

## Staff Report

**Subject:** 2<sup>nd</sup> Reading Zoning Map Amendment  
**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. Zoning Map Amendment

**Other Alternatives:** 2  
**FUNDING:** N/A