



SUMMARY

MEETING DATES:

GLPC Work Session: Monday, September 19, 2022/5:30 PM
GLPC Regular Meeting: Monday, September 26, 2022/5:30 PM
Dasher City Council: Monday, October 3, 2022/6:00 PM

SUBMITTED BY:

Loretta Hylton/Southern Georgia Regional Commission

SUBJECT: Application No. DA-ZA-2022-03, Petition by **T. M. Daniels** for a rezoning request to rezone property located on a 1.3-acre lot at 3737 U.S. Highway 41 South in the City of Dasher. The property is currently zoned A-U, Agricultural, and the applicant requests to rezone the property to R-P, Residential Professional, to allow a rural business within the community. The property is more specifically described as Map No. 0190, Parcel No. 240D, of Lowndes County.

HISTORY: A mobile home currently on the lot and a building used as a custom framing business. The building is being used for storage at this time. The applicant is requesting rezoning at this time to allow an art studio.

PREVIOUS ACTION: None

RECOMMENDATION: Staff recommends **Approval** of **Application No. DA-SE-2022-01**, Petition by **T. M. Daniels** for a rezoning request to rezone property located on a 1.3-acre lot at 3737 U.S. Highway 41 South in the City of Dasher, from A-U, Agricultural to R-P, Residential Professional, to allow a rural business within the community.

The purpose of an R-P zoning district is to create an area where residential, business, professional, educational, and institutional uses can be a compatible mix while maintaining a healthful living environment for the district's residents.

FINAL ACTION BY CITY COUNCIL:

☐ APPROVED AS REQUESTED BY THE APPLICANT

☐ APPROVED AN AMENDMENT TO INCLUDE A LESSER GEOGRAPHIC AREA OR LESS INTENSE ZONING DISTRICT OR CHARACTER AREA

☐ APPROVED WITH CONDITIONS

☐ DENIED

STAFF REPORT

File Number: DA-ZA-2022-03

MEETING DATES:

GLPC Work Session: Monday, September 19, 2022/5:30 PM
GLPC Regular Meeting: Monday, September 26, 2022/5:30 PM Dasher City Council:
Monday, October 1, 2022/6:00 PM

SUBJECT: Application No. DA-ZA-2022-03, Petition by T. M. Daniels for a rezoning request to rezone property located on a 1.3-acre lot at 3737 U.S. Highway 41 South in the City of Dasher. The property is currently zoned A-U, Agricultural, and the applicant requests to rezone the property to R-P, Residential Professional, to allow a rural business within the community. The property is more specifically described as Map No. 0190, Parcel No. 240D, of Lowndes County.

Applicant & Contact: Telmon M. Daniels
Address: 3695 Greenbrook Drive, Valdosta, GA 31601
Phone: (229) 356-2209
File Date: July 21, 2022

CURRENT LAND USE:

Subject Property: Residential

North: Residential
East: Residential (older mobile homes)
South: Residential
West: Residential

CURRENT ZONING:

Subject Property:

North: A-U, Agricultural Use
East: A-U, Agricultural Use
South: R-1, Single-Family Residential
West: R-1, Single-Family Residential

STAFF ANALYSIS

Mr. Daniels proposes the use to be an art studio. The purpose of an R-P zoning district is to create an area where residential, business, professional, educational, and institutional uses can be a compatible mix while maintaining a healthful living environment for the district's residents.

To promote the public health, safety, morality, and general welfare of the City of Dasher against the unrestricted use of property, the recommendation of the Planning Commission, the following standards, and any other factors relevant to balancing the above-stated public interest will be considered by the [City of Dasher City Council] in making any zoning decision: (*City of Dasher Zoning Ordinance, adopted March 2, 1998, as amended, p. 48*)

1. *The existing land use pattern.*

The subject property's existing land use pattern is mostly low-density (rural) residential and agricultural. There is some C-N, Neighborhood Commercial to the northeast of this property.

2. *The possible creation of an isolated district unrelated to adjacent and nearby districts.*

R-P zoning would fit in with the area's mixed uses.

3. *The existing population density pattern and the possible increase of the load on public facilities.*

No substantial change in the existing population density pattern is expected from the proposed zoning change.

4. *Whether changed or changing conditions make the passage of the proposed amendment reasonable.*

The staff is unaware of any changed or changing conditions that would influence the reasonableness of the proposed rezoning.

5. *Whether the proposed change will adversely influence existing conditions in the neighborhood or the community at large.*

No adverse effects on the neighborhood or the community at large are expected.

6. *Potential environmental impacts include drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplains, air quality, and water quality and quantity.*

No adverse impacts to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplains, air quality, and water quality and quantity are expected to occur due to the proposed rezoning.

7. *The costs required of the public in providing, improving, increasing, or maintaining public utilities, schools, streets, and public safety necessities when considering the proposed change.*

The proposed rezoning is not expected to result in any substantial additional costs required of the public.

8. *Whether the proposed change will deter the value or improvement of the development of adjacent or nearby property in accordance with existing regulations.*

The proposed change is not expected to deter the value or improvement of the adjacent or nearby property development. This property's rural residential zoning appears more appropriate for the area's development than agricultural zoning. The effect on the value or improvement of the adjacent or nearby property development is expected to be positive if there is any effect.

9. *Whether the proposed change is out of scale with the needs of the neighborhood or the City of Dasher.*

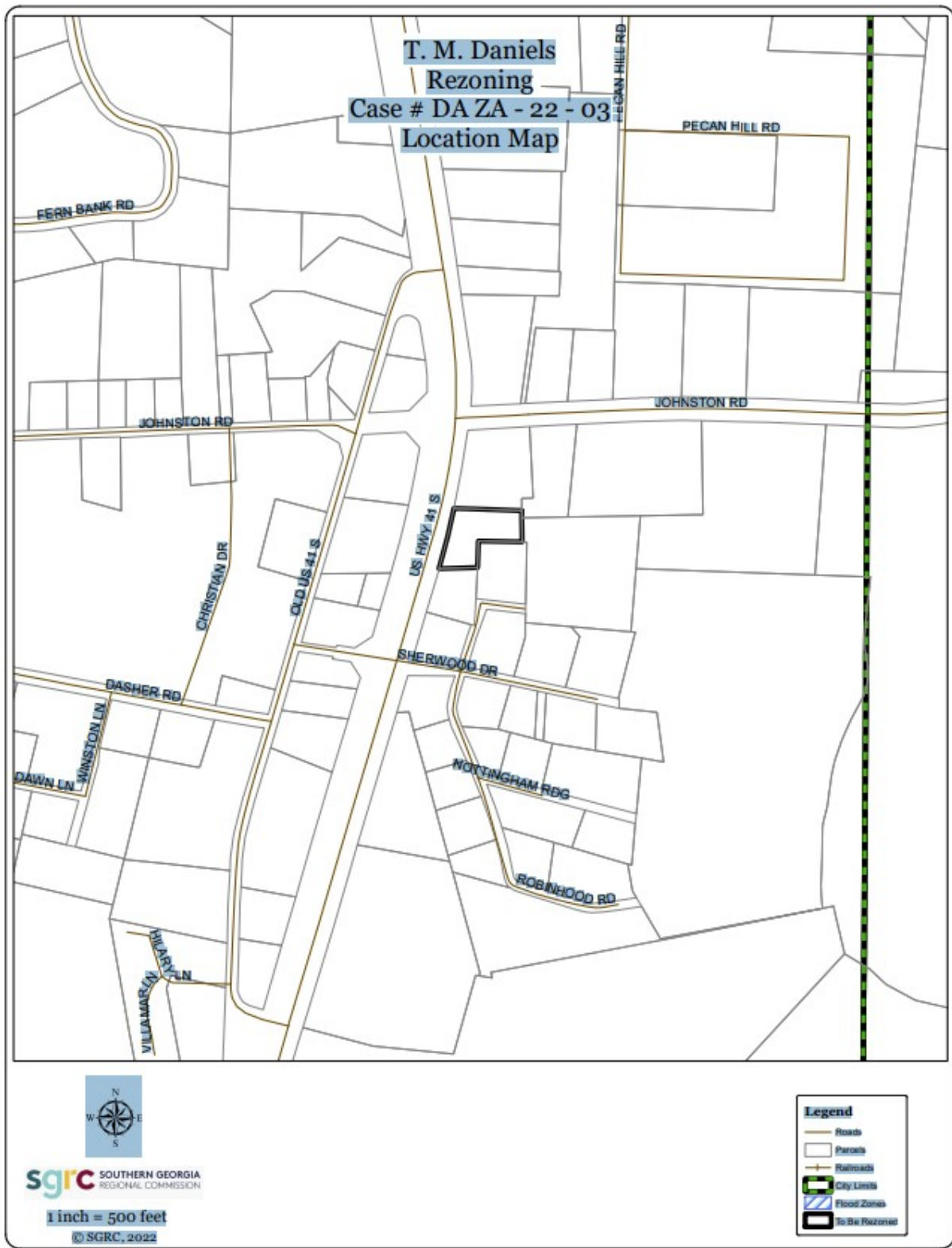
The proposed change is not considered out of scale with the needs of the neighborhood or the City of Dasher.

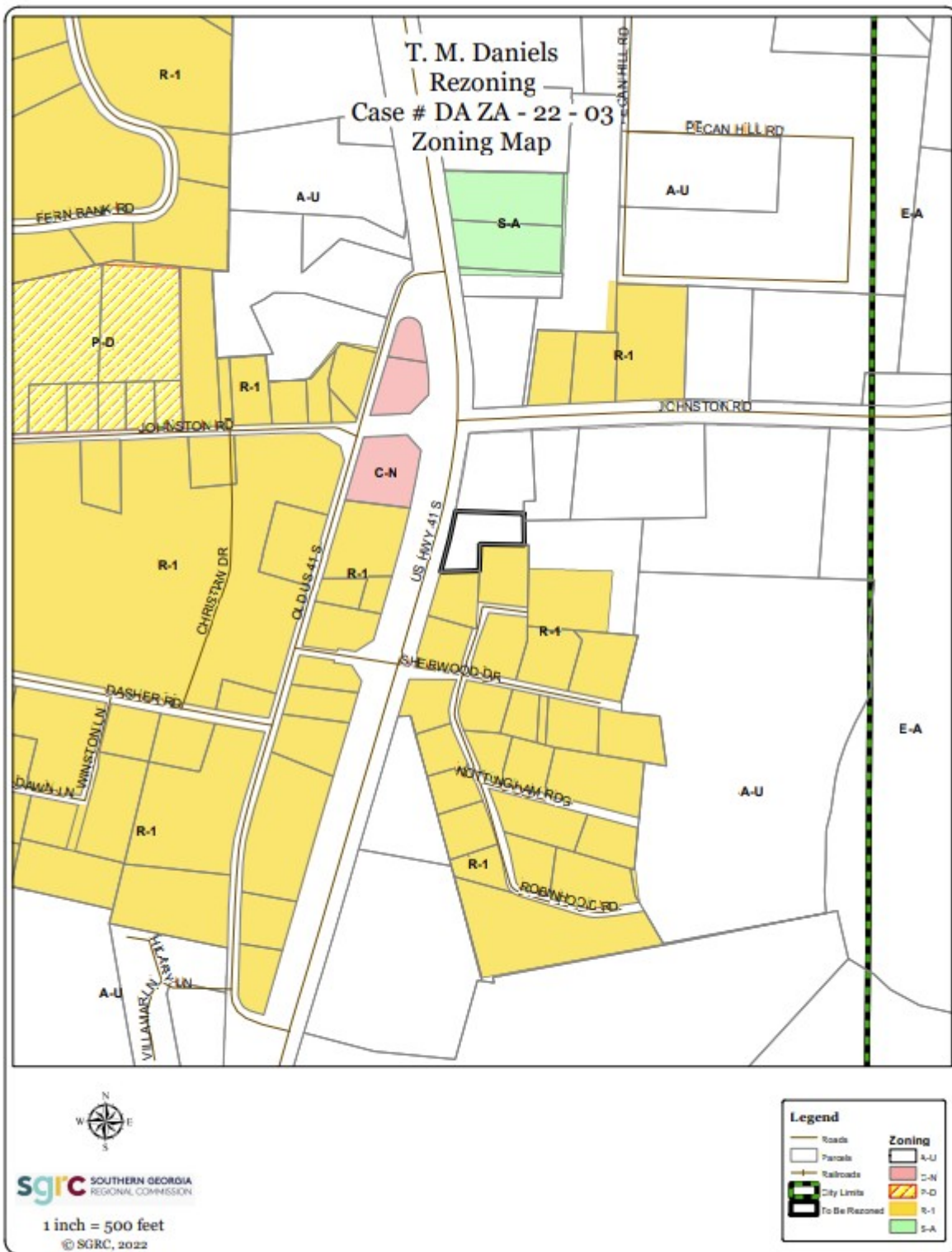
10. *Whether the proposed change will constitute a grant of special privilege to the individual owner as contrasted with the adjacent or nearby neighborhood or the general public.*

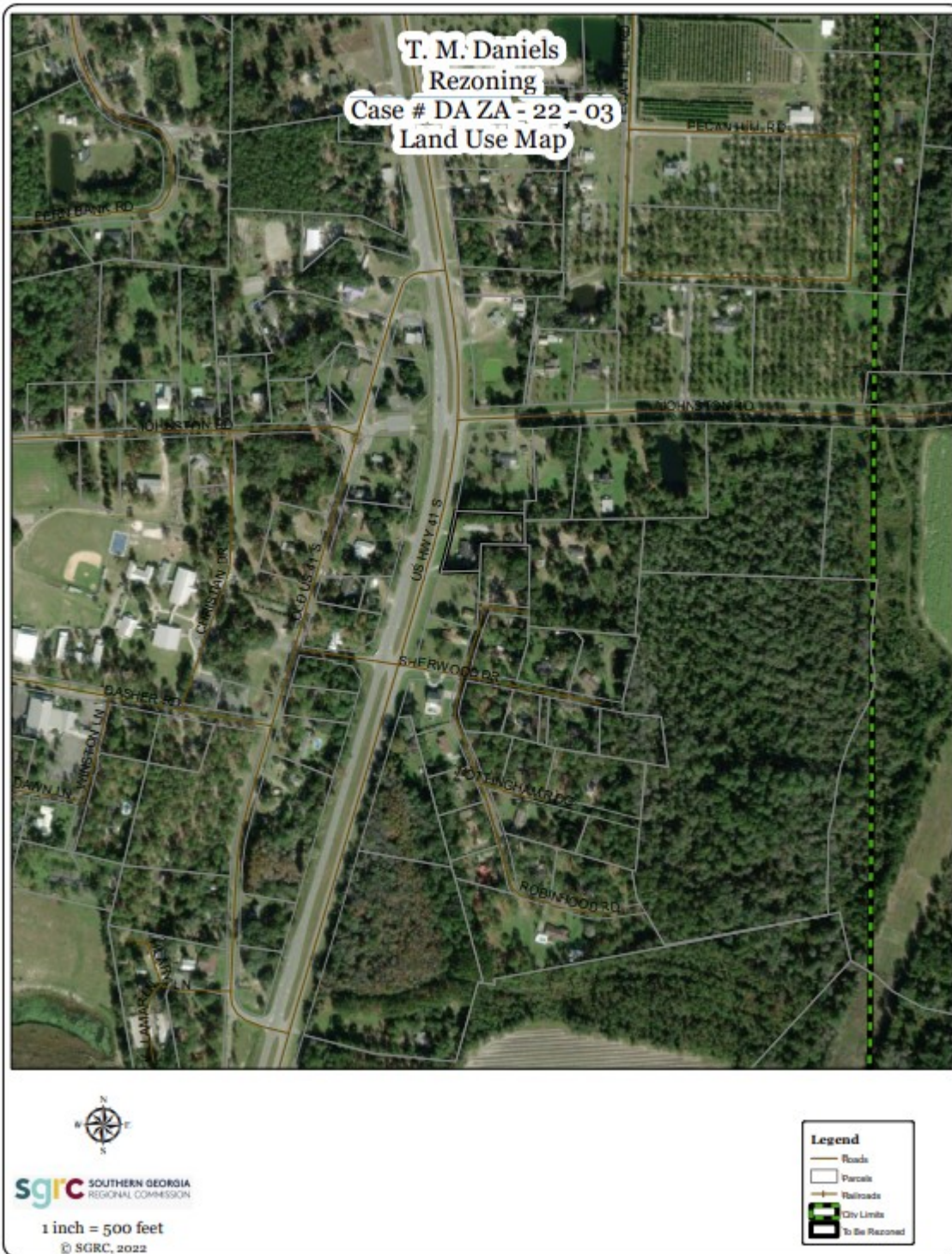
The staff is not aware of any special privilege that the approval of the proposed rezoning would constitute.

11. *The extent to which the zoning decision is consistent with the adopted local Comprehensive Plan is determined by the Planning Commission.*

The subject property is within the Rural Residential Character Area in the 2021 Comprehensive Plan for Lowndes County and the Cities of Dasher, Hahira, Lake Park, Remerton, and Valdosta. Commercial uses are allowed in this character area.







REZONING APPLICATION

CITY of DASHER, GEORGIA

OFFICIAL USE ONLY			
Date Received: 7/25/22	Complete:	Reviewer Initials:	File #: DA-22-03
Filing Fees:	Paid:	Scheduled Hearing Dates (tentative):	
Application Fee: \$		Planning Commission: 9/26 8/29/22	
Notification letters: \$		Dasher City Council: 10/01 9/9/22	
TOTAL Filing fee: \$ 208.50			

This is an application for a Zoning Map amendment to the Dasher Zoning Ordinance. This application form, together with all required attachments and fees, must be completed and returned to the Zoning Administrator by one of the established monthly deadlines in order to initiate review and consideration of a rezoning request. All properties listed in a single application must be contiguous and under a single local government jurisdiction. The applicant is responsible for the completeness, accuracy, and timely submittal of this application including all of its attachments and fees. Unless otherwise stated, please type or neatly print the responses to each of the following.

1. **Applicant Information** Contact person authorized to receive all communication regarding this application:

Name: Telmon M. Daniels

Complete Address: 3695 Greenbrook Drive Valdosta Ga. 31601 Phone: 229-356-2209

2. **Property Information:**

General Location Description: Property Located at 3737 Hwy. 41 South Valdosta Ga. 31606

Existing Use of the property: Storage Proposed Use: Business

Acreage (or square footage if less than 1 acre) 1.32 Current Zoning: AU Proposed Zoning: CR-P

Has this property been denied a zoning change during the past 12 months? No


Has any public hearing been held regarding this property during the past 3 years? (If so, describe.) No

3. **Owner Information:** (If the applicant listed above is not the current owner of the property, then list the name and address of all owners of record for each property that is subject of this application. Attach sheets if necessary.)

Map/Parcel Number	Owner of Record	Mailing Address

4. **Date** of required "First Step" development review (pre-application) meeting: _____
5. **Attachments:** The following items must be submitted in full prior to acceptance of this application.
- A. Letter of Intent; stating the request and why the request is being made.
 - B. Letter of Authorization; if the applicant is not the current owner or is one of multiple owners. This shall be a notarized letter signed by the owner(s) authorizing the applicant to submit and be responsible for this application.
 - C. Survey Plat (for rezoning purposes); mechanically drawn and prepared by a licensed surveyor registered in the State of Georgia. Drawing shall include the following:
 - 1. Scale of drawing should be 1" = 100' or other more appropriate scale. Include north arrow and graphic scale.
 - 2. Inset map showing location relative to major roads, government boundaries, etc..
 - 3. All existing site improvements including buildings and drives.
 - 4. All existing water and sewer facilities, including their sizes and existing easements if any, as well as location of nearest fire hydrants.
 - 5. Depict base 100-year flood lines or note that property is not in flood zone.
 - 6. Notation of surrounding properties including current ownership, intersecting boundary lines, right-of-way lines, etc..
 - D. Legal description by metes and bounds.
 - E. List of all current owners of record for properties located immediately adjacent to or directly across the street or railroad right-of-way from the subject property. The list shall include the current names, mailing addresses and tax Map-Parcel numbers as reflected on the current tax roll of Lowndes County. (This information may be obtained from the Lowndes County Tax Assessor's Office.)
 - F. Proposed conceptual site plan (at the discretion of the Planning Director or designee). Details and contents of this shall be determined at the required "First Step" development review (pre-application) meeting.
 - G. Zoning Change Questionnaire (optional).

I do hereby certify that to the best of my knowledge, the above information and attachments are true and correct.


Applicant's Signature

7/21/2022
Date

ZONING CHANGE QUESTIONNAIRE

City of Dasher, Georgia

Applicant: Telmon M. Daniels

Date: July 21 2022

Section 12-5(c) of the Dasher Zoning Ordinance states that in order to promote the public health, safety, morality and general welfare of City of Dasher against the unrestricted use of property, certain "Standards for the Exercise of Zoning Powers" will be included by the City Council in making any zoning decision. These standards address are summarized in the questions below and will be answered by staff as part of the review period. The applicant is encouraged to also answer these questions to help gain some understanding as to why rezoning requests may or may not be approved.

1. Is the proposed zoning change consistent with the surrounding land use pattern ?

Yes

2. Are there other zonings of this type adjacent to the property or nearby ?

Yes

3. Will the proposed change cause an increase to population density ?

No

4. Will the proposed change likely increase traffic on roads, increase the demand on public utilities, fire or police protection, or other public services (thereby increasing public costs) ?

No

5. Will the proposed change have negative impacts on the quality of life in the neighborhood or surrounding community?

No

6. Will there be any negative affects on the environment (wetlands, flood plain, groundwater, air quality, etc..) ?

No

7. Will the proposed change negatively affect marketability or development of surrounding properties ?

No

8. Is the proposed change out of scale with the needs of the community?

No

9. Could the proposed change be considered a grant of special privilege for the subject property that is not enjoyed by surrounding properties ?

No

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Aug 08 2022 4:19PM City of Dasher 229-559-3147

BK6810PG357

LOWNDES COUNTY, GA
CLERK OF SUPERIOR COURT

2021 JUL 19 PM 1:06

Beth C. Greene
CLERK OF SUPERIOR COURT

LOWNDES COUNTY, GEORGIA
REAL ESTATE TRANSFER TAX

PAID \$ 115.00
DATE July 19 2021

BETH C. GREENE
CLERK SUPERIOR COURT

Return Recorded Document to:
David F. Sandbach, Jr., P.C.
1003 N. Patterson Street
Valdosta, GA 31601

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF LOWNDES

File #: 21-519

This Indenture made this 24th day of June, 2021 between Cynthia L. Marshall, of the County of Lowndes, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and T.M. Daniels, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land situate lying and being in Land Lot 163 of the 11th Land District of Lowndes County, Georgia, more particularly described as Tract 2 containing 1.32 Acres in that Plat of Survey prepared by Stephen Cody Califf dated 6/21/2021, a copy of which is attached to this Deed as Exhibit "A" and by reference incorporated herein.

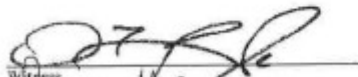

This Deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

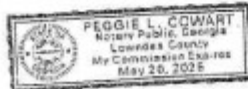

Witness

Notary Public


Cynthia L. Marshall (Seal)

(Seal)

(Seal)

(Seal)



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