

Staff Report

Subject: Rezoning (Second District)
Author: Katie Dunnigan, Zoning Manager
Department: Development Services
Meeting Date: August 1, 2023
Item Description: **James R. Presnell** as Agent for **Donald & Clara Spayd** request to **rezone** 5.59 acre from **AR-1** to **AR-2** to allow for division of the property. Located at 638 Kolic Helmey Road. **[Map# 417 Parcel# 10]**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 5.59 acre from **AR-1** to **AR-2** to allow for division of the property, 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 proposes to create a home site, approximately 1.37 acres in size, with 170' of frontage on Kolic Helmey Road.
- Surrounding property use is AR-1, AR-2, and R-1.
- Neither of the proposed lots will meet the 5-acre minimum threshold for the AR-1 zoning district, therefore, the entire 5.59 acres must be rezoned.
- At the July 11, 2023 Planning Board meeting, Alan Zipperer made a motion to approve, with the following condition:
 1. A minor subdivision plat must be approved by Development Services and, and be recorded, before the rezoning can take effect.
- The motion was seconded by Ryan Thompson, and carried unanimously.

Alternatives

1. **Approve** the request to **rezone** 5.59 acre from **AR-1** to **AR-2**, with the following condition:
 1. Minor subdivision plat must be approved by Development Services and, and be recorded, before the rezoning can take effect.
2. **Deny** the request to **rezone** 5.59 acre from **AR-1** to **AR-2**.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments:

1. Rezoning application and checklist	3. Plat	5. Deed
2. Ownership certificate/authorization	4. Aerial photograph	