Planning and Zoning Commission
Regular Meeting
Monday, July 27th, 2026
5:30 PM

1. **Welcome and Call to Order**
2. **Invocation / Pledge**
3. **Approval of Minutes – February 23, 2026**
4. **New Business – Public Hearing**
   a. **R-26-004**: Ponder Development, LLC, applicant, and Douglas Whitlow, Trustee of the Douglas Whitlow Trust, property owner, have submitted an application to rezone approximately ±20.0 acres from B-2 (Local Business District) to R-1B (Single-Family Residential District – High Density). The property is located on Highway 17, Lavonia, Georgia, and consists of a portion of Tax Parcel 053-179. Proposed use: Residential development.
5. **Closing Comments**
6. **Adjourn**

CITY OF LAVONIA COUNCIL

PLANNING & ZONING – MINUTES

February 23, 2026

5:30 PM

Present: **Chairman Ben White, Laurie Whitworth, Pam Stone, Morris Rivers**

Media: Charlie Evanson, Franklin County Citizen

Staff: Assistant City Manager – Robert Ogburn
Assistant City Clerk – Barbara Busby
Mayor – Courtney Umbehant

Item 1. **Call to Order**
Ben White called the meeting to order at 5:40 p.m.

Item 2. **Invocation/Pledge**
Morris Rivers led the invocation, followed by the Pledge of Allegiance.

Item 3. **Approval of Minutes – January 27, 2026**
Pam Stone made a motion to accept the January 27th minutes. Morris Rivers seconded. All were in favor.

Item 4. **New Business – Public Hearing**

a) R-26-03 Zoning: Kay Legg, applicant/ property owner, seeks rezoning to Local Business District zoning of 9.14 acres fronting on the north side of Hartwell Highway (Map/Parcel L010/067A). Existing zoning is R-1A residential zoning, in the City of Lavonia, GA. Proposed uses: Specialty Event Center.

The Commission considered the application presented by Sonya Kay Legg's daughter, Andrea Bradford, to rezone 9.14 acres fronting the north side of Hartwell Highway (Map/Parcel L010/067A) from R-1A residential zoning to Local Business District, for use as a Specialty Event Center. The applicant described the property as historic in character, comprising a main house, a historic barn, a pecan grove, and associated outbuildings extending to a structure referred to as the Grey House. She noted that the 9-acre boundary was chosen to reflect the natural layout of the property, with the pecan grove serving as a natural barrier. The proposed rezoning would allow the property to host events and parties open to the community.

There were no comments during the Public Hearing.

Laurie Whitworth made the motion to recommend rezoning the property from R-1A to Local Business District. Pam Stone seconded the motion. All were in favor.

Item 5. **Closing Comments**

There were no closing comments.

Item 6. **Adjourn**

Meeting was adjourned at 5:50.

_____ _____

Ben White, Chairman Barbara Busby, Assistant City Clerk

CONSULTING PLANNER'S REPORT

TO:	City of Lavonia, GA, Planning & Zoning Board Honorable Mayor and City Council, City of Lavonia
FROM:	Jerry Weitz, Consulting Planner
DATE:	July 13, 2026
SUBJECT:	**R-26-04** Rezoning from B-2 (Local Business Districto to R-1B (Single-Family Residential District – High Density)
PUBLIC HEARINGS:	July 27, 2026 @ 5:30 p.m. (Planning & Zoning Board) August 3, 2026 @ 5:30 p.m. (Mayor and City Council)
APPLICANT:	Ponder Development, LLC, by Scott Neal
OWNER(S):	Douglas Whitlow, Trustee of the Douglas Whitlow Trust
LOCATION:	Fronting on the south side of State Route 17 and the north side of Interstate 85 approximately 2,590 feet west of SR 17/ I-85 interchange
PARCEL #:	Part of 053 179
ACREAGE:	20.00
EXISTING USE:	Agricultural
PROPOSED USE:	Single-family residential subdivision (73 lots)

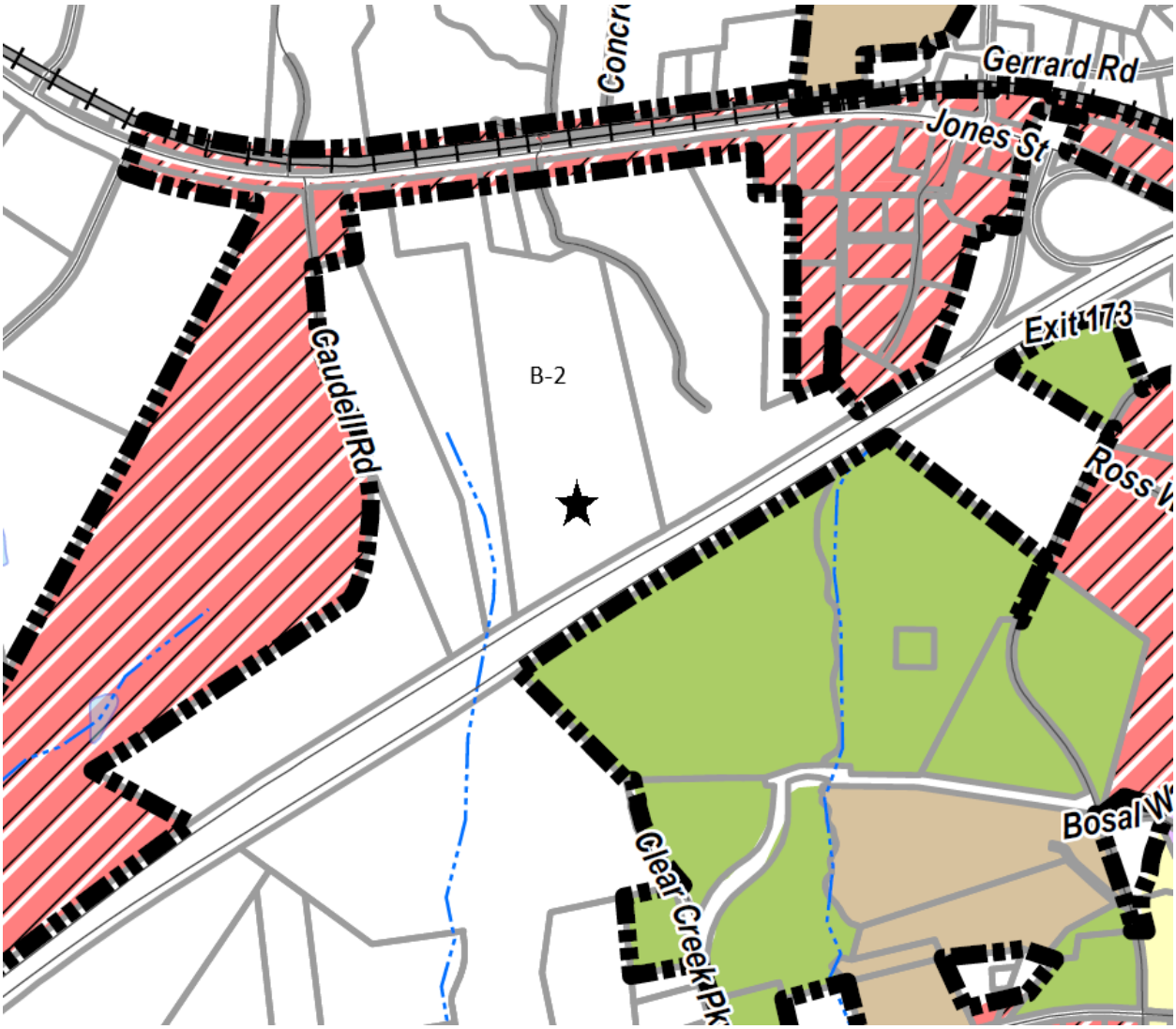
SURROUNDING LAND USE/ZONING:

NORTH:	Vacant, B-2 (City of Lavonia)
EAST:	Vacant, HB (Highway Business District) Unincorporated
SOUTH:	Interstate 85; Hospital (south of I-85)
WEST:	Vacant/conservation use (unincorporated); Vacant, B-2 (City of Lavonia)

RECOMMENDATION: **Denial**



Tax Map/Aerial Photograph (subject property is part of this site)



Zoning Map Excerpt

ANALYSIS OF APPLICATION AND SUMMARY OF PROPOSAL

The applicant seeks rezoning from B-2 (local business district) to R-1B (single-family residential – high density) for a residential subdivision containing 73 lots/homes. A letter of intent and conceptual site plan have been filed with the application and are included in this report.

The subject property is located between SR 17, a mostly commercial and undeveloped corridor, and Interstate 85 west of the SR 17 interchange. Access to the subject property would be through commercially zoned land. Each lot would have a minimum lot width of 75 feet and a minimum lot size of 7500 square feet. The street system within the proposed subdivision would consist of 60-foot right of ways and 24-foot-wide streets. Some of the proposed subdivision streets would dead-end to the eastern property line, while others are proposed to terminate with a circular cul-de-sac. The only open space

set aside is land near the eastern property line, plus a stormwater tract abutting the Interstate 85 right of way.

REVIEW OF CRITERIA FOR REZONING DECISIONS (Sec. 102-439 Lavonia Zoning Ordinance)

Note: The Planning & Zoning Board and City Council may adopt the findings and determinations of consulting planner as written (provided below), or it may modify them. The board and council may cite one or more of these in their own determinations, as each body determines appropriate. They may modify the language provided here, as necessary, in articulating their own findings. Or, the board and council can reject these findings and make their own determinations and findings for one or more of the criteria provided below. They do not need to address each and every criterion, but only those that are relevant to support its own determination.

(a) Whether the proposal will permit a use that is suitable in view of the use, development and character of adjacent and nearby property, or whether the proposal will adversely affect the existing use or usability, development, or character of adjacent or nearby property.

Finding: The residential subdivision proposal is not expected to adversely affect the use or usability, development, or character of adjacent or nearby property, which is primarily agricultural and undeveloped and commercial as well as some industrial on the north side of SR 17 ***(supports request)***. However, the inclusion of residential tract housing may generate some concerns from residents over time with commercial development planned and expected to develop in the area ***(does not support request)***.

(b) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, utilities, schools, or other public facilities and services.

Finding: The rezoning if approved will enable development of 20 acres of land for a subdivision containing 73 detached, single-family homes. As such, the project will not be excessive or burdensome in terms of its impact on State Route 17, which provides access to the subject property. The addition of 73 homes will add significantly to the county school system's enrollment upon occupancy. Utility impacts have not been evaluated here, but the city is expected to be able to serve the subdivision with water and sanitary sewer services if approved. Other public facilities such as police and county fire are reasonably available to the subject site ***(tends to support request)***; however, the introduction of residential development will tend to create new demands for public safety in an area that is likely to be served only by police facilities in the center of the city.

(c) Whether the proposal is in conformity with the policy and intent of the comprehensive plan.

Finding: The subject property shows as being within the "I-85 Gateway Corridor" character area of the 2024 countywide character area map. The description of the gateway corridor character

area is as follows (in part): "This refers to the commercial activity areas located at and around the highway intersections. These provide the transition between heavy, auto-oriented land use and the rural county or the urbanized municipalities. Emphasis will be on maintaining the economic viability of these corridors to support business, especially those that utilize the Interstate. Land uses are designed to serve highway travelers more so than local residents, often featuring vast parking lots and large structures" (p. 39). Residential land uses are not listed as appropriate land uses in the gateway corridor character area ***(does not support request)***. Residential development near Lavonia is proposed to be primarily within the Lavonia-Carnesville growth area, which is assigned to properties west and southwest of the city ***(does not support request).*** In short, this part of the city (newly annexed) is not slated for residential development, and the comprehensive plan supports the property remaining as commercial development.

Finding: The county-municipal comprehensive plan (p. 23) describes Lavonia's need for more workforce housing, though not necessarily in the subject location ***(inconclusive)***.

(d) Whether the proposal relates to adjacent and nearby zoning districts, or whether the proposal if approved would create an isolated zoning district unrelated to adjacent and nearby zoning districts.

Finding: Much of the area in the vicinity of the subject property is agricultural or undeveloped, and commercial. There is little if any tract residential development in the immediate vicinity. Therefore, the proposed R-1B zoning district does not relate to existing zoning districts assigned to nearby properties in the city and county and will be isolated in nature ***(does not support request)***.

(e) The suitability of the subject property for development under the existing zoning district and the proposed zoning district.

Finding: The B-2 zoning district was assigned to the subject property upon annexation ***(does not support request)***. The subject property is considered suitable for commercial development in accordance with the B-2 zoning district in Lavonia. The property will pass through commercial zoning districts for access to SR 17. Given noise from the interstate highway and the pattern of commercial use in the area, the subject property is not considered to be suitable for detached, single-family residential development ***(does not support request)***. Noise, traffic, and other off-site impacts from commercial development may render the area less than desirable for detached tract housing ***(does not support request)***.

(f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.

Finding: The city of Lavonia annexed the subject property and assigned commercial zoning district to the annexed property. The annexation was completed within the last year or so. There do not appear to be any conditions that have substantially changed since the B-2 zoning was assigned by Lavonia to the property at the time of annexation ***(does not support request)***.

Finding: The Franklin County Board of Commissioners amended its unified development code in the past two years to place additional restrictions on residential development in unincorporated areas. Specifically, tract housing is discouraged if not altogether prohibited outside a one-half mile area around municipalities. Accordingly, this puts pressure on areas such as the subject property to accommodate more of the countywide housing demand. This factor may give some supporting grounds for approval of the request ***(may support request)***. However, the location is not one that is most ideal for residential tract housing.

CONCLUSIONS

The adopted comprehensive plan does not support residential land use on the subject property. The gateway corridor character area does not list residential land use in its recommendations. Property-specific conditions are such that it is not the most ideal place for single-family housing. The property abuts Interstate 85 which will continue to generate noise throughout the day and night, plus air quality adjacent to interstates is less than ideal. The subdivision if developed will be next to commercial development (existing and planned) that will create additional noise and other off-site impacts that are generally not compatible with detached, single-family housing. The proposed residential rezoning is in an area that does not have residential development at this time.

Approval of the requested R-1B zoning will create a precedent for other properties to be annexed and zoned for residential land uses, where currently there are none. It is likely to “open the door” for similar requests. Residential development would be isolated and unrelated to the Interstate gateway corridor recommendations of the comprehensive plan. There are better locations in consulting planner’s view for growing the residential development base in Lavonia. These findings and conclusions support disapproval of the application.

If approved, the city should require a subdivision design that provides interconnecting rather than dead-end streets. Consideration should also be given, if approved, to requiring maintenance of a noise buffer along Interstate 85. Other conditions of zoning approval may also be appropriate.

Department of Planning and Zoning
City of Lavonia Georgia
12221 Augusta Rd
Lavonia, Georgia 30553
Phone 706-356-8781

6/18/26

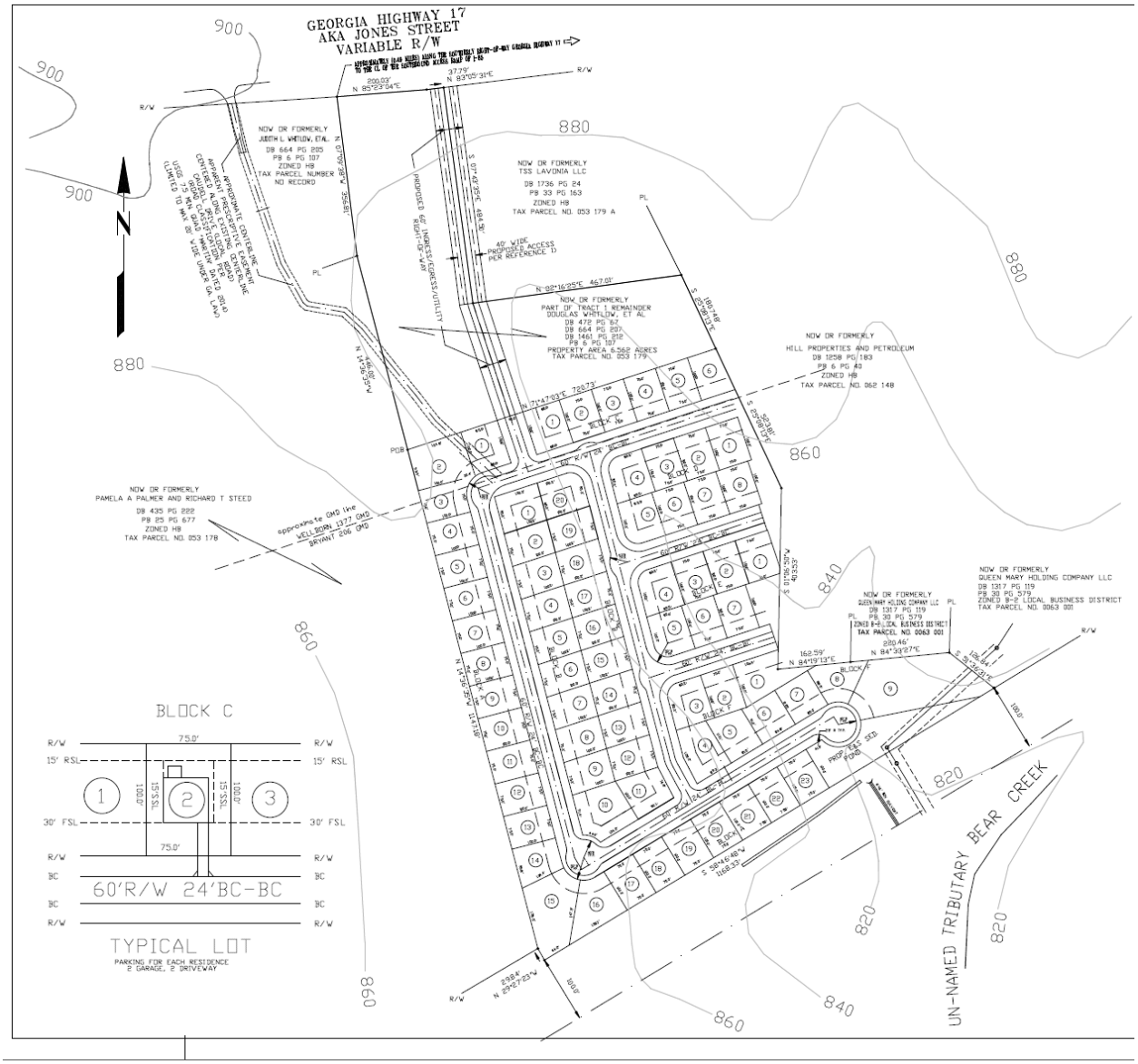
Property re-zoning request for a 20.00 acre portion of tax parcel 0053 179 currently zoned B-2 Local Business

To Whom It May Concern:

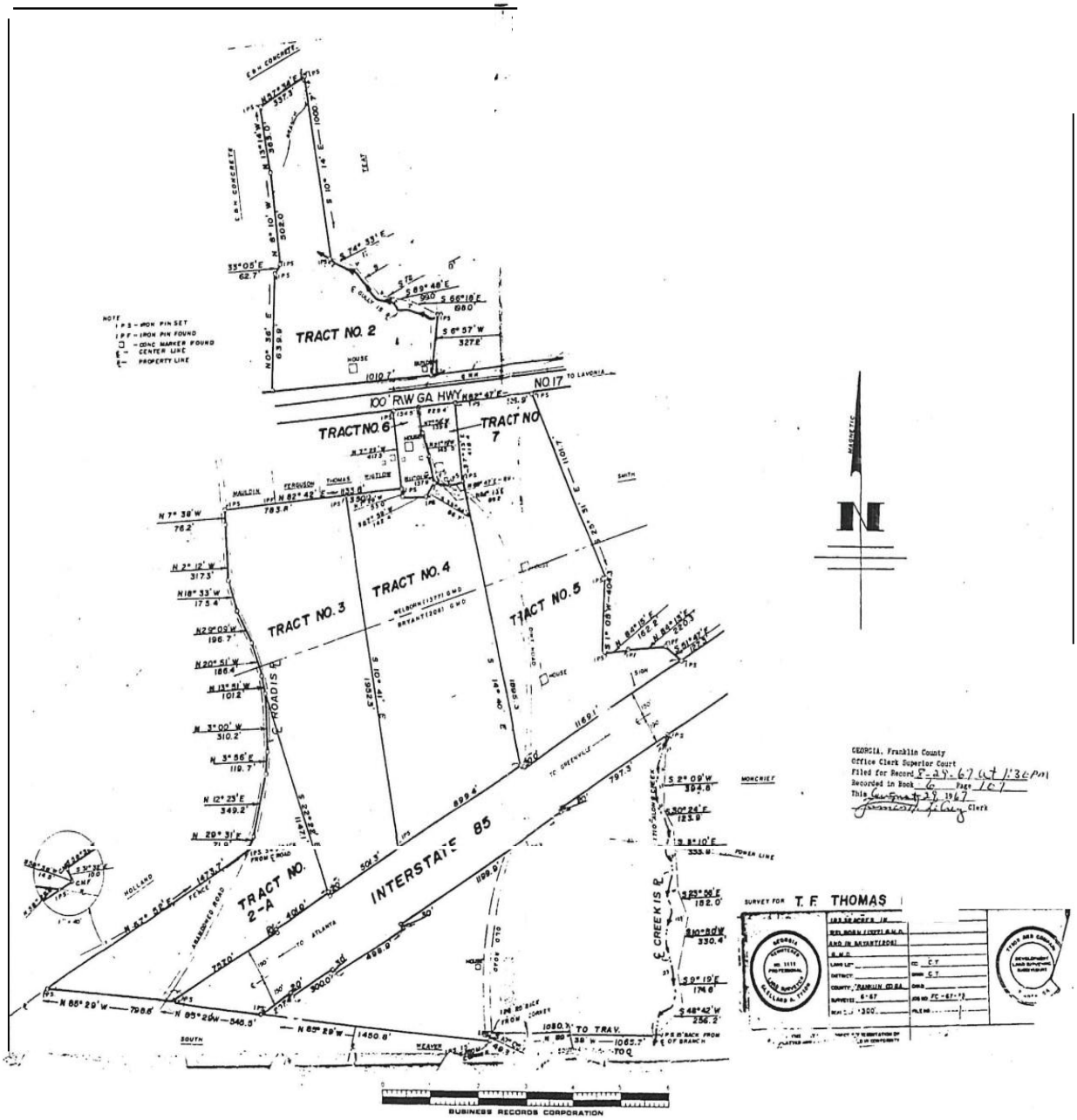
This letter serves as a letter of intent to request a re-zoning for a 20 acre portion of a 26.562 acres tract designated as TRACT 1 on a subdivision plat for Tractor Supply Company by Vallentino and Associates dated 12-9-25 for a single family residential subdivision zoned R-1B single family residential.

Scott Neal
P.O. Box 198
Dewey Rose Ga. 30634
Mobile/Text: 404-405-8011
Email: careyscottneal@gmail.com

Letter of Intent


GEORGIA HIGHWAY 17
AKA JONES STREET
VARIABLE R/W
NOW OR FORMERLY
JUDITH L. WHITLOW, ET AL.
DB 664 PG 205
PB 6 PG 107
ZONED HB
TAX PARCEL NUMBER
NO RECORD
NOW OR FORMERLY
TSS LAVONIA LLC
DB 1736 PG 24
PB 33 PG 163
ZONED HB
TAX PARCEL NO. 053 179 A
40' WIDE
PROPOSED ACCESS
PER REFERENCE D
PROPOSED 60' INGRESS/EGRESS/UTILITY
RIGHT-OF-WAY
NOW OR FORMERLY
PART OF TRACT 1 REMAINDER
DOUGLAS WHITLOW, ET AL
DB 478 PG 167
DB 664 PG 207
DB 1461 PG 212
PB 6 PG 107
PROPERTY AREA 6.562 ACRES
TAX PARCEL NO. 053 179
NOW OR FORMERLY
HILL PROPERTIES AND PETROLEUM
DB 1858 PG 183
PB 6 PG 40
ZONED HB
TAX PARCEL NO. 062 148
NOW OR FORMERLY
PAMELA A PALMER AND RICHARD T STEED
DB 435 PG 222
PB 25 PG 677
ZONED HB
TAX PARCEL NO. 053 178
approximate OHD line
WELLBORN 137 OHD
BRYANT 206 OHD
NOW OR FORMERLY
QUEEN MARY HOLDING COMPANY LLC
DB 1317 PG 119
PB 30 PG 579
ZONED B-P LOCAL BUSINESS DISTRICT
TAX PARCEL NO. 0063 001
BLOCK C
60'R/W 24'BC-BC
TYPICAL LOT
PARKING FOR EACH RESIDENCE
2 GARAGE, 2 DRIVEWAY
UN-NAMED TRIBUTARY BEAR CREEK

Site Plan



Boundary Survey/Recorded Plat (Parent Tract) (#5)