

AGENDA ITEM # 4

Rezoning request by J. Mark Eager P.C. File # LO-99-08

** This item was tabled last month due to a minor error in the legal advertisement. This has now been properly advertised for public hearings.

J. Mark Eager is requesting to rezone a portion of 3 parcels totaling 125.6 acres to Planned Development (P-D). The subject property is currently zoned Agricultural Use (A-U) and Flood Hazard (F-H). It is located in northwestern Lowndes County along the west side of Miller Bridge Road, between Parker Road and Hall-Webb Road. The property currently contains a single-family residence and is used primarily for pasture. The applicant is proposing to develop the property as a private, rural estate type subdivision based on an approved master plan.

The subject property is located within the Rural Service Area (RSA) of the Comprehensive Plan and depicted as Agriculture/Forest on the Plan's Future Land Use Map. The National Wetlands Inventory (NWI) maps depict possible wetlands on the western portion of the property in association with the Little River floodplain.

The applicant is proposing to rezone and develop Phase I (eastern 59.91 acres) for now, which would consist of 14 lots of 3 acres each, an equestrian pasture consisting of 7.34 acres, and a landscaped buffer area along Miller Bridge Road. The development will be deed restricted with minimum house sizes of 3,000 square feet. The remaining western portion consists of pasture as well as both 100-year floodplain (F-H zoning) and jurisdictional wetlands which have not yet been delineated. With exception of perhaps 2-4 additional lots in Phase II, the applicant is proposing to reserve all of this area as open space for the entire development. The detailed plan for Phase II will be presented for consideration once the wetlands and 100-year floodplain have been properly delineated.

This is located very deep in the Rural Service Area where minimum lot sizes are prescribed to be 5 acres or greater. The surrounding land use pattern is both agricultural and rural residential and it generally fits this low density goal of the Comprehensive Plan. Under the current A-U and F-H zoning, the property could be subdivided into about 20 5-acre lots. The applicant is proposing to maintain this overall low density pattern by allocating the density allowed under the A-U zoning (5-acre lots) into slightly smaller lots and reserve the remaining acreage as open space. With just the 14 lots of Phase I, the net density will be about 8.2 acres per lot. Even with the addition of 4 more lots in Phase II, the net density will be about 6.4 acres per lot.

Staff Recommendation:

Find "consistent with the Comprehensive Plan", and recommend approval with the following conditions:

1. The Phase I area (59.91 acres) shall be rezoned to Planned Development (P-D) in accordance with the submitted master plan.
2. The remaining A-U portion shall be rezoned to "conditional" A-U(c); with a sufficient amount of acreage being reserved (a little less than 20 acres) to make the lots in Phase I net at least 5 acres each. This remaining area shall be submitted later for consideration (rezoning) as Phase II of the development.
3. The F-H portion of the property shall remain unchanged.
4. Uses of the Planned Development shall be restricted to all uses currently allowed in Single-family Residential (R-1) zoning as well as equestrian and passive recreational uses.