

CITY OF GREEN
Planning Department Review
PLANNING & ZONING COMMISSION

April 20, 2022

Item 22-24

Raintree Estates Phase II Replat #3

(C. Cornacchione, Property Owner, Lot 77)

(B. Harris, Property Owner, Lot 76)

(J. Rainieri, Property Owner, Lot 73)

Location: Greenview Drive/Spyglass Way

Subdivision Replat

Zoning: R-1

PLANNING DEPARTMENT

Applicant is presenting Replat #3 of Raintree Estates Phase II. The proposed replat involves the modification of property lines between existing Lots 73, 76, and 77.

This replat is being initiated by the owners of Lots 76 (2536 Greenview Drive) and 77 (2524 Greenview Drive), which contain single-family residences. In this case, both lots have rear lot lines abutting Lot 73, which is still owned by the original developer of the allotment. This lot, located on Spyglass Way, is vacant except for an existing gas/oil well. The lot owner has recently removed a tree buffer that encircled the fenced well and the Lot 76/77 owners are seeking to purchase portions of Lot 73 so they can each establish a new tree buffer to the well area for beautification and privacy. A copy of the original plat is attached for reference and also indicates a 65' radius wellhead surface working easement around the well.

Per the replat, the original Lot 76 would gain 0.0214 acres for a replatted total of 0.4230 acres (Lot 76-R). The original Lot 77 would increase by 0.0338 acres to 0.4824 acres (Lot 77-R). This addition of land to the two lots would result in the decrease of Lot 73 to 0.3712 acres (Lot 73-R). All lots were platted under a previous code that permitted minimum 13,600 SF (0.313 acres) lots with central sanitary sewer service. These lots are now non-conforming under the current code, which requires a minimum 21,780 SF (one-half acre) lot size. As the existing non-conforming Lot 73 would be decreasing in area, a variance is required from the Planning & Zoning Commission. No variances are required for the two lots that would increase in area. A variance would also be required from the Board of Zoning Appeals for the proposed area of Lot 73.

Per applicants, the well is not producing and there is a possibility it can/will be abandoned. The lot currently has a 30' wide buildable area between the 50' front setback line and the easement. If abandoned, the easement would be eliminated and buildable area would not be restricted by it (only by required setbacks).

If approved, deeds for the new replatted lots will be required (for recording with replat document).

The Planning & Zoning Commission is being asked to review the proposed replat and make a recommendation to City Council.

DESIGN REVIEW BOARD

No review required.

ENGINEERING

No comments requested.

FIRE

No comments requested.

ZONING

No comments requested.

STAFF RECOMMENDATION

Staff recommends that the variance for the proposed lot area of Lot 73 be granted by the Planning & Zoning Commission. The proposed 0.3712-acre lot would still be larger than some of the existing lots within this allotment and would remain buildable. Staff, therefore, recommends a favorable recommendation by the Planning & Zoning Commission to City Council for acceptance of the proposed replat contingent upon the applicant's receipt of a variance from the Board of Zoning Appeals. Any remaining technical revisions of the replat document and deeds are required prior to recording with the County.