

CITY OF GREEN
Planning Department Review
PLANNING & ZONING COMMISSION

February 16, 2022

Item 22-13

S Main Rezoning

Presented by Staff

Location: 6083-6095 S. Main Street

Rezoning Request: 7.9 acres B-1 to R-R

PLANNING DEPARTMENT

The Planning Department is presenting a rezoning of approximately 7.9 acres of land zoned B-1 (General Business) to R-R (Rural Residential). This process was initiated after Mr. Brubaker, the property owner of a single-family residence located at 6083 S. Main St. received a variance at the December 16th, 2021, Board of Zoning Appeals meeting. During the meeting, it was brought up that if the property was rezoned as Rural Residential the property would become a conforming use and would no longer require variances for minor modifications. As part of the variance approval process, Mr. Brubaker gave on record his permission for planning staff to seek rezoning the property as Rural Residential given that he will consolidate the small three parcels into one parcel. Mr. Brubaker's parcels to be consolidated and rezoned are 2807189, 2807188, and 2807187 containing an area of approximately .74 acres (See attached aerial map).

In addition to Mr. Brubaker's property, the Planning Department was approached by the owner of parcel 2805458 about rezoning an approximately 5.9-acre tract of their split district 11.58-acre parcel as Rural Residential. Located at 6095 S. Main St., this property currently contains a non-conforming multi-family residential structure along with two agricultural buildings. While the multi-family use would remain non-conforming in an R-R district, the parcel would become conforming if the structure was converted back into a single-family residence.

The existing B-1 District extends just north of Mr. Brubaker's property onto three vacant parcels (2805455, 2805454, and 2805452) all of which are owned by Mr. Rayl. To avoid creating an unwanted B-1 island, Mr. Rayl's approximately .82 acres are included in the proposed rezoning. Planning staff informed Mr. Rayl of the proposed rezoning and at this time no objections have been received.

Located directly south of the proposed area to be rezoned is the business B-Sharp Property Maintenance which would remain in a B-1 Zoning District. The historic reason this area is zoned for business is that it was once thought to serve the Comet hamlet. Over time businesses have left the area creating less pressure for commercial use and the opportunity for residential use to reclaim the land.

The PZC is being asked to review the request for rezoning and make a recommendation to City Council. Contiguous property owners have been notified of the PZC meeting as a courtesy. Code requires the Clerk of Council to notify contiguous property owners of the Council's required public hearing.

Summary of Area	Adjacent Zoning	Adjacent Land Use
North	R-R	Single-Family Residential
South	B-1	Business B-Sharp Property Maintenance
East	R-R	Vacant
West	New Franklin Zoning (Residential and Conservation)	Single-Family Residential Vacant Land

DESIGN REVIEW BOARD

No review required.

ENGINEERING

No comments requested.

FIRE

No comments requested.

ZONING

No comments requested.

STAFF RECOMMENDATION

The rezoning of the land from B-1 to R-R would remove the non-conforming status of an existing residence reducing the need for future variances to continue their established residential use of the land. The area to be rezoned has changed significantly in character from the Comet hamlet that it once was.

Staff, therefore, would recommend a favorable recommendation by the Planning & Zoning Commission to City Council for the rezoning of approximately 7.9 acres of land from B-1 (General Business) to R-R (Rural Residential). Any concerns of contiguous property owners or others should also be considered in this rezoning request.