

## Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**Author:** Teresa Concannon, AICP, Planning & Zoning Manager  
**Department:** Development Services  
**Meeting Date:** August 16, 2022  
**Item Description:** **Stature Investments** as Agent for **Joye Polk, et al.**, requests a **variance** to reduce required buffers between industrial and non-industrial parcels to allow for the development of industrial warehouses. Located on Old Augusta Road, zoned **AR-1**, proposed zoning **I-1**. **Map# 477 Parcels# 8&9; Map# 477A Parcels# 6&10**

### Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request for a **variance** to reduce required buffers between industrial and non-industrial parcels.

### Executive Summary/Background

- Pursuant to Appendix C-Zoning Ordinance, Article VII-Planning Board, Section 7.1.8, variances may only be granted if the following findings are made:
  - That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness, of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not to circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located; and*
  - That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.*
- The applicant plans two warehouses: 820,800 sf and 248,000 sf on the 68.75-acre parcel.
- The required buffer between heavy industrial and R & AR zoning districts is 300'.
- *Section 3.4 Buffers. Purpose and function: To provide minimum separation and screening of different land uses. To minimize the adverse effects of commercial and industrial land uses on surrounding property; to act as a filtration zone for stormwater; to make the environment more visually attractive; and to preserve the tree canopy in the county.*
- The parcels with frontage on Old Augusta Road are part of Abercorn Acres, a residential subdivision.
- Buffer reduction requested at Abercorn Acres and Abercorn Rd parcel boundaries: from 300' to 150', with a 20' earthen berm in the upland areas. Buffer reduction at the eastern boundary from 300' to 25'.
- Ryan Thompson Recused himself from this item.
- At the July 18, 2022 Planning Board meeting, Alan Zipperer made a motion to **approve** the request for a **variance** to reduce required buffers between industrial and non-industrial parcels.
- The motion was seconded by Brad Smith, and carried unanimously.
- At the August 2, 2022 meeting, the Board approved the variance with an added condition (#1)

### Alternatives

**1. Approve** request for a **variance** to reduce required buffers between industrial and non-industrial parcels to allow for the development of industrial warehouses, with the following condition:

1. A 25-foot wide buffer consisting of a 5-foot high earthen berm shall be constructed at the eastern boundary of parcel 477-9, where it meets 477-10 and 477-11. The berm shall be planted with vegetation. Property owner/Applicant and its successors and assigns shall perpetually maintain the earthen berm and vegetation.

**2. Deny** request for a **variance** to reduce required buffers between industrial and non-industrial parcels.

**Recommended Alternative:** 1

**Other Alternative:** 2

**Department Review:** Development Services

**FUNDING:** N/A

**Attachments:** 1. Zoning Map Amendment