

STAFF REPORT
RZ-079 757 Ruffs Road
January 23, 2023

REQUEST

APPLICANT:	Lay Moo
OWNER:	Lay Moo
REQUEST:	R1
COUNTY COMMISSION DISTRICT	2
SIZE OF THE PROPERTY:	11.07 acres
PRESENT USE/ZONING:	A2 General Agriculture
PROPOSED USE OF PROPERTY	R1 Single Family Residential
TAX MAP NUMBER:	143 023D
ADJACENT ZONING:	HI(me), A2

PURPOSE

The purpose of this request is to rezone the property from A2 (General Agriculture) to R1 (Single Family Residential) in order to subdivide for family.

COMPATIBILITY WITH FUTURE LAND USE PLAN

The currently adopted Future Land Use Map designation is “Back Forty.”

Back Forty

This character area is dominated by forests and farms. Preservation of undeveloped land takes priority. Public services cannot be efficiently provided in this area. The character area has the lowest level of infrastructure support. Residential growth should be limited and low density. The most appropriate land uses should impose a low demand on infrastructure and services. As an exception, where necessary, areas should be accessible by heavy trucks for the purpose of supporting responsible farming, forestry, and mining activities. The area should have clean surface water and a healthy wildlife habitat. The Philomath Historic District is in this character area and is identified on the National Register of Historic Places. All development and land use within and adjacent to the historic district should be compatible with the historic value.

Compatible Zoning Designations: A1, A2, B1, HI(me), PD

The proposed zoning of R1 (Single Family Residential) **is not compatible** with the character area “Back Forty”.

REVIEW OF THE PLAN

The applicant provided a site plan of the proposed subdivision. The proposed subdivision shows Tract 1 being 2.33 acres, Tract 2 being 5.21 acres, and Tract 3 being 3.53 acres. There is currently one manufactured home on the property. The proposed minor subdivision would bring this property into compliance with the County’s one home per parcel rule, as he is dividing to allow for family to move to the property.

Adjacent Properties are zoned A2 (General Agriculture). This property is located on Ruffs Rd. Ruffs Rd is a county maintained road. These Tracts could not be subdivided again for a year. If the rezone is approved, after the year, these parcels could be split to 1.5 acres each at minimum.

CURRENT STATUS

This request will be heard by the Oglethorpe County Zoning Board at their January 23, 2023 meeting.

Should the Zoning Board take action on the request at their September meeting, the request will go before the Oglethorpe County Board of Commissioners on February 6, 2023.

PUBLIC NOTICE

In accordance with Section 1405 of the Oglethorpe County Zoning Ordinance, public notice of this zoning request was posted on or near the subject property(s) by January 13, 2023.

EXHIBITS



Figure 1 Adjacent Property's Zoning

- Whether the zoning proposal will permit a use that is suitable in view of the use, development, and zoning of adjacent and nearby property.
- The impact and suitability of the most intense possible future use that would be permitted on the subject property under the proposed change in zoning classification.
- Whether the change requested is out of scale with the immediate neighborhood or the needs of the county as a whole.
- Whether the zoning proposal will result in a use that could cause an excessive or burdensome use of or other adverse impact on existing streets, traffic patterns and congestion, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical services.
- Whether the zoning proposal will result in a use that will have an adverse impact on population density in the area.
- Whether there could be a significant threat for ecological, environmental, or pollution impact, including but not limited to air quality; ground and surface water supply and quality; significant destruction of habitat for wildlife, deterioration or destruction of significant or sensitive natural and environmental resources, habitat for endangered or threatened plants or animals, waste generation and disposal; waste water quality, sanitary sewage disposal capacity; toxic or hazardous materials; odors, noise, vibration, and other nuisances; diseases of public health importance, and any related concerns, resulting from the proposed use or from major modifications to the land if the request is granted.
- Whether the requested change would have an adverse impact on significant natural, historic, or scenic resources.
- Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
- To what extent the zoning proposal will adversely affect the property values of adjacent or nearby property.
- Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- 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.
- Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.