

Mr. Dillard presented the case in which the applicant is requesting a change in zoning on the subject property from E-A (Estate Agricultural) zoning to R-1 (Low Density Residential) zoning. The general motivation in this case is for the applicant to subdivide the property into conforming lots for individual residences. The subject property possesses road frontage on Byrd Road, a locally maintained County Road, and is within the Rural Service Area and Agricultural/Forestry Character Area.

The subject property was created in 1969, and the two existing houses have historical construction dates of 1971, which predate the County's adoption of subdivision regulations in 1972, including the awareness of setbacks.

The neighboring properties along the northeast side of Byrd Road were rezoned in 1996 from A-U (Agricultural Use) to S-A (Suburban Agricultural), and then subdivided for the applicant's children; in essence, a precursor to Family Ties. These lots range in size from 1.86ac to 3.86ac in size.

Based on the survey, R-1 would allow for the creation of five (5) lots that meet County standards, including the separation of the existing homes onto individual lots. While not a condition for rezoning, it is worth noting that twelve and a half (12.5) feet should be reserved for future right-of-way for any widening/paving of Byrd Road, which might impact the overall lot sizes.

While R-1 is not recommended by the Comprehensive Plan in this area, it does state that "residential subdivisions should be severely limited and any minor exceptions should be required to follow a rural cluster zoning or conservation subdivision design." The TRC reviewed the request and had no technical objections, noting that the unique shape of the property coupled with the requirements for individual well and septic systems naturally limits the overall development. Therefore, Staff recommends approval of the request for R-1 zoning.

Vice-Chair Steve Miller asked if Byrd Rd. is slated to be paved any time soon, to which Mr. Dillard responded it is not currently on a paving list, but the conceptual plan does account for Engineering's request that Right of Way be reserved in case it does get paved in the future.

Speaking in favor of the request:

- Tripp Talley, Applicant – 113 Fairway Dr.

Mr. Talley stated he was present to answer any questions the commissioners might have.

Commissioner Rountree pointed out the front yards would be minimized considerably if Byrd Road does get paved.

No one spoke in opposition to the request.