

NWGRC

NORTHWEST GEORGIA REGIONAL COMMISSION

A Region With A Bright Future

Rome Office: P.O. Box 1798, Rome, Georgia 30162-1798 Phone (706) 295-6485 www.nwgrc.org
RC Fax (706) 295-6665 AAA Fax (706) 802-5508 WIA Fax (706) 802-5567

Dalton Office: 503 West Waugh Street, Dalton, Georgia 30720 Phone (706) 272-2300 Fax (706) 272-2253

November 30, 2012

Mayor and City Council
c/o Ms. Dolley Flood, Zoning Administrator
City of Chatsworth
P.O. Box 516
Chatsworth, GA 30705

Dear Mayor and City Council:

Please be advised that Commission Vice-Chairman Jason Babb, and Commissioners Pat Ausmus, Winston Massengale, and Wendell Lance; Zoning Administrator Dolley Flood; and Staff Member Kevin McAuliff were present at the November 29, 2012 meeting of the Planning Commission to consider

- A. **The Petition of Rock Bridge Community Church for a Conditional Use Permit for a former commercial building on approximately three acres located at 822 North Third Avenue, and zoned Commercial Parkway (C-3)**
- and
- B. **The Petition of Robert J. Weaver to Rezone an approximately eight acre tract addressed as 1837 Duvall Road from Medium Density Residential (R-2) to Residential Agriculture (R-A).**

After hearing these petitions, the Planning Commission voted to recommend to the Mayor and City Council that both requests be granted, the former with a condition, to wit:

The Chatsworth Planning Commission urges the Mayor and City Council to require as a condition of the Mayor and City Council's granting church use at the site under consideration, that Rock Bridge Community Church commission a Phase I Environmental Study of the site, and that the Church complete all remediation measures necessary to ensure that the property is safe for the proposed use.

Thank you for the opportunity to be of service.

Sincerely,



Kevin McAuliff
Planning Staff/Secretary

MINUTES
of the
CHATSWORTH PLANNING COMMISSION

November 29, 2012, 7:00 p.m.
City Hall Council Chambers

Members present:

Pat Ausmus
Jason Babb
Wendell Lance
Winston Massengale

Staff present:

Dolley Flood, Zoning Administrator
Kevin McAuliff, Secretary, NWGRC
staff

Petitioners present:

Gus Waters, on behalf of Rock Bridge
Church
Robert J. Weaver

Others present:

Many members of Rock Bridge Church
Jim Beavers, property owner
Many Residents of Greystone Subdivision

I. General

Commissioner Babb opened the November 29, 2012 hearing of the Chatsworth Planning Commission at 7:00 p.m, determining that the members present constituted a quorum.

The Secretary summarized the Rules and Procedures for the benefit of the petitioners.

II. Public Hearings

Mr. Babb proceeded, stating that the purpose of the meeting was to consider:

A. The Petition of Rock Bridge Community Church for a Conditional Use Permit for a former commercial building on approximately three acres located at 822 North Third Avenue, and zoned Commercial Parkway (C-3)

and

B. The Petition of Robert J. Weaver to Rezone an approximately eight acre tract addressed as 1837 Duvall Road from Medium Density Residential (R-2) to Residential Agriculture (R-A).

The Petition of Rock Bridge Church

Commissioner Babb invited Mr. Waters to present Rock Bridge Church's petition. In response, Mr. Waters stated that the church is interested in having the site under consideration be more than just a place for religious services. It is the congregation's intent to be a vital element in the

community, and to furnish space to service organizations, womans groups, and to house many other social functions. To do this would require a Conditional Use Permit.

Commissioner Babb asked whether anyone in the room might have questions or comments. Accordingly, Jim Beavers, owner of nearby commercial property, took the floor and voiced his concern that his property might be too close to the proposed church use to sell alcohol, since he would like to rent space to interests, such as restaurants, that might want to do so as part of their normal business.

The Zoning Administrator painstakingly explained to Mr. Beavers that she had measured the distance between the properties, and that the church's presence would not be an impediment to alcohol sales on his property. Mr. Beavers proposed a number of alternate measuring scenarios, all of which the Zoning Administrator answered to his satisfaction, agreeing to furnish him with a written statement to the effect that the proposed rezoning would not jeopardize alcohol sales on his property.

Another citizen asked if parking at the site would be sufficient for the proposed use. Mr. Waters explained that the landscaping outfit currently on the property would soon move, leaving a large area open for parking.

With no other comments or questions forthcoming, Commissioner Babb closed the Rock Bridge Church hearing, and moved on to

The Petition of Robert J. Weaver

Commissioner Babb invited Mr. Weaver to present his petition. Mr. Weaver took the floor and explained that the property under consideration had on it a building that lent itself for no use other than agriculture, and Commissioner Babb asked what Mr. Weaver intended to do with the property, if rezoned.

Mr. Weaver replied that he would either farm it, or develop rental properties there. At which point the Zoning Administrator reminded Mr. Weaver that he was requesting rezoning to a district that was more restrictive of development than the current zoning. A short discussion of permitted areas and densities followed.

General comments ensued, indicating that neighbors feared chicken houses and heavy-duty agriculture. James Owens of Greystone Subdivision was granted the floor, and stated that residents of Greystone did not want a barnyard to develop next door, and residents could not know how many animals might be kept on the property. At that point the Zoning Administrator reminded concerned residents that there are laws regulating animal husbandry, and that the Chatsworth Zoning Ordinance allowed only keeping animals for pleasure. In response, one of the residents noted that the Ordinance would preclude boarding animals for profit, or raising them for profit.

With no other comments or questions forthcoming, Commissioner Babb closed the hearing, and moved on to the

III. Regular Meeting

Recommendation Concerning the Request of Rock Bridge Community Church for a Conditional Use Permit for a former commercial building on approximately three acres located at 822 North Third Avenue, and zoned Commercial Parkway (C-3):

After convening the Regular Meeting, Commissioner Babb asked the Secretary to present the Regional Commission staff recommendation. The Secretary read the recommendation, which favored the petition, but strongly recommended that *the Chatsworth Planning Commission urge the Mayor and City Council to require as a condition of the Mayor and City Council's granting church use at the site under consideration, that Rock Bridge Community Church commission a Phase I Environmental Study of the site, and that the Church complete all remediation measures necessary to ensure that the property is safe for the proposed use.*

At this point, Mr. Waters rose and stated that the Church had already planned that same undertaking.

Commissioner Babb asked for a motion on the petition, and Commissioner Ausmus moved to recommend to the Mayor and City Council that they grant the petitioner's request for a Conditional Use Permit. The motion was seconded by Commissioner Lance, and carried unanimously.

Commissioner Babb continued onto the matter of a

Recommendation Concerning the Request of Robert J. Weaver to Rezone an approximately eight acre tract addressed as 1837 Duvall Road from Medium Density Residential (R-2) to Residential Agriculture (R-A),

and asked for the Regional Commission's recommendation. The Secretary rose and stated that the current zoning district and the requested district were so similar in their requirements that the petitioner had not justified the request. The reason given to the Zoning Administrator for requesting Residential Agriculture was to allow prospective tenants to keep horses for pleasure, a use not permitted by the current zoning. The petitioner had not mentioned this in presenting his intentions to the Planning Commission.

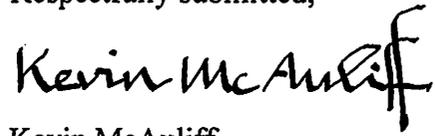
At this point, Commissioner Babb asked that Mr. Weaver restate his reasons for requesting a rezoning of the property under consideration, and the petitioner affirmed that a reason for the request was to allow prospective tenants to keep horses for pleasure.

Commissioner Babb called for a motion, and Commissioner Lance moved that the Planning Commission recommend to the Mayor and City Council that they grant the petitioner's request for a rezoning from R-2 to R-A. The motion was seconded by Commissioner Massengale, and carried unanimously.

IV. Adjournment

With no other business, the meeting was adjourned at approximately 7:50 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Kevin McAuliff". The signature is written in a cursive style with a large, prominent "F" at the end.

Kevin McAuliff
Secretary