



**STAFF REPORT  
SPECIAL USE PERMIT  
600 OGLETHORPE AVENUE  
SUP-2025-08-1565  
SEPTEMBER 4<sup>th</sup>, 2025**

APPLICANT: ..... Jennifer Howard / Boulevard Animal Hospital  
OWNER: ..... Douglas C. Henson Jr. / Nelms L. Bell Sr. Trust  
FUTURE LAND USE: ..... Remains *Mixed Density Residential*  
ZONING REQUEST: ..... Special Use in C-O  
TYPE OF REQUEST: ..... Type II  
LOCATION: ..... 600 Oglethorpe Avenue  
TAX MAP NUMBERS: ..... 114C3 C001B  
COUNTY COMMISSION DISTRICT: ..... District 5  
PROJECT SIZE: ..... 0.97 Acres  
PRESENT USE: ..... Commercial Office  
PROPOSED USE: ..... Veterinary Clinic  
PUBLIC NOTICE POSTED: ..... August 20<sup>th</sup>, 2025  
STAFF RECOMMENDATION: ..... **APPROVAL WITH CONDITION**  
PLANNING COMM. RECOMMENDATION: ..... **PENDING**  
MAYOR & COMMISSION AGENDA SETTING: .. September 16<sup>th</sup>, 2025 (tentative)  
MAYOR & COMMISSION VOTING SESSION: .... October 7<sup>th</sup>, 2025 (tentative)

## **I. Summary Recommendation**

The applicant is requesting a special use permit on a lot at 600 Oglethorpe Avenue that is currently zoned C-O (Commercial-Office). The special use permit is for a veterinary clinic with no overnight kenneling and the proposal includes re-use and renovation of the existing office. The parcel is part of a larger office complex that is adjacent to two multi-family properties.

The proposal is compatible with the Comprehensive Plan as it would support the retention and expansion of an existing local business while re-using an existing building. The proposal is also compatible with the Future Land Use and Zoning Maps.

The project would trigger the need to bring the existing parking lot up to the current standards in the Code of Ordinances. The applicant contends that this would be a hardship and has requested a variance to not build the planted buffer that is required between the subject property's parking area and the residentially-zoned properties next door because the existing paving in the parking lot does not leave enough room between the asphalt and the property line to plant a buffer. Staff supports the variance request, and recommends that the applicant plant climbing ornamental vines along the existing fence line to provide a screen (Staff could not verify if the fence is on the applicant's property). The existing parking lot has far more parking spaces (35) than the minimum required by Code for the proposed use (11). Bringing the full lot into compliance would create a hardship for this small local business, so **Staff is recommending approval with the following condition:**

Condition:

1. The corrective actions regarding the parking lot, as listed in the Staff Report dated September 4<sup>th</sup>, 2025, shall be remedied only for the minimum number of parking spaces that are required for the veterinary clinic use.

Planning Commission Recommendation: Pending

## **II. Purpose of Applicant Request**

### **A. Proposal**

The applicant is requesting a special use permit for a veterinary clinic on a 0.97-acre tract located at 600 Oglethorpe Avenue, which is zoned for Commercial-Office (C-O). The proposal would convert an existing office into a clinic, allowing the business to relocate and expand from its current location at 298 Prince Avenue. The applicant states that the clinic will not offer boarding service, although dogs may be occasionally hospitalized overnight. The project aims to renovate the building by reconstructing stairs and ramps for handicap access, exterior painting and landscaping, new signage, a small staff patio, and interior modifications for offices and exam rooms. The parking lot would remain as is.

### **B. Existing Conditions**

The subject property is the street-facing part of a larger office complex that is subdivided into four lots at 600 and 610 Oglethorpe Ave. Constructed in 1978, the building is approximately 5,300 sq. ft., including an inner courtyard approximately 690 sq. ft. in size. The property faces Oglethorpe Avenue. At the corners of Holman Avenue and Oglethorpe Avenue sit a single-family residence, which is zoned RS-8 (Single-Family Residential) and an eight-unit apartment that is also zoned RS-8. East and west of the property is RM-2 (Mixed Density Residential) zoned multifamily complexes. To the north, the subject parcel is bordered by an office, which is zoned C-O.

## **III. Policy Analysis**

### **A. Compatibility with Comprehensive Plan**

The 2023 Comprehensive Plan calls for the following policies that **are** supported in this project:

- *Utilize best practices for the attraction and retention of business and industry.*
- *Implement ordinances, policies, and infrastructure to address impediments to locating or expanding business and industry in Athens.*

Approval of the special use permit would allow the retention and expansion of an existing business that is already well-established and providing service to the community. Overall, the proposal is compatible with the Comprehensive Plan.

### **B. Compatibility with the Future Land Use Map**

The 2023 Future Land Use Map designates the subject parcel as *Mixed Density Residential*, which is described as follows:

*Mixed Density Residential*

*These are residential areas where higher-density residential development is allowed and intended.*

*Limited non-residential uses designed at a neighborhood scale may be incorporated into these areas (e.g. churches, schools, daycare facilities, small businesses, and offices). Buildings should be oriented towards the street and include streetscape enhancements. Their design should include connections between uses, good pedestrian connections, and compatibility with public transit. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants, and vehicle sales, are not included in this designation.*

No change to the Future Land Use Map is required since the proposed zoning action is already compatible with the Map. Commercial-Office zoning is currently the only commercial zoning district that is compatible with the *Mixed Density Residential* Future Land Use classification. The proposal is compatible with the Future Land Use description of small businesses for this area. However, the building does not have a street-facing entry or pedestrian connection from the street, as this Future Land Use designation expects. Adding a street-facing entry, a pedestrian connection between Oglethorpe Ave. and the building entryways, and planting a few street trees in the open lawn would help this project come into greater alignment with the character description for this area.

## **C. Compatibility with the Zoning Map**

The applicant has requested a Special Use Permit (SUP) in a Commercial-Office zone (C-O). The Athens-Clarke County Zoning Ordinance includes a list of defined uses and designates where they can or cannot be established. Veterinary clinics are classified as a special use in the C-O zone in order to control where kenneling operations occur, since kennels are associated with elevated noise. The applicant states that kenneling is not included in their operations, so the clinic is likely to be more comparable to other office uses in terms of noise generation. In Staff's opinion, the project is compatible with the underlying Zoning Map, so long as it can satisfy the special use criteria.

## **D. Consistency with Other Adopted ACCGov Plans, Studies, or Programs**

No applicable plans were found.

# **IV. Technical Assessment**

## **A. Environment**

There are no designated environmental areas on the property. Re-using the existing building and parking lot will minimize the overall environmental impact of the project and is an inherently sustainable construction choice.

The Arborist has reviewed the project and recommends approval with the following comment:

- *Project will be expected to meet all requirements of the community tree management ordinance at the time of development during plan review.*

## **B. Grading and Drainage**

The Transportation & Public Works Department has reviewed the proposal and recommends approval without grading and drainage-related comments.

## **C. Water and Sewer Availability**

The Public Utilities Department has reviewed the proposal and recommends approval with the following comments:

- *ACC water is available; ACC sanitary sewer is available*

- Capacity is available to serve the proposed special use

## **D. Transportation**

The Transportation & Public Works Department has reviewed the proposal and recommends approval without any transportation-related comments.

## **E. Fire Protection**

The Fire Marshal has reviewed the proposal and recommends approval with the following comment:

- *The proposed veterinary clinic at 600 Oglethorpe Avenue is consistent with the previous occupancy of the building. This request does not represent a change of use, as both the prior business and the proposed clinic fall under the business occupancy classification. Therefore, the special use permit request is supported.*

## **F. Compliance with the Zoning Ordinance and Development Standards**

All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal since the development will otherwise be expected to adhere to the ordinance standards.

Special Use requests are evaluated using the following criteria:

- a) *Similarity in scale, bulk, and coverage.*

The project is making no changes to the scale, bulk, or coverage of the building.

- b) *Character and volume of traffic and vehicular parking generated by the proposed use and the effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*

The character and volume of traffic is not expected to exceed that which would be typical of a small-to-medium-sized office. The site has at least three times the required amount of parking, and it is located along a street with multi-modal access, including bike lanes, sidewalks, and transit routes nearby.

- c) *Architectural compatibility with the surrounding area.*

The existing structure, which is to remain, is a single-story office and fits with adjacent offices as well as the townhomes and other one or two-story residences in the area. The applicant proposes minor cosmetic changes to modernize the building and retain its architectural form.

- d) *The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality, including the generation of smoke, dust, odors, or environmental pollutants.*

Since no site work is proposed, aside from adding a small staff patio, little environmental impact is expected. The applicant states that “hazardous medical waste will be managed and disposed of in accordance with all relevant regulations.” No large animal services or overnight boarding, which would generate noticeable amounts of animal waste, are included in the clinic’s operations.

- e) *Generation of noise, light, and glare.*

The clinic will be in operation largely during business hours and is not expected to generate excessive light and glare. The lack of kenneling will keep noise comparable to other office uses.

- f) *The development of adjacent properties compatible with the future development map and the zoning district.*

The project is compatible with the Future Land Use Map and would not prevent other properties from developing consistent with the area's existing land use policies.

g) *Impact on future transportation corridors.*

The project does not expect to generate traffic that would be out of character for an office of this size. It is unlikely to create a noticeable impact on nearby corridors. It is located along a street with relatively high multi-modal access by Athens' standards, including bike lanes, sidewalks, and transit routes nearby.

h) *Impact on the character of the neighborhood by the establishment or expansion of the proposed use in conjunction with similar uses.*

The project would not be out of character with the office uses that have been on site since 1978.

i) *Other factors found to be relevant by the hearing authority for review of the proposed use.*

No other factors have been found to be relevant.

Staff assesses that the request satisfies the special use criteria.

**Requested Variance:**

The applicant has requested a variance from Sec. 9-30-9(E)6 [Staff notes that, based on the applicant response, this request is for Sec. 9-30-9(E)6.b.] to exempt themselves from having to provide screening between the parking lot and the adjacent residentially-zoned properties.

Variances are assessed using the following criteria:

1. *Describe the extraordinary and exceptional conditions pertaining to this particular piece of property in question because of its size, shape, character, or topography that do not apply generally to other land in the vicinity:*

Staff Analysis: The parking lot has existed in its current configuration since 1978 and is considered legal non-conforming by today's standards. It is also the access point for the rest of the office complex behind the subject property, which is somewhat unusual.

2. *Explain how the strict application of the provisions of this title to this particular piece of property would create an undue and unnecessary hardship so that the grant of the variance is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant:*

Staff Analysis: The strict application of the Code would create a significant cost and temporarily disrupt the function of the parking lot and access to the rest of the complex or prevent the business from operating on this parcel entirely. Therefore, the enjoyment of a property right would be impacted.

3. *Describe how the special conditions and circumstances do not result from the actions of the applicant:*

Staff Analysis: The parking lot has functioned in its current layout since 1978. The applicant is proposing to assume the lot as it currently exists. Therefore, the applicant has not created the conditions and circumstances at issue.

4. *Explain how the benefits of granting the variance will be greater than any negative impacts on the development of the adjacent uses; and will further the purpose and intent of this ordinance and the Comprehensive Plan of Athens-Clarke County:*

Staff Analysis: The applicant states that bringing the parking lot into compliance would

“engender an extraordinary and unplanned for expense on a locally-owned small business.” In Staff’s opinion, the benefits of allowing a new but similar use to the previous office to relocate and expand within the community outweigh any negative impacts of not bringing the parking lot into full compliance.

5. *Explain how the variance, if granted, will represent the minimum variance that will afford relief from the identified hardship and will represent the least deviation possible from the zoning regulation and from the comprehensive plan.*

**Staff Analysis:** The applicant proposes to remove the requirement for screening due to a lack of space between the existing parking and the property line, but is offering a climbing ornamental vine that could grow along the existing fence line and provide a degree of screening. Staff considers a planted screen that could climb the existing fence to be a minimal deviation from code, provided that the existing fence is on the applicant’s side of the property line. Staff could not verify whether the fence is on the subject property or the adjacent property.

Staff finds that the proposal does meet the five criteria to justify approval of the variance request.

#### **Corrective Actions:**

1. *The parking volume and layout will need to be calculated and revised to verify compliance with the parking minimums and maximums of Sec. 9-30-2. This can be remedied at the time of Plans Review.*
2. *Accessible parking spaces were not shown on the site plan, but need to be provided per Sec. 9-30-4. This can be remedied at the time of Plans Review.*
3. *Bicycle parking needs to be provided per Sec. 9-30-5. This can be remedied at the time of Plans Review.*
4. *The site plan shows what appears to be three parking spaces to the east of the main entrance along the main driveway that do not meet the dimensional requirements of Sec. 9-30-9(A). The applicant should verify that the parking lot meets applicable dimensional requirements for bays and drive aisles prior to any restriping of the lot. This can be remedied at the time of Plans Review.*
5. *The parking bays need wheel stops per Sec. 9-30-9(E)5.*
6. *The parking lots do not comply with the screening standards of Sec. 9-30-9(E)6.*
7. *Parking lot trees will need to be planted as required by Sec. 9-30-9(E)7.*

End of Staff Report.

## Reviewed

## Zoning Criteria Considered by Staff

The following factors have been considered as set forth in *Guhl v. Holcomb Bridge Road Corp.*, 238 Ga. 322, 232 S.E.2d 830 (1977).

- The proposed zoning action conforms to the Future Land Use map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
- The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.
- The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
- The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.
- The existing land use pattern surrounding the property in issue.
- The possible creation of an isolated district unrelated to adjacent and nearby districts.
- The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
- Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
- Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if zoned as requested will not alone constitute a significant detriment.
- Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal.
- Public services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
- The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.
- The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.