

Staff Report

Subject: Rezoning (Fifth District)
Author: Katie Dunnigan, Zoning Manager
Department: Development Services
Meeting Date: March 07, 2023
Item Description: **David D. Smith** as Agent for **Claude M. & Elizabeth E. Kicklighter** request to **rezone** .343 acres from **R-3** to **B-3** to allow for combination with an adjacent parcel. **Map#478 Parcel# 2C01**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of a request to **rezone** .343 acres from **R-3** to **B-3**, 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.
- 59.26 acres of the Old Augusta Road frontage of the parent parcel was rezoned to B-3 on 11/07/2006.
- 32 acres of the parent parcel was rezoned to R-3 on 02/20/2018.
- A sketch plan for the development of a Parker's fueling station and convenience store in a B-3 parcel was approved on 12/6/2022.
- The approved sketch plan shows access to Old Augusta Rd via Moultrie Drive on the .343-acre portion of LEO at the Sanctuary property, which is zoned R-3.
- The applicant intended to access Old Augusta Rd via Moultrie Drive, pursuant to an access easement agreement (recorded on 07/17/2019) between Kicklighter and Jasper Village.
- Rezoning and subsequent combination of the .343 acres with the existing B-3 acreage (Parker's site) will allow unified platting and zoning for the totality of the B-3 development.
 - At the February 22, 2023 Planning Board meeting, Mr. Brad Smith made a motion for approval, with conditions:
 1. Recombination plat must be approved by Development Services, and be recorded, before the rezoning can take effect.
 2. The lot shall meet the requirements of the B-3 zoning district.
- The motion was seconded by Mr. Ryan Thompson, and carried unanimously.

Alternatives

1. **Approve** the request to **rezone** .343 acres from **R-3** to **B-3**, with the following conditions:
 1. Recombination plat must be approved by Development Services, and be recorded, before the rezoning can take effect.
 2. The lot shall meet the requirements of the B-3 zoning district.
2. **Deny** the request to **rezone** .343 acres from **R-3** to **B-3**.

Recommended Alternative: 1

Department Review: Development Services

- Attachments:**
1. Rezoning application and checklist
 2. Ownership certificate/authorization
 3. Plat

Other Alternatives: 2

FUNDING: N/A

4. Deed
5. Aerial photograph