

Agenda

Spalding County Planning Commission

June 27, 2017

7:00 PM

**Spalding County Annex Building, 119 E. 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 #17-05Z:** David W. Morrison and Kimberly L. Morrison, Owners - 207 Cecil Jackson Road (3 acres located in Land Lot 229 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential and R-2, Single Family Residential, to AR-1, Agricultural and Residential.
2. **S/D #05-07:** Consider extension of preliminary plat for Vineyard Park Subdivision - CBD Investments, LLC, Owner - current preliminary plat expires June 28, 2017.

C. Approval of Minutes:

3. Consider approval of May 30, 2017 minutes.

D. Other Business:

E. Adjournment



SPALDING COUNTY PLANNING COMMISSION Application #17-05Z

Requesting Agency

Office of Community Development

Requested Action

Application #17-05Z: David W. Morrison and Kimberly L. Morrison, Owners - 207 Cecil Jackson Road (3 acres located in Land Lot 229 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential and R-2, Single Family Residential, to AR-1, Agricultural and Residential.

Requirement for Board Action

Section 414.

Is this Item Goal Related?

No

Summary and Background

The applicant has requested approval from Spalding County to rezone the subject property from R-2, Single Family Residential and AR-1, Agricultural to AR-1, Agricultural. In addition to the property being their residence, the applicant would like to have the ability to place more than one horse on the subject property.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

APPROVAL

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #17-05Z	6/7/2017	Backup Material

SPALDING COUNTY
REQUEST FOR ZONING MAP CHANGE
APPLICATION NO. 17-052

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: N/A

Address: _____

City: _____

State: _____ Zip: _____

Phone: _____

Contact Person: _____

PROPERTY OWNER INFORMATION

Name: David W. & Kimberly L. Morrison

Address: 207 Cecil Jackson Rd.

City: Griffin

State: GA Zip: 30223

Phone: 678-603-0431 David

Phone: 678-300-2880 Kim

APPLICANT IS THE:

_____ Owner's Agent

_____ ☒ Property Owner

_____ Developer

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

Requested Zoning District(s): AR-1

Land District(s): 3

Land Lots(s): 229

Acreage: 3

Address Of Property: 207 Cecil Jackson Rd., Griffin, GA 30223

Proposed Development: N/A

OTHER REQUIRED INFORMATION

Checklist

- X 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.
- X Please attach a statement describing the proposed development.
- X Please attach a deed, certified by the Clerk of Court, of the property proposed for rezoning.
- X Please attach a copy of metes and bound description of the property for rezoning.
- X 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)? One

OFFICE USE ONLY

Date Received: 5-19-17 Amount of Fee: \$500⁰⁰

Received By: C. McDaniel Receipt Number: 716713

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, all land around our parcel except for the vacant parcel next to us are zoned AR-1.

(B) Whether the property is suitable for the proposed use: Yes, the property next to us is zoned AR-1 and is a 3 acre parcel.

(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?:
There is not a threat to any of the above.

(E) Whether and to what extent is the subject property value diminished under the present zoning?:
The present zoning is zoned AR-1 & R-2. The value should increase when zoning is all AR-1.

(F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: There is not a benefit to the public to not rezone. Not rezoning is definitely a hardship for the owners.

Use Additional Pages, If Necessary

OFFICE USE ONLY

Date Received: 5/19/17

Received By: C. McDaniel

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

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

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

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

David W. Morrison / Kimberly L. Morrison

Print Name of Owner(s)

Print Name of Agent, If Not Same as Owner

Kim Morrison
David Morrison 5/19/17

Signature of Owner(s) Date
or Signature of Authorized Officer or Agent
(if applicable)

Signature of Agent

Cynthia L. McDaniel
Signature of Notary Public
Expires 8-17-20

5-19-17
Date

--Notary Seal--

OFFICE USE ONLY

Date Received: 5/19/17 Received By: C. McDaniel

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.

Kim Morrison
David W. Morrison 5/19/17
Signature of Applicant Date

David W. Morrison/Kimberly L. Morrison/Property Owner(s)
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 5-19-17

Case # 17-052 Accepted By C. McDaniel

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)

May 18, 2017

To Whom It May Concern:

We would like 207 Cecil Jackson Rd. to be rezoned completely to AR-1 so that we can fence the yard and have horses.

Sincerely,

A handwritten signature in blue ink, appearing to read "David W. Morrison".

David W. Morrison

A handwritten signature in blue ink, appearing to read "Kimberly L. Morrison".

Kimberly L. Morrison

Return Recorded Document to:
Wessels & Dixon, P.C.
120 W. Solomon Street
Griffin, GA 30223
770-229-7140

Real Estate Transfer Tax
Paid \$ 167.90
Date 5-5-17
PT - 61 126- 3017-965
Marcia L. Norris
Clerk of Superior Court, Spalding Co., Ga.

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA

2017 MAY -5 A 11:10

BY *WLE*
MARCIA L. NORRIS, CLERK

JOINT TENANCY WITH SURVIVORSHIP WARRANTY DEED

STATE OF GEORGIA
COUNTY OF SPALDING

File - 17G-0133

This Indenture made this 28th day of April, 2017 between George W. Noonkester and Janice Noonkester, of the County of Spalding, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and David W. Morrison and Kimberly L. Morrison, as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts 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 Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

All that lot, tract or parcel of land situate, lying and being in Land Lots 229 & 230 of the 3rd Land District of originally Henry County, now Spalding County, Georgia, and being more particularly shown and designated as Lot 7 on that certain plat of survey entitled "Final Plat of Weldon Crossing" dated October 2, 2002, prepared by G. Tim Conkle, Registered Land Surveyor No. 22001, a copy of which said plat is recorded in Plat Book 24, Page 269, Spalding County Clerk of Superior Court, Georgia Records. Said plat with its metes, bounds, courses and distances as shown thereon with respect to Lot 7 is incorporated herein by express reference thereto as if set out fully hereon.

This conveyance is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

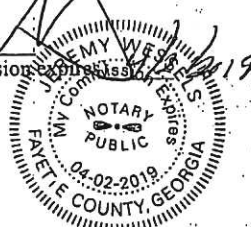
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed this 28th day of April 2017 in the presence of:

David W. Morrison
Unofficial Witness

Notary Public (My commission expires 04/02/2019)



George W. Noonkester
George W. Noonkester
Janice Noonkester
Janice Noonkester

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA

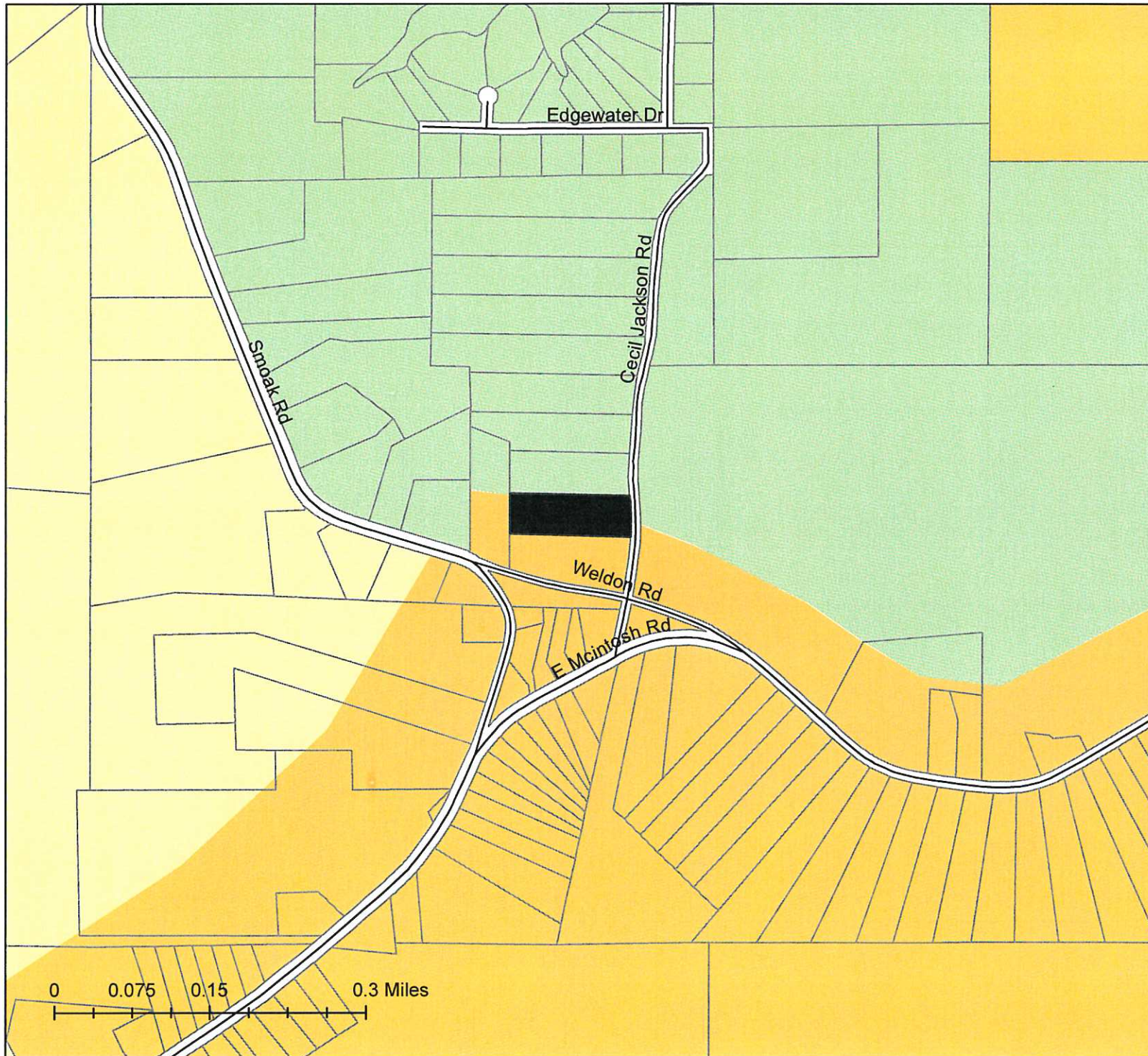
ALL THAT TRACT OR PARCEL OF LAND IN LAND LOT 229 OF THE 3rd DISTRICT OF SPALDING COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED ON THE WESTERNLY RIGHT-OF-WAY OF CECIL JACKSON ROAD, SAID POINT BEING 292.06' NORTHERLY FROM THE INTERSECTION OF THE WESTERNLY RIGHT-OF-WAY OF CECIL JACKSON ROAD AND THE NORTHERLY RIGHT-OF-WAY OF WELDON ROAD AND BEING THE TRUE POINT OF BEGINNING; THENCE RUNNING N 88 19 11 W A DISTANCE OF 617.72' TO A IRON PIN; THENCE RUNNING N 00 06 36 E A DISTANCE OF 211.97' TO A IRON PIN; THENCE RUNNING S 88 19 13 E A DISTANCE OF 612.51' TO A IRON PIN ON THE WESTERNLY RIGHT-OF-WAY OF CECIL JACKSON ROAD; THENCE RUNNING ALONG THE RIGHT-OF-WAY S 04 23 25 E A DISTANCE OF 58.87' TO A POINT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY S 00 06 34 E A DISTANCE OF 153.43' TO A IRON PIN AND THE TRUE POINT OF BEGINNING.

TRACT CONTAINS 3.00 ACRES

A circular professional seal for a Georgia Registered Professional Surveyor. The outer ring contains the text "GEORGIA" at the top and "REGISTERED" at the bottom. Inside the ring, the text "No. 1620" is printed. Below the number, the name "S. A. GASKINS SR." is written in a cursive script. The seal is flanked by two stars on the left and right sides.

#17-05Z Morrison

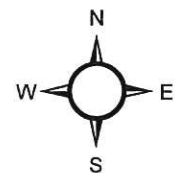


Zoning	
	PDD
	AAR
	AR1
	AR2
	C1
	C1A
	C1B
	C1C
	C2
	C3
	OI
	PRRRD
	R1
	R2
	R2A
	R3
	R4
	R5
	R6
	VN

Approximate size
of an Acre.



1 inch = 702.43 feet



Map # 211-01-072

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

SPALDING COUNTY PLANNING COMMISSION

DATE: June 27, 2017

TO: Spalding County Planning Commission
Spalding County Board Of
Commissioners

FROM: Department of Community Development

RE: Rezoning Application #17-05Z
Total acreage: 3.0+ acres
R-2 & AR-1 to AR-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 3.0 acres, more or less, located at 207 Cecil Jackson Road.

District and Land Lots:

The property is located in the 3rd Land District, in Land Lot 229.

Current Owner:

The property is owned by David W. Morrison and Kimberly L. Morrison by virtue of Deed recorded May 5th, 2017 in Deed Book 4163, Page 293, Office of the Clerk of the Superior Court, Spalding County, Georgia.

Agent/Developer

None

Overview of Development:

The applicant has requested approval from Spalding County to rezone the subject property from R-2, Single Family Residential and AR-1, Agricultural to AR-1, Agricultural. In addition to the property being their residence, the applicant

would like have the ability to place more than one horse on the subject property.

Current Area Development

Current Zoning/Authorized Development:

The property is currently split zoned R-2, Single Family Residential and AR-1, Agricultural Residential and can be developed with one residential dwelling. Agricultural uses can be applied to the AR-1 zoned portion.

R-2 only allows one horse for every 3 acres and no other livestock.

Existing Use:

The property is developed with a residential dwelling.

Land Use Plan:

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

Schools:

The following is data as submitted by the Griffin-Spalding County School System:

Schools Impacted and Enrollment vs. Capacity

School	Enrollment	Capacity
Jackson Road Elementary	500	450
Taylor Street Middle	579	650
Spalding High	1344	1575

There would be no further impact to the school system as a result of rezoning the subject property.

Compliance with Zoning Ordinance Development Standards:

AR-1 Development Standards:

Minimum Heated Floor Area Per Dwelling Unit: 1,500 square feet

Minimum lot area: As specified by the Spalding County Health Department, but in *no* case less than 3 acres outside of a conservation subdivision; 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 AR-1 district if approved by the Spalding County Health Department. For purposes of calculating density within a conservation subdivision as defined by the Unified Development Ordinance, density shall be calculated on a net basis of 1 dwelling per 2 acres.

Minimum lot width: 200 feet.

Minimum frontage width: 200 feet, provided that frontage shall be reduced to 35 feet for lots abutting the turnaround portion of dead end streets (cul-de-sacs).

Setbacks:

front: 100 feet

side: 25 feet. However, the minimum may be reduced to 12 feet where public water is provided.

rear: 25 feet

Utilities & Infrastructure:

Transportation:

The impact with respect to transportation will be unchanged.

Water:

The site is not accessible to County water. (Source: Spalding County Water Authority).

Sewerage:

The site is not accessible to sanitary sewer service. (Source: City of Griffin Water & Wastewater Department)

Wetlands/Watershed Area:

No portion of this site is within Flood Zones. (Source: FEMA Map, Panel #13255C-0090E)

This site is located within the Towaliga River watershed district, 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 bordered with a split zoned tract of R-2, Single Family Residential and AR-1, Agricultural to the west. North of the property is AR-1 zoning. South of the subject property is R-2 zoning. All uses within the general area are either single family residential or agricultural in nature.
2. The suitability of the property for the proposed purpose.
The Future Land Use Map indicates that the property should be used as "Agricultural" and is consistent with the FLUM and Comprehensive Plan for this area.
3. The length of time the property has been vacant.
The property is developed with a residential dwelling.
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 the rezoning of this property.

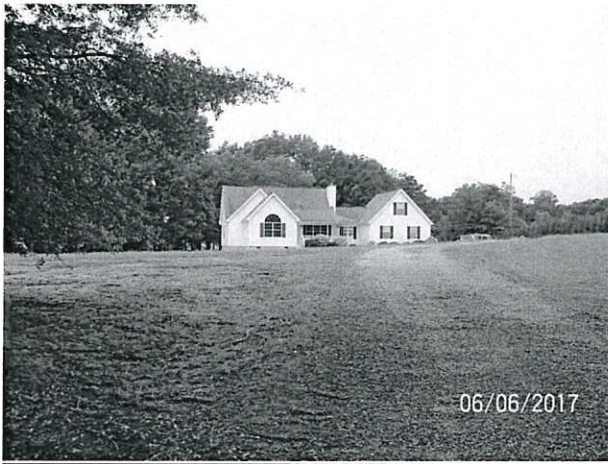
There would be no impact on the schools in the form of new students.

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)



View of subject property looking west.

Staff Recommendations:

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

1. The request is consistent with the Spalding County Comprehensive Plan and associated Future Land Use Map (2004-2024).



SPALDING COUNTY PLANNING COMMISSION S/D #05-07 - Vineyard Park

Requesting Agency

Office of Community Development

Requested Action

S/D #05-07: Consider extension of preliminary plat for Vineyard Park Subdivision - CBD Investments, LLC, Owner - current preliminary plat expires June 28, 2017.

Requirement for Board Action

Section 404:F - Appendix A. Subdivision Ordinance

Is this Item Goal Related?

No

Summary and Background

Applicant proposes an 82-lot single family subdivision developed under the Country Club and Condominium dwelling, patio dwelling and zero lot line dwelling Special Exception design standards.

Per Appendix A, Section 404:F a preliminary plat is valid for a period of two (2) years. The applicant has requested an extension of said approved preliminary plat.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

APPROVAL

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> SD #05-07	6/5/2017	Backup Material

5/D#05-07

RECEIVED

MAY 08 2017

INSURANCE • REAL ESTATE



MANAGEMENT • DEVELOPMENT


THE POWER TO PERFORM

May 4, 2017

Department of Community Development
P.O. Box 1087
Griffin, Georgia 30224

Spalding County Planning Commission

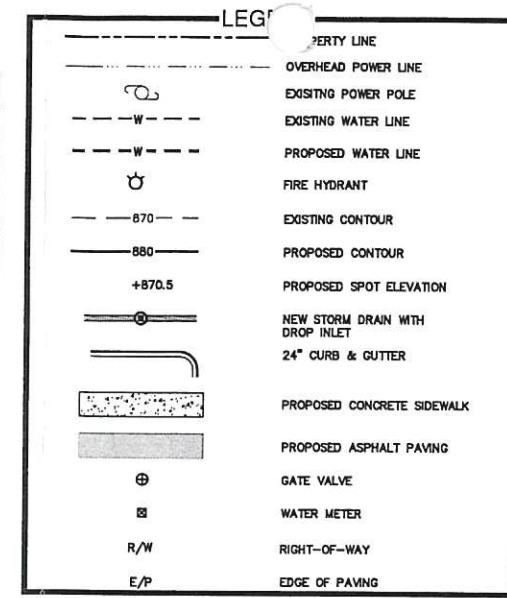
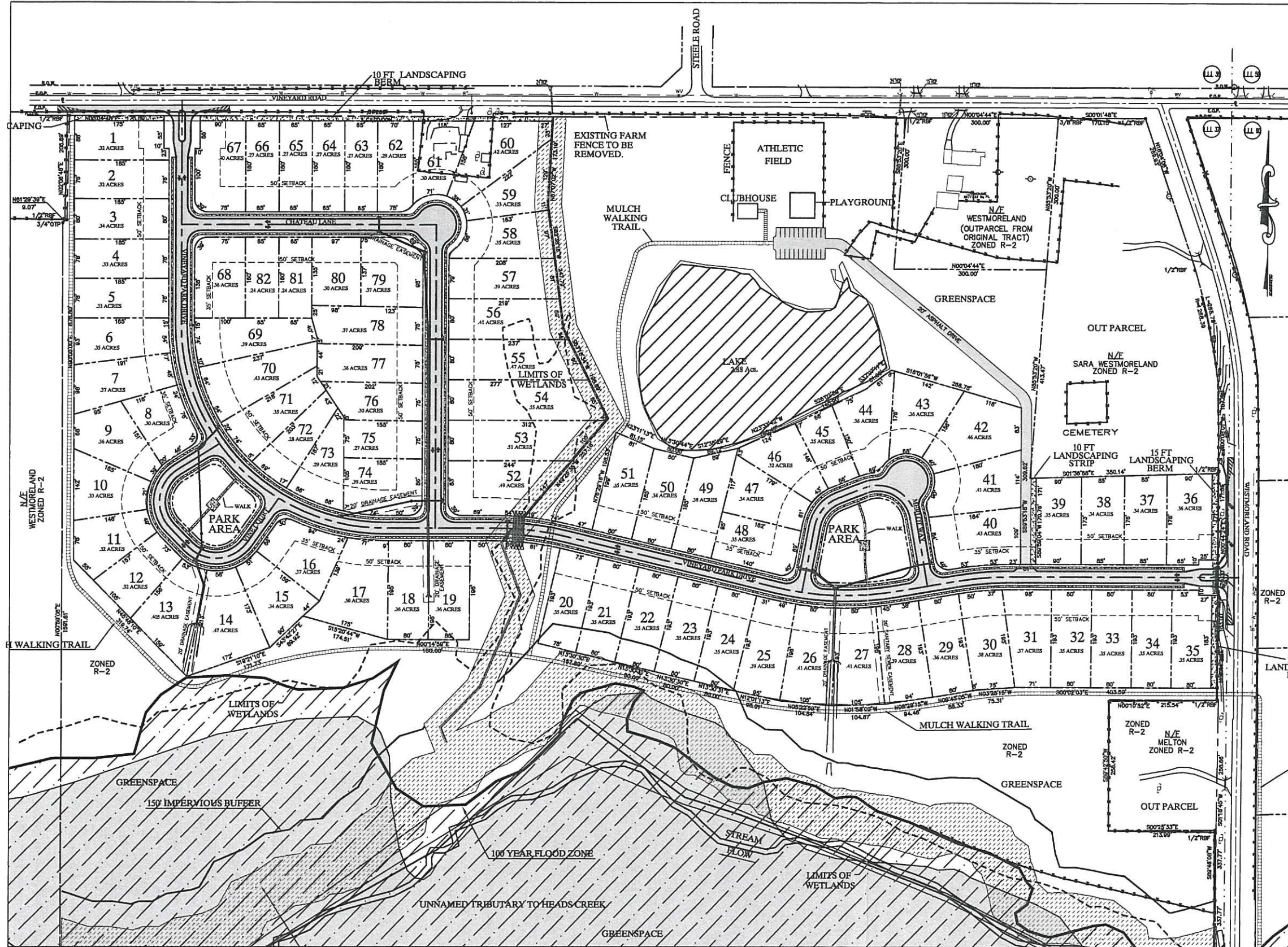
I would like to request a 2 year extension for the Preliminary Plat for Vineyard Park Subdivision, located off Vineyard and Westmoreland Road.
Thank you for your help on this matter.


E. F. Hughs III
Senior VP Development Services
The Norton Agency
ehughs@nortonnorthga.com
(678) 316-4389

W. L. NORTON AGENCY, INC.

gonorton.com

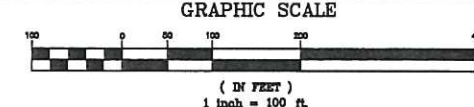
■ INSURANCE 434 Green St. Gainesville, GA 30501 770.534.5248 1.800.955.0022	■ GAINESVILLE RESIDENTIAL 434 Green St. Gainesville, GA 30501 770.536.1250 1.800.955.0022	■ COMMERCIAL/ ACREAGE 434 Green St. Gainesville, GA 30501 770.297.4800 1.800.955.0022	■ SOUTH HALL 4006 Mundy Mill Oakwood, GA 30566	■ HABERSHAM COUNTY 855 Washington St. Clarkesville, GA 30523 706.754.5700 1.800.663.7136	■ WHITE COUNTY 14 Courthouse Sq. Cleveland, GA 30528 706.865.2189	■ GA 400 75 Elliott Road Dawsonville, GA 30534 770.887.0053	■ JACKSON/BANKS 1744 N. Broad St. Commerce, GA 30529 706.335.8009	■ BARROW 316 110 N. Broad st Winder, GA 30680 770.307.0087	■ DAHLONEGA 81 Crown Mtn. Pl. Suite B 100 Dahlonega, GA 30533 706.867.0525
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SITE NARRATIVE

- OWNER/DEVELOPER CONTACT: WESTMORELAND PARTNERS, LLC.
MR. MIKE HORNE (770) 389-7307
125 WESTRIDGE INDUSTRIAL BLVD
SUITE 210
McDONOUGH, GA. 30253
- ENGINEER CONTACT: PARAGON CONSULTING GROUP
MR. CHARLES PENNY (770) 412-7700
118 NORTH EXPRESSWAY
GRIFFIN, GA. 30223
- BOUNDARY DATA TAKEN FROM PLAT FOR HUDGINS CONSTRUCTION PREPARED BY SOUTHSIDE SURVEYING & PLANNING LLC.
- TOPOGRAPHIC DATA TAKEN FROM AERIAL SURVEY PREPARED BY JACK W. BERRY & ASSOCIATES, PEACHTREE CITY, GEORGIA, DATE OF PHOTOGRAPHY 2000
- ALL ELEVATIONS SHOWN ARE ON MEAN SEA LEVEL DATUM.
- PROPERTY LOCATED IN LAND LOT 37, 38, 59 & 60 OF THE 3rd DISTRICT, SPALDING COUNTY, GEORGIA.
TAX MAP 260, BLOCK 06
PARCEL 08
- SITE ZONED: R-2 WITH SPECIAL EXCEPTION FOR COUNTRY CLUB THEME.
SITE USAGE: PROPOSED SUBDIVISION
BUILDING SETBACKS: FRONT YARD - 50' SETBACK
- ADJACENT PROPERTIES ARE ZONED R-2.
- TOTAL AREA OF DEVELOPED SITE = 85.51 ACRES
TOTAL AREA OF PROPOSED LOTS = 24.49 ACRES
TOTAL AREA OF PROPOSED RIGHT OF WAY = 5.74 ACRES
- PROPOSED NUMBER OF LOTS = 82 LOTS
GROSS DENSITY = 1.04 UNITS PER ACRE
AVERAGE LOT SIZE = 0.36 ACRE
- AS PER F.I.R.M. PANEL NUMBER 130388 0050 B, DATED JULY 2, 1991, A PORTION OF THIS SITE LIES WITHIN A FLOOD HAZARD ZONE.
- ALL CONSTRUCTION SHALL CONFORM TO THE SPALDING COUNTY STANDARD SPECIFICATIONS AND REGULATIONS.
- MAXIMUM BUILDING HEIGHT: 35 FEET
- ALL DIMENSIONS ARE TO OUTSIDE FACE OF BUILDING (WHERE APPLICABLE) TO FACE OF CURB, OR AS OTHERWISE NOTED.
- DO NOT SCALE THIS DRAWING AS IT IS A REPRODUCTION AND SUBJECT TO DISTORTION.
- DEVELOPER CONTACT: MIKE HORNE
(WESTMORELAND PARTNERS LLC)
PH: (770) 389-7307
125 WESTRIDGE INDUSTRIAL BLVD
SUITE 210
McDONOUGH, GA. 30253
- LOTS TO BE SERVED BY PUBLIC WATER (SPALDING COUNTY WATER) AND PUBLIC SEWER.
- PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY THE HOME BUILDER FOR EACH LOT WILL BE REQUIRED TO INSTALL THEIR PORTION OF SIDEWALK AND A MINIMUM OF TWO SPECIMEN STREET TREES, WITHIN THE RIGHT OF WAY.
- STREET LIGHTING TO BE INSTALLED BY DEVELOPER.

SITE DEVELOPEMENT PLAN



NOTE:
ALL CONSTRUCTION TRAFFIC IS TO USE HWY 92 TO VINEYARD ROAD AND NOT USE WEST MORELAND ROAD.

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SITE DEVELOPMENT PLAN FOR VINEYARD PARK SUBDIVISION

LOCATED IN LANDLOT'S 37, 38, 59 & 60 OF THE 3rd DISTRICT, SPALDING CO., GA.

No.	Revisions:	Date
1	COMMENTS REVISIONS	8-8-05

Project No. 4044.00	Issue Date: March 2005
Drawn By: RMO	Checked By: CNP

SPALDING COUNTY PLANNING COMMISSION

DATE: May 23, 2005

AMENDED: June 26, 2007;
May 14, 2009
June 25, 2011
JUNE 25, 2013
MAY 26, 2015
JUNE 27, 2017

TO: Spalding County Planning Commission

FROM: Department of Community Development

**RE: Preliminary Plat Subdivision Application
Vineyard Park (S/D 05-07)
85.51± Acres—Zoned R-2**

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

Identification of the Property

Size and Location:

The application requests preliminary plat approval on 85.51 acres, more or less, located at Vineyard Road and Westmoreland Road.

District and Land Lots:

The property is located in the 3rd Land District, in Land Lots 37, 38, 59 and 60.

Current Owner:

CBD Investments, LLC
Two Ravinia Drive, Suite 850
Atlanta, GA 30346

Proposed Use:

Applicant proposes an 82-lot single family subdivision developed under the Country Club and Condominium dwelling, patio dwelling and zero lot line dwelling Special Exception design standards.

Per Appendix A, Section 404.F a preliminary plat is valid for a period of two (2) years. The

applicant has requested an extension of the said approved preliminary plat.

Health, Safety, Utilities Assessment:

Water:

This site is proposed to be serviced by Spalding County Water and Sewerage Authority.

Sewerage:

This site is proposed to be serviced by Spalding County Water and Sewerage Authority.

Wetlands/Watershed Area:

Per the plat, a portion of this site is within a 100-year floodplain. (Source: FEMA Map Community-Panel Number 130388-0050 B)

Environmental Overlay Districts:

The site is located within the Heads Creek Watershed district as indicated on the S-2 overlay map.

It is not included in a recharge area within the S-3 overlay map.

Preliminary Plat Review:

All county departments have reviewed the plat submitted (as revised during zoning process).

Environmental Health Department
N/A

Public Works
Approved

Water Authority
Approved

Fire Department
Approved

County Engineer/Community Development
Approved

Staff Recommendations:

- Staff recommends **APPROVAL** of the extension of the preliminary plat.



SPALDING COUNTY PLANNING COMMISSION Approval of May 30, 2017 Minutes

Requesting Agency

Office of Community Development

Requested Action

Consider approval of May 30, 2017 minutes.

Requirement for Board Action

Is this Item Goal Related?

No

Summary and Background

Fiscal Impact / Funding Source

STAFF RECOMMENDATION**ATTACHMENTS:**

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

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
May 30, 2017

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

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

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

MOTION

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

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

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

Robert Goldberg – 225 Broadmoor Drive – Fayetteville, GA.

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

Alan McCallum – 2831 Williamson Road

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

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

Kim Stone – 2715 Williamson Road

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

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

MOTION

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

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

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

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

Alex Scott – 109 Cedar Point – Peachtree City

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

Wayne Smith – 428 Constitution Circle – Peachtree City

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

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

Terry Dunn – 208 Sylvan Lane

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

Steven Walker – 470 Denton Circle – Fayetteville, Georgia.

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

Faith Wallace – 3672 Fayetteville Road

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

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

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

MOTION

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

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

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

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

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

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

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

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

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

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

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

MOTION

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

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

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

MOTION

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

MINUTES

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

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

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

ADJOURN

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

John Youmans – Chair

Yvonne M. Langford - Recorder