DATE: July 13, 2006

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Services
Mark F. Miller, Planning Director

SUBJECT: Announcement of Public Hearing (August 14, 2006) – Rezoning Application (File Number: Z 716) – Proposed City Initiated Rezoning, South of Big Beaver, West of Coolidge, Section 30 – R-1C to R-1E

RECOMMENDATION

The application is consistent with the intent of the Future Land Use Plan and compatible with existing zoning districts and land uses. The Planning Commission recommended approval of this item at the June 13, 2006 Regular meeting. City Management concurs with the Planning Commission and recommends approval of the rezoning request.

ANALYSIS

The range of uses permitted in the proposed R-1E One Family Residential Zoning District is the same as the existing R-1C Zoning District.

Under the current R-1C classification, the majority of the existing lots do not meet the current minimum lot area and minimum lot width requirements. The lots and homes in this area were originally developed under a different set of ordinance provisions that were similar to the current R-1E zoning district requirements. This causes nearly all of the properties to be non-conforming lots containing non-conforming structures due to lot width, lot area and setbacks. This status places a significant and unnecessary burden on the property owners when attempting to make improvements to their property.

The following table was created using plat maps. The table illustrates that of the 193 lots proposed for rezoning, only 20 (10.4%) meet the minimum lot area requirements and only 16 (8.3%) meet the minimum lot width requirements of the R-1C district. If rezoned to R-1E, 94 (48.7%) would meet the minimum lot area requirements and 85 (45.1%) would meet the minimum lot width requirements of the R-1E district.

Note that the percentage of lots meeting setback requirements cannot be determined using plat maps, and would require measuring the existing setbacks of all 193 homes.

Since the rezoning would eliminate nonconforming status based on lot area or lot width for a significant number of lots, it is prudent to address this situation by rezoning the property to the R-1E classification.

	Adrienne Manor Subdivision	Troyton Manor Subdivision	John F. Englehardt Subdivision
Number of lots proposed to be rezoned	36	136	21
R-1C: Number of lots meeting lot area requirements (%)	0 (0%)	12 (9%)	8 (38%)
R-1C: Number of lots meeting lot width requirements (%)	0 (0%)	16 (12%)	0 (0%)
R-1E: Number of lots meeting lot area requirements (%)	36 (100%)	37 (27%)	21 (100%)
R-1E: Number of lots meeting lot width requirements (%)	2 (6%)	70 (51%)	15 (71%)

GENERAL INFORMATION

Name of Owner / Applicant:
The request was initiated by the City on behalf of property owners of non-conforming parcels in the area of Troyton Manor, Adrienne Manor and the southern portion of John F. Englehardt Subdivisions.

Location of Subject Property:
The property is located south of Big Beaver and west of Coolidge, in Section 30.

Size of Subject Parcel:
The property to be rezoned is approximately 49.69 acres. Specifically, the property includes the entire Troyton Manor Subdivision, lots 11-31 of John F. Englehardt Subdivision, lots 1-3 of Buckingham Woods Subdivision, the entire Adrienne Manor Subdivision, and the three parcels immediately east of Adrienne Subdivision. At the March 28, 2006 Special/Study meeting, the Planning Commission determined the Pembroke Elementary School site should not be included in the request.

Current Use of Subject Property:
Single family homes.

Current Zoning Classification:
R-1C One Family Residential.

Proposed Zoning of Subject Parcel:
R-1E One Family Residential.

Proposed Uses and Buildings on Subject Parcel:
No changes in the current uses are proposed.

Current Use of Adjacent Parcels:
North: Single family residential, Pembroke Elementary School and St. Alan Church.
South: Single family residential, park area (City of Birmingham) and school (City of Birmingham).
East: Single family residential.
West: Railroad and multiple family residential (City of Birmingham).

Zoning Classification of Adjacent Parcels:
North: R-1C One Family Residential.
South: R-2 Single Family Residential and PP Public Property (both City of Birmingham).
East: R-1C One Family Residential and RM-1 Residential Multiple-Family Low Rise.
West: R-1C One Family Residential and R-5 Multiple Family (City of Birmingham).

Compliance with Future Land Use Plan:
The parcel is classified on the Future Land Use Plan as Low Density Residential. The application therefore complies with the Future Land Use Plan.

Attachments:
1. Maps.

cc: File (Z 716)

Prepared by RBS/MFM

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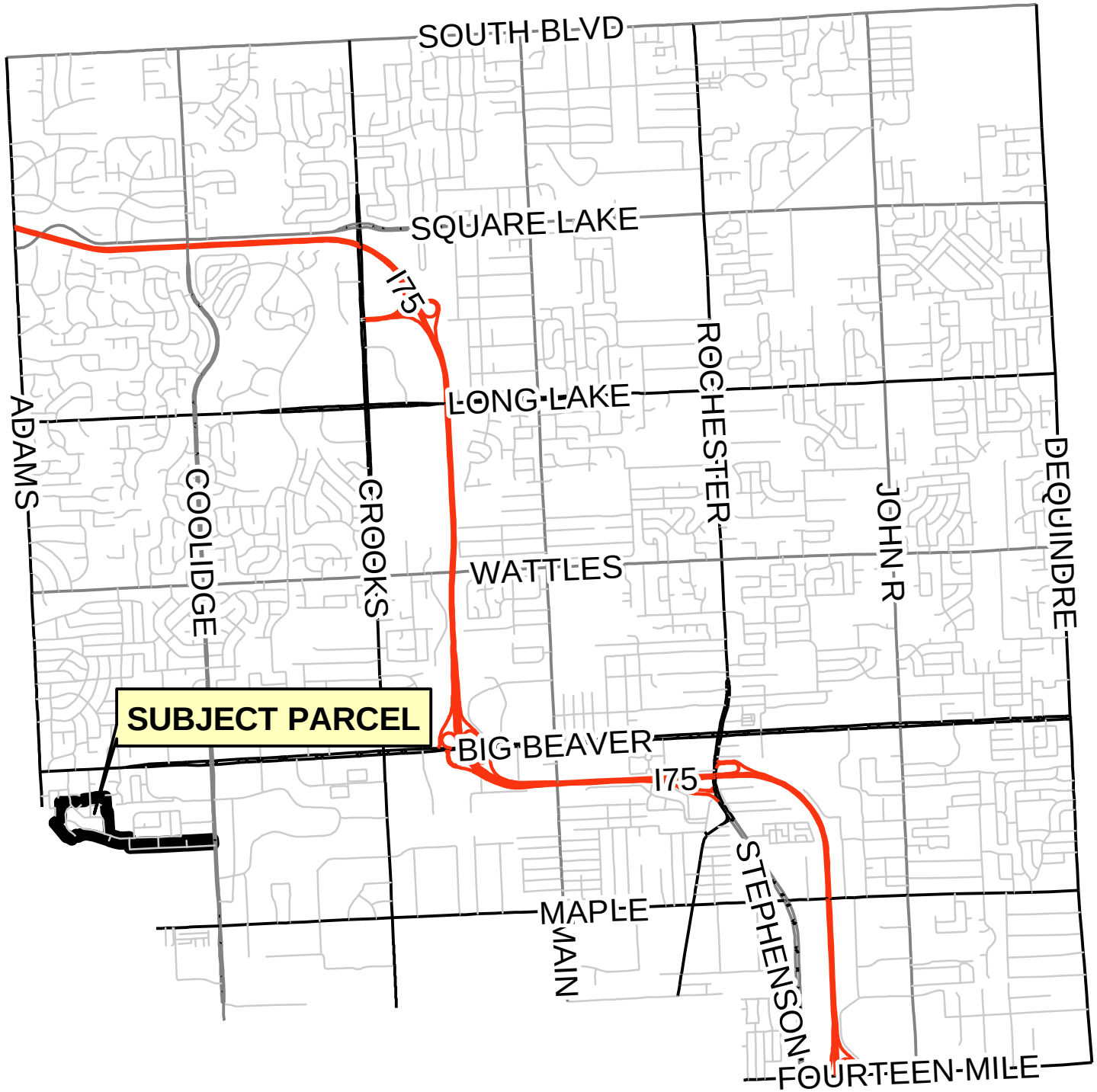
SOUTH BLVD
SQUARE LAKE
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LONG LAKE
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CROOKS
ROCHESTER
JOHN R
DEQUINDRE
WATTLES
SUBJECT PARCEL
BIG BEAVER
I75
MAPLE
MAIN
STEPHENSON
FOURTEEN MILE

REZONING REQUEST
FROM R-1C TO R-1E
S OF BIG BEAVER, BTWN ADAM & COOLIDGE
SEC. 30 (Z-716)

W BIG BEAVER
KINGSLEY
YORK
ROMANY
ENGLE CT
DOROTHEA CT
WRENWOOD
CEDAR RIDGE
WATERLOO
MAYFAIR
ROSEGLEN
BROOKLAWN
VILLAGE CT
OAK LEAF
GOLFVIEW
ROXBURY
COOLIDGE HWY
NAMPA CT
BROOKLAWN
AMBERLY
NORWICH
SUBJECT PARCEL
ESSEX
KINGSTON
WARWICK
WEXFORD
GLOUCHESTER
DARTMOOR
MEDFORD
GRAEFIELD
WITHERBEE
ETON
EDENBOROUGH
ST ANDREWS
DERBY

0 150 300 600 Feet

REZONING REQUEST
FROM R-1C TO R-1E
S OF BIG BEAVER, BTWN ADAM & COOLIDGE
SEC. 30 (Z-716)

(R-1B)
(O-M)
(OSC)
(P-1)
(O-1)
(R-1C)

W BIG BEAVER
KINGSLEY
YORK
ROMANY
ENGLE CT
DOROTHEA CT
WRENWOOD
CEDAR RIDGE
WATERLOO
MAYFAIR
ROSEGLEN
BROOKLAWN
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WARWICK
WEXFORD
GLOUCHESTER
DARTMOOR
MEDFORD
GRAEFIELD
WITHERBEE
ETON
EDENBOROUGH
ST ANDREWS
DERBY

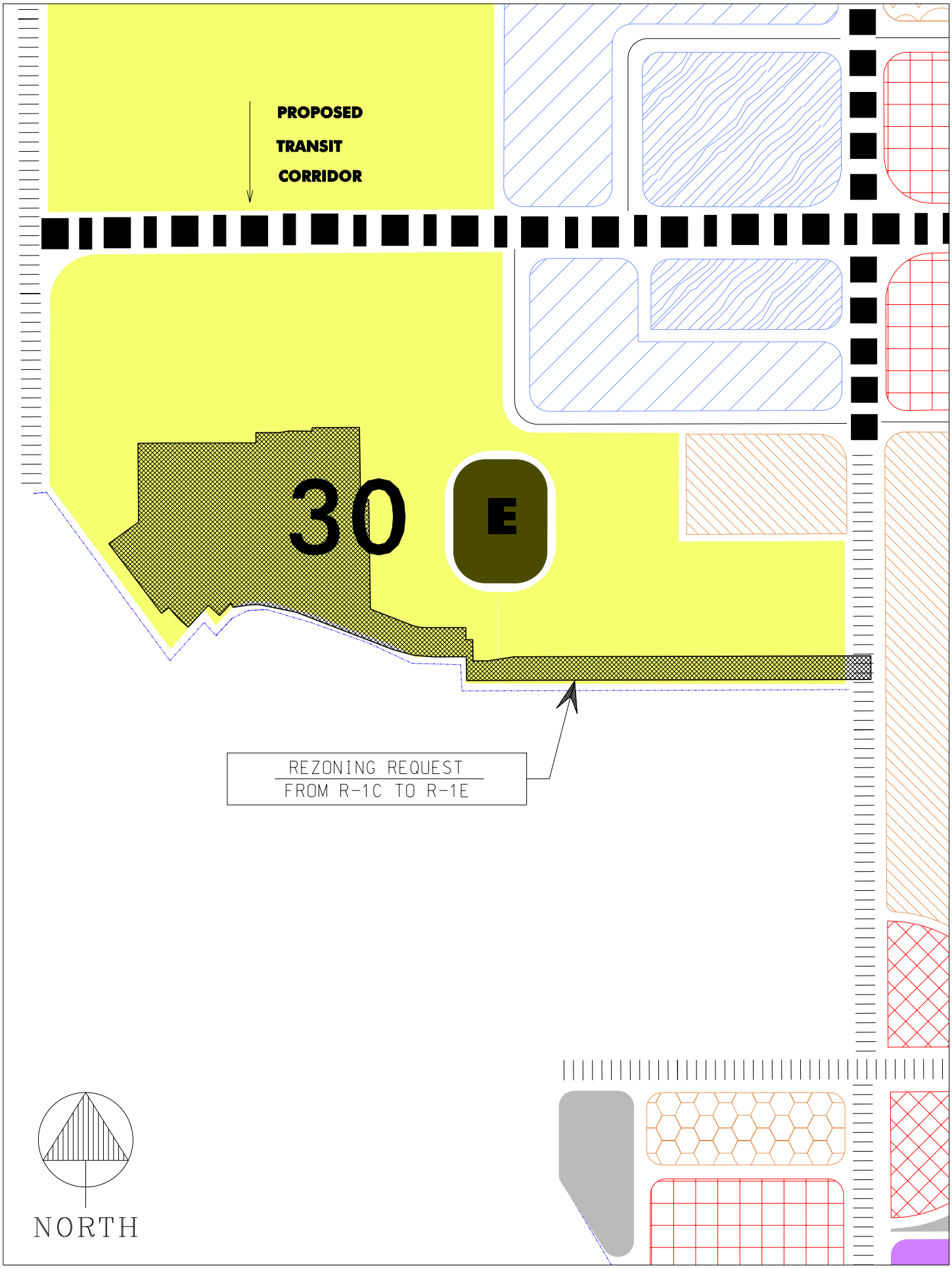
0 150 300 600 Feet

CITY INITIATED REZONING
EXISTING NON CONFORMING RESIDENTIAL LOTS
FROM R-1C TO R-1E
S OF BIG BEAVER, W OF COOLIDGE
SEC. 30 (Z-716)

Legend

Lots Proposed to be Rezoned

0 200 400 Feet


PROPOSED
TRANSIT
CORRIDOR
30
E
REZONING REQUEST
FROM R-1C TO R-1E
NORTH