

the lot non-conforming, Mr. Dillard responded, the current zoning is E-A which requires a minimum of five acres and the lot is only one and a half acres. In order to move forward we feel it is better to be served by R-1 for the allowed uses. Commissioner Marshall stated that he does not like spot zoning, and in essence, this is what the commissioners are being asked to do. Mr. Dillard responded in the sense that E-A is the predominant zoning pattern, we look at the lot sizes and I would argue that many of them should be zoned R-1 as well, which would not necessarily make it spot zoning. Commissioner Marshall asked what makes the parcel non-conforming, and Chairman Slaughter stated it is non-conforming because it is less than five acres. Commissioner Marshall asked when the parcel became non-conforming, Mr. Dillard responded, a majority of the lots have been zoned E-A since at least 2006. So, any time there is an opportunity to change, we like to bring it into conformity, that is why there is a recommendation for R-1. Commissioner Marshall asked if this was the status when the last Comprehensive Plan was completed? Mr. Dillard responded yes, in 2006, when the entire county was rezoned, it went from Agricultural Use (A-U) to E-A. Mr. Dillard stated he is unsure of why it was not done at that time. Commissioner Marshall asked if there was somewhere to grandfather them in verses spot zoning if it is an issue, or continue to have them as they are currently zoned. Chairman Slaughter stated he doesn't think there is another choice if it is going to be brought into conformity with the size of it, and it is already a platted lot. Commissioner Marshall stated that he is concerned that it opens the door for neighbors to start doing R-1. Chairman Slaughter asked Commissioner Marshall if he thinks the current zoning should remain in place instead of what it should be, Commissioner Marshall responded yes. County Manager, Paige Dukes mentioned that a lot of the zoning categories were assigned in 2006 when the ULDC was created.

REZ-2025-13 ENCC, LLC, 9353 GA HWY 135 & October Ln, ~1ac, E-A to C-C, Well & Septic

County Planner, J.D. Dillard, presented the item. Mr. Dillard stated this request represents a change in zoning on the subject property from E-A (Estate Agricultural) zoning to C-C (Crossroads Commercial) zoning, in order to bring the property into compliance for commercial use. This property was formerly combined with the immediate parcel to the north, totaling approximately two acres. He stated it was subdivided by deed in approximately 2016 or 2017, so there was no plat at that time for the County to review and approve. This would not have matched the zoning at that time anyway. Mr. Dillard mentioned that Riley Church Pew Repair had been on the property for 30 plus years. It was an allowed accessory use in A-U and E-A, however, when the property was subdivided, it changed hands a few times. Mr. Dillard went on to say that the property is now being used commercially for ENCC, Eric Newsome Custom Cabinetry. The Comprehensive Plan does not recommend much commercial in those areas. However, C-C is the only recommended commercial zoning that would allow the use to continue moving forward. The property has an approximately 6,000 square foot building. There are no wetlands. There is a low density pattern to the east, which was a precursor to family ties which allowed the R-1 zoning on this property. One of the conditions that staff has recommended is the potential paving of October Lane (a private drive) if they are proposing any access, which the applicant is not at this time. Mr. Dillard stated that based on the uses that C-C zoning allows, staff has recommended that alcohol package stores, cemeteries, funeral homes, mini storages, kennels with outdoor runs, and vehicle sales shall not be allowed if C-C zoning is approved. Any vehicular ingress and egress off of October Lane shall require the property owner/developer to pave the street from that ingress/egress to the nearest paved street. The property owner/developer will be responsible for design, acquisition of the right of way, relocation of utilities, and construction costs for the paving. The TRC wanted to make the Board aware of C-C zoning, including buffering, as well as the allowed uses. The Planning Commission recommended approval (9-0) with the two conditions. Commissioner Wisenbaker asked if it is supposed to stay a cabinet manufacturing shop, Mr. Dillard responded that is the current use of the property. County Manager, Paige Dukes stated this property was Mr. J.C.