



**Carroll County
Department of Community Development**

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PLANNING COMMISSION SYNOPSIS

July 19, 2022

Z-22-06-02: Request to Rezone approximately four acres from Agricultural to Residential, 180 Martin Road, Villa Rica. Parcel #151-0086, Land Lot 40 of the 6th District. Owner/Applicant: Lindy Herrell. Commission District 5.

Mr. Herrell spoke on behalf of the request. He stated that his grandfather had given him four acres of land. He has a house and a shop on the property, and is now renting the house out. He wants to sell 2.23 acres with the house and keep the remainder of the property with the shop in Agricultural because it is part of the original farm in his family. There was no opposition. The commission questioned about the Zoning map and the Future Land Use Map. The zoning is Agricultural and the Future Land Use designation is residential. The vote to recommend approval was unanimous.

C-22-07-01: Conditional Use for Secondary Dwelling on four acres at 1065 Lovvorn Mill Road, Bowdon. Parcel #014-0032, Land Lot 113 of the 9th District. Applicants: Austin and Candace McCaghren. Owners: Brent and Karen McCaghren. Commission District 6.

Austin McCaghren spoke on behalf of the application. He stated that they wanted to construct a second dwelling on the property. They do not want to split the property because it has been a family farm for many years. There was no opposition. The vote to recommend approval was unanimous.

C-22-07-02: Conditional Use for Truck Parking on 8.85 acres at Highway 61 at Old Carrollton Road. Parcel #153-0393, Land Lot 111 of the 5th District. Owner: Tanner Medical Center. Applicant: JCI. Commission District 5.

Jeremy Couch spoke on behalf of the request. He stated that he wants to use about one acre of the property for truck parking and he has a five year business plan for the truck parking to supplement his income and offset the cost of the land to expand the landscaping business. He presented some documentation of a rendering of a building that will be similar to what he is planning to build.

Barry Thompson of Midway Church spoke in opposition. He stated that the church is concerned about the placement of a truck parking facility near their church. He said they have over 200 members who live in Fairfield. He said that although the large congregations are at the church on Sundays and Wednesdays, they have people at the church every day for various ministries.

Mr. Couch spoke in rebuttal and said this will not be a truck stop. He said it is storage. People will park their trucks and go home in their cars. He said it will have no effect on traffic because of the timing...truck drivers typically leave out very early and come in very late.

Mr. Thompson spoke in rebuttal opposition and said that Midway Church Drive is small and not built for truck traffic.

Staff pointed out to the commission a letter received from the Fairfield Property Owners Association in opposition to the request. The commissioners asked if Mr. Couch had purchased the property and he stated that he had not. He pointed out that Tanner Medical Center owned the property and had given permission for the application. He said that they do not have the property under contract. Mr. Couch stated that he would have about 40 spaces, with trucks coming and doing, but some RV parking will be more long-term. He stated that it would be initially gravel. The commission questioned the amount of property being applied for the conditional use. Mr. Couch stated that he only wanted to use one acre for the truck parking, but his application states that he wants to use 8.85 acres. The vote to recommend denial was unanimous.

C22-07-04: Conditional Use for Secondary Dwelling on 5.31 acres at 713 Lepard Road, Roopville. Parcel #097-0003, Land Lot 42 of the 11th District. Owners: Roxanne and James Pope. Applicant: Alan Pope. Commission District 5.

Mr. Pope spoke on behalf of his request. He stated that he wants to construct a shop with living space for his parents. His dad has had two strokes and his mom needs assistance with care. Questions were asked to confirm the location of the proposed building. There was no opposition. The vote to recommend approval was unanimous.

Z-22-07-01: Request to Rezone 0.34 acres from Agricultural to Commercial at 659 Beulah Church Road, Carrollton. Parcel #074-0123, Land Lot 164 of the 10th District. Owner/Applicant: Michael Russell Branon. Commission District 1.

Mr. Branon spoke on behalf of his request. He stated that he had been in business at this location since 1984 and that his business license had lapsed. He had been grandfathered, but understood that he lost that when he didn't renew his business license.

Pat Rhudy of Virginia Trail spoke in opposition. She stated that she had complained to code enforcement about Mr. Branon's trucks blocking the ability to see through the intersection, and is probably the reason for the county following up on the business license. She said she is usually coming of the street out going east and she cannot see to pull out into the road. She said it is a hazard. She has asked him to move the trucks three times and he has not moved them. She said some of the trucks have trees growing through them.

Mr. Branon spoke in rebuttal and said that more than one of the trucks cannot be moved as they were dropped off by a wrecker. He said he had had Allstar Motorsports from 2008 to 2011. He left and took another job and came back in August of 2020, and had overlooked the business license.

Ms. Rhudy spoke in rebuttal opposition and said that she has no sense of competence that something will be done about the sight distance problem. The corner is consistently blocked and the zoning sign also blocked the intersection.

The commissioners questioned whether Mr. Branon lived on the property and he said no, and that the property is paid for. Commissioner Hagen said he is familiar with the intersection and the sight distance problem, but that the board is merely considering the rezoning request and would leave the code enforcement problems to staff. The vote to recommend approval was unanimous.

Z-22-07-02: Request to Rezone approximately 7.31 acres from Agricultural to Commercial at 2548 S. Highway 27. Parcel #091-0140, Land Lot 1 of the 10th District. Owner/Applicant: Mark M. Sprewell, Sr. Commission District 4.

Mr. Sprewell spoke in favor of his application. He said he had been in the cattle business for most of his life. He and his wife have cut back on work and want to do some of their dream jobs. His wife is a quilter and is very good at painting and art, and restores furniture. He said she wants to open a shop to do just that. He said he had always wanted to sell used farm equipment. He said the house on the property was redesigned several years ago for a school. It has a two-stall ladies restroom, handicap access, fire exit signs, security, and all the commercial requirements. He said it has a large room that his wife can use for her quilting machine. It has a finished basement that he can use for offices. He said it is really a good location to do this, as it is surrounded by commercially zoned properties. There was no opposition. The commissioners questioned about where the used tractors would be on display and Mr. Sprewell stated he would clear out to the right of the front of the building for a lot. The vote to recommend approval was unanimous.

Ordinance Update: The commissioners considered the update to the zoning ordinance. The county attorney's office drafted an amendment to the ordinance which had been presented at the May meeting, and would, in essence, make a separate classification for farm event venues that would require 10 acres of land and a Schedule F tax form, and would limit visitors to 150 people. This would only be allowed in Agricultural zoning. The entire amended ordinance was presented to the board, and the floor opened for public comment. There was no public comment. After much discussion, it was motioned to recommend approval of the presented draft, with two changes for clarification:

1. The reference to Schedule F should state the title "Profit or Loss from Farming."
2. The sentence stating "No such facility shall be closer than 50 feet from a property line" should be modified to replace the word "facility" with "building."

The vote to recommend approval with these changes was unanimous.