

Planning Commission Agenda Item for July 22, 2014

Case Number 14.043Z: Zoning Map Amendment – Unplatted land being a portion of the SW1/4 of the SW1/4 of Section 29, T50N, R72W of the Sixth Principal Meridian, Campbell County, Wyoming

Applicant/Owner: Don and Cathy Schuh

Agent: Doyle Surveying, Inc.

Summary:

The owner is seeking approval of a Zoning Map Amendment in order to re-zone 18.58 acres of land from R-1, Single Family Residential District to R-S, Suburban Residential District to ensure that all land in a proposed subdivision will be within the same zoning district.

Background:

The property is located on the west side of Moonshiner Lane. It is vacant land which is currently zoned R-1, Single Family Residential District. The owners are preparing a subdivision plat which is currently made up of two (2) zoning districts. This Zoning Map Amendment will allow the proposed subdivision to be contained within a single zoning district.

The proposed subdivision will be comprised of a small tract of land (Tract D, Western Sky Subdivision, Phase III) currently zoned R-S, Suburban Residential District, and 18.58 acres which has a zoning designation of R-1, Single Family Residential.

The large sized parcel, rural nature of the property, and the proposed large lots are all characteristics that are more consistent with the R-S, Suburban Residential District than the current designation of R-1, Single Family Residential District. The Planning Commission reviewed a Sketch Plat on May 13, 2014 of the proposed six (6) lot subdivision which showed an average lot size of 3.18 acres.

There are requirements in the Zoning Ordinance in order to approve a rezoning request. An amendment to the Zoning Map shall not take place unless at least one (1) of two (2) criteria exists as set forth in Section 12 of the City of Gillette Zoning Ordinance.

- a. The Zoning Map may be amended when there is a need to correct an obvious error. In this case there was no obvious error in the zoning designation.
- b. The Zoning Map may be amended to recognize changing conditions within the City. This request does recognize changing conditions.

Section 12 of the City of Gillette Zoning Ordinance also provides for a minimum size land area of ten (10) acres for an R-S, Suburban Residential District. The rezoning request at 18.58 acres meets and exceeds the minimum size requirement.

It is also noted that the property requested to be rezoned is mostly surrounded by land already zoned R-S, Suburban Residential District. The rezoning request is compatible with the existing zoning district pattern which currently exists; and fits with the existing single family development pattern in the area.

Planning Requirements:

1. The re-zoning request shall be approved by City Council with an Ordinance prior to taking effect.
2. Any new development shall meet the development standards of the R-S, Suburban Residential District, and be reviewed and approved by the City of Gillette.

Staff Recommendation:

Staff recommends approval of the re-zoning request for 18.58 acres of unplatted property, as shown on the Exhibit "A" Map, subject to all Planning requirements.

*This case is tentatively scheduled for a Public Hearing and First Reading by City Council on August 5, 2014 in the City Council Chambers at 7:00 p.m.*

Save: 14.043Z Case Sheet

Attachments: Vicinity and Aerial Map, Exhibit A Map, Legal Description

Case Manager: Michael Surface