

Staff Report

Subject: Rezoning (Third District)
Author: Katie Dunnigan, Zoning Manager
Department: Development Services
Meeting Date: December 06, 2022
Item Description: **Kevin Shuman & Terry Cook** request to **rezone** 14.83 acres from **AR-1** to **AR-2** to allow for a 3-lot subdivision. Located at 5575 Old Dixie Highway. **Map# 263 Parcel# 32B**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 14.83 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 applicants wish to create two additional home sites, each of which is under 5 acres and must, therefore, be rezoned.
- There is extensive wetlands coverage on all proposed lots. Rezoning the remaining 9.185 acres to AR-2 may provide preferable building setbacks should a wetlands delineation show limited developable area.
- At the November 21, 2022 Planning Board meeting, Alan Zipperer made a motion to **approve** the request to **rezone** 14.83 acres from **AR-1** to **AR-2** to allow for a 3-lot subdivision, 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 Environmental Health, 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** 14.83 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 Environmental Health, and be recorded, before the rezoning can take effect.
- 2. Deny** the request to **rezone** 14.83 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. Ownership certificate/authorization	3. Plat 4. Aerial photograph	5. Deed
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