TITLE: Pank Addition to Pank

FILE NUMBER: M2256, AP 17338 (APFO N/A, FRO N/A)

REQUEST: Addition Lot Modification
The Applicant is requesting a modification of Section 1-16-7(B)(5)(b) of the Subdivision Regulations to allow an addition parcel of greater than 2 acre size containing an existing principal dwelling structure to be added to an adjoining parcel.

PROJECT INFORMATION:
ADDRESS/LOCATION: 10546 Harp Road; south of Daysville Road and west of Harp Road
TAX MAP/PARCEL: Map 50, Parcel 120
COMP. PLAN: Agricultural/Rural
ZONING: Agricultural
PLANNING REGION: Walkersville
WATER/SEWER: No Planned Service

APPLICANT/REPRESENTATIVES:
APPLICANT: Thomas Pank & Katrina Heilman
OWNER: Thomas Pank & Katrina Heilman
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Graham T. Hubbard, Planner I

RECOMMENDATION: Conditional Approval

ATTACHMENTS:
EXHIBIT 1- Addition Plat
ISSUE
As allowed per Section 1-16-7(B)(5)(c), the Applicant is requesting a modification of Section 1-16-7(B)(5)(b) to allow an Addition Parcel of greater than 2 acre size containing an existing principal dwelling structure.

BACKGROUND
The Applicant is proposing to add a 13.204 acre portion of Parcel 6, the 1.440 acre Lot 7, and the 0.514 acre Lot 5 to the existing 19.025 acre Parcel 4 to create a new parcel area of 34.183 acres (Parcel 4). The 13.204 acre addition area contains an existing principal dwelling. In accordance with Section 1-16-7(B)(5)(b) of the Subdivision Regulations, on agriculturally zoned land, an addition parcel of 2 acres or less containing an existing principal dwelling structure may be added to a lot. Per Section 1-16-7(B)(5)(c), any modifications to these requirements will require Planning Commission approval. Since the proposed addition parcel is over 2 acres in size and contains a principal dwelling, a modification is required.

SITE AND SURROUNDINGS
The purpose of the Addition Plat is to consolidate parcels and lots. The consolidation will result in the existing single family residence and barn being located on the same parcel. The combined total new area of Parcel 4 is approximately 34 acres, comprised of 2 parcels and 2 lots. The combined total new area of Parcel 6 is approximately 23 acres. The addition plat would result in the elimination of the 2 lots (Lots 5 &
7) and the reconfiguration of the remaining 2 parcels (Parcels 4 & 6). The resulting development pattern does not appear to conflict with the intent of the 'Additions to Lots' section of the subdivision regulations or conflict with the intended safeguard against the use of the addition plat process to convert farmland into residential use.

Summary of Agency Comments

<table>
<thead>
<tr>
<th>Other Agency or Ordinance Requirements</th>
<th>Comment</th>
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<tbody>
<tr>
<td>Development Review Transportation Engineering (DRTE):</td>
<td>N/A</td>
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<tr>
<td>Development Review Planning (PZ):</td>
<td>Hold. Must meet all agency and FcPc comments and conditions.</td>
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<tr>
<td>State Highway Administration (SHA):</td>
<td>N/A</td>
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<tr>
<td>Div. of Utilities and Solid Waste Management (DUSWM):</td>
<td>N/A</td>
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<tr>
<td>Health Department (HLTH):</td>
<td>Conditionally Approved.</td>
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<td>Office of Life Safety (DOLS):</td>
<td>N/A</td>
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<td>Historic Preservation (HIST):</td>
<td>N/A</td>
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</tbody>
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RECOMMENDATION
Staff has no objection to conditional approval of this modification to allow an addition parcel of greater than 2 acres containing an existing principal dwelling structure.

Should the FcPc grant approval of this application (M2256, AP 17338), Staff recommends that the following items be added as conditions to the approval:

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission APPROVE the modification to allow an Addition Parcel of greater than 2 acres containing an existing principal dwelling structure associated with M2256 (AP 17338) with conditions as listed in the staff report for the Pank Addition Plat based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.