

City Council Agenda Request From Zoning Commission

Date of Zoning Commission Meeting: July 8, 2010

Item to be presented to Council (Ordinance):

Approval of a rezoning request by Anthony Perkins to rezone 809 East Church St. described as a 60' X 284' Lot (being Lot 6, and the east 1/3 of Lots 7, 8, 9, & 10 in Block 2 of the Kenmore Addition and the west 20' of the revoked 60' Campo Street right-of-way) in accordance with the survey by WM. J. Bodin Jr. dated revised 6/17/2010; from R5 to RS (**Case#RZ2010-6-1**)

Brief Description of the Property:

Existing Zoning: R5

The 60' X 284' lot is currently occupied by one single-family residence.

Zoning Commission Public Hearing:

Speaking in Favor: Anthony Perkins (owner) **Speaking Against:** None

Specific Action taken by the Commission:

Motion to deny the requested rezoning but to recommend approval of an Expanded Conditional Use to allow a snowball stand/sweetshop (provided a city license is obtained and the requirements as defined in the Zoning code are met) with the condition that the ECU expires upon a change in ownership of the property or the proposed use.

Zoning Commission Vote Results: For: Jimmy Meyer, Ralph Ross, Louise Bostic, Stanley Young
Against: None Absent: Bill Travis

Stipulations or Special Conditions:

If the Council concurs with the recommendation of the Zoning Commission the ordinance for the sweetshop/snowball stand Expanded Conditional Use should read:

WHEREAS, it is in the interest of the City to support walkable communities where goods and services are within walking distance and there are no stores within walking distance where sodas, snowballs or snacks are available,

NOW THEREFORE BE IT ORDAINED, that the City Council hereby approves an Expanded Conditional Use for a snowball stand/sweet shop as an accessory use on the site of the single-family home at 809 East Church Street (being Lot 6, and the east 1/3 of Lots 7, 8, 9, & 10 in Block 2 of the Kenmore Addition and the west 20' of the revoked 60' Campo Street right-of-way as shown on the survey by WM. J. Bodin Jr. dated revised 6/17/2010 attached hereto and made a part hereof, with the following stipulations:

1. That the snowball stand/sweetshop meets the conditions of the definitions of these two uses as defined in Section 8-Definitions of the zoning code including the requirement that allowable items are sold for consumption off the premises; that there is no customer seating and the use is no more than 200 square feet in area;
2. That a city license is obtained; and
3. That the expanded conditional use expires upon a change in ownership of the property or the use.

Date presented to the City Council Clerk: 7/15/2010

Date to be on the Council Agenda: Introduction – July 20, 2010 Final- August 3, 2010

From: Ginger Fortson, City Planner _____