

**AUGUSTA-RICHMOND COUNTY, GEORGIA
PLANNING COMMISSION
STAFF REPORT**

Case Number: Z-23-27

Hearing Date: Wednesday, July 5, 2023

Applicant: Elvis A Carpio

Property Owner: Elvis A Carpio

Address of Property: 3051 Old McDuffie Road, Augusta, GA 30906

Tax Parcel #: 083-0-014-00-0

Present Zoning: R-1A (One-family Residential)

Commission District: 5 (B. Williams)

Super District: 9 (F. Scott)

Fort Gordon Notification Required: N/A

Request	Proposed Use / Activity	Applicable Comprehensive Zoning Ordinance Section
Rezoning from R-1A to R-MH	Manufactured Home	Section 14

1. Summary of Request:

The applicant requests rezoning to R-MH for the purpose of placing an individual manufactured home on the property. This undeveloped 4-acre tract is bounded by Nina Street to the northeast, New McDuffie Road and Old McDuffie Road to the southeast and Gaskill Road to the west. Highview Manor subdivision is situated immediate northwest of the subject property. The owner proposes to move a single manufacture home onto the property and does not intend to further subdivide the lot.

2. Comprehensive Plan Consistency:

The 2018 Comprehensive Plan identifies the subject properties as being part of the Belair character area. The land use is considered as low-density residential and located in an area projected for further suburban style growth with a mix of housing options, mixed-use, and commercial developments.

3. Findings:

1. The subject property is bounded by Nina Street to the northeast, New McDuffie Road and Old McDuffie Road to the southeast and Gaskill Road to the west. Highview Manor subdivision is situated immediate northwest of the subject property.

2. Placement of manufactured homes on individual lots are permitted in the A (Agricultural) and R-MH (Manufactured Home Residential) zoning districts.
3. Manufactured homes placed on individual lots in the R-MH zone must be developed in accordance with the Section 27 of the Comprehensive Zoning Ordinance.
4. The owner proposes to move a single manufacture home onto the property and does not intend to further subdivide the lot.
5. Manufactured homes and single-family family detached homes are the predominate land uses situated in the R-1A (One-family Residential) and R-MH (Manufactured Housing Residential) zones. There are minor or isolated instances of A (Agricultural) and LI (Light Industrial) zoning near the subject property.
6. The site has access to public water and sewer.
7. Old McDuffie Road is identified as a local or minor road on the Georgia Department of Transportation (GDOT) Functional Classification map.
8. According to the FEMA Flood Insurance Rate Maps (FIRM) the property is not located within a Special Flood Hazard Area.
9. The site is not located within any wetlands.
10. Some mobile homes in the area are in poor condition.
11. This petition is consistent with aspects of the 2018 Comprehensive Plan. The land use is considered as low-density residential and located in an area projected for further suburban style growth with a mix of housing options, mixed-use, and commercial developments.
12. Staff has not received any inquiries regarding this application.

Recommendation: The Planning Commission recommends Approval of the zoning request, subject to the following condition(s):

1. The age of the mobile must be at least 5 years or newer.
2. Issuance of development permits shall be contingent upon submission of plans meeting engineering, environmental, and all other pertinent development regulations.
3. This project shall comply with all development standards and regulations set forth by the City of Augusta, GA at the time of development.

Note: This staff report includes the information available approximately two weeks prior to the Planning Commission hearing. It represents an evaluation of the facts presented by the applicant, research done by the staff, and consideration of the relevant factors in the Comprehensive Zoning Ordinance of Augusta, Georgia. New facts may emerge, and staff reserves the right to make a verbal recommendation at the hearing based on all the information available at that time.

May 23- 2023

Dear to Richmond County department

On this occasion, we refer to the department of Zoning of Richmond County to make a Rezoning of our property to be able to put a mobile home for the purposes of the property. It would be for family housing


thank you I appreciate you considering my proposal God bless you

Planning Commission
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3051 Old McDuffie Road

Aerial

Legend

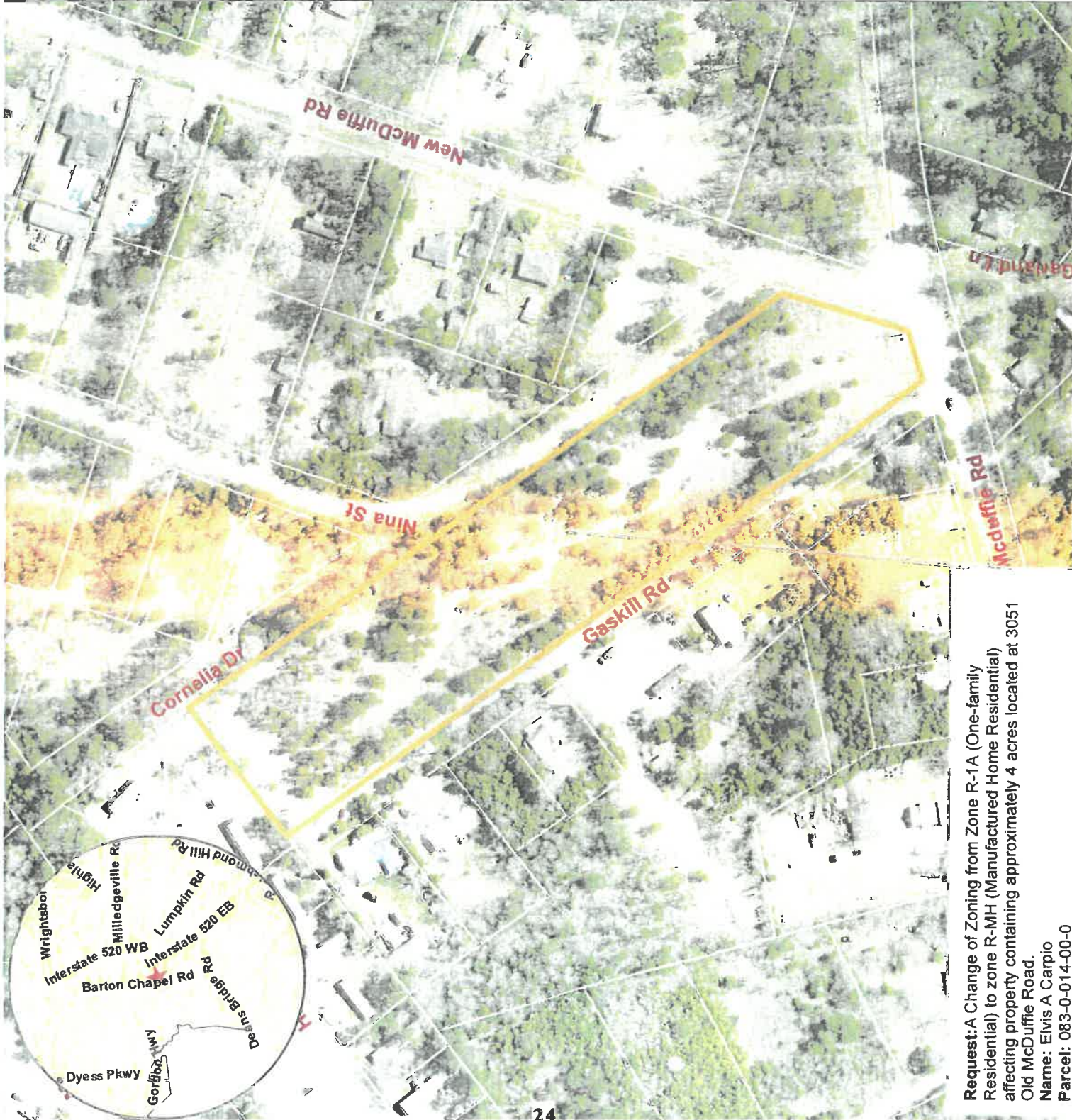
 Parcel of Interest

Augusta
G E O R G I A

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Planning & Development Department
535 Telfair Street Suite 300
Augusta, GA 30901
6/21/2023 bb21255

Augusta, GA Disclaimer

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Request: A Change of Zoning from Zone R-1A (One-family Residential) to zone R-MH (Manufactured Home Residential) affecting property containing approximately 4 acres located at 3051 Old McDuffie Road.
Name: Elvis A Carpio
Parcel: 083-0-014-00-0

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3051 Old McDuffie Road

Current Zoning

Legend



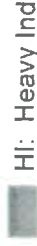
Zoning Classification



A: Agriculture



B-2: General Business



HI: Heavy Industry



R-1A: One Family Residential



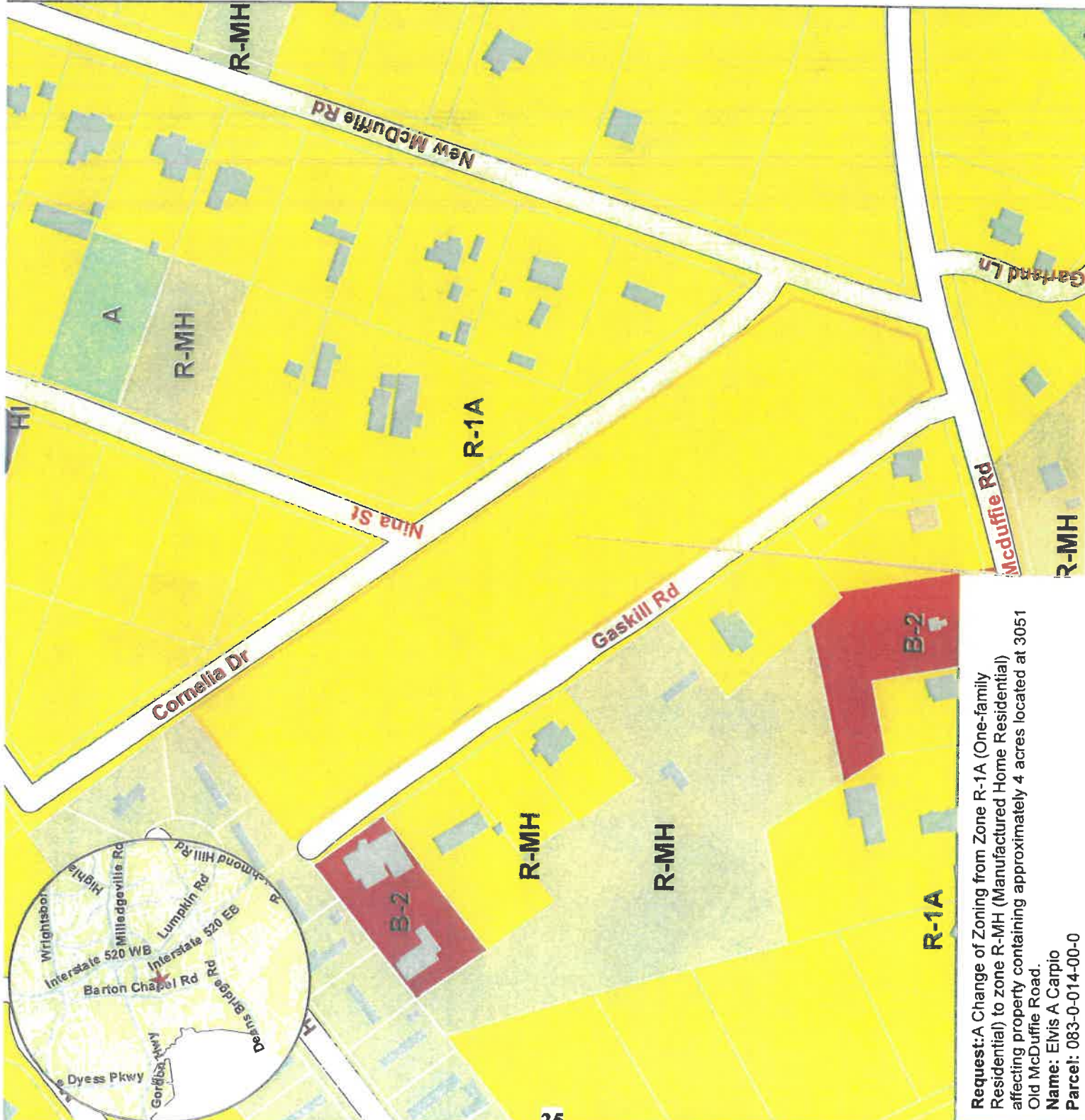
R-MH: Manufactured Home Residential



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3051 Old McDuffie Road

Future Zoning

Legend

Parcel of Interest

Zoning Classification

A: Agriculture

B-2: General Business

HI: Heavy Industry

R-1A: One Family Residential

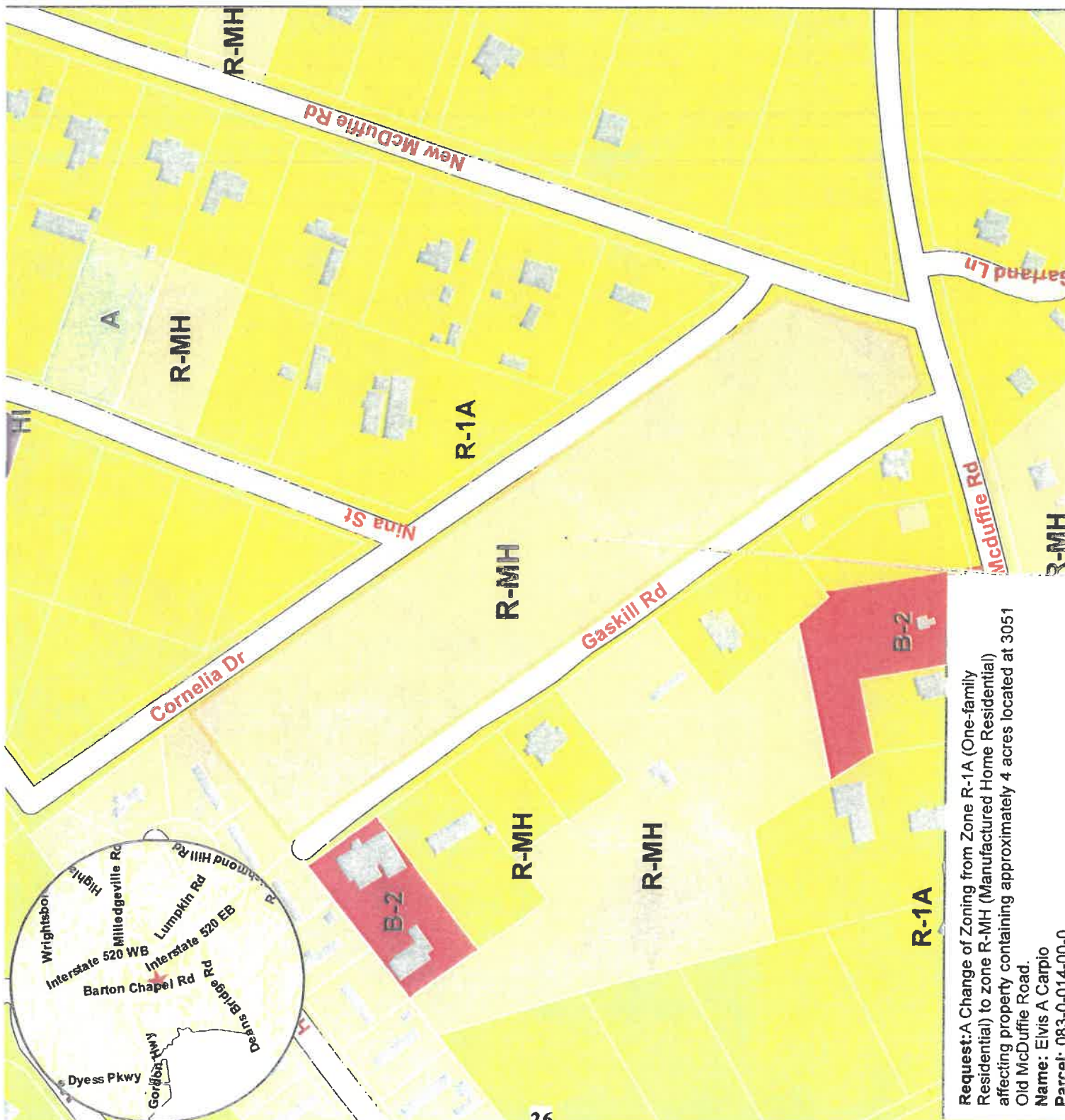
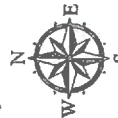
R-MH: Manufactured Home Residential

Augusta
GEORGIA

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Name: Elvis A Carpio

Parcel: 083.0.014.00.0



AUGUSTA-RICHMOND COUNTY PLANNING COMMISSION
STAFF REPORT

Case Number: Z-98-51

This is a petition initiated by the Augusta-Richmond County Planning Commission to rezone those properties that are currently zoned Agriculture (A) but not used primarily for agricultural purposes or not in a conservation tax status to single-family residential (R-1) within an area generally described as follows:

Beginning where Horsepen Branch enters Spirit Creek, then east along Spirit Creek to where it crosses Willis Foreman Road, then east along Willis Foreman Road to Windsor Spring Road, then north on Windsor Spring Road to Tobacco Road, then northwest along Tobacco Road to Crest Drive, then generally south to the point of beginning.

A list of individual properties included in this petition is available at the office of Augusta-Richmond County Planning Commission.

The purpose of this rezoning initiative is to bring the area zoning pattern in conformity to the Comprehensive Plan. A special public hearing was held on March 19, 1998 to discuss the initiative. 780 individual notices were sent to property owners affected by the proposed zoning change upon the advice of the City Attorney.

The comments at the public hearing were mixed. Some were favorable and some attendees were very much opposed to the initiative. One attendee owned a large tract on Tobacco Road. This landowner commented that the Comprehensive Plan recommended commercial, not residential development for all or at least a portion of this property, and the rezoning to agriculture should not be done. In consideration of this owner's comment we recommend that the petition be approved with the exception of a strip of land 400 feet wide running perpendicular from the south right-of-way line of Tobacco Road.

ORDINANCE NO. 61320

An Ordinance to amend the Comprehensive Zoning Ordinance adopted by the Board of Commissioners of Richmond County and the City Council of Augusta effective November 15, 1983, entitled "An Ordinance to Readopt and Reconfirm the Comprehensive Zoning Ordinance adopted March 25, 1963, by the Board of Commissioners of Richmond County and the City Council of Augusta, together with all amendments which have been approved by either the Board of Commissioners of Richmond County or the City Council of Augusta as authorized under the Home Rule Provisions of the Constitution of the State of Georgia" by changing the Comprehensive Zoning Map from Zone A (Agriculture) to Zone R-1 (One-family Residence) affecting property located where Horsepen Branch enters Spirit Creek, then east along Spirit Creek to where it crosses Willis Foreman Road, then east along Willis Foreman Road to Windsor Spring Road, then north on Windsor Spring Road to Tobacco Road, then northwest along Tobacco Road to Crest Drive, then generally south to the point of beginning; and for the repeal of ordinances in conflict herewith and for other purposes:

THE AUGUSTA-RICHMOND COUNTY COMMISSION HEREBY ORDAINS:

SECTION I. That the Comprehensive Zoning Ordinance adopted by the Board of Commissioners of Richmond County on the 15th day of November, 1983, the caption of which is set out above, is amended by changing the Comprehensive Zoning Map from Zone A (Agriculture) to Zone R-1 (One-family Residence) affecting property as follows:

Beginning at a point located where Horsepen Branch enters Spirit Creek, then east along Spirit Creek to where it crosses Willis Foreman Road, then east along Willis Foreman Road to Windsor Spring Road, then north on Windsor Spring Road to Tobacco Road, then northwest along Tobacco Road to Crest Drive, then generally south to the point of beginning.

SECTION II. That this amendment to the Comprehensive Zoning Map shall exclude the following properties:

Those properties that are zoned agricultural and: 1) are currently in a conservation tax status; 2) are in active agricultural use; 3) residential zoning is not proposed by the Comprehensive Plan; or 4) a plan has been submitted and development is proceeding according to that plan.

SECTION III. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Done in Open Meeting under the Common Seal thereof this 19th day of May, 1998.

APPROVED THIS 19th day of May, 1998.


Mayor

ATTEST:



This petition was published in the Augusta Chronicle, Friday, March 27, 1998, by the Planning Commission for public hearing on Monday, April 13, 1998.

*Blanket Rezone
Old Waynesboro*

ORDINANCE NO. 6089

An Ordinance to amend the Comprehensive Zoning Ordinance adopted by the Board of Commissioners of Richmond County and the City Council of Augusta effective November 15, 1983, entitled "An Ordinance to Readopt and Reconfirm the Comprehensive Zoning Ordinance adopted March 25, 1963, by the Board of Commissioners of Richmond County and the City Council of Augusta, together with all amendments which have been approved by either the Board of Commissioners of Richmond County or the City Council of Augusta as authorized under the Home Rule Provisions of the Constitution of the State of Georgia" by changing the Comprehensive Zoning Map by rezoning those properties that are not agricultural properties from the agricultural zoning classification (A) to the residential zoning classification (R-1) within the area described as follows; and for the repeal of ordinances in conflict herewith and for other purposes:

THE AUGUSTA-RICHMOND COUNTY COMMISSION HEREBY ORDAINS:

SECTION I. That the Comprehensive Zoning Ordinance adopted by the Board of Commissioners of Richmond County on the 15th day of November, 1983, the caption of which is set out above, is amended by changing the Comprehensive Zoning Map from an Agricultural zoning (A) to a Residential zoning (R-1) affecting property as follows:

Beginning at the intersection of Old Waynesboro Road and Georgia Highway 56 (Mike Padgett Highway), then southwest along Old Waynesboro Road to Spirit Creek, then west along Spirit Creek to the Georgia-Florida Railroad, then south along the Georgia-Florida Railroad right-of-way to the Hephzibah City limits, then east along the Hephzibah City limits to U.S. Hwy. 25, then south along Highway 25 to Little Spirit Creek, then northeast along Little Spirit Creek to Georgia Highway 56 (Mike Padgett Highway), then north along Mike Padgett Highway to the point of origin.

SECTION II. That this amendment to the Comprehensive Zoning Map is subject to the following stipulations:

- 1) Any manufactured home legally located within the subject area at the time of the rezoning may be replaced at any time in the future by a manufactured home that, at the time of replacement, is less than 5 years old; and

- 2) Property subject to a "conservation use covenant" (as defined in O.C.G.A. subsection 4-8-S-7.4) as of the effective date of the rezoning shall be automatically conditionally rezoned to agricultural.
- Property which becomes subject at some future date to a "conservation use covenant" shall be automatically conditionally rezoned agricultural at that time.
- If property within the subject area which has been conditionally zoned agricultural based on a "conservation use covenant" subsequently is found to no longer be eligible for such covenant, said property shall automatically revert to R-1 zoning.
- If property within the subject area which has been conditionally rezoned agricultural based on a "conservation use covenant" is subsequently subdivided any way then said property shall automatically revert to R-1 zoning.

SECTION III. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Done in Open Meeting under the Common Seal thereof this 6th day of October, 1998.

APPROVED THIS 6th day of October, 1998.


Mayor

ATTEST:



This petition was published in the Augusta Chronicle, Friday, August 28, 1998, by the Planning Commission for public hearing on Monday, September 14, 1998.

RESOLUTION

WHEREAS, The Augusta-Richmond County Comprehensive Land Use Plan was adopted in 1995 to guide development through the year 2015; and

WHEREAS, in conformity with that plan, on September 14, 1998, and on October 6, 1998 the Augusta-Richmond County Planning Commission and the Augusta Commission respectively approved the rezoning of those properties that are currently zoned agricultural (A) to a residential classification (R-1) within a large area described generally as follows:

Beginning at the intersection of Old Waynesboro Road and Georgia Highway 56 (Mike Padgett Highway), then southwest along Old Georgia-Florida Railroad, then south along the Old Waynesboro Road to Spirit Creek, then west along Spirit Creek to the Georgia-Florida Railroad, then south along the Georgia-Florida Railroad right-of-way to the Hephzibah City limits, then east along the Hephzibah City limits to U. S. Hwy. 25, then south along Highway 25 to Little Spirit Creek, then northeast along Little Spirit Creek to Georgia Hwy. 56 (Mike Padgett Hwy.), then north along Mike Padgett Highway to the point of origin; and

WHEREAS, in the evaluation of the area to be rezoned it was determined that four (4) "sections" of the area designated above are currently used predominantly for manufactured-homes residential development, those "sections" being shown on maps and described generally:

- * An area surrounding Forest Road (south of Richmond Way) and Fairbluff Road (south of Citation Road);
- * An area surrounding Keys Road;
- * An area east of Old Waynesboro Road surrounding Pine Log Road and Bethlehem Center Road;
- * An area north of Willis Foreman Road surrounding Ruffin Road on English Road; and

WHEREAS, in the evaluation of the area to be rezoned it was determined that two "sections" of the area described above are planned for future commercial development, not future residential development, those sections being described as:

- * A strip of land 400 feet wide when measured perpendicular from the right-of-way line of Mike Padgett Highway (Ga. Hwy. 56), from Old Waynesboro Road to Little Spirit Creek; and

* A strip of land 400 feet wide when measured perpendicular from the right-of-way line of Peach Orchard Road (U. S. Hwy. 25), from Spirit Creek to Little Spirit Creek; and

WHEREAS, it was the intent of the planning process that the "sections" described above would not be subject to rezoning from Agricultural (A) to Residential (R-1), with such intent being expressed at the public hearing held at Goshen Elementary School on August 4, 1998 and at other times; and

WHEREAS, at the public hearing on September 14, 1998, held by the Augusta-Richmond County Planning Commission when a recommendation on the issue of rezoning the subject area was formulated, the "sections" described above were included in error, the same being true at the meeting of the Augusta Commission on October 6, 1998 when this recommendation was adopted;

NOW, THEREFORE, be it resolved that the respective actions of the Augusta-Richmond County Planning Commission and the Augusta Commission to rezone from Agricultural (A) to Residential (R-1) the area described above be amended to reduce such area so as not to include the "sections" described above which are either utilized predominantly for manufactured housing, or are not planned for future residential development;

Done in Open Meeting under the Common Seal thereof this
day of _____, 1998.

APPROVED THIS _____ day of _____, 1998.

Mayor

Clerk of Commission