

JULY 10, 2004

9517 US 231, 9554 OLD HARTFORD RD

ZONE CHANGE

From: A-R, Rural Agriculture, R-1A, Single-Family Residential		
To: A-R Rural Agriculture		
Acreeage: 22.257 acres		
Applicant: Equity Trade & Relocation Company (0407.1562)		
Property Zone Existing Use	to North A-R, R-1A Residential	
to West A-R, R-1A Agricultural, residential	Subject R-1A, A-R ↻ A-R In-active oil well, cemetery, manufactured home	to East A-R, R-1A Agricultural, residential
	to South A-R, R-1A Agricultural, residential	

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 A-R Rural Agriculture zone. The subject property is located in a Rural Maintenance Plan Area, where rural large lot residential uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

- (a) Separate, large, well-proportioned lots** – Each dwelling should be located on its own individual lot that fronts on a public road or street. Lots should be large enough in size and width to avoid the creation of excessive numbers of lots or odd-shaped lots.
- (c) Frontage only on existing roads or streets** – In Rural Maintenance Plan Areas, new lots should front upon existing public roads or streets. Public roads or streets should not be created or extended to provide for new lots.
- (d) Coal Mining advisory** – Prospective lot owners should be advised of the potential for coal mining activity in rural areas.

Applicant's Findings

The proposed zoning map amendment is in compliance with the Comprehensive Plan. The Comprehensive Plan designates this area as Rural Farm residential use and Rural large-lot residential use.

Planning Staff Review

The subject property is located in the 9501 block of US 231 and the 9500 block of Old Harford Rd, with frontage on both roadways. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

The 1976 US Department of Agriculture Soil Conservation Service Map of Important Farmland identifies a small percentage of prime and other important farmland on the subject property. No important environmental criteria apply to the subject property.

Urban Services

Water and electricity are available to the subject property. On-site septic disposal systems would be required for sewage disposal.

Development Patterns

The subject property is located in an area of residential and agricultural uses and zones. Properties to the north, south, east and west contain R-1A and A-R zoning. The majority of subject property is zoned A-R with R-1A zoning along the frontage of the subject property on Old Hartford Rd. The applicant has previously proposed to divide the property into three tracts, one lot containing about 1.6 acres for the existing manufactured home located there and two 10-acre tracts to be offered for sale. The current split zoning prevents the applicant from dividing the 10 acre tracts as agricultural divisions. The applicant's proposal will make the zoning consistent on the entire subject property and allow the divisions to proceed.

SPECIFIC LAND USE CRITERIA

Each proposed lot will have adequate frontage on a public road. The subject property has sufficient frontage on Old Hartford Rd and US 231 to allow property divisions of sufficient size and width to avoid the creation of odd-shaped lots.

No new streets are proposed to be extended or created to provide for additional lots. New lots will be able to front on existing public roads.

Planning Staff Recommendations

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

1. The subject property is located in a Rural Maintenance Plan Area, where rural large-lot residential uses are appropriate in limited locations;
2. The subject property contains adequate road frontage to support separate, large, well-proportioned lots that front on a public road;
3. No new streets are being proposed for the creation of additional lots; and
4. The majority of the subject property is currently zoned A-R Rural Agriculture.