



SUMMARY

MEETING DATES:

Planning Commission: May 20, 2024, 5:30 p.m.

Ben Hill County Commissioners: July 9th, 2024, 6:00 p.m.

SUBMITTED BY: Ben Hill County Planning and Zoning

SUBJECT: Application no. Z-04252024-001, Petition by Juan Sanchez, Rezone of the property parcel from GF (General Farming) to WLI (Wholesale Light Industrial)

Parcel # 6 11 23, 5.00-acre tract. Parcel located at 582 Jacksonville Hwy, Fitzgerald, GA, Ben Hill County Ga

HISTORY: N/A

AVAILABLE: N/A

PREVIOUS ACTION: N/A

RECOMMENDATION: Staff recommends **Approval**, Petition by Juan Sanchez, Rezone of the listed property parcel from GF zone to WLI zone. The property is currently not in use, but was previously used as a diesel mechanics shop for many years . The rezoning request will change the current zoning from General Farming to Wholesale Light Industrial, this change better fits the proposed use for the parcel, and better reflects the previous use of the parcel as well

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: **Z-04252024-001**

MEETING DATES:

Planning Commission: May 20, 2024, 5:30 p.m.

Ben Hill County Commissioners: July 9th, 2024, 6:00 p.m.

GENERAL INFORMATION:

Item & Purpose: Application no. Z-04252024-001

Applicant & Contact: Juan Sanchez

Address: 616 S Lee St, Fitzgerald Ga, 31750

Phone: (229) 646-2707

File Date: April 25th, 2024

CURRENT LAND USE:

Subject Property: Not Currently in Use

North: (Pasture)

East: (Pasture)

South: (Cultivated Cropland and woodland)

West: (Pasture)

CURRENT ZONING:

Subject Property:

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 proposed use as requested. This change would not detrimentally affect the surrounding property only enhance the property for use by the landowner.

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

No it is not felt that the rezoning of this property will have any adverse effects on the adjoining property, as the property was previously a diesel mechanics shop.

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

The current zoning restricts the property's use to limit the type of work that can be preformed in the existing buildings on the property. This property should have been rezoned to the proposed zoning many years ago.

(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 see that the change in zoning would cause any 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;

Though this would technically be spot zoning the property has historically been used as if it were WLI zoned. This land use will fall within the land use plan of this area without any other conflicts

(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:

ATTACHMENTS:

Location Map
Zoning Map
Application

SPECIAL EXCEPTION APPLICATION

OFFICIAL USE ONLY

SUBMITTAL DEADLINE _____

Application fee \$300

Public Hearing Dates

Planning Commission 5/20/24

Board of Commissioners 7/9/24

Date received: 4/25/24 Letters mailed: 6/11/24 Property Posted: 5/14/24

This is an application for a Special Exception. This completed application, together with all required attachments and fees, must be completed and returned to the Land Use Administrator by one of the established monthly deadlines in order to initiate review and consideration of the request. 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: Neyrina Barrera Zawala / Applicant Juan Sanchez Contact:

Complete Address: 582 Jacksonville Hwy. Fitzgerald, GA 31750 Phone: 229.646.2707 Addtl Contact: Rene Baker 229.457.0360

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: 5097 Ⓐ or Part (circle one) of Parcel Number: 6 11 23

General Location Description: _____

Existing Use of the Property: None Currently / Storage Current Zone: GF (General Farming)

Acreage (or square footage if less than 1 acre): 5 acres

Current Land Use District: 244 / 4

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

YES _____ NO ✓

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

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).

Map/Parcel Number

Owner of Record

Mailing Address

4. Special Exception Request:

Rezone WLI (Light Industrial)

5. Approximate cost of work involved: Unknown

6. Please explain why the Special Exception should be granted: To Create

Jobs for local workforce & Increase local business
Revenue for community.

Special Exceptions granted by the County Commission shall be executed within a period of twelve (12) months from date of approval. Special Exceptions not executed within this time period shall become null and void and are subject for procedures for resubmission. Special Exceptions are not transferable except upon written approval of the appropriate governing body.

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

- A. **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.
- B. **Letter of Intent;** stating the request, why the request is being made, and any other specific information.
- C. **Proposed Conceptual Site Plan** that includes:
 - a. Applicant name, date or drawing, and revision dates if applicable.
 - b. The size and location of the lot.
 - c. The dimensions and location of the existing building or structure(s) on the lot in question.
 - d. The dimensions and location of the proposed building, structure, or addition(s) on the lot.
 - e. If applicable, the location of any existing buildings on adjacent lots and their property line distance.
 - f. Any additional information necessary to allow understanding of the proposed use and development.

Special Exception Process: The Ben Hill County Planning Commission shall review the application for a Special Exception at a public hearing and shall make a **recommendation only** to the Ben Hill County Commissioners. At a second public hearing, the Ben Hill County Commissioners shall hear and decide all requests for Special Exceptions. In making this decision, §36-66-2, the governing body shall consider the following:

- 1) Is the type of street providing access to the use adequate to serve the proposed Special Exception use?

yes

- 2) Is access into and out of the property adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and to allow access by emergency vehicles?

yes.

3) Are public facilities such as schools, water, sewer or other public utilities and police and fire protection adequate to serve the proposed Special Exception use?

Yes

4) Are refuse, service parking and loading areas on the property located or screened to protect other properties in the area from such adverse effects as noise, light glare and other negative impacts?

Yes

5) Will the hours and manner of operation of the Special Exception use have no adverse impacts on other properties in the area?

No Adverse impacts predicted

6) Will the height, size or location of the buildings or other structures on the property is compatible with the height, size or location of buildings or other structures on neighboring properties?

Yes.

The County Commission may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community, and to protect the value and use of property in the general neighborhood. Wherever the County Commission shall find, in the case of any permit granted pursuant to the provisions of these regulations, that any term, condition or restrictions upon which such permit was granted are not being complied with, said County Commission shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.

PLEASE READ THE ABOVE AND THEN SIGN BELOW.

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 Land Use Office or their designee to enter and inspect the premises, which are the subject of this application.

Neyria Samra
Signature of Applicant

4/17/24
Date

Letter of Intent

Please note that the proposed intended use for the property located at 582 Jacksonville Hwy. Fitzgerald, GA 31750 described as a 5-acre cleared, fenced lot with a primary structure that is approximately 8,000 square feet total and a secondary structure that is approximately 1,200 square feet total, is to manufacture/assemble towable enclosed cargo trailers to sale to wholesale licensed dealerships.

We request that a special exception to the current zoning of General Farming be granted for WLI (Light Industrial) so that the property can be used for its intended purpose. There is no foreseeable infringement on adjacent property owners' property as the location was used for an auto repair garage for many years prior to the newest purchase of the property.

We hope the exception is granted with the understanding of the prospective jobs and revenue its operation could bring to the community.

ADJACENT PROPERTY OWNERS

Map & Parcel Number:

1. 5328
6 11 24A

2. 8037
6 11 6

3. 6 11 5

4. _____

5. _____

6. _____

7. _____

Name and Mailing Address:

1. South Central Livestock
146 Broad Rd.
Fitzgerald, GA 31750

2. Nancy R. Wilkes
516 Jacksonville Hwy.
Fitzgerald, GA 31750

3. Robitzsch Family Trust
c/o Walter Robitzsch
121 Knots Landing Macon GA 31220

4. _____

5. _____

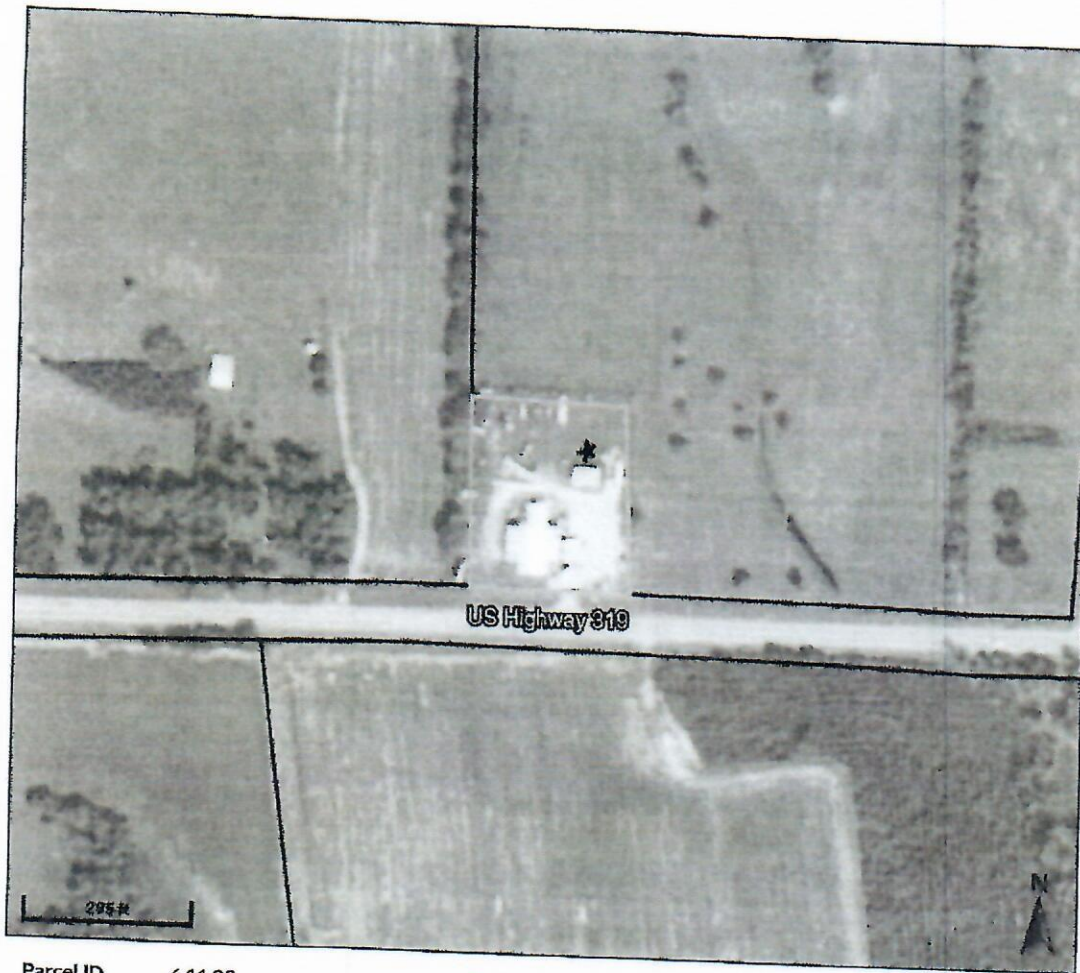
6. _____

7. _____

Neyria Samra
Signature of Applicant

4/17/24
Date

Proposed Conceptual Site Plan
qPublic.net Ben Hill County, GA



Overview

Legend

- ☐ Parcels
- ☐ Roads

Parcel ID 6 11 23
 Class Code Commercial
 Taxing District COUNTY
 Acres 5.0

Owner Zavala, Neyrina Barrera
 582 Jackson Hwy
 Fitzgerald, Ga 31750
 Physical Address 582 JACKSONVILLE HWY
 Assessed Value Value \$122512

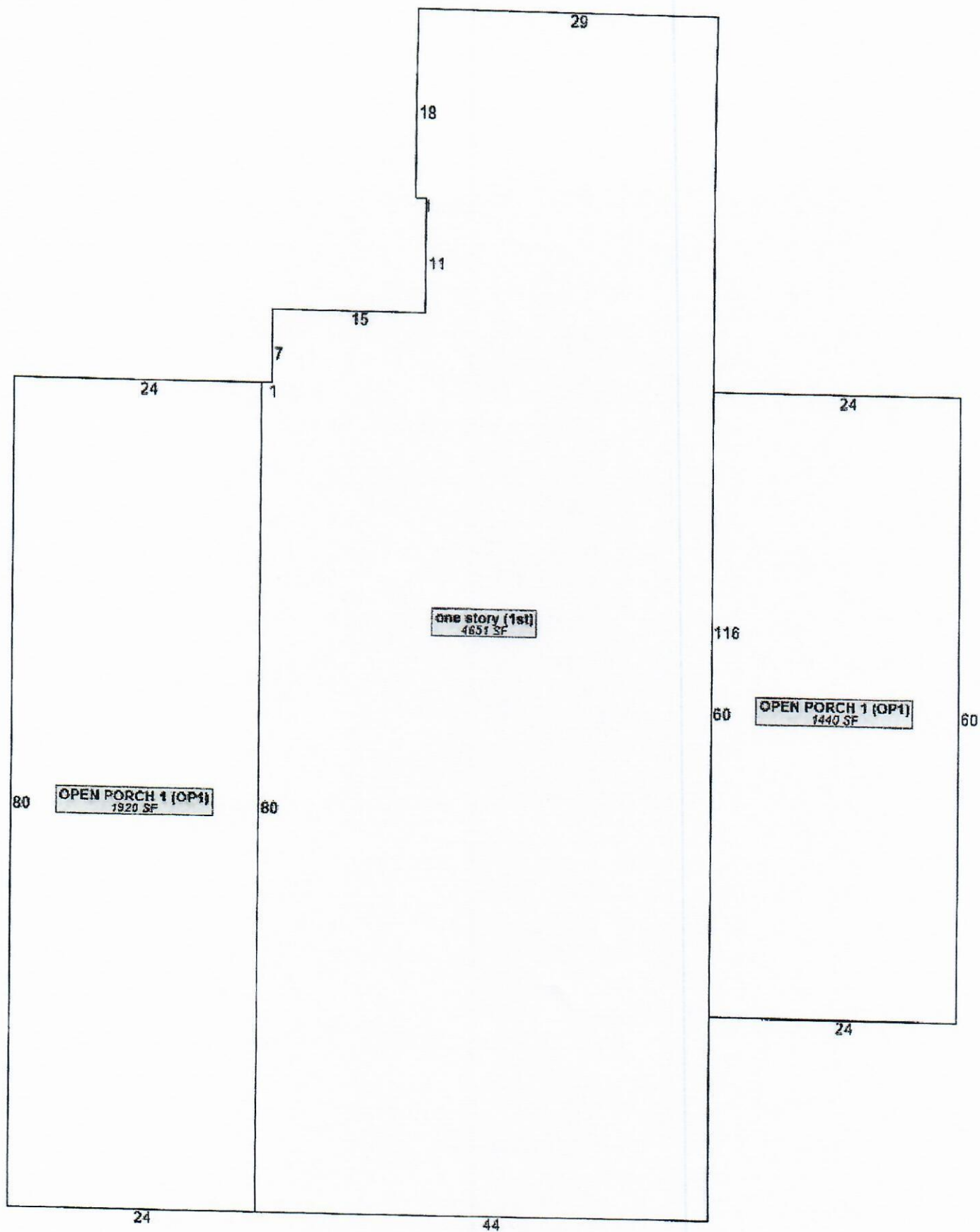
Last 2 Sales			
Date	Price	Reason	Qual
11/30/2022	0	DG	U
12/28/2021	\$120000	FM	Q

(Note: Not to be used on legal documents)

Date created: 4/16/2024
 Last Data Uploaded: 4/16/2024 12:28:00 AM

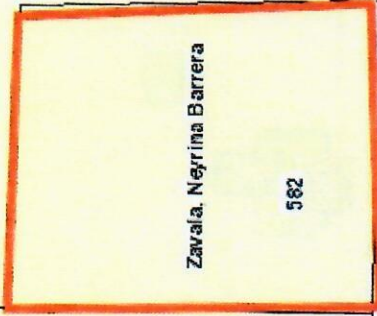
Developed by Schneider
 GEOSPATIAL

***30'x40' structure that will get an additional 30'x30' Steel Building expansion to be used as a weld shop for framing trailers. (Estimated Owner's cost of expansion is approximately \$30,000.)**



Wilkes, Nancy R

South Central Livestock Inc



Zavala, Neyrina Barrera

582

586

566

JACKSONVILLE HWY

319 010

MP-10

319

580

591

G-F

Robitzsch Family Ltd Pshp

FROM: GF
TO: WLI

ZONING Meeting

DATE: 5/20/24 TIME: 5:30 PM

PLACE: Fitzgerald City Hall
302 E Central Ave
Fitzgerald GA 31750

CO. COMM. HEARING

DATE: 7/9/24 TIME: 6:00 PM

PLACE: Ben Hill County
Commissioners Meeting Room
321 Dewey McGhee Rd
Fitzgerald GA