

# STAFF EVALUATION

To: Planning Commission

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728-5231

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727-6140

Case: Rezoning Application No. 1258

Date: September 6, 2007

## General Information

Applicant/Owner David Tilghman

Purpose Rezone .50 ± acre at 618 Beach Road from Neighborhood Commercial District (C-1) to One-Family Residential District (R-11).

Location



618 Beach Road (LRSN10000312)

Existing Conditions Single-family home

Dwelling Size: 1830 ± square feet; Lot Size: 20691 square feet; Frontage: 99.5 feet

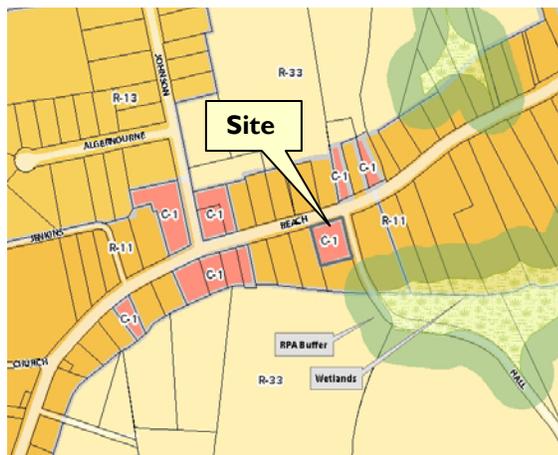
Zoning The current zoning is Neighborhood Commercial District (C-1), which permits retail sales of convenience goods and personal services, multifamily dwellings, and office use. The requested zoning category is One-Family Residence District (R-11). This district permits single family homes on minimum lot sizes of 9,000 square feet, dwelling units of at least 1,700 square feet, and a 70 foot frontage. According to the property's dimensions, the lot size qualifies for the R-15 zoning category. However, the predominant zoning in the area is R-11, which this lot also meets.

Surrounding Land Use and Zoning North: Single family homes; R-11 (One-Family Residence District)

South: Vacant; R-33 (One-Family Residence District)

East: Single-family homes; R-11 (One-Family Residence District)

West: Single-family homes; R-11 (One-Family Residence District)



*Policy*

**Hampton Community Plan** (adopted 2006, as amended)

The Hampton Community Plan recommends rural residential use at this site. As indicated on the Plan’s land use map, residential use should be the prevailing land use along this portion of Beach Road. Additionally, the *Plan* recommends safeguarding the integrity of existing residential neighborhoods (LU-CD7) Page LU-17.



*History*

In October 1991, City Council approved Rezoning Application No. 998 to change the zoning of a number of residential properties along both sides of Beach Road from C-1 to R-11. The objective of this rezoning was to remove a practical amount of non-conforming commercial zoning without compromising the desires of individual property owners. The owner of 618 Beach Road in 1991 elected to retain the C-1 zoning of the property.

In July 2007, City Council approved Rezoning Application No. 1249 to rezone 508 Beach Road from C-1 to R-11.

*Impact Analysis*

This rezoning will not adversely affect traffic, school enrollment, or any environmental conditions.

**Analysis**

Under the current commercial zoning designation, C-1 (Neighborhood Commercial District), the residence at 618 Beach Road is a legal non-conforming use. As a non-conforming use, the property owner may be unable to obtain a housing loan or to refinance. The house cannot be rebuilt if it is damaged beyond 75% of its replacement value. The proposed rezoning to R-11 (One-Family Residence District) will protect the applicant from losing future investments and will bring the existing home into a legal conforming status.

The Hampton Community Plan (2006, as amended) recommends rural residential use at this site. The rural density designation is for larger tracts of land where residential densities are restricted to preserve environmental features or the character of pre-existing development. Although the proposed property is a smaller tract of land, the use is compatible with the adjacent properties and maintains the neighborhood character. Overall, the proposed rezoning is consistent with the existing land use and City policy. Most importantly, this request contributes to the City’s effort to maintain the residential fabric along this segment of Beach Road.

***Staff recommends approval of Rezoning Application No. 1258 as it is in conformance with the Hampton Community Plan (2006, as amended).***