

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: REZ-2021-24 Barry Godfrey, Mt. Zion Church Road, 1.5 acres, R-10 to C-H

DATE OF MEETING: November 9, 2021

Work Session/Regular Session

BUDGET IMPACT: N/A

FUNDING SOURCE:

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

COUNTY ACTION REQUESTED ON: REZ-2021-24 Barry Godfrey, Mt. Zion Church Road, 1.5 acres, R-10 to C-H

HISTORY, FACTS AND ISSUES: This request represents a change in zoning on the subject property from R-10 (Suburban Residential) to C-H (Highway Commercial). The applicant's desire is to semi-retire, and downsize his current operation at 3255 N Valdosta Road by relocating his automobile inventory to the subject property. Currently, the subject property is considered legal non-conforming since it is developed with several structures- some commercial and some residential in an R-10 district. It is the intent of the ULDC to allow nonconformities to continue until they are removed or discontinued, but nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding structures or uses prohibited elsewhere in the same district (ULDC 9.01.00). In order to add a vehicle sales lot to the property, a rezoning is necessary as the proposed use is prohibited in R-10 districts.

The subject property is depicted as a Community Activity Center on the Future Development Map and is within the Urban Service Area, however, County Utilities are not available. Community Activity Centers permit C-H zoning when located along major collector roads or arterials and encourage uses linked to the economic activities in the surrounding region. The character of this area is mixed with commercial properties to the west and north, residential property to the east and south, and educational institutions further east beyond the residential section.

Supplemental standards for vehicle sales establishments found in Section 4.03.04(B) of the ULDC require that the display and sales area for vehicles be provided with a paved, or stabilized dust-free surface, and be set back a minimum of 100 feet from properties zoned for residential use. Additionally, Section 4.07.06(C) Buffer Area Standards require a minimum buffer area of 30 feet between commercially zoned properties adjacent to residentially zoned properties.

Health Department records indicate only two addresses/uses on the property for a three-bedroom home and a manufactured home on well and septic, which maximizes the use of the property based on DPH lot rules. The property currently possesses five addresses/uses on the property; a three-bedroom home, two manufactured homes, and two storage warehouses. The DPH lot size rule does not allow for any additional uses of the property.

The TRC reviewed this request and found it consistent with the comprehensive plan, and after a lengthy