



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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**DEPARTMENT OF PLANNING AND NATURAL RESOURCES**

**Report on Petition to Amend Official Zoning Map No. SCZ-6**

**Application No. ZAC-23-9**

Petition of Shekema George requesting that Remainder Plot No. 246 Estate Glynn, Queen Quarter, St. Croix be rezoned from A-2 (Agricultural Zone) to R-4 (Residential-Medium Density).

**PROJECT PROFILE**

**Owner/applicant:** Julie Donadelle as per Quitclaim Deed dated November 28, 2011, Document No. 2011004839. The applicant, Shekema George, is the property owner's daughter.

**Acreage:** 2.9301 acres as described on Drawing No. D9-6089-C010.

**Current Use:** A single-family residence and agricultural activity.

**Proposed Use:** Addition of a 14-unit guesthouse for long- and short-term rentals.

**Surrounding Uses/Zones:** To the north is undeveloped land. To the east and south is agricultural activity. To the west are residences and agricultural activity. The surrounding area is zoned A-1 (Agricultural Zone) and A-2 (rezoned from A-1 to A-2 in 1980 by Act No. 4425).

**Infrastructure:** Water needs will be supplied by cistern and well water. Wastewater will be handled by a septic system or wastewater treatment system. The applicant plans to further explore the distance from and feasibility of tapping into the public water and sewer lines.

**Public Response:** At DPNR's public hearing held September 20, 2023, three adjacent property owners/attendees asked questions of and expressed concerns with the proposal. There were no post-hearing comments received. The concerns received during the public hearing are summarized below:

1. Unknown plans for septic capacity and water access. The proposal seems premature for allowing density increase.
2. Unrealistic timeline of three to four months for obtaining permits and starting construction.
3. Cultural resources were found on adjacent properties.
4. Surrounding properties are used for agricultural and residential purposes. There are registered farms in the area.
5. Western road is access to farms south of subject property.

6. Distance of guesthouse from northern main road is only 16 feet.

**ANALYSIS:**

During the department’s public hearing, siblings Shekema and Nkobi George testified the intent is to allow construction of a 14-unit guesthouse available for long- and short-term rentals. The first floor would consist of parking and eight one-bedroom units. The second floor would consist of four two-bedroom units and the third floor would consist of two three-bedroom units. Construction would occur in two phases, taking about a year to complete.

The property’s current A-2 zoning allows for the parcel, as a matter of right, to be developed with two dwellings units (counted by the number of kitchens) once they comply with Section 228 and 229 of the Zoning Code. A comparison of the current A-2 zoning and the requested R-4 zoning is shown below.

Section 228. Uses Section 229. Development Provisions	A-2 zone	R-4 zone
Uses	35 uses permitted as a matter of right. 6 uses permitted subject to conditions. 1 accessory use permitted subject to conditions.	23 uses permitted as a matter of right. 12 uses permitted subject to conditions.
Parking	In accordance with Section 230.	In accordance with Section 230.
Density (maximum)	2 dwelling units	120 persons per acre
Lot occupancy (maximum)	No requirement	50 percent
Lot area (minimum)	2 acres	3,000 square feet
Lot width (minimum)	No requirement	40 feet
Front, side, and rear yards (in feet)	25, 50, and 50, respectively	None
Height limit (maximum)	3 stories	3 stories

At 2.9301 acres, the property has two development options that allow for an increase in density- rezoning or a group dwelling

approval. The group dwelling option allows for a maximum of five dwelling units which includes the existing single-family residence (property's acreage multiplied by two dwelling units per acre of A-2 zoned property). A grouped development can be in two or more buildings, in a clustered manner, if sensitive areas are found on the property (guts, historical and other important resources) resulting in creative housing configurations to include triplexes, townhomes, fourplexes, etc.

The grouped development option is simply a building permit application that requires detailed plans that would be submitted to the department for review. There is no public hearing, but a technical review is completed by DPNR's Division of Comprehensive and Coastal Zone Planning prior to the granting of building permits. There is a prohibition on the developer using the project for short-term rentals.

The Zoning Code does not have a definition for either long-or short-term rental, however, with the 2021 adoption of business licensing criteria, short-term rentals are 90 days or less and have been allowed in all zones where dwellings and the typical hotel/guesthouse uses have been allowed.

The requested R-4 zoning was intended for a larger density typically in areas with access to public sewer and water lines, and transportation. The subject property's A-2 zoning was intended for areas which can be best used for agriculture on a scale smaller than the A-1 zoning's 40 acres. The A-2 zoning districts were for ready accessibility to urban markets serving the useful purpose of providing fruits and vegetables locally thus lessening the need for importation. The Estate Glynn area that the subject property is in was originally zoned A-1 but rezoned to A-2 and has only had five zoning map amendments to A-2, R-2, and R-3 zoning.

The department's opinion is that the rezoning of the property to R-4 is not appropriate. The property's acreage already allows for a maximum of five dwelling units if approved as a group dwelling development. The department is unable to render a favorable recommendation on rezoning the property from A-2 to R-4. The area is predominantly low density residential and used agriculturally. Other area uses are those permitted under A-2 zoning and would not be compatible with a 14-unit guesthouse.

**Recommendation:**

The Department of Planning and Natural Resources recommends that a "short-term rental" use variance be granted to the A-2 (Agricultural Zone) Remainder Plot No. 246 Estate Glynn, Queen Quarter, St. Croix to allow for a grouped development with no prohibition on short term rental usage.



 Jean-Pierre L. Oriol  
Commissioner

10/24/23

Date