

Record of Proceedings: MAPC Public Hearing Held on September 13, 2011

Applicant: Mitchell Caldwell, owner, stated that he would like to divide the parcel of land and place two single family residences on it.

Staff: Mr. Spriggs gave staff comments and noted that under normal R-1 Single Family District standards, you could divide this 1.33 acreage into 8,000 sq. ft. area lots; but, with the minimum lot frontage width, you could not achieve this with the irregularity of the lot. Staff has no problems with this request. The applicant is requesting one of the newer Single Family Districts and in which he would be limited to only two single family units. No additional density would be permitted. Staff concurs with this request and ask that you recommend it on to City Council for a change to RS-7 Single Family District; We ask that you consider modification to the request to RS-7 LUO with the listed conditions.

Public Input: NONE.

Mr. Hoelscher: Is this lot 100 ft. wide? **Mr. Spriggs:** Yes. **Mr. Hoelscher:** In the previous case on Washington, why would that not apply to this? **Mr. Spriggs:** Because of the district standards. In the Washington Street case, it was R-2, at a 50 ft. lot requirement. They were lacking that requirement. The RS-7 would permit you to do 50 ft. wide lot frontage in this case.

Mr. Spriggs: Because of the Future Land Use Plan recommending this area for High Density Single Family Residence (which means smaller lot constraints), Staff feels that this request is consistent.

Mr. Hoelscher: Is there nothing that would prevent them from building to the maximum density?

Mr. Spriggs: The Staff recommendations as structured would prevent that and hold it to only 2 single family residences, because of the limited 100 ft. of road frontage.

Mr. Kelton: The house to the east is for sale and the other side is C-3 General Commercial use. Because you will have 50 ft. wide lots, will the homes be conforming to the houses in the area?

Mr. Caldwell stated that they will be equal to or exceed the value of the existing homes. **Mr. Kelton:** A couple of homes would make a good buffer between those houses and the automotive use to the east.

Mr. White: These lots have a great depth; what about accessory buildings. **Mr. Spriggs:** They would have to be built in the rear yard and placed at least 7.5 ft. from the rear and side property lines. **Mr. White:** Square footage limitations? **Mr. Spriggs:** The structure would have to be insubordinate to the principle structure and less than the overall footprint area of the home.

Mr. Spriggs added that Lot 2 would have a very large rear yard. **Mr. Caldwell:** Stated that he had spoken to the City Engineer about donating a portion of the large back lot for an area retention pond (1/3 of an acre). **Mr. Spriggs:** That area of the lot is floodplain.

Commission Action: Motion was made by Mr. White to consider approval of Rezoning Case RZ11-17 based on the Staff recommended conditions and make recommendation to City Council accordingly; Motion was 2nd by Ms. Norris.

Roll Call Vote: Mr. Kelton- Aye; Mr. Hoelscher- Aye; Mr. Scurlock- Aye; Mrs. Nix- Aye; Mr. White- Aye; Mr. Tomlinson- Aye; Ms. Norris- Aye; Mr. Dover- Absent; Mr. Roberts- Chair.
7-0 Vote unanimously approved.

Conclusion:

The MAPC and the Planning Department Staff recommend approval of the requested Zone Change submitted by Mitchell Caldwell, Case RZ11-17, RS-7, L.U.O. to the City Council for rezoning. It is important to Staff that all the issues cited above be addressed by the applicant with a number of stipulations addressing those issues such as the following, and any that may result from the public hearing:

1. That the proposed development shall satisfy all requirements of the City Engineer, satisfying all requirements of the current Stormwater Drainage Design Manual.
2. That the density shall not exceed 2 single family homes/lots maximum.
3. The applicant agrees to comply with the recommendations for right-of-way of 60 ft. as required by the Master Street Plan.