



Carroll County Department of Community Development

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Janet Hyde
County Planner
Z-21-11-02
C-21-11-02

COMMISSION DISTRICT: 3
PLANNING COMMISSION MEMBER: Kim Hagen
COUNTY COMMISSIONER: Tommy Lee

PUBLIC HEARING DATES
PLANNING COMMISSION: November 23, 2021
BOARD OF COMMISSIONERS: December 7, 2021

REQUEST: Rezoning from Agricultural to Commercial with Conditional Use for mini-warehouse storage units.

APPLICANT: Leonard Olim

Current Land Use: Flea Market
Future Land Use: Agricultural/Commercial

ACREAGE: 12.9

PARCEL NUMBER(S): 147-0218 AND 147-0006
LOCATION: W. Highway 78

PROJECT DESCRIPTION: Applicant is requesting to rezone the remainder of Parcel 147-0218 from Agricultural to Commercial, as a portion is already zoned Commercial. Parcel 147-0006 is also zoned already zoned Commercial. The applicant is also applying for a Conditional Use Permit on both parcels for a mini-warehouse storage facility.

Surrounding Properties:

	Current Zoning	Land Use
North	MHS (Mobile Home Subdivision)	Residential
East	R2 Residential	Residential
South	Commercial/Agricultural	Residential
West	Agricultural	Residential

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 would be suitable in view of the development of adjacent and nearby property. All of the property along Highway 78 is in a secondary commercial corridor and the property to the South is also zoned Commercial. A portion of subject property is already zoned Commercial.

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

The proposed zoning, if approved, could adversely affect the existing use of adjacent or nearby property in that it could affect the quiet enjoyment of the adjacent residential 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, could result in a use which would or could cause an excessive or burdensome use of existing streets, transportation facilities, or utilities. It would not have an effect on use of schools as it would add no additional students to the school system.

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 somewhat in conformity with the policy and intent of the land use plan. The future land use designation for the property already zoned Commercial is Commercial; however, the future land use designation for the Agricultural-zoned portion of the property is to stay Agricultural.

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 disapproval of the zoning proposal.

REVIEW CRITERIA AND STANDARDS FOR CONSIDERING CONDITIONAL USE PERMITS:

A. Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.

The proposed use could have an adverse effect on the neighborhood if county nuisance ordinances are not followed.

B. Whether or not the use is otherwise compatible with the neighborhood.

The use is compatible with the surrounding area as the surrounding area is a mixture of commercial and residential uses.

C. Whether or not the use proposed will result in a nuisance as defined under state law.

The proposed use could result in a nuisance as defined under state law if county nuisance ordinances are not followed.

D. Whether or not quiet enjoyment of surrounding property will be adversely affected.

The quiet enjoyment of surrounding property could be adversely affected if county nuisance ordinances are not followed.

E. Whether or not property values of surrounding property will be adversely affected.

The surrounding property values could be adversely affected if subject property is not well maintained.

F. Whether or not adequate provisions are made for parking and traffic considerations.

The applicant is proposing access from Highway 78. The State Highway access requirements will be determined when a driveway permit is issued by Georgia DOT. The property allows for ample parking.

G. Whether or not the site or intensity of the use is appropriate.

The site and intensity of the use is appropriate.

H. Whether or not special or unique conditions overcome the board of commissioners' general presumption that residential neighborhoods should not allow non-compatible business uses.

There are no special or unique conditions to this request. One parcel is already zoned Commercial, but the other is split zoned Commercial and Agricultural. The zoning ordinance allows for min-warehouse storage units in Commercial zoning with a conditional use permit.

I. Whether or not adequate provisions are made regarding hours of operation.

Hours of operation have not been addressed.

J. Whether or not adequate controls and limits are placed on commercial and business deliveries.

Controls and limits have not been placed on commercial deliveries.

K. Whether or not adequate landscape plans are incorporated to ensure appropriate transition.

Adequate landscape plan must be submitted in accordance with the county's Corridor Development Plan.

L. Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.

The public health, safety, welfare, and moral concerns of the surrounding neighborhood will not be adversely affected.

M. Whether the applicant can vary from any minimum required lot size requirement.

Not applicable.

DEPARTMENTAL COMMENTS:

Carroll County Public Works: Access to the property is from Highway 78. State DOT permit may be required for access to Highway 78. Anticipated traffic generation for a mini-warehouse is five trips per 1,000 sf of storage with a peak of one trip per hour per 1,000 sf of storage.

Carroll County Engineer: The subject property is not within the 100 year flood plain or probable wetland. There are no known state waters on the property. Land disturbance permit will be required.

Carroll County Fire: Fire marshal review will be required and adequate access for fire apparatus must be maintained.

Carroll County Board of Education: No impact. No additional students will be added as a result of this application.

Carroll County Water Authority: No comments at the time of this report.

STAFF COMMENTS: Applicant is proposing to build mini-warehouse storage units. Parcel #147-0218 is split zoned Agricultural and Commercial and Parcel 147-0006 is already zoned Commercial. Commercial zoning with a Conditional Use Permit is required for storage units. There are a few other commercial uses in the area.

This property is within the Highway 78 Corridor and if approved, will require a Corridor Development Plan as a result of this development. If this request is approved, applicant will be required to submit landscape, lighting, signage, and parking plans prior to obtaining a building permit.

STAFF RECOMMENDATION: APPROVAL.

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 November 1, 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