



STAFF REPORT

DATE: March 24, 2023

TO: The Planning Commission

FROM: Clinton Spencer, AICP, Planning Manager

SUBJECT: Consideration for Preliminary Plat approval of a two (2) lot residential subdivision known as Helsten Subdivision, Plat A, located generally at 13752 S 7300 West in the A-1-43 (Agricultural) Zone. (Public Hearing)
Applicant: Palmer Helsten (owner)
Acres: ±2.37
File No: S2022-090

RECOMMENDATION:

Staff recommends the Commission approve the following findings:

- The proposed plat complies with all zoning and required zoning conditions.

Staff recommends ***approval of*** a Preliminary Plat for the Helston Subdivision, Plat A, located generally at 13752 S 7300 West in the A-1-43 (Agricultural) Zone with the following requirements:

1. Comply with the requirements of the City Code, the adopted engineering standards, and any final plan corrections identified by the City.
2. Provide a six-foot (6') privacy fence on all sides of the flag lot, including both sides of the staff portion of the lot, as per City Code 10-29-18(B)(14).

ISSUE BEFORE COMMISSION:

Based on the enclosed findings, should the Planning Commission approve the proposed preliminary subdivision plat to create two (2) residential lots?

If approved by the Planning Commission with any required conditions, the applicant will continue working with staff to make all necessary corrections before the plat is recorded and any building permits are issued.

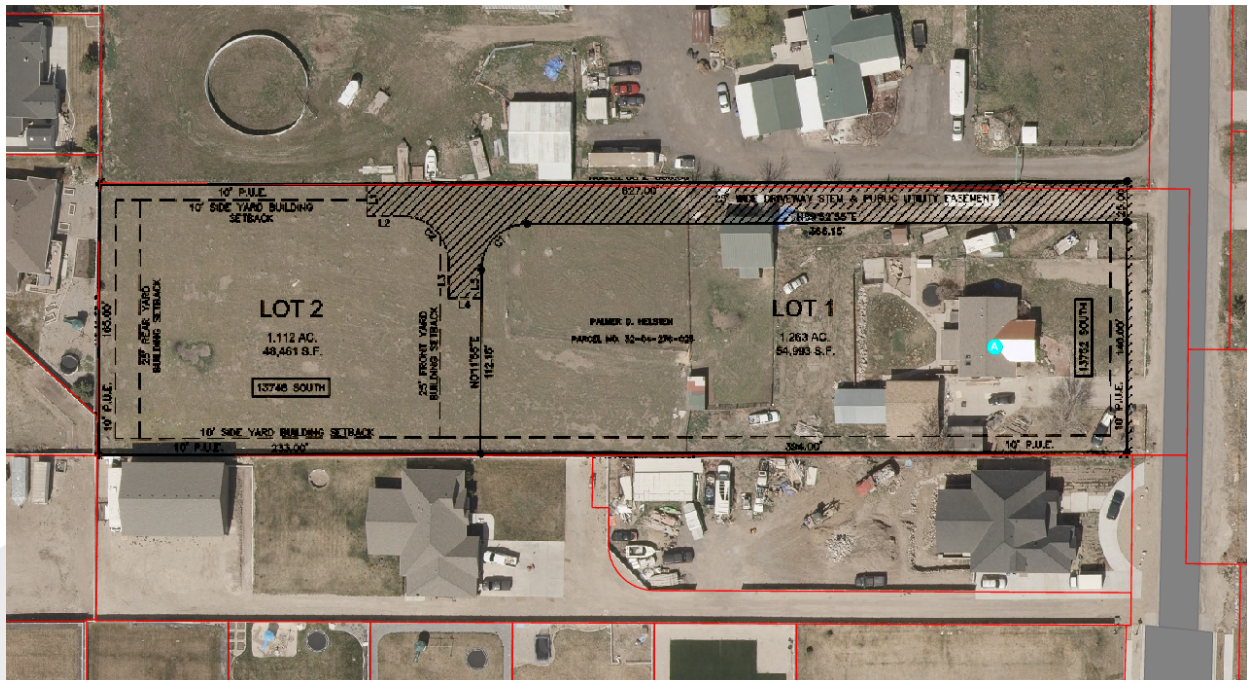
BACKGROUND & SUMMARY:

The applicant has requested preliminary approval of the Helsten Subdivision, Plat A. The plat includes two (2) residential lots. Lot 1 contains 1.26 acres, and Lot 2 contains 1.11 acres.

Lot 1, which faces 7300 West, is currently occupied by a single-family home, a detached garage, and a barn which will remain on the subject property. Lot 2, which area is currently vacant, is a “Flag Lot.”

Lot 2 is accessed from 7300 West by a twenty-five (25’) foot wide driveway on the north side of Lot 1. A fire turn-around is also provided on the plat on the northeast corner of the lot. The front, side, and rear yards of Lot 2 are designated as shown on the subdivision plat. The existing fence on the north side of the subdivision will be maintained in place.

The City will also receive a road dedication along 7300 West as part of this subdivision.



DISCUSSION:

Engineering Review:

Staff Finding – Engineering has reviewed the proposed subdivision and has no unresolved concerns.

Zoning Ordinance Compliance:

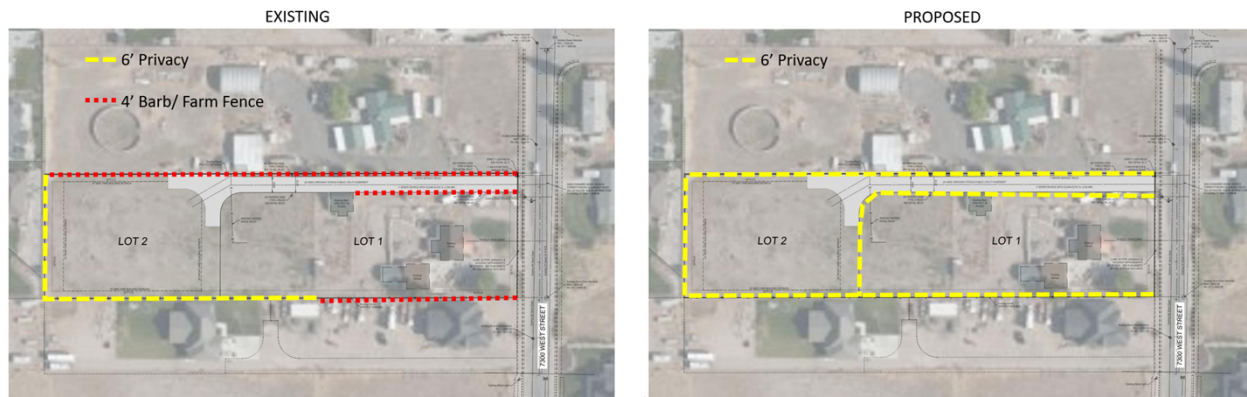
Staff Finding: The applicant proposes a “Flag Lot” subdivision that is not typically allowed along a collector or arterial street. However, there is an exception for flag lots on a collector or arterial street when the subdivision contains two (2) acres or more, which this subdivision does.

City ordinance requires a six-foot (6') privacy fence on all sides of the flag lot, including the staff portion. This requirement may be waived by the Commission to “avoid double fencing, preserve mature vegetation, or maintain clear views for public safety” (see City Code 10-29-18(B)(14)).

The property's existing fence consists of the following:

- A four-foot (4') tall barbed wire or farm fence along the north property line and drive access, and
- A six-foot (6') vinyl fence on the west and south sides of the property.

Before the publication of this staff report, the applicant had yet to request a waiver or modification of this fence requirement.



Staff recommends (1) that all sides of the flag lot comply with the fencing requirement and (2) that any existing non-complying fence be replaced with the six (6') foot privacy fence as shown above.

Access to the flag lot is longer than 220', which by City ordinance requires Planning Commission approval after the Fire Department has reviewed and approved the subdivision. The staff has received Fire Department approval for the extended driveway length for Lot 2 and recommends Commission approval as well.

Lastly, all lot sizes comply with the ordinance for lots in the A-1-43 Agricultural Zone.

In conclusion, the staff finds that the proposed subdivision with the recommended conditions meets the approval standards.

ALTERNATIVES:

The Commission may consider the following alternatives:

Alternatives	Recommendation	Pro – Considerations for Alternative	Con – Considerations against Alternative
Approve proposal as submitted		Approval will facilitate the development of one new home in the City	Approval without staff recommendations does not reiterate for the public record the requirement to comply with City standards that are specific to the application
Approve proposal with conditions	Yes	Approval will facilitate the development of one new home in the City	Based on the provided information, the Commission may determine whether additional conditions are warranted
Postpone proposal (with or without date)		The Commission may identify additional issues that warrant further research and review based on the provided information. A motion to postpone should identify what additional information is required	Staff has not identified any issues that would warrant further postponement
Deny proposal		Based on the provided information, the Commission may find that a motion to deny is warranted (identify findings and applicable standards in motion)	Staff has not identified any findings that warrant denial

ATTACHMENTS:

- A. Application
- B. Vicinity Map
- C. Preliminary Plat
- D. Existing Property Plat
- E. Public Notice