

**STAFF REPORT**  
**RZ136- Tax Parcel 148 031**  
**November 18, 2024**

**REQUEST**

APPLICANT:	Vinh Tran
OWNER:	Vinh Tran
REQUEST:	Rezone A2 to A1
COUNTY COMMISSION DISTRICT:	2
SIZE OF THE PROPERTY:	213 acres
PRESENT USE/ZONING:	A2 General Agriculture
PROPOSED USE OF PROPERTY	A1 Intensive Agriculture
TAX MAP NUMBER:	148 031
ADJACENT ZONING:	A1, A2, AR

**PURPOSE**

The purpose of this request is to rezone a portion of parcel 148 031 from A2 (General Agriculture) to A1 (Intensive Agriculture) in order to build poultry houses.

**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 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 A1 (Intensive Agriculture) **is compatible** with the character area “Back Forty”.

**REVIEW OF THE PLAN**

The applicant has requested Tax Parcel 148 031 be rezoned to A1 (Intensive Agriculture) in order to construct twelve (12) poultry houses (600' x 50').

Adjacent Properties are zoned A1 (Intensive Agriculture) and A2 (General Agriculture), and AR (Agriculture Residential). This tax parcel is 213 acres. This property is located on Centerville Road. One property line on this tax parcel adjoins another A1 zoned parcel, meaning the setback to that property line is 20 feet.

Let it be noted this site plan is binding. If approved, no changes can be made to this site plan.

## CURRENT STATUS

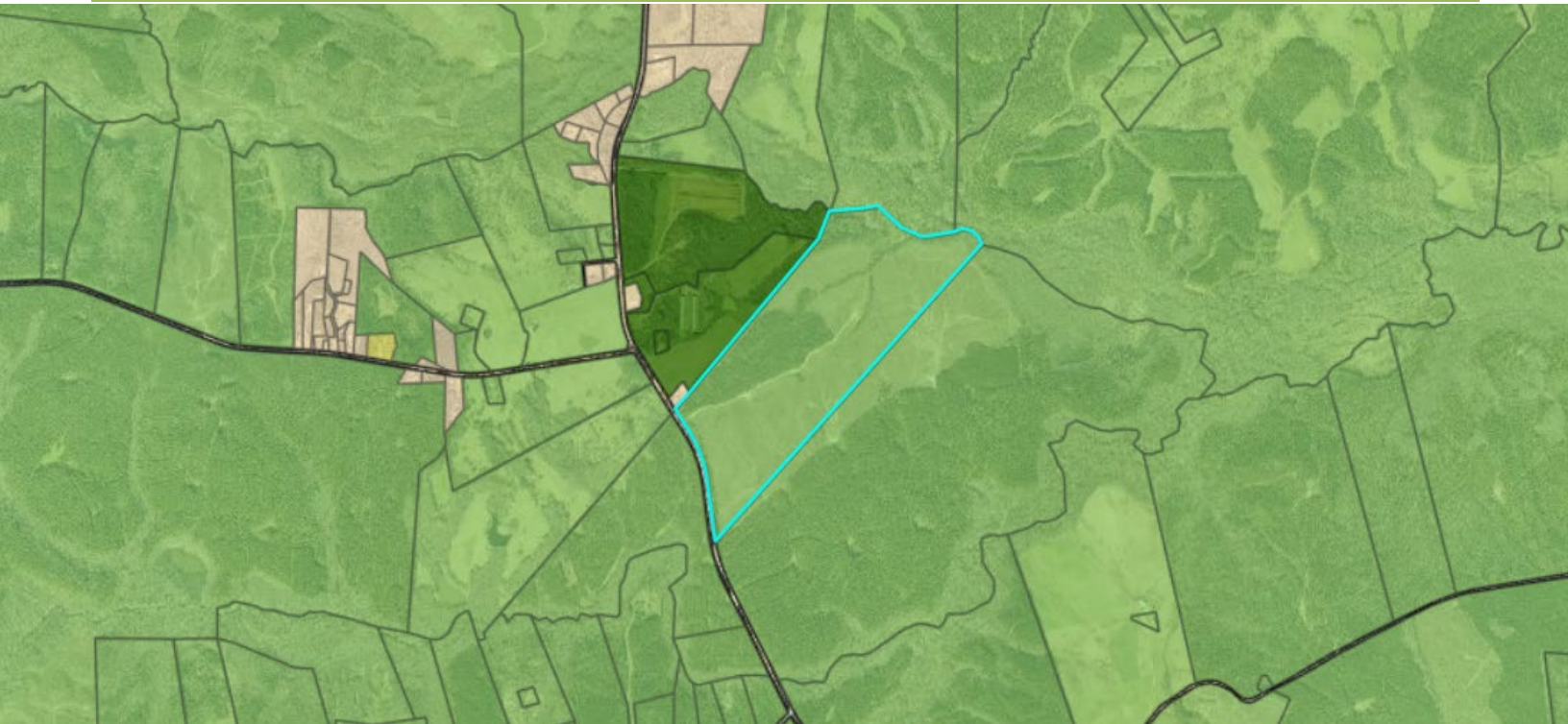
This request will be heard by the Oglethorpe County Zoning Board at their November 18, 2024 meeting.

Should the Zoning Board take action on the request at their November meeting, the request will go before the Oglethorpe County Board of Commissioners on December 2, 2024.

## PUBLIC NOTICE

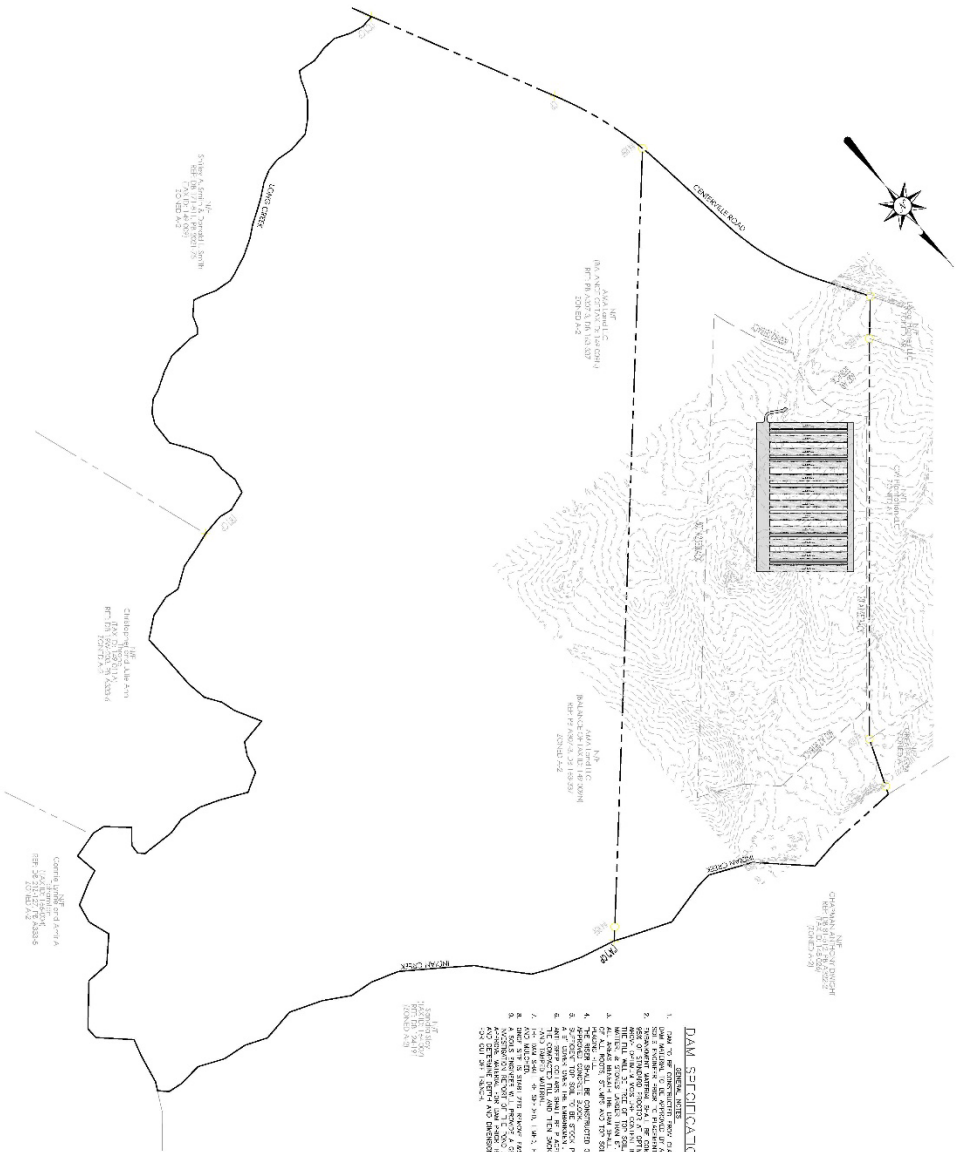
In accordance with Section 1405 of the Oglethorpe County Zoning Ordinance, public notice of this zoning request was posted on or near the subject property(s) by November 11, 2024.

## EXHIBITS



*Figure 1 Adjacent Property's Zoning*

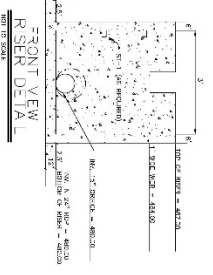
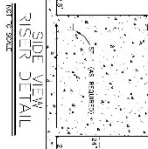
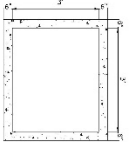
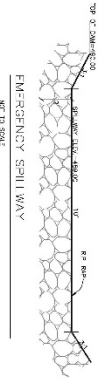
Soil erosion control measures must be in place prior to any land disturbing activity



**DAM SPECIFICATIONS**

1. DAM TO BE CONSTRUCTED FROM GRAVEL
2. DAM TO BE CONSTRUCTED TO BE AT LEAST 18" HIGH AND 12" WIDE AT THE TOP
3. DAM TO BE CONSTRUCTED TO BE AT LEAST 18" HIGH AND 12" WIDE AT THE TOP
4. DAM TO BE CONSTRUCTED TO BE AT LEAST 18" HIGH AND 12" WIDE AT THE TOP
5. DAM TO BE CONSTRUCTED TO BE AT LEAST 18" HIGH AND 12" WIDE AT THE TOP
6. DAM TO BE CONSTRUCTED TO BE AT LEAST 18" HIGH AND 12" WIDE AT THE TOP
7. DAM TO BE CONSTRUCTED TO BE AT LEAST 18" HIGH AND 12" WIDE AT THE TOP
8. DAM TO BE CONSTRUCTED TO BE AT LEAST 18" HIGH AND 12" WIDE AT THE TOP
9. DAM TO BE CONSTRUCTED TO BE AT LEAST 18" HIGH AND 12" WIDE AT THE TOP
10. DAM TO BE CONSTRUCTED TO BE AT LEAST 18" HIGH AND 12" WIDE AT THE TOP

- GENERAL NOTES:**
1. OWNER TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES.
  2. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
  3. ALL UTILITIES SHALL BE LOCATED AND DEPTH MARKED PRIOR TO CONSTRUCTION.
  4. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY LAND DISTURBING ACTIVITY.
  5. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.
  6. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE.
  7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS AND SPECIFICATIONS.
  8. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
  9. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
  10. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.



<p><b>OVERALL PLAN</b></p> <p><b>COUNTRY FARM POULTRY HOUSES</b></p> <p>CENTERVILLE ROAD 213.00 ACRES - TAX PARCEL 149 009N OGLETHORPE COUNTY, GEORGIA</p>	<p>371 MAIN STREET P.O. BOX 403 WARRENTON, GA 30028</p> <p>706.465.0900 OFFICE 706.465.0909 FAX civildesignsolutions.com</p>	<p>4-24-24</p>	<p><b>REVISION BLOCK</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">NO.</th> <th style="width: 80%;">DESCRIPTION</th> <th style="width: 10%;">DATE</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">2</td> <td></td> <td></td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE	1			2		
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Figure 2 Site Plan

## Section 1403 Evaluation Standards

*The Zoning Board and the Board of Commissioners shall consider factors relevant in balancing the interest in promoting the public health, safety, morals, or general welfare against the right of the individual to the unrestricted use of property, and shall specifically consider the following criteria:*

- Whether the zoning proposal is in conformity with the policy and intent of the Oglethorpe County Comprehensive Plan, the Transportation Plan, or any other duly adopted plans for the development of the County.
- Whether there is reasonable evidence, based upon existing and anticipated land use, which would indicate a mistake was made in the original zoning of the property.
- Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area.
- Whether the change will create an isolated district unrelated to the surrounding districts, such as “spot zoning?”
- Whether the need for rezoning could be handled instead by a variance request to the Zoning Board of Adjustments.
- Whether the subject property is suitable for the existing zoned purpose.
- Whether the subject property is suitable for the proposed zoning or use (location, size, lot configuration, topography, drainage, availability of public water supply and sewage system, or space and soil type to accommodate a safe water supply and an appropriately sized septic system, etc.).
- 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.