

Staff Report

Subject: 2nd Reading Zoning Map Amendment
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: February 15, 2022
Item Description: **Herbert L. Johnson Jr. & Carolvita R. Johnson** as Agent for **Richdeaan Johnson** requests to **rezone** 4.37 acres from **AR-1** to **AR-2**, to allow for the creation of a home site. Located at 309 Lehigh Circle. **Map# 406A Parcel# 10**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 4.37 acres from **AR-1** to **AR-2**, to allow for the creation of a home site, with conditions.

Executive Summary/Background

- The request for rezoning is a requirement of Appendix C, Article IX-Amendments to Map or Text, Section 9. Zoning districts are described in Appendix C, Article V-Uses Permitted in Districts. AR-1 requires a minimum lot size of 5 acres. AR-2 allows lots of one acre or more.
- The applicant wishes to subdivide a parcel that is already under 5 acres to create an additional home site and, therefore, must rezone the total 4.37 acreage to AR-2.
- The parcel is located in an existing major subdivision, Lehigh Acres, which is zoned AR-1. Pursuant to *section 6.6 Resubdivision*, the following criteria must be considered before approving resubdivision within a major subdivision:
 - *Whether the size of the proposed lots is compatible with the size of the lots created by the previously approved subdivision,*
 - Several parcels are under 5-acres. 406A-2 was rezoned and subdivided in 2018.
 - *Whether the intended use of the property as previously subdivided has been frustrated by changing economic conditions, by the exercise of eminent domain, or other circumstances.*
 - No change. A second home is already allowed on the AR-1 parcel. The applicant chooses to split the parcel, which requires it to be rezoned.
 - *Whether the proposed resubdivision will adversely affect the values of other property within the previously platted subdivision in which the property is located, and*
 - No change. A second home is already allowed on the AR-1 parcel.
 - *Whether the proposed resubdivision is compatible with the purposes of the Effingham County subdivision regulations.*
 - Yes. A second home is already allowed on the AR-1 parcel.
- At the January 31 Planning Board meeting, Brad Smith made a motion to **approve** the request to rezone 4.37 acres from **AR-1** to **AR-2**, with the following conditions:
 1. The lots shall meet the requirements of the AR-2 zoning district.
 2. Revised major subdivision final plat must be approved by the Board of Commissioners, and recorded before the rezoning can take effect.
- The motion was seconded by Michael Larson, and carried unanimously.

Alternatives

1. **Approve** the request to **rezone** 4.37 acres from **AR-1** to **AR-2**, with the following conditions:
 1. The lots shall meet the requirements of the AR-2 zoning district.
 2. Revised major subdivision final plat must be approved by the Board of Commissioners, and recorded before the rezoning can take effect.
2. **Deny** the request to **rezone** 4.37 acres from **AR-1** to **AR-2**.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Zoning Map Amendment