



Where Georgia comes together.

Application # RZNE 0172-2024

Application for Rezoning

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Chad Bryant, Bryant Engineering	Robin Loudermilk, 1325 Washington Street, LLC
*Title	Owner, P.E.	Member
*Address	111 Perimeter Road, Suite B, Perry, GA 31069	309 East Paces Ferry Road, Suite 1200, Atlanta, GA 30305
*Phone	[REDACTED]	[REDACTED]
*Email	[REDACTED]	[REDACTED]

Property Information

*Street Address or Location	1325 Washington Street, Perry, GA 31069
*Tax Map Number(s)	0P0390 003000
*Legal Description	A. Provide a copy of the deed as recorded in the County Courthouse, or a mete and bounds description of the land if a deed is not available; B. Provide a survey plat of the property;

Request



*Current Zoning District	C-2	*Proposed Zoning District	C-3
*Please describe the existing and proposed use of the property <u>Note: A Site Plan or other information which fully describes your proposal may benefit your application.</u>			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:**
 - Residential Zoning (R-Ag, R-1, R-2, R-3) - \$316.00 plus \$27.00/acre
 - Non-residential Zoning (other than R-Ag, R-1, R-2, R-3) - \$527.00 plus \$42.00/acre
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards).** See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- *The applicant must be present at the hearings to present the application and answer questions that may arise.**
- *Campaign Notice required by O.C.G.A. Section 36-67A-3:** Within the past two years has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. **Yes ___ No**
If yes, please complete and submit a Disclosure Form available from the Community Development office.

8. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

9. Signatures:

*Applicant 	*Date 12/17/24
*Property Owner/Authorized Agent 	*Date 12/17/24

Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

- (1) The existing land uses and zoning classification of nearby property;
- (2) The suitability of the subject property for the zoned purposes;
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- (6) Whether the subject property has a reasonable economic use as currently zoned;
- (7) The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property;
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and
- (12) 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.

December 17, 2024

Mr. Bryan Wood
Community Development Director
City of Perry Planning and Zoning
741 Main Street
Perry, Georgia 31069
(478) 988-2720
bryan.wood@perry-ga.gov

**Subject: Standards for Granting a Zoning Classification
1325 Washington Street Rezoning
Tract A-2 #0P0390 003000 0.89 acres**

Dear Mr. Wood,

Please see attached application and plat for rezoning of the subject parcel totaling approximately 0.89-acres located on Washington Street. The purpose of rezoning to C-3 is due to hardship the shape and width of the tract offers. Our intent is for this development to be the “gateway” into downtown. Therefore, the building will mimic the downtown district and standards. The following addresses the Standards for Granting a Rezoning Classification:

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? No

- 1. The existing land uses and zoning classification of nearby properties:*** The subject parcel is currently zoned C2. The property along Washington Street is zoned commercial.
- 2. The suitability of the subject property for the zoned purposes;*** C-3 would be compatible with adjacent commercial uses.
- 3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions;*** All nearby properties are zoned commercial and does not adversely impact the existing use or usability of surrounding properties.
- 4. The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare to the public;*** The proposed rezoning will conform with adjacent properties and should not negatively affect surrounding areas.
- 5. The relative gain to the public as compared to the hardship imposed upon the individual property owner;*** The proposed zoning will not pose an excessive burdensome use of existing infrastructure. City water and sanitary sewage is available for the property and surrounding areas. The area also will be able to support any increase in traffic that may result of the proposed zoning classification.
- 6. Whether the subject property has a reasonable economic use as currently zoned;*** Current conditions support rezoning the subject property to C-3 zoning district as surrounding developments exist as commercial districts and would complement nearby established developments.

7. ***The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property;*** The property is a cut out of the existing 1325 Washington Street and is raw land.
8. ***Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;*** The proposed use of C-3) is consistent with adjacent and nearby properties.
9. ***Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;*** The proposed use of C-3 will not adversely affect the existing use of nearby properties because it conforms with other commercial zoning.
10. ***Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;*** This zoning request is within the Form Based Code.
11. ***Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools;*** This parcel is located on Washington Street/Sam Nunn Blvd/Ball Street which are major throughfares in Perry.
12. ***Whether there are other existing or changing conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the zoning proposal.***
We are currently remodeling the commercial building at 1325 Washington Street which will attract new business and the subject property will provide an additional use.

We would like to be placed on the next available agenda for the Perry Planning Commission. Please let me know if you have any questions or concerns.

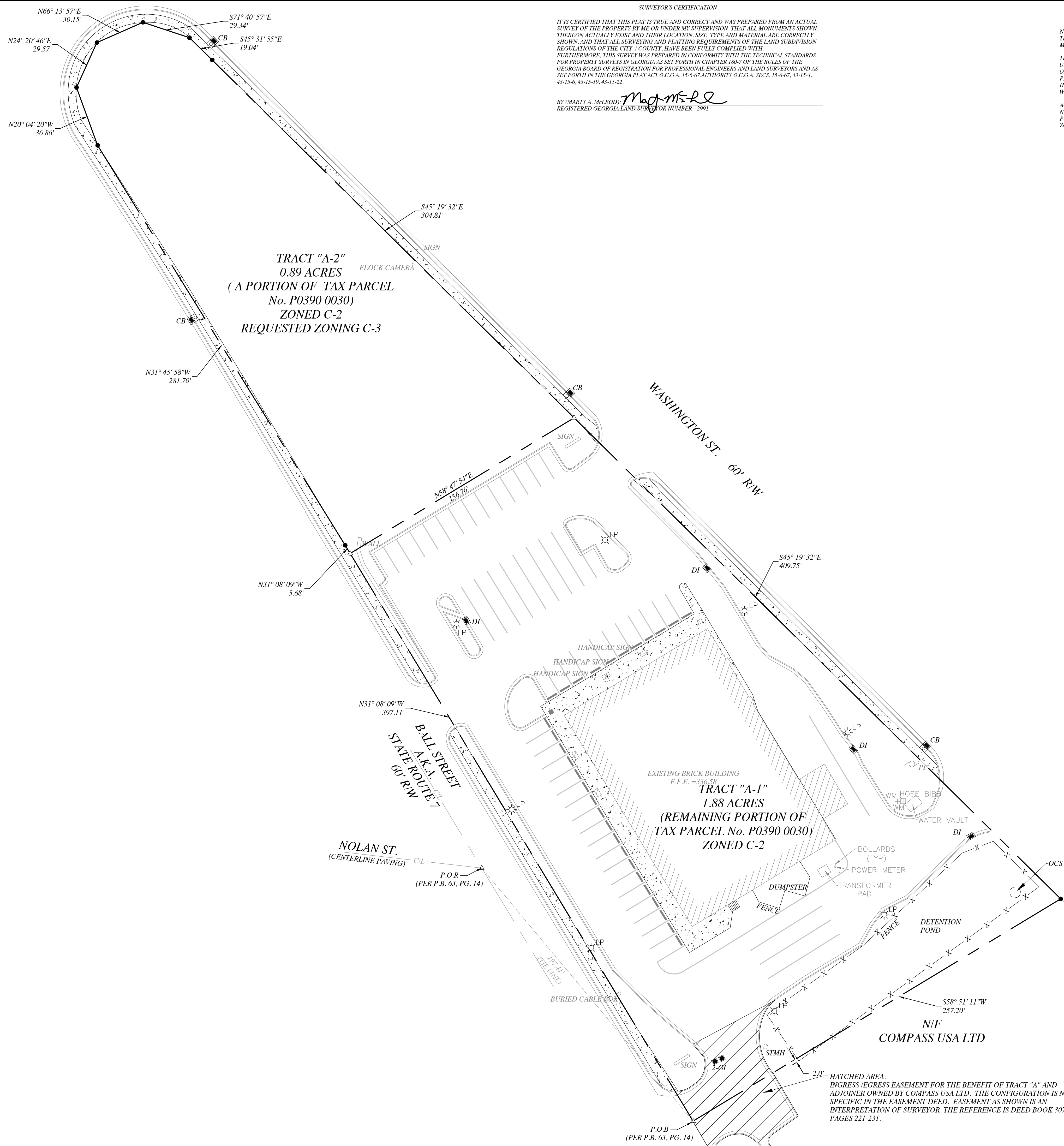
Sincerely,



Chad Bryant, P.E.
President
Bryant Engineering

LEGEND

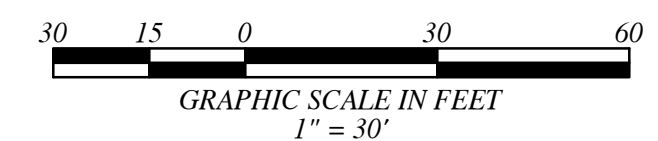
- 1/2" REBAR SET
- 1/2" REBAR FOUND UNLESS OTHERWISE NOTED
- △ OPEN TOP PIPE FOUND
- △ CALCULATED CORNER
- CONCRETE MONUMENT FOUND
- R/W RIGHT OF WAY
- BL BUILDING LINE
- PL PROPERTY LINE
- DE DRAINAGE EASEMENT
- UE UTILITIES EASEMENT
- SSE SANITARY SEWER EASEMENT
- MH MANHOLE
- CB CATCH BASIN
- JB JUNCTION BOX
- DI DROP INLET
- HW HEADWALL
- AC ACRE
- P/MT PAVEMENT
- CRK CREEK
- LL.L LAND LOT LINE
- FH FIRE HYDRANT
- X- FENCE LINE
- FFE FINISH FLOOR ELEVATION
- P- POWER LINE
- PP POWER POLE
- CL CENTER LINE
- TH TEST HOLE
- SPED SITE PLAN ENG. DEPT.
- SPHD SITE PLAN HEALTH DEPT.
- R= RADIUS
- EL ELEVATION
- RDP RESIDENTIAL DRAINAGE PLAN
- RCP REINFORCED CONCRETE PIPE
- CMP CORRUGATED METAL PIPE
- LP LIGHT POLE
- WV WATER VALVE
- WM WATER METER
- P.O.B. POINT OF BEGINNING
- N/F NOW OR FORMERLY



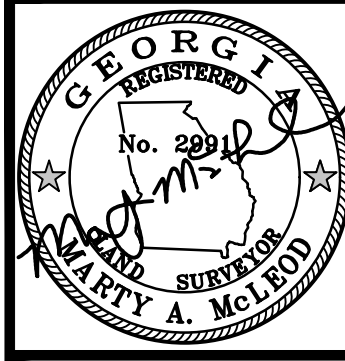
SURVEYOR'S CERTIFICATION
 IT IS CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION, THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN, AND THAT ALL SURVEYING AND PLATTING REQUIREMENTS OF THE LAND SUBDIVISION REGULATIONS OF THE CITY / COUNTY, HAVE BEEN FULLY COMPLIED WITH. FURTHERMORE, THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67 AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.
 BY (MARTY A. McLEOD) *Marty A. McLeod*
 REGISTERED GEORGIA LAND SURVEYOR NUMBER - 2991

TOTAL AREA: 2.77 ACRES

NOTES:
 THIS PROPERTY IS SUBJECT TO ANY RESTRICTIONS OR EASEMENTS THAT MAY NOT BE SHOWN HEREON.
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED USING A TOPCON GIS 211D AND HAS A LINEAR PRECISION RATIO OF ONE FT. IN 24,000 FEET AND AN ANGULAR ERROR OF 03 SECONDS PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CHECKED FOR MATHEMATICAL ACCURACY AND CLOSURES WITHIN ONE FT. IN 1,000,000 FEET.
 ACCORDING TO INFORMATION SHOWN ON F.E.M.A. COMMUNITY PANEL NUMBER 13153 C 0153 E, EFFECTIVE DATE SEPTEMBER 28, 2007, NO PORTION OF THIS PROPERTY IS LOCATED IN A F.I.A. FLOOD HAZARD ZONE.



FOR THE CLERK OF SUPERIOR COURTS USE ONLY



P.O. BOX 1821
 Perry, Georgia 31069
 office (478) 224-7070
 fax (478) 224-7072
 WWW.MCLEODSURVEYING.COM



COUNTY:	ROOSTON
LL/DISTRICT:	49 / 107H
DWG. NO.:	0808-014-SURVEY
DATE:	11/12/2024
SCALE:	1" = 30'
JOB NO.:	0808-014

THIS DRAWING IS THE PROPERTY OF MCLEOD SURVEYING AND IS RELEASED AS PRELIMINARY FOR REVIEW ONLY. UNLESS NOTED AS RELEASED FOR CONSTRUCTION, THIS DRAWING MAY NOT BE REPRODUCED WITHOUT EXPRESSED WRITTEN CONSENT.

REZONING PLAT FOR:
SEVEN BRANNEN FARMS, LLC

REVISIONS NO.	DATE	DESCRIPTION

S-1.1

Type: GEORGIA LAND RECORDS
Recorded: 5/20/2024 3:55:00 PM
Fee Amt: \$1,583.70 Page 1 of 4
Transfer Tax: \$1,558.70
Houston County Georgia
Carolyn V. Sullivan Clerk Superior

Participant ID(s): 1983094574,
7067927936

BK 10437 PG 224 - 227

After recording return to:
1325 Washington Street, LLC
c/o The Loudermilk Companies, LLC
309 E Paces Ferry Road NE
Suite 1200
Atlanta, GA 30305
NCS 1216316
TAX PARCEL NUMBER(S): 0P0390003000

LIMITED WARRANTY DEED

STATE OF FLORIDA

COUNTY OF COLLIER

THIS DEED is made the 13th day of May, in the year 2024, between **WASHINGTON PERRY GA, LLC**, a Georgia limited liability company, with address **275 Fender Walk, Marietta, GA 30060**, as party of the first part, hereinafter called Grantor, and **1325 WASHINGTON STREET, LLC**, a Georgia limited liability company, with address **309 E Paces Ferry Rd NE, Suite 1200, Atlanta, GA 30305**, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH, that Grantor, for and in consideration of Ten and No/100 (\$10.00) Dollars, and other valuable consideration, in hand paid at and before the sealing and delivering of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto said Grantee, the following described property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said property with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise

appertaining, to the proper use, benefit and behoof of Grantee, subject only to those matters set forth in Exhibit "B" attached hereto and by this reference incorporated herein, forever in FEE SIMPLE.

AND Grantor will only warranty and forever defend the right and title to the Property unto Grantee against the claims of those persons claiming by, through or under Grantor only, but no others.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed and sealed the day and year first above written.

Signed, sealed, and delivered in the presence of:

GRANTOR:

WASHINGTON PERRY GA, LLC,
a Georgia limited liability company

By: *[Signature]*

Name: KENNETH D. GOODMAN
Its: MANAGER

[Signature]
Unofficial Witness #1
3838 Tamiami Trail North, Suite 300
Naples, FL 34103

[Signature]
Unofficial Witness #2
3838 Tamiami Trail North, Suite 300
Naples, FL 34103

[Signature]
NOTARY PUBLIC

My Commission Expires: 5/22/27

(Affix Notary Seal)



EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL A

[IDENTIFIED AS TRACT "CSD-2A"]

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN LAND LOT 49, 10TH LAND DISTRICT, HOUSTON COUNTY, PERRY, GEORGIA, SHOWN AS TRACT "CSD-2A" CONTAINING 2.77 ACRES ON A PLAT OF SURVEY PREPARED BY JESSE COLLINS, JR., GEORGIA REGISTERED LAND SURVEYOR, SAID PLAT OF SURVEY BEING RECORDED IN PLAT BOOK 63, PAGE 14, CLERK'S OFFICE, HOUSTON SUPERIOR COURT. SAID PLAT AND THE RECORDED COPY THEREOF ARE HEREBY MADE A PART OF THIS DESCRIPTION BY REFERENCE THERETO FOR ALL PURPOSES. SAID TRACT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT MARKING THE CENTERLINE INTERSECTION OF NOLAN STREET AND BALL STREET, SAID POINT BEING THE POINT OF REFERENCE, THENCE ALONG A TIE LINE SOUTH 38 DEGREES 46 MINUTES 13 SECONDS EAST A DISTANCE OF 197.41 FEET TO AN IRON PIN SET ON THE EASTERLY RIGHT-OF-WAY LINE OF BALL STREET (60 R/W), SAID POINT BEING THE POINT OF BEGINNING, THENCE NORTH 30 DEGREES 01 MINUTE 04 SECONDS WEST A DISTANCE OF 457.72 FEET TO AN IRON PIN FOUND ON THE EASTERLY RIGHT-OF-WAY OF BALL STREET; THENCE NORTH 30 DEGREES 51 MINUTES 19 SECONDS WEST A DISTANCE OF 224.60 FEET ALONG THE EASTERLY RIGHT- OF-WAY OF BALL STREET TO AN IRON PIN FOUND; THENCE NORTH 19 DEGREES 34 MINUTES 22 SECONDS WEST A DISTANCE OF 38.90 FEET TO AN IRON PIN FOUND; THENCE NORTH 25 DEGREES 22 MINUTES 31 SECONDS EAST A DISTANCE OF 29.64 FEET TO AN IRON PIN FOUND; THENCE NORTH 67 DEGREES 15 MINUTES 12 SECONDS EAST A DISTANCE OF 30.17 FEET TO AN IRON PIN FOUND; THENCE NORTH 70 DEGREES 31 MINUTES 36 SECONDS EAST A DISTANCE OF 29.34 FEET TO AN IRON PIN FOUND; THENCE SOUTH 44 DEGREES 27 MINUTES 58 SECONDS EAST A DISTANCE OF 12.11 FEET TO AN IRON PIN FOUND; THENCE SOUTH 43 DEGREES 55 MINUTES 42 SECONDS EAST A DISTANCE OF 6.90 FEET TO AN IRON PIN FOUND; THENCE SOUTH 44 DEGREES 13 MINUTES 20 SECONDS EAST A DISTANCE OF 714.68 FEET TO AN IRON PIN SET; THENCE SOUTH 59 DEGREES 58 MINUTES 56 SECONDS WEST A DISTANCE OF 257.20 FEET TO AN IRON PIN SET, WHICH IS AFORESAID MENTIONED POINT OF BEGINNING.

PARCEL B

EASEMENTS AND OTHER INTERESTS IN REAL PROPERTY CONTAINED IN DECLARATION OF EASEMENTS AND RESTRICTIVE COVENANTS BY WASHINGTON BALL LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED JULY 6, 2004, FILED FOR RECORD JULY 9, 2004, AND RECORDED IN DEED BOOK 3075, PAGE 221, HOUSTON COUNTY, GEORGIA RECORDS.

EXHIBIT B

Permitted Exceptions

1. Taxes and assessments for the year 2024 and subsequent years, not yet due and payable.
2. Matters shown on plat recorded in Plat Book 63, Page 14, Houston County, Georgia records.
3. Terms and provisions of Declaration of Easements and Restrictive Covenants by Washington Ball LLC, a Florida limited liability company, dated July 6, 2004, filed for record July 9, 2004, and recorded in Deed Book 3075, Page 221, aforesaid records.
4. Permit to Cut or Trim Trees from Julia Mae Young to Georgia Power Company, a corporation, dated January 18, 1973, and recorded in Deed Book 410, Page 69, aforesaid records.