

**Rezone Z22020018
Staff Analysis**

Commission District: 4 - Bradford

Planning Commission Hearing Date: 03-03-2022

Board of Commissioners Hearing Date: 04-05-2022

Parcel ID: Map C1400090

Acreage: 8.68

Applicant:

Jason Atha

2370 Nunnally Shoals Road

Good Hope, Georgia 30641

Owner:

Don Moon & David Samples

P.O. Box 243

Good Hope, Georgia 30641

Property Location: GA Hwy 11 and Mahlon Smith Road

Current Character Area: Neighborhood Residential

Current Zoning: A1

Request: Rezone 8.68 acres from A1 to B2 with conditional use for outside storage to park trucks, campers & boats.

Staff Comments/Concerns:

Article 6 - Outdoor Storage (20)

- A. Outdoor storage yards shall be set back at least 15 feet from any side or rear property lines.
- B. Use shall be screened by a solid fence at least eight (8) feet high.

- C. The setback distance shall be appropriately landscaped to provide a vegetative screen.
- D. Outdoor storage shall not be located in any required front yard building setback area.

Site Analysis: The 8.68 acre tract is located on Highway 11 & Mahlon Smith Road. The surrounding properties are zoned A1 and B3.

Zoning History: No History

Character Area: The character area for this property is Neighborhood Residential.

Comments and Recommendations from various Agencies:

Public Works: Public Works recommends if approved that proper right of way abandonment be completed per requirements and that any new right of way acquisition and roadway realignment be properly deeded and dedicated to Walton County prior to a C/O and that a De-Cell lane be installed at the Ingress/Egress portion of Mahlon Smith Road. May need comments from GDOT.

Sheriffs' Department: This will have no impact on the Walton County Sheriff's Office.

Water Authority: This area is served by an existing 10" diameter water main along on Highway 11. (static pressure: 90 psi, Estimated fire flow available: 800 gpm @ 20 psi. No system impacts anticipated.

Fire Department: No issues.

Fire Code Specialist: 1) All proposed facilities shall meet International Fire Code (2018), Life Safety Code (2018), and the Georgia Accessibility Code
2) The code compliance shall be subject to a plan review.

Board of Education: This will have no effect on the Walton County School District.

Development Inspector: No comment received.

DOT Comments: Will require GDOT coordination.

Archaeological Information: No comment received.

PC ACTION 3/3/2022:

1. Rezone – Z22020018 – Rezone 8.68 acres from A1 to B2 to park trucks, campers & boats with conditional use for outside storage– Applicant: Jason Atha/Owners: Don Moon & David Samples – Property located on Georgia Hwy 11 and Mahlon Smith Rd - Map/Parcel C1400090 – District 4.

Presentation: Dylan Ivey represented the case on behalf of Jason Atha. He would like to rezone property from A1 to B2 to park trucks, trailers, boats and campers. To the left is a railroad and to the right is zoned B-3. There is frontage on Highway 11 and they would fence it in with an 8 foot fence with a screen.

Brad Bettis asked if it was for commercial trucks and vehicles. His concern is off Mahlon Smith Road, he feels trucks shouldn't be going down Mahlon Smith Road. He also stated on the site plan it shows 138 spaces. Mr. Ivey stated yes and that there is traffic but the trucks would come out on Highway 11 and go in to property on Highway 11.

Speaking: Alexandra Callaway who lives on Mahlon Smith Road stated that the comp plan is Neighborhood Residential. The entrance there about 80 % on Mahlon Smith Road. The county road is narrow and she is worried about tractor trailer traffic. Ms. Callaway stated that the end of her street goes to Highway 11. She stated that as far as Tractor Trailers that the roads there are narrow and she is wondering if the trucks are going to be able to make the turn. She also asked if GDOT has done a survey. She stated that they have worked to maintain their small quiet street. She stated that this will negatively affect the high water table and they are all on wells. She also wondered if they were going to do maintenance on the trucks and if it was going to be a gravel lot and if they are going to be on a well. She said look at Highway 78 going toward Loganville and you will see something just like what they want to do. She would recommend

something to protect the water and that an 8 mm plastic be put down and then the gravel and then concrete to protect the ground and not allow tractor trailers and have a 50 ft. buffer with evergreens around the site.

Ron Bryce lives at 287 Highway 11 directly across from this property and he stated it is not conducive to large trucks. He asked if they would have a de-cell lane. He would also like to have an 8' chain link fence where it will block the trucks and trailer. He would like 6ft tall trees on 10 ft. centers all around the property and that the buffer out there is not a buffer – you can see right through the trees. This will diminish the property values on existing properties and it would set precedence for zoning on nearby properties.

Elaine Burris has lived on Lemonds Road for 65 year which is a residential community. She is not against growth. She said houses around there are \$400 thousand dollar homes and there are 3 churches in the community. She has picked up trash for 50 years on Mahlon Smith Road. She is a master gardener and feels that this would be a safety issue because of the horrible curve. She is also concerned about the run-off. She said her father was crossing Highway 11 and was hit by an 18 wheeler and spent time in the hospital. The property at the corner has a huge gulley and there is a river that runs under their property at Lemonds. She said all the good citizens are against this.

Dylan Ivey came back for rebuttal and stated that he completely understands the concerns about traffic. He has plans to re-align Mahlon Smith Road. He will have no cuts through on Mahlon Smith but it will come straight onto Highway 11 and he will comply with GDOT. He will put up an 8 ft. chain link fence with any trees recommended.

Recommendation: Brad Bettis made a motion to deny with a second by John Pringle. The motion carried unanimously.

Rezone Application # Z22D20018
Application to Amend the Official Zoning Map of Walton County, Georgia

Planning Comm. Meeting Date 3-3-22 at 6:00PM held at ~~WC Board of Comm. Meeting Room~~
 Board of Comm Meeting Date 4-5-22 at 6:00PM held at **WC Historical Court House**

*1115. Broad St
M. G. 30655*

You or your agent must be present at both meetings

Map/Parcel C1400090

Applicant Name/Address/Phone #

Jason Atha
2370 Munnally Shoals Rd
Good Hope GA 30641

E-mail address: _____

Phone # 770-206-0978

Property Owner Name/Address/Phone

Don Moon
P.O Box 243 Good Hope,
Ga 30641

(If more than one owner, attach Exhibit "A")

Phone # (404) 276-4595

Location: 0 HWY 11 C1400090 Requested Zoning B3 B2 Acreage 8.675

Existing Use of Property: A1 - Vacant

Existing Structures: N/A

The purpose of this rezone is To construct a parking lot for
trucks, campers, Boats & conditional use for
Outdoor Storage

Property is serviced by the following:

Public Water: Provider: Walton County Well: _____

Public Sewer: N/A 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 2/4/22 Fee Paid \$ 550.00

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 A1 Surrounding Zoning: North A1 South A1
 East B3 West A1

Comprehensive Land Use: Neighborhood Residential **DRI Required?** Y _____ N —

Commission District: 4- Bradford Watershed: Hard Labor Creek WPA 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 a Petition for Rezoning/Conditional Use Application.

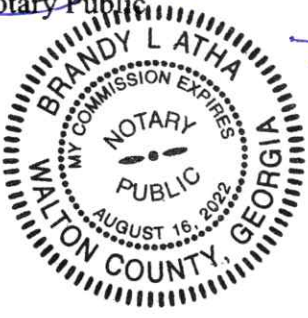
Name of Applicant: Jason Atha
Address: 2370 Nunnally shoals rd Good Hope 30641
Telephone: 770-206-0978
Location of Property: 0 HWY 11 Monroe, Ga 30655
Map/Parcel Number: C1400090

Current Zoning: A1 Requested Zoning: B3 B2^{DX}
[Signature] [Signature]
Property Owner Signature Property Owner Signature

Print Name: Don Moon Print Name: David Samples
Address: PO Box 243 Good Hope, GA Address: 1775 Queens Cemetery Rd. Good Hope, Ga
Phone #: (404) 276-4595 Phone #: (678) 858-7783

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] 2/4/2022
Notary Public Date



Brandy L Atha
exp. Aug 16, 2022

Exhibit "A"
0 HWY 11
Monroe, Ga 30655
Parcel: C1400090

Second Property Owner Name/Address:

David Samples
1775 Queen Cemetary Road
Good Hope, Ga 30641
(678) 858-7783

Walton County Planning and Development would suggest:

Before you apply for a **Conditional Use Permit** or a **Rezone** or a **Change of Occupancy** on your property, that you do the following.

NOTE: ALL ITEMS WILL BE REQUIRED ONCE THE APPLICATION IS APPROVED.

The Site

Step one:

Meet with an Engineer or Landscape Architect and develop a site plan for the development.

- Will there need to be improvements to the driveway entrance? Will the Georgia Department of Transportation need to approve a driveway plan?
- What are regular parking and handicap parking requirements for the site?
- Will the site require grading, storm drain, erosion control, storm water detention?
- Will the site require additional septic tank and septic field drain lines?
- Will the site require Landscape screening, tree save or replacements?

Step two:

Have your Engineer or Landscape Architect submit development plans that meet all the current requirements for the Walton County Land Development Ordinance.

- Pay development and review fees for permit.
- Submit plans to Georgia Soil and Water Conservation Commission.
- Submit plans to the Walton County Environmental Health Department.

Step three:

Once you obtain the site development permit, you are ready to begin development on the site.

- Schedule a pre-construction meeting with the Development Inspection Department.
- Install all BMP's per your approved Erosion Control Planning.
- When all site work is complete and inspection are signed off, you will receive a certificate of completion.

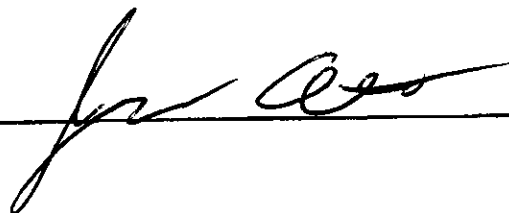
The Building(s)

Step one:

Obtain a commercial/Non-Residential Construction Packet. Meet with an Architect or Contractor and develop a plan for the building to be used for your Event Center.

- If you are building a new facility, plans will need to be submitted for approval.
- If you are converting an existing facility, you will need an Architectural stamped floor plan that meets current code requirements for the type of occupancy.
- You will need to meet all ADA requirements.
- Obtain approval from the Walton County Environmental Health Department.

Signature of Applicant:



Date:

2/4/22

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;

B3 Adjacent

AG

Railroad

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

No diminishing values will occur

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

It will not affect any of the adjoining properties negatively.

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

Providing a space for this needed use and there will be no hardship imposed upon property owners.

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

No economic value

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

20+ years

Authorization Letter

To Whom It May Concern:

764 Michael Rd, Monroe, Ga. 30656

I, Jason Atha, authorize Dylan Ivey or Attorney of choice to represent me throughout the rezone process.

Thank You,



Jason Atha

Letter Of Intent

0 HWY 11 Monroe, Ga 30655 Parcel:C1400090

To Whom It May Concern:

The rezone application being submitted is to rezone the subject property from A1 to B3 in order to construct a truck, camper, and boat parking facility.

B2 DI

Thank You,



Jason Atha

Plat Doc: PLAT
Recorded 04/16/2018
01:51PM

KATHY K. TROST
 Clerk Superior Court,
 WALTON County, Ga.
 Bk 00114 Pg 0080
 Participants: 9566767899

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT
 THIS SURVEY COMPLES WITH BOTH THE RULES OF THE
 GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL
 ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL
 CODE OF GEORGIA ANNOTATED (O.C.G.A.) 15-6-67 AS
 AMENDED BY HB1004 (2016), IN THAT WHERE A
 CONFLICT EXISTS BETWEEN THOSE TWO SETS OF
 SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.

SURVEYORS CERTIFICATION:

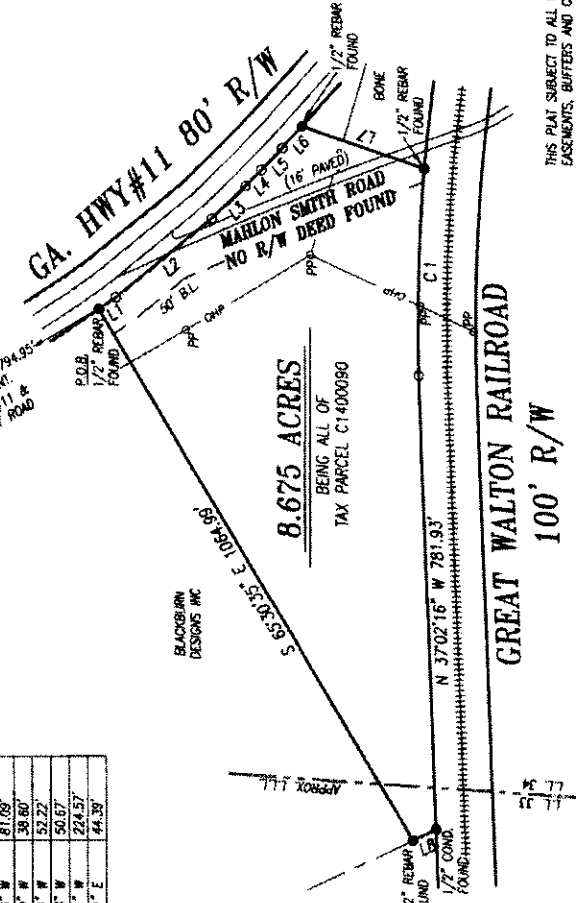
THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF
 LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY
 CHANGES TO ANY REAL PROPERTY BOUNDARIES, THE RECORDING
 INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS
 WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON.
 RECORDED OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL
 JURISDICTION, AVAILABILITY OF PERMITS, 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 COMPLES WITH THE 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 AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

JOHN F. BREWER, JR. RLS#2905
 DATE 4/16/18

NUMBER	CHORD DIRECTION	CHORD LENGTH	ARC LENGTH	RADIUS
C1	N 53°11'16" W	355.28	355.44	3277.26
NUMBER	DIRECTION	DISTANCE		
L1	S 70°33'53" W	35.90'		
L2	S 45°08'20" W	213.17'		
L3	S 71°36'53" W	81.02'		
L4	S 70°51'59" W	98.80'		
L5	S 08°48'44" W	52.22'		
L6	S 07°35'23" W	50.67'		
L7	S 74°20'41" W	224.57'		
L8	N 30°28'51" E	44.39'		

THIS SURVEY DOES NOT INTEND TO REPRESENT A DIVISION
 OF AN EXISTING TAX PARCEL.
 EXCEPT AS SPECIFICALLY SHOWN OR STATED THIS SURVEY
 DOES NOT PURPORT TO REFLECT ANY FACTS THAT AN
 ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

I HAVE CONSULTED THE FLOOD INSURANCE RATE MAPS AND
 DETERMINED THAT IN ANY ZONING THE AREA AS SHOWN ON THIS
 SURVEY DOES NOT LAY WITHIN A DESIGNATED FLOOD HAZARD AREA.
 COMMUNITY PANEL NO. 1329700268E EFFECTIVE DATE: 12/02/2016
 THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP,
 PLAT, OR PLAN FOR FILING:
 WALTON COUNTY
 DATE 4/14/18



- LEGEND:**
- INT. - INTERSECTION
 - 9C - BACK OF CURB
 - S.E. - SANITARY SEWER EXCISEMENT
 - H.W. - HEAD WALL
 - C.B. - CATCH BASIN
 - R/W - RIGHT OF WAY
 - D.E. - DRAINAGE EXCISEMENT
 - B.L. - BUILDING LINE
 - R. - RADUS
 - R.C.P. - REINFORCED CONCRETE PIPE
 - C.M.P. - CORRUGATED METAL PIPE
 - L.L. - LAND LOT
 - L.L. - LAND LOT LINE
 - C.L. - CENTER LINE
 - S.S.H. - SANITARY SEWER MANHOLE
 - T. - TREE TRUNK
 - W. - WATER VALVE
 - R.M.P. - EROSION CONTROL DEVICE
 - L.B.S. - SIGN PIPE
- REFERENCES:**
- PLAT BOOK 17 PAGE 277
 - PLAT BOOK 51 PAGE 122
 - PLAT BOOK 91 PAGE 189
 - PLAT BOOK 96 PAGE 101
- OWNER OF RECORD:**
 DON MOON &
 DAVID SAMPLES
 PO BOX 243
 GOOD HOPE, GA 30641

THIS DRAWING AND ANY COPIES THEREOF
 ARE THE PROPERTY OF JOHN F. BREWER
 AND ASSES, AND ARE NOT TO BE CHANGED
 OR ALTERED BY OTHERS IN ANY MANNER
 AND SHALL NOT BE REPRODUCED OR COPIED,
 IN WHOLE OR PART WITHOUT HIS WRITTEN
 PERMISSION.

THIS DRAWING WAS PREPARED FOR THE
 SENEST AND EXCLUSIVE USE OF THE
 PERSON, PERSONS OR ENTITY NAMED
 HEREON. NO WARRANTY IS EXTENDED TO
 ANY UNNAMED THIRD PARTY.

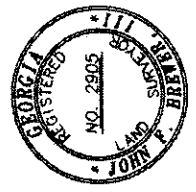
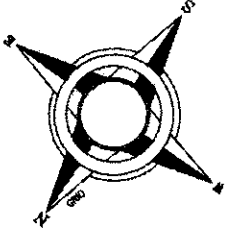
THIS PLAT SUBJECT TO ALL RIGHT-OF-WAYS,
 EASEMENTS, BUFFERS AND COVENANTS SHOWN OR NOT
 SHOWN ON THIS SURVEY.

NO EXISTING NATIONAL GEODETIC SURVEY PROPERTY
 FOUND TO BE WITHIN 500' OF SUBJECT PROPERTY.

THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A
 STATEMENT OF PROFESSIONAL OPINION BASED ON
 KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON
 EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE
 AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR
 IMPLIED WARRANTY OR GUARANTEE.

JOHN F. BREWER & ASSOCIATES
 LAND SURVEYING
 LAND PLANNING
 DEVELOPMENT SUPERVISOR
 1002 S. BROAD STREET
 MONROE, GEORGIA 30655
 TEL (770) 267-4703
 EMAIL: INFO@CASURVEYING.COM

SURVEY FOR
DON A. MOON & DAVID SAMPLES
 STATE OF GEORGIA
 WALTON COUNTY
 LAND LOT 33 + 34
 351 DISTRICT
 DATE OF SURVEY 4/16/2018
 DATE OF PLAT 4/16/2018
 SCALE 1"=200'
 JOB #18025-MOON
 REVISIONS



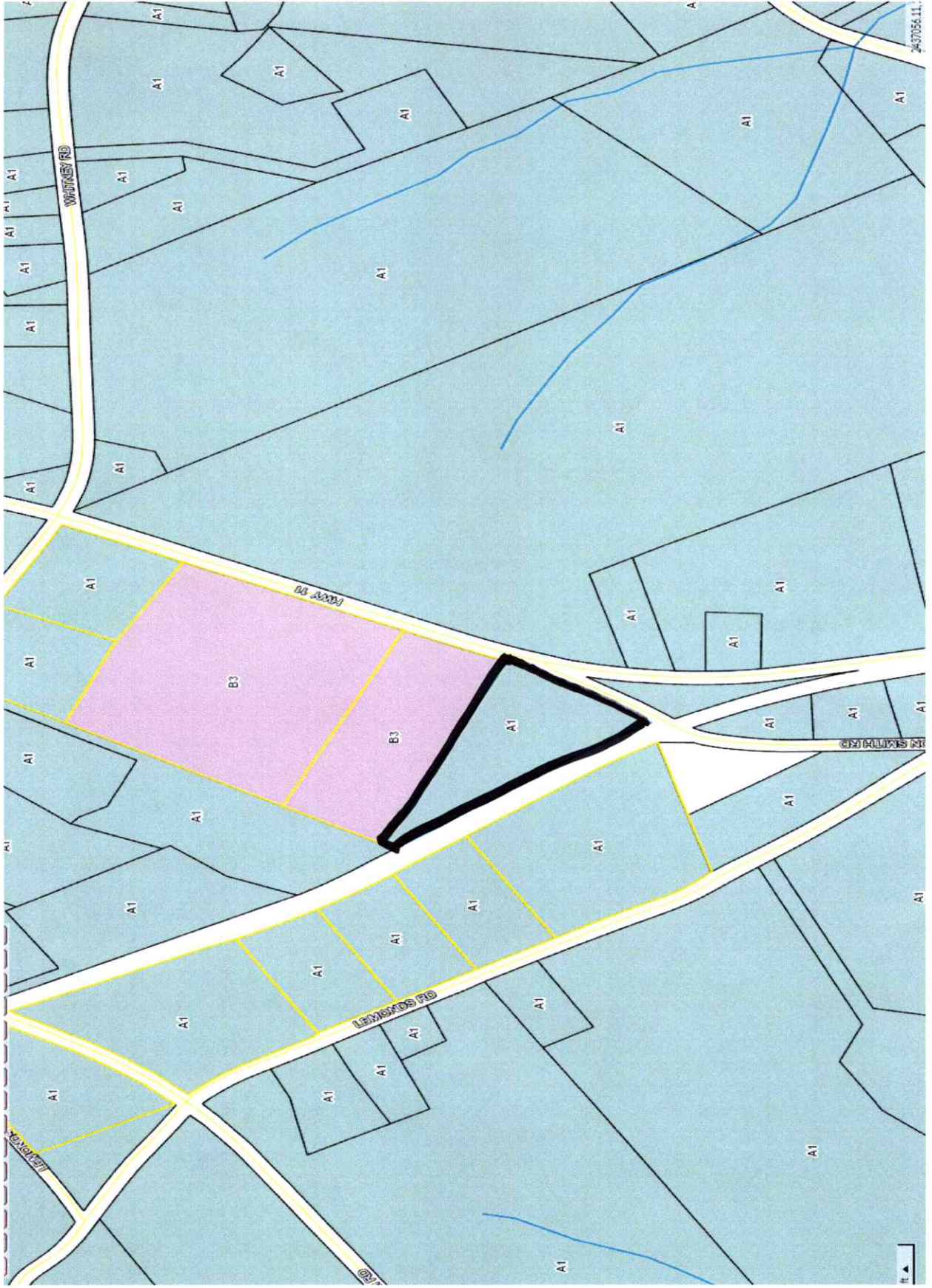
Z22020018 – Hwy 11 & Mahlon Smith Road



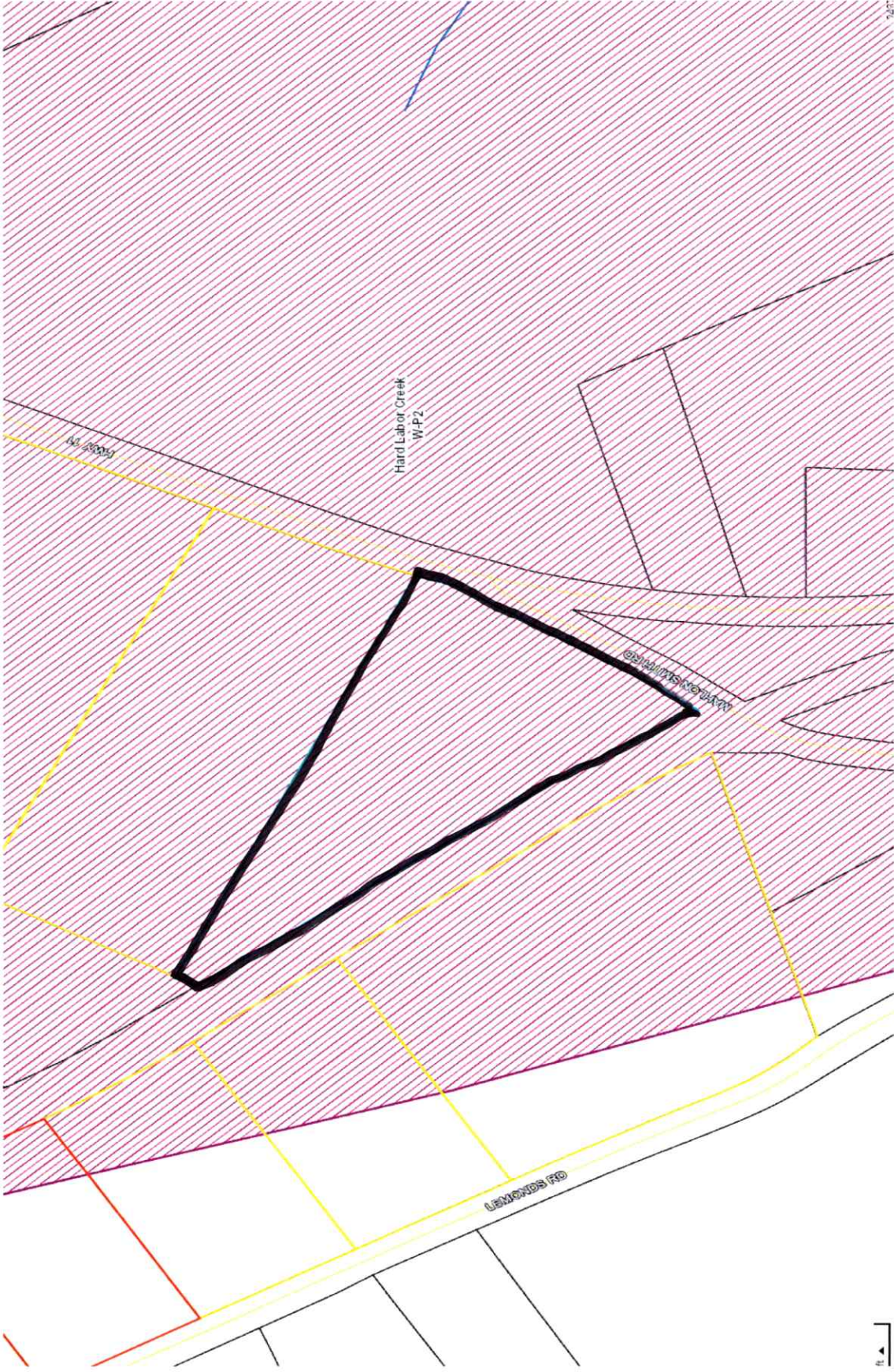
Z22020018 – Hwy 11 & Mahlon Smith Road



Z22020018 – Hwy 11 & Mahlon Smith Road



Z22020018 – Hwy 11 & Mahlon Smith Road



TABLE



303 South Hammond Dr.
Dept. 460
Monroe, Georgia 30655

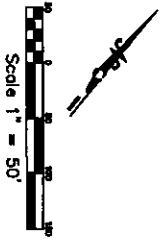
Office 770.267.1315
770.267.1311
Fax 770.267.1405

Walton County Fire Rescue

Z22020018
0 Hwy 11
Fire Code Specialist Review
02/15/2022

- 1) All proposed facilities shall meet International Fire Code(2018), Life Safety Code(2018), and the Georgia Accessibility Code
- 2) The code compliance shall be subject to a plan review

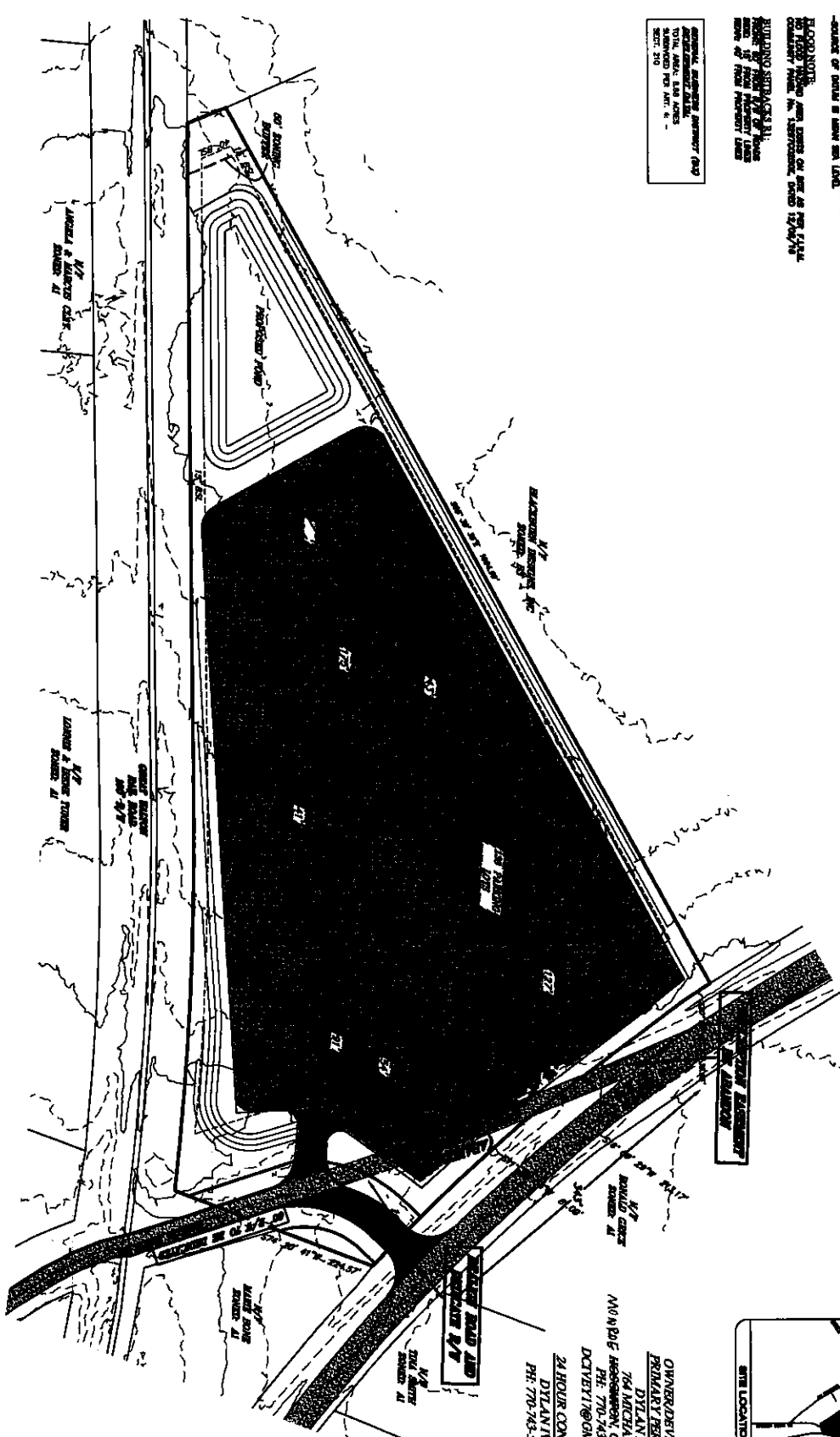
Jonathan Fuqua
Fire Code Specialist
Walton County Fire Rescue
470-779-3994



GENERAL NOTES:

- 1. THE SHOWN LINES REPRESENT THE PROPOSED BOUNDARY SURVEY.
- 2. THE PROPOSED BOUNDARY SURVEY IS BASED UPON THE DATA SUPPLIED BY JOHN W. MCINTOSH SURVEYING & ENGINEERING, INC. IN THE SURVEY REPORT DATED 12/13/10.
- 3. FLOOD ZONING: THE PROJECT AREA IS ZONED AS FLOOD HAZARD (FH) AND FLOOD VEGETATION (FV) ZONES AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NO. 13020-01-0100, DATED 12/10/10.

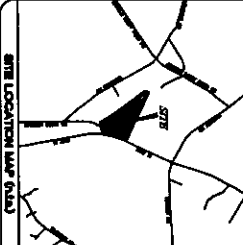
PROPOSED BOUNDARY SURVEY (10/10)
 10/10/10
 TOTAL AREA: 5.85 ACRES
 SUBMITTED FOR APT. 5
 SHEET 210



OWNER/DEVELOPER
 PRINCIPAL INVESTOR
 DYLAN IVESY
 704 HANCOCK RD
 MOUND ESTATES, GA 30684-3008
 PH: 770-463-5348
 DYLANIV@GMAIL.COM

24 HOUR CONTACT
 DYLAN IVESY
 PH: 770-763-5348

PROPOSED ROAD AND SIDEWALK



NOT FOR RECONSTRUCTION

MEZZINE PLAN FOR:
HWY 11 TRUCK PARKING
 LOCATED IN:
 PARCEL: C1-60686
 WILCOX COUNTY, GEORGIA

Sullins Engineering, LLC
 CONTACT: MATTHEW SULLINS
 CIVIL ENGINEERS - LAND PLANNERS

302 WEST HAY STREET
 WOODBRIDGE, GA 30295
 PHONE: (770) 957-9200

THIS PLAN AND THE INFORMATION CONTAINED HEREON IS THE PROPERTY OF SULLINS ENGINEERING, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS PLAN OR THE INFORMATION CONTAINED HEREON IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SULLINS ENGINEERING, LLC.

DATE	REVISION

