

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Final Plat of the Resubdivision of Lots 1, 3, & 4 of the James Christian property
No. of Lots Proposed: 4 **No. of Lots Approved:** 0
Variances Requested: Reduce the right-of-way width in front of lot 1 to allow a distance of 26 ft to the centerline.
S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve the variance request to reduce the right-of-way in front of Lot 1 because the existing house is too close to the right-of-way line.

Approve the final plat because it is in compliance with the Subdivision Regulations.

Staff Recomm. (Full):

Comments:

- 1) This plat is a resubdivision of four properties along Wilson Road. There are a few complications with the plat that cause a need for the requested variance.
- 2) Wilson Road is classified as a major collector and requires a 60-ft right-of-way according to the 2018 Major Road Plan. The right-of-way width in front of lot 1 is approximately 52 ft wide, so there needs to be an additional 8 ft of right-of-way at this location.
- 3) In 1977, Lots 2 and 4 were platted, and Lot 1 was created in 1988. These plats created a void where lot 3 is located. Since Lot 3 was never platted, this plat technically creates an additional lot and right-of-way dedication is required.
- 4) The lot across the street was platted in 2004 showing 30 ft to the centerline of the right-of-way on that side of the road. This being the case, the additional 8 ft would have to be dedicated from this lot for the right-of-way width to be in compliance with the Major Road Plan.
- 5) The house on Lot 1 was built in 1935. The plat of Lot 1 in 1988 created a nonconformance at the time, as the house is located 18.5 ft from the right-of-way line, and the R-1 zoning at the time of the plat required a 25-ft front setback. It does not appear that a variance or right-of-way dedication was required, and the plat recorded the lot as it is shown today, with a nonconforming front setback.
- 6) The Subdivision Regulations state that a plat cannot make a nonconforming situation worse. The house on Lot 1 is 18.5 ft from the right-of-way line, so the 8-ft dedication would put the house 10.5 ft from the right-of-way line. The applicant is seeking a variance from the right-of-way dedication requirement of the subdivisions.

Action: Approved

Meeting Date: 4/14/2022

Details of Action:

Summary of Action: Approve the variance request to reduce the right-of-way in front of Lot 1 because the existing house is too close to the right-of-way line.

Approve the final plat because it is in compliance with the Subdivision Regulations.

Date of Approval: 4/14/2022

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: