

Land Use Application LU16060019 Rezone Z16060020

Commission District: 1 Ayers

Planning Commission Hearing Date: **8-4-16**
Board of Commissioners Hearing Date: **9-13-16**

Staff Analysis

Parcel ID: Map C0390013H spl

Acreage: .79 acres

Applicant:

Jere Rowe
1320 GA Highway 138
Monroe GA 30655

Owner:

same

Property Location: Bay Creek Church Road

Current Zoning: A1

Request:

- 1) **Change land use from Suburban to Neighborhood Residential**
- 2) **Rezone .79 acres from A1 to OI for private non-profit school (CLC-Christian Learning Center)**

Site Analysis: The property is part of a 2.996 acre parcel of land located off Bay Creek Church Road which was previously part of a 98.31 acre parcel owned by the Walton County Board of Education which contains a Middle/Jr. High school. The property to the right contains a cemetery and Bay Creek Baptist Church. The parcel was purchased from the Walton County Board of Education in order to build a CLC (Christian Learning Center) on .79 acres. The property is currently surrounded by A1 and A2 zonings; however the proposed use is consistent with the adjoining school and church uses.

Zoning History: None

Character Area: The character area is currently Suburban which is described as: Planned to accommodate the majority of new residential growth.

Applicant is requesting to change this land use to Neighborhood Residential which is described as: Traditional residential development with neighborhood-scale businesses scattered throughout.

Comments and Recommendations from various Agencies:

Public Works:

Sheriffs' Department:

Water Authority:

Fire Department:

Board of Education:

DOT Comments:

Archaeological Information:

Character Area Map Amendment

Application # LA 16060019

Planning Comm. Meeting Date 8-4-16 at 6:00PM held at **WC Board of Comm. Meeting Room**

Board of Comm. Meeting Date 9-13-16 at 6:00PM held at **WC Historical Court House**

You or your agent must be present at both meetings

Please Type or Print Legibly

Map/Parcel C0390013H

Applicant Name/Address/Phone #

Jere Rowe
1320 Hwy 138
Monroe GA 30655

Phone # 678-477-5211

Property Owner Name/Address/Phone

same

(If more than one owner, attach Exhibit "A")

Phone # _____

E-mail Address: _____

Location: Bay Creek Ch Rd Acreage .79

Existing Character Area: Suburban

Proposed Character Area: Neighborhood Residential

Is this a Major or Minor amendment to the plan? Minor
Note: Major amendments to the plan DO NOT become effective until approved by RDC and DCA

Is the property located within a watershed protection overlay district? Alcovy

Proposed Development: _____ Single-family _____ Multi-family Commercial _____ Industrial

Proposed Zoning: O-I Number of Lots: 1 Minimum Lot Size: .79

Public Sewer: _____ Provider: _____ Septic Tank:

The above statements and accompanying materials are complete and accurate. Applicant hereby grants permission for planning and zoning personnel to enter upon and inspect the property for all purposes allowed and required by the Comprehensive Land Development Ordinance.

Signature Jere Rowe

Date 10-29-16

Fee Paid \$200.00

Rezone Application # Z16060020

Planning Comm. Meeting Date 8-4-16 at 6:00PM held at WC Board of Comm. Meeting Room
Board of Comm Meeting Date 9-13-16 at 6:00PM held at WC Historical Court House
You or your agent must be present at both meetings

Please Type or Print Legibly

Map/Parcel 0039013.H

Applicant Name/Address/Phone # <u>JERE ROWE</u> <u>1320 HWY 138 MONROE, GA</u> <u>678-477-5211</u>	Property Owner Name/Address/Phone <u>JERE ROWE</u> <u>1320 HWY 138 MONROE, GA</u> <u>678-477-5211</u> <small>(If more than one owner, attach Exhibit "A")</small>
Phone # <u>678-477-5211</u>	Phone # _____

Location: Bay Creek Ch Rd Requested Zoning O-I Acreage .79

Existing Use of Property: Vacant

Existing Structures: Vacant

The purpose of this rezone is allow for private non-profit school (Christian Learning Center)

Property is serviced by:

Public Water: Provider: WALTON COUNTY Well: _____

Public Sewer: _____ Provider: _____ Septic Tank:

The above statements and accompanying materials are complete and accurate. Applicant hereby grants permission for planning and zoning personnel to enter upon and inspect the property for all purposes allowed and required by the Comprehensive Land Development Ordinance.

Signature Jere Rowe Date 6-29-16 Fee Paid \$400.00

Public Notice sign will be placed and removed by P&D Office
Signs will not be removed until after Board of Commissioners meeting

Office Use Only:

Existing Zoning A1 Surrounding Zoning: North A1 South A1 A2
East A1 A2 West A1

Comprehensive Land Use: Suburban NAICS Code: N/A

Commission District: 1 Ayers Watershed: Alcovy

I hereby withdraw the above application _____ Date _____

Article 4, Part 2, Section 160 Standard Review Questions:

Provide written documentation addressing each of the standards listed below:

1. Existing uses and zoning of nearby property; *THIS PROPERTY LIES BETWEEN THE LOGANVILLE MIDDLE SCHOOL AND BAY CREEK BAPTIST CHURCH CEMETERY - BOTH ZONED A1/A2.*
2. The extent to which property values are diminished by the particular zoning restrictions; *THIS WILL BE AN EDUCATION CENTER BORDERING A SCHOOL AND SHOULD NOT AFFECT PROPERTY VALUES.*
3. The extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public; *PROPERTY VALUES WILL NOT BE AFFECTED; BUT THE HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE PUBLIC WILL BE THROUGH THE SHARING OF AMERICAN CHRISTIAN PRINCIPLES.*
4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner; *TEACHING STUDENTS THE VALUES OF CHARACTER AND FAMILY ALWAYS STRENGTHENS A COMMUNITY. THE PROPERTY AS-IS NOW IS A VACANT LOT BESIDE A SCHOOL.*
5. The suitability of the subject property for the zoned purposes; and *THE PROPERTY IS ZONED A-1 NOW, BUT BECAUSE OF THE SIZE AND LOCATION OF THE LOT IS UNSUITABLE FOR AGRICULTURE. THE SIZE AND LOCATION MAKE IT A PERFECT LOCATION FOR THE WALTON COUNTY CHRISTIAN LEARNING CENTER TO HAVE A BUILDING.*
6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property *THE PROPERTY HAS NOT BEEN USED FOR AGRICULTURE IN OVER 30 YEARS.*

2-4
JL

After recording return to
DICKINSON & WILLIS, LLC
ATTORNEYS AT LAW
338 NORTH BROAD STREET
MONROE, GEORGIA 30655
FILE # 16-002

Deed Doc: WD Rec#: 247048
Recorded 01/13/2016 03:22PM
Georgia Transfer Tax Paid : \$0.00
KATHY K. TROST
Clerk Superior Court, WALTON County, GA
BK **03862** Pg **0439-0440**

_____space above line for recording_____

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF WALTON

THIS INDENTURE, Made the 12th day of January in the year two thousand and sixteen, between **WALTON COUNTY SCHOOL DISTRICT**, as party or parties of the first part, hereinafter called "Grantors," and **JERE ROWE**, of the County of Walton and State of Georgia, as party or parties of the second part, hereinafter called "Grantee" (the words "Grantors" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantors for and in consideration of the sum of Ten (\$ 10.00) Dollars and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee:

All that tract or parcel of land lying and being in Land Lot 114 of the 4th Land District, Walton County, Georgia, containing 3.000 acres, more or less, as shown on a plat of survey entitled "Subdivision Plat For: Jere Rowe", dated December 11, 2015, prepared by Alpha Land Services, certified by Gordon C. Story, Jr., Georgia RLS No. 2076, filed at Plat Book 111, Page 54 of the Walton County, Georgia Superior Court Records, said plat of survey and the record thereof being incorporated herein by reference for a more complete metes and bounds description of the property conveyed.

Grantee, for himself and his successors and assigns, agrees that no part of the property conveyed hereunder may be used for any commercial or profit-generating use or purpose. This agreement is and shall be a covenant running with the land and shall be binding, to the fullest extent permitted by law and equity, for the benefit of and enforceable by Grantor, its successors and assigns, against grantee, his successors and assigns, to any part of the property or any interest in the property and any party in possession or occupancy of any part of the property.



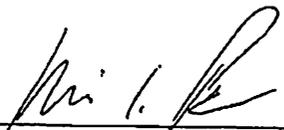
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND GRANTOR WILL WARRANT and forever defend the right and title to the above described property unto Grantee against the claims of any persons owning, holding or claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantors have signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in presence of:

WALTON COUNTY SCHOOL DISTRICT

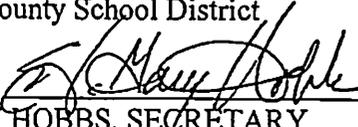


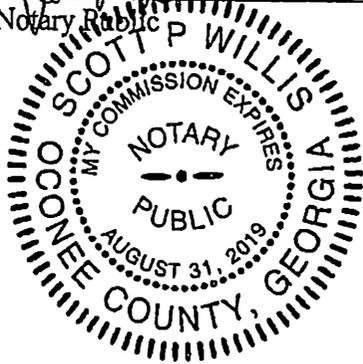
Witness

BY:  (SEAL)
JEREMY KILBURN, BOARD CHAIRMAN,
Walton County School District



Notary Public

ATTEST:  (SEAL)
H. GARY HOBBS, SECRETARY
Walton County School District



SEAL AFFIXED

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application?

_____ yes no

If the answer is yes, you must file a disclosure report with the governing authority of Walton County showing:

1. The name and official position of the local governing authority in Walton County to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution was made.

This disclosure must be filed when the application is submitted.

Joe Bone 6/29/16

Signature of Applicant/Date

Check one: Owner Agent _____

