

Rezone Z22030028

Staff Analysis

Commission District: 3 - Shelnut

Planning Commission Hearing Date: 05-05-2022

Board of Commissioners Hearing Date: 06-07-2022

Parcel ID: Map C0610090

Acreage: 5.28

Applicant:

Cosmin Bactan

1630 New Hope Church Road

Monroe, Georgia 30656

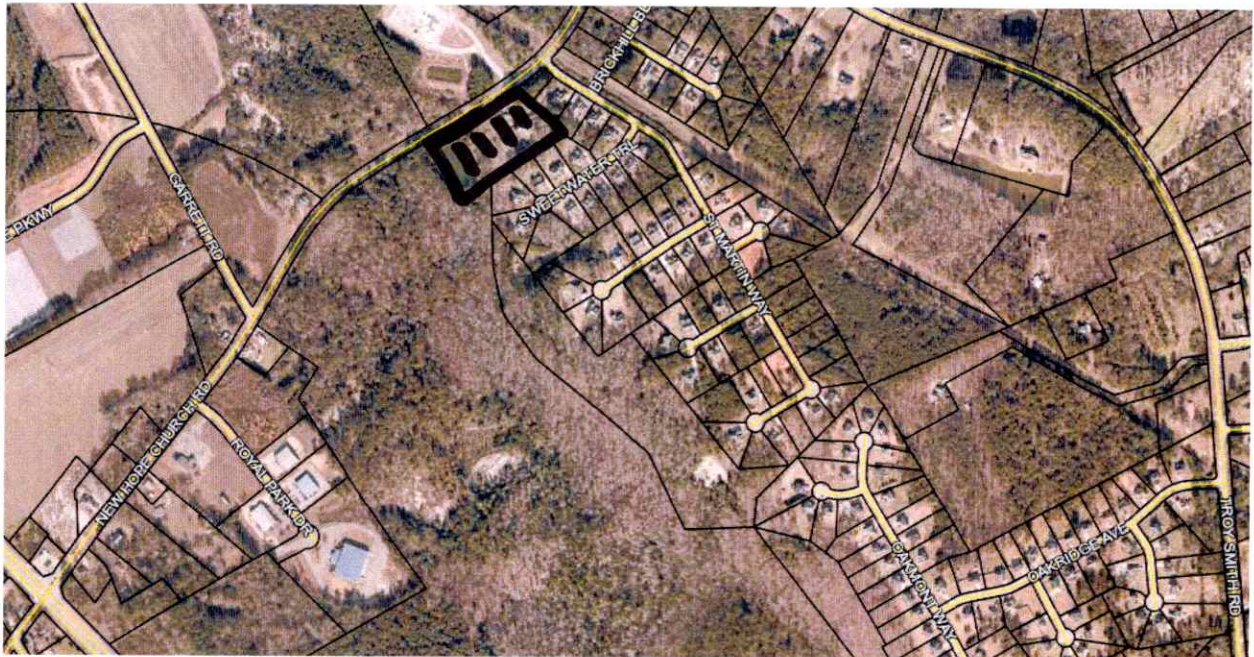
Owner:

Cosmin & Aurica Bactan

1630 New Hope Church Road

Monroe, Georgia 30656

Property Location: 1630 New Hope Church Road



Current Character Area: Neighborhood Residential

Current Zoning: A1/R1



Request: Rezone 5.00 from A1/R1 to A to grow & sell plants and have customer contact.

Staff Comments/Concerns:

Site Analysis: The 5.00 acre tract is located on 1630 New Hope Church Road. The surrounding properties are zoned A1 and City of Between.

Zoning History:

Z20120019	Atlanta's Best Construction Inc.	Rezone from A2 to A to grow & sell plants	C0610090 1630 New Hope Church Road	Approved w/conditions
Z21030019	Atlanta's Best	Rezone 1 acre to R1 and	C0610090	Approved

	Construction Inc.	4+ acres to A1	1630 New Hope Church Rd	w/conditions
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Z21030019 CONDITIONS:

1. Applicant shall be prohibited from operating his concrete construction company from 1630 New Hope Ch. Road
2. With the exception of active improvements to the property, the applicant shall be prohibited from parking any equipment or vehicles associated with his concrete construction company on any part of the property.
3. Applicant shall install a natural buffer seven feet from the fence line where it backs up to Saint Martin Way and Sweetwater Trail.
4. Applicant shall plant evergreen trees along the fence line in the natural buffer eight ft. on center as identified above
5. Applicant shall take whatever measures are necessary to restrict water runoff from his property onto the property of residents on Sweetwater Trail as agreed upon at the meeting on May 14, 2021.

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

Comments and Recommendations from various Agencies:

Public Works: Public Works recommends that a Commercial Driveway be installed if a business and customer contact will be conducted at this location.

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

Water Authority: This area is served by an existing 6" diameter water main along New Hope Church Road. (static pressure: 85 psi, Estimated fire flow available: 1,500 gpm @ 20 psi). No system impacts anticipated.

Fire Department: Walton County Fire Rescue has no issues.

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 have no effect on GDOT.

Archaeological Information: No comment received.

PC ACTION 5/5/2022:

- 1. Rezone – Z22030028 – Rezone 5.28 acres from A1/R1 to A to grow & sell plants with customer contact– Applicant: Cosmin Bactan/Owners: Cosmin & Aurica Bactan– Property located on 1630 New Hope Church Rd-Map/Parcel C0610090 – District 3.**

Presentation: Cosmin Bactan represented the case. He would like to grow and sell plants and trees and have customer contact.

Speaking: Robert Post, Mayor of Between, spoke and said that this piece of property has quite a history and he has no issues with this request. Mayor Post stated that the property was once a green house before it was sold. Mayor Post stated that he is glad for the new owner. Mayor Post just wanted to ensure no farm animals will abut the subdivision and that the hours be limited to 7:00 a.m. to 7:00 p.m.

Cosmin Bactan came back for rebuttal and asked if he was not allowed to have animals if property was agriculture and what about personal animals such as goats. Charna Parker, Director, advised that Mr. Bactan can have goats now with the A1 zoning and any structure that houses animals will need to be 50 ft. from the

property line. John Pringle asked how can they address that? Charna Parker, Director, stated that they can put no commercial animal production.

Recommendation: John Pringle mad a motion to recommend approval with the following conditions: The hours of retail to be 7:00 a.m. to 7:00 p.m. and no commercial farm animal production on premises with a second by Wesley Sisk. The motion carried unanimously.

Rezone Application # Z22030028
Application to Amend the Official Zoning Map of Walton County, Georgia

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 C0610090

Applicant Name/Address/Phone #	Property Owner Name/Address/Phone
<u>Cosmin Bacton</u>	<u>Cosmin Bacton</u>
<u>1630 New Hope Church Rd,</u>	<u>Roxanna ^{Aunica} Bacton</u>
<u>Monroe, GA, 30650</u>	
E-mail address: _____	(If more than one owner, attach Exhibit "A")
Phone # <u>503-752-6800</u>	Phone # _____
Location: <u>1630 New Hope Church Rd</u>	Requested Zoning <u>A</u> Acreage <u>5.28</u>
Existing Use of Property: <u>Residential</u>	
Existing Structures: <u>House</u>	
The purpose of this rezone is <u>green houses-sell plants, and</u>	
<u>customer contact,</u>	

Property is serviced by the following:

Public Water: Provider: _____ 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 03/21/2022 \$ 300 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 R1/A1 Surrounding Zoning: North A1/Between South Between
 East Between West Between

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

Commission District: 3-SheInuff Watershed: Alcovy River TMP _____

I hereby withdraw the above application _____ 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

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

Increase the property values.

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

N/A

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

People can come and buy products.

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

open houses were there before

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

6 months

= There will be a couple of greenhouses and privacy trees or fruit trees around the property.

THE GOAL, VISION, AND AIM FOR THE LAND IS THAT THERE WILL BE GREENHOUSES WHICH WILL YIELD ALL KINDS OF VEGETABLES AND THE INTENTION IS TO SELL THE PRODUCE ON THE PROPERTY. THERE IS GOING TO BE A SET SCHEDULE WHICH INCLUDES OPERATION HOURS FROM 8 AM TO 4 PM. IN THE NEAR FUTURE, WE WOULD LIKE TO PLANT FRUIT TREES AND PRIVACY TREES ALONG THE FENCE LINE SO IT DOES NOT INTERFERE WITH NEIGHBORING RESIDENTS.

LEGEND

R/W	RIGHT OF WAY
P/L	PROPERTY LINE
S/L	SETBACK LINE
C/P	CORNER POINT
P/P	PERMANENT POINT
C	CORNER
Q	QUAD
CON	CONCRETE
CE	CENTERLINE
DB	DEED BOOK
PTE	FRONTCORNER POINT
EXP	EXPOSED
PC	PERMANENT CORNER
BS	BENCH MARK
BSM	BENCH MARK

GRAPHIC SCALE
1 Inch = 20 Feet

RECORD NORTH

SURVEYORS CERTIFICATION (SI):

The field is a true and correct copy of the original field notes and computations, and the same have been examined and approved by me, the undersigned, as being correct and true. I hereby certify that the same are a true and correct copy of the original field notes and computations, and the same have been examined and approved by me, the undersigned, as being correct and true.

DATE: 02/11/2021

BY: [Signature]

TITLE: SURVEYOR



SURVEY NOTES:

1. THE FIELD DATA WHICH THIS PLAN IS BASED UPON IS A CLOSELY CHECKED AND ACCURATE COPY OF THE ORIGINAL FIELD DATA.
2. THE PLAN HAS BEEN CALCULATED FOR ACCURACY AND IS FOUND TO BE CORRECT.
3. THE PLAN AND ALL DIMENSIONS THEREON, INCLUDING THE POSITION OF ALL CORNERS, ARE BASED UPON THE ORIGINAL FIELD DATA.
4. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE SPECIFIED.
5. THIS SURVEY WAS PERFORMED UNDER THE SUPERVISION OF A REGISTERED SURVEYOR.
6. ALL DIMENSIONS ARE BASED UPON THE ORIGINAL FIELD DATA.
7. THE PLAN IS A TRUE AND CORRECT COPY OF THE ORIGINAL FIELD DATA.
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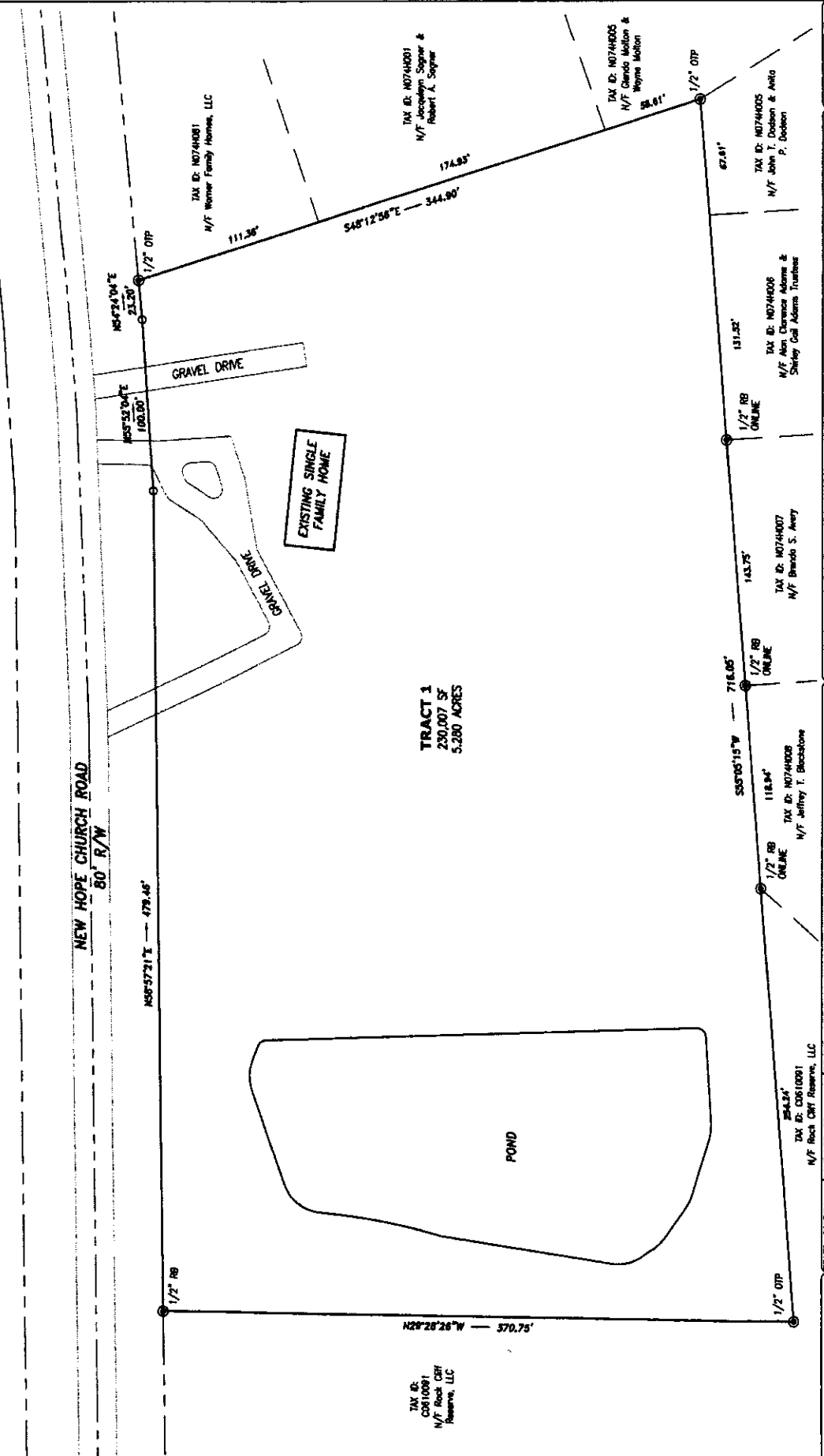
ZONING NOTES:

RESERVED FOR COURT CLERK USE

DEED AND PLAT REFERENCES:

DEED BOOK 100A, PAGE 415, TO BE OF WILTON COUNTY, GEORGIA.

866118 08/18/2008
Print and Record
Feb-11 2021 10:17 AM
KAREN P. DAVID
CLERK OF SUPERIOR COURT
WILTON COUNTY, GA
Parish ID: 53537283



OWNERS NAME: ATLANTIAS BEST CONSTRUCTION, INC.
1830 NEW HOPE CHURCH ROAD MONROE, GA 30656

RETRACEMENT SURVEY FOR:

STATE: GEORGIA
COUNTY: WILTON
CITY/TOWNSHIP: WILTON
LAND DISTRICT: 4
DATE OF FIELD WORK: 02/01/2021

LAND USE: RESIDENTIAL

DATE: 02/11/2021

GARRETT LAND SURVEYING, LLC
1830 NEW HOPE CHURCH ROAD
MONROE, GA 30656
770-863-2800
garrett@landsurveying.com

SHEET #
1 of 1

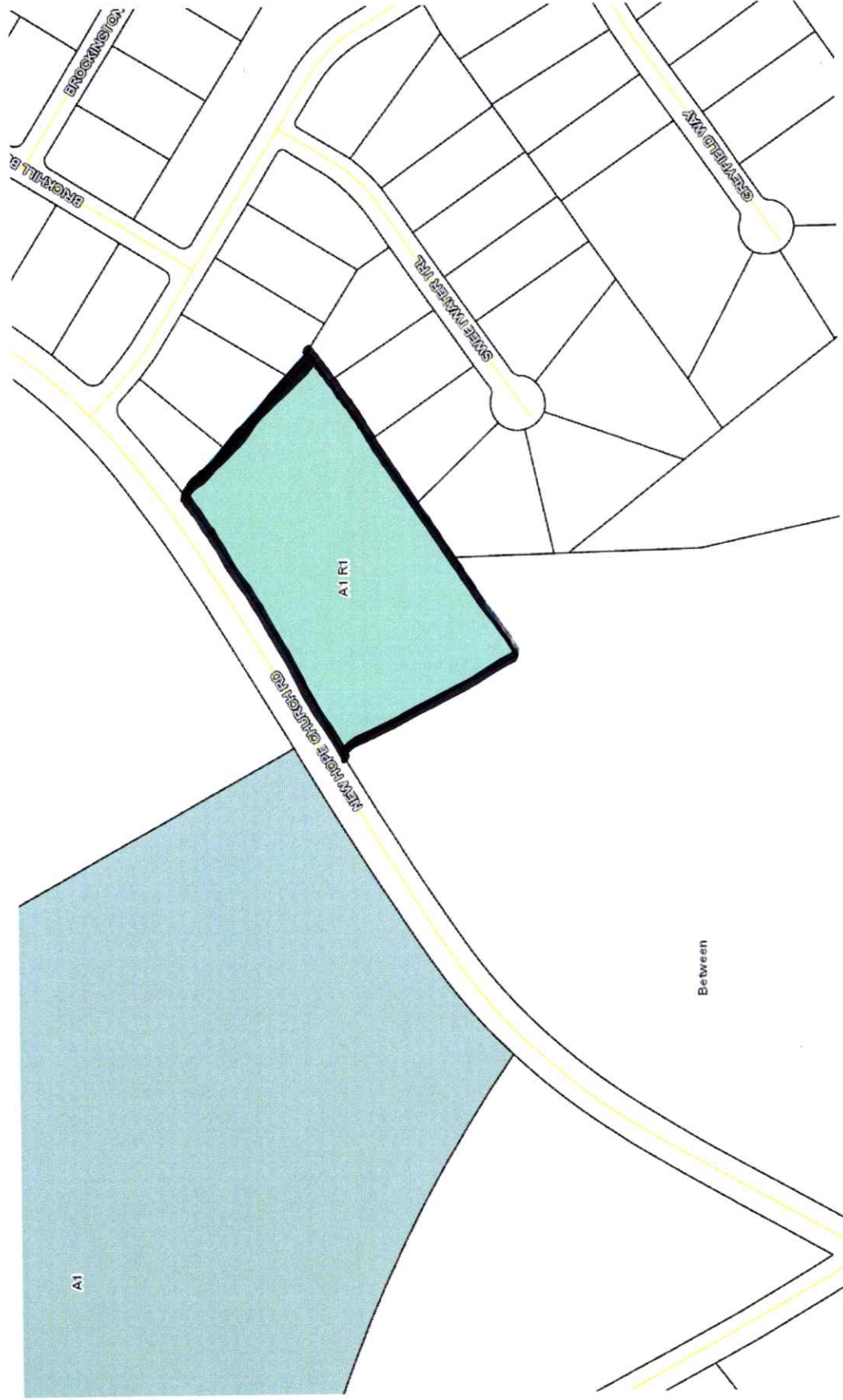
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