

Overview of the Request: The applicant is requesting approval to rezone the subject tract from A-1 to R-1. A successful rezone would allow the applicant to split the property into two tracts.

Utilities & Infrastructure

Transportation: The property gains access off of Ruby Lane with 50 feet of right-of-way.

Water & Sewerage: The City of Commerce is the water provider for said property, but public sewer is not available. The property will have to be served by private septic system.

Wetlands/Watershed Areas: The tract is located within the A.C.C. Local Intake - North Oconee River Watershed and the Upper Oconee Watershed. The tract is not located in a groundwater recharge area or a floodplain. According to the National Wetlands Inventory, there are not wetlands on the subject tract. There is a small stream that comes in from the northeast corner of the property.

DRI Analysis: N/A.

Campaign Contributions & Gifts: The applicant and owner has submitted the required affidavit and disclosed no contributions were given to any commissioner over the last 2 years.

Proffered Conditions: None specified.

Sphere of Influence Comments: This project is within the City of Commerce's sphere of influence. Notice was sent to Mr. David Zellner on October 5, 2016.

Property Development History: This property has not been rezoned since the inception of zoning; the property is zoned A-1.

Comments from Reviewing Agencies:

Georgia DOT: None provided.

Road Department: Any new driveways must be permitted and meet the separation requirement of the Jackson County Unified Development Standards.

Providing Water and Sewage Authority: The City of Commerce is the water provider for said property.

Rezoning Analysis: This analysis is based upon the "Standards for Rezoning Consideration" as set forth in Section 1205(e) of the *Jackson County Unified Development Code*.

The Planning Commission and the Board of Commissioners shall consider the following standards in considering any rezoning proposal, giving due weight or priority to those factors that are appropriate to the circumstance of each proposal:

- a. ***Is the proposed use consistent with the stated purpose of the zoning district that is being requested?*** Yes.
- b. ***Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?*** Yes; the neighboring properties are zoned A-1 and A-2, but the properties that are occupied are used for residential purposes.
- c. ***Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?*** Yes; UDC requirements for setbacks between residences and some agricultural uses will ensure there are no adverse effects.

- d. **Is the proposed use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?** Yes; the request is consistent with the suburban character area and residential future land use designations.
- e. **Are there substantial reasons why the property cannot or should not be used as currently zoned?** No. The property can be used as it, but to allow the parcel to be split, it would need to be rezoned due to acreage requirements.
- f. **Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?** No; at most this proposed rezone would only create one additional lot to be serviced.
- g. **Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?** No.
- h. **Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?** Yes.

Conclusion: The proposed rezoning meets the applicable and appropriate criteria for rezoning.

General Notes: (such notes are for reference and are not to be considered exclusive of all Jackson County Development Standards that will apply):

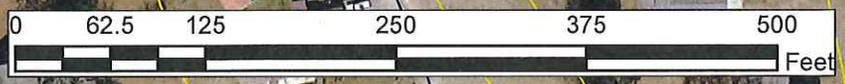
- Building permits must be applied for and approved for additions or renovations.
- All new driveways must be approved by Jackson County Road Department.

Planning Staff Recommendation: Approval. Staff recommends that the Planning Commission recommend **approval** of this request.

Planning Commission Recommendation: The applicant, Chris Pettite, was not present to represent this case at the October 27, 2016 Planning Commission Meeting. So, David Ayers made a motion to table the rezone case to the November 17, 2016 Planning Commission Meeting, so that the applicant, Chris Pettite, will be present to represent this case. The motion was seconded by Steve Wittry. David Ayers, Steve Wittry, Marty Clark, and Nick Bledsoe voted to table the rezone. (4-0)



Jackson County, GA
Basemap





Jackson County, GA
FLU Basemap



SPLIT

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RUBY LN

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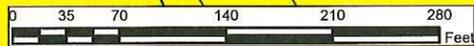
CHRYSTAL GAIL DR

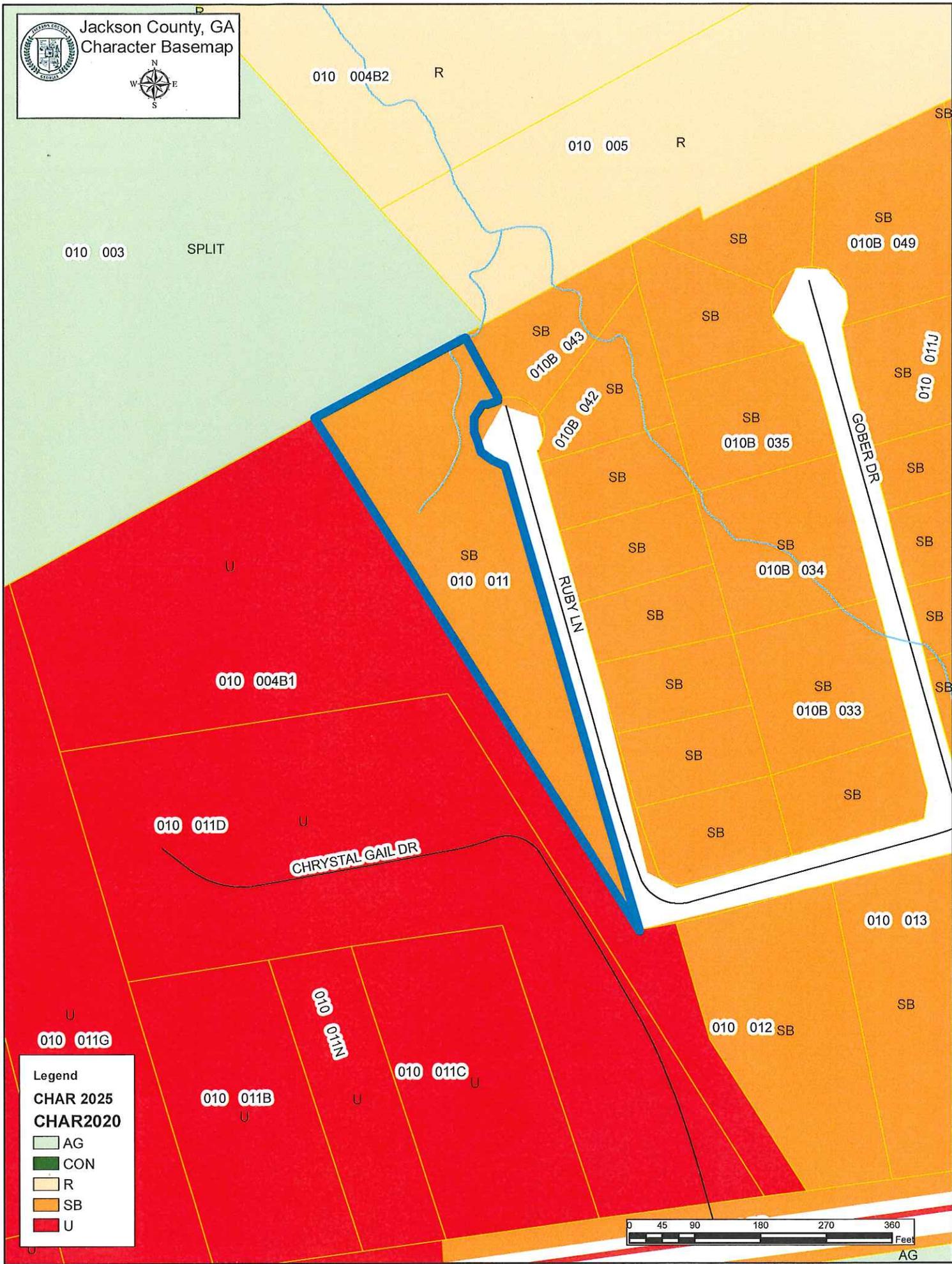
R

R

Legend

- Parks/Recreation/Conservation
- Intensive Agriculture
- Agricultural/Forestry
- Residential
- Public Institutional
- Commercial
- MU
- Industrial
- Transportation/Communications/Utilities
- Cities



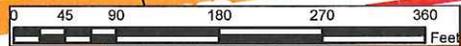


Legend

CHAR 2025

CHAR2020

- AG
- CON
- R
- SB
- U



AG



Jackson County, GA Zoning Basemap



A2 010 004B2

A2 010 005

A2 010 003

A1 010B 045

010B 049

GOBER DR

A1 010B 044

010B 043

010B 042

010B 035

010B 041

010 011

010B 040

010B 034

RUBY LN

010B 039

010 004B1

010B 038

010B 033

010B 037

010B 036

010B 032

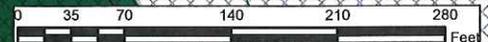
010 011D

CRYSTAL GAIL DR

A2 010 012

010 011N

010 011C



Legend

- A1
- A2
- A3
- AR
- PCFD
- Arcade
- Braselton
- Commerce
- Hoschton
- Jefferson
- Maysville
- Nicholson
- Pendergrass
- Talmo
- CRC
- NRC
- HRC
- LI
- GI
- HI
- MH
- PUD
- R1
- R2
- R3

Letter of Intent

I Chris Pettite, have thoughts of subdividing 2.5 acres and building two (2) houses for eventual sale in Ruby Estates Subdivision. Address is 219 Ruby Lane Commerce, GA.

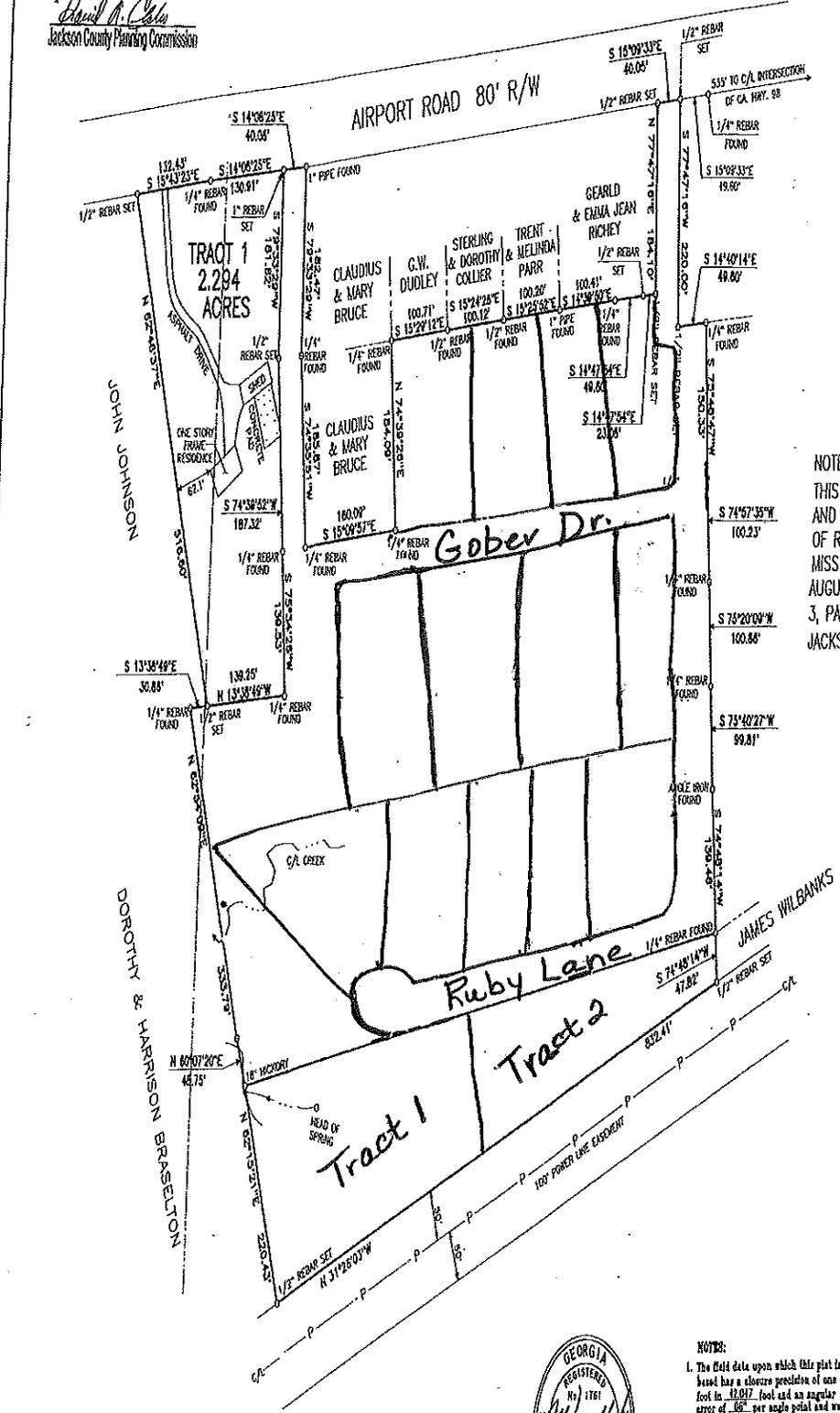
Thank you

Chris Pettite

Concept plan

TOTAL AREA = 17.040 ACRES

APPROVED FOR RECORDING
David A. Cline
Jackson County Planning Commission



NOTE:
THIS PLAT IS FOR CLOSING PURPOSES ONLY AND DOES NOT SUPERCEDE THE PREVIOUS PLAT OF RECORD PREPARED BY R.E. HARDIGREE OF MISS RUBY V. GOBER HOME PLACE DATED AUGUST 08, 1960 AND RECORDED IN PLAT BOOK 3, PAGE 326 IN THE CLERK OF COURT OF JACKSON COUNTY.

STATE OF GEORGIA
Jackson Superior Court
Filed April 1, 1999 11:28 AM
Recorded
April 14, 1999
Book 54 Page 25
Richey Plat No. _____
Clerk

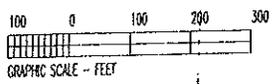
BOUNDARY SURVEY
FOR
TIM BROOKS

LOCATED WITHIN
G.M.D. 255
JACKSON COUNTY, GEORGIA
SCALE: 1" = 100' MARCH 29, 1999
Prepared By
VENABLE & ASSOCIATES, INC.
1642 WINDER HIGHWAY - P.O. BOX 366
JEFFERSON, GEORGIA 30549
PHONE (706) 367-8253 FAX 367-4957
JOB NO. 92952 P.L. 2-784

- NOTES:
- The field data upon which this plat is based has a closure percentage of one foot in 12,027 feet and an angular error of .08" per angle point and was adjusted using the Compass Rule.
 - This plat has been calculated for closure and is found to be accurate within one foot in 402,911 feet.
 - The field equipment used in this survey was a Topcon GTS-303 Total Station.
 - Field Work Completed: 3-29-99

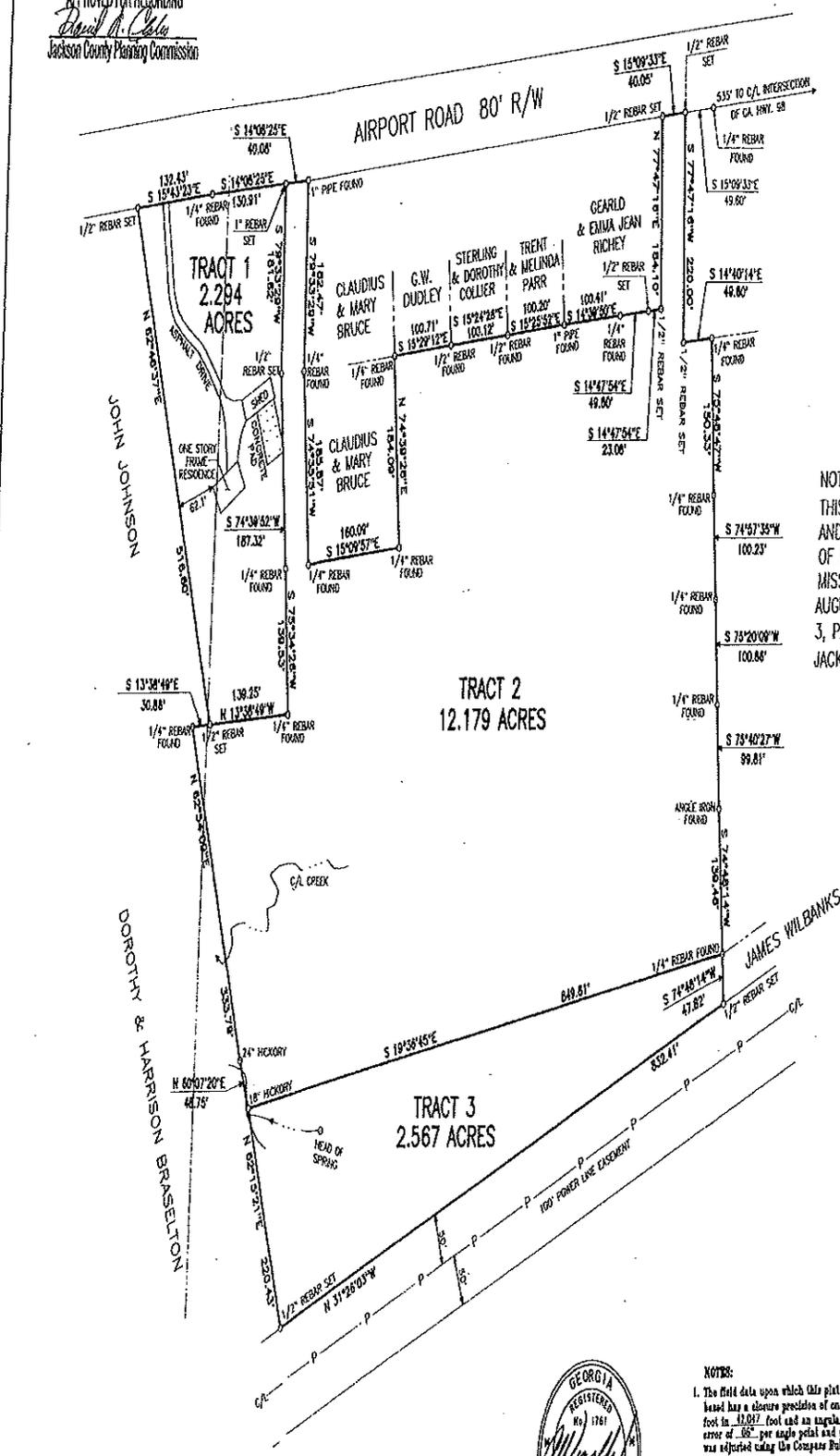


NOTE:
THIS RESIDENCE IS NOT LOCATED IN A FLOOD PRONE AREA BASED ON U.S.G.S. FLOOD STUDY MAPS. NO HYDROLOGY STUDY WAS PREPARED BY VENABLE & ASSOCIATES, INC.



APPROVED FOR RECORDING
David R. Clark
 Jackson County Planning Commission

TOTAL AREA = 17.040 ACRES



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STATE OF GEORGIA
 Jackson Superior Court A
 Filed April 2 1999 11:20 AM
 Recorded
 April 14 1999
 Book 54 Page 25
Ruby Parr Clerk

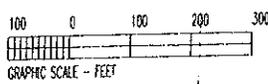
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 JEFFERSON, GEORGIA 30549
 PHONE (708) 367-8253 FAX 367-4657



- NOTES:
1. The field data upon which this plat is based has a closure precision of one foot in 11,017 feet and an angular error of .06" per angle point and was adjusted using the Compass Rule.
 2. This plat has been calculated for closure and is found to be accurate within one foot in 463,312 feet.
 3. The field equipment used in this survey was a Topcon GTS-303 Total Station.
 4. Field Work Completed: 3-23-99



NOTE:
 THIS RESIDENCE IS NOT LOCATED IN A FLOOD
 PRONE AREA BASED ON U.S.G.S. FLOOD STUDY
 MAPS. NO HYDROLOGY STUDY WAS PREPARED
 BY VENABLE & ASSOCIATES, INC.

JOB NO. 99252 P.R. 2-751-

ZONING PUBLIC NOTICE

MAP
010

APPLICATION

PACEL
011

LOCATED AT 219 Ruby Lane

EXISTING ZONING A-1 PROPOSED ZONING R-1

FOR Splitting Property into 2 tracts.

HEARINGS WILL BE HELD BY:

PLANNING COMMISSION

BOARD OF COMMISSIONERS

DATE: November 17, 2016 DATE: December 19, 2016

TIME: 6:00 p.m.

TIME: 6:00 p.m.

LOCATION:

ADMIN AUDITORIUM
67 ATHENS STREET
JEFFERSON, GA 30549

LOCATION:

COURTHOUSE
5000 JACKSON PARKWAY
JEFFERSON, GA 30549

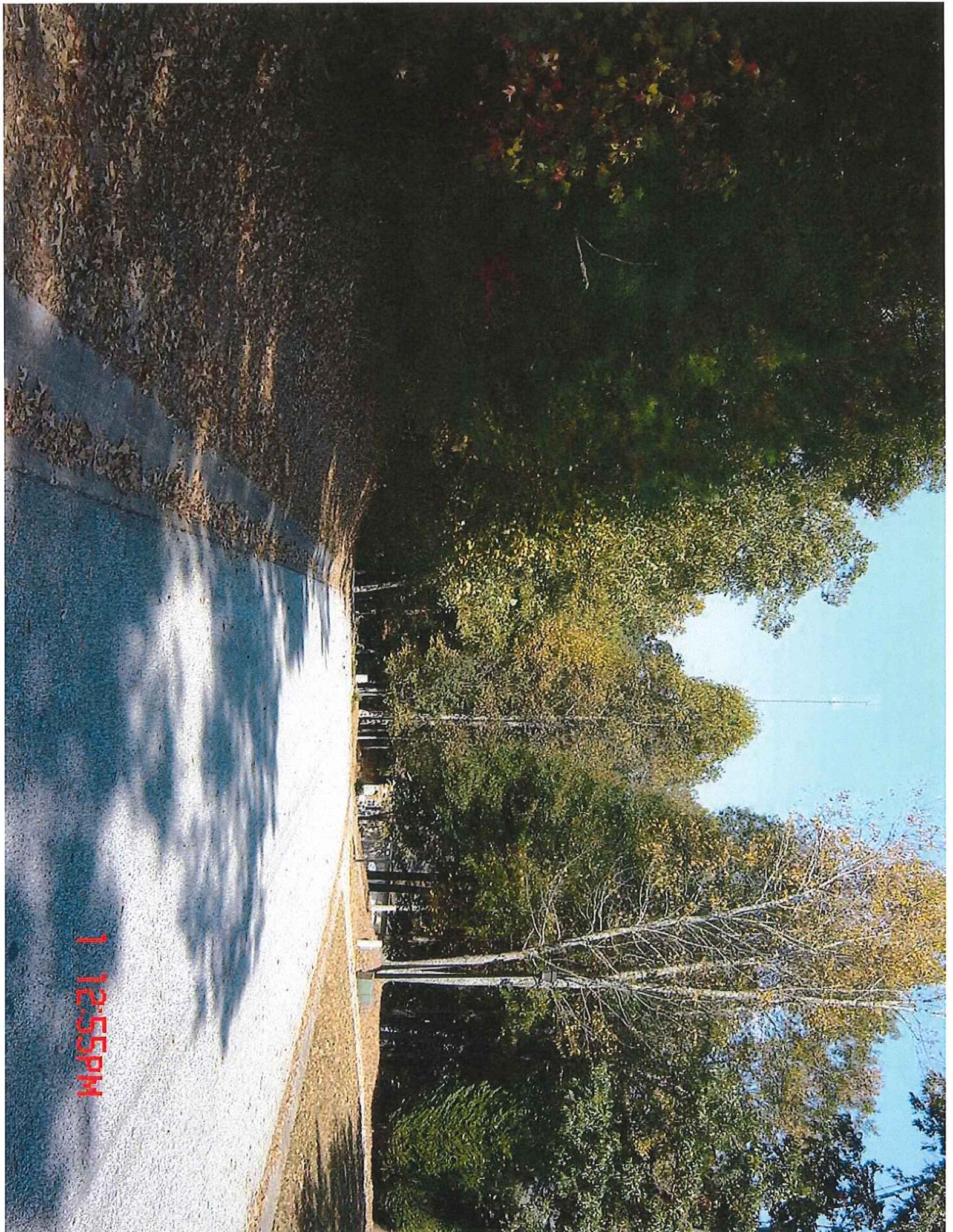
JACKSON COUNTY PUBLIC DEVELOPMENT

706-367-5908

1 12:54PM



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1 12:55PM