

**SEPTEMBER 8, 2011**

**6295 OLD HIGHWAY 54**

**ZONE CHANGE**

<b>From:</b> A-U Urban Agriculture	
<b>To:</b> R-1A Single-Family Residential	
<b>Proposed Use:</b> Residence	
<b>Acreage:</b> 0.55	
<b>Applicant:</b> James E. & Sherry G. Hale (1109.1817)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> R-1A	<b>South:</b> R-1A
<b>East:</b> R-1A	<b>West:</b> R-1A

**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 farm residential uses are appropriate in general locations.

**SPECIFIC LAND USE CRITERIA**

**(a) Separate lots front 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 and gutter.

**(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 partially located in a special flood hazard area per FIRM Map 21059CO305 D.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

**Urban Services**

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

**Development Patterns**

The subject property is located in the Rural Community of Philpot. Residential structures are the primary use in the area but some commercial zoning does exist in the vicinity.

A minor subdivision plat was submitted to add 0.35 acres to the subject property but since the zoning for the adjacent tracts was not the same, the plat could not be signed until the zonings are consistent. The end result will be two lots that are approximately 0.90 acres each which meets the minimum requirements of the zoning ordinance for lot size within an R-1A Single-Family Residential zone and exceeds the 0.75 acre minimum for lots with septic systems.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The subject property is an existing lot within the Rural Community of Philpot with road frontage on Old Highway 54 which is a county maintained road. The subject property has an existing residence and septic system and a minor subdivision plat has been submitted that will add another 0.35 acres of land to the subject 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 farm residential uses are appropriate in general locations;
3. The subject property is an existing lot with frontage on Old Highway 54; and,
4. An existing residence and septic system are located on the subject property.