

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING COMMISSION STAFF REPORT COVER SHEET

PUBLIC HEARING DATE June 29, 2020	PROJECT NAME Walecki-Hamill Preliminary Minor Subdivision	PROJECT STAFF Mark Williams, Planner II
PROJECT NUMBER # 19-00095	PROJECT TYPE Preliminary Minor Subdivision	APPLICANT (PROPERTY OWNER) Jess and Mary Lou Hamill
PROPERTY ADDRESS/LOCATION 2303 and 2305 Hermosa Avenue		

PROJECT SUMMARY

The applicant has applied to move the common property line between 2305 and 2303 Hermosa Avenue. Several feet of the north part of the driveway of the house at 2303 was built on the 2305 lot. The lot line change will make the driveway, in use for approximately 45 years, completely on the 2303 lot. The adjustment will be close to five feet on the east side of the lot, narrowing to about 18 inches on the west side of the lot. The new line will run at the fence line between the two properties.



CURRENT ZONING EN-4B	CURRENT LAND USE Housing	ADJACENT ZONING EN-4B, PD	COMPREHENSIVE PLAN LAND USE DESIGNATION Residential Low Density	REQUIRED PUBLIC IMPROVEMENTS None
SIZE OF PROPERTY 7,225 sf and 5,353 sf	PROPOSED ZONING N/A	PROPOSED LAND USE Residential	PROPOSED DENSITY OR SIZE 6,980 sf and 5,556 sf	UTILITIES City of Durango

<p>PROPERTY HISTORY The land use designation of the property is Low Density Residential in 2017 Comprehensive Plan. The 2305 house on the north side was built in 1958. The 2303 house was built in 1974.</p>	<p>DESIGN GUIDELINES & LUDC COMPLIANCE In the judgement of staff, the application meets all of the applicable criteria.</p>
<p>COMPREHENSIVE PLAN COMPATIBILITY The Future Land Use Map designates this property as Residential Low Density. The proposed subdivision density complies with this land use designation.</p>	

STAFF RECOMMENDATION			
APPROVE	APPROVE WITH CONDITIONS	DENY	CONTINUE

RECOMMENDED MOTION

Move to recommend approval of the proposed Walecki-Hamill Preliminary Minor Subdivision with the findings and conditions as outlined in the staff report.

ATTACHMENTS	<input checked="" type="checkbox"/> STAFF REPORT	<input checked="" type="checkbox"/> CONTEXT MAP, ZONING MAP & SITE AERIAL	<input type="checkbox"/> APPLICANT NARRATIVE	<input checked="" type="checkbox"/> SUBMITTED PLANS
	<input type="checkbox"/> OTHER MAPS	<input type="checkbox"/> PUBLIC COMMENTS	<input type="checkbox"/> LUDC EXCERPTS	<input type="checkbox"/> OTHER: _____

BACKGROUND

The owners of 2303 and 2305 Hermosa Avenue would like to adjust the boundary between their mutual properties. The house at 2305 Hermosa was built in 1958 and was followed by the house at 2303 in 1974. The northern part of the driveway for the 2303 house was built on the 2305 lot. This request would move the property line to the north to reflect how the two properties have been used for the past 46 years. The new property line would reflect the fence line between the two lots. Moving the lot line to reflect how the 2303 was built and is used benefits both properties and is a simple process.

2305 Hermosa Avenue is 7,225 square feet, and 2303 Hermosa is 5,353 square feet. After the lot line adjustment, the two lots would be 6,980 and 5,556 square feet, respectively. The minimum lot size in this EN-4B zone is 6,000 square feet, per LUDC Table 3-1-2-3A. The smaller lot would be closer to 6,000 square feet, while the larger lot would remain larger than 6,000 square feet.

The photograph below shows the location of the fence on the 2305 lot (on the right side) and the driveway on the 2303 lot (the left). Close to five feet of the 2303 lot, at the eastern edge of the lot, is currently on the 2305 property. On the western edge of the 2305 lot the discrepancy narrows to approximately 18 inches.



PROCESS

This subdivision is being processed as a Minor Subdivision Preliminary Plan in accordance with LUDC Section 6-3-6-3. Adjusting a lot line is considered to be a subdivision. Div. Sec. 6-3-6-3 requires public hearings at Planning Commission and City Council for a subdivision. If Council approves the preliminary plan, the final plat will then be reviewed and approved at the staff level. Changes to the plat, if any, between the preliminary and final reviews should be minor.

The following criteria are listed in LUDC Sec. 6-3-6-3(D) and are to be considered when evaluating subdivision requests:

1. The proposed subdivision is in conformance with adopted plans(s) and policies, and the standards of this LUDC.

The proposed subdivision meets the standards and intent of adopted plans(s), policies, and the standards of this LUDC.

2. The proposed subdivision is compatible with existing or approved development of adjacent properties under existing zoning.

The proposed subdivision complies with the Comprehensive Land Use Plan densities and the standards of the LUDC.

3. The proposed streets are correctly named.

No streets will be built as a part of this project.

4. The proposed engineering solutions are sound for all of the major physical site features.

No engineering facilities, such as utilities or access, will be affected by the subdivision.

5. Public facilities will be available and adequate to serve the potential population of the proposed subdivision as it is occupied.

As mentioned above, no public facilities will be affected by this request.

6. The impacts of the subdivision do not materially compromise the safety or welfare of the public.

There will be no public safety or welfare impact resulting from this subdivision.

In the judgement of staff, the application meets all six of the above criteria.

Public Comment

No public comments were received as of the time this report was sent to Planning Commission.

SUMMARY

The Jess and Mary Lou Hamill have applied for a boundary adjustment to move the common property line by two feet to five feet between 2303 and 2305 Hermosa Avenue. The new property line will be located in the same location as the fence that has been in place for many years.

ALTERNATIVE ACTIONS

- A. Recommend approval of the Walecki-Hamill Minor Subdivision Preliminary Plan with findings of conformance with City plans, with the following conditions.
 1. Future submittals shall comply with all applicable requirements and standards of the Land Use and Development Code.
 2. All written, verbal and graphic representations of the applicant or his agent shall be deemed conditions of approval.
- B. Recommend denial of the proposed Twin Buttes Minor Subdivision Preliminary Plan with reasons and findings stated.
- C. Continue project consideration with direction to staff and/or the applicant.

SUBDIVISION RECOMMENDED ACTION

By motion, Alternative Action A above.

Attachments: Subdivision Plat
Location Map

