



**Staff Report**  
**Rezoning Request**  
**Justin R. Roberts**  
**File #: LP 2024-20-03**

**MEETING DATES:** 1

Planning Commission Work Session: April 22, 2024/5:30 PM  
Planning Commission Regular Meeting: April 29, 2024/5:30 PM  
City Commission: May 7, 2024/6:00 PM

**SUBMITTED BY:** Loretta Hylton, Southern Georgia Regional Commission

**Subject:** Rezoning Request to rezone property (7.9 acres) located on Tax Map/Parcel 0199 197 and Tax Map/Parcel 0223A 001, from C-C, Community Commercial to RC, Cluster Residential. The request is to allow the development of condominiums on a vacant wooded parcel. This parcel is located on the northwest corner of W. Marion Avenue (U.S. Highway 41) and Long Pond Road.

This development will be a gated community with a pavilion and pool. There will be a total of 11 buildings on the proposed parcel comprising 64 total individual residential units. The condominiums will be individually owned. HOA regulations will maintain the complex and grounds.

**Applicant & Contact:** Justin R Roberts

**Address:** P. O. Box 65  
Naylor, Georgia 31641

**Phone:** 229-548-1189

**File Date:** 3/26/2024

**CURRENT ZONING**

**Subject Property:** C-C, Community Commercial

**North:** R-10, Residential, 10,000 minimum square feet

**East:** R-10, Residential, 10,000 minimum square feet

**South:** C-C, Community Commercial, and R-15, Residential, 15,000 minimum square feet

**West:** R-10, Residential, 10,000 minimum square feet

**CHARACTER MAP:**

**Subject Property:** Suburban Area

**North:** Suburban Area

**East:** Suburban Area & Established Residential

**South:** Established Residential

**West:** Suburban Area

**Staff Recommendations:** This area is primarily residential. The entrance and exit will be off of Hwy 41 for the residents. There will be a locked maintenance gate off of Long Pond Road for garbage and lawn service vehicles. This is consistent with the 2021 Lowndes County Comprehensive Plan for the Suburban Character Area. R-C, Cluster Residential, meets the exact requirements as R-6 Multi-Family Residential, with a minimum lot size of 6,000 square feet for a one-family dwelling and the maximum allowable density of 14 units per acre for multi-family housing.

The Staff recommends **Approval** of this request.

**RECOMMENDATION BY PLANNING COMMISSION:**

APPROVE AS REQUESTED BY THE APPLICANT

APPROVE WITH CONDITIONS

DENIAL

**FINAL ACTION BY CITY COUNCIL:**

APPROVED AS REQUESTED BY THE APPLICANT

APPROVED WITH CONDITIONS

DENIED

## STAFF ANALYSIS

### **Lake Park Zoning Ordinance § 12-2.7 (c). Standards for Exercise of Zoning Powers:**

To promote the public health, safety, morality, and general welfare of the City of Lake Park against the unrestricted use of property, the recommendation of the Planning Commission, the following standards, and any other factors relevant to balancing the above stated public interest will be considered by the City Council in making any zoning decisions:

1. The existing land use pattern;

*The existing land use pattern is established residential adjacent to this property, with commercial and established residential across Highway 41.*

2. The possible creation of an isolated district unrelated to adjacent and nearby districts;

*This does not create an island with adjacent property being zoned residential.*

3. The existing population density pattern and the possible increase or overtaxing of the load on public facilities;

*There will be an increase in population with residences, but this would not overtax the load of public facilities. The developer will cover the costs of Excel/Decel lanes, paving, and public utilities. County water and sewer will be provided to the residents. All traffic will go directly onto Highway 41, a four-lane highway.*

4. Whether changed or changing conditions make the passage of the proposed amendment reasonable;

*The character of this area is Single-Family uses with commercial a few parcels across the road on Highway 41. This is a reasonable request.*

5. Whether the proposed change will adversely influence existing conditions in the neighborhood or the community at large;

*There should be no adverse effects with this rezoning. This will be an upscale gated community.*

6. Potential impact(s) on the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplains, air quality, and water quality and quantity;

*There will be no environmental impacts, as the developer will incorporate the storm drain system in the current Pointer's Ridge project. The developer will plant trees and shrubs.*

7. Whether the proposed change will be detrimental to the value, improvement, or development of adjacent or nearby property in accordance with the existing regulations;

*No, this rezoning will not be detrimental to adjacent or nearby properties.*

8. Whether the proposed change is out of scale with the needs of the neighborhood or the City of Lake Park;

*Zoning use is not out of scale with the needs of the neighborhood or City.*

9. Whether the proposed change will constitute a grant of special privilege to the individual owner, as contrasted with the adjacent or nearby neighborhood or with the general public.

*This change will not be a special privilege.*

10. The extent to which the zoning decision is consistent with the adopted local Comprehensive Plan as determined by the Planning Commission. The rezoning will reestablish the same zoning as previously zoned in Lowndes County.

*The Greater Lowndes County 2021 Comprehensive Plan establishes a future designation or Character Area of Suburban Areas. R-C, Cluster Residential, meets the exact requirements as R-6 Multi-Family Residential, with a minimum lot size of 6,000 square feet for a one-family dwelling and the maximum allowable density of 14 units per acre for multi-family housing.*

Attachments:

Application  
Zoning Map  
Character Area Map  
Location Map  
Land Use Map



**APPLICATION CHECKLIST**

**Supporting Documents:** The following list of supporting documents must be submitted with this application. Only one (1) copy of each supporting document is necessary. Only *complete* applications will be accepted.

- Letter of Authorization:** If Applicant is not the current Property Owner or is one of multiple Owners, a notarized Letter from the Owner(s), including their phone number and address, authorizing the applicant to act on their behalf.
- Boundary Survey:** (No larger than 11 X 17) mechanically drawn and prepared by a professional engineer, landscape architect, or land surveyor registered in the State of Georgia. Drawing shall be at a scale of 1" = 100' or other scale acceptable to the Planning and Zoning Administrator, and shall include the following:
- o North arrow and graphic scale.
  - o Inset map or location sketch depicting nearby roads or landmarks, etc.
  - o Land Lot and Land District notation.
  - o Acreage (or sq. footage) of the subject property.
  - o Dimensions and bearings along all property lines.
  - o Base flood lines or a note that the property is not within a flood zone.
  - o Street names and right-of-way dimensions of abutting streets.
  - o Preparer's signature and seal.
- Metes and Bounds legal description of property**
- Conceptual Site Plan:** An existing or proposed conceptual site plan (no larger than 11 x 17) of the subject property mechanically drawn at a scale of 1" = 100', or other scale acceptable to the Planning and Zoning Administrator, and shall include the following:
- o Name of the existing or proposed development, applicant or owner.
  - o Date of drawing and revisions as applicable.
  - o Existing and proposed site improvements including all buildings and structures with usages, roadways with right-of-way dimensions and names, and other improvements relative to the development.
  - o Existing and proposed natural features, including streams and other water resources.
  - o Any additional required information discussed at the Pre-Application meeting or necessary to allow understanding of the proposed use and property development.
- Conditional Use Application** (If Applicable)
- Annexation Application** (If Applicable)

Questions may be directed to Clerk, City of Lake Park

Email: [clerk@cityoflakeparkga.com](mailto:clerk@cityoflakeparkga.com) | Phone: (229) 559-7470 | Fax: (229) 559-7499  
120 N. Essa St., Lake Park, GA 31636

**CERTIFICATION AND AUTHORIZATION**

I hereby certify that, to the best of my knowledge and belief, the above listed information and all attached supporting documents are complete and accurate. I understand that this application will require a site visit and authorize staff of the Planning and Zoning office or their designee to enter and inspect the premises which are the subject of this application. I also understand that this application will require public hearings by the Greater Lowndes Planning Commission and the Lake Park City Council.

Signature of Applicant

Justin R Roberts

Date

3/20/24



## Application for Rezoning

### CITY OF LAKE PARK PLANNING AND ZONING DIVISION

This is an application for amendment of the Official Zoning Map.  
All properties listed in a single application must be contiguous and under a single local government jurisdiction.

\*Applicant Justin R. Roberts

Telephone Number 229-548-1189 Email Address j.piercecontracting@yahoo.com

Mailing Address PO Box 65 Naylor, GA 31641

Has the applicant made any campaign contributions over \$250 to any local government official of the City of Lake Park  YES  NO

\*Note: If applicant is not the owner, as listed on the Property Deed, a notarized letter from the owner(s), including phone number and address, authorizing the applicant to act on their behalf must be included.

#### PROCEDURE

##### Application Requirements

All Applications must be complete and include required supporting documents. Incomplete applications will not be accepted.

##### Application Deadline

Applications are due by 5:00 p.m. on the 25th day of the month. When the 25th falls on a weekend or holiday, applications are due the next business day. Complete Applications submitted by the deadline will be heard by the Greater Lowndes Planning Commission (GLPC) approximately four weeks following the application deadline and by the City Council approximately six weeks following the deadline. For example, an application submitted on March 25th will be heard at the April Planning Commission meeting and the May City Council meeting.

##### Application Submission

Return one copy of this completed application and all supporting documents to:

City of Lake Park Zoning  
126 N. Esca St.  
Lake Park, GA 31636

##### Application Public Hearings

Applications will be appear before the GLPC for a recommendation at their regular meeting held the last Monday of each month at 5:30 p.m. at the Lowndes County Board of Commissioners Building (325 W. Savannah Avenue). Applications will appear before the City Council for a final decision at their regular meeting held the first Tuesday of each month.

##### Application Representation

The applicant or authorized representative should attend the public hearing to support the Application and answer any questions.

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PROPERTY ADDRESS (OR GENERAL LOCATION DESCRIPTION IF NO ADDRESS ASSIGNED):  
Corner of W Marion Avenue and Long Pond Road, Lake Park, Georgia

TAX MAP/PARCEL ID#: 0199 197 ACREAGE: 7.9

CURRENT ZONING: CC PROPOSED ZONING: RC

FUTURE DEVELOPMENT MAP "CHARACTER AREA" DESIGNATION:  
Yes- Preliminary

EXISTING USE: Vacant woodland

PROPOSED USE: Condominiums

DATE OF REQUIRED PRE-APPLICATION MEETING: Contact City of Lake Park

DOES THE PROPOSED USE TRIGGER A DEVELOPMENT OF REGIONAL IMPACT?  
YES  NO

DOES THE PROPOSED USE REQUIRE A CONDITIONAL USE PERMIT? IF YES, ATTACH APPLICATION  
 YES  NO

DOES THE PROPERTY REQUIRE ANNEXATION? IF YES, ATTACH PETITION  
 YES  NO

HAS THE PROPERTY BEEN DENIED A ZONING CHANGE IN THE PAST 12 MONTHS?  
 YES  NO

HAS ANY PUBLIC HEARING BEEN HELD REGARDING THE PROPERTY IN THE PAST 3 YEARS?  
YES  NO  IF YES, DESCRIBE: \_\_\_\_\_

**COMPREHENSIVE PLAN CONSISTENCY**

Pursuant to the City of Lake Park Zoning Ordinance, no amendment to the Official Zoning Map shall permit a zoning district except in accordance with the districts permitted for each Character Area depicted on the Future Development Map (in the Comprehensive Plan) applicable to the property for which the amendment would apply. If the Character Area is inconsistent, the applicant must first obtain an appropriate amendment to the Comprehensive Plan in order to make this application request eligible for submission.

Is the requested zoning district consistent with the designated Character Area as depicted on the Future Development Map of the Comprehensive Plan ?  YES  NO

**Zoning Change Questionnaire**

The Lake Park Zoning Ordinance states that in order to promote the public health, safety, morality and general welfare of citizens against the unrestricted use of property, certain "Standards for the Exercise of Zoning Powers" may be used by the governing body when making zoning decisions. The applicant is encouraged to respond to these questions to gain understanding as to why rezoning requests may or may not be approved. *(Attach additional sheets as necessary.)*

- 1) Please provide a narrative description of the intent of the proposed amendment and the intended timing and phasing of development.

Comprehensive condominium development with pavilion and pool in gated community with set HOA regulations to maintain complex and grounds.

- 2) How will the proposed zoning change impact the capacities of public facilities including, but not limited to, transportation facilities, sewage facilities, water supply, drainage, parks, schools, solid waste and emergency medical facilities?

Runoff will be incorporated with storm drain system in the current Pointer's Ridge project. County water and sewer will be provided to residents. All traffic will go directly onto Hwy 41, which is a four lane highway.

- 3) How will the proposed zoning change impact the natural environment, including trees, water bodies, and water quality?

There will be no effect on water quality and trees/shrubs will be set out on the project site.

- 4) How will the proposed zoning change result in an orderly and logical development pattern?

R-C will be multi-family dwelling.

9) Is the proposed rezoning in conformity with the policy and intent of the Comprehensive Plan?

Yes, proposed rezoning will be in conformity with the policy of the comprehensive plan.

10) What existing or changing conditions affecting the use and development of the property support grounds for either approval or disapproval of the proposed rezoning?

Due to the growth of the Lake Park area, we feel that there is a need for this type of development, catering to mostly older individuals.

11) To what extent will the proposed rezoning result in significant adverse impacts on the natural environment (wetlands, floodplain, groundwater, air quality, etc.)?

There will be no negative impact on any of the surrounding wetlands, flood plain, groundwater, air quality, or other natural environments.

12) Will the proposed rezoning constitute a grant of special privilege to the individual owner as contrasted with adjacent or nearby property owners or the general public?

No, proposed rezoning will not constitute a grant of special privilege.

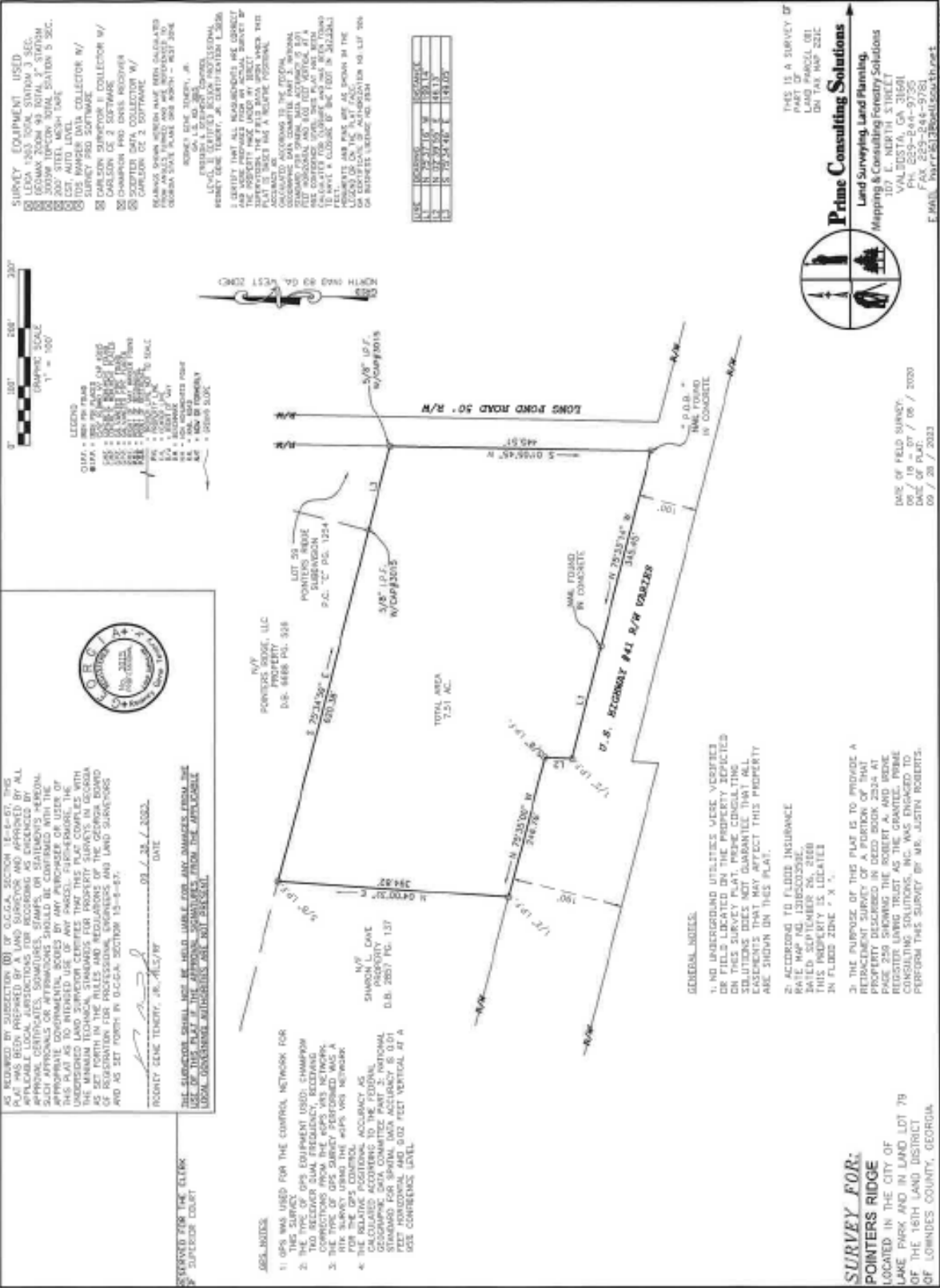
**Adjacent Property Owners**

*Attach Additional Pages as Necessary*

List all current owners of properties located immediately adjacent to, or directly across the street or railroad right-of-way from, the subject property. This information may be obtained from the Lowndes County Tax Assessor's office (229.671.2540 or <http://qpublic.net/ga/lowndes/>). The accuracy and completeness of this information shall be the responsibility of the applicant.

Map and Parcel Number	Property Owner Name and Mailing Address
1) 0223A 073	Kenneth and Jessica Utecht 301 Long Pond Road Lake Park, GA 31636
2) 0223A 002	Sharon L Cave 1006 W Marion Ave Lake Park, GA 31636
3) 0221C 001A	Pointer's Ridge, LLC
4)	
5)	
6)	
7)	
8)	
9)	
10)	





- SURVEY EQUIPMENT USED**
- LEICA 1253 TOTAL STATION 3 SEC.
  - LEICA 1253 TOTAL STATION 3 SEC.
  - 300M TORCHON TOTAL STATION 5 SEC.
  - 2007 STEEL WISH MARK
  - 2007 AUTO LEVEL
  - 125 BANNER DATA COLLECTOR W/
  - 125 BANNER DATA COLLECTOR W/
  - CHARLETON SURVEYOR'S COLLECTOR W/
  - CHARLETON CH 3 SOFTWARE
  - CHAMPION PRO GNSS RECEIVER
  - SCOTTED DATA COLLECTOR W/
  - CHARLETON CH 2 SOFTWARE

PLANNED SURVEY METHOD WAS WITH CHECKED AND CORRECTED DATA. SEE WORKSHEET - 1037 2024

RODNEY GENE TENNEY, JR.  
 STATE OF GEORGIA  
 SURVEYOR  
 LICENSE NO. 10070

I CERTIFY THAT ALL MEASUREMENTS WERE MADE BY ME OR UNDER MY SUPERVISION AND THAT THE DATA WERE CHECKED AND FOUND TO BE CORRECT. I ALSO CERTIFY THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF GEORGIA.

LINE	DESCRIPTION	BEARING	DISTANCE
1	N 29° 24' 10" W	138.17'	
2	S 01° 09' 56" W	443.51'	
3	S 79° 30' 45" E	143.10'	



AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 14-4-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE STATE AGENCIES FOR RECORDING AS DESCRIBED BY APPLICABLE STATUTES. SUCH APPROVALS OR APPROVALS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENT AGENCIES BY ANY PURCHASER OF INTEREST IN THIS PLAT AS TO INTENDED USE OF ANY SHEDS, FENCES, ETC. THE SURVEYOR'S RESPONSIBILITY IS TO CONFORM TO THE STANDARDS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF GEORGIA AND AS SET FORTH IN THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF GEORGIA, SECTION 13-4-65.

RODNEY GENE TENNEY, JR., SLS/W  
 DATE 03/22/2023

THE SURVEYOR SHALL NOT BE HELD LIABLE FOR ANY DAMAGES FROM THE USE OF THIS PLAT IN THE ABSENCE OF NEGLIGENCE FROM THE APPLICABLE LOCAL GOVERNMENT AGENCIES AND NOT BE RESPONSIBLE.

**DESIGN NOTES**

1. GPS WAS USED FOR THE CONTROL NETWORK FOR THIS SURVEY.
2. THE TYPE OF GPS EQUIPMENT USED: CHAMPION TWO RECEIVER SERIAL FREQUENCY, RECEIVING CORRECTIONS FROM THE GPS WIS NETWORK.
3. THE SURVEY WAS MADE WITH A CHAMPION PRO GNSS RECEIVER.
4. THE RELATIVE POSITIONAL ACCURACY AS STATED IN THE NATIONAL POSITIONING SYSTEM FOR SPATIAL DATA ACCURACY IS 0.01 FEET HORIZONTAL AND 0.02 FEET VERTICAL AT A 95% CONFIDENCE LEVEL.

**GENERAL NOTES**

1. NO UNDERGROUND UTILITIES WERE VERIFIED OR FIELDS LOCATED ON THE PROPERTY INDICATED ON THIS SURVEY PLAT. PLEASE CONSULTING SOLUTIONS DOES NOT GUARANTEE THAT ALL CASUALTIES THAT MAY AFFECT THIS PROPERTY ARE SHOWN ON THIS PLAT.
2. ACCORDING TO FLOOD INSURANCE RATE MAP NO. 1205020000E, DATED SEPTEMBER 26, 2000 THIS PROPERTY IS LOCATED IN FLOOD ZONE "X".
3. THE PURPOSE OF THIS PLAT IS TO PROVIDE A RETRACEMENT SURVEY OF A PORTION OF THAT PROPERTY DESCRIBED IN DEED BOOK 2834 AT PAGE 256 SHOWING THE ROBERT A. AND BEBE FOSTER LIVING TRUST AS THE GRANTEE. PURVEYOR OF THIS SURVEY IS MR. JUSTIN ROBERTS.

**SURVEY FOR:**  
 POINTERS RIDGE  
 LOCATED IN THE CITY OF LAKE PARK AND IN LAND LOT 79 OF THE 16TH LAND DISTRICT OF LOWMEDES COUNTY, GEORGIA.

THIS IS A SURVEY OF PART OF LAND PARCEL 001 DATED MAY 2011

**Prime Consulting Solutions**  
 Land Surveying, Land Planning,  
 Mapping & Consulting Forestry Solutions  
 107 E. NORTH STREET  
 VALDOSTA, GA 31658  
 PH: 225-244-9735  
 FAX: 225-244-9781  
 E-MAIL: info@pcsolutions.com

DATE OF FIELD SURVEY: 03/22/23  
 DATE OF PLAT: 03/22/23

CITY OF LAKE PARK  
(229) 559-7470

REC#: 00010566 3/22/2024 1:22 PM  
OPER: LJ TERM: 003  
REF#: 23226:Roberts: Rezon

TRAN: 20.0014 ZONING & SUB FEES  
ZONING AND SUB.DIV. 324.15CR

TENDERED: 324.15 CHECK  
APPLIED: 324.15-

CHANGE:            0.00







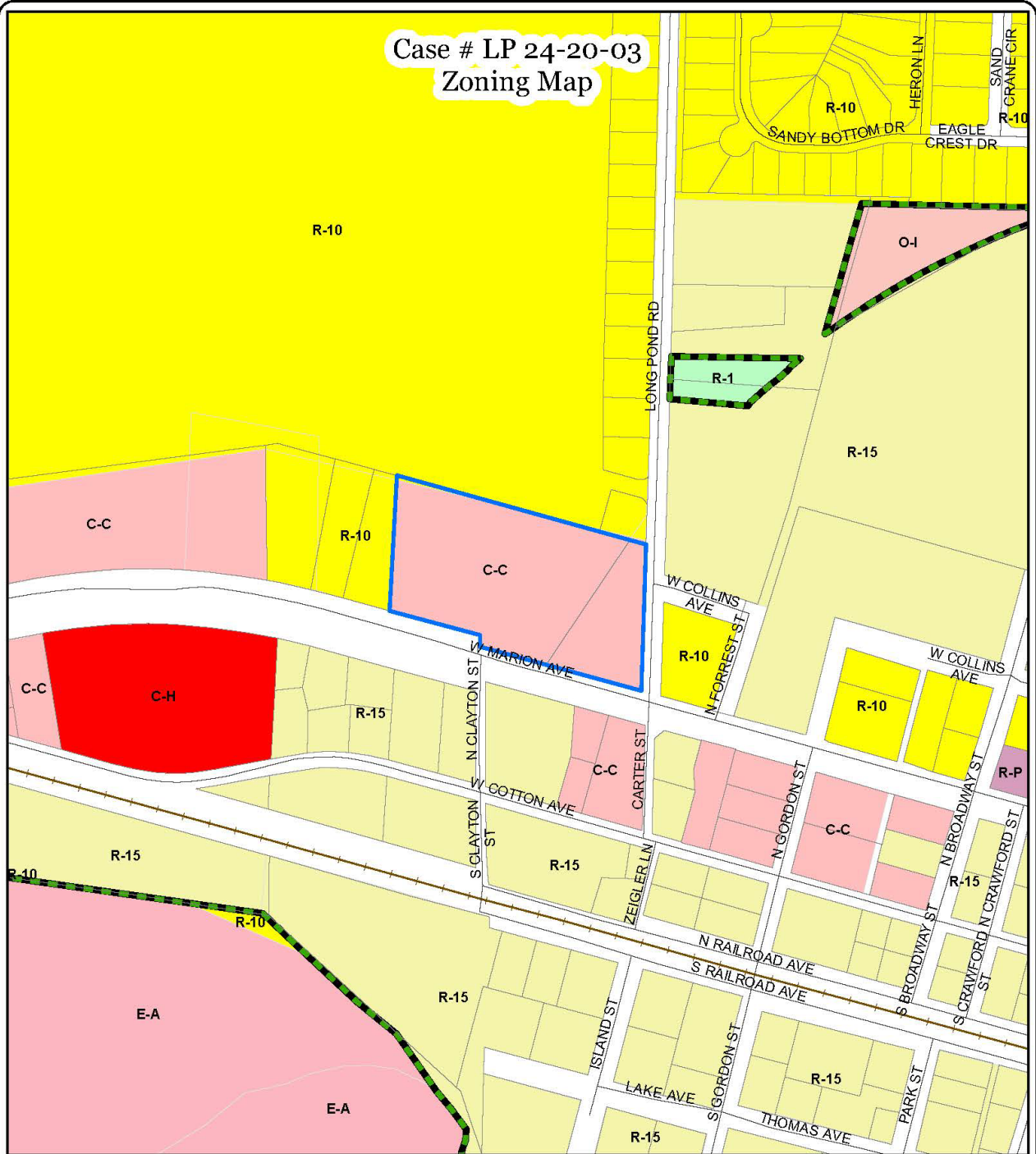








# Case # LP 24-20-03 Zoning Map



1 inch = 400 feet

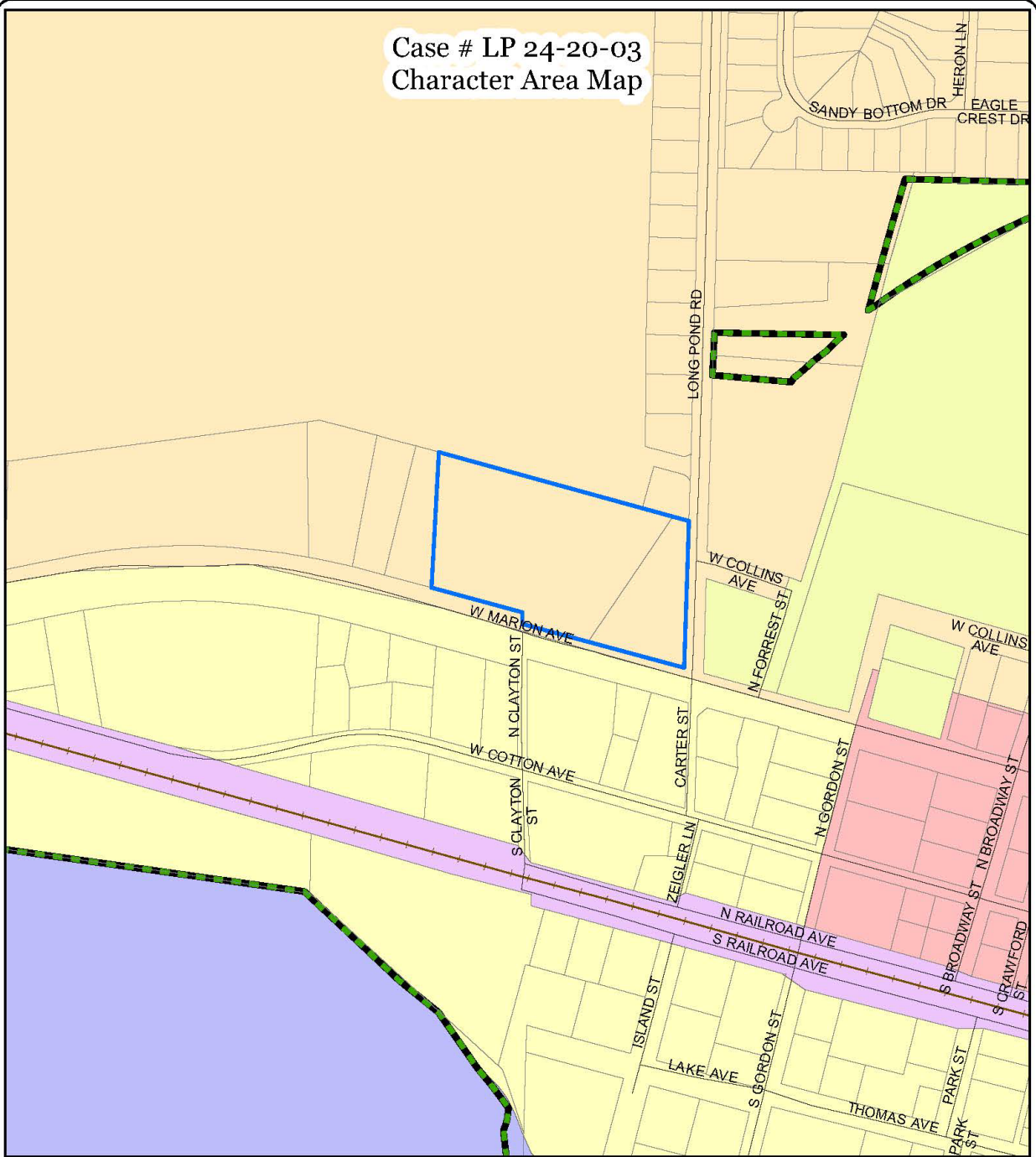
© SGRC, 2024

**Legend**

— Roads	■ C-C
▭ To Be Rezoned	■ C-H
▭ Parcels	■ E-A
— Railroads	■ O-I
▭ City Limits	■ R-1
	■ R-10
	■ R-15
	■ R-P



Case # LP 24-20-03  
Character Area Map



sgirc SOUTHERN GEORGIA  
REGIONAL COMMISSION

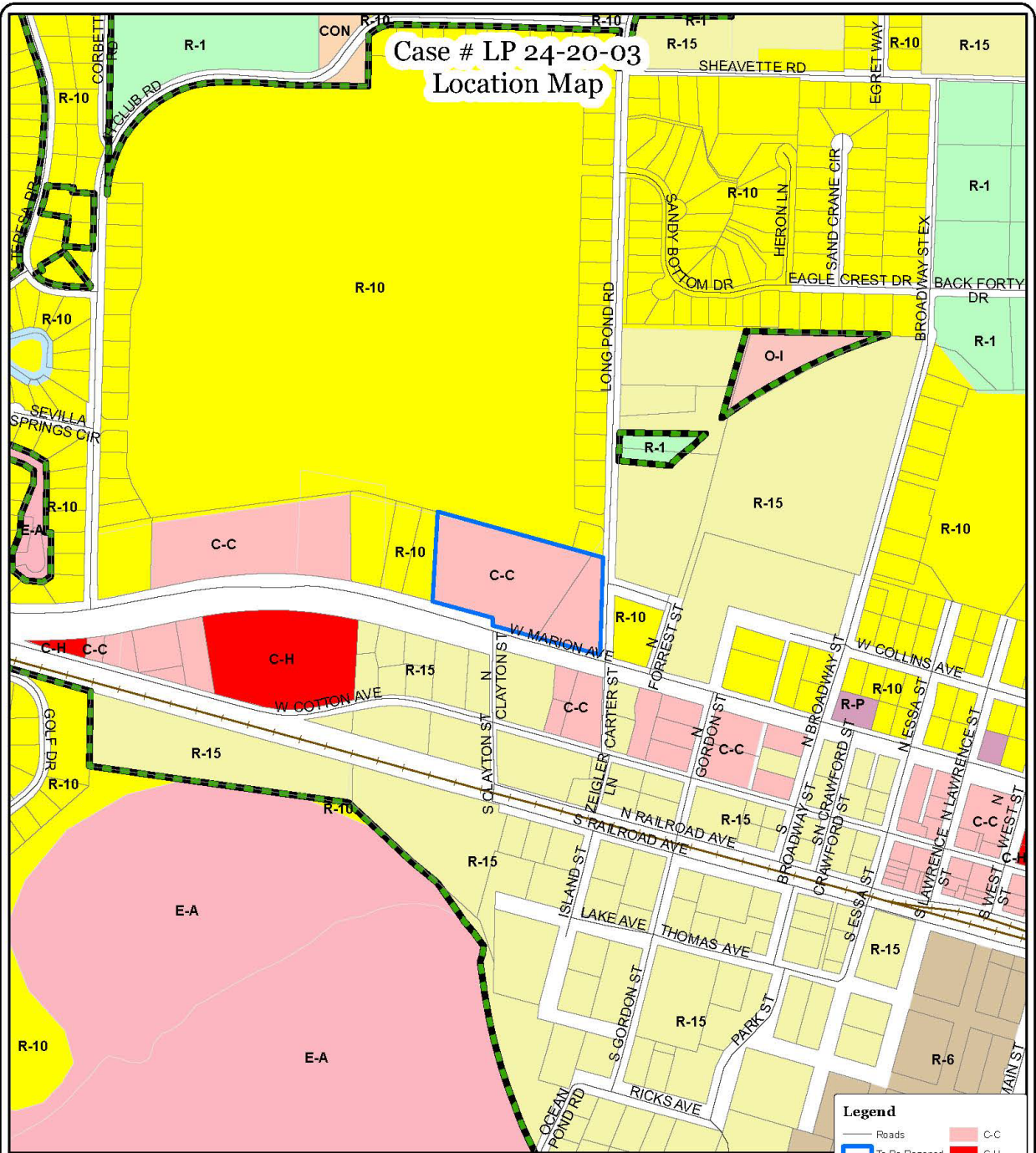
1 inch = 400 feet

© SGRC, 2024

Legend

	Roads		Community Activity Center
	To Be Rezoned		Established Residential
	Parcels		Institutional Activity Center
	Railroads		Park/Recreation/Conservation
	City Limits		Suburban Area
			Transportation/Communication/Utilities

# Case # LP 24-20-03 Location Map



**sgirc** SOUTHERN GEORGIA  
REGIONAL COMMISSION

1 inch = 600 feet

© SGRC, 2024

Legend	
	Roads
	To Be Rezoned
	Parcels
	Railroads
	City Limits
	C-C
	C-H
	CON
	E-A
	O-I
	R-1
	R-10
	R-15
	R-6
	R-P
	WATER



Case # LP 24-20-03  
Land Use Map



**sgirc** SOUTHERN GEORGIA  
REGIONAL COMMISSION

1 inch = 300 feet

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Legend	
	Roads
	Flood Zones
	To Be Rezoned
	Parcels
	Railroads
	City Limits