

Staff Report

Subject: Rezoning (Third District)
Author: Katie Dunnigan, Zoning Manager
Department: Development Services
Meeting Date: April 4, 2023
Item Description: **Joseph R. Davis** as Agent for **Shirley Y. Davis** requests to **rezone** 6.4 of 50.72 acres from AR-1 & R-1 to AR-1 & AR-2 to allow for a recombination of adjacent lots. Located on Stillwell Clio Road. **Map# 422 Parcel# 3 & 4A**

Summary Recommendation

Staff has reviewed the application, and recommends **approval** of the request to **rezone** 6.4 of 50.72 acres from AR-1 & R-1 to AR-1 & AR-2 acres to allow for a recombination of adjacent lots., 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.
- The proposed recombination of parcels is the result of estate planning for the Davis family.
- The involved property consists of 422-3: a 1.87-acre parcel, zoned R-1 and 422-4A: a 47.39-acre parcel, zoned AR-2. The proposed recombination is as followed:
 - 422-3 (R-1) is to be combined with a portion 422-4A (AR-1), resulting in a 3.33-acre parcel. Due to the inability to combine land in differently zoned districts, and that the resulting parcel will not meet the 5-acre threshold required for AR-1, the proposed 3.33-acre parcel is to be rezoned to AR-2.
 - A 2.81-acre portion is to be separated from 422-4A (AR-1). Since the proposed 2.81 parcel will not meet the 5-acre threshold required for AR-1, it must be rezoned to AR-2.
- The end result of the proposed recombination will result in three parcels:
 - One 47.39-acre parcel, zoned AR-1
 - One 2.81-acre parcel, zoned AR-2 (formerly AR-1)
 - One 3.33-acre parcel, zoned AR-2 (formerly AR-1 & R-1)
- At the March 14, 2023 Planning Board meeting, Mr. Alan Zipperer made a motion for approval, with 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 be recorded, before the rezoning can take effect.
- The motion was seconded by Mr. Brad Smith, and carried unanimously.

Alternatives

1. Approve the request to **rezone** 6.4 of 50.72 acres from AR-1 & R-1 to AR-1 & 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 be recorded, before the rezoning can take effect.

2. Deny the request to **rezone** 6.4 of 50.72 acres from AR-1 & R-1 to AR-1 & AR-2.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: Development Services

FUNDING: N/A

Attachments: 1. Rezoning application and checklist 2. Plat 3.

Deed

4. Ownership certificate/authorization 5. Aerial photograph