

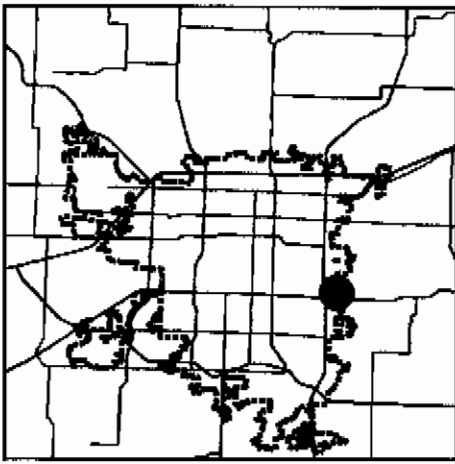
Zoning & Subdivision Report

Planning & Development - 417/864-1611
840 Boonville - Springfield, Missouri 65801

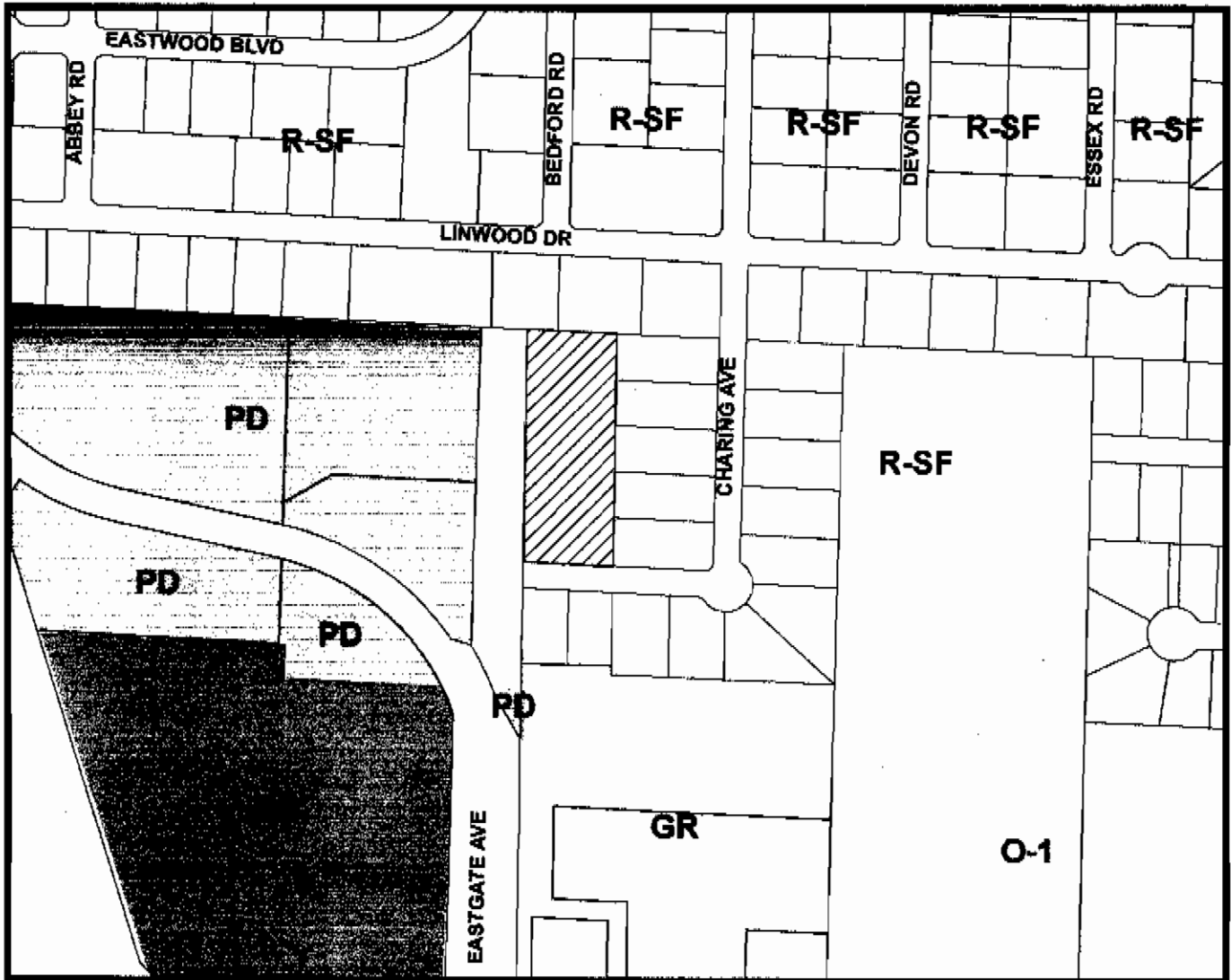
Subdivision Variance 332

Location: 3609 E. Stanford Street

Current Zoning: R-SF, Single-Family Residential



LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

Zoning & Subdivision Report

*Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri 65801*

SUBDIVISION VARIANCE NUMBER 332

DATE: September 30, 2009

PURPOSE:

The applicant is requesting a variance from Section 407(2) of the Subdivision Regulations, which requires all lots to abut by their full frontage on a publicly dedicated street.

BACKGROUND:

LOCATION: 3609 E. Stanford Street

APPLICANT: Mark Epps

TRACT SIZE: 1.2 Acres (Approximately)

EXISTING USE: vacant land

PROPOSED USE: single-family residential uses

RECOMMENDATION:

Staff recommends the Subdivision Variance be **approved** to allow the subject property to be subdivided, thus creating a lot that abuts by less than its full frontage on a publicly dedicated street.

FINDINGS:

1. The requested subdivision variance satisfies the conditions for variance approval outlined in Section 106(3) of the Subdivision Regulations.
2. The applicant will be required to leave a minimum of fifty (50) of frontage for a future residential street extension as part of an administrative re-plat.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

Attachment A – Staff Background Report

Attachment B – Approval Criteria

Exhibit I – Proposed Administrative Re-plat of Lot 4 of The Gardens at Eastwood Hills

ATTACHMENT A
BACKGROUND REPORT
SUBDIVISION VARIANCE NUMBER 332

APPLICANT'S PROPOSAL:

The applicant is proposing an administrative replat to Lot 4 of The Gardens at Eastwood Hills. The purpose is to create one additional residential lot and leave a minimum of a fifty (50) foot wide portion of the property for a future street extension.

HISTORY:

The final plat for The Gardens at Eastwood Hills was approved and recorded on July 26, 2006. It created a four (4) lot residential subdivision.

TRAFFIC ENGINEERING COMMENTS:

No objections to the flag lot.

STORMWATER COMMENTS:

No objection to flag lot configuration.

BUILDING AND DEVELOPMENT COMMENTS:

No objections to flag lot. The administrative re-plat will need to have a front yard setback line for the flag lot located a minimum of 25 feet north of the rear lot line of the non-flag lot.

SANITARY SERVICE COMMENTS:

No issues.

STAFF COMMENTS:

1. The proposed administrative re-plat will create one additional lot that will have partial frontage (approximately 50 feet) along Stanford Street. Staff is supportive of this request for a lot with partial frontage. Staff will not support any additional subdivision of Lot 4 into tracts without public street frontage.

ATTACHMENT B
APPROVAL CRITERIA
SUBDIVISION VARIANCE NUMBER 332

Section 106 of the Subdivision Regulations states in part:

Conditions of Variance Approval. No variance shall be granted unless it is found that:

1. There are special and unusual circumstances affecting said property such that the strict application of the provisions of this Article would deprive the owner of the reasonable use of his land and is not the mere granting of a privilege;

APPLICANT'S RESPONSE:

There are special and unusual circumstances affecting said property such that the strict application of the provisions of this Article would deprive the owner of reasonable use of his land and is not the mere grant of privilege, and due to Lot 4 being long and narrow and not conforming in size or shape to the surrounding lots a variance would allow for a lot to be created that would be more in tune with the neighboring lots. Merely splitting Lot 4 in half would make the situation worse and would make development of the north portion of the property impractical.

2. The variance is necessary for the preservation and enjoyment of a substantial property right of the owner, and;

APPLICANT'S RESPONSE:

The variance is necessary for the preservation and enjoyment of a substantial property right of the owner, and in order to more fully utilize the existing infrastructure (sewer, water, gas, electric and stormwater) a variance would be necessary to split Lot 4 into two lots. This would allow the owner to maintain ownership of the remaining land on Lot 4 for future development.

3. The granting of the variance would not be detrimental to the public safety, convenience or welfare or be injurious to other property in the vicinity.

APPLICANT'S RESPONSE:

The granting of the variance would not be detrimental to public safety, convenience or welfare or be injurious to other property in the vicinity since the existing infrastructure would be able to handle an additional lot and future structure, and the property in the area would benefit from the lot being finished (fenced and yard) with a new house being built.

STAFF COMMENTS: The Planning and Zoning Commission must first decide if all of these conditions are met before this variance can be approved.