



STAFF REPORT

MORGAN COUNTY PLANNING COMMISSION

PETITION FOR: CONDITIONAL USE – ACCESSORY DWELLING

Property location:	1281 Mallory Road
Property tax parcel:	017-001A
Acreage:	483.02 acres
Applicant:	Bostwick Pawleys Investments LLLP
Applicant's Agent:	De Little
Property Owner:	Bostwick Pawleys Investments LLLP
Existing Use:	Hunting land with single family dwelling
Proposed Use:	Hunting land with Primary dwelling and Accessory dwelling

Summary



Bostwick Pawley Investment LLLP is requesting conditional use approval for an accessory dwelling on 483 acres located at 1281 Mallory Road.

The property is used for hunting land and is in the Conservation Use tax abatement program. Road frontage exists on Mallory Road, Bostwick Highway and Riden Road. The property contains one dwelling, one barn and a pavilion with a dock (on the northernmost pond).

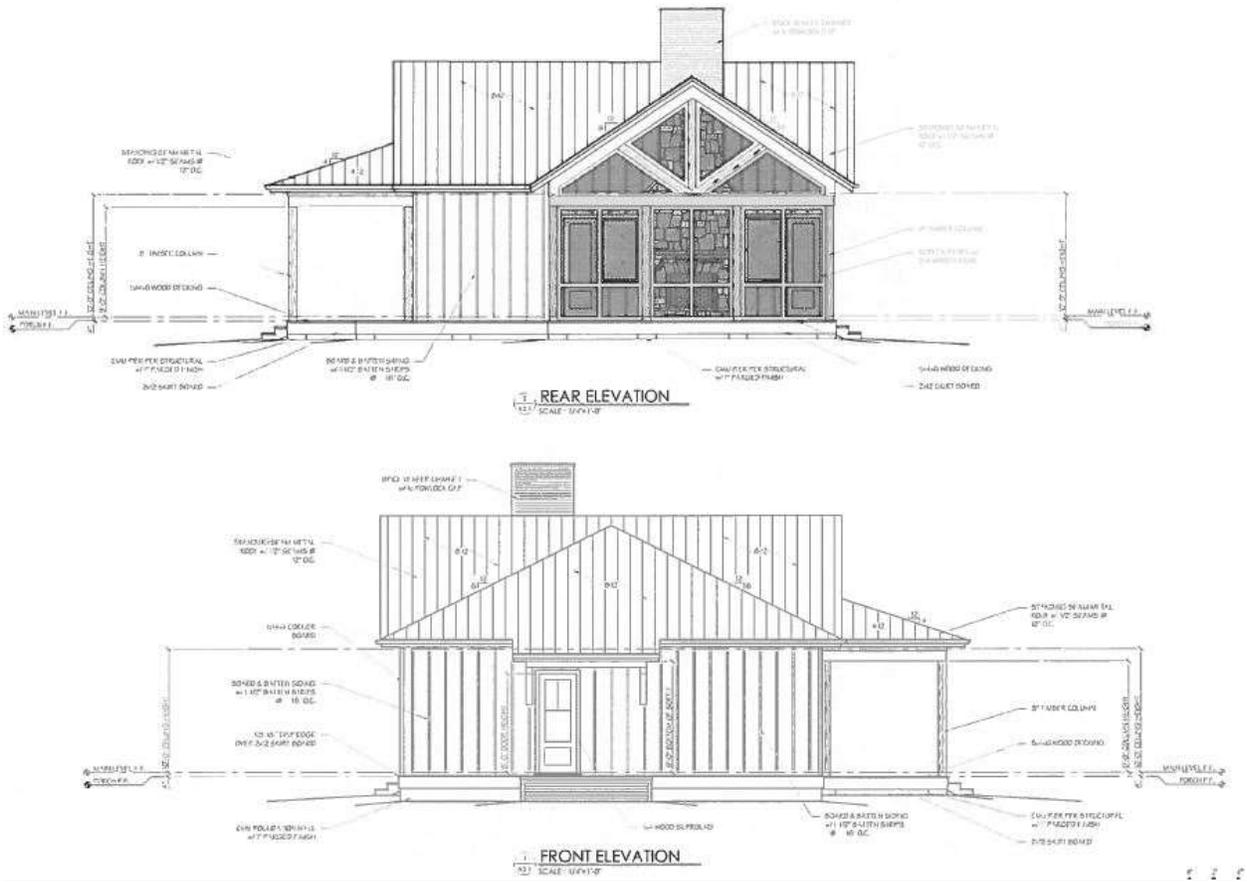


The barn and dwelling are located off Mallory Road. The 1281 address is assigned to the dwelling. The applicant describes the dwelling as a hunting cabin. According to the Tax Assessors, the dwelling was constructed in 1992 and is listed at 1,189 heated square feet.

The minimum heated square footage required for the AG zoning district is 800 square feet. Therefore, the existing dwelling meets the definition for a primary dwelling.



A view of the house and barn located off Mallory Road. The applicant has indicated in submitted supplemental documentation that the proposed accessory dwelling will be located in the curve of the trees shown to the right of the existing structures. The new driveway is proposed to follow the right side of the wheat field. See attached document.



The proposed dwelling is 2,394 heated square feet and 3,250 square feet total. The heated square footage is more than double that of the existing dwelling. The ordinance limits an accessory dwelling to 800 heated square feet and 1,000 square feet total. See Chapter 7.2 attached. See also house plans attached.

Criteria for Consideration

Section 21.3.1 Required Findings from Conditional Use Approval from the Morgan County Zoning Ordinance:

1. Adequate provision is made by the applicant to reduce any adverse environmental impacts of the proposed use to an acceptable level;
2. Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered;
3. Off-street parking and loading, and the entrance to and exit from such parking and loading, will be adequate in terms of location, amount and design to service the use;
4. Public facilities and utilities are capable of adequately serving the proposed use;
5. Granting the request would not be an illogical extension of a use which would introduce damaging volumes of (1) agricultural, (2) commercial, (3) industrial, or (4) high density apartment use into a stable neighborhood of well-maintained single family homes, and likely

lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight, and additional requests of a similar nature which would expand the problem;

6. Granting the request would not lead to congestion, noise and traffic hazards or overload public facilities, current or planned;
7. Granting the request would conform to the general expectation for the area population growth and distribution according to the Comprehensive Land Use Plan;
8. Granting the request would not lead to a major negative change in existing (1) levels of public service, (2) government employees or (3) fiscal stability;
9. Granting the request would not have a “domino effect,” in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Land Use Plan.

Staff Comments

When the applicant approached Staff about placing a second home on the property, Staff suggested that the minimum required 5 acres be split from the 483 acres to construct the new house. The applicant briefly considered this option but decided to pursue a conditional use instead.

Based on discussions related to a previous accessory dwelling application, Staff consulted The Chief Tax Appraiser regarding how property splits affect conservation use. Guy Rodgers stated that 5 acres can be removed, even if it is deeded to the same owner, without creating a breach of the conservation use covenant. However, the entire 5 acres will be removed from the covenant instead of the typical 2 acres removed for a residence.

De Little
609 Charlton Court
Marietta, Ga, 30064

June 18, 2019

Morgan County Planning Commission
150 E Washington Street, Suite 200
Madison, Ga, 30650

Members of the Planning Commission,

My great granddad purchased approximately 1,000 acres in Morgan County in 1926. My family still owns 483 acres of that original purchase. I have spent many days in the field hunting with my Dad and good friends. We currently have a small "hunting cabin" that we built in 1992, and a barn on the 483 acres. The hunting cabin does not have air conditioning or heat (just a fireplace and a pot belly stove).

I am 59 years old and would like to spend more time at the farm than a few "guy's weekend" in various hunting seasons. I would also like the ladies in my life to join me (which they have emphatically said is not going to happen if their only option for a bathroom and bed is the existing hunting cabin 😊). Enclosed are plans for an approximate 2,400 sf one story house with a screen porch to the side and a front porch at the front door.

Please let me know if you have any questions. I look forward to seeing you on August 29th and the Board of Commissioners on September 3rd.

Sincerely,



De Little

404-863-1545

DATE: 01-25-2019
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 PROJECT NO.: 01-25-2019
 SHEET TITLE: MAIN LEVEL FLOOR PLAN
 SHEET NO.: A1.2

NOTE: WINDOW SIZES LISTED ARE NOMINAL SIZE. DIMENSIONS FOR EACH SIZE ARE LISTED.

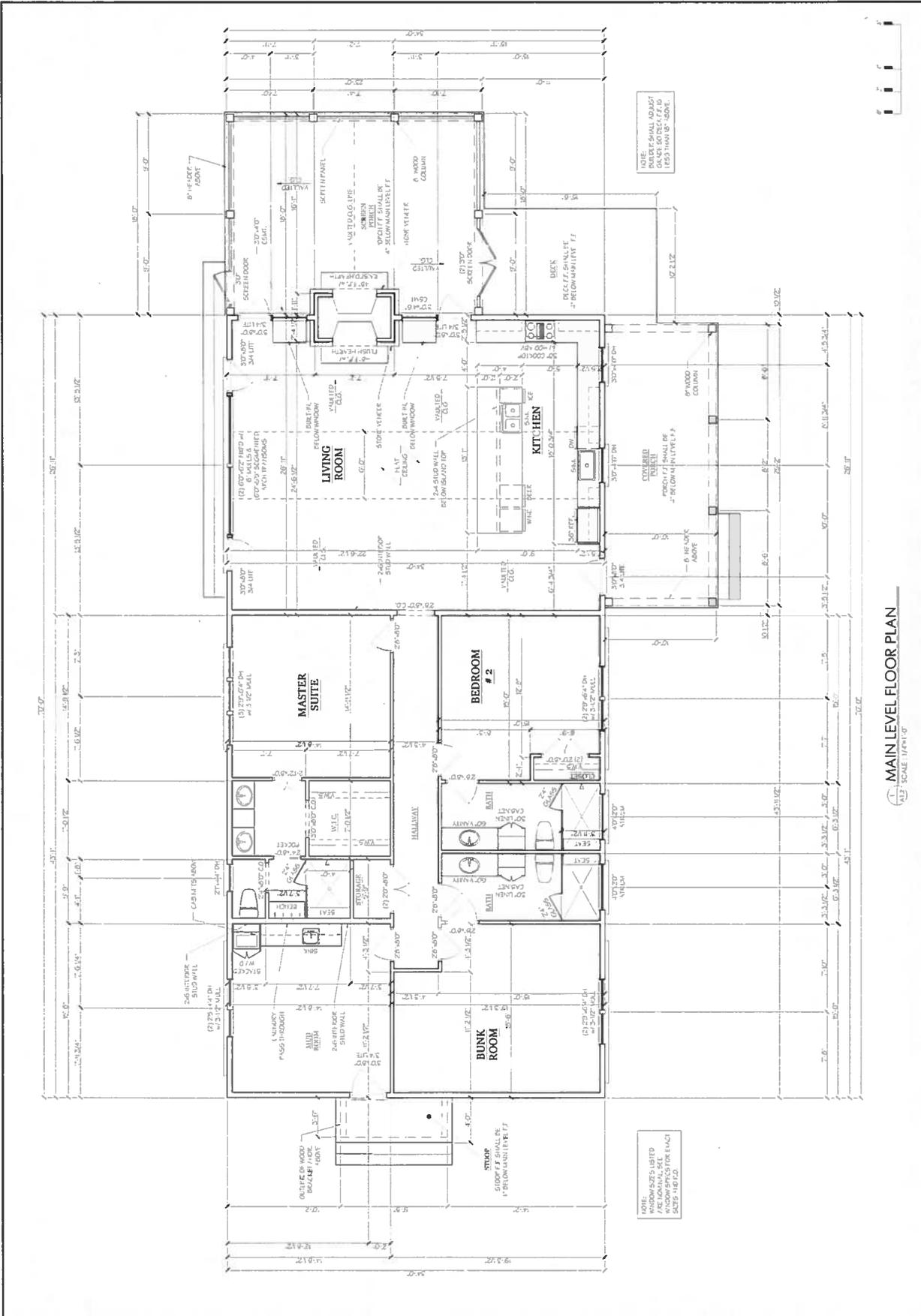
NOTE: DOOR SIZES LISTED ARE NOMINAL SIZE. DIMENSIONS FOR EACH SIZE ARE LISTED.

NOTE: ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

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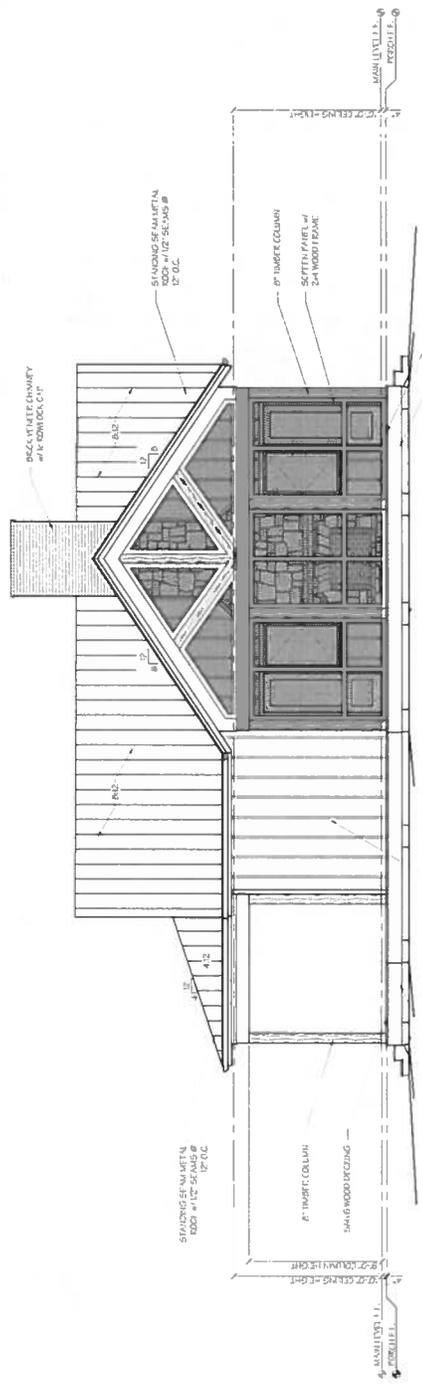
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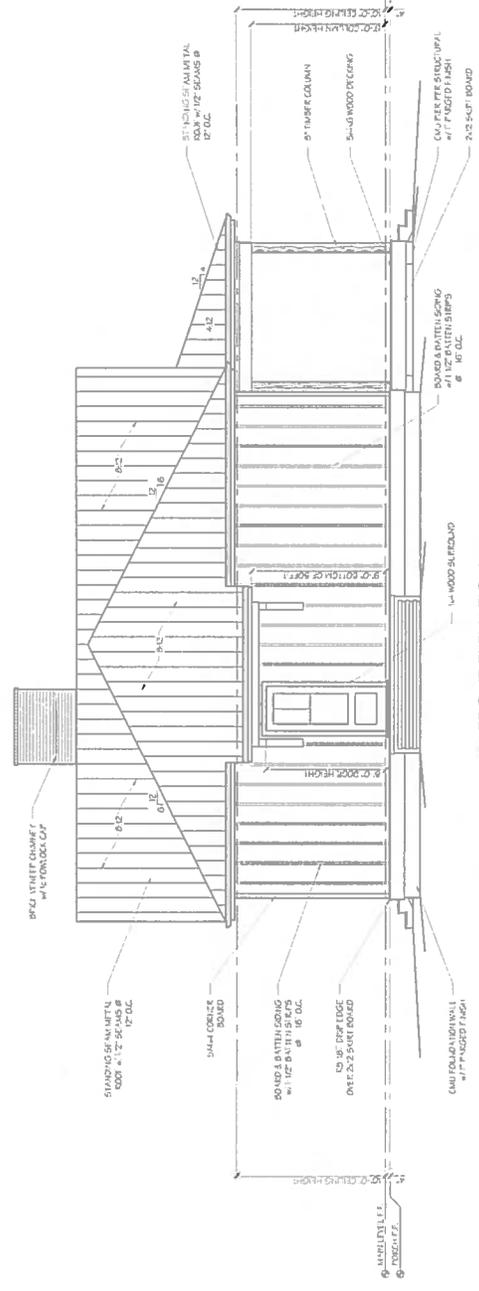


MAIN LEVEL FLOOR PLAN
 ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE

RELEASE DATE	ISSUE
DATE	DATE
OWNER	OWNER
DESIGNER	DESIGNER
CONTRACTOR	CONTRACTOR
PERMIT NO.	PERMIT NO.
PERMIT DATE	PERMIT DATE
ISSUED FOR CONSTRUCTION	ISSUED FOR CONSTRUCTION

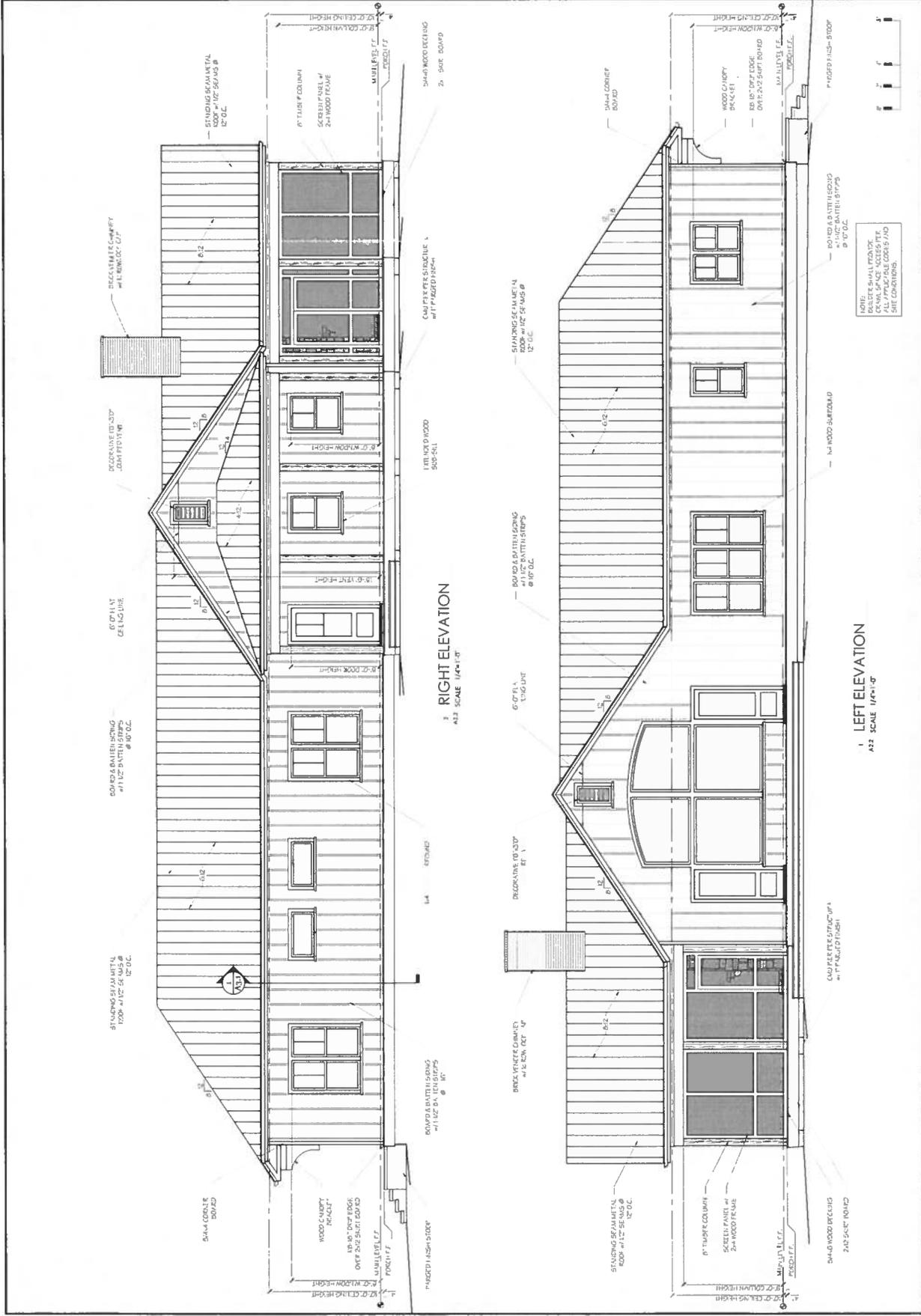


REAR ELEVATION
SCALE: 1/4"=1'-0"



FRONT ELEVATION
SCALE: 1/4"=1'-0"





RIGHT ELEVATION
SCALE 1/4" = 1'-0"

LEFT ELEVATION
SCALE 1/4" = 1'-0"

NOTE:
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL MATERIALS ARE TO BE GRADE APPROPRIATE FOR THE CONDITIONS.

Site plan

Write a description for your map.

Legend

-  Feature 1
-  Little Farm
-  Sandy Creek Baptist Church



Chapter 7.2 Accessory Dwellings

One accessory dwelling unit is permitted as subordinate to an existing single family dwelling provided the following requirements are met:

- An accessory dwelling shall be constructed after the principal dwelling has received a Certificate of Occupancy. This applies to accessory dwellings constructed in accessory buildings, including agricultural structures.
- The accessory dwelling unit shall be owned by the same person as the principal dwelling.
- No more than one accessory dwelling unit shall be permitted on a single deeded lot in conjunction with the principal dwelling unit. An accessory dwelling may be in a freestanding building, a basement or above a garage. Even if included within the principal dwelling, there shall be only one accessory dwelling per lot. Each accessory dwelling shall have an exterior entrance that does not require the accessory dwelling resident to access the unit through the primary dwelling.
- Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit without meeting the requirements associated with the zoning district classification.
- The accessory dwelling shall comply with all requirements of the county health department for on-site sewerage and well regulations.
- Accessory dwelling units shall be a minimum of three hundred (300) square feet and a maximum of eight hundred (800) square feet for heated square footage and a maximum of 1000 square feet total (including unheated square footage under roof, such as porches and carports). Accessory dwelling units located in accessory buildings are limited to 800 square feet.
- Accessory dwellings shall not have basements. Crawlspace or slab foundations are allowed.
- An accessory dwelling unit shall not be served by a driveway separate from that serving the principal dwelling.
- Accessory dwellings shall adhere to the parking and setback requirements and height restrictions for the district in which they are to be located.
- If located in a building detached from the principal building or dwelling, an accessory dwelling shall not be closer than twenty (20) feet to the principal building or dwelling.
- Manufactured homes may not be used as accessory dwellings.
- Accessory dwellings shall be a Conditional Use in all zoning districts where single family detached homes are allowed. If an existing structure meets or exceeds the maximum square footage specified above and an additional dwelling exceeding the maximum square footage for an Accessory Dwelling is desired, the property must be split to allow for a second principal dwelling, or a Variance must be requested in addition to the Conditional Use.