

JASPER COUNTY
BOARD OF COMMISSIONERS

FUTURE LAND USE MAP AMENDMENT

CASE NUMBER 2023-FLU-001

EXISTING LAND USE MAP AF (Agriculture/Forestry)

PROPOSED LAND USE MAP Residential

EXISTING ZONING AG (Agriculture)

LOCATION 435 Seven Island Rd (North Side)
454+ Feet of Frontage
Stone Road (East Side)
656.41 Feet of Frontage
Hwy 212 (South Side)
459.97 Feet of Frontage
PARCEL SIZE: 2+ Acres of a 7.72-acre Tract
TAX PARCEL: 027 036C 001
COMMISSION DISTRICT: (4) Four

OWNER Robert Batchelor III and Andrew Batchelor

PETITIONER Robert Batchelor Jr

REPRESENTATIVE Robert Batchelor Jr

APPLICANT'S INTENT To amend the Future Land Use Map from AF (Agriculture/Forestry) to RR (Rural Residential) to be able to rezone a 2+acre tract to RES (Residential). There is a companion rezoning petition, 2023-REZ-002.

FUTURE LAND USE MAP AMENDMENT REQUEST:

Existing: Agricultural, Forestry, Fishing, and Hunting
Proposed: Residential Growth

SURROUNDING MAP DESIGNATION AND LAND USES:

North, Across Hwy 212

Map Designation: Agricultural, Forestry, Fishing, and Hunting
Land Use: Scattered Single-Family Residences, Agricultural Land
Zoning: AG (Agricultural)

East

Map Designation: Agricultural, Forestry, Fishing, and Hunting
Land Use: Scattered Single-Family Residence (Existing)
Zoning: AG (Agricultural)

South, across Seven Island Rd

Map Designation: Agricultural, Forestry, Fishing, and Hunting
Land Use: Single-Family Residence (Existing) and a cemetery
Zoning: RES (Residential) & AG (Agricultural)

West

Map Designation: Agricultural, Forestry, Fishing, and Hunting
Land Use: Single-Family Residence (Existing)
Zoning: AG (Agricultural)

Staff Analysis:

Comprehensive Plan

Pursuant to the Jasper County Comprehensive Plan the following land use designation of Residential Growth is correlated with the following Appropriate Land Uses and Policies:

Residential Growth

Residential Growth identifies established residential neighborhoods and areas experiencing a transition to residential development. Within these areas, protection of natural resources and undeveloped open spaces is emphasized. Goals for developments within these areas include: minimization of impervious surfaces, protection of existing tree canopies, internal and external walkable/bikeable connectivity, and the incorporation of landscaping, parks, and recreational trails.

Higher densities may be allowed within conservation subdivisions (with clustered development to maximize greenspace) and in areas located in proximity to activity or employment centers and adequately served by supportive infrastructure. Conservation subdivisions or traditional neighborhood development styles should be used in place of traditional suburban design. Neighborhood-level commercial activity may be appropriate as a secondary use, provided it is developed within the character of the neighborhood. These areas are also designed to accommodate recreation, education, public administration, health care, and/or other institutional land uses.

FINDINGS:

Planning Staff, concerning each application, investigate and present a finding with respect to the factors below:

A. **DOES THE PROPOSED AMENDMENT PERMIT USES THAT ARE SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY?**

FINDING: Given the proximity to similar uses of property and the zoning classification across the street from the subject site, the map amendment may be appropriate for the area; however, pursuant to Sec. 119-447, subsection (2), would allow the Board to consider amending the zoning map (aka rezoning the property) without amending the comprehensive land use plan (aka Future Land Use Map).

Reference Chapter 119 of the Code of Ordinance, Sec. 119-447, subsection (2) The zoning map may be amended without an amendment to the comprehensive land use plan if the proposed amendment would permit a use that is permitted by the comprehensive land use plan.

B. **DOES THE PROPOSED AMENDMENT ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY?**

FINDING: In Staff's opinion, the proposed map amendment will not have an adverse effect on the use or usability of adjacent and nearby properties as there is no increased density for this one lot; however, the Board may want to apply the standard in #A. above's Finding to consider the Rezoning without amending the

comprehensive land use plan to keep consistency in the overall vision of the county for this area.

C. WILL THE PROPOSED AMENDMENT RESULT IN USES THAT WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS?

FINDING: In Staff's opinion, the proposed map amendment will not cause an excessive or burdensome use of streets, transportation facilities, utilities or schools as there is no increased density and the request is to create 1 (one) new lot. However, the Board may want to apply the standard in #A. above's Finding to consider the Rezoning without amending the comprehensive land use plan.

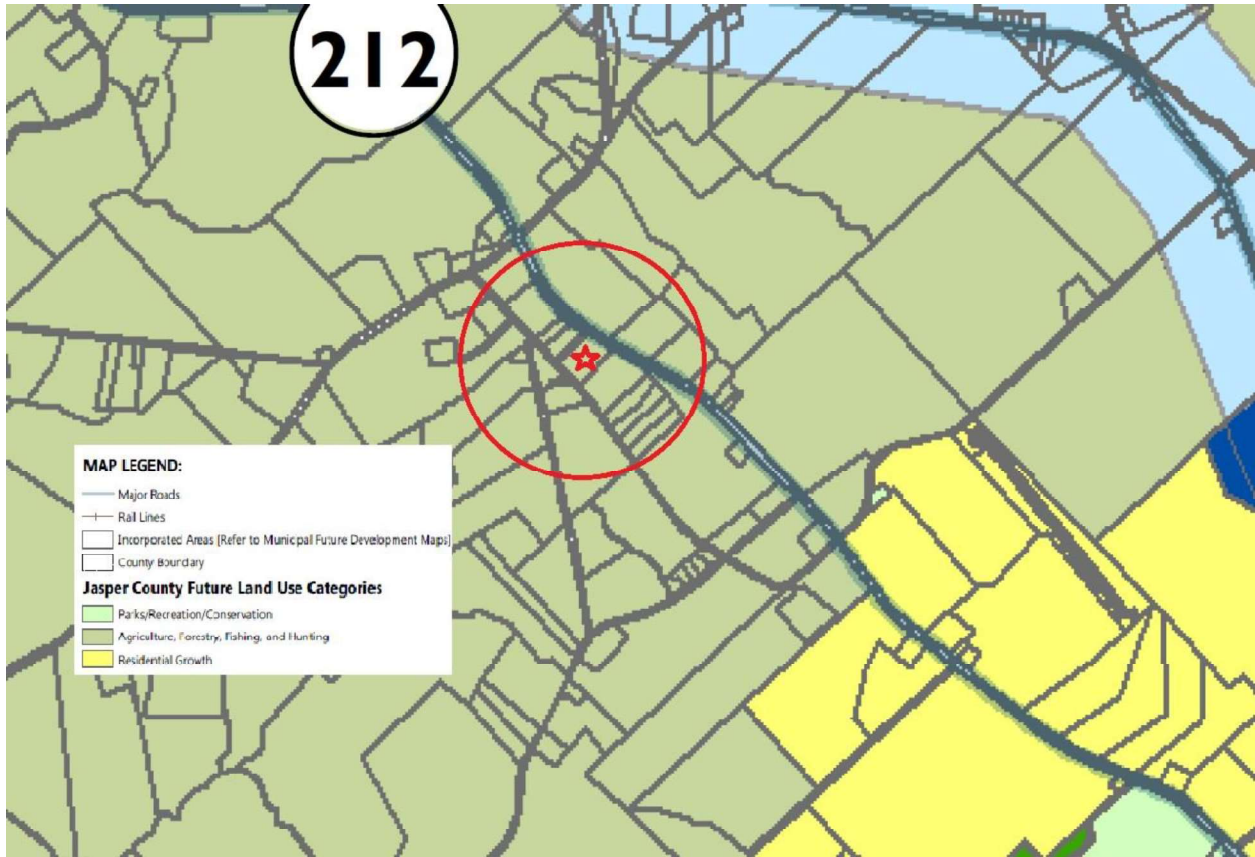
D. ARE THERE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE USE AND DEVELOPMENT OF THE PROPERTY WHICH, BECAUSE OF THEIR IMPACT ON THE PUBLIC HEALTH, SAFETY, MORALITY AND GENERAL WELFARE OF THE COMMUNITY, GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED AMENDMENT?

FINDING: While the creation of 1 additional lot will not have any notable impact on the Public Health, Safety, Morality or General Welfare of the Community, the Board may want to apply the standard in #A. above's Finding to consider the Rezoning without amending the comprehensive land use plan.

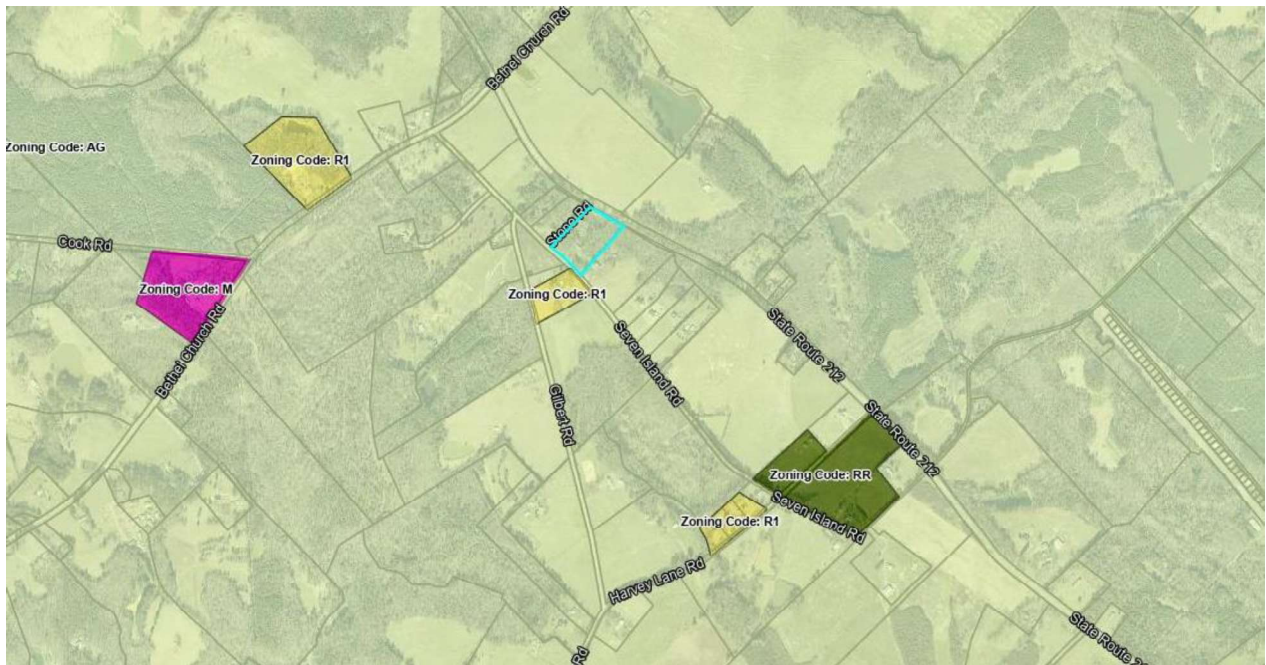
CONCLUSION:

Given the request is to create 1 additional lot with an existing home and the Ordinance allowance to consider the Rezoning application without amending the Comprehensive Land Use Plan/Future Land Use Map, it may be more appropriate to not change the designation so that there is not a small 2-acre area within a larger portion of future land use designated as Agriculture, Forestry, Fishing and Hunting.

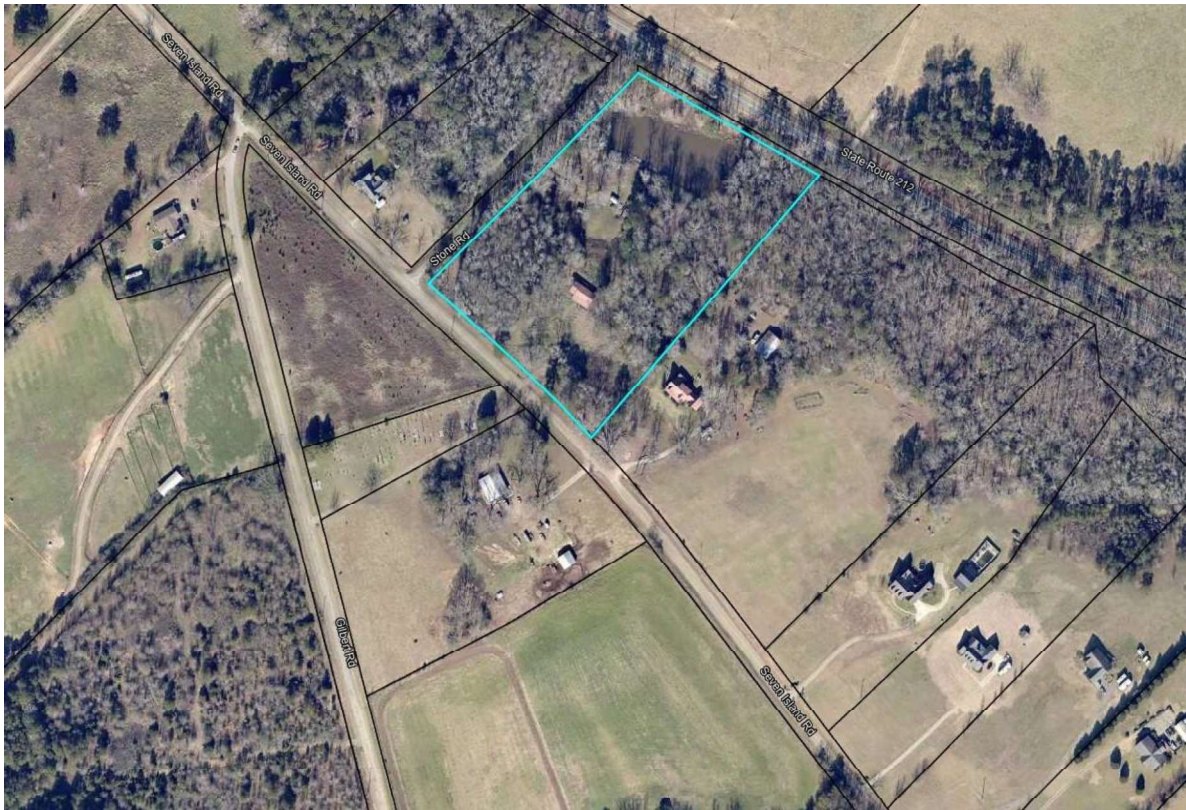
FUTURE LAND USE MAP



ZONING MAP



AERIAL MAP



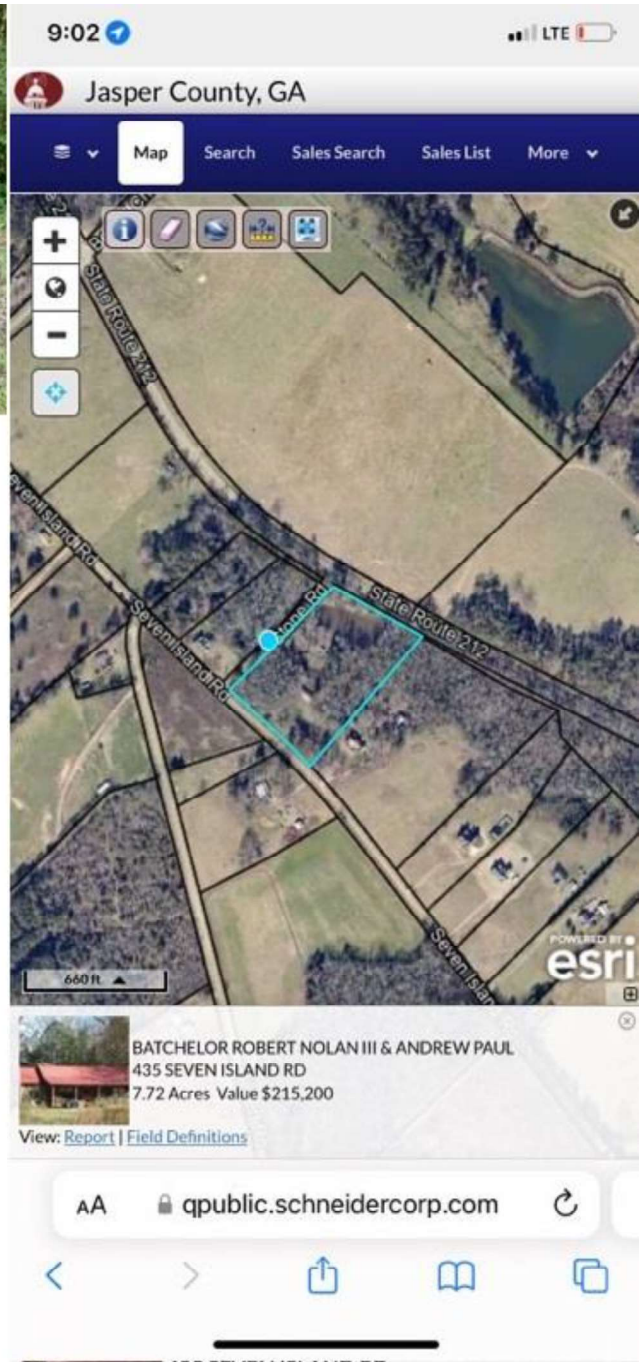
SIGNS
HWY 212 FRONTAGE



A screenshot of a mobile map application. At the top, it shows the time 8:59 and LTE signal. The location is identified as Jasper County, GA. The map interface includes a search bar and navigation options. A specific property is highlighted with a red outline. Below the map, a property information card is visible, listing the owners as Batchelor Robert Nolan III & Andrew Paul, the address as 435 Seven Island Rd, and the property details as 7.72 Acres with a value of \$215,200. The browser address bar at the bottom shows the URL qpublic.schneidercorp.com.

2023-FLU-001
Related Cases 2023-REZ-002
Planning Commission 5/25/2023
Board of Commissioners 06/05/2023

STONE ROAD FRONTAGE



SEVEN ISLAND ROAD FRONTAGE



9:04

Jasper County, GA

Map Search Sales Search Sales List More

Batchelor Robert Nolan III & Andrew Paul
435 SEVEN ISLAND RD
7.72 Acres Value \$215,200

View: [Report](#) | [Field Definitions](#)

AA qpublic.schneidercorp.com

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APPLICANT'S INFORMATION

**REZONING APPLICATION
JASPER COUNTY ZONING ORDINANCE**

FLU

DATE RECEIVED 20.23 REZ 002 / FLU23-001
ADDRESS/LOCATION OF TRACK 435 Seven Isl Rd. TAX MAP _____
ACRES approx 2.2 CURRENT ZONING AG PROPOSED ZONING: RES
PROPOSED USE: Residential - existing home
APPLICANT Robert N. Batchelor Jr OWNERS Robert N. Batchelor III
Andrew Paul Batchelor
ADDRESS 57 Stone Rd. Milledgeville 31064 ADDRESS 1196 Skyline Dr, Toccoa GA 30577
PHONE [REDACTED] PHONE [REDACTED]
EMAIL [REDACTED] EMAIL [REDACTED]

THE FOLLOWING DOCUMENTS MUST BE ATTACHED BEFORE APPLICATION CAN BE ACCEPTED:

1. A PLAT OF PROPERTY SHOWING ITS LOCATION, AREA, EXISTING STRUCTURES, AND CURRENT ZONING DISTRICT OF THE PROPERTY AND ALL ADJUTING PROPERTIES.
2. A DEED WITH LEGAL DESCRIPTION SHOWING TITLE OF THE PROPERTY.
3. A SITEPLAN SHOWING THE PROPOSED USE OF THE PROPERTY.
4. A LETTER OF INTENT DESCRIBING THE REASON FOR REQUEST.
5. FILING FEE OF \$500 PAYABLE TO JASPER COUNTY ZONING OFFICE.
6. A "DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS" FORM.
7. IF PROPERTY OWNER AND APPLICANT ARE NOT THE SAME, AN AGENT AUTHORIZATION FORM.

I HEREBY AUTHORIZE THE JASPER COUNTY PLANNING AND ZONING COMMISSION AND STAFF TO INSPECT THE ABOVE-DESCRIBED PROPERTY. IN SIGNING THIS APPLICATION, I HEREBY STATE ALL INFORMATION GIVEN BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I AGREE TO ABIDE BY ALL LAWS AND ORDINANCES REGULATING USE OF PROPERTY IN JASPER COUNTY.

SIGNATURE OF APPLICANT Robert N. Batchelor DATE 4/7/2023

PUBLIC HEARING BEFORE JASPER COUNTY BOARD OF COMMISSIONERS _____

RECOMMENDATION _____ CHAIRMAN/DATE _____

APPROVED _____ DENIED _____ CONDITIONS? _____

NOTES: Need Future Land Use too
Current Ag, Forestry, Fishing + Hunting

APPLICANT'S RESPONSE TO STANDARDS

FUTURE LAND USE MAP AMENDMENT QUESTIONS:

- 1. Does the proposed amendment permit uses that are suitable in view of the use and development of adjacent and nearby property?**

Yes. This property is part of a 7.2 acre tract that has two existing homes. The owner originally built the second home for his elderly parents, who are now deceased. This second home is being sold to an existing neighbor with approximately 2.2 acres. The home is currently damaged from a kitchen fire, and will be restored and inhabited once again.

- 2. Does the proposed amendment adversely affect the existing use or usability of adjacent or nearby property?** Not at all. There is an existing home on the property, originally built for the owner's parents, who are deceased. The home will simply be renovated and used once more as a residence. Terms of sale have been agreed upon between Robert Batchelor and neighbor Merle Yoder.

- 3. Will the proposed amendment result in uses that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** No. This home was previously permitted and built as a single family residence. It is simply being sold to a next door neighbor who will utilize it once again as a single family home.

- 4. Are there other existing or changing conditions affecting the use and development of the property which, because of their impact on the public health, safety, morality and general welfare of the community, give supporting grounds for either approval or disapproval of the proposed amendment?** No. This is a quiet, rural community. No changes are being made other than a home being sold from one neighbor to another. Surrounding neighbors have been made aware of the ownership swap, and have no reservations whatsoever.

LETTERS OF SUPPORT

April 24, 2023

From:
Robert (Bobby) Batchelor
57 Stone Road
Monticello Georgia 31064

Dear Neighbor,

I own approximately 7.7 acres that border both Stone Road and Seven Island Road. This property has two houses: my cabin where I reside at 57 Stone Road, and a home in disrepair at 485 Seven Island Road. The latter was built for my parents, and has been unused since their deaths.

Merle Yoder, who resides at 484 Seven Island Road, wishes to purchase my parents' former home across the road from his residence, with a little over 2 acres, and restore and renovate the home. He will utilize it again as a family residence. Terms of sale have been agreed upon by Mr. Yoder and myself. Due to the size of the acreage to be sold, that tract will need to be rezoned from agricultural to residential.

Application has been made to the Planning and Zoning Board for this change, and I am seeking your approval and agreement that this existing home again being inhabited has no negative effect on our quiet neighborhood, and even enhances the neighborhood, due to the home repair that will take place. No additional structures are planned, simply a repair of the existing house.

I would greatly appreciate your agreement.

I have no objections to the above described rezoning.

Jay Childers
Name-Printed

295 Seven Island Rd Monticello, GA 31064
Address

Jay Childers 5/1/2023
Signature Date

April 24, 2023

From:
Robert (Bobby) Batchelor
57 Stone Road
Monticello Georgia 31064

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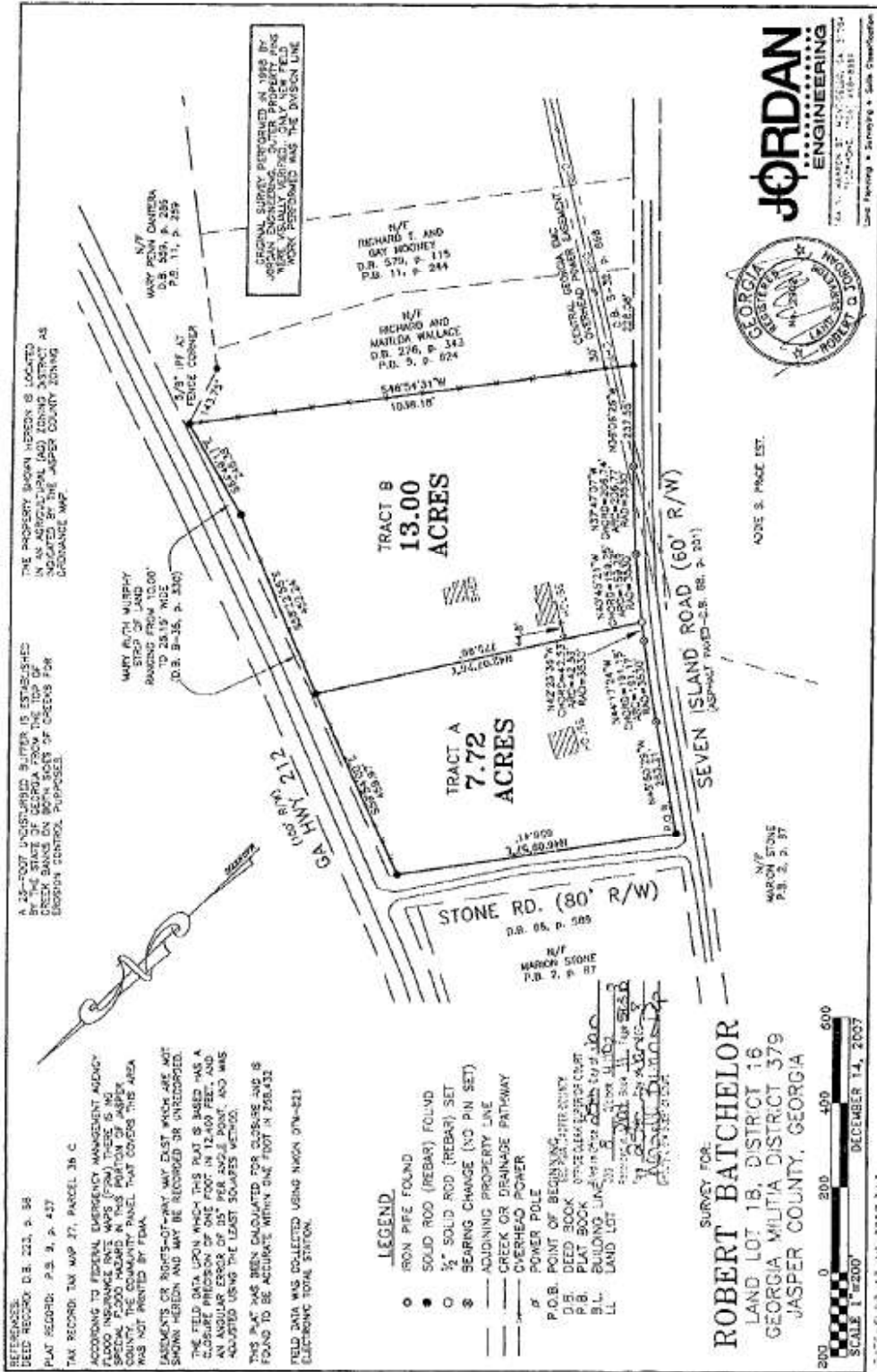
I have no objections to the above described rezoning.

David Artesa
Name-Printed

321 Seven Island Rd. Monticello, GA 31064
Address

David Artesa 5/1/23
Signature Date

PLAT OF PROPERTY



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SITE PLAN

