



STAFF REPORT

MORGAN COUNTY PLANNING COMMISSION

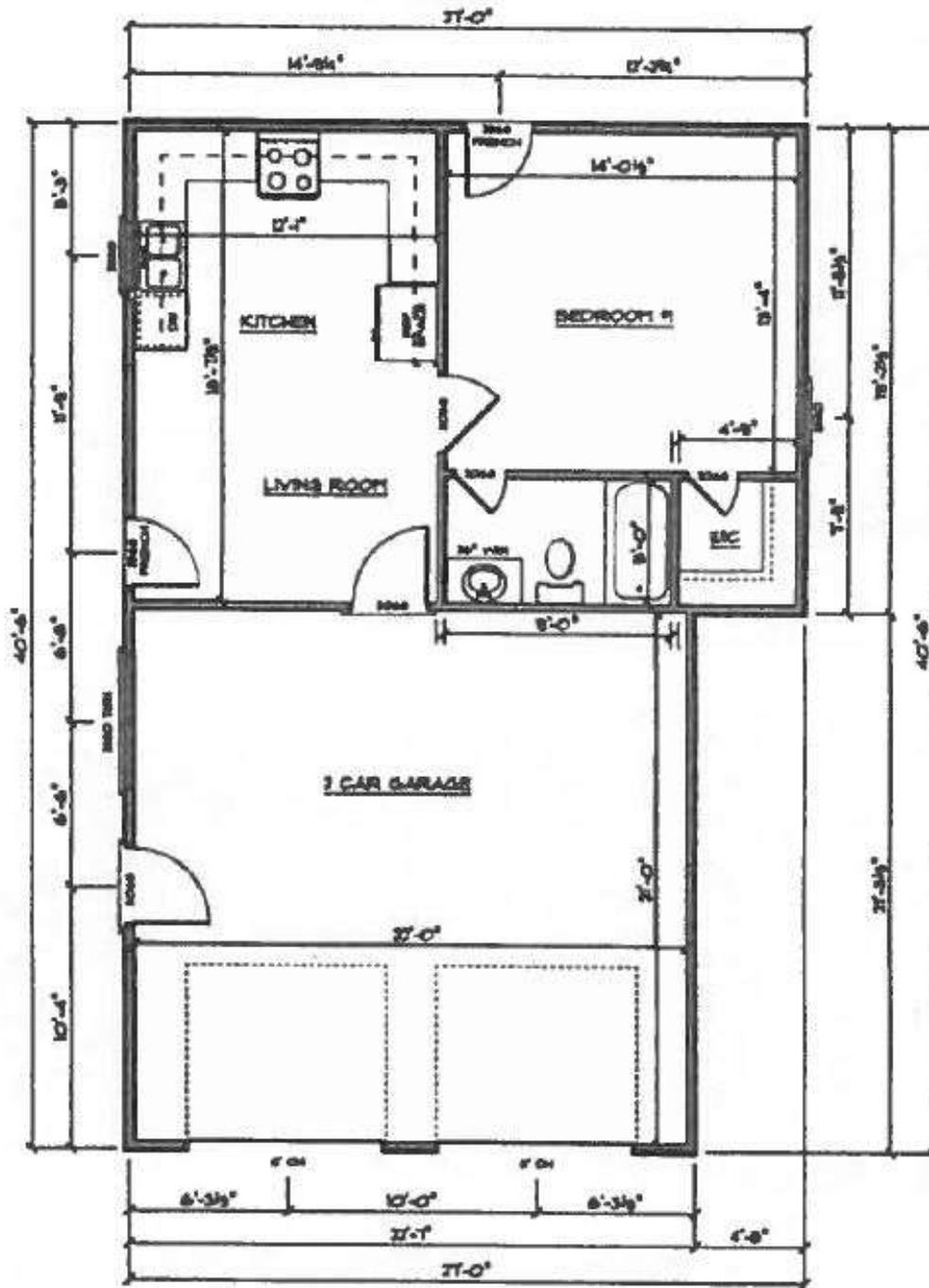
PETITION FOR: **CONDITIONAL USE – ACCESSORY DWELLING**

Property location:	2652 Sandy Creek Road
Property tax parcel:	026-141D
Acreage:	2 acres
Applicant:	Crown Ridge Homes, LLC
Applicant's Agent:	
Property Owner:	Crown Ridge Homes, LLC, 1241 Confederate Road, Madison
Existing Use:	Single family dwelling under construction
Proposed Use:	Single family dwelling with accessory dwelling in outbuilding

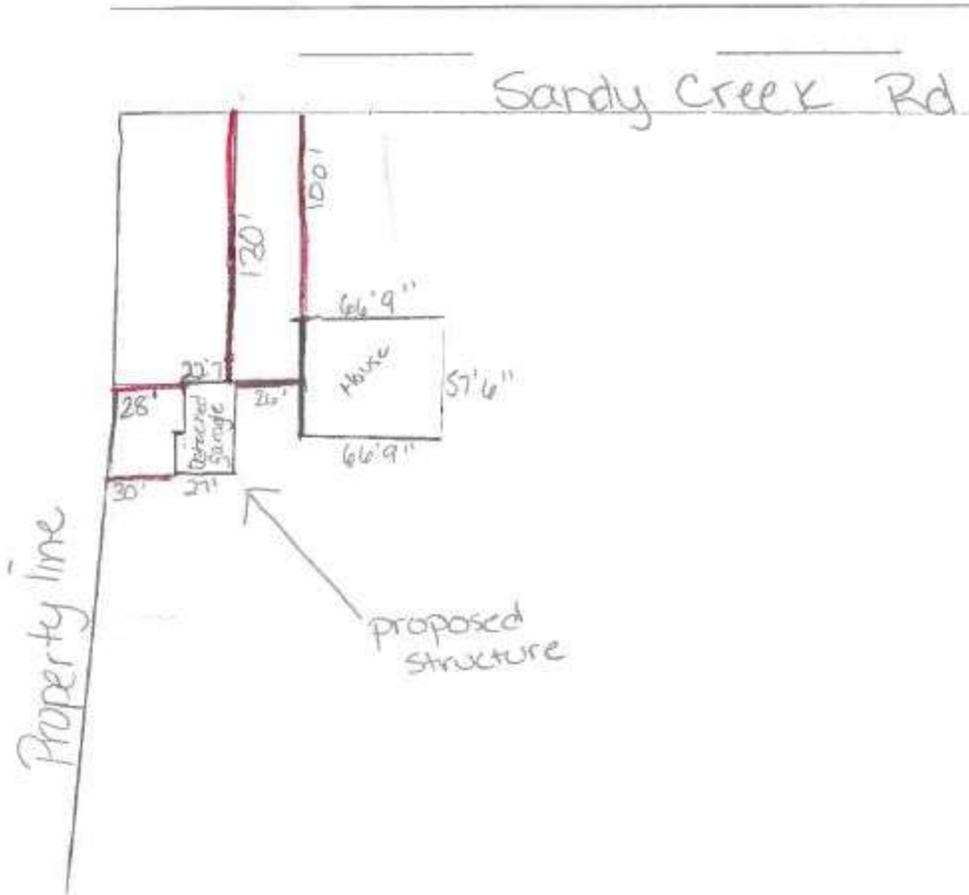
Summary



Crown Ridge Homes, LLC is requesting conditional use approval to include an accessory dwelling in a garage on a 2 acre parcel located at 2652 Sandy Creek Road. A single family dwelling is currently under construction and the applicant already has a buyer for the property. The buyer has called the Planning office and stated that the accessory dwelling is for his wife's parents, who are moving with them from Atlanta.



The submitted plan shows the heated area as 519 square feet and the unheated garage as 483 square feet, for a total of 1,002 square feet. The ordinance allows for a maximum of 800 heated square feet and a maximum of 1,000 square feet total.



The hand drawn site plan depicts the location of the proposed garage. The identified setbacks appear to meet county regulations. If approved, the location will be verified on-site.



The subject parcel is zoned AR - Agricultural Residential, and is surrounded by AR, with the exception of Agriculturally zoned properties across Sandy Creek Road and to the west. Detached accessory dwellings are a conditional use in all zoning districts where single family dwellings are allowed.

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.

Chapter 7.2 Accessory Dwellings and Accessory Building Apartments

Section 7.2.1 Purpose and Intent

It is the purpose of this chapter to regulate the establishment of accessory dwellings within or in conjunction with single-family dwellings, and apartments within accessory buildings, while preserving the character of single-family neighborhoods. The primary purpose of this chapter shall be to permit establishment of additional living quarters within single-family residential neighborhoods in order to make it possible for adult children to provide care and support to a parent or other relatives in need of assistance. A maximum of one accessory dwelling or accessory building apartment shall be permitted as subordinate to a new or existing single-family dwelling if the accessory dwelling or accessory building apartment and lot meet the requirements of this chapter. No accessory dwelling or accessory building apartment shall be constructed prior to the construction of the principal dwelling.

Section 7.2.2 Conditional Use Required for Accessory Building Apartments and Detached Accessory Dwellings

An accessory dwelling may be located within, or constructed as an addition to, a principal dwelling as a permitted use. A detached accessory dwelling or an apartment located within or attached to an accessory building shall require conditional use approval. If an existing structure meets or exceeds the maximum square footage and an additional separate 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.

Section 7.2.3 Lot standards.

Accessory dwellings and accessory building apartments may be constructed on lots of any size provided that all other applicable zoning requirements are met. Compliance with all requirements of the county health department for on-site sewerage and well regulations is required. An accessory dwelling or accessory building apartment shall not be served by a driveway separate from that serving the principal dwelling. Accessory dwelling and accessory building apartments shall share an electrical meter and address with the principal dwelling.

Section 7.2.4 Occupancy standards

All lots containing accessory dwellings and accessory building apartments shall be owner occupied. No lot shall be occupied by more than one family. This limitation shall be interpreted to accomplish its purpose, which is to ensure that the approval of an accessory dwelling or accessory building apartment shall not increase the overall density of a single-family residential neighborhood. "Owner-occupied" shall mean a property owner who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and resides at the site more than six months of any given year, and at no time receives rent for the owner-occupied unit.

Section 7.2.5 Subdivision

The accessory dwelling, accessory building containing an apartment, or the lot on which such accessory dwelling or accessory building apartment is located, shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit or the land on which the principal dwelling unit is located.

Section 7.2.6 Size and Connectivity

An accessory dwelling located within or attached to a principal dwelling shall be connected by conditioned space. Accessory dwellings attached to a principal dwelling cannot be attached by a breezeway or unconditioned space such as a garage. Detached accessory dwellings are limited to 800 heated square feet and 1,000 square feet total (including unheated square footage such as garages and porches). Detached accessory dwellings may be on a slab or crawlspace foundation only; no basements are allowed. Accessory building apartments are limited to 800 heated square feet and must have 2 hour rated separation from the rest of the accessory building.

Section 7.2.7 Architectural design

The addition of an accessory dwelling, attached or detached, shall be allowed only if the single-family appearance and character of the lot and neighborhood are maintained. The design of the accessory dwelling shall be consistent with the design of the principal dwelling and shall maintain the style, appearance and character of the principal dwelling, and shall use matching materials, colors, window style, and comparable roof appearance. Detached accessory dwellings must be stick built on site; manufactured homes, storage containers, metal buildings or pre-built wood framed structures shall not be used as accessory dwellings.

Section 7.2.8 Entrances and stairs

Only one entrance shall be allowed per fronting street. Exterior stairways shall not be constructed on the front of the principal dwelling or accessory building apartment.

Section 7.2.9 Affidavit recording requirements

Prior to issuance of a building permit by the Planning and Development office, the applicant shall record the affidavit with the Morgan County Clerk of Court and provide a copy of the recorded affidavit. Said affidavit shall identify the address and legal description of the property and state the following: the property owner resides in either the principal dwelling for more than six months each year, that the owner will notify any prospective purchaser of the property of the limitations and requirements of this chapter, and that the permit will be revoked if the accessory dwelling unit at any time fails to meet the requirements of this chapter. The document shall run with the land and bind all current and future property owners, and the owner's assigns, beneficiaries and heirs.

Section 7.2.10 Enforcement

Morgan County retains the right (with reasonable notice) to inspect the accessory dwelling or accessory building apartment for compliance with this chapter

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To: Morgan County Planning Commission

Re: Application for Conditional Use

We would like to request a conditional use permit for the below property location. This permit will be used to build a detached garage, please see attached application and drawings.

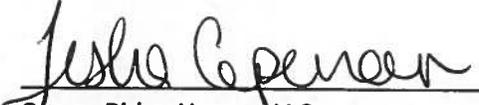
Address:

2652 Sandy Creek Rd
Madison, GA 30650
Tax Parcel: 026 141D

Current Property Owner:

Crown Ridge Homes
1241 Confederate Rd
Madison, GA 30650
407-402-5975
Info@CRHGA.COM

Thank you for your review of this application.


Crown Ridge Homes, LLC
Tisha Cepuran, Owner

