LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: REZ-2022-15 O'Neal Properties, 2547 US HWY 84 West, R-21 to C-H, Well & Septic, 4.53ac

DATE OF MEETING: September 13, 2022 Work Session/Regular Session

BUDGET IMPACT: N/A
FUNDING SOURCE:

( ) Annual
( ) Capital
(X) N/A
( ) SPLOST
( ) TSPLOST

COUNTY ACTION REQUESTED ON: REZ-2022-15 O'Neal Properties, 2547 US HWY 84 West, R-21 to C-H, Well & Septic, 4.53ac

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 road. 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 residential zoning adjacent 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 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.

At the August 29th meeting, the Planning Commission heard arguments both for and against the request by the applicant and neighbors in opposition, and ultimately recommended approval of the request (5-1).

OPTIONS: 1) Approve
2) Approve with Conditions
3) Table
4) Deny