

**PLANNING AND ZONING  
LAND USE REVIEW  
Town of Thunderbolt**

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**APPLICATION TYPE:** Subdivision

**PLANNING AND ZONING COMMISSION DATE:** 10-16-2024; 11-13-2024; 02-19-2025

**NOTICE TO PAPER:** 9-24-2024; 1-15-2025

**PUBLISH DATE(s):** 10-1-2024; 10-2-2024; 1-19-2025

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**Request:** Request to subdivide one (1) corner parcel lot into (2) two separate residential lots, located in the area generally bounded by Oakwood Drive and Pierce Blvd.

**Owners/Applicants:** Zack Goodwin

**Location:** 3203 Oakwood Drive

**Parcel ID#:** 30005 10012

**Approximate Lot Size(s):** *Existing Lot:* 15,681 sq. ft., (0.36 ac.)  
*Proposed Lot A:* 9,425 sq. ft., (0.21 ac.)  
*Proposed Lot B:* 6,256 sq. ft., (0.14 ac.)

**Zoning Designation:** Residential District One [R-1]

**FINDINGS:**

1. This subdivision request aims to split one (1) residential lot into two (2) separate residential lots of record.
2. Planning and Zoning Commission has previously considered this property in April 2021.
3. *In exercising the above powers, the Board of Zoning Appeals may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly, a decision of an administrative official or the recommendation of the planning and zoning commission or may modify the order, requirements, decisions, or determinations of such administrative official, or the recommendation of the planning and zoning commission, and to that end shall have all the powers of such administrative official and the planning and zoning commission. In exercising the above powers, the Board of Zoning Appeals may issue or direct the issuance of a permit – Appendix X, Article XVI. (6)(d).*
4. Staff has reviewed this application for compliance with the Thunderbolt Code of Ordinances [the Code] and finds that proposed Lot A is Deficient in regard to the One-Family Residential [R-1] rear yard setback in the Development Standards Table.
5. Upon review, Staff finds that this request meets the lot width minimum for both proposed lots One-Family Residential [R-1].
6. Upon review, Staff finds that the proposed lot area for Lot A and Lot B meet the minimum requirement of 6,000 square feet and Density of 7 Units per Acre.
7. To calculate maximum dwelling unit density of 7 units per acre:

- a.  $43,560 / 7 = 6,222$  square feet.
- 8. Thunderbolt Subdivision Code: Sec. 15-703.02. - Lot width and lot area requirements.
  - a. Lots hereafter established within subdivisions shall conform to the lot area and lot width requirements set forth in the Zoning Ordinance, Article XII, Development Standards for Dwellings.
- 9. Thunderbolt Zoning Code: Appendix A. Article XII. – Development Standards for Dwelling.
  - 1. When permitted in a district, dwellings shall comply with the development standards set forth in the attached table schedule [Exhibit 3].
    - a. One-family dwellings require a minimum front yard setback of 25 feet.
    - b. One-family dwellings require a minimum side yard setback of 7 feet.
    - c. One-family dwellings require a minimum rear yard setback of 25 feet.
- 10. Splitting the existing lot into two (2) separate lots will not meet the setback requirements for One-family dwellings, detached residence.
- 11. Thunderbolt Zoning Code: Appendix A. Article XIV. – Nonconforming Uses
  - 1. *Continuance.* A lawful nonconforming use existing at the effective date of this ordinance may be continued, except as hereafter provided, although such use does not conform with the provisions of this ordinance.
- 12. The Thunderbolt Zoning Code – Chapter 14 was established in 1986, with major revisions approved by the Town Council in 2004 and in 2014 as passed and amended by the Town of Thunderbolt. Not to except additional minor revisions or other amendment changes.
- 13. The location of 3203 Oaklawn Drive is contained within the Woodlawn Subdivision as originally platted in 1949.
- 14. The structure upon the existing lot of record by all intents and purposes is older than 1986, or is as old as the initial subdivision development of Woodlawn.
- 15. The existing structure for proposed Lot A is deficient by a distance of 12.6 feet, (1/2 half) of the required rear yard setback.
- 16. Planning Commission review and Council approval is required because this request involves a modification to land in the subdivision of lots.
- 17. It is the duty of the Planning and Zoning Commission to inspect site plans and to suggest changes which should be made in the proposed design of the plan as per Code Sec. 15-801 and forward to Town Council with the recommendations.
- 18. Thunderbolt Zoning Code: Appendix A. Article XIX. – Interpretation, Purpose, and Conflict

In interpreting and applying the provisions of this ordinance, the provisions shall be considered as the minimum requirements for the promotion of the public safety, health, morals and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this ordinance imposes a greater restriction upon the use of property or premises or upon the height of buildings, or requires greater space than is imposed or required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this ordinance shall govern.

19. Thunderbolt Subdivision Code: Sec. 15-903. – Variance

When a peculiar shape or the topography of a tract of land, or other unusual condition, makes it impractical for a developer to comply with the literal interpretations of the design requirements of this chapter, the planning and zoning commission may recommend that such requirements be waived; provided, however, that in so doing, the intents and purposes of this chapter are not violated, and the recommended variance is approved by the Town Council of the Town of Thunderbolt.

20. For the purpose of the Thunderbolt Chapter 15 – Subdivision Regulations: Sec. 15-501 Enumeration details the following purposes of the code, among others:

- (a) To help conserve and protect the natural, economic, and scenic resources of the Town of Thunderbolt.
- (b) To help prevent and reduce the traffic, congestion and traffic hazards which result from narrow or poorly aligned streets, and which result from excessive entrance and exit points along major traffic arteries.
- (c) To help eliminate the costly maintenance problems which develop when streets and lots are laid out without proper consideration being given to the drainage characteristics of the tract of land at the time the land is being subdivided into streets and lots.
- (d) To help prevent the spread of urban blight and slums.
- (e) To help insure that residential lots will be of such design, area, and width as will prevent health and sanitation problems from developing in those subdivisions with lots to be served by individual water supply and waste disposal systems.
- (f) To help insure that all building lots will be accessible to firefighting equipment, and other emergency and service vehicles.
- (g) To help protect the investments of the buyers of subdivision lots.
- (h) To help promote and protect the health, safety, prosperity, and welfare of the citizens of the Town of Thunderbolt, and for other purposes.

18. For reference to variances are under consideration by the Planning and Zoning Commission, prior to the next procedural step of approval. A zoning decision is defined by OCGA 36-66-3.

19. For reference to approval to subdivisions of land and the requirements of the Town of Thunderbolt, OCGA 15-6-67 shall apply. Thunderbolt Code Sec. 15-301. Authority; ordaining clause specifies that the Council of the Town of Thunderbolt has enacted into law Chapter 15 – Subdivision Regulations; of which to include following articles and sections.

20. Upon review, Town Staff located the original intact Woodlawn Subdivision plat [Exhibit 4] in reference to this subdivision request.

**PLANNING AND ZONING DEPARTMENT RECOMMENDATION**

Town Staff recommend **DENIAL** of this subdivision request.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Commission voted to **DENY** the request by a vote of **4-1**.

**EXHIBITS:**

*Map Vicinity*

*Application Request*

*Exhibit 2 – Subdivision Plat to Review*

*Exhibit 3 – Article XII. Development Standards Table*

*Exhibit 4 – Original Subdivision of Woodlawn, 1949 Sheet 3.*

