

Staff Report

Subject: Rezoning (Fourth District)
Author: Katie Dunnigan, Zoning Manager
Department: Development Services
Meeting Date: June 6, 2023
Item Description: **Jacob Holland & Sharon Holland** as Agents for **Martha E. Zettler** request to **rezone** 5.5 acres from **AR-1** to **AR-2** to allow for a 3-lot subdivision. Located at 1092 Stillwell Road. **[Map# 409 Parcel# 38]**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 5.5 acres from **AR-1** to **AR-2** to allow for a 3-lot subdivision, 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 currently has two dwellings on site. A third dwelling is not permitted on an AR-1 lot of 5.5 acres, so a new home site must be created.
- None of the proposed lots meet the 5-acre minimum threshold for AR-1, therefore the entire acreage must be rezoned.
- At the May 9, 2023 Planning Board meeting, Brad Smith 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 Peter Higgins, and carried unanimously.

Alternatives

1. **Approve** the request to **rezone** 5.5 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. 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** 5.5 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	3. Plat	5. Deed
2. Ownership certificate/authorization	4. Aerial photograph	