



Planning and Development Department Case Information

Case Number: AZ23100011

Meeting Dates: Board of Commissioners: 12-05-2023

Applicant:
William Coleman
P.O. Box 1165
Monroe, Georgia 30655

Owner:
HC3 Properties LLC
P.O. Box 1165
Monroe, Georgia 30655

Current Zoning: B2

Request: Rezone Z00890 was approved on this property on November 7, 2000, with the following conditions:

1. 25 ft. undisturbed buffer on the backside of the privacy fence. (along rear property line)
2. 50 ft. planted buffer between the residence of the property of the left. (would not apply to lots 1 and 2)
3. Comply with tree ordinance, planting 15 units per acre exclusive of all planted buffers.

The Applicant is requesting that the 50' buffer be removed and remove the vegetation within 50' buffers in back for septic drain line installation.

Address: Highway 138

Map Number: C0760048E00

Site Area: 0.99 acres

Character Area: Neighborhood Residential

District 5: Commissioner – Jeremy Adams Planning Commission – Tim Hinton



Existing Site Conditions: Property consists of 0.99 acres.



The surrounding properties are zoned R1 OSC, R1, A2 and B2.

History:

Z99756	Rob Harrington	A-1 to B-1	C076-48	Approved Day care only
Z00890	Harrington Homes	B-1 to B-2 Office space building	C076-48 Hwy 138	Approved
AZ03100001	Harrington Homes Inc.	Alteration Zoning Conditions Z00890 4.0	C076-48A Hwy 138	Denied Civil Action #04-0267-2
AZ09110006	Brett Kellun	Remove Cond and Z99756 Variance 5.81	C076-48 Ga Hwy 138	Approved
Z18040016	David Francis	Rezone B1 to B3 Outside sale & truck Storage/major auto repair	C0760048 1806 Georgia Hwy 138	Withdrawn
Z22120002	Crossing Center Investment LLC	Warehouse & Variance to waive transitional buffer on west side	C0760048 1806 Highway 138	Withdrawn

Public Works:

Alteration To Zoning Conditions Application # AZ23100011
Application to Amend the Official Zoning Map of Walton County, Georgia

Board of Comm Meeting Date 12-5-2023 at 6:00PM held at **WC Historical Court House**
You or your agent must attend the meeting

Map/Parcel C0760048E00 (0.99 acres)

Applicant Name/Address/Phone #	Property Owner Name/Address/Phone
<u>William Coleman</u>	<u>HC3 Properties LLC</u>
<u>P.O. Box 1165 Monroe, GA 30655</u>	<u>P.O. Box 1165</u>
<u>678/300/5052</u>	<u>Monroe Ga. 30655</u>

E-mail address: whcoleman@willcoelectric.com (If more than one owner, attach Exhibit "A")

Phone # 678/300/5052 Phone # 678/300-5052 0.99 acres + 1.01 acres

Location: Hwy 138 Monroe GA. Zoning B2 Acreage 2.00

Existing Use of Property: N/A

Existing Structures: N/A

List requested conditions to be removed or changed Remove previous conditions of 50' buffer. Variance to remove vegetation within 50' buffer in back in 200890 rezone for septic drain line installation.

Property is serviced by the following:

Public Water: Provider: Walton County Water Dept Well: _____

Public Sewer: _____ Provider: _____ Septic Tank:

The above statements and accompanying materials are complete and accurate. Applicant hereby grants permission for planning and zoning personnel to enter upon and inspect the property for all purposes allowed and required by the Comprehensive Land Development Ordinance.

Signature _____ Date 10/19/2023 Fee Paid \$ 250.00

Public Notice sign will be placed and removed by P&D Office
 Signs will not be removed until after Board of Commissioners meeting

Office Use Only:

Existing Zoning B2 Surrounding Zoning: North R1DSC South R1
 East A2 West B2

Comprehensive Land Use: Neighborhood Residential

Commission District: 5-Jeremy Adams Watershed: _____ TMP _____

I hereby withdraw the above application _____ Date _____

**AUTHORIZATION
BY PROPERTY OWNER**

I swear that I am the property owner of the property which is the subject matter of the attached Petition for Rezoning/Conditional Use Application, as is shown in the records of Walton County, Georgia.

I authorize the named below to act as Applicant in the pursuit of an Alteration To Zoning Application.

Name of Applicant: William Coleman
Address: P.O. Box 1165 Marietta, GA 30065
Telephone: 678/300/5052
Location of Property: HWY 138 Next to Dollar General

Map/Parcel Number: L C0760048E00

Zoning: S3 B2

Property Owner Signature

Print Name: William Coleman

Address: P.O. Box 1165

Phone #: 770 761 8377

Property Owner Signature

Print Name: _____

Address: _____

Phone #: _____

Personally appeared before me and who swears that the information contained in this authorization is true and correct to the best of his/her knowledge.

[Signature]
Notary Public

10/19/23
Date



The Board considered a Planning Commission recommendation to approve, with conditions, a rezone request from B-1 to B-2 for Harrington Homes, Inc. The effected property, owned by the applicant, is located on Ga. Hwy. 138 and is further identified on WC Tax Map C76, Parcel 48. The purpose of the rezone is to rezone 5.00 acres for office space/ office building for contractors.

Matt Benson, representing Harrington Homes, came before the Board in support of the rezone. Mr. Benson presented the Board an amendment to the rezone application regarding Harrington's constitutional rights. Mr. Benson stated that the purpose of the rezone request is to allow a stand alone building in which several offices would be incorporated where contractors would lease space. He stated that there would be no substantial change in the zoning in and along that area along Hwy. 138 and there will be a minimal effect on the neighbors. Mr. Benson stated that they had gained approval from the Planning Commission with the condition that a privacy fence be put along the back side of the tract. He stated that they had no problem with the condition.

Commissioner Bone asked if there is a buffer on the back of the property. Mr. Benson stated there will be a 25 ft. buffer on the back and that is where the privacy fence would go. Commissioner Roberts stated that he has a real problem with what has been done with the property. He stated that the Board rezoned the property originally for a day care center with the provision that it only be used for a day care center. He stated that they went in there and desecrated what was a pretty nice piece of property. He stated that it looks horrible. He stated that a big sign was put on the property and the place looks like a trash pile right now. Chairman Krieger exited the meeting briefly at 6:15 p.m., and returned at 6:17 p.m. Mr. Harrington stated that originally the Board approved 10 acres and now they are only asking for five. He stated that he did not disturb the trees around the house that is on their property. He added that the Code Office did not want them to disturb any more of the soil until they decided what they were going to do. There was no one present in opposition to the rezone. After further discussion, Commissioner Roberts made a motion to approve the rezone based on the restrictions of a ~~25 ft.~~

~~undisturbed buffer on the back side of the privacy fence, a 50 ft. planted buffer between the residence and the property on the left, compliance with the tree ordinance, planting 15 trees per acre on the left, and a fully planted buffer on the right.~~ Commissioner Atha seconded the motion. Mike Martin stated that the tree ordinance is 15 units per acre, not 15 trees per acre, so if we are going to do it in accordance with the tree ordinance, he thinks what Commissioner Roberts was saying is that the tree ordinance will be applicable in this, as it is all commercial development, and the ~~50 ft. planted buffer is in addition to~~ the tree ordinance requirements. Commissioner Roberts stated that in ~~accordance~~

All voted in favor.

Nov. 7, 2000
Z 00890

to be planted
at time of
development

COURTHOUSE ANNEX I
126 COURT ST.
MONROE, GA 30655



(770) 267-1485
(770) 267-1407 FAX

WALTON COUNTY PLANNING AND DEVELOPMENT

January 17, 2003

Butler Properties, Inc.
2727 Paces Ferry Road
Suite 1-255
Atlanta GA 30339

Re: Zoning Verification
Land located on GA State Hwy 138, Tracts 1 & 2 (see attached plat)
Map C76 Parcel 48A spl

To Whom It May Concern:

This is to advise that the property, tracts 1 & 2 as shown on the attached map are a part of Z00890, an approximate 5.00 acre tract of land located on GA Hwy 138 that was rezoned to B-2 on 11-7-2000 with the following conditions:

- 1) 25 ft undisturbed buffer on the backside of the privacy fence. (along rear property line)
- 2) 50 ft planted buffer between the residence and the property on the left. (would not apply to lots 1 and 2)
- 3) Comply with tree ordinance, planting 15 units per acre exclusive of all planted buffers.

Retail Establishments and other uses are allowed as a permitted use in this zoning district as listed in Article 5, table of Permitted Uses within the Walton County Land Development Ordinance.

If you need any additional assistance, please don't hesitate to call.

Sincerely,

Charna Parker
Zoning Administrator

1 attachment

Dear Commissioners,

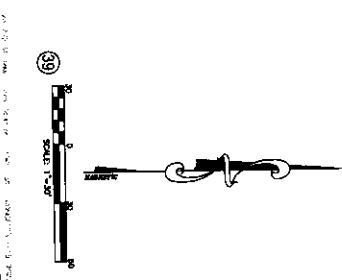
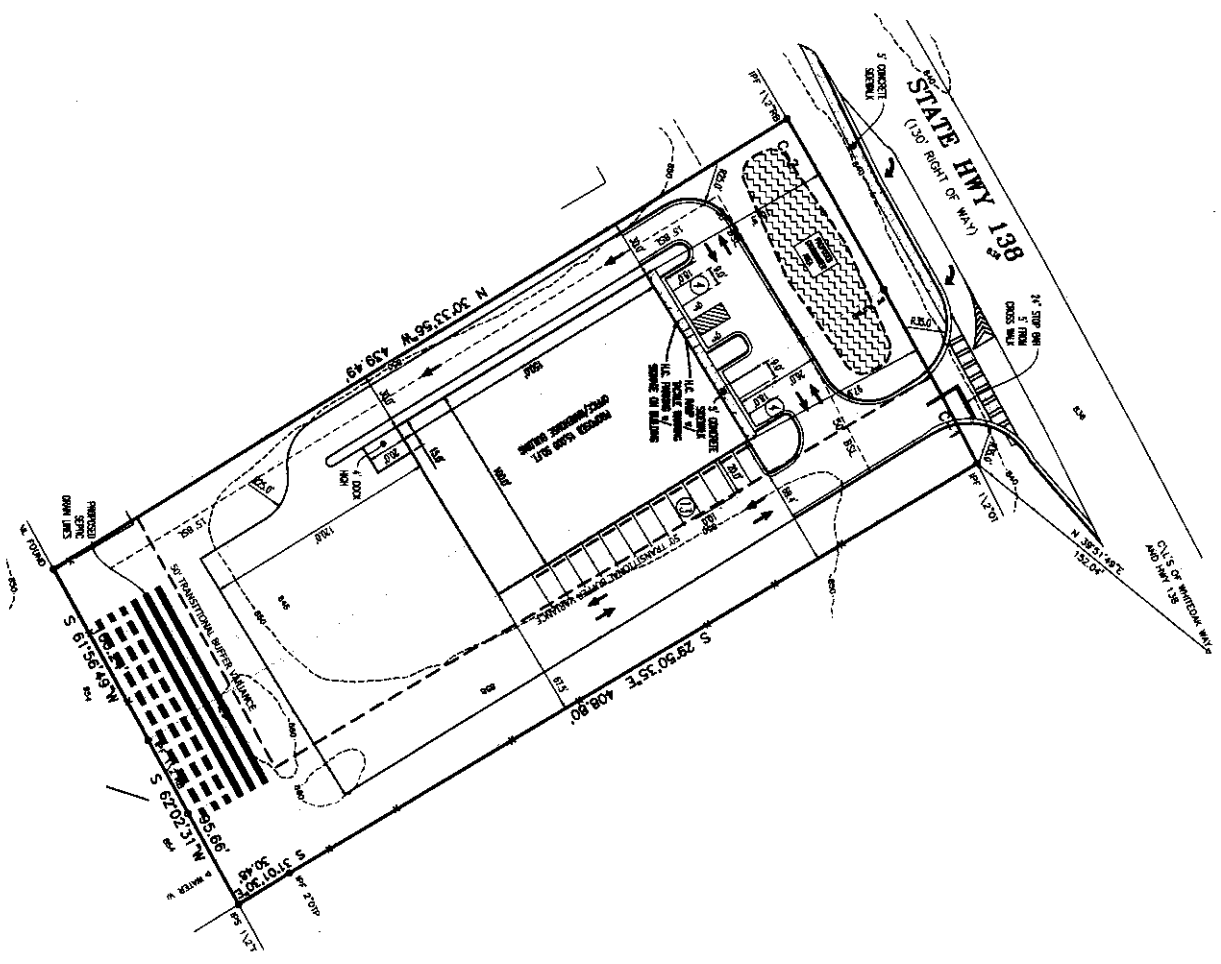
This letter is in regard to the two commercial lots off of Highway 138, next to Dollar General. These two lots are now being conjoined as one piece of land totaling 2 acres even. First, I am asking for the Board to remove conditions from previous rezone on November 7th, 2007 and reduce the 50' buffer to 0, with privacy fence on the left, right, and rear of the property. Second, I am asking for a variance to remove vegetation because our septic system needs to be in the rear of the property which would be inside the current 50' buffer. DOT has requested we put our driveway on the left side of the property, so our driveway is not directly next to Dollar General's entrance. As shown in our site plan the Driveway and septic system are both inside of the transitional buffer. Our request is to have the previous conditions removed and a variance to remove vegetation to allow us to construct as our site plan shows.

Regards,

William Coleman

ALL RIGHTS RESERVED
 THIS PLAN IS THE PROPERTY OF
 THE ENGINEER AND IS NOT TO BE
 REPRODUCED OR COPIED IN ANY
 MANNER WITHOUT THE WRITTEN
 CONSENT OF THE ENGINEER.
 THE ENGINEER ASSUMES NO
 LIABILITY FOR ANY DAMAGE OR
 LOSS OF ANY KIND ARISING FROM
 THE USE OF THIS PLAN.
 DATE: 11/16/2023

CURVE	CHORD	BEARING	LENGTH	RADIUS
C-1	100.89'	N 82°44'43"E	100.89'	3930.16'
C-2	100.15'	N 61°14'58"E	100.15'	3930.16'



REQUEST VARIANCE TO REDUCE
 TRANSITIONAL BUFFERS ON EAST &
 SOUTH PROPERTY LINES.

CONCEPT PLAN FOR ST MES BUILDERS TRACT M & N - HAWKING HOMES LAND LOT 47 - 4th DISTRICT WALTON COUNTY, GEORGIA	JOB NO. 23-372 COMPUTED BY: DRAWN BY: CTK CHECKED BY: MB DATE: 7-8-2023 SCALE: AS NOTED		
	REVISION NO. DATE BY	1 2 3	1 2 3

APPROVAL FOR RECORDING:
THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED
THIS PLAN, MAP, OR PLAN FOR FILING:

Ronald Calvin Smith
WALTON COUNTY PLANNING AND DEV
DATE: 10/30/2023

REC-182-183
Filed and Recorded:
October 30, 2023 09:20 AM
KAREN P. DAVID
CLERK OF SUPERIOR COURT
WALTON COUNTY, GEORGIA
Participant ID: 356070666

RECORDING INFORMATION

OWNER:
PARCEL C076004800
HC3 PROPERTIES LLC
P.O. BOX 1165
MONROE GA, 30655
DB-5339 PG-436

OWNER:
PARCEL C076004800
HC3 PROPERTIES LLC
P.O. BOX 1165
MONROE GA, 30655
DB-5339 PG-436

TEXT LEGEND

- IF IRON PIN FOUND
- IPF IRON PIN SET
- RB REBAR
- CLF CHAIN LINK FENCE
- CONC CONCRETE
- EM ELECTRIC METER
- P OVERHEAD POWER
- PP POWER POLE
- TEL P TELEPHONE PEDESTAL
- WV WATER VALVE
- WVM WATER VALVE MARKER
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- B/L BUILDING LINE
- C/L CENTERLINE
- AC AIR CONDITIONER
- R/W RIGHT-OF-WAY

- GENERAL NOTES:
- * ZONED: B2
 - * TOTAL NUMBER OF LOTS = 1
 - * TOTAL AREA = 7.0 ACRES
 - * TAX PARCEL C076004800 COMBINED
 - * WATER PROVIDED BY WALTON COUNTY
 - * THERE ARE NO PROTECTIVE COVENANTS
 - * ALL IPS ARE 1/2" REBARS
 - * SETBACKS:
 - FRONT = 5'
 - SIDE = 15'
 - REAR = 40'

REFERENCES:
BOOK 68 PG.007
DB-5339 PG.436

TRACT II
PARCEL C076004800
OZEMINSKI LIMITED PARTNERSHIP
40 CONNERS ROAD
WALTON COUNTY, GA 30150
1710 HWY 138
DB-1811 PG-486
ZONED B2

COMBINED PARCELS TO BE IN
PARCEL C076004800
TRACT III
1.01 ACRES
PARCEL C076004800
ZONED B2

PARCEL C0760048
RICHARD LUMAS CREEKUR
1680 HWY 138
MONROE GA 30655
DB-3608 PG-315
ZONED A2

PARCEL N0760023
ANGELA KAY QUINN
2335 MATTHEW CT
MONROE GA 30655
DB-3122 PG-480
ZONED R1

PARCEL N0760022
DONNA MAURE INCANTY
2370 MATTHEW CT
MONROE GA 30655
DB-3125 PG-425
ZONED R1

Surveyor's Certification:
It is hereby certified that this plat is true and correct and was prepared from a true and correct survey of the property by me or under my supervision and that all measurements shown herein actually exist or are marked as "lines", and their location, size, type, and material are correctly shown, and that the vertical and horizontal alignment of the road or roads shown herein are in compliance with the Walton County Land Development Ordinance.

As required by subsection (b) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements herein. Such approvals and certifications should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat. I, the undersigned land surveyor, certify that this plat complies with the minimum technical standards for property surveys in the State of Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

James S. Hill, JR.
James S. Hill, JR., R.L.S. 2859
Professional Engineer and Land Surveyor



UTILITY NOTE:
PATRICK & ASSOCIATES, INC. NOR THE LICENSED PROFESSIONAL ASSUME ANY LIABILITY FOR THE EXISTENCE, LOCATION, MATERIAL OR SIZE OF ANY UNDERGROUND UTILITY SHOWN ON THIS SURVEY. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE EXISTENCE, EXACT LOCATION, MATERIAL AND SIZE OF ANY UNDERGROUND UTILITY BEFORE BIDDING OR EXCAVATING ON THIS PROJECT.

All or a portion of this survey was performed by GPS. Approximately 95% of this survey was GPS (Equipment: LEICA GS18) and 5% was robotic total station (Equipment: Trimble S6). Type of GPS was Real Time Kinematic (RTK). The field data upon which this plat is based is a positional tolerance of 0.04' based on redundant measurements and has not been adjusted. The horizontal datum for this survey was NAD83, Georgia West Zone. All distances shown on this plat are surface distances. This plat has been calculated for closure and was found to be accurate within one foot in 437,550 feet.

Note: The surveyor herein has made no investigative or independent search for encumbrances of record. Encumbrances restrictive covenants, ownership title, evidence or any other facts that a current title search may disclose.

Note: This plat was prepared for the exclusive use of the person, persons or entity named herein. This plat does not extend to any person, persons or entity without the express recertification of the surveyor naming such person, persons or entity.

This property is in zone "X" a Federal Flood Area as indicated by F.I.A. Official Hazard Maps. Flood Map No. 13297C0125E, Dated: 12/06/2016.

THE PURPOSE OF THIS SURVEY IS TO COMBINE PARCELS C076004800 AND C076004800 INTO ONE PARCEL.

COMBINATION SURVEY FOR:
HC3 PROPERTIES LLC
LAND LOT 47 - 4TH DISTRICT
TRACTS III & IV HARRINGTON HOMES
WALTON COUNTY, GEORGIA

DATE OF FIELD WORK: 7-7-2023
DATE OF PLAT PREPARATION: 10-20-2023
EQUIPMENT USED: TRIMBLE S6



PATRICK & ASSOCIATES, INC.
SURVEYING & ENGINEERING
828 BLACKLAWN ROAD
CONYERS, GEORGIA 30094
PHONE: 770-483-9745

MASTER DWG 36183
JOB NO. 23-372
DWG. NO. 36361

REVISION: _____ DATE: _____

DILLS & JONES & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
P.O. BOX 1618 ~ LOGANSVILLE, GEORGIA 30052-1618
PH. 770-466-9975 ~ FAX 770-466-9188

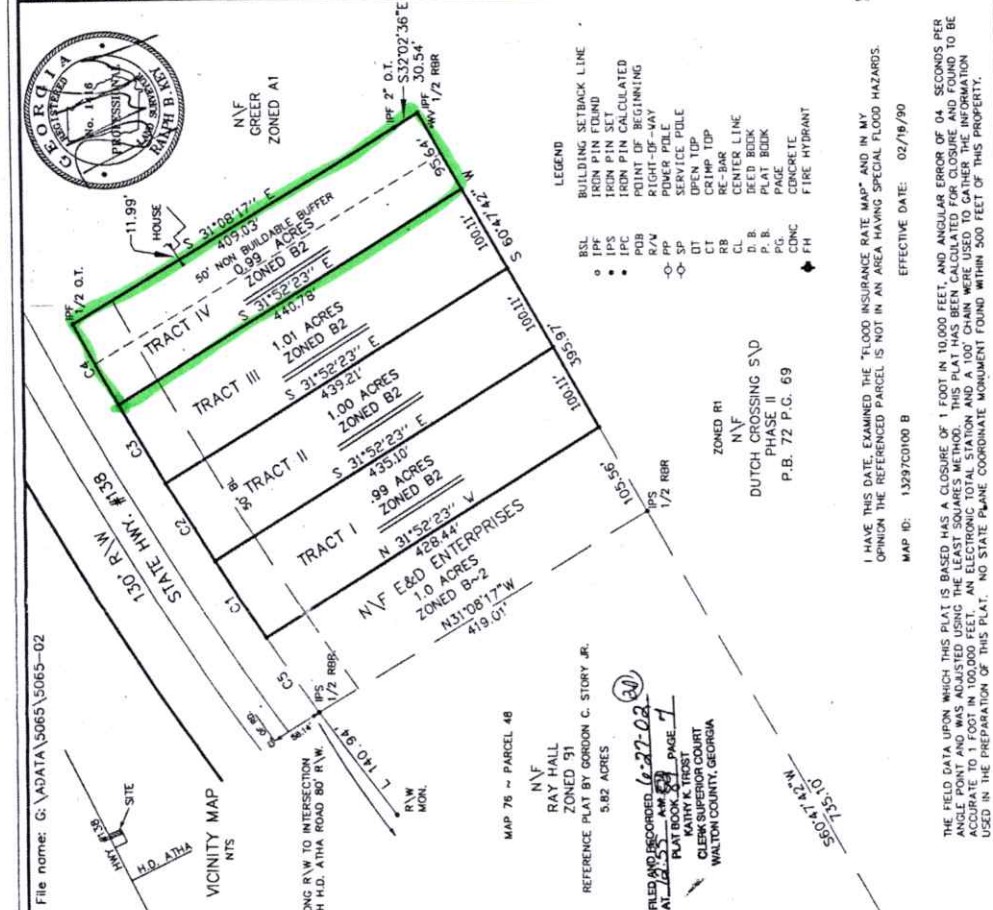
HARRINGTON HOMES
LAND LOT 47 OF THE 4TH LAND DISTRICT
WALTON COUNTY, GEORGIA

SURVEY FOR: _____

DRAWN: E.E.A.
DATE: 11/22/00
SCALE: 1" = 100'
APPROVED: W.B.J.

SURVEYED: D.J.B.A.
PLOTTED: E.E.A.

SHEET 1 of 1



File name: G:\ADATA\5065\5065-02

VICINITY MAP

OWNER & DEVELOPER
HARRINGTON HOMES
P.O. 770-266-7360
1545 HWY #138
MONROE, GA. 30655

Certificate of Approval for recording:
I hereby certify that the subdivision plat shown herein has been found to comply with the Land Development Ordinance of Walton County, Georgia and that the same is in full compliance with the rules and regulations of the Superior Court of Walton County, Georgia.

Director of Walton County Planning & Development: *6-27-02*

NUMBER/CD	R	L	L	LC
C1	S 56°58'59" W	39.30.16	100.02	100.02
C2	S 58°26'28" W	39.30.16	100.00	100.00
C3	S 59°53'58" W	39.30.16	100.05	100.05
C4	S 61°21'50" W	39.30.16	100.85	100.85
C5	N 55°31'26" E	39.30.16	100.17	100.17

Scale 1" = 100'

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

Ralph B. Ketchum
RALPH B. KETCHUM, CLU, FLS. NO. 1416

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

WALTON COUNTY MAP 76 ~ PARCEL 48A
MAP 76 ~ PARCEL 48 A

LEGEND:
BSL BUILDING SETBACK LINE
IPF IRON PIN FOUND
IPC IRON PIN CALCULATED
R/W RIGHT-OF-WAY
PDR PDR POLE
CT CENTER LINE
RE-BAR RE-BAR
CL CENTER LINE
D.B. DEED BOOK
P.B. PLAT BOOK
PAGE PAGE
CONC. CONCRETE
F.H. FIRE HYDRANT

FILED AND RECORDED: 6-27-02
AL...
KATHY K. TROST
CLERK SUPERIOR COURT
WALTON COUNTY, GEORGIA

MAP 76 ~ PARCEL 48
RAY HALL
ZONED R1
REFERENCE PLAT BY GORDON C. STORY, JR.
5.82 ACRES

FILED AND RECORDED: 6-27-02
AL...
KATHY K. TROST
CLERK SUPERIOR COURT
WALTON COUNTY, GEORGIA

I HAVE THIS DATE, EXAMINED THE "FLOOD INSURANCE RATE MAP" AND IN MY OPINION THE REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.
EFFECTIVE DATE: 02/19/90
MAP ID: 1329703100 B

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000 FEET, AND AN ANGULAR ERROR OF 04 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED AND ADJUSTED TO BE ACCURATE TO 1 FOOT IN 100,000 FEET, AN ELECTRONIC TOTAL STATION AND AN ELECTRONIC DISTANCE MEASUREMENT FOUND WITHIN 500 FEET OF THIS PROPERTY. USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MEASUREMENT FOUND WITHIN 500 FEET OF THIS PROPERTY.