

# Agenda

## Spalding County Planning Commission

May 30, 2017

7:00 PM

**Spalding County Annex Building, 119 East  
Solomon Street, 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 Planning Commission. 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 #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).
2. **Application #17-03Z:** Robert M. Goldberg, Owner - 2693 Williamson Road (3.110 acres located in Land Lot 3 of the 2nd Land District) - requesting a rezoning from AR-1 Agricultural and Residential to O & I Office and Institutional.
3. **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).
4. **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.
5. **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.
6. **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.

### C. Approval of Minutes:

7. Consider approval of April 25, 2017 minutes.

### D. Other Business:

### E. Adjournment



## SPALDING COUNTY PLANNING COMMISSION Application #FLUMA-17-02

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### Requesting Agency

Office of Community Development

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### 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).

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### Requirement for Board Action

Section 414.

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### Is this Item Goal Related?

No

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### 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 at 2693 Williamson Road from Low Density Residential to Commercial.

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### Fiscal Impact / Funding Source

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### STAFF RECOMMENDATION

**DENIAL**

### ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #FLUMA-17-02	5/23/2017	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 OKM 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

(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

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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

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

If yes, please describe: NO

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### 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

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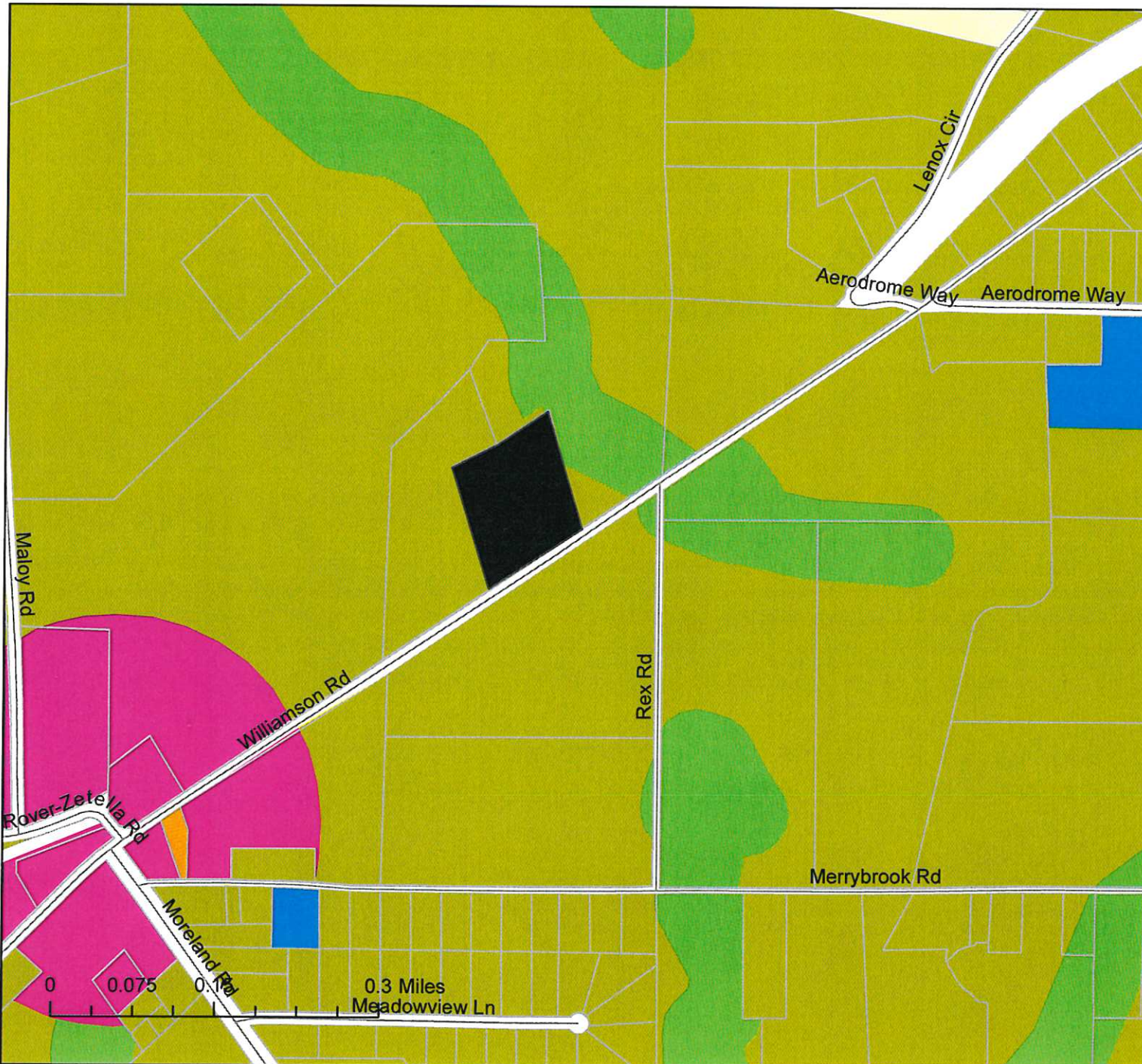
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## Additional Information Required

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

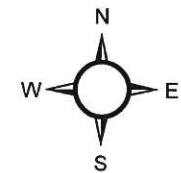
Attachments	Level A	Level B	Level C	Level D	Level E	Level F
Form II		✓	✓	✓	✓	✓
Project Description	✓	✓	✓	✓	✓	✓
Preliminary Site Development Plan		✓	✓	✓	✓	✓
Map of proposed FLUM Change (include adjacent properties)		✓	✓	✓	✓	✓
Environmental Impact Analysis				✓	✓	✓
Traffic Study (tie to County or regional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

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# SPALDING COUNTY PLANNING COMMISSION

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**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)

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**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 Application #17-03Z

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**Requesting Agency**

Office of Community Development

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**Requested Action**

**Application #17-03Z:** Robert M. Goldberg, Owner - 2693 Williamson Road (3.110 acres located in Land Lot 3 of the 2nd Land District) - requesting a rezoning from AR-1 Agricultural and Residential to O & I Office and Institutional.

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**Requirement for Board Action**

Section 414.

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**Is this Item Goal Related?**

No

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**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.

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**Fiscal Impact / Funding Source**

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**STAFF RECOMMENDATION**

**DENIAL**

**ATTACHMENTS:**

Description	Upload Date	Type
<input type="checkbox"/> Application #17-03Z	5/23/2017	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 <sup>M.</sup> 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.


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

**OFFICE USE ONLY**

Date Received: 4-20-17

Amount of Fee: \$500<sup>00</sup>

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.

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**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?

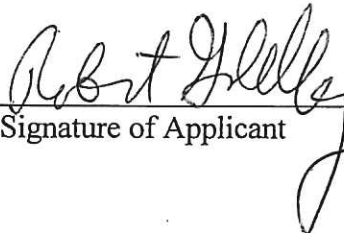
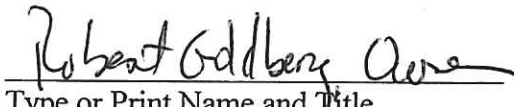
NO (Yes/No)

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	
Signature of Applicant	Date	Type or Print Name and Title

Signature of Applicant's Attorney Or Representative	Date	Type or Print Name and Title
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**OFFICE USE ONLY**

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

## 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 14<sup>th</sup> 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.

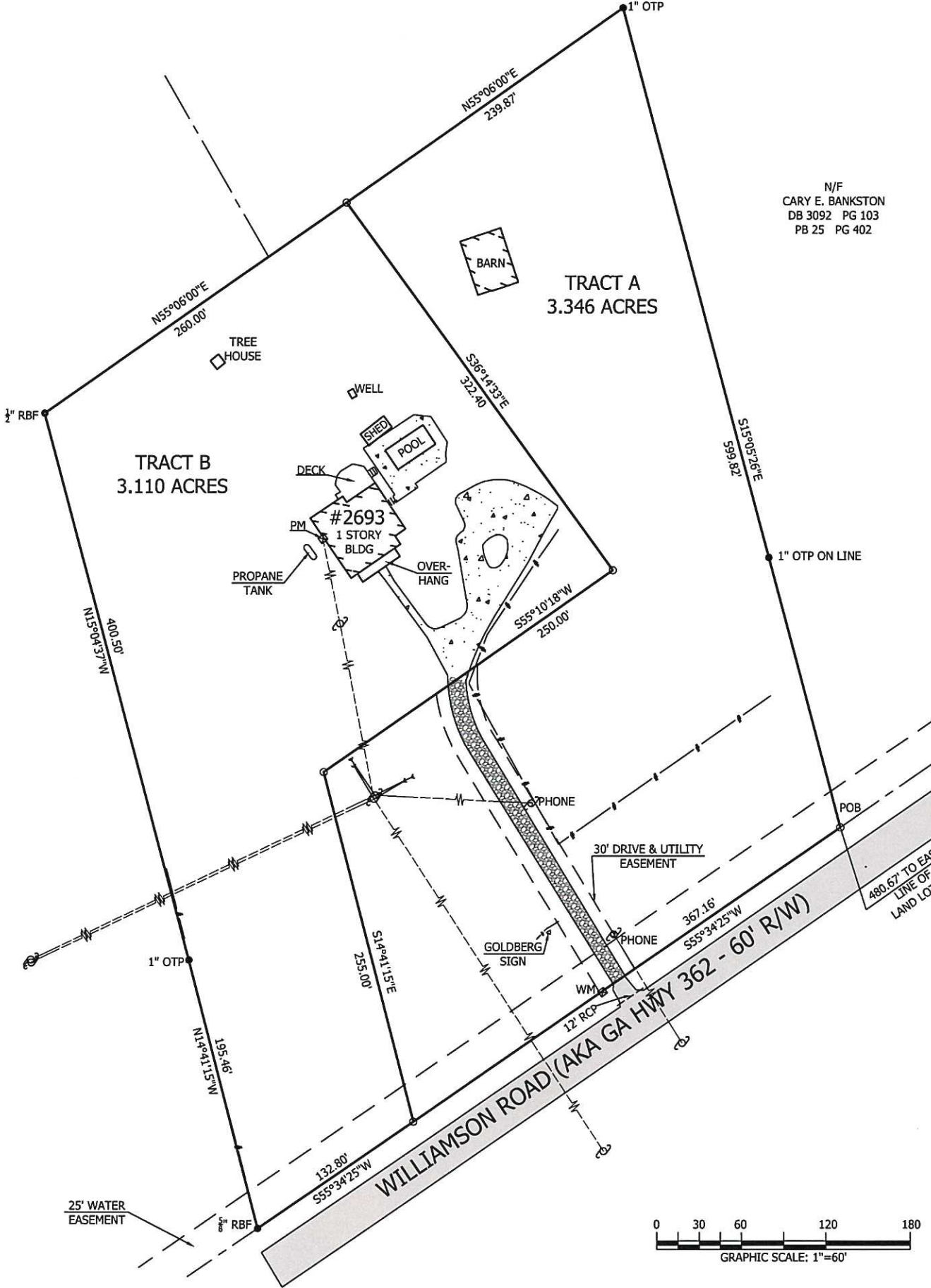
This plat has been calculated for closure and is found to be accurate within one foot in 394,806 feet (Tract A) and 257,054 feet (Tract B).

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  
+ 01 CUTOUT.dwg Tuesday, May 23, 2017 3:51:01 PM

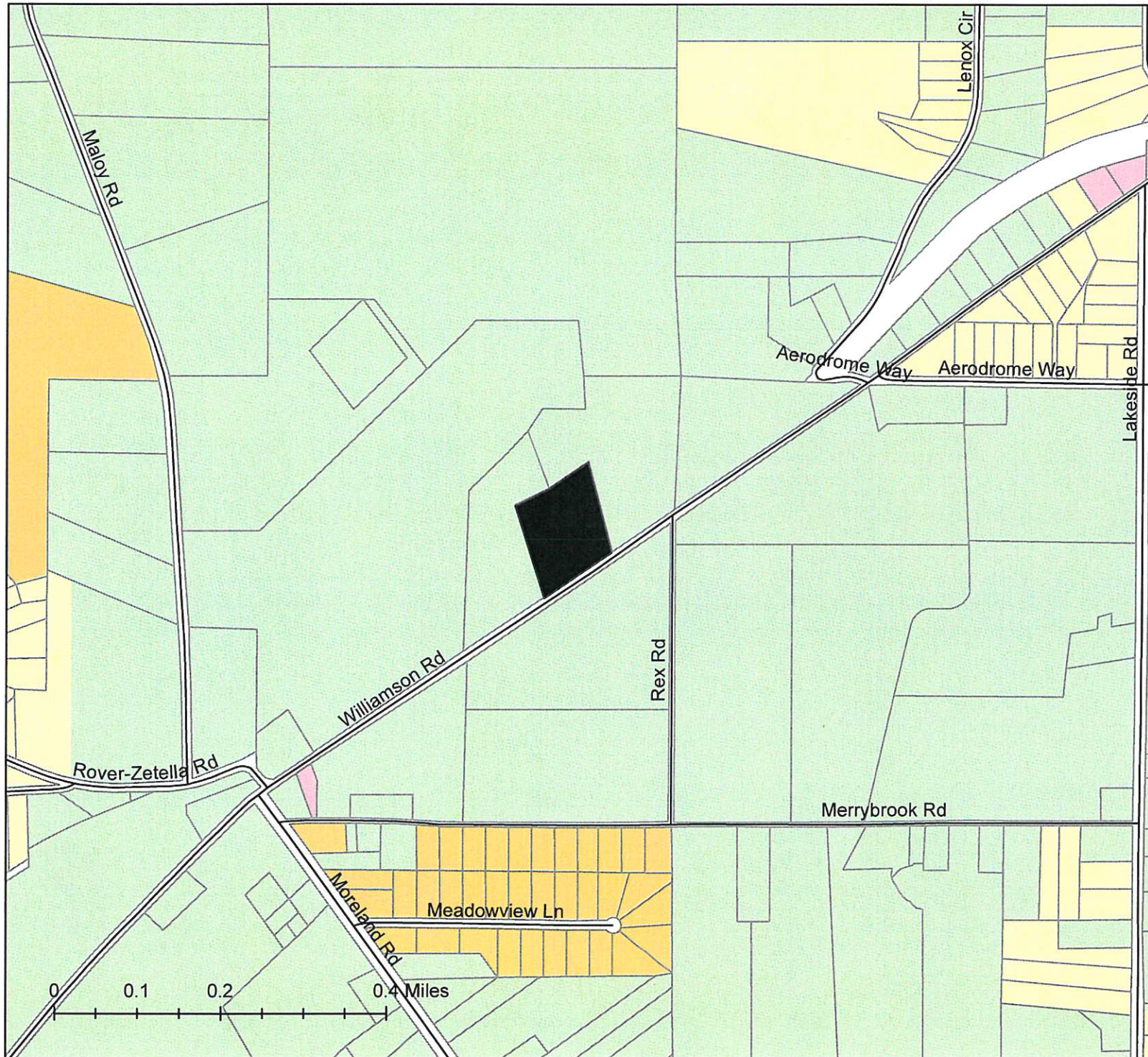
**SCANLON ENGINEERING SERVICES, INC.**  
221 EAST BANK STREET  
GRIFFIN, GEORGIA 30223  
PHONE: (678) 967-2051 FAX: (678) 967-2053  
★ LST 000859 ★

Rev.	Description	Date
1		
2		
3		

Project #:	Drawn By:	Review By:	Date:
S16042507	JWS	MB	5/23/17



SHEET DESCRIPTION  
BOUNDARY/AS-BUILT SURVEY  
SHEET NUMBER  
**400C**  
SHEET 1 OF 1

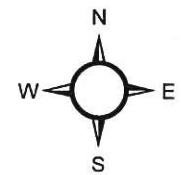


Zoning	
	PDD
	AAR
	AR1
	AR2
	C1
	C1A
	C1B
	C1C
	C2
	C3
	OI
	PRRRD
	R1
	R2
	R2A
	R4
	R5
	R6
	VN

Approximate size  
of an Acre.



1 inch = 878.03 feet



Map # 234-04-001B

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

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# SPALDING COUNTY PLANNING COMMISSION

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**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 2<sup>nd</sup> 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 as 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.

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### **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, 7<sup>th</sup> 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**  
**Application #FLUMA-17-03**

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**Requesting Agency**

Office of Community Development

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**Requested Action**

**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).

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**Requirement for Board Action**

Section 414.

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**Is this Item Goal Related?**

No

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**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 at 3616 Fayetteville Road from Agricultural to Commercial.

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**Fiscal Impact / Funding Source**

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**STAFF RECOMMENDATION**

**DENIAL**

**ATTACHMENTS:**

Description	Upload Date	Type
<input type="checkbox"/> Application #FLUMA-17-03	5/23/2017	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: C&P+ic

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

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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:

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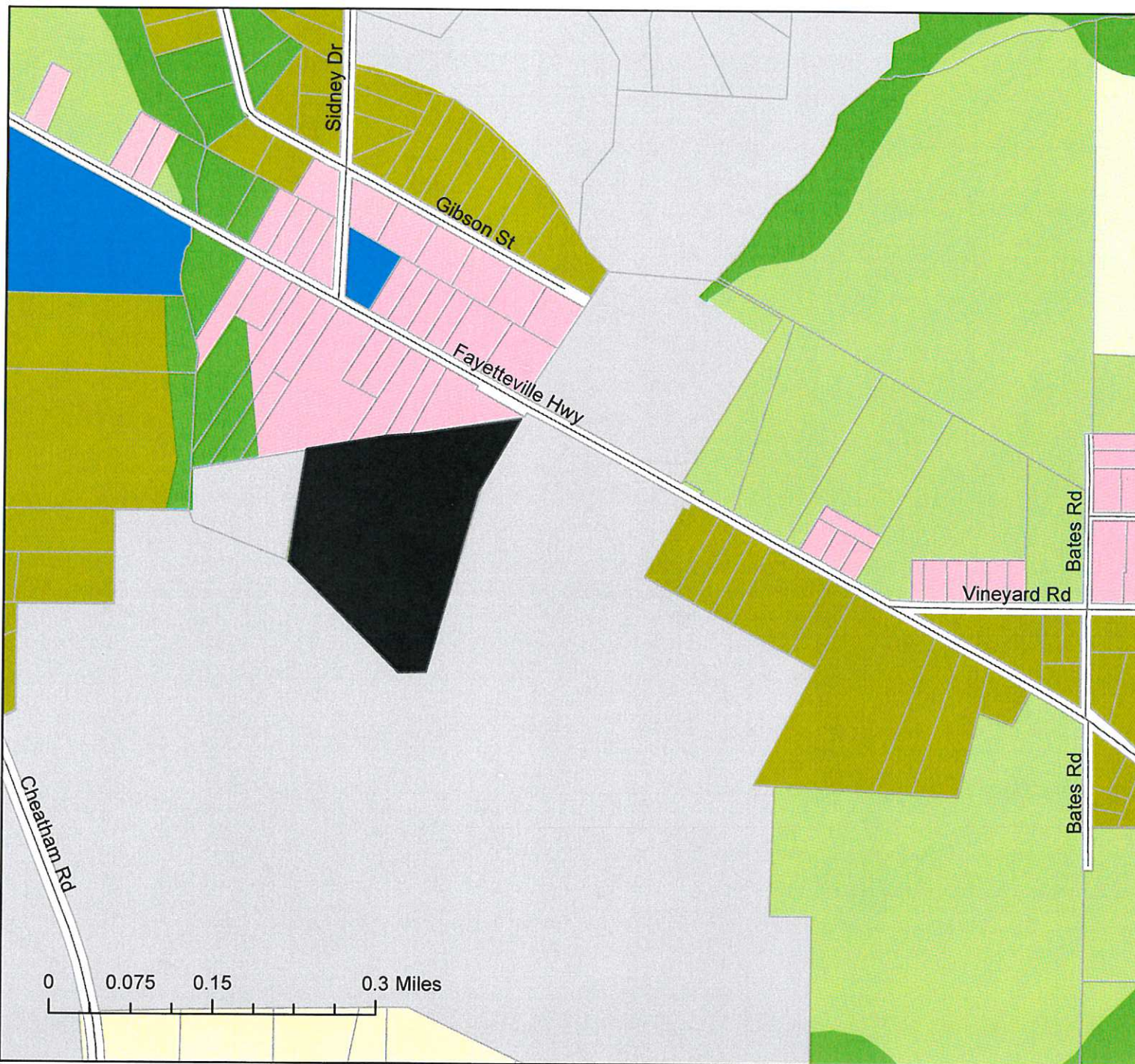
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## Additional Information Required

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

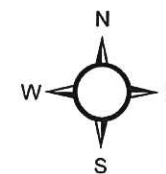
Attachments	Level A	Level B	Level C	Level D	Level E	Level F
Form II		✓	✓	✓	✓	✓
Project Description	✓	✓	✓	✓	✓	✓
Preliminary Site Development Plan		✓	✓	✓	✓	✓
Map of proposed FLUM Change (include adjacent properties)		✓	✓	✓	✓	✓
Environmental Impact Analysis				✓	✓	✓
Traffic Study (tie to County or regional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

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# SPALDING COUNTY PLANNING COMMISSION

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**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 Application #17-04Z

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### 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 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 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**

### ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #17-04Z	5/23/2017	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): 3<sup>rd</sup> 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: \$500<sup>00</sup>

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.

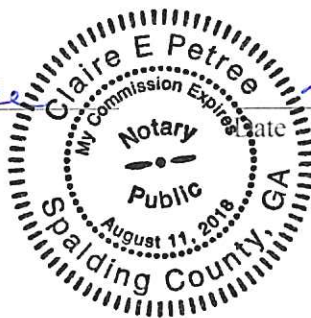
TERRY DUNN  
Print Name of Owner(s)

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 Date



--Notary Seal--

**OFFICE USE ONLY**

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

**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

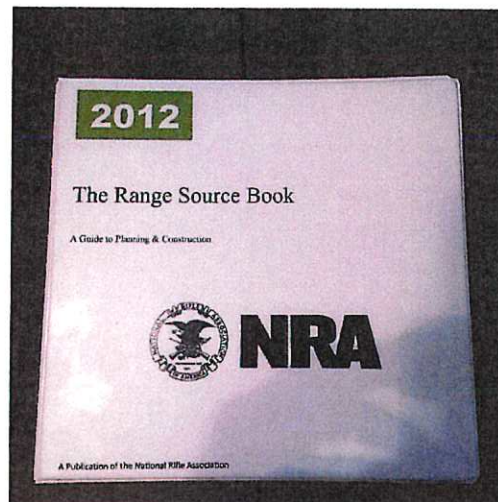


Figure 2  
Classroom instruction



Figure 3  
Simunition and marking rounds

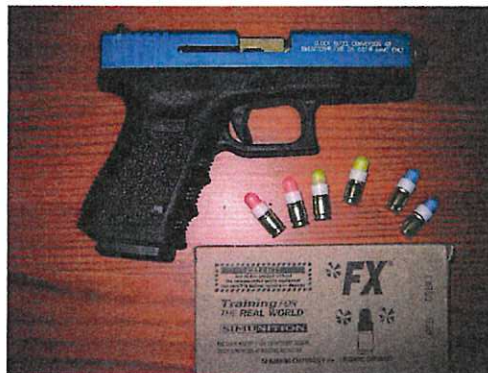


Figure 4  
Airsoft pistol and projectiles



Figure 5

Live fire on an indoor range

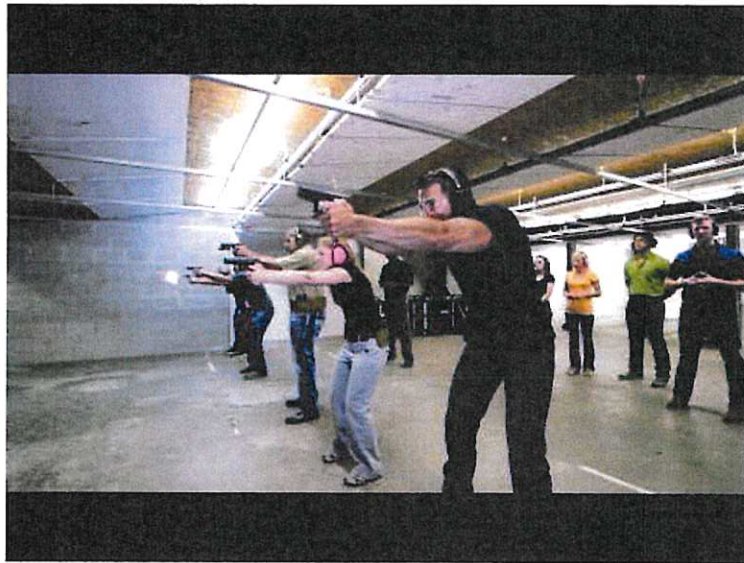


Figure 6

Instruction on an indoor range

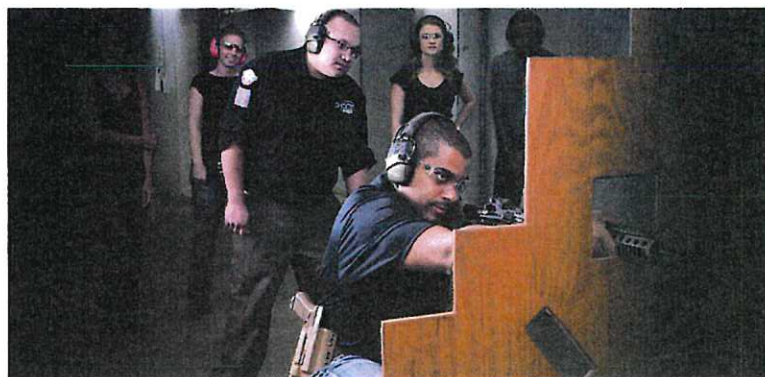


Figure 7

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

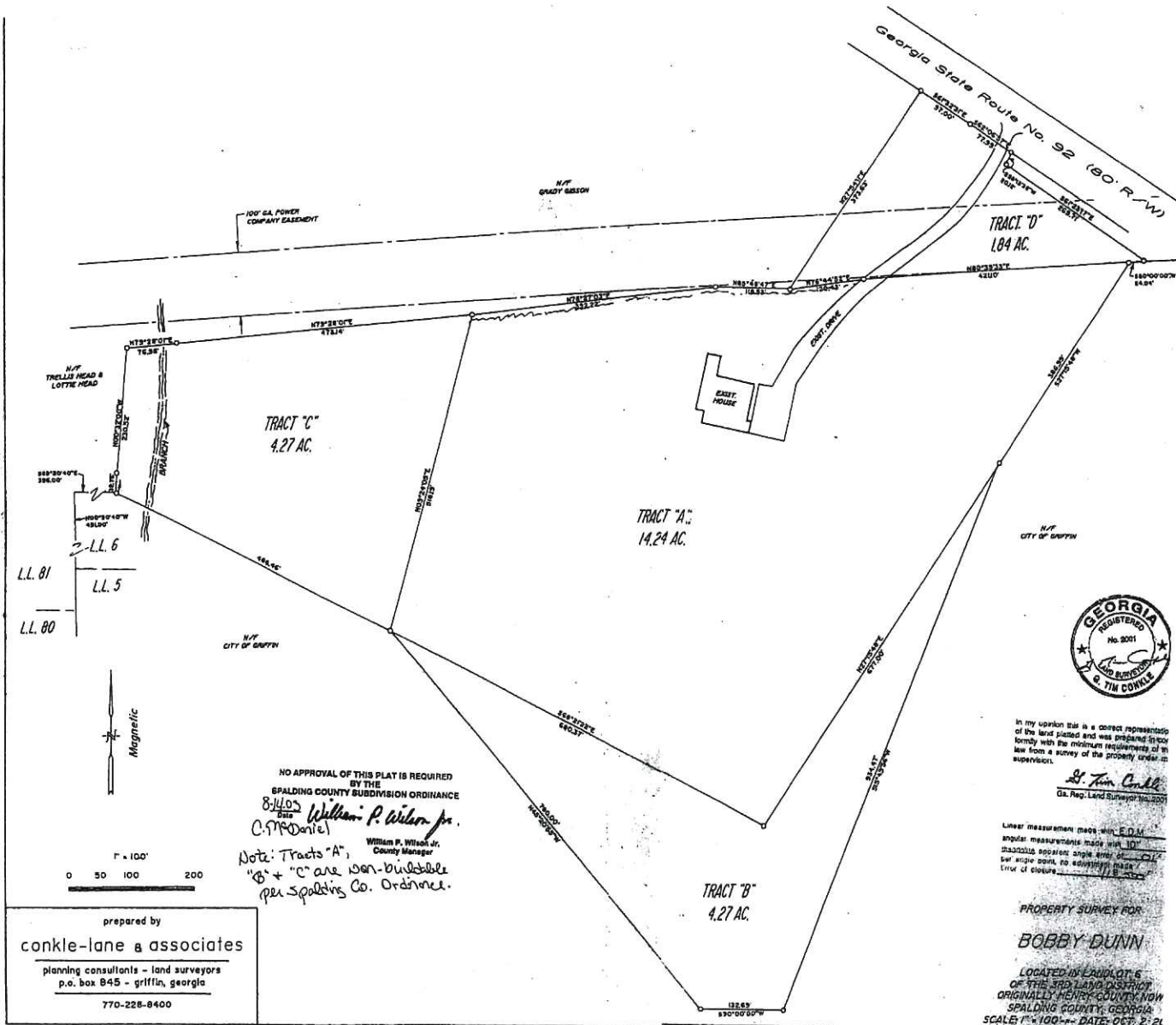
N

800 ft

Google Earth

© 2016 Google

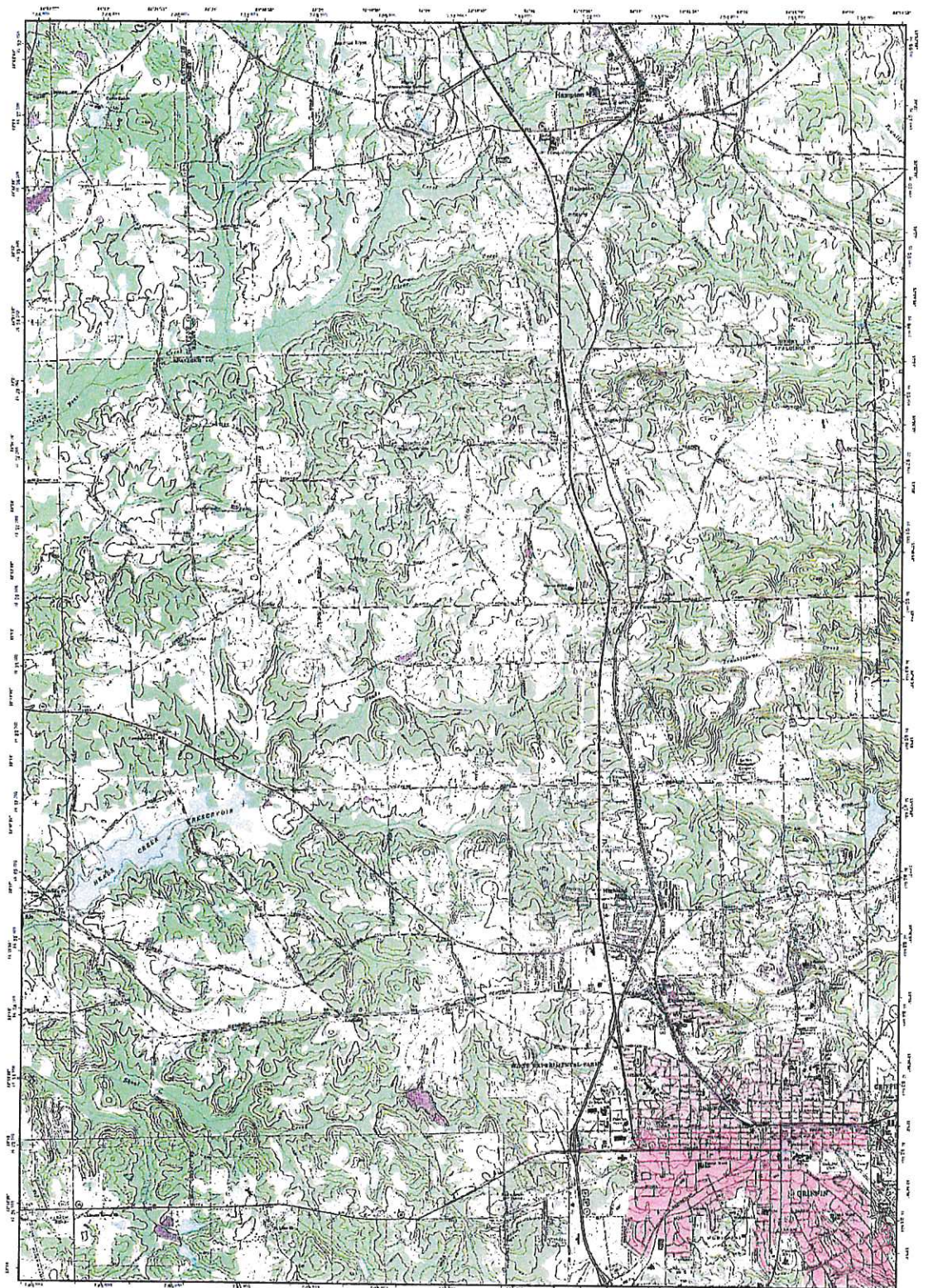




9835

A1





Griffin North  
633084c3

mytopo  
A TRIMBLE COMPANY  
© 2010 Trimble Navigation Limited. All rights reserved.

Locality Map



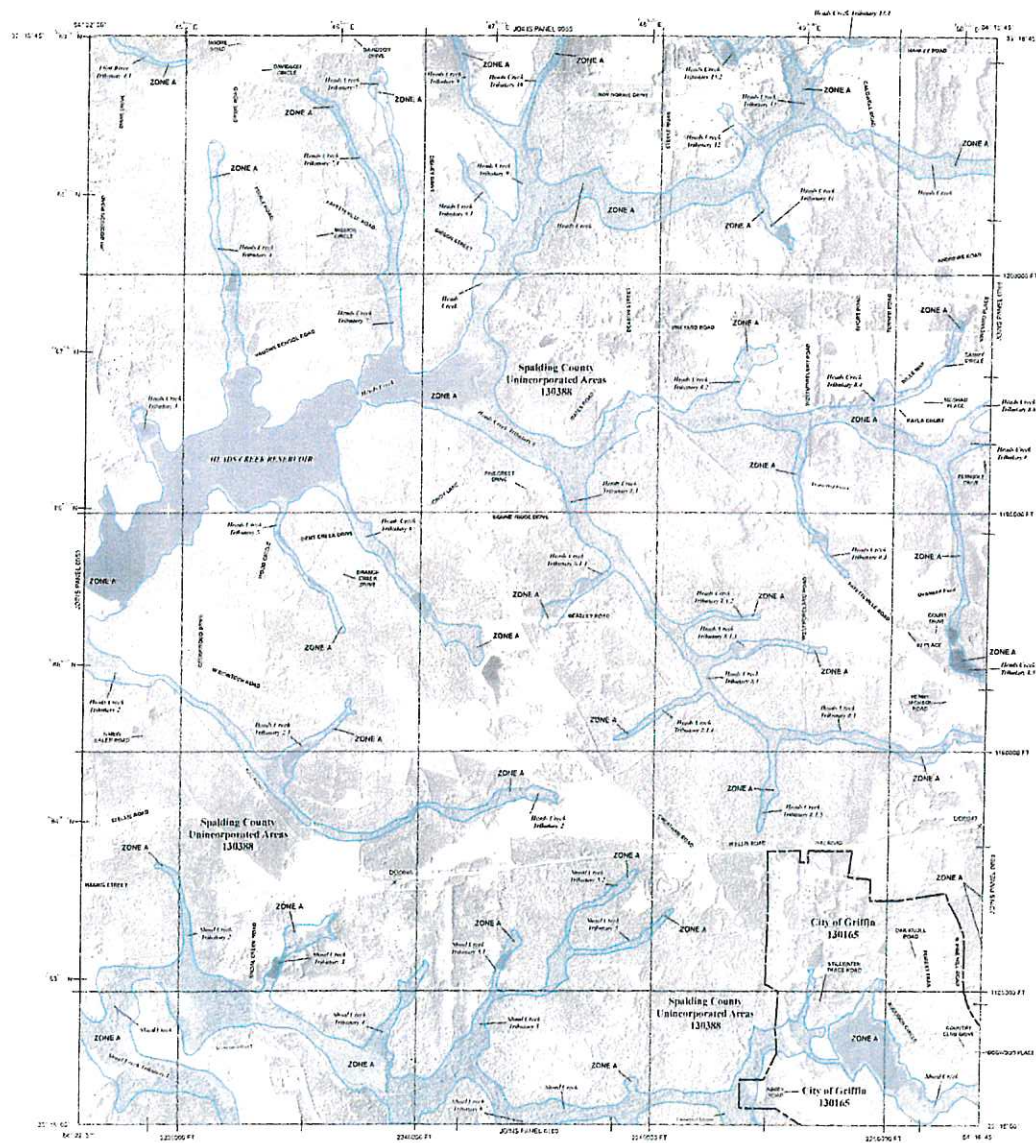
Index Map

Symbol	Description
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[Symbol]	1:25,000 Scale
[Symbol]	1:12,500 Scale
[Symbol]	1:6,250 Scale
[Symbol]	1:3,125 Scale
[Symbol]	1:1,562 Scale
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[Symbol]	1:48 Scale
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[Symbol]	1:6 Scale
[Symbol]	1:3 Scale
[Symbol]	1:1 Scale



Vertical Datum: NAVD83  
Horizontal Datum: NAD83  
Projection: UTM  
Zone: 18Q  
Units: Meters  
Scale: 1:50,000  
Sheet: 633084c3  
Date: 2010-01-01  
Author: [Name]  
Editor: [Name]  
Reviewer: [Name]  
Approver: [Name]

A3

[illegible][illegible]

**NFIP**

**PANEL 0050**

**FIRM**

**FLOOD INSURANCE RATE MAP**

**S'WALDING COUNTY, GEORGIA**


**AND INCORPORATED AREAS**

**PANEL 65 OF 250**

**USE MAP KEY TO GET FIRM PANEL LAYOUTS.**

<b>COMMUNITY</b>	<b>HAZARDOUS AREA</b>	<b>DATE</b>
00000000	0000	00/00
<b>COMMUNITY</b>	<b>HAZARDOUS AREA</b>	<b>DATE</b>
00000000	0000	00/00

**NATIONAL FLOOD INSURANCE PROGRAM**



**MAP NUMBER**  
**125000050**

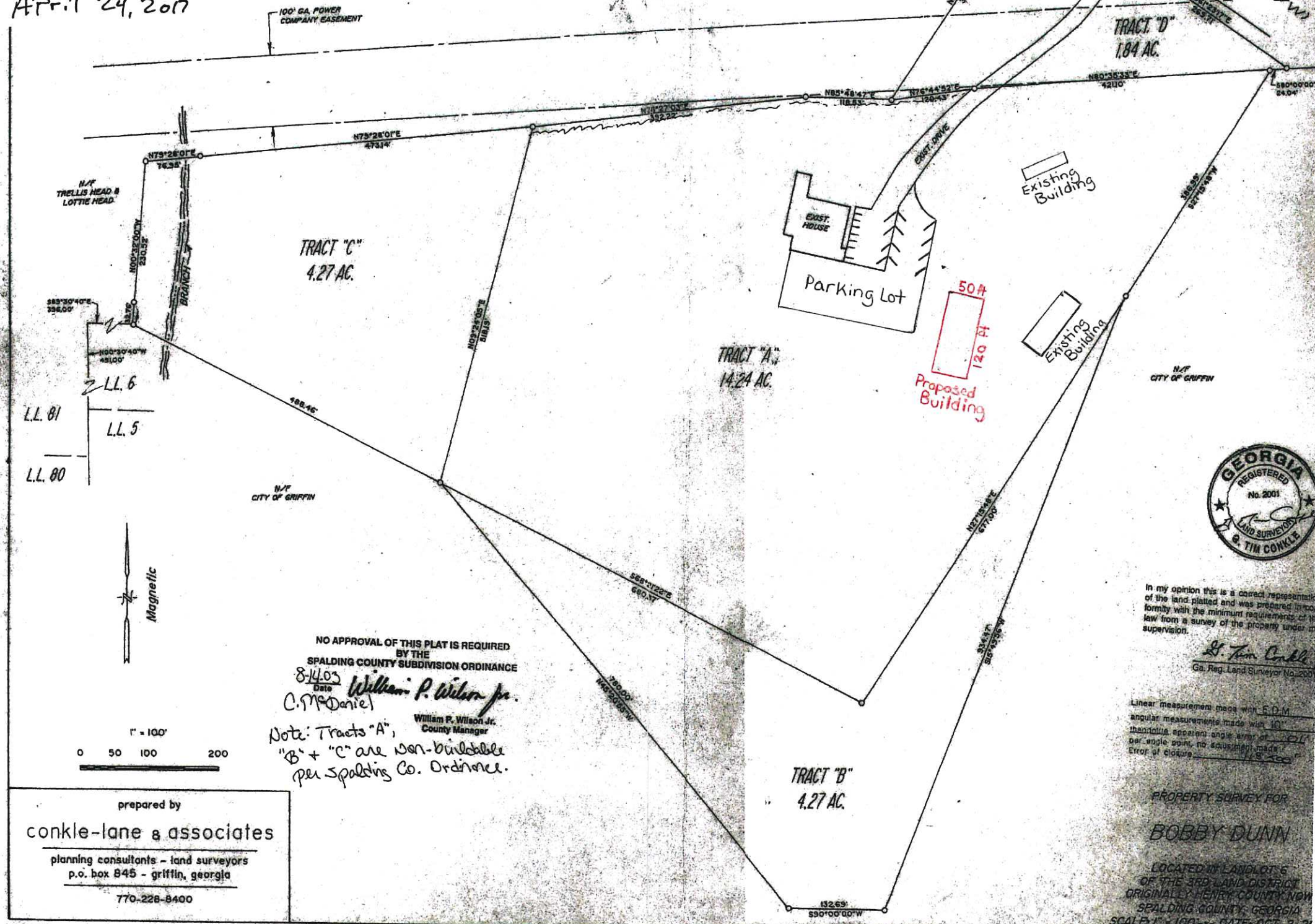
**EFFECTIVE DATE**  
**MAY 3, 2016**

Federal Emergency Management Agency

# 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, 2017

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 \$ 0.00  
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

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:

GEORGIA, SPALDING COUNTY  
CITY OF GRIFFIN

(Witness)

By: *Car H. [Signature]*

Attest: *Delette Smith*

*Patty O. Borkowski*  
Notary Public,  
Notary Public, Spalding County, Georgia  
My Commission Expires July 14, 2025



02342  
00183

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 30224

03 AUG 14 AM 9 01

BY Myrtle F. Peoples  
MYRTLE F. PEOPLES, CLERK

(Warranty Deed)

STATE OF GEORGIA SPALDING COUNTY

THIS INDENTURE, made the 13<sup>th</sup> 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.

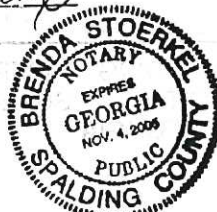
(SEAL)

Richard Mullins  
(Witness)

By: Bobby Dunn

Brenda Stoerkel  
Notary Public,

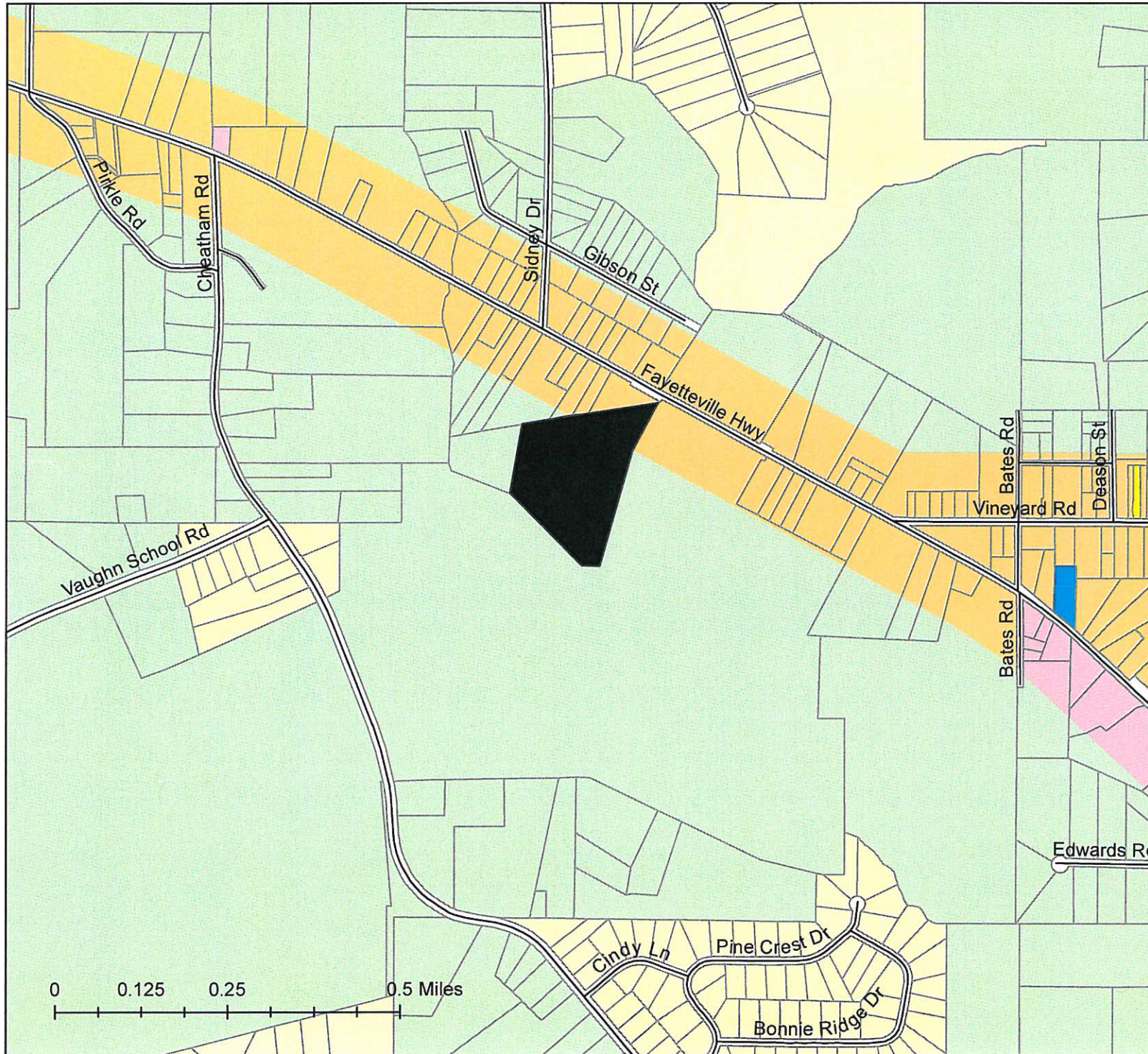
Attest: \_\_\_\_\_



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

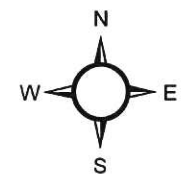


Zoning	
	PDD
	AAR
	AR1
	AR2
	C1
	C1A
	C1B
	C1C
	C2
	C3
	OI
	PRRRD
	R1
	R2
	R2A
	R4
	R5
	R6
	VN

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

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# SPALDING COUNTY PLANNING COMMISSION

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**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 3<sup>rd</sup> 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] 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."

## **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, 7<sup>th</sup> 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 Amendment to UDO #A-17-03

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**Requesting Agency**

Office of Community Development

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**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

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**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.

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**Fiscal Impact / Funding Source**

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**STAFF RECOMMENDATION**

**DENIAL**

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**ATTACHMENTS:**

Description	Upload Date	Type
<input type="checkbox"/> Amendment to UDO #A-17-03	5/18/2017	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 Amendment to UDO #A-17-04

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### Requesting Agency

Office of Community Development

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### 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-2 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

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### 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.

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### Fiscal Impact / Funding Source

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### STAFF RECOMMENDATION

### APPROVAL

### ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Amendment to UDO #A-17-04	5/18/2017	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 Approval of April 25, 2017 Minutes

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**Requesting Agency**

Office of Community Development

---

**Requested Action**

Consider approval of April 25, 2017 minutes.

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**Requirement for Board Action**

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**Is this Item Goal Related?**

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**Summary and Background**

---

**Fiscal Impact / Funding Source**

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**STAFF RECOMMENDATION****ATTACHMENTS:**

Description	Upload Date	Type
<input type="checkbox"/> Mintues 04-24-17 PC	5/18/2017	Backup Material

**SPALDING COUNTY PLANNING COMMISSION**  
**Regular Meeting**  
**April 25, 2017**

The Spalding County Planning Commission held its regular monthly meeting on April 25, 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; and Yvonne Langford to record the minutes. Zoning Attorney Newton Galloway was not present at the meeting.

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.

**Application #17-02Z:** James William Campbell, Jr. and Mandy Latishia Campbell, Owners – 4129 Highway 19/41 (0.46 acres located in Land Lot 108 of the 3<sup>rd</sup> Land District)- requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Mr. Jacobs said the property owner operated this business as a repair shop. It was grandfathered for almost 30 years. His business licensed lapsed and the “grandfathering” expired. He now has decided to start the business again. When he came to get a business license, this type business is not allowed in the C-1 zoning, and he is requesting the C-1B zoning which allows the repair shop. The staff recommendation is for approval with the condition that all outdoor storage shall be neat and orderly at all time.

Mr. Cox discussed the procedure for handling properties that have been grandfathered and have lost that status. Further discussion was held regarding the differences in the C-1 and the C-1B zoning. He questioned how a condition that outdoor storage be kept neat and orderly at all times can be enforced. Mr. Jacobs reviewed the differences between the C-1 and C1-B zoning. He discussed how they enforce the condition of the property being kept orderly and neat.

Mr. Harris said he is concerned regarding the condition of outside storage. There are areas around the community that are unsightly and nothing seems to get done regarding clean up. He wanted information regarding what storage would be on the outside.

Mr. Jacobs said it is his responsibility to enforce the zoning conditions. He has been working on conditions in the western part of the county regarding a home occupation for three months and would give this site the same attention.

James Campbell – 4129 Highway 19/41

Mr. Campbell said he worked for the government for 8 years. He was a building official for the City of McDonough and is very familiar with what is being discussed. He also worked for the City of Hampton. He started his shop in Riverdale and all he built was Corvette cars for a number of years. He is not a repair shop. If you go by his business, there will be cars there during the day. He closed his business for a year due to health reasons. He tried to sell the property. They have chosen not to sell the property and to go back into business. At any given

time, he had five full time employees. You would never see them because they are behind the fence and in the shop. They restore cars that sell for \$250,000. They restore cars that are shipped to Germany and Ireland. Their clients are not local. They are a regional shop. A TV show filmed his shop for two years. He also does a radio show about automobiles. They stopped filming for a year but plan to resume when they get their business license. He insures automobiles at \$17,000,000. Most of the time that was what was in his shop.

## **MOTION**

Mr. Eubanks made a motion to approve Application #17-02Z with the condition as recommended by staff. The motion passed on a second by Mr. Harris 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 March 28, 2017 meeting. 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 abstaining because he was not present.

## **Review and approval of revised preliminary plat for River Falls off Locust Grove Road.**

Andy Welch – 2200 Keys Ferry Court - McDonough, Georgia

Mr. Welch said he is an attorney representing Mr. Hinton regarding this application. Mr. Hinton has purchased this conservation subdivision. The infrastructure is in but no construction has ever been started. He wants to abandon the roadway that goes to the back portion of the property. He does not plan to develop that portion of the property. He wants to revise the plat and not develop Phase II.

Mr. Jacobs said the staff recommendation is for approval. It was originally approved as a 44-lot subdivision and he now wants it to be a 20-lot subdivision. It still complies with regulations for a conservation subdivision. If this is approved, he will prepare a final plat.

## **MOTION**

Mr. Harris made a motion to approve the revised preliminary plat for River Falls. 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.

## **Review and approval of revised preliminary plat for Sun City Peachtree off Teamon Road and Jordan Hill Road.**

Tim Poff - Pulte Homes Corporation

Mr. Poff said they need to renumber some of their pods in this development. When they initially numbered them, Pod 37A, Pod 37B, and Pod 37C each had a lot 1. The corporate software could not take three lot #1's in a Pod 37. They have renumbered all three pods.

Mr. Jacobs said everything stayed the same except for the numbering. Pod 37 is one of the larger pods and was broken down into three sections. The staff recommends approval.

## **MOTION**

Mr. Cox made a motion to approve the revised preliminary plat for the Sun City Peachtree development. The motion passed on a second by Mr. Harris with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

Mr. Jacobs said the vision workshops are scheduled for Thursday, April 27<sup>th</sup> at 10:00 a.m. at the Spalding County Courthouse Annex, Thursday, April 27<sup>th</sup> at 6:00 p.m. at Griffin Center Point Church, and Saturday, April 29<sup>th</sup> – at 10:00 a.m. at Spalding High School. They are trying to get this information to the public. He reminded the members they needed to try to make one of those meetings.

**ADJOURN**

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

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John Youmans – Chair

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Yvonne M. Langford - Recorder