

**SPECIAL USE PERMIT-20-00. Hipple Family Subdivision
Staff Report for September 12, 2000, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS Building C Board Room; County Government Complex
 Planning Commission: N/A
 Board of Supervisors: October 10, 2000 (Tentative) 7:00 p.m.

SUMMARY FACTS

Applicant: Mr. Michael Hipple
 Land Owner: Thomas and Ann Hipple

Proposed Use: Family Subdivision

Location: 106 Jolly Pond Road

Tax Map and Parcel No.: (31-1)(1-7)

Primary Service Area: Inside

Parcel Size: The proposed parcel would be approximately 1.0 acre in size

Existing Zoning: A-1, General Agricultural

Comprehensive Plan: Low Density Residential

Surrounding Zoning: The property is surrounded by other A-1 zoned land

Staff Contact: Paul D. Holt, III - Phone: 253-6685

STAFF RECOMMENDATION:

The Board approved a family subdivision earlier this year for Mr. Hipple (February 22, 2000, under Case No. SUP-2-00). That subdivision was approved with a condition which stated that final subdivision approval must be received within six (6) months or the SUP was void. Mr. Hipple encountered some unexpected soil problems whereby the ground was not suitable for a septic tank on the lot for which the previous SUP was granted. The subdivision was therefore never approved and the SUP expired on August 22, 2000. The current application is for a new family subdivision lot. The new lot has been tested by a Health Department "Authorized Soils Analyst" and found to be acceptable for a drainfield. Staff finds the proposal consistent with the Comprehensive Plan and compatible with surrounding uses and zoning and recommends approval of the request with the attached conditions. The proposed conditions are identical to those approved under Case No. SUP-2-00.

Proposal

Thomas and Ann Hipple have requested the Board approve a family subdivision on land zoned A-1, General Agricultural, for their son, John. On A-1 zoned property, while the minimum lot size for residential dwelling units is three acres, lots of less than three acres are allowed for family members only with an approved special use permit. The zoning ordinance only requires Board of Supervisors review and approval of this type of SUP. Three previously approved family subdivisions exist on the 19± acre parcel. The new parcel would be approximately 1± acre in size. The property is located at 106 Jolly Pond Road and is further identified as a portion of Parcel No. (1-7) on James City County Real Estate Tax Map No. (31-1).

Utilities

Public water and sewer are not currently available to this site. The new lot therefore, will have to be served by a septic system and well which must be approved by the Health Department prior to any construction. Furthermore, the Subdivision Ordinance states that locations for both a well and septic tank drainfields must be approved by the Health Department prior to final subdivision approval.

Access

The site is located on the northern most segment of Jolly Pond Road, approximately 1,500 feet west of Centerville Road. Access to the proposed lot will be from an existing gravel drive. The drive meets the criteria for access as stated in Section 19-17 of the James City County Subdivision Ordinance, Special Provisions for Family Subdivisions.

Comprehensive Plan and Surrounding Uses

The site is located inside the Primary Service Area and the Land Use Map designates the property as Low Density Residential. The surrounding area is zoned A-1 and consists of other residential homes scattered along Jolly Pond Road with a Boy Scout Camp located across the street to the north. Staff believes the proposal is consistent with Comprehensive Plan and compatible with surrounding zoning and uses.

RECOMMENDATION:

Staff believes the subdivision is compatible with the surrounding zoning, development, and Comprehensive Plan designation. This proposal is also consistent with previous family subdivisions approved by the Board for the Hipple property (1990 - 1.01 acres for Mark Hipple, 1.96 acres for Michael Hipple; 1997 - 1.32 acres for Matthew Hipple). For these reasons, staff recommends the Board approve this Special Use Permit with the conditions listed on the attached resolution.

Paul D. Holt, III

CONCUR:

O. Marvin Sowers, Jr.

PDH/tlc
sup20-00.wpd

Attachments:

1. Location Map
2. Conceptual Subdivision Plan
3. Signed Affidavit
4. Resolution