



MEMORANDUM

PUBLIC WORKS DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

TO: Robin Brigode, Clerk of the Board
FROM: Arlan M. Colton, Planning Director *AMC*
SUBJECT: May 14, 2013 Board of Supervisors Agenda Material
DATE: May 1, 2013

Please place the following agenda item on the Board of Supervisors' **MAY 14, 2013** Hearing Agenda.

ADVERTISED ITEM FOR PUBLIC HEARING

MODIFICATION (SUBSTANTIAL CHANGE) OF A REZONING CONDITION & PLAT NOTE WAIVER

***Co9-84-41** INTERNATIONAL WILDLIFE – GATES PASS ROAD REZONING
Co12-84-109 PASEO MONTANA LOTS 1-25

Timmins Family TR, represented by Loose Brown Attorneys requests the following:

1. **A Modification (Substantial Change) of Rezoning Condition #18** that requires an 85 foot setback from the planned right of way adjacent to Gates Pass Road, a major street and scenic route.
2. **A Plat Note Waiver** to allow a building within the 85 foot building setback. (To be heard by the Board of Supervisors only.)

The applicant requests to reduce the required 85 foot setback from the planned right of way adjacent to Gates Pass Road to 19 feet for an existing guest house. The subject property is zoned CR-1(BZ)(GZ-2) [(Single Residence Zone) (Buffer Overlay Zone) (Gateway Overlay Zone – Public Preserve)] and is located adjacent, and north of Gates Pass Road and adjacent, and northeast of McElroy Drive described as Lot 1 of Paseo Montana Subdivision (Book 38, Page 85). On motion, the Planning and Zoning Commission voted, 10-0, to recommend **DENIAL OF ITEM 1**. Staff recommends **APPROVAL OF BOTH ITEMS WITH STANDARD AND SPECIAL CONDITIONS**.

(District 5)

***Co9-84-41 & Co12-84-109 are to be heard together as one case, but separate motions are required.**

c: Chris Poirier, Assistant Planning Director