

Banks County Board of Commissioner  
**APPLICATION FOR COND. USE PERMIT**

150 HUDSON RIDGE SUITE 4 / HOMER, GA 30547  
 PHONE: (706)677-4272 FAX: (888)686-7421 www.bankscountyga.org

DATE ISSUED: 04/26/2022

PERMIT #: 2022-20220151

LOCATION:	AMERICAN VINTAGE PARTS	DISTRICT	TAX MAP PARCEL
	20519 HWY 441 N	LOT	ZONING DISTRICT
OWNER:	KEVIN JOHNSON		TOTAL VALUATION
CONTRACTOR:			\$ 0
			TOTAL SQ FT
			0
			HEATED/UNHEATED
			0 / 0

TYPE CONSTRUCTION: CONDITIONAL USE APP

OCCUPANCY GROUP: CONDITIONAL USE

<u>FEE CODE</u>	<u>FEE</u>
/CONDITIONAL USE APPLICATION	150.00
TOTAL PAID: 150.00      **PAID IN FULL**	TOTAL AMOUNT: 150.00

REMARKS:      CONDITIONAL USE TO ALLOW VEHICLE SALES AND NEW AND USED VEHICLE PARTS SALES.  
 MAXWELL MCCROSKEY APPLICANT.

Please schedule inspections 24 hours in advance by calling 706-677-4272. Inspection requests for the following day must be made by 2pm. This permit becomes null and void if work or construction authorized is not commenced within 6 months or if construction or work is suspended or abandoned for a period of 6 months at any time after work is started.

\_\_\_\_\_  
 (SIGNATURE OF CONTRACTOR/OWNER)

\_\_\_\_\_  
 (DATE)

\_\_\_\_\_  
 (ISSUED BY)

\_\_\_\_\_  
 (DATE)



# PLANNING & ZONING

*Dedicated to Serving Our Citizens*

150 Hudson Ridge, Suite 4  
Homer, Georgia 30547  
Office: 706.677.4272  
Fax: 706.677.6217  
www.co.banks.ga.us


## RECOMMENDATION

April 26, 2022

Re: Conditional Use 22-04  
Maxwell McCroskey  
1410 Sunbelt Way  
Auburn Ga. 30011  
Map B 53 120A

To: Whom it may concern

This letter is my recommendation for approval of above noted conditional use application. The use requested is not automatically allowed in C2 zoned areas. The request that the property addressed 20519 Hwy 441 S. Commerce Ga. 30529 is currently being used as an antique auto parts store, be allowed to continue with the following modifications to allow for vehicle sales also. This use must be approved as a conditional use. After reviewing the application for this use and the updated Comprehensive Land Use Plan I have found no reason not to allow it to be applied for. All approved uses will abide by guidelines of the Banks County Code. If you have any questions concerning this application or its use please do not hesitate to call.

  
Paul Ruark, Zoning Official  
Planning and Zoning Department



# CONDITIONAL USE APPLICATION

Planning & Zoning Office  
150 Hudson Ridge Suite 4  
Homer, Georgia 30547  
Office: 706.677.4272  
Fax: 888.686.7421  
www.co.banks.ga.us

Permit # \_\_\_\_\_ Application # \_\_\_\_\_

Property Owner: Name: Kevin Johnson & Sally Johnson  
Address: 4729 Deer Creek Court  
Flowery Branch, GA 3052  
Phone: 770-558-7745

Applicant: Name: Maxwell "Max" McCroskey  
Address: 1410 Sunbelt Way  
Auburn, GA 30011  
Phone: 770-361-8955

Location: 20519 US Hwy 441  
Commerce, GA 30529

Existing Zoning: C-2 Existing Use: Antique vehicle parts sales

Proposed Use: New and antique vehicle parts sales with online parts & vehicle sales.

Any auto/vehicle sales will not be open to walk-in traffic from the public.  
Acreage of Site: 5.00 Tax Map & Parcel: B53 120A

## THE FOLLOWING APPLICATION MATERIALS MUST ACCOMPANY THIS APPLICATION

- 1) Metes and bounds description of the property.
- 2) Boundary surveys of the property.
- 3) A letter of intent which describes general characteristics of the proposed development such as type and time frame of development and background information in support of the application.
- 4) A site plan containing, at a minimum, the following information:
  - a) Title of the proposed development.
  - b) Name, address and phone number of the architect, engineer, or other designer.
  - c) Scale, date, north arrow, and general location map showing relationship of the site to street or natural landmarks.
  - d) Boundaries of the property, all existing and proposed streets, including right-of-way and street pavement widths, buildings, water courses, parking & loading areas, and other physical characteristics of the property and the development.
- 5) Campaign Contribution Disclosure Form.
- 6) Property Owner's Certification Sheet and Public Hearings Notification.
- 7) Application fee of \$150 (check or cash only.)

PD. CK# 2045  
P. Rubc

March 21, 2022

Mr. Paul Ruark  
Zoning Administrator  
Banks County, Georgia  
150 Hudson Ridge, Suite #4  
Homer, GA 30547

REGARDING:                   CONDITIONAL USE APPLICATION  
20519 US Hwy 441, Commerce, GA 30529  
5.00+/- Acres of Land  
Banks County, GA Tax Parcel # B53 120A

Dear Mr. Ruark:

I respectfully request the approval of the enclosed application for conditional use of the property located at 20519 US Hwy 441, Commerce, Georgia. We intend to purchase the above-referenced property and locate our automotive parts and sales business on the property. Historically, our operations are and will continue to be online sales of auto parts, both new and used, with less than 20% of our business transactions coming from the sale of whole vehicles, all of which are considered "vintage," "antique," or "classic" cars.

As stated above, our sales platform is internet-sales driven, and we would be open to the public by appointment only with no walk-in traffic advertised. The majority of utilization for this property would be for storage and shipping of said auto parts and/or storage of vehicles. Vehicles onsite are anticipated to be around 10-15 vehicles onsite at a time, some of which would be inside the premises.

The property is currently being utilized as a storage facility for online classic car parts/antique car parts sales, which is the bulk of our business model. We intend to keep that the primary focus of our business but want to have assurance that we can sell vehicles online through eBay, bringatrailer.com, and the like, along with this occupation of the property should we need to.

Our impact on any roads, schools, infrastructure, and other public resources are anticipated to be minimal and would mimic that of the current owner's operations. In all, we believe that approving this conditional use permit would not change anything with the property and/or its impact on others in the area.

Our business entity is Resurrected Classics and we are currently located in Auburn, Georgia. We feel that this facility suits our needs very well as it is currently configured. We do anticipate remodeling the property to give it a more modern look. This would include a brick veneer in front with some upgrades to the parking areas at the property. We have attached a rendering of proposed improvements to the property which we would anticipate beginning soon after purchasing the property.

Thank you for your time and consideration. Should you have any cause for concern, please do not hesitate to reach out to me at 770-361-8955 and I would be happy to discuss our plans for the property. We look forward to locating in Banks County sooner than later.

Sincerely,



Max McCroskey  
Resurrected Classics

Proposed Building Remodel Rendering – 20519 US Hwy 441



## CRITERIA TO CONSIDER FOR CONDITIONAL USES

- a. Whether off-street parking and loading facilities are adequate in terms of location, amount and design to serve the proposed use.
- b. Whether the number, size and type of signs proposed are compatible with the surrounding area.
- c. Whether the proposed use will have compatibility with existing uses of adjacent land and the surrounding area and will not cause or create or be likely to cause or create adverse effects upon the existing or future development of either the area or the rest of the county.
- d. Whether ingress and egress to the property is suitable and safe and the effect of the proposed activity on traffic flow along adjoining street is not adverse
- e. Whether the location and intensity of outdoor lighting is such that it does not cast light on adjacent, adjoining or neighboring properties.
- f. Whether hours and manner of operation of the proposed use are inconsistent with adjacent and nearby uses.
- g. Whether existing public facilities and utilities are capable of adequately serving the proposed use.
- h. Whether the proposed use will have a significant adverse effect on the level of property values or the general character of land uses in the surrounding area or the county.
- i. Whether the physical conditions of the site, including size, shape, topography and drainage are suitable for the proposed development.
- j. The existing uses and zoning of nearby property and whether the proposed use will adversely affect the existing use or usability of nearby property.
- k. The extent to which property values of the applicant are diminished by the inability to take advantage of potential use.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM REQUIRED FOR ALL ZONING ACTIONS

“36-67 A-3. Disclosure of campaign contributions.

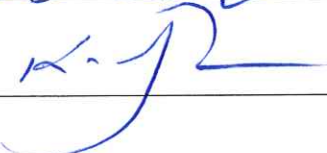
- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of the applicant's application for the rezoning action, campaign contributions aggregating \$250 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
1. The name and official position of the local government official to whom the campaign contribution was made; and
  2. The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within 10 days after the application for the rezoning action is first filed. (Code 1981, Section 36-67A-3, enacted by Ga. L. 1986, page 1269, Section 1; Ga. L. 1991, page 1365, Section 1.)”

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I hereby certify that I have read the above and that:

I have \_\_\_\_\_, I have not , within the two years immediately preceding this date made any campaign contribution(s) aggregating \$250 or more to any local government official involved in the review or consideration of this application.

Applicant's Signature:  Date: 3/21/22

Property Owner's Signature:  Date: 3/21/22

\*If you have made such contributions, you must provide the date required in subsection (a) above within ten (10) days of the filing of this application.

PROPERTY OWNER'S CERTIFICATION

I hereby certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant listed above is authorized to act as the applicant in the pursuit of this application.

Property Owner's Signature:  Date: 3/21/22



I have been informed that I, the applicant or property owner, must attend the public hearings for this application.

Unless otherwise posted, the Banks County Planning Commission meets at 6:30 p.m. on the first Tuesday of each month. The planning commission's recommendation on the application is sent to the Banks County Board of Commissioners which meets on the second Tuesday of each month at 6:30p.m.

Owner/Applicant Signature:  Date: 3/21/22

**LEGAL – 20519 US Hwy 441**

All that tract or parcel of land lying and being in the 208th G.M. District, Banks County, Georgia, containing 5.00 acres, more or less, as shown on a plat of survey for Mike Dowdy, by Ringo & Sadler, David L. Ringo, Sr., GRLS, dated January 22, 2004, recorded in Plat Book 28, page 85, in the Office of the Clerk of the Superior Court of Banks County, Georgia. Said plat is incorporated herein and made a part hereof by reference for a more detailed description. Subject to existing easements and rights of way for public roads and utilities now in use.

