

LOWNDES COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM

SUBJECT: Rezoning Case REZ-2016-19

DATE OF MEETING: January 10th 2017

BUDGET IMPACT:

FUNDING SOURCE:

Annual SPLOST Capital N/A

Regular Meeting (x)
Work Session (x)
Recommendation (x)
Policy/Discussion ()
Report ()

ACTION REQUESTED ON: REZ-2016-19 Turnberry at Thompson, Thompson Rd & Old US 41 N
E-A to R-1, Community Well & Septic, ~26 acres

HISTORY, FACTS AND ISSUES:

This case represents a change in zoning on the subject property from Estate Agricultural (E-A) to Low Density Residential (R-1)¹. The general motivation in this case is so that the subject property can be subdivided at a greater density (24 lots). For reference, the typical minimum lot size in E-A zoning is 5 acres while the minimum lot size in R-1 zoning is 1 acre. The subject property possesses road frontage on Old US 41 N (County Maintained – Minor Arterial) and the paved portion of Thompson Rd (County Maintained – Major Collector). Concerning the Comprehensive Plan Character Area Map the subject property is depicted as a Rural Residential Character Area and is on the border of the Urban/Rural Service Area. Per Comprehensive Plan guidance R-1 zoning is listed as a permitted zoning within a Rural Residential Character Area. Overall, Planning found this request inconsistent with the Comprehensive Plan.

Factors for consideration include: the current rural character and rural land use pattern in the area², the existing zoning pattern, the existing land use pattern³, the history of the development debate on the subject property⁴, the zoning history in the surrounding area⁵, the potential precedent set for the surrounding area with this decision⁶, public comments received thus far⁷, the potential for an increased tax base in the area, the potential investment in the subject property, the location of Oakridge/Thompson

¹ The request was modified by the applicant's agent and the developer to R-1 zoning from R-21 zoning on December 13th 2016.

² The nearest developed R-1 subdivision is directly across the street to the south (Oakridge / Thompson Rd Subdivision). The next nearest developed R-1 and R-10 subdivisions are ~1.4 miles to the south (Meadow Woods) and ~1.5 miles to the north (Union Creek / Brookridge)

³ The nearest undeveloped R-1 zoning is ~0.9 miles to the south along Union Rd.

⁴ When conversations began with the developer about this property in 2012 planning staff indicated that a recommendation for approval from planning would be given for R-A (2.5 acre) zoning. Staff did not commit to supporting R-1 zoning.

⁵ LO-2005-41 (Thompson Rd – Denied R-1), REZ-2006-27 (Wilkins Acres – Approved R-A), REZ-2012-12 (Bethany Rd – Denied R-1), and REZ-2016-05 (Union Springs – Approved R-A). For additional reference, after public opposition, staff, the GLPC, and the LCBOC combined for a strategy in the recommendations and approval of REZ-2006-27 for Wilkins Acres Subdivision. Wilkins Acres is east of the subject property at the southeastern corner of Bethany Drive and Old US 41 N. Originally the developer requested R-1 and then Staff, the GLPC, the LCBOC, and later the Developer eventually supported, approved, and developed R-A zoning.

⁶ Concerning precedent, the zoning decision on the subject property has the potential to affect ~1,000 to ~3,500 acres bounded by the City of Hahira to the north and Union Road to the south.

⁷ As of 1/4/17 staff has received at least 8 calls and 10+ e-mails from those in opposition to the case and at least 1 e-mail from those in support of the case.

Subdivision (Barber Circle – R-1 Zoning – 34 lots) to the south, that the Comprehensive Plan does not support this density in this area at this time, the development pattern concerning a direction of well-integrated and organized growth of the community, and that Planning was sensitive to the request for additional development in this area and did recommend an alternative zoning: Residential Agriculture (R-A). The TRC reviewed this application and recommended the following:

Division with Recommendation	Planning	Zoning	Engineering	Utilities
	Denial	Denial	Approval	Approval
	Board of Health	Fire/Rescue	Inspections	
	Approval	Approval	Approval	

At their November regular meeting the GLPC reviewed this request and ultimately recommended for its denial by a 7-0-1 vote; Commissioner Folsom recused himself. Two representatives of the applicant spoke for the request and one spoke against it. The one speaking against the request represented a group of those concerned about the case. Based on those standing in opposition to the case during the public hearing portion, Staff estimates that 40+ individuals were in attendance at the GLPC meeting against the case. During the December 13th LCBOC meeting individuals spoke both for and against the request. There were again a large number of concerned citizens in the audience about the case. Ultimately, the LCBOC recommended to table the request by a 5-0 vote. The most drastic change to the current case materials is an updated site plan (Given to Staff on 12/14/16). Staff is still organizing and analyzing the various letters received about the case. Updates to the overall case status include additional communications and open records requests with those in opposition to the case.

OPTIONS:

- 1. Approve
- 2. Approve with Conditions
- 3. Table
- 4. Deny

RECOMMENDED ACTION:

TRC Recommendation: Various (Please See Table Above)
 GLPC Recommendation: Option #4 Deny (Based on Original R-21 Request)

DIVISION: Planning

County Planner: Jason Davenport 


 County Manager

Action by the Board: _____