

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: REZ-2024-02 Byrd Property, 3715 & 3725 Byrd Rd., E-A to R-1, ~7.5ac,
Well & Septic

DATE OF MEETING: March 12, 2024

Work Session/Regular
Session

BUDGET IMPACT: N/A

FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

COUNTY ACTION REQUESTED ON: REZ-2024-02 Byrd Property, 3715 & 3725 Byrd Rd., E-A to R-1, ~7.5ac, Well & Septic

HISTORY, FACTS AND ISSUES: This request represents a change in zoning on the subject property from E-A (Estate Agricultural) zoning to R-1 (Low Density Residential) zoning. The general motivation in this case is for the applicant to subdivide the property into conforming lots for individual residences. The subject property possesses road frontage on Byrd Road, a locally maintained County Road, and is within the Rural Service Area and Agricultural/Forestry Character Area.

The subject property was created in 1969, and the two existing houses have historical construction dates of 1971, which predate the County's adoption of subdivision regulations in 1972, including the awareness of setbacks.

The neighboring properties along the northeast side of Byrd Road were rezoned in 1996 from A-U (Agricultural Use) to S-A (Suburban Agricultural), and then subdivided for the applicant's children; in essence, a precursor to Family Ties. These lots range in size from 1.86ac to 3.86ac in size.

Based on the survey, R-1 would allow for the creation of five (5) lots that meet County standards, including the separation of the existing homes onto individual lots. While not a condition for rezoning, it is worth noting that twelve and a half (12.5) feet should be reserved for future right-of-way for any widening/paving of Byrd Road, which might impact the overall lot sizes.

While R-1 is not recommended by the Comprehensive Plan in this area, it does state that "residential subdivisions should be severely limited and any minor exceptions should be required to follow a rural cluster zoning or conservation subdivision design." The TRC analyzed the request, the standards governing the exercise of zoning power set forth in 10.01.05 of the ULDC, noting that the unique shape of the property coupled with the requirements for individual well and septic systems naturally limits its overall development. Therefore, staff recommends approval of the request for R-1 zoning.

The GLPC heard the request at their regular meeting, along with comments from the applicant about his renovations to the existing houses and plans to sell the lots based on market demand, and having no