary sewer service to the subject property.