

Staff Report

Subject: Rezoning (Second District)
Author: Katie Dunnigan, Zoning Manager
Department: Development Services
Meeting Date: June 6, 2023
Item Description: **Cheryl D. Hinely** requests to **rezone** 5 acres from **AR-1** to **AR-2**, to allow for division of the property. Located at 104 Maple Drive. **[Map# 450D Parcel# 27]**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 5 acres 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 divide the property in to two, approximately equal lots.
- Since neither proposed lot meets the minimum size requirement for the AR-1 zoning district, the entire 5 acres must be rezoned.
- 450D-27 is located within L&B subdivision. Multiple lots within the subdivision have been previously subdivided in a manner consistent with the applicant's request.
- At the May 9, 2023 Planning Board meeting, Alan Zipperer made a motion for approval, with the following conditions:
 1. The lots shall meet the requirements of the AR-2 zoning district.
 2. All wetland impacts must be approved and permitted by USACE.
 3. Minor subdivision plat must be approved by Development Services and, and be recorded, before the rezoning can take effect.
- The motion was seconded by Brad Smith, and carried unanimously.

Alternatives

1. **Approve** the request to **rezone** 5 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. All wetland impacts must be approved and permitted by USACE.
 3. A combination plat must be approved by Development Services, and be recorded, before the rezoning can take effect.
2. **Deny** the request to **rezone** 5 acres 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 2. Plat 3. Deed
4. Ownership certificate/authorization 5. Aerial photograph