

MEMORANDUM

Business Item D

From: Administrator/Staff

To: Plan Commission

Re: Plan Commission review & recommendation on a Certified Survey Map (CSM) Review Application submitted by McMahan Associates Inc, on behalf of Clayton Development Group, LLC to establish zero lot lines for the planned Twin Homes to be located on Tax ID #006-1805 (2642 and 2644 Princeton Dr) & Tax ID #006-1806 (2648 and 2650 Princeton Dr).

Please find the below comments from Code Administrator Greenberg:

1. The applicant is proposing to create four lots from two existing lots of record.
2. Each proposed lot would contain one unit of a Twin Home, which is defined and regulated in the Town’s Zoning Ordinance (“Ordinance”).
3. The lots are zoned R-3 Two-Family which allows for Twin Homes as a permitted use, provided that all Ordinance standards are met.
4. No additional right-of-way dedication is required.
5. All proposed lots are 6,885 sq. ft. in area. **This complies with the 5,000 sq. ft. minimum lot size requirement for Twin Homes on sewer R-3 lots.**
6. The proposed lots provide 51 ft. of width. **This complies with the 43 ft. minimum lot width requirement for Twin Homes on sewer R-3 lots.**
7. The proposed lots provide 51 ft. of road frontage. **This complies with the 34 ft. minimum road frontage requirement.**
8. The proposed lots provide 33.6 ft. of street yard. **This complies with the 30ft. minimum street yard requirement.**
9. The proposed Twin Home meets the minimum floor area requirements and there is no maximum floor area ratio for a Twin Home in the R-3 District.
10. The adjacent lands abutting the rear yard only (to the north) are zoned R-4 Multi Family which has more restrictive side yard and rear yard requirements. Per Note 7 of the R-3 District Dimensional Standards: *“Lots abutting more restrictive district boundaries shall provide side and rear yards not less than those required in the more restrictive abutting districts.”* The proposed lots provide side yard and rear yard setbacks from the principal structures as follows, the more restrictive R-4 District requirements are noted in parenthesis:

	<u>Required</u>	<u>Lot 1</u>	<u>Lot 2</u>	<u>Lot 3</u>	<u>Lot 4</u>
Side yard	9 ft. (25 ft.)	11.1 ft.	10.9 ft.	10.9 ft.	11 ft.
Rear yard	25 ft. (40 ft.)*	48.9 ft.	48.9 ft.	48.1 ft.	48.1 ft.

11. The proposed lots meet the rear yard requirements of the more restrictive R-4 District.
12. The proposed lots meet the rear yard requirements of the R-3 District, **but do not meet the side yard requirements of the R-4 District.** With that said, it is Staff’s interpretation that the intent of the provision was to apply the more restrictive district side yard and rear yard requirements individually, based on whether the adjacency

was along the side lot line, rear lot line, or both. Based on the above interpretation, the proposed CSM would meet the side yard requirements.

Staff Recommendation:

The following items should be addressed prior to final approval/Town signatures:

- Written agreement required per Chapter 9.08-256 of the Ordinance. Dwelling units in a Twin Home shall be subject to a joint cross-access and maintenance agreement as approved by the Zoning Administrator. Such agreement shall be recorded with each lot in the office of the Register of Deeds for Winnebago County.
- The surveyor's certificate shall be signed, sealed with the same revision dates on all pages.
- The side yard and rear yard information noted is based on a Two-family residence which is incorrect. It should be updated to reflect the specific side yard and rear yard requirements for Twin Homes on the subject lot or should be removed entirely from CSM. Since the adjacent R-4 District results in additional modifications to R-3 District standards, I recommend the required side yard and rear yard notes be removed entirely to avoid confusion in the future.

SUGGESTED MOTION

Motion to recommend approval of the CSM Review Application submitted by McMahon Associates Inc, on behalf of Clayton Development Group, LLC with the three (3) listed Staff Recommendations.

Respectfully Submitted,
Kelsey