DEPARTMENT OF PUBLIC DEVELOPMENT

Planning Division

RZ-16-15 Staff Report

Planning Commission Public Hearing: **November 17, 2016** **6:00pm**

Board of Commissioners Public Hearing: **December 19, 2016** **6:00pm**

The following report constitutes the assessment and evaluation by Planning Division staff on the above mentioned request.

Applicant:	Mary E. Ludeman
Property Owner:	Mary E. Ludeman
Requested Zoning:	M-H (Manufactured Housing District)
Existing Zoning:	A-2 (Agricultural Rural Farm District)
Proposed Use:	Residential
Existing Use:	Residential
Property Location:	3281 Old State Road
Zoning Map and Parcel:	Map 100, Parcel 003
Acreage to be Rezoned:	2.67 acres
Future Land Use:	Residential
Character Area Designation:	Rural
Board of Commissioners District:	1 (Commissioner Jim Hix)
Zoning of Surrounding Property:	North: M-H (Manufactured Housing) South: A-2 (Agricultural Rural Farm District) East: PCFD (Planned Commercial Farm District) West: M-H (Manufactured Housing)
Land Uses of Surrounding Property:	North: Residential South: Residential East: Residential West: Residential

Overview of the Request: The applicant is requesting approval to rezone the subject tract from A-2 to M-H in order to split the property for family.

Utilities & Infrastructure

Transportation: The property gains access off Old State Road with 80 feet of right of way.

Water & Sewerage: The property has access to public water provided by Jackson County Water and Sewerage Authority.

Wetlands/Watershed Areas: The tract is located within the A.C.C. Local Intake, Middle Oconee River Watershed and the Upper Oconee River Watershed. The tract is not located in a groundwater recharge or floodplain area. According to the National Wetlands Inventory, there are not wetlands on the subject tract.

DRI Analysis: Not applicable.

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: The applicant has noted that they do not intend to put a manufactured home on the property; they will only be building a stick-built house.

Sphere of Influence Comments: This property is within the City of Talmo's sphere of influence. Notice was sent to Mayor Jill Elliott on November 3, 2016.

Property Development History: The property has not been rezoned since the inception of zoning. A home currently resides on the front portion of the property.

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: Public water, provided by the Jackson County Water and Sewerage Authority, is available.

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. The applicant proposes that a successful rezone to M-H will allow them to split their property to accommodate for two family residences rather than one.

b. ***Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?*** Yes. All surrounding property is used for residential purposes.

c. ***Will the proposed use not adversely affect the existing use or usability of adjacent or nearby property?*** Yes.

d. **Is the proposed use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?** Yes. The request is consistent with the rural character area designation and residential future land use designation.

e. ***Are there substantial reasons why the property cannot or should not be used as currently zoned?*** Yes. A successful rezone would allow the applicant to split the property. The applicant's

letter of intent states that they would then be interested in building an additional stick-built home on the land. As currently zoned, the property size is too small to split and one home already sits on the front portion of the property.

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. Changing the zoning of this parcel to M-H from A-2 would only result in one additional dwelling. Therefore, there will be no significant impacts on public facilities and services that will result from approving this rezoning request.

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.

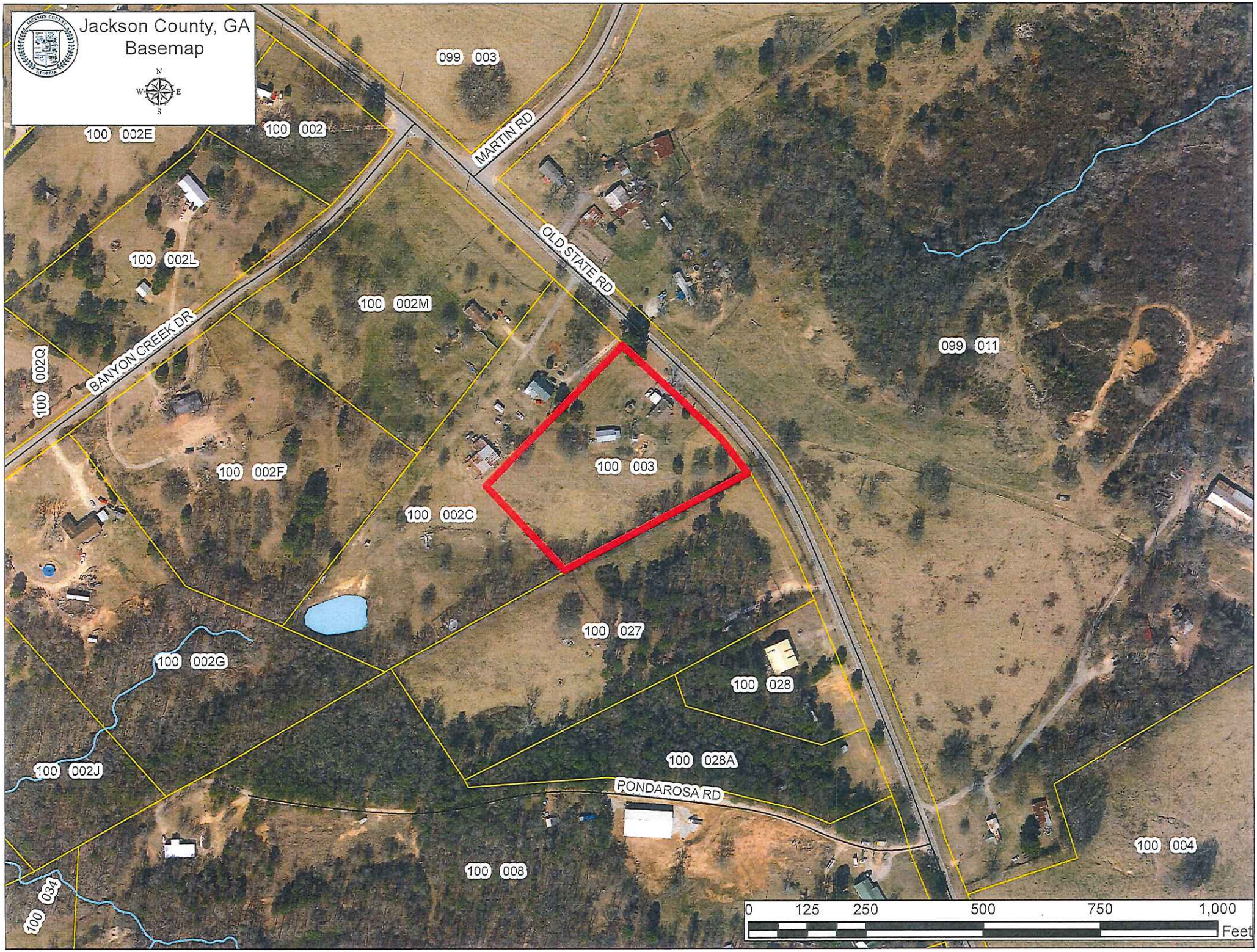
h. ***Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?*** Yes.

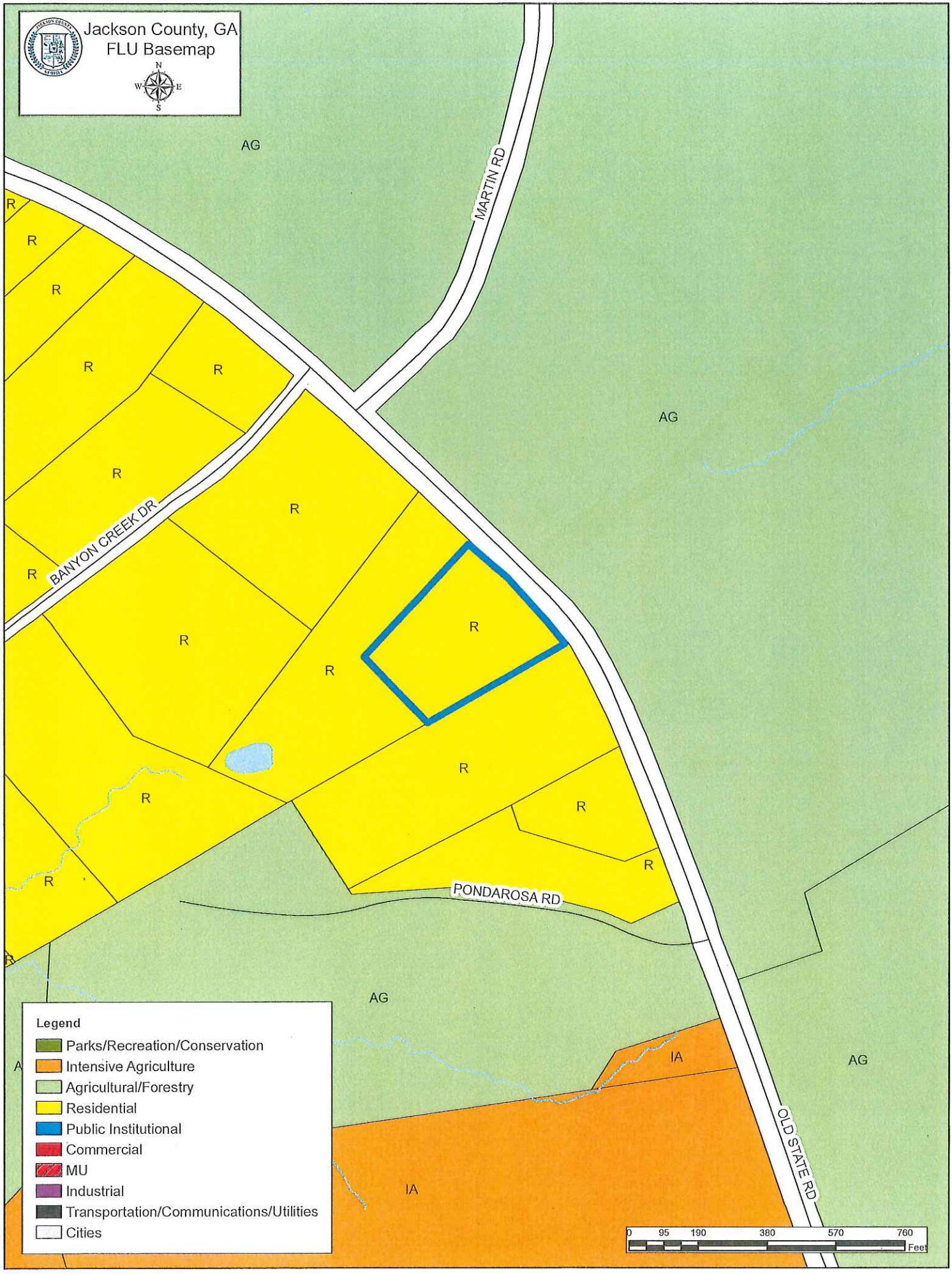
Conclusion: The proposed rezoning meets the applicable and appropriate criteria for rezoning.

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

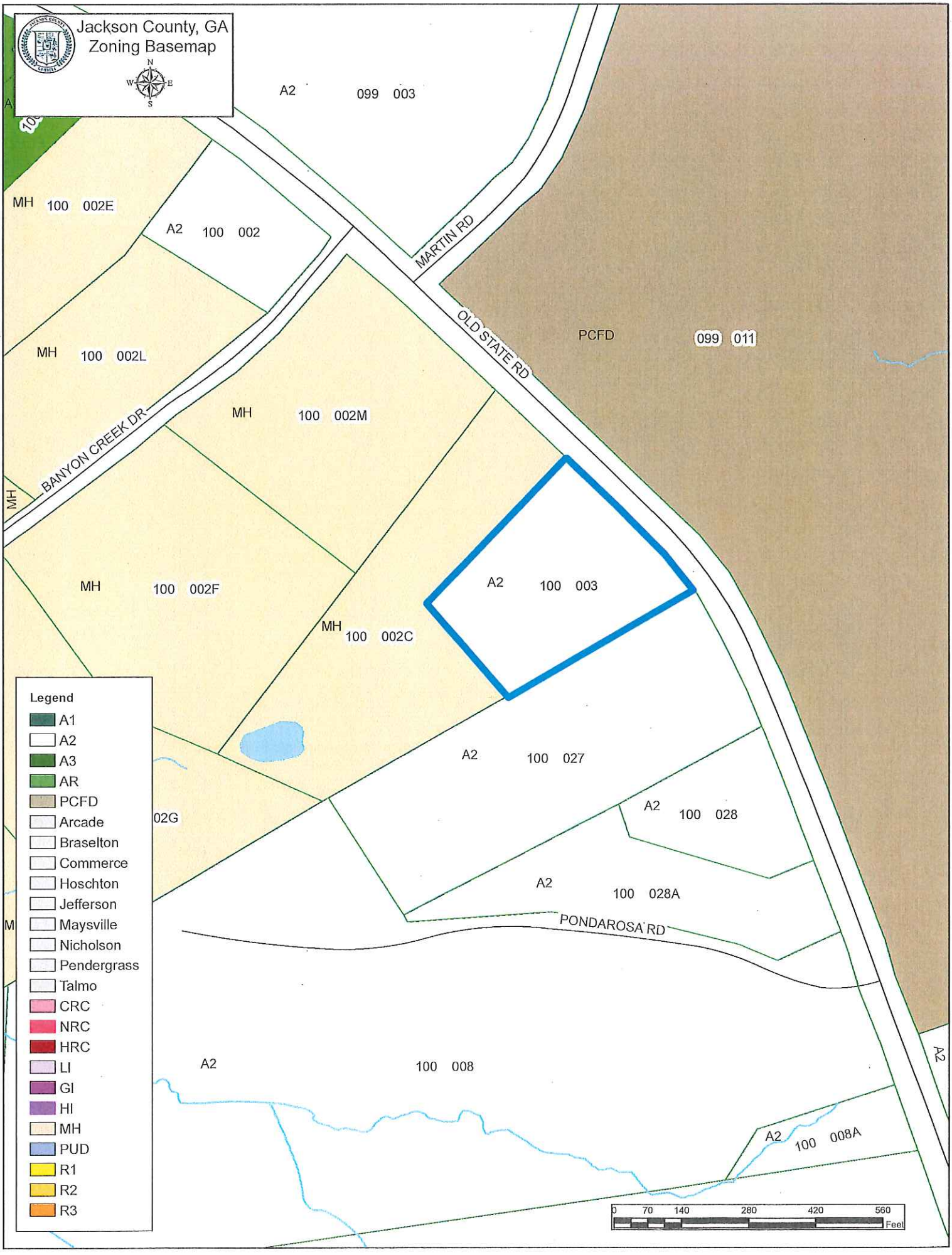
- Building permits must be applied for and approved for additions or renovations.
- All new driveways must be approved by Jackson County Road Department.

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


Jackson County, GA
Basemap
099 003
MARTIN RD
100 002E
100 002
OLD STATE RD
100 002L
100 002M
099 011
BANYON CREEK DR
100 002Q
100 003
100 002F
100 002C
100 027
100 002G
100 028
100 028A
100 002J
PONDAROSA RD
100 004
100 008
100 034
0 125 250 500 750 1,000
Feet


Jackson County, GA
FLU Basemap
N
W
E
S
AG
MARTIN RD
R
BANYON CREEK DR
PONDAROSA RD
IA
OLD STATE RD
Legend
Parks/Recreation/Conservation
Intensive Agriculture
Agricultural/Forestry
Residential
Public Institutional
Commercial
MU
Industrial
Transportation/Communications/Utilities
Cities
0 95 190 380 570 760
Feet

Jackson County, GA
Character Basemap
N
W
E
S
MARTIN RD
OLD STATE RD
BANYON CREEK DR
PONDAROSA RD
003 AG
100 002E R
100 002 R
100 002L R
100 002M R
099 011 AG
100 002F R
100 003 R
100 002C R
100 027 R
100 028 AG
100 028A R
100 002G R
100 008 R
100 008A AG
AG
R
Legend
CHAR 2025
CHAR2020
AG
CON
R
SB
U
0 70 140 280 420 560
Feet


Jackson County, GA
Zoning Basemap
A2 099 003
MH 100 002E
A2 100 002
MH 100 002L
MH 100 002M
MH 100 002F
MH 100 002C
A2 100 003
A2 100 027
A2 100 028
A2 100 028A
A2 100 008
A2 100 008A
PCFD 099 011
MARTIN RD
OLD STATE RD
BANYON CREEK DR
PONDAROSA RD
02G
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
0 70 140 280 420 560
Feet

REZONING APPLICATION

JACKSON COUNTY PLANNING DIVISION
67 Athens Street Jefferson, Georgia 30549
706-367-5908

Date Received: 10/3/16 Fee Received: $175.00 Case No.: RZ-16-15

Note to Applicant: All applications must be typed or *CLEARLY LEGIBLE* and all entries must be completed on all the required application forms. If you are uncertain to the applicability of an item, contact the Public Development.

Name of Applicant Mary E. Ludeman

Mailing Address 3281 Old State Road Talmo, Ga 30575

Telephone 706 693-4470 Cell _____ E-Mail mludeman44@gmail.com

Property Owner(s) Mary E. Ludeman

Mailing Address 3281 Old State Road Talmo, Ga 30575

Telephone 7066934470 Cell _____ E-Mail mludeman44@gmail.com

Contact Person _____

Mailing Address _____

Telephone _____ Cell _____

Address/Location of Property 3281 OLD STATE RD. TALMO GA. 30575

Tax Map No. 100 Tax Parcel No(s). 003 Total Acreage: 2.6736

Present Zoning District(s): A2 Proposed Zoning District: MH

Current Character Area Rural

Current Future Land Use Designation Residential

TAX COMMISSIONER'S OFFICE USE ONLY

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

The undersigned certifies that all Jackson County taxes billed to date for the parcel listed below have been verified as paid current to the Tax Commissioner of Jackson County, Georgia and confirmed by the signature below. In no case shall an application or re-application for zoning action be processed without such property verification.

PARCEL I.D. NUMBER: 100 (Map) - 003 (Parcel)

Name Linda Ingram Title Senior Tax Clerk Date 9-19-16

MARY E. LUDEMAN

October 3, 2016

TO WHOM IT MAY CONCERN:

Please accept this as my LETTER OF INTENT for the property of 3281 Old State Road, Talmo, Georgia, 30575.

We request the property to be re-zone in order to construct a family member a new home.

The new lot size shall be .75 acres.

The current zoning is A2, we wish to have it zoned MH, however, we will not place a mobile home on the new tract.

After subdividing there will be two (2) lots and two (2) residential dwellings.

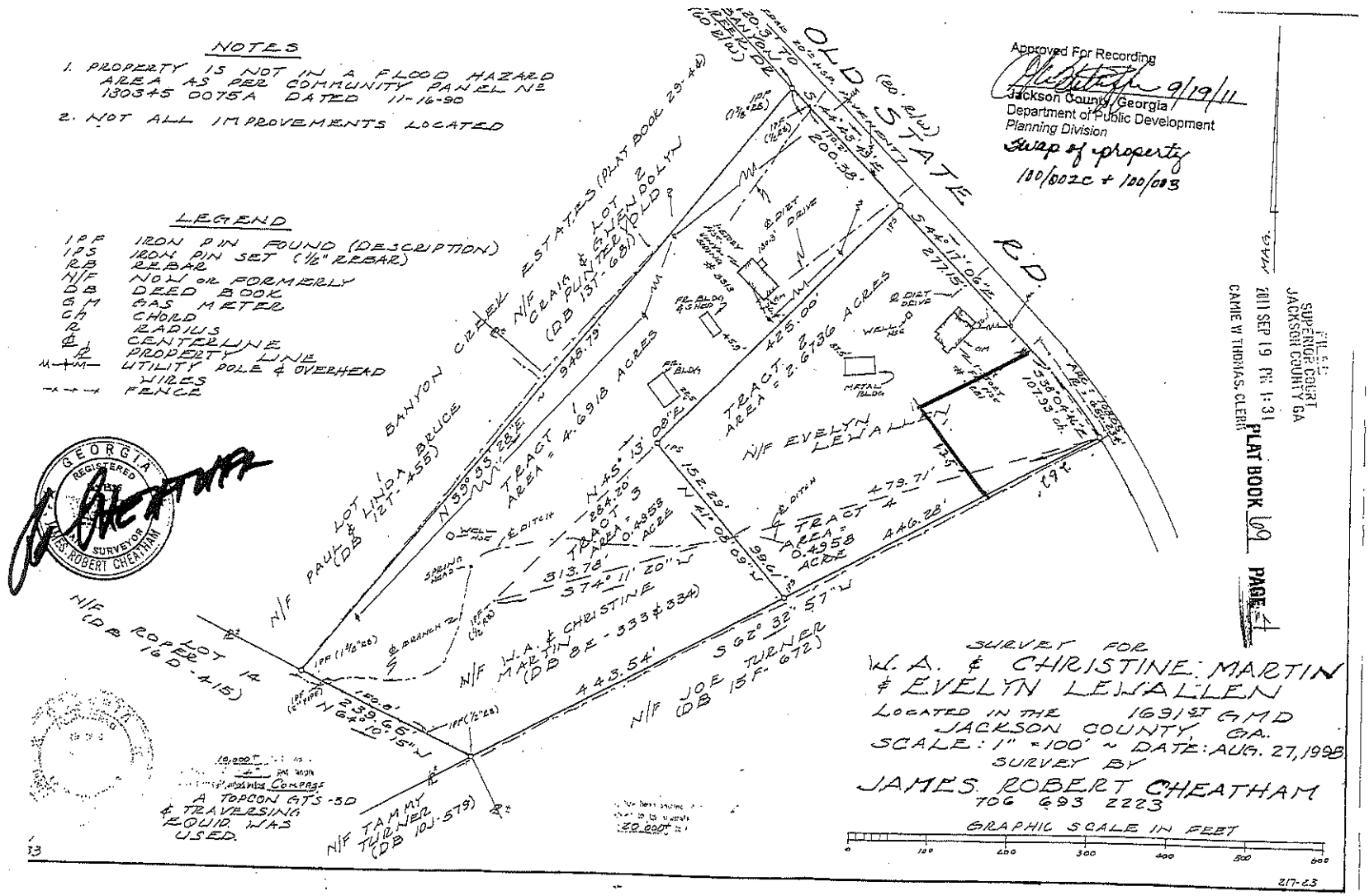
The new residential dwelling will be 1600 square feet of heated area. Which will meet or exceed all set back requirements.

Thank You for your consideration.

Mary E. Ludeman

(706) 693-4470 3281 OLD STATE ROAD TALMO, GA 30575

Concept Plan



Approved For Recording
9/19/11
Jackson County, Georgia
Department of Public Development
Planning Division
Swap of property
100/002C + 100/003

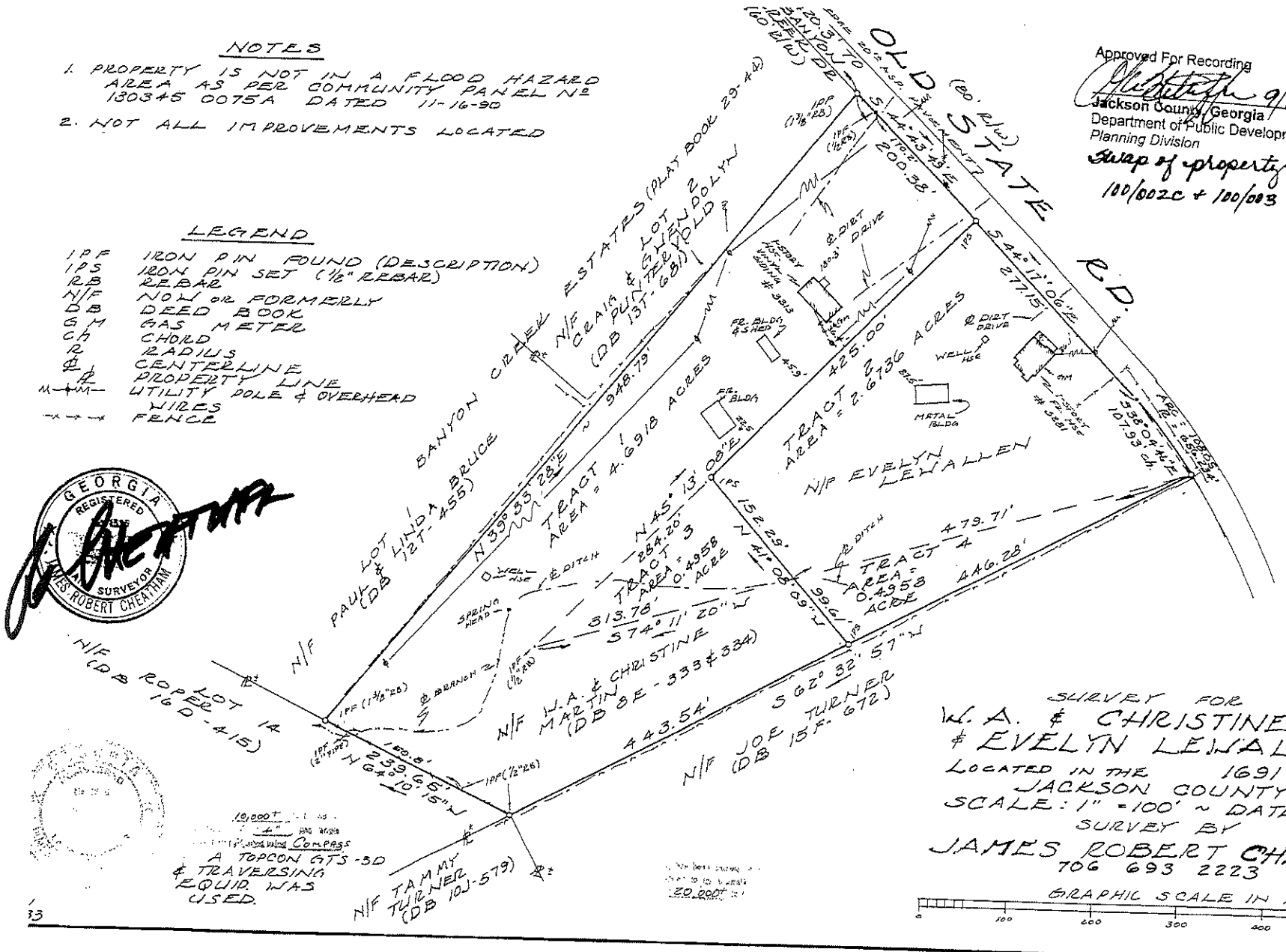
FILED
SUPERIOR COURT
JACKSON COUNTY GA
2011 SEP 19 PM 1:31
CAMIE W THOMAS, CLERK
PLAT BOOK 109 PAGE 54

NOTES

1. PROPERTY IS NOT IN A FLOOD HAZARD AREA AS PER COMMUNITY PANEL Nº 130345 0075A DATED 11-16-90
2. NOT ALL IMPROVEMENTS LOCATED

LEGEND

IPF	IRON PIN FOUND (DESCRIPTION)
IPS	IRON PIN SET (1/2" REBAR)
RB	REBAR
N/F	NOW OR FORMERLY
DB	DEED BOOK
GM	GAS METER
Ch	CHORD
R	RADIUS
℄	CENTERLINE
℞	PROPERTY LINE
M—+—M—	UTILITY POLE & OVERHEAD WIRES
—x—x—x	FENCE



Approved For Recording
9/19/11
Jackson County, Georgia
Department of Public Development
Planning Division
Swap of property
100/002C + 100/003

FILED
SUPERIOR COURT
JACKSON COUNTY GA
2011 SEP 19 PM 1:31
CAMIE W THOMAS, CLERK

PLAT BOOK 69 PAGE 4

SURVEY FOR
W. A. & CHRISTINE MARTIN
& EVELYN LEWALLEN
LOCATED IN THE 1691ST GMD
JACKSON COUNTY, GA.
SCALE: 1" = 100' ~ DATE: AUG. 27, 1998
SURVEY BY
JAMES ROBERT CHEATHAM
706 693 2223

GRAPHIC SCALE IN FEET
0 100 200 300 400 500 600

10,000+ 4" Compass
A TOPCON GTS-3D & TRAVERSING EQUIP. WAS USED.

20,000+

217-23

ZONING
PUBLIC NOTICE
MAP 100
APPLICATION
RZ. 16. 15
PARCEL 003
LOCATED AT 5231 Old State Rd
EXISTING ZONING A-2 PROPOSED ZONING M-1
FOR Dividing property into 2 tracts.
HEARINGS WILL BE HELD ON
PLANNING COMMISSION
DATE November 10, 2015
TIME 6:00 p.m.
LOCATION
ADMIN AUDITORIUM
97 ATHENS STREET
JEFFERSON, GA 30549
BOARD OF COMMISSIONERS
DATE December 14, 2015
TIME 6:00 p.m.
LOCATION
COURTHOUSE
5060 JACKSON PARKWAY
JEFFERSON, GA 30549
JACKSON COUNTY PUBLIC DEVELOPMENT
706-367-5908
1 11:33AM

1 1134AM