

1. Call To Order
2. Roll Call
3. Minutes
 - 3.I. Planning Commission Minutes June 2020

Documents:

[PC MINUTES JUNE 2020.PDF](#)

4. Hearing Procedures
5. Requests
 - 5.I. NOTICE OF PROPOSED AMENDMENTS TO THE ZONING REGULATIONS OF CARROLL COUNTY, GEORGIA, AS AMENDED

Notice is hereby given under O.C.G.A. § 36-66-1, et seq., by Carroll County, Georgia, of a public hearing of the Planning Commission will be held in the Commission Chambers located at the Carroll County Historic Court House, 323 Newnan Street, 3rd floor, Carrollton, Georgia 30117, on Tuesday, July 28, 2020, at 6:30 P.M. for the purpose of considering proposed amendments to The Zoning Regulations of Carroll County, Georgia, as amended (“Zoning Regulations”), including the following:

1. Change references in the Zoning Regulations to certain County Departments and Personnel to their current titles.
2. Amend Section 102-4, Definitions, to specify that accessory buildings shall not be occupied by humans and to delete the definition for conference/convention center.
3. Delete Section 5.14, Temporary manufactured home occupancy and land use permit (TLUP), of Section 102-5.
4. Delete subsection b. of Section 5.16.2, Standards relating to manufactured and conventional homes, of Section 102-5.
5. Amend Section 8.1, Agricultural (A), of Section 102-8 to delete subsection 1.k. and add a new subsection 2.g. to add the development of natural resources as a conditional use.
6. Delete Section 8.2, Low Density Residential (R-1), of Section 102-8.
7. Amend Section 8.3, Medium Density Residential (R-2), of Section 102-8 to change to "Residential (R)" and to make certain changes.
8. Amend Section 8.6, Manufactured Home Subdivision (MHS) of Section 102-8.
9. Delete Section 8.7, Higher Density Detached Residential (HDDR) of Section 102-8.
10. Delete subsection 2c of Section 8.8, Commercial (C) of Section 102-8.
11. Amend Section 8.9, Industrial (I) of Section 102-8 to add new subsection 2.f. to add development of natural resources as a conditional use.
12. Amend Section 14.7 of Sec. 102-14 regarding minimum time between applications.
13. Delete Section 14.13, Innovative development plan permit process (IDP) of Section 102-

It is the intent of the County to make all the changes necessary to the Zoning Regulations to ensure that the Zoning Regulations conform with these changes, and to that end, the County may identify additional articles, chapters, and sections that require amendment and amend such provisions of the Zoning Regulations to meet that objective.

Documents:

[REDLINE ZONING ORDINANCE CHANGES.PDF](#)

6. Business Session
Update from Board of Commissioners meeting
7. First Reading
8. Adjournment



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Janet Hyde
County Planner

Carroll County Planning Commission
Tuesday, June 23, 2020
6:30 p.m.
Minutes

- I. Call to Order. Chairman Doyal called the meeting to order at 6:30 p.m.
- II. Roll Call. The County Planner called the roll. Present: Chairman Jerry Doyal, Commissioners Kim Hagen, Cassie Marshall, Randy Coggins, and Deiadre Wilson. Commissioner Donna Lackey was absent with notification.
- III. Minutes (May 26, 2020). Unanimously adopted on a Motion by Commissioner Coggins, seconded by Commissioner Marshall.
- IV. Business Session. The County Planner updated the members and the public on the outcome of zoning cases from May.
- V. Hearing Procedures: Chairman Doyal reviewed the hearing procedures, copies of which are available and made part of the Minutes by reference.
- VI. Requests:

Z-20-06-01: Rezoning from Agricultural to Industrial for the purpose of parking equipment. Land Lot 108 of the 6th District, Parcel #125-0604, located at the corner of Lovell Road and Highway 113, consisting of 6.64 acres. Owner: Michael Jones and Margaret Dempsey. Applicant: Troy Meals. Commission District 3.

The applicant spoke in favor of his request. He stated that he had lived in the County for 20+ years. He builds artificial ballfields and does quite a bit of government contract-type work. He said he wants to rezone the parcel to park his equipment and use it for a lay-down lot for his sod work. He said he is not going to operate his business out of the location because he has an office in Marietta. He said that traffic will not be affected. He said he already parks his equipment at a lot off Centerpoint Road. He said the property will not be going into the company name, but in his personal name. He said there will be no

retail sales or people in and out. He said he himself lives one mile south of the Buckhorn Shoppette on Highway 113.

Rett Harmon also spoke on behalf of the seller. He said that Mr. Meals is just trying to follow the rules. He said that this use is a really good fit for the neighborhood and that it fits the future land use map. He said that even though it is on a corner, he wants to leave the tree buffer. He said as the sales representative for the seller, he has had people who want to do a camper or RV dealership. He said that this is really the least invasive use of the property. He said Mr. Meals will look after and maintain the property. He said he is paying cash for the property and that there will be no signage. He said that he really just wants to keep his equipment there. He said the seller is a brother and sister and they will continue to live near the property and they feel comfortable with the use. He said that we would all like to control one another's property, but when it comes down to it, that we can only control our own.

Billy Watts of 118 Lovell Road spoke in opposition to the request. He stated that he has lived at 118 Lovell Road for 40 years. He said that there are a lot of issues with trying to get trucks off of I-20 and down 113. He said he leaves every morning at 5:345 and he had a hard time getting out into Highway 113. He said it will be chaos. He said if equipment is allowed to be parked there that it will bring a criminal element. He said there are a couple of businesses around operated out of homes. He said that in five years, Mr. Meals could decide to put a manufacturing company there. He said to add this much truck traffic is a problem.

Jake Follis of 1429 Carrollton Highway also spoke in opposition to the request. He stated he had only lived there a couple of years. He said there have been no engineering studies for this request. He said he knows this will affect his property negatively. He said traffic is awful at that intersection. He said his house will be gone if this happens. Once it is zoned, it is zoned.

Wayne Dodd of 140 Redland Bend Road spoke in opposition to the request. He asked what type of equipment would be parked there. He said if it is diesel that there will be ground contamination from oil. He said the proper way is, with no sewer, to have it curbed and paved with a detention pond for runoff. He said trucks and tractors both leak from equipment. All of runoff goes to pond across the road. He said in other areas an industrial use would require sewer. He said that the second problem is safety at that intersection. He said there have been numerous wrecks and he knows that three times life flight has been there. He said the centerline has been grooved by DOT so they know there is a problem. He said allowing this will cause liability to the county and lawyers will eventually get to the bottom of who allowed this to happen.

Mr. Meals spoke in rebuttal and said that he will fence the lot. He said you can't really blame the equipment for bad things happening. He said he will be putting in cameras. He said his trucks are already on the road in the area. He has no plan to put a building on it. He said that most of his stuff is new and he sends it out to be worked on. He said this is the best fit for his use. He said this will keep going on until sooner or later something happens.

Rett Harmon spoke in rebuttal and said that no one really likes change. He said that he is not really sure when the Future Land Use map was adopted. He said people look at this map and see that all of this land is slated for industrial uses. He said that Mr. Meals is only doing football fields and turf which are government contracts.

Mr. Meals spoke again in rebuttal and said that if someone put six houses on these six acres that it would be a lot more traffic than he is going to create.

Doug Steadham of 1809 Carrollton Highway spoke in opposition rebuttal and stated that he opposes spot zoning. He said it is approximately two miles from I-20. He said this would begin to turn 113 into Highway 61 between Carrollton and Villa Rica. He said it is urgent for the Board to consider that they are doing. He said he knows a lot of people are opposed.

Terry Argo spoke in opposition rebuttal and said that his property adjoins subject property and faces Highway 113. He said that he has lived there since 1974 and has seen multiple fatalities at that intersection. He said that one year ago a dump truck ended up on the subject property trying to miss a car that was turning left off of Highway 113. He said he doesn't want to lose the value of his property and that he has worked hard for it.

Jerry King of 32 W. Hickory Level Road spoke in rebuttal opposition and said that he has a store across the road from him and there are unintended consequences that people don't realize. He said that his neighbor behind him has an airplane. None of these things were intended to have bad consequences.

At this point, the public comment portion was closed. Commissioner Hagen asked for clarification from staff regarding the Future Land Use Plan and the option the development authority had on the property. Commissioner Hagen then motioned to recommend denial and Commissioner Wilson seconded. The vote to recommend denial was unanimous.

Chairman Jerry Doyal then announced that there would be an opportunity for public comment regarding a proposed quarry near Whitesburg. There was no one there to speak regarding the quarry.

The meeting was adjourned at 7:15 p.m. upon motion by Commissioner Marshall, seconded by Commissioner Wilson.

There being no further business, the meeting was adjourned at 7:30 p.m.

**CHANGES TO CHAPTER 102, ZONING,
CARROLL COUNTY ZONING REGULATIONS**

References to certain Departments and Personnel

All references in Chapter 102, Zoning, to “Department of Code Enforcement” or “Codes Enforcement Department” shall be changed to “Department of Community Development.”

All references in Chapter 102, Zoning, to “Codes Enforcement Officer” shall be changed to “Director of Community Development.”

All references in Chapter 102, Zoning, to “Zoning Administrator” shall be changed to “County Planner.”

102-4 Definitions

Accessory building or accessory structure means a subordinate structure detached from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure. Accessory buildings shall not be occupied by humans.

~~**Conference/convention center** mean a facility used for conventions, conferences, seminars, product displays, training, recreation activities, and entertainment functions, along with accessory functions including outdoor displays, food and beverage preparation and service for on-premises consumption. The accommodations can include sleeping, eating, and recreation. The site shall be of sufficient size to accommodate or arrange for all off-street parking associated with an individual event.~~

~~5.14. **Temporary manufactured home occupancy and land use permit (TLUP)**~~**Reserved.**

~~5.16.2. **Standards relating to manufactured and conventional homes. b.** Each conventional and manufactured home being moved, constructed installed, located, or relocated within the county after August 6, 2002 shall not be allowed to locate for permanent or temporary occupancy in this county if such conventional and manufactured home is more than seven years old. The age of the conventional and manufactured home shall be measured from the day the application for building permit is submitted to the department for approval. _~~

Reserved.

Sec. 102-8. - Use requirements by districts.

8.1. *Agricultural* — (A). This district is intended to preserve the open character of certain land within the county and to promote development of a type which does not require extensive public facilities and services.

1. *Permitted uses.* Within any Agricultural (A) District, the following uses shall be permitted:
 - a. Single family dwelling or two family dwellings (duplex), both conventional and manufactured.
 - b. Commercial forest, agriculture, dairying, poultry and livestock raising provided that buildings used for housing fowls or animals or processing products not be located closer than 200 feet to any property line.
 - c. Non-commercial agriculture, poultry, dairying, horse and livestock raising and greenhouses, as an accessory use to a permitted residential dwelling for the principal benefit of the occupants thereof.
 - d. Schools, colleges, and publicly owned and operated community structures.
 - e. Public utility structures, buildings and land.
 - f. Accessory uses and buildings.
 - g. Public parks, playgrounds, community buildings, golf courses and similar public service facilities
 - h. Privately owned day nurseries, pre-schools, and kindergartens.
 - i. Churches, similar places of worship, and one family burial plot satisfying the requirements and specifications of section 5.15.
 - j. Clubs, private and public, including golf and country clubs, fishing and hunting clubs and other similar enterprises
 - k. ~~Development of natural resources including the removal of minerals and natural materials provided that no machinery used for such purposes be located closer than 200 feet to any property line.~~ **Reserved.**
 - l. Commercial processing of animal products provided that no machinery or housing used for such purposes be located closer than 750 feet to any property line; such processing does not include slaughter houses.
 - m. Reserved.
2. *Conditional Uses.* Within any Agricultural (A) District, the following uses may be permitted after application to the governing authority:
 - a. Reserved.
 - b. Secondary detached residences for rent, hire, let, or lease provided that all applicable health department regulations and building codes are met.
 - c. Kennels.
 - d. Hospitals, nursing homes, and charitable or philanthropic institutions.
 - e. Athletic fields, commercial recreation areas, including golf driving ranges, swimming pools, private airplane landing fields and accessory facilities.
 - f. Special events facility, limited to either a small special events facility, intermediate

special events facility, or large special events facility.

8.2. ~~Reserved. Low Density Residential (R-1). [Minimum lot size of 3 acres]~~

8.3. Medium Density Residential (R-2). This district is intended to provide for a higher density use than other areas and is situated in places convenient to streets and commercial areas.

1. *Permitted uses.* Within any Medium Density Residential (R-2) District the following uses shall be permitted:

- a. One family conventional dwellings;
- b. Schools, colleges, and publicly owned and operated community structures;
- c. Public utility structures, buildings and land;
- d. Accessory uses and buildings;
- e. Churches and similar places of worship; **and**
- f. Public parks, playgrounds, community buildings, golf courses and similar public service facilities serving residential areas; **and**
- g. Non-commercial agriculture, ~~excluding poultry, horse and livestock raising~~ as an accessory use to a one-family dwelling for the principal benefit of occupants thereof.

2. *Conditional uses.* Within any Medium Density Residential (R-2) District, the following uses may be permitted after application to the governing authority:

- a. ~~Non-commercial poultry, horse, and livestock raising and greenhouses as an accessory use to a one-family dwelling for the principal benefit of the occupants thereof, provided that all related accessory buildings are located in the side or rear yards~~ **Reserved**;
- b. Privately operated day nurseries, preschools, and kindergartens;
- c. **Reserved**;
- d. Commercial horticultural activities;
- e. **Reserved**;
- f. **Reserved**; **and**
- g. **Reserved**.

3. Prohibited Uses. Within any Residential (R) District, the following are expressly prohibited:

- a.** Secondary detached residential dwellings;
- f. b.** Principal use signs; and
- g. c.** ~~Manufactured homes designed, manufactured, and installed to give the appearance of a one family conventional dwelling. Such appearance would ordinarily include:~~
 - ~~1. Permanent masonry foundation~~
 - ~~2. Pitched, shingled roof~~

~~3. Porches at exterior doors-~~

~~4. A floor space commensurate with adjacent dwellings located within the district, and-~~

~~5. Exterior appearance of either wood or masonry.-~~

3. *Lot size — Minimum.* Within any **Medium Density Residential (R-2)** District, the following minimum lot sizes are required, but shall also be subject to approval by the Georgia Department of Public Health:

- a. Lot width at minimum building setback line: ~~400~~ 200 feet.
- b. Lot area: One acre.

~~4.5.~~ *Yard requirements — Minimum*

- a. Front. Setback from center line of:
 - State or Federal Highway — 125 feet;
 - County Road — ~~90~~100 feet;
 - Subdivision Street — 75 feet.

~~b. Side — 15 feet.-~~

~~c. Rear — 20 feet.-~~

b. Side — 15 feet; 50 feet if corner lot.

c. Rear — 20 feet.

8.6. *Manufactured Home Subdivisions (MHS).* This district is intended to provide suitable locations for a higher density use than other areas and is situated in places convenient to streets and commercial areas and is intended primarily for the placement of manufactured homes.

1. *Permitted uses.* Within any **Manufactured Home Subdivision (MHS)** District, the following uses shall be permitted:

- a. Manufactured homes designed, manufactured, and installed to give the appearance of a one family conventional dwelling. Such appearance would ordinarily include:
 1. Permanent masonry foundation;
 2. Pitched, shingled roof;
 3. Porches at exterior doors;
 4. A floor space commensurate with adjacent dwellings located within the district;
and
 5. Exterior appearance of either wood or masonry.
- b. One family conventional dwellings;
- c. Schools, colleges, and publicly owned and operated community structures;
- d. Public utility structures, buildings and land;
- e. Accessory use and buildings;
- f. Churches, and similar places of worship;

- g. Public parks, playgrounds, community buildings, golf courses and similar public service facilities serving residential areas; and
 - h. Non-commercial agriculture, ~~excluding poultry, horse and livestock raising~~ as an accessory use to one-family dwelling for the principal benefit of occupants thereof.
2. *Conditional uses.* The following uses may be permitted after application to the governing authority:
- a. ~~Non-commercial poultry, horse, an livestock raising and greenhouses as an accessory use to a one-family dwelling for the principal benefit of the occupants thereof, provided that all related accessory buildings are located in the side or rear yards~~Reserved;
 - b. Privately operated day nurseries, preschools, and kindergartens;
 - c. Reserved;
 - d. Commercial horticultural activities;
 - e. Reserved;
 - f. Reserved; and
 - g. Reserved.
3. ~~Prohibited Uses. Within any Manufactured Home Subdivision (MHS) District, the following are expressly prohibited:~~
- a. Secondary detached residential dwellings;
 - ~~b. Principal use signs; and~~
 - ~~c. Manufactured homes designed, manufactured, and installed to give the appearance of a one family conventional dwelling. Such appearance would ordinarily include:~~
 - ~~1. Permanent masonry foundation;~~
 - ~~2. Pitched, shingled roof;~~
 - ~~3. Porches at exterior doors;~~
 - 4. A floor space commensurate with adjacent dwellings located within the district; and
 - ~~5. Exterior appearance of either wood or masonry.~~
3. *Lot size — Minimum.* The following minimum lot sizes are required, but shall also be subject to approval by the Georgia Department of Public Health:
- a. Lot width at minimum building setback line: 100 feet.
 - b. Lot area: One-half acre ~~where public water or sewerage is available~~ One acre where ~~no public water or sewerage is available.~~
- 4.5. *Yard requirements — Minimum.*
- a. Front — Setback from center line of:
 - State or Federal Highway — 125 feet;
 - County Road — ~~90~~100 feet;
 - Subdivision Street — 75 feet;

- b. Side — 15 feet;
- c. Rear — 20 feet.

8.7. *Higher Density Detached Residential (HDDR)*. This district is intended to provide suitable locations for higher density detached dwellings within the county and would specifically include manufactured home parks:Reserved.

8.8. *Commercial (C)*. This district is intended to provide suitable locations for retail stores and other commercial services.

. . .

- 2. *Conditional uses.* Within any Commercial (C) District, the following uses may be permitted after application to the governing authority:
 - a. Outdoor theater provided the theater screens are not visible from an existing road, residence, or thoroughfare.
 - b. Warehousing, wholesaling, storage, and truck terminals, provided all outdoor storage areas are enclosed with a solid fence or buffer strip.
 - ~~c. Conference/convention center and special events facility.~~

8.9. *Industrial (I)*. The purpose of this district is to provide suitable areas for industrial development. All uses in the Industrial (I) District shall be constructed, maintained, and operated so as not to be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust or other particulate matter, toxic or noxious waste materials, odors, fire and explosive hazard or glare: Within 200 feet of a residential district, all processes and storage (except of vehicles) shall be in enclosed buildings.

. . .

- 2. *Conditional uses.* Within any Industrial (I) District the following uses may be permitted after application to the governing authority:
 - a. Automobile wrecking and junk yards when screened with a solid fence, wall, or natural screening of such height as will screen all junk or other materials or vehicles from the view of any adjacent property -owner or from any public road provided that such fence be at least ten feet from any street right-of-way or any zone district boundary.
 - b. Manufacture of fertilizer or explosives.
 - c. Bulk storage of petroleum products.
 - d. Airports.
 - e. Landfills, sewage treatment facilities, or other waste disposal sites.
 - f. Mining, rock quarries, and development of natural resources including the removal of minerals and natural materials, provided that such operation is located on at least 100 acres of land, that areas extracted shall be entirely enclosed within a fence located at least ten feet back from the edge of any excavation and that said

fence shall be of adequate strength and height to be demonstrably capable of excluding children and livestock from such areas; that buildings, machinery and other equipment and appurtenances shall not be any closer than 1,000 feet to any property line; and that at the time of application for a permit the owner or operator shall file comprehensive plans for the reclamation and reuse of the property after operations cease.

Sec. 102-14. - Amendments to zoning ordinance.

14.7. **Minimum time between applications.** A property owner shall not resubmit an application, request or proposal for zoning amendment decision, as defined in OCGA § 36-66-3, affecting the same property, more than once in a 12-month period. The 12-month period begins at the date of denial of the application before the board of commissioners; except in the case where the matter is appealed to superior court. In the case of an appeal to superior court, the twelve month re-application period shall begin to run from the date on which final judicial adjudication is rendered in the matter.

~~14.13 Innovative development plan permit process (IDP) Reserved.~~