

**ZONING COMMITTEE
RECOMMENDATION**
June 28, 2006

Rezoning Petition No. 2006 - 79

Property Owner: Dixie River Land Company LLC and Pappas Properties LLC

Petitioner: Pappas Properties, LLC

Location: Approximately 2.8 acres located on Windygap Road and fronting Lake Wylie.

Request: MX-1 LLWCA, mixed use Lower Lake Wylie Critical Area to R-3 LLWCA, single-family Lower Lake Wylie Critical Area.

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Vote:

Yeas:	Carter, Cooksey, Farman, Howard, Ratcliffe, and Sheild
Nays:	None
Absent:	Hughes

Summary of Petition

This request proposes to rezone from MX-1, which would allow up to three dwelling units per acre and require a fifty foot buffer on the exterior property lines, to R-3 to allow up to three dwelling units per acre.

Zoning Committee Discussion/Rationale

Mr. MacVean reviewed the petition and noted that it is consistent with adopted plans. The Zoning Committee discussed the sedimentation in the adjoining cove and asked if it was a result of present development activity at Berewick. Darrin Peine with Storm Water Services responded that the sedimentation was actually due to a Charlotte Utility Department project to service the Berewick Development.

Statement of Consistency

Commissioner Ratcliffe made a motion to find this petition consistent with adopted plans. Commissioner Carter seconded the motion, which was approved unanimously.

Vote

Upon a motion made by Sheild and seconded Ratcliffe, the Zoning Committee unanimously recommended approval of this petition.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.