



**Carroll County
Department of Community Development**

423 College Street
P.O. Box 338
Carrollton, GA 30112-0338
TEL: 770-830-5861
FAX: 770-830-5866

PLANNING COMMISSION SYNOPSIS
September 20, 2022

Z-22-08-01: Rezoning request for approximately five (5) acres on Ithica Gin Road from Agricultural to Residential for the purpose of building two single family homes. Parcel #170-0316, Land Lot 60 of the 6th District. Owner/Applicant: T&S Holdings, LLC. Commission District 3.

Applicant Steve Pulver is requesting to rezone five acres in order to split the property into two tracts to construct homes. There was one person in opposition and staff read two emails that had been received in opposition, the opposition mainly being the proposed access through Mr. Pulver's property from Ithica Gin to a proposed subdivision.

Mr. Pulver was before this board previously, where a rezoning of adjacent property was approved from Agricultural to Residential. There have been some conversations with the applicant because he is attempting to forge an agreement with a developer who is seeking to rezone land in the City of Villa Rica, which is adjacent to subject property, this agreement being that Mr. Pulver would allow access through his property onto Ithica Gin Road. The property which would allow access is not subject property, but the previously rezoned property of Mr. Pulver's. Staff has advised applicant that if he allows access through his property to Ithica Gin Road, that that property would be required to be annexed into the City of Villa Rica and would need to be shown on the subdivision plat for that subdivision. Mr. Pulver says the developer has not responded to his requests for contact, and he does not think this access will happen any time in the near future. Commissioner Marshall motioned to recommend approval of the rezoning request and Commissioner Wilson seconded. The vote to recommend approval was unanimous.

C-22-09-01: Conditional Use for Secondary Dwelling at 2740 Shady Grove Road. Parcel #106-0026, Land Lot 207 of the 5th District. Owner/Applicant: Kenneth Harrison. Commission District 5.

Lesley Paul, the applicant's daughter, spoke in favor of the request. She stated that they want to build a second home on the property for her father, and she and her family will move into the existing home. Her father needs family to live in close proximity. There was no opposition. Commissioner Dement motioned to recommend approval and Commissioner Simpson seconded. The vote to recommend approval was unanimous.

Z-22-09-01: Rezoning request for approximately 2.9 acres from Commercial to Industrial for the purpose of opening a manufacturing facility. Parcel #089-0809, Land Lot 163 of the 10th District. Owner/Applicant: Columbia Drive Management, LLC. Commission District 1.

Mike Mashburn spoke in favor of the request. He stated that the American Document Securities currently occupies this building and that the building will be vacant in December. He said that a container company is purchasing the building, but needs it rezoned to Industrial in order to do so. He said the new company will employ 20+ people and will mostly be welding. Staff pointed out that the Carrollton Fire Marshall, which has jurisdiction, stated that a sprinkler system will need to be installed, and applicant was aware of this. There was

no opposition. Commissioner Wilson motioned to recommend approval and Commissioner Hagen seconded. The vote to recommend approval was unanimous.

Consideration of proposed amendments to The Zoning Regulations of Carroll County, Georgia, as amended (“Zoning Regulations”) to (1) amend Section 8.8.1 of the Zoning Regulations to amend Subsection “f” under permitted uses in the Commercial Zoning District; (2) amend Section 8.8.1 of the Zoning Regulations to add “new farm equipment, farm tractor, and farm implement dealerships” as a permitted use in the Commercial Zoning District; and (3) amend Section 8.8.2 of the Zoning Regulations to add “used farm equipment, farm tractor, and farm implement sales, service, and repair” as a conditional use in the Commercial Zoning District. 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.

Staff explained the reasoning behind this ordinance change and discussion was held. A public hearing was held and there was no comment. Commissioner Hagen motioned to recommend approval and Commissioner Dement seconded. The recommendation for approval was unanimous.

Consideration of proposed amendments to The Zoning Regulations of Carroll County, Georgia, as amended (“Zoning Regulations”) to (1) amend Section 5 of the Zoning Regulations to add a new Section 5.19 regarding permitted residential occupancies; (2) amend Section 4.0 of the Zoning Regulations to insert the definition of “recreational vehicle”; and (3) amend Section 4.0 of the Zoning Regulations to insert the definition of “residential occupancy”. 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.

Staff explained the reasoning behind this ordinance change in that an RV is a recreational vehicle and is designated so by the State of Georgia and not allowed for single family permanent dwelling structures per state law. The Planning Commission felt that this is an overreach of government, and that it should be a “codes” issue. They also felt that the three-day maximum was too short of a time, even if the ordinance is passed. Staff explained that it has been a codes problem and that is why we got to this point. County Attorney Zack Thompson was present and also explained that he has been in magistrate court when these cases have been heard and the current ordinance is not strong enough to prohibit long-term living in a recreational vehicle. A public hearing was held and there was no comment. Commissioner Dement motioned to recommend denial and Commissioner Hagen seconded. **The vote to recommend denial was unanimous.**

Consideration of proposed amendments to The Zoning Regulations of Carroll County, Georgia, as amended (“Zoning Regulations”) to amend Subsection (a) of Section 13.9 of the Zoning Regulations regarding public hearings of the community development appeals board. 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.

Staff explained the reasoning behind this ordinance change. The State has recently changed the Zoning Procedures Act to require a notice of more than 30 but less than 45 days for cases heard by the Zoning Board of Appeals. The old requirement was more than 15 but less than 45 days. This ordinance change is to have our ordinance coincide with state law. A public hearing was held and there was no comment. Commissioner Hagen motioned to recommend approval and Commissioner Simpson seconded. The vote to recommend approval was unanimous.