

Agenda

Spalding County Planning Commission

September 26, 2017

7:00 PM

**Spalding County Courthouse Annex, 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. **S/D #04-09:** Consider extension of preliminary plat for Crestwick Subdivision - Florentine Holding Company, Owner - expires September 27, 2017.
2. **S/D #05-13:** Consider extension of preliminary plat for Flint Mill Estates - Scarbrough and Rolader Development, LLC, Owner - expires September 27, 2017.
3. **S/D #05-05:** Consider extension of preliminary plat for Pinelea Road Extension - Marshall Pape, Owner - expires October 30, 2017.
4. **Application #17-06Z:** Diane S. Weeks, Owner - Bruce & Tracie Gann, Agent - 7781 Newnan Road (9.625 acres located in Land Lot 15 of the 1st Land District) - requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.
5. **Application #17-07Z:** Cheryl D. Tawfik, Galil Tawfik, Gehad G. Tawfik A/K/A Jason Tawfik, Co-Trustees 2005 Gama G. Tawfik Irrevocable Trust Dated 9-21-05, Owner - Heritage Property Holding LLC, Agent - 1808 Kilgore Road (167.93 acres located in Land Lot 119 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-1, Single Family Residential Low Density.

C. Approval of Minutes:

6. Consider approval of August 29, 2017 minutes.

D. Other Business:

E. Adjournment



SPALDING COUNTY PLANNING COMMISSION S/D #04-09 - Crestwick Subdivision

Requesting Agency

Office of Community Development

Requested Action

S/D #04-09: Consider extension of preliminary plat for Crestwick Subdivision - Florentine Holding Company, Owner - expires September 27, 2017.

Requirement for Board Action

Section 404:F - Appendix A. Subdivision Ordinance.

Is this Item Goal Related?

No

Summary and Background

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.

Fiscal Impact / Funding Source

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

Description	Upload Date	Type
SD #04-09 - Crestwick	9/20/2017	Backup Material



FLORENTINE

HOLDING COMPANY

RECEIVED
AUG 14 2017

August 9, 2017

Mr. Chad Jacobs
Community Development Director, Spalding County
Via email: cjacobs@spaldingcounty.com

Via US Mail: Cindy McDaniel
Spalding County Department of Community Development
PO Box 1087
Griffin, GA 30224

RE: Crestwick Subdivision Preliminary Plat

Dear Mr. Jacobs and the Spalding County Planning Commission,

At this time we are respectfully requesting a two year extension of the Crestwick Subdivision Preliminary Plat. If you require any additional information, please don't hesitate to contact me.

I thank you for your time and courtesies in this matter.

Sincerely,

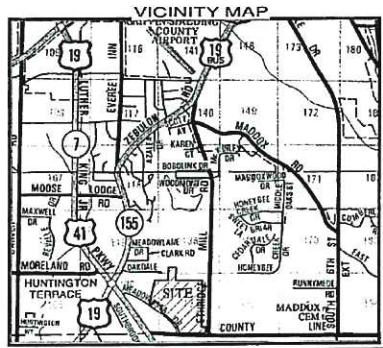


Joseph Florentine
President

PH: 732-890-2663

2400 First Street, Suite 303
Ft Myers, FL 33901
www.FlorentineHolding.com

Fax: 732-956-3948



SITE NARRATIVE

- OWNER/DEVELOPER CONTACT: AMERICAN HOUSING GROUP, INC.
MR. TIM STRAIN (770) 968-3000
7180 SOUTHLAKE PARKWAY
MORROW, GA. 30260
- ENGINEER CONTACT: PARAGON CONSULTING GROUP
MR. JOHN L. STOVER, JR. (770) 412-7700
118 NORTH EXPRESSWAY
GRIFFIN, GA. 30223
- BOUNDARY DATA TAKEN FROM PLAT FOR MULTI-SPECS, INC.,
PREPARED BY S.L. COLWELL & ASSOCIATES, 265 CRAWFORD RD.
BARNESVILLE, GEORGIA 30204, DATED JULY 23, 2003
- TOPOGRAPHIC DATA TAKEN FROM AERIAL SURVEY
PREPARED BY JACK W. BERRY & ASSOCIATES, PEACHTREE CITY,
GEORGIA, DATE OF PHOTOGRAPHY JANUARY 31, 1998
- LEVEL 3 SOILS SURVEY PREPARED BY THOMAS MACIE SOILS
SCIENCE, INC., P.O. BOX 1899, WINDER, GA 30680, SITE
MAP DATED JUNE 17, 2004.
- ALL ELEVATIONS SHOWN ARE ON MEAN SEA LEVEL DATUM.
- PROPERTY LOCATED IN LAND LOT 137 OF THE 2nd DISTRICT,
SPALDING COUNTY, GEORGIA.
TAX MAP 231, BLOCK 01
PARCEL 011
- SITE ZONED: R-1 WITH SPECIAL EXCEPTION FOR 1 ACRE LOTS
SITE USAGE: PROPOSED COUNTRY CLUB THEME SUBDIVISION
MINIMUM BUILDING SETBACKS: FRONT YARD - 50' SETBACK
SIDE YARD - 12' SETBACK
REAR YARD - 25' SETBACK
- ADJACENT PROPERTIES ARE ZONED R-1 & R-4.
- TOTAL AREA OF DEVELOPED SITE = 128.46 ACRES
TOTAL AREA OF PROPOSED LOTS = 80.452 ACRES
TOTAL AREA OF PROPOSED RIGHT OF WAY = 10.167 ACRES
TOTAL AREA OF PROPOSED GREENSPACE = 37.831 ACRES
- PROPOSED NUMBER OF LOTS = 77 LOTS
PHASE 1 = 27 LOTS (LOTS #1-7, 37-44, 66-77)
PHASE 2 = 21 LOTS (LOTS #45-65)
PHASE 3 = 29 LOTS (LOTS #8-36)
GROSS DENSITY = 0.599 UNITS PER ACRE
NET DENSITY = 0.957 UNITS PER ACRE
- AS PER F.I.R.M. PANEL NUMBER 130388 0125 B, DATED JULY 2, 1991,
NO 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: TIM STRAIN (AMERICAN HOUSING GROUP)
PH. (770) 968-3000
7180 SOUTHLAKE PKWY.
MORROW, GA. 30260
- LOTS TO BE SERVICED BY PUBLIC WATER (SPALDING COUNTY
WATER) AND INDIVIDUAL SEPTIC SYSTEMS.
- NO LOT AREA IS INCLUDED WITHIN THE EXISTING GEORGIA
POWER EASEMENT. THEREFORE A MINIMUM OF ONE ACRE
IS AVAILABLE ON EACH LOT FOR INSTALLATION OF
INDIVIDUAL SEPTIC SYSTEMS. THIS LAYOUT WAS PREPARED
WITHOUT THE BENEFIT OF A FIELD STUDIED SOILS REPORT.
THE NUMBER OF LOTS MAY BE REDUCED DURING
PLAN DESIGN BASED ON ACTUAL SOIL CONDITIONS.
- 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.
- NO KNOWN UNDERGROUND STORAGE TANKS, HAZARDOUS
MATERIAL OR WASTE DISPOSAL AREAS EXIST ON THIS SITE.

GREENSPACE CALCULATIONS

GREENSPACE REQUIRED = 128.46 AC X 25% = 32.12 ACRES
GREENSPACE PROVIDED = 37.831 AC/128.46 AC = 29.4%
GREENSPACE PROVIDED = 37.831 ACRES

31.765 ACRES
3.066 ACRES
0.066 ACRES
0.729 ACRES
0.635 ACRES
0.335 ACRES
41.231 ACRES
37.831 ACRES TOTAL



IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
UTILITIES PROTECTION CENTER
IT'S THE LAW

PRELIMINARY PLAT FOR AMERICAN HOUSING GROUP, INC. CRESTWICK SUBDIVISION

LOCATED IN
SPALDING COUNTY, GEORGIA

ISSUED: JULY 29, 2004

PREPARED BY
PARAGON CONSULTING GROUP

P.O. BOX 799 GRIFFIN, GA. 30224

PH. (770) 412 7700 (FAX) 412 7744

PRELIMINARY PLAT CERTIFICATES:

I HEREBY CERTIFY THAT THIS PRELIMINARY PLAT IS A TRUE REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY BY ME, OR UNDER MY SUPERVISION, CONFORMING TO THE NORMAL STANDARDS OF CARE OF PROFESSIONAL SURVEYORS PRACTICING IN THE STATE OF GEORGIA AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED "FUTURE" AND THAT THE SURVEYING REQUIREMENTS FOR PRELIMINARY PLATS OF THE SUBDIVISION ORDINANCE OF SPALDING COUNTY HAVE BEEN FULFILLED.

Stanley A. Chell

REGISTERED LAND SURVEYOR NO. 2605

DATE 07/22/04

I HEREBY CERTIFY THAT THE ENGINEERING REQUIREMENTS FOR THIS PRELIMINARY PLAT AS PRESCRIBED BY THE SUBDIVISION ORDINANCE OF SPALDING COUNTY HAVE BEEN FULFILLED.

Chris M. Smith

REGISTERED PROFESSIONAL ENGINEER NO. 20048

DATE 9-22-04

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS APPROVED BY THE SPALDING COUNTY PLANNING COMMISSION ON 9-24-04

John L. Stover, Jr.

9-29-05

CHAIRMAN
SPALDING COUNTY PLANNING COMMISSION

PRELIMINARY PLAT: NOT TO BE RECORDED

DRAWING LIST

- 1 COVER SHEET
- 2 PRELIMINARY PLAT
- 3 PRELIMINARY PLAT

PROPERTY LOCATED IN:
LANDLOT 137
OF THE 2nd DISTRICT
SPALDING COUNTY, GEORGIA

OWNER/DEVELOPER:
AMERICAN HOUSING GROUP, INC.
7180 SOUTHLAKE PARKWAY
MORROW, GA 30260

CONTACT: MR. TIM STRAIN
(770) 968-3000

PARAGON
consulting group
engineering • environmental • planning
118 n. expressway • griffin, georgia 30223
phone (770) 412-7700 • fax (770) 412-7744

PRELIMINARY PLAT FOR
CRESTWICK
SUBDIVISION

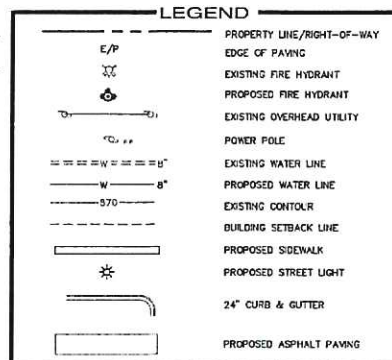
LOCATED IN LANDLOT 137 OF THE 2nd DISTRICT, SPALDING COUNTY, GEORGIA

No.	Revisions:	Date
1.	REVISED PER SPALDING CO. STAFF COMMENTS	9/30/04
2.	REVISED STREET NAMES	9/29/04
3.	REVISED TO CREATE THREE PHASES	7/28/05
4.	REVISED ROAD & LOT LAYOUT	8/25/05
5.	REVISED PER SPALDING CO. STAFF COMMENTS	9/21/05



Project No. 3204.00
Issue Date: JULY 29, 2004
Drawn By: JLS
Checked By: CNP

1
SHEET 1 OF 3

[illegible]

GREENSPACE CALCULATIONS

GREENSPACE REQUIRED= 128.46 AC X 25% = 31.12 ACRES
GREENSPACE PROVIDED= 37.831 AC/128.46 AC = 29.4%
GREENSPACE PROVIDED= 37.831 ACRES

31.765 ACRES
3.092 ACRES
0.584 ACRES
0.729 ACRES
0.635 ACRES
0.335 ACRES
+0.291 ACRES
42.831 ACRES TOTAL

PARAGON
consulting group
engineering • environmental • planning
118 n. expressway • griffin, georgia 30223
phone (770) 412-7700 • fax (770) 412-7744

PRELIMINARY PLAT FOR
CRESTWICK
SUBDIVISION

LOCATED IN LANDLOT 137 OF THE 2ND DISTRICT, SPALDING COUNTY, GEORGIA

No.	Revisions	Date
1.	REVISED PER SPALDING CO. STAFF COMMENTS	8/30/04
2.	REVISED STREET NAMES	9/27/04
3.	REVISED TO CREATE THREE PHASES	2/28/05
4.	REVISED ROAD & LOT LAYOUT	8/25/05
5.	REVISED PER SPALDING CO. STAFF COMMENTS	9/21/05



Project No. 3204.00	Issue Date: JULY 29, 2004
Drawn By: JLS	Checked By: CNP

2
SHEET 2 OF 2

SPALDING COUNTY PLANNING COMMISSION

DATE: March 21, 2005
AMENDED: September 27, 2007
August 10, 2009
September 20, 2011
August 27, 2013
August 25, 2015
September 26, 2017

TO: Spalding County Planning Commission

FROM: Department of Community Development

RE: Preliminary Plat Subdivision Application
Crestwick (S/D 04-09)
128.46± Acres—Zoned R-1 special
exception

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 128.46 acres, more or less, located on County Line Road.

District and Land Lots:

The property is located in the 2nd Land District, in Land Lot 137.

Current Owner:

Florentine Holding Co.
2400 First Street, Suite 303
Ft. Myers, FL. 33901

Proposed Use:

Applicant already has an approved preliminary plat. The applicant has decided to phase development of this subdivision, therefore a revised plat indicating said phasing was necessary. No other aspects of plat are changing. **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 individual septic systems.

Wetlands/Watershed Area:

Per the plat, no portion of this site is within a 100-year floodplain. (Source: FEMA Map Community-Panel Number 130388-0125B)

Environmental Overlay Districts:

The site is not located within a 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
Approved

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 S/D #05-13 - Flint Mill Estates

Requesting Agency

Office of Community Development

Requested Action

S/D #05-13: Consider extension of preliminary plat for Flint Mill Estates - Scarbrough and Rolader Development, LLC, Owner - expires September 27, 2017.

Requirement for Board Action

Section 404:F - Appendix A. Subdivision Ordinance.

Is this Item Goal Related?

No

Summary and Background

Per Appendix A. Section 440: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.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

APPROVAL

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> SD #05-13 - Flint Mill Estates	9/20/2017	Backup Material

RECEIVED

AUG 10 2017

Scarbrough and Rolader Development, LLC
270 North Jeff Davis Drive
Fayetteville, GA 30214
(770) 461-0478

August 7, 2017

Spalding County Planning Commission
P. O. Box 1087
Griffin, GA 30224
Attn: Cindy McDaniel

RE: Flint Mill Estates

Dear Commissioners and Ms. McDaniel,

Please accept this request to extend the expiration of the Preliminary Plat for Flint Mill Estates. Despite recent improvements in the current economic conditions and increased demand in some sectors of the real estate market, there has not been sufficient demand to warrant completion of Phase 2 of Flint Mill. However, we do wish to develop the remainder of the property per the established Preliminary Plat when demand returns and a sufficient number of lots in Phase 1 have been absorbed. Therefore, we are requested an extension of the approved Preliminary Plat.

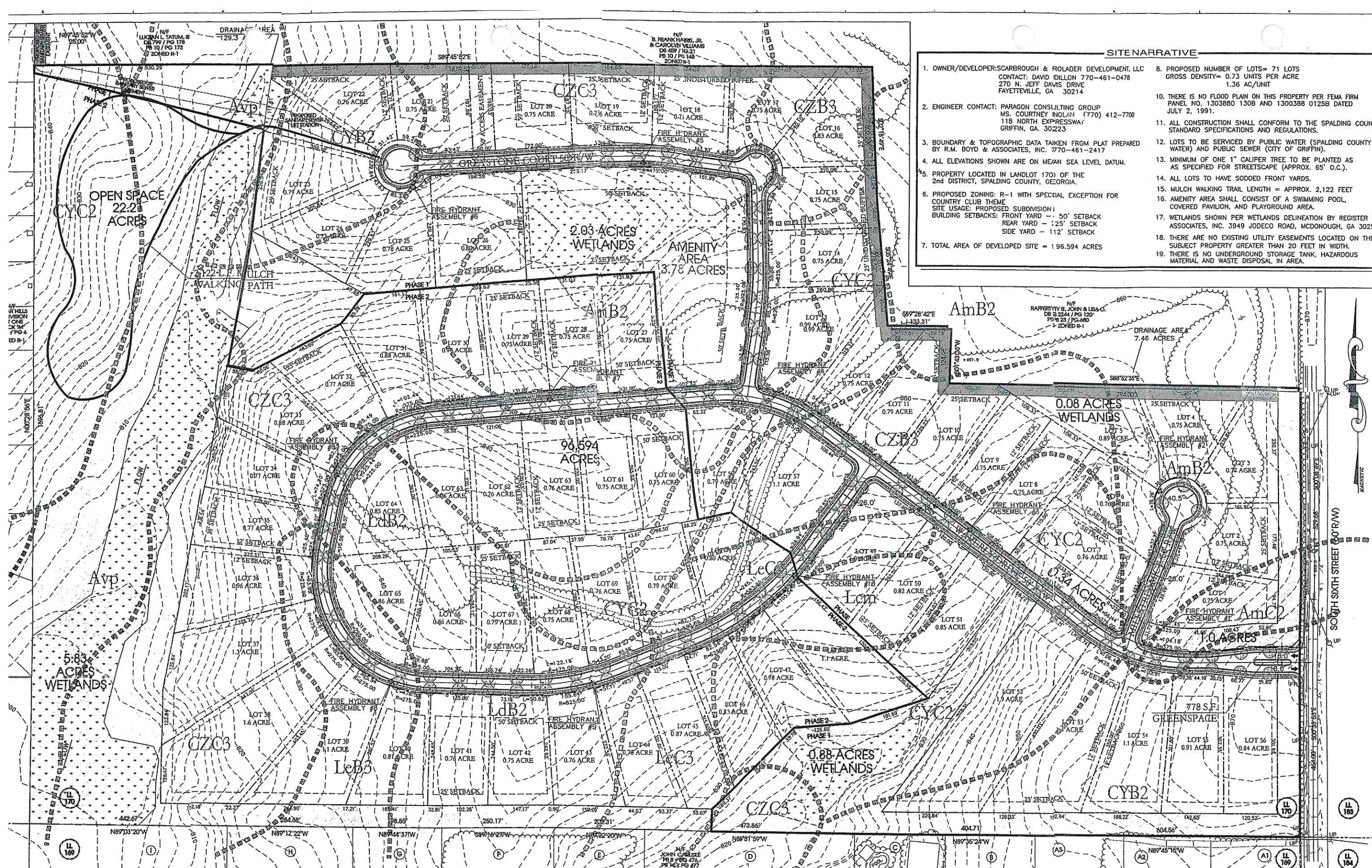
Thank you for consideration of our request. Please let us know if you need additional information.

Sincerely,



Donna Black
donna@brent.us
(770) 461-0478

DB/dmw



- SITE NARRATIVE**
1. OWNER/DEVELOPER: SCARBROUGH & ROLADER DEVELOPMENT, LLC
CONTACT: DAVID DILLON 770-461-0478
270 N. JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214
 2. ENGINEER CONTACT: PARAGON CONSULTING GROUP
MS. COURTNEY NOLAN (770) 412-7700
118 NORTH EXPRESSWAY
GRIFFIN, GA 30223
 3. BOUNDARY & TOPOGRAPHIC DATA TAKEN FROM PLAT PREPARED BY R.M. BOYD & ASSOCIATES, INC. 770-461-2417
 4. ALL ELEVATIONS SHOWN ARE ON MEAN SEA LEVEL DATUM.
 5. PROPERTY LOCATED IN LANDLOT 170 OF THE 2ND DISTRICT, SPALDING COUNTY, GEORGIA.
 6. PROPOSED ZONING: R-1 WITH SPECIAL EXCEPTION FOR COUNTRY CLUB THEME
SITE USAGE: PROPOSED SUBDIVISION
BUILDING SETBACKS: FRONT YARD -- 50' SETBACK
REAR YARD -- 25' SETBACK
SIDE YARD -- 112' SETBACK
 7. TOTAL AREA OF DEVELOPED SITE = 196.594 ACRES
 8. PROPOSED NUMBER OF LOTS= 71 LOTS
GROSS DENSITY= 0.73 UNITS PER ACRE
1.36 AC/UNIT
 10. THERE IS NO FLOOD PLAIN ON THIS PROPERTY PER FEMA FIRM PANEL NO. 1303880 1308 AND 1300388 01258 DATED JULY 2, 1991.
 11. ALL CONSTRUCTION SHALL CONFORM TO THE SPALDING COUNTY STANDARD SPECIFICATIONS AND REGULATIONS.
 12. LOTS TO BE SERVICED BY PUBLIC WATER (SPALDING COUNTY WATER) AND PUBLIC SEWER (CITY OF GRIFFIN).
 13. MINIMUM OF ONE 1" CALIPER TREE TO BE PLANTED AS SPECIFIED FOR STREETScape (APPROX. 65' O.C.).
 14. ALL LOTS TO HAVE SODDED FRONT YARDS.
 15. MULCH WALKING TRAIL LENGTH = APPROX. 2,122 FEET
 16. AMENITY AREA SHALL CONSIST OF A SWIMMING POOL, COVERED PAVILION, AND PLAYGROUND AREA.
 17. WETLANDS SHOWN PER WETLANDS DELINEATION BY REGISTER & ASSOCIATES, INC. 3949 JODECO ROAD, MCDONOUGH, GA 30253
 18. THERE ARE NO EXISTING UTILITY EASEMENTS LOCATED ON THE SUBJECT PROPERTY GREATER THAN 20 FEET IN WIDTH.
 19. THERE IS NO UNDERGROUND STORAGE TANK, HAZARDOUS MATERIAL AND WASTE DISPOSAL IN AREA.

PARAGON
consulting group
engineering • environmental • planning
118 n. expressway • griffin, georgia 30223
phone (770) 412-7700 • fax (770) 412-7744

PRELIMINARY PLAT FOR
**PROPOSED FLINT
MILL ESTATES SUBDIVISION**
LOCATED IN LANDLOT 170 OF THE 2ND DISTRICT, SPALDING COUNTY, GEORGIA

No.	Revisions:	Date
1.	Greystone Ct. Alignment	9-7-05

Project No. 4151 Issue Date: July 27, 2005

REGISTERED PROFESSIONAL ENGINEER
COURTNEY J. NOLAN
NO. 23435
EXPIRATION DATE 12-31-06



I HEREBY CERTIFY THAT THIS PRELIMINARY PLAT IS A TRUE REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY BY ME, OR UNDER MY SUPERVISION, CONFORMING TO THE NORMAL STANDARDS OF CARE OF PROFESSIONAL SURVEYORS PRACTICING IN THE STATE OF GEORGIA AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED "FUTURE" AND THAT THE SURVEYING REQUIREMENTS OR PRELIMINARY PLATS OF THE SUBDIVISION ORDNANCE OF SPALDING COUNTY HAVE BEEN FULFILLED.

R.M. Boyd
1995

I HEREBY CERTIFY THAT THE ENGINEERING REQUIREMENTS FOR THIS PRELIMINARY PLAT AS PRESCRIBED BY THE SUBDIVISION ORDINANCE OF SPALDING COUNTY HAVE BEEN FULFILLED.

Courtney Nolan
REGISTERED PROFESSIONAL ENGINEER NO. 27431
DATE: 9-13-05

**PRELIMINARY PLAT:
NOT TO BE RECORDED.**

PRELIMINARY PLAT
GRAPHIC SCALE

LEGEND

—	PROPERTY LINE	WETLANDS
—	OVERHEAD POWER LINE	OPEN SPACE/AMENITY AREA
—	EXISTING POWER POLE	
—	EXISTING 6" WATER LINE	SOIL DELINEATION BOUNDARY
—	PROPOSED 6" WATER LINE	
—	PROPOSED FIRE HYDRANT	PROPOSED STREET TREES
—	EXISTING CONTOUR	
—	24" CURB & GUTTER	

SPALDING COUNTY PLANNING COMMISSION

DATE: August 22, 2005

AMENDED: September
25, 2007
September
20, 2011
August 27,
2013
August 25,
2015
September
26, 2017

TO: Spalding County Planning Commission

FROM: Department of Community Development

RE: Preliminary Plat Subdivision Application
Flint Mill Estates (S/D 05-13)
96.564± Acres—Zoned R-1

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 96.564 acres, more or less, located on South 6th Street Extension.

District and Land Lots:

The property is located in the 2nd Land District, in Land Lot 170.

Current Owner:

Scarbrough & Rolader Development, Inc.
270 N. Jeff Davis Drive
Fayetteville, Georgia 30214

Proposed Use:

Applicant proposes a 58-lot single family residential subdivision that will consist of lots ranging from .75 acres to 1.9 acres in size. The subdivision will be developed as a special

exception subdivision utilizing the country club development theme.

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.

Sewerage:

This site is proposed to be serviced by the City of Griffin.

Wetlands/Watershed Area:

Per the plat, a portion of this site is within a 100-year floodplain. (Source: FEMA Map Community-Panel Number 130388-0125B)

Environmental Overlay Districts:

The site is not located within a 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

No approval needed at this time.

Public Works

Approved

Water Authority

Approved

Fire Department

Approved

County Engineer/Community Development

Approved

Staff Recommendations:

- Staff recommends **APPROVAL** of this preliminary plat.



SPALDING COUNTY PLANNING COMMISSION S/D #05-05 - Pinelea Road Extension

Requesting Agency

Office of Community Development

Requested Action

S/D #05-05: Consider extension of preliminary plat for Pinelea Road Extension - Marshall Pape, Owner - expires October 30, 2017.

Requirement for Board Action

Section 404:F - Appendix A. Subdivision Ordinance.

Is this Item Goal Related?

No

Summary and Background

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.

Fiscal Impact / Funding Source

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

Description	Upload Date	Type
<input type="checkbox"/> SD #05-05 - Pinelea Road Extension	9/20/2017	Backup Material

RECEIVED
AUG 22 2017

August 22, 2017

TO WHOM IT MAY CONCERN:

I am requesting to extend the preliminary plat for Pinelea Road Extension for another two (2) years.

Thank you,

E Marshall Tape

PINELEA ROAD EXTENSION

PRELIMINARY PLAT - NOT TO BE RECORDED

LEGEND

R/W -----RIGHT OF WAY
I.P.F. -----IRON PIN FOUND
I.P.P. -----IRON PIN PLACED
C.T. -----CRIMPED TOP PIPE
R.B. -----REINFORCING BAR
O.T. -----OPEN TOP PIPE
N/F -----NOW OR FORMERLY
B.L. -----BUILDING LINE

TOTAL AREA = + 32.8 ACRES
LAND LOT 208, 2ND DISTRICT
SPALDING COUNTY
FEB. 11, 2005

I HEREBY CERTIFY THAT THIS PRELIMINARY PLAT IS A TRUE REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY BY ME, OR UNDER MY SUPERVISION, CONFORMING TO THE NORMAL STANDARDS OF CARE OF PROFESSIONAL SURVEYORS PRACTICING IN THE STATE OF GEORGIA AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MADE "FUTURE" AND THAT THE SURVEYING REQUIREMENTS FOR PRELIMINARY PLATS OF THE SUBDIVISION ORDINANCE OF SPALDING COUNTY HAVE BEEN FULFILLED.

REGISTERED LAND SURVEYOR No. _____

DATE: _____

I HEREBY CERTIFY THAT THE ENGINEERING REQUIREMENTS FOR THIS PRELIMINARY PLAT AS PRESCRIBED BY THE SUBDIVISION ORDINANCE OF SPALDING COUNTY HAVE BEEN FULFILLED.

REGISTERED PROFESSIONAL ENGINEER No. 23386

DATE: 9-28-05

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS APPROVED BY THE SPALDING COUNTY PLANNING COMMISSION ON: _____

CHAIRMAN
SPALDING COUNTY PLANNING COMMISSION

PROJECT INFORMATION

TOTAL PROJECT AREA = 32.8 ACRES

25.09 ACRES IS ZONED R-4 (SPECIAL EXCEPTION) (LOTS 1-15)
7.82 ACRES IS ZONED R-5 (SPECIAL EXCEPTION) (LOTS 17-22)

TOTAL NUMBER OF LOTS = 21 (PHASE 1 = 6 LOTS, PHASE 2 = 15 LOTS)
AVERAGE LOT SIZE: 43,560 SF (1.0 AC.)

SEWERAGE: ON-SITE SEPTIC SYSTEM
WATER SUPPLY: SPALDING COUNTY WATER SYSTEM

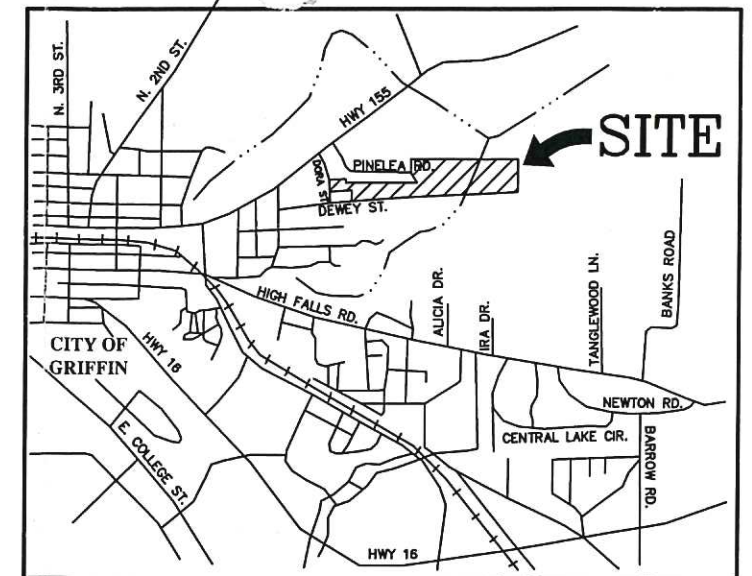
MINIMUM LOT WIDTH = 125' (35' IN CUL-DE-SAC)
MINIMUM FRONT BLDG. LINE = 50' (BASED ON AVERAGE OF SURROUNDING PROPERTIES)
SIDE SETBACK = 12'
REAR SETBACK = 25'
MAXIMUM HEIGHT OF STRUCTURES = 35'

BOUNDARY AND TOPOGRAPHY PROVIDED BY:
BY CONKLE-LANE SURVEYORS (DATUM: MEAN SEA LEVEL)

PROJECT DOES NOT CONTAIN ANY AREAS WITHIN THE 100-YR FLOODPLAIN
PER FIRM MAP 130388 0130 B, EFFECTIVE JULY 2, 1991

THIS PROPERTY CONTAINS (2) GAS LINE UTILITY EASEMENTS GREATER
THAN 20' IN WIDTH AS SHOWN.

THERE ARE NO UNDERGROUND STORAGE TANKS ON THIS PROPERTY.



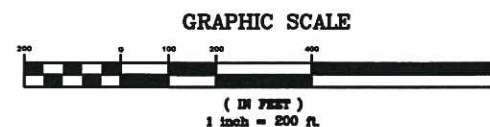
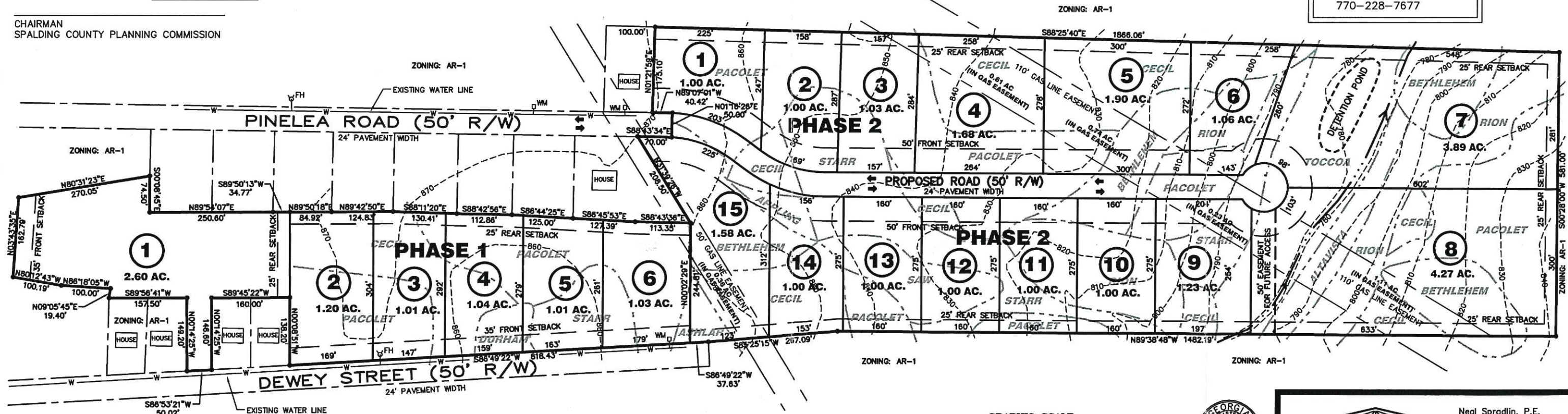
LOCATION MAP

REVISIONS:

7/22/05 - PER COMMENTS FROM SPALDING COUNTY
8/2/05 - DIVIDE PROJECT INTO PHASE 1 & 2
9/28/05 - REVISED LOT LINES TO PROVIDE MIN. 1.0 AC.
EXCLUDING GAS EASEMENTS

OWNER/DEVELOPER:

MARSHALL PAPE
3260 TURNER RD.
WILLIAMSON, GA 30292
770-228-7677



Neal Spradlin, P.E.
45 Little Road
Shoreburg, Ga. 30277
phone: (770) 502-8748
mobile: (678) 658-0514
Nextel: 154*101148*1

SPALDING COUNTY PLANNING COMMISSION

DATE: April 12, 2005

AMENDED: August 22, 2005

October 30, 2007

October 21, 2009

October 19, 2011

October 29, 2013

October 27, 2015

September 26, 2017

TO: Spalding County Planning Commission

FROM: Department of Community Development

**RE: Preliminary Plat Subdivision Application
Pinelea Road Extension (S/D 05-05)
32.8± Acres—Zoned R-4 & R-5**

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 32.8 acres, more or less, located on Pinelea Road and Dewey Street.

District and Land Lots:

The property is located in the 2nd Land District, in Land Lot 208.

Current Owner:

Marshall Pape
3260 Turner Road
Williamson, Georgia 30292

Proposed Use:

Applicant proposes a 22-lot single family residential subdivision developed under the Urban Proximity Special Exception design standards.

The applicant has revised the previously approved plat to reflect phase lines so that the

subdivision maybe developed in phases. No other changes have been made.

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 individual septic systems.

Wetlands/Watershed Area:

Per the plat, no portion of this site is within a 100-year floodplain. (Source: FEMA Map Community-Panel Number 130388-0130B)

Environmental Overlay Districts:

The site is not located within a 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

No approval needed at this time.

Public Works

Approved

Water Authority

Approved

Fire Department

Approved

County Engineer/Community Development

Approved

Staff Recommendations:

- Staff recommends **Approval** of this preliminary plat extension.
-



SPALDING COUNTY PLANNING COMMISSION Application #17-06Z

Requesting Agency

Office of Community Development

Requested Action

Application #17-06Z: Diane S. Weeks, Owner - Bruce & Tracie Gann, Agent - 7781 Newnan Road (9.625 acres located in Land Lot 15 of the 1st Land District) - requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Requirement for Board Action

Section 414 of Article 4. General Procedures.

Is this Item Goal Related?

No

Summary and Background

The applicant has requested approval from Spalding County to rezone the property for purpose of developing a landscape supply business which will require unenclosed outside storage. Per the application, the business will consist of 7,200 square foot retail building along with outdoor storage bins that will hold landscape materials such as mulch and gravel.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

CONDITIONAL APPROVAL:

- a. Primary access to the property shall be off Georgia Highway 16 subject to approval by GDOT. Buckeye Road shall not be used as an access drive.
- b. The property shall have access to county water for proper fire suppression.
- c. All outdoor storage shall be neat and orderly at all times.
- d. All site lighting shall be designed so as not to glare onto adjacent properties or roadways.

ATTACHMENTS:

Description

Upload Date

Type

SPALDING COUNTY
REQUEST FOR ZONING MAP CHANGE
APPLICATION NO. 17-062

AGENT/DEVELOPER INFORMATION
(If not owner)

Name: Bruce & Tracie Gann

Address: 1186 Rowe Road

City: Senola

State: Ga Zip: 30276

Phone: 770 815 9406

Contact Person: Bruce

PROPERTY OWNER INFORMATION

Name: Dane Weeks

Address: 845 Tope Road

City: Sharpsburg

State: Ga. Zip: 30277

Phone: 770-480-1753

770-461-2303

Phone: 770-480-4730

APPLICANT IS THE:

☐ Owner's Agent

☐ Property Owner

☒ Developer

Present Zoning District(s): C-1

Requested Zoning District(s): C-1B

Land District(s): 1st

Land Lots(s): 15

Acreage: 9.62540

Address Of Property: 7781 NEWNAN ROAD, BROOKS, GA

Proposed Development: landscape Supply Company

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).
- N/A 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.

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

OFFICE USE ONLY

Date Received: 8-22-17 Amount of Fee: \$500⁰⁰

Received By: C. McDaniel Receipt Number: VISA 071946

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: ADJOINERS ARE ZONED C-1. ACCORDINGLY, REZONING PROPERTY TO C1B IS COMPATIBLE TO ADJOINERS

(B) Whether the property is suitable for the proposed use: yes

(C) What is the length of time the property has been vacant?: undeveloped
raw land

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

(E) Whether and to what extent is the subject property value diminished under the present zoning?:
value of property will increase with proposed development as shown on concept

(F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: The proposed property owner must move from current location when the public will benefit by the property improvement -

Use Additional Pages, If Necessary

OFFICE USE ONLY

Date Received: 8-22-17

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.

Diane Weeks
Print Name of Owner(s)

Tracie K Gann
Print Name of Agent, If Not Same as Owner

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

Tracie K Gann
Signature of Agent
Cynthia L. McDaniel 8-23-17
Signature of Notary Expires 8-17-20

Rhonda J. Steet
Signature of Notary Public

8-16-17
Date

Notary Public, Spalding County GA
My Commission Expires
March 12, 2019

--Notary Seal--

OFFICE USE ONLY

Date Received: 8-23-17 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.

Tracie Gann 8-18-17
A. Bruce Gann 8-18-17
Signature of Applicant Date

Tracie Gann Vice President
A. Bruce Gann President
Type or Print Name and Title

Signature of Applicant's
Attorney Or Representative

Date

Type or Print Name and Title

OFFICE USE ONLY

Date Received 8-22-17

Case # 17-062

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)

221 East Bank Street
Griffin, Georgia 30223
678-967-2051 office
www.scanloneng.com

August 22, 2017

Spalding County Community Development
Mr. Chad Jacobs, Director
Spalding County
119 E. Solomon Street
Griffin, GA 30224

**Re: Request for Zoning Map Change
Southern Lawn Designs, Inc. 9.625 Ac Rezoning
Brooks, Spalding County, Georgia**

Mr. Jacobs:

This request for rezoning is to enable Southern Lawn Designs, Inc. to develop a commercial business selling lawn improvement products on 9.625 acres of land located at 7781 Newnan Road, Brooks, Georgia. The 9.625 acre parcel will be developed as shown on the Rezoning plan included with this letter.

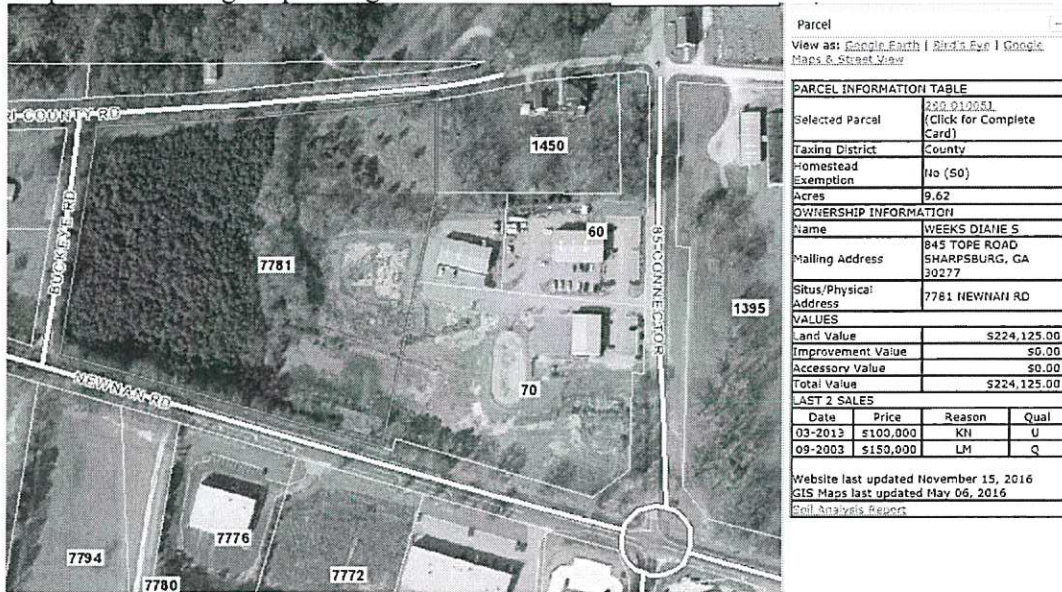
The applicant is:
Mr. & Mrs. Bruce & Tracie Gann
2973 GA Hwy 85
Senoia, Georgia 30276
(770) 349-5906
sldponds@bellsouth.net

The Spalding County Tax Parcel ID No. for the property is 280 010051. Below is an image of the parcel information taken from the Spalding County Tax Assessor's website. The subject parcel is outlined in red.

The 9.625 acres parcel is currently zoned C-1 Highway Commercial. The applicant proposes to rezone the 9.625 acres to C-1B Heavy Commercial as shown on the rezoning plan (copy attached).

Southern Lawn Designs, Inc. has been in business in Coweta County, Georgia for 26 years. Southern Lawn Designs retail business has been renting its current location for 13 years. In order to grow their business, the Gann's want to own land to construct a retail location. Relocating their business from Coweta County to Spalding County includes adding approximately 12 jobs to Spalding County.

August 22, 2017
Mr. Chad Jacobs
Request for Zoning Map Change



Included with this letter in support of the Request for Zoning Map Change are the following items:

1. Complete and executed Request for Zoning Map Change Application.
2. Statement describing proposed development (contained in this letter)
3. Deed of property (1 copy)
4. Metes & bounds description of property (1 copy)
5. Conceptual Site Plan, 1-copy (11"x17"), 1-copy (24"x36")

This Request for Zoning Map Change Application is submitted for consideration by the Spalding County Planning Commission and shall be heard at the Planning Commission's meeting scheduled for September 26, 2017. Following the Planning Commission's recommendation, this Request for Zoning Map Change application shall be heard by the Spalding County Board of Commissioners at their meeting scheduled for October 26, 2017. Please confirm this schedule is correct.

I hope the enclosed information completes this Request for Zoning Map Change Application. However, should you have any questions or require additional information, please call me.

Sincerely,

Scanlon Engineering Services, Inc.

Michael J. Scanlon, PE
Vice President


cc: Tracie Gann

BOOK 3827 PAGE 270

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA

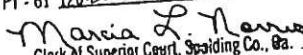
2014 FEB 24 PM 2 39

Return to:
Waldrop and Trite, LLC
Attorneys At Law
195 N. Jeff Davis
Fayetteville, GA 30214
File No. 13-WEEKS-02

BY 
MARCIA L. NORRIS, CLERK

WARRANTY DEED

STATE OF GEORGIA
FAYETTE COUNTY

Real Estate Transfer Tax
Paid \$ 100.00
Date 2-24-14
PT - 61 126-2014-385

Clerk of Superior Court, Spalding Co., Ga.

THIS INDENTURE, made the 20th day of March, in the year Two Thousand, and Thirteen (2013) between:

JIMMY L. WEEKS

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

DIANE S. WEEKS

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

WITNESSETH: That Grantor for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, 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 Grantee,

See Exhibit "A" Attached hereto and made a part hereof.

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

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

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

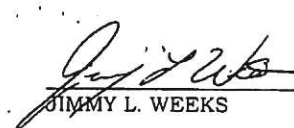
I WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

Witness

Notary Public



 (Seal)
JIMMY L. WEEKS

(Seal)

WALDROP & TRITE, LLC
ATTORNEYS AT LAW
195 NORTH JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214
(770) 461-6286
FAX (770) 460-0645

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 15 OF THE 1ST DISTRICT OF SPALDING COUNTY, GEORGIA, AND BEING DESIGNATED AS "TRACT 1", CONTAINING 9.62 ACRES OF LAND, AS PER PLAT OF SURVEY PREPARED FOR JIMMY WEEKS BY DELTA SURVEYORS, INC. R.L.S., AND BEING MOR PARTICULARY DESCRIBED AS FOLLOWS:

BEGINNING AS THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY OF GEORGIA HIGHWAY NO. 16 (80 FOOT RIGHT OF WAY) WITH THE EASTERLY INTERSECTION OF BUCKEYE ROAD (40 FOOT RIGHT OF WAY), AND RUNNING THENCE NORTH 13 DEGREES 25 MINUTES 55 SECONDS EAST, AND FOLLOWING ALONG THE SOUTHEASTERLY RIGHT OF WAY OF BUCKEYE ROAD, A DISTANCE OF 397.84 FEET TO A POINT, SAID POINT BEING LOCATED AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY OF BUCKEYE ROAD WITH THE SOUTHERLY RIGHT OF WAY OF TRI COUNTY ROAD (40 FOOT RIGHT OF WAY); RUNNING THENCE SOUTH 88 DEGREES 20 MINUTES 04 SECONDS EAST, AND FOLLOWING ALONG THE SOUTHERLY RIGHT OF WAY OF TRI COUNTY ROAD, A DISTANCE OF 251.83 FEET TO A POINT; RUNNING THENCE SOUTH 89 DEGREES 59 MINTUES 12 SECONDS EAST, AND CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 252.68 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 31 MINUTES 51 SECONDS EAST, AND CONTINUING ALONG SAID RIGHT OF WAY A DISTANCE OF 201.61 FEET TO A POINT; RUNNING THENCE SOUTH 03 MINUTES 35 MINUTES 51 SECONDS WEST A DISTANCE OF 219.25 FEET TO A POINT; RUNNING THENCE SOUTH 17 DEGREES 45 MINUTES 26 SECONDS WEST A DISTANCE OF 503.87 FEET TO A POINT, SAID POINT BEING LOCATED ON THE NORTHEASTERLY RIGHT OF WAY OF GEORGIA HIGHWAY NO. 16; RUNNING THENCE NORTH 68 DEGREES 48 MINUTES 35 SECONDS WEST, AND FOLLOWING ALONG SAID RIGHT OF WAY, A DISTANCE OF 695.58 FEET TO A POINT AND THE POINT OF BEGINNING.

GEORGIA, SPALDING COUNTY

I hereby certify that the within and foregoing is a true and correct copy of the instrument as it appears of record in the office of Clerk of Superior Court.

Book _____ Page _____
day of _____, 20____

WALDROP & TRITE, LLC
ATTORNEYS AT LAW
193 NORTH JEFF DAVIS DRIVE
FAYETTEVILLE, GA 30214
(770) 461-6286
FAX (770) 460-0645

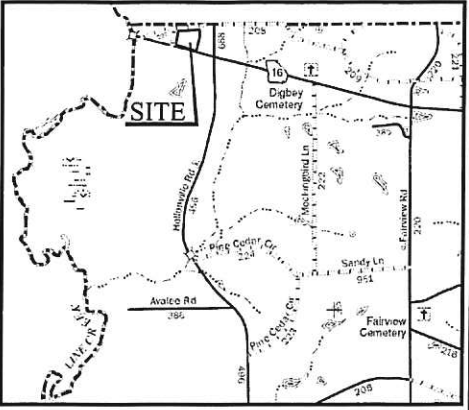
CLERK OF SUPERIOR COURT
SPALDING COUNTY, GEORGIA

All that tract or parcel of land lying and being in Land Lot 15 of the 1st District, Spalding County, Georgia, and being more particularly described as follows:

BEGINNING at a point at the intersection of the northerly right-of-way of Newnan Road/Georgia Highway 16 (80' R/W) and the easterly right-of-way of Buckeye Road (40' R/W); thence along the easterly right-of-way of Buckeye Road North $09^{\circ}10'45''$ East, a distance of 466.14 feet to a point at the intersection of said right-of-way with the southerly right-of-way of Tri County Road (40' R/W); thence along the southerly right-of-way of Tri County Road South $87^{\circ}11'56''$ East, a distance of 251.83 feet to a point; thence continuing along said right-of-way South $85^{\circ}32'48''$ East, a distance of 252.68 feet to a point; thence continuing along said right-of-way North $85^{\circ}03'51''$ East, a distance of 201.61 feet to a point; thence leaving said right-of-way South $00^{\circ}52'09''$ East, a distance of 219.25 feet to a point; thence South $13^{\circ}17'26''$ West, a distance of 503.87 feet to a point on the northerly right-of-way of Georgia Highway 16; thence along said right-of-way North $73^{\circ}16'35''$ West, a distance of 695.58 feet to a point, being the POINT OF BEGINNING.

Said tract contains 9.625 acres of land.

VICINITY MAP



SYMBOL LEGEND

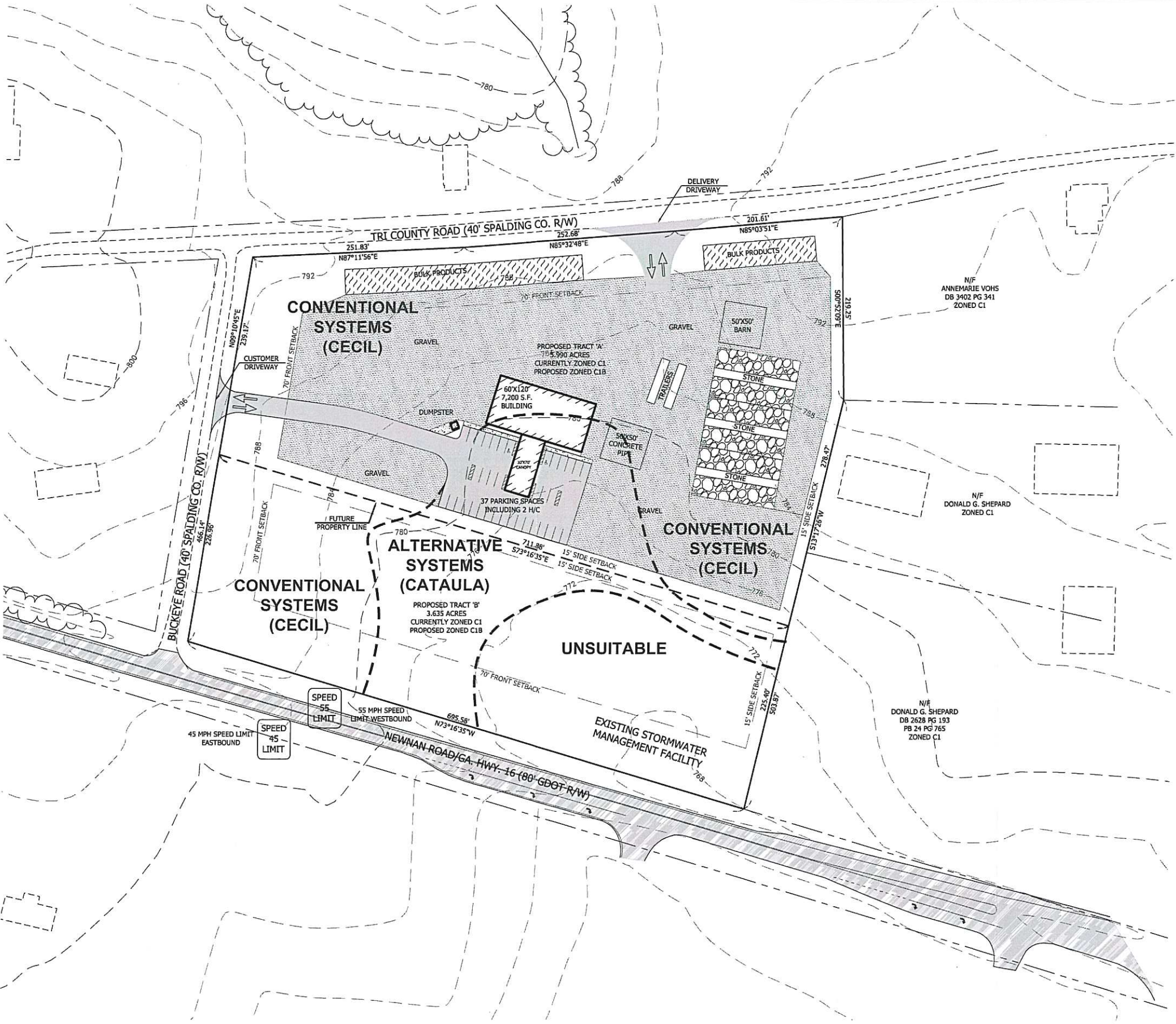
- IRON PIN FOUND
- 1/2" REBAR SET
- POWER POLE
- PROPERTY LINE
- ADJACENT LOT LINE
- OVERHEAD POWER LINE
- CHAIN LINK FENCE
- BARB WIRE FENCE
- TREE LINE
- SANITARY SEWER LINE
- ASPHALT AREA
- CONCRETE AREA
- GRAVEL AREA

GENERAL NOTES

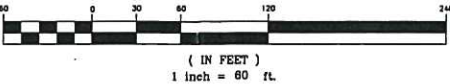
- DEVELOPER:
MR. & MRS. BRUCE & TRACIE GANN
2973 GA. HWY. 85
SENOIA, GA 30276
PHONE: (770) 349-5906
EMAIL: slpounds@bellsouth.net
- ENGINEER:
SCANLON ENGINEERING SERVICES, INC.
221 EAST BANK STREET
GRIFFIN, GA 30223
CONTACT: MICHAEL J. SCANLON, P.E. (ENGINEER OF RECORD)
PHONE: (678) 967-2051, EMAIL: JOEY@SCANLONENG.COM
- TOPOGRAPHIC INFORMATION SHOWN HEREON TAKEN FROM SPALDING COUNTY G.I.S.
BOUNDARY INFORMATION SHOWN HEREON COMPILED FROM DEEDS OF RECORD.
- SITE DATA:
PARCEL I.D. # 280 010053
ADDRESS: 7781 NEWMAN ROAD, BROOKS, GEORGIA
TOTAL SITE AREA: 9.625 ACRES
CURRENT ZONING: C1
PROPOSED ZONING: C1-B
SETBACKS:
MIN. FRONT YARD: 70' SETBACK
MIN. SIDE YARD: 15' SETBACK
MIN. REAR YARD: 25' SETBACK
MAX. BUILDING HEIGHT: 35'
25' BUFFER REQUIRED BETWEEN C1-B & RESIDENTIAL
- AS PER FIRM PANEL MAP NUMBER 13255C0205D, DATED 5/3/2010 THIS SITE DOES NOT LIE IN A FLOOD HAZARD AREA.
- WATER SERVICE PROVIDED BY SPALDING COUNTY WATER & SEWER DEPT. SEWAGE DISPOSAL PROVIDED BY INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEM.
- HORIZONTAL CONTROL: STATE PLAIN GA., WEST ZONE
VERTICAL DATUM: NAVD 88
- NO KNOWN WATERS OF THE US/STATE ARE PRESENT ON THIS SITE.
- NO KNOWN EASEMENTS EXIST ON THIS SITE.

PARKING CALCULATIONS:

RETAIL: 1 SPACE PER 200 S.F. GROSS FLOOR AREA.
7,200 / 200 = 36 SPACES REQUIRED.
37 PROVIDED (INCL. 2 H/C SPACES)



GRAPHIC SCALE



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.

SCANLON ENGINEERING SERVICES, INC.

221 BANK STREET
GRIFFIN, GEORGIA 30223
PHONE: (678) 967-2051 FAX: (678) 967-2053
LSF 000859

REZONING PLAN

SOUTHERN LAWN DESIGNS

LOCATED IN LAND LOT 15 OF THE 1st DISTRICT,
SPALDING COUNTY, GEORGIA

Rev.	Description	Date
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		



REZONING PLAN

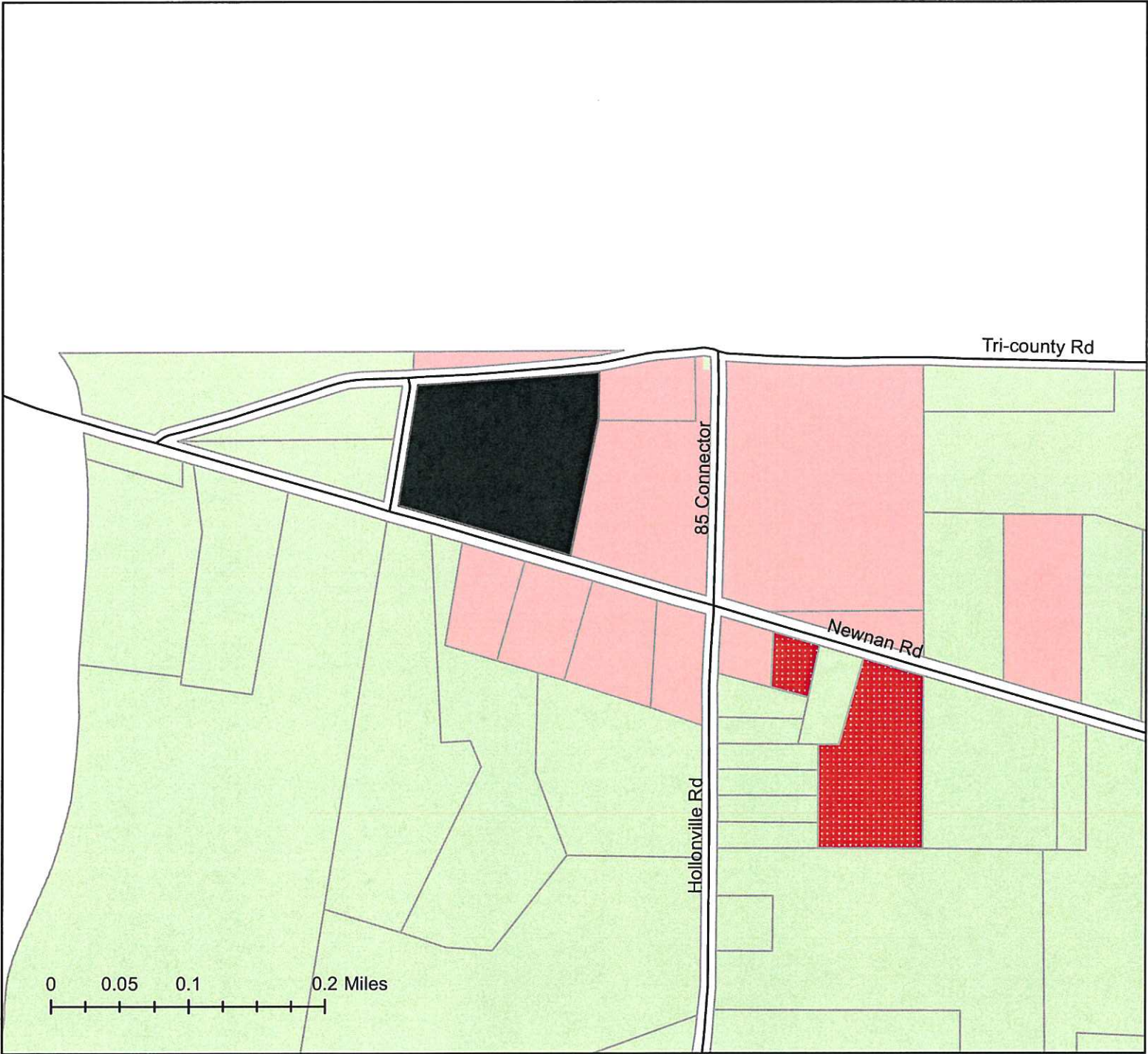
Checked by: MJS
Project #: C17050004
Drawn by: RES
Date: 8/14/2017

SHEET TITLE
C-1

SHEET # 01 OF 01



#17-06Z Weeks / Gann



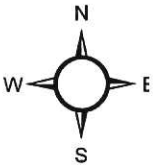
Zoning

	P
	AAR
	AR1
	AR2
	C1
	C1A
	C1B
	C1C
	C2
	C3
	Ol
	P
	R
	R
	R
	R
	R
	R
	R
	V

Approximate size of an Acre.



1 inch = 526.8'



Map # 280-01-0

Spalding County GA
(770) 467-4220
cjacobs@spaldingcour

SPALDING COUNTY PLANNING COMMISSION

DATE: September 26, 2017

TO: Spalding County Planning Commission
Spalding County Board Of
Commissioners

FROM: Department of Community Development

RE: Rezoning Application #17-06Z
Total acreage: 9.625+ acres
C-1 to C-1B

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 of 9.625 acres, more or less, located at 7781 Newnan Road.

District and Land Lots:

The property is located in the 1st Land District, in Land Lot 15.

Current Owner:

The property is owned by Diane S. Weeks, by virtue of Deed recorded February 24, 2014 in Deed Book 3827, Pages 270-271, Office of the Clerk of the Superior Court, Spalding County, Georgia.

Agent/Developer

Bruce & Tracie Gann
1186 Rowe Road
Senoia, Georgia 30276

Overview of Development:

The applicant has requested approval from Spalding County to rezone the property for purpose of developing a landscape supply business which will require unenclosed outside storage. Per the application, the business will

consist of 7,200 square foot retail building along with outdoor storage bins that will hold landscape materials such as mulch and gravel.

Current Area Development

Current Zoning/Authorized Development:

The property is currently zoned C-1, highway commercial.

C-1 permits most any retail and service business along highway corridors, however unenclosed outside storage is not permitted.

Existing Use:

The property is undeveloped.

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 Crossroads 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-1B Development Standards:

Minimum Heated Floor Area for Buildings: None

Minimum lot area:

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

2. Sewered Areas: None.

Minimum lot width: 100 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: 70 feet
side: 15 feet
rear: 25 feet

Utilities & Infrastructure:

Transportation:

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

Based on a proposed 7,200 square foot nursery (garden center):

Weekday

A.M. Peak Hour: 9 trips
P.M. Peak Hour: 27 trips

Total Weekday 260 trips

Water:

The site could be accessible to County water as there is a 12" line along Newnan Road at the adjacent property to the east (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:

Per the site plan submitted and per FIRM panel #13255C0205D no portion of this site is within Flood Zones.

This site is not located within a 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 by C-1, Highway Commercial zoning to the north, south and east. AR-1, Agricultural Residential is located to the west.
There are two C-1B zoned tracts within this general area.
The land uses in the general area are a mixture of residential and commercial but the commercial uses dominate.
2. The suitability of the property for the proposed purpose.
Per the "Spalding County Comprehensive Plan, 2004-2024," as approved in December 2004, the plan indicates that this property should be used as "Crossroads Commercial". The development proposed is consistent with the Future Land Use Map for this property.
3. The length of time the property has been vacant.
The property is undeveloped.
4. The threat to the public health, safety, and welfare, if rezoned.
Whether or not there will be a threat to public health, safety, and welfare is debatable. The property is currently zoned C-1, Highway Commercial which already allows for commercial development. Rezoning to C-1B allows unenclosed outside storage along with all of the C-1 uses.
Staff has concerns regarding the access to the subject property as proposed on the submitted plan. The only access points shown are off of Tri County Road and Buckeye Road. Both of which are narrow unimproved gravel/dirt roads. Consideration should also be given to all uses allowed with in C-1B district.
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.
Present zoning does not allow for outdoor storage.
6. The balance between the hardship on the property owner and the benefit to the public in not rezoning.

Photo(s)



View of property looking northeast on Newnan Road.



View of Buckeye Road at the corner of Newnan Road. Subject property is on the right.



View of Tri County Road looking east. Subject property is on the right.

Staff Recommendations:

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

1. The request is consistent with the Future Land Use Map and associated Comprehensive Plan.

The following condition(s) is/are proposed:

- a. Primary access to the property shall be off of Georgia Highway 16 subject to approval by GDOT. Buckeye Road shall not be used as an access drive.
- b. The property shall have access to county water for proper fire suppression.
- c. All outdoor storage shall be neat and orderly at all times.
- d. All site lighting shall be designed so as not to glare onto adjacent properties or roadways.



SPALDING COUNTY PLANNING COMMISSION

Application #17-07Z

Requesting Agency

Office of Community Development

Requested Action

Application #17-07Z: Cheryl D. Tawfik, Galil Tawfik, Gehad G. Tawfik A/K/A Jason Tawfik, Co- Trustees 2005 Gama G. Tawfik Irrevocable Trust Dated 9-21-05, Owner - Heritage Property Holding LLC, Agent - 1808 Kilgore Road (167.93 acres located in Land Lot 119 of the 3rd Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-1, Single Family Residential Low Density.

Requirement for Board Action

Section 414 of Article 4. General Procedures.

Is this Item Goal Related?

No

Summary and Background

The applicant has requested approval from Spalding County to rezone the subject property from AR-1, Agricultural and Residential to R-1, Single Family Residential Low Density.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

APPROVAL

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #17-07Z	9/19/2017	Backup Material

SPALDING COUNTY
REQUEST FOR ZONING MAP CHANGE
APPLICATION NO. 17-072

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: Heritage Property Holding llc

Address: 360 Corporate Center Court ,

City: Stockbridge ,

State: GA Zip: 30281

Phone: 678 289-5953

Contact Person: Gamal G Tawfik presedent

PROPERTY OWNER INFORMATION

Name: Garnal Tawfik 2005 IRIVOCABLE TRUST

Address: 178 Mt Paran Rd ,
Box 586

City: Atlanta

State: GA Zip: 30327

Phone: 770 231 2096

Phone: _____

APPLICANT IS THE:

☒ Owner's Agent

☐ Property Owner

☒ Developer

Present Zoning District(s): AR-1

Requested Zoning District(s): R-1

Land District(s): 3rd

Land Lots(s): 119

Acreage: 167.93

Address Of Property: 1808 Kilgore Rd

Proposed Development: Single family residential

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.

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

OFFICE USE ONLY

Date Received: 8-22-17

Amount of Fee: \$500⁰⁰

Received By: C. McDaniel

Receipt Number: 716764

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 proposed low density residential zoning is very suitable and compatible with nearby properties.

(B) Whether the property is suitable for the proposed use: yes - low density residential is very suitable for this property.

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

(D) What is the threat to the public health, safety, and welfare, if any, if the property is rezoned?: The property is virtually worthless as zoned, and rezoning poses no threat to the public. Rezoning would benefit the public.

(E) Whether and to what extent is the subject property value diminished under the present zoning?: The property is virtually worthless as zoned.

(F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: The hardship to the owner greatly outweighs any possible public benefits as zoned. The property is not useable as zoned and contributes nothing in its current state.

Use Additional Pages, If Necessary

OFFICE USE ONLY

Date Received: 8-22-17

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.

2005 Gamal G. Tawfik

Print Name of Owner(s) Irrevocable Trust

Print Name of Agent, If Not Same as Owner

Signature of Owner(s) [Signature], Guardian
or Signature of Authorized Officer or Agent
(if applicable)

Signature of Agent [Signature]

Signature of Notary Public [Signature]

Date 8/22/17

--Notary Seal--

Dawn Dickerson
NOTARY PUBLIC
Henry County
State of Georgia
My Commission Expires 1.31.2021

OFFICE USE ONLY

Date Received: 8-22-17

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?


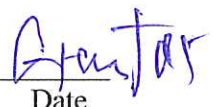
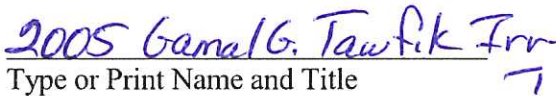
____ NO ____ (Yes/No)

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.

		
Signature of Applicant	Date	Type or Print Name and Title

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

OFFICE USE ONLY

Date Received 8-22-17 Case # 17-072 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)



August 22, 2017

RE: Letter of Intent
Rezoning Application – 2005 Gamal G. Tawfik Irrevocable Trust
Parcel ID 240 03006

To Whom It May Concern:

This proposal is submitted to outline the proposed development of a tract of land consisting of 167.93 +/- acres, which is currently owned by the 2005 Gamal G. Tawfik Irrevocable Trust for the benefit of the children. The subject property is currently zoned agricultural providing no benefit to the owner under the AR zoning.

The applicant is requesting the property to be rezoned to R-1 as the highest and best use, to develop an 83 lot Estate Life Neighborhood as outlined and described in Special Exceptions of the Spalding County Zoning Ordinance. The project consists of 50.88 acres of greenspace concentrated around the 2-spring fed (21 acre and 17 acre) lakes with access easements throughout the development. Lots within the interior range from 1 to 2 acres, while lots proposed for the property fronting on Ponomo Road will exceed 3 acres. Homes will meet the architectural design criteria and meet the minimum 2,000 sf requirement.

The subject property is surrounded by three streets and the proposed zoning matches the adjoining properties.

We submit this letter of intent for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to be "G. Tawfik", written over a horizontal line.

Gamal Tawfik

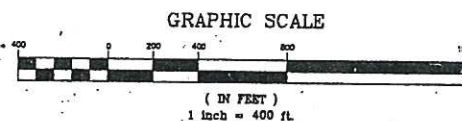
LINE	DIRECTION	DISTANCE
L1	N 72°32'52" E	268.73
L2	N 71°37'45" W	243.62
L3	N 19°30'22" W	305.61
L4	N 17°45'08" W	205.45
L5	N 67°38'01" W	139.99
L6	S 07°27'42" E	57.88
L7	S 07°04'54" E	211.45
L8	S 18°45'39" W	88.48
L9	S 19°27'21" W	249.93
L10	S 31°48'24" W	9.11
L11	S 18°28'14" W	368.90
L12	N 17°32'45" W	347.43
L13	S 72°08'22" E	499.12
L14	S 72°07'06" W	515.60
L15	N 17°32'45" W	347.43
L16	N 72°08'22" E	499.12
L17	S 67°38'01" E	139.99
L18	N 18°01'41" W	319.36

CURVE	RADIUS	ARC	CHORD	BEARING
C1	5752.13	213.17	213.15	N 65°02'37" W
C2	130.00	136.18	130.04	S 77°50'58" W
C3	4,652.11	385.87	385.78	N 69°31'11" W
C4	2,579.26	690.52	688.46	S 39°28'34" W
C5	1,509.13	403.94	402.74	S 24°08'19" W
C6	4,312.39	1,000.15	997.91	S 19°40'38" W
C7	1,731.08	211.47	211.34	S 75°34'02" W
C8	339.69	107.69	107.24	S 34°59'50" W
C9	170.00	60.19	59.58	S 82°16'58" E
C10	5,782.12	177.14	177.14	S 65°14'58" E
C11	4,692.11	369.02	368.93	S 69°53'11" E
C12	331.00	267.29	260.08	S 49°02'56" W
C13	2,638.85	594.38	593.12	N 11°34'31" W

DEED BOOK	PLAT BOOK
63/544	2/178
159/188	17/385
72/213	2/325
135/53	5/149
159/171	
72/56	
159/188	
89/61	

LEGEND
IRON PIN FOUND (REBAR, UNLESS NOTED)
IRON PIN SET (1/2" REBAR)
FENCE
OVERHEAD POWER LINE

NO.	DATE	DESCRIPTION	BY
1	10-12-98	ADDED PARCEL 5B	PSH



BOUNDARY SURVEY
FOR
WHITE OAK INVESTMENTS, LLC

LAND LOTS 119, 120 & 138 3rd LAND DISTRICT
SPALDING COUNTY, GEORGIA
SCALE: 1" = 400' DATE: JULY 12, 1998

Hulligan & Associates
Surveyors & Planners
2719 SHERATON DRIVE SUITE 200A MARIETTA, GEORGIA 31204
PHONE: (912) 745-3223 PHONE: (912) 953-2649

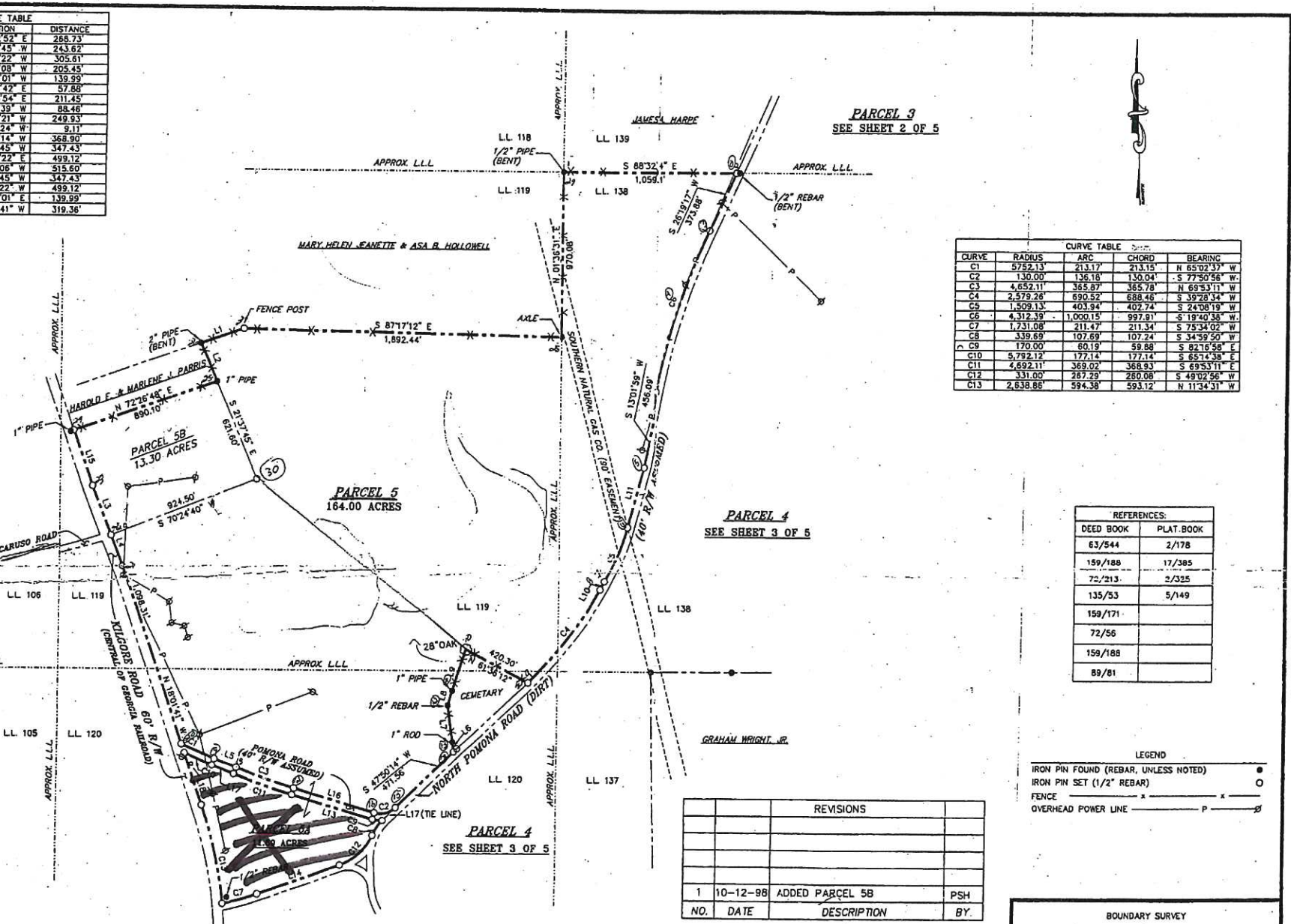
Survey Side 200B36

SHEET 4 OF 5

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 23,370 FEET, AND AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 900,185 FEET.

THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAT WERE OBTAINED BY USING A TOPCON 3030 TOTAL STATION & DATA COLLECTOR.



Please return to:
NEEL & ROBINSON ATTORNEYS AT LAW, LLC
5555 GLENRIDGE CONNECTOR, SUITE 400
ATLANTA, GA 30342
File # 08760165

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA.
2008 APR 23 PM 3 23
BY Beck
MARCIA L. NORRIS, CLERK

STATE OF GEORGIA
COUNTY OF FULTON

WARRANTY DEED

Real Estate Transfer Tax
Paid \$ 115.10
Date 4-23-08
PT - 61 126-2006-361
Marcia L. Norris
Clerk of Superior Court, Spalding Co., Ga.

THIS INDENTURE made this 11th day of February, 2008, between

GAMAL G. TAWFIK, INDIVIDUALLY ,

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

CHERYL D. TAWFIK, GALIL TAWFIK, GEHAD G. TAWFIK A/K/A JASON TAWFIK, CO-TRUSTEES 2005 GAMAL G. TAWFIK IRREVOCABLE TRUST DATED 9-21-05,

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

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS and other good and valuable consideration (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee an undivided one-half interest in the following described property:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION OF PROPERTY.

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

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

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

Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature] (Seal)
GAMAL G. TAWFIK, INDIVIDUALLY

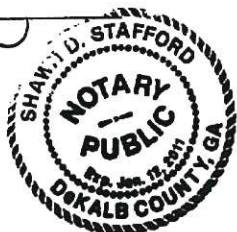
____ (Seal)

____ (Seal)

____ (Seal)

Notary Public
My commission expires

[Attach Notary Seal]



SCHEDULE A - CONTINUED**DESCRIPTION OF PROPERTY**

All that tract or parcel of land lying and being in Land Lot 119, 120 and 138 of the 3rd District, Spalding County, Georgia, and being known and distinguished as Parcel F containing 177.30 acres as shown on the plat of survey prepared for White Oak Investments, LLC by Prince S Halligan, Jr., RLS No. 2516 and recorded in Plat Book 22, Page 288, Clerk's Office, Superior Court, Spalding County, Georgia. This plat, together with its metes, bounds, courses and distances incorporated by reference herein.

LESS AND EXCEPT:

ALL THAT TRACT OR PARCEL OF LAND Lying and being in Land Lot 119 of the 3rd District at Spalding County, Georgia and being more particularly described as follows:

BEGINNING at a point located on the Easterly right of way line of Kilgore Road (right of way varies in width), said point being located 305.55 feet Northwesterly of the intersection of the Easterly right of way line of Kilgore Road and the projection of the existing centerline of Caruso Road, as measured along the Easterly right of way line of Kilgore Road and following the curvature thereof; run thence North 19 degrees, 31 minutes, 28 seconds West along the Easterly right of way line of Kilgore Road a distance of 111.66 feet to a point; run thence North 17 degrees, 31 minutes, 50 seconds West along the Easterly right of way line of Kilgore Road a distance of 247.18 feet to an iron pin; run thence North 73 degrees, 00 minutes, 23 seconds East, a distance of 387.13 feet to an iron pin; run thence South 17 degrees, 31 minutes, 13 seconds East, a distance of 162.85 feet to an iron pin; run thence South 72 degrees, 30 minutes, 34 seconds West a distance of 23.40 feet to an iron pin; run thence South 17 degrees, 29 minutes, 26 seconds East a distance of 176.96 feet to an iron pin; run thence South 70 degrees, 01 minutes, 30 seconds West, a distance of 360.00 feet to an iron pin located on the Easterly right of way line of Kilgore Road and the Point of Beginning; all as shown on survey for Leticia Herrera and Jose Antonio Botello by Southside Surveying and Planning dated June 22, 2005, which survey shows the tract contains 3.00 acres.

LESS AND EXCEPT:

All that tract and parcel of land lying and being in Land Lot 138 and 119 of the 3rd Land District of Spalding County, more particularly described as follows:

Commencing at the existing intersection Westerly R/W of North Pomona Road (40 ft, R/W) and the Northerly Line of Land lot 136; Thence Southwesterly along the existing R/W of North Pomona Road a distance of 1,439.03 feet to a point, this point being THE POINT OF BEGINNING.

From THE POINT OF BEGINNING, Thence South 13 degrees 26 minutes 41 seconds West a distance of 204.47 feet to a point; thence North 88 degrees 33 minutes 34 seconds West a distance of 525.60 feet to a point; thence North 54 degrees 00 minutes 57 seconds West a distance of 352.71 feet to a point; thence South 88 degrees 33 minutes 34 seconds East a distance of 858.65 feet to the POINT OF BEGINNING.

Said tract contains 3.177 acres.

LESS AND EXCEPT:

All that tract and parcel of land lying and being in Land Lot 119 of the 3rd District, Spalding County, Georgia, being Tract No. 2, containing 3.19 acres, more or less, as per plat recording in Plat Book 25, Page 487, Spalding County, Georgia records, which recorded plat is incorporated herein by this reference and made a part of this description. Said property being known as 1908 Kilgore Road according to the present system of numbering in Spalding County, Georgia.

GEORGIA, SPALDING COUNTY

I hereby certify that the within and foregoing is a true and correct copy of the instrument as it appears of record in the office of Clerk of Superior Court.

Book _____ Page _____
 of _____

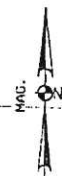
DEPUTY CLERK, SPALDING SUPERIOR COURT
 MARSHALL MORRIS, CLERK OF SUPERIOR COURT
 SPALDING COUNTY, GEORGIA

NOTES:

1. TOGETHER WITH ALL EASEMENTS RECORDED OR UNRECORDED.
2. LAST DATE OF FIELD SURVEY 06-06-01.
3. ALL LINEAR DISTANCES SHOWN ON PLAT SHALL BE HORIZONTAL.
4. INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES IS SHOWN HEREON. THIS INFORMATION IS BASED ON THE LOCATION OF ABOVE GROUND APPURTENANCES, AVAILABLE SITE PLANS, AND PAINT PLACED BY UNDERGROUND SERVICE. "NO CERTIFICATION IS MADE AS TO THE ACCURACY"
5. REFERENCE MADE TO P.B. 22 PAGE 288



Scale - 1" = 100'



THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET, AND AN ANGULAR ERROR OF 24" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET.

EQUIPMENT USED GTS 213, HP48 WITH TDS.

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY THE DEPT. OF HUD THROUGH THE FEMA IT IS MY OPINION THAT THE STRUCTURES SHOWN ARE OUTSIDE OF THE FLOOD HAZARD AREA.

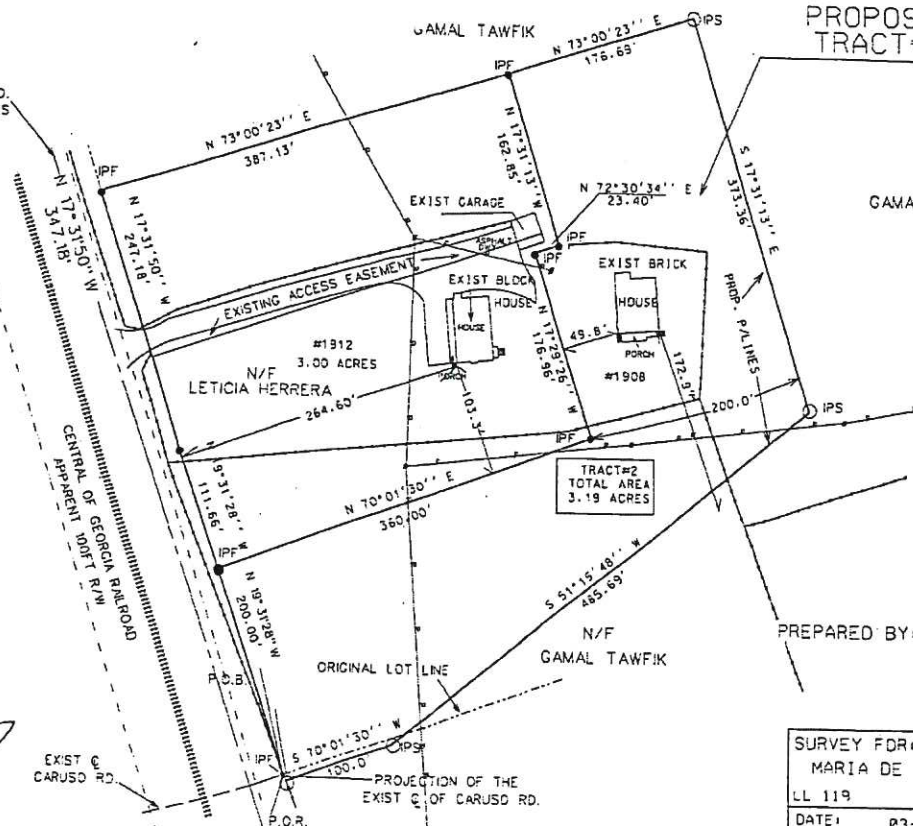
COMMUNITY PANEL #130388 00508 DATED: DATED 07-02-91

IT IS HEREBY CERTIFIED THAT IN MY OPINION THIS IS A TRUE AND CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.



ANGEL M. MARRERO R.L.S. #2642

EXIST @
KILGORE RD.
R/W VARIES



PROPOSED
TRACT #2

NO APPROVAL OF THIS PLAT IS REQUIRED
BY THE
SPALDING COUNTY SUBDIVISION ORDINANCE

Date 7/14/07

William P. Wilson Jr.
County Manager

LEGEND:

- W.M. WATER METER
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- IPF IRON PIN FOUND 1/2" REBAR
- IPF IRON PIN FOUND 1" DTP
- IPS IRON PIN SET 1/2" REBAR
- P/L PROPERTY LINE
- ⊕ P.P. POWER POLE
- P.P. POWER LINE
- CMF CONCRETE MONUMENT FOUND
- L.L.L. LAND LOT LINE
- B.O.C. BACK OF CURB
- SMH SANITARY SEWER MAINHOLE
- S.E. SPOT ELEVATION
- FENCE

PREPARED BY: SOUTHSIDE SURVEYING & PLANNING
171 NORTH MAIN STREET
JONESBORO, GA. 30236
phone: (770) 210-2951
fax: (770) 210-0546

SURVEY FOR: 'TRACT #2'

MARIA DE JESUS HERRERA & JESUS DIAZ

LL 119 3RD DISTRICT SPALDING COUNTY GA

DATE: 03-29-07

SCALE: 1" = 100'

DWN BY: AMM

DRAWING # 2008365 TRACT #2

7-17-07 3:25pm 251487

LEGEND:

W.M. WATER METER
P.O.B. POINT OF BEGINNING
P.O.R. POINT OF REFERENCE
○ IPF IRON PIN FOUND
○ IPS IRON PIN SET 1/2" REBAR
P/L PROPERTY LINE
Ø P.P. POWER POLE
P-P-P POWER LINE
CMF CONCRETE MONUMENT FOUND
L.L.L. LAND LOT LINE
B.O.C BACK OF CURB
SMH SANITARY SEWER MANHOLE
S.E. SPOT ELEVATION

BASED ON THE INFORMATION SHOWN ON THE FLOOD
HAZARD BOUNDARY MAPS FURNISHED BY THE DEPT. OF
HUD THROUGH THE FEMA IT IS MY OPINION THAT THE
PROPERTY SHOWN HEREON IS PARTIALLY INSIDE FLOOD
HAZARD AREA "ZONE A"

COMMUNITY PANEL #130038 00508

DATED: DATED 07-02-91

NOTES:

1. TOGETHER WITH ALL EASEMENTS RECORDED OR UNRECORDED
2. LAST DATE OF FIELD SURVEY 04-29-04.
3. ALL LINEAR DISTANCES SHOWN ON PLAT SHALL BE HORIZONTAL.

IT IS HEREBY CERTIFIED THAT IN MY OPINION THIS
IS A TRUE AND CORRECT REPRESENTATION OF THE LAND
PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH
THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.



THE FIELD DATA UPON WHICH THIS MAP OR
PLAT IS BASED HAS A CLOSURE PRECISION OF
ONE FOOT IN 20,000 - FEET, AND AN ANGULAR
ERROR OF 04" PER ANGLE POINT, AND WAS
ADJUSTED USING COMPASS RULE.

THIS MAP OR PLAT HAS BEEN CALCULATED
FOR CLOSURE AND IS FOUND TO BE ACCURATE
WITHIN ONE FOOT IN 10,000 - FEET.

EQUIPMENT USED GTS 213, HP48 WITH TDS.

NO APPROVAL OF THIS PLAT IS REQUIRED
BY THE
SPALDING COUNTY SUBDIVISION ORDINANCE

6-21-05
Date
C. McDaniel
William P. Wilson Jr.
County Manager



Scale 1" = 100'

PREPARED BY: SOUTHSIDE SURVEYING & PLANNING
7534 Southlake Parkway
Jonesboro, Ga. 30236
phone: (770) 210-2951
fax: (770) 210-0546

SURVEY FOR: GT ARCHITECTURE CORP.	
LL 138 & 119 3RD DISTRICT	SPALDING COUNTY GA
DATE: 04-06-05	SCALE: 1" = 100'
DWN BY: AMH	DRAWING: 200836-33

6/21/05 9:50am 05/52

Written Description
The Farm(SunnySide)

All that tract and parcel of land lying and being in land lot 138,119 and 120 of the 3RD land District of Spalding County, Georgia and more particularly described as follows:

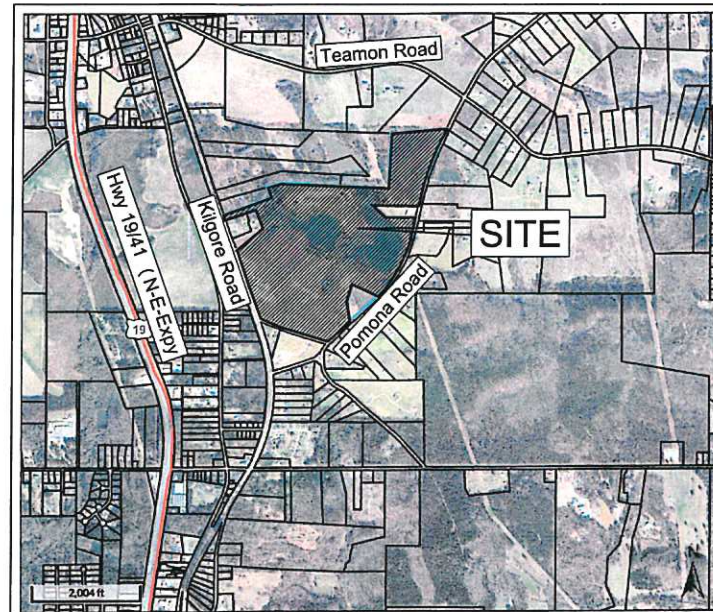
Commencing at the existing intersection Easterly R/W of Kilgore Road (60ft. R/W) and the Northerly R/W of Pomona Road (Apparent 40ft. R/W), this point being **THE POINT OF BEGINNING.**

From THE POINT OF BEGINNING:

Thence N 18°10'23'' W a distance of 1098.31' to a point;
Thence N 17°41'13'' W a distance of 198.62' to a point;
Thence N 70°02'02'' E a distance of 100.00' to a point;
Thence N 51°16'20'' E a distance of 485.87' to a point;
Thence N 17°30'41'' W a distance of 373.36' to a point;
Thence S 73°00'55'' W a distance of 563.82' to a point;
Thence N 17°27'06'' W a distance of 99.87' to a point;
Thence N 72°23'15'' E a distance of 889.76' to a point;
Thence N 21°28'49'' W a distance of 242.54' to a point;
Thence N 72°30'03'' E a distance of 268.63' to a point;
Thence S 87°16'17'' E a distance of 1892.04' to a point;
Thence N 01°36'30'' E a distance of 970.89' to a point;
Thence S 88°33'34'' E a distance of 1059.10' to a point;
Thence S 26°26'43'' W a distance of 373.88' to a point;
Thence around a curve to the left having a radius of 4,312.39', an arc distance of 1000.15', a chord bearing of S 19°31'19'' W a distance of 997.91' to a point;
Thence S 13°26'41'' W a distance of 115.05' to a point;
Thence N 88°33'34'' W a distance of 858.65' to a point;
Thence S 54°00'57'' E a distance of 352.71' to a point;
Thence S 88°33'34'' E a distance of 525.60' to a point;
Thence S 13°26'41'' W a distance of 136.57' to a point;
Thence S 16°20'19'' W a distance of 368.90' to a point;
Thence around a curve to the right having a radius of 1,509.13', an arc distance of 403.94', a chord bearing of S 24°03'18'' W a distance of 402.74' to a point;
Thence S 32°07'39'' W a distance of 9.46' to a point;

Thence around a curve to the right having a radius of 2,579.26', an arc distance of 690.52', a chord bearing of S 39°32'22'' W a distance of 688.46' to a point;
Thence N 61°41'08'' W a distance of 420.29' to a point;
Thence S 19°19'15'' W a distance of 249.93' to a point;
Thence S 18°56'42'' W a distance of 88.46' to a point;
Thence S 07°09'12'' E a distance of 211.45' to a point;
Thence S 07°11'23'' E a distance of 58.17' to a point;
Thence S 47°20'43'' W a distance of 471.56' to a point;
Thence around a curve to the right having a radius of 130.00', an arc distance of 135.97', a chord bearing of S 79°11'00'' W a distance of 129.86' to a point;
Thence N 72°18'39'' W a distance of 499.45' to a point;
Thence N 69°44'33'' W a distance of 365.79' to a point;
Thence N 67°29'14'' W a distance of 139.99' to a point;
Thence N 64°23'10'' W a distance of 213.15' to **THE POINT OF BEGINNING.**

Containing 167.88 acres.



VICINITY MAP

SITE PARAMETERS

TOTAL SITE = 167.93 ACRES
 83 LOTS (0.494 UPA) =
 1 LOT PER 2.02 ACRES
 50.88 ACRES GREEN SPACE

MIN. LOT SIZE = 1.0 AC.
 125' LOT WIDTH @ B/L



GSWCC
 MARK G. WHITLEY, P.E.
 000001036
 LEVEL I A CERTIFIED PERSONNEL
 LEVEL I B CERTIFIED INSPECTOR
 LEVEL II CERTIFIED DESIGN PROF.



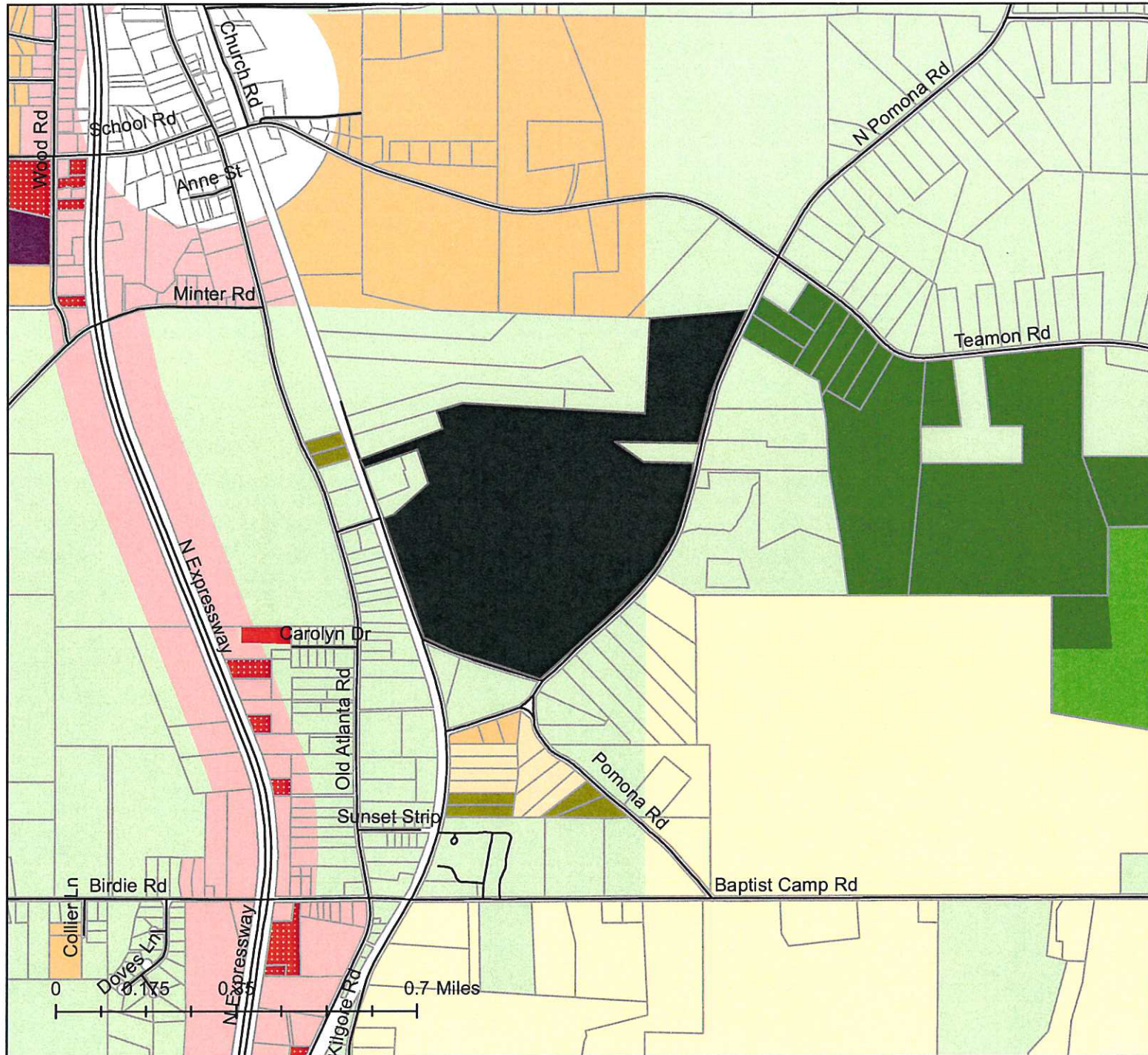
WHITLEY INC.
 ENGINEERING
 DESIGN NPDES PROJECT MANAGEMENT
 TEL: (770) 946-0256 38
 E. MAIN STREET N.
 HAMPTON, GA 30228

REV. DATE:	DESCRIPTION:

RE-ZONING SITE PLAN	DATE: 08/22/2017
LAND LOTS 119 3rd DISTRICT	SCALE:
SPALDING COUNTY, GA	

THESE DRAWINGS ARE THE PROPERTY OF WHITLEY ENGINEERING, INC. AND MAY NOT BE USED, REPRODUCED AND OR INCORPORATED INTO ANOTHER WORK FOR ANY REASON WITHOUT THE WRITTEN CONSENT OF THE DESIGN PROFESSIONAL.

#17-07Z Tawfik



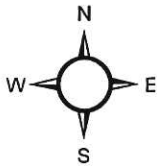
Zoning

	PI		PI
	AAR		R
	AR1		R
	AR2		R
	C1		R
	C1A		R
	C1B		R
	C1C		R
	C2		R
	C3		VI
	OI		

Approximate size
of an Acre.



1 inch = 1,404.



Map # 240-03-0

Spalding County GA
(770) 467-4220
cjacobs@spaldingcountygov.com

SPALDING COUNTY PLANNING COMMISSION

DATE: September 26, 2017

TO: Spalding County Planning Commission
Spalding County Board Of
Commissioners

FROM: Department of Community Development

RE: Rezoning Application #17-07Z
Total acreage: 167.93+ acres
AR-1 to R-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 167.93 acres, more or less, located at 1808 Kilgore Road.

District and Land Lots:

The property is located in the 3rd Land District, in Land Lot 119.

Current Owner:

The property is owned by Cheryl D. Tawfik, Gamal Tawfik, Gehad G. Tawfik A/K/A Jason Tawfik, Co-Trustees 2005 Gamal G. Tawfik Irrevocable Trust Dated 9-21-05 by virtue of Deed recorded April 23rd, 2008 in Deed Book 3244, Page 6, Office of the Clerk of the Superior Court, Spalding County, Georgia.

Agent/Developer

Heritage Property Holding LLC
360 Corporate Center Court
Stockbridge, Georgia 30281

Overview of Development:

The applicant has requested approval from Spalding County to rezone the subject property from AR-1, Agricultural to R-1, Single Family Residential

Current Area Development

Current Zoning/Authorized Development:

The subject property is AR-1, Agricultural which allows for road frontage lots to be subdivided consisting of 3 acres and 200' of road frontage. The subject property could possibly yield 55 lot splits under current zoning.

The property could be developed as a conservation subdivision which staff estimates could yield approximately 83 lots.

Requested Zoning and Development Intent:

The applicant requests rezoning to R-1, Single Family Residential. The applicant has submitted a special exception application to develop an Estate Life subdivision. The current design is tied to that theme.

Existing Use:

The property is vacant and undeveloped.

Land Use Plan:

The request is consistent with the plan and associated Future Land Use Map classification of Low Density Residential and Open Space network, pursuant to the "Spalding County Comprehensive Plan, 2004-2024," as revised in December 2004.

Schools:

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

Schools Impacted and Enrollment vs. Capacity

School	Enrollment	Capacity
--------	------------	----------

Schools Impacted and Enrollment vs. Capacity

Beaverbrook Elementary	680	640
------------------------	-----	-----

Cowan Road Middle	735	800
-------------------	-----	-----

Griffin High	1650	1900
--------------	------	------

The potential impact of this development on the schools would be approximately 23 or 30 children (19 lots vs. 25 lots – based on 1.2 children per home).

Rezoning Amendments approved and/or Subdivisions approved in these districts:

Beaverbrook Elementary

Farrar Subdivision – Sidney & Birdie Rds – 109 lots

Cowan Road Middle

Vineyard Ridge – Vineyard Road – 76 lots

Orchard on Ellis – Ellis Road – 8 lots

Turtle Tracks, Phase II – Hwy 16W - 15 lots

Farrar Subdivision – Sidney & Birdie Rds – 109 lots

Mill Park I&II – Pineview Road & E. McIntosh – 22 lots

Chester Woods – Kilgore Road – 21 lots

Sherbrook Woods, Phase III – Cowan Road – 47 lots

Will's Walk Ph. II – Vineyard Road – 89 lots

The Highlands – Hwy 92 at Westmoreland Road – 99 lots

Griffin High

Vineyard Ridge – Vineyard Road – 76 lots

Orchard on Ellis – Ellis Road – 8 lots

Turtle Tracks, Phase II – Hwy 16W - 15 lots

Farrar Subdivision – Sidney & Birdie Rds – 109 lots

Mill Park I&II – Pineview Road & E. McIntosh – 22 lots

Chester Woods – Kilgore Road – 21 lots

Sherbrook Woods, Phase III – Cowan Road – 47 lots

Will's Walk Ph. II – Vineyard Road – 89 lots

The Highlands – Hwy 92 at Westmoreland Road – 99 lots

Stonebriar – Moreland Road – 275 lots

Park Place – Lakeside Drive – 76 lots

Meadowview – Hwy 362 – 70 lots

Stanfield West Phase V – Wilder Way off Rover-Zetella Road – 48 lots

Please note that with the variation of construction times and absorption rates, it is very difficult to determine exactly when these subdivisions will begin impacting the school system. The above lists include rezoning/subdivision approvals for developments within each of the existing school districts. Each subdivision is at a different point in the development process and range from zoning approval to occupation of homes. The data for Moreland Road is subject to modification. At the writing of this report, staff does not possess a new boundary map reflecting the new school district as Moreland Elementary is presently open.

Compliance with Zoning Ordinance Development Standards:

R-2 Development Standards:

Minimum space: 1,750 square feet heated

Minimum lot area: As specified by the Spalding County Health Department, but in no case less than 2 acres, unless a special exception allowing a reduction in lot size to 1 acres is approved pursuant to Section 413.

Minimum lot width: 125 feet

Minimum frontage width: 75 feet, 35 feet for property in a cul-de-sac

Setbacks:

front: 100 feet, 70 feet if
public sewer is provided
side: 25 feet
rear: 25 feet

Utilities & Infrastructure:

Transportation:

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

Based on 83 lots (conservation subdivision):

Weekday	
A.M. Peak Hour:	62 trips
PM Peak Hour:	84 trips
Saturday	
Peak Hour:	78 trips
Sunday	
Peak Hour:	16 trips
Total Weekday	794 trips

Based on 111 lots (1.5-acre lots/gross density):

Weekday	
A.M. Peak Hour:	83 trips
PM Peak Hour:	112 trips
Saturday	
Peak Hour:	104 trips
Sunday	
Peak Hour:	95 trips
Total Weekday	1062 trips

Water:

The site is accessible to County water via a 6" line along Kilgore and a portion of Pomona Roads. (Source: Spalding County Water Authority).

Sewerage:

The site is not accessible to sanitary sewer service and will be served by individual septic systems. (Source: City of Griffin Sewer Authority)

Wetlands/Watershed Area:

According to the plan submitted with the application a portion of this property is located within a 100-year flood zone, per map # 13255C 0060E.

The subject property is located within the Towaliga River Watershed Outside 7 mile radius as indicated by the S-2 watershed 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 is single family residential and agricultural in character. A manufactured home community is located nearby. The subject property is bordered entirely by AR-1 zoning with a mixture of R-1, R-2, R-4, R-5 Single Family Residential and AR-2 Rural Reserve nearby. GIS data indicates that the average house size within a half mile radius of this site is approximately 2,353 square feet (as of 2017).
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 Open Space Network" and is consistent with the Future Land Use Map for this property.
3. The length of time the property has been vacant.
The property is undeveloped and vacant.
4. The threat to the public health, safety, and welfare, if rezoned.

The threat to the public health, safety and welfare will be minimal as only four lots could be created as a result of successful zoning. Staff does have a concern with respect to Pomona Road being an unimproved gravel/dirt road. The current plan indicates two access points off of Kilgore Road with one additional one off of Pomona Road. The impact to the school district is not known as Community Development does not have current school enrollment data.

5. The extent to which the value of the property is diminished by the present zoning.
Staff is not aware of any diminishing affects of 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 the subject property from Kilgore Road looking northeast.



View of the subject property from Pomona Road looking north.



View of the subject property from Pomona Road looking west.



View of the subject property.

Staff Recommendations:

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

1. The request is consistent with the Spalding County Future Land Use Map and the associated Comprehensive Plan.
2. The proposed zoning is consistent with the average house sizes in this area.



SPALDING COUNTY PLANNING COMMISSION Approval of August 29, 2017 Minutes

Requesting Agency

Office of Community Development

Requested Action

Consider approval of August 29, 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
 PC 08-29-17 Minutes	9/19/2017	Backup Material

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
August 29, 2017

The Spalding County Planning Commission held its regular monthly meeting on August 29, 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; Newton Galloway, Zoning Attorney; and Teresa Watson 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.

AGENDA

Mr. Cox made a motion to amend the agenda to move item #5 up to first consideration since the representative for O'Reilly Auto Parts was pressed for time due to her flight schedule. 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.

Consider conceptual plan for proposed O'Reilly Auto Parts within TCC Overlay District.

This issue required no vote, and there were no concerns expressed after a brief period of discussion. It was noted this was following the same process as the recent application by RaceTrac. They are adding the pedestrian connectivity as requested, and they have addressed the parking concerns of the Board of Appeals, noting it makes sense along state corridors to have parking to the front and side rather than the side and rear. They have applied for several variances but not as many as RaceTrac for this outparcel. O'Reilly will share an entrance between themselves and the Shell station. GDOT will drive the ingress/egress issues mostly. The representative for O'Reilly, Molly Robb, advised they had met GDOT standards. Traffic from the sometimes congested intersection of Highway 19 and 41 should dissipate to a large degree before reaching their entrance. Engineers (Paragon) are taking a look at the storm water retention area, and there is a natural drainage toward the highway. They reviewed plans, elevations, exterior facades (stacked stone and stucco), and architectural details. Members noted they appreciated the architectural flair and said the plans are for a very nice store. Staff recommends approval and, if so, it will be an item for consideration at the next Board of Commissioners meeting, then to the Board of Appeals for variances. The Planning Commission felt comfortable with having the plan move along as presented.

S/D #03-08: Consider extension of preliminary plat for Heron Bay Golf and Country Club Subdivision – Pod JJ, KK and LL – Cole Tract Associates, Owner – expires September 25, 2017.

John Lydon, Minerva/Cole Tract Associates, 2292 Henderson Mill Road, Atlanta, GA 30345

Mr. Lydon, Project Manager with Cole Tract Associates, advised that Cole Tract was actually low on product and trying to get additional homes into the market. Mr. Jacobs said the recommendation of staff was to approve, noting all was in order with this preliminary plat.

MOTION

Mr. Harris made a motion, seconded by Mr. Ballard to approve S/D #03-08. The motion passed with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

S/D #06-01: Consider review and approval of revised preliminary plat for Sun City Peachtree off Jordan Hill Road and Teamon Road – 3,291 lots.

Mr. Jacobs noted the applicant has submitted a revised preliminary plat for approval with a slight change to the cul-de-sac area and a combination of some lots to result in larger lots has occurred. This decreased the overall number of lots from 105 to 63 in favor of the larger lots. Mr. Jacobs said that staff recommended approval and a brief discussion followed.

MOTION

Mr. Eubanks made a motion to approve S/D #06-01. 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.

Amendment to UDO #A-17-05: Appendix A. Subdivision Ordinance – Section 404-F – add criteria for extension of approval of preliminary plat after expiration of 2 years.

Newton Galloway said a few months ago a question arose regarding preliminary plat expirations and renewals. The result of those questions and discussion is this amendment to add criteria for extension of approval of preliminary plats after expiration of two years. The Ordinance amending subdivision regulations will provide for:

- 1) Preliminary plat approval – will continue for a period of 2 years
- 2) Developer has a right subject to written notice for additional 2 years without having to return before this Commission.
- 3) Then no further automatic plat extensions will be granted except as approved by the Planning Commission. So, at 2-6 months before expiration, an applicant could submit written request for an extension of time for good cause with a copy of the plat and payment of the same fees (\$200).
- 4) In determining whether to grant approval of a preliminary plat, the following criteria should be used to assess said extension:
 - a. Whether the subdivision evidences and demonstrates tangible progress and reasonable diligence to move the subdivision to the construction plan approval stage;
 - b. Whether the preliminary plat still complies with the requirements of Section 405 of this ordinance;
 - c. Whether the area near the subdivision has substantially changed since the initial date of preliminary plat approval;
 - d. Whether any significant changes in the area near the subdivision are expected to occur within the extension period that are inconsistent with the subdivision, if developed;
 - e. Whether the subdivision in the approved preliminary plat continues to be consistent with the Spalding County Comprehensive Plan and future land use map;
 - f. Whether public facilities and services in the area surrounding the subdivision will be disrupted by approval of the Request;
 - g. Whether this ordinance has been amended since the initial approval of the preliminary plat, and, if so, whether the preliminary plat conforms to the amendment; and
 - h. Whether the extension of preliminary plat approval promotes the purposes of this ordinance, set forth in Section 104 hereof.
5. If the extension request is approved, preliminary plat approval shall be effective and binding upon the planning commission for a period of no more than two (2) years from the date of approval.
6. The planning commission shall not grant more than two (2) extensions for preliminary plat approval.

Mr. Jacobs accepted there could be an issue maybe with huge developments like Sun City, where we are already in year 11 of the development, with regard to the 8-year restriction, but he felt we could adjust accordingly for those rare instances. Some discussion followed.

MOTION

Mr. Cox made a motion to approve Amendment to UDO #A-17-05 as presented. 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.

MINUTES

The minutes of the July 25, 2017 meeting were approved on a motion by Mr. Harris and a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris, and Mr. Youmans voting for the motion.

Other Business

Chairman Youmans noted he had ridden north through Sunnyside recently and was very displeased to see the “high end” car business recently approved is now a used car lot. We gave him his zoning and listened to his story, making a decision on the immediate and then see the situation flipped. We need to exercise great caution when making decisions that can affect the future health and welfare of the community. Having said that, we also can’t rely on tomorrow’s worries when making an immediate decision noted some members. Mr. Jacobs and Mr. Galloway reminded the Commission that they do have the option of applying conditions. After some discussion, Mr. Galloway noted it was best not to tie an application to a business license but rather encouraged tying it to a land use.

Mr. Jacobs reminded all that on September 13, 2017 the final Comprehensive Plan document will be presented from 4 to 7 p.m. with transmittal occurring on September 18. Members and the public are encouraged to attend.

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.

John Youmans – Chair

Teresa Watson - Recorder