



Village of Marvin

DATE: May 29th, 2025

TO: Village Council

FROM: Hunter Nestor, Planner and Zoning Director

SUBJECT: Call for Public Hearing for Zoning Map Amendment 2025-2

Requested Action

Staff Request that the Village Council Call for Public Hearing on June 10th, 2025, at 6PM at Village Hall for Consideration of Zoning Map Amendment #2025-2.

Background

Mr. Luis Cruz has submitted a Zoning Map Amendment (Rezoning) application to rezone the 3-acre property located on Marvin School Road (Parcel Numbers: 06-01003D from Rural-Residential (R-R) to Single Family Residential (SFR-1). This rezoning will follow the procedure outlined in 5.3 of the Marvin Development Ordinance.





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Analysis

	Existing Land Use	Zoning Designations
Subject Property	Residential/Vacant	R-R
North	Residential	SFR-1
South	Residential	SFR-2
East	Residential/Agriculture	R-R
West	Residential	R-R

General: The rezoning application is to rezone the 3-acre property located on Marvin School Road (Parcel Numbers: 06-01003D from Rural-Residential (R-R) to Single Family Residential (SFR-1) to subdivide the property to create one additional lot a total of 2 single-family lots.

Lot Characteristics:

The property is currently zoned Rural-Residential per the Marvin Development Ordinance. Prior to the adoption of the MDO, the property was zoned R-Marvin Residential and then zoned Rural-Residential with the adoption of the MDO. Below are the minimum lot regulations for Rural-Residential, SFR-1 and the old R-Marvin Residential:

Zoning	R-R	SFR-1	R-Marvin Residential
Minimum Lot Size (Gross Square Foot)	2.5 Acres	34,900 SQFT	43,560 SQFT (1 Acre)
Minimum Lot Width (Measured at Front Street Setback)	144'	130'	130'
Minimum Front Street Setback (measured from Street ROW)	50'	50'	50'
Minimum Rear Yard Setback	40'	40'	40'
Minimum Side Yard Setback	16'	16'	20'

Neighborhood Meeting: Neighborhood Meeting was held Tuesday, April 29th, 2025, from 6PM to 8PM at Village Hall. The sign-in sheet is included in the packets. Most of the questions/comments received were regarding the floodplain that is on the east side of the property.

Review and Discussion

The subject property was zoned to Rural-Residential with the adoption of the MDO. The property owner/applicant had previous conversations with planning staff about subdividing the property under the old ordinance but never formally submitted an application.



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When the Board is reviewing this rezoning application, it is for the rezoning only. The submitted site plan by the applicant is not tied specifically to the rezoning. And it only represents a visual of how the property could potentially be subdivided if the rezoning is approved. However, based on the size and dimensions of the subject property, if the rezoning to SFR-1 is approved, the applicant can only subdivide the property to create one additional lot.

Per Article 5 of the Marvin Development Ordinance (5.3-3(D)(2)):

When considering a proposed amendment, the Marvin Village Council shall not evaluate the petition based on any specific proposal for the use or development of the property unless explicitly required by this Ordinance. The petitioner shall not use any graphic materials or descriptions of the proposed development except for those that would apply to all uses permitted by the requested classification including applications for an overlay district Zoning Map Amendment (TNDO & HIO) where the use is highly pertinent to the facts during consideration of the amendment and/or where a development agreement is to be made as part of the project.

The Planning Board shall consider both the consistency and reasonableness of the rezoning with the Village of Marvin 2020 Land Use Plan, other officially adopted Village Plans. This includes the following:

- The size, physical conditions, and other attributes of the area proposed to be rezoned;
- The benefits and detriments to the landowners, the neighbors, and the surrounding community;
- The relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;
- Why the action taken is in the public interest; and
- Any changed conditions warranting the amendment.

If the rezoning is approved, it may be subdivided further through the minor subdivision process as outlined in the MDO. The proposed lots of the subdivision would have to comply with all the minimum lot requirements for the SFR-1 Zoning District. Below is an overview of the Minor Subdivision process per the MDO.

Minor Subdivisions (For creating up to 3 additional lots)

1. **Pre-application Conference (Required):** Discuss your project with the Planning Department.
2. **Application and Plat Submittal:**
 - a. Include a Minor Subdivision Plat meeting specific standards.
 - b. Application form with landowner/agent info and authorization proof.
3. **Staff Review:**
 - a. Planning Department checks compliance with regulations.
4. **Final Plat Approval (if compliant):**



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- a. Valid upon recording (needs to happen within 60 days).
- b. Plat needs signatures from owner(s) and Planning Department.

Recommendation

Staff Recommendation: Recommend Approval of Zoning Map Amendment 2025-2 and find that the proposed Zoning Map Amendment is consistent with the recommendations and goals of the Village of Marvin 2020 Land Use Plan, other officially adopted Village Plans and is reasonable and in the public interest.

Planning Board Recommendation: The Planning Board reviewed the Zoning Map Amendment during their regular scheduled meeting on May 20th, 2025. The Planning Board unanimously voted to recommend approval of Zoning Map Amendment 2025-2 and find that the proposed Zoning Map Amendment is consistent with the recommendations and goals of the Village of Marvin 2020 Land Use Plan, other officially adopted Village Plans and is reasonable and in the public interest.

Following a recommendation by the Marvin *Planning Board* on the proposed amendment(s), the action shall be reported to the Marvin *Village Council* for a legislative hearing and final action according to the process set forth in Section 5.3-3 of this Ordinance. The legislative hearing will be scheduled as provided by the rules of procedure of the Village Council for calling legislative hearings.