

GREATER LOWNDES PLANNING COMMISSION AGENDA ITEM

SUBJECT: Rezoning Case REZ-2022-15

Regular Meeting (x)

Work Session (x)

DATE OF MEETING: August 29th, 2022

Recommendation (x)

Policy/Discussion ()

BUDGET IMPACT: N/A

Report ()

FUNDING SOURCE: ☐ Annual ☐ SPLOST ☐ Capital ☒ N/A

ACTION REQUESTED ON:

REZ-2022-15 O'Neal Properties, 2547 US Hwy 84W

R-21 to C-H, Well and Septic, 4.53 acres

HISTORY, FACTS AND ISSUES:

This is a request to rezone the subject property from Medium Density Residential zoning (R-21) zoning to Highway Commercial (C-H) zoning. This same request was made last year and denied by the Board of Commissioners (3-2). The general motivation in this case is to obtain a single commercial zoning on the subject property for speculative commercial marketing. For reference, a chart showing the allowable uses in C-H zoning is attached. Access to and from the subject property is off of US Hwy 84 W, a State maintained arterial road¹, and therefore within the 84 West Corridor Overlay district. Concerning the Comprehensive Plan Character Area Map the subject property is within the Urban Service Area and depicted as a Community Activity Center Character Area, which lists C-H zoning as permitted. A Petition of Support from the neighbors has been included with the request.

Aspects worth noting: 1. Accessible County Utilities, 2. The allowable uses in C-H zoning, 3. The adjacent residential zoning to the north, east, and west, and 4. The nearby C-H zoning along the south side of US Hwy 84 W.

Since 2021, Code Enforcement has had an ongoing case at this property. Multiple citations have been issued, to which the applicant plead guilty to in Magistrate Court, and paid the associated fines. Some of the violations have been addressed, and the applicant has been provided with a list of violations still needing to be brought into compliance.

While C-H zoning is permitted within the Character Area, staff finds the request out of context and inconsistent with the existing land use patterns. The TRC had no additional objectionable comments.

The GLPC heard this request at their regular June 2021 meeting and recommended approval of the request by a vote of 7-2. The Board of Commissioners heard the request at their July 2021 meeting and recommended denial by a vote of 3-2, with Chairman Slaughter breaking the tie.

OPTIONS: Approve 2. Approve with Conditions 3. Table 4. Deny

DIVISION: Planning & Zoning

Staff: JD Dillard

Recommendation by the Commission:

¹ Typical traffic flow capacity of an arterial road is greater than 6,000 AADT. Per the GDOT Annual Average Daily Traffic (AADT) is the average number of vehicles that pass by a counter during a 24-hour period in a certain year.