

FEBRUARY 9, 2017**10505 US HIGHWAY 431****ZONE CHANGE**

From:	R-1A Single Family Residential & A-U Urban Agriculture
To:	A-U Urban Agriculture
Proposed Use:	Residential
Acreage:	2.13 acres
Applicant:	Richard W. Warner, Jr. (1702.1989)
Surrounding Zoning Classifications:	
North:	R-1A, A-U
South:	B-4
East:	A-U
West:	R-1A, A-U

Proposed Zone & Land Use Plan

The applicant is seeking an A-U Urban Agriculture zone. The subject properties are 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 21059CO405D.
- It does not appear that 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 2.13 acre tract located in the Rural Community of Utica and is split zoned R-1A Single

Family Residential and A-U Urban Agriculture. There is an existing single family residential structure on the subject property. Land uses in the vicinity are mostly rural residential and agricultural with some B-4 General Business zoning in the vicinity.

The applicant intends to divide the subject property and place a manufactured home on the newly created tract if the rezoning request is approved. Since the property is currently split zoned the minor subdivision plat dividing the property cannot be approved.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The subject property is a separate lot fronting on a public road, US Highway 431. At 2.13 acres, the lot is large enough to assure satisfactory operation of a conventional septic system, a septic systems exists on the property.

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 has frontage on a public road, US Highway 431; and,
4. At 2.13 acres the lot is large enough to assure satisfactory operation of a conventional septic system, a septic system exists on the property.