

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: Rezoning Case REZ-2019-15 Hogan Property, US Hwy 41 S. & Wellman Pl. E-A/R-1/M-1 to M-2, Well & Septic, ~7.01 acres
Districts 3 & 4

Work Session/Regular Session

DATE OF MEETING: December 10, 2019

BUDGET IMPACT: N/A

FUNDING SOURCE:

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

COUNTY ACTION REQUESTED ON: Rezoning Case REZ-2019-15 Hogan Property, US Hwy 41 S. & Wellman Pl. E-A/R-1/M-1 to M-2, Well & Septic, ~7.01 acres

HISTORY, FACTS AND ISSUES: This case was previously Tabled at the October 8, 2019 Board of Commissioners' meeting, pending the applicant's Variance request, which was approved with conditions at the ZBOA December 3, 2019 meeting. The case represents an attempt by the applicant to rezone approximately 7.01 acres containing 3 split-zoned, non-conforming parcels (R-1, E-A and M-1) to M-2 (Heavy Manufacturing). The general motivation for the case is aimed at bringing the current salvage yard operations into legal compliance and to allow for future modifications to the business. The subject properties front US Hwy 41 S., a minor arterial road, with additional frontage on Wellman Place, a local residential county-maintained road. The Future Development Map of the Comprehensive Plan depicts this area as within a Community Activity Center, where M-2 zoning is not listed as a permitted zoning district. However, the following factors should be taken into consideration: 1) The current and intended continuing use of the subject properties, 2) The fact that the current use predates the Lowndes County Unified Land Development Code that established the current zoning regulations, and in which the M-2 classification is the first classification listed for salvage yards, 3) the potential precedent set for this area regarding future zoning requests of adjacent/nearby properties, and 4) the adjacent R-1 zoning to the west.

The TRC considered the request and concurred with the following Staff-recommended condition: The use of the property shall be limited to the principal use of a salvage yard and accessory uses incidental and subordinate to such a facility. (Planning)

The GLPC considered the case at its regular November meeting and unanimously recommended for its approval with Staff's recommended condition. No one was present to speak in opposition nor in favor of the request.

The ZBOA Variance regarding setbacks was approved with the following conditions: 1) The Variance on the

property will remain in effect continuously with the junk yard/salvage yard use only; 2) The applicant must repair and/or replace the opaque fencing around the perimeter of the lot.

- OPTIONS:
1. Approve
 2. Approve with Conditions
 3. Table
 3. Deny

RECOMMENDED ACTION: Board's pleasure

DEPARTMENT: Planning

DEPARTMENT HEAD: Molly Stevenson

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS: