

# Rezone CU14120007

## Staff Analysis

Commission District: 4 Bradford

Planning Commission Hearing Date: 2-5-15

Board of Commissioners Hearing Date: 3-3-15

**Parcel ID: Map C167-19**

**Acreage: 8.02 acres**

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**Applicant:**

**Jason N Evelyn**

1309 Pannell Road  
Monroe GA 30656

**Owners:**

**Ms. Lee A Fernandez**

1013 Crystal Brook Way  
Monroe GA 30655

**Property Location:** 1309 Pannell Road

**Current Character Area:** Rural Residential (A, A-1, A-2, MHP)

**Current Zoning:** A-1

**Request:** Conditional use for personal care home for 4-6 individuals

**Site Analysis:** The proposed personal care home is located in the center interior of 8.02 acre tract of land over 400 feet back from Pannell Road. The property is heavily wooded on three sides surrounding the house area. Sufficient area is available for vehicle parking.

**Zoning History:** None

**Character Area:** The request is compatible with the character area which is rural residential which is described as: Undeveloped land likely to face development pressures for lower-density residential land.

**Conditions Requested by Applicant:** None

Comments and Recommendations from various Agencies:

Public Works:

Sheriffs' Department:

Water Authority:

Fire Department:

Board of Education:

DOT Comments:

Archaeological Information:

Conditional Use Application # CU 14120007

Planning Comm. Meeting Date 2-5-15 at 6:00PM held at **WC Board of Comm. Meeting Room**  
Board of Comm. Meeting Date 3-3-15 at 6:00PM held at **WC Board of Comm. Meeting Room**  
**You or a representative must be present at both meetings**

\*\*\*Please Type or Print Legibly\*\*\*

Map/Parcel C167-19

Applicant Name/Address/Phone #

Property Owner Name/Address/Phone

Mr. Jason N. Evelyn  
1309 Pannell Road  
Monroe, Georgia 30655

Ms. Lee A. Fernandez  
1013 Crystal Brook Way  
Monroe, Georgia 30655  
(If more than one owner, attach Exhibit "A")

Phone #: (678) 508-5317

Phone #: (718) 264-2409

Location: 1309 Pannell Road  
Monroe, Georgia 30655

Present Zoning: \_\_\_\_\_ Acreage: 6.94 + 1.08 =  
8.02 Acres

Existing Use of Property: Home

**Existing Structures:** This Single Family Home has 3 Bedrooms, 2 Bathrooms, Family Room, Kitchen, Eat in Kitchen Area, Dining Room, Laundry Room, Deck, Patio, Porch, and a full day-light Basement that will be built out to include 3 Bedrooms, a Family Room and at least 1 Full Bathroom. This Single Family Home has a total of approximately 5,032 square feet of living space (2,516 square feet on Main Level + 2,516 square feet of Basement = 5,016 square feet).

Property is serviced by:

Public Water: X Provider: Walton County Water Dept. Well: \_\_\_\_\_

Public Sewer: \_\_\_\_\_ Provider: \_\_\_\_\_ Septic Tank: X

**The purpose of this conditional use is: To Operate a Personal Care Home for Disabled Veterans and other Disabled Persons. The number of disabled occupants is six (6).**

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.

Jason N. Evelyn  
Signature Jason N. Evelyn

12-16-14  
Date

\$ 300.00  
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 R-1

Comprehensive Land Use: \_\_\_\_\_

Commission District: 4 Watershed: none

# **Written Analysis**

## **Standard Review Questions & Answers:**

Please accept this statement as my 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:

### **Conditional Use Permit Criteria**

#### **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 size of the site that the proposed Personal Care Home would be operated on is a total of 8.02 acres. The subject Single Family Home has approximately 5,032 square feet of living space (2,516 square feet on Main Level + 2,516 square feet of Basement = 5,016 square feet).

More specifically, the Single Family Home that would house the proposed Personal Care Home has 3 Bedrooms, 2 Bathrooms, Family Room, Dining Room, Eat in Kitchen Area, Kitchen, Laundry Room, Porch, Patio and deck on the main level and day light Full Basement on the lower level. This Single Family Home also has a Drive Way of approximately 450 feet long and adequate Parking Space to accommodate ten (10) parked vehicles. Accordingly, as for the use contemplated, there is adequate land area and sufficient living space for the proposed conditional use of the home.

#### **2. Compatibility with adjacent properties and with other properties in the same zoning district;**

The subject Single Family Home is compatible with adjacent properties and with other properties in the same zoning district because it has compatible/similar architectural residential design with adjacent properties/homes. Just like other homes in this community, this Single Family Home is located on a farm and will have horses, goats, and donkeys. Accordingly, it is compatible with adjacent single family homes and with other farm properties in the same zoning district.

#### **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 public street on which the use is proposed to be located is Pannell Road. The operation of the Personal Care Home will require the use of one or two SUV/Vans to transport disabled Veterans and/or other disabled persons. In addition, there would probably be two other vehicles driven by Caregivers or other Personnel. These vehicles will enter and exit the property from time to time. The traffic – carrying capacity of Pannell Road is well able to handle this small increase in traffic and will not unduly increase traffic or create congestion in the area.

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**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 ingress and egress to the subject property and the structure/Single Family Home and the uses thereon, provide for pedestrian and automotive safety and convenience. It promotes good traffic flow and control, and it has excellent access in the event if fire or other emergency.

More specifically, there is open, safe readily accessible ingress and egress to the property that is the subject of this Application. This Single Family Home has three outside doors; an abundance of windows; a lengthy 60 feet long Walk Way from the front door to the driveway; and a 450 feet long Drive Way for safe adequate pedestrian and automotive travel and parking.

In the event of a fire or other emergency, the long 450 feet Drive Way; lengthy front of house Walk Way; multiple windows; and three outside doors; provide sufficient ingress and egress for emergency and/or fire vehicles and personnel. Lastly, the subject property/Single Family Home is located on a total of 8.02 acres, and thus has plenty of land for safe pedestrian and automotive use. To be sure, the proposed conditional use of this property will in no way interfere with or encroach upon adjoining properties.

**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 of this property will not create an unreasonable adverse impact upon any adjoining land use by reason of noise, smoke, odor, dust or vibration of any type or kind. In addition, the operation of and/or proposed use of this Personal Care Home will in no way interfere with or create unreasonable adverse impacts upon the quiet and peaceful enjoyment of adjoining land use because operation of the proposed Personal Care Home will not create, distribute or cause to be transported an unreasonable amount of noise, smoke, odor, dust or vibration to any adjoining land or property.

**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 of this property will not create unreasonable adverse impacts upon any adjoining land use by reason of the manner of the hours of operation of the property's proposed conditional use as a Personal Care Home. While the Disabled Veterans and/or other Disabled Residents will reside at the home 24 hours a day, they will arise around 7am in the morning and retire for bed around 9pm. The hours of operation of this Home will in no way create an unreasonable adverse impact on any adjoining land.

**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 not create unreasonable adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use. The proposed use is to operate a Personal Care Home on a farm for Disabled Veterans and/or Disabled Persons. All residents and all activities held will be carefully supervised by Caregivers and will not create unreasonable adverse impacts upon adjoining land use. This Home will be operated in a manner that is safe, thoughtful and considerate. It will not interfere with the quiet enjoyment or use of adjoining land.

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

No. The conditional use permit should not be limited in duration because the operation and use of this proposed Personal Care Home would best benefit Disabled Veterans and/or Disabled Persons if it were not limited in duration. For the length of their natural lives, disabled residents will have continuous need of the lodging, food, clothing, transportation and care provided by the proposed Personal Care Home. In addition, there are an abundance of Disabled Veterans and other Disabled Persons who will need the lodging and other services provided by this proposed Personal Care Home indefinitely. In sum, this proposed Personal Care Home would abundantly benefit the community and its benefits should not be limited in duration.

**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.**

At this time, there are no size, scale or massing of proposed buildings to compare to or analyze for appropriateness in relation to the size of the subject property. Presently, the proposed Personal Care Home will be housed in the existing Single Family Home which was built on the property in 1993. This subject property is appropriate in relation to the size, scale and massing of adjacent and nearby lots and buildings. There are no plans to construct other buildings or structures at this time.

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

No. The proposed plan will not adversely affect any historic buildings, sites, districts or archaeological resources. In the specific area that the subject property (Single Family Home) is located there are no historic buildings, sites, districts or archaeological resources that will be adversely affected by the operation of the proposed Personal Care Home.

**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.**

No. The proposed plan will in no way have an unreasonable adverse impact on natural resources or environmentally sensitive areas, including floodplains, wetlands, prime plant or animal habitats, or other similar features of unique value to the character of Walton County, Georgia. As a matter of fact, the Applicant will maintain farm land and care for farm animals, including but not limited to horses, donkeys and goats. In sum, the proposed plan will enhance and maintain the unique value, natural aesthetic quality, and character of Walton County, Georgia.

Secondly, the proposed plan will abundantly benefit Disabled Veterans and/or Disabled Residents by providing them with a family like living environment, including but not limited to safe comfortable housing, nutritious food, appropriate clothing, transportation assistance, medication assistance, good hygiene assistance and other kind, compassionate care.

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**Jason N. Evelyn**

Lastly, the subject property/Single Family Home that will house the proposed Personal Care Home was build in 1993, and since that time it has had no unreasonable adverse impact on natural resources or environmentally sensitive areas. It is, therefore, reasonable to conclude that the proposed humanitarian use of the subject property will be beneficial and not detrimental to the value and character of Walton County, Georgia.

**AUTHORIZATION  
BY PROPERTY OWNER**

I swear that I am the property owner of the property which is the subject matter of the attached Petition for Rezoning/Conditional Use Application, as is shown in the records of Walton County, Georgia.

I authorize the named below to act as Applicant in the pursuit of a Petition for Rezoning/Conditional Use Application.

**Name of Applicant:** Jason N. Evelyn  
**Address:** 1309 Pannell Road  
Monroe, Georgia 30655  
**Telephone:** (678) 508-5317  
**Location of Property:** 1309 Pannell Road  
Monroe, Georgia 30655

**Map/Parcel Number:** \_\_\_\_\_

**Current Zoning:** \_\_\_\_\_ **Requested Zoning:** \_\_\_\_\_

Lee Fernandez  
\_\_\_\_\_  
**Property Owner Signature**

**Print Name:** Ms. Lee A. Fernandez

**Address:** 1013 Crystal Brook Way  
Monroe, Georgia 30655

**Phone #:** (718) 264-2409

\_\_\_\_\_  
**Property Owner Signature**

**Print Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_

Personally appeared before me and who swears that the information contained in this authorization is true and correct to the best of his/her knowledge.

U P P L  
\_\_\_\_\_

**Notary Public**

12-10-14

**Date**

