

Rezone Z21090019
Staff Analysis

Commission District: **4 - Bradford**

Planning Commission Hearing Date: **11-04-2021**

Board of Commissioners Hearing Date: **12-07-2021**

Parcel ID: Map C0770064

Acreage: 7.57

Applicant:

Kevin Boeckman

450 Herring Road

Grayson, Georgia 30017

Owner:

Essie Mae Johnson

2073 Laurel Gate Lane

Monroe, Georgia 30656

Property Location: 2073 Laurel Gate Lane/HD Atha Road

Current Character Area: Suburban

Current Zoning: A1

Request: Rezone 7.57 acres from A1 to R1 to create 4 buildable lots.

Staff Comments/Concerns: Applicant is seeking to develop 4 tracts to build an SFD on each 1.250 acre tract as allowed in R1.

Site Analysis: The 7.57 acre tract is located on 2073 Laurel Gate Lane & HD Atha Road. The surrounding properties are zoned A1.

Zoning History: No History

Character Area: The character area for this property is Suburban.

Comments and Recommendations from various Agencies:

Public Works: No issues with approval of this request.

Sheriffs' Department: Any increase to the population as it pertains to new construction will impact the Walton County Sheriff's Office. On average each household has about 2.8 people and generates 1.25 calls for service.

Water Authority: Per Morris Jordan - Rezone Z21090019 does not have County water. There is water on H.D. Atha but not on Laurel Gate Lane. The applicant will have to extend the water main from H.D. Atha down Laurel Gate to allow meters to be set in the R/W in front of the 4 proposed lots and the existing house. The existing house is on County water but their line runs across the property to be subdivided to a meter that is in the R/W along H.D. Atha.

10/15/2021 Water Authority - These properties are not currently served with water service, however a 10" water main exists at the intersection of HD Atha Rd. (static pressure: 125 psi, Estimated fire flow available: 2,500 gpm @ 20 psi). A new water main will be required to distribute water along the road to service the properties. Please coordinate with WCWD.

Fire Department: No issues

Fire Code Specialist: No comment received

Board of Education: Will have some effect on the Walton County School District.

Development Inspector: No comment received

DOT Comments: Will not affect DOT.

Archaeological Information: No comment received

PC ACTION 11/4/2021:

1. Rezone – Z21090019 – Rezone 7.57 acres from A1 to R1 to create 4 buildable lots– Applicant: Kevin Boekman/Owner: Essie Mae Johnson – Property located on 2073 Laurel Gate Lane & HD Atha Road/Map/Parcel C0770064 – District 4.

Presentation: Kevin Boekman represented the case and stated that he wants to rezone 7.57 acres from A1 to R1 to create 4 buildable lots. Mr. Boekman stated that 2.54 acres will go with the existing house and the remaining acreage be divided into 1 ¼ lots sizes. Brad Bettis asked about the square footage of the houses and Mr. Boekman stated that the ranch houses would be 2,844 and the 2 story houses would be 2,752 sq. ft. Mr. Bettis asked if there would be attached or detached garages and Mr. Boekman stated that they would have 3 car attached garages with the exterior material of the homes being brick on the front and hardy/concrete siding.

Speaking: Jason Ludwig who lives on Laurel Gate Lane stated that all the properties around there are zoned A1, the smallest acreage is 2 acres and the largest being 12 acres. He also stated that if this was rezoned to R1 that it is inconsistent with the character area and it would not be feasible to rezone. He asked the Board to keep it all with an A1 zoning and he wants to put on the record that he was opposed.

Wayne Murphy who lives at 2022 Laurel Gate stated that he moved out of a subdivision because of small lots. He stated there are site distance problems on HD Atha and the road is not in good shape. He stated that he did not put all his money into his property for smaller lots to be there and he is opposed to it.

Philip Still who lives at 2163 Laurel Gate stated that he has lived there 32 years and he thinks that if you change the zoning that it would be spot zoning. He said that he lives on 8 acres across the street and he stated that if the zoning was changed to R1 that more people would be riding down the road. He would like it to remain A1.

Thomas Miller spoke and stated that at one time Lamar Atha owned all the property and that is who HD Atha Road is named after. Mr. Miller stated he is against the zoning. He stated that he moved from Stone Mountain and he does not want the property developed. He asked the Board to listen to the taxpayers.

Craig Calhoun who lives at 2142 Laurel Gate stated that he doesn't want the rezone and agrees with everyone else and hopes they could come to a compromise and have 2 ½ acre lots.

Kevin Boekman came back for rebuttal and stated that this lot is set up a little bit different but it does not change the character. He stated there is a subdivision behind this lot that has R1 zoning. He stated that this would add value to what the neighbors have. He also stated that they have checked and it has good site distance on each side but they are willing to take down trees if necessary. Mr. Boekman stated that he understands what the neighbors are saying but this will not take away the characteristics of the area.

Recommendation: Brad Bettis made a comment before he made a recommendation stating that with the present zoning that, they could build 1,400 sq. ft. homes but instead they are going to build no smaller than 2,700 sq. ft. homes. Brad Bettis made a motion to recommend approval with condition that the minimum house size be 2,700 sq. ft. and lots be divided as per the site plan submitted with a second by Pete Myers. The motion carried unanimously.

Rezone Application # 221090019

Planning Comm. Meeting Date 11-4-2021 at 6:00PM held at **WC Board of Comm. Meeting Room**

Board of Comm Meeting Date 12-7-2021 at 6:00PM held at **WC Historical Court House**

You or your agent must be present at both meetings

Map/Parcel C0770064

Applicant Name/Address/Phone #

Kevin Boeckman
450 Herring Rd
Grayson, GA. 30017

Property Owner Name/Address/Phone

Essie Mae Johnson
2073 Laurel Gate Lane
Monroe, GA. 30656

(If more than one owner, attach Exhibit "A")

Phone # 678-897-0341

Phone # 678-851-8882

Location: 2073 Laurel Gate LN Requested Zoning R1 Acreage 7.57

Existing Use of Property: Single Family Residence

Existing Structures: Yes. House

The purpose of this rezone is to split off 5 acres and build 4
single family homes.

Property is serviced by the following:

Public Water: Yes Provider: Walton County Well: —

Public Sewer: NO Provider: NA Septic Tank: Yes

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 [Signature] Date 9-27-21 Fee Paid \$ 300.00

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 A1 Surrounding Zoning: North A1 South A1
East A1 West A1

Comprehensive Land Use: Suburban **DRI Required?** Y — N /

Commission District: 4-Bradford Watershed: — TMP /

I hereby withdraw the above application _____ Date _____

**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: Kevin Boeckman
Address: 450 Herring Rd, Grayson, GA. 30017
Telephone: 678-897-0341
Location of Property: 2073 Laurel Gate Lane, Monroe, GA. 30656
Map/Parcel Number: C0770064
Current Zoning: A1 Requested Zoning: R1

Eddie M. Johnson
Property Owner Signature

Property Owner Signature

Print Name: ESSCEM. JOHNSON

Print Name: _____

Address: 2073 LAUREL GATE LN

Address: _____

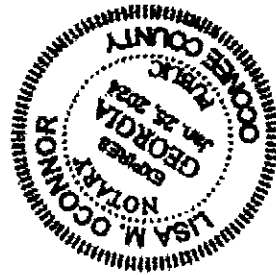
Phone #: 678-851-8882

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.

[Signature]
Notary Public

9.23.2021
Date



Article 4, Part 4, Section 160 Standard Review Questions:

Provide written documentation addressing each of the standards listed below:

1. Existing uses and zoning of nearby property;

It is zoned A1 and is currently a single family resident. Behind this property is Meadowood subdivision and it is zoned R1.

2. The extent to which property values are diminished by the particular zoning restrictions;

The owner is not able to get top dollar for there Land.

3. The extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public;

NA

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner;

Values should increase for everyone

5. The suitability of the subject property for the zoned purposes; and

The property has enough road frontage
+ will be acrea plus lots. Soils are
Good as well.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property

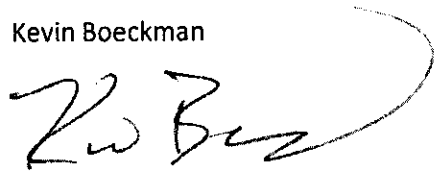
I believe this property has always been Zoned
R1. The land behind this property is
Zoned R1

Letter of Intent

To Whom it May Concern:

I have 2073 Laurel Gate Lane under contract with the intent to rezone it from A1 to R1. I want to subdivide it into 4 lots. Each lot will all be around 1.25 acres. I am not looking for any special conditions. I will follow the current county conditions for R1 zoning.

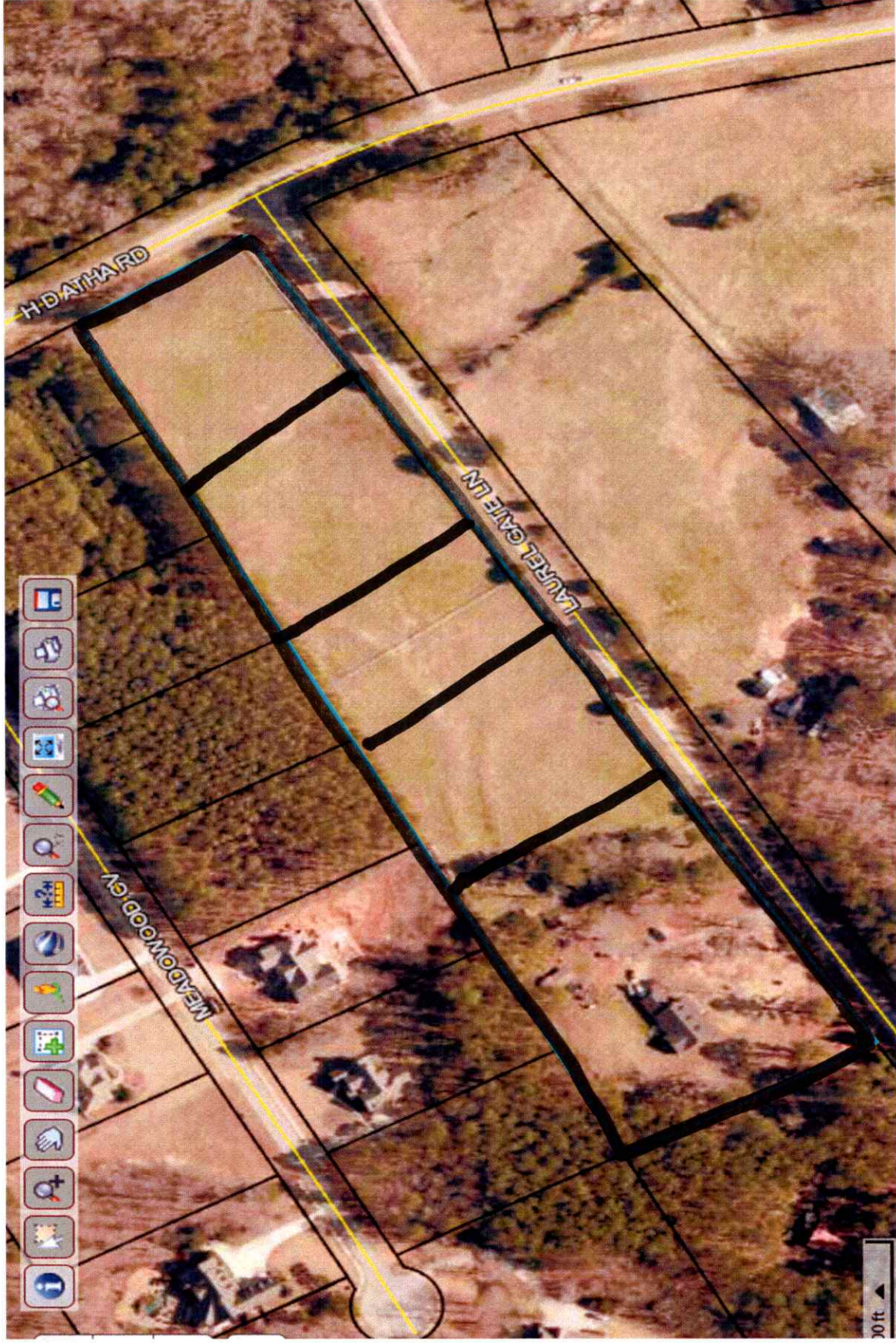
Kevin Boeckman

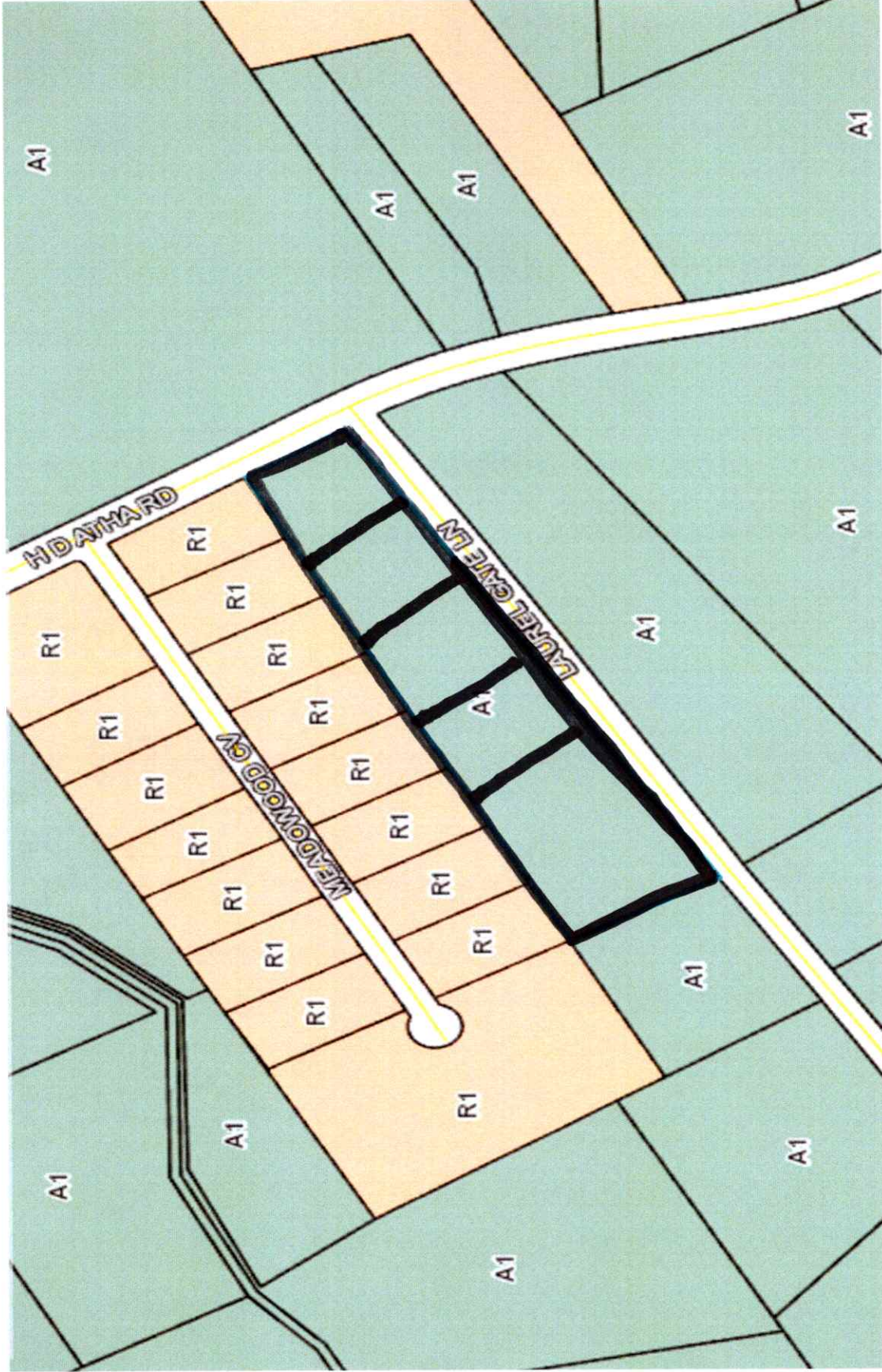
A handwritten signature in black ink, appearing to read "Kevin Boeckman". The signature is stylized and includes a large, sweeping flourish that extends to the right and then curves back down.

Z21090019 – 2073 Laurel Gate Lane/H D Atha Rd

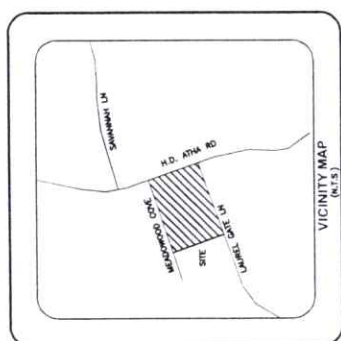


Z21090019 – 2073 Laurel Gate Lane/H D Atha Rd



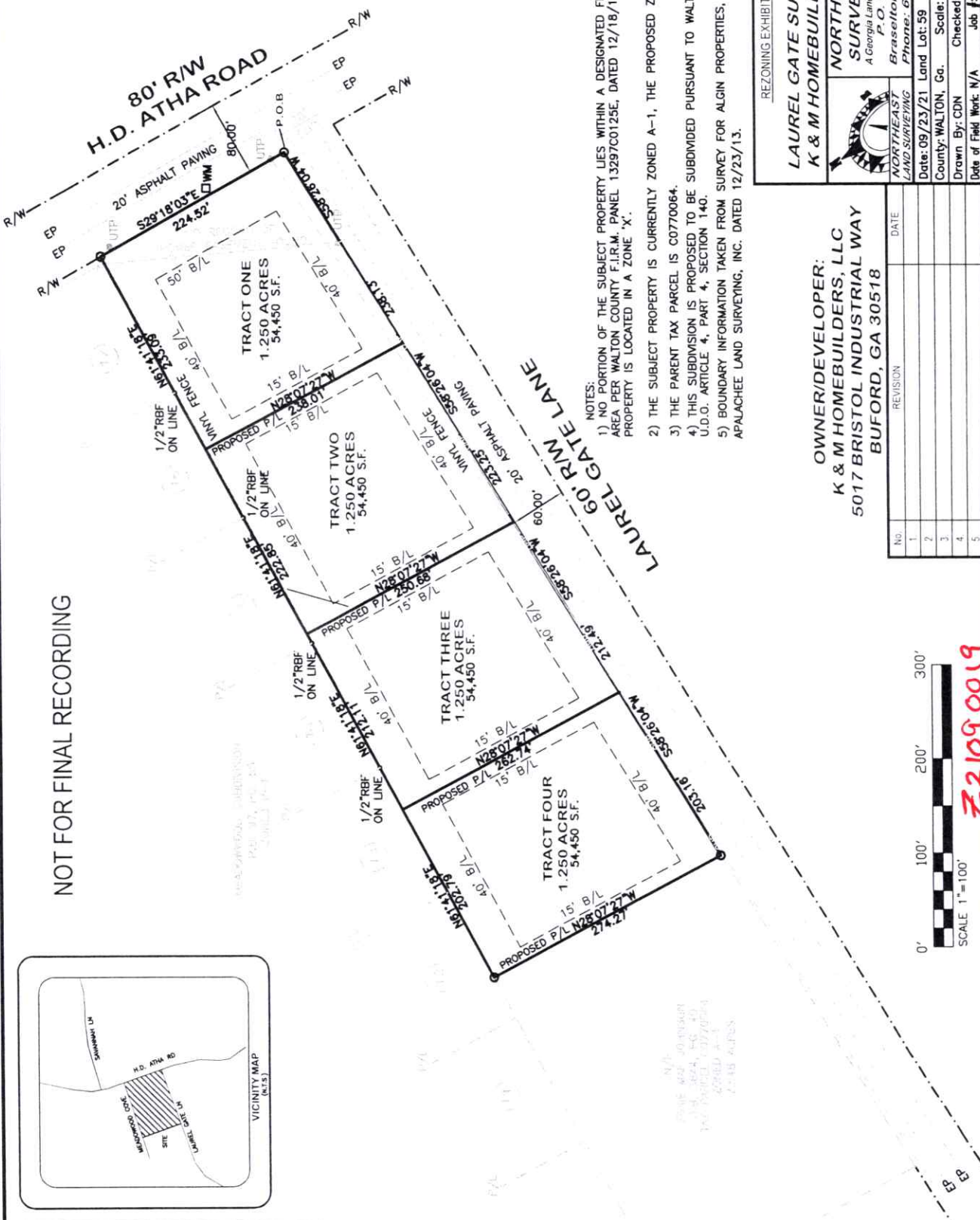


NOT FOR FINAL RECORDING



LEGEND

B/L	BUILDING LINE
C/L	CURB & GUTTER
CTP	CRIMP TOP PIPE
E/P	EDGE OF PAVEMENT
F/E	FINISHED FLOOR ELEVATION
I/E	INVERT ELEVATION
I/P	IRON PIN SET
L/L	LAND LOT
LL	LAND LOT LINE
MFE	MINIMUM FINISHED FLOOR ELEV.
N/S	NOT TO SCALE
OTP	OPEN TOP PIPE
P/L	PROPERTY LINE
R/W	RIGHT OF WAY
SSE	SANITARY SEWER EASEMENT
SMH	SANITARY SEWER MANHOLE
DMCB	DOUBLE MINE CATCH BASIN
J/B	JUNCTION BOX
DI	DROP INLET
HM	HEADWALL
PP	POWER POLE
FH	FIRE HYDRANT
F	FENCE
X	FLOOD LIMITS
S	SWALE



- NOTES:
- 1) NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A DESIGNATED FLOOD HAZARD AREA PER WALTON COUNTY F.I.R.M. PANEL 13297C0125E, DATED 12/18/16. THE SUBJECT PROPERTY IS LOCATED IN A ZONE 'X'.
 - 2) THE SUBJECT PROPERTY IS CURRENTLY ZONED A-1, THE PROPOSED ZONING IS R-1.
 - 3) THE PARENT TAX PARCEL IS C0770064.
 - 4) THIS SUBDIVISION IS PROPOSED TO BE SUBDIVIDED PURSUANT TO WALTON COUNTY U.D.O. ARTICLE 4, PART 4, SECTION 140.
 - 5) BOUNDARY INFORMATION TAKEN FROM SURVEY FOR ALGIN PROPERTIES, LLC, PREPARED BY APALACHEE LAND SURVEYING, INC. DATED 12/23/13.

REZONING EXHIBIT FOR:

LAUREL GATE SUBDIVISION
K & M HOMEBUILDERS, LLC

NORTHEAST LAND SURVEYING, LLC
A Georgia Land Surveying Firm # 1240
P.O. BOX 384
Braselton, Ga. 30517
Phone: 678-776-7494

Date: 09/23/21 Land Lot: 59 District: 4TH
County: WALTON, Ga. Scale: 1"=100' Sheet No. 1 of 1
Drawn By: CDN Checked By: KLC
Date of Field Work: N/A Job #: 21101

OWNER/DEVELOPER:
K & M HOMEBUILDERS, LLC
5017 BRISTOL INDUSTRIAL WAY
BUFORD, GA 30518

NO.	REVISION	DATE
1		
2		
3		
4		
5		

