

Agenda

Board of Commissioners of Spalding County

Zoning Public Hearing

June 22, 2017

6:00 PM

119 E. Solomon St., Meeting Room 108

A. Call to Order

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Board of the Commissioners. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

B. New Business:

1. **Application #17-05S:** Patty Yocum, Owner - Kirby Yocum, Agent - 847 Shoal Creek Road (3 acres located in Land Lot 16 of the 4th Land District) - requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.
2. **Application #FLUMA-17-02:** Robert M. Goldberg has requested a future land use map change from Low-Density Residential to Commercial for the following: 2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District).
3. **Application #17-03Z:** Robert M. Goldberg, Owner - 2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District) - requesting a rezoning from AR-1 Agricultural and Residential to O & I Office and Institutional.
4. **Application #FLUMA-17-03:** Alex Scott has requested a future land use map amendment change from Agriculture to Commercial for the following: 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District).
5. **Application #17-04Z:** Terry Dunn, Owner - Alex Scott, Agent - 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) - requesting a rezoning from AR-1 Agricultural and Residential, R-2 Single Family Residential and C-1A Neighborhood Commercial, to C-1 Highway Commercial.
6. **Application #17-04S:** Terry Dunn, Owner - Alex Scott, Agent - 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) - requesting a Special Exception to allow indoor gun range in the C-1 District.
7. **Amendment to UDO #A-17-03:** Article 2. Definitions of Terms Used - Section 202:KKK' - add definition of Street or Road, Cul-de-sac; Article 4. General Procedures - Section 413:E & Section 414:D - amend required public notice signage requirement.
8. **Amendment to UDO #A-17-04:** Article 5. AR-1 Agricultural and Residential - Section 503:A & B - amend use of riding academies and other facilities which host equestrian events, and Article 6. AR-1 Rural Reserve - Section 603:A & B - amend use of equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian events.

C. Other Business:

9. County Manager requests an Executive Session for discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary actions or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. 50-14-3(6).

D. Adjournment



SPALDING COUNTY BOARD OF COMMISSIONERS Application #17-05S

Requesting Agency

Office of Community Development

Requested Action

Application #17-05S: Patty Yocum, Owner - Kirby Yocum, Agent - 847 Shoal Creek Road (3 acres located in Land Lot 16 of the 4th Land District) - requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Requirement for Board Action

Section 414.

Is this Item Goal Related?

No

Summary and Background

The Yocum's are requesting a special exception in order to place a new manufactured home on the subject property within the AR-1 district. The proposed home has approximately 1,680 sq. ft. of heated space with a 4/12 roof pitch. Per the applicant, the total cost of the home will be approximately \$80,000.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

DENIAL

**BOARD OF APPEALS RECOMMENDS:
APPROVAL (3-1)**

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #17-05S	6/5/2017	Backup Material
<input type="checkbox"/> BOA 06-08-17 After Agenda	6/9/2017	Backup Material

SPALDING COUNTY
REQUEST FOR SPECIAL EXCEPTION
APPLICATION FOR MANUFACTURED HOMES
IN THE AR-1 & R-5 DISTRICT

NO. 17-055

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: Kirby Yocum
Address: 82 Shoal Creek Rd
City: Griffin
State: GA Zip: 30223
Phone: 678-588-3561
Contact Person: Kirby

PROPERTY OWNER INFORMATION

Name: Patty Yocum
Address: 847 Shoal Creek Rd.
City: Griffin
State: GA Zip: 30223
Phone: 760-505-1786
Phone: _____

APPLICANT IS THE:

☒ Owner's Agent _____ Property Owner _____ Developer

Present Zoning District(s): AR-1

Land District(s): d/h Land Lot(s): 16 Acreage: 3 acres

Address of Property: 847 Shoal Creek Rd, Griffin, GA 30223

Identify the use for which you seek a Special Exception and cite the section of the Spalding County Zoning Ordinance which provides that the Special Exception may be granted: a residential structure...

HUD. AR-1 zoning
Section 503:B(18) - Class A mfg. home w/a
heated ~~stone~~ floor area of at least 1580 square
feet.

OTHER REQUIRED INFORMATION

- 1) Attach a statement describing the Special Exception and the reason you are requesting this Special Exception. Please include in the statement the following:
 - a) Size of dwelling 1680 sq. ft. (28x60)
 - b) Model of manufactured home Camden
 - c) Photographs and/or renderings of the front exterior.
 - d) Type of roof material. asphalt Shingle
 - e) Type of exterior construction material. vinyl siding
 - f) Type of foundation material. concrete block
 - g) Cost of unit and cost of lot. \$80,000.-
- 2) Attach 1 copy (11 x 17) of plat prepared by a Registered Land Surveyor and drawn to scale showing lot lines and location of existing structures and location of proposed structures.
- 3) Please attach a deed, certified by the Clerk of Court, which includes a metes and bounds description of the property proposed.

Signature(s):


Agent/Developer


Property Owner

4/19/17
Date

4/19/17
Date

OFFICE USE ONLY

Date Received: 4/27/17

Amount of Fee: \$300⁰⁰

Received By: C. McDaniel

Receipt Number: 814670

SPECIAL EXCEPTION APPLICANT'S RESPONSE

Pursuant to Section 413 of the Zoning Ordinance, the Board of Commissioners of Spalding County finds that the following standards are relevant in granting a Special Exception.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A) Whether granting a Special Exception would be detrimental to the use of development of adjacent properties or the general neighborhood: No

(B) Whether granting a Special Exception would adversely affect the health or safety of residents or workers: No

(C) Whether granting a Special Exception would have depreciating effects and damages to the neighboring properties that are greater than the benefits or need for the Special Exception: No

(D) Whether granting a Special Exception would adversely affect existing uses: No

(E) Whether the subject property is sufficient in size to satisfy the space requirements for the use: Yes

(F) Whether granting a Special Exception will meet the requirements of the Spalding County Ordinance: Yes

OFFICE USE ONLY

Date Received: 4-27-17 Received By: C. McDaniel

**PROPERTY OWNER'S CERTIFICATION OF
OWNERSHIP AND ZONING COMPLIANCE**

Certification is hereby made that the undersigned own(s) at least fifty-one (51) percent of the subject property.

The undersigned certifies that the subject property is presently in compliance with the current Zoning Ordinance for Spalding County, Georgia. The undersigned is aware that an application for a Rezoning, Variance, or Special Exception will not be received unless the subject property is in compliance with the Zoning Ordinance.

The undersigned certify that the agent, if different from the owner, is authorized to file this application.

Patty Yocum
Print Name of Owner(s)

Print Name of Agent, If Not Same as Owner

Patty Yocum 4-19-17
Signature of Owner(s) Date
or Signature of Authorized Officer or Agent
(if applicable)

Signature of Agent

Title of Authorized Officer or Agent (if applicable)

Cynthia L. McDaniel
Signature of Notary Public Exp. 8/17/20

4-19-17
Date

--Notary Seal--

OFFICE USE ONLY

Date Received: 4-27-17

Received By: C. McDaniel

SITE PLAN REQUIREMENTS FOR SPECIAL EXCEPTION

Section 416: Special Exception.

A site plan meeting the requirements of Section 416 of this Ordinance shall be submitted with any application for a special exception which shall require a building permit for the purpose of commencing construction on a new structure on the property which is the subject of the special exception application; provided however, that any site plan for a special exception for a certified hardship allowed in Sections 503(D)(2-3), 603(D)(2-3), 703(D)(3-4), 803(D)(3-4), 803A(D)(3-4), 1003(D)(3-4), 1103(D)(3-4) and 1103A(D)(3-4) shall not be required to comply with the provisions of subparts (g), (i), (j), (k), (o) and (p) of Section 416.

- ✓A. Vicinity map;
- ✓B. Correct scale;
- C. The proposed land use and building outline as it would appear should the rezoning be approved;
- D. The present zoning classification of all adjacent property; **AR-1**
- E. The building outline and maximum proposed height of all buildings; **Yes.**
- F. The proposed location of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement; **Yes,**
- G. The location of all required off street parking and loading areas; **Yes**
- H. Required yard setbacks appropriately dimensioned; **Yes**
- I. The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation, if required; **To be determined**
- J. Topography at twenty (20) foot contour intervals;
- K. Location and elevation of the 100 year flood plain on the property which is the subject of the proposed zoning;
- L. Delineation and dimensions of the boundary of the proposed district;
- M. Date, north arrow and datum;
- N. Location and acreage of all major utility easements greater than twenty (20) feet in width;
- O. Approximate location (outline), height, and use of all other proposed drives, parking areas, buildings, structures and other improvements;
- P. For all property for which ingress and egress must be obtained by access from a road within the state highway system, a permit from the Georgia Department of Transportation for access to the state highway system.

Spalding County Fee Schedule:

Appeal from Action of Administrative Officer: \$ 200.00

Variance: \$ 200.00

Special Exception: \$ 300.00

Multiple Parcel Rezoning: Multiple parcel rezoning of contiguous tracts will be allowed so long as all tracts are to be rezoned to the same zoning classification. All applicants owning property which is subject to the application are deemed to consent to rezoning of their property and to rezoning of any and all other tracts included within the Application. The following fees shall apply to multiple parcel rezoning applications:
(#A-99-08 – 09/07/99; #A-00-11 - 07/17/00)

A. Parcel 1 - \$500.00

B. Parcel 2-5 - \$100.00 each, in addition to the fees stated in A; and

C. Parcels 6+ - \$50.00 each, in addition to the fees stated in A and B.

we believe that a special exception for a single family home should be granted for the following reasons:

The size of the lot is 3 acres with a 200' frontage.

The size of the home is 28×60 (1680 sq. ft.) The exterior walls are of $2\frac{1}{2}"$ material on 16" centers insulated with R-30 insulation OSB wrapped and a vinyl siding on exterior.

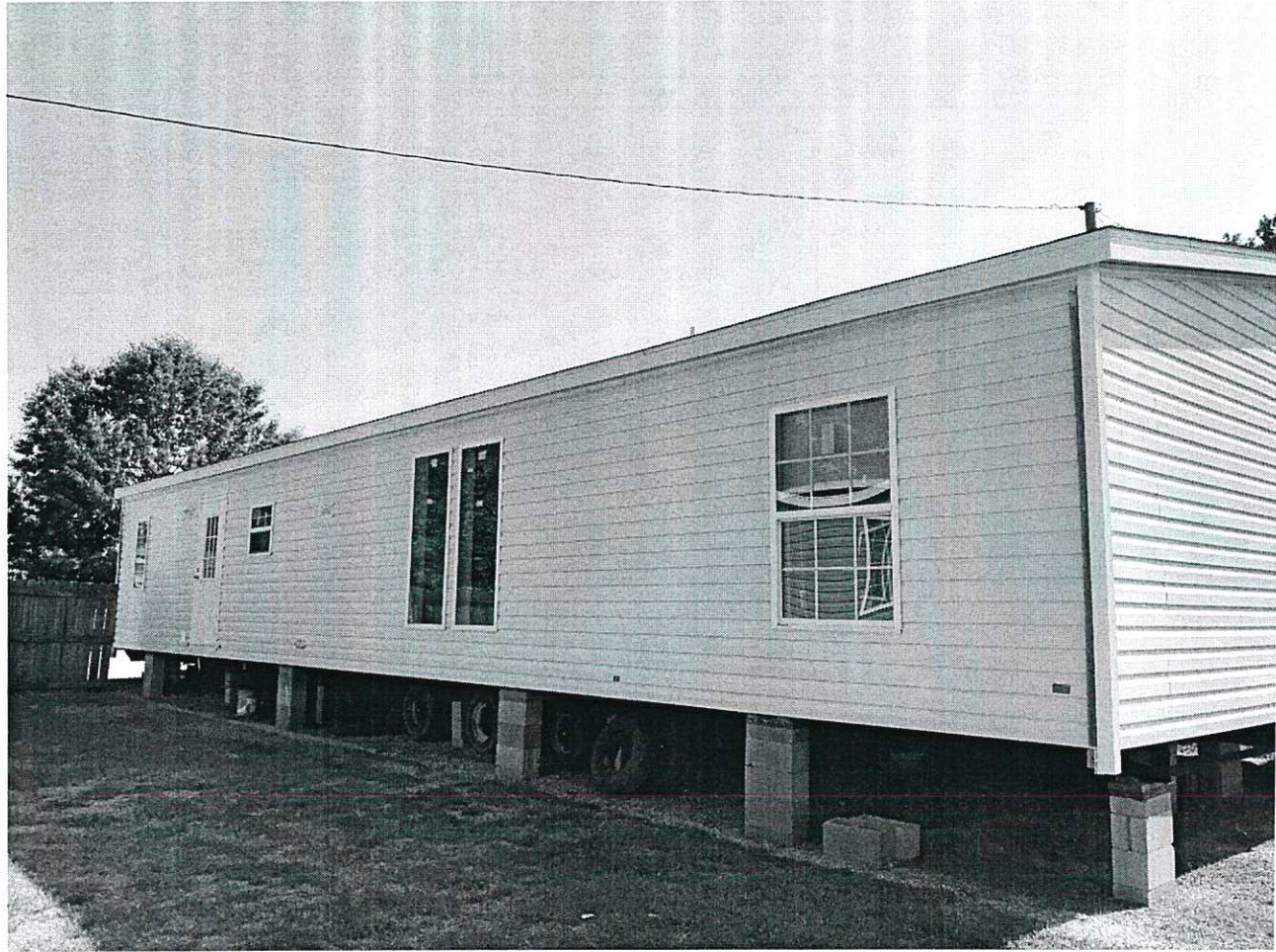
The inside walls are $\frac{3}{4}"$ on 16" centers and then a $\frac{1}{2}"$ sheet rock is installed on all walls.

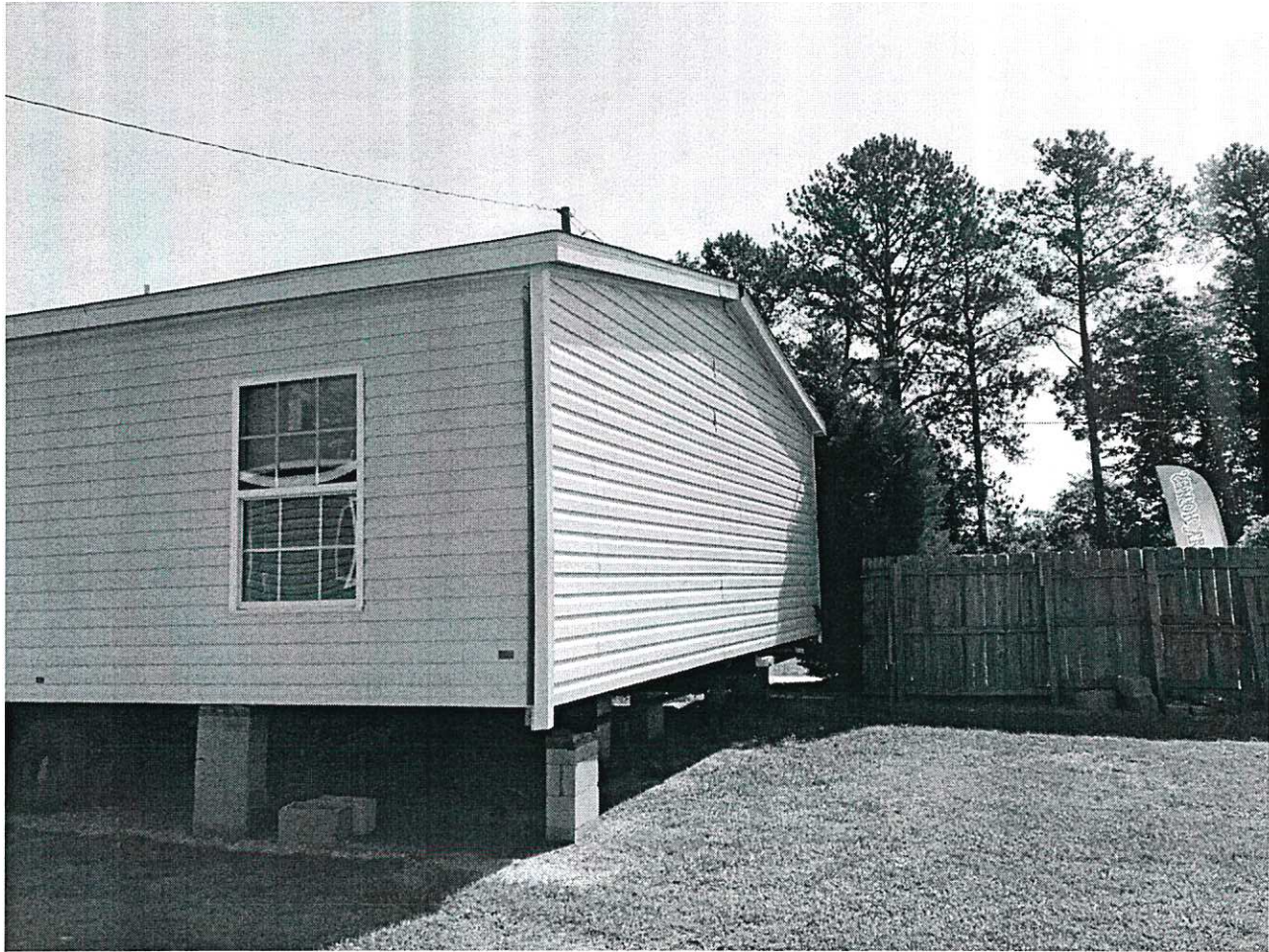
The floor is $\frac{3}{8}"$ lumber on 16" centers covered by $\frac{3}{4}"$ tongue and groove sub floor and then covered by carpet or floor covering of choice.

The roof is constructed of $\frac{3}{4}"$ material on a $\frac{1}{2}$ pitch covered by OSB and asphalt shingles.

The house will set on footing and then on a 8" cement block foundation all around.

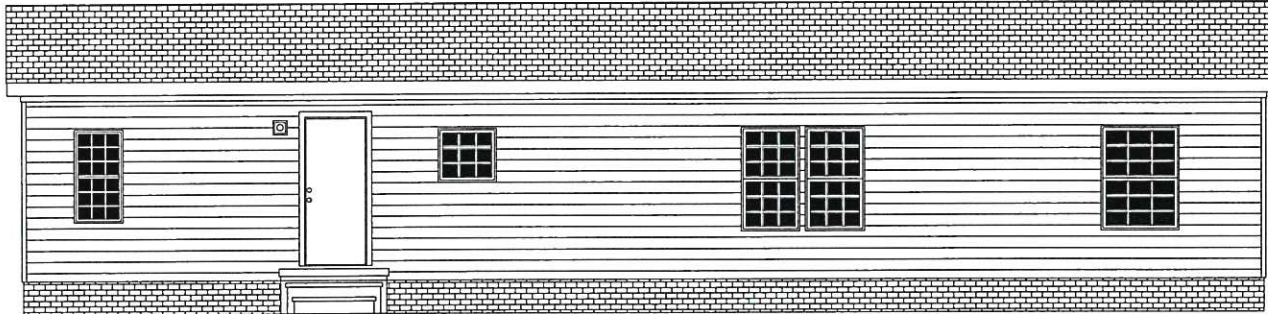




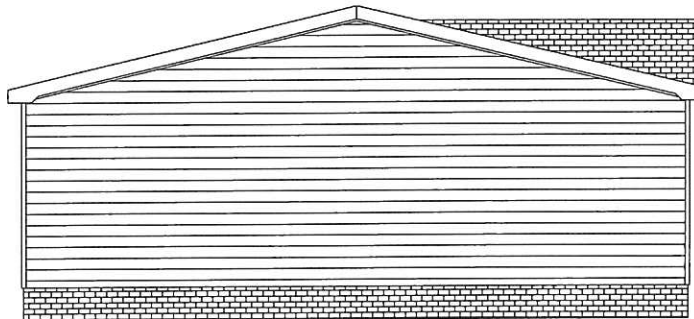


P-2563F

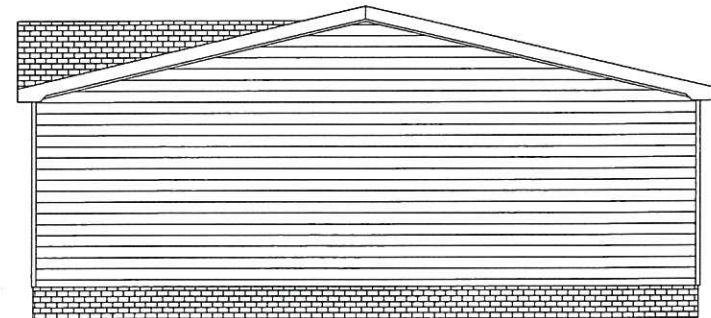
Camden



REAR ELEVATION



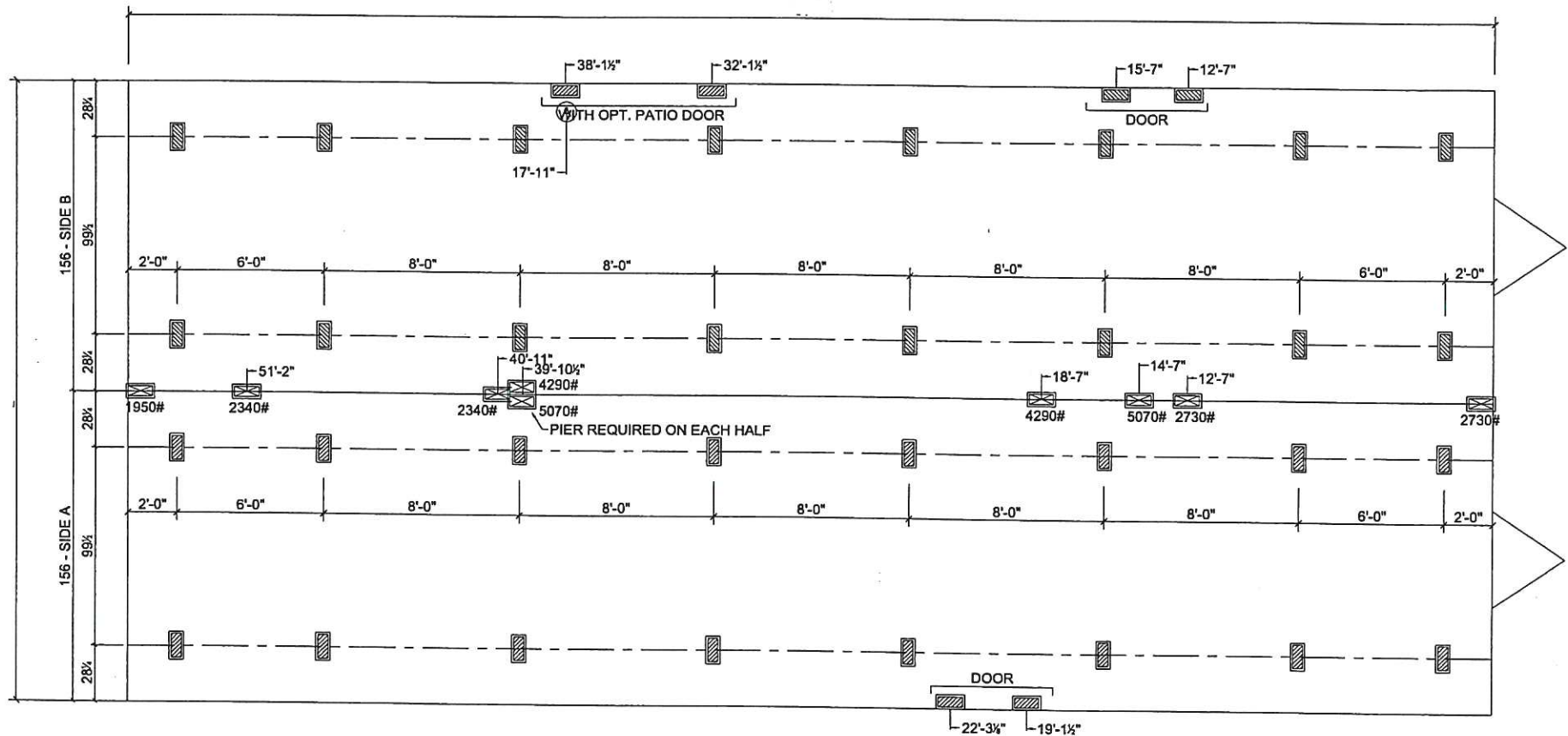
LEFT ELEVATION



RIGHT ELEVATION



DORMERS SHOWN ARE OPTIONAL.



- MARRIAGE LINE OPENING SUPPORT PIER/TYP.
 SUPPORT PIER/TYP.

2-11-2013

FOUNDATION NOTES:

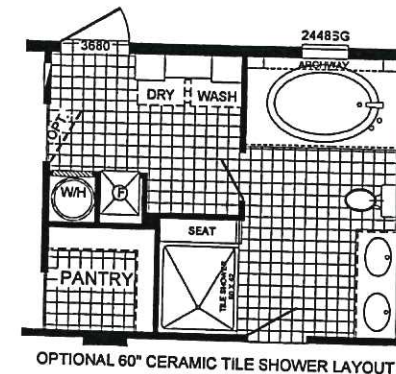
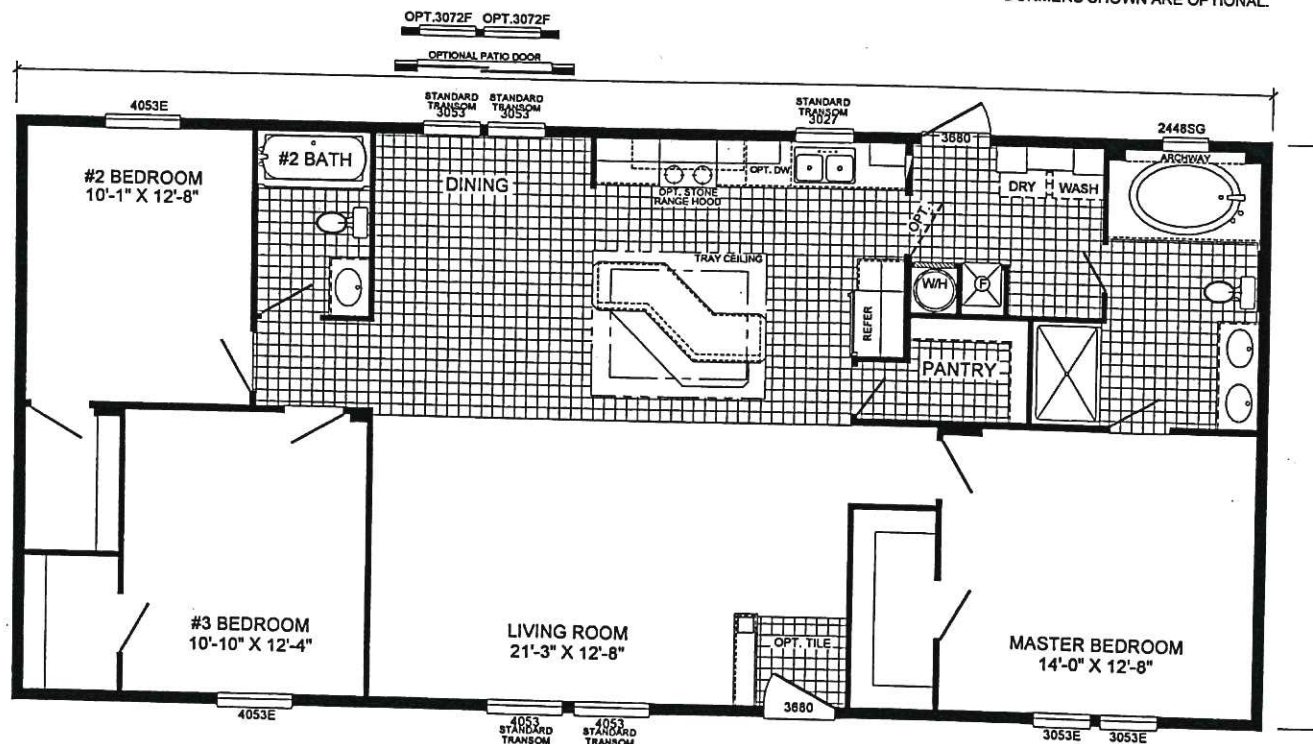
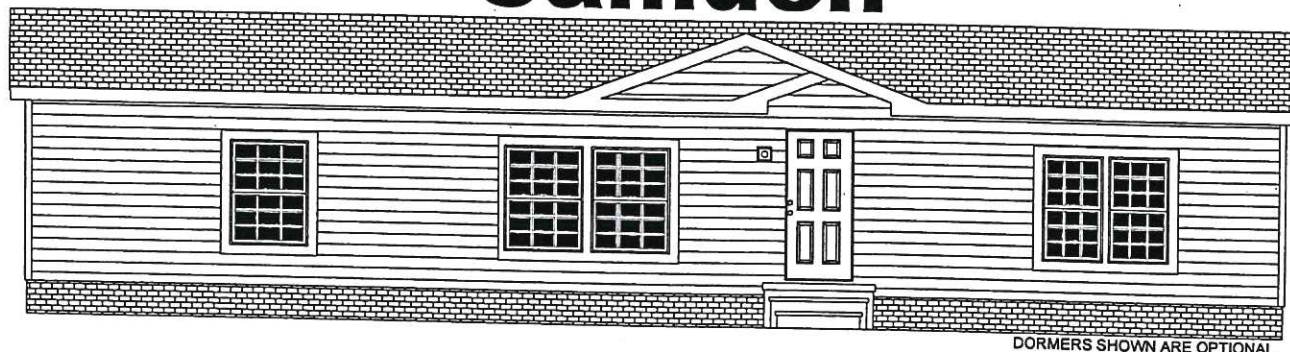
- THIS DRAWING IS DESIGNED FOR THE STANDARD WIND ZONE AND IS TO BE USED IN CONJUNCTION WITH THE INSTALLATION MANUAL AND IT'S SUPPLEMENTS.
- FOOTINGS ARE SHOWN FOR EXAMPLE ONLY QUANTITY AND SPACING MAY VARY BASED ON PAD TYPE, SOIL CONDITION, ETC.
- FOOTINGS ARE REQUIRED AT SUPPORT POSTS, SEE INSTALLATION MANUAL FOR REQUIREMENTS.

Live Oak Homes
MODEL: P-2563F
3-BEDROOM / 2-BATH

- | | |
|------------------------------|---|
| (A) MAIN ELECTRICAL | (G) DUCT CROSSOVER |
| (B) ELECTRICAL CROSSOVER | (H) SEWER DROPS |
| (C) WATER INLET | (I) RETURN AIR (W/OPT. HEAT PUMP OH DUCT) |
| (D) WATER CROSSOVER (IF ANY) | (J) SUPPLY AIR (W/OPT. HEAT PUMP OH DUCT) |
| (E) GAS INLET (IF ANY) | |
| (F) GAS CROSSOVER (IF ANY) | |

P-2563F

Camden



P-2563F
3-BEDROOM / 2-BATH
28 x 60

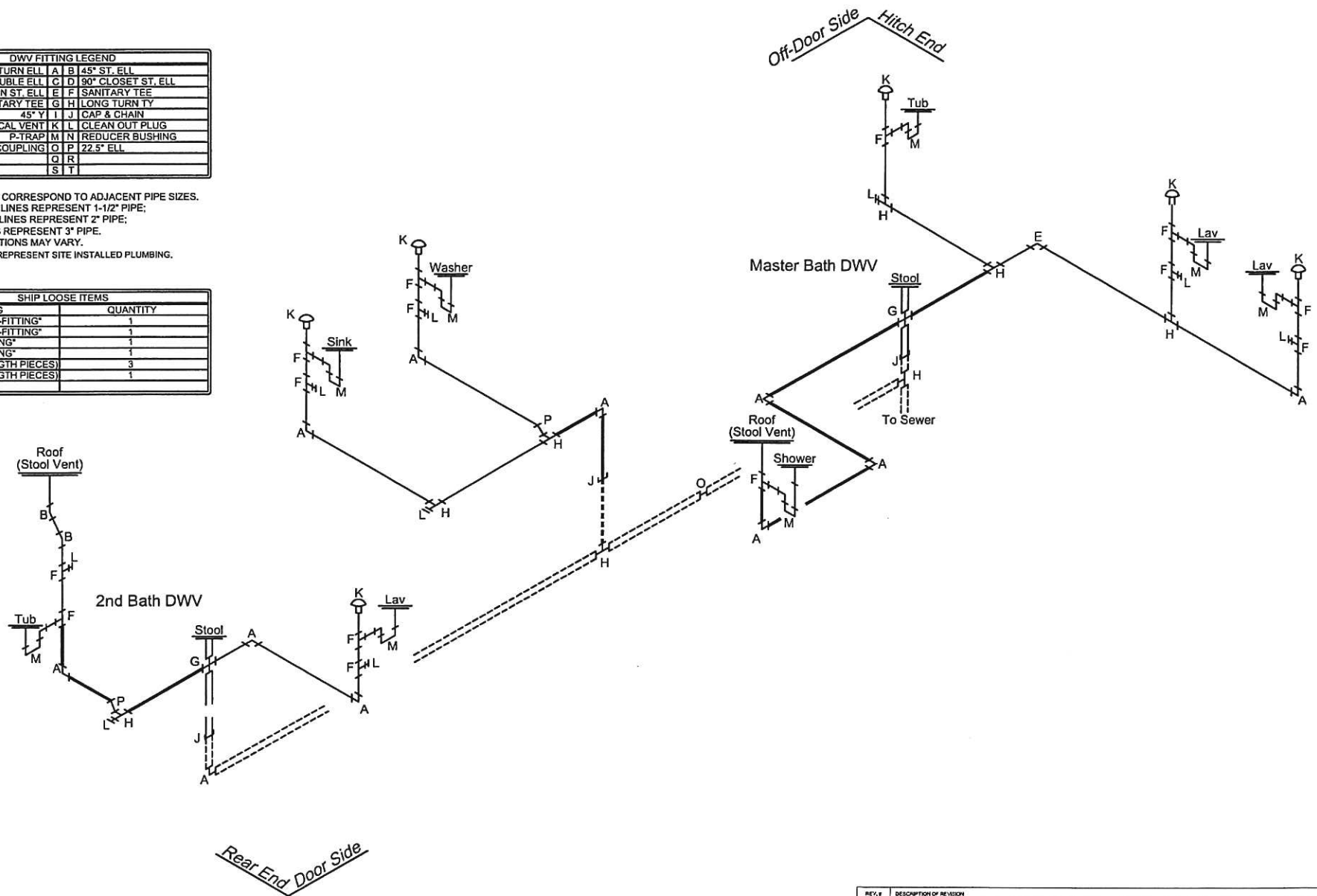
Date: 8-27-2012

- * All room dimensions include closets and square footage figures are approximate.
- * Transom windows are available on optional 9'-0" sidewall houses only.

DWV FITTING LEGEND			
90° LONG TURN ELL	A	B	45° ST. ELL
DOUBLE ELL	C	D	90° CLOSET ST. ELL
90° LONG TURN ST. ELL	E	F	SANITARY TEE
DOUBLE SANITARY TEE	G	H	LONG TURN TY
45° Y	I	J	CAP & CHAIN
MECHANICAL VENT	K	L	CLEAN OUT PLUG
P-TRAP	M	N	REDUCER BUSHING
COUPLING	O	P	22.5° ELL
	Q	R	
	S	T	

- NOTES:
- 1) FITTING SIZES CORRESPOND TO ADJACENT PIPE SIZES.
 - 2) SINGLE (THIN) LINES REPRESENT 1-1/2" PIPE;
DARK (THICK) LINES REPRESENT 2" PIPE;
DOUBLE LINES REPRESENT 3" PIPE.
 - 3) P-TRAP DIRECTIONS MAY VARY.
 - 4) DOTTED LINES REPRESENT SITE INSTALLED PLUMBING.

SHIP LOOSE ITEMS	
FITTING	QUANTITY
3" X 3 X 2" "H-FITTING"	1
3" X 3" X 3" "H-FITTING"	1
3" "O-FITTING"	1
3" "A-FITTING"	1
3" PIPE (FULL LENGTH PIECES)	3
2" PIPE (FULL LENGTH PIECES)	1



P-2563F

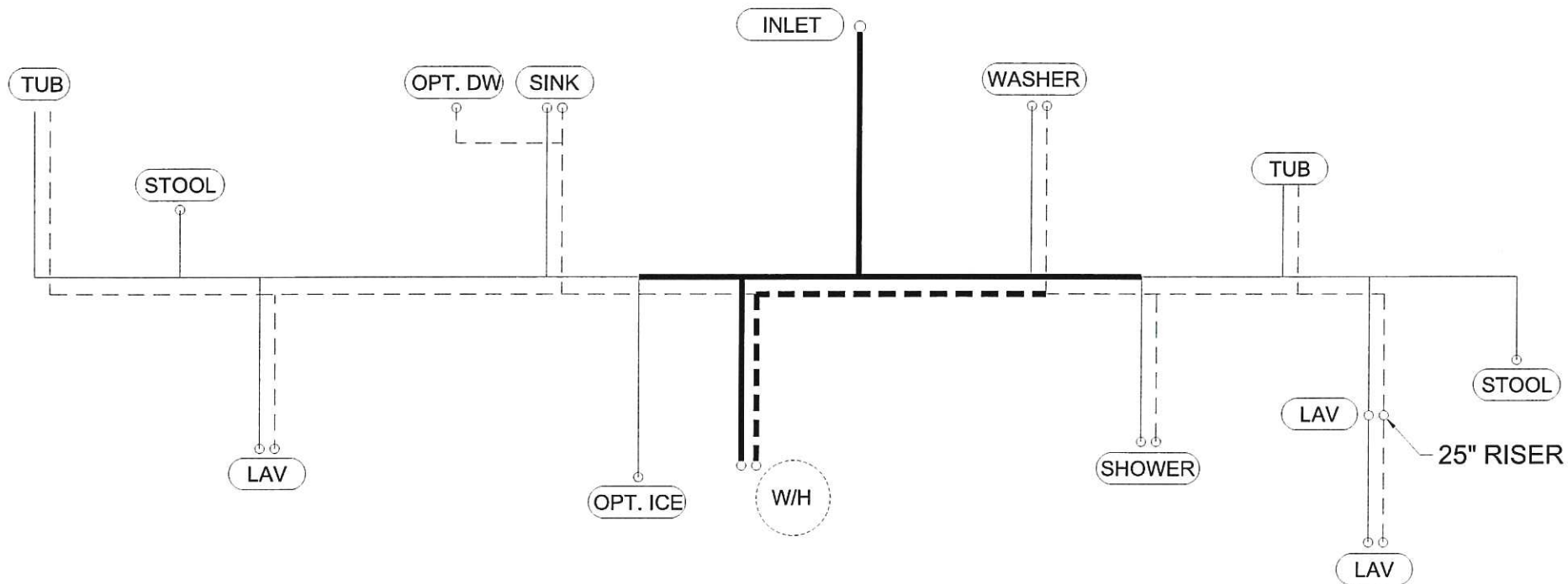


Live Oak Homes

PRINT DATE	12-27-2012	DWG. BY:	
SCALE:	NTS	WPD (C/H/13)	WZ 1, 2, AND 3

TITLE: P-2563F
DRAIN WASTE VENT APPROVAL

REV. #	DESCRIPTION OF REVISION
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LEGEND

- 1/2" LINE (COLD)
- - - - - 1/2" LINE (HOT)
- 3/4" LINE (COLD)
- - - - - 3/4" LINE (HOT)
- CUT OFF VALVE LOCATION

NOTES:

- 1) FITTING SIZES TO CORRESPOND TO ADJACENT PIPE SIZES.
- 2) ALL SIZING OF PIPE + OR -, MUST MEET OR EXCEED ANY APPLICABLE CODES.

P-2563F



Live Oak Homes

PRINT DATE 8-31-2012

DWG. BY:

SCALE:

NTS

WIND ZONES:

WZ 1, 2, AND 3

TITLE:

P-2563F -- 28 X 56 3 BR 2 Bath
WATER SUPPLY LINE APPROVAL

REV. #	DESCRIPTION OF REVISION
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WILLIAM H. HARRIS

ITY OF GRAFT

N 01°26'23"E
617.73'

160.73'

11 03' 34' 36" E
200.05'

1952.11.11

04/03/09

3,000 ACRES

3.05.22.10 5

RECEIVED 4/1/78

87-5007-E

204.3

8 0574387

6478

3 173073

3,000 ACRES

0072

6.60 6

NUDET A TURNER

7/14/57 PO Box 3000
1-100 Fifth Ave

SHOAL CREEK ROAD (80' R/W)

795
A₁₂

128

847



Summary

Parcel Number	266 01015E
Location Address	847 SHOAL CREEK RD
Legal Description	TR C SURVEY IN DEED 3495/335 (Note: Not to be used on legal documents)
Class	A3-Agricultural (Note: This is for tax purposes only. Not to be used for zoning.)
Tax District	SPALDING COUNTY (District 03)
Millage Rate	39.8
Acres	3
Homestead Exemption	No (S0)
Landlot/District	16 / 4

[View Map](#)

Owner

YOCUM PATTY
821 SHOAL CREEK ROAD
GRIFFIN, GA 30223

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
RES	W Ellis Rd & Shoal Creek Rd	Acres	0	0	0	3	0

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
10/2/2015	3992 154		\$10,000	Adjacent Land Owner	GARCIA JUAN M DIAZ	YOCUM PATTY
6/16/2011	3556 45		\$0	GIFT	BOYZOCAMBRON JAVIER A	GARCIA JUAN M DIAZ
1/25/2011	3514 276	9 15	\$0	GIFT	GARCIA JUAN M DIAZ	BOYZOCAMBRON JAVIER A
9/30/2010	3495 333		\$6,000	FAIR MARKET - VACANT	HERRERA FRANCISCO	GARCIA JUAN M DIAZ

Valuation

	2016	2015
Previous Value	\$24,000	\$24,000
Land Value	\$10,000	\$24,000
+ Improvement Value	\$0	\$0
+ Accessory Value	\$0	\$0
= Current Value	\$10,000	\$24,000

No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Commercial Improvement Information, Mobile Homes, Accessory Information, Prebill Mobile Homes, Permits, Photos, Sketches.

The Spalding County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information shown is PRELIMINARY and has NOT BEEN APPROVED by the Board of Assessors. ALL data is subject to change. Zoning or Flood Map information should always be verified with the proper authorities before being relied upon.

Last Data Upload: 4/18/2017 8:23:17 PM



Developed by
The Schneider
Corporation



Overview



Legend

-  Parcels
-  Roads

Parcel ID	266 01015E	Owner	YOCUM PATTY	Last 2 Sales			
Class Code	Agricultural		821 SHOAL CREEK ROAD	Date	Price	Reason	Qual
Taxing District	SPALDING COUNTY		GRIFFINGA 30223	10/2/2015	\$10000	AJ	U
	SPALDING COUNTY	Physical Address	847 SHOAL CREEK RD	6/16/2011	\$0	GF	U
Acres	3	Assessed Value	Value \$10000				
		Land Value	Value \$24000				

(Note: Not to be used on legal documents)

Date created: 4/19/2017
Last Data Uploaded: 4/18/2017 8:23:17 PM



Developed by
The Schneider Corporation

BOOK 3992 PAGE 154

PLEASE RETURN TO:
 JOHN P. JOINER
 Attorney-at-law
 217 North Hill Street
 Griffin, GA 30223

FILED & RECORDED
 CLERK, SUPERIOR COURT,
 SPALDING COUNTY, GA

2015 OCT 8 PM 2 20

BY Marcia L. Norris
 MARCIA L. NORRIS, CLERK

Real Estate Transfer Tax
 Paid \$ 10.00
 Date 10-8-15
 PT-61 126- 2015-2226
Marcia L. Norris
 Clerk of Superior Court, Spalding Co., Ga.

WARRANTY DEED

STATE OF GEORGIA, COUNTY OF SPALDING

THIS INDENTURE, Made the 2nd day of October, in the year Two Thousand and Fifteen,
 between

JUAN M. DIAZ GARCIA

of the County of Spalding and State of Georgia, as party or parties of the first part, hereinafter called Grantor,
 and

PATTY YOCUM

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to
 include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Other valuable
 consideration and One and no/100 (\$1.00) DOLLARS in hand paid at and before the sealing and delivery of
 these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed
 and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said
 Grantee,

BOOK 3992 PAGE 155

All that lot, tract or parcel of land situate, lying and being in Land Lot 16 of the 4th District of originally Henry, now Spalding County, Georgia, and being part of the property designated as Tract "A" and Tract "B" on a plat of survey entitled "Property Survey for Marvin Burgess", prepared by Kenneth E. Presley Associates, Inc., GRLS, dated April 21, 1971, revised October 16, 1971. Said survey being recorded in Plat Book 9, page 15, Spalding County, Georgia records; said property being more specifically described as follows:

BEGINNING at a ½ inch rebar found on the western right of way of Shoal Creek Road (80 foot right of way), 714.87 feet south of the intersection of the western right of way of Shoal Creek Road and the southern right of way of Ellis Road; thence North 87 degrees 30 minutes 07 seconds West a distance of 684.83 feet to a ½ inch rebar set; thence South 03 degrees 34 minutes 56 seconds West a distance of 178.04 feet to a ½ inch rebar set; thence South 07 degrees 30 minutes 07 seconds East a distance of 284.83 feet to a ½ inch rebar set; thence South 03 degrees 34 minutes 56 seconds West a distance of 22.00 feet to a rebar set; thence South 87 degrees 30 minutes 07 seconds East a distance of 200.04 feet to a ½ inch rebar found and the True Point of Beginning. Said property containing approximately 3.0 acres according to a survey for Odo Lessacher, dated March 25, 2003, by Kenneth Edward Presley, Reg. Land Surveyor No. 1327, and being the property known as 847 Shoal Creek Road, Griffin, GA 30223.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

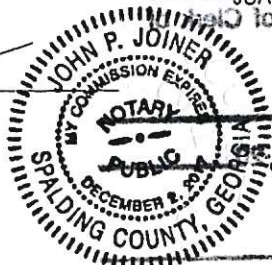
Signed, sealed and delivered in presence of



Unofficial Witness



Notary Public



SPALDING COUNTY, GEORGIA
DEPUTY CLERK, SPALDING SUPERIOR COURT
MARCIA L. NORRIS, CLERK OF SUPERIOR COURT

SEAL
JUAN M. DIAZ GARCIA
Superior Court

Page _____
Book _____
Day of _____

2010 NOV 23 AM 10 23

BY 23
MARCIA L. NORRIS, CLERK

Return Recorded Document to:
Hollingsworth & Associates, LLC
5151 Brook Hollow Parkway
Suite 145
Norcross, Georgia 30071

Real Estate Transfer Fee
Paid \$ 6.00
Date 11-23-10
PT - 61 126-2010-3834
Marcia L. Norris
Clerk of Superior Court, Spalding Co., GA.

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF GWINNETT

File #: 10-1174S

This Indenture made this 30 day of September, 2010 between

Francisco Herrera

of the County of , State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

Juan M. Diaz Garcia

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00)** Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

See Attached Exhibit "A" for Lot C

This Deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Coatras Juan
Witness
Notary Public
Notary Public



Francisco Herrera (Seal)
Francisco Herrera

____ (Seal)

____ (Seal)

____ (Seal)

EXHIBIT "A"

LEGAL DESCRIPTION - LOT "C"

FILE NO.: 10-1174S

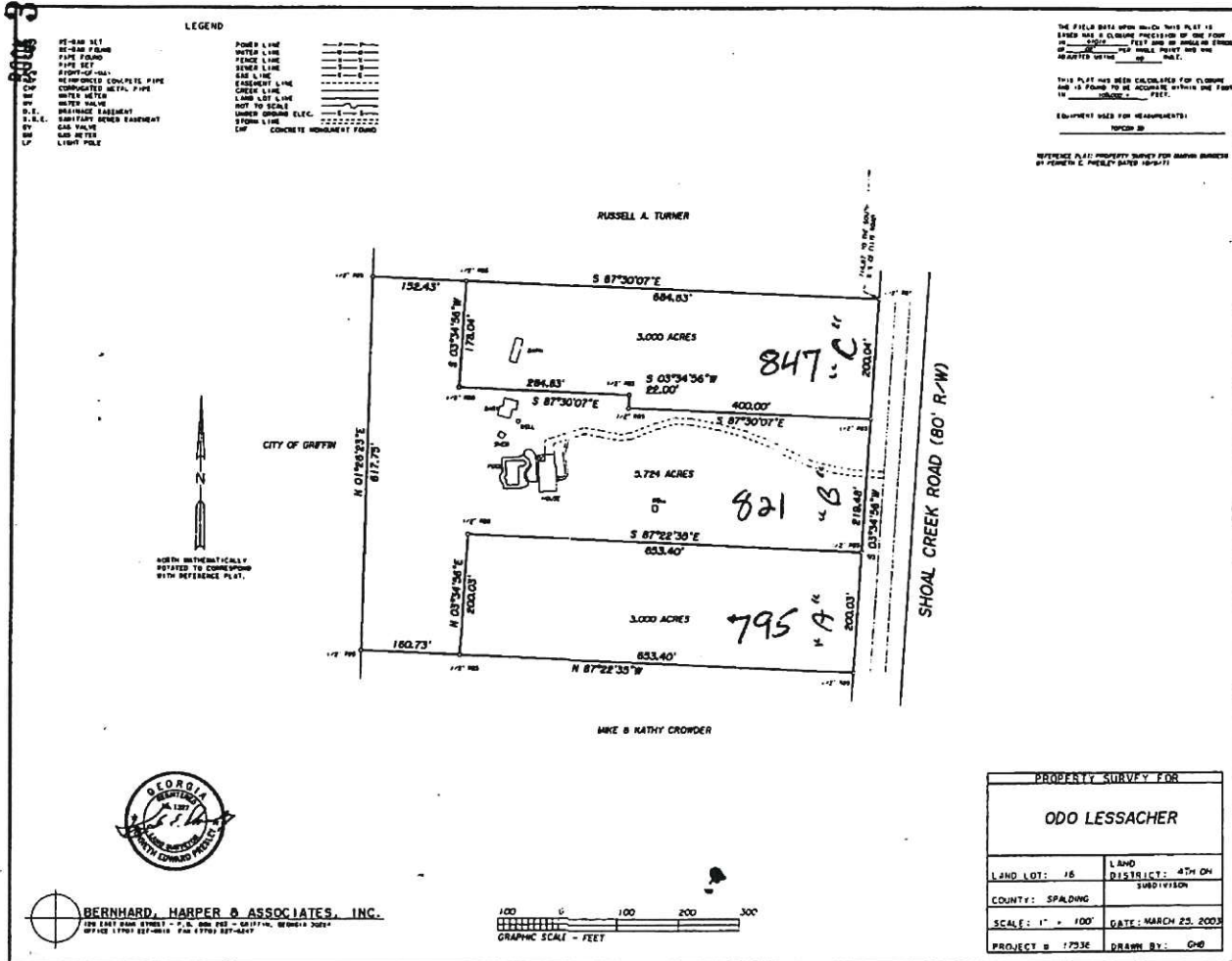
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 16 OF THE 4TH DISTRICT OF ORIGINALLY HENRY, NOW SPALDING COUNTY, AND AS PART OF THE PROPERTY DESIGNATED AS TRACT "A" AND TRACT "B" ON A PLAT OF SURVEY ENTITLED "PROPERTY SURVEY FOR MARVIN BURGESS", PREPARED BY KENNETH E. PRESLEY ASSOCIATES, INC., GRLS, DATED APRIL 21, 1971, REVISED OCTOBER 16, 1971, SAID SURVEY BEING RECORDED AT PLAT BOOK 9, PAGE 15, SPALDING COUNTY, GEORGIA RECORDS; SAID PROPERTY BEING SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT A ½ INCH REBAR FOUND ON THE WESTERN RIGHT OF WAY OF SHOAL CREEK ROAD (80 FOOT RIGHT OF WAY), 714.87 FEET SOUTH OF THE INTERSECTION OF THE WESTERN RIGHT OF WAY OF SHOAL CREEK ROAD AND THE SOUTHERN RIGHT OF WAY OF ELLIS ROAD; THENCE NORTH 87 DEGREES 30 MINUTES 07 SECONDS WEST A DISTANCE OF 684.83 FEET TO A ½ INCH REBAR SET; THENCE PROCEED SOUTH 03 DEGREES 34 MINUTES 56 SECONDS WEST A DISTANCE OF 178.04 FEET TO A ½ INCH REBAR SET; THENCE PROCEED SOUTH 87 DEGREES 30 MINUTES 07 SECONDS EAST A DISTANCE OF 284.83 FEET TO A ½ INCH REBAR SET; THENCE PROCEED SOUTH 03 DEGREES 34 MINUTES 56 SECONDS WEST A DISTANCE OF 22.00 FEET TO A REBAR SET; THENCE PROCEED SOUTH 87 DEGREES 30 MINUTES 07 SECONDS EAST 400.00 FEET TO A ½ INCH REBAR SET; THENCE NORTH 03 DEGREES 34 MINUTES 56 SECONDS EAST A DISTANCE OF 200.04 FEET TO A ½ INCH REBAR FOUND AND THE TRUE POINT OF BEGINNING. SAID PROPERTY CONTAINING APPROXIMATELY 3.0 ACRES ACCORDING TO SURVEY FOR ODO LESSACHER, DATED MARCH 25, 2003, BY KENNETH EDWARD PRESLEY, REG. LAND SURVEYOR NO. 1327, AND BEING THE PROPERTY KNOWN AS 847 SHOAL CREEK ROAD, GRIFFIN GA, 30223.

SPALDING COUNTY, GEORGIA
MARCIAL NORRIS, CLERK OF SUPERIOR COURT
DEPUTY CLERK SPALDING SUPERIOR COURT

Page 50

Superior Court.
It appears of record in the office of Clerk of
this Court and correct copy of the instrument as
I hereby certify that the within and foregoing
GEORGIA SAVING COMPANY



SPALDING COUNTY BOARD OF APPEALS

DATE: June 8, 2017

TO: Spalding County Board Of Appeals
Spalding County Board Of Commissioners

FROM: Department of Community Development

RE: Special Exception Application 17-05S

The following report constitutes the assessment and evaluation by the Community Development staff on the above referenced application.

Identification of the Property:

Size and location:

The property is located at 847 Shoal Creek Road of Land Lot 16 and the 4th District of Spalding County. Property consists of a total of 3 +/- acres.

Current Owner:

Patty Yocum
847 Shoal Creek Road
Griffin, Georgia 30223

Agent/Developer

Kirby Yocum
821 Shoal Creek Road
Griffin, Georgia 30223

Proposed use:

The Yocum's are requesting a special exception in order to place a new manufactured home on the subject property within the AR-1 district. The proposed home has approximately 1,680 sq. ft., of heated space with a 4/12 roof pitch. Per the applicant the total cost of the home will be approximately \$80,000.

Compliance with Zoning Ordinance Development Standards:

The property is currently zoned AR-1.

Section 503:B(18) of the UDO states that a Class A manufactured home with a heated floor area of 1,500 square feet is allowed by special exception.

Section 413:G' of the UDO states:

In addition to the criteria set forth in the preceding subsection, the Board of Appeals shall (for any application for the placement and location of a Class A manufactured home in the Agricultural-Residential AR-1 zoning district, as allowed in Section 503(B)(18) of this Ordinance) determine that the location and placement thereof is compatible with the surrounding development in the general area, based on such information as necessarily determines that the manufactured home conforms with the general area in which it is to be placed based on the size of the dwelling, the site plan for the location of the dwelling, photographs and/or rendering of the front exterior thereof, roof material, exterior construction material, foundation material, general aesthetic appearance to conventionally constructed (site-built) housing and construction costs of conventionally constructed (site-built) housing pursuant to consideration of the following criteria:

- a. The number and quality of conventionally constructed (site-built) dwellings and other forms of housing in the same zoning district throughout Spalding County;

Computer analysis of this data is not available currently. Preliminary review appears that approximately 60% of AR-1 zoning contains conventionally constructed housing with 40% containing manufactured homes.

- b. The number and quality of conventionally constructed (site-built) dwelling and other forms of housing in the general area;

Within a half-mile radius of this property are 48 parcels. Within this radius are 2 manufactured homes, 31 single-family conventionally constructed homes while 15 parcels are undeveloped. See attached map. Heated square footage for the conventional homes ranges from 832 to 2,697.

- c. existing development in the general area;

Surrounding development in the area consists of a mixture of residential and undeveloped uses. The general area does have a primary development trend with respect to residential development. The percentages for development are as follows with conventional homes at approximately 65%, 4% for manufactured homes and vacant parcels consisting of 31%.

- d. proposed development for which subdivision approval or building permits have been issued in the general area;

There are no proposed developments being considered in this general area. The area appears to trend towards conventionally constructed homes.

- e. existing deed or covenant restrictions on tracts within the general area;

None.

- f. any existing architectural style used in dwellings in the general area;

There is no true architectural style in this general area as there is a mixture of conventionally constructed homes that are brick, wood, and/or vinyl along with manufactured homes of various construction.

- g. the proposed location and placement of the manufactured home on the property in relationship to the location, setback and road visibility of other dwellings in the general area; and

The proposed location of the home would comply with all setback requirements for the AR-1 district.

- h. the age and condition of other dwellings in the general area.

Conventional home construction in the general area began in 1940 and range to 2008. There is no age data for the manufactured homes in this general area.

For purposes of this Ordinance, the term "general area" shall mean the specific subdivision, development or street on or in which the manufactured home is proposed to be located along with the geographic area extending for a distance of a one-half mile radius of the proposed location of the manufactured home.

Photos



View of property from Shoal Creek Road.

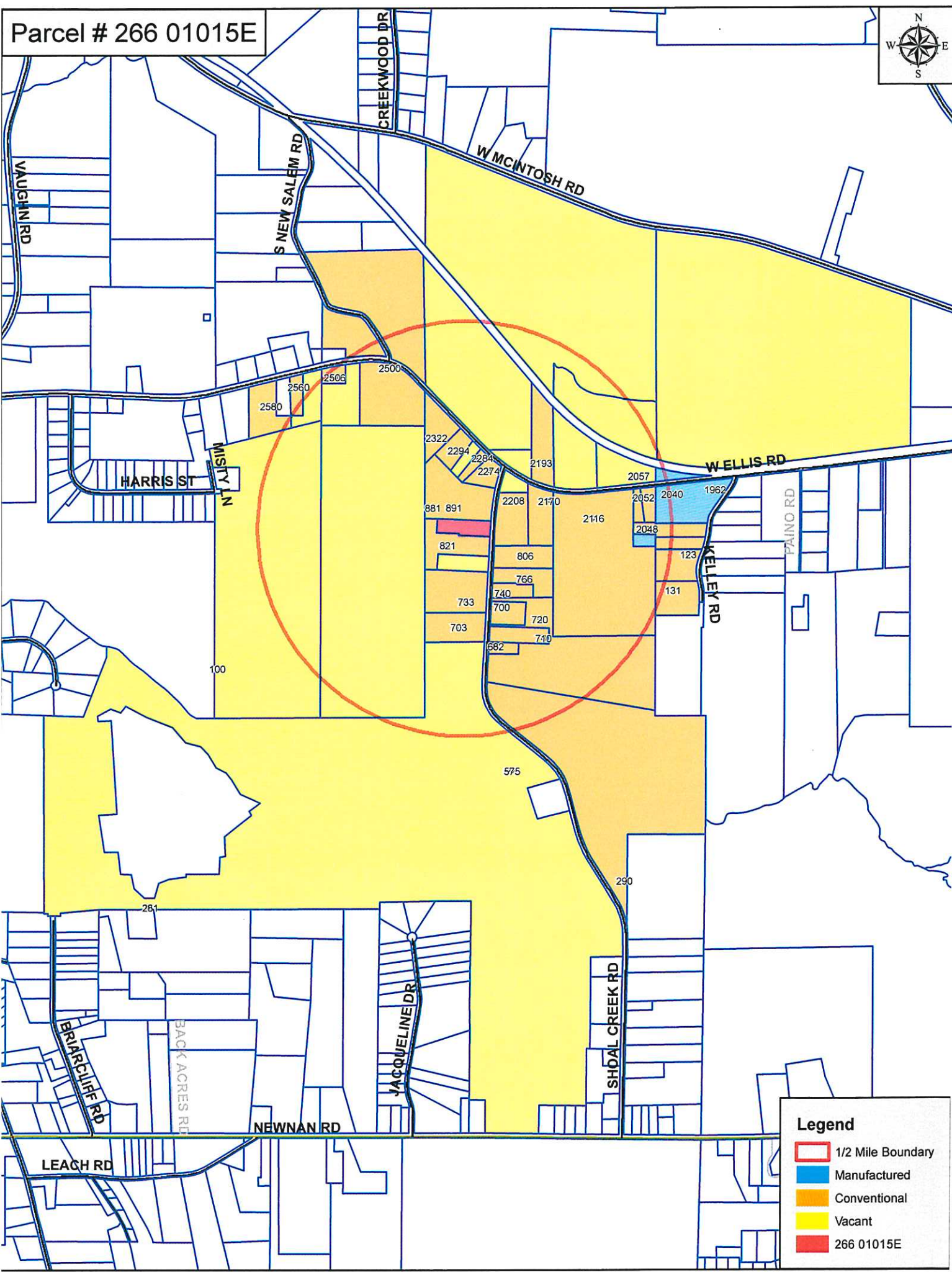
Staff Recommendations:

Staff recommends **Denial** of this application for the following reason:

This recommendation was made for the following reasons:

- a. Based on the requirements from Section 413 G' of the UDO, there is an established trend in the general area towards conventional home construction.

Parcel # 266 01015E



Legend

- 1/2 Mile Boundary
- Manufactured
- Conventional
- Vacant
- 266 01015E

#	PARCEL ID	JURISDICTION	NUMBER	STREET	TYPE	ACRES	OCCUPANCY	YEAR BUILT	HEATED AREA
1	265A03003	COUNTY	2560	ELLIS	RD	2.00	CONVENTIONAL	1968	2090
2	265A03005A	COUNTY	2580	ELLIS	RD	5.91	CONVENTIONAL	1996	2076
3	266 01006	COUNTY	881	SHOAL CREEK	RD	11.06	CONVENTIONAL	2000	1620
4	266 01006A	COUNTY	2322	ELLIS	RD	4.90	CONVENTIONAL	1971	1718
5	266 01006C	COUNTY	891	SHOAL CREEK	RD	2.53	CONVENTIONAL	1971	2186
6	266 01006E	COUNTY	2294	ELLIS	RD	2.86	CONVENTIONAL	1968	1831
7	266 01006G	COUNTY	2284	ELLIS	RD	1.05	CONVENTIONAL	1993	1311
8	266 01007	COUNTY	2193	ELLIS	RD	7.01	CONVENTIONAL	1993	1890
9	266 01009C	COUNTY	123	KELLEY	RD	5.00	CONVENTIONAL	1983	1537
10	266 01009D	COUNTY	131	KELLEY	RD	5.00	CONVENTIONAL	1985	1580
11	266 01009H	COUNTY	113	KELLEY	RD	2.50	CONVENTIONAL	1981	1291
12	266 01009L	COUNTY	117	KELLEY	RD	2.50	CONVENTIONAL	1987	984
13	266 01010	COUNTY	2052	ELLIS	RD	1.90	CONVENTIONAL	1940	1667
14	266 01010A	COUNTY	2048	ELLIS	RD	1.00	CONVENTIONAL	1976	1125
15	266 01010C	COUNTY	2062	ELLIS	RD	1.00	CONVENTIONAL	1979	1053
16	266 01012	COUNTY	2208	ELLIS	RD	5.84	CONVENTIONAL	1950	1666
17	266 01012A	COUNTY	720	SHOAL CREEK	RD	38.80	CONVENTIONAL	1977	2565
18	266 01012B	COUNTY	766	SHOAL CREEK	RD	4.72	CONVENTIONAL	1977	2067
19	266 01012C	COUNTY	806	SHOAL CREEK	RD	5.00	CONVENTIONAL	1977	1303
20	266 01012D	COUNTY	740	SHOAL CREEK	RD	2.28	CONVENTIONAL	1999	2269
21	266 01012F	COUNTY	700	SHOAL CREEK	RD	3.00	CONVENTIONAL	2007	2401
22	266 01012G	COUNTY	710	SHOAL CREEK	RD	3.49	CONVENTIONAL	2003	2287
23	266 01013	COUNTY	2170	ELLIS	RD	5.70	CONVENTIONAL	1964	1557
24	266 01015B	COUNTY	821	SHOAL CREEK	RD	5.72	CONVENTIONAL	1971	2260
25	266 01015C	COUNTY	733	SHOAL CREEK	RD	10.00	CONVENTIONAL	1982	1860
26	266 01015D	COUNTY	703	SHOAL CREEK	RD	6.62	CONVENTIONAL	1978	1350
27	266 01016	COUNTY	2500	ELLIS	RD	56.13	CONVENTIONAL	1950	1621
28	266 01017C	COUNTY	2506	ELLIS	RD	1.50	CONVENTIONAL	2008	2697
29	266 01021	COUNTY	2116	ELLIS	RD	50.00	CONVENTIONAL	1986	2506
30	266 01022A	COUNTY	682	SHOAL CREEK	RD	1.00	CONVENTIONAL	1950	1260
31	268 01017	COUNTY	290	SHOAL CREEK	RD	85.00	CONVENTIONAL	1983	832

#	PARCEL ID	JURISDICTION	NUMBER	STREET	TYPE	ACRES	OCCUPANCY	YEAR BUILT	HEATED AREA
1	266 01009	COUNTY	2040	ELLIS	RD	10.50	MANUFACTURED	1954	0
2	266 01010B	COUNTY	2052	ELLIS	RD	1.00	MANUFACTURED	1962	0

#	PARCEL ID	JURISDICTION	NUMBER	STREET	TYPE	ACRES	OCCUPANCY	YEAR BUILT	HEATED AREA
1	265A03002	COUNTY	0			110.00	VACANT	0	0
2	265A03006	COUNTY	0			4.44	VACANT	0	0
3	266 01006D	COUNTY	0			1.42	VACANT	0	0
4	266 01006H	COUNTY	0			1.05	VACANT	0	0
5	266 01011	COUNTY	0			24.94	VACANT	0	0
6	266 01011A	COUNTY	0			5.85	VACANT	0	0
7	266 01015E	COUNTY	0			3.00	VACANT	0	0
8	266 01015F	COUNTY	0			3.00	VACANT	0	0
9	266 01016A	COUNTY	0			5.89	VACANT	0	0
10	266 01023	COUNTY	0			116.54	VACANT	0	0
11	266 02005	COUNTY	0			143.62	VACANT	0	0
12	266 02007	COUNTY	0			48.71	VACANT	0	0
13	266 02008	COUNTY	0			0.00	VACANT	0	0
14	266 02009	COUNTY	0			199.69	VACANT	0	0
15	268 01010	COUNTY	0			430.20	VACANT	0	0

31 Conv. 65%
 2 MFH 40%
 15 Vacant 310%

 48 total

**After
Agenda**

**Spalding County Board of Appeals
Public Hearing
Thursday, June 8, 2017
7:00 PM
Spalding County Annex Building, Room 108
119 E. Solomon Street**

Those present were Members Ed Brown, Patricia McCord, Bill Slaughter and Tangela Williams. Also present were Community Development Director Chad Jacobs, Zoning Attorney Newton Galloway and Yvonne Langford, Recorder. Member Curtis Keys was not present at meeting.

A. Call to Order

B. Public Hearings:

1. **Application #17-04S:** Terry Dunn, Owner – Alex Scott, Agent – 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) – requesting a Special Exception to allow indoor gun range in the C-1 District.

Motion/Second by Slaughter/McCord to recommend denial of Application #17-04S: Terry Dunn, Owner – Alex Scott, Agent – 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) – requesting a Special Exception to allow indoor gun range in the C-1 District. Motion carried by a vote of 3-1 with Ed Brown voting against.

2. **Application #17-05S:** Patty Yocum, Owner – Kirby Yocum, Agent – 847 Shoal Creek Road (3 acres located in Land Lot 16 of the 4th Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Motion/Second by Slaughter/McCord to recommend approval of Application #17-05S: Patty Yocum, Owner – Kirby Yocum, Agent – 847 Shoal Creek Road (3 acres located in Land Lot 16 of the 4th Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District. Motion carried by a vote of 3-1 with Tangela Williams voting against.

3. **Application #17-06V:** Ricky Reid, Owner – 1676 Piedmont Road (0.53 acre located in Land Lot 83 of the 2nd Land District) – requesting a Variance from minimum front yard setback in the R-1 District.

Motion/Second by Williams/Slaughter to approve Application #17-06V: Ricky Reid, Owner – 1676 Piedmont Road (0.53 acre located in Land Lot 83 of the 2nd Land District) – requesting a Variance from minimum front yard setback in the R-1 District. Motion carried unanimously by all.

Motion/Second by Williams/McCord to take a brief recess. Motion carried unanimously by all.

Applicant for Application #17-07V withdrew the Sign Ordinance portion of the variance application and will refile at a later date.

- 4. Application #17-07V:** Nancy W. Wood as Trustee of the William A. Wood, Jr. Trust, Owner – RaceTrac Petroleum, Inc., Agent – East corner at intersection of Zebulon Road (US Hwy 19) and Martin Luther King Jr Parkway (US Hwy 41) (9.16 acres located in Land Lot(s) 119 & 120 of the 2nd Land District) – requesting a Variance from Tri County Crossing Overlay development standards and Sign Ordinance total sign area allowed and freestanding sign requirements.

Motion/Second by Williams/Slaughter to approve Application #17-07V: Nancy W. Wood as Trustee of the William A. Wood, Jr. Trust, Owner – RaceTrac Petroleum, Inc., Agent – East corner at intersection of Zebulon Road (US Hwy 19) and Martin Luther King Jr Parkway (US Hwy 41) (9.16 acres located in Land Lot(s) 119 & 120 of the 2nd Land District) – requesting a Variance from Tri County Crossing Overlay development standards. Motion carried unanimously by all.

- C. Approval of the minutes of the May 11, 2017 meeting.**

Motion/Second by Williams/Slaughter to approve minutes of the May 11, 2017 meeting. Motion carried unanimously by all.

- D. Adjournment**

Motion/Second by William/McCord to adjourn meeting. Motion carried unanimously by all.



SPALDING COUNTY BOARD OF COMMISSIONERS
Application #FLUMA-17-02

Requesting Agency

Office of Community Development

Requested Action

Application #FLUMA-17-02: Robert M. Goldberg has requested a future land use map change from Low-Density Residential to Commercial for the following: 2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District).

Requirement for Board Action

Section 414.

Is this Item Goal Related?

No

Summary and Background

The applicant has initiated a request to allow for the amendment of the Spalding County Future Land Use Map and the Comprehensive Plan for 2693 Williamson Road from Low Density Residential to Commercial.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

DENIAL

**PLANNING COMMISSION RECOMMENDS:
DENIAL**

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #FLUMA-17-02	6/5/2017	Backup Material
<input type="checkbox"/> Minutes 05-30-17 PC	6/5/2017	Backup Material

78. 4/20/17
#253.00
R# 716699

Form FLUM-001
Land Use Amendment
Application Form I

FLUMA No: 17-02

Project Information

Project Name: Goldberg Law Office

Name, of Individual Completing form (include Title and Company Name if applicable):

Robert M. Goldberg

Telephone: (c) 678-776-4423
770 229 5729 Fax: 770-227-5709

E-mail: rgoldberg@goldbergp.com

Name of Property Owner if different from individual completing this form (include Title and Company Name if applicable): Robert Goldberg

Project Description: Using the table below, select the development type that most accurately describes the proposed project (**select only one**). In the second column, provide a brief description of the project.

Development Type	Project Description	Project Thresholds
<input type="checkbox"/> Residential A		Less than five acres or less than 5 dwelling units
<input type="checkbox"/> Residential B		5-acres up to 50-acres or 5-dwelling units to 50-dewlling units
<input type="checkbox"/> Residential C		50-acres up to 200-acres or 50-dwelling units up to 200-dwelling units
<input type="checkbox"/> Residential D		200-acres up to 400 acres or 200-dwelling units to 500-dwelling units
<input type="checkbox"/> Residential E		Above 500-acres or 500 dwelling units.

<input checked="" type="checkbox"/> Office/Institutional A	Law office	Less than 5000 square feet
<input type="checkbox"/> Office/Institutional B		Less than 10,000 square feet
<input type="checkbox"/> Office/Institutional C		Less than 50,000 square feet
<input type="checkbox"/> Office/Institutional D		Less than 200,000 Square Feet
<input type="checkbox"/> Office/Institutional E		Less than 400,000 Square Feet
<input type="checkbox"/> Office/Institutional F		Greater than 400,000 square feet
<input type="checkbox"/> Commercial A		Less than 5000 square feet
<input type="checkbox"/> Commercial B		Less than 10,000 square feet
<input type="checkbox"/> Commercial C		Less than 50,000 square feet
<input type="checkbox"/> Commercial D		Less than 200,000 square feet
<input type="checkbox"/> Commercial E		Less than 400,000 square feet
<input type="checkbox"/> Commercial F		Greater than 400,000 square feet
<input type="checkbox"/> Industrial A		Less than 5000 square feet
<input type="checkbox"/> Industrial B		Less than 10,000 square feet
<input type="checkbox"/> Industrial C		Less than 50,000 square feet
<input type="checkbox"/> Industrial D		Less than 200,000 square feet
<input type="checkbox"/> Industrial E		Less than 400,000 square feet
<input type="checkbox"/> Industrial F		Greater than 400,000 square feet
<input type="checkbox"/> Mixed Use/Village A		Less than 5-acres or less than 10,000 square feet*

<input type="checkbox"/> Mixed Use/Village B		Less than 10 –acres or less than 50,000 square feet.*
<input type="checkbox"/> Mixed Use/Village C		11 to 50 acres or 100,000 square feet.*
<input type="checkbox"/> Mixed Use Village D		51 to 100-acres or 200,000 square feet.*
<input type="checkbox"/> Mixed Use Village E		More than 100-acres or more than 200,000 square feet*.

* If any of the square footages of any individual use within the mixed use development exceeds the threshold listed for that use, it shall be categorized in that use category. For the purposes of establishing gross square footage in the mixed use category each proposed residential dwelling shall be calculated at 1,800 square feet.

Project Physical Location: 2693 Williamson Road

Tax Map Code: MAP 234

Current designation(s) on the Spalding County Future Land Use Map: AK

Low Density Residential

Proposed designation(s) on the Spalding County Future Land Use Map: _____

Office Commercial ALM 4/27/17

What are the principal streets or roads providing vehicular access to the site: _____

Williamson Road

Is the project entirely within the unincorporated portion of Spalding County?

Yes ☒ No (circle one)

If no, what other jurisdiction(s) will the project be located in? _____

The initial request associated with this map amendment is:

- ☒ Rezoning
- ☐ Special Exception
- ☐ Both

☐ Other: _____

Total proposed:

Single Family detached dwellings: _____

Townhouse or Condominium Dwellings: _____

Loft Dwellings: _____

Apartment Dwellings: _____

Flex Space Units: _____ Sq. Feet

Retail Area: _____ Sq. Feet

Office Area: 2500 Sq. Feet

Industrial Area: _____ Sq. Feet

Will the proposed project be age restricted? Yes ☒ No (circle one)

Name of water supplier for this site: City of Griffin

Name of wastewater treatment supplier to the site: Septic Tank

Estimated Project Completion Date: N/A

Are land transportation or access improvement projects needed to support the proposed project? Yes ☒ No (circle one)

If yes, please describe the improvements needed: _____

Form FLUM-001
Land Use Amendment
Application Form II

FLUMA No: _____

Project Information

Project Name: Goldberg Law Office

Name, of Individual Completing form (include Title and Company Name if applicable):

Robert Goldberg

Telephone: 678-776-4423 Fax: 770-229-5729

E-mail: rgoldberg@goldberglaw.com

Name of Property Owner if different from individual completing this form (include Title and Company Name if applicable):

Robert Goldberg

Economic Impact

Estimated value at buildout: \$200,000

Estimated annual local tax revenues (ie. property tax, sales tax) likely will be generated by the proposed development: \$2,000

Is the area workforce sufficient to fill the demand created by the proposed project?

☒ Yes ☐ No (circle one)

Community Facilities

Water Supply

Estimated water supply demand to be generated by the project, measured in Millions of Gallons Per Day (MGD) : _____

Is sufficient supply capacity available to serve the proposed project? ☒ Yes ☐ No (circle one)

If no, are there current plans to expand water supply capacity? Yes ☒ No (circle one)

If there are plans to expand water supply capacity, briefly describe: _____

N/A

If water line extension is required to serve the project, how much additional line (in miles) will be required? _____

N/A

Wastewater Disposal

Proposed method of wastewater treatment: Septic Tank

If public or private sewer system name Wastewater Treatment Provider: _____

N/A

What is the estimated sewerage flow to be generated by this development, measured in Millions of Gallons (MGD): _____

N/A

Is sufficient wastewater treatment capacity available for this proposed project?

☒ Yes ☐ No (circle one)

If ☒ No, are there any current plans to expand existing wastewater treatment capacity? ☒ Yes ☐ No

☒ No (circle one)

If there are plans to expand existing wastewater treatment capacity, briefly describe: _____

N/A

If sewer line extension is required, how much additional line (in miles) will be required? _____

N/A

Land Transportation

How much traffic volume is expected to be generated by the proposed development, in peak-hour vehicle trips (if only and alternative measure of volume is available, please provide): _____

1 vehicle / hour

Has a traffic study been performed to determine if transportation odr access improvements will be needed to serve this project: Yes No (circle one)

If yes, please attach

If transportation improvements are needed please desribe: N/A

Education and Schools (commercial/office or industrial, skip to next topic)

Are any dwellings within the development proposed to be age restricted? Yes (No) (Circle One)

If yes, what percentage of the total number of units proposed? _____%

The proposed project is located in the:

_____ Elementary School Zone

_____ Middle School Zone

_____ High School Zone

Public Safety

Distance to the nearest Spalding County fire station by vehicle road travel?

2 miles miles

Number of Spalding County fire stations within 10 miles of the proposed project site:

3

Post Development ratio of Sheriffs Deputies per 1000 population at current staffing levels: _____

Solid Waste Disposal

How much solid waste is the project expected to generate annually, in tons? 1 ton

Is sufficient landfill capacity available to serve this proposed project? (Yes) No (circle one)

If no, are there any current plans to expand landfill capacity? Yes (No) (circle one)

If there are plan to expand landfill capacity, briefly describe: N/A

Will any hazardous waste be generated by the development? Yes No (circle one)

If yes, please describe: NO

Stormwater Management

What percentage of the proposed development will be impervious surface once the proposed development is constructed? 2 %

Is the project located on or near any watershed or groundwater recharge area? Yes No (circle one)

Environment Quality

Is the project located within or likely to affect any of the following (please check all that apply)

- ☐ Water supply water sheds
- ☐ Significant groundwater recharge areas
- ☐ Wetlands
- ☐ Protected river corridors
- ☐ Steep slopes
- ☐ Old-growth forrest
- ☐ Floodplains
- ☐ Historic Resources
- ☐ Other environmentally sensitive resources

If you checked any of the above identify how the protected resources might be affected:

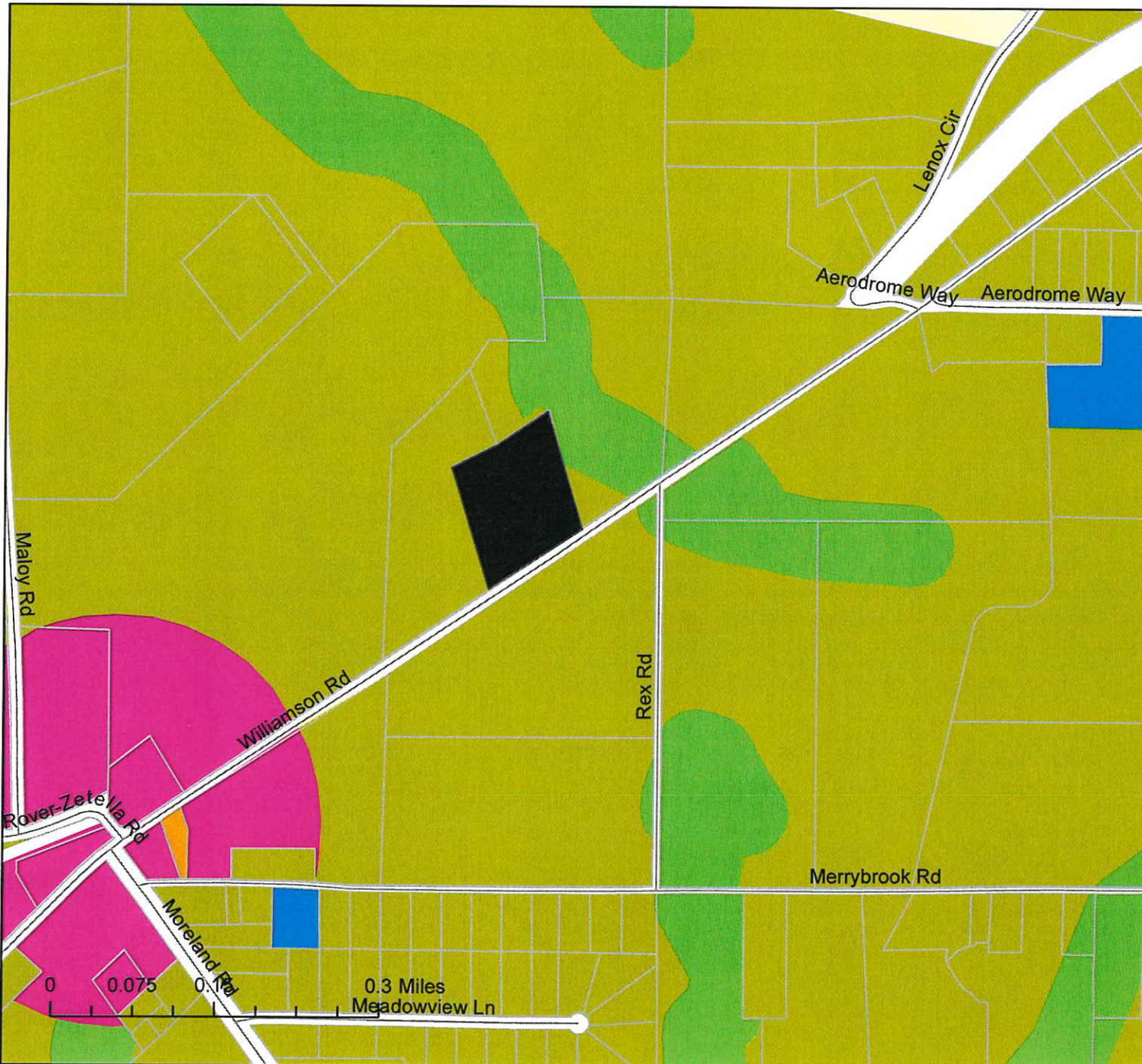
N/A

Additional Information Required

Based on the project thresholds below, please attach 3 copies of the information and or documents checked in each box.

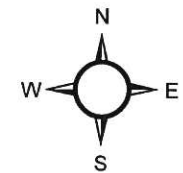
Attachments	Level A	Level B	Level C	Level D	Level E	Level F
Form II		✓	✓	✓	✓	✓
Project Description	✓	✓	✓	✓	✓	✓
Preliminary Site Development Plan		✓	✓	✓	✓	✓
Map of proposed FLUM Change (include adjacent properties)		✓	✓	✓	✓	✓
Environmental Impact Analysis				✓	✓	✓
Traffic Study (tie to County or regional traffic model)				✓	✓	✓

FLA-17-02 Goldberg



- Agriculture
- Commercial
- Crossroads Commercial
- Forestry
- Industrial
- Institutional/Public
- Low-Density Residential
- Medium-Density Residential
- Open Space Network
- Parks and Recreation
- Regional Commercial Center
- Rural Reserve
- Transportation/Communication/Utilities
- Village Node

1 inch = 700 feet



Parcel # 234-04-01B

Spalding County GIS
(770) 467-4220
cjacobs@spaldingcounty.com

SPALDING COUNTY PLANNING COMMISSION

DATE: May 30, 2017

TO: Spalding County Planning Commission
Spalding County Board Of
Commissioners

FROM: Department of Community Development

**RE: Future Land Use Map Amendment
#17-02 FLA
Total 3.11± acres
Low Density Residential to
Commercial
Office / Institutional A – Less than
5,000 square feet**

The following report constitutes the assessment and evaluation by the Community Development Department staff on the above referenced amendment application.

Identification of the Property

Size and Location:

The application requests amendment for the subject property for an approximate total of 3.11 acres, more or less, located at the 2693 Williamson Road.

Map Code:

234-04-001B

Applicant:

Robert M. Goldberg

Overview of Request:

The applicant has initiated a request to allow for the amendment of the Spalding County Future Land Use Map and the Comprehensive Plan at 2693 Williamson Road from Low Density Residential to Commercial.

Amendment Analysis:

The owner proposes to rezone the subject property to an office and institutional use so that an existing single family residential dwelling can be used as law office.

The property is surrounded by primarily agricultural and residential land uses along the Williamson Road corridor.

Consideration must be given to possible negative development patterns in allowing commercial uses along state highway corridors without proper strategic planning as to their placement. Smart planning would encourage these uses at important crossroads.

It must be noted that the law office is already in use and not permitted at this time.

Schools:

The proposed amendment would not affect the potential for school age children within the schools as the planning designation of the request is for commercial.

Utilities & Infrastructure:

Transportation:

The Trip Generation Manual estimates that an office of this size will generate approximately 27 trips weekly per 1000 square feet of gross floor area of the development.

The property is accessed via an existing residential driveway.

Water:

The property is accessible to County water. (Source: Spalding County Water Authority)

Sewerage:

The site is possibly accessible to public sewer. (Source: City of Griffin Water and Sewer)

Fire/Rescue:

The closest fire station to the subject property would be the Sanders station. At present, the Comprehensive Plan does not plan for additional fire protection for this area

Wetlands/Watershed Area:

No portion of this site within a flood zone. (Source: FEMA Map, Panel #13255C-0180 D, effective May 3, 2010)

This site is located within the City of Griffin Reservoir – Pike County Intake Watershed boundary, as indicated by the S-2 Watershed Overlay Map.

This site is not within any recharge areas indicated on the S-3 Ground Water Recharge Overlay Map.

Staff Recommendations:

Staff recommends **DENIAL** to amend the FLUM for this property for the following reasons:

1. Approval of commercial land uses along this portion of the corridor could create negative development patterns.

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
May 30, 2017

The Spalding County Planning Commission held its regular monthly meeting on May 30, 2017 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: John Youmans, Chair, presiding; Bruce Ballard; Walter Cox; Sonny Eubanks; and Frank Harris.

Also present were: Chad Jacobs, Community Development Director; Steven Jones, Zoning Attorney; and Yvonne Langford to record the minutes.

Mr. Youmans called the meeting to order, introduced the members of the Planning Commission and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

MOTION

Mr. Cox made a motion to discuss Application's #FLUMA-17-02 & #17-03Z and #FLUMA-17-03 & #17-04Z together and vote on them separately. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Application #FLUMA-17-02: Robert M. Goldberg has requested a future land use map change from Low-Density Residential to Commercial for the following: 2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District).

Application #17-03Z: Robert M. Goldberg, Owner -2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District) – requesting a rezoning from AR-1 Agricultural and Residential to O & I Office and Institutional.

Robert Goldberg – 225 Broadmoor Drive – Fayetteville, GA.

Mr. Goldberg said he formerly lived at 2693 Williamson Road. He previously rented space from a local attorney for his law practice. His practice had done well and he had raised his family at the 2693 Williamson Road house. Approximately four years ago, he moved his home to Fayetteville. While he was living at the Williamson Road address, he had been advised what he needed to do in order to use the house for his business. He failed to follow those directions and operated his law practice from there. Last year Mr. Jacobs visited with him and that is the reason for this application. He does not feel the use of the property for his law practice is incompatible with low-density use. When he lived at the address, there were more people coming and going than there are now. He does not feel he is having a negative impact on the neighbors. The neighbors feel this could turn into something other than a law practice. He requested approval of his application with conditions that nothing other than a law practice be allowed. He feels the conditions would satisfy the neighbors.

Alan McCallum – 2831 Williamson Road

Mr. McCallum said he lives on the other side of Mr. Goldberg. He likes Mr. Goldberg. He is a good person. This request is about rezoning. The zoning does not go with the person. It goes with the land. There is a vacant lot adjacent to Mr. Goldberg's home that could be used for other commercial uses and a request could be made to rezone that for other commercial uses. This is, in essence, spot zoning. There is nothing else out there like this. If this is approved, you are

opening the door for other requests. If this is approved, Mr. Goldberg could sell this tomorrow and the zoning would be with the property. You are setting a precedent for the entire county.

Kim Stone – 2715 Williamson Road

Mr. Stone said he moved to this area about two years ago. They looked for a long time for property. They were looking for a little space with no commercial aspects. Now they are looking at a potential conversion to commercial property. He is looking at life changes and he does not want to look at the backside of a building with dumpsters. He wants to look at nature. He is against this change to commercial.

Mr. Jacobs said this request is to go from residential to commercial. The area around is planned as a Village Node. The County is in the process of updating their Future Land Use Map. The way the County is targeting strategic intersections in terms of providing service areas for commercial uses and medical and office type uses is probably still going to be the strategy that will be followed with next planning update. Considering this application, the staff has concerns regarding the land use patterns developing. They want to avoid some of the negative aspects of Highway 19-41. The staff recommendation is for denial of the changes to the Land Use Map. They further recommend denial of the rezoning. This would essentially be spot zoning. This cannot be considered for a home occupation because it is not Mr. Goldberg's place of residence. It is being used exclusively for an office.

MOTION

Mr. Eubanks made a motion to deny Application #FLUMA-17-02. The motion passed on a second by Mr. Cox with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-03Z.

Application #FLUMA-17-03: Alex Scott has requested a future land use map change from Agriculture to Commercial for the following: 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District).

Application #17-04Z: Terry Dunn, Owner – Alex Scott, Agent – 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) requesting a rezoning from AR-1 Commercial to C-1 Highway Commercial.

Alex Scott – 109 Cedar Point – Peachtree City

Mr. Scott said he was the applicant. He introduced Mr. Wayne Smith who was to provide the information regarding this application.

Wayne Smith – 428 Constitution Circle – Peachtree City

Mr. Smith said he has been with the GBI for 31 years. He is also a professional firearms trainer and has been for 22 years. They want to present what they want to do. They want to be open and honest and follow the County process for this application. They are concerned about the controversy in the County over a current shooting range. They are concerned they will be “painted with the same brush”. There is nothing similar about what they want to do. They want to operate a school which is what they have done professionally for a long time. It is a place for teaching a class and then helping them learn how to use firearms properly. They want to open this to the public. The property is currently under three different type zonings. The facility,

since the 80's, has been used as a "public type" facility. He reviewed the different uses of the property over the years. It has been used by the public where people come and go. They intend to use it as it has been used in the past as far as public access is concerned. This will not be a traditional range. The use will be enclosed and nothing used in the process will leave the building. It is done with ballistic abatement and sound abatement. They will be following the NRA recommendations. They welcome any conditions and provisions. They have plans for a future addition to the facilities. They work mostly with handguns.

Terry Dunn – 208 Sylvan Lane

Mr. Dunn said he is the owner of this property. He gave a history of his family and this property over the years. His family has owned this property since 1938. He requested approval for this use of the property. They intend to be good neighbors and will address any concerns the neighbors have.

Steven Walker – 470 Denton Circle – Fayetteville, Georgia.

Mr. Walker said he is in favor of this application. This will be a benefit to the area and the entire south side. It is hard to get this type training and it is becoming more popular. It will be a disservice to deny this because we need people trained to understand the use of what is involved with guns. He understands people are upset with the other gun range. This is not a comparison for the same thing. The other is an outdoor range that has different limitations and this is an indoor facility serviced by professional people that know and understand the industry. He asked approval for the application.

Faith Wallace – 3672 Fayetteville Road

Ms. Wallace said she has 4.96 acres adjacent to this property. Formerly, this property has been used for bands and parties. The bands were too loud and too noisy. She and her neighbors had to call the police to stop the noise. She does not know how this will affect the noise problem. Adjacent to this property is Mr. Rebholz whose right-of-way has to be used to access this property since they have no road frontage. People think this is an out of door shooting range already. She was out on her property and there was a gun shot that "scared her to death". She has health issues. The neighbor that shot their gun was a young man in his teens. She does not know how much time she has left but she would like to live it in peace and quiet. She is very much opposed to this application. If this is approved, she plans to return with a petition from her neighbors.

Mr. Jacobs said this application from the staff level is entirely different than the one they are dealing with at another location. In door shooting ranges are now included in the UDO as a special exception in some zoning districts. This particular application has a lot of the concerns that are similar to the previous request. He discussed the zoning for the area around this property. The area is planned overwhelmingly as agricultural type uses. There a commercial corridor along Highway 92. A portion of the property was zoned C-1A conditioned for use as a restaurant only. This is a difficult tract. In review of the zoning application, the staff recommendation is for denial. The Future Land Use Map is predominantly agricultural and this will be spot zoning. The applicant has also applied for a Special Exception with regard to this property that will be considered at the next Appeals Board meeting.

Discussion was held between the applicant, the members of the Planning Commission, and those in attendance in opposition to the application.

MOTION

Mr. Cox made a motion to deny Application #FLUMA-17-03. The motion passed on a second by Mr. Harris with Mr. Ballard, Mr. Cox, Mr. Harris and Mr. Youmans voting for the motion and Mr. Eubanks voting against.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-04Z.

Amendment to UDO #A-17-03: Article 2. Definitions of Terms Used – Section 202 KKK’ – add definitions of Street or Road, Cul-de-sac; Article 4. General Procedures – Section 413:E & Section 414:D – amend required public notice signage requirement.

Mr. Jacobs said this amendment is in response to the discussion by the Planning Commission regarding expanding the public notice signage requirements. The staff recommendation is for denial. He does not want it to appear that he is advocating for no notice. He feel they already go above and beyond what the code requires. No matter how far you go sending the letters there is always going to be the next person out of the ring that is not going to get a notice.

Mr. Youmans said he advocated the need for the additional signage. He is a property owner and pays taxes in Spalding County. The situation for him is that it would have taken one more sign to accomplish the notice regarding the need for this change. His take on this is that you are not willing to consider the property owners by putting up another sign.

Mr. Jacobs said it is one more sign today and then another and another; it is going to get expensive.

Mr. Ballard said a cul-de-sac is easy but what happens when you have additional roads and then you have four other roads that need signs. Sometimes things work well for years and he does not see the need for a lot of changes.

Mr. Cox said he does not see the need to add to the workload of the staff even in a minor way.

Mr. Youmans said there were a lot of the neighbors that did not know what was going on regarding that application

Mr. Cox said there were a lot of the neighbors that attended the meeting and spoke in favor of the application.

Mr. Jacobs said he feels there is a valid concern regarding getting information to the public. He is not certain that a sign is the way to solve that issue. They have to advertise in the “legal organ” which is the *Griffin Daily News*. Fewer people are subscribing to the newspaper. Is there a better way than that, in the age of social media, to get information to the public? He does not feel the sign is going to be the “fix”.

MOTION

Mr. Ballard made a motion to deny Amendment to UDO #A-17-03. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, and Mr. Harris voting for the motion and Mr. Youmans voting against.

Amendment to UDO #A-17-04: Article 5. AR-1 Agricultural and Residential – Section 503:A & B – amend use of riding academies and other facilities which host equestrian events, and Article 6. AR-2 Rural Reserve – Section 603:A & B – amend use of equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian events.

Mr. Jacobs said this is an issue with respect to equestrian farms and rodeo and horse show events. They were requested by the Commissioners to address the issue. The recommendation is for approval.

MOTION

Mr. Cox made a motion to approve Amendment to UDO #A-17-04. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

MINUTES

Mr. Cox made a motion to approve the minutes of the April 25, 2017 meeting. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Discussion was held regarding future applications that are anticipated and the review of the Future Land Use Map. They have had good responses regarding the Future Land Use Map. Most are similar to the ones received the last time this was reviewed. They will have an open house in the near future.

Mr. Jacobs said he feels a review if the overlay district is warranted. It is a little cumbersome to develop anything within the overlay district. He does not want to relax restrictions to the point that it becomes a lot of the same. Maybe it would be possible to work to make it a little easier to develop something within the overlay district provided you are follow the design criteria.

ADJOURN

The meeting was adjourned on a motion by Mr. Cox and a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

John Youmans – Chair

Yvonne M. Langford - Recorder



SPALDING COUNTY BOARD OF COMMISSIONERS Application #17-03Z

Requesting Agency

Office of Community Development

Requested Action

Application #17-03Z: Robert M. Goldberg, Owner - 2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District) - requesting a rezoning from AR-1 Agricultural and Residential to O & I Office and Institutional.

Requirement for Board Action

Section 414.

Is this Item Goal Related?

No

Summary and Background

The applicant has requested rezoning of the subject property to O&I, Office and Institutional, for the purpose of operating a law office on the property. The office will utilize an existing residential structure.

The current property has a total of 6.4 plus acres which would be subdivided pursuant to the rezoning request of the 3.11 acres should the application be approved.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

DENIAL

**NO VOTE DUE TO RECOMMENDATION OF DENIAL OF APPLICATION #FLUMA-17-02.
APPLICATION #17-03Z IS MOOT.**

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #17-03Z	6/5/2017	Backup Material
<input type="checkbox"/> Minutes 05-30-17 PC	6/5/2017	Backup Material

SPALDING COUNTY
REQUEST FOR ZONING MAP CHANGE
APPLICATION NO. 17-032

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Phone: _____

Contact Person: _____

PROPERTY OWNER INFORMATION

Name: Robert ^{M.} Goldberg

Address: PO Box 294

City: Williamson, GA

State: GA Zip: 30292

Phone: 678-776-4423
770-229-5729

Phone: _____

APPLICANT IS THE:

Owner's Agent

☒
Property Owner

Developer

Present Zoning District(s): AR-1

Requested Zoning District(s): D+I

Land District(s): 2nd

Land Lots(s): 43

*Acreage: 3.110

Address Of Property: 2693 Williamson Road, Williamson, GA 30292

Proposed Development: Law Office

OTHER REQUIRED INFORMATION

Checklist

- ☒ Attach 1 copy of plat prepared by a registered land surveyor and drawn to scale showing lot lines and location of existing structures and location of proposed structures.
- ☒ Please attach a statement describing the proposed development.
- ☒ Please attach a deed, certified by the Clerk of Court, of the property proposed for rezoning.
- ☒ Please attach a copy of metes and bound description of the property for rezoning.
- ☐ Please attach 1 copy (24 x 36) and 1 copy (11 x 17) of the conceptual site plan, if applicable (see Page 7).
- ☐ If proposed property is within the S-2 Sensitive Land-Watershed Protection District, please submit a plat or drawing to scale showing the exact location of any surface water that is located on or within 250 feet of the subject property.

☐ Is the property recorded as one (1) or multiple parcel(s)?

OFFICE USE ONLY

Date Received: 4-20-17

Amount of Fee: \$500⁰⁰

Received By: 

Receipt Number: 716699

REZONING APPLICANT'S RESPONSE

Pursuant to Section 414 of the Zoning Ordinances, The Board of Commissioners find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A) Whether a proposed rezoning (or special use permit) will permit a use that is suitable in view of the use and zoning of adjacent and nearby property: yes. law office has
minimal impact on nearby property.

(B) Whether the property is suitable for the proposed use: yes. 3 bedroom home
converted to law office

(C) What is the length of time the property has been vacant?: N/A

(D) What is the threat to the public health, safety, and welfare, if any, if the property is rezoned?:
None.

(E) Whether and to what extent is the subject property value diminished under the present zoning?:
Property is a farm house with historical value.
Use as a law office is an excellent use of property
in keeping with character of surrounding property

(F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: Public is provided with local estate and
elder law services. Property owner will be forced to
relocate viable business if rezoning not allowed

Use Additional Pages, If Necessary

OFFICE USE ONLY

Date Received: 4-20-17

Received By: Chris Egan

**PROPERTY OWNER'S CERTIFICATION OF
OWNERSHIP AND ZONING COMPLIANCE**

Certification is hereby made that the undersigned own(s) at least fifty-one (51) percent of the subject property.

~~The undersigned certifies that the subject property is presently in compliance with the current Zoning Ordinance for Spalding County, Georgia. The undersigned is aware that an application for a Rezoning, Variance, or Special Exception will not be received unless the subject property is in compliance with the Zoning Ordinance.~~

The undersigned certifies that the agent, if different from the owner, is authorized to file this application.

X Robert Goldberg
Print Name of Owner(s)

Print Name of Agent, If Not Same as Owner

X Robert Goldberg
Signature of Owner(s) _____ Date _____
or Signature of Authorized Officer or Agent
(if applicable)

Signature of Agent

X Brandy Hatchett
Signature of Notary Public

4-19-17
Date



OFFICE USE ONLY

Date Received: 4-20-17 Received By: CEJ

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

A. APPLICANT'S DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of the rezoning application, made campaign contributions aggregating \$250.00 or more to a member of the Spalding County Board of Commissioners, a member of the Planning Commission, or any other government official who will consider the application?

NO (Yes/No)

If the answer is Yes, please complete the following section:

Name and Official Position Of Government Official	Contributions (List all which aggregate to \$250.00 or more)	Date Contribution Was Made (within last two years)
(1) _____	(1) _____ _____	(1) _____ _____
(2) _____	(2) _____ _____	(2) _____ _____

Attach additional sheets if necessary to disclose or describe all contributions.

**B. DISCLOSURE OF CAMPAIGN CONTRIBUTIONS OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE**

Have you, within the two years immediately preceding the filing of the rezoning application, made campaign contributions aggregating \$250.00 or more to a member of the Spalding County Board of Commissioners, a member of the Planning Commission, or any other government official who will consider the application?

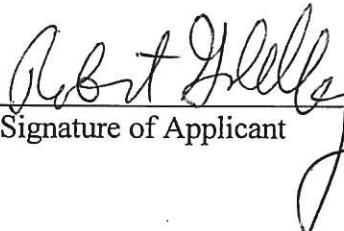
NO (Yes/No)

If the answer is Yes, please complete the following section:
ZONING MAP CHANGE
PAGE 6

Name and Official Position Of Government Official	Contributions (List all which aggregate to \$250.00 or more)	Date Contribution Was Made (within last two years)
(1) _____	(1) _____ _____	(1) _____ _____
(2) _____	(2) _____ _____	(2) _____ _____

Attach additional sheets if necessary to disclose or describe all contributions.

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

	4-10-2017	Robert Gaddberg Aene
Signature of Applicant	Date	Type or Print Name and Title

Signature of Applicant's Attorney Or Representative	Date	Type or Print Name and Title
--	------	------------------------------

OFFICE USE ONLY

Date Received 4-20-17 Case # 17-032 Accepted By Candace

Statement Describing the Proposed Development

Property owner wishes to continue using his home purchased in 1998 as a law office. Property owner is an estate planning attorney specializing in elder law and assists persons in Spalding County and surrounding communities. Property owner seeks a zoning map change for the limited purpose of using the existing property as a law office for his law practice.

Return to: A. Reid Turner, III
PO Box 932
Griffin, GA 30224

BOOK 3092 PAGE 105

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA.

2007 APR 24 PM 3 21

BY Marcia L. Norris
MARCIA L. NORRIS, CLERK

NTC

QUIT CLAIM DEED

STATE OF GEORGIA
COUNTY OF SPALDING

Real Estate Transfer Tax
Paid \$ -0-
Date 4-24-07
PT - 61 126-2007-1195
Marcia L. Norris
Clerk of Superior Court, Spalding Co., Ga.

THIS INDENTURE, made this the 14th day of March in the year two thousand seven, between, CARY E. BANKSTON of the County of Spalding, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and ROBERT M. GOLDBERG, of the County of Spalding, and State of Georgia, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of ten dollars and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said grantee

SEE EXHIBIT "A" ATTACHED

TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Cary E. Bankston (SEAL)
CARY E. BANKSTON

Signed, sealed and delivered
in the presence of:

Jessica Fields
Witness
Jessica Fields
Notary Public



BOOK 3092 PAGE 106

Exhibit "A"

All that piece or parcel of land situate, lying and being in Land Lot 43 of the Second Land District of originally Monroe, now Spalding County, Georgia, being the abandoned railroad right of way of Norfolk Southern Railway Company, which lies between the property of Danny H. Beheler Sr. and Kathy T. Beheler on the West and Danny W. Kendrick on the East; said property being more particularly described as follows: to wit,

BEGINNING at an iron pin found on the Eastern Land Lot line of Land Lot 43, where it intersects the northeasterly right of way of Georgia State Route 362 (60-foot right of way) being the same southwest corner of Tract B (5.2 acres, Property Survey for Danny Kendrick, dated July 12, 1996, recorded in Plat Book 22, Pages 391, Superior Court Records, Spalding County); thence, North 00 degrees 00 minutes 00 seconds East, along the East Land Lot line of Land Lot 43 to an iron pin on the northerly right of way line of the abandoned railroad (said line being the same as the westerly line of property conveyed by said Railroad to Danny W. Kendrick, recorded at Deed Book 1453, Page 154, of aforesaid records); thence, in a southwestwardly direction on the southerly line of Cary E. Bankston property, South 55 degrees 06 minutes West, a distance of 550.27 feet to an iron pin; thence, continuing South 55 degrees 06 minutes West, a distance of 500.00 feet along the southerly line of Robert M. Goldberg to an iron pin; said pin being the southwest corner of Tract C (4.319 acres on that Property survey for Bobby G. York, dated April 1, 1970, recorded in Plat Book 16, Page 249, of aforesaid records); thence, South 15 degrees 04 minutes 00 seconds East, to an iron stake on the northeasterly right of way of Georgia State Route 362 (said call being the easterly property line of said abandoned railroad right of way conveyed to Danny H. Beheler Sr. and Kathy T. Beheler at Deed Book 1416, Page 160, of aforesaid records); thence, in a northeastwardly direction along the northeastwardly right of way of Georgia State Route 362, a distance of undetermined length but sufficient to reach the point of beginning; said parcel containing 4.82 acres, more or less.

LESS AND EXCEPT, reservation of a permanent easement of varying width, in favor of Grantor and its successors and assigns, totaling approximately 25,559 square feet over a strip of land extending along and immediately adjacent to the right-of-way of Williamson Rd. (S. R. 362) for the full width of the subject property, as more specifically shown on the attached Exhibit A. Grantor and its successors and assigns shall hold the perpetual right of access to any water line or lines constructed or hereafter installed therein, together with the right of ingress and egress on, over and through the permanent easement. Grantor and its successors and assigns, shall have the right to maintain said permanent easement strip free and clear of trees, undergrowth and brush in the event that Grantees or their heirs, successors or assigns fail to do so. Grantees shall construct no impervious surfaces within said easement, other than driveways, and shall conduct no activity which interferes with Grantor's use thereof for its water line or lines.

LESS AND EXCEPT,

All that tract or parcel of land situate, lying and being in Land Lot 43 of the Second Land District of Spalding County, Georgia, and being more particularly shown and designated as "Tract 2-2.06 Acres", according to that certain plat of survey entitled "Survey for Cary E. Bankston", prepared by Mark D. Pressley, Registered Land Surveyor, dated June 1, 2000 and revised January 30, 2007 a copy of which said plat is recorded in Plat Book 25, Page 402, in the Office of the Clerk of Superior Court of Spalding County, Georgia, which said plat, together with the metes, bounds, courses and distances as shown thereon, is incorporated herein and made a part of this description.

Captioned property is subject to a 25 foot water line easement and any other easement that may appear of record.

All that tract or parcel of land lying and being in Land Lot 43 of the 2nd District, originally Monroe, now Spalding County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the northwesterly right-of-way of Williamson Road (aka Ga. Hwy. 362 - 60' R/W) 847.83 feet southwesterly from the intersection of the northwesterly right-of-way Williamson Road and the east line of Land Lot 43; thence along said right-of-way South 55°34'25" West, a distance of 132.80 feet to a 5/8 inch rebar found; thence North 14°41'15" West, a distance of 195.46 feet to a 1 inch open top pipe found; thence North 15°04'37" West, a distance of 400.50 feet to a 1/2 inch rebar found; thence North 55°06'00" East, a distance of 260.00 feet to a point; thence South 36°14'33" East, a distance of 322.40 feet to a point; thence South 55°10'18" West, a distance of 250.00 feet to a point; thence South 14°41'15" East, a distance of 255.00 feet to a point, being the POINT OF BEGINNING.

Said parcel is shown as Tract B and contains 3.110 acres of land.

SYMBOL LEGEND

- IRON PIN FOUND
- 1/2" REBAR SET
- ⊕ UTILITY POLE
- WIRE FENCE LINE
- - - OVERHEAD POWER LINE
- PROPERTY LINE
- - - ADJACENT LOT LINE
- ▨ ASPHALT AREA
- ▤ CONCRETE AREA
- ▩ GRAVEL AREA

REFERENCES:

CURRENT OWNER:
ROBERT M. GOLDBERG

DEEDS:
DB 3092 PG 105
DB 3056 PG 200
DB 1550 PG 205

PLATS:
PB 16 PGS 249 & 250

The term "Certification" as used in Rule "180-6-.09(2) and (3)" and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(6) and (11), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.

This survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) 15-6-67, in that where a conflict exists between those two sets of specifications, the requirements of law prevail.

THE UTILITIES SHOWN ON THIS PLAT WERE TAKEN FROM INFORMATION AVAILABLE AT THE TIME OF THE SURVEY AND MAY OR MAY NOT BE ACCURATE AS TO THE EXTENT AND OR LOCATION OF SAID UTILITIES.

THIS SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.

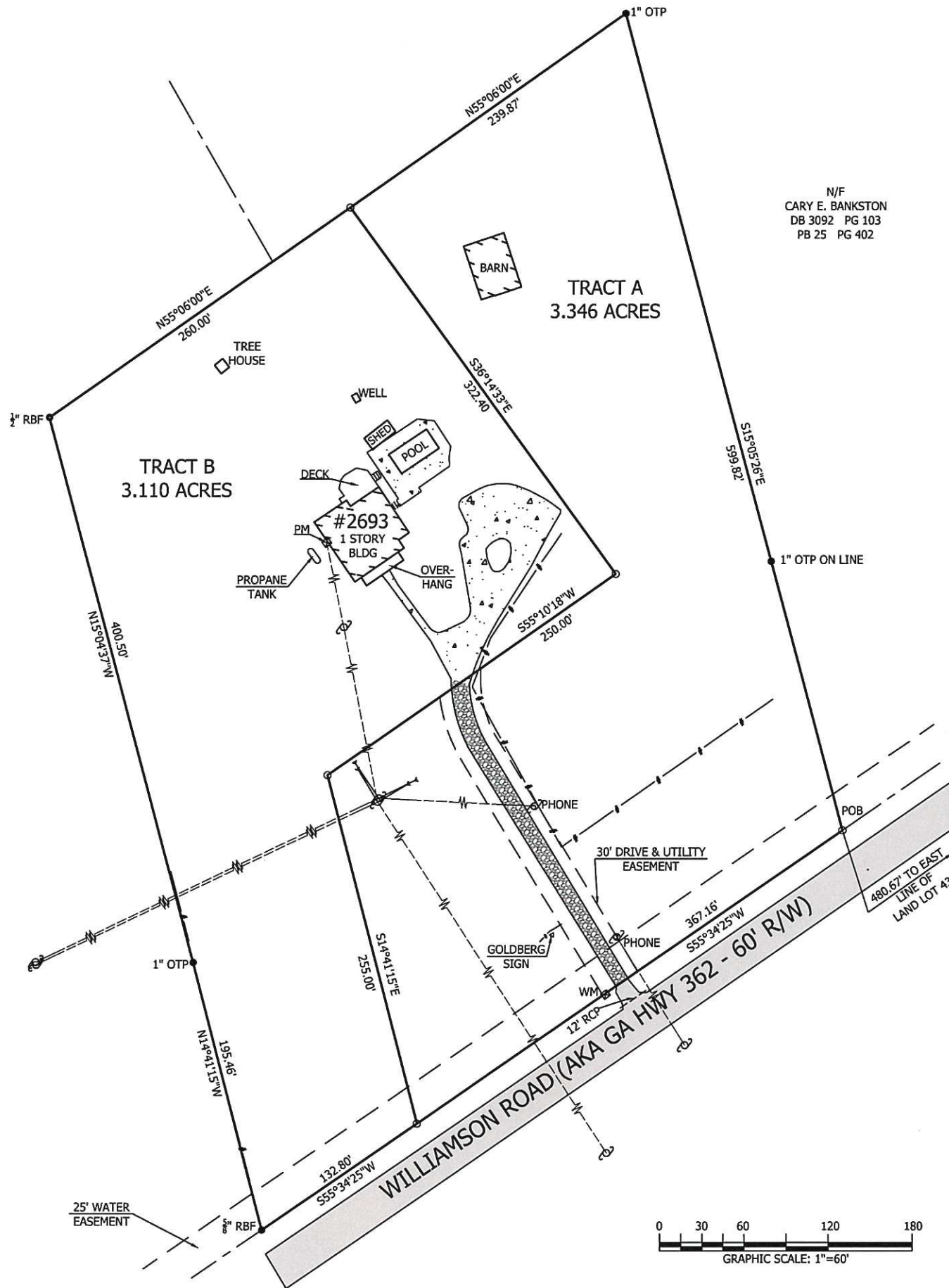
PLAT CERTIFICATION:

The field data, completed on 11/5/16, upon which this plat is based has a closure precision of one foot in 88,873 feet and an angular error of 00" per angle point and was unadjusted. This plat has been calculated for closure and is found to be accurate within one foot in 394,806 feet (Tract A) and 257,054 feet (Tract B). The linear and angular measurements shown on this plat were obtained using a Geomax Robotic total station & Geomax Zenith 35 Man GPS.

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Mark A. Buckner 5/23/17
Mark A. Buckner GA RLS 2422 Date

N/F
SHERI COSMOS ET AL
DB 3882 PG 262
PB 21 PG 321



SES

**ENGINEERING
PLANNING
SURVEYING**

"THIS DRAWING IS THE PROPERTY OF SCANLON ENGINEERING SERVICES, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN, AND IS NOT TO BE USED ON OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT, OR REPRODUCED IN WHOLE OR IN PART, EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION."

BOUNDARY/AS-BUILT SURVEY FOR

ROBERT M. GOLDBERG

LOCATED IN LAND LOT 43 OF THE 2nd DISTRICT,
ORIGINALLY MONROE, NOW SPALDING COUNTY, GEORGIA

SCANLON ENGINEERING SERVICES, INC.

221 EAST BANK STREET
GRIFFIN, GEORGIA 30223

PHONE: (678) 967-2051 FAX: (678) 967-2053
★ LST 000859 ★

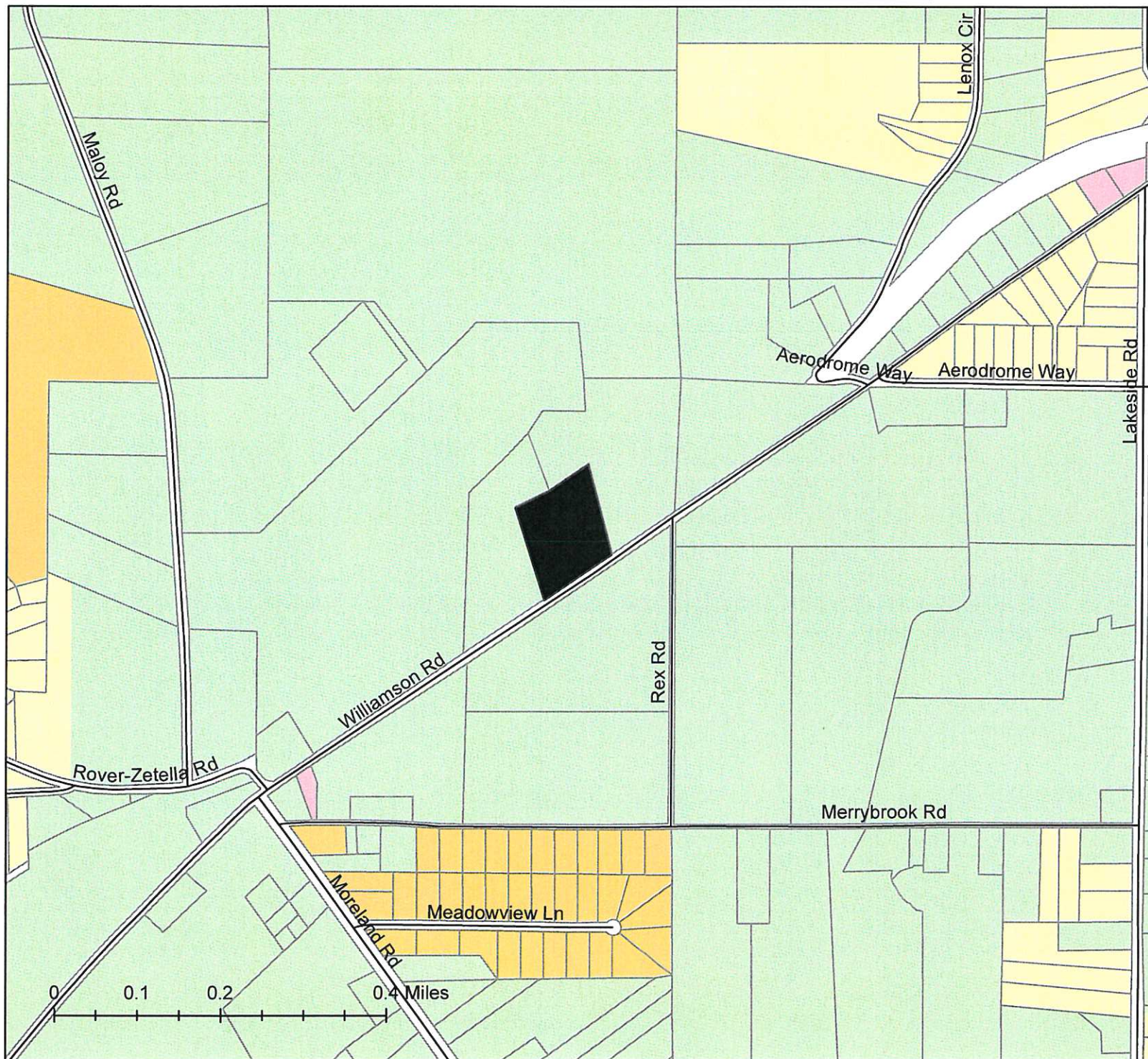
Rev.	Description	Date	Project #	Drawn By	Review By	Date
1			S16042507	JWS	MB	5/23/17



SHEET DESCRIPTION
BOUNDARY/AS-BUILT
SURVEY

SHEET NUMBER
400C
SHEET 1 OF 1

Z:\SES Projects\Misc Surveying_042\2693 Williamson Rd - Spalding Co_S16042507\AutoCAD_S16042507\survey\Civ_2693WilliamsonRd\BDRY + 01 CUTOUT.dwg Tuesday, May 23, 2017 3:51:01 PM

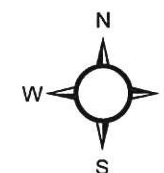


Zoning	
	PDD
	AAR
	AR1
	AR2
	C1
	C1A
	C1B
	C1C
	C2
	C3
	OI
	PRRRD
	R1
	R2
	R2A
	R3
	R4
	R5
	R6
	VN

Approximate size
of an Acre.



1 inch = 878.03 feet



Map # 234-04-001B

Spalding County GIS
(770) 467-4220
cjacobs@spaldingcounty.com

SPALDING COUNTY PLANNING COMMISSION

DATE: May 30, 2017

TO: Spalding County Planning Commission
Spalding County Board Of
Commissioners

FROM: Department of Community Development

RE: Rezoning Application #17-03Z
Total acreage: 3.110+ acres
AR-1 to O&I

The following report constitutes the assessment and evaluation by the Community Development Department staff on the above referenced rezoning application.

Identification of the Property

Size and Location:

The application requests rezoning on a property for a total of 3.110 acres, more or less, located at 2693 Williamson Road.

District and Land Lots:

The property is in the 2nd Land District, in Land Lot 43.

Current Owner:

The property is owned by Robert M. Goldberg by virtue of Deed recorded April 24, 2017 in Deed Book 3092, Page 105, Office of the Clerk of the Superior Court, Spalding County, Georgia.

Agent/Developer

Robert M. Goldberg
P.O. Box 294
Williamson, Georgia 30292

Overview of Development:

The applicant has requested rezoning of the subject property to O&I, Office and Institutional for the purposes of operating a law office on the

property. The office will utilize an existing residential structure.

The current property has a total of 6.4+ acres which would be subdivided pursuant to the rezoning request of the 3.11 acres should the application be approved.

Current Area Development

Current Zoning/Authorized Development:

The property is currently zoned AR-1, Agricultural Residential. The current zoning allows a single family residential dwelling and agricultural uses.

Existing Use:

Per the applicant, the property is developed with a single family residential home which is being used a law office in violation of zoning.

Rezoning Analysis:

The applicant has requested a rezoning from AR-1 to O&I for the purpose of operating a law office on the property.

It must be noted that the office is already in use and the applicant is rezoning to bring the business and the property into zoning compliance.

Land Use Plan:

Pursuant to the "Spalding County Comprehensive Plan, 2004-2024," as approved in December 2004, the request is inconsistent with the plan and associated Future Land Use Map classification of Low Density Residential.

The applicant has submitted a Future Land Use Map amendment for commercial.

Schools:

As the proposal is for an Office/Institutional Use, there will be no negative impact to the schools in the form of additional students.

Compliance with Zoning Ordinance Development Standards:

O&I Development Standards:

Minimum floor space: 1,000 square feet

Minimum lot area: As specified by the Spalding County Health Department, but in no case less than 2 acres if public water and public sewer are not available. The minimum lot area may be reduced to 1 acre where public water is provided to the site or to 20,000 square feet if public water and public sewer are available. However, a lot of record lawfully existing at the time of passage of this Ordinance and having an area which does not conform to the above standards may nevertheless be developed with a use which is permitted within an O&I district if approved by the Spalding County Health Department.

Minimum lot width: Each lot shall have minimum lot width of at least 200 feet where public water and sewer are not available. Where public water, but no public sewer, is provided the minimum width shall be reduced to 125 feet. Where public water and public sewer are provided, the minimum lot width may be reduced to 100 feet.

Minimum frontage width: Each lot shall have minimum frontage width of at least 200 feet where public water and sewer are not available. Where public water, but no public sewer, is provided the minimum width shall be reduced to 125 feet. Where public water and public sewer are provided, the minimum frontage width may be reduced to 100 feet.

Setbacks:

front: 100 feet. However, the minimum front yard may be reduced to 70 feet where public sewer is provided.

side: 25 feet. However, the minimum side yard may be

reduced to 12 feet where public water is provided.

rear: 25 feet

Utilities & Infrastructure:

Transportation:

The following average trip numbers represent the average number of trip experienced by this type of development based on case studies from Trip Generation, 7th Edition from the Institute of Transportation Engineers:

Based on a 2,343 square foot Single Tenant Office Building:

Weekday	
A.M. Peak Hour:	4 trips
P.M. Peak Hour:	4 trips
Total Weekday	27 trips

Water:

The site is accessible to County water. (Source: Spalding County Water Authority).

Sewerage:

The site is possibly accessible to sanitary sewer service. (Source: City of Griffin Water & Wastewater Department)

Wetlands/Watershed Area:

No portion of this site within a flood zone. (Source: FEMA Map, Panel #13255C-0180 D, effective May 3, 2010)

This site is located within the City of Griffin Reservoir – Pike County Intake Watershed boundary, as indicated by the S-2 Watershed Overlay Map.

This site is not within any recharge areas indicated on the S-3 Ground Water Recharge Overlay Map.

Criteria when considering a Rezoning Application

The following items are listed in the Spalding County Zoning Ordinance (a/k/a UDO) as criteria to consider for rezoning applications:

1. The existing uses and zoning of nearby properties.

The general area surrounding the subject property is primarily undeveloped with large tracts of agricultural land and single family residential. The entire area surround the subject property is zoned AR-1, agricultural residential.

2. The suitability of the property for the proposed purpose.

The Future Land Use Map indicates that the property should be used as "Low Density Residential" and is inconsistent with the FLUM and Comprehensive Plan for this area.

The subject property is located in the middle of agricultural zoning and uses. The rezoning could be determined a spot zone. However, O&I acts as a transition zoning between intense commercial uses and residential areas. O&I also provides limited principal uses which are those mainly consisting of office and/or medical uses.

3. The length of time the property has been vacant.

The property is developed with a single family residential structure.

4. The threat to the public health, safety, and welfare, if rezoned.

There will be no significant increase in threat to the public health, safety, and welfare due to rezoning the subject property. However, consideration should be given to the ingress / egress of the property as it is currently a residential driveway.

There would be no impact on the schools in the form of new students.

5. The extent to which the value of the property is diminished by the present zoning.

Staff is not aware of any diminishing effects by the present zoning.

6. The balance between the hardship on the property owner and the benefit to the public in not rezoning.

Photo(s)



Site looking north along Williamson Road.

Staff Recommendations:

Staff recommends **DENIAL** of the Request for the following reasons:

1. The rezoning is a spot zoning.
2. The request is not consistent with the Future Land Use Map.

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
May 30, 2017

The Spalding County Planning Commission held its regular monthly meeting on May 30, 2017 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: John Youmans, Chair, presiding; Bruce Ballard; Walter Cox; Sonny Eubanks; and Frank Harris.

Also present were: Chad Jacobs, Community Development Director; Steven Jones, Zoning Attorney; and Yvonne Langford to record the minutes.

Mr. Youmans called the meeting to order, introduced the members of the Planning Commission and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

MOTION

Mr. Cox made a motion to discuss Application's #FLUMA-17-02 & #17-03Z and #FLUMA-17-03 & #17-04Z together and vote on them separately. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Application #FLUMA-17-02: Robert M. Goldberg has requested a future land use map change from Low-Density Residential to Commercial for the following: 2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District).

Application #17-03Z: Robert M. Goldberg, Owner -2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District) – requesting a rezoning from AR-1 Agricultural and Residential to O & I Office and Institutional.

Robert Goldberg – 225 Broadmoor Drive – Fayetteville, GA.

Mr. Goldberg said he formerly lived at 2693 Williamson Road. He previously rented space from a local attorney for his law practice. His practice had done well and he had raised his family at the 2693 Williamson Road house. Approximately four years ago, he moved his home to Fayetteville. While he was living at the Williamson Road address, he had been advised what he needed to do in order to use the house for his business. He failed to follow those directions and operated his law practice from there. Last year Mr. Jacobs visited with him and that is the reason for this application. He does not feel the use of the property for his law practice is incompatible with low-density use. When he lived at the address, there were more people coming and going than there are now. He does not feel he is having a negative impact on the neighbors. The neighbors feel this could turn into something other than a law practice. He requested approval of his application with conditions that nothing other than a law practice be allowed. He feels the conditions would satisfy the neighbors.

Alan McCallum – 2831 Williamson Road

Mr. McCallum said he lives on the other side of Mr. Goldberg. He likes Mr. Goldberg. He is a good person. This request is about rezoning. The zoning does not go with the person. It goes with the land. There is a vacant lot adjacent to Mr. Goldberg's home that could be used for other commercial uses and a request could be made to rezone that for other commercial uses. This is, in essence, spot zoning. There is nothing else out there like this. If this is approved, you are

opening the door for other requests. If this is approved, Mr. Goldberg could sell this tomorrow and the zoning would be with the property. You are setting a precedent for the entire county.

Kim Stone – 2715 Williamson Road

Mr. Stone said he moved to this area about two years ago. They looked for a long time for property. They were looking for a little space with no commercial aspects. Now they are looking at a potential conversion to commercial property. He is looking at life changes and he does not want to look at the backside of a building with dumpsters. He wants to look at nature. He is against this change to commercial.

Mr. Jacobs said this request is to go from residential to commercial. The area around is planned as a Village Node. The County is in the process of updating their Future Land Use Map. The way the County is targeting strategic intersections in terms of providing service areas for commercial uses and medical and office type uses is probably still going to be the strategy that will be followed with next planning update. Considering this application, the staff has concerns regarding the land use patterns developing. They want to avoid some of the negative aspects of Highway 19-41. The staff recommendation is for denial of the changes to the Land Use Map. They further recommend denial of the rezoning. This would essentially be spot zoning. This cannot be considered for a home occupation because it is not Mr. Goldberg's place of residence. It is being used exclusively for an office.

MOTION

Mr. Eubanks made a motion to deny Application #FLUMA-17-02. The motion passed on a second by Mr. Cox with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-03Z.

Application #FLUMA-17-03: Alex Scott has requested a future land use map change from Agriculture to Commercial for the following: 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District).

Application #17-04Z: Terry Dunn, Owner – Alex Scott, Agent – 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) requesting a rezoning from AR-1 Commercial to C-1 Highway Commercial.

Alex Scott – 109 Cedar Point – Peachtree City

Mr. Scott said he was the applicant. He introduced Mr. Wayne Smith who was to provide the information regarding this application.

Wayne Smith – 428 Constitution Circle – Peachtree City

Mr. Smith said he has been with the GBI for 31 years. He is also a professional firearms trainer and has been for 22 years. They want to present what they want to do. They want to be open and honest and follow the County process for this application. They are concerned about the controversy in the County over a current shooting range. They are concerned they will be “painted with the same brush”. There is nothing similar about what they want to do. They want to operate a school which is what they have done professionally for a long time. It is a place for teaching a class and then helping them learn how to use firearms properly. They want to open this to the public. The property is currently under three different type zonings. The facility,

since the 80's, has been used as a "public type" facility. He reviewed the different uses of the property over the years. It has been used by the public where people come and go. They intend to use it as it has been used in the past as far as public access is concerned. This will not be a traditional range. The use will be enclosed and nothing used in the process will leave the building. It is done with ballistic abatement and sound abatement. They will be following the NRA recommendations. They welcome any conditions and provisions. They have plans for a future addition to the facilities. They work mostly with handguns.

Terry Dunn – 208 Sylvan Lane

Mr. Dunn said he is the owner of this property. He gave a history of his family and this property over the years. His family has owned this property since 1938. He requested approval for this use of the property. They intend to be good neighbors and will address any concerns the neighbors have.

Steven Walker – 470 Denton Circle – Fayetteville, Georgia.

Mr. Walker said he is in favor of this application. This will be a benefit to the area and the entire south side. It is hard to get this type training and it is becoming more popular. It will be a disservice to deny this because we need people trained to understand the use of what is involved with guns. He understands people are upset with the other gun range. This is not a comparison for the same thing. The other is an outdoor range that has different limitations and this is an indoor facility serviced by professional people that know and understand the industry. He asked approval for the application.

Faith Wallace – 3672 Fayetteville Road

Ms. Wallace said she has 4.96 acres adjacent to this property. Formerly, this property has been used for bands and parties. The bands were too loud and too noisy. She and her neighbors had to call the police to stop the noise. She does not know how this will affect the noise problem. Adjacent to this property is Mr. Rebholz whose right-of-way has to be used to access this property since they have no road frontage. People think this is an out of door shooting range already. She was out on her property and there was a gun shot that "scared her to death". She has health issues. The neighbor that shot their gun was a young man in his teens. She does not know how much time she has left but she would like to live it in peace and quiet. She is very much opposed to this application. If this is approved, she plans to return with a petition from her neighbors.

Mr. Jacobs said this application from the staff level is entirely different than the one they are dealing with at another location. In door shooting ranges are now included in the UDO as a special exception in some zoning districts. This particular application has a lot of the concerns that are similar to the previous request. He discussed the zoning for the area around this property. The area is planned overwhelmingly as agricultural type uses. There a commercial corridor along Highway 92. A portion of the property was zoned C-1A conditioned for use as a restaurant only. This is a difficult tract. In review of the zoning application, the staff recommendation is for denial. The Future Land Use Map is predominantly agricultural and this will be spot zoning. The applicant has also applied for a Special Exception with regard to this property that will be considered at the next Appeals Board meeting.

Discussion was held between the applicant, the members of the Planning Commission, and those in attendance in opposition to the application.

MOTION

Mr. Cox made a motion to deny Application #FLUMA-17-03. The motion passed on a second by Mr. Harris with Mr. Ballard, Mr. Cox, Mr. Harris and Mr. Youmans voting for the motion and Mr. Eubanks voting against.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-04Z.

Amendment to UDO #A-17-03: Article 2. Definitions of Terms Used – Section 202 KKK’ – add definitions of Street or Road, Cul-de-sac; Article 4. General Procedures – Section 413:E & Section 414:D – amend required public notice signage requirement.

Mr. Jacobs said this amendment is in response to the discussion by the Planning Commission regarding expanding the public notice signage requirements. The staff recommendation is for denial. He does not want it to appear that he is advocating for no notice. He feel they already go above and beyond what the code requires. No matter how far you go sending the letters there is always going to be the next person out of the ring that is not going to get a notice.

Mr. Youmans said he advocated the need for the additional signage. He is a property owner and pays taxes in Spalding County. The situation for him is that it would have taken one more sign to accomplish the notice regarding the need for this change. His take on this is that you are not willing to consider the property owners by putting up another sign.

Mr. Jacobs said it is one more sign today and then another and another; it is going to get expensive.

Mr. Ballard said a cul-de-sac is easy but what happens when you have additional roads and then you have four other roads that need signs. Sometimes things work well for years and he does not see the need for a lot of changes.

Mr. Cox said he does not see the need to add to the workload of the staff even in a minor way.

Mr. Youmans said there were a lot of the neighbors that did not know what was going on regarding that application

Mr. Cox said there were a lot of the neighbors that attended the meeting and spoke in favor of the application.

Mr. Jacobs said he feels there is a valid concern regarding getting information to the public. He is not certain that a sign is the way to solve that issue. They have to advertise in the “legal organ” which is the *Griffin Daily News*. Fewer people are subscribing to the newspaper. Is there a better way than that, in the age of social media, to get information to the public? He does not feel the sign is going to be the “fix”.

MOTION

Mr. Ballard made a motion to deny Amendment to UDO #A-17-03. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, and Mr. Harris voting for the motion and Mr. Youmans voting against.

Amendment to UDO #A-17-04: Article 5. AR-1 Agricultural and Residential – Section 503:A & B – amend use of riding academies and other facilities which host equestrian events, and Article 6. AR-2 Rural Reserve – Section 603:A & B – amend use of equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian events.

Mr. Jacobs said this is an issue with respect to equestrian farms and rodeo and horse show events. They were requested by the Commissioners to address the issue. The recommendation is for approval.

MOTION

Mr. Cox made a motion to approve Amendment to UDO #A-17-04. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

MINUTES

Mr. Cox made a motion to approve the minutes of the April 25, 2017 meeting. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Discussion was held regarding future applications that are anticipated and the review of the Future Land Use Map. They have had good responses regarding the Future Land Use Map. Most are similar to the ones received the last time this was reviewed. They will have an open house in the near future.

Mr. Jacobs said he feels a review if the overlay district is warranted. It is a little cumbersome to develop anything within the overlay district. He does not want to relax restrictions to the point that it becomes a lot of the same. Maybe it would be possible to work to make it a little easier to develop something within the overlay district provided you are follow the design criteria.

ADJOURN

The meeting was adjourned on a motion by Mr. Cox and a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

John Youmans – Chair

Yvonne M. Langford - Recorder



SPALDING COUNTY BOARD OF COMMISSIONERS Application #FLUMA-17-03

Requesting Agency

Office of Community Development

Requested Action

Application #FLUMA-17-03: Alex Scott has requested a future land use map amendment change from Agriculture to Commercial for the following: 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District).

Requirement for Board Action

Section 414.

Is this Item Goal Related?

No

Summary and Background

The application has initiated a request to allow for the amendment of the Spalding County Future Land Use Map and the Comprehensive Plan at 3616 Fayetteville Road from Agricultural to Commercial.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

DENIAL

**PLANNING COMMISSION RECOMMENDS:
DENIAL BY A VOTE OF 4-1**

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #FLUMA-17-03	6/5/2017	Backup Material
<input type="checkbox"/> Minutes 05-30-17 PC	6/5/2017	Backup Material

PL-14-25-17
R# 15019A
\$269.00

Form FLUM-001
Land Use Amendment
Application Form I

FLUMA No: 17-03

Project Information

Project Name: Tier 1

Name, of Individual Completing form (include Title and Company Name if applicable):

Alex Scott

Telephone: 678-274-8030 Fax: N/A

E-mail: alexscott267@gmail.com

Name of Property Owner if different from individual completing this form (include Title and Company Name if applicable): Terry Dunn

Project Description: Using the table below, select the development type that most accurately describes the proposed project (**select only one**). In the second column, provide a brief description of the project.

Development Type	Project Description	Project Thresholds
<input type="checkbox"/> Residential A		Less than five acres or less than 5 dwelling units
<input type="checkbox"/> Residential B		5-acres up to 50-acres or 5-dwelling units to 50-dwelling units
<input type="checkbox"/> Residential C		50-acres up to 200-acres or 50-dwelling units up to 200-dwelling units
<input type="checkbox"/> Residential D		200-acres up to 400 acres or 200-dwelling units to 500-dwelling units
<input type="checkbox"/> Residential E		Above 500-acres or 500 dwelling units.

<input type="checkbox"/> Office/Institutional A		Less than 5000 square feet
<input type="checkbox"/> Office/Institutional B		Less than 10,000 square feet
<input type="checkbox"/> Office/Institutional C		Less than 50,000 square feet
<input type="checkbox"/> Office/Institutional D		Less than 200,000 Square Feet
<input type="checkbox"/> Office/Institutional E		Less than 400,000 Square Feet
<input type="checkbox"/> Office/Institutional F		Greater than 400,000 square feet
<input type="checkbox"/> Commercial A		Less than 5000 square feet
<input type="checkbox"/> Commercial B		Less than 10,000 square feet
<input checked="" type="checkbox"/> Commercial C		Less than 50,000 square feet
<input type="checkbox"/> Commercial D		Less than 200,000 square feet
<input type="checkbox"/> Commercial E		Less than 400,000 square feet
<input type="checkbox"/> Commercial F		Greater than 400,000 square feet
<input type="checkbox"/> Industrial A		Less than 5000 square feet
<input type="checkbox"/> Industrial B		Less than 10,000 square feet
<input type="checkbox"/> Industrial C		Less than 50,000 square feet
<input type="checkbox"/> Industrial D		Less than 200,000 square feet
<input type="checkbox"/> Industrial E		Less than 400,000 square feet
<input type="checkbox"/> Industrial F		Greater than 400,000 square feet
<input type="checkbox"/> Mixed Use/Village A		Less than 5-acres or less than 10,000 square feet*

<input type="checkbox"/> Mixed Use/Village B		Less than 10 –acres or less than 50,000 square feet.*
<input type="checkbox"/> Mixed Use/Village C		11 to 50 acres or 100,000 square feet.*
<input type="checkbox"/> Mixed Use Village D		51 to 100-acres or 200,000 square feet.*
<input type="checkbox"/> Mixed Use Village E		More than 100-acres or more than 200,000 square feet*.

* If any of the square footages of any individual use within the mixed use development exceeds the threshold listed for that use, it shall be categorized in that use category. For the purposes of establishing gross square footage in the mixed use category each proposed residential dwelling shall be calculated at 1,800 square feet.

Project Physical Location: 3616 Fayetteville Rd.
Griffin, CA.

Tax Map Code: 261 01005

Current designation(s) on the Spalding County Future Land Use Map: ~~C-1~~,
~~AG-1~~, ~~R-2~~ Agriculture CLM 5-1-17

Proposed designation(s) on the Spalding County Future Land Use Map: ~~C-1~~
Commercial CLM 5-1-17

What are the principal streets or roads providing vehicular access to the site: _____
Fayetteville Rd.

Is the project entirely within the unincorporated portion of Spalding County?
 (Yes) No (circle one)

If no, what other jurisdiction(s) will the project be located in? _____

The initial request associated with this map amendment is:

- ☐ Rezoning
- ☐ Special Exception
- ☒ Both

☐ Other: _____

Total proposed:

Single Family detached dwellings: _____

Townhouse or Condominium Dwellings: _____

Loft Dwellings: _____

Apartment Dwellings: _____

Flex Space Units: _____ Sq. Feet

Retail Area: _____ Sq. Feet

Office Area: _____ Sq. Feet

Industrial Area: _____ Sq. Feet

Will the proposed project be age restricted? ☒ Yes ☐ No (circle one)

Name of water supplier for this site: CITY OF GRIFFIN

Name of wastewater treatment supplier to the site: CAPTIC

Estimated Project Completion Date: OCT 1ST 2017

Are land transportation or access improvement projects needed to support the proposed project? Yes ☒ No ☐ (circle one)

If yes, please describe the improvements needed: _____

Form FLUM-001
Land Use Amendment
Application Form II

FLUMA No: _____

Project Information

Project Name: Tier 1

Name, of Individual Completing form (include Title and Company Name if applicable):

Alex Scott

Telephone: 678-274-8030 Fax: _____

E-mail: alexscott267@gmail.com

Name of Property Owner if different from individual completing this form (include Title and Company Name if applicable): Terry Dunn

Economic Impact

Estimated value at buildout: \$ 350,000.00

Estimated annual local tax revenues (ie. property tax, sales tax) likely will be generated by the proposed development: \$ 4500.00

Is the area workforce sufficient to fill the demand created by the proposed project?
Yes No (circle one)

Community Facilities

Water Supply

Estimated water supply demand to be generated by the project, measured in Millions of Gallons Per Day (MGD): Under 1 MGD

Is sufficient supply capacity available to serve the proposed project? Yes No (circle one)

If no, are there current plans to expand water supply capacity? Yes No (circle one)

If there are plans to expand water supply capacity, briefly describe: N/A

If water line extension is required to serve the project, how much additional line (in miles) will be required? N/A

Wastewater Disposal

Proposed method of wastewater treatment: Ceptic tank

If public or private sewer system name Wastewater Treatment Provider: N/A

What is the estimated sewerage flow to be generated by this development, measured in Millions of Gallons (MGD): under 1 MGD

Is sufficient wastewater treatment capacity available for this proposed project?

☒ Yes ☐ No (circle one)

If No, are there any current plans to expand existing wastewater treatment capacity? Yes
No (circle one) N/A

If there are plans to expand existing wastewater treatment capacity, briefly describe: N/A

If sewer line extension is required, how much additional line (in miles) will be required?
N/A

Land Transportation

How much traffic volume is expected to be generated by the proposed development, in peak-hour vehicle trips (if only and alternative measure of volume is available, please provide): 15-

20 vehicles per day Approximately 5-7 Days per month.
During non peak hours.

Has a traffic study been performed to determine if transportation odr access improvements will be needed to serve this project: Yes No (circle one)

If yes, please attach

If transportation improvements are needed please desribe: N/A

Education and Schools commercial/office or industrial, skip to next topic)

Are any dwellings within the development proposed to be age restricted? Yes No (Circle One)

If yes, what percentage of the total number of units proposed? _____ %

The proposed project is located in the:

_____ Elementary School Zone
_____ Middle School Zone
_____ High School Zone

Public Safety

Distance to the nearest Spalding County fire station by vehicle road travel?
2.7 miles

Number of Spalding County fire stations within 10 miles of the proposed project site:
4

Post Development ratio of Sheriffs Deputies per 1000 population at current staffing levels: (same) 2 to 1000

Solid Waste Disposal

How much solid waste is the project expected to generate annually, in tons? 4

Is sufficient landfill capacity available to serve this proposed project? Yes No (circle one)

If no, are there any current plans to expand landfill capacity? Yes No (circle one)

If there are plan to expand landfill capacity, briefly describe: N/A

Will any hazardous waste be generated by the development? Yes No (circle one)

If yes, please describe: _____

Stormwater Management

What percentage of the proposed development will be impervious surface once the proposed development is constructed? 8 %

Is the project located on or near any watershed or groundwater recharge area? Yes No (circle one)

Environment Quality

Is the project located within or likely to affect any of the following (please check all that apply)

- ☐ Water supply water sheds
- ☐ Significant groundwater recharge areas
- ☐ Wetlands
- ☐ Protected river corridors
- ☐ Steep slopes
- ☐ Old-growth forrest
- ☐ Floodplains
- ☐ Historic Resources
- ☐ Other environmentally sensitive resources

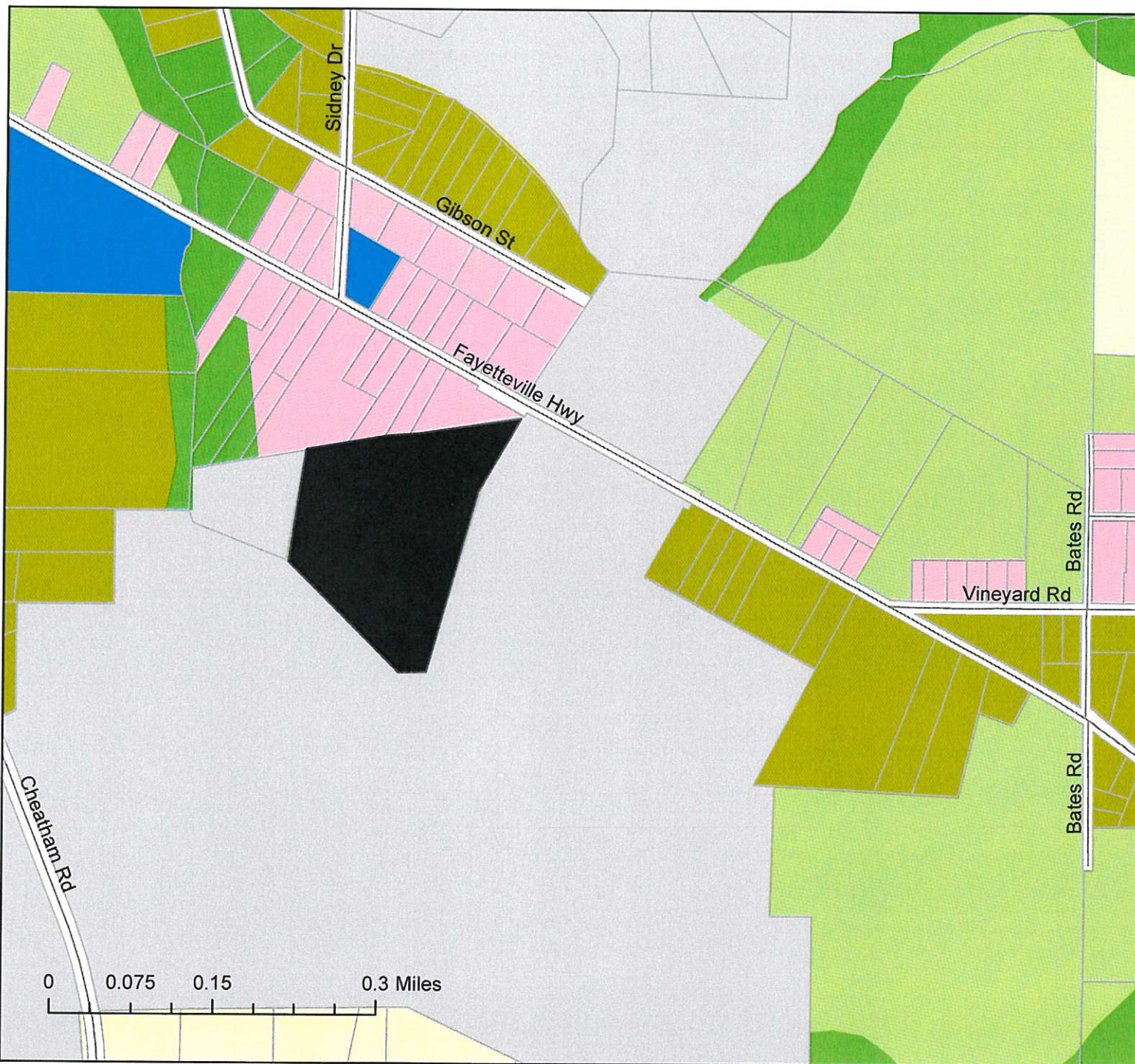
If you checked any of the above identify how the protected resources might be affected:

Additional Information Required

Based on the project thresholds below, please attach 3 copies of the information and or documents checked in each box.

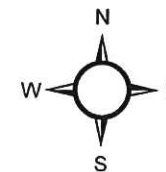
Attachments	Level A	Level B	Level C	Level D	Level E	Level F
Form II		✓	✓	✓	✓	✓
Project Description	✓	✓	✓	✓	✓	✓
Preliminary Site Development Plan		✓	✓	✓	✓	✓
Map of proposed FLUM Change (include adjacent properties)		✓	✓	✓	✓	✓
Environmental Impact Analysis				✓	✓	✓
Traffic Study (tie to County or regional traffic model)				✓	✓	✓

FLA-17-03 Dunn/Scott



- Agriculture
- Commercial
- Crossroads Commercial
- Forestry
- Industrial
- Institutional/Public
- Low-Density Residential
- Medium-Density Residential
- Open Space Network
- Parks and Recreation
- Regional Commercial Center
- Rural Reserve
- Transportation/Communication/Utilities
- Village Node

1 inch = 700 feet



Parcel # 261-01-005

Spalding County GIS
(770) 467-4220
cjacobs@spaldingcounty.com

SPALDING COUNTY PLANNING COMMISSION

DATE: May 30, 2017

TO: Spalding County Planning Commission
Spalding County Board Of
Commissioners

FROM: Department of Community Development

**RE: Future Land Use Map Amendment
#17-03 FLA
Total 19.5+ acres
Agricultural to Commercial
Commercial C – Less than 50,000
square feet**

The following report constitutes the assessment and evaluation by the Community Development Department staff on the above referenced amendment application.

Identification of the Property

Size and Location:

The application requests amendment for the subject property for an approximate total of 19.5 acres, more or less, located at the 3616 Fayetteville Road.

Map Code:

261-01-005

Applicant:

Alex Scott

Overview of Request:

The applicant has initiated a request to allow for the amendment of the Spalding County Future Land Use Map and the Comprehensive Plan at 3616 Fayetteville Road from Agricultural to Commercial.

Amendment Analysis:

In addition to this request, the owner proposes to rezone the subject property to a commercial zoning district for the purpose of developing the property as an indoor shooting range. Indoor ranges must also be granted a special exception, which the applicant has submitted an application for along with the rezoning.

The subject property presents a difficult land use dilemma. It is located adjacent to the Heads Creek reservoir and is surrounded almost entirely by residential uses. The property was previously utilized as a recreational facility and briefly as a restaurant.

Consideration must be given to possible negative development patterns in allowing commercial uses along state highway corridors without proper strategic planning as to their placement. Smart planning would encourage these uses at important crossroads.

Schools:

The proposed amendment would not affect the potential for school age children within the schools as the planning designation of the request is for commercial.

Utilities & Infrastructure:

Transportation:

The Trip Generation Manual does not have data for the proposed use. The applicant estimates the number of vehicles as approximately 15-20 per day for 5-7 day per month.

Water:

The site is accessible to County water. (Source: Spalding County Water Authority)

Sewerage:

The site is not accessible to public sewer. (Source: City of Griffin Water and Sewer)

Fire/Rescue:

The closest fire station to the subject property would be the LB Norton station. At present, the Comprehensive Plan does not plan for additional fire protection for this area

Wetlands/Watershed Area:

No portion of this site within a flood zone. (Source: FEMA Map, Panel #13255C-0065 D, effective May 3, 2010)

This site is located within the Heads Creek Watershed boundary, as indicated by the S-2 Watershed Overlay Map.

This site is not within any recharge areas indicated on the S-3 Ground Water Recharge Overlay Map.

Staff Recommendations:

Staff recommends **DENIAL** to amend the FLUM for this property for the following reasons:

1. Approval of commercial land uses along this portion of the corridor could create negative development patterns.

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
May 30, 2017

The Spalding County Planning Commission held its regular monthly meeting on May 30, 2017 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: John Youmans, Chair, presiding; Bruce Ballard; Walter Cox; Sonny Eubanks; and Frank Harris.

Also present were: Chad Jacobs, Community Development Director; Steven Jones, Zoning Attorney; and Yvonne Langford to record the minutes.

Mr. Youmans called the meeting to order, introduced the members of the Planning Commission and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

MOTION

Mr. Cox made a motion to discuss Application's #FLUMA-17-02 & #17-03Z and #FLUMA-17-03 & #17-04Z together and vote on them separately. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Application #FLUMA-17-02: Robert M. Goldberg has requested a future land use map change from Low-Density Residential to Commercial for the following: 2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District).

Application #17-03Z: Robert M. Goldberg, Owner -2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District) – requesting a rezoning from AR-1 Agricultural and Residential to O & I Office and Institutional.

Robert Goldberg – 225 Broadmoor Drive – Fayetteville, GA.

Mr. Goldberg said he formerly lived at 2693 Williamson Road. He previously rented space from a local attorney for his law practice. His practice had done well and he had raised his family at the 2693 Williamson Road house. Approximately four years ago, he moved his home to Fayetteville. While he was living at the Williamson Road address, he had been advised what he needed to do in order to use the house for his business. He failed to follow those directions and operated his law practice from there. Last year Mr. Jacobs visited with him and that is the reason for this application. He does not feel the use of the property for his law practice is incompatible with low-density use. When he lived at the address, there were more people coming and going than there are now. He does not feel he is having a negative impact on the neighbors. The neighbors feel this could turn into something other than a law practice. He requested approval of his application with conditions that nothing other than a law practice be allowed. He feels the conditions would satisfy the neighbors.

Alan McCallum – 2831 Williamson Road

Mr. McCallum said he lives on the other side of Mr. Goldberg. He likes Mr. Goldberg. He is a good person. This request is about rezoning. The zoning does not go with the person. It goes with the land. There is a vacant lot adjacent to Mr. Goldberg's home that could be used for other commercial uses and a request could be made to rezone that for other commercial uses. This is, in essence, spot zoning. There is nothing else out there like this. If this is approved, you are

opening the door for other requests. If this is approved, Mr. Goldberg could sell this tomorrow and the zoning would be with the property. You are setting a precedent for the entire county.

Kim Stone – 2715 Williamson Road

Mr. Stone said he moved to this area about two years ago. They looked for a long time for property. They were looking for a little space with no commercial aspects. Now they are looking at a potential conversion to commercial property. He is looking at life changes and he does not want to look at the backside of a building with dumpsters. He wants to look at nature. He is against this change to commercial.

Mr. Jacobs said this request is to go from residential to commercial. The area around is planned as a Village Node. The County is in the process of updating their Future Land Use Map. The way the County is targeting strategic intersections in terms of providing service areas for commercial uses and medical and office type uses is probably still going to be the strategy that will be followed with next planning update. Considering this application, the staff has concerns regarding the land use patterns developing. They want to avoid some of the negative aspects of Highway 19-41. The staff recommendation is for denial of the changes to the Land Use Map. They further recommend denial of the rezoning. This would essentially be spot zoning. This cannot be considered for a home occupation because it is not Mr. Goldberg's place of residence. It is being used exclusively for an office.

MOTION

Mr. Eubanks made a motion to deny Application #FLUMA-17-02. The motion passed on a second by Mr. Cox with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-03Z.

Application #FLUMA-17-03: Alex Scott has requested a future land use map change from Agriculture to Commercial for the following: 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District).

Application #17-04Z: Terry Dunn, Owner – Alex Scott, Agent – 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) requesting a rezoning from AR-1 Commercial to C-1 Highway Commercial.

Alex Scott – 109 Cedar Point – Peachtree City

Mr. Scott said he was the applicant. He introduced Mr. Wayne Smith who was to provide the information regarding this application.

Wayne Smith – 428 Constitution Circle – Peachtree City

Mr. Smith said he has been with the GBI for 31 years. He is also a professional firearms trainer and has been for 22 years. They want to present what they want to do. They want to be open and honest and follow the County process for this application. They are concerned about the controversy in the County over a current shooting range. They are concerned they will be “painted with the same brush”. There is nothing similar about what they want to do. They want to operate a school which is what they have done professionally for a long time. It is a place for teaching a class and then helping them learn how to use firearms properly. They want to open this to the public. The property is currently under three different type zonings. The facility,

since the 80's, has been used as a "public type" facility. He reviewed the different uses of the property over the years. It has been used by the public where people come and go. They intend to use it as it has been used in the past as far as public access is concerned. This will not be a traditional range. The use will be enclosed and nothing used in the process will leave the building. It is done with ballistic abatement and sound abatement. They will be following the NRA recommendations. They welcome any conditions and provisions. They have plans for a future addition to the facilities. They work mostly with handguns.

Terry Dunn – 208 Sylvan Lane

Mr. Dunn said he is the owner of this property. He gave a history of his family and this property over the years. His family has owned this property since 1938. He requested approval for this use of the property. They intend to be good neighbors and will address any concerns the neighbors have.

Steven Walker – 470 Denton Circle – Fayetteville, Georgia.

Mr. Walker said he is in favor of this application. This will be a benefit to the area and the entire south side. It is hard to get this type training and it is becoming more popular. It will be a disservice to deny this because we need people trained to understand the use of what is involved with guns. He understands people are upset with the other gun range. This is not a comparison for the same thing. The other is an outdoor range that has different limitations and this is an indoor facility serviced by professional people that know and understand the industry. He asked approval for the application.

Faith Wallace – 3672 Fayetteville Road

Ms. Wallace said she has 4.96 acres adjacent to this property. Formerly, this property has been used for bands and parties. The bands were too loud and too noisy. She and her neighbors had to call the police to stop the noise. She does not know how this will affect the noise problem. Adjacent to this property is Mr. Rebholz whose right-of-way has to be used to access this property since they have no road frontage. People think this is an out of door shooting range already. She was out on her property and there was a gun shot that "scared her to death". She has health issues. The neighbor that shot their gun was a young man in his teens. She does not know how much time she has left but she would like to live it in peace and quiet. She is very much opposed to this application. If this is approved, she plans to return with a petition from her neighbors.

Mr. Jacobs said this application from the staff level is entirely different than the one they are dealing with at another location. In door shooting ranges are now included in the UDO as a special exception in some zoning districts. This particular application has a lot of the concerns that are similar to the previous request. He discussed the zoning for the area around this property. The area is planned overwhelmingly as agricultural type uses. There a commercial corridor along Highway 92. A portion of the property was zoned C-1A conditioned for use as a restaurant only. This is a difficult tract. In review of the zoning application, the staff recommendation is for denial. The Future Land Use Map is predominantly agricultural and this will be spot zoning. The applicant has also applied for a Special Exception with regard to this property that will be considered at the next Appeals Board meeting.

Discussion was held between the applicant, the members of the Planning Commission, and those in attendance in opposition to the application.

MOTION

Mr. Cox made a motion to deny Application #FLUMA-17-03. The motion passed on a second by Mr. Harris with Mr. Ballard, Mr. Cox, Mr. Harris and Mr. Youmans voting for the motion and Mr. Eubanks voting against.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-04Z.

Amendment to UDO #A-17-03: Article 2. Definitions of Terms Used – Section 202 KKK’ – add definitions of Street or Road, Cul-de-sac; Article 4. General Procedures – Section 413:E & Section 414:D – amend required public notice signage requirement.

Mr. Jacobs said this amendment is in response to the discussion by the Planning Commission regarding expanding the public notice signage requirements. The staff recommendation is for denial. He does not want it to appear that he is advocating for no notice. He feel they already go above and beyond what the code requires. No matter how far you go sending the letters there is always going to be the next person out of the ring that is not going to get a notice.

Mr. Youmans said he advocated the need for the additional signage. He is a property owner and pays taxes in Spalding County. The situation for him is that it would have taken one more sign to accomplish the notice regarding the need for this change. His take on this is that you are not willing to consider the property owners by putting up another sign.

Mr. Jacobs said it is one more sign today and then another and another; it is going to get expensive.

Mr. Ballard said a cul-de-sac is easy but what happens when you have additional roads and then you have four other roads that need signs. Sometimes things work well for years and he does not see the need for a lot of changes.

Mr. Cox said he does not see the need to add to the workload of the staff even in a minor way.

Mr. Youmans said there were a lot of the neighbors that did not know what was going on regarding that application

Mr. Cox said there were a lot of the neighbors that attended the meeting and spoke in favor of the application.

Mr. Jacobs said he feels there is a valid concern regarding getting information to the public. He is not certain that a sign is the way to solve that issue. They have to advertise in the “legal organ” which is the *Griffin Daily News*. Fewer people are subscribing to the newspaper. Is there a better way than that, in the age of social media, to get information to the public? He does not feel the sign is going to be the “fix”.

MOTION

Mr. Ballard made a motion to deny Amendment to UDO #A-17-03. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, and Mr. Harris voting for the motion and Mr. Youmans voting against.

Amendment to UDO #A-17-04: Article 5. AR-1 Agricultural and Residential – Section 503:A & B – amend use of riding academies and other facilities which host equestrian events, and Article 6. AR-2 Rural Reserve – Section 603:A & B – amend use of equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian events.

Mr. Jacobs said this is an issue with respect to equestrian farms and rodeo and horse show events. They were requested by the Commissioners to address the issue. The recommendation is for approval.

MOTION

Mr. Cox made a motion to approve Amendment to UDO #A-17-04. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

MINUTES

Mr. Cox made a motion to approve the minutes of the April 25, 2017 meeting. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Discussion was held regarding future applications that are anticipated and the review of the Future Land Use Map. They have had good responses regarding the Future Land Use Map. Most are similar to the ones received the last time this was reviewed. They will have an open house in the near future.

Mr. Jacobs said he feels a review if the overlay district is warranted. It is a little cumbersome to develop anything within the overlay district. He does not want to relax restrictions to the point that it becomes a lot of the same. Maybe it would be possible to work to make it a little easier to develop something within the overlay district provided you are follow the design criteria.

ADJOURN

The meeting was adjourned on a motion by Mr. Cox and a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

John Youmans – Chair

Yvonne M. Langford - Recorder



SPALDING COUNTY BOARD OF COMMISSIONERS Application #17-04Z

Requesting Agency

Office of Community Development

Requested Action

Application #17-04Z: Terry Dunn, Owner - Alex Scott, Agent - 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) - requesting a rezoning from AR-1 Agricultural and Residential, R-2 Single Family Residential and C-1A Neighborhood Commercial, to C-1 Highway Commercial.

Requirement for Board Action

Section 414.

Is this Item Goal Related?

No

Summary and Background

The applicant is requesting approval from Spalding County to allow the rezoning of 19.5 acres, more or less, out of the total from R-2, AR-1 and C-1A to C-1, Highway Commercial. The applicant proposes to develop the property as an indoor shooting range utilizing an existing 6,000 square foot building which will serve as a support area and training area. A second 6,000 square foot building is proposed to be constructed on the property which will house the indoor range. Per the application, the indoor range will be constructed pursuant to NRA range source book guidelines. The applicant indicates the range will not be a public facility and for training purposes only.

It must be noted the applicant did provide the following statement within the documentation provided. "Our company reserves the right to change or alter any range facilities (sic) in the interest of safety as it sees fit as long as the changes comply with the county code. This is a basic business plan and is subject to change or modification. Based on needs of the business additional facilities may be constructed in the future and will be done in compliance with county code."

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

DENIAL

**NO VOTE DUE TO RECOMMENDATION OF DENIAL OF APPLICATION #FLUMA-17-03.
APPLICATION #17-04Z IS MOOT.**

ATTACHMENTS:

Description	Upload Date	Type
📁 Application #17-04Z	6/5/2017	Backup Material
📁 Minutes 05-30-17 PC	6/5/2017	Backup Material

2

SPALDING COUNTY
REQUEST FOR ZONING MAP CHANGE
APPLICATION NO. 17-042

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: Alex Scott

Address: 109 cedar point

City: Peachtree city

State: GA Zip: 30269

Phone: 678-274-8030

Contact Person: Alex Scott

PROPERTY OWNER INFORMATION

Name: Terry Dunn

208 Sylvan Lane
Address: ~~3616 Fayetteville Rd~~

City: GRIFFIN

State: GA Zip: ~~30223~~ 30224

Phone: (770) 584 0371

Phone: _____

APPLICANT IS THE:

____ Owner's Agent

____ Property Owner

 / Developer

Present Zoning District(s): AR-1, R-2, C-1-A Requested Zoning District(s): C-1

Land District(s): 3rd Land Lots(s): 6 Acreage: ~~19.49~~ 19.5 per deed cm

Address Of Property: 3616 Fayetteville Rd. GRIFFIN GA

Proposed Development: Indoor Gun Range and Training Center

OTHER REQUIRED INFORMATION

Checklist

- _____ Attach 1 copy of plat prepared by a registered land surveyor and drawn to scale showing lot lines and location of existing structures and location of proposed structures.
- _____ Please attach a statement describing the proposed development.
- _____ Please attach a deed, certified by the Clerk of Court, of the property proposed for rezoning.
- _____ Please attach a copy of metes and bound description of the property for rezoning.
- _____ Please attach 1 copy (24 x 36) and 1 copy (11 x 17) of the conceptual site plan, if applicable (see Page 7).
- _____ If proposed property is within the S-2 Sensitive Land-Watershed Protection District, please submit a plat or drawing to scale showing the exact location of any surface water that is located on or within 250 feet of the subject property.
-
- _____ Is the property recorded as one (1) or multiple parcel(s)?

OFFICE USE ONLY

Date Received: 4-25-17

Amount of Fee: \$500⁰⁰

Received By: C. [Signature]

Receipt Number: 15019A

REZONING APPLICANT'S RESPONSE

Pursuant to Section 414 of the Zoning Ordinances, The Board of Commissioners find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A) Whether a proposed rezoning (or special use permit) will permit a use that is suitable in view of the use and zoning of adjacent and nearby property: The Rezoning will not Affect The adjacent Properties. All activities will be held indoors.

(B) Whether the property is suitable for the proposed use: The Property is Suitable

(C) What is the length of time the property has been vacant?: Over One year.

(D) What is the threat to the public health, safety, and welfare, if any, if the property is rezoned?:
There is no threat.

(E) Whether and to what extent is the subject property value diminished under the present zoning?:
The Subject Property is multi-zoned. It does not allow for business or residence under current zoning. It need a single zoning code to operate a business.

(F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: IF not rezoned, the owner cannot sale the property.

Use Additional Pages, If Necessary

OFFICE USE ONLY

Date Received: 4-25-17

Received By: C. [Signature]

**PROPERTY OWNER'S CERTIFICATION OF
OWNERSHIP AND ZONING COMPLIANCE**

Certification is hereby made that the undersigned own(s) at least fifty-one (51) percent of the subject property.

The undersigned certifies that the subject property is presently in compliance with the current Zoning Ordinance for Spalding County, Georgia. The undersigned is aware that an application for a Rezoning, Variance, or Special Exception will not be received unless the subject property is in compliance with the Zoning Ordinance.

The undersigned certifies that the agent, if different from the owner, is authorized to file this application.

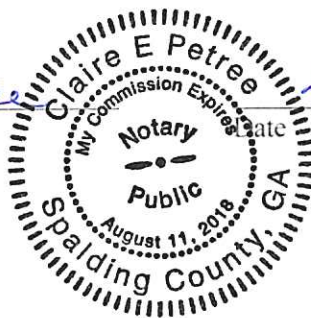
TERRY DUNN
Print Name of Owner(s)

Alex Scott
Print Name of Agent, If Not Same as Owner

Terry Dunn 4/21/17
Signature of Owner(s) Date
or Signature of Authorized Officer or Agent
(if applicable)

AC Scott
Signature of Agent

Claire E Petree 4-21-17
Signature of Notary Public



--Notary Seal--

OFFICE USE ONLY

Date Received: 4-25-17 Received By: C. Scott

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

A. APPLICANT'S DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of the rezoning application, made campaign contributions aggregating \$250.00 or more to a member of the Spalding County Board of Commissioners, a member of the Planning Commission, or any other government official who will consider the application?

NO (Yes ☐ No ☒)

If the answer is Yes, please complete the following section:

Name and Official Position Of Government Official	Contributions (List all which aggregate to \$250.00 or more)	Date Contribution Was Made (within last two years)
(1) _____	(1) _____ _____	(1) _____ _____
(2) _____	(2) _____ _____	(2) _____ _____

Attach additional sheets if necessary to disclose or describe all contributions.

**B. DISCLOSURE OF CAMPAIGN CONTRIBUTIONS OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE**

Have you, within the two years immediately preceding the filing of the rezoning application, made campaign contributions aggregating \$250.00 or more to a member of the Spalding County Board of Commissioners, a member of the Planning Commission, or any other government official who will consider the application?

NO (Yes ☐ No ☒)

If the answer is Yes, please complete the following section:
ZONING MAP CHANGE
PAGE 6

Name and Official Position Of Government Official	Contributions (List all which aggregate to \$250.00 or more)	Date Contribution Was Made (within last two years)
(1) _____	(1) _____ _____	(1) _____ _____
(2) _____	(2) _____ _____	(2) _____ _____

Attach additional sheets if necessary to disclose or describe all contributions.

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

 4/25/17

Signature of Applicant Date

Type or Print Name and Title

Signature of Applicant's Date
Attorney Or Representative

Type or Print Name and Title

OFFICE USE ONLY

Date Received 4-25-17

Case # 17-042 Accepted By C. [Signature]

SITE PLAN REQUIREMENTS FOR ZONING

Section 416: Site Plan Requirements for Rezoning. Any Applicant seeking rezoning of property to the following zoning districts of Spalding County, Georgia, C-1, C-1A, C-1B, C-1C, C-2, C-3, PDD, PRRRD, and O-I or seeking rezoning for any property subject to the requirements of the Spalding County Subdivision Ordinance, Zoning Ordinance of Spalding County, Appendix A for residential development within the following zoning districts of Spalding County, Georgia, AR-1, AR-2, R-1, R-2, R-2A, R-3, R-4, R-5 and R-6 shall submit a conceptual site plan depicting the proposed use of the property including: (#A-03-28, 10/06/03)

- A. Vicinity map;
- B. Correct scale;
- C. The proposed land use and building outline as it would appear should the rezoning be approved;
- D. The present zoning classification of all adjacent property;
- E. The building outline and maximum proposed height of all buildings;
- F. The proposed location of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement;
- G. The location of all required off street parking and loading areas;
- H. Required yard setbacks appropriately dimensioned;
- I. The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation, if required;
- J. Topography at twenty (20) foot contour intervals (USGS Quad Sheets may be used);
- K. Location and elevation of the 100 year flood plain on the property which is the subject of the proposed zoning;
- L. Delineation and dimensions of the boundary of the proposed district;
- M. Date, north arrow and datum;
- N. Location and acreage of all major utility easements greater than twenty (20) feet in width;
- O. Approximate location (outline), height, and use of all other proposed drives, parking areas, buildings, structures and other improvements;
- P. For all property for which ingress and egress must be obtained by access from a road within the state highway system, a permit from the Georgia Department of Transportation for access to the state highway system.

(Revised 10/31/03)

Spalding County Fee Schedule:

Appeal from Action of Administrative Officer: \$ 200.00

Variance: \$ 200.00

Special Exception: \$ 300.00

Multiple Parcel Rezoning: Multiple parcel rezoning of contiguous tracts will be allowed so long as all tracts are to be rezoned to the same zoning classification. All applicants owning property which is subject to the application are deemed to consent to rezoning of their property and to rezoning of any and all other tracts included within the Application. The following fees shall apply to multiple parcel rezoning applications: (#A-99-08 – 09/07/99; #A-00-11 - 07/17/00)

A. Parcel 1 - \$500.00

B. Parcel 2-5 - \$100.00 each, in addition to the fees stated in A; and

C. Parcels 6+ - \$50.00 each, in addition to the fees stated in A and B.

Index

Section 1 - Project Overview

Section 2 - Site Plan

- Site Plan legend
- Site plan map

Section 3 - Attachments

- Spalding County Plat
- Vicinity / Zoning map
- Topography map
- Flood plain map

Section 4 - Property Deed

Project Overview

Our company will operate a firearms training facility that will focus on firearm safety and personal protection skills. Our primary focus will be private citizens that have an interest on improving these skills. As a component to the business, we will also be offering the facility to be utilized by local law enforcement as an additional training facility to meet their growing training needs.

The business will operate under the guidelines set forth by the National Rifle Association (NRA) and the Georgia Police Officers Standards and Training Council (POST). The NRA is a national organization that establishes the "best practices" and what is considered the gold standard on civilian firearms safety, range safety and range design. We will utilize the NRA's Range Source Book, a technical source book for shooting range builders and operators, when designing this facility (Figure 1). Georgia POST is the agency that trains and certifies peace officers in Georgia. POST's Certified Firearms Instructor Program requires certified peace officers to demonstrate advanced firearm skills as well as attend a multi-week training class focusing on weapons safety, range safety, range operations and instruction skills. In the class each instructor must successfully demonstrate their ability to safely run a range.

Our business will be owned by current and retired POST certified police officers. The instructors are POST certified general instructors as well as firearms instructors. Collectively, the owners of our business have over 80 years firearms experience and have trained thousands of students. Some of the owners have operated as the Firearms Program Coordinators for their respective state and county agencies. One of the respective owners has also designed and implemented firearms training programs in multiple countries to include Afghanistan and Guatemala. The owners have the ability and knowledge to exceed POST and NRA's stringent safety standards.

Unlike many ranges in the surrounding area, our business is not a range open to the public or a gun club and you cannot rent a lane or range time. The training facility will only be open when a class is scheduled. Class scheduling will be done via our website and limited to approximately 15 students. Our business will not operate as a storefront business nor will we maintain regular business hours. All of our training will be conducted during daylight hours as defined by the NRA from 7am to 7pm. These classes may be scheduled Monday thru Sunday and the frequency of these classes will be dictated by the need and market demand. No one will be allowed at the facility unless they are a registered student or government agency with staff present.

In the classes offered, live fire or firearms usage is a very small part of the class. The majority of the class will consist of classroom instruction. The classroom instruction will focus on firearms safety, legal responsibility and mechanics of the skills to be learned (Figure 2). Students will also utilize Simunitions or Airsoft weapons to further enhance skills. The Simunitions is a reduced-energy, non-lethal cartridge that leaves a detergent based marking compound (Figure 3). Airsoft is a CO2 powered system that fires a small plastic ball (Figure 4). Both systems allow students to safely participate in skill enhancement exercises without endangering other students, staff or themselves. All training, to include live fire exercises, will be conducted indoors at the facilities' indoor main building or indoor live fire range building (Figures 5 & 6)

The training facility will be located on the "Math Fields" property located at 3616 Fayetteville Rd. in Spalding County, Georgia. The property is approximately 20 acres of primarily cleared land. It is accessed by a deeded driveway easement from Fayetteville Rd. The property currently consist of three buildings: a main building, a shop building and a mobile home.

The actual training facility will consist of the main building and a proposed range building. The shop building will continue to be a shop. The mobile home is currently rented and will not be part of the training facility.

The main building, approximately 6000 sq ft, will consist of two parts: the support area and a training area. The support area will consist of classrooms, two restrooms, break area, storage rooms, office area and additional support or utility rooms. This portion of the facility will be located in the present building currently acting as an event center. This area will be climate controlled and be equipped for student and staff safety and comfort.

The training area of the main building will be located in the center of the structure. It will be constructed in accordance with the NRA Range Source Book section 3.03. This area will not be climate

controlled. This area will be ventilated by a Total Air Exhaust System in accordance with the NRA Range Source Book section 3.11.3.

The proposed Range building will be 120 feet in length and 50 feet wide. The roof will be peaked at 12 feet high. It will be constructed of a steel frame and be metal sided, approximately 6000 sq ft in size. It will be constructed in accordance with the NRA Range Source Book section 3.03. This area will not be climate controlled but will be ventilated by a Total Air Exhaust System in accordance with the NRA Range Source Book section 3.11.3. This building will match the existing buildings in construction and appearance. This proposed building will be landscaped to match the current appearance of the property.

All facilities in which training will be conducted will contain NRA sound abatement measures. The purpose of these measures is to restrict and reduce decibel levels both inside and outside of the facility.

Ballistic containment also known as a bullet trap is a significant issue in an indoor range. One must consider the environmental impact, operational, and safety requirements of the firing range. Lead management, noise abatement and shooter safety are the primary concerns. Lead dust is created when a projectile strikes a solid surface and fragments. This lead dust then can build up inside of the range area creating a hazard. There are two ways to eliminate this hazard.

First, our business will utilize a rubber bullet trap (Figure 7). This trap safely stops and captures projectiles intact with virtually no lead dust or bullet fragmentation. The rubber bullet trap is an environmentally-friendly bullet containment system that utilizes a thick layer of granulated recycled rubber. When a bullet strikes the trap, the rubber material absorbs the energy and decelerates and captures it in the rubber media. This process creates no lead dust and eliminates the noise that is generated from bullets impacting a steel bullet trap. This is beneficial in lowering the noise level in the range and reducing airborne lead contaminants. When the trap is full, the lead is removed and recycled. This combined with the range being constructed in accordance with the NRA Range Source Book section 3.03 will create ballistic safe environment (Figure 8).

Secondly, this range will utilize a Total Air Exhaust ventilation system in accordance with the NRA Range Source Book section 3.11.3. This system will pull in fresh air into the range building at one end, move across the building and exhaust it out the other end. This air current will move any residual lead out of the building. Prior to the air being exhausted from the building it will be filtered to comply with NRA Range Source Book section 4.01 and OSHA 29 CFR1910.1025.

Our company reserves the right to change or alter any range facilities if the interest of safety as it sees fit as long as the changes comply with county code. This is a basic business plan and is subject to change or modification. Based on needs of the business additional facilities may be constructed in the future and will be done in compliance with county code.

Figure 1

NRA Range Book

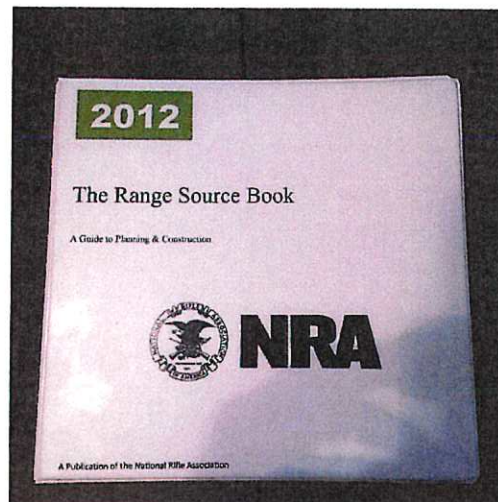


Figure 2
Classroom instruction



Figure 3
Simunition and marking rounds



Figure 4
Airsoft pistol and projectiles



Figure 5

Live fire on an indoor range



Figure 6

Instruction on an indoor range

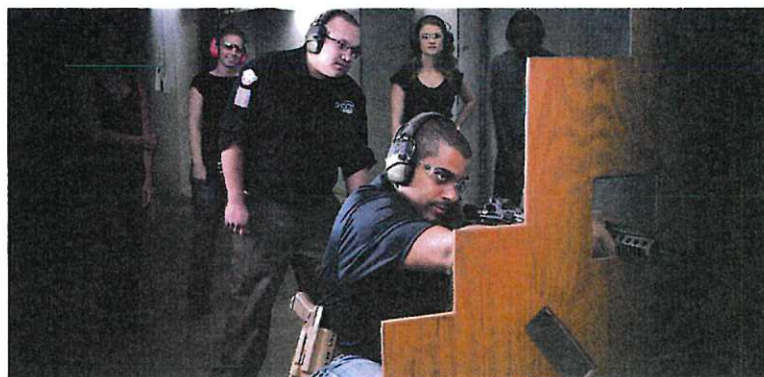


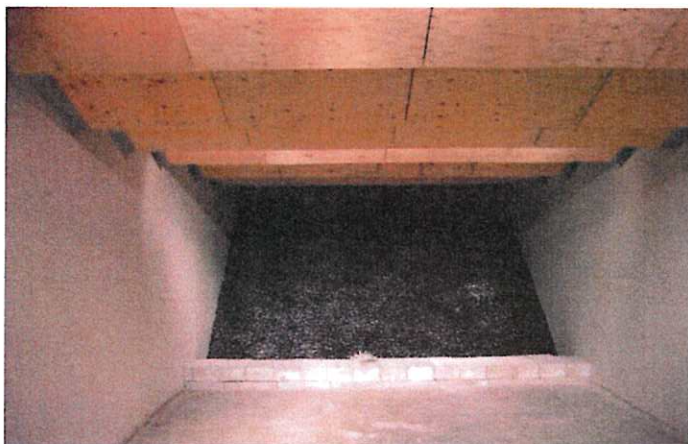
Figure 7

Rubber bullet trap



Figure 8

Indoor range



SITE PLAN

LEGEND

B -

The proposed Range building will be 120 feet in length and 50 feet wide. The roof will be peaked at 12 feet high. It will be constructed of a steel frame and be metal sided, approximately 6000 sq ft in size. It will be constructed in accordance with the NRA Range Source Book section 3.03. This area will not be climate controlled but will be ventilated by a Total Air Exhaust System in accordance with the NRA Range Source Book section 3.11.3. This building will match the existing buildings in construction and appearance. This proposed building will be landscaped to match the current appearance of the property. The proposed building will contain NRA sound abatement measures. The purpose of these measures is to restrict and reduce decibel levels both inside and outside of the facility.

P -

Asphalt paved and marked parking lot that will accommodate approximately 50 vehicles for off street parking. The lot is ADA compliant.



Indicates the direction of traffic flow.

ATTACHMENTS

A1 -

Spalding County Plat. Defines lot line and dimensions and utility easements.

A2 -

Vicinity map that shows present zoning classifications for all adjacent properties.

A3 -

Topography map with 20 foot intervals (USGS Quad Sheet).

A4 -

100 year flood plain map.

TIER 1

Legend
Attached

Highway 22

P

B

N

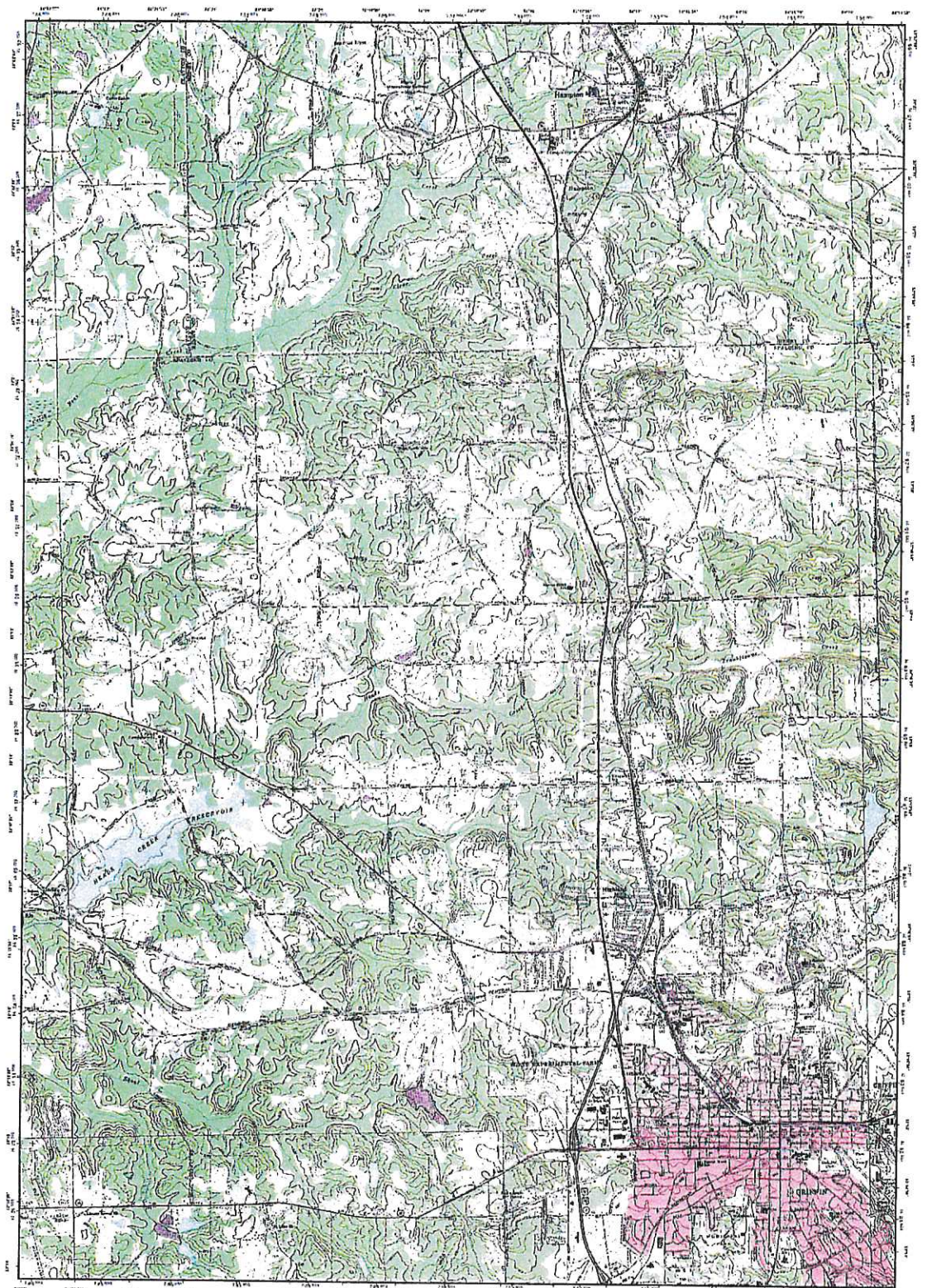
800 ft

Google Earth

© 2016 Google







Griffin North
633084c3

mytopo
A TRIMBLE COMPANY
Trimble's Topographic Maps are the most accurate and reliable maps available.

Locality Map

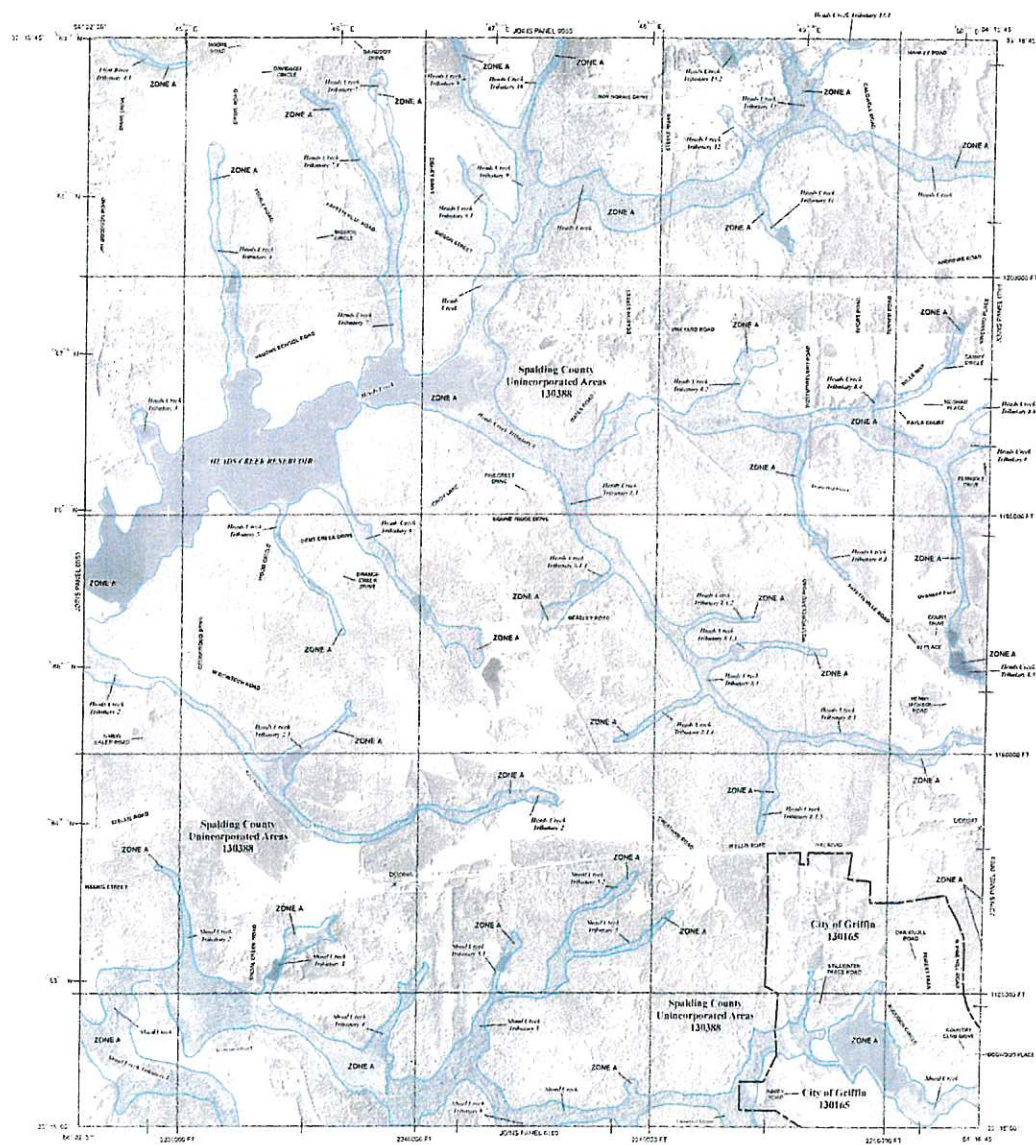


Index Map



Scale: 1 inch = 1 mile
1:62,500
Vertical Datum: Mean Sea Level
Horizontal Datum: NAD 83
Projection: UTM
Zone: 18N
Units: Meters

A3

[illegible][illegible]

NFIP

PANEL 0050

FIRM

FLOOD INSURANCE RATE MAP
SPALDING COUNTY, GEORGIA
AND INCORPORATED AREAS


PANEL 65 OF 250

USE MAP KEY TO GET FIRM PANEL LAYOUTS.

COMMUNITY	NATIONAL FLOOD INSURANCE
COMMUNITY	NO. OF
COMMUNITY	NO. OF

NATIONAL FLOOD INSURANCE PROGRAM

U.S. DEPARTMENT OF COMMERCE
FEDERAL EMERGENCY MANAGEMENT AGENCY

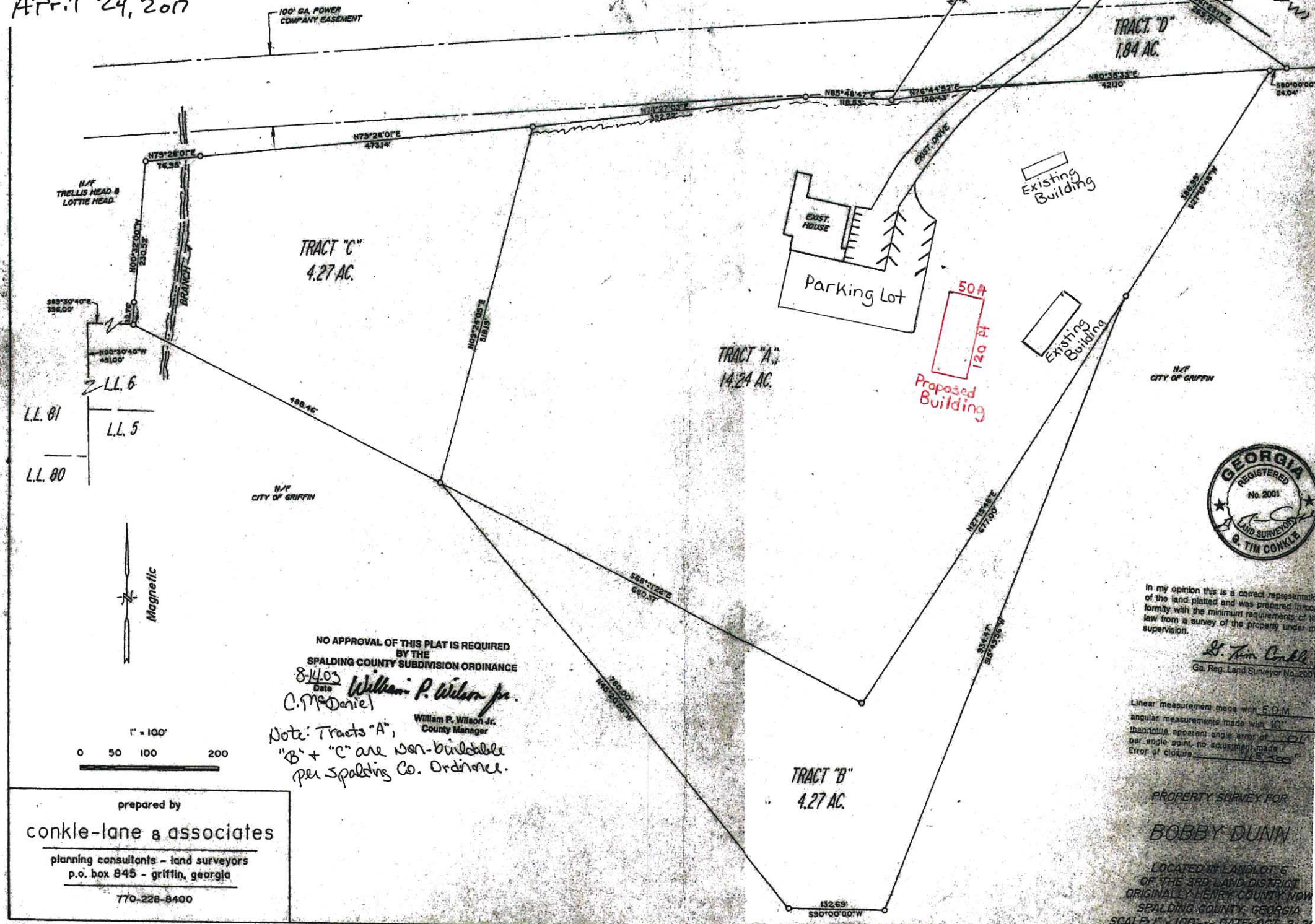


MAP NUMBER
125000050
EFFECTIVE DATE
MAY 3, 2016

TIER 1

Drawn to Scale

April 24, 2017



In my opinion this is a correct representation of the land platted and was prepared in conformity with the minimum requirements of the law from a survey of the property under my supervision.

Tim Conkle
Ga. Reg. Land Surveyor No. 2001

Linear measurements made with E.D.M.
angular measurements made with 40"
theodolite, station angle error of 1/4"
per angle point, no adjustment made
Error of closure 1/8" = 250'

PROPERTY SURVEY FOR
BOBBY DUNN

LOCATED IN LAND LOT 5
OF THE 3RD LAND DISTRICT
ORIGINALLY HENRY COUNTY NOW
SPALDING COUNTY, GEORGIA
SCALE 1" = 100' - DATE OCT. 2, 2011

BOOK 4070 PAGE 158

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA

2016 JUL -5 P 12:40

BY Marcia L. Norris
MARCIA L. NORRIS, CLERKAfter Recording Return To:
Beck, Owen & Murray
100 South Hill St.
Suite 600
Griffin, GA 30223Real Estate Transfer Tax
Paid \$ 0
Date 7-5-16
PT - 61 126- 2016-1673
Marcia L. Norris
Clerk of Superior Court, Spalding Co., Ga.STATE OF GEORGIA
COUNTY OF SPALDING

NTC

QUITCLAIM DEED

THIS INDENTURE, made this 29 day of June, in the Year Two Thousand and Sixteen between ROBERT L. DUNN AND BETTY JEAN DUNN as sole shareholders of Math Fields, Inc. a voluntarily dissolved Georgia Corporation ("Grantor"); and TERRY DUNN ("Grantee"). The terms Grantor and Grantee shall include their respective heirs, successors, executors, administrators, legal representatives, and assigns where the context requires or permits.

WITNESSETH:

Grantor in consideration of the sum of One Dollar and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and by these presents does hereby remise, convey and forever Quitclaim unto Grantee, his heirs and assigns, the following described property, to-wit:

TRACT 1:

All that tract or parcel of land situate, lying and being in Land Lot 6 of the Third Land District of originally Henry, now Spalding County, Georgia, and shown and designated as Tract "B", containing 4.27 Acres, on plat of survey entitled "Property Survey for Bobby Dunn", dated October 2, 2001, prepared by G. Tim Conkle, Registered Land Surveyor, a copy of which said plat is recorded in Plat Book 24, page 460, in the Office of Clerk of Superior Court of Spalding County, Georgia, which said plat, together with the metes, bounds, courses and distances as shown thereon, is incorporated herein and made a part of this description.

TRACT 2:

All that tract or parcel of land, as Improved, specifically described in Book 697, Page 156, and more particularly described as:

All that tract or parcel of land containing 19.5 Acres, more or less, situate, lying and being in Land Lot 6 of the Third District of originally Henry, now Spalding County, Georgia, and bounded as follows: Northerly by property now or formerly of Gibson, known as Block E of Doreen Estates, and by a Georgia Power Company easement; Southeasterly and Southwesterly by property of City of Griffin, and West by property now or formerly of James L. and Gerry Smallwood.

The above described property is the remaining portion of that 85 acre tract owned by M. M. Dunn, less the 65.9 acres more or less conveyed to the City of Griffin for the City of Griffin Reservoir.

TO HAVE AND TO HOLD the said above granted and described property, so that neither the grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal, the day and year above written.

Signed, sealed and delivered
In the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

My Commission Expires: 8-8-16



Betty Scarborough Dunn, AIF
ROBERT L. DUNN, BY BETTY
SCARBOROUGH DUNN AKA BETTY
JEAN DUNN, HIS ATTORNEY IN FACT

Betty Jean Dunn
BETTY JEAN DUNN

Real Estate Transfer Tax

Paid \$
874-03

Myrtle A. Peoples

Clerk of Superior Court, Spalding Co., Ga.
(Warranty Deed)

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA.

MULLINS, WHALEN & WESTBURY P. O. Box 133
GRIFFIN, GEORGIA 30224

BY *R. Westbury*
MYRTLE A. PEOPLES, CLERK

STATE OF GEORGIA SPALDING COUNTY

THIS INDENTURE, made the _____ day of _____, in the year of our Lord, Two
Thousand Three, between

CITY OF GRIFFIN

of the County of Spalding, and State of Georgia, of the FIRST PART, and

MATH FIELDS, INC.

of the County of Spalding, and State of Georgia, of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of the
sum of ONE (\$1.00) DOLLAR AND EXCHANGE OF PROPERTY-----
in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby
acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents, does
grant, bargain, sell, alien, convey and confirm unto the said party of the SECOND PART, heirs and assigns,
all the following described property, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 6 of the Third Land District of
originally Henry, now Spalding County, Georgia, and shown and designated as Tract "B",
containing 4.27 Acres, on plat of survey entitled "Property Survey for Bobby Dunn", dated
October 2, 2001, prepared by G. Tim Conkle, Registered Land Surveyor, a copy of which said
plat is recorded in Plat Book 24, page 460, in the Office of Clerk of Superior Court of
Spalding County, Georgia, which said plat, together with the metes, bounds, courses and
distances as shown thereon, is incorporated herein and made a part of this description

TO HAVE AND TO HOLD the said above granted and described property, with all and singular the
rights, members, appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said
party of the SECOND PART, its successors and assigns, in fee simple; and the said party of the FIRST
PART the said bargained property above described unto the said party of the SECOND PART, its successors
and assigns, against the said party of the FIRST PART, successors and assigns, and against all and every
other person or persons, shall and will and do hereby warrant and forever defend by virtue of these presents.

IN WITNESS WHEREOF, the said party of the FIRST PART, has hereunto set his hand, affixed
his seal, and delivered these presents, the day and year first above written.

Signed, sealed and delivered:
in the presence of:

GEORGIA, SPALDING COUNTY
CITY OF GRIFFIN

(Witness)

By: *Car H. Smith*

Attest: *Carlette Smith*

Patty O. Borowski
Notary Public,
Notary Public, Spalding County, Georgia
My Commission Expires July 11, 2005



02342
00183

Paid \$ 514.03
Date 8-14-03
Myrtle F. Peoples
Clerk of Superior Court, Spalding Co., Ga.

BOOK 2342 PAGE 183

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA.

MULLINS, WHALEN & WESTBURN
P. O. Box 133
GRIFFIN, GEORGIA 30224

03 AUG 14 AM 9 01

BY B. B.
MYRTLE F. PEOPLES, CLERK

(Warranty Deed)

STATE OF GEORGIA SPALDING COUNTY

THIS INDENTURE, made the 13th day of August, in the year of our Lord, Two
Thousand Three, between

MATH FIELDS, INC.

of the County of Spalding, and State of Georgia, of the FIRST PART, and

CITY OF GRIFFIN

of the County of Spalding, and State of Georgia, of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of the
sum of ONE (\$1.00) DOLLAR AND EXCHANGE OF PROPERTY
in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby
acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents, does
grant, bargain, sell, alien, convey and confirm unto the said party of the SECOND PART, heirs and assigns,
all the following described property, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 6 of the Third Land District of
originally Henry, now Spalding County, Georgia, and shown and designated as Tract "C",
containing 4.27 Acres, on plat of survey entitled "Property Survey for Bobby Dunn", dated
October 2, 2001, prepared by G. Tim Conkle, Registered Land Surveyor, a copy of which said
plat is recorded in Plat Book 24, page 460, in the Office of Clerk of Superior Court of
Spalding County, Georgia, which said plat, together with the metes, bounds, courses and
distances as shown thereon, is incorporated herein and made a part of this description

TOGETHER with an egress-ingress, perpetual, non-exclusive easement across the existing drive,
as shown on said plat of survey, to the north property line of Tract "A" as shown on said survey;
then said easement runs 30 feet in width in a westerly direction contiguous with the north
boundary of said Tract "A" a distance of 631.18 feet, more or less, to the east boundary of said
Tract "C".

TO HAVE AND TO HOLD the said above granted and described property, with all and singular the
rights, members, appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said
party of the SECOND PART, its successors and assigns, in fee simple; and the said party of the FIRST
PART the said bargained property above described unto the said party of the SECOND PART, its successors
and assigns, against the said party of the FIRST PART, successors and assigns, and against all and every
other person or persons, shall and will and do hereby warrant and forever defend by virtue of these presents.

IN WITNESS WHEREOF, the said party of the FIRST PART, has hereunto set his hand, affixed
his seal, and delivered these presents, the day and year first above written.

Signed, sealed and delivered:
in the presence of:

MATH FIELDS, INC.

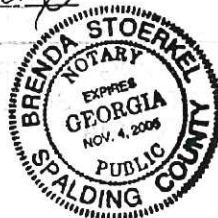
(SEAL)

Richard Mullins
(Witness)

By: Bobby Dunn

Brenda Stoerkel
Notary Public,

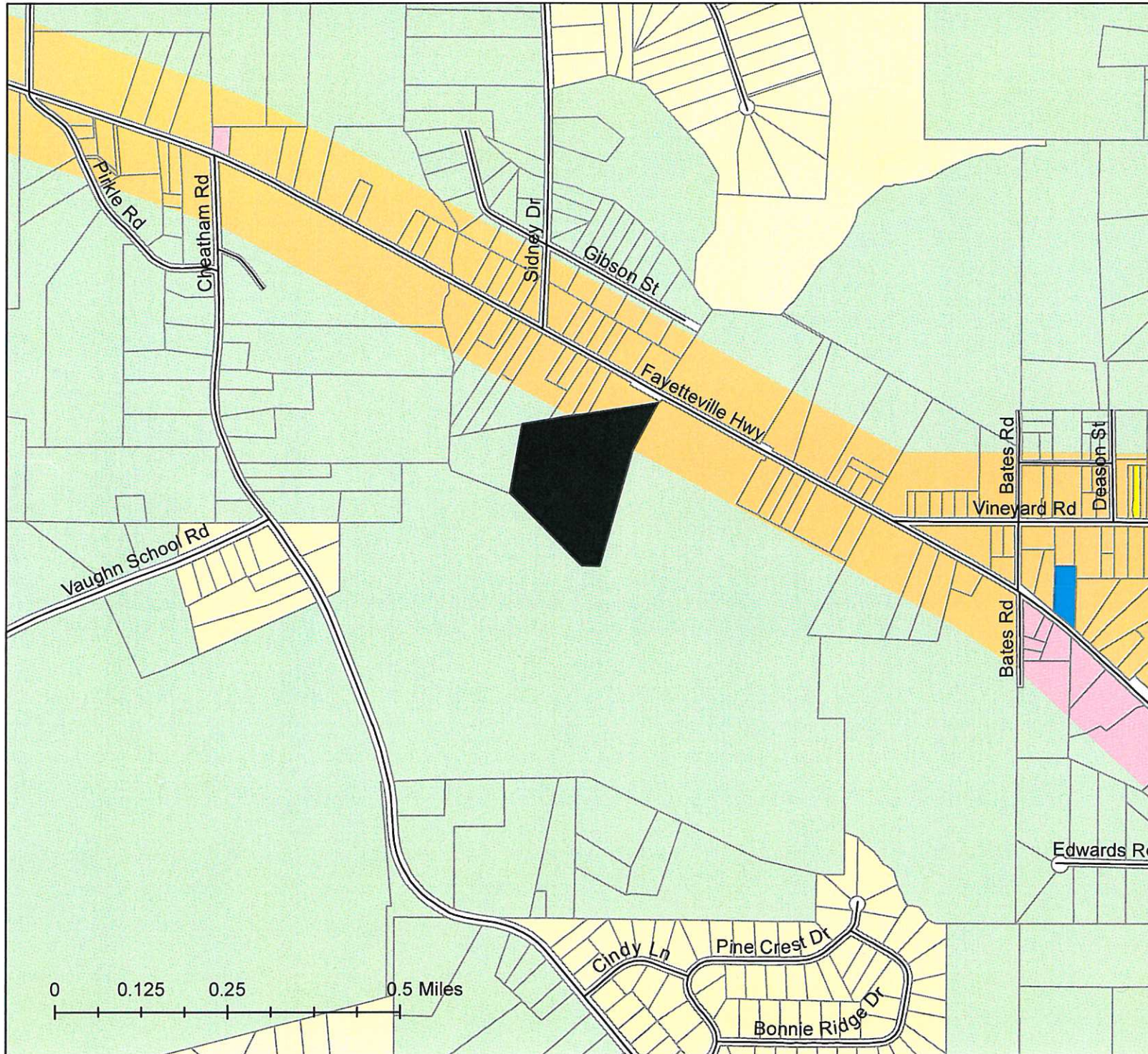
Attest: _____



Metes and Bounds Description of the Subject Parcel

BEGINNING at a point on the southerly 100' GA Power Company Easement at a 2" metal survey marker (metal pipe) located on the west side of the gate entering the property from GA State Route no.92 and proceeding thence from said survey marker North 80° 35'33" East a distance of 421.10 feet to a point; thence Westerly from the right of way of State Route 92, South 27° 15'48" West a distance of 386.99' to a point; thence South 15° 49'56" West a distance of 934.47' to a point; thence South 90° 00'00" West a distance of 132.69' to a point; thence North 45° 20'55" West a distance of 780.00 feet to a point; thence North 09° 24'05" East a distance of 518.19 feet to a point; thence Southerly of the powerline easement North 78° 27'03" East a distance of 392.22 feet to a point; thence North 85° 48'47" East a distance of 118.53'; thence North 76° 44'52" East a distance of 120.43' to a point and the POINT OF BEGINNING.

#17-04Z Dunn/Scott

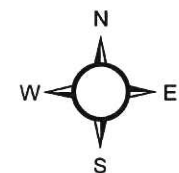


Zoning	
	PDD
	AAR
	AR1
	AR2
	C1
	C1A
	C1B
	C1C
	C2
	C3
	OI
	PRRRD
	R1
	R2
	R2A
	R4
	R5
	R6
	VN

Approximate size
of an Acre.



1 inch = 1,053.64 feet



Map # 261-01-005

Spalding County GIS
(770) 467-4220
cjacobs@spaldingcounty.com

0 0.125 0.25 0.5 Miles

SPALDING COUNTY PLANNING COMMISSION

DATE: May 30, 2017

TO: Spalding County Planning Commission
Spalding County Board Of
Commissioners

FROM: Department of Community Development

RE: Rezoning Application #17-04Z
Total acreage: 19.5+
R-2, AR-1 and C-1A to C-1

The following report constitutes the assessment and evaluation by the Community Development Department staff on the above referenced rezoning application.

Identification of the Property

Size and Location:

The application requests rezoning on a total of 19.5 acres, more or less, located at 3616 Fayetteville Road.

District and Land Lots:

The property is located in Land Lot 6 of the 3rd Land District.

Current Owner(s):

The property is owned by Terry Dunn by virtue of Deed recorded July 5, 2016 in Deed Book 4070, Page 158, Office of the Clerk of the Superior Court, Spalding County, Georgia.

Agent/Developer

Alex Scott
109 Cedar Point
Peachtree City, Georgia 30269

Overview of Development:

The applicant is requesting approval from Spalding County to allow the rezoning of 19.5 acres +/- out of the total from R-2, AR-1 and C-1A to C-1, Highway Commercial. The applicant

proposes to develop the property as an indoor shooting range utilizing an existing 6,000 square foot building which will serve as a support area and training area. A second 6,000 square foot building is proposed to be constructed on the property which will house the indoor range. Per the application, the indoor range will be constructed pursuant to the NRA range source book guidelines. The applicant indicates the range will not be a public facility and for training purposes only.

It must be noted the applicant did provide the following statement within the documentation provided, "Our company reserves the right to change or alter any range facilities [sic] it the interest of safety as it sees fit as long as the changes comply with county code. This is a basic business plan and is subject to change or modification. Based on needs of the business additional facilities may be constructed in the future and will be done in compliance with county code."

Current Area Development

Current Zoning/Authorized Development:

The property proposed to be rezoned is currently split zoned R-2, Single Family Residential, AR-1, Agricultural Residential and C-1A Neighborhood Commercial with the condition of "restaurant only".

The property as currently zoned could be used agriculturally within the AR-1 portion which represents the majority of the property. Due to the absence of road frontage, subdivision of the property for additional residential development would be difficult. The property does have an access easement agreement.

The existing building can be used as a restaurant as conditioned by the C-1A zoning.

Existing Use:

The property is developed. Per the applicant, the subject property has been vacant over one year.

Requested Zoning and Development Intent:

The applicant requests rezoning to C-1, Highway Commercial to develop an indoor shooting range facility. Indoor shooting ranges are only allowed with the approval of a special exception pursuant to Section 1203(B)(7). The applicant has submitted a special exception request.

The Spalding County Unified Development Ordinance defines indoor shooting ranges as *Shooting range, indoor*: an indoor facility for the safe shooting of firearms that complies with the technical and operational standards of The 2012 National Rifle Association ("NRA") Range Source Book, regardless of whether the facility is open to the general public or open only to private membership.

Successful rezoning of the property would be a spot zoning.

Land Use Plan:

Pursuant to the "Spalding County Comprehensive Plan, 2004-2024," as revised in 2009, the request is inconsistent with the plan and associated Future Land Use Map classification of agricultural.

The applicant has filed a request to amend the Future Land Use Map to commercial.

Schools:

As the proposal is for a Commercial use, there will be no negative impact to the schools in the form of additional students.

Compliance with Zoning Ordinance Development Standards:

C-1 Development Standards:

Minimum Heated Floor Area for Buildings: 1,000 square feet.

Minimum lot area:

1. Unsewered Areas: As specified by the Spalding County Health Department.

2. Sewered Areas: None.

Minimum lot width: 75 feet.

Minimum frontage width: 75 feet.

Minimum frontage width shall be reduced to 50 feet for lots abutting the turnaround portion of dead end streets (cul-de-sacs).

Setbacks:

front: 15 feet

side: 15 feet

rear: 30 feet

Utilities & Infrastructure:

Transportation:

The Trip Generation, 7th Edition from the Institute of Transportation Engineers does not have data for the proposed use.

Water:

The site is accessible to County water. (Source: Spalding County Water Authority)

Sewerage:

The site is not accessible to sanitary sewer service provided by the City of Griffin.

Wetlands/Watershed Area:

No portion of this site within a flood zone. (Source: FEMA Map, Panel #13255C-0065 D, effective May 3, 2010)

This site is located within the Heads Creek Watershed boundary, as indicated by the S-2 Watershed Overlay Map.

This site is not within any recharge areas indicated on the S-3 Ground Water Recharge Overlay Map.

Criteria when considering a Rezoning Application

The following items are listed in the Spalding County Zoning Ordinance (a/k/a UDO) as criteria to consider for rezoning applications:

1. The existing uses and zoning of nearby properties.
The property is surrounded by rural and residential uses on all sides. These areas are zoned R-2, Single Family Residential and AR-1, Agricultural Residential to both the east and west of the property. To the south is the Heads Creek reservoir which is zoned AR-1.
2. The suitability of the property for the proposed purpose.
Per the "Spalding County Comprehensive Plan, 2004-2024," as revised in 2009, the plan indicates that this property should be used as "Agricultural". The request as proposed is inconsistent with the Future Land Use Map for this property.
3. The length of time the property has been vacant.
Per the applicant the subject property has been vacant for over one year.
4. The threat to the public health, safety, and welfare, if rezoned.
There could be a slight increase in threat to public health, safety, and welfare due to the rezoning of the subject property given the nature of the proposal if not properly operated. Consideration should also be given to the ingress and egress of the property.
5. The extent to which the value of the property is diminished by the present zoning.
Staff is not aware of any diminishing effects of the present zoning on the subject property.
6. The balance between the hardship on the property owner and the benefit to the public in not rezoning.
The property owner under present zoning cannot develop the indoor range without the commercial zoning.

Photo(s)



View of the subject property on site at the gate.



View of subject property from 92 Highway at driveway.



View from driveway looking east.



View from driveway looking west.

Staff Recommendations:

Staff recommends **DENIAL** of the request to amend the zoning of this property for the following reasons:

- a. The request is inconsistent with the Spalding County Comprehensive Plan and the associated Future Land Use Map.
- b. The request is a spot zoning.

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
May 30, 2017

The Spalding County Planning Commission held its regular monthly meeting on May 30, 2017 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: John Youmans, Chair, presiding; Bruce Ballard; Walter Cox; Sonny Eubanks; and Frank Harris.

Also present were: Chad Jacobs, Community Development Director; Steven Jones, Zoning Attorney; and Yvonne Langford to record the minutes.

Mr. Youmans called the meeting to order, introduced the members of the Planning Commission and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

MOTION

Mr. Cox made a motion to discuss Application's #FLUMA-17-02 & #17-03Z and #FLUMA-17-03 & #17-04Z together and vote on them separately. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Application #FLUMA-17-02: Robert M. Goldberg has requested a future land use map change from Low-Density Residential to Commercial for the following: 2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District).

Application #17-03Z: Robert M. Goldberg, Owner -2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District) – requesting a rezoning from AR-1 Agricultural and Residential to O & I Office and Institutional.

Robert Goldberg – 225 Broadmoor Drive – Fayetteville, GA.

Mr. Goldberg said he formerly lived at 2693 Williamson Road. He previously rented space from a local attorney for his law practice. His practice had done well and he had raised his family at the 2693 Williamson Road house. Approximately four years ago, he moved his home to Fayetteville. While he was living at the Williamson Road address, he had been advised what he needed to do in order to use the house for his business. He failed to follow those directions and operated his law practice from there. Last year Mr. Jacobs visited with him and that is the reason for this application. He does not feel the use of the property for his law practice is incompatible with low-density use. When he lived at the address, there were more people coming and going than there are now. He does not feel he is having a negative impact on the neighbors. The neighbors feel this could turn into something other than a law practice. He requested approval of his application with conditions that nothing other than a law practice be allowed. He feels the conditions would satisfy the neighbors.

Alan McCallum – 2831 Williamson Road

Mr. McCallum said he lives on the other side of Mr. Goldberg. He likes Mr. Goldberg. He is a good person. This request is about rezoning. The zoning does not go with the person. It goes with the land. There is a vacant lot adjacent to Mr. Goldberg's home that could be used for other commercial uses and a request could be made to rezone that for other commercial uses. This is, in essence, spot zoning. There is nothing else out there like this. If this is approved, you are

opening the door for other requests. If this is approved, Mr. Goldberg could sell this tomorrow and the zoning would be with the property. You are setting a precedent for the entire county.

Kim Stone – 2715 Williamson Road

Mr. Stone said he moved to this area about two years ago. They looked for a long time for property. They were looking for a little space with no commercial aspects. Now they are looking at a potential conversion to commercial property. He is looking at life changes and he does not want to look at the backside of a building with dumpsters. He wants to look at nature. He is against this change to commercial.

Mr. Jacobs said this request is to go from residential to commercial. The area around is planned as a Village Node. The County is in the process of updating their Future Land Use Map. The way the County is targeting strategic intersections in terms of providing service areas for commercial uses and medical and office type uses is probably still going to be the strategy that will be followed with next planning update. Considering this application, the staff has concerns regarding the land use patterns developing. They want to avoid some of the negative aspects of Highway 19-41. The staff recommendation is for denial of the changes to the Land Use Map. They further recommend denial of the rezoning. This would essentially be spot zoning. This cannot be considered for a home occupation because it is not Mr. Goldberg's place of residence. It is being used exclusively for an office.

MOTION

Mr. Eubanks made a motion to deny Application #FLUMA-17-02. The motion passed on a second by Mr. Cox with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-03Z.

Application #FLUMA-17-03: Alex Scott has requested a future land use map change from Agriculture to Commercial for the following: 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District).

Application #17-04Z: Terry Dunn, Owner – Alex Scott, Agent – 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) requesting a rezoning from AR-1 Commercial to C-1 Highway Commercial.

Alex Scott – 109 Cedar Point – Peachtree City

Mr. Scott said he was the applicant. He introduced Mr. Wayne Smith who was to provide the information regarding this application.

Wayne Smith – 428 Constitution Circle – Peachtree City

Mr. Smith said he has been with the GBI for 31 years. He is also a professional firearms trainer and has been for 22 years. They want to present what they want to do. They want to be open and honest and follow the County process for this application. They are concerned about the controversy in the County over a current shooting range. They are concerned they will be “painted with the same brush”. There is nothing similar about what they want to do. They want to operate a school which is what they have done professionally for a long time. It is a place for teaching a class and then helping them learn how to use firearms properly. They want to open this to the public. The property is currently under three different type zonings. The facility,

since the 80's, has been used as a "public type" facility. He reviewed the different uses of the property over the years. It has been used by the public where people come and go. They intend to use it as it has been used in the past as far as public access is concerned. This will not be a traditional range. The use will be enclosed and nothing used in the process will leave the building. It is done with ballistic abatement and sound abatement. They will be following the NRA recommendations. They welcome any conditions and provisions. They have plans for a future addition to the facilities. They work mostly with handguns.

Terry Dunn – 208 Sylvan Lane

Mr. Dunn said he is the owner of this property. He gave a history of his family and this property over the years. His family has owned this property since 1938. He requested approval for this use of the property. They intend to be good neighbors and will address any concerns the neighbors have.

Steven Walker – 470 Denton Circle – Fayetteville, Georgia.

Mr. Walker said he is in favor of this application. This will be a benefit to the area and the entire south side. It is hard to get this type training and it is becoming more popular. It will be a disservice to deny this because we need people trained to understand the use of what is involved with guns. He understands people are upset with the other gun range. This is not a comparison for the same thing. The other is an outdoor range that has different limitations and this is an indoor facility serviced by professional people that know and understand the industry. He asked approval for the application.

Faith Wallace – 3672 Fayetteville Road

Ms. Wallace said she has 4.96 acres adjacent to this property. Formerly, this property has been used for bands and parties. The bands were too loud and too noisy. She and her neighbors had to call the police to stop the noise. She does not know how this will affect the noise problem. Adjacent to this property is Mr. Rebholz whose right-of-way has to be used to access this property since they have no road frontage. People think this is an out of door shooting range already. She was out on her property and there was a gun shot that "scared her to death". She has health issues. The neighbor that shot their gun was a young man in his teens. She does not know how much time she has left but she would like to live it in peace and quiet. She is very much opposed to this application. If this is approved, she plans to return with a petition from her neighbors.

Mr. Jacobs said this application from the staff level is entirely different than the one they are dealing with at another location. In door shooting ranges are now included in the UDO as a special exception in some zoning districts. This particular application has a lot of the concerns that are similar to the previous request. He discussed the zoning for the area around this property. The area is planned overwhelmingly as agricultural type uses. There a commercial corridor along Highway 92. A portion of the property was zoned C-1A conditioned for use as a restaurant only. This is a difficult tract. In review of the zoning application, the staff recommendation is for denial. The Future Land Use Map is predominantly agricultural and this will be spot zoning. The applicant has also applied for a Special Exception with regard to this property that will be considered at the next Appeals Board meeting.

Discussion was held between the applicant, the members of the Planning Commission, and those in attendance in opposition to the application.

MOTION

Mr. Cox made a motion to deny Application #FLUMA-17-03. The motion passed on a second by Mr. Harris with Mr. Ballard, Mr. Cox, Mr. Harris and Mr. Youmans voting for the motion and Mr. Eubanks voting against.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-04Z.

Amendment to UDO #A-17-03: Article 2. Definitions of Terms Used – Section 202 KKK’ – add definitions of Street or Road, Cul-de-sac; Article 4. General Procedures – Section 413:E & Section 414:D – amend required public notice signage requirement.

Mr. Jacobs said this amendment is in response to the discussion by the Planning Commission regarding expanding the public notice signage requirements. The staff recommendation is for denial. He does not want it to appear that he is advocating for no notice. He feel they already go above and beyond what the code requires. No matter how far you go sending the letters there is always going to be the next person out of the ring that is not going to get a notice.

Mr. Youmans said he advocated the need for the additional signage. He is a property owner and pays taxes in Spalding County. The situation for him is that it would have taken one more sign to accomplish the notice regarding the need for this change. His take on this is that you are not willing to consider the property owners by putting up another sign.

Mr. Jacobs said it is one more sign today and then another and another; it is going to get expensive.

Mr. Ballard said a cul-de-sac is easy but what happens when you have additional roads and then you have four other roads that need signs. Sometimes things work well for years and he does not see the need for a lot of changes.

Mr. Cox said he does not see the need to add to the workload of the staff even in a minor way.

Mr. Youmans said there were a lot of the neighbors that did not know what was going on regarding that application

Mr. Cox said there were a lot of the neighbors that attended the meeting and spoke in favor of the application.

Mr. Jacobs said he feels there is a valid concern regarding getting information to the public. He is not certain that a sign is the way to solve that issue. They have to advertise in the “legal organ” which is the *Griffin Daily News*. Fewer people are subscribing to the newspaper. Is there a better way than that, in the age of social media, to get information to the public? He does not feel the sign is going to be the “fix”.

MOTION

Mr. Ballard made a motion to deny Amendment to UDO #A-17-03. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, and Mr. Harris voting for the motion and Mr. Youmans voting against.

Amendment to UDO #A-17-04: Article 5. AR-1 Agricultural and Residential – Section 503:A & B – amend use of riding academies and other facilities which host equestrian events, and Article 6. AR-2 Rural Reserve – Section 603:A & B – amend use of equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian events.

Mr. Jacobs said this is an issue with respect to equestrian farms and rodeo and horse show events. They were requested by the Commissioners to address the issue. The recommendation is for approval.

MOTION

Mr. Cox made a motion to approve Amendment to UDO #A-17-04. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

MINUTES

Mr. Cox made a motion to approve the minutes of the April 25, 2017 meeting. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Discussion was held regarding future applications that are anticipated and the review of the Future Land Use Map. They have had good responses regarding the Future Land Use Map. Most are similar to the ones received the last time this was reviewed. They will have an open house in the near future.

Mr. Jacobs said he feels a review if the overlay district is warranted. It is a little cumbersome to develop anything within the overlay district. He does not want to relax restrictions to the point that it becomes a lot of the same. Maybe it would be possible to work to make it a little easier to develop something within the overlay district provided you are follow the design criteria.

ADJOURN

The meeting was adjourned on a motion by Mr. Cox and a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

John Youmans – Chair

Yvonne M. Langford - Recorder



SPALDING COUNTY BOARD OF COMMISSIONERS Application #17-04S

Requesting Agency

Office of Community Development

Requested Action

Application #17-04S: Terry Dunn, Owner - Alex Scott, Agent - 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) - requesting a Special Exception to allow indoor gun range in the C-1 District.

Requirement for Board Action

Section 413.

Is this Item Goal Related?

No

Summary and Background

The applicant is requesting special exception approval from Spalding County to allow the development of the property as an indoor shooting range utilizing an existing 6,000 square foot building which will serve as a support area and training area. A second 6,000 square foot building is proposed to be constructed on the property which will house the indoor range. Per the application, the indoor range will be constructed pursuant to the NRA range source book guidelines. The applicant indicates the range will not be a public facility and for training purposes only.

It must be noted the applicant did provide the following statement within the documentation provided, "Our company reserves the right to change or alter any range facilities (sic) in the interest of safety as it sees fit as long as the changes comply within county code. This is a basic business plan and is subject to change or modification. Based on needs of the business additional facilities may be constructed in the future and will be done in compliance with county code."

The applicant has made application to both amend the Future Land Use Map to commercial and rezone the property to C-1, Highway Commercial.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

DENIAL

**BOARD OF APPEALS RECOMMENDS:
DENIAL (3-1)**

ATTACHMENTS:

Description	Upload Date	Type
☐ Application #17-04S	6/5/2017	Backup Material
☐ BOA 06-08-17 After Agenda	6/9/2017	Backup Material

Last

SPALDING COUNTY
REQUEST FOR SPECIAL EXCEPTION
APPLICATION

NO. 17-045

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: Alex Scott

Address: 109 Cedar Point

City: Peachtree City

State: GA Zip: 30269

Phone: 678-274-8030

Contact Person: Alex Scott

PROPERTY OWNER INFORMATION

Name: Terry Dunn

Address: 208 Sylvan Lane
3616 Fayetteville Rd

City: GRIFFIN

State: GA Zip: 30223 30224

Phone: (770) 584-0371

Phone: _____

APPLICANT IS THE:

_____ Owner's Agent _____ Property Owner / Developer

Present Zoning District(s): AR-1, R-2, C-1

Land District(s): 3rd Land Lot(s): 6 Acreage: 19.49 19.5

Address of Property: 3616 Fayetteville Rd Griffin, GA

Identify the use for which you seek a Special Exception and cite the section of the Spalding County Zoning Ordinance which provides that the Special Exception may be granted:

I wish to build an Indoor gun Range
and Training center. This special exception is
available Text Amendment # A-17-01, an amendment
to the Zoning Ordinance of Spalding County.

OTHER REQUIRED INFORMATION


Attach a statement describing the Special Exception and the reason you are requesting this Special Exception.

Attach 1 copy (11 x 17) of plat prepared by a Registered Land Surveyor and drawn to scale showing lot lines and location of existing structures and location of proposed structures.


Some developments (i.e. subdivisions, Church's, etc.) may require a 24 x 36 copy of the plat.

Please attach a deed, certified by the Clerk of Court, which includes a metes and bounds description of the property proposed.

Signature(s):


Agent/Developer

4/24/17
Date


Property Owner

4/24/17
Date

OFFICE USE ONLY

Date Received: 4-25-17

Amount of Fee: \$300⁰⁰

Received By: C. Smith

Receipt Number: 15019A

SPECIAL EXCEPTION APPLICANT'S RESPONSE

Pursuant to Section 413 of the Zoning Ordinance, the Board of Commissioners of Spalding County finds that the following standards are relevant in granting a Special Exception.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A) Whether granting a Special Exception would be detrimental to the use of development of adjacent properties or the general neighborhood: The Special Exception

For An Indoor Gun Range will not be detrimental to the neighborhood

(B) Whether granting a Special Exception would adversely affect the health or safety of residents or workers: The Special Exception will not have

a negative health or safety effect

(C) Whether granting a Special Exception would have depreciating effects and damages to the neighboring properties that are greater than the benefits or need for the Special Exception: _____

NO it will not.

(D) Whether granting a Special Exception would adversely affect existing uses: There

are currently no existing uses of the property

(E) Whether the subject property is sufficient in size to satisfy the space requirements for the use: The subject property is sufficient. An

additional building will need to be built.

(F) Whether granting a Special Exception will meet the requirements of the Spalding County Ordinance: Granting the Special Exception will meet

the new Spalding Co ordinance for an Indoor Gun Range

OFFICE USE ONLY

Date Received: 4-25-17

Received By: C. Goul

SPECIAL EXCEPTION
PAGE 4

**PROPERTY OWNER'S CERTIFICATION OF
OWNERSHIP AND ZONING COMPLIANCE**

Certification is hereby made that the undersigned own(s) at least fifty-one (51) percent of the subject property.

The undersigned certifies that the subject property is presently in compliance with the current Zoning Ordinance for Spalding County, Georgia. The undersigned is aware that an application for a Rezoning, Variance, or Special Exception will not be received unless the subject property is in compliance with the Zoning Ordinance.

The undersigned certify that the agent, if different from the owner, is authorized to file this application.

TERRY DUNN
Print Name of Owner(s)

Alex Scott
Print Name of Agent, If Not Same as Owner

Terry Dunn 4/21/17
Signature of Owner(s) Date
or Signature of Authorized Officer or Agent
(if applicable)

Alex Scott
Signature of Agent

Title of Authorized Officer or Agent (if applicable)

Claire E Petree
Signature of Notary Public

--Notary Seal--



4-21-17
Date

OFFICE USE ONLY

Date Received: _____

Received By: _____

SITE PLAN REQUIREMENTS FOR SPECIAL EXCEPTION

Section 416: Special Exception.

A site plan meeting the requirements of Section 416 of this Ordinance shall be submitted with any application for a special exception which shall require a building permit for the purpose of commencing construction on a new structure on the property which is the subject of the special exception application; provided however, that any site plan for a special exception for a certified hardship allowed in Sections 503(D)(2-3), 603(D)(2-3), 703(D)(3-4), 803(D)(3-4), 803A(D)(3-4), 1003(D)(3-4), 1103(D)(3-4) and 1103A(D)(3-4) shall not be required to comply with the provisions of subparts (g), (i), (j), (k), (o) and (p) of Section 416.

- A. Vicinity map;
- B. Correct scale;
- C. The proposed land use and building outline as it would appear should the rezoning be approved;
- D. The present zoning classification of all adjacent property;
- E. The building outline and maximum proposed height of all buildings;
- F. The proposed location of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement;
- G. The location of all required off street parking and loading areas;
- H. Required yard setbacks appropriately dimensioned;
- I. The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation, if required;
- J. Topography at twenty (20) foot contour intervals;
- K. Location and elevation of the 100 year flood plain on the property which is the subject of the proposed zoning;
- L. Delineation and dimensions of the boundary of the proposed district;
- M. Date, north arrow and datum;
- N. Location and acreage of all major utility easements greater than twenty (20) feet in width;
- O. Approximate location (outline), height, and use of all other proposed drives, parking areas, buildings, structures and other improvements;
- P. For all property for which ingress and egress must be obtained by access from a road within the state highway system, a permit from the Georgia Department of Transportation for access to the state highway system.

Spalding County Fee Schedule:

Appeal from Action of Administrative Officer: \$ 200.00

Variance: \$ 200.00

Special Exception: \$ 300.00

Multiple Parcel Rezoning: Multiple parcel rezoning of contiguous tracts will be allowed so long as all tracts are to be rezoned to the same zoning classification. All applicants owning property which is subject to the application are deemed to consent to rezoning of their property and to rezoning of any and all other tracts included within the Application. The following fees shall apply to multiple parcel rezoning applications:
(#A-99-08 – 09/07/99; #A-00-11 - 07/17/00)

A. Parcel 1 - \$500.00

B. Parcel 2-5 - \$100.00 each, in addition to the fees stated in A; and

C. Parcels 6+ - \$50.00 each, in addition to the fees stated in A and B.

Index

Section 1 - Project Overview

Section 2 - Site Plan

- Site Plan legend
- Site plan map

Section 3 - Attachments

- Spalding County Plat
- Vicinity / Zoning map
- Topography map
- Flood plain map

Section 4 - Property Deed

Project Overview

Our company will operate a firearms training facility that will focus on firearm safety and personal protection skills. Our primary focus will be private citizens that have an interest on improving these skills. As a component to the business, we will also be offering the facility to be utilized by local law enforcement as an additional training facility to meet their growing training needs.

The business will operate under the guidelines set forth by the National Rifle Association (NRA) and the Georgia Police Officers Standards and Training Council (POST). The NRA is a national organization that establishes the "best practices" and what is considered the gold standard on civilian firearms safety, range safety and range design. We will utilize the NRA's Range Source Book, a technical source book for shooting range builders and operators, when designing this facility (Figure 1). Georgia POST is the agency that trains and certifies peace officers in Georgia. POST's Certified Firearms Instructor Program requires certified peace officers to demonstrate advanced firearm skills as well as attend a multi-week training class focusing on weapons safety, range safety, range operations and instruction skills. In the class each instructor must successfully demonstrate their ability to safely run a range.

Our business will be owned by current and retired POST certified police officers. The instructors are POST certified general instructors as well as firearms instructors. Collectively, the owners of our business have over 80 years firearms experience and have trained thousands of students. Some of the owners have operated as the Firearms Program Coordinators for their respective state and county agencies. One of the respective owners has also designed and implemented firearms training programs in multiple countries to include Afghanistan and Guatemala. The owners have the ability and knowledge to exceed POST and NRA's stringent safety standards.

Unlike many ranges in the surrounding area, our business is not a range open to the public or a gun club and you cannot rent a lane or range time. The training facility will only be open when a class is scheduled. Class scheduling will be done via our website and limited to approximately 15 students. Our business will not operate as a storefront business nor will we maintain regular business hours. All of our training will be conducted during daylight hours as defined by the NRA from 7am to 7pm. These classes may be scheduled Monday thru Sunday and the frequency of these classes will be dictated by the need and market demand. No one will be allowed at the facility unless they are a registered student or government agency with staff present.

In the classes offered, live fire or firearms usage is a very small part of the class. The majority of the class will consist of classroom instruction. The classroom instruction will focus on firearms safety, legal responsibility and mechanics of the skills to be learned (Figure 2). Students will also utilize Simunitions or Airsoft weapons to further enhance skills. The Simunitions is a reduced-energy, non-lethal cartridge that leaves a detergent based marking compound (Figure 3). Airsoft is a CO2 powered system that fires a small plastic ball (Figure 4). Both systems allow students to safely participate in skill enhancement exercises without endangering other students, staff or themselves. All training, to include live fire exercises, will be conducted indoors at the facilities' indoor main building or indoor live fire range building (Figures 5 & 6)

The training facility will be located on the "Math Fields" property located at 3616 Fayetteville Rd. in Spalding County, Georgia. The property is approximately 20 acres of primarily cleared land. It is accessed by a deeded driveway easement from Fayetteville Rd. The property currently consist of three buildings: a main building, a shop building and a mobile home.

The actual training facility will consist of the main building and a proposed range building. The shop building will continue to be a shop. The mobile home is currently rented and will not be part of the training facility.

The main building, approximately 6000 sq ft, will consist of two parts: the support area and a training area. The support area will consist of classrooms, two restrooms, break area, storage rooms, office area and additional support or utility rooms. This portion of the facility will be located in the present building currently acting as an event center. This area will be climate controlled and be equipped for student and staff safety and comfort.

The training area of the main building will be located in the center of the structure. It will be constructed in accordance with the NRA Range Source Book section 3.03. This area will not be climate

controlled. This area will be ventilated by a Total Air Exhaust System in accordance with the NRA Range Source Book section 3.11.3.

The proposed Range building will be 120 feet in length and 50 feet wide. The roof will be peaked at 12 feet high. It will be constructed of a steel frame and be metal sided, approximately 6000 sq ft in size. It will be constructed in accordance with the NRA Range Source Book section 3.03. This area will not be climate controlled but will be ventilated by a Total Air Exhaust System in accordance with the NRA Range Source Book section 3.11.3. This building will match the existing buildings in construction and appearance. This proposed building will be landscaped to match the current appearance of the property.

All facilities in which training will be conducted will contain NRA sound abatement measures. The purpose of these measures is to restrict and reduce decibel levels both inside and outside of the facility.

Ballistic containment also known as a bullet trap is a significant issue in an indoor range. One must consider the environmental impact, operational, and safety requirements of the firing range. Lead management, noise abatement and shooter safety are the primary concerns. Lead dust is created when a projectile strikes a solid surface and fragments. This lead dust then can build up inside of the range area creating a hazard. There are two ways to eliminate this hazard.

First, our business will utilize a rubber bullet trap (Figure 7). This trap safely stops and captures projectiles intact with virtually no lead dust or bullet fragmentation. The rubber bullet trap is an environmentally-friendly bullet containment system that utilizes a thick layer of granulated recycled rubber. When a bullet strikes the trap, the rubber material absorbs the energy and decelerates and captures it in the rubber media. This process creates no lead dust and eliminates the noise that is generated from bullets impacting a steel bullet trap. This is beneficial in lowering the noise level in the range and reducing airborne lead contaminants. When the trap is full, the lead is removed and recycled. This combined with the range being constructed in accordance with the NRA Range Source Book section 3.03 will create ballistic safe environment (Figure 8).

Secondly, this range will utilize a Total Air Exhaust ventilation system in accordance with the NRA Range Source Book section 3.11.3. This system will pull in fresh air into the range building at one end, move across the building and exhaust it out the other end. This air current will move any residual lead out of the building. Prior to the air being exhausted from the building it will be filtered to comply with NRA Range Source Book section 4.01 and OSHA 29 CFR1910.1025.

Our company reserves the right to change or alter any range facilities if the interest of safety as it sees fit as long as the changes comply with county code. This is a basic business plan and is subject to change or modification. Based on needs of the business additional facilities may be constructed in the future and will be done in compliance with county code.

Figure 1

NRA Range Book

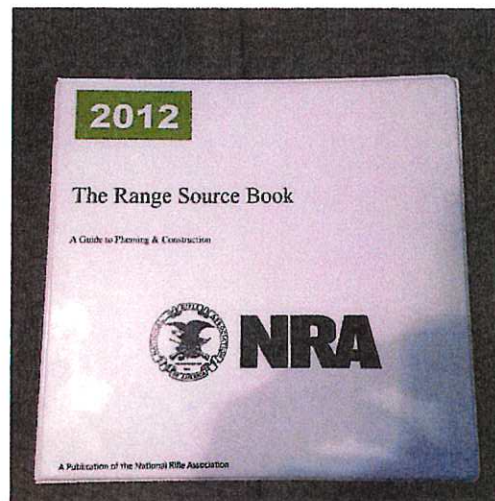


Figure 2

Classroom instruction



Figure 3

Simunition and marking rounds

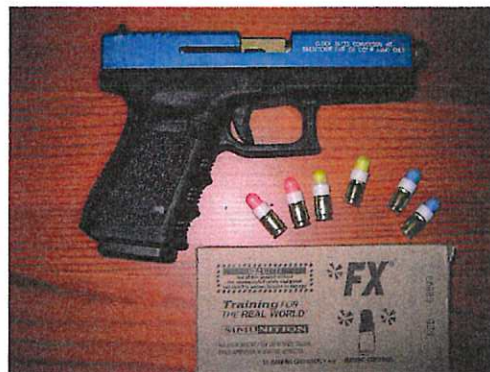


Figure 4

Airsoft pistol and projectiles



Figure 5

Live fire on an indoor range



Figure 6

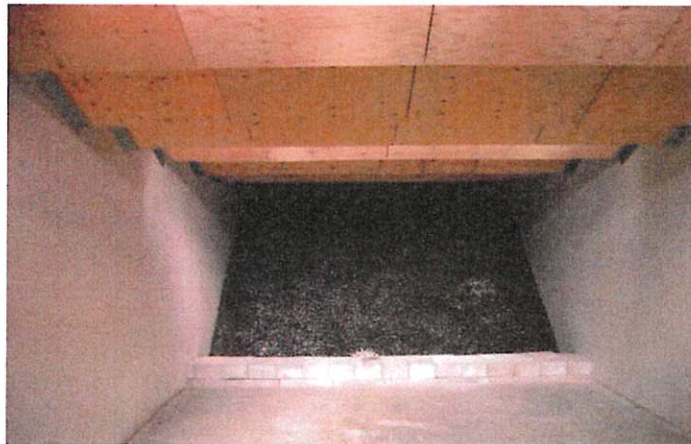
Instruction on an indoor range



Figure 7
Rubber bullet trap



Figure 8
Indoor range



SITE PLAN

LEGEND

B -

The proposed Range building will be 120 feet in length and 50 feet wide. The roof will be peaked at 12 feet high. It will be constructed of a steel frame and be metal sided, approximately 6000 sq ft in size. It will be constructed in accordance with the NRA Range Source Book section 3.03. This area will not be climate controlled but will be ventilated by a Total Air Exhaust System in accordance with the NRA Range Source Book section 3.11.3. This building will match the existing buildings in construction and appearance. This proposed building will be landscaped to match the current appearance of the property. The proposed building will contain NRA sound abatement measures. The purpose of these measures is to restrict and reduce decibel levels both inside and outside of the facility.

P -

Asphalt paved and marked parking lot that will accommodate approximately 50 vehicles for off street parking. The lot is ADA compliant.



Indicates the direction of traffic flow.

ATTACHMENTS

A1 -

Spalding County Plat. Defines lot line and dimensions and utility easements.

A2 -

Vicinity map that shows present zoning classifications for all adjacent properties.

A3 -

Topography map with 20 foot intervals (USGS Quad Sheet).

A4 -

100 year flood plain map.

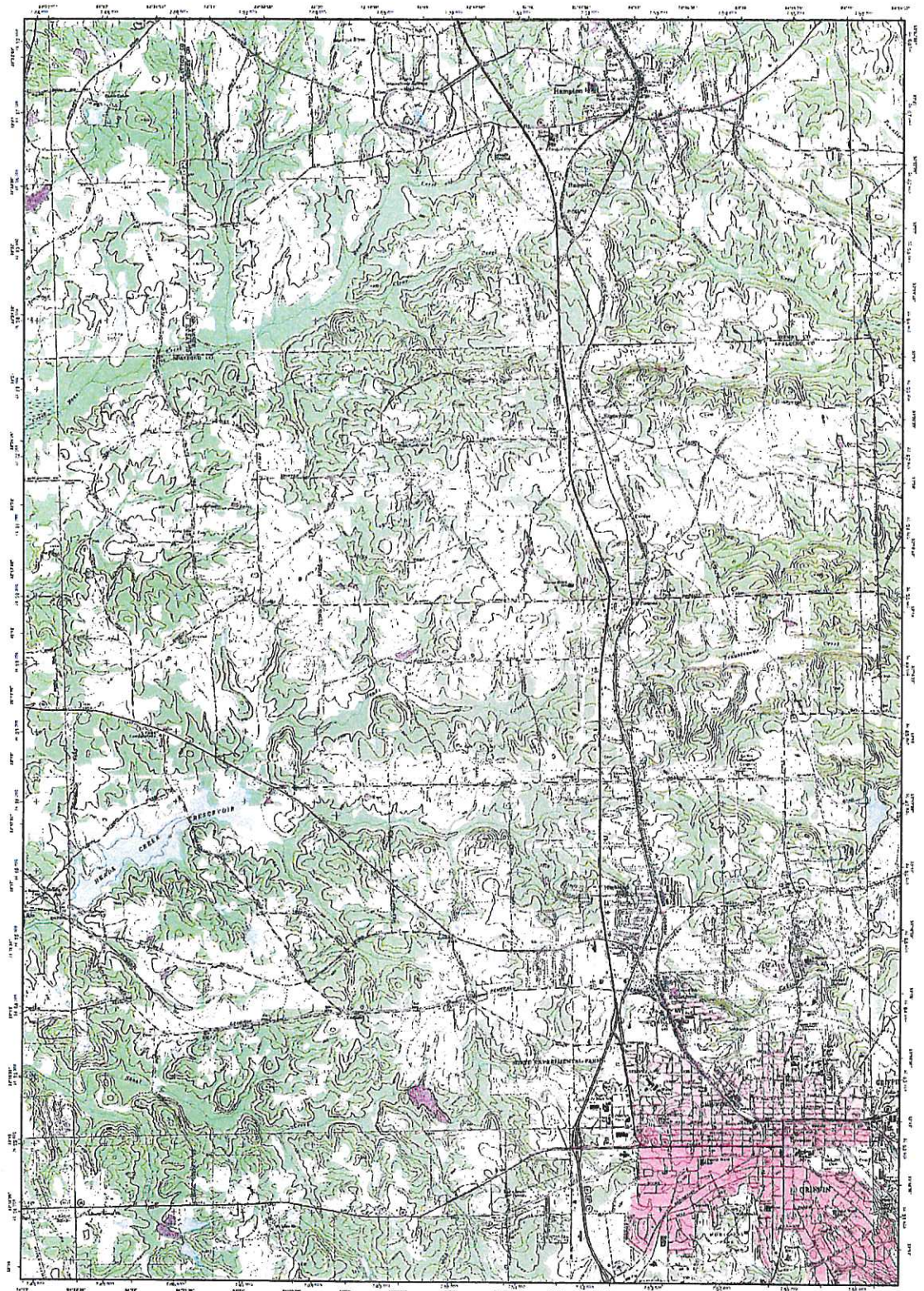
TIER1

Legend
Attached





A2



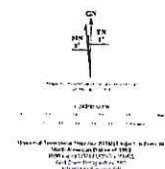
Griffin North
e33084c3

mytopo
A TRIMBLE COMPANY
Professional Surveying and Mapping



Index Map

1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16



A3

BOOK 4070 PAGE 158

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA

2016 JUL -5 P 12:40

BY Marcia L. Norris
MARCIA L. NORRIS, CLERKAfter Recording Return To:
Beck, Owen & Murray
100 South Hill St.
Suite 600
Griffin, GA 30223Real Estate Transfer Tax
Paid \$ 0
Date 7-5-16
PT-61 126-2016-1673
Marcia L. Norris
Clerk of Superior Court, Spalding Co., Ga.STATE OF GEORGIA
COUNTY OF SPALDING

NTC

QUITCLAIM DEED

THIS INDENTURE, made this 29 day of June, in the Year Two Thousand and Sixteen between ROBERT L. DUNN AND BETTY JEAN DUNN as sole shareholders of Math Fields, Inc. a voluntarily dissolved Georgia Corporation ("Grantor"); and TERRY DUNN ("Grantee"). The terms Grantor and Grantee shall include their respective heirs, successors, executors, administrators, legal representatives, and assigns where the context requires or permits.

WITNESSETH:

Grantor in consideration of the sum of One Dollar and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and by these presents does hereby remise, convey and forever Quitclaim unto Grantee, his heirs and assigns, the following described property, to-wit:

TRACT 1:

All that tract or parcel of land situate, lying and being in Land Lot 6 of the Third Land District of originally Henry, now Spalding County, Georgia, and shown and designated as Tract "B", containing 4.27 Acres, on plat of survey entitled "Property Survey for Bobby Dunn", dated October 2, 2001, prepared by G. Tim Conkle, Registered Land Surveyor, a copy of which said plat is recorded in Plat Book 24, page 460, in the Office of Clerk of Superior Court of Spalding County, Georgia, which said plat, together with the mates, bounds, courses and distances as shown thereon, is incorporated herein and made a part of this description.

TRACT 2:

All that tract or parcel of land, as Improved, specifically described in Book 697, Page 156, and more particularly described as:

All that tract or parcel of land containing 19.5 Acres, more or less, situate, lying and being in Land Lot 6 of the Third District of originally Henry, now Spalding County, Georgia, and bounded as follows: Northerly by property now or formerly of Gibson, known as Block E of Doreen Estates, and by a Georgia Power Company easement; Southeasterly and Southwesterly by property of City of Griffin, and West by property now or formerly of James L. and Gerry Smallwood.

The above described property is the remaining portion of that 85 acre tract owned by M. M. Dunn, less the 65.9 acres more or less conveyed to the City of Griffin for the City of Griffin Reservoir.

TO HAVE AND TO HOLD the said above granted and described property, so that neither the grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal, the day and year above written.

Signed, sealed and delivered
In the presence of:

Stephanie W. Windham
Unofficial Witness

Stephanie W. Windham
Notary Public

My Commission Expires: 8-8-16



Betty Scarborough Dunn, AIF
ROBERT L. DUNN, BY BETTY
SCARBOROUGH DUNN AKA BETTY
JEAN DUNN, HIS ATTORNEY IN FACT

Betty Jean Dunn
BETTY JEAN DUNN

Real Estate Transfer Tax
Paid \$ 8.74-03
Date

Myrtle F. Peoples
Clerk of Superior Court, Spalding Co., Ga.
(Warranty Deed)

MULLINS, WHALEN & WESTBURY
P. O. Box 133
GRIFFIN, GEORGIA 30224

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA.

03 AUG 14 AM 9 01
BY *R*
MYRTLE F. PEOPLES, CLERK

STATE OF GEORGIA SPALDING COUNTY

THIS INDENTURE, made the _____ day of _____, in the year of our Lord, Two Thousand Three, between

CITY OF GRIFFIN

of the County of Spalding, and State of Georgia, of the FIRST PART, and

MATH FIELDS, INC.

of the County of Spalding, and State of Georgia, of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of the sum of ONE (\$1.00) DOLLAR AND EXCHANGE OF PROPERTY----- in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents, does grant, bargain, sell, alien, convey and confirm unto the said party of the SECOND PART, heirs and assigns, all the following described property, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 6 of the Third Land District of originally Henry, now Spalding County, Georgia, and shown and designated as Tract "B", containing 4.27 Acres, on plat of survey entitled "Property Survey for Bobby Dunn", dated October 2, 2001, prepared by G. Tim Conkle, Registered Land Surveyor, a copy of which said plat is recorded in Plat Book 24, page 460, in the Office of Clerk of Superior Court of Spalding County, Georgia, which said plat, together with the metes, bounds, courses and distances as shown thereon, is incorporated herein and made a part of this description

TO HAVE AND TO HOLD the said above granted and described property, with all and singular the rights, members, appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said party of the SECOND PART, its successors and assigns, in fee simple; and the said party of the FIRST PART the said bargained property above described unto the said party of the SECOND PART, its successors and assigns, against the said party of the FIRST PART, successors and assigns, and against all and every other person or persons, shall and will and do hereby warrant and forever defend by virtue of these presents.

IN WITNESS WHEREOF, the said party of the FIRST PART, has hereunto set his hand, affixed his seal, and delivered these presents, the day and year first above written.

Signed, sealed and delivered:
in the presence of:

(Witness)

CITY OF GRIFFIN

By: *Car H. [Signature]*

CITY MGR

Attest: *Allette Smith*

Patty O. Barrows
Notary Public,
Spalding County, Georgia
My Commission Expires July 22, 2008



Paid \$
Date 8-14-03

Myrtle F. Peoples

Clerk of Superior Court, Spalding Co., Ga

BOOK 2342 PAGE 183

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA.MULLINS, WHALEN & WESTBURN
P. O. Box 133
GRIFFIN, GEORGIA 30224BY Myrtle F. Peoples
MYRTLE F. PEOPLES, CLERK

(Warranty Deed)

STATE OF GEORGIA SPALDING COUNTY

THIS INDENTURE, made the 13th day of August, in the year of our Lord, Two
Thousand Three, between

MATH FIELDS, INC.

of the County of Spalding, and State of Georgia, of the FIRST PART, and

CITY OF GRIFFIN

of the County of Spalding, and State of Georgia, of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of the sum of ONE (\$1.00) DOLLAR AND EXCHANGE OF PROPERTY-----
in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents, does grant, bargain, sell, alien, convey and confirm unto the said party of the SECOND PART, heirs and assigns, all the following described property, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 6 of the Third Land District of originally Henry, now Spalding County, Georgia, and shown and designated as Tract "C", containing 4.27 Acres, on plat of survey entitled "Property Survey for Bobby Dunn", dated October 2, 2001, prepared by G. Tim Conkle, Registered Land Surveyor, a copy of which said plat is recorded in Plat Book 24, page 460, in the Office of Clerk of Superior Court of Spalding County, Georgia, which said plat, together with the metes, bounds, courses and distances as shown thereon, is incorporated herein and made a part of this description

TOGETHER with an egress-ingress, perpetual, non-exclusive easement across the existing drive, as shown on said plat of survey, to the north property line of Tract "A" as shown on said survey; then said easement runs 30 feet in width in a westerly direction contiguous with the north boundary of said Tract "A" a distance of 631.18 feet, more or less, to the east boundary of said Tract "C".

TO HAVE AND TO HOLD the said above granted and described property, with all and singular the rights, members, appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said party of the SECOND PART, its successors and assigns, in fee simple; and the said party of the FIRST PART the said bargained property above described unto the said party of the SECOND PART, its successors and assigns, against the said party of the FIRST PART, successors and assigns, and against all and every other person or persons, shall and will and do hereby warrant and forever defend by virtue of these presents.

IN WITNESS WHEREOF, the said party of the FIRST PART, has hereunto set his hand, affixed his seal, and delivered these presents, the day and year first above written.

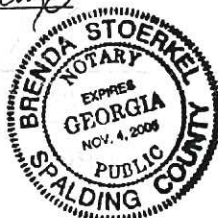
Signed, sealed and delivered:
in the presence of:

MATH FIELDS, INC.

(SEAL)

Richard Mullins
(Witness)By Bobby DunnBrenda Stoerkel
Notary Public,

Attest: _____



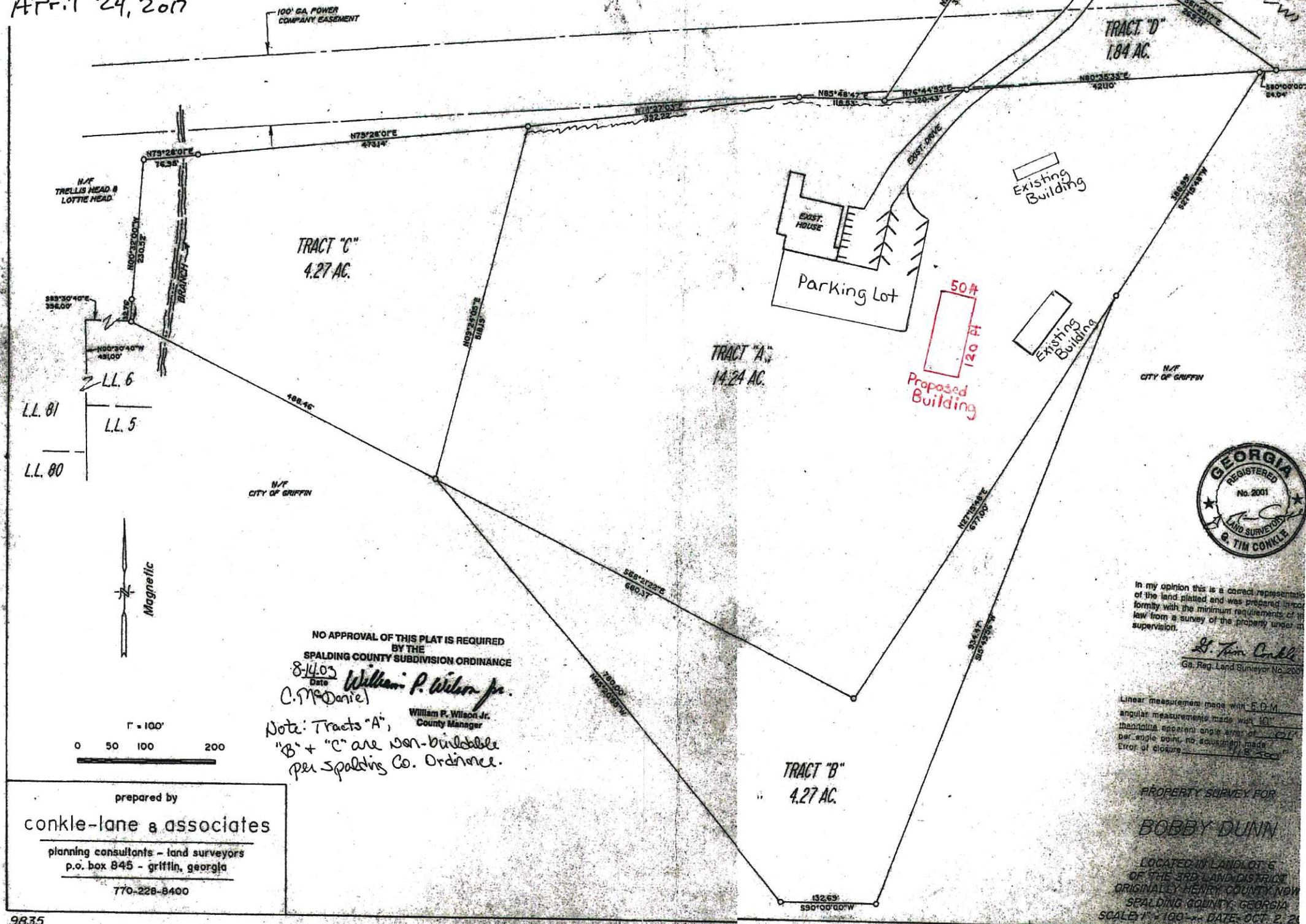
Metes and Bounds Description of the Subject Parcel

BEGINNING at a point on the southerly 100' GA Power Company Easement at a 2" metal survey marker (metal pipe) located on the west side of the gate entering the property from GA State Route no.92 and proceeding thence from said survey marker North 80° 35'33" East a distance of 421.10 feet to a point; thence Westerly from the right of way of State Route 92, South 27° 15'48" West a distance of 386.99' to a point; thence South 15° 49'56" West a distance of 934.47' to a point; thence South 90° 00'00" West a distance of 132.69' to a point; thence North 45° 20'55" West a distance of 780.00 feet to a point; thence North 09° 24'05" East a distance of 518.19 feet to a point; thence Southerly of the powerline easement North 78° 27'03" East a distance of 392.22 feet to a point; thence North 85° 48'47" East a distance of 118.53'; thence North 76° 44'52" East a distance of 120.43' to a point and the POINT OF BEGINNING.

TIER 1

Drawn to Scale

April 24, 2017



SPALDING COUNTY BOARD OF APPEALS

DATE: June 8, 2017

TO: Spalding County Board of Appeals
Spalding County Board of Commissioners

FROM: Department of Community Development

RE: Special Exception Application 17-04S

The following report constitutes the assessment and evaluation of the Community Development Department staff on the above referenced application.

Identification of the Property:

Size and location:

The property is located on 3616 Fayetteville Road in Land Lot 6 of the 3rd Land District of Spalding County. The property consists of 19.5 +/- acres.

Current owner:

Terry Dunn
208 Sylvan Lanes
Griffin, Georgia 30224

Agent:

Alex Scott
109 Cedar Point
Peachtree City, Georgia 30269

Proposed use:

The applicant is requesting special exception approval from Spalding County to allow the development of the property as an indoor shooting range utilizing an existing 6,000 square foot building which will serve as a support area and training area. A second 6,000 square foot building is proposed to be constructed on the property which will house the indoor range. Per the application, the indoor range will be constructed pursuant to the NRA range source book guidelines. The applicant indicates the range

will not be a public facility and for training purposes only.

It must be noted the applicant did provide the following statement within the documentation provided, "Our company reserves the right to change or alter any range facilities [sic] in the interest of safety as it sees fit as long as the changes comply with county code. This is a basic business plan and is subject to change or modification. Based on needs of the business additional facilities may be constructed in the future and will be done in compliance with county code."

The applicant has made application to both amend the Future Land Use Map to commercial and rezone the property to C-1, Highway Commercial.

SPECIAL EXCEPTION:

Compliance with Zoning Ordinance Development Standards:

The Spalding County Unified Development Ordinance, Article 12. , Section 1203 (B)(7) allows indoor shooting ranges as a Special Exception while Section 202.HHH'1 defines them as:

Shooting range, indoor: an indoor facility for the safe shooting of firearms that complies with the technical and operational standards of The 2012 National Rifle Association ("NRA") Range Source Book, regardless of whether the facility is open to the general public or open only to private membership.

Transportation:

The Trip Generation, 7th Edition from the Institute of Transportation Engineers does not have data for the proposed use.

Spalding County Unified Development Ordinance, Section 413, Subsection G states as follows:

The Board of Appeals will consider the following points in arriving at a decision on the Special Exception:

1. It must not be detrimental to the use or development of adjacent properties, or to the general neighborhood; it must not adversely affect the health or safety of residents or workers.

Staff anticipates that this project could have an adverse effect on the neighborhood but the proposed use will not be detrimental to the development of the adjacent properties. Consideration should be given to the proximity of the proposed development to the adjacent reservoir.

2. It must not be that any possible depreciating effects and damages to the neighboring properties are greater than the benefits or need for the Special Exception.

There should be no depreciating effects on neighboring property.

3. It must not adversely affect existing uses, and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirement of the use.

The proposed use could adversely affect existing uses surrounding the property.

The property does have sufficient size to accommodate the use.

4. It must meet all other requirements of this Ordinance.

The proposal is inconsistent with the current zoning and future land use plan.

Photo:



View of the subject property on site at the gate.



View of subject property from 92 Highway at driveway.

Staff Recommendations:

Staff recommends **DENIAL** of the request for the following reasons:

1. The request does not satisfy all of Section 413.G.

**After
Agenda**

**Spalding County Board of Appeals
Public Hearing
Thursday, June 8, 2017
7:00 PM
Spalding County Annex Building, Room 108
119 E. Solomon Street**

Those present were Members Ed Brown, Patricia McCord, Bill Slaughter and Tangela Williams. Also present were Community Development Director Chad Jacobs, Zoning Attorney Newton Galloway and Yvonne Langford, Recorder. Member Curtis Keys was not present at meeting.

A. Call to Order

B. Public Hearings:

1. **Application #17-04S:** Terry Dunn, Owner – Alex Scott, Agent – 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) – requesting a Special Exception to allow indoor gun range in the C-1 District.

Motion/Second by Slaughter/McCord to recommend denial of Application #17-04S: Terry Dunn, Owner – Alex Scott, Agent – 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) – requesting a Special Exception to allow indoor gun range in the C-1 District. Motion carried by a vote of 3-1 with Ed Brown voting against.

2. **Application #17-05S:** Patty Yocum, Owner – Kirby Yocum, Agent – 847 Shoal Creek Road (3 acres located in Land Lot 16 of the 4th Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District.

Motion/Second by Slaughter/McCord to recommend approval of Application #17-05S: Patty Yocum, Owner – Kirby Yocum, Agent – 847 Shoal Creek Road (3 acres located in Land Lot 16 of the 4th Land District) – requesting a Special Exception to allow a Class A Manufactured Home in the AR-1 District. Motion carried by a vote of 3-1 with Tangela Williams voting against.

3. **Application #17-06V:** Ricky Reid, Owner – 1676 Piedmont Road (0.53 acre located in Land Lot 83 of the 2nd Land District) – requesting a Variance from minimum front yard setback in the R-1 District.

Motion/Second by Williams/Slaughter to approve Application #17-06V: Ricky Reid, Owner – 1676 Piedmont Road (0.53 acre located in Land Lot 83 of the 2nd Land District) – requesting a Variance from minimum front yard setback in the R-1 District. Motion carried unanimously by all.

Motion/Second by Williams/McCord to take a brief recess. Motion carried unanimously by all.

Applicant for Application #17-07V withdrew the Sign Ordinance portion of the variance application and will refile at a later date.

- 4. Application #17-07V:** Nancy W. Wood as Trustee of the William A. Wood, Jr. Trust, Owner – RaceTrac Petroleum, Inc., Agent – East corner at intersection of Zebulon Road (US Hwy 19) and Martin Luther King Jr Parkway (US Hwy 41) (9.16 acres located in Land Lot(s) 119 & 120 of the 2nd Land District) – requesting a Variance from Tri County Crossing Overlay development standards and Sign Ordinance total sign area allowed and freestanding sign requirements.

Motion/Second by Williams/Slaughter to approve Application #17-07V: Nancy W. Wood as Trustee of the William A. Wood, Jr. Trust, Owner – RaceTrac Petroleum, Inc., Agent – East corner at intersection of Zebulon Road (US Hwy 19) and Martin Luther King Jr Parkway (US Hwy 41) (9.16 acres located in Land Lot(s) 119 & 120 of the 2nd Land District) – requesting a Variance from Tri County Crossing Overlay development standards. Motion carried unanimously by all.

- C. Approval of the minutes of the May 11, 2017 meeting.**

Motion/Second by Williams/Slaughter to approve minutes of the May 11, 2017 meeting. Motion carried unanimously by all.

- D. Adjournment**

Motion/Second by William/McCord to adjourn meeting. Motion carried unanimously by all.



SPALDING COUNTY BOARD OF COMMISSIONERS Amendment to UDO #A-17-03

Requesting Agency

Office of Community Development

Requested Action

Amendment to UDO #A-17-03: Article 2. Definitions of Terms Used - Section 202:KKK' - add definition of Street or Road, Cul-de-sac; Article 4. General Procedures - Section 413:E & Section 414:D - amend required public notice signage requirement.

Requirement for Board Action

Section 414.

Is this Item Goal Related?

No

Summary and Background

The adoption of this text amendment will add definition of cul-de-sac street or road and amend the required public notice signage requirement to the UDO.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

DENIAL

**PLANNING COMMISSION RECOMMENDS:
DENIAL BY A VOTE OF 4-1**

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Amendment to UDO #A-17-03	6/5/2017	Backup Material
<input type="checkbox"/> Minute 05-30-17 PC	6/5/2017	Backup Material

IN RE:

Text Amendment #A-17-03

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et. seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on the ____ day of _____, 2017 pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 2. Definitions of Terms Used to appear as: Section 202:KKK’:

Section 202. General Definitions.

KKK’. *Street or road, Cul-de-sac:* A street that has only one means of egress or ingress and terminates at the opposite end, regardless of whether that termination is temporary or permanent, or whether that termination includes a vehicular turn-around.

Section 2: The following provision of the Zoning Ordinance of Spalding County shall be deleted:
Article 4, General Procedures, Section 413:E.

Section 3: The following provision shall be added to the Zoning Ordinance of Spalding County,
Article 4 General Procedures to appear as: Section 413:E.

Section 413. Special Exceptions.

E. Required public notice signage:

1. When an application for a special exception is received, the administrative officer must post a sign at least two (2) feet by three (3) feet in size in a conspicuous place on the property at least fifteen (15) days but not more than forty-five (45) days prior to the date of the scheduled public hearing. The sign must set forth the fact that it is a "SPECIAL EXCEPTION NOTICE." It must show the proposed special exception use, date, time, and place of the scheduled public hearing, and it must inform the public that additional information may be obtained from the administrative officer.
2. If the property is located on a cul-de-sac street, an additional sign of the same dimensions required in Section 413:E(1) shall also be placed in a conspicuous place in the right-of-way at the intersection of the cul-de-sac street with the street or road that provides the means of ingress or egress to the cul-de-sac street. In addition to the information required under Section 413:E(1), this sign shall also identify the property by street address.

Section 4: The following provision of the Zoning Ordinance of Spalding County shall be deleted:
Article 4. General Procedures, Section 414:D.

Section 5: The following provisions shall be added to the Zoning Ordinance of Spalding County,
Article 4. General Procedures to appear as: Section 414:D.

Section 414. Amendments.

D. Required public notice signage:

1. When an amendment is initiated which involves changing the zoning district of a parcel of land, the administrative officer must post a sign at least two (2) feet by three (3) feet in size in a conspicuous place on the property at least fifteen (15) days but not more than forty-five (45) days prior to the date of the scheduled public hearing. The sign must set forth the fact that it is a "ZONING NOTICE." It must show the present zoning classification, the proposed zoning classification, the purpose, date, time, and place of the scheduled public hearing, and it must inform the public that additional information may be obtained from the administrative officer.
2. If the property is located on a cul-de-sac street, an additional sign of the same dimensions required in Section 414:D(1) shall also be placed in a conspicuous

place in the right-of-way at the intersection of the cul-de-sac street with the street or road that provides the means of ingress or egress to the cul-de-sac street. In addition to the information required under Section 414:D(1), this sign shall also identify the property by street address.

Section 6: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 7: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
May 30, 2017

The Spalding County Planning Commission held its regular monthly meeting on May 30, 2017 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: John Youmans, Chair, presiding; Bruce Ballard; Walter Cox; Sonny Eubanks; and Frank Harris.

Also present were: Chad Jacobs, Community Development Director; Steven Jones, Zoning Attorney; and Yvonne Langford to record the minutes.

Mr. Youmans called the meeting to order, introduced the members of the Planning Commission and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

MOTION

Mr. Cox made a motion to discuss Application's #FLUMA-17-02 & #17-03Z and #FLUMA-17-03 & #17-04Z together and vote on them separately. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Application #FLUMA-17-02: Robert M. Goldberg has requested a future land use map change from Low-Density Residential to Commercial for the following: 2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District).

Application #17-03Z: Robert M. Goldberg, Owner -2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District) – requesting a rezoning from AR-1 Agricultural and Residential to O & I Office and Institutional.

Robert Goldberg – 225 Broadmoor Drive – Fayetteville, GA.

Mr. Goldberg said he formerly lived at 2693 Williamson Road. He previously rented space from a local attorney for his law practice. His practice had done well and he had raised his family at the 2693 Williamson Road house. Approximately four years ago, he moved his home to Fayetteville. While he was living at the Williamson Road address, he had been advised what he needed to do in order to use the house for his business. He failed to follow those directions and operated his law practice from there. Last year Mr. Jacobs visited with him and that is the reason for this application. He does not feel the use of the property for his law practice is incompatible with low-density use. When he lived at the address, there were more people coming and going than there are now. He does not feel he is having a negative impact on the neighbors. The neighbors feel this could turn into something other than a law practice. He requested approval of his application with conditions that nothing other than a law practice be allowed. He feels the conditions would satisfy the neighbors.

Alan McCallum – 2831 Williamson Road

Mr. McCallum said he lives on the other side of Mr. Goldberg. He likes Mr. Goldberg. He is a good person. This request is about rezoning. The zoning does not go with the person. It goes with the land. There is a vacant lot adjacent to Mr. Goldberg's home that could be used for other commercial uses and a request could be made to rezone that for other commercial uses. This is, in essence, spot zoning. There is nothing else out there like this. If this is approved, you are

opening the door for other requests. If this is approved, Mr. Goldberg could sell this tomorrow and the zoning would be with the property. You are setting a precedent for the entire county.

Kim Stone – 2715 Williamson Road

Mr. Stone said he moved to this area about two years ago. They looked for a long time for property. They were looking for a little space with no commercial aspects. Now they are looking at a potential conversion to commercial property. He is looking at life changes and he does not want to look at the backside of a building with dumpsters. He wants to look at nature. He is against this change to commercial.

Mr. Jacobs said this request is to go from residential to commercial. The area around is planned as a Village Node. The County is in the process of updating their Future Land Use Map. The way the County is targeting strategic intersections in terms of providing service areas for commercial uses and medical and office type uses is probably still going to be the strategy that will be followed with next planning update. Considering this application, the staff has concerns regarding the land use patterns developing. They want to avoid some of the negative aspects of Highway 19-41. The staff recommendation is for denial of the changes to the Land Use Map. They further recommend denial of the rezoning. This would essentially be spot zoning. This cannot be considered for a home occupation because it is not Mr. Goldberg's place of residence. It is being used exclusively for an office.

MOTION

Mr. Eubanks made a motion to deny Application #FLUMA-17-02. The motion passed on a second by Mr. Cox with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-03Z.

Application #FLUMA-17-03: Alex Scott has requested a future land use map change from Agriculture to Commercial for the following: 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District).

Application #17-04Z: Terry Dunn, Owner – Alex Scott, Agent – 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) requesting a rezoning from AR-1 Commercial to C-1 Highway Commercial.

Alex Scott – 109 Cedar Point – Peachtree City

Mr. Scott said he was the applicant. He introduced Mr. Wayne Smith who was to provide the information regarding this application.

Wayne Smith – 428 Constitution Circle – Peachtree City

Mr. Smith said he has been with the GBI for 31 years. He is also a professional firearms trainer and has been for 22 years. They want to present what they want to do. They want to be open and honest and follow the County process for this application. They are concerned about the controversy in the County over a current shooting range. They are concerned they will be “painted with the same brush”. There is nothing similar about what they want to do. They want to operate a school which is what they have done professionally for a long time. It is a place for teaching a class and then helping them learn how to use firearms properly. They want to open this to the public. The property is currently under three different type zonings. The facility,

since the 80's, has been used as a "public type" facility. He reviewed the different uses of the property over the years. It has been used by the public where people come and go. They intend to use it as it has been used in the past as far as public access is concerned. This will not be a traditional range. The use will be enclosed and nothing used in the process will leave the building. It is done with ballistic abatement and sound abatement. They will be following the NRA recommendations. They welcome any conditions and provisions. They have plans for a future addition to the facilities. They work mostly with handguns.

Terry Dunn – 208 Sylvan Lane

Mr. Dunn said he is the owner of this property. He gave a history of his family and this property over the years. His family has owned this property since 1938. He requested approval for this use of the property. They intend to be good neighbors and will address any concerns the neighbors have.

Steven Walker – 470 Denton Circle – Fayetteville, Georgia.

Mr. Walker said he is in favor of this application. This will be a benefit to the area and the entire south side. It is hard to get this type training and it is becoming more popular. It will be a disservice to deny this because we need people trained to understand the use of what is involved with guns. He understands people are upset with the other gun range. This is not a comparison for the same thing. The other is an outdoor range that has different limitations and this is an indoor facility serviced by professional people that know and understand the industry. He asked approval for the application.

Faith Wallace – 3672 Fayetteville Road

Ms. Wallace said she has 4.96 acres adjacent to this property. Formerly, this property has been used for bands and parties. The bands were too loud and too noisy. She and her neighbors had to call the police to stop the noise. She does not know how this will affect the noise problem. Adjacent to this property is Mr. Rebholz whose right-of-way has to be used to access this property since they have no road frontage. People think this is an out of door shooting range already. She was out on her property and there was a gun shot that "scared her to death". She has health issues. The neighbor that shot their gun was a young man in his teens. She does not know how much time she has left but she would like to live it in peace and quiet. She is very much opposed to this application. If this is approved, she plans to return with a petition from her neighbors.

Mr. Jacobs said this application from the staff level is entirely different than the one they are dealing with at another location. In door shooting ranges are now included in the UDO as a special exception in some zoning districts. This particular application has a lot of the concerns that are similar to the previous request. He discussed the zoning for the area around this property. The area is planned overwhelmingly as agricultural type uses. There a commercial corridor along Highway 92. A portion of the property was zoned C-1A conditioned for use as a restaurant only. This is a difficult tract. In review of the zoning application, the staff recommendation is for denial. The Future Land Use Map is predominantly agricultural and this will be spot zoning. The applicant has also applied for a Special Exception with regard to this property that will be considered at the next Appeals Board meeting.

Discussion was held between the applicant, the members of the Planning Commission, and those in attendance in opposition to the application.

MOTION

Mr. Cox made a motion to deny Application #FLUMA-17-03. The motion passed on a second by Mr. Harris with Mr. Ballard, Mr. Cox, Mr. Harris and Mr. Youmans voting for the motion and Mr. Eubanks voting against.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-04Z.

Amendment to UDO #A-17-03: Article 2. Definitions of Terms Used – Section 202 KKK’ – add definitions of Street or Road, Cul-de-sac; Article 4. General Procedures – Section 413:E & Section 414:D – amend required public notice signage requirement.

Mr. Jacobs said this amendment is in response to the discussion by the Planning Commission regarding expanding the public notice signage requirements. The staff recommendation is for denial. He does not want it to appear that he is advocating for no notice. He feel they already go above and beyond what the code requires. No matter how far you go sending the letters there is always going to be the next person out of the ring that is not going to get a notice.

Mr. Youmans said he advocated the need for the additional signage. He is a property owner and pays taxes in Spalding County. The situation for him is that it would have taken one more sign to accomplish the notice regarding the need for this change. His take on this is that you are not willing to consider the property owners by putting up another sign.

Mr. Jacobs said it is one more sign today and then another and another; it is going to get expensive.

Mr. Ballard said a cul-de-sac is easy but what happens when you have additional roads and then you have four other roads that need signs. Sometimes things work well for years and he does not see the need for a lot of changes.

Mr. Cox said he does not see the need to add to the workload of the staff even in a minor way.

Mr. Youmans said there were a lot of the neighbors that did not know what was going on regarding that application

Mr. Cox said there were a lot of the neighbors that attended the meeting and spoke in favor of the application.

Mr. Jacobs said he feels there is a valid concern regarding getting information to the public. He is not certain that a sign is the way to solve that issue. They have to advertise in the “legal organ” which is the *Griffin Daily News*. Fewer people are subscribing to the newspaper. Is there a better way than that, in the age of social media, to get information to the public? He does not feel the sign is going to be the “fix”.

MOTION

Mr. Ballard made a motion to deny Amendment to UDO #A-17-03. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, and Mr. Harris voting for the motion and Mr. Youmans voting against.

Amendment to UDO #A-17-04: Article 5. AR-1 Agricultural and Residential – Section 503:A & B – amend use of riding academies and other facilities which host equestrian events, and Article 6. AR-2 Rural Reserve – Section 603:A & B – amend use of equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian events.

Mr. Jacobs said this is an issue with respect to equestrian farms and rodeo and horse show events. They were requested by the Commissioners to address the issue. The recommendation is for approval.

MOTION

Mr. Cox made a motion to approve Amendment to UDO #A-17-04. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

MINUTES

Mr. Cox made a motion to approve the minutes of the April 25, 2017 meeting. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Discussion was held regarding future applications that are anticipated and the review of the Future Land Use Map. They have had good responses regarding the Future Land Use Map. Most are similar to the ones received the last time this was reviewed. They will have an open house in the near future.

Mr. Jacobs said he feels a review if the overlay district is warranted. It is a little cumbersome to develop anything within the overlay district. He does not want to relax restrictions to the point that it becomes a lot of the same. Maybe it would be possible to work to make it a little easier to develop something within the overlay district provided you are follow the design criteria.

ADJOURN

The meeting was adjourned on a motion by Mr. Cox and a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

John Youmans – Chair

Yvonne M. Langford - Recorder



SPALDING COUNTY BOARD OF COMMISSIONERS Amendment to UDO #A-17-04

Requesting Agency

Office of Community Development

Requested Action

Amendment to UDO #A-17-04: Article 5. AR-1 Agricultural and Residential - Section 503:A & B - amend use of riding academies and other facilities which host equestrian events, and Article 6. AR-1 Rural Reserve - Section 603:A & B - amend use of equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian events.

Requirement for Board Action

Section 414.

Is this Item Goal Related?

No

Summary and Background

The adoption of this text amendment will amend the use of riding academies and other facilities which host equestrian events in the AR-1 district and amend the use of equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian events in the AR-2 district.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION**APPROVAL****PLANNING COMMISSION RECOMMENDS:
APPROVAL****ATTACHMENTS:**

Description	Upload Date	Type
<input type="checkbox"/> Amendment to UDO #A-17-04	6/5/2017	Backup Material
<input type="checkbox"/> Minutes 05-30-17 PC	6/5/2017	Backup Material

IN RE:

Text Amendment #A-17-04

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations;

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and therein adopted the Official Zoning Map of Spalding County, Georgia, in Article 23, Section 2301, et seq.;

WHEREAS, the Board of Commissioners of Spalding County has determined that it is in the best interests of the citizens of Spalding County for certain text revisions and amendments to be made to the Zoning Ordinance of Spalding County;

WHEREAS, such text amendments to the Zoning Ordinance of Spalding County were reviewed by the Spalding County Planning Commission, and a hearing on the text amendments to the Zoning Ordinance of Spalding County was conducted by the Board of Commissioners of Spalding County, Georgia on the ____ day of _____, 2017 pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia;

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: The following provision of the Zoning Ordinance of Spalding County, Article 5 AR-1 Agricultural and Residential shall be deleted: Section 503(A)(11) and such provision shall appear as "Reserved."

Section 2: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 5 AR-1 Agricultural and Residential to appear as Section 503(B)(17):

Section 503. Permitted Uses.

B. The following principal uses are permitted as special exceptions in AR-1 districts:

17. Riding academies and other facilities which host equestrian events, including but not limited to exhibitions or competitions where performers or competitors ride, rope, wrestle, or corral horses, cattle, swine, or other livestock or any other exhibitions or competitions involving livestock of any nature.

Section 3: The following provision of the Zoning Ordinance of Spalding County, Article 6 AR-2 Rural Reserve shall be deleted: Section 603(A)(6) and such provision shall appear as “Reserved.”

Section 4: The following provision shall be added to the Zoning Ordinance of Spalding County, Article 6 AR-2 Rural Reserve to appear as Section 603(B)(16):

Section 603. Permitted Uses.

B. The following principal uses are permitted as special exceptions in AR-2 districts:

16. Equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian events, including but not limited to exhibitions or competitions where performers or competitors ride, rope, wrestle, or corral horses, cattle, swine, or other livestock or any other exhibitions or competitions involving livestock of any nature.

Section 5: The foregoing amendments to the Zoning Ordinance of Spalding County shall become effective immediately upon adoption of this resolution.

Section 6: All Ordinances or resolutions in conflict herewith shall be and are hereby, repealed.

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
May 30, 2017

The Spalding County Planning Commission held its regular monthly meeting on May 30, 2017 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: John Youmans, Chair, presiding; Bruce Ballard; Walter Cox; Sonny Eubanks; and Frank Harris.

Also present were: Chad Jacobs, Community Development Director; Steven Jones, Zoning Attorney; and Yvonne Langford to record the minutes.

Mr. Youmans called the meeting to order, introduced the members of the Planning Commission and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

MOTION

Mr. Cox made a motion to discuss Application's #FLUMA-17-02 & #17-03Z and #FLUMA-17-03 & #17-04Z together and vote on them separately. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Application #FLUMA-17-02: Robert M. Goldberg has requested a future land use map change from Low-Density Residential to Commercial for the following: 2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District).

Application #17-03Z: Robert M. Goldberg, Owner -2693 Williamson Road (3.110 acres located in Land Lot 43 of the 2nd Land District) – requesting a rezoning from AR-1 Agricultural and Residential to O & I Office and Institutional.

Robert Goldberg – 225 Broadmoor Drive – Fayetteville, GA.

Mr. Goldberg said he formerly lived at 2693 Williamson Road. He previously rented space from a local attorney for his law practice. His practice had done well and he had raised his family at the 2693 Williamson Road house. Approximately four years ago, he moved his home to Fayetteville. While he was living at the Williamson Road address, he had been advised what he needed to do in order to use the house for his business. He failed to follow those directions and operated his law practice from there. Last year Mr. Jacobs visited with him and that is the reason for this application. He does not feel the use of the property for his law practice is incompatible with low-density use. When he lived at the address, there were more people coming and going than there are now. He does not feel he is having a negative impact on the neighbors. The neighbors feel this could turn into something other than a law practice. He requested approval of his application with conditions that nothing other than a law practice be allowed. He feels the conditions would satisfy the neighbors.

Alan McCallum – 2831 Williamson Road

Mr. McCallum said he lives on the other side of Mr. Goldberg. He likes Mr. Goldberg. He is a good person. This request is about rezoning. The zoning does not go with the person. It goes with the land. There is a vacant lot adjacent to Mr. Goldberg's home that could be used for other commercial uses and a request could be made to rezone that for other commercial uses. This is, in essence, spot zoning. There is nothing else out there like this. If this is approved, you are

opening the door for other requests. If this is approved, Mr. Goldberg could sell this tomorrow and the zoning would be with the property. You are setting a precedent for the entire county.

Kim Stone – 2715 Williamson Road

Mr. Stone said he moved to this area about two years ago. They looked for a long time for property. They were looking for a little space with no commercial aspects. Now they are looking at a potential conversion to commercial property. He is looking at life changes and he does not want to look at the backside of a building with dumpsters. He wants to look at nature. He is against this change to commercial.

Mr. Jacobs said this request is to go from residential to commercial. The area around is planned as a Village Node. The County is in the process of updating their Future Land Use Map. The way the County is targeting strategic intersections in terms of providing service areas for commercial uses and medical and office type uses is probably still going to be the strategy that will be followed with next planning update. Considering this application, the staff has concerns regarding the land use patterns developing. They want to avoid some of the negative aspects of Highway 19-41. The staff recommendation is for denial of the changes to the Land Use Map. They further recommend denial of the rezoning. This would essentially be spot zoning. This cannot be considered for a home occupation because it is not Mr. Goldberg's place of residence. It is being used exclusively for an office.

MOTION

Mr. Eubanks made a motion to deny Application #FLUMA-17-02. The motion passed on a second by Mr. Cox with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-03Z.

Application #FLUMA-17-03: Alex Scott has requested a future land use map change from Agriculture to Commercial for the following: 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District).

Application #17-04Z: Terry Dunn, Owner – Alex Scott, Agent – 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) requesting a rezoning from AR-1 Commercial to C-1 Highway Commercial.

Alex Scott – 109 Cedar Point – Peachtree City

Mr. Scott said he was the applicant. He introduced Mr. Wayne Smith who was to provide the information regarding this application.

Wayne Smith – 428 Constitution Circle – Peachtree City

Mr. Smith said he has been with the GBI for 31 years. He is also a professional firearms trainer and has been for 22 years. They want to present what they want to do. They want to be open and honest and follow the County process for this application. They are concerned about the controversy in the County over a current shooting range. They are concerned they will be “painted with the same brush”. There is nothing similar about what they want to do. They want to operate a school which is what they have done professionally for a long time. It is a place for teaching a class and then helping them learn how to use firearms properly. They want to open this to the public. The property is currently under three different type zonings. The facility,

since the 80's, has been used as a "public type" facility. He reviewed the different uses of the property over the years. It has been used by the public where people come and go. They intend to use it as it has been used in the past as far as public access is concerned. This will not be a traditional range. The use will be enclosed and nothing used in the process will leave the building. It is done with ballistic abatement and sound abatement. They will be following the NRA recommendations. They welcome any conditions and provisions. They have plans for a future addition to the facilities. They work mostly with handguns.

Terry Dunn – 208 Sylvan Lane

Mr. Dunn said he is the owner of this property. He gave a history of his family and this property over the years. His family has owned this property since 1938. He requested approval for this use of the property. They intend to be good neighbors and will address any concerns the neighbors have.

Steven Walker – 470 Denton Circle – Fayetteville, Georgia.

Mr. Walker said he is in favor of this application. This will be a benefit to the area and the entire south side. It is hard to get this type training and it is becoming more popular. It will be a disservice to deny this because we need people trained to understand the use of what is involved with guns. He understands people are upset with the other gun range. This is not a comparison for the same thing. The other is an outdoor range that has different limitations and this is an indoor facility serviced by professional people that know and understand the industry. He asked approval for the application.

Faith Wallace – 3672 Fayetteville Road

Ms. Wallace said she has 4.96 acres adjacent to this property. Formerly, this property has been used for bands and parties. The bands were too loud and too noisy. She and her neighbors had to call the police to stop the noise. She does not know how this will affect the noise problem. Adjacent to this property is Mr. Rebholz whose right-of-way has to be used to access this property since they have no road frontage. People think this is an out of door shooting range already. She was out on her property and there was a gun shot that "scared her to death". She has health issues. The neighbor that shot their gun was a young man in his teens. She does not know how much time she has left but she would like to live it in peace and quiet. She is very much opposed to this application. If this is approved, she plans to return with a petition from her neighbors.

Mr. Jacobs said this application from the staff level is entirely different than the one they are dealing with at another location. In door shooting ranges are now included in the UDO as a special exception in some zoning districts. This particular application has a lot of the concerns that are similar to the previous request. He discussed the zoning for the area around this property. The area is planned overwhelmingly as agricultural type uses. There a commercial corridor along Highway 92. A portion of the property was zoned C-1A conditioned for use as a restaurant only. This is a difficult tract. In review of the zoning application, the staff recommendation is for denial. The Future Land Use Map is predominantly agricultural and this will be spot zoning. The applicant has also applied for a Special Exception with regard to this property that will be considered at the next Appeals Board meeting.

Discussion was held between the applicant, the members of the Planning Commission, and those in attendance in opposition to the application.

MOTION

Mr. Cox made a motion to deny Application #FLUMA-17-03. The motion passed on a second by Mr. Harris with Mr. Ballard, Mr. Cox, Mr. Harris and Mr. Youmans voting for the motion and Mr. Eubanks voting against.

With the recommendation for denial of the change in the Future Land Use Map, there was no further action on application #17-04Z.

Amendment to UDO #A-17-03: Article 2. Definitions of Terms Used – Section 202 KKK’ – add definitions of Street or Road, Cul-de-sac; Article 4. General Procedures – Section 413:E & Section 414:D – amend required public notice signage requirement.

Mr. Jacobs said this amendment is in response to the discussion by the Planning Commission regarding expanding the public notice signage requirements. The staff recommendation is for denial. He does not want it to appear that he is advocating for no notice. He feel they already go above and beyond what the code requires. No matter how far you go sending the letters there is always going to be the next person out of the ring that is not going to get a notice.

Mr. Youmans said he advocated the need for the additional signage. He is a property owner and pays taxes in Spalding County. The situation for him is that it would have taken one more sign to accomplish the notice regarding the need for this change. His take on this is that you are not willing to consider the property owners by putting up another sign.

Mr. Jacobs said it is one more sign today and then another and another; it is going to get expensive.

Mr. Ballard said a cul-de-sac is easy but what happens when you have additional roads and then you have four other roads that need signs. Sometimes things work well for years and he does not see the need for a lot of changes.

Mr. Cox said he does not see the need to add to the workload of the staff even in a minor way.

Mr. Youmans said there were a lot of the neighbors that did not know what was going on regarding that application

Mr. Cox said there were a lot of the neighbors that attended the meeting and spoke in favor of the application.

Mr. Jacobs said he feels there is a valid concern regarding getting information to the public. He is not certain that a sign is the way to solve that issue. They have to advertise in the “legal organ” which is the *Griffin Daily News*. Fewer people are subscribing to the newspaper. Is there a better way than that, in the age of social media, to get information to the public? He does not feel the sign is going to be the “fix”.

MOTION

Mr. Ballard made a motion to deny Amendment to UDO #A-17-03. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, and Mr. Harris voting for the motion and Mr. Youmans voting against.

Amendment to UDO #A-17-04: Article 5. AR-1 Agricultural and Residential – Section 503:A & B – amend use of riding academies and other facilities which host equestrian events, and Article 6. AR-2 Rural Reserve – Section 603:A & B – amend use of equestrian farms, equestrian pastures, riding academies and other facilities which host equestrian events.

Mr. Jacobs said this is an issue with respect to equestrian farms and rodeo and horse show events. They were requested by the Commissioners to address the issue. The recommendation is for approval.

MOTION

Mr. Cox made a motion to approve Amendment to UDO #A-17-04. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

MINUTES

Mr. Cox made a motion to approve the minutes of the April 25, 2017 meeting. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Discussion was held regarding future applications that are anticipated and the review of the Future Land Use Map. They have had good responses regarding the Future Land Use Map. Most are similar to the ones received the last time this was reviewed. They will have an open house in the near future.

Mr. Jacobs said he feels a review if the overlay district is warranted. It is a little cumbersome to develop anything within the overlay district. He does not want to relax restrictions to the point that it becomes a lot of the same. Maybe it would be possible to work to make it a little easier to develop something within the overlay district provided you are follow the design criteria.

ADJOURN

The meeting was adjourned on a motion by Mr. Cox and a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

John Youmans – Chair

Yvonne M. Langford - Recorder



SPALDING COUNTY BOARD OF COMMISSIONERS Executive Session

Requesting Agency

County Manager

Requested Action

County Manager requests an Executive Session for discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary actions or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. 50-14-3(6).

Requirement for Board Action

Is this Item Goal Related?

Summary and Background

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

n/a

ATTACHMENTS:

Description

Upload Date

Type