

Planning and Development Department Case Information

Case Number: LU25-0061 and Z25-0056

Meeting Dates: Planning Commission 03-06-2025
Board of Commissioners 04-01-2025

Applicant:
Nityanand Sankar
1014 Country Lane
Loganville, Georgia 30052

Owner:
Jeremy D Elrod
2660 Gum Creek Church Road
Loganville, Georgia 30052

Current Zoning: A2

Request: Land Use Change from Suburban to Highway Corridor and Rezone 0.63 acres
from A2 to B2 for motor vehicle sales

Address: 2660 Gum Creek Church Road & Highway 81, Loganville, Georgia 30052

Map Number: C0490025

Character Area: Suburban

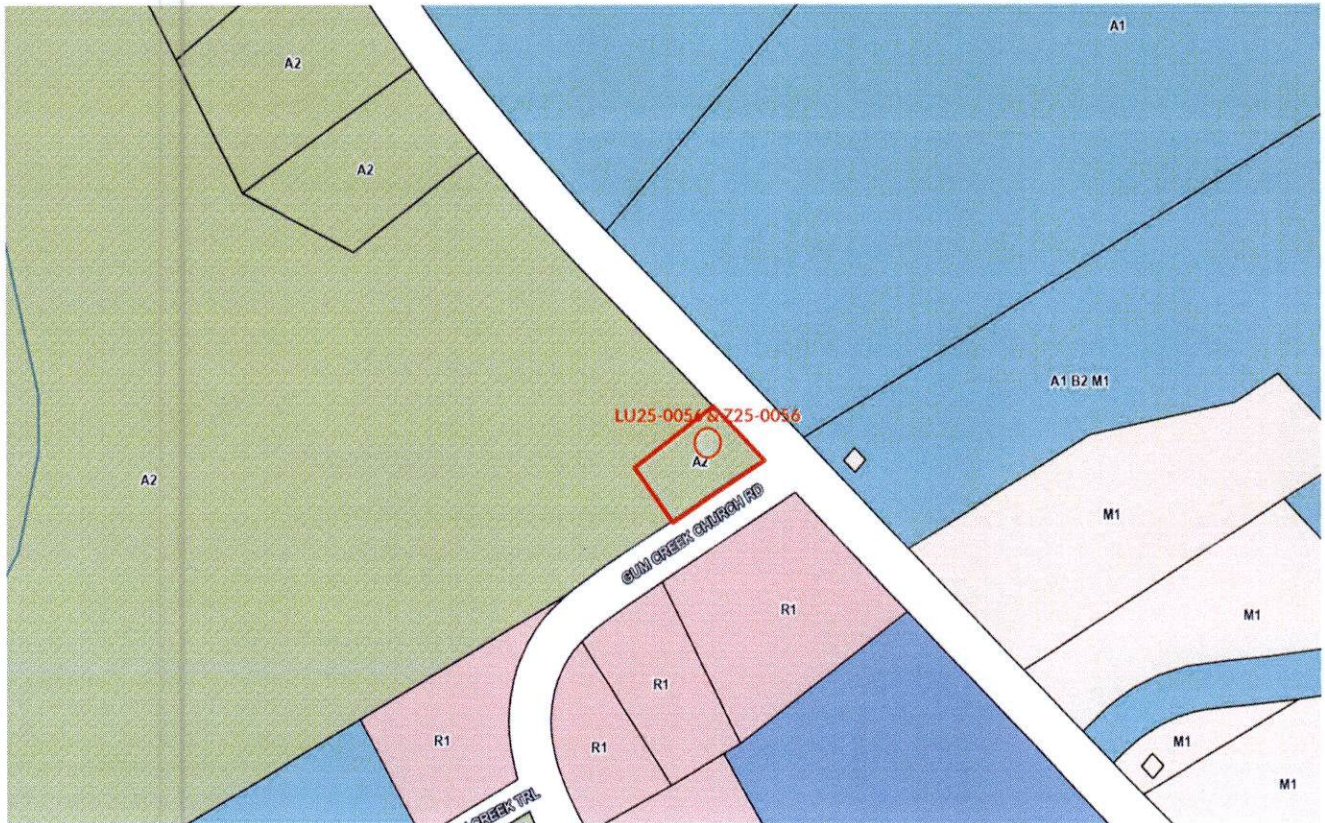
District 2: Commissioner–Pete Myers

Planning Commission –Chris Alexander



Existing Site Conditions: Property consists of .063 acres and contains a house and an accessory building.

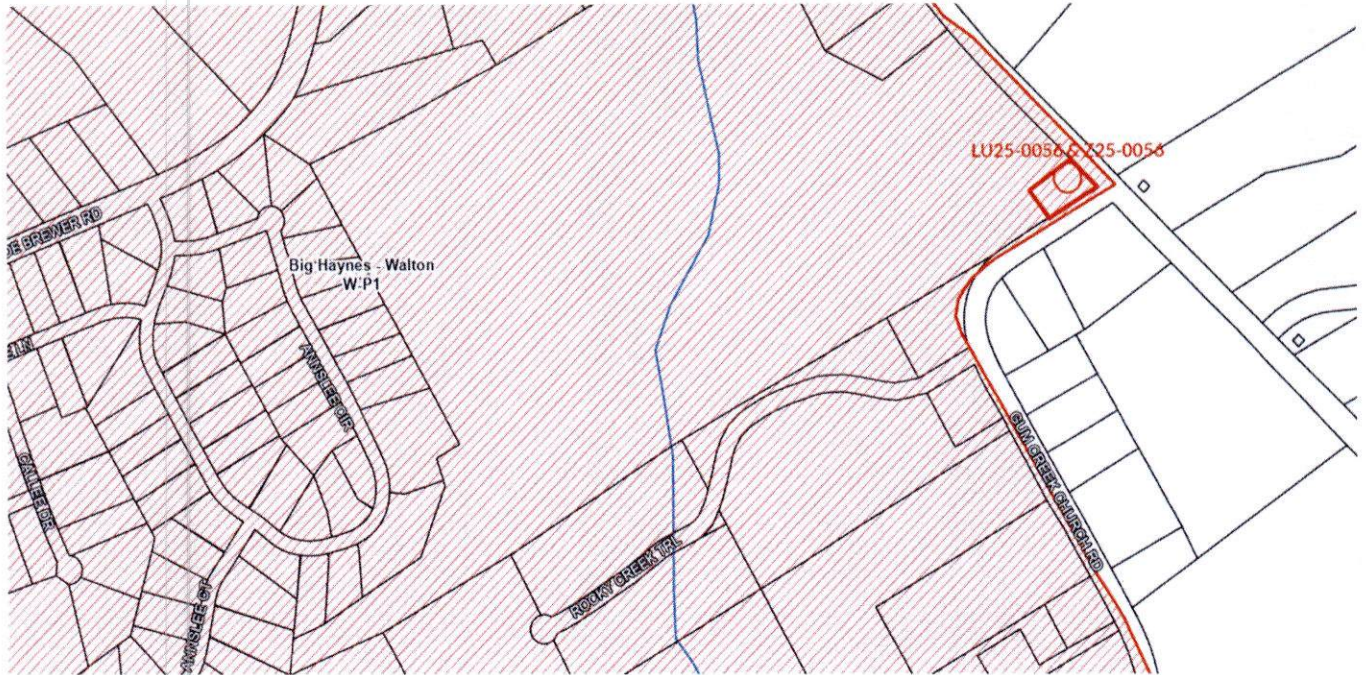
The surrounding properties are zoned A, A2 and R1.



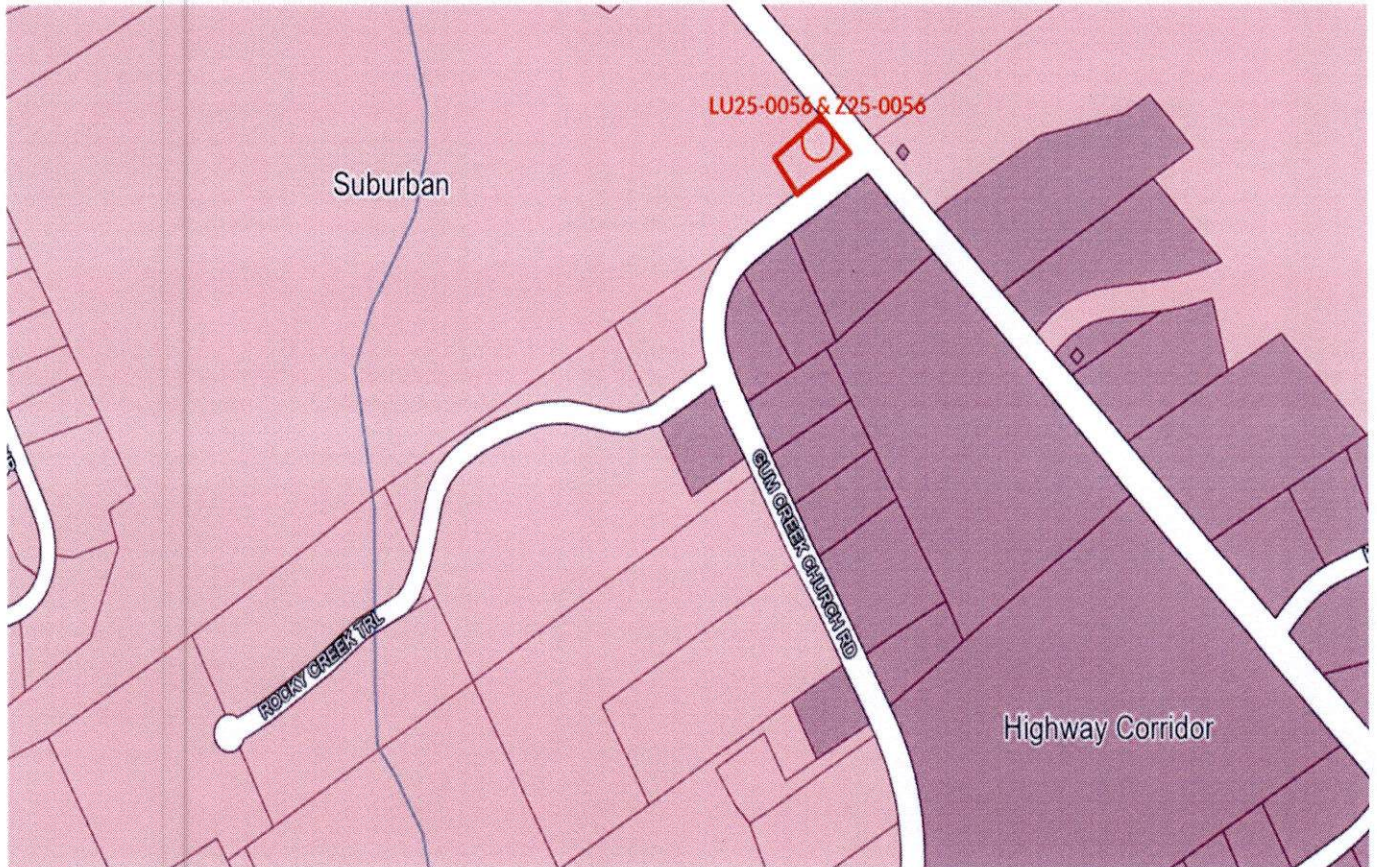
Subdivisions surrounding property:



The property is the Big Haynes Watershed.



The Future Land Use Map for this property is Suburban. The applicant is requesting this be changed to Highway Corridor.



History: No History

Staff Comments/Concerns:

Comments and Recommendations from various Agencies:

Public Works: Public Works recommends a commercial driveway and possibly may need to install a deceleration lane.

Sheriffs' Department: No comment received

Water Authority: This area is served by an existing 6" diameter water main along Gum Creek Church Road and 12" water main along Highway 81. (static pressure: 60 psi, Estimated fire Flow available: 2,500 gpm @ 20 psi). No system impacts anticipated.

Fire Marshal Review: Project shall comply with all codes set forth by the Office of Commissioner of Insurance State Fire Marshal Rules and Regulations, Walton County Ordinances, Life Safety Code and International Fire Code.

Fire Department Review: Impacts can include increased fire and emergency medical response.

Board of Education: No comment received.

DOT Comments: Will require coordination with GDOT.

PC ACTION 3/6/2025:

1. LU25-0061/Z25-0056-Land Use Change from Suburban to Highway Corridor & Rezone 0.63 acres from A2 to B2 for motor vehicle sales-Applicant: Nityanand Sankar/Owner: Jeremy Elrod-Property located on 2660 Gum Creek Church Rd & Hwy 81/Map/Parcel C0490025-District 2.

Presentation: Nityanand Sankar represented the case. He lives at 1014 Country Lane, Loganville, Georgia. He would like to have this property rezoned from residential to B2 commercial to sell automobiles. He said that he has a car lot at 4330

Lawrenceville Road, Loganville and wants to expand to give a more variety and to move a car lot to this location.

Chris Alexander asked about the entrance and Mr. Sankar stated he would keep the entrance on Gum Creek Church Road. Mr. Alexander asked if you are going to be doing repairs here and he stated no repairs. Mr. Alexander asked about how many cars he will have on this property and Mr. Sankar said about 15 cars and he will put down asphalt and will use the house as an office and there is a barn he will be using as a detailing shop. He stated he is not a big dealer, that this is something he likes to do, and it will be for sales only and not repairs. He stated that the engineer recommends entrance at the existing location.

Tim Hinton asked so this will be for selling cars and no repair shop and Mr. Sankar stated that was correct. Tim Hinton asked about side thoroughfares and Mr. Sankar stated he looked into that, and Precision Planning did the site plan, and they have recommended that he have the entrance on Gum Creek Church Road. He does intend to put an entrance on Highway 81.

Speaking: Keith Allgood who lives at 2560 Gum Creek Church Road spoke. He stated that he read the comprehensive plan dated 2022 and the goals and policies. He stated Mr. Sankar answered his question as to how many cars and the house will remain and not be taken down. He said he hasn't ever seen any car lot that didn't have a garage. He asked about a turning lane on Highway 81 and asked that it be required. He said that 3 or 4 generations have watched this property grow from dirt to pavement. He does not think a car lot on the corner should be there and if so, it should have a turning lane off of Highway 81 that would continue past this property especially with the ball fields coming there. He also says that it should be used for that purpose and that purpose only if approved and it should be B1 and a turning lane needs to be put in place before he is open to the public. He went on to state that a young 17-year-old coming out of the residential culvert there to try out a car and tries to turn off Highway 81 on to Gum Creek Road or a young person taking a test drive will be dangerous due to the traffic. The traffic is heaviest at 4 or 5 in the afternoon. He also wanted to know if the car lot cars remain on the property. He stated that there is a property for sale sign on the property now and why does it still have the for-sale sign there. He does not know what the future holds for this property. He feels that a B1 zoning would be a better fit for this property.

Tim Hinton stated that he appreciates the comments but wanted to go ahead and let everyone know that the county has no control over traffic and also the county has no control over state highways that the State GDOT does that. He went on to say that a traffic study will be part of the application when a project is turned in for development. We can't mandate anyone to put a turning lane on a highway. He stated that there is a Dollar General on Highway 78 and you would think they would have been able to get a curb cut on the highway and the State said no that they could not have an entrance off of Highway 78 and this is out of our control and we have nothing to do with State Highways.

Jeff Monk who lives at 2480 Gum Creek Church Road spoke. He reviewed the regulations for Motor Vehicles Sales, and it says that they cannot use the right of way, and the cars cannot be parked in the right of way. There are farms around and this property is in the Big Haynes Creek watershed. He is also a coach at Loganville Christian Academy which is over 500 students. He recently pulled up a satellite photo of the auto garage that the applicant owns now and there is a garage as part of the same property, and they offer service at that place. He is concerned about noise and pollution and also stated that 4 out of 10 offices with used car lots get broken into. He is concerned about crime moving into his rural neighborhood. He does not want to see people buying cars and looking at cars late in the evening and also car alarms going off at night.

Daniel Lehr, who lives at 4007 Rocky Creek Trail spoke. He does not know what the best use of property is but said don't we have enough used car lots in Walton County. He said something will be there and he gets it, but we don't need a used car lot.

Dana Callihan who lives at 530 Gower Lane which is in the Windward Estate Subdivision. She stated that she was representing her subdivision, which has 12 homes, and Mr. Hinton asked if she had a signed petition, and she stated no but she could get one and he stated that she could speak for herself. She said she would like the Board to deny the application for many reasons which are safety, traffic, impact on the property values, agriculture all around, noise and this will be unsightly on the corner. Gum Creek Church Road is a very narrow road. Congestion is a concern with 2 schools and all the homeowners do not want this there and it is not a good fit for the area. She stated that she could get petitions of opposition and Mr. Hinton stated since you made the comment about petition and you can get that and you will be at that meeting he would encourage her to do so and bring a copy to each one of the Board of Commissioners at the Board of Commissioners Meeting on April 1st.

Thomas Melton who lives at 1812 Ashton Walk inside the Falls at Rocky Branch Subdivision. He knows that people have mentioned traffic and Mr. Hinton again stated that we do not govern traffic and went on to ask who are driving the cars, people are and where are the people coming from there are people moving in and there is labor and delivery and the county is going to continue to grow. What he wants to bring up is the accidents that have happened at Gum Creek Church Road. Mr. Melton says he doesn't know what the best use for the property is. Mr. Hinton stated that we are here to hear concerns and at the same time we are appointed by the commissioners to make the best decisions for the county.

Tim Kemp said someone asked about what Public Works has said, and Mr. Hinton said that they recommend a commercial driveway and possibly will need to install a DeCell Lane. We send these to the different Departments, and they send back their comments.

Mark Myers, Myers Team Realty, who lives at 2130 Highway 81, spoke in favor of the applicant. He stated that the property across from this property is going to eventually be commercial and since all properties on the highway and does the County have a future land use plan and Kristi Parr with Walton County Planning and Development stated it is highway corridor. Mr. Myers stated there will be more businesses coming to this area and more people who are residents are planning to sell their property for commercial purposes. Mr. Myers asked would you like the car lot there or a convenience store and they said neither.

Rebuttal: Applicant stated that the business will be a car lot but there will be no automotive repair shop on the property that he already has an existing shop. He stated that the picture someone brought up was taken in 2018 and this property has been completely renovated, and the garage is on the car lot next door, and he has no control over that property.

Tim Hinton stated that the applicant stated, and it is on record that there will be no auto repair shop on the property.

Timothy Kemp asked so this is a hobby of yours and the Applicant stated that it was.

Recommendation: Chris Alexander recommended approval with conditions of no auto repair shop and use for this purpose only as a car lot. There was no second. Tim Hinton asked if there was an alternate motion and Mr. Josh Ferguson recommended denial, and Wesley Sisk seconded it. The motion for approval failed and the motion to deny passed 4 to 2.

Motor Vehicle Sales (8)

All vehicle sale lots or vehicle lots that are increasing in acreage must comply with the following. Within the districts permitting vehicle sale lots, the following requirements shall apply:

- A. Exterior lighting shall be arranged so that it is deflected away from adjacent properties.
- B. Parking areas shall be hard surfaces with concrete or asphalt and grass must be maintained on the remainder of the lot.
- C. Each vehicle parking space shall be no less than 180 sq. ft., excluding area for egress and ingress and maneuverability of vehicles.
- D. Vehicle sales and storage activity is not permitted on public rights of way or in any parking area that is needed to satisfy the off-street parking requirements of this ordinance.

Character Area Map Amendment

Application # LU 25-0061

Planning Comm. Meeting Date 3-6-2025 at 6:00PM held at **WC Board of Comm. Meeting Room**
Board of Comm. Meeting Date 4-8-2025 at 6:00PM held at **WC Historical Court House**
You or your agent must be present at both meetings

Please Type or Print Legibly

Map/Parcel C0490025

Applicant Name/Address/Phone #	Property Owner Name/Address/Phone
<u>RITYANAND SANKAR</u>	<u>Jeremy D. Elrod</u>
<u>1014 COUNTRY LANE</u>	<u>2660 GUM CREEK CHURCH RD</u>
<u>LOGANVILLE GA 30052</u>	<u>LOGANVILLE GA 30052</u>
	(If more than one owner, attach Exhibit "A")
Phone # <u>678-758-0439</u>	Phone # _____
E-mail Address: <u>RSANKAR0624@YAHOO.COM</u>	<u>0.63</u>
Location: <u>2660 GUM CREEK CHURCH RD</u> <u>HWY 81</u> Acreage <u>0.63</u>	
Existing Character Area: <u>Suburban</u>	
Proposed Character Area: <u>AUTOMOBILE SALE - Highway Corridor</u>	
Is this a Major or Minor amendment to the plan? <u>Minor</u>	
Note: Major amendments to the plan DO NOT become effective until approved by RDC and DCA	
Is the property located within a watershed protection overlay district? _____	
Proposed Development: ___ Single-family ___ Multi-family <input checked="" type="checkbox"/> Commercial ___ Industrial	
Proposed Zoning: <u>B2</u> Number of Lots: _____ Minimum Lot Size: _____	
Public Sewer: _____ Provider: _____ Septic Tank: <input checked="" type="checkbox"/>	

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 01/30/2025 Fee Paid \$250.00

Rezone Application # Z 25-0056
Application to Amend the Official Zoning Map of Walton County, Georgia

Planning Comm. Meeting Date 3-6-2025 at 6:00PM held at **WC Historical Court House, 111 S. Broad St, Monroe, Ga (2nd Floor)**

Board of Comm Meeting Date 4-8-2025 at 6:00PM held at **WC Historical Court House**

You or your agent must be present at both meetings

Map/Parcel C0490025

Applicant Name/Address/Phone #

RITYANAND SANKAR.

2014 COUNTRY LANE.

LOGANVILLE GA 30052

E-mail address: RSANKAR0624@yahoo.com (If more than one owner, attach Exhibit "A")

Phone # 678-758-0439.

Phone # _____

Location: 2660 Gum Creek Ch. Rd. Hwy 81 Requested Zoning B2 Acreage 0.63

Existing Use of Property: RESIDENTIAL.

Existing Structures: _____

The purpose of this rezone is AUTOMOBILE SALE

Property is serviced by the following:

Public Water: Provider: WALTON COUNTY'S 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 [Signature] Date _____ Fee Paid \$ 450.00

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 A2 Surrounding Zoning: North A1 South A2
 East A1 West A2

Comprehensive Land Use: Suburban **DRI Required?** Y _____ N

Commission District: 2-Pete Myers Watershed: Big Haynes Walton TMP
W-P1

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 a Petition for Rezoning/Conditional Use Application.

Name of Applicant: NETYANAND SANKAR

Address: 1014 COUNTRY LANE LOGANVILLE GA 30052

Telephone: 678-758-0439

Location of Property: 2660 Gum Creek Church Road

LOGANVILLE, GA 30052

Map/Parcel Number: C0490025

Current Zoning: A2 Requested Zoning: B2

Jeremy Elrod
Property Owner Signature

Property Owner Signature

Print Name: Jeremy Elrod

Print Name: _____

Address: 2660 Gum Creek Church Rd. Loganville GA, 30052

Address: _____

Phone #: 404-771-5584

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.

Mandy Andrews
Notary Public

2-3-25
Date



Article 4, Part 4, Section 160 Standard Review Questions:

Provide written documentation addressing each of the standards listed below:

1. Existing uses and zoning of nearby property;

RESIDENTIAL AND RECREATIONAL

2. The extent to which property values are diminished by the particular zoning restrictions;

NONE

3. The extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public;

NONE

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner;

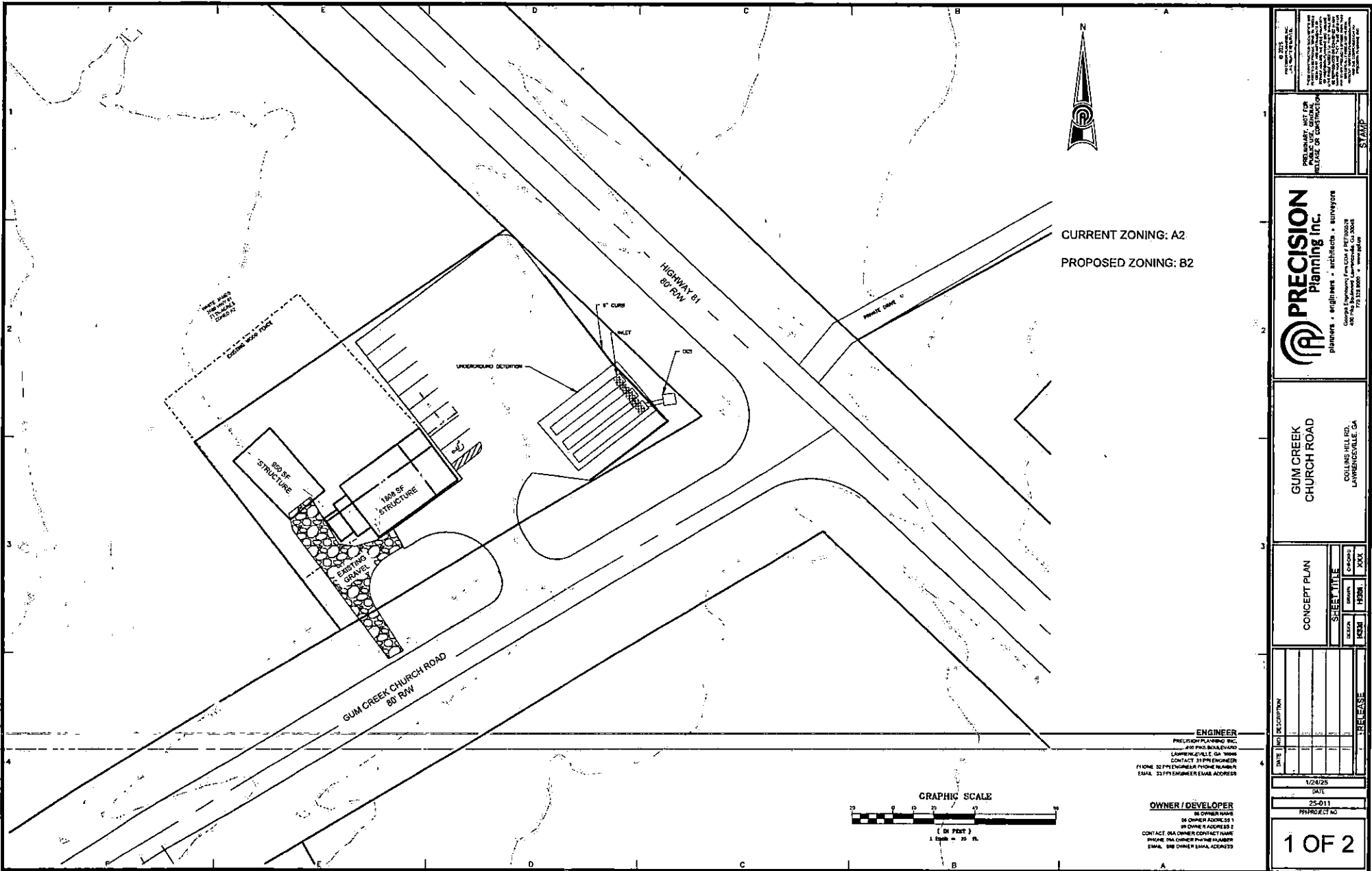
NONE

5. The suitability of the subject property for the zoned purposes; and

YES.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property

NONE.



PRECISION PLANNING INC.
 400 N. WILSON AVENUE
 LAWRENCEVILLE, GA 30046
 (770) 962-2000
 WWW.PRECISIONPLANNING.COM

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PRECISION
 Planning Inc.
 planners • engineers • architects • surveyors

 Georgia Registered Professional Engineer No. 22088
 Georgia Registered Professional Architect No. 30088
 Georgia Registered Professional Surveyor No. 12088

**GUM CREEK
 CHURCH ROAD**

 COLLING HILL RD.
 LAWRENCEVILLE, GA

CONCEPT PLAN
 SHEET TITLE
 SCALE: AS SHOWN
 DRAWN BY: JACK
 CHECKED BY: JACK

DATE	DESCRIPTION	RELEASE
1/24/25		

ENGINEER

 PRECISION PLANNING INC.
 400 N. WILSON AVENUE
 LAWRENCEVILLE, GA 30046
 CONTACT: 31 PM ENGINEER
 PHONE: 33 PM ENGINEER PHONE NUMBER
 EMAIL: 33 PM ENGINEER EMAIL ADDRESS

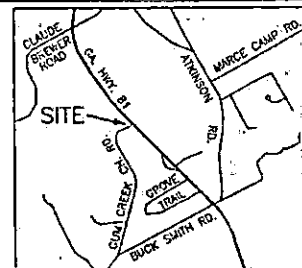
OWNER / DEVELOPER

 00 OWNER NAME
 00 OWNER ADDRESS 1
 00 OWNER ADDRESS 2
 CONTACT: 00A OWNER CONTACT NAME
 PHONE: 00A OWNER PHONE NUMBER
 EMAIL: 00A OWNER EMAIL ADDRESS

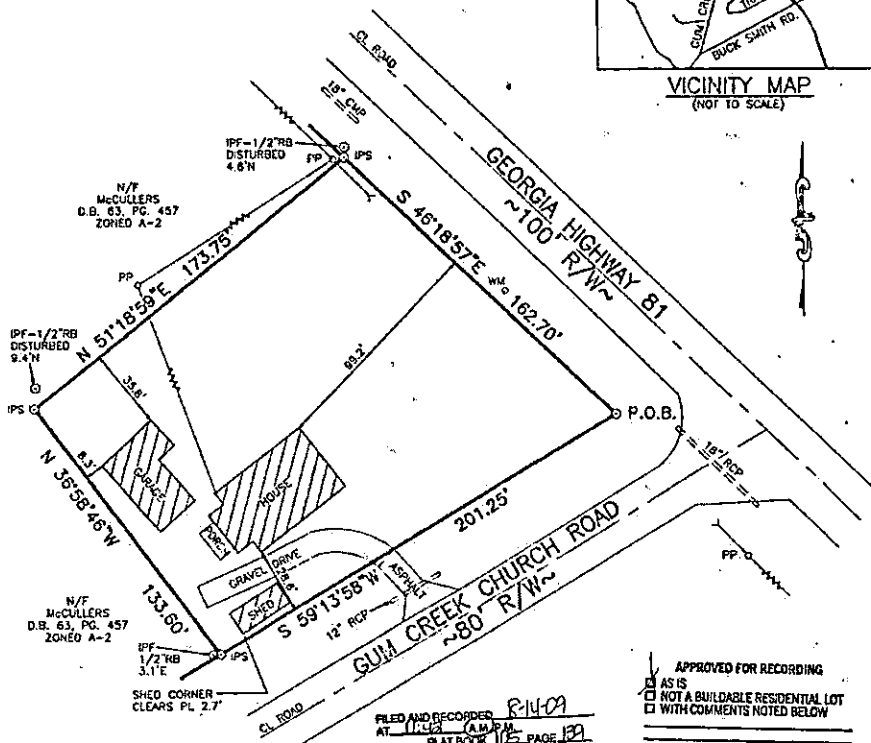
CERTIFICATE OF APPROVAL FOR RECORDING:

I HEREBY CERTIFY THAT THE SUBMISSION PLAT SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE LAND DEVELOPMENT ORDINANCE OF WALTON COUNTY, GEORGIA, AND THAT IT IS HEREBY APPROVED FOR RECORDING IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF WALTON COUNTY, GEORGIA.

DIRECTOR, WALTON COUNTY PLANNING & DEVELOPMENT _____ DATE _____



VICINITY MAP
(NOT TO SCALE)



AREA = 27,374 SQ. FT. = 0.628 ACRES

FILED AND RECORDED *R-14-09*
AT *11/12/09* (A.M.)
PLAT BOOK *116* PAGE *129*
KATHY K. TRIST
CLERK SUPERIOR COURT
WALTON COUNTY, GEORGIA *lh*

APPROVED FOR RECORDING
 AS IS
 NOT A BUILDABLE RESIDENTIAL LOT
 WITH COMMENTS NOTED BELOW

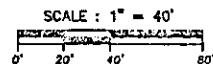
WALTON COUNTY CODE ENFORCEMENT
DATE *8/11/09* NAME *lh*

NOTES:

FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A 3 SECOND THEODOLITE AND AN ELECTRONIC DISTANCE METER.
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 24,228 FEET AND AN ANGULAR ERROR OF 15 SECOND PER ANGLE POINT AND WAS ADJUSTED BY LEAST SQUARES.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 3,723,364 FEET.

ALL ISSUES OF TITLE ARE EXCEPTED ON THIS SURVEY UNLESS NOTED.
THIS PROPERTY DOES NOT LIE WITHIN A FEDERAL FLOOD HAZARD AREA AS PER PANEL NO. 13297C0100 D DATED FEBRUARY 16, 1990
LOT IS ZONED A-2. FRONT 50' REAR 40' SIDE 15'

OWNER:
MAKHYAL FAROOQ
4870 GA. HWY. 20
LOGANVILLE, GEORGIA 30052



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 THE LAW

	SURVEY FOR: MAKHYAL FAROOQI	
	2660 GUM CREEK RD., LOGANVILLE, GA PARCEL ID C0490-025-000 D.B. 2432, PG. 127 P.B. 13, PG. 180	COUNTY: WALTON LAND LOT: 158 DISTRICT: 4TH SECTION: BUNCOMBE G.M.D. 417 SCALE: 1"=40' FIELD: 8-29-07 BY: TF OFFICE: 11-16-07 BY: GSG REVISED:
ADAM & LEE LAND SURVEYING 5640 GA HWY. 20 S. LOGANVILLE, GA. 30052 (770) 554-8995		07197