

**ZONING DOCKETS FROM THE MARCH 5, 2012  
PLANNING AND DEVELOPMENT COMMITTEE MEETING**

<b>Docket Number</b>	<b>Applicant</b>	<b>CC DIST.</b>	<b>STAFF REC.</b>	<b>GCPC REC.</b>	<b>P&amp;D REC.</b>	<b>COUNCIL ACTION</b>
<b>CZ-2012-5</b>	Anne J. Pittman Grove Cathey and Orders Street R-7.5 to S-1 0151000601200	23	D	A	A	
<b>Public Comments</b>	<p><b>Some of the general comments made by Speakers at the Public Hearing on February 20, 2012 were:</b></p> <p><u>Speakers For</u> (1) None</p> <p><u>Speakers Against</u> (1) None</p>					Petition/Letter  For –  Against –
<b>Staff Report</b>	<p>The site has historically been occupied by an auto service facility, including the existing structure and a previous structure on site per the applicant and previous owners. The Codes Enforcement Department has no records to document occupancy of the property for commercial/service use as an automobile garage/body shop. Therefore, the Codes Enforcement Department issued a notice of violation to the applicant in July 2011 for illegal use of the property as a junk yard and for lacking an occupancy permit for the automobile garage/body shop. The applicant appealed the decision of the Zoning Administrator to the Board of Zoning Appeals in order to allow use of the R-7.5, Single-Family Residential, zoned property for the automobile garage/body shop. On September 14, 2011, the Board of Zoning Appeals affirmed the Zoning Administrator's ruling by a vote of 5-0 for Docket CB-11-22.</p> <p>As mentioned in the zoning history section above, this parcel has been presented previously for rezoning from R-7.5, Single-Family Residential, to S-1, Services. As stated, it was recommended for denial by Staff, Planning Commission, Planning and Development Committee and denied by County Council in 2006. Staff recommended denial based on the opinion the S-1, Services, district would not be appropriate at this location because the parcel is not located on a major road such as Poinsett Highway and the permitted uses under the S-1, Services, district would be too intense at this location. Staff mentioned a more transitional zoning district between the O-D, Office District, to the west and the C-2, Commercial, district to the east may be more appropriate. The land uses in the area and zoning have not changed since the request was made in 2006.</p> <p>The surrounding area is occupied by various uses on tracts zoned residential and nonresidential. As mentioned in the zoning history, Staff has consistently recommended denial of intensive zoning districts such as S-1, Services, in this immediate area and for the subject parcel due to encroachment into and incompatibly with the residential area. In 2006, Staff recommended a more transitional zoning district may be appropriate at this location. Staff discussed this recommendation and shared the results of the 2006 rezoning request with the applicant at the time of application. The applicant is requesting S-1, Services, based on the current auto repair facility on site. Staff is of the opinion the S-1, Services, request is not appropriate at this location and recommends denial of the request.</p>					
<b>Planning Commission</b>	The Planning Commission recommended approval based on the fact the site has historically been occupied by an auto repair garage and there are similar uses and S-1, Services, zoning in the area.					