



Carroll County Department of Community Development

423 College Street
P.O. Box 338

Carrollton, GA 30117
(770) 830-5861

Janet Hyde
County Planner
Z-22-06-02

REZONING FROM AGRICULTURAL TO RESIDENTIAL

COMMISSION DISTRICT: 5
PLANNING COMMISSION MEMBER: Paul Dement
COUNTY COMMISSIONER: Ernie Reynolds

PUBLIC HEARING DATES
PLANNING COMMISSION: June 21, 2022
BOARD OF COMMISSIONERS: July 12, 2022

REQUEST: Rezone approximately four acres from Agricultural to Residential.

OWNER/APPLICANT: Lindy Herrell

FUTURE LAND USE: Residential

ACREAGE: Four acres.

PARCEL NUMBER(S): 151-0086

CURRENT ZONING: Agricultural

LOCATION: 180 Martin Road, Villa Rica

CURRENT LAND USE: Residential with shop

PROJECT DESCRIPTION: The applicant is requesting to rezone approximately four acres from Agricultural to Residential (one acre minimum) in order to split property to sell existing home on property.

SURROUNDING PROPERTIES:

	Current Zoning	Current Land Use
North	Agricultural	Residential/Agricultural
East	Agricultural	Residential/Agricultural
South	Agricultural	Residential/Agricultural
West	Agricultural	Residential/Agricultural

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.



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The proposed zoning, if approved, will permit a use that would be suitable in view of the development of adjacent and nearby property. The character of the area is a mix of agricultural and residential uses.

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

The proposed zoning, if approved, will not adversely affect the existing use of adjacent or nearby property. There are other residential lots adjacent to and in close vicinity to the subject property.

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 not result in a use which would or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The proposed zoning, if approved, will not add any additional households to the county 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 in conformity with the policy and intent of the land use plan. The future land use for this property is **RESIDENTIAL**.

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 which give supporting grounds for either approval or disapproval of the zoning proposal.

DEPARTMENTAL COMMENTS:

Carroll County Public Works: The proposed zoning will have no effect on public infrastructure. Access to the subject property will be from Martin Road. The anticipated traffic generation rate is 10 cars per hour per household. All roads, bridges, and other infrastructures expected to be utilized are adequate.

Carroll County Engineer: There is no flood plain on the property and no "state waters."

Carroll County Board of Education: The proposed rezoning will add no additional households to the county school system.

Carroll County Water Authority: Carroll County Water Authority does not serve this property, and does not review for fire protection requirements. Zoning analysis does not reserve water capacity.

STAFF COMMENTS: The applicant is requesting to rezone approximately four acres from Agricultural to Residential, with a one-acre minimum lot size. The predominant character of Martin Road is a mix of residential and agricultural. The Future Land Use designation for this property is Residential.

STAFF RECOMMENDATION: APPROVAL.



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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 June 3 and July 1, 2022; 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



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APPLICATION FOR REZONING

Application must be filed by noon on the 3rd Tuesday of the month to go on the next month's agenda. A pre-application conference with staff is required before the application can be submitted. Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed.

APPLICANT

Applicant Name: Lindy Herrell
Address: 1036 cord 411 City: McFlin State: AL Zip: 36264
Phone: (404) 216-2638 Fax: () N/A Email: Herrell52@aol.com

Agent Name: _____
Address: _____ City: _____ State: _____ Zip: _____
Phone: () _____ - _____ Fax: () _____ - _____ Email: _____

Owner Name (If different from applicant): _____
Address: _____
Phone: () _____ - _____ Fax: () _____ - _____

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

REZONING

Project Name: _____
Rezoning Location (attach location map): 180 Martin Rd
Current Zoning: FA
Proposed Zoning: Residential
Proposed Use: _____
(If residential, the residence must be at least 1,230 square feet, or as expressly approved by the Board of Commissioners)
Total acreage: Approximately 2 acres
Describe Proposed Rezoning: (attach additional sheets if necessary) sell house & property

STAFF USE ONLY

Land Lot 40 of the 6th District, Carroll County Tax Map 151 Parcel 0086
Date Application Filed: 5-6-22 County Recipient: jet
Advertisement Date: 6-3-22 Sign Posting to before this date: 6-8-22
Planning Commission First Reading Date: 5-17-22
Planning Commission Hearing Date Scheduled: 6-21-22 at 6:30 p.m.
County Commissioners Hearing Date Scheduled: 7-12-22 at 6:30 p.m.
Rescheduled Hearing Date, if required: _____ Application No: 2-22-06-02
Application Withdrawn with/without Prejudice: (please circle)
Zoning Personnel: jet Letter Sent to Applicant: 1/1



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COMPREHENSIVE PLAN

Describe how the proposed Rezoning will affect:

Traffic: _____

Parking: _____

Availability of Public Facilities/Utilities: _____

Other relevant Impacts of the Proposal: _____

Describe how the proposed Rezoning will be a benefit to the public. _____

Please answer the following questions as completely and accurately as possible. This zoning application will be submitted for review to various departments; therefore, any incomplete answers may delay the review process.
- Attach additional sheets as necessary. -

REZONING QUESTIONS

1. Has the landowner or any person undertaken or initiated any efforts to develop the property in its existing zoning classification? Please provide a complete statement of the efforts for such development?

N/A

2. Is development under the present zoning classification infeasible? If yes, please provide a complete statement describing why development is infeasible?

N/A

3. Does the applicant know of similarly situated properties, within 1/2 to 1 mile, that have been developed in a manner as proposed? If so, please list the location of the similar property with respect to the subject property.

Other houses have been built in area on Martin Rd + Fthica Gin

4. Is the subject property a portion of a larger tract? Yes No If yes, please describe the original tract size, and what portion you are requesting to rezone:

Was 4acre I want to keep part of Land with buildings



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REZONING QUESTIONS CONTINUED

5. Are there any houses, barns, mobile homes, commercial buildings, or structures presently located on the subject property? If so, please identify the number of structures and their type:

House + 2 metal Buildings

6. List the type of structures you propose to construct if the subject property is re-zoned. If proposing the development of a subdivision, please describe the style, minimum square footage, proposed number of homes, number of phases, and price range of the homes:

None

7. Please state any pertinent facts, circumstances, events, and or documents that should be considered to support a decision to rezone the property to the proposed zoning classification and use.

8. Will your proposed use add additional residents to the property? If so, how many new residents do you anticipate will eventually move onto the property? NO How many households during the first year? ~~20~~ N/A

9. Has the applicant conducted any studies in connection with the proposed rezoning? If yes, please provide.

NO

10. Please identify any public utility (including water, sewer, gas, electricity, and other public utilities) which would be required for the proposed development of the property and are not available at the time of this application.

No county water EME Power

11. Disclosure Requirements per O.C.G.A. Section 36-67A . Has the owner and/or the applicant (or any person or attorney representing such in the re-zoning process) made campaign contributions totaling more than \$250 to any local government official who will consider this application? Yes No If yes, please state the name of the official(s) and the position held by each official, and the dollar amount and description of each campaign contribution made to each official within two years preceding the filing of this application.



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SKETCH OF PROPERTY

Please check:

COMMERCIAL

OTHER: _____

- Provide a sketch of the proposed building location, driveway, septic tank location, and all other structures.
- Show the **dimensions** of the lot and all setbacks from the house and other structures to all property lines.
- The front setback shall always be measured from the centerline of the frontage road(s).
- Show location of any wells, trash pits, and all easements (drainage or utility) located on the property.
- Show distance to nearest stream or lake on property. If not within 200 feet of a stream or lake, please note.

Provide a complete listing of all existing structures that are now on the property: House + 2 metal Building

Describe the type of structure that you plan to build: *(A residence must be at least 1,230 square feet unless expressly approved by the Board of Commissioners)* None

Is this a multiple road frontage lot? No

See Attached



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STATE OF GEORGIA
COUNTY OF CARROLL



AFFIDAVIT FOR A REZONING APPLICATION

Saul Henell, personally appeared before me, the undersigned officer, duly authorized to administer oaths in the State of Georgia and, having been duly sworn, sets forth the following statements for the purpose of being granted approval for a **REZONING APPLICATION** under the Ordinances of Carroll County:

The information contained within the application attached hereto and filed in the Department of Community Development consists of facts within my personal knowledge that I know are true and correct, and will be relied upon by officials of Carroll County in making a decision whether to issue this Application, License, Permit, or other Department approval.

On behalf of the Applicant, I declare that the Applicant, regardless if a partnership, corporation, or other organization or entity that is receiving a benefit under this Application, License, Permit, or other Department approval (whichever is applicable) is not delinquent in the payment of any taxes or fees due Carroll County.

FURTHER AFFIANT SAYETH NOT.

I declare under penalty of false swearing that the above is true and correct.

This 6th day of May, 2022.

Saul Henell

AFFIANT (signature)

Address: _____

Sworn to and subscribed
before me this 6th day
of May, 2022

Jane L. Hilde
Notary Public



My Commission Expires _____

If Affiant is authorized to sign on behalf of a partnership, corporation, or other organization or entity, please set forth the entity and address

Entity: _____
Address: _____



Overview



Legend

- Parcels
 - Roads
 - Streams and River (Large)
 - Lakes
- Flood Map**
- A - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Base Flood Elevations (BFE) have not been determined.
 - AE - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Determined by detailed methods with Base Flood Elevations (BFE).
 - VE: Coastal SFHA with BFE & velocity wave action - Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
 - X: 500 Year Flood - Areas of 0.2% annual chance flood

Parcel ID 1510086
 Class Code Residential
 Taxing District COUNTY
 Acres 4.03

Owner HERRELL LINDY W & CINDY
 265 COUNTY ROAD 682
 HEFLIN, AL 36264
 Physical Address 180 MARTIN RD
 Assessed Value Value \$247148

Last 2 Sales

Date	Price	Reason	Qual
7/23/2012	0	QC	U
9/11/2010	0	RW	U

(Note: Not to be used on legal documents)

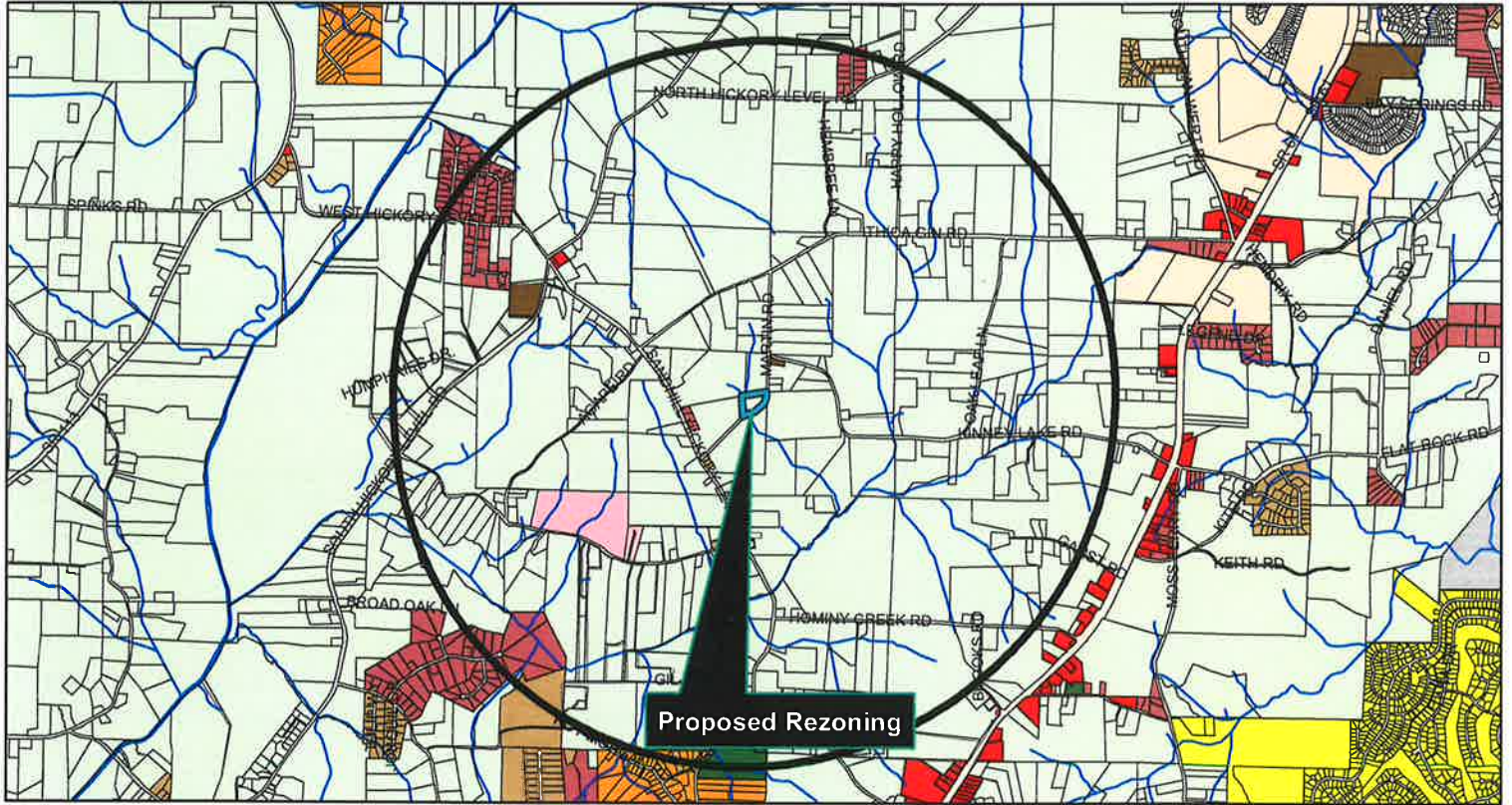


Z-22-06-02

Zoning Map

A to Residential
Owner/Applicant:
Lindy Herrell
Parcel 151-0086

- 1.5 Mile Radius
- Municipal
- A - Agriculture (4 ac min.)
- C - Commercial
- I - Industrial
- TP - Technology Park
- OI - Office and Institutional
- HDDR - High Density Detached Residential*
- MFR - Multi-Family Residential
- MHS - Manufactured Home Subdivision
- PUD - Planned Unit Development*
- R1 - Single Family Home (3 ac min.)*
- R2 - Single Family Home (1 ac min.)
- R3 - Single Family Home (0.5 ac min.)*
- R30 - Single Family Home (0.75 ac min.)*



Future Land Use

- 1.5 Mile Radius
- Agriculture
- Industrial
- Residential
- Primary
- Commercial
- Park/Rec/Con
- Trans/Comm/Util
- Secondary
- Fairfield
- Public/instituti

