

Staff Report

Subject: Variance (Third District)
Author: Chelsie Fernald, Planning Manager
Department: Development Services
Meeting Date: January 21, 2025

Item Description: Sue Anderson requests a **conditional use** to allow for the removal of conditions. Located on Old Louisville Road. **[Map# 272 Parcel# 27 & 27A]**

Executive Summary/Background

- The request for a Conditional Use is a requirement of Appendix C – Zoning Ordinance, Article V – Uses permitted in Districts.
- The applicant requests a conditional use to allow for the removal of conditions.
- At the April 2, 2024, Board of Commissioners Meeting, these parcels were rezoned from AR-1 to R-1 with the following condition:
 1. *A common access shall be the entrance for this development or rear loading lots with ally way access will be acceptable; to minimize multiple encroachments on Old Louisville Road.*
- The applicant is requesting to remove this condition, to have encroachments onto Old Louisville Road.
- A minor subdivision plat application has been made, and the 6 lots that have frontage on Old Louisville Road range in size from 0.548 acres to 1.330 acres.
- The commercial lot area of 3.298 has not been rezoned to a commercial district and would need to complete the rezoning process.
- The Future Land Use Map (FLUM) does have this parcel projected to remain Agricultural – Residential.

Staff Determination

Staff has reviewed the application, and if approved, the Conditional Use will meet the criteria of the current ordinance with the following conditions:

1. All lots requesting access to a county road shall obtain approval for encroachment into the county right-of-way.
2. Any commercial development will require zoning review and approval by the Board of Commissioners.

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Conditional Use Application 2. Aerial Photograph 3. Deed