

Agenda

Spalding County Planning Commission

August 25, 2020

7:00 PM

Room 108, Spalding County Courthouse Annex

A. Call to Order

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

B. New Business:

1. **Application #20-07Z:** James S. Wade, Jr., Owner - Butch Armistead, Agent - 1206 Enterprise Way (2.50 acres located in Land Lot 117 of the 2nd Land District) - requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.
2. **Application #20-08Z:** Alton Riley Bowlden & Betty May Bowlden, Owners - Gregory A. Bowlden, Agent - 4740 Fayetteville Road (3.696 acres located in Land Lot 109 of the 4th Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential.
3. **Application #20-09Z:** Legion of All-Stars, LLC, Owner - Richard P. Lindsey, Agent - 1316 Martin Luther King Jr. Parkway (2 acres located in Land Lot 117 & 118 of the 2nd Land District) - requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

C. Approval of Minutes:

4. Consider approval of July 28, 2020 minutes.

D. Other Business:

E. Adjournment



SPALDING COUNTY PLANNING COMMISSION Application #20-07Z

Requesting Agency

Office of Community Development

Requested Action

Application #20-07Z: James S. Wade, Jr., Owner - Butch Armistead, Agent - 1206 Enterprise Way (2.50 acres located in Land Lot 117 of the 2nd Land District) - requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Requirement for Board Action

Article 4. General Procedures - Section 414.

Is this Item Goal Related?

No

Summary and Background

The applicant has requested to rezone approximately 2.50 acres from C-1 to C-1B. The property is developed with an existing building that was used previously as a Polaris ATV repair shop and retail sales center, as a legal, nonconforming use. Most recently it was used as a church. The last commercial business license lapsed for a period that extended beyond 12 months and the grandfathering for the use lapsed.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

CONDITIONAL APPROVAL as follows:

- a. All parking must be on paved surfaces, and maintained in a neat, orderly manner.
- b. No parking is allowed on the right-of-way.
- c. No junked or otherwise non-functional vehicles may be stored outside the building.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #20-07Z	8/19/2020	Backup Material

PC 8/25/20
BOC 9/24/20

Spalding

COUNTY

REQUEST FOR ZONING MAP CHANGE APPLICATION NO. 20-072

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: Butch Armistead

Address: 203 East Taylor Street

City: Griffin

State: Ga. Zip: 30223

Phone: 770-468-3077

Contact Person: Butch Armistead

PROPERTY OWNER INFORMATION

Name: James Stanley Wade, Jr.

Address: 1218 Enterprise Way

City: Griffin

State: Ga. Zip: 30224

Phone: 770-468-0427

Phone: _____

APPLICANT IS THE:

☒ Owner's Agent ☐ Property Owner ☐ Developer

Present Zoning District(s): C-1 Requested Zoning District(s): C-1B

Land District(s): 2nd Land Lots(s): 117 Acreage: 2.50

Address of Property: 1206 Enterprise Way Parcel # 236 01046A

Proposed Development: Retail and Repair Shop for turbo chargers

rec'd 6/25/2020

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.

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

OFFICE USE ONLY

Date Received: 6-25-20

Amount of Fee: \$1750⁰⁰

Received By: C. McDaniel

Receipt Number: 043849

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 use of a mechanic's shop & small retail area in front is compatible with the surrounding Convenience Store to the north and tractor sales & shop to the south, the building is 685' to rear P/L and existing residential zoning.

(B) Whether the property is suitable for the proposed use: The small retail area in front of building and shop area in rear of building make this an ideal property for the proposed use. This site was previously used for a similar business (Polaris Sales and Service)

(C) What is the length of time the property has been vacant?: approximately 1-1/2 years

(D) What is the threat to the public health, safety, and welfare, if any, if the property is rezoned?:
There would be no threat to the public health, safety, and welfare if the property is rezoned as requested and no hazardous materials or work would be performed on-site, and no known issues when building was previously occupied by a business that had a similar use as now proposed.

(E) Whether and to what extent is the subject property value diminished under the present zoning?:
The present zoning does not allow for use of the existing building for the purpose it was originally built, small retail area and shop. The existing building was slightly remodeled for use as a church, which was the last tenant in the building.

(F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: The rezoning of this property as requested would allow for a business that would have employees and provide additional taxes for Spalding Co. vs. a vacant building with no tenant as presently zoned.

Use Additional Pages, If Necessary

OFFICE USE ONLY

Date Received: 6-25-20

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.

James Stanley Wade, Jr.

Print Name of Owner(s)

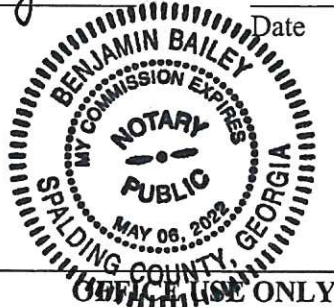
Butch Armistead

Print Name of Agent, If Not Same as Owner

James Stanley Wade, Jr. 6-24-2020 [Signature]
Signature of Owner(s) Date Signature of Agent
or Signature of Authorized Officer or Agent
(if applicable)

[Signature] 6-24-2020
Signature of Notary Public Date

---Notary Seal---



Date Received: 6/25/20 Received By: C. McDonald

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)

Spalding
ZONING MAP CHANGE
PAGE 6

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.

N/A

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.

James S. Wade, Jr. 6-24-2020
Signature of Applicant Date

JAMES S. WADE, JR OWNER
Type or Print Name and Title

[Signature]
Signature of Applicant's Attorney Or Representative Date

JESSE Armstrong Jr
Type or Print Name and Title

OFFICE USE ONLY

Date Received 6/25/20 Case # 20-072 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.

Spalding County Fee Schedule:

Appeal from Action of Administrative Officer: \$ 300.00

Variance: \$ 300.00

Special Exception: \$ 500.00

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

A. Parcel 1 - \$750.00

B. Parcel 2-5 - \$150.00 each, in addition to the fees stated in A; and

C. Parcels 6+ - \$100.00 each, in addition to the fees stated in A and B.

FLOOD NOTE

BASED ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND BY GRAPHIC DEPICTION ONLY, THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS PER INSURANCE RATE MAP NUMBER 13555C005D WITH AN EFFECTIVE DATE OF MAY 09, 2010. NO FIELD VERIFICATION HAS BEEN PERFORMED TO DETERMINE THIS.

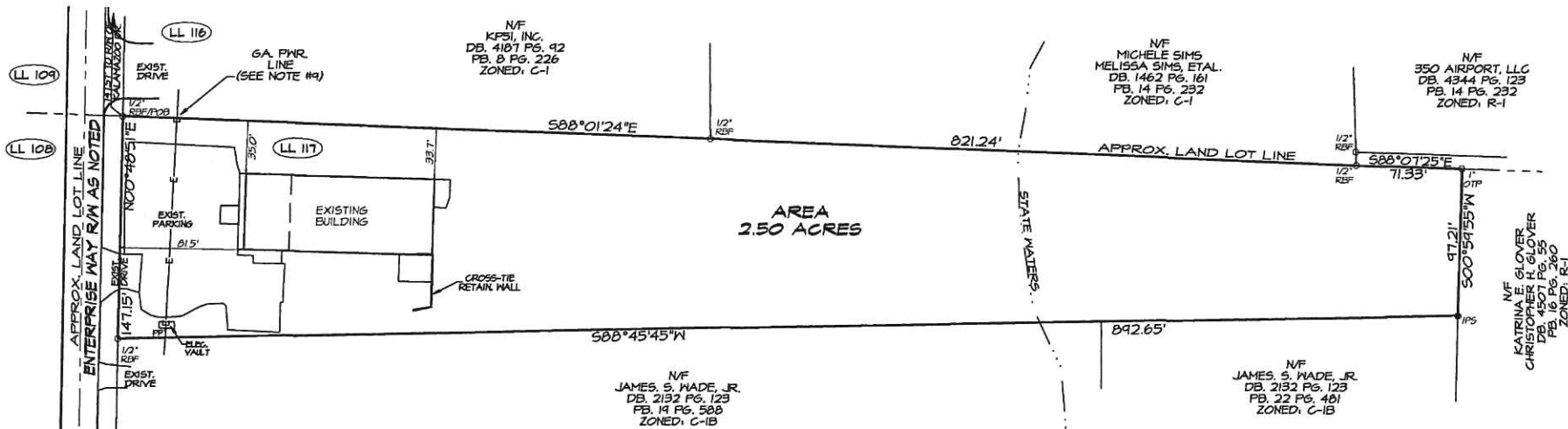
FOR CLERK OF SUPERIOR COURT

NOTES:

1. EXCEPT AS SPECIFICALLY SHOWN OR STATED ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS (OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY OR EASEMENTS THAT CAN BE ESTABLISHED FROM A COMPLETE AND ACCURATE LEGAL DESCRIPTION); BUILDING SETBACKS; RESTRICTIVE COVENANTS; ZONING CONDITIONS OR OTHER LAND USE REGULATIONS.
2. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR.
3. ALL CORNER MONUMENTS SET ARE 1/2" REBAR OR AS OTHERWISE FOUND.
4. THIS SURVEY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD BOTH WRITTEN AND UNWRITTEN.
5. EXCEPT AS MAY BE EXPRESSLY INDICATED ON THIS PLAT, LOCATIONS OF ENVIRONMENTAL, GEOLOGIC, AND UNDERGROUND FEATURES AND CONDITIONS, NATURAL AND OTHERWISE, AS THEY MAY RELATE TO BUFFERS AND SETBACKS IS BEYOND THE SCOPE OF THIS SURVEY.
6. REFERENCES: DB. 461 PG. 1, DB. 3431 PG. 161, DB. 1274 PG. 253, PB. 21 PG. 468.
7. NO UNDERGROUND STORAGE TANK(S), HAZARDOUS MATERIAL(S), OR WASTE DISPOSAL AREA(S) WERE OBSERVED DURING FIELD SURVEY.
8. THE RIGHT-OF-WAY OF ENTERPRISE MAY BE ESTABLISHED AT 25' FROM MEAN C/L OF EXISTING ROADWAY AS PER FOUND CORNER MONUMENTS AND PREVIOUS SURVEYS. ANY ADDITIONAL RIGHT-OF-WAY CLAIMED SHOULD BE EXCLUDED FROM THIS SURVEY.
9. GEORGIA POWER ELECTRIC LINE NO RECORD EASEMENT FOUND OR PROVIDED TO SURVEYOR.

LEGEND

1/2" IPS	IRON PIN (1/2" REBAR) SET	1/2" REF.	EDGE GRAVEL
0 1/2" IPS	CORNER MONUMENT FOUND	1/2" REF.	EDGE PAVEMENT
1/2" REF.	PROPERTY LINE	1/2" REF.	GRASS
1/2" REF.	RIGHT-OF-WAY LINE	1/2" REF.	GRASS & BUTTER
1/2" REF.	EXIST. CONTOURS	1/2" REF.	STORM DRAIN PIPE
1/2" REF.	EXIST. INDEX CONTOURS	1/2" REF.	SCAL TYPE
1/2" REF.	EXIST. FENCE	1/2" REF.	GATE VALVE
1/2" REF.	EXISTING MAJOR LINE	1/2" REF.	FIRE HYDRANT
1/2" REF.	EXISTING GAS LINE	1/2" REF.	DOUBLE-PING CATCH BASIN
1/2" REF.	EXISTING SANITARY SEWER LINE	1/2" REF.	DOUBLE-PING CATCH BASIN
1/2" REF.	JURISDICTIONAL BOUNDARY	1/2" REF.	WATER METER
1/2" REF.	APPROX. SOL. BOUNDARY	1/2" REF.	GRASS RILEY
1/2" REF.	CONCRETE SIDEWALK		



The field data upon which this survey is based has been computed for closure by latitudes and departures and has a closure precision of one foot in 85,000+ ft. and an angular error of 3" per angle point, and the 10 ADJUSTMENT was used for adjustment. A TOPOCON 603B was used to obtain linear measurements and a TOPOCON 603B was used to obtain angular measurements.

It is my opinion, that this plat is a true and correct representation of the land plotted, has been prepared to meet minimum standards and requirements of law, and has been computed for closure and has been found to be accurate within one foot in 100,000+ ft.

PER THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS RULE 100-6-04, THE TERM CERTIFICATION AS USED IN BOARD RULE 100-6-04(2) AND (3) AND RELATING TO PROFESSIONAL ENGINEERING OR LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESS OR IMPLIED.



DOCUMENTS AND LEGAL DESCRIPTION USED FOR THE BASIS OF THIS SURVEY INCLUDE: DB. 2261 PG. 24, AND DB. 14 PG. 454, TAX ID 236 01046A.

SURVEYOR'S CERTIFICATION

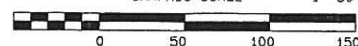
This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF TITHS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors as set forth in O.C.G.A. Section 15-6-61.

By: *SJR* STEVE J. REEVES, GA. RLS No. 2165 DATE 06/18/2020

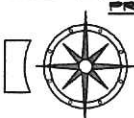
RETRACEMENT SURVEY FOR:

JAMES STANLEY WADE, JR.

GRAPHIC SCALE 1"=50'



PREPARED BY:



S.J. Reeves Land Surveying

P.O. BOX 653 • 11491 HIGHWAY 19 N • ZEBULON, GA. 30245
770-564-5203 • sjreeveslandsurveying@gmail.com (EMAIL)
LAND SURVEYING, PLANNING & SUBDIVISION DESIGN

LANDLOT	DISTRICT
117	2nd
CITY	COUNTY
N/A	SPALDING
DATE OF FIELD WORK	
04/03/2020	
DATE OF PLAT	
06/18/2020	
JOB NO.	SCALE
	1"=50'

Statement Describing Proposed Development.

To give you a brief history lesson of the tract, it was a retail business(Griffin Appliances) with a shop in the back ½ of the building to repair appliances, then it was purchased by Jimmy Wade and used as a Polaris 4 wheeler sales center with a repair shop in the back ½ of the building. After Jimmy consolidated the Tractor business and Polaris dealership, he leased the building to a church. Now, we have a contract to sell the land and the buyer would like to put a retail business in the front ½ to be used as a retail show room and a repair shop in the back ½ of the building. He sells and rebuilds turbo chargers. These turbo chargers range in size from a 4 wheeler / motorcycle type turbocharger to an engine for a John Deere size tractor.

02261
00029

BOOK 2261 PAGE 29

Real Estate Transfer Tax
Paid \$ 250.00
Date 4-16-03
Myrtle F. Peoples
Clerk of Superior Court, Spalding Co., Ga.

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

'03 APR 16 PM 3 55

BY *Myrtle F. Peoples*
MYRTLE F. PEOPLES, CLERK

Return Recorded Document to:
Shepherd & Johnston, LLP
124 North Hill Street
P.O. Box 767/Griffin, GA 30224

Griffin, Georgia 30223

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF Spalding

File #: 030201

This Indenture made this 1st day of April, 2003 between Guy A. Williamson, of the County of Spalding, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and James S. Wade, Jr., as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

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

See Legal Description attached hereto as Exhibit "A" and incorporated herein by express reference thereto.

Spalding County, Georgia, Land Lot 117, 2nd Land District, 2.50 acres, Tax ID # 236-1-46A

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

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

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

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

Signed, sealed and delivered in the presence of:

Myrtle F. Peoples
Witness
Myrtle F. Peoples
Notary Public
NOTARY PUBLIC
SPALDING COUNTY
EXPIRES
MAY 6, 2006
GEORGIA
PUBLIC

Guy A. Williamson
Guy A. Williamson

_____(Seal)

_____(Seal)

_____(Seal)

02261
00030

BOOK 2261 PAGE 30

Exhibit A

All that lot, tract or parcel of land situate, lying and being in Land Lot 117 of the Second Land District of originally Monroe County, now Spalding County, Georgia, and being more particularly shown and designated as 2.50 acres, on a plat of survey entitled "Survey for Kerry St. Clair", prepared by Robert S. Mitchell, Registered Land Surveyor, No. 1580, dated August 15, 1991, a copy of which said plat is recorded in Plat Book 19, Page 459, of the Spalding County Clerk of Superior Court, Georgia, records. Said plat together with its metes, bounds, courses and distances as shown thereon is incorporated herein by express reference thereto and made a part hereof as if set out fully hereon.

GAW

SPALDING COUNTY, GEORGIA

CLERK OF SUPERIOR COURT

RECORDED

INDEXED

FILED

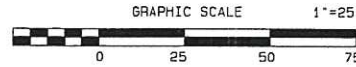
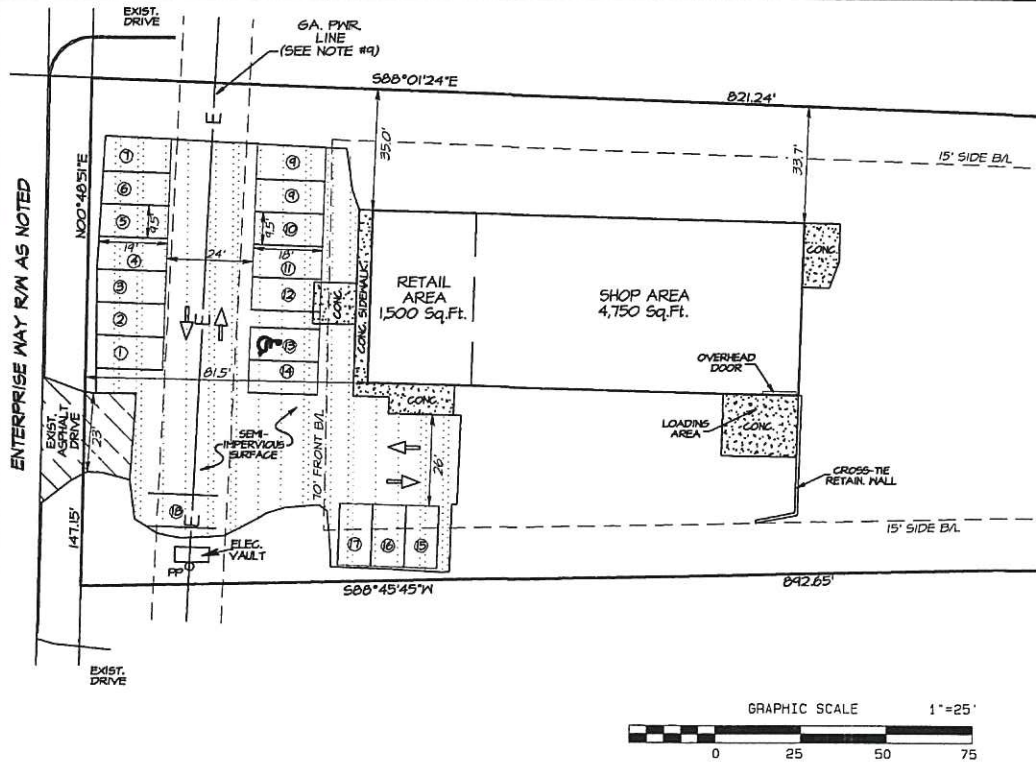
1206 Enterprise Way - Legal Description:

All that tract or parcel of land lying and being in Land Lot 117 of the 2nd District, Spalding County, Georgia, being more particularly shown and designated as 2.50 acres, on a plat of survey entitled "Retracement Survey for James Stanley Wade, Jr., prepared by S.J. Reeves, Registered Land Surveyor, No. 2675, dated June 18, 2020, said parcel being more particularly described as follows:

Beginning at a ½" rebar found at the intersection of the east right-of-way of Enterprise Way (50' R/W) and the north line of Land Lot 117, said point being 147.57 feet from the right-of-way of Kalamazoo Dr. and the Point of Beginning; thence South 88°01'24" East, a distance of 821.24 feet to a ½" rebar found; thence South 88°07'25" East, a distance of 71.33 feet to a 1" open top pipe found; thence South 00°59'55" West, a distance of 97.21 feet to a ½" rebar set; thence South 88°45'45" West, a distance of 892.65 feet to a ½" rebar found on the east right-of-way line of Enterprise Way; thence North 00°48'51" East, along the east right-of-way line of Enterprise Way a distance of 147.15 feet to the Point of Beginning.

Containing 2.50 ACRES, more or less.

ENTERPRISE WAY R/W AS NOTED



NOTES:

- EXCEPT AS SPECIFICALLY SHOWN OR STATED ON THIS PLAN, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS (OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY OR EASEMENTS THAT CAN BE ESTABLISHED FROM A COMPLETE AND ACCURATE LEGAL DESCRIPTION); BUILDING SETBACKS; RESTRICTIVE COVENANTS; ZONING CONDITIONS OR OTHER LAND USE REGULATIONS.
- SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR.
- ALL CORNER MONUMENTS SET ARE 1/2" REBAR OR AS OTHERWISE FOUND.
- THIS SURVEY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD BOTH WRITTEN AND UNWRITTEN.
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- REFERENCES: DB, 461 PG. 1, DB, 3421 PG. 181, DB, 1274 PG. 253, PB, 21 PG. 483.
- NO UNDERGROUND STORAGE TANK(S), HAZARDOUS MATERIAL(S), OR WASTE DISPOSAL AREA(S) WERE OBSERVED DURING FIELD SURVEY.
- THE RIGHT-OF-WAY OF ENTERPRISE MAY BE ESTABLISHED AT 25' FROM MEAN C/L OF EXISTING ROADWAY AS PER FOUND CORNER MONUMENTS AND PREVIOUS SURVEYS. ANY ADDITIONAL RIGHT-OF-WAY CLAIMED SHOULD BE EXCLUDED FROM THIS SURVEY.
- GEORGIA POWER ELECTRIC LINE, NO RECORD EASEMENT FOUND OR PROVIDED TO SURVEYOR. 30' EASEMENT WIDTH SHOWN FOR PURPOSES OF THIS SITE PLAN. ANY ADDITIONAL EASEMENT OR RIGHT-OF-WAY AREA CLAIMED SHOULD BE NOTED.

PARKING REQUIREMENTS

RETAIL AREA 1,500 Sq.Ft. =
1500 @ 1 PER 200 Sq.Ft. = 8 SPACES

SHOP AREA 4,750 Sq.Ft. =
4750 @ 1 PER 500 Sq.Ft. = 10 SPACES

TOTAL REQ'D - 18

TOTAL PROVIDED - 18

SITE DATA & ZONING REQUIREMENTS

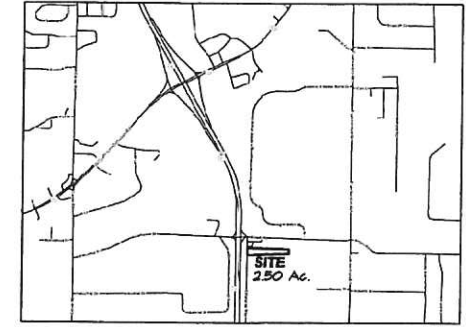
CURRENT SITE ZONING: C-1
PROPOSED SITE ZONING: C-1B

TOTAL DEVELOPMENT TRACT AREA - 250 ACRES
TOTAL NUMBER OF LOTS - 1

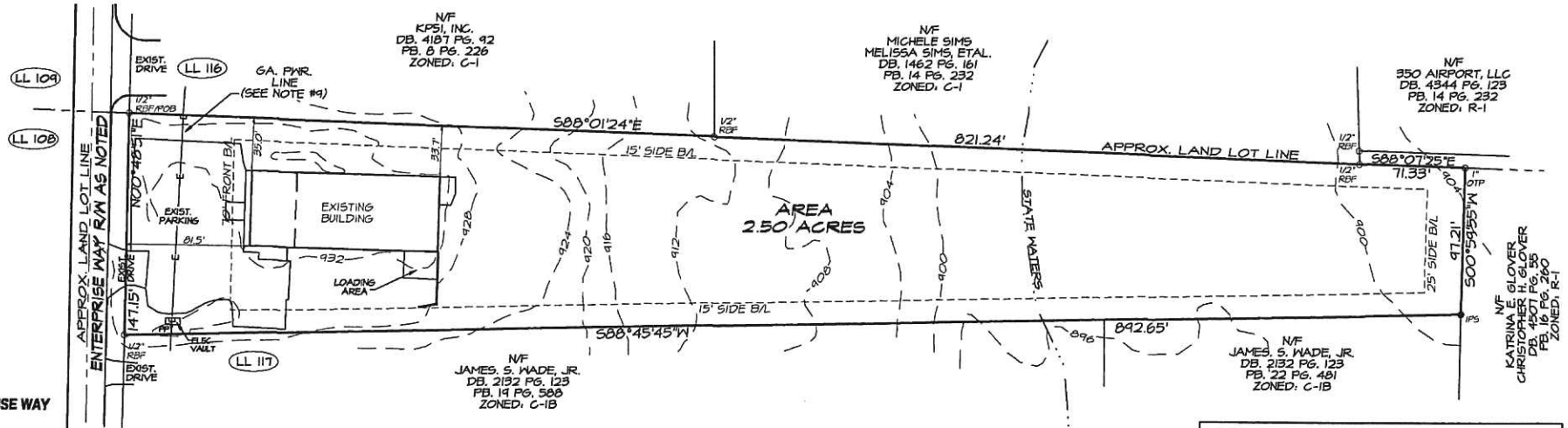
MIN. LOT AREA - NONE
MIN. LOT WIDTH - 100 Feet
MIN. STREET FRONTAGE - 75 Feet
FRONT YARD SETBACK - 10 Feet
(UNLESS NOTED OTHERWISE)
REAR YARD SETBACK - 25 Feet
SIDE YARD SETBACK - 15 Feet
HEIGHT LIMIT - 60 Feet
MIN. FLOOR AREA - NONE

LEGEND	
(33.20') # PS # RP	DEED DISTANCE FROM PS (NOT REBAR) SET CORNER MONUMENT FOUND
---	PROPERTY LINE
---	RIGHT-OF-WAY LINE
---	EXIST. CONTOURS
---	EXIST. INDEX CONTOURS
---	CONCRETE SIDEWALK
---	EDGE PAVEMENT
---	OVERHEAD UTILITIES
---	EXISTING FENCE
---	EXISTING WATER LINE
---	EXISTING GAS LINE
---	EXISTING SANITARY SEWER LINE
---	CURB
---	CURB & GUTTER
---	50' STORM DRAIN PIPE
---	DATE VALVE
---	PIRE HYDRANT
---	DOUBLE-WING CATCH BASIN
---	SINGLE-WING CATCH BASIN
---	WATER METER
---	CURB INLET

RECORD
N



VICINITY MAP
NTS



ADDRESS: 1206 ENTERPRISE WAY

LANDLOT	DISTRICT
117	2nd
CITY	COUNTY
N/A	SPALDING
DATE OF FIELD WORK	
04/03/2020	
DATE OF PLAN	
06/18/2020	
JOB NO.	SCALE
	1\"/>



PREPARED BY:

S.J. Reeves Land Surveying

P.O. BOX 653 * 11491 HIGHWAY 19 N * ZEBULON, GA. 30245
770-584-5203 * sjreevessurveying@gmail.com (EMAIL)
LAND SURVEYING, PLANNING & SUBDIVISION DESIGN



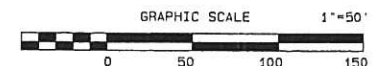
SITE PLAN

OWNER:

JAMES STANLEY WADE, JR.
1218 ENTERPRISE WAY
GRIFFIN, GA. 30224

FLOOD NOTE

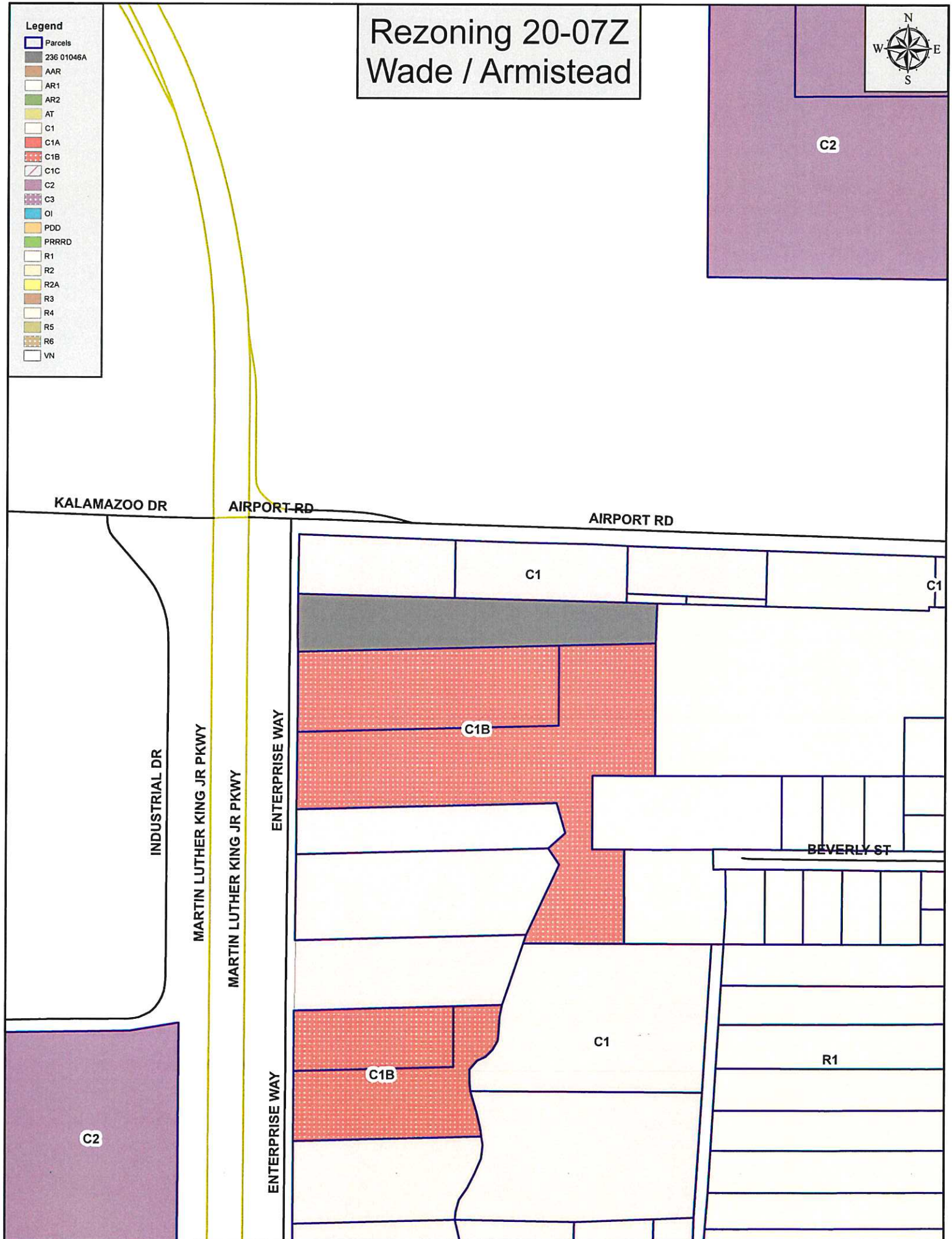
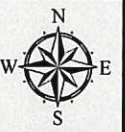
BASED ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND BY GRAPHIC DEPICTION ONLY, THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS PER INSURANCE RATE MAP NUMBER 13255C0150 WITH AN EFFECTIVE DATE OF MAY 03, 2010. NO FIELD VERIFICATION WAS PERFORMED TO DETERMINE THIS.



Legend

- Parcels
- 236 01046A
- AAR
- AR1
- AR2
- AT
- C1
- C1A
- C1B
- C1C
- C2
- C3
- OI
- PDD
- PRRRD
- R1
- R2
- R2A
- R3
- R4
- R5
- R6
- VN

Rezoning 20-07Z Wade / Armistead



SPALDING COUNTY PLANNING COMMISSION

DATE: August 25, 2020 (PC)

DATE: September 24, 2020 (BOC)

TO: Spalding County Planning Commission
Spalding County Board of
Commissioners

FROM: Department of Community Development

RE: Rezoning Application #20-07Z
Total acreage: 2.50±
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 on a total of 2.50 acres, more or less, located at 1206 Enterprise Way in Land Lot 117 of the 2nd Land District.

Parcel #:

236-01046A

Current Owner(s):

The property is owned by James Stanley Wade, Jr., by virtue of Deed recorded April 16, 2003 in Deed Book 2261, Page 29, Office of the Clerk of the Superior Court, Spalding County, Georgia.

Agent/Developer

Butch Armistead
203 E. Taylor Street
Griffin, GA 30223

Overview of Development:

The applicant has requested to rezone approximately 2.50 acres from C-1 to C-1B. The property is developed with an existing building

that was used previously as a Polaris ATV repair shop and retail sales center, as a legal, nonconforming use. Most recently it was used as a church. The last commercial business license lapsed for a period that extended beyond 12 months and the grandfathering for the use lapsed.

Current Area Development

Current Zoning/Authorized Development:

The property proposed to be rezoned is currently zoned C-1, Highway Commercial. Under the current zoning the property can be used for a variety of commercial purposes, but major automotive repair is not a permitted use in C-1. Applicant is requesting to rezone for the intended use as a turbo-charger repair shop in the rear and retail sales center in the front.

Existing Use:

The subject property is developed as a commercial use.

Land Use Plan:

Pursuant to the "Spalding County Comprehensive Plan, 2017 update," the request is consistent with the plan and associated Future Land Use Map classification of Commercial Corridor.

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 6250 square feet for Automobile Care Center use and is probably higher than what will be seen for the proposed use:

Weekday

A.M. Peak Hour: 19 trips
P.M. Peak Hour: 20 trips

Total Weekday not available

Water:

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

Sewerage:

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

Flood/Wetlands/Watershed Area:

The property is not located within a 100-year flood zone area, per FIRM map 13255CO185D effective date May 3, 2010.

This site is not located within an S-2 Protected Watershed. There is a stream on the east side of the property, but it is located about 200' from the primary structure.

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

Criteria when considering a Rezoning**Application**

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

1. The existing uses and zoning of nearby properties.
The property is surrounded primarily by commercial uses; these are zoned C-1 & C-1B; the nearby intersection is in the City of Griffin and is zoned PID (Industrial). The property abuts a residential parcel on the east.
2. The suitability of the property for the proposed purpose.
Per the "Spalding County Comprehensive Plan, 2017 update," the plan indicates that this property should be used as "Commercial Corridor". The request as 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 currently developed with a commercial building but has been vacant for about a year and a half.
4. The threat to the public health, safety, and welfare, if rezoned.
There will be minimal increase in threat to public health, safety, and welfare if rezoned.
5. The extent to which the value of the property is diminished by the present zoning.
Staff cannot determine if the value of the property is diminished by the present zoning.
6. The balance between the hardship on the property owner and the benefit to the public in not rezoning.

While the property has numerous uses if it remains C-1, there is a benefit to the public if it is in active use rather than sitting vacant. An occupied property is statistically better for a neighborhood than a vacant property.

Photo(s)



View from Enterprise Way.



View from Enterprise Way.

Staff Recommendations:

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

- a. The request is consistent with the Spalding County Comprehensive Plan and the associated Future Land Use Map.
- b. The request is consistent with existing zoning in the area.

Staff recommends the following conditions:

- a. All parking must be on paved surfaces, and maintained in a neat, orderly manner.
- b. No parking is allowed on the right-of-way.
- c. No junked or otherwise non-functional vehicles may be stored outside the building.



SPALDING COUNTY PLANNING COMMISSION

Application #20-08Z

Requesting Agency

Office of Community Development

Requested Action

Application #20-08Z: Alton Riley Bowlden & Betty May Bowlden, Owners - Gregory A. Bowlden, Agent - 4740 Fayetteville Road (3.696 acres located in Land Lot 109 of the 4th Land District) - requesting a rezoning from AR-1, Agricultural and Residential, to R-2, Single Family Residential.

Requirement for Board Action

Article 4. General Procedures - Section 414.

Is this Item Goal Related?

No

Summary and Background

The applicant has requested to rezone approximately 1.16 acres from AR-1 to R-2 so it may be divided between heirs. Tract 1 on the attached survey is the subject of the rezoning. Tract 2 will remain as AR-1 and the applicant will combine tract 2 with his parcel at 2555 Vaughn Road (Parcel #257-01023A).

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

CONDITIONAL APPROVAL as follows:

a. Applicant must record the recombination plat, showing that tract 2 is being combined with Parcel #257-01023A, within 30 days of the approval of the rezoning.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #20-08Z	8/19/2020	Backup Material



REQUEST FOR ZONING MAP CHANGE
APPLICATION NO. 20-082

AGENT/DEVELOPER INFORMATION
(If not owner)

Name: Gregory A. Bowlden

Address: 2555 Vaughn Rd.

City: Griffin

State: GA Zip: 30223

Phone: 770-900-0354

Contact Person: _____

PROPERTY OWNER INFORMATION

+ Betty May Bowlden

Name: Alton Riley Bowlden

Address: 4740 Fayetteville Hwy

City: Griffin

State: GA Zip: 30223

Phone: N/A

Phone: 770-900-0354 - son Greg

APPLICANT IS THE:

_____ Owner's Agent _____ Property Owner _____ Developer

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

Land District(s): 4th Land Lots(s): 109 ~~Tract~~ Acreage: 3.696

Address of Property: ✓ 4740 Fayetteville Hwy, Griffin, GA 30223

Proposed Development: 1.160 Acre lot for existing single family home

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.

— ~~x~~ Please attach 1 copy (24 x 36) and 1 copy (11 x 17) of the conceptual site plan, if applicable (see Page 7).

— ~~+~~ If proposed property is within the S-2 Sensitive Land-Watershed Protection District, please submit a plat or drawing to scale showing the exact location of any surface water that is located on or within 250 feet of the subject property.

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

OFFICE USE ONLY

Date Received: 7-8-20

Amount of Fee: \$750.00

Received By: C. McDaniel

Receipt Number: 043852

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: Y

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

(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?:

NONE

(E) Whether and to what extent is the subject property value diminished under the present zoning?:

none

(F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: NONE

Use Additional Pages, If Necessary

OFFICE USE ONLY

Date Received: 7-8-20 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.

*owner
and agent*

Print Name of Owner(s)

* GREGORY A BOWLDEN
Print Name of Agent, If Not Same as Owner

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

Gregory A Bowlden
Signature of Agent

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

7-8-20
Date

---Notary Seal---

OFFICE USE ONLY

Date Received: 7-8-20 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:

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 Date
Attorney Or Representative



Type or Print Name and Title

OFFICE USE ONLY

Date Received 7-8-20

Case # 20-082

Accepted By C. M. Daniel

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;
- Done ✓ B. Correct scale;
- Seam ✓ 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.



ZONING MAP CHANGE

PAGE 8

Spalding County Fee Schedule:

Appeal from Action of Administrative Officer: \$ 300.00

Variance: \$ 300.00

Special Exception: \$ 500.00

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

A. Parcel 1 - \$750.00

B. Parcel 2-5 - \$150.00 each, in addition to the fees stated in A; and

C. Parcels 6+ - \$100.00 each, in addition to the fees stated in A and B.

June 24, 2020

To whom it may
concern,

This letter is to request rezoning of family property. I, Gregory Bowlden, the executor of the deceased (Betty and Alton Bowlden) requests the rezoning of 5.616 acres. The acreage will be distributed among siblings. The property will conclude as two tracts being divided as follows:

Tract #1 will contain the house to include a total of 1.160 acres being allotted to Angela Weatherup, my sister. A remaining 2.536 acres being allotted to my brother, Barry Bowlden. A total of 3.696 acres. I am requesting this property be rezoned from AR-1 to AR-2.

Tract #2 will measure 1.916 acres and is owned to Gregory and Tina Bowlden. I am requesting this property to remain zoned as AR-1. All siblings have discussed the plan and are in agreement with the rezoning request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gregory A. Bowlden", followed by a long horizontal line extending to the right.

Gregory Bowlden

IN THE PROBATE COURT OF SPALDING COUNTY
STATE OF GEORGIA

IN RE: ESTATE OF

ALTON R. BOWLDEN
DECEASED

)
)
)
)

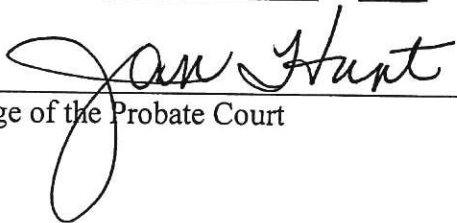
ESTATE NO. 20-10-5341

LETTERS TESTAMENTARY
[Relieved of Filing Returns]

At a regular term of Probate Court, the Last Will and Testament dated November 26, 1996 (and Codicil(s) dated _____) of the above-named Decedent, who was domiciled in this County at the time of his or her death or was domiciled in another state but owned property in this County at the time of his or her death, was legally proven in Solemn Form to be the Decedent's Will and was admitted to record by order, and it was further ordered that Gregory A. Bowlden named as Executor(s) in said Will, be allowed to qualify, and that upon so doing, Letters Testamentary be issued to such Executor(s).

THEREFORE, the Executor(s), having taken the oath of office and complied with all necessary prerequisites of the law, is/are legally authorized to discharge all the duties and exercise all powers of Executor(s) under the Will of said Decedent, according to the Decedent's Will and the law.

Given under my hand and official seal, the 5th day of February, 2020.



Judge of the Probate Court

*NOTE: The following must be signed if the
Judge does not sign the original of
this document:*

Issued by:

[Seal]

Clerk of the Probate Court

IN THE PROBATE COURT OF SPALDING COUNTY
STATE OF GEORGIA

IN RE: ESTATE OF

ALTON R. BOWLDEN
DECEASED

ESTATE NO. 20-10-5341

ORDER ADMITTING WILL (AND CODICIL(S)) TO PROBATE IN SOLEMN FORM

An alleged Last Will and Testament dated November 26, 1996
(and Codicil(s) dated _____) was/were propounded.

Gregory A. Bowlden was/were nominated Personal Representative(s) by the Testator. The Court finds that the Decedent died domiciled within, or domiciled outside the State of Georgia but owning property within, the above County. The Court further finds that all of the heirs at law were served or acknowledged service. The Court further finds that no objection has been filed, and all requirements of law have been fulfilled. The Court further finds that the propounded Will (is self-proving) (has been proved by one or more witnesses).

ACCORDINGLY, IT IS ORDERED that the Will dated November 26, 1996
(and the Codicil(s) dated _____) is/are established as the Last Will and Testament of the Decedent ("the Decedent's Will"); that the Will be admitted to record as proven in Solemn Form; and, that the nominated Executor(s) named above has/have leave to qualify as Personal Representative(s) by taking the required oath, after which Letters Testamentary shall issue. The Clerk shall serve the Personal Representative(s) with copies of this Order and the Letters upon qualification.

IT IS FURTHER ORDERED that the Personal Representative(s) shall disburse all property according to the terms of the Decedent's Will and shall maintain all records of income and disbursements until discharged by Order of this Court.

IT IS FURTHER ORDERED that: *[initial all that apply]*

- N/A (a) An inventory shall be filed.
N/A (b) Annual returns shall be filed.
N/A (c) Letters of Testamentary Conservatorship shall issue to _____.

N/A (d) Letters of Testamentary Guardianship shall issue to _____.

SO ORDERED this 5th day of February, 2020.



Judge of the Probate Court

LAW OFFICES
BECK, GODDARD, OWEN AND SMALLEY
GRIFFIN, GEORGIA

State of Georgia, SPALDING County.

THIS INDENTURE, Made the 10th day of December in the year of our Lord One Thousand Nine Hundred and Sixty Three between
GEORGE DAVID FORRESTER

of the county of Spalding and State of Georgia
of the First PART, and ALTON RILEY BOWLDEN and BETTY MAY BOWLDEN
of the County of Spalding and State of Georgia of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of Ten Dollars and Other Valuable Consideration -----
in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, he S granted, bargained, sold, aliened, conveyed and confirmed, and by these presents, do S grant, bargain, sell, alien, convey and confirm unto the said party of the SECOND PART, heirs and assigns,

All that tract or parcel of land situated, lying and being in Union District, Spalding County, Georgia, containing six (6) acres, more or less, and more particularly described as Tract I as shown on plat of survey made by N. S. Westbrook, C. E., a copy of which said plat of survey is recorded in Plat Book 4, page 153, in the office of the Clerk of the Superior Court of Spalding County, Georgia. Said Tract I fronts 525 feet on the South side of State Highway No. 94 (the Griffin-Fayetteville Highway) and extends back South along the West side of a public county road of even width 490 feet, and is bounded on the North by the Griffin-Fayetteville Highway, on the East by a public road, and on the South and West by Mrs. Lula Spoon. There is situate on said property one four-room frame dwelling.



TO HAVE AND TO HOLD the said above granted and described property, with all and singular the rights, members and appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said party of the SECOND PART, their heirs, executors, administrators, and assigns, in FEE-SIMPLE; and the said party of the First PART the said bargained property above described unto the said party of the SECOND PART, their heirs, executors, administrators and assigns, against the said party of the First PART, his heirs, executors, administrators and assigns, and against all and every other person or persons, shall and will and do S hereby warrant and forever defend by virtue of these presents.

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

Signed, sealed and delivered in presence of us, the day and year above written.

Notary Public

Refinery A. Perry
Notary Public, Spalding Co., Ga.

George David Forrester [SEAL]

[SEAL]

TRACT 1

ALL THAT TRACT AND OR PARCEL OF LAND LYING AND BEING
IN LAND LOT 109 OF THE 4 TH DISTRICT OF SPALDING COUNTY
GEORGIA AND BEING MORE PARTICULARLY DECRIED AS FOLLOWS :

COMMENCE AT THE SOUTHERN R\W OF GA HWY 92 80' R\W AND
THE WESTERN R\W OF VAUGHN RD 80' R\W 1/2" IPF AND BEING THE
TRUE POINT OF BEGINNING: THENCE RUNNING S02 00' 19"W A
DISTANCE OF 161.29' TO A 1/2"IPS : THENCE RUNNING
S 86 46'41"W A DISTANCE OF 270.13' TO A 1/2" IPS: THENCE
RUNNING S02 10'29"W A DISTANCE OF 293.47' TO A 1/2" IPS :
THENCE N86 16'11"W A DISTANCE OF 224.77' TO A 1/2" IPS :
THENCE N00 38'40"E A DISTANCE OF 490.34' TO A 1 1/2" IPF:
THENCE ALONG THE SOUTHERN R\W OF GA HWY 92 S86 00'12"E
A DISTANCE OF 506.50' TO A 1/2" IPF AND BENIGN THE TRUE
POINT OF BEGINNINGS.
SAID TRACT CONTAINS 3.696 AC.

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.

NOTE: PROPERTY LINES SHOWN ON THIS SURVEY/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

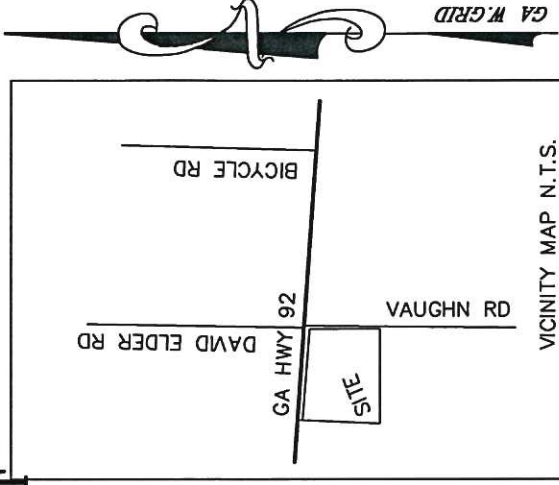
THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS SURVEY IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

BOUNDARY RETRACEMENT PLAT

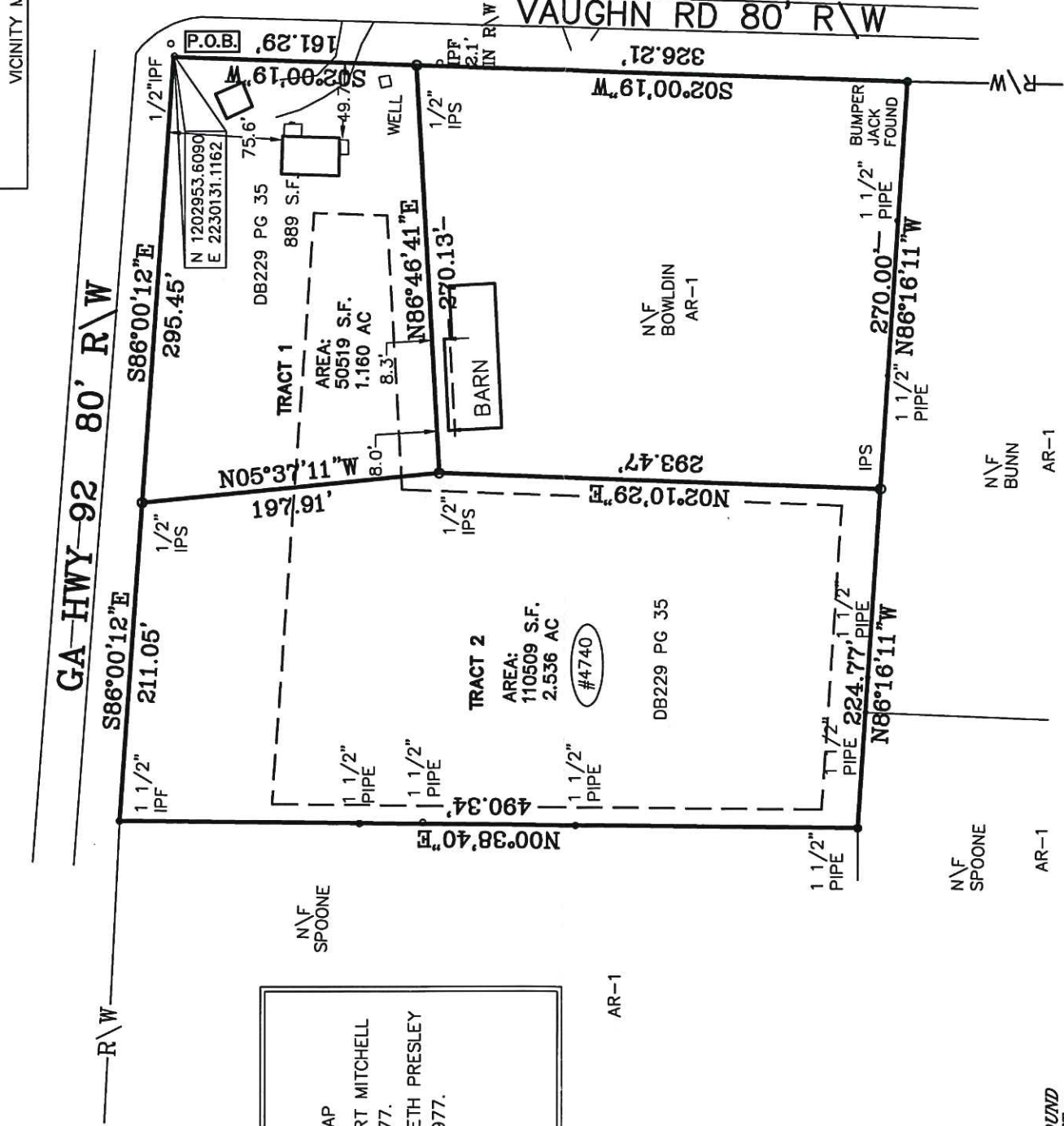
TOTAL 3.696 AC.

CURRENT ZONING AR-1
PROPOSED ZONING R-2

PROPOSED
SET BACKS
100 FRONT
12 SIDE
25 REAR



GA W. GRID

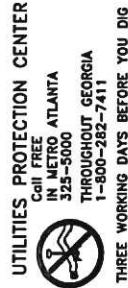


REF MATERIAL.
COUNTY TAX MAP
PLAT BY ROBERT MITCHELL
DATED 5/6/1977.
PLAT BY KENNETH PRESLEY
DATED 3/18/1977.
PB 14 PG 207.
DB 652 PG 13
DB229 PG 35

LEGEND

IPF=IRON PIN FOUND
IPS=IRON PIN SET
R/W=RIGHT OF WAY
MAG= MAGNETIC
P.O.B.=POINT OF BEGINNING
B/L=BUILDING LINE
D.E.=DRAINAGE EASEMENT
N/F=NOW OR FORMERLY
P = PREVIOUS
E = EXISTING
P/P = POWER POLE
PRP = PER REFERENCE PLAT
CLOSURE DATA

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.
SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND ORIGINAL SIGNATURE OF SURVEYOR.



FIELD CLOSURE=1 IN 42,000+
ANGLE POINT ERROR=< 02"
EQUIPMENT USED=TOTAL STATION |GPS|
ADJUSTMENT METHOD=NONE
PLAT CLOSURE=1 IN 100,000+

THREE WORKING DAYS BEFORE YOU DIG

GRAPHIC SCALE



THIS PROPERTY DOESNOT LIE WITHIN
A 100 YEAR FLOOD PLAIN ACCORDING
100 TO REFERENCE PLAT.

PREPARED FOR:

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAV.

3.696 AC. VAUGHN RD

4740 FAYETTEVILLE RD

LOT: N/A	LAND LOT: 109	DATE: 03/19/2020
BLOCK:	DISTRICT: 4 TH	DATE: 08/3/20
SCALE: 1"=100'	COUNTY: SPALDING	JOB NO: VAUGHN

SAWHNEY & ASSOCIATES

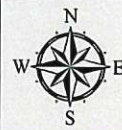
523 HASTINGS WAY JONESBORO GA 30238
PH.# (678)-500-4356



Legend

- Parcels
- 257 01023
- AAR
- AR1
- AR2
- AT
- C1
- C1A
- C1B
- C1C
- C2
- C3
- OI
- PDD
- PRRRD
- R1
- R2
- R2A
- R3
- R4
- R5
- R6
- VN

Rezoning 20-08Z Bowlden



R2

AR1

AR1

C1

FAYETTEVILLE RD

C1

VAUGHN RD

AR1

AR1

R4

SPALDING COUNTY PLANNING COMMISSION

DATE: August 25, 2020 (PC)

DATE: September 24, 2020 (BOC)

TO: Spalding County Planning Commission
Spalding County Board of
Commissioners

FROM: Department of Community Development

RE: Rezoning Application #20-08Z
Total acreage: 1.16±
AR-1 to R-2

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 1.16 acres, more or less, located at 4740 Fayetteville Road in Land Lot 109 of the 4th Land District.

Parcel #:

257-01023

Current Owner(s):

Alton Riley Bowlden (deceased)

Agent/Developer

Gregory A. Bowlden (executor)
2555 Vaughn Road
Griffin, Georgia 30223

Overview of Development:

The applicant has requested to rezone approximately 1.16 acres from AR-1 to R-2 so it may be divided between heirs. Tract 1 on the attached survey is the subject of the rezoning. Tract 2 will remain as AR-1 and the applicant will combine tract 2 with his parcel at 2555 Vaughn Road (Parcel #257-01023A).

Current Area Development

Current Zoning/Authorized Development:

The property proposed to be rezoned is currently zoned AR-1, Agricultural-Residential. Under the current zoning the minimum parcel size is 3.0 acres. A rezoning is required in order to create the 1.16 acre parcel desired by the heirs.

Existing Use:

The subject property is developed as a residential use.

Land Use Plan:

Pursuant to the "Spalding County Comprehensive Plan, 2017 update," the request is consistent with the plan and associated Future Land Use Map classification of Rural Community.

Schools:

As the proposal is for a single family residential use, and the property is already a single family residential use, there will be no negative impact to the schools in the form of additional students.

Compliance with Zoning Ordinance Development Standards:

R-2 Development Standards:

The existing house was built c. 1960 and is 1024 heated SF so does not meet the current minimum house size for either zoning district. It is sited about 76' from the road so does not meet the front yard setback for either zoning district. The applicant obtained a variance for both the nonconforming house size and the minimum front yard setback, with the condition that, at such time as the house is replaced, any new

structure must meet all requirements in place at that time.

Minimum Heated Floor Area for Buildings: 1750 SF.

Minimum lot area: 1.0 acre for land divisions of 4 lots or less.

Minimum lot width: 125 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: 100 feet
side: 12 feet
rear: 25 feet

Schools:

Since there is no net increase in the number of lots there is no change to the impact on the school system.

Utilities & Infrastructure:

Transportation:

No change

Water:

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

Sewerage:

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

Flood/Wetlands/Watershed Area:

The property is not located within a 100-year flood zone area, per FIRM map 13255CO050D effective date May 3, 2010.

This site is located within an S-2 Protected Watershed. The proposed change should not impact the watershed.

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

Criteria when considering a Rezoning Application

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

1. The existing uses and zoning of nearby properties.
The property is surrounded primarily by residential uses; these are zoned AR-1. The properties at the adjacent intersection are zoned AR-1 and C-1. There are numerous other R-2 zoned parcels a short distance away on Fayetteville Road.
2. The suitability of the property for the proposed purpose.
Per the "Spalding County Comprehensive Plan, 2017 update," the plan indicates that this property should be used as "Rural Community". The request as 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 currently developed with a residential building but has been vacant for about 8 months.
4. The threat to the public health, safety, and welfare, if rezoned.
There will be minimal increase in threat to public health, safety, and welfare if rezoned.
5. The extent to which the value of the property is diminished by the present zoning.
Staff cannot determine if the value of the property is diminished by the present zoning.
6. The balance between the hardship on the property owner and the benefit to the public in not rezoning.
The heirs of the property wish to subdivide the property amongst themselves. There is no way to divide

the property and meet zoning requirements without rezoning.

Photo(s)



View from Fayetteville Road.



View from intersection of Vaughn Road and Fayetteville Road.

Staff Recommendations:

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

- a. The request is consistent with the Spalding County Comprehensive Plan and the associated Future Land Use Map.
- b. The request is consistent with existing zoning in the area.

Staff recommends the following conditions:

- a. Applicant must record the recombination plat, showing that tract 2 is being combined with Parcel #257-01023A, within 30 days of the approval of the rezoning.



SPALDING COUNTY PLANNING COMMISSION Application #20-09Z

Requesting Agency

Office of Community Development

Requested Action

Application #20-09Z: Legion of All-Stars, LLC, Owner - Richard P. Lindsey, Agent - 1316 Martin Luther King Jr. Parkway (2 acres located in Land Lot 117 & 118 of the 2nd Land District) - requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Requirement for Board Action

Article 4. General Procedures - Section 414.

Is this Item Goal Related?

No

Summary and Background

The applicant has requested to rezone approximately 2.00 acres from C-1 to C-1B. The property is currently undeveloped land. The applicant intends to use the property for the display & sale of prefabricated sheds and barns. A permanent office building is not planned at this time. Customers typically visit the site by car. Once they select a building, they call the business manager and arrange purchase and delivery by phone.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

CONDITIONAL APPROVAL as follows:

- a. All building placement must be maintained in a neat, orderly manner.
- b. No building placement is allowed on the right-of-way.
- c. The use of the property is limited to the use stated in the rezoning application.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #20-09Z	8/19/2020	Backup Material



REQUEST FOR ZONING MAP CHANGE

APPLICATION NO. 20-092

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: Richard P. Lindsey

Address: 200 Westpark Dr., #280

City: Peachtree City

State: GA Zip: 30269

Phone: (770) 486-8445

Contact Person: _____

PROPERTY OWNER INFORMATION

Name: Legion of All-Stars, LLC

Address: 100 Bensley Road

City: Griffin

State: GA Zip: 30223

Phone: _____

Phone: _____

APPLICANT IS THE:

☒ Owner's Agent ☐ Property Owner ☐ Developer

Present Zoning District(s): C-1

Requested Zoning District(s): C-1B

Land District(s): 2nd

Land Lots(s): 117+118

Acreage: 2

Address of Property: 1316 Martin Luther King Jr. Pkwy

Proposed Development: _____

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.

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

OFFICE USE ONLY

Date Received: 7-20-20

Amount of Fee: \$1750⁰⁰

Received By: CM-Daniel

Receipt Number: 043856

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: (see attached for all responses)

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

(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?: _____

(E) Whether and to what extent is the subject property value diminished under the present zoning?: _____

(F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: _____

Use Additional Pages, If Necessary

OFFICE USE ONLY

Date Received: 7-20-20 Received By: C. McDaniel

REZONING APPLICANT'S RESPONSE

- (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 rezoning is suitable because the two lots immediately to the north and a lot across the street are zoned C1B. The property to the south is zoned C1 and the property to the east is zoned R4, as is the property immediately to the east of the other two C1B properties. The property fronts on a busy 4-lane divided highway and is located in the Commercial Corridor which is designed for retail and service-based activities, exactly what is proposed by the applicant.**
- (B) Whether the property is suitable for the proposed use: **The property is currently vacant and has been vacant for an untold number of years. The topography of the property and its location along US19/41 are suitable for the proposed use.**
- (C) What is the length of time the property has been vacant?: **The property has been vacant for an untold number of years.**
- (D) What is the no threat to the public health, safety, and welfare, if any, if the property is rezoned?: **There is no threat to the public health, safety, and welfare if the property is rezoned.**
- (E) Whether and to what extent is the subject property value diminished under the present zoning?: **The property has not developed under the current zoning. The property will be developable under the proposed use immediately upon rezoning, which the applicant plans to do.**
- (F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: **The public does not gain a benefit from not rezoning of the property as it sits vacant and produces little tax revenue for the county. On the other hand, if the property is rezoned, the applicant can create a showcase for the craftsman styled storage sheds and cottages. As many local homeowners need additional storage space, having an area where the sheds can be attractively displayed allows these homeowners to see the various sheds in person and provides an opportunity for homeowners to compare and contrast the various options.**

**PROPERTY OWNER'S CERTIFICATION OF
OWNERSHIP AND ZONING COMPLIANCE***has the right to redeem ownership of*

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.

Legion of All-Stars, LLC
Print Name of Owner(s)

Richard P. Lindsey
Print Name of Agent, If Not Same as Owner

By: Dwight McClary 7/15/2020
Signature of Owner(s) Date
or Signature of Authorized Officer or Agent
(if applicable)

Richard P. Lindsey
Signature of Agent

Todd Q. Swalt
Signature of Notary Public

7-15-2020
Date

---Notary Seal---

**OFFICE USE ONLY**

Date Received: 7-20-20

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:

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.

Legion of All-Stars, LLC
x *Deidre McIntyre* 7/15/2020 x *Deidre McIntyre, Managing Member*
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 *7-20-20*

Case # *20-092* Accepted 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:

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

7/20/2020

Date

Richard P. Lindsey

Type or Print Name and Title

OFFICE USE ONLY

Date Received 7-20-20

Case # 20-092 Accepted By C.M. Daniel

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.

Spalding County Fee Schedule:

Appeal from Action of Administrative Officer: \$ 300.00

Variance: \$ 300.00

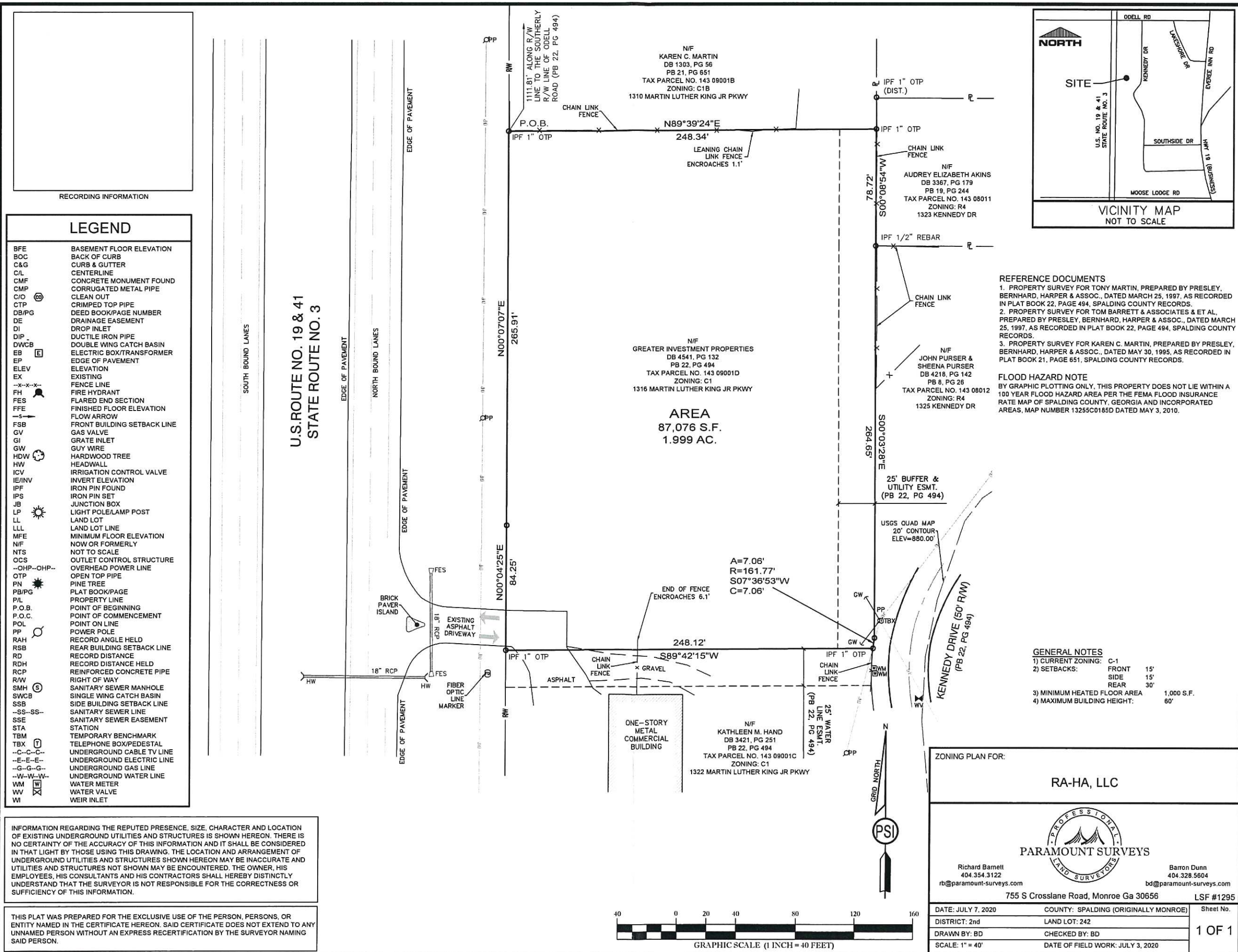
Special Exception: \$ 500.00

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

A. Parcel 1 - \$750.00

B. Parcel 2-5 - \$150.00 each, in addition to the fees stated in A; and

C. Parcels 6+ - \$100.00 each, in addition to the fees stated in A and B.



DESCRIPTION OF PROJECT

The rezoning application is for the property located at 1316 Martin Luther King, Jr. Blvd, Griffin, Georgia. The applicant proposes to build an attractive drive-up display area on which he can showcase his craftsman storage sheds. The storage sheds are made here in our state. They are constructed by Mennonites in Montezuma, Georgia. Customers will be able to drive their vehicles onto the property, park, and walk around the various sheds and cottages to compare and inspect them. The applicant plans to maintain the natural landscape of trees and bushes in the 25-foot rear buffer. The applicant sells a variety of sheds ranging from dog kennels and chicken coops to attractive storage sheds and cottages. The subject property will provide an excellent location for customers to inspect in person the various products before they purchase. The proposed use fits squarely in the primary land use of retail called for and contemplated in the Land Use Plan for the Commercial Corridor along Hwy 19/41.

The applicant plans to move a small retail office to this site at some point in the future. He anticipates that the office will only be between 500 to 800 square feet in size. In the meantime, he will use the site to display the storage sheds and cottages. Finally, the applicant will properly maintain the site and keep it neat as he wants to present a welcoming and pleasant site for customers to visit.

Lofted Barn

TAUPE SIDING WITH WHITE TRIM AND ALAMO WHITE METAL ROOF

- The Lofted Barn comes standard with a loft in each end.
- 8' wide buildings come with a single shop built door. 10' and wider come standard with double shop built doors.



CHESTNUT URETHANE WITH ALAMO WHITE TRIM AND ROOF



BRITE RED METAL SIDING WITH ALAMO WHITE TRIM AND METAL ROOF



ALAMO WHITE METAL SIDING WITH LIGHT STONE ROOF AND TRIM



SEMINOLE CEDAR TREATED SIDING WITH ALAMO WHITE ROOF



8' WIDE WITH CEDAR URETHANE WITH CLAY TRIM AND TAUPE ROOF



Side Lofted Barn

- The Side Lofted Barn comes standard with a loft in each end.
- Comes standard with two 2x3 windows with screens.
- 8' wide buildings come with a single shop built door. 10' and wider come standard with double shop built doors.

COTTON SIDING WITH TRUFFLE TRIM AND BURNISHED SLATE ROOF



CHESTNUT URETHANE STAIN WITH ALMOND TRIM AND LIGHT STONE METAL ROOF



TAUPE METAL SIDING WITH LIGHT STONE TRIM AND METAL ROOF



FERN GREEN METAL SIDING AND ROOF WITH LIGHT STONE TRIM



SEMINOLE CEDAR TREATED SIDING WITH BURNISHED SLATE METAL ROOF

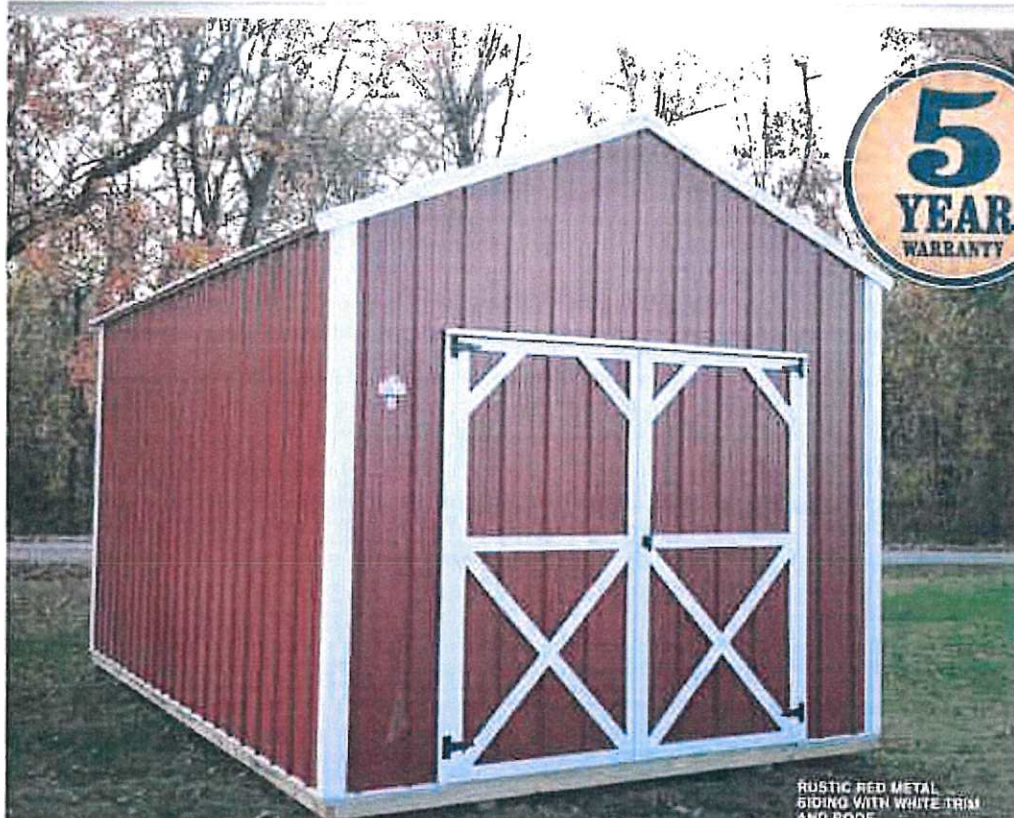


8' WIDE W/ SINGLE DOOR - SEMINOLE CEDAR TREATED SIDING WITH LIGHT STONE METAL ROOF



Utility

- The Utility has plenty of head room, coming standard with roomy 8' walls (exterior measurement).
- 8' wide buildings come with a single shop built door. 10' and wider come standard with double shop built doors.
- Lofted Utility also available.



RUSTIC RED METAL SIDING WITH WHITE TRIM AND ROOF



CEDAR SIDING WITH ALMOND TRIM AND LIGHT STONE METAL ROOF



ASH GRAY METAL WITH CHARCOAL TRIM AND ROOF



SEMINOLE CEDAR TREATED SIDING WITH GALVALUME ROOF



BROWN SIDING WITH WHITE TRIM AND ALAMO WHITE METAL ROOF



8' WIDE W/ SINGLE DOOR - SEMINOLE TREATED SIDING WITH WHITE METAL ROOF



TAUPE SIDING WITH ALMOND TRIM AND LIGHT STONE METAL ROOF

Side Utility

- The Side Utility comes standard with 8' walls (exterior measurement).
- 8' wide buildings come with a single shop built door. 10' and wider come standard with double shop built doors.



BROWN SIDING WITH LIGHT STONE TRIM AND LIGHT STONE METAL ROOF



CEDAR URETHANE SIDING WITH ALMOND TRIM AND LIGHT STONE METAL ROOF



SEMINOLE CEDAR TREATED SIDING WITH CHARCOAL METAL ROOF

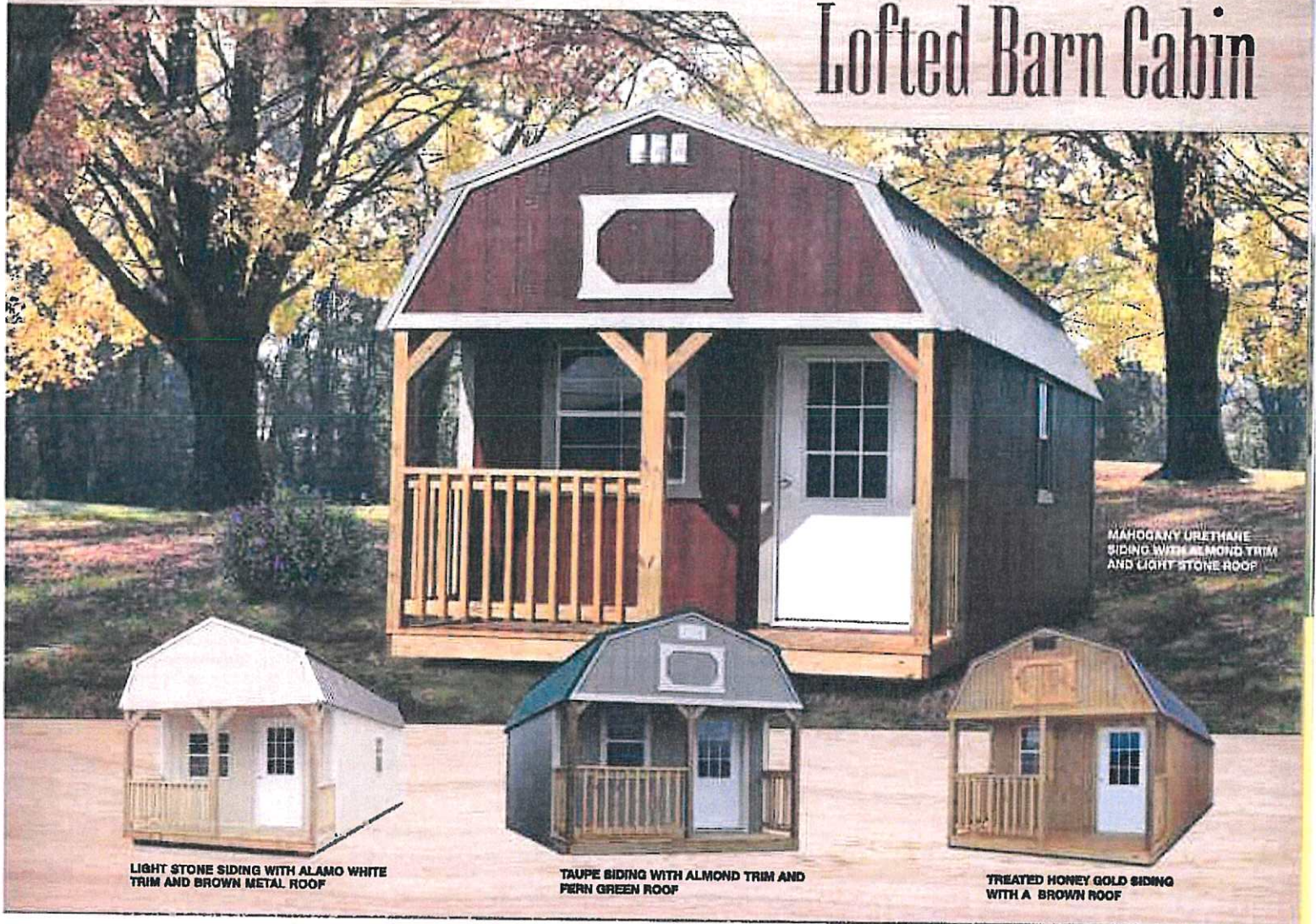


RUSTIC RED SIDING WITH WHITE TRIM AND RUSTIC RED METAL ROOF



8' WIDE W/ SINGLE DOOR - HONEY GOLD TREATED SIDING WITH HUNTER GREEN METAL ROOF

Lofted Barn Cabin



MAHOGANY URETHANE SIDING WITH ALMOND TRIM AND LIGHT STONE ROOF

LIGHT STONE SIDING WITH ALAMO WHITE TRIM AND BROWN METAL ROOF

TAUPE SIDING WITH ALMOND TRIM AND FERN GREEN ROOF

TREATED HONEY GOLD SIDING WITH A BROWN ROOF

- The Lofted Barn Cabin comes standard with a 4' deep front porch with rails. Porch depth is included in length measurement. Side Lofted Barn Cabins come standard with a 4' porch on the side, with variable placement options.
- The Lofted Barn Cabin comes standard with a loft on each end.
- Three 2x3 windows standard.
- One 9-light, 36" pre-hung door.



Side Lofted Barn Cabin



MAHOGANY URETHANE SIDING WITH ALAMO WHITE TRIM AND BURNISHED SLATE METAL ROOF (WITH OPTIONAL 3X3 WINDOWS)



HONEY GOLD TREATED SIDING WITH BROWN METAL ROOF

Deluxe Cabin



- The Deluxe Cabin comes standard with a wrap-around front porch with rails. Porch depth is included in length measurement.
- Three 2x3 windows standard.
- One 9-light, 36" pre-hung door.
- The Deluxe Cabin comes with plenty of head room, coming standard with 8' walls (exterior measurement).



ASH GRAY SIDING WITH LIGHT
STONE TRIM AND METAL ROOF



DRIFTWOOD SIDING WITH WHITE
TRIM AND ALAMO METAL ROOF



TAUPE SIDING WITH ALMOND
TRIM AND GALVALUME ROOF

Deluxe Lofted Barn Cabin



CHESTNUT URETHANE SIDING WITH
ALAMO TRIM WITH LIGHT STONE
METAL ROOF

METAL HORIZONTAL
NOT AVAILABLE ON ANY CABIN

- The Deluxe Lofted Barn Cabin comes standard with a wrap-around front porch with rails. Porch depth is included in length measurement.
- Three 2x3 windows standard.
- One 9-light, 36" pre-hung door.
- The Deluxe Lofted Barn Cabin comes standard with a loft on each end.



ALAMO WHITE SIDING WITH
HUNTER GREEN TRIM AND METAL ROOF



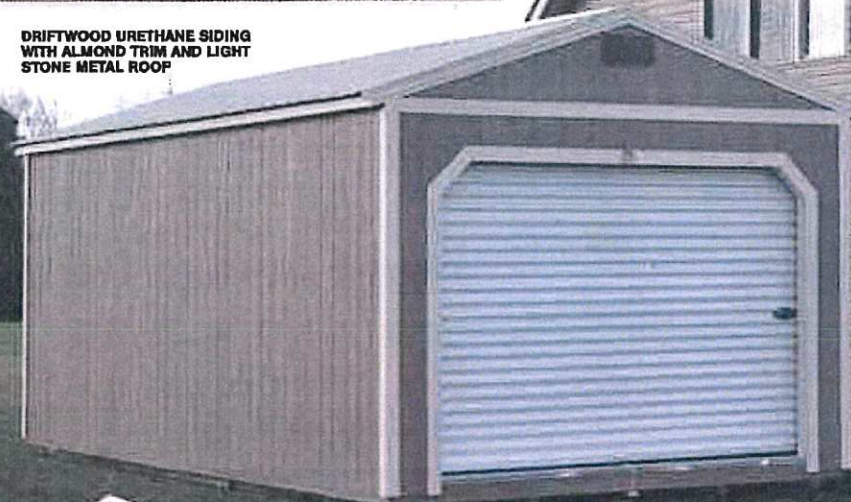
TRUFFLE SIDING WITH COTTON TRIM AND
ALAMO WHITE ROOF



DRIFTWOOD URETHANE WITH DARK GRAY
TRIM AND CHARCOAL ROOF

Portable Garage

DRIFTWOOD URETHANE SIDING
WITH ALMOND TRIM AND LIGHT
STONE METAL ROOF



- The Garage comes standard with tough 12" on center 2x6 floor joists set into notched skids.
- One 9' roll up door.
- One 2x3 window.
- One 36" solid 6-panel pre-hung door.



TAUPE SIDING WITH WHITE TRIM AND
ALAMO WHITE METAL ROOF



HONEY GOLD TREATED SIDING
WITH BLACK METAL ROOF



LIGHT GRAY SIDING WITH DARK GRAY
TRIM AND CHARCOAL METAL ROOF

Cottage Shed

- The Cottage Shed comes standard with a cottage style roof for maximum head room.
- Comes standard with 8' walls (exterior measurement).
- 10' x 16' and larger Cottage Sheds come with two 3x3 windows with screens and double shop built doors. Windows and doors may vary on smaller buildings.



MAHOGONY URETHANE SIDING
WITH WHITE TRIM AND ALAMO
WHITE METAL ROOF

METAL (HORIZONTAL)
NOT AVAILABLE



LIGHT STONE SIDING WITH HUNTER
GREEN TRIM AND METAL ROOF



SEMINOLE CEDAR TREATED SIDING
WITH RUSTIC RED METAL ROOF



HUNTER GREEN SIDING WITH
WHITE TRIM AND BLACK SHINGLES



8' WIDE W/ SINGLE DOOR -
HONEY GOLD TREATED SIDING
WITH GREEN METAL ROOF

eFiled & eRecorded
DATE: 7/31/2020
TIME: 9:58 AM
DEED BOOK: 04600
PAGE: 00246 - 00247
RECORDING FEES: \$25.00
TRANSFER TAX: \$0.00
PARTICIPANT ID: 2442845834
CLERK: Debbie L. Brooks
Spalding County, GA
PT61: 126-2020-001871

Return to:
Legion of All-Stars LLC
100 Beasley Road
Griffin, GA 30223

QUITCLAIM DEED

STATE OF Georgia
COUNTY OF Pike:

THIS INDENTURE, made this 31st day of July, 2020, between

Greater Investment Properties LLC,

of Pike County, Georgia party of the first part, known as "Grantor" and

Legion of All-Stars LLC,

of Spalding County, Georgia party of the second part, known as "Grantee."

WITNESSETH:

That said party of the first part for and in consideration of **REDEMPTION PRICE IN THE AMOUNT OF \$62,688.88 PAID BY LEGION OF ALL-STARS LLC**, has bargained, sold, and by the presents bargains, sells, remises, releases and forever quit-claims to Grantee, its heirs and assigns, all the right, title, interest, claim, or demand which Grantor has or may have had in and to the following described real estate:

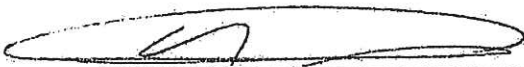
All and only that parcel of land designated as Tax Parcel 143 09001D, lying and being in Land Lots 117 & 118 of the 2nd Land District, Spalding County, Georgia, containing 2.00 acres, more or less, shown in Plat Book 22, Page 494, described in Deed Book 4174, Page 93, the description contained therein being incorporated herein by this reference, known as 1316 Martin Luther King Jr Parkway.

eFiled & eRecorded
DATE: 7/31/2020
TIME: 9:58 AM
DEED BOOK: 04600
PAGE: 00247

TO HAVE AND TO HOLD the said described property unto the Grantee, its heirs and assigns, so that neither the Grantor nor its assigns, nor any other person or persons claiming under it shall at any time, claim or demand any right, title, or interest to the aforesaid described premises or its appurtenances.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand, affixed its seal, and delivered these presents, the day and year first above written.

Greater Investment Properties LLC



By: Milton Herschberger, Managing Member



Signed, sealed and delivered
in the presence of:



Unofficial Witness

(SEAL)

Notary Public
My commission expires:

Linda Wade
NOTARY PUBLIC
Pike County, GEORGIA
My Commission Expires 05/18/2024

METES AND BOUNDS DESCRIPTION OF PROPERTY

To find the point of beginning start at the southwesterly intersection of U.S. Route 19 & 41 (State Route 3) and Odell Road rights-of-way; thence south along the eastern edge of the U.S. Route 19 & 41 (State Route 3) right-of-way a distance of 1111.81 feet to the POINT OF BEGINNING; thence N89°39'24"E a distance of 248.34 feet to an iron pin found; thence S00°08'54"W a distance of 78.72 feet to an iron pin found; thence S00°03'28"E a distance of 264.65 feet to a point; thence S07°36'53"W along an arc of 7.06 feet with a radius of 161.77 feet to an iron pin found; thence S89°42'15"W a distance of 248.12 feet to an iron pin found being on the edge of the U.S. Route 19 & 41 (State Route 3) right-of-way; thence N00°07'07"E along the U.S. Route 19 & 41 (State Route 3) right-of-way a distance of 265.91 feet to the point of beginning being an area of 87,076 square feet or 1.999 acres as shown on that certain survey prepared by Paramount Surveys dated July 7, 2020.

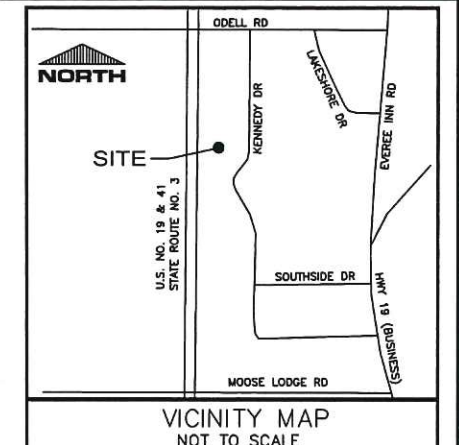
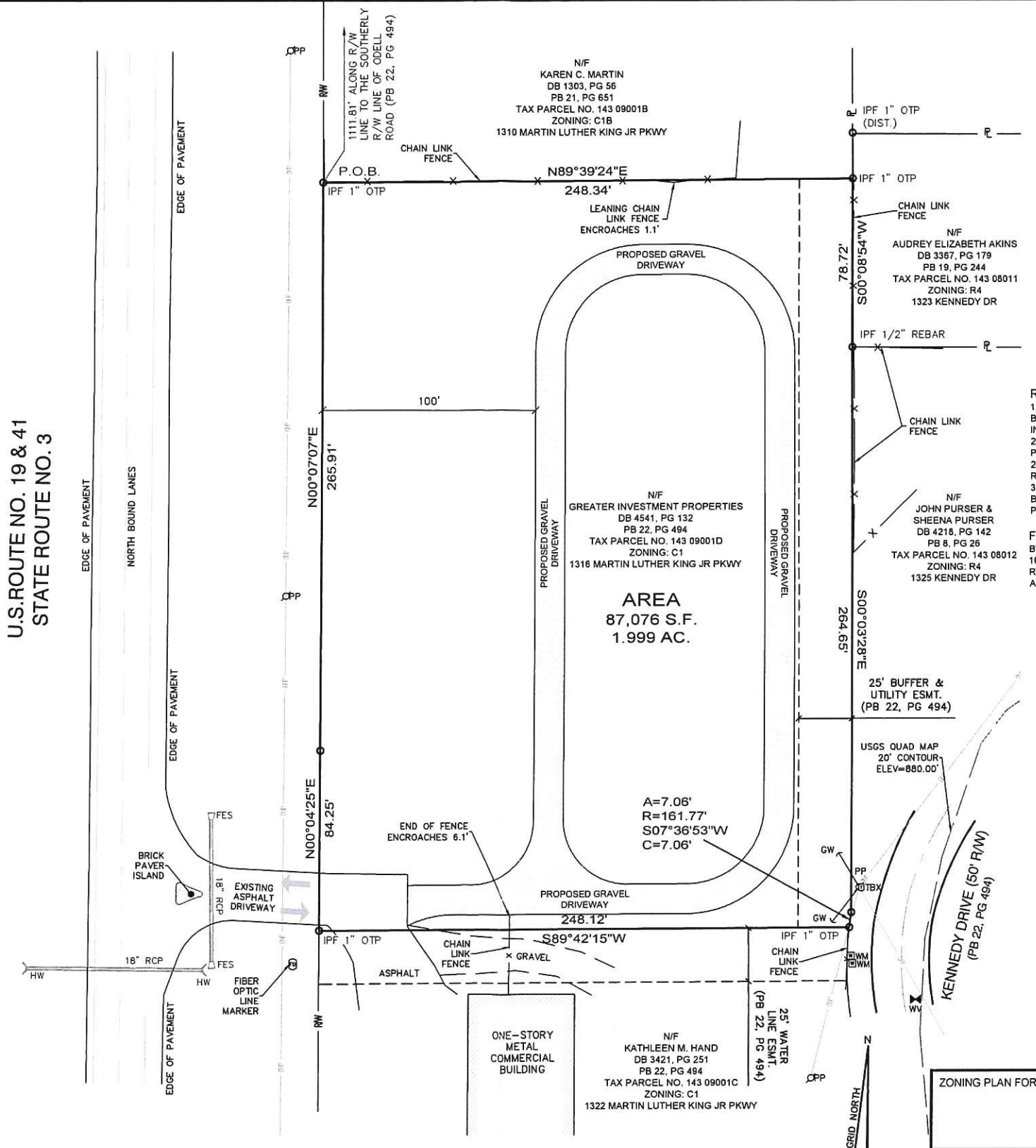
RECORDING INFORMATION

LEGEND	
BFE	BASEMENT FLOOR ELEVATION
BOC	BACK OF CURB
C&G	CURB & GUTTER
C/L	CENTERLINE
CMF	CONCRETE MONUMENT FOUND
CMP	CORRUGATED METAL PIPE
C/O	CLEAN OUT
CTP	CRIMPED TOP PIPE
DB/PG	DEED BOOK/PAGE NUMBER
DE	DRAINAGE EASEMENT
DI	DROP INLET
DIP	DUCTILE IRON PIPE
DWCB	DOUBLE WING CATCH BASIN
EB	ELECTRIC BOX/TRANSFORMER
EP	EDGE OF PAVEMENT
ELEV	ELEVATION
EX	EXISTING
--x-x-x--	FENCE LINE
FH	FIRE HYDRANT
FES	FLARED END SECTION
FFE	FINISHED FLOOR ELEVATION
→	FLOW ARROW
FSB	FRONT BUILDING SETBACK LINE
GV	GAS VALVE
GI	GRATE INLET
GW	GUY WIRE
HDW	HARDWOOD TREE
HW	HEADWALL
ICV	IRRIGATION CONTROL VALVE
IE/INV	INVERT ELEVATION
IPF	IRON PIN FOUND
IPS	IRON PIN SET
JB	JUNCTION BOX
LP	LIGHT POLE/LAMP POST
LL	LAND LOT
LLL	LAND LOT LINE
MFE	MINIMUM FLOOR ELEVATION
N/F	NOW OR FORMERLY
NTS	NOT TO SCALE
OCS	OUTLET CONTROL STRUCTURE
--OHP--OHP--	OVERHEAD POWER LINE
OTP	OPEN TOP PIPE
PN	PINE TREE
PB/PG	PLAT BOOK/PAGE
P/L	PROPERTY LINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
POL	POINT ON LINE
PP	POWER POLE
RAH	RECORD ANGLE HELD
RSB	REAR BUILDING SETBACK LINE
RD	RECORD DISTANCE
RDH	RECORD DISTANCE HELD
RCP	REINFORCED CONCRETE PIPE
R/W	RIGHT OF WAY
SMH	SANITARY SEWER MANHOLE
SWCB	SINGLE WING CATCH BASIN
SSB	SIDE BUILDING SETBACK LINE
--SS--SS--	SANITARY SEWER LINE
SSE	SANITARY SEWER EASEMENT
STA	STATION
TBM	TEMPORARY BENCHMARK
TBX	TELEPHONE BOX/PEDESTAL
--C--C--C--	UNDERGROUND CABLE TV LINE
--E--E--E--	UNDERGROUND ELECTRIC LINE
--G--G--G--	UNDERGROUND GAS LINE
--W--W--W--	UNDERGROUND WATER LINE
WM	WATER METER
WV	WATER VALVE
WI	WEIR INLET

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

U.S. ROUTE NO. 19 & 41
STATE ROUTE NO. 3



REFERENCE DOCUMENTS

1. PROPERTY SURVEY FOR TONY MARTIN, PREPARED BY PRESLEY, BERNHARD, HARPER & ASSOC., DATED MARCH 25, 1997, AS RECORDED IN PLAT BOOK 22, PAGE 494, SPALDING COUNTY RECORDS.
2. PROPERTY SURVEY FOR TOM BARRETT & ASSOCIATES & ET AL, PREPARED BY PRESLEY, BERNHARD, HARPER & ASSOC., DATED MARCH 25, 1997, AS RECORDED IN PLAT BOOK 22, PAGE 494, SPALDING COUNTY RECORDS.
3. PROPERTY SURVEY FOR KAREN C. MARTIN, PREPARED BY PRESLEY, BERNHARD, HARPER & ASSOC., DATED MAY 30, 1995, AS RECORDED IN PLAT BOOK 21, PAGE 651, SPALDING COUNTY RECORDS.

FLOOD HAZARD NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD AREA PER THE FEMA FLOOD INSURANCE RATE MAP OF SPALDING COUNTY, GEORGIA AND INCORPORATED AREAS, MAP NUMBER 13255C0185D DATED MAY 3, 2010.

GENERAL NOTES

- 1) CURRENT ZONING: C-1
- 2) SETBACKS: FRONT 15', SIDE 15', REAR 30'
- 3) MINIMUM HEATED FLOOR AREA: 1,000 S.F.
- 4) MAXIMUM BUILDING HEIGHT: 60'

ZONING PLAN FOR:

RA-HA, LLC

PARAMOUNT SURVEYS

Richard Barnett
404.354.3122
rb@paramount-surveys.com

Barron Dunn
404.328.5604
bd@paramount-surveys.com

755 S Crosslane Road, Monroe Ga 30656 LSF #1295

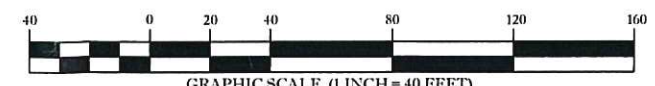
DATE: JULY 17, 2020 COUNTY: SPALDING (ORIGINALLY MONROE) Sheet No.

DISTRICT: 2nd LAND LOT: 242

DRAWN BY: BD CHECKED BY: BD

SCALE: 1" = 40' DATE OF FIELD WORK: JULY 3, 2020

1 OF 1

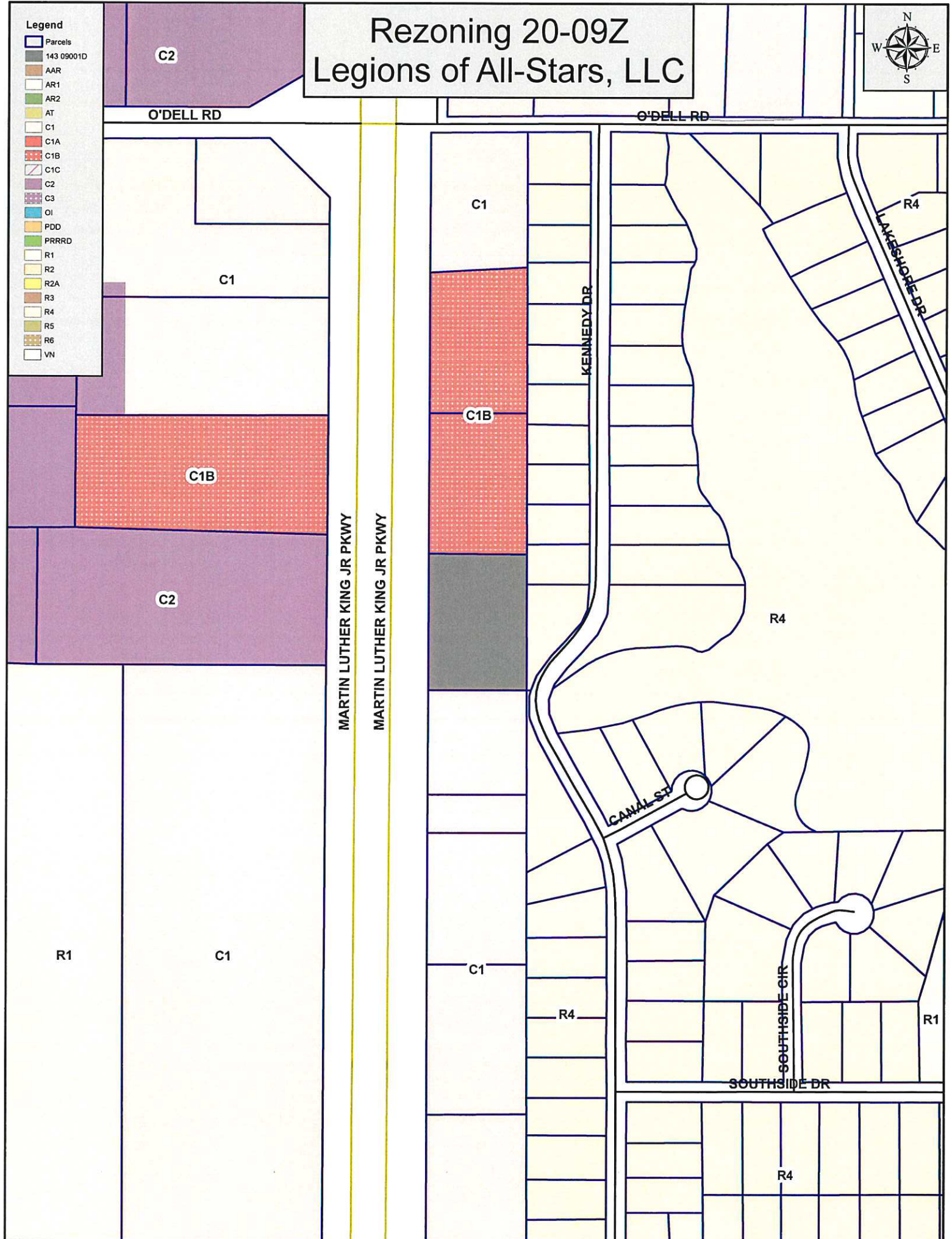


Rezoning 20-09Z Legions of All-Stars, LLC



Legend

- Parcels
- 143 09001D
- AAR
- AR1
- AR2
- AT
- C1
- C1A
- C1B
- C1C
- C2
- C3
- OI
- PDD
- PRRRD
- R1
- R2
- R2A
- R3
- R4
- R5
- R6
- VN



SPALDING COUNTY PLANNING COMMISSION

DATE: August 25, 2020 (PC)

DATE: September 24, 2020 (BOC)

TO: Spalding County Planning Commission
Spalding County Board of
Commissioners

FROM: Department of Community Development

RE: Rezoning Application #20-09Z
Total acreage: 2.00±
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 on a total of 2.00 acres, more or less, located at 1316 Martin Luther King Jr Parkway in Land Lot 117 & 118 of the 2nd Land District.

Parcel #:

143-09001D

Current Owner(s):

The property is owned by Legion of All-Stars, LLC, by virtue of Deed recorded July 31, 2020, in Deed Book 4600, Page 247, Office of the Clerk of the Superior Court, Spalding County, Georgia.

Agent/Developer

Richard P. Lindsey
200 Westpark Drive, #280
Peachtree City, GA 30269

Overview of Development:

The applicant has requested to rezone approximately 2.00 acres from C-1 to C-1B. The property is currently undeveloped land. The

applicant intends to use the property for the display & sale of prefabricated sheds and barns. A permanent office building is not planned at this time. Customers typically visit the site by car. Once they select a building, they call the business manager and arrange purchase and delivery by phone.

Current Area Development

Current Zoning/Authorized Development:

The property proposed to be rezoned is currently zoned C-1, Highway Commercial. Under the current zoning the property can be used for a variety of commercial purposes, but does not allow for retail sales with continuous, unenclosed outside storage.

Existing Use:

The subject property is undeveloped.

Land Use Plan:

Pursuant to the "Spalding County Comprehensive Plan, 2017 update," the request is consistent with the plan and associated Future Land Use Map classification of Commercial Corridor.

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 2 acres for Nursery (Wholesale) use and is probably higher than what will be seen for the proposed use:

Weekday

A.M. Peak Hour: >5 trips

P.M. Peak Hour: >5 trips

Total Weekday not available

Water:

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

Sewerage:

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

Flood/Wetlands/Watershed Area:

The property is not located within a 100-year flood zone area, per FIRM map 13255CO185D effective date May 3, 2010.

This site is not located within an S-2 Protected Watershed.

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

Criteria when considering a Rezoning Application

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

1. The existing uses and zoning of nearby properties.
The property is surrounded primarily by commercial uses along Martin Luther King Jr., Parkway; these are zoned C-1. The property to the east is residential; there is an existing well-vegetated buffer on the east side of the property. Other residential uses in the same neighborhood back up to nearby C-1 and C-1B properties.
2. The suitability of the property for the proposed purpose.
Per the "Spalding County Comprehensive Plan, 2017 update," the plan indicates that this property should be used as "Commercial Corridor". The request as 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. It has been vacant as far back as 1969. Prior to that time, it was farm and timber land.
4. The threat to the public health, safety, and welfare, if rezoned.
There is no threat to public health, safety, and welfare if rezoned.
5. The extent to which the value of the property is diminished by the present zoning.
Staff cannot determine if the value of the property is diminished by the present zoning.
6. The balance between the hardship on the property owner and the benefit to the public in not rezoning.

While the property has numerous uses if it remains C-1, there is a benefit to the public if it is in active use rather than sitting vacant. An occupied property is statistically better for a neighborhood than a vacant property and the tax valuation will be somewhat higher if it is improved and in use.

Photo(s)



View from Martin Luther King Jr. Parkway.

Staff Recommendations:

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

- a. The request is consistent with the Spalding County Comprehensive Plan and the associated Future Land Use Map.
- b. The request is consistent with existing zoning in the area.

Staff recommends the following conditions:

- a. All building placement must be maintained in a neat, orderly manner.
- b. No building placement is allowed on the right-of-way.
- c. The use of the property is limited to the use stated in the rezoning application.



SPALDING COUNTY PLANNING COMMISSION Approval of July 28, 2020 Minutes

Requesting Agency

Office of Community Development

Requested Action

Consider approval of July 28, 2020 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
 Minutes 07-28-20 PC	8/13/2020	Backup Material

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
July 28, 2020

The Spalding County Planning Commission held its regular monthly meeting on June 30, 2020 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; and Frank Harris. Absent was member Sonny Eubanks.

Also present were Deborah Bell, Community Development Director, and Teresa Watson to record the minutes. Absent was Newton Galloway, Zoning Attorney.

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

A. Call to Order

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names/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 #06-03:** Consider review and approval of preliminary plat for Holliday Pass Phase II off Tomochichi Road - 40 lots.

Applicant proposes to subdivide an existing 101.49 acre tract into 74 lots ranging from 1/2 acre to 3/4 acre for the construction of single family residential conservation subdivision. Per Appendix A. Section 404.F, a preliminary is valid for a period of two (2) years. This plat was not renewed prior to the expiration of the previous renewal deadline. The applicant has requested an approval of the preliminary plat. The first phase of this development is complete, and construction of houses has begun. Ms. Bell stated that Phase I of this project had completed when the financial crisis occurred, necessitating a delay in Phase II which is set to proceed now. The applicant has met all criteria except for receipt of the encroachment agreements from MEAG and Georgia Power, which will need to be provided before any land disturbance can be permitted. All County departments have reviewed the plat submitted (as revised during zoning process). Staff recommends approval of this preliminary plat.

John Joiner spoke and offered to answer questions.

Steven Rowland, Rowland Engineering, 318 Corporate Parkway, Macon, advised these homes ranged from 1700 square feet (for about 1/3 of those being considered for Phase II) to 2250 square feet (for about 2/3 of those being considered for Phase II).

Motion/second by Messrs. Cox/Harris to approve the preliminary plat for S/D #06-03 with the condition that encroachment agreements from MEAG and Georgia Power must be received prior to any permitting or land disturbance for Phase II. Motion carried by a vote of 4-0.

2. **Amendment to UDO #A-20-07:** Article 7. R-1 Single Family Residential Low Density - Section 704:Y, Article 7A. R-1ASingle Family Residential - Section 704A:Y&Article 8. R-2 Single Family Residential - Section 804:Y- delete private driveways.

Adoption of this text amendment will delete private driveways from R-1, R-1A and R-2 districts. The R-1 zoning designation was omitted from the previous amendment, and this corrects that oversight.

Motion/second by Messrs. Cox/Harris to approve Amendment to UDO #A-20-07 carried by a vote of 4-0.

C. Consider approval of the minutes for the June 30, 2020 meeting.

Motion/second by Messrs. Ballard/Harris to approve the Minutes of the June 30, 2020 meeting of the Spalding County Planning Commission carried by a vote of 4-0.

D. Other Business:

Some discussion was held regarding zoning on the North Expressway corridor. It was noted that the Board of Commissioners recently approved the car repair/car lot as recommended by the Planning Commission, and all hoped that project developed nicely. Some comments were voiced about grandfathering provisions and whether or not providing incentives could be considered as a means of improvement for areas in the County.

E. Adjournment.

Motion/second to adjourn at 7:30 p.m. by Messrs. Cox/Ballard carried by a vote of 4-0.

Respectfully submitted,

John Youmans – Chair

Teresa Watson – Recorder