

**ZONING COMMITTEE
RECOMMENDATION
December 19, 2007**

Rezoning Petition No. 2007-087

Property Owner: Tessie Ruff and Amy Carver

Petitioner: Amy Carver

Location: Approximately .49 acres located on the southeast corner of Spencer Street and E. 37th Street.

Center, Corridor or Wedge: Wedge

Request: R-5, single family residential to R-6(CD), single-family residential, conditional district

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Vote:

Yeas:	Howard, Johnson, Lipton, Loflin, Randolph, Rosenburgh, and Sheild
Nays:	None
Absent:	Sheild
Recused:	None

Summary of Petition

This petition would rezone a 0.49-acre parcel from R-5 to R-6(CD) for the creation of two single-family lots. The developer proposes to build a second single family home next to the existing residence. There is sufficient acreage to subdivide this lot under the existing zoning, but the zoning ordinance requires 100 feet of street frontage for two lots in the R-5 district, and the petitioner's lot is 95 feet wide. The R-6 zoning district requires less street frontage for single-family homes.

Zoning Committee Discussion/Rationale

Keith MacVean reviewed the petition and noted that staff was comfortable with the request and was recommending approval. The Commission asked what the FAR and the open space for the development. Mr. MacVean explained that FAR's do not apply in the R-6 district and that the petitioner has mistakenly listed them on the site plan. He also indicated that open space

indicated on the plans was not the correct percentage for a R-6 lot and would have to be corrected.

Consistency Statement

A motion was made by Commissioner Loflin, seconded by Commissioner Rosenburgh, to find this proposal to be consistent with the *Northeast Transit Plan* and to be reasonable and in the public interest. The motion passed unanimously.

Vote

Upon a motion by Commissioner Johnson, seconded by Commissioner Loflin, the Zoning Committee voted unanimously to recommend APPROVAL of this petition.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.