



PROJECT REPORT

TO: Planning Commission
FROM: Jennifer Howland, Senior City Planner
DATE: October 27, 2009
PROJECT: P2009-18: Estate of Everett Pfeiffer Zoning Amendment

Location: 1006 Hartman Lane, O'Fallon
Applicant: Joanne Lauber, Executor
Owner: Estate of Everett Pfeiffer
Submitted: October 1, 2009

Project Summary

The applicant, Joanne Lauber, Executor for the Estate of Everett Pfeiffer, has filed an application requesting approximately 1 acre of land be rezoned from "A," Agriculture District to "SR-1", Single-Family Residence Dwelling District for use as a single-family residence. The property is located at 1006 Hartman Lane in O'Fallon.

In connection with this zoning amendment, a minor subdivision will be recorded creating two lots – Tract 1, which is the location of the zoning amendment (1 acre), and Tract A, which is the remainder of the property (14.74 acres). The applicant proposes to subdivide said 1 acre of land off of the existing 15.74 acre parcel so she may sell the 1-acre parcel to her son. The 1-acre parcel includes a single-family house. This rezoning only affects the 1-acre parcel; the remaining 14.74 acres will stay in the Agriculture District.

The property must be rezoned because the applicant desires to subdivide a 1-acre parcel, which includes a single-family home, off of the parent parcel, and the minimum lot size in the Agriculture District is 3 acres. Therefore, the 1-acre parcel must be rezoned to "SR-1" Single-Family Residence Dwelling District.

Existing Conditions

Surrounding Zoning:	Surrounding Land Use:
North: SR-1B and SR-2	North: residential
East: SR-1B(P)	East: residential (vacant)
South: SR-1B(P)	South: residential
West: A	West: rural residential

Applicable Ordinances, Documents and Reports

O'Fallon Comprehensive Plan: The O'Fallon Comprehensive Plan Future Land Use Map depicts the subject property as *Single Family Residential*, which is consistent with the proposed rezoning.

Zoning Ordinance: The property is subject to the SR-1, Single-Family Residential Dwelling District requirements.

Public Notice: Public Notice of this project has been fulfilled in accordance with Section 8.03 and 8.04 of the City of O'Fallon Zoning Regulations. More specifically, the applicant has notified property owners within 250 feet of the subject property via certified mail of the filing of the zoning amendment. Additionally, the City has notified property owners within 250 feet of the subject parcel of the public hearing at least 15 days prior to the hearing and published notice of the public hearing in a local newspaper at least 15 days in advance. Proof of notification is on file with the City's Planning and Zoning Department.

Discussion Points/Issues

Land Use

The subject property is identified as *Single Family Residential* in the Comprehensive Plan. The subject property is surrounded by residential uses on all sides. The proposed use of the property as a residence is consistent with the Comprehensive Plan. The property must be rezoned because the applicant desires to subdivide a 1-acre parcel, which includes a single-family home, off of the parent parcel, and the minimum lot size in the Agriculture District is 3 acres. Therefore, the 1-acre parcel must be rezoned to "SR-1" Single-Family Residence Dwelling District.

The Plat of Survey shows a metal shed on the eastern property line between Tract 1 and Tract A. This metal shed will be removed.

Ingress and Egress

The existing driveway off of Hartman Lane will remain. The proposed subdivision will leave a 60 ft wide piece of property to the west of Lot 1, which will provide access to the rest of the parent parcel for future development.

Utilities

The property is served by City of O'Fallon Water and Caseyville Township Sewer District.

Review and Approval Criteria: Section 8.030 of Article VIII "Amendments, Hearings & Applications" lists several criteria for evaluating property rezonings:

- a) The existing uses and zoning of nearby property;
- b) The extent to which property values are diminished by the particular zoning restrictions;
- c) The extent to which the destruction of property values of plaintiff promote the health, safety, morals or welfare of the public;
- d) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- e) The suitability of the subject property for the zoned purposes;
- f) The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the subject property;
- g) The care that the community has taken to plan its land use development; and
- h) The community need for the proposed use.

Staff Recommendation

Staff recommends approval of the rezoning with the following conditions:

1. The existing metal shed at the eastern property line between Tract 1 and Tract A must be removed.
2. A minor subdivision plat creating Tract 1 and Tract A must be approved by the City Council at the same time or prior to the zoning amendment.

Attachments

Attachment 1 – Project Application

Attachment 2 – Zoning Map & Sidwell Map

Attachment 3 – Plat of Survey

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