

## LEE COUNTY BOARD OF COMMISSIONERS

T. PAGE THARP GOVERNMENTAL BUILDING 102 STARKSVILLE AVENUE NORTH, LEESBURG, GEORGIA 31763

> Tuesday, August 12, 2025 AT 6:00 PM T. PAGE THARP BUILDING OPAL CANNON AUDITORIUM WWW.LEE.GA.US

MEETING AGENDA Work Session

## **COUNTY COMMISSIONERS**

Luke Singletary, Chairman, District 2 Chris Guarnieri, Vice-Chairman, District 4 Dennis Roland, Commissioner, District 1 Billy Mathis, Commissioner, District 3 George Walls, Commissioner, District 5

## **COUNTY STAFF**

Scott Addison, County Manager Kaitlyn Good, County Clerk Jimmy Skipper, County Attorney

## 1. CALL TO ORDER

## 2. **INVOCATION**

A) Pastor David Postlewaite, First Free Will Baptist Church, to lead the invocation.

## 3. PLEDGE OF ALLEGIANCE

## 4. **APPROVAL OF MINUTES**

A) Consideration to approve the minutes from the July 22, 2025 Board of Commissioners meeting.

## 5. **CONSENT AGENDA**

## 6. <u>NEW BUSINESS</u>

- A) Brian Shoun P.E., Environmental Engineer, with the FloodPlain Management Unit of the Georgia Environmental Protection Division to discuss Flood Insurance and flood hazard maps.
- B) Mike Talley, Aulick Engineering, to provide an update on flooding and stormwater drainage in southwest Lee County.
- C) Matthew Inman, Axis Engineering Consultants, to provide an update on the Coston Road project.

#### 7. **PUBLIC HEARING**

- A) Amit Barot/ 3EX Diamond, LLC. (Z25-030) has submitted an application requesting to rezone the back portion of the parcel (approximately one acre) from R-2 (Multi-Family Residential District) to C-2 (General Business District). The front portion of the lot is currently zoned C-2 and the entire parcel is a total of 3.141 acres. The property owner is Robert L. Joiner, Jr. The subject property is located off US HWY 82 W, parcel number is 018C464, in Land Lot 251 of the Second Land District of Leesburg, Georgia. Planning staff and Planning Commission recommend conditional approval for the subject property from R-2 to C-2 with the following conditions recommended due to the existing residential uses adjacent to both sides of the subject property: (1) No fuel pumps shall be allowed, given the close proximity to adjacent existing residential use, (2) no adult entertainment establishment shall be allowed, (3) no indoor shooting range shall be allowed, (4) no mortuary use shall be allowed, and (5) no sanitarium or nursing home use shall be allowed.
- B) Tokela Huston (Z25-032) has submitted an application requesting to rezone 1.98 acres from R-1

(Single-Family Residential District) to C-2 (General Business District). The property owner is Tokela Huston. The subject property is located at 165 Cedric Street, parcel number is 040D077, in Land Lot 270 of the Second Land District of Leesburg, Georgia. <u>Planning staff</u> recommends approval with the following conditions: (1) Use under C-2 shall be limited to daycare for children aged 2-12 as proposed by the applicant and (2) Prior to expansion beyond the current level of daycare enrollment, the applicant shall provide a plan demonstrating the adequacy of driveway(s) on the parcel to accommodate additional traffic associated with pick-up and drop-off activity. <u>Planning Commission</u> recommends approval to rezone to C-1 instead of C-2.

- C) **SF Rentals** (**Z25-033**) has submitted an application requesting to rezone 1.16 acres from C-1 (Neighborhood Business District) to R-1 (Single-Family Residential District). The property owner is SF Rentals. The subject property is located on Aspen Drive at lot 89 Palmyra Subdivision Phase 7, parcel number is 029B218, in Land Lot 264 of the Second Land District of Leesburg, Georgia. *Planning staff and Planning Commission recommend approval.*
- D) Lanier Engineering (Z25-031) has submitted an application requesting a conditional use under Section 70-383 (h), of the Lee County Code of Ordinances, to construct an urgent care clinic which is not upon the primary campus of a hospital, or at the remote location of a hospital. The parcel is vacant and is zoned C-2 (General Business District). The property owner is Phoebe Putney Health System, Inc. The subject property is located at 1388 US HWY 82 W, parcel number is 029B133, in Land Lot 263 of the Second Land District of Leesburg, Georgia. *Planning staff and Planning Commission recommend approval*.
- E) (LP25-01) Lee County is initiating a request to amend the Future Land Use Map of the Lee County Comprehensive Plan for the property Tract 2 located in Flint Ventures/ MSG Pecan Orchard Subdivision owned by LKC Groves, LLC. the request seeks to amend a total of 116.274 acres of the Future Land Use designation from Residential to Industrial. Lee County is also initiating a request to amend a portion of the property to the East owned by Lexwig, LLC. The request seeks to amend a total of 111.852 acres of the Future Land Use designation from Residential to Industrial. This amendment is intended to better reflect the County's long-range land use planning goals and support future light industrial development. The subject properties are located off Forrester Parkway and State Hwy 133, parcel numbers 039D082 and 039D120, in Land Lot 211 of the Second Land District of Leesburg, Georgia. *Planning staff recommends approval. Planning Commission did not provide a recommendation.*

## 8. **DEPARTMENTAL MATTERS**

- A) **Planning, Zoning & Engineering -** Review of the July 10, 2025 Planning Commission meeting minutes.
- B) Planning, Zoning & Engineering Consideration to approve an application from Lanier Engineering (Z25-027) to rezone 9.469 acres from C-1 (Neighborhood Business District) to R-1 (Single-Family Residential District). The property owner is Oakland Plantation Partners, LLC. The subject property is located off US HWY 82 W, parcel number is 017D004, in Land Lots 197 and 220 of the Second Land District of Leesburg, Georgia. Planning staff and Planning Commission recommend approval. Public Hearing held July 22, 2025
- C) Planning, Zoning & Engineering Consideration to approve an application from Lanier Engineering (Z25-028) to rezone 20.381 acres from C-1 (Neighborhood Business District) to R-1 (Single-Family Residential District). The property owner is Wiley Investments, LLC. The subject property is located off US HWY 82 W, parcel number is 017D003, in Land Lots 197 and 220 of the Second Land District of Leesburg, Georgia. *Planning staff and Planning Commission recommend*

### approval. Public Hearing held July 22, 2025

D) Planning, Zoning & Engineering - Consideration to approve an application from Lanier Engineering (Z25-029) to rezone 111.852 acres from R-1 (Single-Family Residential District) to I-1 (Light-Industrial District). The property owner is Lexwig, LLC. The subject property is located in the southeast quadrant of the intersection of Forrester Parkway and Norfolk Southern Railroad. The parcel number is 039D120, in Land Lot 210 of the Second Land District of Leesburg, Georgia.

Planning staff recommends denial. Planning Commission recommends approval with the following conditions: (1) A traffic study is prepared by the applicant and reviewed and approved by Lee County, (2) adequate buffers where the property borders residential-zoned properties to the east and south are required, (3) a maximum building height of 50 feet, and (4) a restriction of the following permitted uses from Sec. 70-452: (d) Carpet manufacturing, (j) research and testing laboratories, and (q) natural gas and petroleum products storage and sales. Public Hearing held July 22, 2025

## 9. CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

- A) **Sheriff's Office -** Discussion of authorizing staff to begin the RFP process for the replacement of the fire alarm system at the Lee County Jail.
- B) **Sheriff's Office -** Consideration to ratify the emergency repair of a chiller at the Jail in the amount of \$20,908.60.

### 10. COUNTY MANAGER'S MATTERS

- A) Updates on County projects.
- B) Consideration to adopt a resolution authorizing leases of certain real estate property acquired by the County pursuant to the Hazard Mitigation Grant program to adjacent landowners. The eight (8) presented leases will expire December 31, 2030.

## 11. COMMISSIONER'S MATTERS

## 12. <u>UNFINISHED BUSINESS</u>

## 13. COUNTY ATTORNEY'S MATTERS

- A) **Opioid Litigation -** Consideration to opt in to the Purdue Plan.
- B) **Opioid Litigation -** Consideration to sign the GESA release agreement.
- C) **Opioid Litigation -** Consideration to submit the 9-Defendant Settlements participation form.

#### 14. EXECUTIVE SESSION

## 15. PUBLIC FORUM

## 16. ANNOUNCEMENTS

A) The next meeting of the Board of Commissioners will be held August 26, 2025 at 6:00pm.

## 17. ADJOURNMENT

Lee County is a thriving vibrant community celebrated for its value of tradition encompassing a safe family oriented community, schools of excellence, and life long opportunities for prosperity and happiness without sacrificing the rural agricultural tapestry.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at 229-759-6000 or through the Georgia Relay Service 800-255-0056 (TDD) or 800-355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9 am and 4 pm, Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven working days. The meeting rooms and buildings are handicap accessible.



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MEETING MINUTES
Voting Session

## **COUNTY COMMISSIONERS**

Luke Singletary, Chairman, District 2 Chris Guarnieri, Vice-Chairman, District 4 Dennis Roland, Commissioner, District 1 Billy Mathis, Commissioner, District 3 George Walls, Commissioner, District 5

## **COUNTY STAFF**

Scott Addison, County Manager Kaitlyn Good, County Clerk Jimmy Skipper, County Attorney

The Lee County Board of Commissioners met in a voting session on Tuesday, July 22, 2025. The meeting was held in the Opal Cannon Auditorium of the Lee County T. Page Tharp Governmental Building in Leesburg, Georgia. Those present were Chairman Luke Singletary, Vice-Chairman Chris Guarnieri, Commissioner Dennis Roland, Commissioner Billy Mathis, and Commissioner George Walls. Staff in attendance were County Manager Scott Addison, County Clerk Kaitlyn Good, and County Attorney Jimmy Skipper. The meeting was also streamed on Facebook Live. Chairman Singletary called the meeting to order at 6:00 PM.

## 1. <u>CALL TO ORDER</u>

## 2. **INVOCATION**

Chairman Luke Singletary led the invocation.

## 3. PLEDGE OF ALLEGIANCE

#### 4. APPROVAL OF MINUTES

A) Consideration to approve the minutes from the July 8, 2025 Board of Commissioners meeting.

Commissioner Roland made the **MOTION** to approve the minutes from the July 8, 2025 Board of Commissioners meeting. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Mathis voting yea.

## 5. CONSENT AGENDA

## 6. **NEW BUSINESS**

A) Recognition of employees' years of service.

Chairman Singletary recognized the following employees for their years of service:

5 years: Trevor Avery – Firefighter/Paramedic

20 years: Alan Harris – Lieutenant, Firefighter/Paramedic 20 years: James Jones – Major, Sheriff's Office CID

20 years. James Jones – Wajor, Sheriff & Offic

20 years: Herbert West – Firefighter

## 7. **PUBLIC HEARING**

A) Lanier Engineering (Z25-027) has submitted an application requesting to rezone 9.469 acres from C-1 (Neighborhood Business District) to R-1 (Single-Family Residential District). The property owner is Oakland Plantation Partners, LLC. The subject property is located off US HWY 82 W, parcel number is 017D004, in Land Lots 197 and 220 of the Second Land District of Leesburg, Georgia. Planning staff and Planning Commission recommend approval.

Chairman Singletary opened the Public Hearing at 6:03pm.

Bobby Donley, Lanier Engineering, summarized the application and project in question. Mr. Donley stated that this item and the following item are related to the commercial area located between Quail Chase and Oakland Parkway. There are two (2) separate applications due to a portion being owned by Oakland Plantation Partners and the other portion being owned by Wiley Investments, LLC. What is known as Old Hickory Grove Dirt Road runs through the middle of these tracts. The next residential phase will connect this area to Oakland Parkway.

With no further comments or questions from the public, staff, or Board members, Chairman Singletary closed the Public Hearing at 6:05pm.

B) Lanier Engineering (Z25-028) has submitted an application requesting to rezone 20.381 acres from C-1 (Neighborhood Business District) to R-1 (Single-Family Residential District). The property owner is Wiley Investments, LLC. The subject property is located off US HWY 82 W, parcel number is 017D003, in Land Lots 197 and 220 of the Second Land District of Leesburg, Georgia. Planning staff recommended approval.

Chairman Singletary opened the Public Hearing at 6:06pm.

With no comments or questions from the public, staff, or Board members, Chairman Singletary closed the public hearing at 6:06pm.

Bobby Donley, Lanier Engineering, summarized this application and project along with the previous item.

C) Lanier Engineering (Z25-029) has submitted an application requesting to rezone 111.852 acres from R-1 (Single-Family Residential District) to I-1 (Light-Industrial District). The property owner is Lexwig, LLC. The subject property is located in the southeast quadrant of the intersection of Forrester Parkway and Norfolk Southern Railroad. The parcel number is 039D120, in Land Lot 210 of the Second Land District of Leesburg, Georgia. Planning staff recommended denial. Planning Commission recommended approval with the following conditions: (1) A traffic study is prepared by the applicant and reviewed and approved by Lee County, (2) adequate buffers where the property borders residential-zoned properties to the east and south are required, (3) a maximum building height of 50 feet, and (4) a restriction of the following permitted uses from Sec. 70-452: (d) Carpet manufacturing, (j) research and testing laboratories, and (q) natural gas and petroleum products storage and sales.

Chairman Singletary opened the Public Hearing at 6:07pm.

Bobby Donley, Lanier Engineering, and Jason Wiggins, Lexwig, LLC, summarized the application and proposed project. Mr. Donley stated that this is the 111 acres in the western area of the Sawtooth development. This is the single-family residential area on Lover's Lane Road. The first phase has been completed. They have been looking at options with the active railway tracks that are at the back of this residential area. Commissioner Guarnieri asked if a traffic study was done as previously discussed. Mr. Donley stated that there was a study done on the property. The condition

in the staff report is for a traffic study based on a development plan basis.

Commissioner Mathis asked if there is currently residential development adjacent to this property. Mr. Donley stated that there is not. He said that Mr. Wiggins is developing this, and it would be in his best interest to establish the buffering. Commissioner Mathis stated that there is a difference between rezoning property that has no residential development versus property that already does. If a house was to be built in the future, then they are already aware of what is there. Mr. Wiggins stated that to the west of this property is the railroad tracks and the county owns the property to the south.

With no comments or questions from the public, staff, or Board members, Chairman Singletary closed the Public Hearing at 6:12pm.

## 8. **DEPARTMENTAL MATTERS**

A) <u>Planning, Zoning & Engineering - Review of the minutes from the June 5, 2025 Planning Commission meeting.</u>

The minutes were reviewed as presented.

## 9. CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

A) Consideration to appoint one (1) member to the **Aspire Behavioral Health and Developmental Disability Services** for a term of three (3) years. Term expires 07/31/2028. Letter of interest in appointment received from Mike Sabot (reappointment).

Commissioner Mathis made the **MOTION** to reappoint Mike Sabot to the Aspire Behavioral Health and Development Disability Services for a term of three (3) years. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Roland voting yea.

#### B) **Tax Assessor's Office -** Discussion of 2025 assessment valuations.

Chief Tax Assessor Doug Goodin stated that assessment notices were sent out recently and many citizens have signed up for the homestead exemption, which will affect the tax digest. Residential property makes up around 80% of the tax digest in Lee County. There is an updated cost schedule of residential properties, which has raised values based on sales (there have been over 400 sales used to verify). In December 2024, when the numbers were run, it was going to be a 29% ratio, which means the public utilities would pay 29% instead of 30%. The county must stay in between 36% and 42% to stay in compliance with the Department of Revenue and Department of Audits. In 2021, the County did a revaluation of residential property. In 2021, it was a 39% ratio, in 2023 it was 36.35%, and in 2024 it was 32.65%, which took the County out of compliance. The residential call schedule was last done in 2020 for the 2021 revaluation. This meant that building components for these houses were being valued at 2020 values. The call schedule has been updated to reflect the 2024 schedule and was applied to residential properties.

Commissioner Mathis stated that it will not affect the digest for the county. He clarified that as long as citizens have a homestead exemption, they will be on the value from last year. Mr. Goodin added that as long as citizens owned their house by January 1 and signed up by August 15, then their floating homestead value will be the 2024 value. Chairman Singletary stated that the millage will roll back. Commissioner Mathis stated that the tax base for the County will be the same as it was last year; however, the school board opted out of this. Commissioner Mathis asked school board members in the audience what the school board plans to do and if they will be increasing their taxes.

Dr. Kathleen Truitt stated that their budget is balanced and the school board will discuss the tax item further at their meeting.

Mr. Goodin stated that the increase will be an estimated 33.87% before any appeals and before homestead exemption. Commissioner Mathis said that it does not appear that the county will have any tax increase. However, they are unsure what the plan for the school board is. Chairman Singletary stated that if you do not apply for the homestead exemption, then you will see an increase. Mr. Goodin summarized the requirements for the homestead application submissions.

## 10. COUNTY MANAGER'S MATTERS

## A) <u>Updates on County projects.</u>

County Manager Scott Addison discussed the following updates to County projects: (1) Kinetic Fiber is at 14% installed with 475 locations in the Southwest area; (2) Take Five Oil Change will be opening in August on Highway 82 West; and (3) The Golden Donut, which originated in Columbus, will also be opening on Highway 82 West.

## B) Consideration to approve the engagement letter from Mauldin & Jenkins for the FY2025 Audit.

Commissioner Mathis made the **MOTION** to approve the engagement letter from Mauldin & Jenkins for the FY2025 Audit. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

## C) <u>Discussion of TSPLOST and LMIG funding and road projects.</u>

County Manager Scott Addison discussed the following proposed road projects, after discussions with Brent Davis, Reliable Engineering, and Public Works Director Mike Sistrunk: Mossy Dell Road, Graves Springs Road, Canterbury Neighborhood, Winifred Road, and Pinewood Road. Staff also recommended restriping Forrester Parkway. Portions of Graves Springs Road and Winifred Road are proposed to be included in the FY2026 LMIG application. The TSPLOST project list totals \$3,270,000. The LMIG project list totals \$1,100,000, with the required match coming from TSPLOST. The total cost for the proposed projects is approximately \$4,370,000. The LMIG application is due February 1, 2026.

Commissioner Mathis made the **MOTION** to approve the proposed road list for LMIG of Winifred Road and Graves Springs Road and authorized staff to submit the grant application. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Walls voting yea.

Commissioner Guarnieri made the **MOTION** to approve the proposed road list for TSPLOST and authorized staff to begin the RFP process for all road projects discussed. Commissioner Mathis seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Walls voting yea.

## D) <u>Discussion of a proposed access road at Sutton's Landing.</u>

County Manager Scott Addison stated that the property owner to the south of Sutton's Landing reached out to the County and would like to deed property to the County to allow for a service road. This would allow the current driveway off of US HWY 19 to become an entrance and right turn exit only. The new exit would connect to Ledo Road beside the Ford Town Dealership. Mr. Addison stated that the property owner did request to maintain and access this road from his property. Commissioner Walls asked which road this would connect to. Chairman Singletary stated it would

be the road in-between the Ford Town Dealership and the bank. Commissioner Walls stated that he was informed that the road did not belong to the County but was constructed by the dealership when they built the parking lot.

Commissioner Mathis stated he believes when this was brought to the Board five years ago, the Board came to the conclusion that they have never built a road for a landowner on a private piece of property. Chairman Singletary clarified that the owner wants to deed the right of way to the County. Commissioner Walls stated that the owner should build the road. Commissioner Mathis stated that this request was made five years ago. The Board determined that if the owner wants to develop this property, then he is responsible for developing this road. Chairman Singletary stated that the difference is, at that time, the owner was only offering an easement to the County.

This development would help with traffic leaving Sutton's Landing and keep from making a left on US Highway 19 without a light. He stated that the current driveway could be made a right turn only entrance and exit. Commissioner Roland asked with 19 being a State highway, would the Department of Transportation have to approve that driveway being a right-turn-only. County Attorney Jimmy Skipper stated that if the plan is to do a curb cut or something similar that will encroach on the highway, then it will need approval. Commissioner Mathis stated that a right-turn-only sign could be placed on County property.

## 11. COMMISSIONER'S MATTERS

### 12. UNFINISHED BUSINESS

## 13. COUNTY ATTORNEY'S MATTERS

A) Consideration to adopt a resolution for the levy and collection of an annual ad valorem tax to provide funds for the payment of the principal of and interest on \$10,630,000.00 in aggregate principal amount of the Lee County School District general obligation bonds, series 2025.

County Attorney Jimmy Skipper summarized the resolution. The Board of Commissioners is the entity that levies taxes. The Commissioner sets their own millage rate, as does the Lee County School Board, but the Commissioners are the only entity that can impose the taxes. The Board of Education passed ESPLOST (Education Special Purpose Local Optional Sales Tax) in October 2022. This resolution is for general obligation bonds, which are obligations paid by taxes. This would come up with the difference between what ESPLOST will bring to the school board and the \$10.63 million. The money to pay for this would come from ESPLOST first, then the remaining balance would come from the bond issue.

No MOTION was made.

## 14. **EXECUTIVE SESSION**

#### 15. **PUBLIC FORUM**

Blake Sharpton, Lee County School System Bond Lawyer, summarized the resolution for the levy. If the Board does not approve this, then the School Board can't issue bonds that were approved last year. He informed the Board of the importance of this resolution and the impact if they choose not to approve it.

Dr. Kathleen Truitt, Lee County School System Superintendent, stated that this will be used to complete projects previously voted on with ESPLOST funding. Dr. Truitt discussed the renovation of the primary school and the elevated cost of materials. This is to finish completing projects that were voted on by citizens.

Chairman Singletary asked the Board to reconsider voting on item 13A.

Commissioner Roland made the **MOTION** to adopt a resolution for the levy and collection of an annual ad valorem tax to provide funds for the payment of the principal of and interest on \$10,630,000.00 in aggregate principal amount of the Lee County School District general obligation bonds, series 2025. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Mathis and Commissioner Walls voting yea.

Chairman Singletary asked if anyone else would like to speak. With no further comments or questions from the audience, the Public Forum was closed.

## 16. ANNOUNCEMENTS

A) The next Commission meeting will be held August 12, 2025 at 6:00pm.

## 17. ADJOURNMENT

The meeting adjourned at 6:53PM.

		CHAIRMAN	
ATTEST:			
	COUNTY CLERK		



DATE: 7/28/2025

**APPLICATION TYPE:** Zoning Application

APPLICANT: Amit Barot/Bex Diamond LLC

**REQUESTED ACTION:** Rezoning from R-2 to

C-2

**PURPOSE:** The applicant is requesting that the back 1 acre portion of the approximately 3-acre

parcel be rezoned to C-2. The proposed use of the property is a convenience store with a stormwater pond at the rear of the property on the land currently zoned R-2.

**LOCATION OF PROPERTY:** Land Lot 251, 2<sup>nd</sup> Land District – US Hwy 82, North of N Doublegate Drive; Parcel # 018C464

PARCEL SIZE: +/-1 Acres (portion of the overall parcel that is zoned R-2)

#### **EXISTING CONDITIONS:**

**Present Zoning and Use of Property:** R-2 (back half of property) and C-2 (front half of property with road frontage) – Present use is forested/undeveloped

**Adjacent Zoning/Use:** The following are relative to the R-2 zoned portion of the parcel:

**Northwest**— R-2 (residential and undeveloped)

Southwest—R-2 (undeveloped)

Southeast— R-2 (residential use)

Northeast— C-2 (commercial)

**Available Public Services:** Information about available public services was not included in the application.

**MEETING INFORMATION:** All meetings are held in the assembly room in the Lee County Administration Building unless otherwise advertised.

Planning Commission (public hearing):

08/07; 6:00pm

County Commission (public hearing):

08/12; 6:00pm

**County Commission (voting session):** 

08/26; 6:00pm

#### STAFF RECOMMENDATION:

Staff recommends conditional approval for the subject property from R-2 to C-2 with the following conditions recommended due to the existing residential uses adjacent to both sides of the subject property.

- (1) No fuel pumps shall be allowed, given the close proximity to adjacent existing residential use.
- (2) No adult entertainment establishment use shall be allowed.
- (3) No indoor shooting range use shall be allowed.
- (4) No mortuary use shall be allowed.
- (5) No sanitarium or nursing home use shall be allowed.

## USES ALLOWED IN THE PROPOSED ZONING DISTRICT THAT ARE NOT ALLOWED IN THE CURRENT ZONING DISTRICT:

Current Zoning: R-2 Proposed Zoning: C-2

**Uses Allowed Under Proposed Zoning Districts and Not Under Current Zoning:** 

- (a) Any retail or service establishment.
- (b) Wholesale stores, storage buildings, warehouses, distributing plants, freezers and lockers.
- (c) Commercial greenhouses and nurseries.
- (d) Adult entertainment establishments provided all requirements of the county adult entertainment ordinance are met.
- (e) Indoor shooting ranges provided all applicable federal, state and local government requirements are met.
- (f) Churches, provided that the proposed site is not less than three acres, and a complete site development plan is submitted with the application for a building permit.
- (g) Clubs and fraternal organizations operating not for profit.
- (h) Hospitals, medical offices, and freestanding ancillary healthcare service providers.
- (i) Nursery schools, kindergartens or day care facilities provided all state licensing requirements are met.
- (i) Mortuaries.
- (k) Family personal care homes (two to six residents); group personal care homes (seven to 15 residents); and congregate personal care homes (16+ residents).
- (l) Child-welfare facility (16+ residents).
- (m) Sanitariums and nursing homes.

#### PLANNING CONSIDERATIONS:

1. Will the zoning proposal permit a use that is suitable in view of the use, development, and zoning of adjacent and nearby property?

Development under the proposed C-2 zoning is suitable with respect to the zoning of the adjacent and nearby properties which are also zoned C-2, however the actual existing development and uses of adjacent properties on both sides is residential. Some of the uses allowable in C-2 are not suitable in view of adjacent residential land use.

2. What is the effect on the property value of the subject property should the existing zoning be retained?

The value of the subject property may be somewhat affected if the portion of the existing parcel zoned R-2 is retained, as the current split zoning condition with R-2 residential zoning would not allow commercial development on the C-2 zoned portion of the parcel.

3. If denied, will the effect on the applicant's property value under the existing zoning be offset by the gain to the health, safety, morals, or general welfare of the public?

Denial of the rezoning request and preserving the existing R-2 zoning would not be expected to result in gains to public health, safety, morals or general welfare with respect to most uses allowable in C-2, however some potentially allowable C-2 uses may be considered objectionable when adjacent to residences.

4. Has the property been undeveloped an unusual length of time as currently zoned, considered in the context of land development in the vicinity of the property?

The subject property is undeveloped. Its development status is consistent with that of the adjacent parcels to the southwest.

5. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical services?

The proposed zoning is not expected to cause excessive or burdensome use of schools, police protection, fire protection, public health facilities or emergency medical services. US Hwy 82 has adequate capacity to support commercial development in general, however, an additional ingress/egress on US Hwy 82 could pose additional traffic hazards due to nearby large subdivisions that have an ingress/egress onto US Hwy 82. Traffic moving northbound on this highway would have to utilize the Tower Pl and US Hwy 82 intersection which is already used by the multiple commercial developments on the opposite side of the highway from the subject parcel.

6. Is the zoning proposal in conformity with the policy and intent of the future land use plan for the physical development of the area?

Per the Comprehensive Plan, the subject parcels are designated in the

Commercial area on the Lee County future land use map.

## 7. Is the subject property well suited for the proposed zoning purpose?

The subject property is potentially suitable for the development of a small convenience store as it is across the street from other commercial uses. However, the relatively narrow width of road frontage (approximately 210 feet) is a limiting factor for the property's commercial development potential.

## 8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

The proposed C-2 zoning would not be expected to adversely affect the existing use of adjacent and nearby property. However, the subject parcel is located adjacent to existing residential uses on both sides, and some C-2 uses have the potential to impact nearby residential as a result of noxious fumes as may be associated with fuel pumps or other elements associated with some C-2 uses.

## 9. Does the subject property have a reasonable economic use as currently zoned?

As currently split-zoned C-2 and R-2, there are a number of potential uses for the subject property that would provide some economic value to the property owner. Allowable R-2 uses that are permitted for this property include single-family detached homes, duplexes, apartments, condominiums, and other residential uses. Per Sec. 70-43 of the Lee County Zoning Code, "In the event that a district boundary line on the zoning map divides a lot of record held in one ownership on the date of passage of the zoning ordinance, each part of the lot so divided shall be used in conformity with the regulations established by this chapter for the district in which each such parcel is located. Except, that if one zoning district comprises more than 75 percent of said lot area, a use allowed in the district of majority may be extended to the existing property lines beyond the district boundary line in accordance with setbacks and yard requirements of the district into which the use is encroaching." In this case, approximately 60% of the subject property is zoned C-2 and the other 40% of the subject property is zoned R-1.

# 10. Are there other existing or changing conditions affecting the use of development of the subject property which give supporting grounds for either approval or disapproval of the zoning proposal?

Commercial development is taking place on US Hwy 82 frontage in the vicinity of the subject parcel.

## 11. Would the change create an isolated district unrelated to the surrounding districts, such as "spot zoning"?

Rezoning to C-2 would not create an isolated district. The current R-2 zoning of a portion of the subject parcel is adjacent to residential zoning. However, rezoning

the subject parcel to C-2 would result in compatible zoning with the adjacent C-2 parcel that has road frontage.

## 12. Are the present zoning district boundaries illogically drawn in relation to existing conditions in the area?

The present zoning district boundaries are not illogically drawn based on the existing conditions of the area. The C-2 zoned frontage of the parcel is logical with respect to US Hwy 82 frontage. The fact that the parcel is split-zoned is problematic.

## 13. Is the change requested out of scale with the needs of the county as a whole or the immediate neighborhood?

The change requested is not out of scale with the needs of the neighborhood area or the county in terms of C-2 zoning for a property with US Hwy 82 frontage in general given the expressed need "to encourage businesses to come to Lee County" (Lee County Comprehensive Plan, Economic Development Policy, pg. 10).

## 14. Is it impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned?

It is not impossible to find sites of similar size in districts already zoned to permit C-2 commercial development.

## 15. Would there be an ecological or pollution impact resulting from the proposed zoning if it is granted?

Should the zoning proposal be approved, all development guidelines would need to be carefully followed during the development process to ensure proper environmental testing and regulatory compliance, especially given that convenience stores in Lee County can have up to two gas pumps. As the Lee County Comprehensive Master Plan notes, it is critical to protect floodplains, wetlands and streams in order to protect environmental resources which in turn impact the quality of life and health of the community.



## Z25-030 Lee County Zoning Amit Barot/Robert Joiner US HWY 82

LEE COUNTY CITY OF LEESBURG CITY OF SMITHVILLE

## Amit Barot/Robert Joiner US nw

ZONING APPLICATION					
Owner: RUPKINT L. SOINGR, 5R.					
Address: 4043 CAMPERLEY ST. ERMUNION, TN 37064					
Daytime Phone #:Email:					
Address or location of the property: 3.41 ACRES - HWY 92 WEST-SEE SURVEY					
In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hercinafter described:					
Present Zoning R-Z Present Use of Property: MACALT					
Proposed Zoning: C-2 Proposed Use of Property: CONTRICT STORE DEV/RE					
251 Land Lot Number					
The subject property is described as follows:  APPROX I ACUE UF THE TRACK STOWN ON ATTACHED SURVEY OF  3.14 NOWES - REDUCESTENCE C-Z ZONING FOR REAR PORTION					
ALSO ATTACH: (18 COPIES REQUIRED)Plat of property, including vicinity map					
Legal description Containing Metes and Bounds  DISCLOSURE					
I (owner) have made campaign contributions having an aggregate value of \$250.00 or more, or made gifts naving an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.					
I (owner) have NOT made campaign contributions having an aggregate value of \$250.00 or more, or made gifts naving an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.					
hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above-described property.					
WITNESS alwards dottop verified of the control of t					
DATE					
Application Fee: 900.00 Date Paid: 6/24/25 Received by: Kava Hauson					
In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.					
Applicant Name: AMITBAROT/3EX DOMAND, UC					
Address: 184 TARBITLE DOWN DE LEGGBURG GA 31763					
Phone #:Email:					

Revised 10/26/17

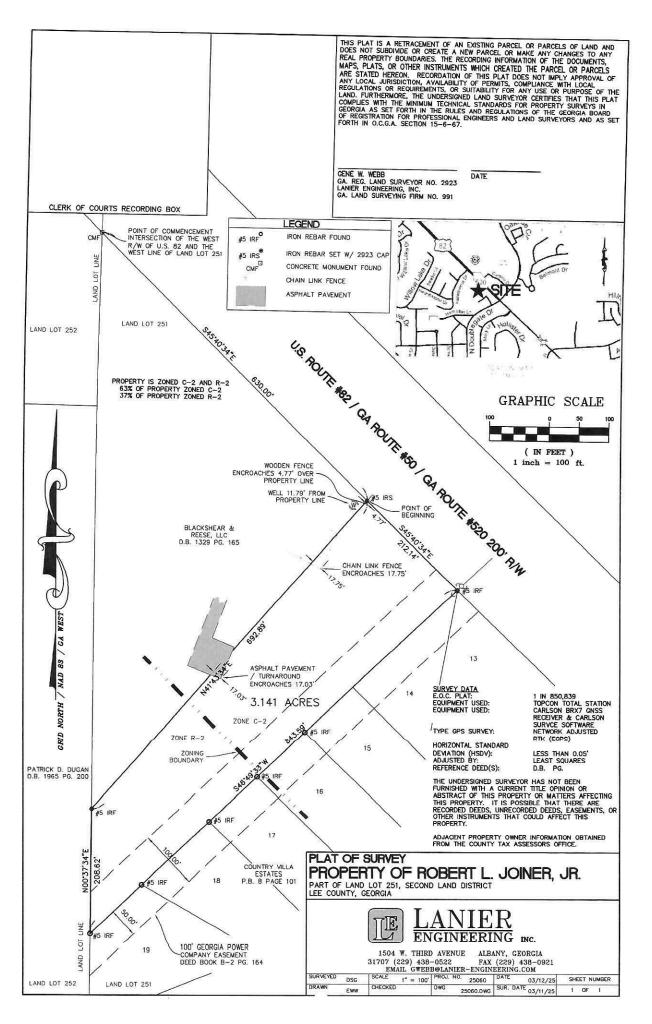
#### LEGAL DESCRIPTION

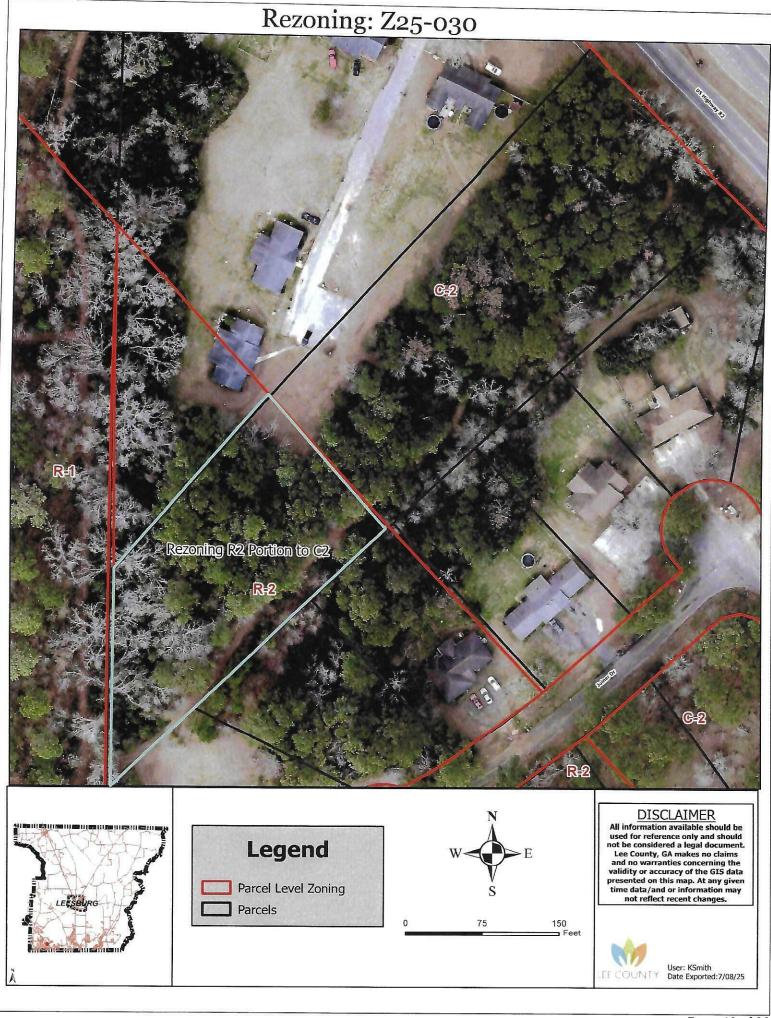
#### Rezoning Lee County Georgia

All that certain tract or parcel of land lying and being in a portion of Land Lot 251 of the 2nd Land District in Lee County, Georgia and being more particularly described as follows:

Commence at a point which is the intersection of the west R/W of U.S. 82 and the west line of Land Lot 251, run S45deg40'34"E along the west R/W of U.S. 82 for a distance of 630.00 feet to a point which is the Point of Beginning; thence run along the west R/W of U.S. 82 S45deg40'34"E a distance of 212.14 feet; leaving the west R/W of U.S. 82, thence run S46deg49'33"W for a distance of 843.59 feet to a point; thence run N00deg37'34"E along the west line of Land Lot 251 for a distance of 208.62 feet to a point; leaving the west line of Land Lot 251 thence run N41deg43'34"E for a distance of 692.89 feet to a point which is the Point of Beginning.

Said Tract contains 3.141 acres.







DATE: 7/28/2025

**APPLICATION TYPE:** Zoning Application

**APPLICANT:** Tokela Huston

**REQUESTED ACTION:** Rezoning from R-1 to C-2

**PURPOSE:** The applicant is requesting rezoning the property from R-1 to C-2 to allow use as a daycare center for children ages 2-12 years.

**LOCATION OF PROPERTY:** Land Lot 11 – 165

Cedric St. Leesburg GA, 31763

PARCEL SIZE: 1.98 Acres

## **EXISTING CONDITIONS:**

Present Zoning and Use of Property: R-1- Present use is a single-family home

### Adjacent Zoning/Use:

North— C-1 (small food business)

**South**— R-1 (single-family home)

East— R-1 (single-family home)

West— C-1 (school)

**Available Public Services:** Information about available public services was not included in the application.

MEETING INFORMATION: All meetings are held in the assembly room in the Lee County Administration Building unless otherwise advertised.

Planning Commission (public hearing): 08/07; 6:00pm County Commission (public hearing): 08/12; 6:00pm County Commission (voting session): 08/26; 6:00pm



#### STAFF RECOMMENDATION:

Staff recommends approval for the subject property from R-1 to C-2 with the following conditions applied due to the property's location adjacent to an existing residence.

- 1. Use under C-2 shall be limited to daycare for children aged 2-12 as proposed by the applicant.
- 2. Prior to expansion beyond the current level of daycare enrollment, the applicant shall provide a plan demonstrating the adequacy of driveway(s) on the parcel to accommodate additional traffic associated with pick-up and drop-off activity.

## USES ALLOWED IN THE PROPOSED ZONING DISTRICT THAT ARE NOT ALLOWED IN THE CURRENT ZONING DISTRICT:

Current Zoning: R-1 Proposed Zoning: C-2

**Uses Allowed Under Proposed Zoning Districts and Not Under Current Zoning:** 

- (1) Barber or beauty shops and similar uses.
- (2) Custom dress making and tailoring establishments and similar uses.
- (3) Personal service establishment.
- (4) Eating or drinking places.
- (5) Laundry, dry cleaning, coin laundry.
- (6) Business, professional, or governmental office designed to attract and serve customers or clients on premises.
- (7) Household appliance repair shop without outdoor storage, display, or business operations of any type.
- (8) Retail store for food, drugs, clothing, etc. with no outdoor storage, display, or business operations of any type.
- (9) Contractor's office with no outdoor storage, display, or business operations of any type.
- (10) Veterinarian offices provided there are no outdoor kennels. Runs designed for animal exercise are allowed as long as the animals are kept inside at night.
- (11) Post office.
- (12) Medical and/or dental clinics.
- (13) Other uses similar to the above, subject to the restrictions set forth in section 70-351 of this chapter.
- (14) Temporary trailer for emergency construction and repair of buildings.
- (15) Nursery schools, kindergartens or day care facilities provided all state licensing requirements are met.

#### PLANNING CONSIDERATIONS:

1. Will the zoning proposal permit a use that is suitable in view of the use, development, and zoning of adjacent and nearby property?

Development under the proposed C-2 zoning is generally suitable with respect to the use, development, and zoning of nearby properties. There are C-2 zoned properties to the south, separated from the subject property by one lot, as well as adjacent C-1 zoned properties with various types of commercial uses.

2. What is the effect on the property value of the subject property should the existing zoning be retained?

The value of the subject property may be somewhat affected if the existing zoning is retained as the proposed R-1 residential zoning would not allow commercial development. Adjacent properties to the west on Cedric Street are commercial zoned, extending to Highway 19, and would be expected to have higher value than residential use on this corridor.

3. If denied, will the effect on the applicant's property value under the existing zoning be offset by the gain to the health, safety, morals, or general welfare of the public?

Denial of the rezoning request and preserving the existing R-1 zoning would not be expected to result in gains to public health, safety, morals or general welfare.

4. Has the property been undeveloped an unusual length of time as currently zoned, considered in the context of land development in the vicinity of the property?

The subject property is developed with a single-family home and it has been used as a daycare center under a conditional use permit for several year. Its development status is consistent with that of the adjacent parcels.

5. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical services?

The proposed zoning is not expected to cause excessive or burdensome use of transportation infrastructure, schools, police protection, fire protection, public health facilities or emergency medical services, in general. However, if daycare enrollment grows, and given the existing configuration of its driveway, there is potential for a higher volume of traffic generated by the use (drop-off and pick-up) to interfere with traffic on Cedric Street at specific times of day.

6. Is the zoning proposal in conformity with the policy and intent of the future land use plan for the physical development of the area?

Per the Comprehensive Plan, the subject parcel is in an area with future use designations of Commercial and Residential area on the Lee County future land use map. As this is a point of transition from commercial to residential land use, the land use plan could be interpreted to support either use for the subject property.

## 7. Is the subject property well suited for the proposed zoning purpose?

The subject property is suitable for use as a small day care center, as was previously approved as a conditional use. The parcel is across the street from other commercial uses and adjacent to a commercial parcel that appears to have similar use as the applicant proposes.

## 8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

The proposed C-2 zoning could adversely affect the existing single-family residential use adjacent to the east. The level of activity and noise associated with a daycare can have an impact on a low-density residential use. However, the overall environment is mixed and relatively busy, and the property has been used as a daycare for several years under conditional use permit.

## 9. Does the subject property have a reasonable economic use as currently zoned?

As currently zoned R-1, there are a number of potential uses for the subject property that would provide some economic value to the property owner. Allowable R-1 uses that are permitted for this property include single-family detached homes and family personal care homes (two to four residents).

# 10. Are there other existing or changing conditions affecting the use of development of the subject property which give supporting grounds for either approval or disapproval of the zoning proposal?

Commercial development is taking place in the vicinity of the subject parcel, with every parcel to the west on the south side of Cedric Street being commercial.

## 11. Would the change create an isolated district unrelated to the surrounding districts, such as "spot zoning"?

The current zoning of R-1 subject property is nearby to both residential and commercial zoning. If rezoned to C-2 this property would not expand an existing C-2 district. However, due to the proximity of other commercial zoned properties in the vicinity, including C-2, it is reasonable to consider that rezoning would not truly create an instance of spot zoning.

## 12. Are the present zoning district boundaries illogically drawn in relation to existing conditions in the area?

The present zoning district boundaries are not illogically drawn based on the existing conditions of the area.

## 13. Is the change requested out of scale with the needs of the county as a whole or the immediate neighborhood?

The change requested is not out of scale with the needs of the neighborhood area or the county in terms of C-2 zoning in general given the expressed need to "Provide a proper environment for economic development to meet needs, grow, and flourish" (Lee County Comprehensive Plan, Economic Development Goal, pg. 10). With respect to the neighborhood and its history of use, the property is well-positioned to support a small daycare.

## 14. Is it impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned?

It is not impossible to find sites of similar size in districts already zoned to permit C-2 commercial development.

## 15. Would there be an ecological or pollution impact resulting from the proposed zoning if it is granted?

Should the zoning proposal be approved, all development guidelines would need to be carefully followed during the development process to ensure proper environmental testing and regulatory compliance. As the Lee County Comprehensive Master Plan notes, it is critical to protect floodplains, wetlands and streams in order to protect environmental resources which in turn impact the quality of life and health of the community. It is not expected that use of this property for the proposed daycare function would contribute an ecological or pollution impact.

COUNTY GEORGE

Z25-032 165 Cedric Street

Rezoning Tokela Huston

LEE COUNTY CITY OF LEESBURG CITY OF SMITHVILLE

## **ZONING APPLICATION**

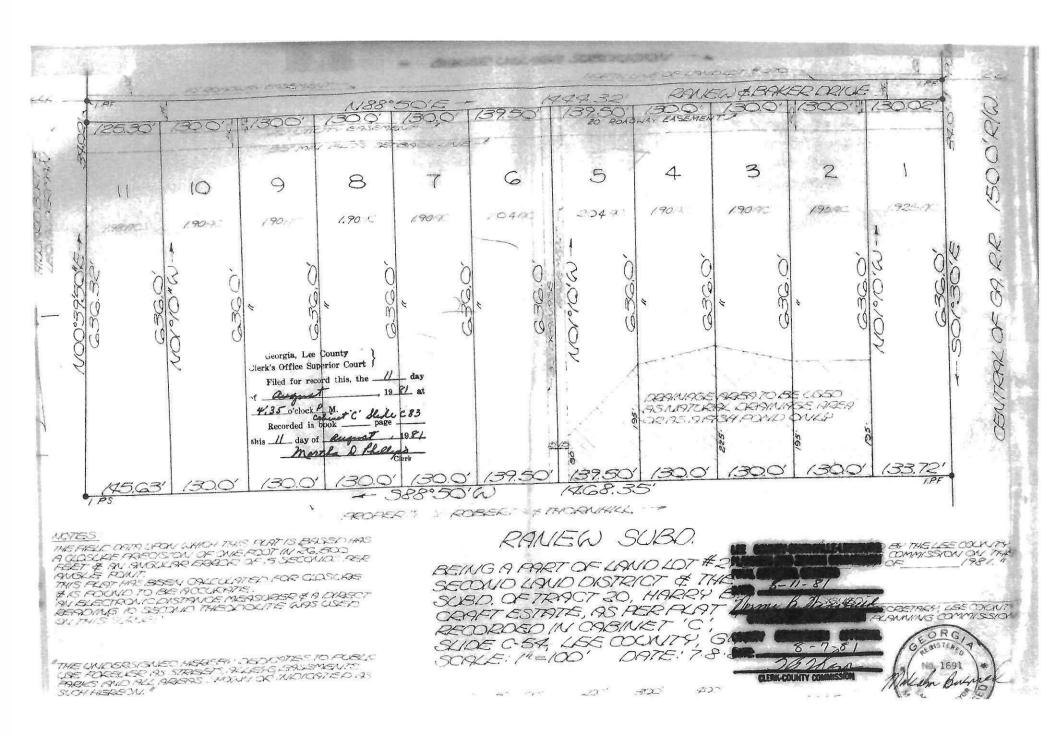
Owner: TOKEYA HUSTON
Address: 165 CENRIC STREET LASPLING BA 31763
Daytime Phone #Email:
Address or location of the property: 165 Cedvic St. Leesburg 69 31763
In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:
Present Zoning R-1 Present Use of Property: Center / Clinic
Proposed Zoning: C-2 Proposed Use of Property: Center / airic / cym
Land Lot Number Land District 1.98 # of Acres
The subject property is described as follows:  (CAYCAVE CENTEX FUX LLAS AGES 2-12 M.  THEY UP Y DO BY FOR THUSE ICEAS HKS OF PRIVATION 8:30-5:30
ALSO ATTACH: (18 COPIES REQUIRED)Plat of property, including vicinity map
Legal description Containing Metes and Bounds DISCLOSURE
I (owner) have made campaign contributions having an aggregate value of \$250.00 or more, or made gifts naving an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
I (owner) have NOT made campaign contributions having an aggregate value of \$250.00 or more, or made gifts naving an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above-described property.
witness owner <u>folled so Itustin</u>
DATE DATE DATE $000000000000000000000000000000000000$
Application Fee: 5900.00 Date Paid: 6/27/25 Received by: Kora Horson
In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.
Applicant Name: To WA MUHA
Address: 101 JUSIES Ct. Leesburg GA 3+763
Phone #: Email:

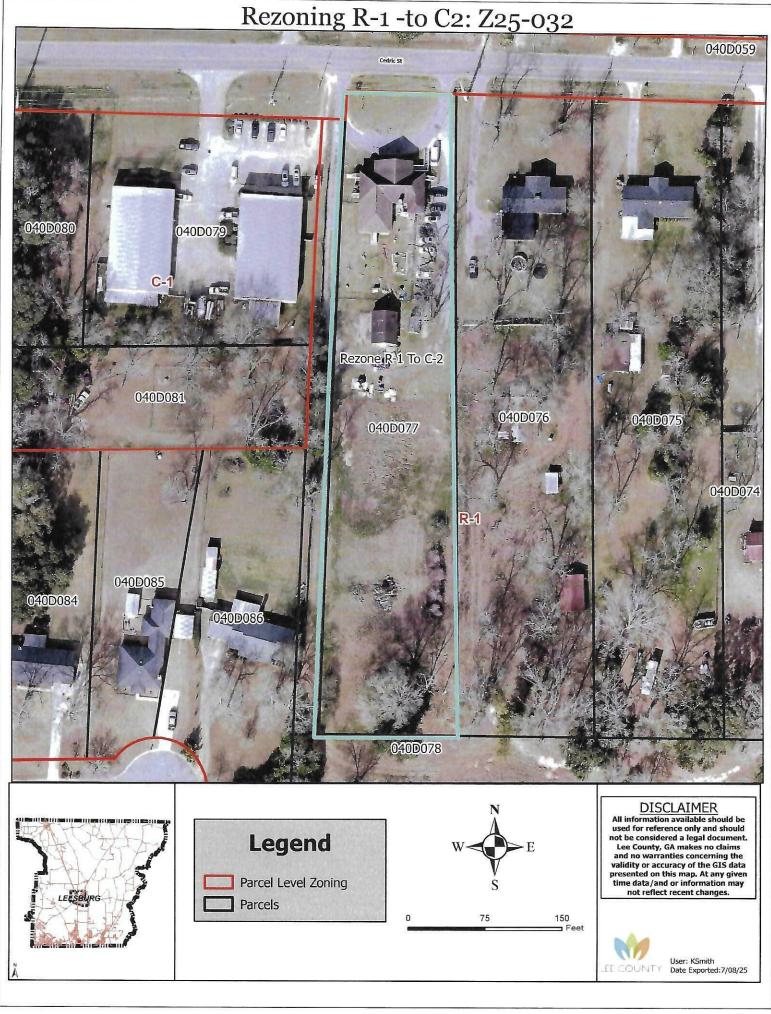
#### EXHIBIT "A"

All that tract or parcel of land lying and being in Lee County, Georgia, and being all of Lot 11 of Ranew Subdivision, being part of Land Lot 270, in the 2<sup>nd</sup> Land District in the subdivision of tract 20 of Harry B Craft Estate according to the plat of the subdivision as recorded in Plat Cabinet C, Slide C-83, in the Office of the Clerk of the Superior Court of Lee County, Georgia

The above described property is conveyed subject to any and all easements and restrictions of record









DATE: 7/28/2025

**APPLICATION TYPE:** Zoning Application

**APPLICANT: SF Rentals** 

REQUESTED ACTION: Rezoning from C-1 to R-1

PURPOSE: No purpose was provided in the application

LOCATION OF PROPERTY: Land Lot 264, 2nd Land

District - Off Hugh Road, at the corner of Aspen Drive; Parcel # 029B218

PARCEL SIZE: 1.16 Acres

## **EXISTING CONDITIONS:**

Present Zoning and Use of Property: C-1 - Present use is single-family homes

## Adjacent Zoning/Use:

North— C-1 (commercial use)

South— R-1 (single-family home)

East— R-1 (single-family home)

West— C-1 (small strip mall)

Available Public Services: Information about available public services was not included in the application.

MEETING INFORMATION: All meetings are held in the assembly room in the Lee County Administration Building unless otherwise advertised.

Planning Commission (public hearing):08/07; 6:00pmCounty Commission (public hearing):08/12; 6:00pmCounty Commission (voting session):08/26; 6:00pm

#### STAFF RECOMMENDATION:

Staff recommends approval for the subject property from C-1 to R-1.

## USES ALLOWED IN THE PROPOSED ZONING DISTRICT THAT ARE NOT ALLOWED IN THE CURRENT ZONING DISTRICT:

Current Zoning: C-1 Proposed Zoning: R-1

**Uses Allowed Under Proposed Zoning Districts and Not Under Current Zoning:** 

- a. Single-family detached dwellings, except manufactured or mobile homes
- b. Zero lot-line housing if shown on an approved subdivision plat.
- c. Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot as the primary dwelling and not involving any business, profession, trade or occupation, provided that all accessory buildings shall conform and be located as required in section 70-84 of this chapter.
- d. Churches, provided that the proposed site for a church is not less than three acres, and a complete site development plan is submitted with the application for a building permit.
- e. Home occupations.
- f. Gardens.

#### PLANNING CONSIDERATIONS:

1. Will the zoning proposal permit a use that is suitable in view of the use, development, and zoning of adjacent and nearby property?

Development under the proposed R-1 zoning is suitable with respect to the use, development, and zoning of the adjacent and nearby properties which are also zoned R-1 and are part of an existing residential subdivision.

2. What is the effect on the property value of the subject property should the existing zoning be retained?

The value of the subject property may be somewhat affected if the existing zoning is retained as the proposed C-1 commercial zoning would not allow residential development; the property currently has residential uses.

3. If denied, will the effect on the applicant's property value under the existing zoning be offset by the gain to the health, safety, morals, or general welfare of the public?

Denial of the rezoning request and preserving the existing C-1 zoning would not be expected to result in gains to public health, safety, morals or general welfare.

4. Has the property been undeveloped an unusual length of time as currently zoned, considered in the context of land development in the vicinity of the property?

The subject property is residentially developed land. Its development status is consistent with that of many adjacent and surrounding properties.

5. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical services?

The proposed zoning is not expected to cause excessive or burdensome use of existing and nearby roadway infrastructure, utilities, schools, police protection, fire protection, public health facilities or emergency medical services.

6. Is the zoning proposal in conformity with the policy and intent of the future land use plan for the physical development of the area?

Per the Comprehensive Plan, the subject parcels are designated in the Residential area on the Lee County future land use map, consistent with the proposed rezoning.

7. Is the subject property well suited for the proposed zoning purpose?

The subject property is suitable for a low-density single family residential development given that it is already developed as such.

8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

The proposed R-1 zoning would not be expected to adversely affect the existing use of adjacent and nearby property.

9. Does the subject property have a reasonable economic use as currently zoned?

As currently zoned C-1, there are a number of potential uses for the subject property that would provide some economic value to the property owner. Allowable C-1 uses that are permitted for this property include any retail or service establishment, wholesale, storage buildings, or other business and entertainment activities usually found within the neighborhood business district.

However, the situation of the subject property within a residential subdivision does not lend to commercial use.

10. Are there other existing or changing conditions affecting the use of development of the subject property which give supporting grounds for either approval or disapproval of the zoning proposal?

Residential development is taking place in the vicinity of the subject parcel.

11. Would the change create an isolated district unrelated to the surrounding districts, such as "spot zoning"?

The current zoning of C-1 subject property is adjacent to residential zoning. Rezoning the subject parcel to R-1 would result in compatible zoning with surroundings.

12. Are the present zoning district boundaries illogically drawn in relation to existing conditions in the area?

The present zoning district boundaries are illogically drawn based on the existing conditions of the area.

13. Is the change requested out of scale with the needs of the county as a whole or the immediate neighborhood?

The change requested is not out of scale with the needs of the neighborhood area or the county in terms of R-1 zoning in general given the expressed need for a "variety of housing types, sizes, costs, and densities" (Lee County Comprehensive Plan, Housing Options Goal, pg. 14).

14. Is it impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned?

It is not impossible to find sites of similar size in districts already zoned to permit R-1 residential development.

15. Would there be an ecological or pollution impact resulting from the proposed zoning if it is granted?

Should the zoning proposal be approved, all development guidelines would need to be carefully followed during the development process to ensure proper environmental testing and regulatory compliance. As the Lee County Comprehensive Master Plan notes, it is critical to protect floodplains, wetlands and streams in order to protect environmental resources which in turn impact the quality of life and health of the community.



LEE COUNTY CITY OF LEESBURG CITY OF SMITHVILLE

## **ZONING APPLICATION**

Owner: SF Rentals
Address: P.O. Box 687 Albany, GA 31702
Daytime Phone #:Email:
Address or location of the property: Lot 89 Palmyra S/D Phase 7
In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:
Present Zoning C-1 Present Use of Property: vacant lot
Proposed Zoning: R-1 Proposed Use of Property: home site
264 Land Lot Number
The subject property is described as follows:  Vacant lot on culde sac in existing subdivision
ALSO ATTACH: (18 COPIES REQUIRED)Plat of property, including vicinity map
Legal description Containing Metes and Bounds  DISCLOSURE
I (owner) have made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
1 (owner) have NOT made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
WITNESS OWNER
DATE /07/01 2025 DATE 7/1/25
Application Fee: 450. Date Paid: 7 a 25 Received by: Kava Hanson
n my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.
Applicant Name: SF Rentals
Address: P.O. Box 687 Albany GA 31702
Phone #:Email:

lease Return to Clayton Smith, Jr., P.C. O. Box 689 Abany, GA 31702-0689

PENNSYLVANIA Northampton COUNTY:

LEE COUNTY, GEORGIA 329 NSFER TAX say Clark CO 7610882006000720

GEORGIA, LEE COUNTY FILED FOR RECORD ON 30am 1057 ANN E. NIX, CLERK, S.C.L.C. GA

#### WARRANTY DEED

THIS INDENTURE, made the 27 day of April, 2006, between CEAN J. BROWN and ADRIENNE BROWN, hereinafter referred to as Grantors, and PHILIP C. CERULLI and ROSEANNE M. CERULLI, hereinafter referred to as Grantees (the words "Grantors" and "Crantees" to include their respective heirs, personal representatives, successors and assigns where the context requires or permits).

WITNESSETH THAT: Grantors, for and in consideration of Ten Dollars and other valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, conveyed and confirmed, and by these presents do grant, bargain, sell, alien, convey and confirm unto the Grantees the following described property, to wit:

All that tract or parcel of land lying and being in Land Lot 264 of the Second Land District of Lee County, Georgia, and being more particularly described as All of Lot 89 of PALMYRA SUBDIVISION, PHASE VII. according to a map or plat of said subdivision as shown and recorded at Plat Cabinet "D", Slide "D-136", in the Office of the Clerk of Superior Court of Lee County, Georgia.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the Grantees forever in FEE SIMPLE.

AND THE Grantors will warrant and forever defend the right and title to the above described property unto the Grantees against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have signed and sealed this deed, the day and year above written.

Signed, sealed and delivered

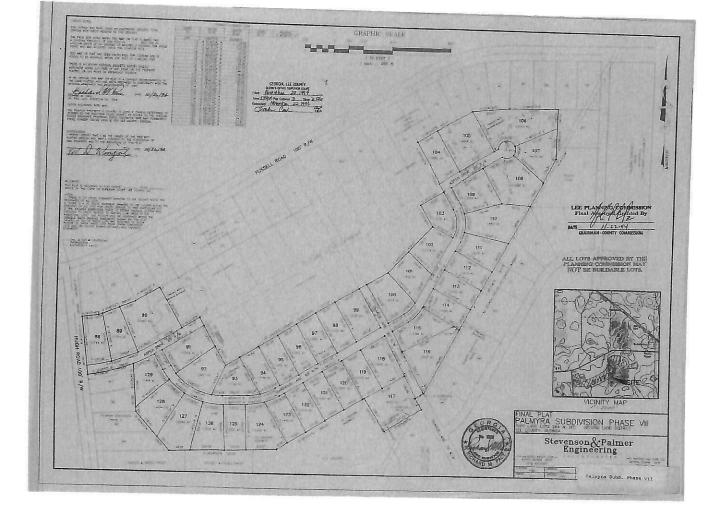
in the presence of:

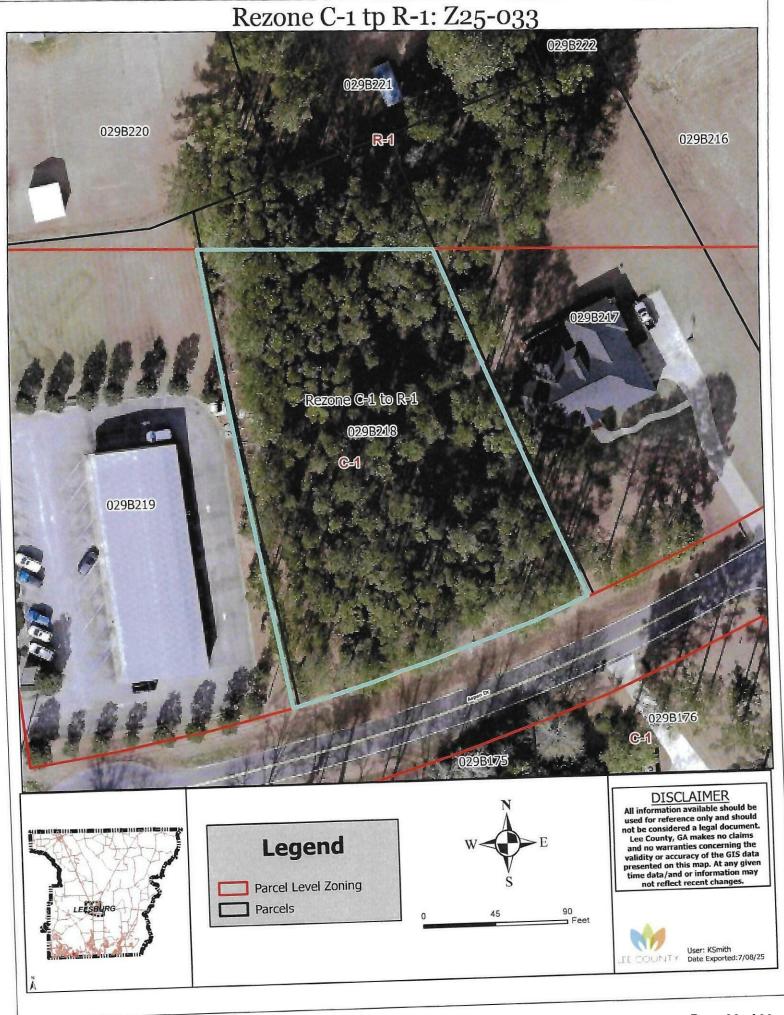
Unofficial Witne ADRIENNE BROWN

Notary Public

My commission expires: 4-14-0 8

COMMONWEALTH OF PENNSYLVANIA NOTARIAL SEAL Leslie V Penn, Notary Public Easton, Northampton County My commission suptres Apr. 14, 2008







<u>Conditional Use Review – Phoebe Putney Health System, Inc., 1388 US Hwy 82 - Land Lots 263 – 2<sup>nd</sup> District</u>

**Application Name:** Conditional Use Application

Date: 7/28/2025

Applicant Name: Lanier Engineering, Inc.

Property Owner: Phoebe Putney Health System, Inc.

Location: Land Lots 263, 2<sup>nd</sup> Land District

Parcel Size: 1 acre Existing Zoning: C-2

#### **Application Summary**

The applicant desires to construct an urgent care facility. The property is currently zoned C-2 and Conditional Use approval is required due to the C-2 provision of the Lee County Zoning Ordinance in Sec. 70-383 which allows facilities for the development of all freestanding ancillary healthcare services as a conditional use upon approval.

The applicant proposes to construct a building with a proposed elevation of 249 feet. Associated paved driveways and parking spaces are also shown on the concept plan presented with the conditional use application.

It is the Planning Department's finding that this application meets the minimum requirements for conditional use approval per Sec. 70-89 and 70-386. The proposed facility can be constructed on the parcel in compliance with all required setbacks. It appears that the facility and associated driveways and parking lot can be constructed in compliance with the setback and 30-foot-wide access to a public road requirement, however that factor should be carefully assessed as detailed design proceeds. It is the Planning Department's finding that this application meets the intent of the ordinance due to the expectation for use compatibility with the surrounding commercial context and ability for setback requirements to be met.

#### Conditional Use Review Comments Summary

The purpose of the general business district is to provide areas for development that permit a wider range of business and entertainment activities than that permitted in the neighborhood business district. Conditional Use approval is required to allow location of facility like the applicant proposes, which is generally consistent with definition as a facility for ancillary healthcare services.

1. Per Sec. 70-89: An application to establish a conditional use shall be approved following a review by the Planning Commission and a determination by the Board of Commissioners that:

- ☑The proposed use shall not be contrary to the purpose of this article.
- ☑ The proposed use shall not be detrimental to the use or development of adjacent properties or the general neighborhood nor affect adversely the health and safety of residents and workers.
- The proposed use shall not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fume generation or type of physical activity.
- ☑ The proposed use shall not be affected adversely by the existing uses; and the proposed use will be placed on a lot of sufficient size to satisfy the space requirements of said use.
- oximes The parking and all development standards set forth for each particular use for which a permit may be granted can be met.
- Provided, that the County Commission may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community, and to protect the value and use of property in the general neighborhood; and provided that wherever the County Commission shall find, in the case of any permit granted pursuant to the provisions of these regulations that any term, conditions or restrictions upon which such permit was granted are not being complied with, said commission shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.
- □ Conditional uses shall not be transferable except upon written approval of the County Commission and shall be executed within a period of 12 months from the time the use is granted or become null and void and subject to procedures for resubmission as established above and are subject to all other applicable laws and regulations.

All of these conditional use requirements have been met per Sec. 70-89. The proposed use is consistent with the purpose and specifics of the C-2 zoning district. The surrounding properties are all zoned C-2 and most are used for commercial purposes with the exception of the parcels directly adjacent to the subject property (which are undeveloped). It appears that the C-2 development standards can be met, based on the applicant's concept plan.



LEE COUNTY CITY OF LEESBURG CITY OF SMITHVILLE

## CONDITIONAL USE APPLICATION

OWNER: PHOEBE PUTNEY HEALTH SYSTEM, INC
ADDRESS: 417 Third Avenue, Albany, GA 31701
DAYTIME PHONE #: EMAIL:
ADDRESS OR LOCATION OF PROPERTY: 1388 US Hwy 82
In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:
Present Zoning C-2 Present Use of Property: Vacant
263 Land Lot Number 2nd Land District 1.00 # of Acres
The subject property is described as follows:  1.00 acres at southeast corner of US Hwy 82 and Marlow Lane - See attached legal description
Why are you requesting a conditional use? to operate an urgent care clinic in a C-2 zone
ALSO ATTACH: (1 copy of each)xPlat of property, including vicinity map (both plat sizes: 8 ½ x 11 and 11 x 17)xLegal description Containing Metes and Bounds
I hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above- described property.  WITNESS LUCIONOS OWNER  DATE 0-19-2025  DATE 0-19-2025
Application Fee: \$375.00 Date Paid: 6/26/25 Received by: Kara Harron
In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.  Applicant Name:
Applicant Name: Lanier Engineering, Inc.
Address: 1504 W. 3rd Avenue, Albany, GA 31707
Phone #: 229-438-0522 Email; bdonley@lanier-engineering.com

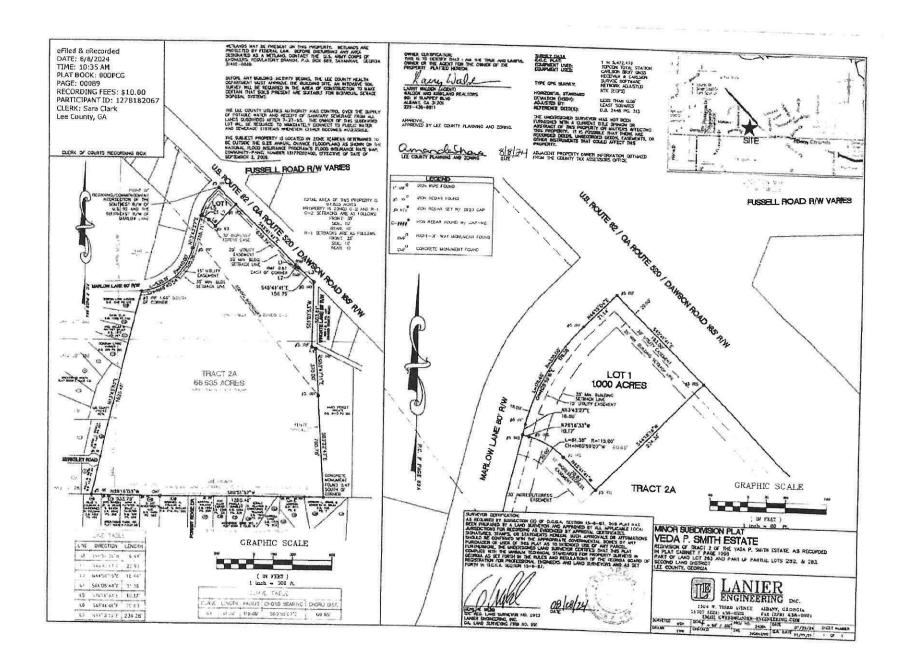
05/01/2018

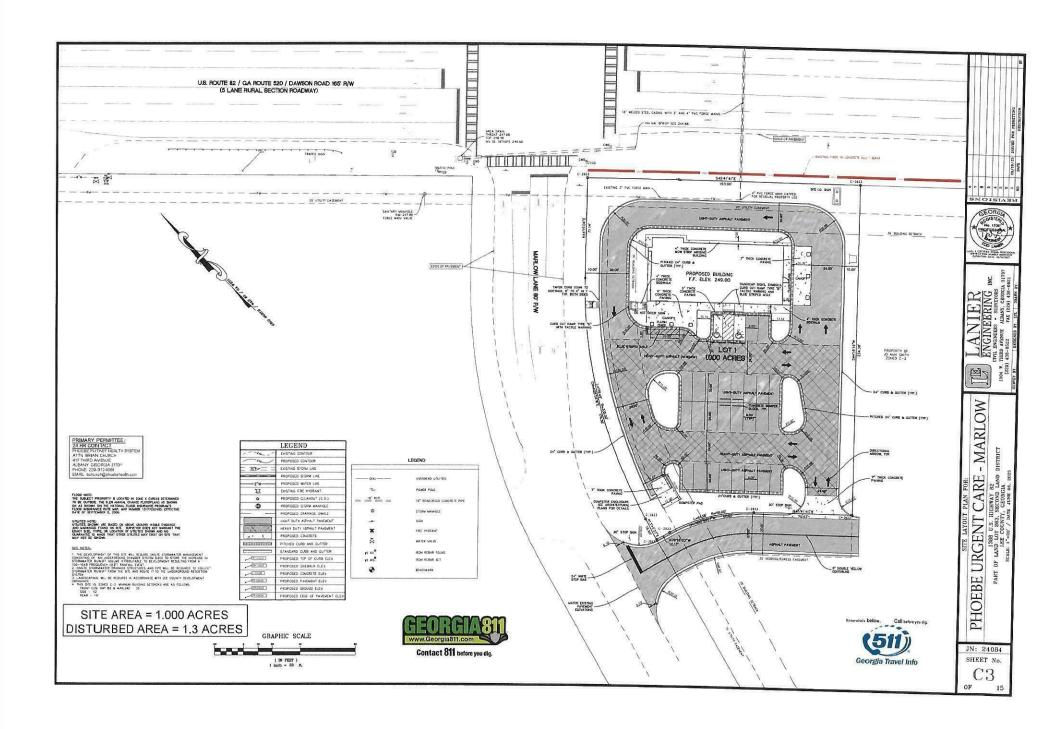
# Legal Description Property of Phoebe Putney Health System, Inc.

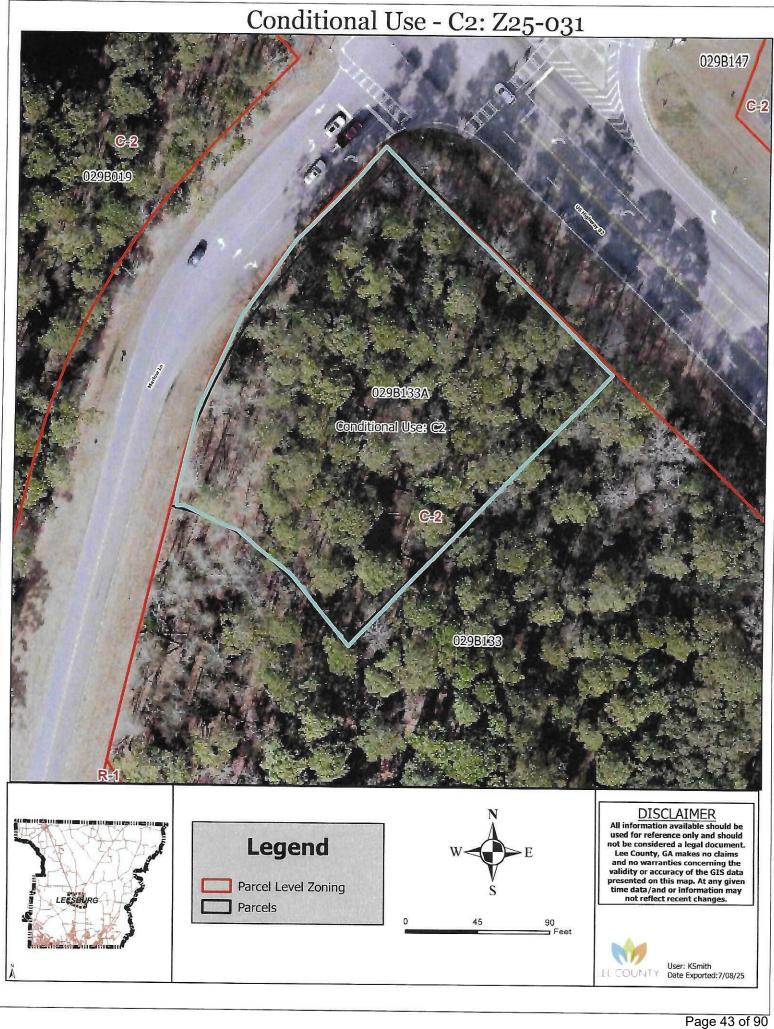
All that certain tract or parcel of land situate lying and being part of Land Lot 263 of the Second Land District, Lee County, Georgia being Lot 1 of the Veda P. Smith Estate as recorded in Plat Cabinet G Page 89 of the public land records of Lee County, and being more particularly described as follows:

Begin at the intersection of the Southwest right-of-way line of U.S. Highway 82 and the Southeast right-of-way line of Marlow Lane and follow said right-of-way line of U.S. Highway 82 South 45 degrees 41 minutes 41 seconds East a distance of 193.00 feet; thence, leaving said right-of-way line, go South 44 degrees 18 minutes 19 seconds West a distance of 234.38 feet; go thence North 45 degrees 41 minutes 41 seconds West a distance of 70.63 feet; go thence northwesterly 61.38 feet along the arc of a curve concave to the Southwest, having a radius of 115.00 feet, a chord bearing of North 60 degrees 59 minutes 07 seconds West and a chord distance of 60.65 feet; go thence North 76 degrees 16 minutes 33 seconds West a distance of 16.60 feet to a point on the Southeast right-of-way line of Marlow Lane; thence follow said right-of-way line North 13 degrees 43 minutes 27 seconds East a distance of 16.60 feet; thence continue along said right-of-way line Northeasterly 178.49 feet along the arc of a curve concave to the Southeast, having a radius of 335.00 feet, a chord bearing of North 28 degrees 59 minutes 16 seconds East and a chord distance of 176.38 feet; thence continue along said right-of-way line North 44 degrees 15 minutes 04 seconds East a distance of 71.14 feet to the Point of Beginning.

Said tract or parcel contains 1.000 acre.









Lee County Planning, Zoning & Engineering Department

Amanda Nava-Estill Director

Kara Hanson Planner/Zoning Administrator Kacee Smith GIS Manager

**Charles Talley** 

GIS Technician

#### MEMORANDUM

TO:

THE PLANNING COMMISSION & BOARD OF COMMISSIONERS

FROM:

AMANDA NAVA ESTILL, DIRECTOR

DATE:

JULY 18, 2025

RE:

AMENDMENT TO THE FUTURE LAND USE MAP IN THE COMPREHENSIVE

PLAN

The Future Land Use Map is a required planning tool for all communities that have zoning regulations. It serves as a visual representation of the community's long-term vision and guides future development patterns across the county. The land use map illustrates where and how different land uses, such as residential, commercial, industrial, and open space, are intended to occur, and helps align zoning decisions with the community's comprehensive plan. Ultimately, it provides a framework for sustainable growth, infrastructure planning, and policy decisions. The current future land use map is attached for reference.

Staff is requesting an amendment to the Future Land Use Map to change the land use designation for a total of 128.2592 acres. The proposed changes are as follows:

- 116.274 acres at parcel # 039D082: From Residential to Industrial
- 11.9852 acres from parcel # 039D120: From Residential to Industrial

These parcels are located along Forrester Parkway and are situated in close proximity to State Highway 133, Highway 19 South, and the active Norfolk Southern Railroad.

The proposed amendment aligns with the County's broader economic development goals by facilitating expansion opportunities for industrial uses in areas with access to infrastructure and transportation networks. Transitioning these parcels to an Industrial designation supports the following objectives from the Comprehensive Plan:

- Encourages job creation and economic diversification
- Promotes efficient land use near major highways and rail lines
- Reduces land use conflicts by clustering industrial activity in suitable areas



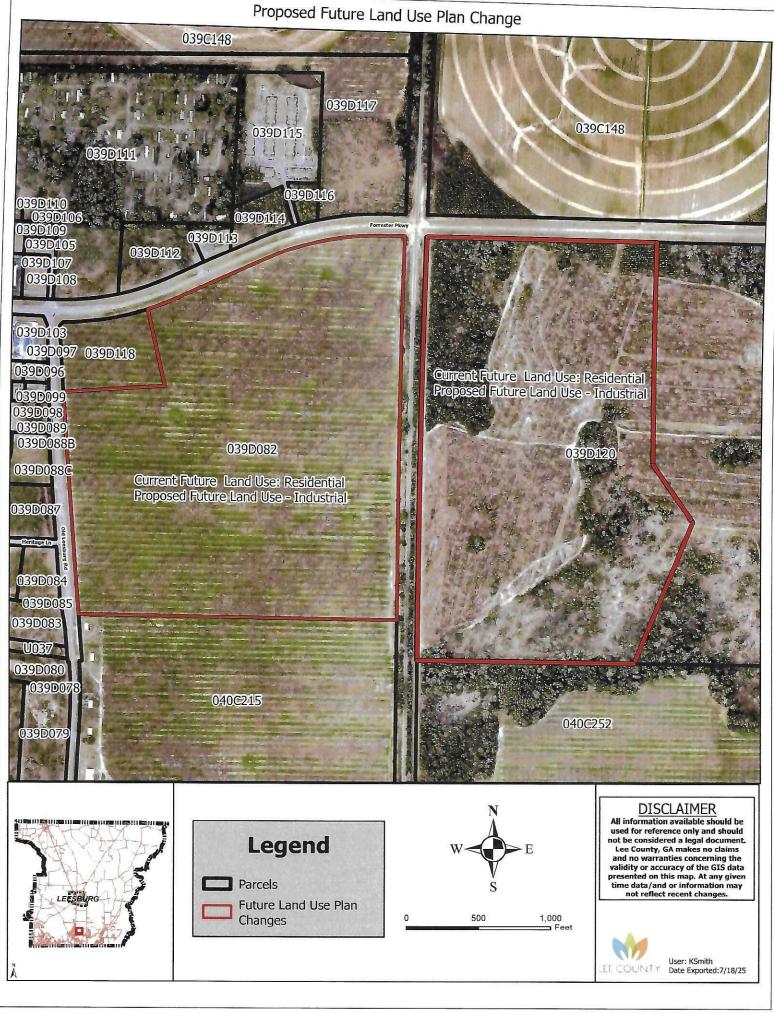
Potential impacts to nearby residential areas should be mitigated through appropriate site planning, buffering, and adherence to local development standards during the rezoning and site development stages.

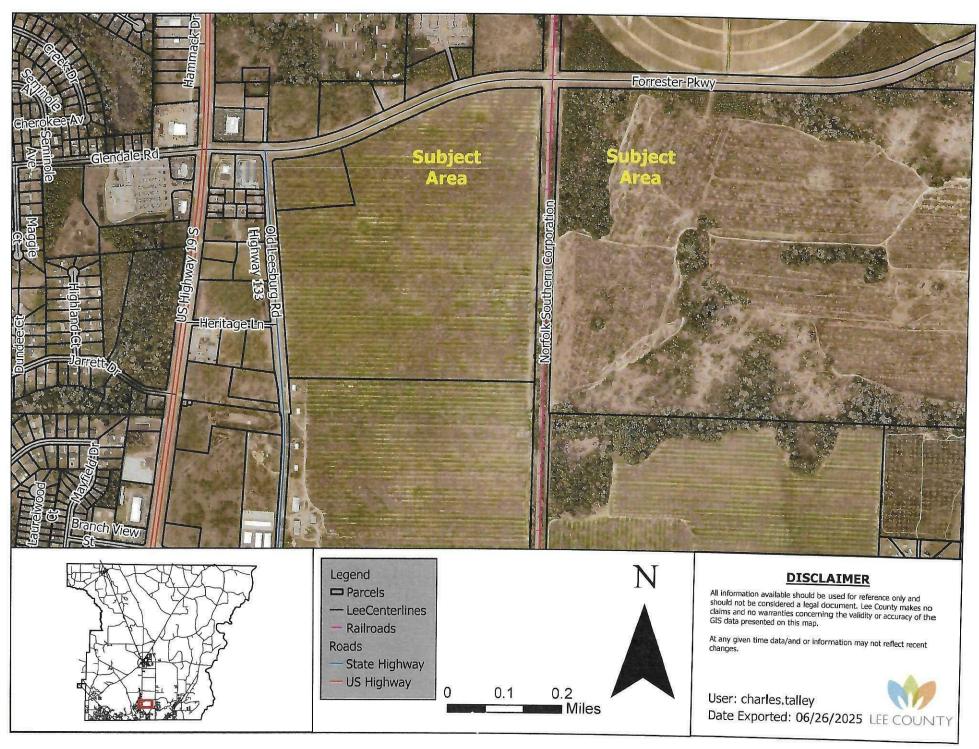
The location is considered strategically suitable for industrial development due to its access to major transportation corridors and freight infrastructure.

**Staff recommends approval** of the proposed Future Land Use Map amendment from Residential to Industrial for the subject 128.2592 acres, based on the property's strategic location, existing infrastructure, and consistency with long-range planning objectives.

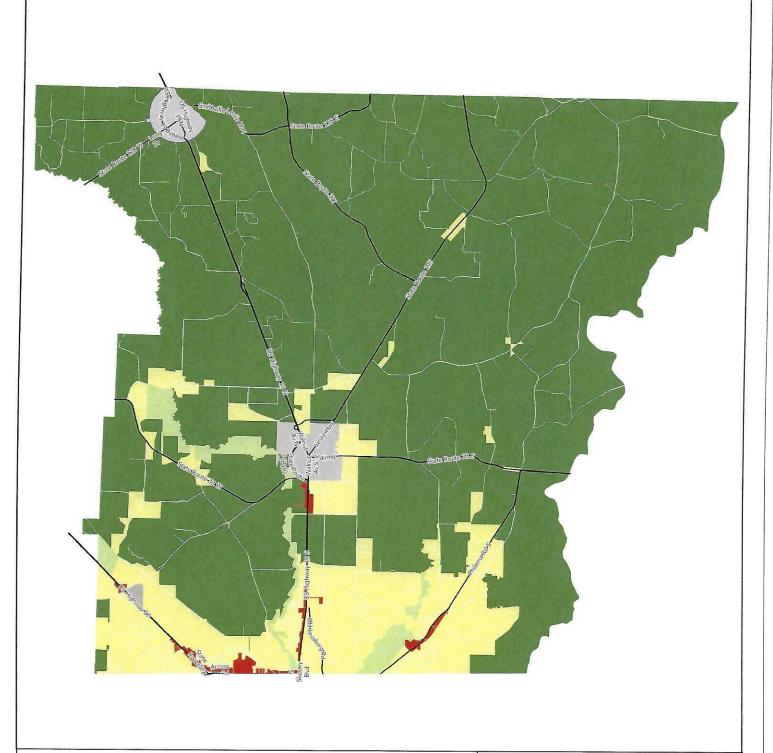
#### Attachments:

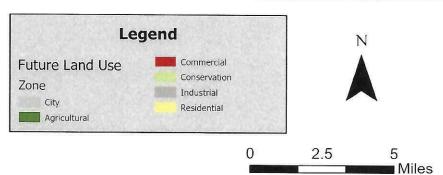
Current Future Land Use Map Proposed Future Land Use Map Area Map Transportation Map





# Lee County Future Land Use Map - Current





#### **DISCLAIMER**

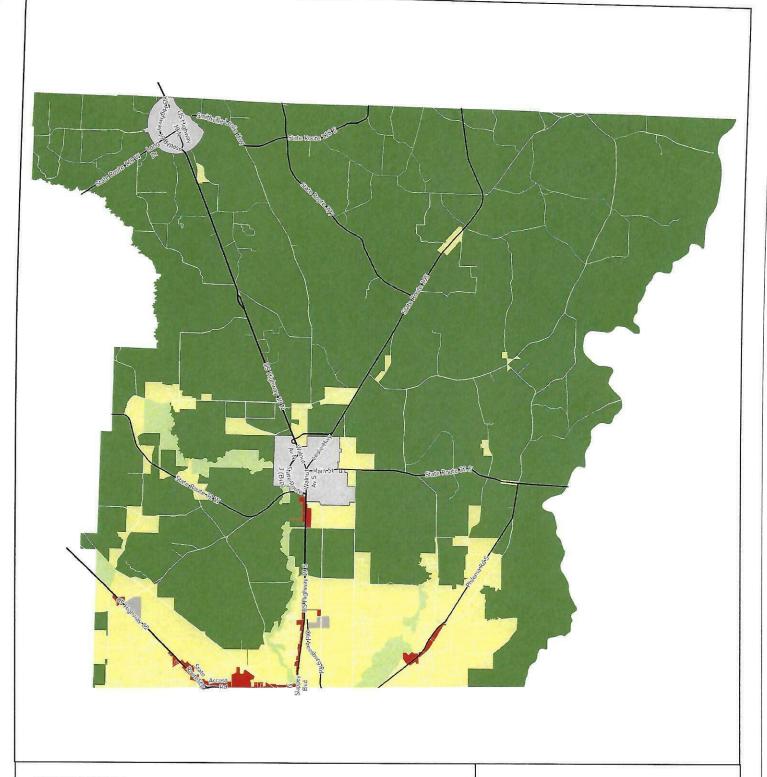
All information available should be used for reference only and should not be considered a legal document. Lee County makes no claims and no warranties concerning the validity or accuracy of the GIS data presented on this map.

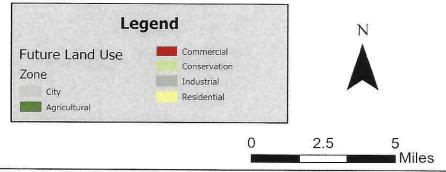
At any given time data/and or information may not reflect recent changes.

User: kacee.smith Date Exported: 07/28/2025 LEE COUNTY



# Lee County Future Land Use Map - Proposed





#### **DISCLAIMER**

All information available should be used for reference only and should not be considered a legal document. Lee County makes no claims and no warranties concerning the validity or accuracy of the GIS data presented on this map.

At any given time data/and or information may not reflect recent

User: kacee.smith

Date Exported: 07/28/2025 LEE COUNTY



### **Planning Commission**

Lee County, Leesburg, & Smithville



Chairman Jason Sheffield, Vice-Chairman Jim Quinn, Kyle Luckie, Renea Miller, Shirley Stiles, Johnny Golden, Charlie Barner

Meeting Minutes
July 10, 2025 at 6:00 p.m.
Opal Cannon Auditorium
T. Page Tharp Governmental Building

102 Starksville Avenue North Leesburg, GA 31763

Members Present: Jason Sheffield, Jim Quinn, Johnny Golden, Charlie Barner, and Renea Miller

Members Absent: Kyle Luckie and Shirley Stiles

Staff Present: Director Amanda Nava-Estill and Planner Kara Hanson,

#### I. CALL TO ORDER

Chair Sheffield called the meeting to order at 6:00 p.m.

#### II. ACKNOWLEDGMENT OF GEORGIA LAW REGARDING CAMPAIGN CONTRIBUTIONS

Commissioner JGolden read the Georgia law regarding campaign contributions.

#### III. APPROVAL OF MINUTES

(A) Approval of the minutes from the June 5, 2025, Planning Commission Meeting.

Vice-Chair Quinn made a **MOTION** to **APPROVE** the minutes. Seconded by Commissioner Barner. The **MOTION** was unanimous with remaining commissioners voting yea.

#### IV. NEW BUSINESS

(A) None

#### V. PUBLIC HEARINGS

#### **REZONING APPLICATIONS-Lee County**

(A) Lanier Engineering (LZ25-027) has submitted an application to the Lee County Planning Commission requesting to rezone 9.469 acres from C-1 (Neighborhood Business District) to R-1 (Single-Family Residential District). The property owner is Oakland Plantation Partners, LLC. The subject property is located off US HWY 82 W, parcel number is 017D004, in Land Lots 197 and 220 of the Second Land District of Leesburg, Georgia.

#### **Public Hearing Discussion**

#### **Staff Presentation**

Planner Hanson presented the staff report. The subject property is currently undeveloped and lacks direct commercial frontage, limiting its viability for commercial use. Surrounding zoning is primarily residential (R-1 and R-2), and the proposed R-1 zoning is consistent with the future land use map designating this area for residential development.

Vice-Chair Quinn questioned if zero lot lines are a permitted use in R-1, in which Kara answered yes.

Chair opened the Public Hearing at 6:01 P.M.

#### **Applicant Presentation**

Applicant Bobby Donley from Lanier Engineering was available for presentation. Donley explained that this and the next case are isolated areas of C-1 surrounded by residential. This zoning

### **Planning Commission**

Lee County, Leesburg, & Smithville



designation was part of the original masterplan from 2003 and that this area is now proposed to be residential. He explained the desired plan for this development.

**Public Supporters** 

**Public Opposition** 

Barry Carr Bobby Donley Scott Woliam

None

Vice-Chair closed the Public Hearing at 6:10 P.M.

#### **Commission Discussion**

The Commissioners held a brief discussion.

Vice-Chair Quinn made a **MOTION** to **APPROVE** the request rezone 9.469 acres from C-1 (Neighborhood Business District) to R-1 (Single-Family Residential District). Seconded by Commissioner Miller. The **MOTION** was unanimous with remaining commissioners voting yea.

(B) <u>Lanier Engineering (Z25-028)</u> has submitted an application to the Lee County Planning Commission requesting to rezone 20.381 acres from C-1 (Neighborhood Business District) to R-1 (Single-Family Residential District). The property owner is Wiley Investments, LLC. The subject property is located off US HWY 82 W, parcel number is 017D003, in Land Lots 197 and 220 of the Second Land District of Leesburg, Georgia.

#### **Public Hearing Discussion**

#### Staff Presentation

Staff informed the Board that the report was identical to the previous case; Staff remained available to address any questions or provide clarification as needed.

Chair opened the Public Hearing at 6:11 P.M.

#### **Applicant Presentation**

Applicant Bobby Donley from Lanier Engineering was available for presentation.

**Public Supporters** 

**Public Opposition** 

Barry Carr

**Bobby Donley** 

None

Chair closed the Public Hearing at 6:14 P.M.

#### **Commission Discussion**

The Commissioners held no discussion.

Commissioner Miller made a **MOTION** to **APPROVE** the request to rezone 20.381 acres from C-1 (Neighborhood Business District) to R-1 (Single-Family Residential District). Seconded by Vice-chair Quinn. The **MOTION** was unanimous with remaining commissioners voting yea.

(C) <u>Lanier Engineering (Z25-029)</u> has submitted an application to the Lee County Planning Commission requesting to rezone 111.852 acres from R-1 (Single-Family Residential District) to I-1 (Light-Industrial District). The property owner is Lexwig, LLC. The subject property is located in the southeast quadrant of the intersection of Forrester Parkway and Norfolk and Southern Railroad, parcel number is 039D120, in Land Lot 210 of the Second Land District of Leesburg, Georgia.

#### **Public Hearing Discussion**

#### **Staff Presentation**

Director Nava-Estill presented the staff report. She explained that this location is in close proximity to highways 19 and 133, and is adequate for any light industrial traffic. She added that the same applicant would be the one developing the adjacent R-1 property and is aware that adequate buffers

### **Planning Commission**

Lee County, Leesburg, & Smithville



will be required. Staff recommends denial of the rezoning request based on the conflict with the comprehensive plan's future land use map, the lack of adjacent light industrial zoning in that area, and potential impacts on nearby undeveloped residential areas. Conditions were proposed to accompany the rezoning, should it be approved.

Chair opened the Public Hearing at 6:20 P.M.

#### **Applicant Presentation**

Applicant Donley was available for presentation. Chair Sheffield asked if they could require buffers to be on the residential areas and not so much on the railroad end, in which Nava- Estill explained that any adjacent residential areas will require adequate buffers. Donley added that the only industrial park in Lee County (US 82 W) has no available lots. The property owner preferred not to extend residential development up to the active railroad, and light industrial use was considered more appropriate for that area.

#### Public Supporters

Public Opposition
None

Bobby Donley

Scott Woliam

Jason Wiggins

**Greg Greenway** 

Chair closed the Public Hearing at 6:48 P.M.

#### **Commission Discussion**

The Commissioners held a discussion. The audio is on file in the Planning and Zoning Department.

Vice-chair Quinn made a **MOTION** to **APPROVE** the request to rezone 111.852 acres from R-1 (Single-Family Residential District) to I-1 (Light-Industrial District) with the conditions: a traffic study is prepared by the applicant and reviewed and approved by Lee County, adequate buffers where the property borders residential-zoned properties to the east and south are required, a maximum building height of 50 feet, and a restriction of the following permitted uses from Sec. 70-452: (d) Carpet manufacturing, (j) research and testing laboratories, and (q) natural gas and petroleum products storage and sales. The **MOTION** was unanimous with remaining commissioners voting yea.

#### VI. UNINISHED BUSINESS

None

#### VII. ANNOUNCEMENTS

The Lee County Board of Commissioners will conduct a public hearing on <u>Tuesday</u>, <u>July 22</u>, <u>2025</u>, <u>at 6:00 p.m</u>., in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building, located at 102 Starksville Avenue North, Leesburg, Georgia 31763.

#### VIII. ADJOURNMENT

Vice-Chair Quinn made a **MOTION** to **ADJOURN**, seconded by Commissioner Barner. The **MOTION** was unanimous with remaining Commissioners voting yea. The meeting adjourned at 7:12 p.m.

Note: all meetings are audio recorded and are filed in the Planning & Zoning Department

Meetings of the Planning Commission and the Board of Commissioners are open to the public.

Georgia law requires that all parties who have made campaign contributions to any member of the Board of Commissioners in excess of two hundred fifty dollars (\$250) within two (2) years immediately preceding the filing of this request, and who desire to appear at the public hearing in opposition to the application, shall, at least five (5) days prior to the public hearing, file a campaign contribution report with the Lee County Planning Commission.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days. The meeting rooms and buildings are handicap accessible.



**DATE:** 7/10/2025

**APPLICATION TYPE:** Zoning Application Z25-027

APPLICANT: Oakland Plantation Partners, LLC

**REQUESTED ACTION:** Rezoning from C-1 to R-1

PURPOSE: Not specified

LOCATION OF PROPERTY: Land Lots 197 and 220, 2<sup>nd</sup> Land District – US 82

north of Oakland Parkway (part of Parcel 017D004)

PARCEL SIZE: 9.469 acres

#### **EXISTING CONDITIONS:**

Present Zoning and Use of Property: C-1 – Present use is orchard/undeveloped

#### Adjacent Zoning/Use:

**North**— R-1 (orchard/undeveloped)

South— R-2 (orchard/undeveloped)

East— C-1 (orchard/undeveloped)

West— R-2 (orchard/undeveloped)

Available Public Services: Information about available public services was not included in the application.

MEETING INFORMATION: All meetings are held in the assembly room in the Lee County Administration Building unless otherwise advertised.

Planning Commission (public hearing): Thursday, July 10<sup>th</sup> at 6:00pm County Commission (public hearing): Tuesday, July 22<sup>nd</sup> at 6:00pm

# USES ALLOWED IN THE PROPOSED ZONING DISTRICT THAT ARE NOT ALLOWED IN THE CURRENT ZONING DISTRICT:

Current Zoning: C-1 Proposed Zoning: R-1

**Uses Allowed Under Proposed Zoning Districts and Not Under Current Zoning:** 

- a. Single-family detached dwellings, except manufactured or mobile homes
- b. Zero lot-line housing if shown on an approved subdivision plat.
- c. Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot as the primary dwelling and not involving any business, profession, trade or occupation, provided that all accessory buildings shall conform and be located as required in section 70-84 of this chapter.
- d. Churches, provided that the proposed site for a church is not less than three acres, and a complete site development plan is submitted with the application for a building permit.
- e. Home occupations.
- f. Gardens.
- g. Family personal care home (two to four residents).

#### PLANNING CONSIDERATIONS:

1. Will the zoning proposal permit a use that is suitable in view of the use, development, and zoning of adjacent and nearby property?

Development under the proposed R-1 zoning is suitable with respect to the use, development, and zoning of the adjacent and nearby properties which are also zoned R-1 and R-2 and are undeveloped with pecan orchards. The nearby subdivision to the north has been recently developed in a manner compatible with R-1 zoning.

2. What is the effect on the property value of the subject property should the existing zoning be retained?

The value of the subject property may be somewhat affected if the existing zoning is retained as the proposed C-1 commercial zoning would not allow residential development; the property does not have commercial road/highway frontage making commercial development unlikely.

3. If denied, will the effect on the applicant's property value under the existing zoning be offset by the gain to the health, safety, morals, or general welfare of the public?

Denial of the rezoning request and preserving the existing C-1 zoning would not be expected to result in gains to public health, safety, morals or general welfare.

4. Has the property been undeveloped an unusual length of time as currently zoned, considered in the context of land development in the vicinity of the property?

The subject property is undeveloped land. Its development status is consistent with that of many adjacent and surrounding properties.

5. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical services?

The proposed zoning is not expected to cause excessive or burdensome use of existing and nearby roadway infrastructure. Future residential development would be expected to access US Hwy 82 which is expected to be able to accommodate increased traffic volumes. The proposed zoning may have an impact on sewer if intended to extend to support residential development, however R-1 development without sewer is an option for this location.

6. Is the zoning proposal in conformity with the policy and intent of the future land use plan for the physical development of the area?

Per the Comprehensive Plan, the subject parcels are designated in the Residential area on the Lee County future land use map, consistent with the proposed rezoning.

7. Is the subject property well suited for the proposed zoning purpose?

The subject property is likely suitable for a low-density single family residential development given the surrounding land also able to support residential use and is zoned R-1.

8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

The proposed R-1 zoning would not be expected to adversely affect the existing use of adjacent and nearby property.

9. Does the subject property have a reasonable economic use as currently zoned?

As currently zoned C-1, there are a number of potential uses for the subject property that would provide some economic value to the property owner.

Allowable C-1 uses that are permitted for this property include any retail or service establishment, wholesale, storage buildings, or other business and entertainment activities usually found within the neighborhood business district. The property does not have road frontage, however, which severely limits commercial development potential.

10. Are there other existing or changing conditions affecting the use of development of the subject property which give supporting grounds for either approval or disapproval of the zoning proposal?

Residential development is taking place in the vicinity of the subject parcel.

11. Would the change create an isolated district unrelated to the surrounding districts, such as "spot zoning"?

The current zoning of C-1 is surrounded by residential zoning. Rezoning the subject parcel to R-1 would result in compatible zoning with surroundings.

12. Are the present zoning district boundaries illogically drawn in relation to existing conditions in the area?

The present zoning district boundaries are not egregiously illogically drawn based on the existing conditions of the area. However, it appears as though the subject parcel is landlocked with no obvious street frontage.

13. Is the change requested out of scale with the needs of the county as a whole or the immediate neighborhood?

The change requested is not out of scale with the needs of the neighborhood area or the county in terms of R-1 zoning in general given the expressed need for a "variety of housing types, sizes, costs, and densities" (Lee County Comprehensive Plan, Housing Options Goal, pg. 14).

14. Is it impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned?

It is not impossible to find sites of similar size in districts already zoned to permit R-1 residential development.

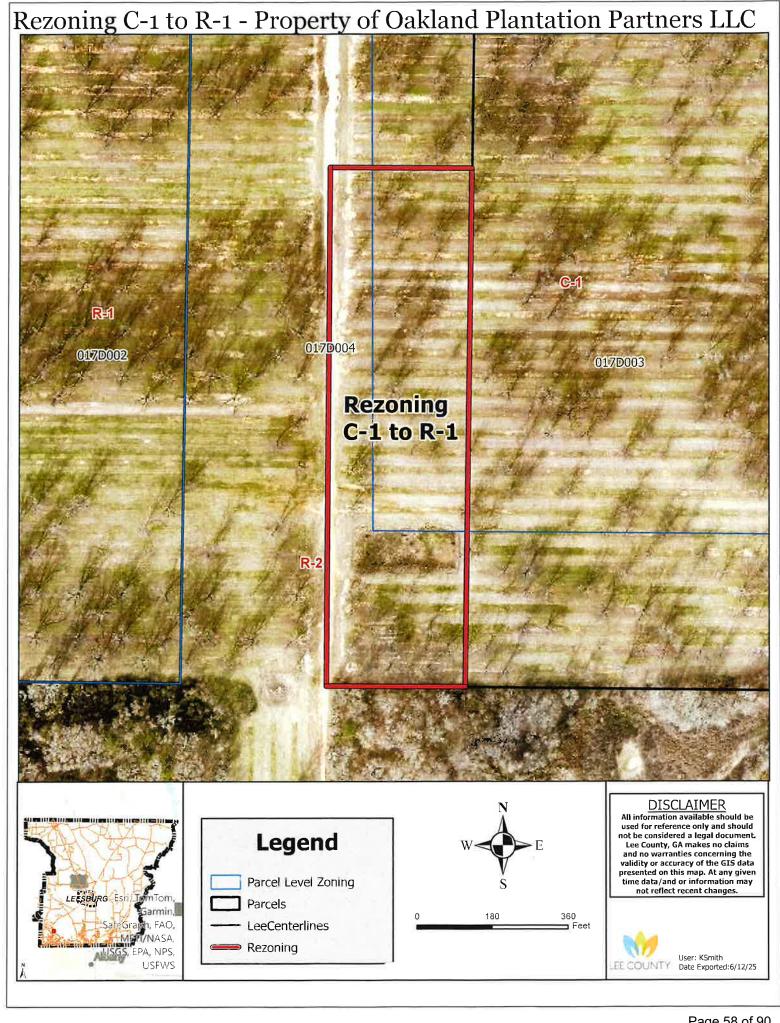
15. Would there be an ecological or pollution impact resulting from the proposed zoning if it is granted?

Should the zoning proposal be approved, all development guidelines would need to be carefully followed during the development process to ensure proper environmental testing and regulatory compliance. As the Lee County Comprehensive Plan notes, it is critical to protect floodplains, wetlands and

streams in order to protect environmental resources which in turn impact the quality of life and health of the community.

### STAFF RECOMMENDATION:

Staff recommends approval of the rezoning for the subject property from C-1 to R-1.





LEE COUNTY CITY OF LEESBURG CITY OF SMITHVILLE

### **ZONING APPLICATION**

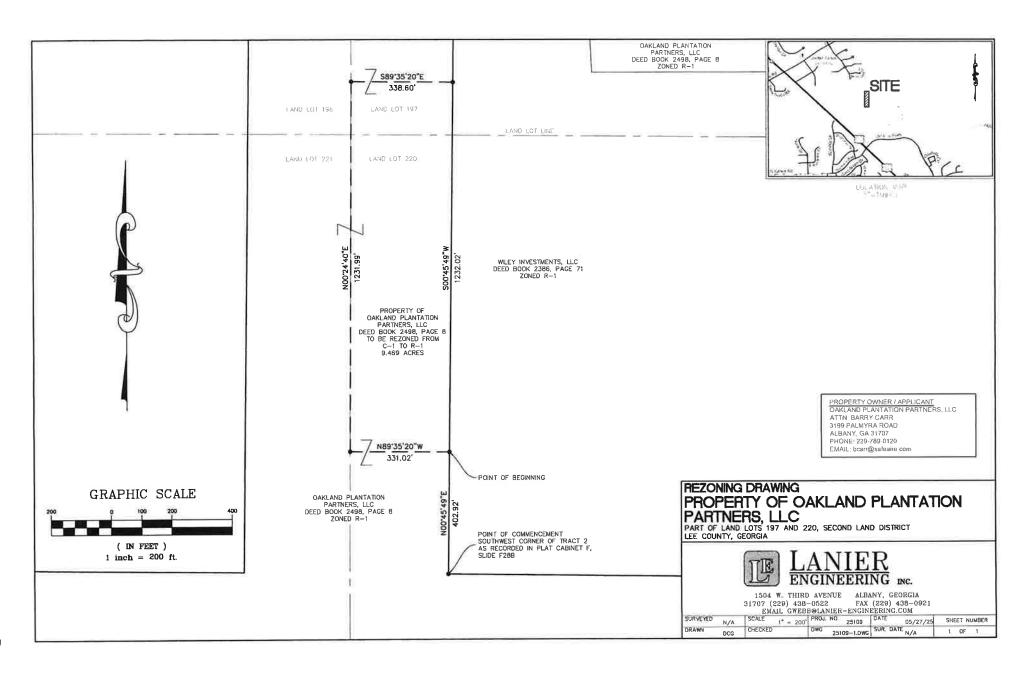
Owner: OAKLAND PLANTATION PARTNERS, LLC
Address: 3199 PALMYRA ROAD, ALBANY, GA 31707
Daytime Phone #:229-789-0120 Email BCARR@SAFEAIRE.COM
Address or location of the property: OAKLAND PLANTATION, SEE LEGAL
In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:
Present Zoning C-1 Present Use of Property: VACANT
Proposed Zoning: R-1Proposed Use of Property: RESIDENTIAL
197 & 220Land Lot Number 2ND Land District 9.469 # of Acres
The subject property is described as follows:  9 469 ACRES BEING PART OF LAND LOTS 197 & 220 SEE LEGAL DESCRIPTION
ALSO ATTACH: (18 COPIES REQUIRED)XPlat of property, including vicinity map
Legal description Containing Metes and Bounds DISCLOSURE
I (owner) have made campaign contributions having an aggregate value of \$250.00 or more, or made gifts naving an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
X I (owner) have NOT made campaign contributions having an aggregate value of \$250.00 or more, or made gifts naving an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
witness Suth Gillock Owner and/or legal agent of the owner, in fee simple of the above-described property.  OWNER Jan Bacon - Paperner
WITNESS Sith Gillock OWNER Jon Bacon - PARTINER DATE 5/29/25 DATE 5/29/25
Application Fee: #675.00 Date Paid: 5/30/25 Received by: Kara Hanson
In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.
Applicant Name: LANIER ENGINEERING, INC.
Address: 1504 W THIRD AVENUE, ALBANY, GA 31707
Phone #: 229-438-0522 Email: TLANIER@LANIER-ENGINEERING.COM

# Legal Description Oakland Plantation Partners, LLC Property to be rezoned from C-1 to R-1

All that certain tract or parcel of land situate lying and being part of Land Lots 197 and 220 of the Second Land District, Lee County Georgia and being more particularly described as follows:

Commence at the southwest corner of Tract 2 as recorded in plat cabinet F, slide F28B and go North 00 degrees 45 minutes 49 seconds East a distance of 402.92 feet to the Point of Beginning. From this point go North 89 degrees 35 minutes 20 seconds West a distance of 331.02; go thence North 00 degrees 24 minutes 40 seconds East a distance of 1231.99 feet; go thence South 89 degrees 35 minutes 20 seconds East a distance of 338.60 feet; go thence South 00 degrees 45 minutes 49 seconds West a distance of 1232.02 feet to the Point of Beginning.

Said tract or parcel contains 9.469 acres.





**DATE:** 7/10/2025

**APPLICATION TYPE:** Zoning Application Z25-028

APPLICANT: Wiley Investments, LLC.

**REQUESTED ACTION:** Rezoning from C-1 to R-1

PURPOSE: Not specified

LOCATION OF PROPERTY: Land Lots 197 and 220, 2<sup>nd</sup> Land District – US 82

north of Oakland Parkway (part of Parcel 017D003)

PARCEL SIZE: 20.381 Acres

#### **EXISTING CONDITIONS:**

Present Zoning and Use of Property: C-1 – Present use is orchard/undeveloped

#### Adjacent Zoning/Use:

**North**— R-1 (orchard/undeveloped)

**South**— R-2 (orchard/undeveloped)

**East**— R-1 (orchard/undeveloped)

West— C-1 (orchard/undeveloped)

**Available Public Services:** Information about available public services was not included in the application.

MEETING INFORMATION: All meetings are held in the assembly room in the Lee County Administration Building unless otherwise advertised.

**Planning Commission (public hearing):** Thursday, July 10<sup>th</sup> at 6:00pm **County Commission (public hearing):** Tuesday, July 22<sup>nd</sup> at 6:00pm

# USES ALLOWED IN THE PROPOSED ZONING DISTRICT THAT ARE NOT ALLOWED IN THE CURRENT ZONING DISTRICT:

Current Zoning: R-1 Proposed Zoning: C-2

**Uses Allowed Under Proposed Zoning Districts and Not Under Current Zoning:** 

a. Single-family detached dwellings, except manufactured or mobile homes

b. Zero lot-line housing if shown on an approved subdivision plat.

- c. Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot as the primary dwelling and not involving any business, profession, trade or occupation, provided that all accessory buildings shall conform and be located as required in section 70-84 of this chapter.
- d. Churches, provided that the proposed site for a church is not less than three acres, and a complete site development plan is submitted with the application for a building permit.
- e. Home occupations.
- f. Gardens.
- g. Family personal care home (two to four residents).

### PLANNING CONSIDERATIONS:

1. Will the zoning proposal permit a use that is suitable in view of the use, development, and zoning of adjacent and nearby property?

Development under the proposed R-1 zoning is suitable with respect to the use, development, and zoning of the adjacent and nearby properties which are also zoned R-1 and R-2 and are undeveloped with pecan orchards. The nearby subdivision to the north has been recently developed in a manner compatible with R-1 zoning.

2. What is the effect on the property value of the subject property should the existing zoning be retained?

The value of the subject property may be somewhat affected if the existing zoning is retained as the proposed C-1 commercial zoning would not allow residential development; the property does not have commercial road/highway frontage making commercial development unlikely.

3. If denied, will the effect on the applicant's property value under the existing zoning be offset by the gain to the health, safety, morals, or general welfare of the public?

Denial of the rezoning request and preserving the existing C-1 zoning would not be expected to result in gains to public health, safety, morals or general welfare.

4. Has the property been undeveloped an unusual length of time as currently zoned, considered in the context of land development in the vicinity of the property?

The subject property is undeveloped land. Its development status is consistent with that of many adjacent and surrounding properties.

5. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical services?

The proposed zoning is not expected to cause excessive or burdensome use of existing and nearby roadway infrastructure. Future residential development would be expected to access US Hwy 82 which is expected to be able to accommodate increased traffic volumes. The proposed zoning may have an impact on sewer if intended to extend to support residential development, however R-1 development without sewer is an option for this location.

6. Is the zoning proposal in conformity with the policy and intent of the future land use plan for the physical development of the area?

Per the Comprehensive Plan, the subject parcels are designated in the Residential area on the Lee County future land use map, consistent with the proposed rezoning.

7. Is the subject property well suited for the proposed zoning purpose?

The subject property is likely suitable for a low-density single family residential development given the surrounding land also able to support residential use and is zoned R-1.

8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

The proposed R-1 zoning would not be expected to adversely affect the existing use of adjacent and nearby property.

9. Does the subject property have a reasonable economic use as currently zoned?

As currently zoned C-1, there are a number of potential uses for the subject property that would provide some economic value to the property owner. Allowable C-1 uses that are permitted for this property include any retail or service establishment, wholesale, storage buildings, or other business and entertainment activities usually found within the neighborhood business district. The property does not have road frontage, however, which severely limits commercial development potential.

10. Are there other existing or changing conditions affecting the use of development of the subject property which give supporting grounds for either approval or disapproval of the zoning proposal?

Residential development is taking place in the vicinity of the subject parcel.

11. Would the change create an isolated district unrelated to the surrounding districts, such as "spot zoning"?

The current zoning of C-1 is surrounded by residential zoning. Rezoning the subject parcel to R-1 would result in compatible zoning with surroundings.

12. Are the present zoning district boundaries illogically drawn in relation to existing conditions in the area?

The present zoning district boundaries are not egregiously illogically drawn based on the existing conditions of the area. However, it appears as though the subject parcel is landlocked with no obvious street frontage.

13. Is the change requested out of scale with the needs of the county as a whole or the immediate neighborhood?

The change requested is not out of scale with the needs of the neighborhood area or the county in terms of R-1 zoning in general given the expressed need for a "variety of housing types, sizes, costs, and densities" (Lee County Comprehensive Plan, Housing Options Goal, pg. 14).

14. Is it impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned?

It is not impossible to find sites of similar size in districts already zoned to permit R-1 residential development.

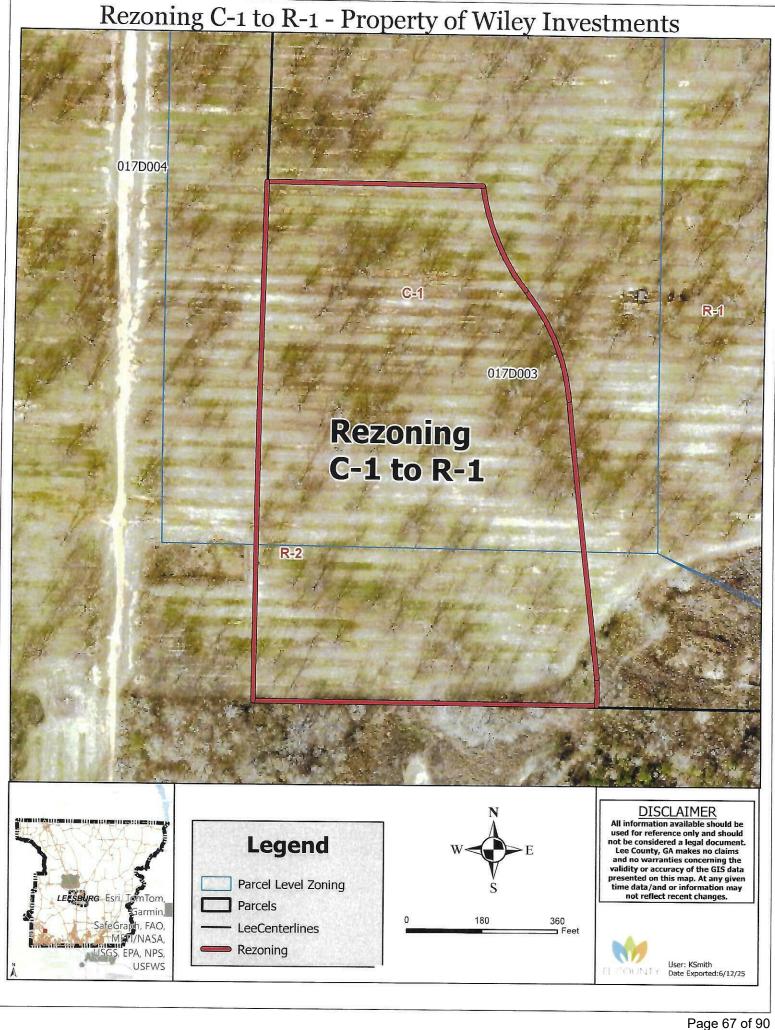
15. Would there be an ecological or pollution impact resulting from the proposed zoning if it is granted?

Should the zoning proposal be approved, all development guidelines would need to be carefully followed during the development process to ensure proper environmental testing and regulatory compliance. As the Lee County

Comprehensive Plan notes, it is critical to protect floodplains, wetlands and streams in order to protect environmental resources which in turn impact the quality of life and health of the community.

#### STAFF RECOMMENDATION:

Staff recommends approval for the subject property from C-1 to R-1.





LEE COUNTY CITY OF LEESBURG CITY OF SMITHVILLE

## **ZONING APPLICATION**

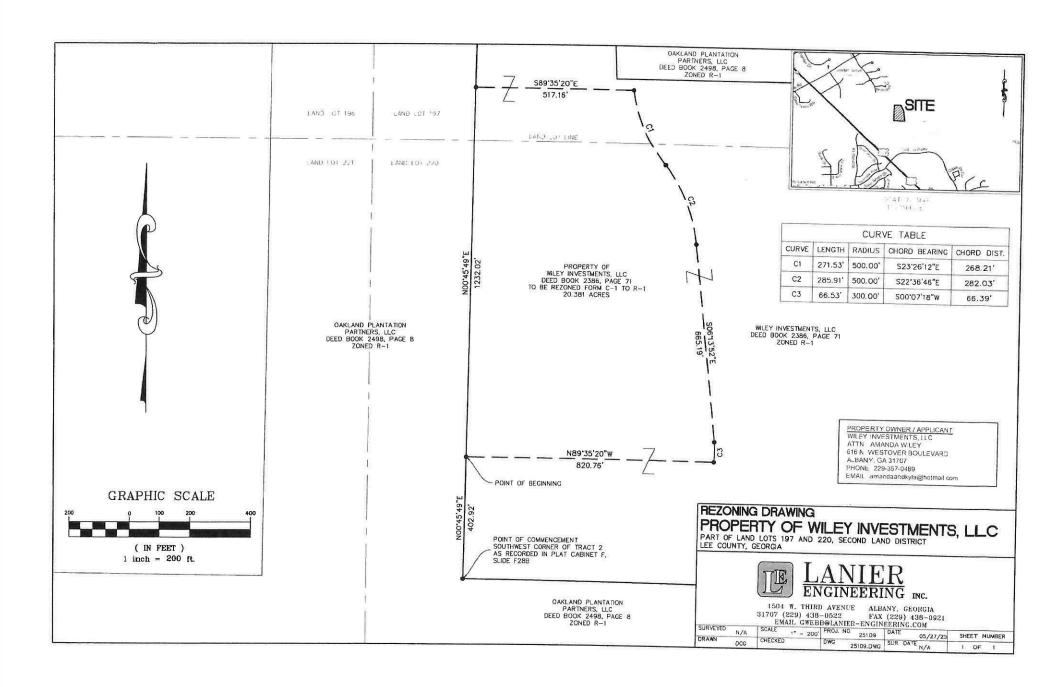
Owner: WILEY INVESTMENTS, LLC
Address: 616 N. WESTOVER BOULEVARD, ALBANY, GA 31707
Daytime Phone #: 229-357-0489 Email: AMANDAANDKYLA@HOTMAIL.COM
Address or location of the property: OAKLAND PLANTATION
In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:
Present Zoning C-1 Present Use of Property: VACANT
Proposed Zoning: R-1 Proposed Use of Property: RESIDENTIAL
197 & 220 Land Lot Number 2ND Land District 20.381 # of Acres
The subject property is described as follows:  20.381 ACRES IN LAND LOTS 197 AND 220, SEE LEGAL DESCRIPTION
ALSO ATTACH: (18 COPIES REQUIRED) X Plat of property, including vicinity map
Legal description Containing Metes and Bounds DISCLOSURE
I (owner) have made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
X I (owner) have NOT made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
I hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above-described property.  WITNESS Bethelick  OWNER
DATE 5/30/25 DATE 5/30/25
Application Fee: \$1500.00 Date Paid: 5/30/25 Received by: Kara-Hanson
In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.
Applicant Name: LANIER ENGINEERING, INC.
Address: 1504 W THIRD AVENUE, ALBANY, GA 31707
Phone #: 229-438-0522 Email: TLANIER@LANIER-ENGINEERING.COM

# Legal Description Wiley Investments, LLC Property to be rezoned from C-1 to R-1

All that certain tract or parcel of land situate lying and being part of Land Lots 197 and 220 of the Second Land District, Lee County Georgia and being more particularly described as follows:

Commence at the southwest corner of Tract 2 as recorded in plat cabinet F, slide F28B and go North 00 degrees 45 minutes 49 seconds East a distance of 402.92 feet to the Point of Beginning. From this point go North 00 degrees 45 minutes 49 seconds East a distance of 1232.02 feet; go thence South 89 degrees 35 minutes 20 seconds East a distance of 517.16 feet; go thence southeasterly 271.53 feet along the arc of a curve concave to the northeast having a radius of 500.00 feet, a chord bearing of South 23 degrees 26 minutes 12 seconds East and a chord distance of 268.21 feet; go thence southeasterly 285.91 feet along the arc of a curve concave to the southwest having a radius of 500.00 feet, a chord bearing of South 22 degrees 36 minutes 46 seconds East and a chord distance of 282.03 feet; go thence South 06 degrees 13 minutes 52 seconds East a distance of 665.19 feet; go thence southwesterly 66.53 feet along the arc of a curve concave to the northwest having a radius of 300.00 feet, a chord bearing of South 00 degrees 07 minutes 18 seconds West and a chord distance of 66.39 feet; go thence North 89 degrees 35 minutes 20 seconds West a distance of 820.76 feet to the Point of Beginning.

Said tract or parcel contains 20.381 acres.





DATE: 7/10/2025

APPLICATION TYPE: Zoning Application Z25-029

APPLICANT: Lexwig, LLC, Jason Wiggins

REQUESTED ACTION: Rezoning from R-1 to I-1

PURPOSE: Undefined per the rezoning application

LOCATION OF PROPERTY: Forester Parkway east of

Northfolk Southern Railroad

PARCEL SIZE: 111.852 acres

### **EXISTING CONDITIONS:**

Present Zoning and Use of Property: R-1, vacant

#### Adjacent Zoning/Use:

North-AG

South-R-1

East-R-1

West—C-2

**Available Public Services:** Information about available public services was not included in the application.

MEETING INFORMATION: All meetings are held in the assembly room in the Lee County Administration Building unless otherwise advertised.

Planning Commission (public hearing): Thursday, July 10<sup>th</sup> at 6:00pm County Commission (public hearing): Tuesday, July 22<sup>nd</sup> at 6:00pm



# USES ALLOWED IN THE PROPOSED ZONING DISTRICT THAT ARE NOT ALLOWED IN THE CURRENT ZONING DISTRICT:

Current Zoning: R-1 Proposed Zoning: I-1

# Uses Allowed Under Proposed Zoning Districts and Not Under Current Zoning:

- (a) Wholesale bakeries, baking plants, etc.
- (b) Bottling or packaging of cleaning compounds, polishes, etc.
- (c) Building equipment, building materials, lumber, sand, gravel storage yards and yards for contracting equipment, maintenance or operating equipment of public agencies or public utilities, or materials or equipment of similar nature.
- (d) Carpet manufacturing.
- (e) Carpenter and cabinet making shops.
- (f) Cold storage plants.
- (g) Dental, surgical and optical goods manufacturing.
- (h) Electronic manufacturing and assembly plants.
- (i) Electric motors and generators manufacturing.
- (j) Research and testing laboratories.
- (k) Pharmaceutical products manufacturing.
- (l) Printing, engraving and bookbinding shops.
- (m) Soft drink bottling establishments.
- (n) Tool, die, gauge and machine shops.
- (o) Processed agricultural products other than meat, poultry or animal products.
- (p) Textile and clothing manufacturing.
- (q) Natural gas and petroleum products storage and sales.
- (r) Plastic product manufacturing, but not including the processing of the raw materials (no actual plastic making).
- (s) Warehouse, storage and transfer, electric and gas service buildings and yards, public utility buildings, telephone exchange buildings and substations, gas regulator stations.
- (t) Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilation contractor's establishments including outside storage yards.
- (u) Moving or storage offices and warehouse.
- (v) Publicly owned buildings, public utility buildings and service yards including storage yards.

#### PLANNING CONSIDERATIONS:

1. Will the zoning proposal permit a use that is suitable in view of the use, development, and zoning of adjacent and nearby property?

The proposed industrial uses are not consistent with the residential uses to the south and east, but do not conflict with the commercial use to the west or the

agricultural use to the north. Additionally, the western edge of the property is railroad right-of-way.

2. What is the effect on the property value of the subject property should the existing zoning be retained?

While the value for industrial development may be greater than that for residential development, the property does have economic value for residential development under the current zoning.

3. If denied, will the effect on the applicant's property value under the existing zoning be offset by the gain to the health, safety, morals, or general welfare of the public?

If not adequately protected, the health, safety, and general welfare of the residential areas to the east and south may be impacted by some industrial use options that would be permitted with I-1 zoning. If rezoning is denied, it is not clear that a reduction in property value would not be offset by gain to the public; this would very much depend on the actual ultimate industrial use of the property as well as development factors such as buffering.

4. Has the property been undeveloped an unusual length of time as currently zoned, considered in the context of land development in the vicinity of the property?

No. Much of the property in the vicinity of the subject property remains undeveloped.

5. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical services?

The property is accessed from Forester Parkway which is a local collector/arterial roadway. The property is less than one mile from Highway 19 and closer to Old Leesburg Rd/Highway 133; with light industrial development, most traffic should be to and from Highway 19 and Highway 133 via Forester Parkway.

6. Is the zoning proposal in conformity with the policy and intent of the future land use plan for the physical development of the area?

No, the future land use plan calls for this area to be residential land use.

7. Is the subject property well suited for the proposed zoning purpose?

The requested zoning is consistent with the railroad line that comprises the western property line of the subject property. It is not in conflict with the commercial use to the west, and its proximity to Highway 19 and Highway 133 makes it suitable for a higher intensity use.

8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

The residential area to the east could be negatively impacted by the proposed zoning, but that specific property is currently being developed by the applicant. While zoned residential, the area to the south is not currently developed. If developed for residential use, the property to the south could be adversely affected.

9. Does the subject property have a reasonable economic use as currently zoned?

Yes. The subject property has reasonable economic use for residential development as currently zoned.

10. Are there other existing or changing conditions affecting the use of development of the subject property which give supporting grounds for either approval or disapproval of the zoning proposal?

The changing condition in the immediate area is residential development, by the applicant, of property adjacent to the east of the subject property. Though adjacent R-1 development could be a factor of incompatibility with proposed I-1 zoning, there is also potential for adequate buffering and site design to offset potential incompatibility.

11. Would the change create an isolated district unrelated to the surrounding districts, such as "spot zoning"?

Yes, there are no adjacent Industrial zoned properties.

12. Are the present zoning district boundaries illogically drawn in relation to existing conditions in the area?

No.

13. Is the change requested out of scale with the needs of the county as a whole or the immediate neighborhood?

The proposed zoning is not out of scale with the undeveloped properties to the north, south, and west. Without adequate mitigation the proposed zoning could be out of scale with the residential uses to the east.

## 14. Is it impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned?

There are a few properties zoned industrial in Lee County, to include an industrial park on US 82, and it is understood that there are presently no vacant industrial properties or buildings within the industrial park. There is no industrial zoned parcels in the vicinity of Highway 19.

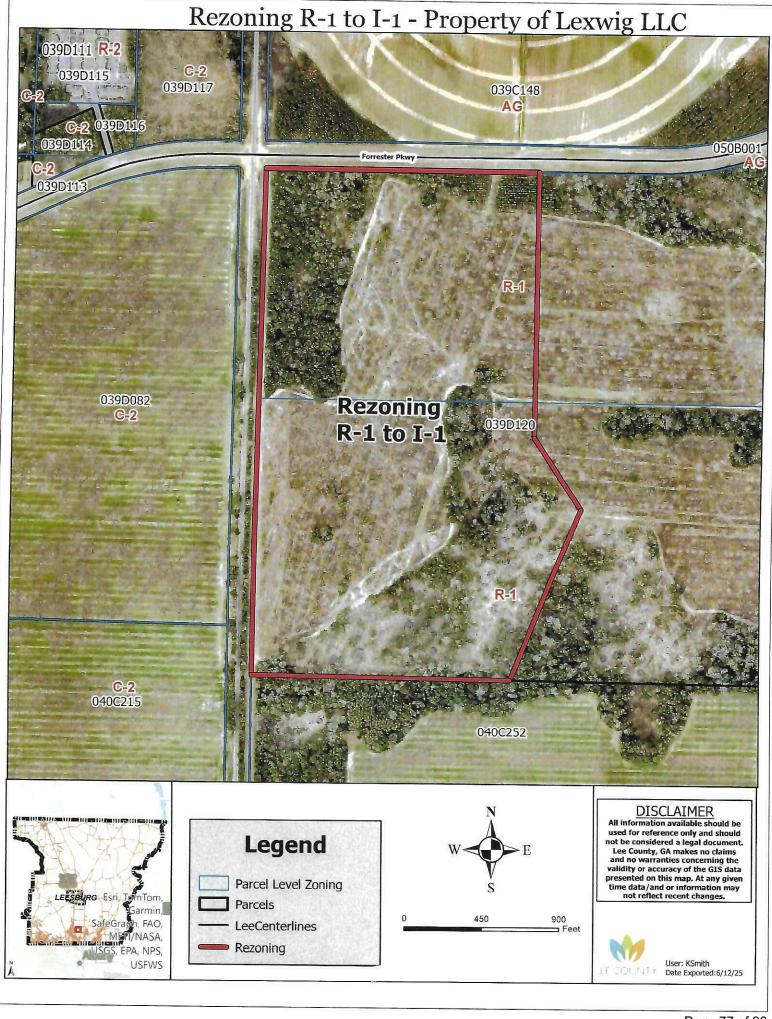
## 15. Would there be an ecological or pollution impact resulting from the proposed zoning if it is granted?

The subject property is generally flat and lacks identified streams or wetlands. It appears to be well-suited for large-scale industrial uses. Should the zoning proposal be approved, all development guidelines would need to be carefully followed during the development process to ensure proper environmental testing and regulatory compliance. As the Lee County Comprehensive Plan notes, it is critical to protect floodplains, wetlands and streams in order to protect environmental resources which in turn impact the quality of life and health of the community.

#### STAFF RECOMMENDATION:

Staff recommends denial of the rezoning due to incompatibility with the Comprehensive Plan, the lack of any adjacent or nearby I-1 district, and potential incompatibility with the adjacent residential neighborhood currently under development. If a determination is made that rezoning approval is warranted, staff proposes the following conditions:

- 1. Require adequate buffers where the property borders residential-zoned properties to the east and south to mitigate impacts from industrial development.
- 2. Condition allowable I-1 uses to those more likely to be compatible with adjacent residential use, specifically by excluding manufacturing operations, machining operations, and operations requiring significant tractor trailer traffic.
- 3. Require a traffic study to be prepared by the applicant and reviewed and approved by Lee County in association with proposed development prior to issuance of land disturbance permits.





LEE COUNTY CITY OF LEESBURG CITY OF SMITHVILLE

### **ZONING APPLICATION**

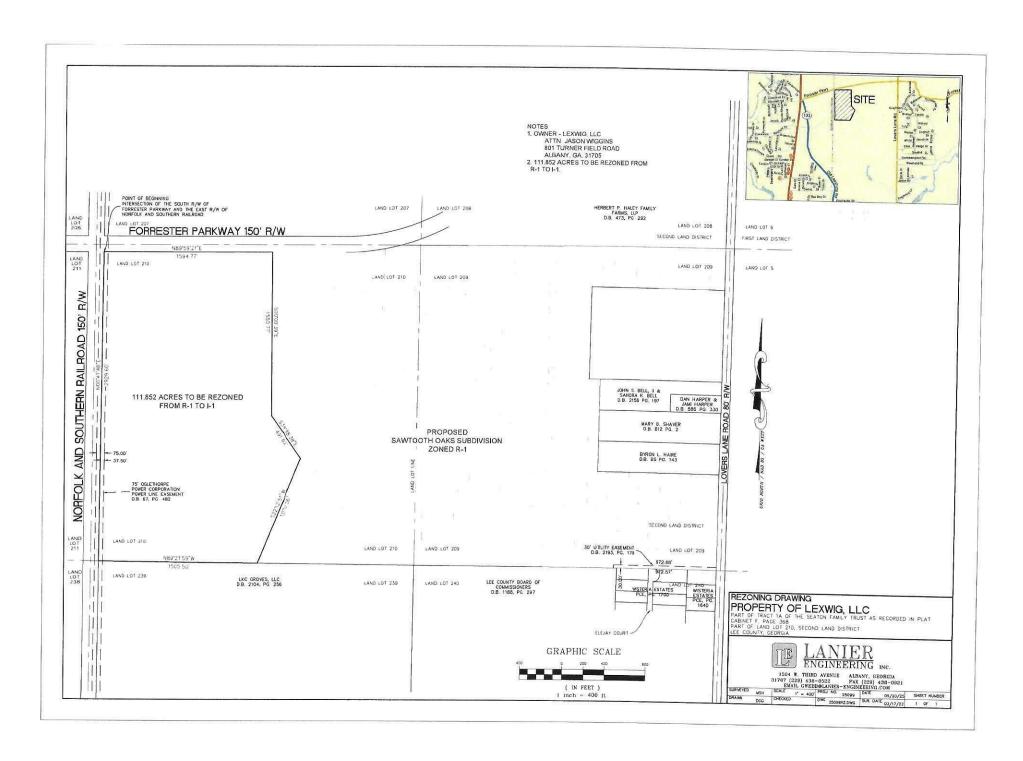
Owner: LEXWIG, LLC, JASON WIGGINS
Address: 801 TURNER ROAD, ALBANY, GA 31705
Daytime Phone #:229-886-3270 Email: jwiggins@thecefamily.com
Address or location of the property: FORRESTER PARKWAY @NORTHFOLD AND SOUTHERN RR
In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:
Present Zoning R-1 Present Use of Property: VACANT
Proposed Zoning:  -1   Proposed Use of Property:   LIGHT INDUSTRIAL USES INCLUDING   BUILDINGS WITH MATERIAL/EQUIPMENT   STORAGE YARDS.
210 Land Lot Number 2ND Land District 111.852 # of Acres
The subject property is described as follows:
111.852 acres located in the southeast quadrant of the intersection of Forrester Parkway and Norfold and Southern Railroad as per legal description .
ALSO ATTACH: (18 COPIES REQUIRED) X Plat of property, including vicinity map
Legal description Containing Metes and Bounds  DISCLOSURE
I (owner) have made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
X _ I (owner) have NOT made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
I hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above-described property.
WITNESS Beth fellock OWNER & Sugar
DATE 5/29/25 DATE 5/29/25
Application Fee: \$5,250.00 Date Paid: Received by:
In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.
Applicant Name: LANIER ENGINEERING, INC
Address: 1504 W THIRD AVENUE, ALBANY, GA 31707
Phone #: 229-438-0522 Email: bdonley@lanier-engineering.com

# Legal Description Lexwig, LLC Property to be rezoned from R-1 to I-1

All that certain tract or parcel of land situate lying and being part of Land Lot 210 of the Second Land District, Lee County Georgia and being more particularly described as follows:

Begin at the intersection of the South right-of-way of Forrester Parkway (150' r/w) and the East right-of-way of Norfolk and Southern Railroad (150' r/w) and go North 89 degrees 59 minutes 21 seconds East along the South right-of-way of Forrester Parkway a distance of 1594.77 feet; go thence South 00 degrees 00 minutes 39 seconds East a distance of 1550.77 feet; go thence South 34 degrees 38 minutes 38 seconds East a distance of 491.62 feet; go thence South 22 degrees 12 minutes 51 seconds West a distance of 1070.56 feet to the South line of Land Lot 210; go thence North 89 degrees 21 minutes 59 seconds West along the South line of Land Lot 210 a distance of 1,505.50 feet to the East right-of-way of Norfolk and Southern Railroad; go thence North 00 degrees 41 minutes 48 seconds East along the East right-of-way of Norfolk and Southern Railroad a distance of 2,929.60 feet to the South right-of-way of Forrester Parkway and to the point of beginning.

Said tract or parcel contains 111.852 acres.





### **MEMORANDUM**

## LEE COUNTY BOARD OF COMMISSIONERS

### **AGENDA ITEM**

**MEETING DATE:** August 12, 2025

**DEPARTMENT:** Lee County Sheriff's Office/ Jail

**SUBJECT:** Jail Fire Alarm RFP

**PRESENTER:** Scott Addison, County Manager

#### **STATEMENT OF ISSUE**

Staff is requesting authorization to put out a bid for a new fire alarm system at the Lee County Jail.

#### **BACKGROUND**

The Fire Alarm Control Panel and 90 smoke detectors in the Lee County Jail facility are outdated and in need of replacement. The panel and detectors are mostly original to the building and are in dire need of updating. The current panel is not operating properly and has started throwing false alarms.

Jail staff had previously thought it could make it till the next budget year, but it is now a fear that the system will not make it that long. <u>The estimated cost is \$40,000.00</u>.

#### **FUNDING SOURCE**

ARPA

#### **RECOMMENDATION**

Staff recommends the Board authorize staff to begin the bid process for a new fire alarm system for the Lee County Jail.

#### **ATTACHMENTS**

None



### **MEMORANDUM**

# LEE COUNTY BOARD OF COMMISSIONERS

#### **AGENDA ITEM**

MEETING DATE:

August 12, 2025

**DEPARTMENT:** 

Sheriff's Office/ Jail

SUBJECT:

Emergency Repair of Chiller at Jail

PRESENTER:

Scott Addison, County Manager

#### **STATEMENT OF ISSUE**

Chiller 1 at the Lee County Jail is not working and is in need of emergency repair.

#### **BACKGROUND**

On Wednesday, August 6, 2025, County management was informed Chiller 1 at the Lee County Jail was down and not working. According to ESS's findings, two (2) of the compressors shorted out on each circuit of Chiller 1, possibly from a lightning strike. The Board was subsequently informed of the situation and on Thursday, August 7, 2025, with three (3) commissioners having provided their approval, staff moved forward with the repairs and are now requesting ratification of the item.

The cost to install two (2) new compressors and get the Chiller back in working order is \$20,908.60. The quote provided by ESS is for the replacement of two (2) compressors that are shorted out on each circuit of Chiller 1. The contractor will also make sure that the system works properly after repairs and take precautionary measures by adding acid neutralizing driers and chemical to the oil to prevent any further damage.

Staff will also be submitting this repair to insurance for possible reimbursement.

#### **FUNDING SOURCE**

ARPA

#### RECOMMENDATION

Staff recommends ratification of the emergency repair of Chiller 1 at the Lee County Jail by ESS for \$20,908.60.

#### **ATTACHMENTS**

Quote from ESS



August 6,2025

Lee County Jail Chiller 1

This quote is for the replacement of two compressors that are shorted out on each circuit of Chiller 1. We will make sure that the system is working properly after repairs and take precautionary measures by adding acid neutralizing driers and chemical to the oil to prevent any further damage.

#### **Scope of Work:**

- Remove compressors and refrigerant
- Install new compressors and driers
- Put proper amount of new refrigerant in system
- Be sure that unit operates properly after repairs

TOTAL: \$ 20908.60

If you have any questions, please call me at 229-449-5344

Sincerely, Chris Powell



## **MEMORANDUM**

## LEE COUNTY BOARD OF COMMISSIONERS

#### **AGENDA ITEM**

**MEETING DATE:** 

August 12, 2025

**DEPARTMENT:** 

Administration

SUBJECT:

Hazard Mitigation Lease Lots

PRESENTER:

Scott Addison, County Manager

#### **STATEMENT OF ISSUE**

Consideration to adopt a resolution authorizing the leases of eight (8) hazard-mitigation properties. Seven (7) leases are renewals and one (1) is for a new owner of the adjacent property.

#### **BACKGROUND**

FEMA (Federal Emergency Management Agency) Flood Mitigation Properties are Deed Restricted properties acquired by Lee County through the Flood Mitigation Assistance Program, as authorized in the National Flood Insurance Reform Act of 1994, Sections 1366 and 1367, (42 USC \*\*4104c, 4104d).

Lee County has participated in the Flood Mitigation Program for many years following the flooding events of the 1990s, acquiring 90 properties to be maintained as open space. Citizens who own adjoining properties have the opportunity to lease these lots for \$1.00 per five (5) year agreement. If an eligible lot is leased, the lessee is responsible for the maintenance and insurance of the lot. The presented leases will expire December 31, 2030.

#### **FUNDING SOURCE**

N/A

#### RECOMMENDATION

Staff recommends the Board adopt the resolution authorizing the presented leases of certain real estate property acquired by the County pursuant to the Hazard Mitigation Grant program to adjacent landowners.

#### **ATTACHMENTS**

Resolution with Exhibits

# RESOLUTION AUTHORIZING LEASE OF CERTAIN REAL PROPERTY ACQUIRED BY THE COUNTY PURSUANT TO THE HAZARD MITIGATION GRANT PROGRAM

WHEREAS, the Board of Commissioners of Lee County has acquired title to certain real property under the Hazard Mitigation Grant Program, authorized by Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, Public Law 93-288, as amended, the funds to acquire such property being federal funds obtained pursuant to such grant program; and

WHEREAS, the conditions of such grant, and the conditions imposed upon the County in taking title to said lots, provide that the premises shall only be used for purposes consistent with open space, recreational, or wetlands management purposes, that no future disaster assistance for any purpose from any federal source will be sought or provided with respect to the property, and that there shall not be erected on the premises any new structures or other improvements other than a restroom or a public facility that is open on all sides and functionally related to open space uses; and

**WHEREAS**, the County does not have sufficient funds in its operating budget, nor the manpower, to keep the lots clean; and

WHEREAS, the County has been approached by several of the bounding landowners to these lots requesting that the County lease such lots to the bounding landowners for uses consistent with the limitations placed upon the lots at the time the County purchased same, as more particularly set out above; and

WHEREAS, such County property, from the standpoint of the County, is unserviceable

as provided in O.C.G.A. §50-16-144, and is hereby declared unserviceable; and

**WHEREAS**, Georgia law authorizes the granting of a usufruct in the property pursuant to a Lease Agreement for the purposes herein set out; and

**WHEREAS**, the lots to which this Resolution applies are more particularly described on Exhibit "A" hereto; and

**WHEREAS**, a form of the Lease Agreement to be utilized in connection with such leases is attached to this Resolution as Exhibit "B" hereto; and

**WHEREAS**, it is deemed in the best interest of the County and its citizens to authorize the granting of the usufructs through the use of the Lease Agreement attached as Exhibit "B" to the lots described on Exhibit "A."

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Lee County, Georgia, and it is hereby resolved by authority of the same, as follows:

- 1. That the property described on Exhibit "A" will be leased to the proposed Lessees named on Exhibit "A" under the terms and conditions of that certain form Lease Agreement attached hereto as Exhibit "B," which form is hereby approved.
- 2. That the Chairman of the Board of Commissioners and the County Clerk of the Board of Commissioners are authorized to properly execute, seal, and deliver said Lease Agreements to said Lessees in accord with the terms and conditions of this Resolution upon the payment of the consideration set out in the Lease Agreements.
- 3. That, so long as any Lease Agreement entered into pursuant to this Resolution is not sooner terminated based upon a default of the Lessee thereunder, the County Manager is directed to present an updated status report on each of the properties to the Board at the first meeting in January of each year so that the Board, at that time, may consider whether or not to re-

authorize such Lease Agreements for an ad-	ditional term.
SO RESOLVED, this day of _	, 2025.
	BOARD OF COMMISSIONERS OF LEE COUNTY, GEORGIA
	BY:
	Luke Singletary, Chairman
	ATTEST:
	Kaitlyn Good, Clerk

## 2025 Hazard Mitigation Lease Property Renewals

- 1. 137 Sapp Road Charles Sapp
- 2. 154 Dogwood Lane Sam Cook
- 3. 326 Creekside Drive Judy Feros
- 4. 618 Creekside Drive Danny Holmes
- 5. 626 Creekside Drive Danny Holmes
- 6. 634 Creekside Drive Carl Tanner
- 7. 650 Creekside Drive Carl Tanner
- 8. 750 Northampton Road Kody Roberson \*\* New Owner

### **LEASE AGREEMENT**

This lease, made on day of, 2025 this by and between <b>The Board of Commissioners of</b>			
Lee	County, Georgia, a political subdivision, hereinafter referred to as "County", and hereinafter referred to as "Lessee".		
	WITNESSETH:		
	and in consideration of the rents, covenants, agreements, and stipulations hereinafter mentioned, the ty does hereby lease the following described land located at to Lessee:		
	at tract or parcel of land lying and being in the County of Lee, State of Georgia, and more particularly bed as follows:		
All of in Pla	Lot of Subdivision, according to a map or plat of said Subdivision as recorded t Book, Page, in the Office of the Clerk of Superior Court, Lee County, and Georgia.		
1)	Lessee shall have and hold the previously described land beginning on, 2025 and extending to December 31, 2030, at midnight, unless terminated or extended as provided in this Lease Agreement. The county shall deliver the property to the Lessee in good condition mutually agreed by both parties.		
2)	Notwithstanding the foregoing, this Agreement shall continue in full force and effect for successive one (1) year annual terms, commencing on January 1 <sup>st</sup> of each subsequent year and concluding or December 31 of each subsequent year, so long as neither party gives written notice to the other party a least sixty (60) days prior to December 31 of any year in which this Agreement is in effect that such party giving such notice intends to terminate this Agreement as of December 31 of such year; provided however, that this Agreement shall not be automatically extended for more than five (5) consecutive one (1) year terms, including the one (1) year term authorized in Paragraph 1hereof.		
3)	Lessee has paid the County the sum of \$1.00 and other valuable consideration representing payment in full during the entire term of this lease agreement and any lease extension.		
4)	The leased land shall be used specifically in accordance with all state, federal, and local laws an regulations and for no other purposes whatsoever. The leased land shall not be used for any illeg purposes, or in any manner to create any nuisances or trespass. Further conditions on the use of the property by Lessee are as follows:		
a)	The leased land shall only we used for purposes consistent with open spaces, recreational, or wetlands management purposes (as defined in Title 44, Code of Federal Regulations, and part 206.434 as in appears now or may hereinafter be amended) in perpetuity.		
b)	No further disaster assistance for any purpose from any federal source will be sought or provided with respect to the leased land.		
c)	There shall not be erected on the leased land any new structures or other improvements other than restrooms, or a facility that is open on all sides and functionally related to open space uses.		
5)	Lessee shall not abandon or vacate the leased land during any term of this Lease Agreement and shall use the land only for the previously mentioned purposes until the expiration of the final lease term. The Lessee shall retain any improvement made on the leased land in accordance with Section 4(C).		
6)	Lessee aggress to, and hereby does, indemnify and hold harmless the County against all claims for damages to persons and /or property by reason of the Lessee's use or occupancy of the leased land. In addition, the Lessee agrees to pay all expenses incurred by the County in defending itself from such claims including all attorney fees and court costs. The Lessee shall also provide proof to the County that the leased land is covered under homeowner insurance at the time of execution of the Lease Agreement.		
7)	This Lease Agreement shall not constitute the relationship of landlord and tenant between the parties no estate shall pass out of the County as a consequence of the execution and delivery of this Lease Agreement, and there is only created by the terms hereof a mere usufruct as defined by Georgia law Lessee has only the right to use the leased land according to the terms contained in this lease agreement which right is not subject to levy and sale.		

- 8) If Lessee remains in possession of the leased land after the expiration of the lease term, with the County's acquiescence and without any express agreement between the parties, the Lessee shall be a tenant at will, and there shall be no renewal of the lease by operation of law.
- 9) Lessee shall not assign this lease or any interest hereunder or sublet the leased land or any part of it, or permit the use of the leased land by any other party other than the Lessee.
- 10) IT IS MUTUALLY AGREED that in the event the Lessee default in any of the provisions contained herein and fails to cure said default within five (5) calendar days after the County gives Lessee written notice, the County, at its option, may at once terminate this Lease Agreement by written notice to Lessee, hereupon the lease shall terminate.
- 11) IT IS MUTALLY AGREED that this Lease Agreement is contingent upon the Lessee maintaining fee simple ownership of the real estate immediately adjoining the subject property. Should Lessee fail to maintain ownership of the property, as Lessee's name now appears on this Lease Agreement, the Lease Agreement will automatically terminate.
- 12) This lease Agreement contains the entire agreement between the parties, and no representation, inducement, promises, or agreements, oral or otherwise, between the parties, not contained herein, shall not be of any force or effect.

IN WITNESS WHEREOF, the parties, 2025.	s herein have set their hands and seal thisday of
	BOARD OF COMMISSIONERS OF LEE COUNTY, GEORGIA
Unofficial Witness	by: Luke Singletary, Chairman
Notary Public	Attest: Kaitlyn Good, County Clerk
Unofficial Witness	Lessee

Notary Public