APRIL 13, 2017

6985 HIGHWAY 144

ZONE CHANGE

From: R-1A Single Family Residential & A-U Urban Agriculture
To: R-1A Single Family Residential

Proposed Use: Residential
Acreage: 5.867 acres
Applicant: Henry Shouse (1704.2000)

Surrounding Zoning Classifications:
North: A-U
South: B-4, R-1A & A-U
East: R-1A & A-U
West: R-1A & A-U

Proposed Zone & Land Use Plan
The applicant is seeking an 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 curbs & 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 21059CO165D.
- It appears that a portion of the subject property is designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

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

Development Patterns
The subject property is a 5.867 acre tract that is split zoned, part of which is zoned R-1A Single-Family Residential and a portion is zoned A-U Urban Agriculture.

The applicant intends to rezone the entire parcel to R-1A and then sell a portion of the property to the adjacent property owner, Ensor Lodge No. 729, who will then consolidate the area with their existing parcel.

Land uses in the vicinity include residential, agricultural and commercial. The property to the north and west is a large agricultural parcel, zoned A-U. To the west is a residential parcel, zoned R-1A. To the east is the small Ensor Lodge property, zoned R-1A. Also, to the east is a large agricultural parcel, zoned A-U. Across Roy Wells Road from the subject property is a residential property, zoned R-1A. Across Highway 144 from the subject property are multiple residential properties, zoned R-1A, A-U & B-4.

Highway 144 in this area is classified as a major collector roadway with a 60 foot building setback and 30 foot roadway buffer. Access to the site must be compliant with applicable sections of the zoning ordinance. The Access Management Manual does not apply to this site since it is located outside the urban service area.

SPECIFIC LAND USE CRITERIA
The applicant’s proposal is in compliance with the Comprehensive Plan. The subject property is a single parcel fronting on a public road, Highway 144. The property currently has a functioning septic system. At approximately 5.867 acres, of which a significant portion is already zoned R-1A, the expansion of the existing R-1A zoning will not significantly increase the extent of the zone in the vicinity or overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Recommendations
The planning staff recommends approval subject to the findings of fact that follow:

Findings of Fact:
1. Staff recommends approval because the proposal is in compliance with the community’s adopted Comprehensive Plan;
2. The subject property is located in a Rural Community Plan Area, where rural small-lot residential uses are appropriate in general locations;
3. The subject property is a single parcel fronting on a public road, Highway 144;
4. The property currently has a functioning septic system; and
5. At approximately 5.867 acres, of which a significant portion is already zoned R-1A, the expansion of the existing R-1A zoning will not significantly increase the extent of the zone in the vicinity or overburden the capacity of roadways and other necessary urban services that are available in the affected area.