

**AUGUSTA-RICHMOND COUNTY, GEORGIA
PLANNING COMMISSION
STAFF REPORT**

Case Number: Z-23-17

Hearing Date: Monday, June 5, 2023, continued to July 5, 2023

Applicant: Vernon Neely

Property Owner: Vernon Neely

Address of Property: 4040 Belair Road, Augusta, Georgia 30909

Tax Parcel #: Tax Map 038-0-023-00-0

Present Zoning: A (Agriculture)

Commission District: 3 (C. McKnight)

Super District: 10 (W. Guilfoyle)

Fort Gordon Notification Required: N/A

Request	Proposed Use / Activity	Applicable Ordinance Section(s)
Rezone from A (Agriculture) to B-2 (General Business)	Vehicle Sales and Repair, and Other Permitted Commercial Uses Allowed in B-2 (General Business)	Comprehensive Zoning Ordinance, Section 22

Summary of Request:

The request is to rezone 3.3 acres from A (Agriculture) to B-2 (General Business) to allow for the expansion of an existing used car business and having the ability to establish other commercial businesses that are allowed in the B-2 zoning district on the property.

Comprehensive Plan Consistency:

According to the 2018 Comprehensive Plan the property is located within the Belair Character Area. The vision for Belair Character Area is to maintain the suburban pattern of low and medium density residential development already established in the area and that Interstate interchanges, frontage roads, and other identified nodes be the home to new commercial and light industrial/warehousing development.

Quality Community Objectives listed for the Belair Character Area in the 2018 Comprehensive Plan include the placement of appropriate businesses within the area, to provide employment options and encourage infill re-development.

Findings:

1. Previous zoning case (Z-07-100) rezoned the property from B-2 (General Business) to A (Agriculture) except for a small portion comprising approximately 0.1-acre located in the southeast corner of the property. The Augusta Commission approved the rezoning on November 20, 2007, with the condition that no more manufactured homes may be placed on the property.
2. Public potable water is available to the property which runs across the front of the property on Jimmy Dyess Parkway. Public sanitary sewer is not available to the property and is serviced by an individual sanitary sewer septic system and any additional uses associated with the proposed rezoning will need comply with Georgia Department of Health regulations.
3. The property is on Jimmy Dyess Parkway but does not have direct access to it. Access is from Belair Road. The Georgia Department of Transportation (GDOT) Function Classification map, 2017, identifies Jimmy Dyess Parkway as a major arterial road. Belair Road is classified as a local road. There are no transit routes or stops located within a half mile of the property.
4. According to the FEMA Flood Insurance Rate Maps (FIRM) the property is not located within a Special Flood Hazard Area.
5. According to the Augusta-Richmond County GIS Wetlands Layer there are no wetlands located on the property.
6. The property is located approximately 600 feet south of the intersection of Jimmie Dyess Parkway and Wrightsboro Road.
7. Properties to the north and east, across Jimmie Dyes Parkway are zoned B-1 (Neighborhood Business) and B-2 (General Business) with existing commercial uses such as self-storage and small retail shopping center. The property directly adjacent to the south is zoned A (Agriculture) with single family homes. Properties to the west are also zoned A (Agriculture) with a pond directly adjacent to the property line.
8. The proposed change in zoning would be consistent with the 2018 Comprehensive Plan.
9. Currently located on the property are several structures being used for commercial and residential purposes, including an auto repair shop located in the southern portion of the property. The 2021 aerial photograph on the Tax Assessor's website show the storage of numerous vehicles.
10. No site plan was submitted with the application showing any proposed improvement being made to the property.
11. At the time of completion of this report, staff has not received any inquiries concerning this rezoning application.
12. There were numerous Code Enforcement Cases against the property. They include the use of the property as a junkyard/salvage yard/scrap vehicle and vehicle parts which is not permitted in the A (Agriculture) zoning district and would not be permitted in a B-2 (General Business) zoning district. Other violations include overgrown vegetation, garbage and debris scattered through-out the property, and existing buildings in need of repair.

13. Code Enforcement has confirmed that the property has been brought into compliance with those violations.
14. There is an existing automotive repair business located in the southern portion of the property.
15. Automotive repair shops are not permitted in A (Agriculture) zoning districts and is therefore in violation under the Comprehensive Zoning Ordinance.
16. The automotive repair shop is also in violation as the Automotive repair shop building has openings besides windows facing existing residential building located on the property.
17. The rezoning of the property to B-2 (General Business) will bring the automotive repair shop into compliance with the Comprehensive Zoning Ordinance but will not resolve the issue concerning the openings.
18. The property owner would need to make application for a variance with the Board of Zoning Appeals and receive approval to resolve the opening issue.

Recommendation: Recommendation: With the property now in compliance with the Code Enforcement cases against it and to bring the existing uses on the property into conformity with the Comprehensive Zoning Ordinance, The Planning Commission recommends **Approval** with the following conditions:

1. Owner shall apply for the appropriate variances from the Comprehensive Zoning Ordinance to the Board of Zoning Appeals for the existing automotive repair shop.
2. Any future development of the property shall comply with all licensing, permitting and development standards and regulations set forth by the City of Augusta-Richmond County, Georgia, as amended, at the time of development.

Note: The staff report includes the information available approximately two weeks prior to the Planning Commission hearing. It represents an evaluation of the facts presented by the applicant, research done by the staff, and consideration of the relevant factors in the Comprehensive Zoning Ordinance of Augusta, Georgia. New facts may emerge, and staff reserves the right to make a verbal recommendation at the hearing based on all the information available at that time.

Letter of Intent

dated: 03/17/2023

Reference: Rezoning Request

Location: 4040 Belair Road, Augusta, Richmond County, Georgia

I, the property owner of the above reference property, intend to rezone the reference property to allow for the expansion of the current used car lot located thereon, and be able to use said property for any expansion of any related commercial endeavor related to said business.

Further to single out said area for residential purposes where there currently exist my residence and a two apartment building located within the proximity of each other.




Property Owner

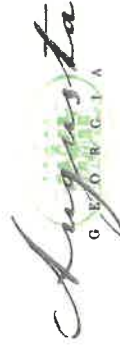
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4040 Belair Road

Aerial

Legend

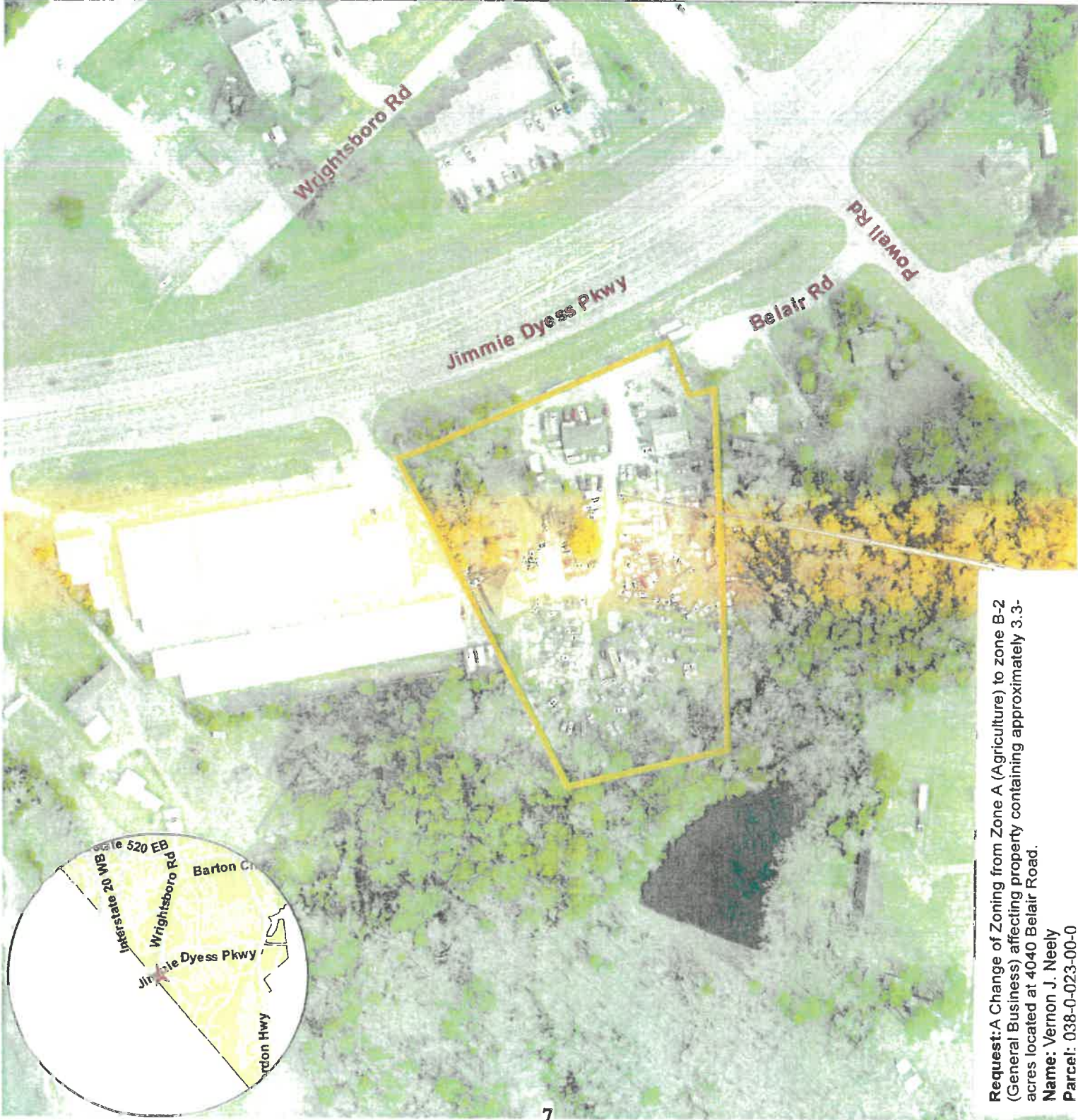
 Parcel of Interest



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


Request: A Change of Zoning from Zone A (Agriculture) to zone B-2 (General Business) affecting property containing approximately 3.3-acres located at 4040 Belair Road.
Name: Vernon J. Neely
Parcel: 038-0-023-00-0

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4040 Belair Road
Current Zoning


Legend

 Parcel of Interest

Zoning Classification

 A: Agriculture

 B-1: Neighborhood Business

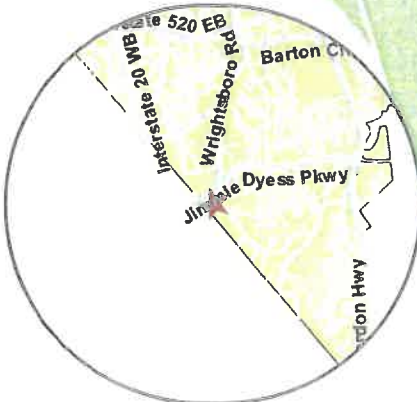
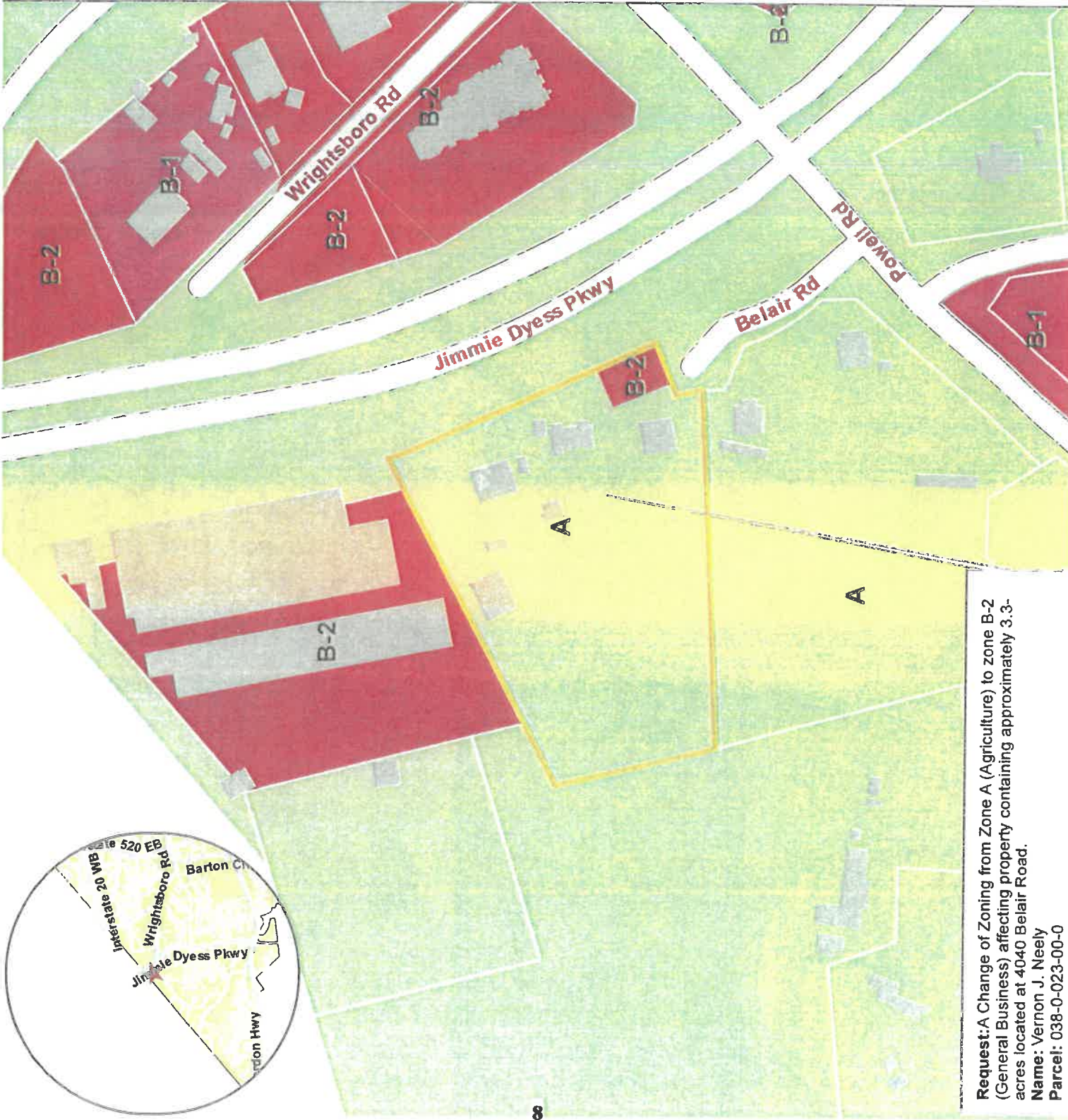
 B-2: General Business



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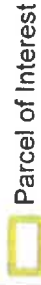
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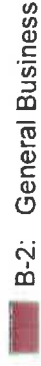
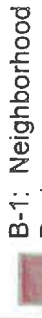
4040 Belair Road

Future Zoning

Legend



Zoning Classification



A: Agriculture

B-1: Neighborhood Business

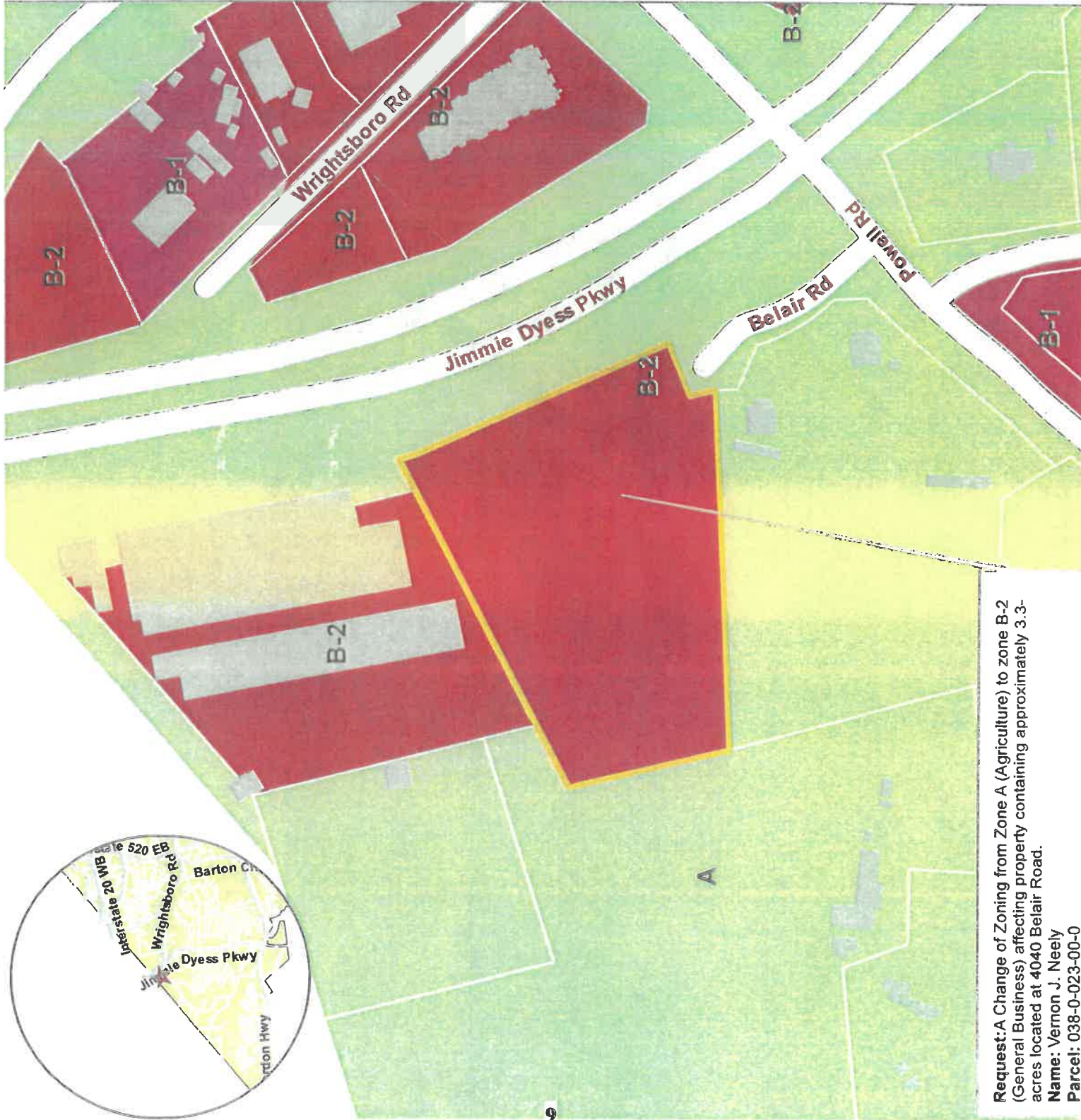
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