



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

To: Ande Banks, City Manager
From: Adam Fletcher, Director, Department of Community Development and Harrisonburg Planning Commission
Date: November 14, 2023 (Regular Meeting)
Re: Rezoning – 708 Northfield Court (R-4 to R-8C)

Summary:

Project name	N/A
Address/Location	708 Northfield Court
Tax Map Parcels	32-R-21
Total Land Area	+/- 4,647 square feet
Property Owner	Ruth Romero and Teodoro Perez
Owner's Representative	Jose Guadalupe Bautatisa Meza
Present Zoning	R-4, Planned Unit Residential District
Proposed Zoning	R-8C, Small Lot Residential Conditional
Staff Recommendation	Approval
Planning Commission Recommendation	October 11, 2023 (Public Hearing) Approval (7-0)
City Council	November 14, 2023 (First Reading/Public Hearing) Anticipated November 28, 2023 (Second Reading)

Background:

The following land uses are located on and adjacent to the property:

Site: Duplex dwelling unit, zoned R-4

North: Duplex dwelling unit, zoned R-4

East: Duplex dwellings, zoned R-4

South: Common area and duplex dwellings, zoned R-4

West: Across Northfield Court, townhomes, zoned R-4

Key Issues:

The applicant is requesting to rezone a +/- 4,647 square foot parcel from R-4, Planned Unit Residential District to R-8C, Small Lot Residential District Conditional. The lot has a duplex dwelling unit and is addressed as 708 Northfield Court. The applicant is proposing to construct a 10-ft. by 13-ft. covered porch in the rear of the duplex dwelling unit. The Zoning Ordinance (ZO) requires covered porches to

meet principal building setbacks. The R-4 district requires duplexes to have a 25-foot minimum rear yard setback, which the applicant's proposed covered porch would encroach into. The applicant is requesting approval to rezone the property to R-8, which requires a 15-foot minimum rear yard setback. Within the attached exhibit, the applicant illustrates the footprint of their existing building and the proposed covered porch. Know that in 2022, the applicant lawfully demolished a garage and constructed an addition to the dwelling.

Proffers

The applicant has offered the following proffers (written verbatim):

1. More than one dwelling is prohibited.
2. The minimum front yard setback along Northfield Court shall be 30 feet.

The submitted layout is not proffered.

Regarding proffer #1, in the R-8 district, single-family detached homes and duplexes are allowed by right and given the lot area and dimensions of the property, theoretically, the existing duplex dwelling unit could be demolished and a new duplex structure (two dwelling units) could be constructed on the parcel. If the rezoning is approved, although the R-8 district dimensional regulations would allow the property to be further subdivided, since the applicant has proffered to prohibit more than one dwelling on the property, they would be restricted to having just one dwelling unit on the property.

Regarding proffer #2, the R-8 dimensional regulations allow for a 10-foot minimum front yard setback. The applicant has proffered that the front yard setback along Northfield Court shall be 30-feet, which is consistent with the R-4 district regulations.

Land Use

The Comprehensive Plan designates this site as Medium Density Residential and states:

These areas have been developed or are planned for development of a variety of housing types such as single-family detached, single-family attached (duplexes and townhomes), and in special circumstances, multi-family dwellings (apartments). Depending on the specific site characteristics, densities in these areas should be around 15 dwelling units per acre. Non-residential uses may also be appropriate.

With the submitted proffers, use and density confirms with the Medium Density Residential designation. Know also that the R-8 district's occupancy regulations are the same as the R-4 district's occupancy regulations. The occupancy regulations allow owner-occupied dwellings to be occupied by a family plus two individuals or a maximum of three individuals and nonowner-occupied dwellings can be occupied by a family plus one individual or a maximum of two individuals.

Transportation and Traffic

A traffic impact analysis (TIA) was not required for the rezoning request.

Public Water and Sanitary Sewer

Staff has no concerns with the requested rezoning regarding water and sewer matters.

Housing Study

Rezoning this property to R-8 will not impact housing because the property currently has one duplex dwelling unit, and the proffers restrict the property to having only one dwelling unit on the property.

Public Schools

Rezoning this property to R-8 with the submitted proffers will not change the estimated student generation for the property.

Recommendation

Staff recommends approval of the rezoning.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the rezoning request; or
- (b) Deny the rezoning request.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission’s public hearing and twice advertising for City Council’s public hearing. The advertisement was published as shown below:

Rezoning – 708 Northfield Court (R-4 to R-8C)

Public hearing to consider a request from Ruth Romero and Teodoro Perez to rezone a +/- 4,647 square foot property from R-4, Planned Unit Residential District to R-8C, Small Lot Residential District Conditional. The property is addressed as 708 Northfield Court and is identified as tax map parcel 32-R-21.

In addition, adjoining property owners were notified of the public hearing; the property was posted with signage advertising the request; and a notice was provided on the City’s website at <https://www.harrisonburgva.gov/public-hearings>.

Recommendation:

Staff recommends alternative (a) approval of the rezoning request.

Attachments:

- 1. Extract from Planning Commission
- 2. Site maps

3. Application and supporting documents

Review:

Planning Commission recommended approval (7-0) of the rezoning request.