

Staff Report

Subject: Rezoning (Fourth District)
Author: Teresa Concannon, AICP, Planning & Zoning Manager
Department: Development Services
Meeting Date: October 4, 2022
Item Description: **Emily Williams** as Agent for **Suzanne Selph** requests to **rezone** 6.13 acres from **AR-1** to **AR-2** to allow for the separation of a home site. Located at 205 Sage Pointe Dr. **Map# 393B Parcel# 6**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 6.13 acres from **AR-1** to **AR-2** to allow for the creation of a home site, 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 split a 6.13-acre lot in to 4.13-acre and 2-acre parcels and, therefore, must rezone it to AR-2.
- The property is located within Sage Pointe subdivision, which is AR-1. Pursuant to *sec. 6.6 Resubdivision*, the following criteria must be considered before approving resubdivision within a major subdivision:
 - *Whether the size of the proposed lots is compatible with the size of the lots created by the previously approved subdivision,*
 - Sage Pointe Subdivision has a mixture of lot sizes. The lots fronting on Lowground Road are between 2-3 acres. The lots along Sage Pointe Drive are all larger than 5 acres.
 - *Whether the intended use of the property as previously subdivided has been frustrated by changing economic conditions, by the exercise of eminent domain, or other circumstances.*
 - Yes. AR-1 allows for a second dwelling for an immediate family member, but financing is not obtainable without land being attached to the mortgage.
 - *Whether the proposed resubdivision will adversely affect the values of other property within the previously platted subdivision in which the property is located, and*
 - A second home is permitted in for a family member in the current AR-1 zoning. AR-2 zoning allows for use consistent with the current AR-1 residential use within Sage Pointe.
 - *Whether the proposed resubdivision is compatible with the purposes of the Effingham County subdivision regulations.*
 - No new services are required.
- At the September 19, 2022 Planning Board meeting, Brad Smith made a motion to **approve** the request to **rezone** 6.13 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. Subdivision plat must be approved, and be recorded, before the rezoning can take effect.
 3. The parcels may not be further subdivided.
- The motion was seconded by Alan Zipperer, and carried unanimously.

Alternatives

1. **Approve** the request to **rezone** 6.124 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. Subdivision plat must be approved, and be recorded, before the rezoning can take effect.
 3. The parcels may not be further subdivided.
2. **Deny** the request to **rezone** 6.13 acres from **AR-1** to **AR-2**.

Recommended Alternative: 1

Department Review: Development Services

Attachments:

1. Rezoning application and checklist
2. Ownership certificate/authorization

Other Alternatives: 2

FUNDING: N/A

3. Plat
4. Aerial photograph
5. Deed