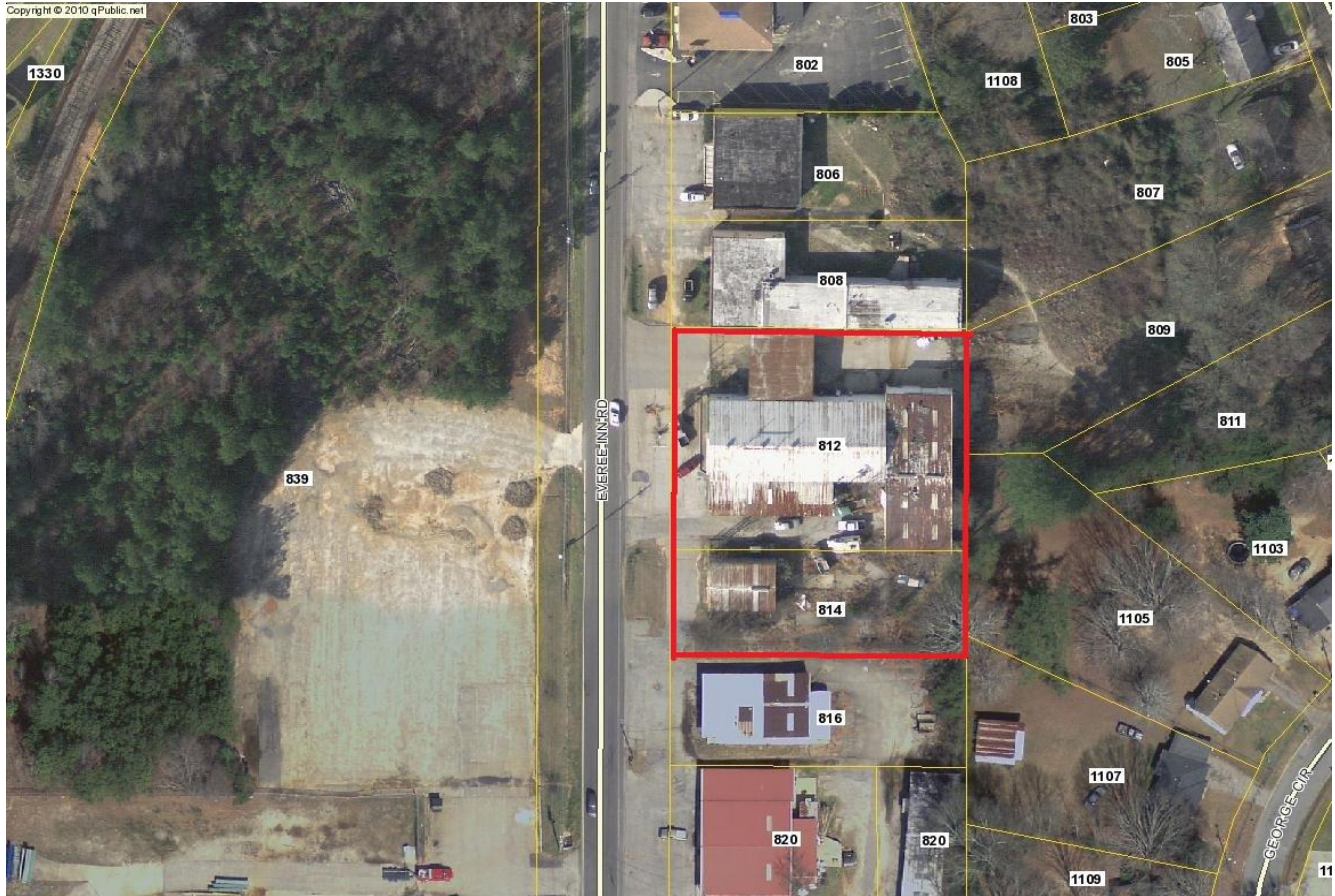


**812 & 814 Everee Inn Rd.**  
**REZONING REQUEST**  
(Project No. 16-REZ-05)

**Applicant:** Charles and John Neel  
**Owner:** Charles and John Neel



<b>Current Land Use Classification</b>	Commercial
<b>Current Zoning</b>	Low Density Residential-B
<b>Proposed Zoning</b>	Planned Commercial Development
<b>Future Land Use Designation</b>	Commercial
<b>Proposed Use</b>	Commercial
<b>Parcel Size</b>	0.29 & 0.58 +/- total acres
<b>Map, Block &amp; Lot Number</b>	048 01008 & 048 01009
<b>Planning &amp; Zoning Board</b>	September 19, 2016 Public Hearing
<b>City Commission</b>	September 27, 2016 Public Hearing
<b>City Commission Member</b>	Rodney McCord, District 6
<b>Planning Board Member</b>	Greg McLarin, District 6

## **Proposal/Site Location:**

The applicants, Charles and John Neel, are seeking to rezone the property located at 812 & 814 Everee Inn Rd. consisting of 0.58 & 0.29 +/- acres respectively from Low Density Residential-B (LDR-B) to Planned Commercial Development (PCD).



## **Zoning Ordinance Sections applicable to this Application:**

The following sections of the City of Griffin Zoning Ordinance apply to the rezoning request:

- Article 4. Section 405 - Standards for review for zoning amendments (Rezoning)
- Article 4. Section 408 - Public Hearings
- Article 7. Section 706 – Low Density Residential-B (LDR-B)
- Article 7. Section 714 - Planned Commercial Development (PCD)

The following sections of the City of Griffin 2014 - 2034 Comprehensive Plan Update apply to this request:

Section	Consistency	Reason
Housing	N/A	N/A
Citizen Notification & Participation	Yes	Legal Notice ran in the September 2, 2016 edition of the <i>Griffin Daily News</i> for Planning & Zoning Meeting and for City Board of Commissioners Public Hearing. A sign was placed on the proposed property, illustrating the purpose, date and time of both meetings on September 2, 2016.
Economic Development	No	Provide commercial services.
Natural & Historic Development	N/A	To staff's knowledge, the property has no historical significance.
Community Facilities	Yes	Water & sanitary sewer are accessible; electricity served by City of Griffin.
Land Use	No	Proposed rezoning is consistent with the Comprehensive Plan Future Land Use Map which designates this area and the subject parcel as Commercial.

## **Application Review**

**“Article 4. Section 405. Rezoning. All amendments (rezoning) to the Zoning Ordinance shall be evaluated in accordance with the following standards used to interpret the balance between an individual's right to the use of their property and the public health, safety or general welfare of the community. In applying these standards, expression of opinions unsupported by objective factual analysis, using the criteria set forth below, should not be considered by the Board of Commissioners.”**

### **a. Existing uses and zoning of adjacent property.**

Direction	Zoning	Existing Uses
North	LDR-B	Commercial
South	LDR-B	Commercial
East	LDR-B	Residential
West	PID	Vacant

The properties to the north and south are zoned Low Density Residential-B and are current commercial uses. The property to the east is zoned LDR-B and is a residential uses. The property to the west is zoned PID and is currently a vacant lot.

- b. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned, although such use may not be its highest and best potential use.**

The property to be affected by the zoning proposal does not have a reasonable economic use as currently zoned. The parcels of land were originally developed as commercial property. The owner is requesting this parcel to be rezoned to PCD, in order to utilize the property as an automobile paint and body shop.

- c. **Whether the zoning proposed will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The zoning proposed will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The property was developed as a commercial property in the 1960's. The surrounding properties are a mixture of residential and commercial uses.

- d. **The relative gain to the public as compared to the hardship imposed upon the individual property owner (applicant) by maintaining the existing zoning.**

The relative gain to the public, if this property is maintained as LDR-B is minimal. The property cannot be utilized as is under the Low Density Residential-B zoning district.

- e. **The suitability of the subject property for the purposes for which the applicant seeks to have it rezoned, including availability of existing infrastructure.**

The proposed rezoning is consistent with the City of Griffin Comprehensive Plan Future Land Use Map, which identifies the property as a commercial land use. Water, sewer and electricity service is available for the subject property. (*Electricity is provided by Griffin Power*)

- f. **The compatibility of the applicant's proposed use of the property, if rezoned, with surrounding properties and uses (the applicant should address measures to reduce negative impacts of the proposed use, including any conditions attached to a recommendation for rezoning by the Zoning Administrator and/or Planning and Zoning Board).**

The applicant's rezoning request from LDR-B to PCD is compatible with surrounding properties and uses. The parcel is situated across the street from a vacant parcel currently zoned PID, next door to other commercial businesses which are zoned LDR-B and residential properties to the rear of the proposed parcel which are zoned LDR-B.

- g. **Any environmental, historic, cultural or aesthetic concerns unique to the subject property or proposed use, and how applicant proposes to mitigate any negative impacts on surrounding properties and the community at large.**

Planning and Development Staff is not aware of any historic or cultural concerns unique to the subject property.

- h. **Whether there has been a change in conditions of the subject property or properties in the vicinity of the subject, which give supporting grounds for either approval or disapproval of the zoning proposal.**

There have not been any changes in conditions of the subject property or others in its vicinity.

- i. **If applicable, the length of time the subject property has been vacant or substandard as zoned, when considered in the context of land development in the vicinity of the property.**

The property was originally developed as a commercial property. The property has been vacant for over a year; therefore, losing its grandfather status to remain a legal non-conforming use.

### **Staff Comments:**

Planning Staff has evaluated the proposed rezoning request submitted by Charles and John Neel, for the properties located at 812 & 814 Everee Inn Rd, for its compatibility with the Future Land Use Map (FLUM) of the Comprehensive Plan and the zoning district being requested. The applicant's request is compatible with the FLUM, which has identified this parcel for commercial land use. The applicant's rezoning request to PCD, if approved, will be consistent with adjacent property uses in the area.

### **Planning and Development Staff Recommendation:**

Planning staff recommends **APPROVAL** of the request (16-REZ-05) to rezone 0.58 and 0.29 +/- acres respectively, of land located at 812 & 814 Everee Inn Rd. from LDR-B to PCD submitted by Charles & John Neel with the following condition:

1. The sides and rear of the property must be screened by an eight (8) foot privacy fence.

### **Planning & Zoning Board Recommendation:**

The Planning & Zoning Board recommended **APPROVAL** of the request (16-REZ-05) to rezone approximately 0.58 and 0.29 +/- acres respectively, of land located at 812 & 814 Everee Inn Rd. from LDR-B to PCD with staff's condition.

### **Submitted by:**

Jennifer G. Freeman, Associate Planner  
Planning and Development Services