

Zoning Docket from February 20, 2017 Public Hearing

Docket Number	Applicant	CC DIST.	STAFF REC.	GPC REC.	P&D REC.	COUNCIL ACTION
CZ-2017-15	Ronald C. Ayers, Jr. for Ayers Family Trust 1008 and 1010 Highway 14 0542020101300 and 0542020101400 R-15, Single-Family Residential to S-1, Services	27	Denial	Denial 2/22/17 Denial 3/22/17	Returned to Planning Commission 3/6/17; Approval 4/4/17	
Public Comments	<p>Some of the general comments made by Speakers at the Public Hearing on February 20, 2017 were:</p> <p><u>Speakers For:</u></p> <p>1) Applicant</p> <ul style="list-style-type: none"> • Property owned and built by his father in 1977 • All current buildings constructed before the property was zoned • Property currently grandfathered • In contact with developer to build more mini-warehouses on the property <p><u>Speakers Against:</u></p> <p>1) None</p> <p>List of meetings with staff: January 18, 2017, Applicant</p>					<p>Petition/Letter For: None</p> <p>Against: None</p>
Staff Report	<p>The subject parcel zoned R-15, Single-Family Residential is 3.4 acres of property located on Highway 14 approximately 0.35 miles north of the intersection of Adams Mill Road and Highway 14. The parcel has approximately 280 feet of frontage along Highway 14 and 200 feet of frontage along Ayers Drive.</p> <p>The applicant is requesting to rezone the property to S-1, Services. The subject site currently has a legal non-conforming use on the property. There are single-family residences to the west, east and south of the site with outdoor recreation to the north.</p> <p>The applicant states the proposed land use is for mini-warehouse, change to appropriate zoning.</p> <p>The subject site and its current use of mini-warehouse, auto repair facility and retail repairs have been long standing uses since before the zoning of this area in 1983. This area of Highway 14 between Bethel Road and Adams Mill Road is made up of predominantly single-family residences. There are single-family residences located to the north, west and south of the subject site. Introducing further S-1, Service type uses would not be consistent with the surrounding neighborhoods or the residential character of this area. Staff is of the opinion allowing additional S-1, Service type uses on this subject site would not be consistent with the existing land uses and zoning in this area. Staff is also of the opinion introducing S-1 zoning could set a future precedent for S-1 and other service type land uses along Highway 14. The requested zoning is also not consistent with the Scuffletown Rural Conservation District.</p> <p>Based on these reasons staff recommends denial of the requested rezoning to S-1, Services.</p>					
Planning Commission	<p>During the meeting, the applicant stated that he would be willing to rezone just the back portion of the parcel. Planning Commission requested that if this application was amended that it be sent back to Planning Commission by P&D</p>					
Staff Report	<p>On February 23 the applicant submitted a letter stating that he would like to amend his rezoning request to rezone only a portion of the parcels. Mr. Ayers is requesting that the back half of the property be rezoned to S-1, Services, while the fronts half remain R-15, Single-Family Residential.</p>					

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P&D	At the Planning and Development Committee meeting on March 6, 2017, the Committee returned CZ-2017-15 to Planning Commission for further consideration of the applicant's amended application of a portion of the parcels being rezoned to S-1, Services.
Staff Report	Staff maintains previous recommendation of denial for reasons listed in the Staff Report above.