

W L Paterson
PO Box 69
Fitzgerald Ga 31750

Aug 10th, 2021
Ben Hill County
Atten: Board of Commissioners
402 -A East Pine St
Fitzgerald Ga, 31750

Re: Property On Camp Brooklyn and Ohio Rd, addressed as 249 Camp Brooklyn Rd (Total parcel acreage to rezone is 3 Acres)

Dear Board of Commissioners:

This letter is to fulfill the rezoning application requirements of letter contain applicant's information and purpose of rezoning.

Please accept this application for the rezoning of property from GF to WLI. The current zoning of the property is GF and was such for the approximately 40 years that I operated a junkyard on the site. Which has been closed for 4 years. My purpose is to continue in business on the site as an auto repair business. I was informed would require the property to be rezoned.

Please find my contact information and signature below.

Owner: W L Patterson
Current Address: PO Box 69, Fitzgerald Ga 31750
Contact Number: 229-425-6543

Signature: _____

W L Patterson

Date: _____

8-10-21

File no. 20811-2021-001

ZONING CHANGE APPLICATION

APPLICATION CHECKLIST

Please use the checklist to ensure that all items required by your application have been included.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Should you have any questions, please call the County Commissioners' Office at 229-922-0229

Completed	Description
✓	Letter of intent (see page 3, item 4B of the application)
✓	Map and parcel number of subject property
✓	Current Land Use District of subject property
PO	If the applicant is different from the owner, a notarized letter of authorization from the property owner stating that the applicant may act on their behalf
✓	List of adjacent property owners obtained from the Tax Assessor's office (see page 7, item 7A of the application)
✓	Conceptual site plan (see page 4, item 7C of the application)
✓	Signature of the Applicant
✓	Date
✓	\$300.00 application fee / advertising

I certify that the above items have been completed.

WJ Furtman
Signature of Applicant

8-10-21
Date

ZONING CHANGE APPLICATION

OFFICIAL USE ONLY

SUBMITTAL DEADLINE _____ Application fee _____

Public Hearing Dates _____

Planning Commission _____

Board of Commissioners _____

Date received: 8-18-21 Letters mailed: _____ Property Posted: _____

This is an application for a Map Amendment to the Zoning Ordinance for Ben Hill County Georgia. This application form, together with all required attachments and fee, must be completed and returned to the Building and Zoning Director by one of the established monthly deadlines in order to initiate review and consideration of a land use change request. All properties listed in a single application must be contiguous and under a single local government jurisdiction. The applicant is responsible for the completeness, accuracy, and timely submittal of this application, including all of its attachments and fees. Unless otherwise stated, please type or neatly print the responses to each of the following.

1. Applicant Information: Contact person authorized to receive all communication regarding this application:

Name: W. L. PATTERSON

Complete Address: 147 Camp Brooklyn Rd Phone: 229 425 6543
P.O. BOX 69

Has the applicant made any campaign contributions over \$250.00 to any local government official of the local government considering the application?

YES _____ NO ✓

2. Property Information:

Map Number: Land Lot 295 Parcel Number: 5 11 54

General Location Description: corner property on camp Brooklyn + Ohio rd

Existing Use of the Property: Junk yard

Acreage (or square footage if less than 1 acre): 3 Acre

Current Land Use: GF Proposed Land Use: WHI

Has this property been denied a Land Use Change during the past 12 months?

YES _____ NO X

Has any public hearing been held regarding this property during the past 3 years?

(If so, describe.) No

How will the property receive water and sewer services? (Public, private, community, septic, etc.)

Private

According to the Water Resource District Ordinance Map, does the subject property include any protected water resources?

YES _____ NO X

If yes, please explain. _____

3. Owner Information: (If the applicant listed above is not the current owner of the property, then list the names and addresses of all owners of record for each property that is the subject of this application.) Also, if the applicant is not the current owner or is one of multiple owners, a notarized Letter of Authorization shall be signed and submitted by all owner(s).

<u>Map/Parcel Number</u>	<u>Owner of Record</u>	<u>Mailing Address</u>
<u># 51154</u>	<u>W.L. PATTERSON</u>	<u>P.O. Box 69 Fitz</u>

4. Attachments: The following items must be submitted in full prior to acceptance of this application.

- A. **Land Use Change Questionnaire** (see pages 5-6).
- B. **Letter of Intent**; stating the request, why the request is being made, and any other specific information.
- C. **Legal description**

D. **List of all current owners of record** for properties located immediately adjacent to or directly across any right-of-way from the subject property. The list shall include the current names, mailing addresses, and tax map/parcel numbers as reflected on the current tax roll of Ben Hill County. (This information may be obtained from the Ben Hill County Tax Assessor's Office.) Please list on page 7 and sign.

E. **Proposed Conceptual Site Plan** that includes:

- a. Existing and proposed site improvements, including buildings, roadways, and any other improvements.
- b. Existing and proposed natural features, including streams and other water resources (e.g. wetlands).
- c. Any additional information related to the proposed use and development of the property.
- d. Soils evaluation information regarding on-site waste management.

ZONING USE CHANGE QUESTIONNAIRE

Section 1-1-5 Purpose. Zoning Ordinance for Ben Hill County, Georgia states: The purpose of this ordinance shall be to promote the proper location, height, bulk, number of stories and size of open spaces, the density and distribution of population, and the uses of building, structures, and land for trade, industry, residence, recreation, agriculture, forestry, conservation, sanitation, protection against floods, public activities, and other purposes so as to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote the public health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population, to prevent urban sprawl; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to promote desirable living conditions and the sustained stability of neighborhoods; to protect property against blight and depreciation; to secure economy in governmental expenditures; to conserve the value of buildings and to encourage the most appropriate use of land, buildings, and structures throughout Ben Hill County, Georgia; and for other purposes.

1) Is the proposed Land Use or use suitable in view of the Land Use and development of adjacent and nearby property?

yes

2) Does the request represent the possible creation of an isolated district unrelated to adjacent and nearby districts and will the proposed use adversely affect the existing use or usability of adjacent or nearby property?

surrounding property is similar use but zoned G-F

- 3) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water, sewer, or other public utilities, including police and fire protection?

No

- 4) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or is the proposed use compatible and consistent with the purpose and intent of the Comprehensive Plan?

yes

- 5) Will the proposed change adversely influence existing conditions in the neighborhood or the city or county at large and are there substantial reasons why the property cannot or should not be used as currently districted?

No, site was used commercially for 40 years

- 6) Are there potential adverse impacts on the environment, including but not limited to drainage, soil erosion and sedimentation, flooding, air quality, and water quality and quantity?

No

- 7) Are the costs required of the public in providing, improving, increasing or maintaining public utilities, schools, streets and public safety necessities reasonable when considering the proposed changes?

No

- 8) Will the proposed change be detrimental to the value or improvement of development of adjacent or nearby property in accordance with existing requirements and development standards?

No

- 9) Is the proposed change out of scale with the needs of the neighborhood or Ben Hill County or does the request reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?

No, yes it would maintain a similar use

10) Will the proposed change constitute a grant of special privilege to the individual owner as contrasted with the adjacent or nearby neighborhood or with the general public?

No

I do hereby certify that to the best of my knowledge, the above information and attachments are true and correct. I authorize the staff of the County Commissioners' Office or their designee to enter and inspect the premises, which are the subject of this application.

W F Patterson Jr
Signature of Applicant

8-10-21
Date

ADJACENT PROPERTY OWNERS

Map & Parcel Number:

Name and Mailing Address:

1. 5 11-22R

1. SUSANNA C COLEMAN

179 Niagra rd

Fitzgerald Ga 31750

2. 510-120

2. Floyd Seagraves

326 Delta rd

Fitzgerald Ga 31750

3. 5 10-145-C

3. Jeffery Stegall

186 W Jack Allen Rd.

Fitzgerald Ga

4. 5-11-56

4. Dan Johnson

114 Cecil Hwy

Fitzgerald Ga 31750

5. _____

5. _____

6. _____

6. _____

7. _____

7. _____

Signature of Applicant

Date

.Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67-A, 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 Brooks County showing:

1. The name and official position governing authority in Brooks 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.

W L Patterson Jr 8-10-21
Signature of Applicant / Date

Check one: Owner _____ Agent _____

Line 1 Bearing S 1°00'00"W Distance 17.50'

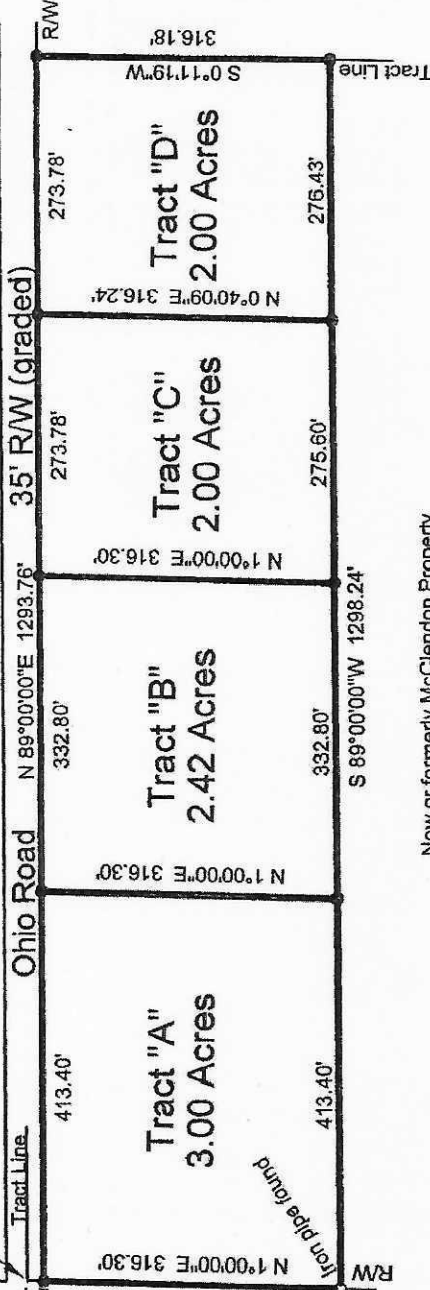
Note: rebar set on all corners unless noted otherwise.

Point of Commencement = The intersection of the north line of Ten Acre Tract 2813 with the east right of way line of Camp Brooklyn Road.

Camp Brooklyn Road 80' R/W (paved)

Delta Road (paved)

Ohio Road 35' R/W (graded)



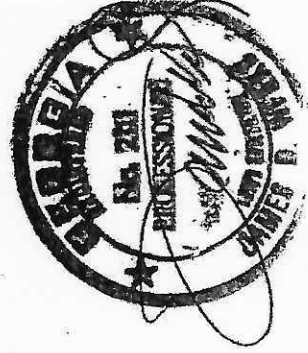
EQUIPMENT USED:
WILD TC-500 TOTAL STATION
SIGHT SURVEY 3.0

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000' AND AN ANGULAR ERROR OF 03" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN 1' IN 100,000'.

As required by subsection (c) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, stamps, signatures, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser as to intended use of any parcel.

The Registered Land Surveyor further certifies that this plat complies with the minimum standards and specifications of the State Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



Survey for:

W. L. Patterson

Property being a portion of Ten Acre Tracts 2813 and 2814, in Land Lot 245, 4th, Land District, Ben Hill County, Georgia.
Date: June 16, 2021

5 10--85-

5 11--22-C

CAMPBROOKLYN RD

5 10--121-

5 10--118- 5 10--119-

5 10--120-

#2

DELTA RD

5 10--145A-

5 10--145-C

#3

5 10--140-

5 10--145B-

WL

5 10--145-

5 10--146-

5 10--150-

5 11--22-B

5 11--23-

5 11--23-A

5 11--23-B 5 11--23-

#1

5 11--54-

WL

5 11--33-

5 11--41-C

#4

5 11--56-

5 11--41-D

5 11--41B-1

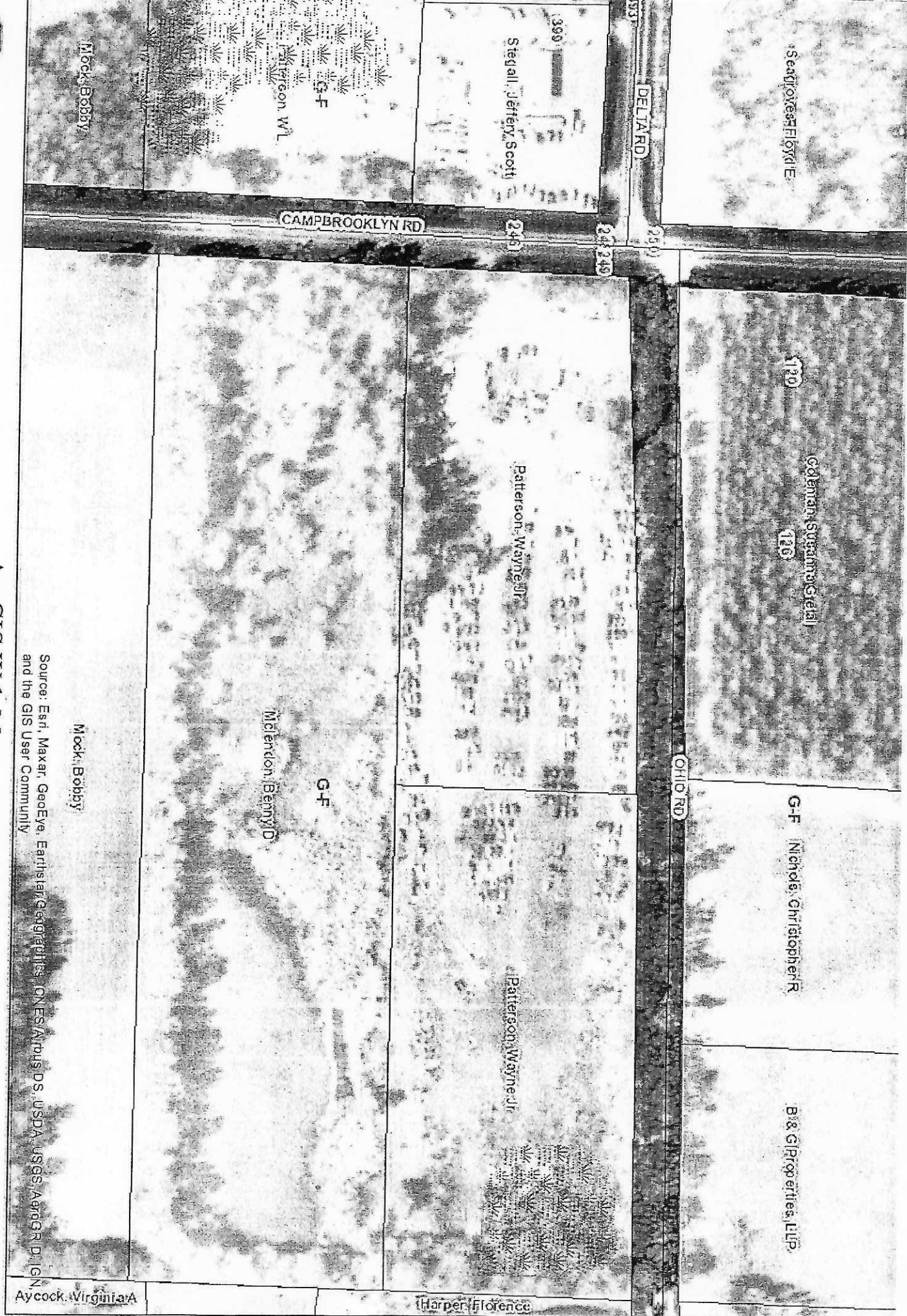
5 11--41B-2

5 11--41F-

5 10--146-

5 11--40-

5 11--59-



*This map was created using GIS data on Ben Hill County's online web map application. The data on this map is not guaranteed to be complete or correct and users should carefully consider this before making decisions that have significant operational and/or

ArcGIS Web Map

Source: Esri, Maxar, GeoEye, Earthstar, Geographic, JONES, Airbus DS, USDA, USGS, AeroGRID, IGN

PUBLIC NOTICE

To the Citizens of Ben Hill County

Notice is hereby given that a scheduled meeting to be held by the Ben Hill County Planning Commission on September 20th, 5:30 City Hall, upstairs Conference Room located at 302 E. Central Ave, Fitzgerald Ga. 31750.

For a: Petition by WL Patterson, Rezoning of the listed property parcel from GF to WLI for business operation, auto repair.

Parcel, 5 11 54, 249 Camp Brooklyn Rd. Auto repair.

The **Public Hearing** with the Ben Hill County Commissioners is scheduled for October 5th, 2021, at 6:00 pm located at the Ben Hill County Courthouse Annex, located at, 324 east Pine St Fitzgerald Ga 31750



SUMMARY

MEETING DATES:

Planning Commission: September 20th, 2021, 5:30 p.m.
Ben Hill County Commissioners: October 5th, 2021, 6:00 p.m.

SUBMITTED BY:

Ben Hill County Planning and Zoning

SUBJECT: Application no. Z08172021-002, Petition by W L Patterson, Rezone of the listed property parcel from GF to WLI.

Parcel, 5 11 54. 3-acre tract. Parcel located at 147 Camp Brooklyn Rd, Ben Hill County Ga

HISTORY: N/A

AVAILABLE: N/A

PREVIOUS ACTION: N/A

RECOMMENDATION: Staff recommends **Approval**, Petition by WL Patterson, Rezone of the listed property parcel from GF to WLI. An auto salvage business was operated by the owner or relatives for over 40 years at the location. Business was closed after death of brother and was bought back by WL Patterson. Site has been cleaned up and owner wants to establish a auto repair business in the building.

FINAL ACTION BY COUNTY COMMISSION:

- ☐ APPROVED AS REQUESTED BY THE APPLICANT
- ☐ APPROVED AN AMENDMENT TO INCLUDE A LESSER GEOGRAPHIC AREA OR LESS INTENSE ZONING DISTRICT OR CHARACTER AREA
- ☐ APPROVED WITH CONDITIONS
- ☐ DENIED

STAFF REPORT

File Number: **Z08172021-002**

MEETING DATES:

Planning Commission: September 20th, 2021, 5:30 pm
County Commissioners: October 5th, 2021, 6:00 p.m.

GENERAL INFORMATION:

Item & Purpose: Application no. Z08172021-002
Applicant & Contact: W L Patterson
Address: PO Box 69 Fitzgerald Ga, 31750
Phone: (229) 425-6543
File Date: August 8th, 2021

CURRENT LAND USE:

Subject Property: Not in use, non-compliant salvage yard business closed

North: (Wooded / Cell Tower site)
East: (Part of salvage yard)
South: (Wooded)
West: (Scrap yard)

CURRENT ZONING:

Subject Property: GF

North: GF
East: GF
South: GF
West: GF

STAFF ANALYSIS

§ 36-67-3. Zoning proposal review standards

In any local government which has established a planning department or other similar agency charged with the duty of reviewing zoning proposals, such planning department or other agency shall with respect to each zoning proposal investigate and make a recommendation with respect to each of the matters enumerated in this Code section, as well as carrying out any other duties with which the planning department or agency is charged by the local government. The planning department or other agency shall make a written record of its investigation and recommendations, and this record shall be a public record. The matters with which the planning department or agency shall be required to make such investigation and recommendation shall be:

(1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The subject property should be suitable for the area as requested. Requested location is similar to others in area, cell tower on property North, non-compliant scrap yard west, WLI property west, another shop on rd.

2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

No it is not felt the proposed use would have any adverse effects on the adjoining property. There are similar uses in the area. Proposed business would have less impact than the previous salvage yard.

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The subject property was established as a simpler operation. It is very unlikely it would ever return to an agricultural operation. The request has a reasonable economic use.

(4) 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;

Staff does not foresee that the change in zoning would in any way cause excess use.

(5) If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan;

Staff understands the intent of the land use plan to discourage spot zoning. In observation of the surrounding property the requested use is in line with adjoining property that are used for scrap, recycling type business, with a WLI zoned lot across the road separated by one lot, and cell tower. This request is believed to be a reasonable allowance with the policy and intent of the land use plan.

(6) 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.

Staff is not aware of any other existing or changing conditions affecting the use and development of this property which gives supporting grounds for either approval or dismissal of this zoning proposal.

STAFF RECOMMENDATION: Staff recommends **Approval**, Application - Petition by WL Patterson, Rezone of the listed property parcel from GF to WLI. Owner cut out a 3-acre parcel from the previous 10 acre tract for the proposed business.

ATTACHMENTS:

Location Map
Zoning Map
Application

**MINUTES OF MEETING
FITZGERALD-BEN HILL COUNTY PLANNING COMMISSION**

The Fitzgerald-Ben Hill County Planning Commission held a scheduled meeting on September 20, 2021, at the City Hall Conference Room, 302 East Central Avenue, Fitzgerald, Georgia, at 5:30 p.m. Present were the following members: Cliff Ward, Trey Luckie, Jason Miller, Chris Calhoun, Warren Elder & Dennis Crook. Also, in attendance were Emily Ray (Secretary), David Walker, Lawton Lovett (County), Lindy Dorminy Bengston and Pat McKee.

The minutes of the previous meetings of the Commission on June 21, 2021 were reviewed, and on motion by Trey Luckie, seconded by Warren Elder, were approved as written.

The Commission gave consideration to a Rezoning petition being proposed by the owner, W. L. Patterson, regarding the property at 147 Camp Brooklyn Rd., Tract A, to rezone 3 acres of said property from G-F county to WLI county. After discussion, on motion by Trey Luckie, seconded by Chris Calhoun, the Commission voted unanimously to recommend to the Ben Hill Commissioners of Ben Hill County that the petition be approved.

The Commission gave consideration to an Annexation and Rezoning petition being proposed by the owner, A & H Drugs Fitzgerald, regarding the property at 134 Ocilla Hwy., to annex and rezoning 1.03 acres of said property from G-B county to G-B city. After discussion, on motion by Trey Luckie, seconded by Cliff Ward, all present were in favor, the Commission voted unanimously to recommend to the Mayor and Council of the City of Fitzgerald that the petition be approved.

The Commission gave consideration to a Special Exception petition being proposed by the owner, Sierra Youngblood, regarding the property at 143 Duke Dr., to have a single chair salon on said property zoned G-F county. After discussion, on motion by Trey Luckie, seconded by Chris Calhoun, the Commission voted unanimously to recommend to the Ben Hill Commissioners of Ben Hill County that the petition be approved.

The Commission gave consideration to a Rezoning petition being proposed by the owner, Alfonzo Burris, regarding the property at 815 W. Oconee St., to rezone .16 acres of said property from R-6 city to G-B city. After discussion, on motion by Cliff Ward, seconded by Dennis Crook, all present were in favor, the Commission voted unanimously to recommend to the Mayor and Council of the City of Fitzgerald that the petition be approved.

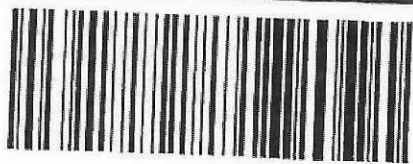
The Commission gave consideration to the Amendment of the Ben Hill County Zoning Ordinance. After discussion, on motion by Cliff Ward, seconded by Trey Luckie, the Commission voted unanimously to recommend to the Ben Hill Commissioners of Ben Hill County that the Amendment be approved.

The Commission gave consideration to an Annexation and Rezoning petition being proposed by the owner, Lindy Dorminy Bengston & William J. Dorminy, regarding the property at Benjamin H Hill Dr. SW (behind and beside Walmart), to annex and rezoning 38.22 acres of said property from G-F county to G-B & MHP city. After discussion, on motion by Trey Luckie that the request be denied, seconded by Cliff Ward, all present unanimously recommend that the request be denied.

There was no further business to come before the Commission and the meeting was duly adjourned.

Respectfully submitted,
Emily S. Ray, Secretary

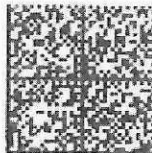
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Susanna G Coleman
179 Niagra Rd
Fitzgerald Ga. 31750

FIRST-CLASS

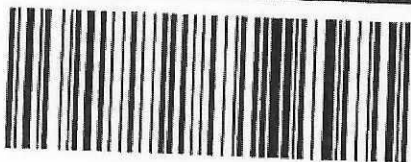


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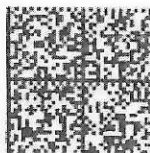
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Floyd Seagroves
326 Delta Rd
Fitzgerald Ga. 31750

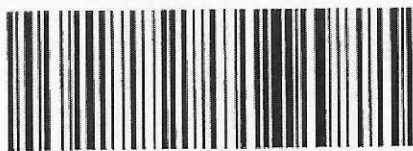
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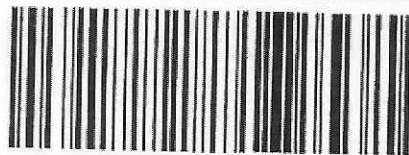
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Dan Johnson
114 Ocilla Hwy
Fitzgerald Ga. 31750

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