

**FEBRUARY 9, 2017**

**7468, 7480 ICELAND RD**

**ZONE CHANGE**

<b>From:</b>	R-1A Single Family Residential & A-R Rural Agriculture
<b>To:</b>	<b>R-1A Single Family Residential</b>
<b>Proposed Use:</b>	Residential
<b>Acreage:</b>	4.829 acres
<b>Applicant:</b>	Charles E. Petri III (1702.1986)
<b>Surrounding Zoning Classifications:</b>	
<b>North: A-R, I-2</b>	<b>South: B-4, I-2</b>
<b>East: R-1A, A-R</b>	<b>West: R-1A, A-R</b>

**Proposed Zone & Land Use Plan**

The applicant is seeking an R-1A Single Family Residential zone. The subject properties are located in a Rural Preference Plan Area, where rural small-lot residential uses are appropriate in very limited 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.

**(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 partially located in a special flood hazard area per FIRM Map 21059CO135D.
- 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 properties are two tracts totaling 4.829 acres and are split zoned R-1A Single Family Residential and A-R Rural Agriculture. Approximately 2.4 acres of the subject properties are zoned R-1A Single Family Residential and approximately 2.4 acres are zoned A-R Rural Agriculture. There are existing single family residential structures on the subject properties. Land uses in the vicinity include rural residential, agricultural, commercial and industrial.

The applicant intends to divide and consolidate the subject properties creating one tract around the house at 7480 Iceland Road which will be less than one acre in size and the remainder of the property will be consolidated with the existing parcel at 7468 Iceland Road and two adjoining parcels at 7506 and 7518 Iceland Road. If the rezoning is approved, the minor subdivision plat reconfiguring the properties must be approved by the full Planning Commission since the resulting parcels at 7506 and 7518 Iceland Road will exceed the 3 to 1 requirement.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The subject properties are separate lots fronting on a public road, Iceland Road. Both properties currently have functioning septic systems. At approximately 2.4 acres, 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 Preference Plan Area, where rural small-lot residential uses are appropriate in very limited locations;
3. The subject properties have existing homes with functioning septic systems;
4. The subject properties have frontage on a public road, Iceland Road; and,
5. At approximately 2.4 acres the expansion does not significantly increase the extent of the zone in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.