

Rezone CU15080005

Staff Analysis

Commission District: 5 Adams

Planning Commission Hearing Date: 9-3-15

Board of Commissioners Hearing Date: 10-6-15

Parcel ID: Map C72-85D

Acreage: 5.25 acres

Applicant:

Owners:

Michael Shane Foster

700 Winnbrook Drive
Dacula GA 30019

same

Property Location: 547 James Powers Road

Current Character Area: Rural Residential

Current Zoning: A-1

Request: Conditional use for guest house (no primary residence; applicant is seeking permission to build guesthouse first and will permit primary structure within 1 year of approval of conditional use)

Site Analysis: The 5.25 acre tract of land is located off James Powers Road.

Zoning History: None

Character Area: The request is compatible with the character area which is rural residential.

Conditions Requested by Applicant: Permission to construct guesthouse without an existing primary structure. Applicant will permit primary structure within one year of receiving conditional use approval.

Comments and Recommendations from various Agencies:

Public Works:

Sheriffs' Department:

Water Authority:

Fire Department:

Board of Education:

DOT Comments:

Archaeological Information:

Conditional Use Application # CW15 08 0005

Planning Comm. Meeting Date 9-3-15 at 6:00PM held at WC Board of Comm. Meeting Room
 Board of Comm Meeting Date 10-6-15 at 6:00PM held at WC Historical Court House
 You or a representative must be present at both meetings

Please Type or Print Legibly

Map/Parcel C0720085D00

Applicant Name/Address/Phone # <u>Michael Shane Foster</u> <u>700 Winbrook Drive</u> <u>Dacula, GA 30019</u> Phone # <u>404-328-8717</u>	Property Owner Name/Address/Phone # <u>Michael Shane Foster</u> <u>700 Winbrook Drive</u> <u>Dacula, GA 30019</u> <small>(If more than one owner, attach Exhibit "A")</small> Phone # <u>404-328-8717</u>
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Location 547 James Powers Road Present Zoning A-1 Acreage 5.25

Existing Use of Property: Vacant

Existing Structures: None

Property is serviced by:

Public Water: _____ Provider: _____ Well:

Public Sewer: _____ Provider: _____ Septic Tank:

The purpose of this conditional use is: To build a structure with an inlaw suite upstairs and two car garage below not to exceed 800 S.F. with conditions that the permanent attached house permit is pulled within 12 months of approval.

The above statements and accompanying materials are complete and accurate. Applicant hereby grants permission for planning and zoning personnel to enter upon and inspect the property for all purposes allowed and required by the Comprehensive Land Development Ordinance.

[Signature] 8-5-15 \$ 250.00
 Signature Date Fee Paid

Public Notice sign will be placed and removed by P&D Office
 Signs will not be removed until after Board of Commissioners meeting

Office Use Only:

Existing Zoning A-1 Surrounding Zoning: North A-1 South A-1
 East A-1 West A-1

Comprehensive Land Use: Rural Residential

Commission District: 5 - Adams Watershed: Beaverdam

I hereby withdraw the above application _____ Date: _____

GUEST HOUSE REGULATIONS

GUEST HOUSE: An attached or detached accessory building that provides living quarters for guests, may or may not contain a kitchen or cooking facility. Guesthouse shall never be used for rental or lease. 12-2-03

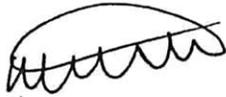
Guest House, Caretaker House (2)

Guest and Caretaker Houses are allowed by right in the A zoning, and as a conditional use in the A-1, A-2, B-2, B-3, TC, MUBP, M-1 and M-2 zonings and in R-1 properties that are one-acre in size or larger. (7-10-12)

- A. The use must maintain a residential appearance and shall produce no impacts in appearance, noise, light, and traffic that are detrimental to adjacent properties.
- B. The size of the guesthouse, tenant house or caretaker house can be no more than 800 square feet.
- C. Installation of a separate gas and/or electric meter shall be prohibited. (8-2-11)
- D. The rental, lease, of a guesthouse, or the use of a guesthouse as a primary residence shall be prohibited. (8-2-11)

NAICS Code	Principal Uses	Suppl. Reg	A	A-1	A-2	R-1	R-2	R-3	MHP	OI	B-1	B-2	B-3	TC	MUBP	M-1	M-2
	Guest House, and Caretaker/Employee Dwelling	Yes	P	C	C							C	C	P	C	C	C

I hereby acknowledge receipt of the regulations for a Guest House. If my application is approved I will abide by all regulations.



DATE: 8-5-15

LETTER OF INTENT FOR PROPOSED TEMPORARY
CONDITIONAL USE OF THE A-1 ZONING
APPLICATION OF MICHAEL SHANE FOSTER

The applicant, Michael Shane Foster, submits this rezoning application for the purpose of temporary conditional use to the A-1 (Rural Estate District) zoning classification a 5.25 acre tract located at 547 James Powers Road, Walton County, Georgia (hereafter, the "Property").

The Property, which is currently undeveloped, is zoned A-1. This zoning does not allow for a permanent structure (residence) to be built without an attached or detached 2 car garage with a minimum square footage of 400. The Applicant is wanting to build a structure that is at minimum 1,400 square feet that has an in law suite upstairs and will enclose what will be a 2 car garage in the near future, once the final home is constructed. The Applicant has requested to rezone the Property for conditional use to allow that a permanent structure (residence) be built with the knowledge that within the course of the next 12 months they will be pulling a permit for the final house construction. As seen on the attached site plan, the applicant has proposed a single family residential lot which meets all requirements for A-1 zoning.

The adjacent properties are currently zoned A-1. As indicated on the site plan, the lot dimensions of the proposed development are consistent with the lot dimensions of the surrounding A-1 properties. Therefore, rezoning the property to A-1 with conditions will provide continuity to the area based on the quality of the home and lot dimensions.

The applicant welcomes the opportunity to meet with staff of the Walton County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the application filed herewith. The applicant respectfully request your approval of this application.

MICHAEL SHANE FOSTER



8-5-15

Standard Review Questions:

Provide a written, documented, detailed analysis of the impact of the proposed zoning map amendment or conditional use with respect to each of the standards and factors specified in Section 160 listed below:

- 1) Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed conditional use;

The subject property is 5.25 acres and is of adequate size for proposed conditional use.

- 2) Compatibility with adjacent properties and with other properties in the same zoning district;

The subject property is in compliance with the current zoning conditions and will remain compatible with surrounding properties. Lands around the property are currently farmland and residential properties.

- 3) Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area;

The proposed land use change will not be affecting the traffic.

- 4) Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency;

The proposed conditional change will not alter ingress and egress of the subject property.

- 5) Whether or not the proposed use will create unreasonable adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the proposed use;

The proposed use will not create any adverse impacts upon adjoining properties for any reason.

- 6) Whether or not the proposed use will create unreasonable adverse impacts upon any adjoining land use by reason of the manner of the hours of operation of the proposed conditional use;

The proposed use will remain as a residential property, so the change will not have an impact upon any adjoining land use.

- 7) Whether or not the proposed use will create unreasonable adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;

The proposed use will remain as a residential property, so the change will not have an impact upon any adjoining land use.

- 8) Whether the length of time for which the conditional use permit is granted should be limited in duration;

I will be pulling a permit for the building of the proposed attached house within 12 months of the conditions being approved.

- 9) Whether or not the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings;

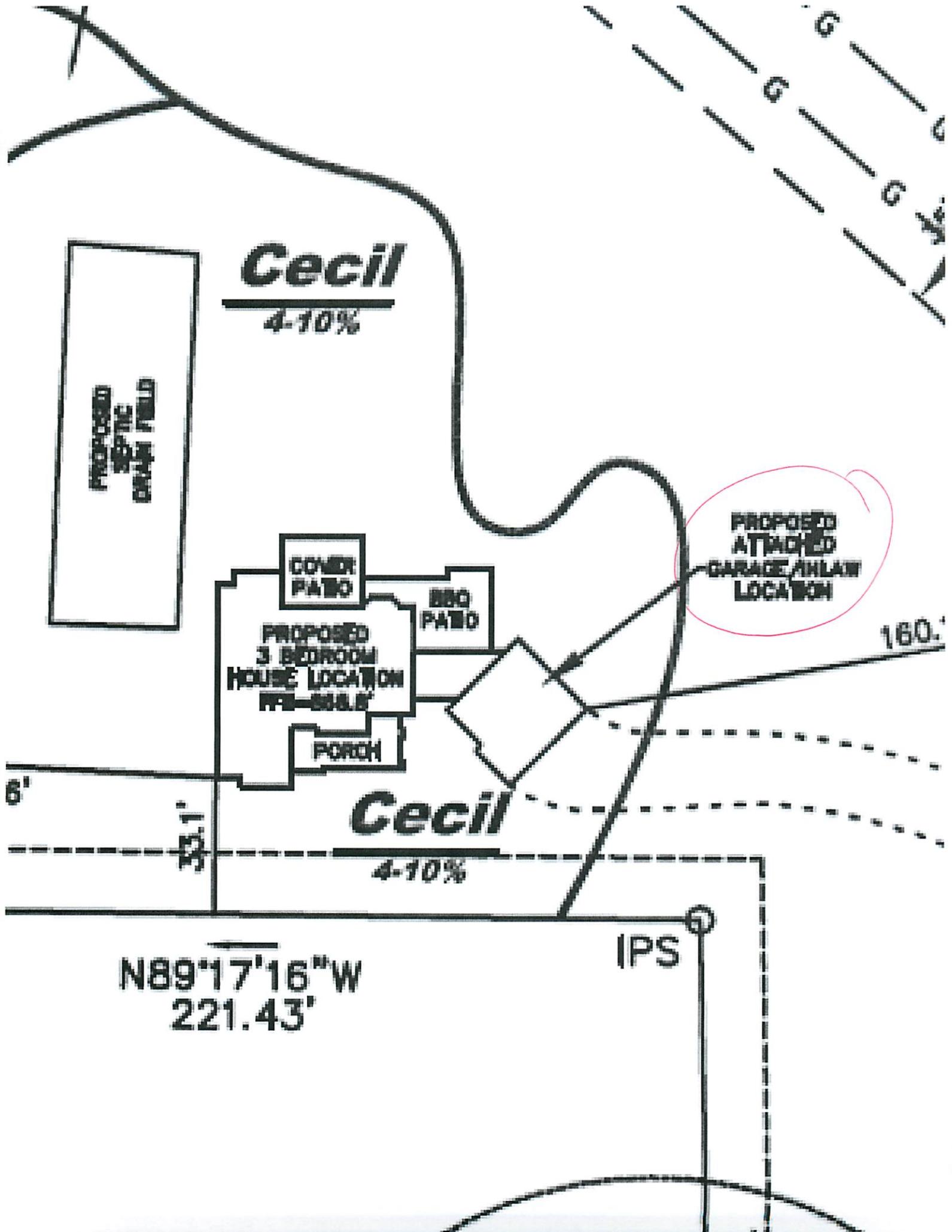
The size, scale and massing of proposed buildings are appropriate in relation to adjacent and nearby properties.

- 10) Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources; and

There will be no impact.

- 11) Whether or not the proposed plan will have an unreasonable adverse impact on natural resources or environmentally sensitive areas, including floodplains, wetlands, prime plant or animal habitat, or other similar features of unique value to the character of Walton County.

We will be mindful to preserve as much natural area as possible as it will be our personal residence and should have no impact on flooding or drainage.



Cecil
4-10%

PROPOSED
SEPTIC
DRAIN FIELD

CORNER
PATIO

BBQ
PATIO

PROPOSED
3 BEDROOM
HOUSE LOCATION
77'-88.6'

PORCH

PROPOSED
ATTACHED
GARAGE/INLAW
LOCATION

160'

8'

33.1'

Cecil
4-10%

N89°17'16"W
221.43'

IPS