



STAFF REPORT

CASE:	ZC16-4
EXISTING ZONING	R
PROPOSED ZONING	R (CD)
PROPERTY OWNER:	JOHN AND CHARLOTTE ELLIOTTE
APPLICANT	RYAN AND RACHEL ELLIOTTE
LOCATION	10131, 10201 AND 10215 CONNELL ROAD
TAX PARCEL NUMBER	139-081-06, 19 AND 15
REQUEST:	FAMILY CARE HOME SUBDIVISION
RECOMMENDATION	FAVORABLE

APPLICATION SUMMARY:

The applicants are requesting conditional zoning approval to allow a Family Care Home Subdivision. A Family Care Home Subdivision is a subdivision development consisting of four or more residential lots, created for the purpose of permitting family care homes in close proximity with one another.

The property owners currently own two existing facilities (at 10215 and 10201 Connell Road) and are requesting to build a third unit on 10131 Connell Road using the Family Care Home Subdivision provision, otherwise the additional family care home would not meet the minimum 2,640 foot separation requirement now required by Mint Hill.

The Board of Commissioners adopted a text amendment June 11, 2015 (ZC14-14) to create a minimum distance between Family Care Homes. The text amendment included an option for a Family Care Home Subdivision by way of conditional zoning.

7.1.13 Special Requirements for Family Care Homes.

- A. All Family Care Homes must comply with all applicable Federal, State, local licensing requirements and health regulations.*
- B. New Family Care Homes (also referred to as Group Homes) shall be separated from existing Family Care Homes in single-family residential district by a distance of two thousand six hundred forty (2,640) feet measured from the closest point of each lot property line in a straight line.*

7.2.32 Supplementary Use Regulations for Family Care Home Subdivision.

- A. Family Care Home Subdivision is a subdivision development consisting of four (4) or more residential lots, subdivided in accordance with the Mint Hill Subdivision regulations, created for the purpose of permitting Family Care Homes in close proximity with one another. The development shall be owned and operated by a single entity.*

Conditional District decisions shall be made in consideration of identified relevant adopted land use plan. Conditional District rezoning is a legislative procedure under which the Board of Commissioners has the authority to increase, tighten, add, vary, modify or waive specific conditions or standards. In approving a petition for the rezoning of property to a Conditional District the Board of Commissioners may request reasonable and appropriate conditions.

STAFF RECOMMENDATION:

Staff recommends approval