



Carroll County
Department of Community Development

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Janet Hyde
County Planner

Z-21-08-03

COMMISSION DISTRICT: 4
PLANNING COMMISSION MEMBER: Cassie Marshall
COUNTY COMMISSIONER: Steve Fuller

PUBLIC HEARING DATES
PLANNING COMMISSION: August 24, 2021
BOARD OF COMMISSIONERS: September 7, 2021

REQUEST: Rezoning from R3 Residential to Commercial to the purpose of a convenience store.

APPLICANT: Stripling Chapel Corner, L.L.C.
OWNER: Stripling Chapel Corner, L.L.C.

FUTURE LAND USE: Residential

PARCEL NUMBER(S): 134-0336

ACRES: 4.49

LOCATION: Corner of Oak Mountain Road and Highway 16

CURRENT ZONING: R3 Residential
CURRENT LAND USE: Vacant

PROJECT DESCRIPTION: The applicant is requesting to rezone the current property from R3 Residential to Commercial for the purpose of constructing a Gas Station and Convenience Store.

SURROUNDING PROPERTIES:

	Current Zoning	Current Land Use
North	R1 and R3 Residential	Residential
East	R2 Residential	Residential
South	R3 Residential	Residential
West	City	Vacant

REVIEW CRITERIA AND STANDARDS FOR CONSIDERING ZONING DECISIONS:

A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed zoning, if approved, will permit a use that is not in conformity with the use and development of adjacent and nearby property.

B. Whether the zoning proposal will adversely affect the existing use of adjacent or nearby property.

The proposed zoning, if approved, will adversely affect the existing use of adjacent or nearby property. A convenience store and commercial zoning will cause excessive traffic and nuisances to the nearby properties. It could also have a negative impact on the property values of the nearby properties.

C. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The proposed zoning, if approved, will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

D. Whether the zoning proposal is not in conformity with the policy and intent of the land use plan; and

The proposed zoning, if approved, is not in conformity with the policy and intent of the land use plan. The future land use for this property is **RESIDENTIAL**. The area around the subject property is all zoned residential. There are no other commercial uses in close vicinity to subject property.

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

There are no other existing or changing conditions affecting the use and development of the property to give supporting grounds for approval or disapproval of the zoning proposal.

DEPARTMENTAL COMMENTS:

Carroll County Public Works: The proposed zoning change will cause increased traffic in the area and may result in the need for additional improvements to the intersection of Highway 16 and Oak Mountain Road/Stripling Chapel Road. Access to the property is from S.R. 16 and Oak Mountain Rd.

Carroll County Engineer: Subject property is not within the 100 year flood plain. There are no "state waters" on the property. Anticipated traffic generation based on fueling positions is **57 cars per fueling position on average and 33 cars per fueling position** during peak hours. The property will be required to be in conformance with the Corridor Development Plan. Madison Soils support septic absorption.

Carroll County Fire: The property is served by Carroll County Fire Rescue Station #5 which is 1.9 miles from subject property with an approximate response time of two minutes.

Carroll County Board of Education: The proposed use will have no impact on the number of students in the school system, but will impact the traffic to and from schools as this is a major intersection along a route heavily used by school traffic.

Carroll County Water Authority: Carroll County Water Authority serves this property, but does not review for fire protection requirements. Zoning analysis does not reserve water capacity. CCWA serves the property with an eight inch main.

STAFF COMMENTS: The applicant is requesting to rezone from R3 Residential to Commercial in order to construct and operate a convenience store and gas station. State Route 16 is a high-traffic road, and a gas station and convenience store will create a burden on existing traffic and infrastructure, as well as having a negative impact on the surrounding neighborhoods.

The entrance to Mountain Oaks Subdivision is directly across from subject property and it is already difficult to maneuver entrance and exit to this subdivision during school traffic times. A convenience store and gas station will dramatically increase the burden to this neighborhood, as well as impacting the property values of the houses in the neighborhood.

The Future Land Use Map was adopted in 2018, which has only been three years ago. Nothing in the immediate area has changed since adoption of that map to warrant a deviation from the Future Land Use Map in this area. There are no other similar uses adjacent or nearby that would warrant a change in the zoning at this time.

STAFF RECOMMENDATION: DENIAL.

PUBLIC NOTIFICATIONS: As required by Sections 14.3 and 14.4 of the Carroll County Zoning Ordinance, the public has been notified in the *Times-Georgian* on August 6, 2021; a sign was posted on the subject property, and all abutting property owners received notification of the rezoning request via U.S. mail.

Respectfully submitted,

Janet Hyde
County Planner

