

Staff Report

Subject: Rezoning (First District)
Author: Katie Dunnigan, Zoning Manager
Department: Development Services
Meeting Date: November 1, 2022
Item Description: **Allen Cote** requests to **rezone** 23.38 acres from **AR-2** to **AR-1** to allow for the placement of a second home for an immediate family member. Located at 110 Buford Hill Road. **Map# 302 Parcel# 15A**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 23.38 acres from **AR-2** to **AR-1** to allow for the placement of a second home for an immediate family member, 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. *Section 5.1 - AR-1 Agricultural Residential Districts*, requires a minimum lot size of 5 acres.
- Pursuant to Section 5.1.2.5, the AR-1 zoning district allows: *One additional single-family detached dwelling and its customary uses, provided that said dwelling meets all state and county health requirement, unless prohibited by other applicable laws or regulations, and provided the additional dwelling is inhabited by a person who is related to the owner of the real property in one of the following ways: parent, child, grandparent, grandchild, sister, or brother. The zoning administrator shall administer this conditional use.*
- This parcel is 23.28 acres, exceeding the 5-acre minimum for the AR-1 zoning district. The contiguous parcels to the south and west are also AR-1.
- The parcel has access on Buford Hill Road, but is not a platted lot of Buford Hill subdivision.
- The applicants wish to allow their parents to locate a mobile home on to their parcel, rezoning to AR-1 allows them to achieve this without adding an additional parcel with access to Buford Hill Road.
- At the October 17, 2022 Planning Board meeting, Ryan Thompson made a motion to **approve** the request to **rezone** 23.38 acres from **AR-2** to **AR-1** to allow for the placement of a second home for an immediate family member, with the following conditions:
 2. Permitting of the mobile home and related private well and septic system must be approved by Development Services and Environmental Health before the new dwelling is placed on site.
 3. The lot shall meet the requirements of the AR-1 zoning district.
- The motion was seconded by Alan Zipperer and carried unanimously.

Alternatives

1. Approve the request to **rezone** 23.38 acres from **AR-2** to **AR-1** to allow for the placement of a second home for an immediate family member, with the following conditions:

1. Permitting of the mobile home and related private well and septic system must be approved by Development Services and Environmental Health before the new dwelling is placed on site.
2. The lot shall meet the requirements of the AR-1 zoning district.

2. Deny the request to **rezone** 23.38 acres from **AR-2** to **AR-1**.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

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