

CITY COUNCIL
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City of Hogansville



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Lisa Kelly, City Clerk
Jeff Todd, City Attorney

400 E Main St
Hogansville GA 30230-1196
706-637-8629 | cityofhogansville.org

COUNCIL ACTION FORM

MEETING DATE: February 22, 2019 **SUBMITTED BY:** Lynne Miller

AGENDA TITLE: Rezoning Request for Proposed Convenience Store – R-2 to Commercial-Residential

CLASSIFICATION (City Attorney must approve all ordinances, resolutions and contracts as to form)

- | | | | |
|--|-------------------------------------|---|--|
| <input type="checkbox"/> Ordinance (No. ____) | <input type="checkbox"/> Contract | <input type="checkbox"/> Information Only | <input checked="" type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Resolution (No. ____) | <input type="checkbox"/> Ceremonial | <input checked="" type="checkbox"/> Discussion/Action | <input type="checkbox"/> Other |

BACKGROUND (Includes description, background, and justification)

Mr. Sherman Yarbrough is requesting rezoning of vacant property at 301 Askew Avenue, which was formerly a laundromat, from its current zoning of Residential (R2), to Commercial-Residential, so that a convenience store can be located in that building. Troup Tax Map Number is 0212 C01 5001.
On February 21, 2019 the Hogansville Planning & Zoning Commission unanimously recommended that the City Council approve this rezoning request.

BUDGETING & FINANCIAL IMPACT (Includes project costs and funding sources)

No direct costs to City.

STAFF RECOMMENDATION (Include possible options for consideration)

Staff recommends that City Council approve this rezoning request, as recommended by the Hogansville Planning & Zoning Commission.

APPLICATION FOR REZONING

HOGANSVILLE, GEORGIA

Application Number _____ Application Date Jan 2, 2019

Property Owner Sherman Yarbrough

Address 333 Wahoo Rd Bay Point Bx 27547

City, State, Zip: Panama City Beach Fla 32408

Telephone: [REDACTED]

Authorized Agent Azida Somani

Address 10 Yearling Drive

City, State, Zip: Newnan GA 30263

Telephone: [REDACTED]

Property Address 301 Askew Ave

City, State, Zip: Hogansville GA 30230

Tax Parcel Number 0212 0015001

Nearest Road Intersection Granite St & Asken Ave

Current Zoning R2

Proposed Zoning CR

Current Use Vacant Building

Proposed Use Convenience Store

If rezoned, when will proposed use start? upon approval

Size of Property 0.13 Acres or Square Feet

Is Subject Property Vacant? yes

Do you request annexation of the subject property? no

I hereby attest that the information I have provided in this application is true and accurate to the best of my knowledge. I also agree to cooperate with the City of Hogansville, in responding promptly to any reasonable request for additional information that may rise during the review process.

Steggy Somani

Signature of Owner or Authorized Agent

1-2-2019

Date

REQUEST FOR REZONING

City of Hogansville

This is a written request from Sheeman Yarbrough
the legal owner of Property: 301 Askew Ave, Hogansville,
Troup County, Georgia. At this time we are requesting that the said
property be rezoned from _____ to
_____.

The request is made on the behalf of placing a Convenience Store
on said property.

Signature

DATE

Name of Applicant: _____

Subject Property: _____

Council Member: _____

CITY OF HOGANSVILLE, GEORGIA

Pursuit to Section 36-67A-1 eg.seq. of the Georgia Code Annotated, adopted by the Georgia General Assembly, effective July 1, 1986, the following disclosure is mandatory. When any applicant for rezoning action has been, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official, it shall be the duty of the applicant and the agent representing the applicant to file a disclosure report with the governing authority of the respective local government.

Any applicant for rezoning action knowingly failing to make a disclosure as required by Code Section 36-67A-1 et.seq. shall be guilty of a misdemeanor.

A. Name of local government official to whom the campaign contribution or gift was made:

B. The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution:

Amount: \$ _____

Date of Contribution: _____

C. Enumeration and description of each gift having a value of \$250.00 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application for rezoning.

Signature of Owner _____

Date: _____

SITE PLAN REQUIREMENTS

Site Plans shall contain the following information:

1. Property owner and address
2. Street address of subject property
3. Total property acreage
4. Tax Map and Lot Number
5. Date prepared, Map Scale and North Arrow
6. Location of all property lines on neighboring properties and streets or alleys located 50 feet from subject property.
7. Boundaries of all current zoning districts on the subject properties and all neighboring properties shown on the map. Each zoning district must be labeled.
8. Special markings (shading, cross hatching, or heavy outline) to identify the areas intended to be rezoned.
9. The general location of all existing structures or buildings on the subject property.

THE SKETCH PLAN DOES NOT HAVE TO BE DRAWN TO EXACT SCALE OR
PREPARED BY A PROFESSIONAL, BUT IT MUST BE NEAT AND PREPARED IN INK.

be taken within a reasonable time, as provided by the rules of the board, by filling with the building official and with the board of zoning appeals a written notice of appeals specifying the grounds thereof. All papers constituting the record upon which the action appealed from was taken and shall forthwith be transmitted to the board of zoning appeals by the appropriate city official.

- (b) The board of zoning appeals shall fix a reasonable time for the hearing of appeals or other matters referred to it and shall give public notice thereof at least ten (10) days prior to the date of such hearing to the parties in interest and shall decide the same within a reasonable time. At such hearing, any party may appeal in person or by his agent or his attorney.
- (c) In addition thereof, the secretary of the board of zoning appeals shall at least ten (10) days prior to the date fixed for the hearing place on the property for which a variance or conditional use is sought a sign giving notice that a variance is sought for the property upon which the sign is located and shall give a telephone number with the city to call in the event further information is desired.
- (d) A sign giving notice of the proposed conditional use or variance of real estate located within the city, placed upon property proposed for conditional use or variance, shall not be removed by any person from such property until at least twenty-four (24) hours have expired after the scheduled date for the public hearing, or if the public hearing is postponed or rescheduled, not less than twenty-four (24) hours after the rescheduled date of such public hearing, and then such board of zoning appeals or his authorized designee. It shall be unlawful for any person to demolish, tear down, obliterate or remove a sign placed upon a property in the city for the purpose of giving notice of a public hearing on a proposed conditional use or variance by any person other than the secretary of the board of zoning appeals or his authorized designee. Any person who shall violate the provisions of this section shall, upon conviction, be punished by the recorder.

Sec. Stay of proceedings.

An appeal to the board of zoning appeals stays all legal proceedings in furtherance of the action appealed from, unless the building official certifies to the board of zoning appeals, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order granted by court of record on application on notice to the building official and on due cause shown.

Sec. Powers and duties.

As pertains to appeals to the board of zoning appeals authorized by the provisions hereof, the board shall have the following powers and duties:

MATERIALS NECESSARY FOR A REQUEST
FOR REZONING APPLICATION

CITY OF HOGANSVILLE, GEORGIA

- A. One (1) copy of this application, completed in full.
- B. A written request to Mayor and Council, signed by the owner and dated, explaining the nature of the rezoning request.
- C. Property Owner's Disclosure of Campaign Contributions
- D. Agent's Disclosure of Campaign Contributions.
- E. Authorization by Property Owner
- F. Property and Financial Disclosure
- G. Two (2) copies of site plan.
- H. Full payment of \$250.00 (NON-REFUNDABLE) application fee.

qPublic.net Troup County, GA

Summary

Parcel Number 0212C015001
 Location Address 301 ASKEW AVE
 Legal Description 301 ASKEW AVE/LOT 11 BLK 11 US RUBBER CO
 (Note: Not to be used on legal documents)
 Class C3-Commercial
 (Note: This is for tax purposes only. Not to be used for zoning.)
 Zoning
 Tax District 18-HOGANSVILLE (District 18)
 Millage Rate 38.11
 Acres 0.13
 Homestead Exemption No (50)
 Landlot/District N/A
 Subdivision US Rubber Company

[View Map](#)



Owner

YARBROUGH SHERMAN
 P O BOX 27547
 PANAMA CITY, FL 32411

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	FF - 75.00	Front Feet	440	4	110	0.01	0
Commercial	FF - 75.00	Front Feet	5,390	49	110	0.12	0

Commercial Improvement Information

Description Churches-3
 Value
 Actual Year Built 1900
 Effective Year Built 1950
 Square Feet 1380
 Wall Height 14
 Wall Frames
 Exterior Wall
 Roof Cover
 Interior Walls
 Floor Construction
 Floor Finish
 Ceiling Finish
 Lighting
 Heating
 Number of Buildings 1

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
7/24/2001	953 663		\$20,000	Non Fair Market Sale	JOANN MASSENGALE	YARBROUGH SHERMAN
8/1/1985	448 224		\$62,500	Non Fair Market Sale	NOVELLE S GRAY	JOANN MASSENGALE
1/1/1972	282 492		\$0	NQ	C LEAMON GRAY	NOVELLE S GRAY
3/24/1960	137 530		\$0	NQ	US RUBBER	C LEAMON GRAY
9/22/1959	134 150		\$0	NQ		US RUBBER

Area Sales Report

Valuation

	2018	2017	2016	2015
Previous Value	\$3,400	\$3,390	\$3,390	\$3,390
Land Value	\$3,400	\$3,400	\$3,390	\$3,390
+ Improvement Value	\$0	\$0	\$0	\$0
+ Accessory Value	\$0	\$0	\$0	\$0
= Current Value	\$3,400	\$3,400	\$3,390	\$3,390