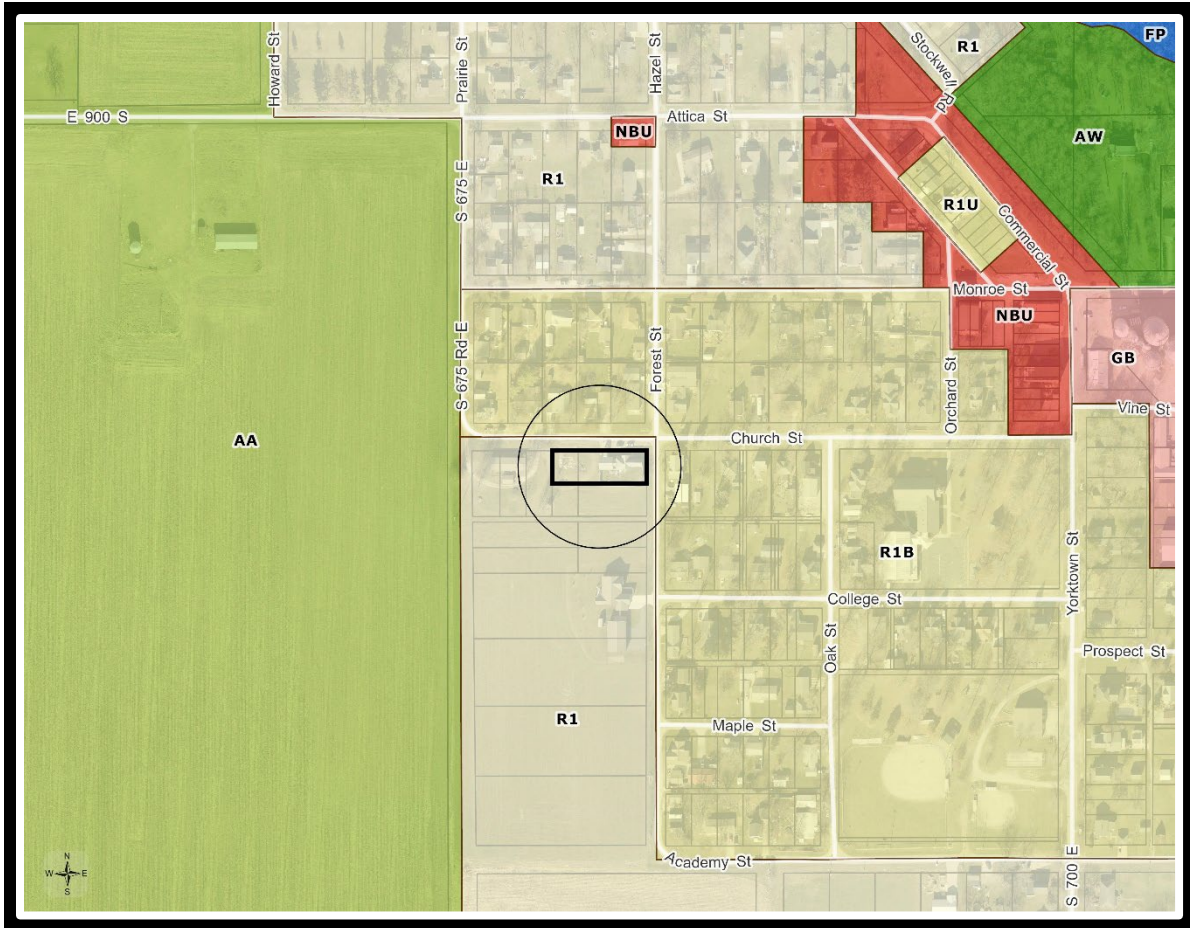

Z-2885
SHANE ALBREGTS
(R1 to R1B)

STAFF REPORT
April 13, 2023



REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who shares ownership of the property with Chris Tabor, is requesting a rezone of 1½ residential lots located at the southwest corner of Church and Forest Streets, specifically 6825 Church Street in the unincorporated town of Stockwell, Lauramie 8 (NE) 21-3. The owners would like to build a second house on the partial lot to the west of the existing house on the corner.

ZONING HISTORY AND AREA ZONING PATTERNS:

The site in question, as well as adjacent platted lots to the west and south, is zoned R1, Single-family Residential. Beyond these platted lots, and Prairie Street to the west which marks the edge of town, land is zoned AA, Select Agricultural. Across Church Street to the north, and Forest Street to the east, lots are zoned R1B, Single-family Residential with a higher permitted density.

AREA LAND USE PATTERNS:

The 1½ lots in this request have an existing house on the corner and a fenced yard surrounding the building. The aerial for the “half lot” to the west shows the old foundation of a building, likely a detached garage that has since been removed. Single-family homes line the north side of Church Street; a single house exists west of the site in question. To the south are platted lots that, except for a single house, have never been improved and are used in crop production. Single-family homes also line the east side of Forest Street.

TRAFFIC AND TRANSPORTATION:

Church and Forest Streets are both narrow, paved local streets in the town of Stockwell.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The existing house, like the town, is served by the Stockwell Regional Sewer district and by an individual water well. Likewise, a second house constructed here would also be served by the town sewer and well.

STAFF COMMENTS:

The owners of this land would like to record an “exemption E deed” to move the lot line splitting these two lots, approximately 40 to 45’ farther to the east. The unfenced portion of the lot with the house would be added to the existing half lot to the west, making this half lot viable for building a second single-family dwelling.

Because the existing R1 zone requires lot widths of 75' and a lot area of 10,000 square feet, using exemption E to move the lot line is not possible. There is not enough land area in these 11/2 lots to meet the lot area requirement for two buildable lots. Rezoning to the R1B zone, with a 50' lot width and 6,000 square foot lot size requirements, will allow the "exemption E deed" to be used to move the lot line and create two viable, conforming, buildable lots. With R1B zoning adjacent to the north and east, a rezone here would not be a "spot" zone intruding into the area, but a simple enlargement of the existing R1B zoned area.

The unincorporated town of Stockwell worked with staff last year to create the *Stockwell Land Use Plan*, which was adopted by the County Commissioners last October. The *Plan* encouraged residential infill development of the town and residential zoning of the existing platted lots along the edges of the town. This request from one residential zone to another on platted land on the edge of Stockwell follows the objectives of the *Stockwell Plan*.

STAFF RECOMMENDATION:

Approval