

**Rezone Z22040004
Staff Analysis**

Commission District: 1 - Warren

Planning Commission Hearing Date: 05-05-2022

Board of Commissioners Hearing Date: 06-07-2022

Parcel ID: Map C0610156

Acreage: 5.00 – Lowry Road

Parcel ID: Map C0610157A00

Acreage: 1.56 – Lowry & Ho Hum Hollow Rd

Parcel ID: Map C0610158

Acreage: 5.00 – Highway 78

Applicant:

Danny Cagle

1880 Randolph Still Road

Good Hope, Georgia 30641

Owner of C0610156:

Graham Y Smith

1270 Bridgewater Walk

Snellville, Georgia 30278

Owner of C0610157A00:

David P Cooper

811 Walton Road

Monroe, Georgia 30655

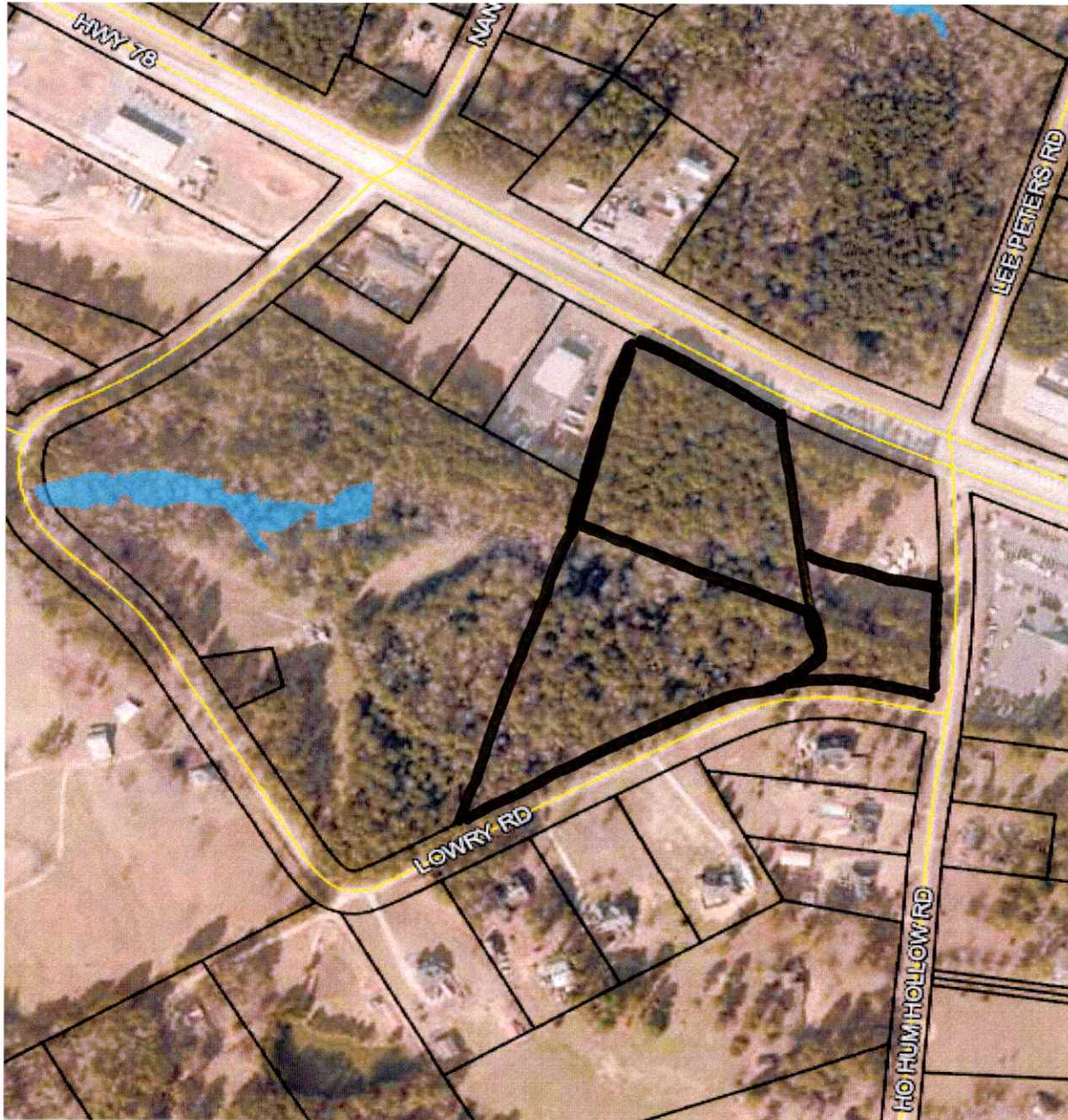
Owner of C0610158:

Glenda B Smith

1270 Bridgewater Walk

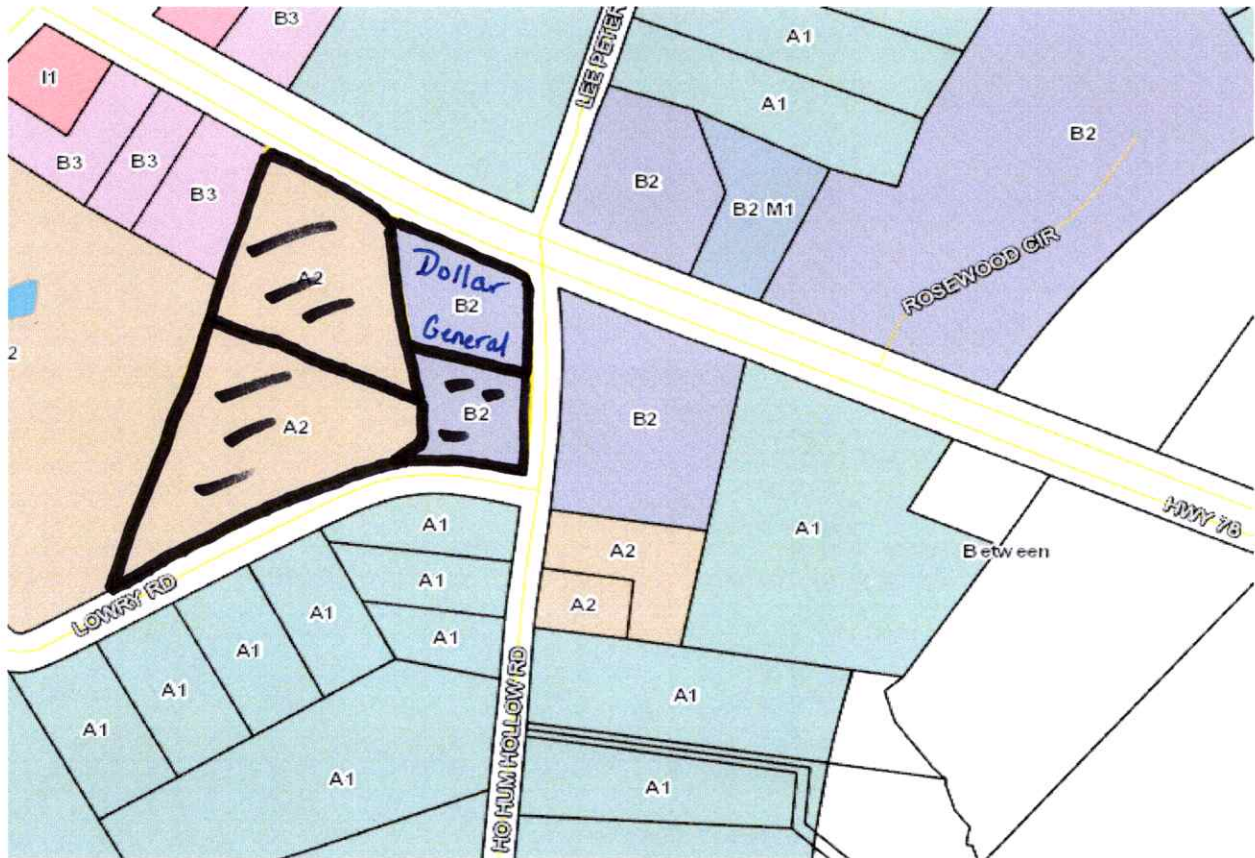
Snellville, Georgia 30278

Property Location: Lowry Road/Ho Hum Hollow Road and Highway 78



Current Character Area: Highway Corridor

Current Zoning: Lowry Road - A2
Lowry Road & Ho Hum Hollow Road – B2
Highway 78 – A2



Request: Rezone 11.56 acres from A2 & B2 to B3 for office warehouse and outside storage with an 8' privacy fence.

- B3 General Business – Primarily heavy commercial and light industrial uses generally located near population centers which may generate increased traffic and congestion. (Outside storage is allowed within a screened, fenced-in area.)

NAICS Code	Principal Uses	Suppl. Reg	A	A1	A2	R1	R2	R3	MHP	OI	B1	B2	B3	TC	MUBP	M1	M2
	Outdoor Storage	Yes										C	P		P	P	P

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.

Staff Comments/Concerns:

Site Analysis: The 11.56 acre tracts are located on Lowry Road, Lowry Road & Ho Hum Hollow and Highway 78. The surrounding properties are zoned A2, A1, B2 and B3.

Zoning History:

Z19100001	SW West Monroe LLC	Rezone 2+ acres from A2 to B2 for retail commercial use and reduction of transitional buffer	C0610157 2740 Ho Hum Hollow Road	Approved w/conditions
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Conditions for Dollar General Store:

1. Waive transitional buffer requirement on the south and west property lines and allow an addition 5 feet along the eastern property line/right of way of Ho Hum Hollow Road to facilitate the transitioning of the proposed entrance with the proposed GDOT improvements.

Character Area: The character area for this property is Highway Corridor.

Comments and Recommendations from various Agencies:

Public Works: Public Works Recommends that a Commercial Driveway be installed from GDOT Hwy 78 due to the intersection and safety concerns that could affect Ho Hum Hollow Rd.

Sheriffs' Department: The Walton County Sheriff's Office regularly checks businesses on main corridors 2X's per shift. If access is granted, this will be 730 additional checks per year.

Water Authority: Per Morris Jordan – We do not have water on Lowry Road. (static pressure: 55 psi, Estimated fire flow available: 2,500 gpm @ 20 psi). No system impacts anticipated. There is currently an 8" diameter water line on Ho Hum Hollow Road and a 10" on US 78.

Per Rob Goss 4/14/2022 – This area is served by an existing 8" diameter water main along Ho Hum Hollow Road. (static pressure: 55 psi, Estimated fire flow available: 2,500 gpm @ 20 psi). No system impacts anticipated.

Fire Department: Walton County Fire Department recommends installation of fire hydrants to facilitate all buildings within the complex being within 500 feet of a fire hydrant.

Fire Code Specialist: Will not impact the Fire Code Office. Developments will be subject to plan review for meeting Life Safety Codes (2018), International Fire Code (2018), and Georgia amendments 120-3-3, and any Walton County Codes that apply.

Board of Education: 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 5/5/2022:

1. **Rezone – Z22040004 – Rezone 11.56 acres from A2 & B2 to B3 for office warehouse and outside storage – Applicant: Danny Cagle/Owners: Graham & Glenda Smith & David Cooper- Property located on Lowry Rd, Ho Hum Hollow Rd & Hwy 78- Map/Parcels C0610156, 0157A00 & 0158 – District 1.**

Presentation: Danny Cagle represented the case. He stated that he and his partner like Walton County and plan on relocating here. He stated that he has been in the grading business for 16 years and his partner, Chad, has been in the air conditional business for 13 years.

Speaking: Ray Pelis stated that he has lived on Lowry Road since 2017 and that Lowry Road is a dirt road. He stated that they would be taking 11 acres of trees away. He stated that they want the property entrance to be on Ho Hum Hollow Road. He would like to see them have their businesses closer to Highway 78. He stated that there will be no buffer along Lowry Road except for a fence and there will be nothing to block his view from the businesses. Mr. Pelis stated that they can't sell because no one wants to live beside a business park. He would like the businesses moved closer to Highway 78 and to not affect Lowry Road. He also stated that there be a buffer between them and the business and he would be okay with that. Tim Hinton stated he didn't think this was an industrial park.

David Foil spoke and stated that he is concerned about a business being on Lowry Road. He stated that he wanted to know is there no buffer between A1 and B3. He went on to state that right now they have a buffer of the current trees and he wanted to know if the buffer could be the current trees and higher fence screened. He is concerned for the safety of children.

Danny Cagle came back for rebuttal and stated that as far as traffic that his grading business would have maybe 10 to 12 cars a day and his partner, Chad Johnson, he would only have about 10 to 12 cars a day. Mr. Cagle stated that they would be

open 7:00 a.m. to 4:30 p.m. and they are not selling anything there and there will be no customer contact and at the end of the day they would lock up and go home.

Tim Hinton asked about outside storage and Mr. Cagle stated that he would have trucks, vehicles and pipe for the grading business. Mr. Cagle stated that he will put up an 8 ft. fence and will grade down the property so the neighbors won't be able to see into their property.

Tim Hinton recommended that the applicant and neighbors get together and have an opportunity to discuss and come up with an agreement.

Recommendation: Josh Ferguson made a motion to approve with the following conditions:

- 1. A minimum 8-foot tall solid fence shall be installed along the property frontage of Lowry Road.**
- 2. The fence shall be kept in good repair at all times.**
- 3. On the Lowry Road side of the fence, the applicant shall install a single a row of large evergreen trees similar to Japanese Cryptomeria or Thuga 'Green Giant', but excluding Leyland Cypress.**
- 4. Trees shall be spaced a maximum of 25 feet on center and must be a minimum 8 feet tall at time of installation.**
- 5. All required landscaping and fencing shall be installed outside the right-of-way of Lowry Road.**
- 6. Frontage screening requirements described herein may be utilized to satisfy any Outdoor Storage screening requirements of the Walton County Comprehensive Land Development Ordinance as determined by the Director of Planning and development.**

with a second by John Pringle. The motion carried unanimously.

Rezone Application # Z22040004

Planning Comm. Meeting Date 5-5-2022 at 6:00PM held at **WC Board of Comm. Meeting Room**

Board of Comm Meeting Date 6-7-2022 at 6:00PM held at **WC Historical Court House**

You or your agent must be present at both meetings

Map/Parcel C0610156

Applicant Name/Address/Phone #

Danny Cagle
1880 Randolph Still Rd.
Good Hope GA 30641

Property Owner Name/Address/Phone

Graham Y. Smith
1270 Bridgewater walk
Snellville, Ga. 30278
(If more than one owner, attach Exhibit "A")

Phone # 770-666-7791

Phone # _____

Location: Land lot 67 4th district
Lowry Road

Requested Zoning B3 Acreage 5.00

Existing Use of Property: Agricultural / pine trees

Existing Structures: N/A

The purpose of this rezone is office warehouse
with outside storage

Property is serviced by:

Public Water: Provider: Walton Co. Water Dept. Well: N/A

Public Sewer: N/A Provider: _____ Septic Tank: N/A

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 3-31-2022 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 A2 South A1
East B2 West A2

Comprehensive Land Use: Highway Corridor **DRI Required?** Y _____ N

Commission District: 1-Warren Watershed: _____

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: Graham Y Smith
Address: 1270 Bridgewater Walk, Snellville, GA 30078
Telephone: 770-344-9169
Location of Property: Land lot 67, 4th district
Walton county
Map/Parcel Number: C0610156
Current Zoning: A-2 Requested Zoning: B-3
Graham Y Smith _____
Property Owner Signature Property Owner Signature
Print Name: Graham Y. Smith Print Name: _____
Address: 1270 BRIDGEWATER WALK Address: _____
SNELLVILLE GA 30078
Phone #: 770-344-9169 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.

Christopher H. Lee 3-31-22
Notary Public Date



Rezone Application # 222040004

Planning Comm. Meeting Date 5-5-2022 at 6:00PM held at **WC Board of Comm. Meeting Room**
Board of Comm Meeting Date 6-7-2022 at 6:00PM held at **WC Historical Court House**
You or your agent must be present at both meetings

Map/Parcel C'0610157A00

Applicant Name/Address/Phone # <u>Danny Cagle</u> <u>1880 Randolph Still Rd</u> <u>Good Hope GA 30641</u> Phone # <u>770-616-7791</u>	Property Owner Name/Address/Phone <u>David P. Cooper</u> <u>811 Walton Rd</u> <u>Monroe, Ga 30655</u> <small>(If more than one owner, attach Exhibit "A")</small> Phone # _____
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Location: Land lot 67 4th district
Cowry Rd & Ho Hum Hollow Rd. Requested Zoning B3 Acreage 1.56
Existing Use of Property: Agricultural / Pine trees
Existing Structures: N/A
The purpose of this rezone is office warehouse

Property is serviced by:
Public Water: N/A Provider: _____ Well: N/A
Public Sewer: N/A Provider: _____ Septic Tank: N/A

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.

_____ 4-5-2022 \$ 450.00
Date Fee Paid

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 A2 South B2
East B2 West A1
Comprehensive Land Use: Highway Corridor **DRI Required?** Y _____ N —
Commission District: 1-Warren Watershed: _____

I hereby withdraw the above application _____ Date _____

Cooper

**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: ~~David P Cooper~~ Danny Cagle

Address: ~~811 Walton Rd Monroe Ga~~ 1880 Randolph Still Rd.

Telephone: 770/616-7791 Good Hope, GA. 30641

Location of Property: Land lot 67, 4th district
Walton county

Map/Parcel Number: C0610157A00

Current Zoning: B2 Requested Zoning: B3

Property Owner Signature: David P Cooper Janice C. Cooper

Print Name: David P. Cooper Print Name: Janice C. Cooper

Address: 811 WALTON Rd. Address: 811 Walton Rd.

Phone #: 770-267-2696(home) Phone #: 770-601-3029 (cell)

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.

Judith S Hallum 07/05/2022
Notary Public Date



Rezone Application # Z22040004

Planning Comm. Meeting Date 5-5-2022 at 6:00PM held at **WC Board of Comm. Meeting Room**

Board of Comm Meeting Date 6-7-2022 at 6:00PM held at **WC Historical Court House**

You or your agent must be present at both meetings

Map/Parcel C0610158

Applicant Name/Address/Phone #

Danny Cagle
1880 Randolph Still Rd.
Good Hope GA 30641

Property Owner Name/Address/Phone

Glenda B. Smith
1270 Bridgewater Walk
Snellville, Ga 30278

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

Phone # 770-616-7791

Phone # _____

Location: Land lot 67 4th district
 Hwy 78

Requested Zoning B3 Acreage .5.00

Existing Use of Property: Agricultural/Pine trees

Existing Structures: N/A

The purpose of this rezone is Office Warehouse
With outside storage

Property is serviced by:

Public Water: Provider: Walton Co. Water Dept. Well: N/A

Public Sewer: N/A Provider: _____ Septic Tank: N/A

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 Danny Cagle Date 3-31-2022 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 A2 South A1
East B3 West B2

Comprehensive Land Use: Highway Corridor **DRI Required?** Y _____ N ✓

Commission District: 1-Warren Watershed: —

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: Glenda B Smith

Address: 1270 Bridgewater Walk Snellville GA 30078

Telephone: 770-344-9169

Location of Property: Land lot 67, 4th district
Walton county

Map/Parcel Number: C0610158

Current Zoning: A2 Requested Zoning: B-3

Glenda B. Smith Property Owner Signature _____
Property Owner Signature

Print Name: Glenda B. Smith Print Name: _____

Address: 1270 Bridgewater Walk Address: _____
Snellville, GA 30078

Phone #: 770-344-9169 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.

Christopher H. Lee _____ 3.31.22
Notary Public 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;

E1 exempt, C3,

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

Greatly because it can't be developed for office warehouse

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;

Gain is more job opportunities in the area

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

because everything around it is already
zoned B3

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

30 years

April 5, 2022

LETTER OF INTENT:

This is to advise that we would like to rezone Parcels C0610156 on Lowry Road; C0610157A00 on Lowry Road/Ho Hum Hollow Road; and C0610158 on Highway 78 to B3 zoning to commercial for office warehouse and outside storage.

As to the site plan:

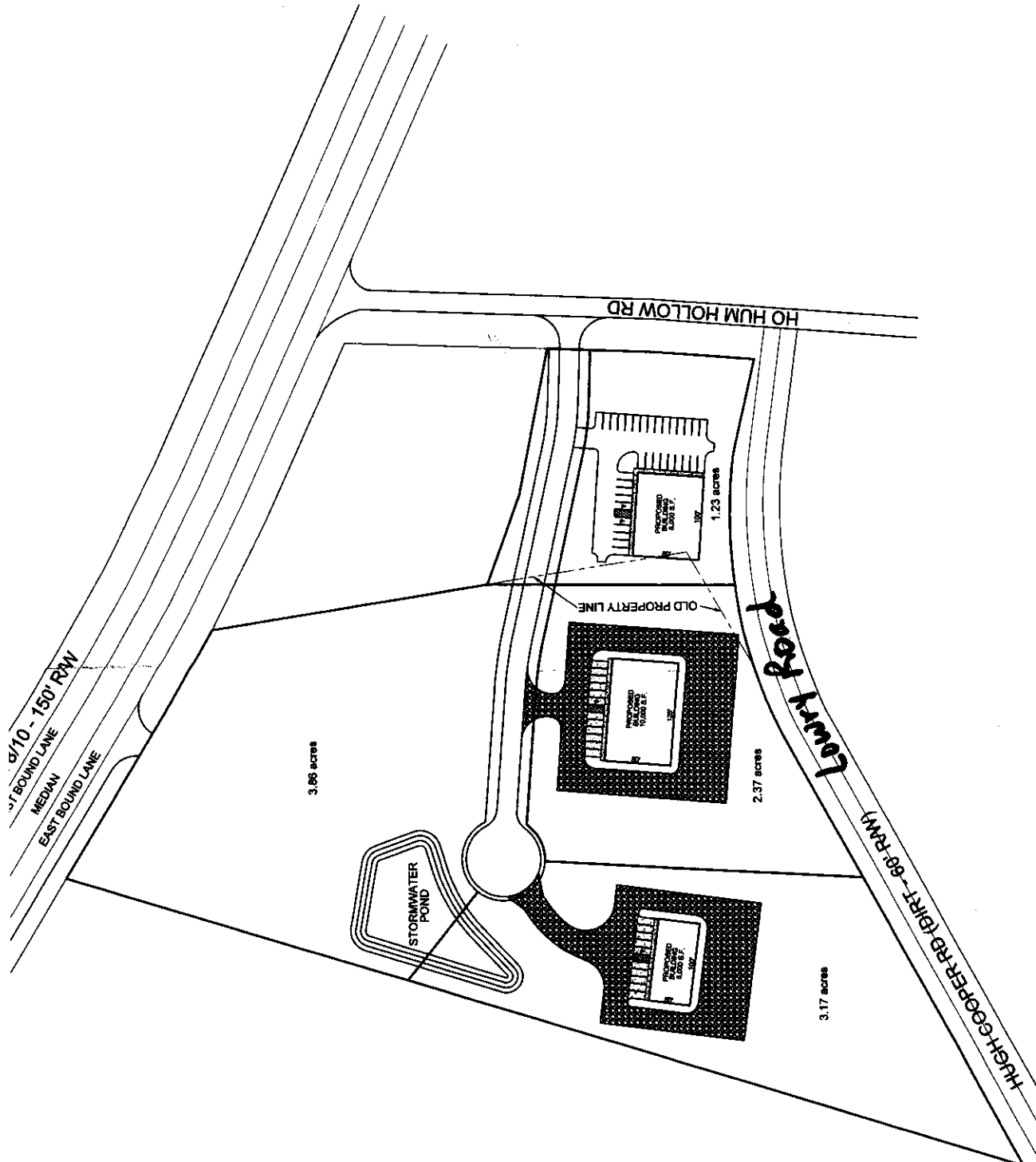
3.17 acres will be a grading business with office

2.37 acres will be a heating and air business with office

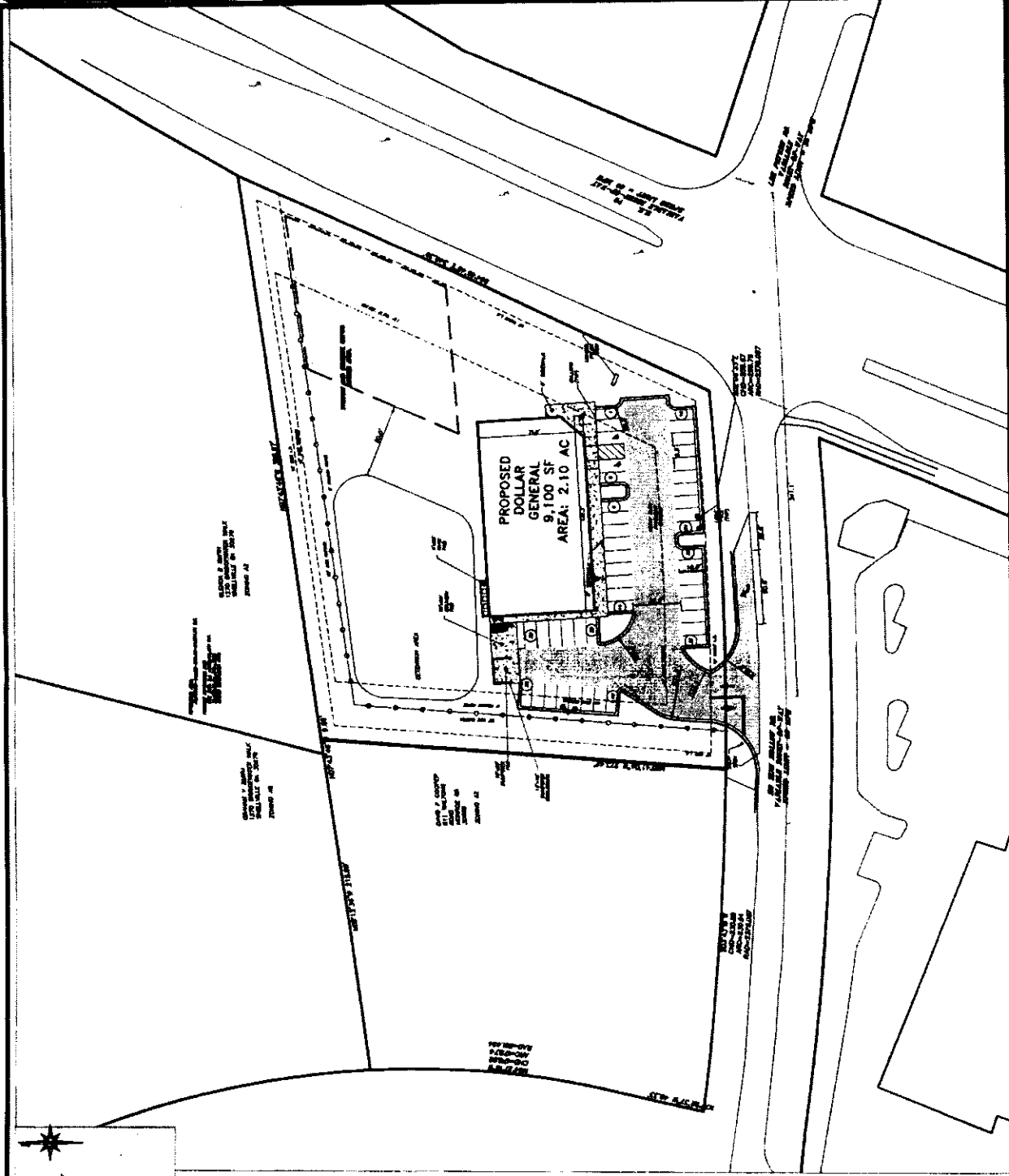
1.23 acres will be an office warehouse

Thank you,

Danny Cagle



NO.	DATE	REVISIONS



LOCATION MAP
N.T.S.



NOTES:
 1. PARKING SPACES REQUIRED: 48
 2. PARKING SPACES PROVIDED: 48
 3. ALL UTILITIES SHOWN ARE APPROXIMATED
 4. EXISTING UTILITIES ARE SHOWN IN DASHED LINES
 5. PROPOSED UTILITIES ARE SHOWN IN SOLID LINES
 6. ALL UTILITIES ARE TO BE DEEPENED TO 48" BELOW FINISHED GRADE
 7. ALL UTILITIES ARE TO BE DEEPENED TO 48" BELOW FINISHED GRADE
 8. ALL UTILITIES ARE TO BE DEEPENED TO 48" BELOW FINISHED GRADE
 9. ALL UTILITIES ARE TO BE DEEPENED TO 48" BELOW FINISHED GRADE
 10. ALL UTILITIES ARE TO BE DEEPENED TO 48" BELOW FINISHED GRADE

SITE OWNERS:
 DOLLAR GENERAL
 10000 W. BRIDLEWAY
 SUITE 100
 WEST MONROE, LA 70094

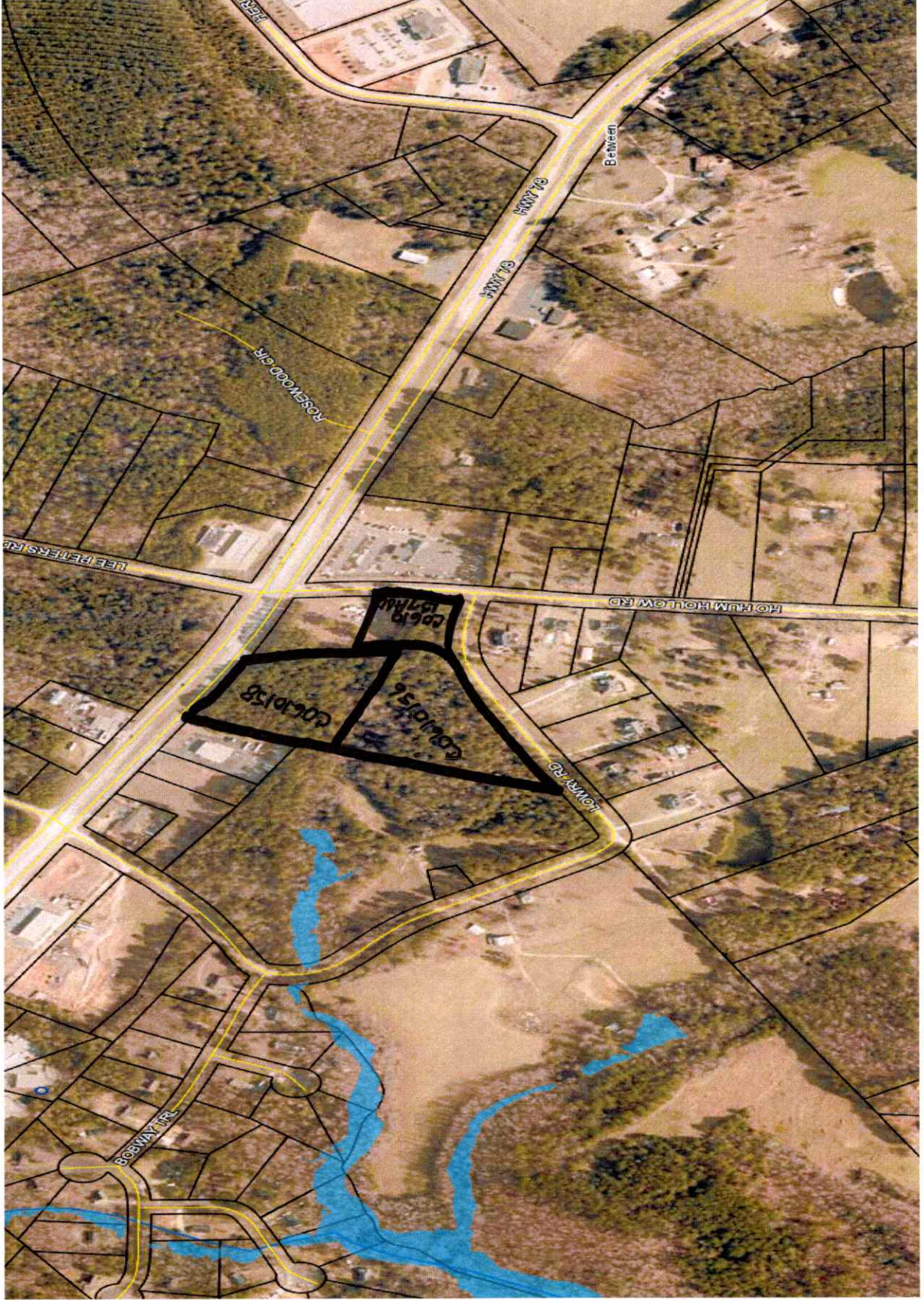
ARCHITECT:
 WILLIAMS WICKLEY ARCHITECTS INC.
 1000 W. BRIDLEWAY
 SUITE 100
 WEST MONROE, LA 70094

CONTRACTOR:
 CLEAR CONCRETE
 1000 W. BRIDLEWAY
 SUITE 100
 WEST MONROE, LA 70094

SOILS:
 SOILS WILL BE BORED BY 60" DEEP TEST PIT SYSTEM
 ACCORDING TO ITEM #1001 (2018) LATEST EDITION DATE
 1/1/2018. SOILS ARE LOCATED IN A FLOOD ZONE 1 AREA OF
 WEST MONROE COUNTY, LA 70094

NOT FOR FINAL RECORDING

Z22040004 – Lowry Road/Lowry Road & Ho Hum Hollow Road/Highway 78



Z22040004 – Lowry Road/Lowry Road & Ho Hum Hollow Road/Highway 78



222040004 – Lowry Road/Lowry Road & Ho Hum Hollow Road/Highway 78

