

MARCH 9, 2017

2819 SOUTH HAMPTON RD

## ZONE CHANGE

<b>From:</b>	R-1A Single Family Residential & A-R Rural Agriculture
<b>To:</b>	<b>A-R Rural Agriculture</b>
<b>Proposed Use:</b>	Residential
<b>Acreage:</b>	48.952 acres
<b>Applicant:</b>	Charles Dawson (1703.1990)
<b>Surrounding Zoning Classifications:</b>	
<b>North: A-R</b>	<b>South: R-1A</b>
<b>East: A-R</b>	<b>West: A-R</b>

## Proposed Zone & Land Use Plan

The applicant is seeking an A-R Rural Agriculture zone. The subject property is located in a Rural Preference Plan Area, where rural large-lot uses are appropriate in general locations and rural small-lot residential uses are appropriate in very limited locations.

## SPECIFIC LAND USE CRITERIA

### Rural Large-lot 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.

**(b) Frontage on existing roads or on new streets** – In Rural Preference plan areas, new lots may front existing public roads or streets, or may front new subdivision streets that should be constructed to urban specifications including curbs and gutters.

**(d) Coal mining advisory** – Prospective lot owners should be advised of the potential for coal mining activity in rural areas.

### Rural Small-lot 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.

**(c) Only logical expansions of limited scope** – In Rural Preference plan areas, completely new locations of Rural Small-lot Residential use should not be established. However, existing areas of this use may be expanded onto contiguous land, but should not significantly increase the extent of such uses in the vicinity, and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

**(d) Coal mining advisory** – In Rural Preference plan areas, prospective lot owners should be advised of the potential for coal mining activity in rural areas.

## 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 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

All urban services are available to the subject property. Sanitary sewage disposal would be accomplished by an on-site septic system.

#### Development Patterns

The subject property is a 48.952 acre tract located on South Hampton Road and is split zoned R-1A Single Family Residential and A-R Rural Agriculture. Approximately 3 acres of the 48.952 acres are zoned R-1A Single Family Residential. There is one existing agricultural barn on the subject property. Land uses in the vicinity are rural residential and agricultural.

The applicant has submitted a major/minor subdivision plat to divide the subject property creating three large farm tracts over 10 acres each and four lots approximately 1.5 acres each. All of the proposed tracts and lots would have road frontage on South Hampton Road. Since the property is currently split zoned the major/minor subdivision plat dividing the property cannot be approved unless the rezoning is approved.

South Hampton Road in this vicinity is classified as a local county road where access is determined by the County Engineer. Because of the topography in the area, access to the proposed lots and tracts may be limited due to the sight distance. The County Engineer's office should be contacted prior to the construction of any access points along South Hampton Road for the proposed divisions.

## SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The subject property is a separate tract fronting on a public road, South Hampton Road, with no new roads proposed. At only a 3 acre expansion of the existing A-R Rural Agriculture zone the expansion is not a significant increase of the extent of the zone and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. At 48.952 acres, the tract is large enough to ensure satisfactory operation of a conventional septic system.

**Planning Staff Recommendations**

The planning staff recommends approval subject to the condition and findings of fact that follow:

**Condition:**

Contact the County Engineer's office prior to the construction of any access points.

**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 Preference Plan Area, where rural large-lot residential uses are appropriate in general locations and rural small-lot residential uses are appropriate in very limited locations;
3. The subject property has frontage on a public road, South Hampton Road;
4. At only a 3 acre expansion of the existing A-R zone, the expansion is not a significant increase of the zone in the vicinity and it should not overburden the capacity of roadways and other necessary urban services available in the affected area; and,
5. At 48.952 acres the tract is large enough to ensure satisfactory operation of a conventional septic system.