CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

FINAL PLAT



Application Filed: 3/7/2022 Date of Revision:

Applicant: NED FERGUSON



PROPERTY INFORMATION

General Location: Northwest side of Wilson Rd, east of Wilson Heights subdivision

Other Parcel Info.:

Tax ID Number: 80 E C 049, 04901, & 04903 **Jurisdiction:** City

Size of Tract: 2.36 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:

Surrounding Land Use:

Proposed Use: Density:

Sector Plan: Northwest City Sector Plan Designation:

Growth Policy Plan: N/A (within City limits)

Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 1635 1637, 1641, and 1647 Wilson Rd.

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

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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":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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