

STAFF COMMUNICATION

FOR MEETING OF	7/7/22
PLANNING COMMISSION	
INFORMATION ONLY	

City of Bel Aire

STAFF REPORT

DATE: 07/01/2022

TO: Bel Aire Planning Commission

FROM: Keith Price

RE: Agenda

SUMMARY:

❖ **ZON-22-03 BEL AIRE LAKES – rezone to-single family residential use as R-5 zoning district (Preliminary plat update in packet) (Formally Sham Way Estates)**

The city advertised the hearing in the Ark Valley newspaper and property owner notification. To date there hasn't been any calls from citizens. A staff report is in the packet lining out a few items sent to the developer. Staff received the updated preliminary Plat as part of the boundary to show the zoning area.

1. The character of the neighborhood;

- i. The subject property is zoned AG since annexed in the city in the 2000's; Cedar Pass (previously Rock Spring 5th) is south, west is unplatted AG, North is land the city rezoned to M- 1 this year, east is AG zoned property. No improvements have been made to the surrounding properties yet. The zoning and uses of properties nearby: AG, R-5, C-1, and M-1

2. The suitability of the subject property for the uses to which it has been restricted;

- i. City staff has compared this request to the approved Master growth Plan.

3. The extent to which removal of the restrictions will detrimentally affect nearby property.

- i. City staff no adverse effect is expected if drainage, and access into the development can work with the known flood plain.

4. The length of time the subject property has remained vacant as zoned;

- i. Since annexed into the city in the 2000's.

5. The relative gain to the public health, safety and welfare by the destruction of the value of petitioner's property as compared to the hardship imposed upon the individual landowners;

- i. No hardship is expected to be caused by the development if the concerns are addressed and sized to meet the conditions and confinements.

6. Recommendations of permanent staff;

- i. Yes conditionally, because 2018 Master Growth plan was approved by City Council. R-5 and R-5b can allow single-family housing and the current comprehensive plan vision map indicates residential housing. The vision map does show the possibility of a park in the floodplain areas. Housing size of 1,200 s.f. living space is small and is the minimum for R-5; R-5b is 1,170 s.f. and would be a mental sigma to be concerned with the future house to your normal 1,400-2,000 s.f. house could have as little as 1,170 s.f.

7. Conformance of the requested change to the adopted or recognized master plan being utilized by the city.

- i. Yes the 2018 Master Growth plan

The opinions of other property owners may be considered as one element of a decision in regard to the amendment associated with a single property, however, a decision either in support of or against any such rezoning may not be based upon a plebiscite of the neighbors.

❖ V-22-02, vacation of a portion of platted building setback line, to allow a 15' setback line, in Replat of Lawn Terrace Addition.

The city advertised the hearing in the Ark Valley newspaper and property owner notification. No citizens have contacted the city to date regarding the request. Staff review is in the packet. Primary utility providers had no requests. Normally a request for a building setback alteration wouldn't be considered for in the middle of a block. The factors at play:

- 1) The quantity lots on the block is two in the neighborhood and a few more in the undeveloped platted sunset addition.
- 2) the corner lot has the building set back at 15'.
- 3) The vision triangle wouldn't be impacted if the Sunset addition was built out as platted.
- 4) The value of the garage addition and house remodel will increase the house value.

- due and legal notice has been given;
 - no private rights will be injured or endangered; the public will suffer no loss or inconvenience;
 - and in justice to the petitioner(s) the vacation should be granted; then the Planning Commission shall recommend that such vacation be approved and such decision shall be entered in the minutes, including an explanation of such decision, and a recommendation of approval shall be submitted to the Governing Body.
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❖ Vote for Chairman and Vice Chair

You know what to do.



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