



**AGENDA SUBMITTAL TO LUZERNE COUNTY COUNCIL**

<b>ITEM TITLE</b> Ordinance to amend the zoning ordinance and map to rezone 1.54 acres in Ross Township	<b>COUNCIL MEETING DATE</b>	<b>AGENDA NUMBER</b>
<b>Dept:</b> <b>Contact:</b> <b>Phone:</b>	Planning Department Matthew C. Jones, AICP, Executive Director 570-825-1560	

**SUMMARY:**

Property owners, Gary Phillips III & Joshua Price, have filed a request to rezone one parcel of land totaling 1.54 acres of land located in the B-1, Neighborhood Business District, zone to the A-1, Agriculture District, zone to extend the existing Agriculture (A-1) district to include this contiguous property at Post Office Road in Ross Township. If approved, a single family residence may be erected upon this lot.

**FINANCING:**

No additional funds are required for the implementation of this ordinance.

**DISCUSSION:**

The property owners, Gary Phillips III & Joshua Price, seek to erect a single family home.

This property is located at Post Office Road in Ross Township and is more specifically identified as follows:

<u>Parcel Identification Number</u>	<u>Location</u>	<u>Owner's Name</u>
54-G4S1-001-026-000	Post Office Road	Gary Phillips III & Joshua Price

The Luzerne County Zoning Ordinance (“the Ordinance”) sets forth the procedure for a change to the Zoning designation of property and the Zoning Map. The request is to be considered by the Planning Commission of Luzerne County (“Commission”). If the Commission determines that the proposed change is consistent with the overall goals and intentions of the Ordinance, it may recommend approval of the request. The Commissions’ decision, whether in favor of or against the proposal, is communicated to the County Council as a recommendation. County Council may choose to amend the Luzerne County Zoning Ordinance by Ordinance after a duly advertised public meeting is held.

The Planning Commission met to consider the requested change at a duly advertised public meeting held on December 10, 2020, and recommended approval. Council is now to consider the recommendation of the Commission after a public hearing. If a majority of council members present votes for the change, the Ordinance and Zoning Map will be amended to reflect the reclassification of the aforementioned parcel to A-1.

**ALTERNATIVES:**

The County Council may choose to deny the request to rezone. The lot would continue to be subject to the Ordinance requirements as is and the applicant will be limited to the permitted uses within the B-1 district.

**OTHER AGENCY INVOLVEMENT:**

This Ordinance was submitted for legal review to the Luzerne County Office of Law.

No. 2020- \_\_\_\_\_

**ORDINANCE**

***An Ordinance of Luzerne County Council Amending the Luzerne County Zoning Map to Re-Zone One Parcel of Property totaling 1.54 acres in Ross Township from B-1, Neighborhood Business District Zone to A-1, Agriculture District Zone.***

WHEREAS, on November 18, 2020, Gary Phillips III & Joshua Price applied for re-zoning one parcel of land totaling 1.54 acres located at Post Office Road in Ross Township from the Neighborhood Business District (B-1) to the Agriculture District (A-1); and

WHEREAS, at a public meeting held on December 10, 2020, the Luzerne County Planning Commission reviewed the application for re-zoning and recommended approval of the re-zoning amendment to the Luzerne County Zoning Map; and

WHEREAS, having been duly advertised in accordance with all requirements of the Luzerne County Zoning Ordinance, the Luzerne County Council held a Public Hearing on the aforesaid re-zoning application and amendment to the Luzerne County Zoning Map on \_\_\_\_\_, 2020; and

WHEREAS, Luzerne County Council believes it is in the best interest to approve the re-zoning application of Gary Phillips III & Joshua Price;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE LUZERNE COUNTY COUNCIL:

The property in Ross Township, as more fully identified below, shall be re-zoned to the Agriculture District (A-1) Zone and the Luzerne County Zoning Map shall be amended to reflect the re-zoning:

<u>Parcel Identification Number</u>	<u>Location</u>	<u>Owner's Name</u>
54-G4S1-001-006-000	Post Office Road	Gary Phillips III & Joshua Price

This Ordinance shall become effective fifteen (15) days after adoption.  
ADOPTED at a meeting of the Luzerne County council held on \_\_\_\_\_, 2020.

LUZERNE COUNTY COUNCIL

By: \_\_\_\_\_  
Tim McGinley, Chair

Attest: \_\_\_\_\_  
Sharon Lawrence, Clerk of Council

By: \_\_\_\_\_  
Christopher Perry, Vice-Chair