HABERSHAM COUNTY BOARD OF COMMISSIONERS

EXECUTIVE SUMMARY

SUBJECT: Conditional Use Application CU-25-01 – Christian Prayer Retreat Cabins

DATE: **May 9, 2025**

(X) RECOMMENDATION
( ) POLICY DISCUSSION
( ) STATUS REPORT
( ) OTHER

BUDGET INFORMATION: N/A
ANNUAL-
CAPITAL-

COMMISSION ACTION REQUESTED ON: May 19, 2025

PURPOSE: Make a recommendation to the Board regarding application CU-25-01: Jim Draper is seeking a conditional use for a Christian retreat with up to seventeen (17) dwellings of which eleven (11) are proposed as cabins at 735 Kennedy Mountain Road, map parcels 014 003 (52.87 acres), 014 002 (17.42 acres), and 014 002D (3.0 acres) in the LI, Low Intensity District.

BACKGROUND / HISTORY:

1. The applicant owns 73.29 acres and proposes to erect multiple dwellings and cabins on the property for use as a Christian retreat for use by church groups, retreat groups, etc.
2. The surrounding area is residential, agricultural or undeveloped. There are scattered single family homes in the area on large parcels.
3. The intention is to cluster the cabins in a couple of areas with the single-family dwellings scattered throughout the lower portion of property amongst the woods. A mulched trail is proposed to wind through the conservation area. A pavilion is proposed in one area surrounded by cabins and there will be an area for a event tent if needed. A parking area is proposed near the road for parking with access gained to the cabins via golf carts.
4. The plan is for the cabins to be used/booked by church groups to visit. There are two dwellings on the current property. One is a main house and one is a guest house. Three additional dwellings are proposed with a loft above a barn for maintenance personnel. The dwellings are for the owner's family but may be rented out when not in use by the family. The cabins are proposed to be used by the retreat groups.
5. Staff can't legally differentiate between a Christian retreat or a business so for zoning purposes we consider this to be similar to campground rental.
6. We had a large number of citizens show up to speak on this matter. We had tow citizens plus the applicant speak in favor and we had eleven (11) citizens speak in opposition.
7. The opposition focused on a number of issues: environmental impact with high water table and location near Soque headwaters; road impact with increased traffic and narrowness of Kennedy Mtn Road; safety impact with hunting in area; and largely the impact on the rural nature of the area.

FACTS AND ISSUES: The Planning Commission forwards this application to the Board with a recommendation of Denial.

OPTIONS: The Board of Commissioners could act on this application as follows:

1. Denial of the request as recommended by the Planning Commission;
2. Approval of the request as submitted; or
3. Commission defined alternative.

RECOMMENDED SAMPLE MOTION: I motion to deny CU-25-01 as recommended by the Planning Commission.

DEPARTMENT:

Prepared by: Mike Beecham

Director _____

ADMINISTRATIVE COMMENTS: _____

_____

_____

_____ **DATE:** _____

County Manager

DRAPER RETREAT
HABERSHAM COUNTY, GA



LEW OLIVER INC
WHOLE TOWN SOLUTIONS

HABERSHAM COUNTY
GEORGIA | Est. 1818

HABERSHAM COUNTY
Planning & Development Department
130 Jacob's Way, Clarkesville, GA 30523
706-839-0140 www.habershamga.com

Habersham County Planning Commission
Conditional Use Staff Report

APPLICATION NUMBER: CU-25-01

REQUESTED ACTION: James W Draper, Jr. is seeking a Conditional Use to be allowed to operate a Christian Retreat with up to 17 cabins. The tract is located at 735 Kennedy Mountain Rd. and is further identified as Map 014 Parcel 003 consisting of 52.87 acres. The Retreat will also include (2) other adjoining parcels (Map 014 Parcel 002 consisting of 17.42 acres & Map 014 Parcel 002D consisting of 3.0 acres).

Synopsis: Initial inquiry regarding this was addressed when applicant came in to discuss future plans of the operation. Plans are to use this property for a Christian Retreat.

****

PETITIONER: James W. Draper, Jr.

PROPERTY OWNER: James W. Draper, Jr.

EXISTING USE: Residential

PROPOSED USE: Christian Retreat.

LOCATION: 735 Kennedy Mountain Rd.

PARCEL(S) SIZE: 73.29 acres (3 parcels involved listed below)

MAP# 014 **PARCEL#** 003 (52.87 acres)

MAP# 014 **PARCEL#** 002 (17.42 acres)

MAP# 014 **PARCEL#** 002D (3.0 acres)

EXISTING & FUTURE LAND USE DISTRICT:

	Current Zoning District	2029 Future Land Use Designation
Parcel	LI	Rural
North	LI	Rural
South	LI	Rural
East	LI	Rural
West	LI	Rural

MEETING DATES: **Planning Commission:** May 6, 2025

Board of Commissioners: May 19, 2025

PLANNING ANALYSIS:

1. **The existing land uses and zoning classification of nearby property;**

The current zoning classification of this parcel is LI- Low Intensity as well as adjoining properties. The land use of this parcel is Rural.

2. **The suitability of the subject property for the zoned purposes;**

The property is designated as LI – Low Intensity. This district will provide and protect an environment suitable for single-family detached residential uses or individual lots, conventional subdivisions and master planned developments, together with such other accessory uses as may be necessary to and compatible with low density residential surroundings.

3. **The extent to which the property values of the subject property are diminished by the particular zoning restrictions;**

It is the intent of the Conditional Use process to permit specific uses compatible with a residential area. The process will assist in determining the need for buffers, parking, hours of operation and other concerns that may be presented.

4. **The extent to which the diminution of property values of the subject property promote the health, safety, morals or general welfare of the public;**

Property values are not diminished by the current zoning.

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

A Christian Retreat should not be a hardship to the community if used within certain guidelines.

6. **Whether the subject property has a reasonable economic use as currently zoned;**

Property does have a reasonable economic use within the LI District.

7. **Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property;**

The compatibility of the proposed use with adjacent properties is critical. Specific criteria will need to be addressed such as hours of operation, capacity, noise, sanitation, buffers, etc., to promote harmony and balance in an existing rural neighborhood.

8. **Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;**

The existing land use patterns in the area is primarily rural. However, during certain times, an increase in traffic, noise, etc. may be an issue that needs to be addressed.

9. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan;**

The Comprehensive Plan identifies this area as Rural. The scope of the proposed use will support compatibility and balance if certain criteria is met.

10. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

The increase of noise and traffic could possibly be an issue to the neighborhood.

11. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;**

The balance of the above mentioned issues at this location are essential to maintaining the integrity of the Comprehensive Plan. The proposed use may need to have restrictions placed upon it to support harmony and balance in this rural neighborhood.

Staff Recommendation:

The Conditional Use request is to be allowed to operate a Christian Retreat. Plans are to have up to (17) buildings on the property which will consist of (15) cabins with approximately 1500 sq. feet each, (1) homestead with no sq. foot limit, and (1) barn. Although intentions are to not have any outside lighting, there will be a tent area that will be powered by generator(s). Mr. Raper plans to have a gathering/pavilion area with foot trails and walking trails around the property. To keep the natural beauty of the area intact, Mr. Raper has plans to clear trees at the building sites only. Proposed future plans also include a pond. If proper measures and protocols are adhered too, there should not be any hardships to the neighborhood. Noise and traffic could possibly be the only major concerns. Staff feels that if done in moderation, the retreat should not affect the balance and harmony of the community. Therefore, staff recommends **approval** of **CU-25-01.**

Staff recommends:

_X_ Approve as Submitted

_____ Approval with Conditions

_____ Denial

_____ Table

Planning Commission recommends:

___ Approve as Submitted

_____ Approval with Conditions

_X_ Denial (5-6-25)

_____ Table

Board of Commissioners Decision:

_____ Approve as Submitted

_____ Approval with Conditions

_____ Denial

_____ Table

HABERSHAM COUNTY

Planning Department
130 Jacob's Way, Suite 104, Clarkesville, GA 30523
706-839-0140 Fax: 706-754-1761
www.habershamga.com

HABERSHAM COUNTY
GEORGIA | Est. 1818

APPLICATION TYPE; Variance: _____ Conditional Use: ✓ Map Amendment: ___

[Check √ appropriate application(s)]

PLEASE BE ADVISED THIS FORM IS PUBLIC INFORMATION

Applicant / Primary Contact JAMES W DRAPER JR

Address [redacted]

Telephone # ([redacted] Cell Telephone # ( ) [redacted]

Fax# ( ) _____ E-Mail [redacted]

Property Owner(s): JAMES W DRAPER JR & DIANE K DRAPER

Address [redacted]

Telephone # ( ) [redacted] Cell Telephone # ( ) [redacted]

Fax# ( ) _____ E-Mail _____

Agent: _____

Address 735 Kennedy Mtn. rd City _____ State ___ Zip _____

Telephone # ( ) _____ Cell Telephone # ( ) _____

Fax# ( ) _____ E-Mail _____

Location of Property: _____

Street Address: 735 Kennedy Mountain Rd Clarkesville, GA 30523

Acreage of Site: ____ Tax Map & Parcel#: 014 003 (52.87 acres)

Existing LU District: _____ 2029 Map /District: 014 002 (17.42 acres)

Action Requested: _____ 014 002D (3.0 acres)

Cite Pertinent Section(s): _____

Existing Use: _____

Proposed Use: christian retreat

(A metes and bounds legal description may be required. Also attach a boundary survey of the property if available.)

RECEIVED
MAR 13 2025
BY: t. dills

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HABERSHAM COUNTY

Planning Department
130 Jacob's Way, Suite 104, Clarkesville, GA 30523
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CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Required For All Applications Regarding the Comprehensive Land Development Resolution

Disclosure of Campaign Contributions:

When any application is made for a Public Hearing with regards to the Comprehensive Land Development Resolution within two (2) years immediately preceding the filing of the applicant's application for public hearing, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing body of the respective local government showing:

(1). the name and official position of the local government official to whom the campaign contribution was made; and

(2). The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for public hearing and the date of each contribution; and

(3). The disclosure shall be marked by the **applicant, property owner, or person representing the property owner** and shall be filed within ten (10) days after the application for Public Hearing is first filed with the Planning Staff. If the disclosure is not provided to the Planning Staff within said 10 days, the application shall be removed from the scheduled agenda.

I hereby certify that I have ✓; I have not ___; (please √ one) read the above and that:

Within the two (2) years immediately preceding this date, I have;_____ I have not ✓; (please √ one) made any contribution(s) aggregating $250.00 or more to any local government official involved in the review or consideration of this application.

If you have made such contributions, you must provide the data required below within 10 days of filing this application.

Name of Official(s)	Office	Amount	Date of Contribution
			___/___/_____

_____
Applicant's Name (Please Print)

James W Dwight
Signature of Applicant

3/13/2025
Date of Signature

HABERSHAM COUNTY
GEORGIA | Est. 1818

HABERSHAM COUNTY

Planning Department
130 Jacob's Way, Suite 104, Clarkesville, GA 30523
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PROPERTY OWNER'S CERTIFICATION

I hereby certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant and/or agent listed below is authorized to act as the applicant and/or agent in the pursuit of the proposed application of this property.

James W Dreyer — 3/13/2025

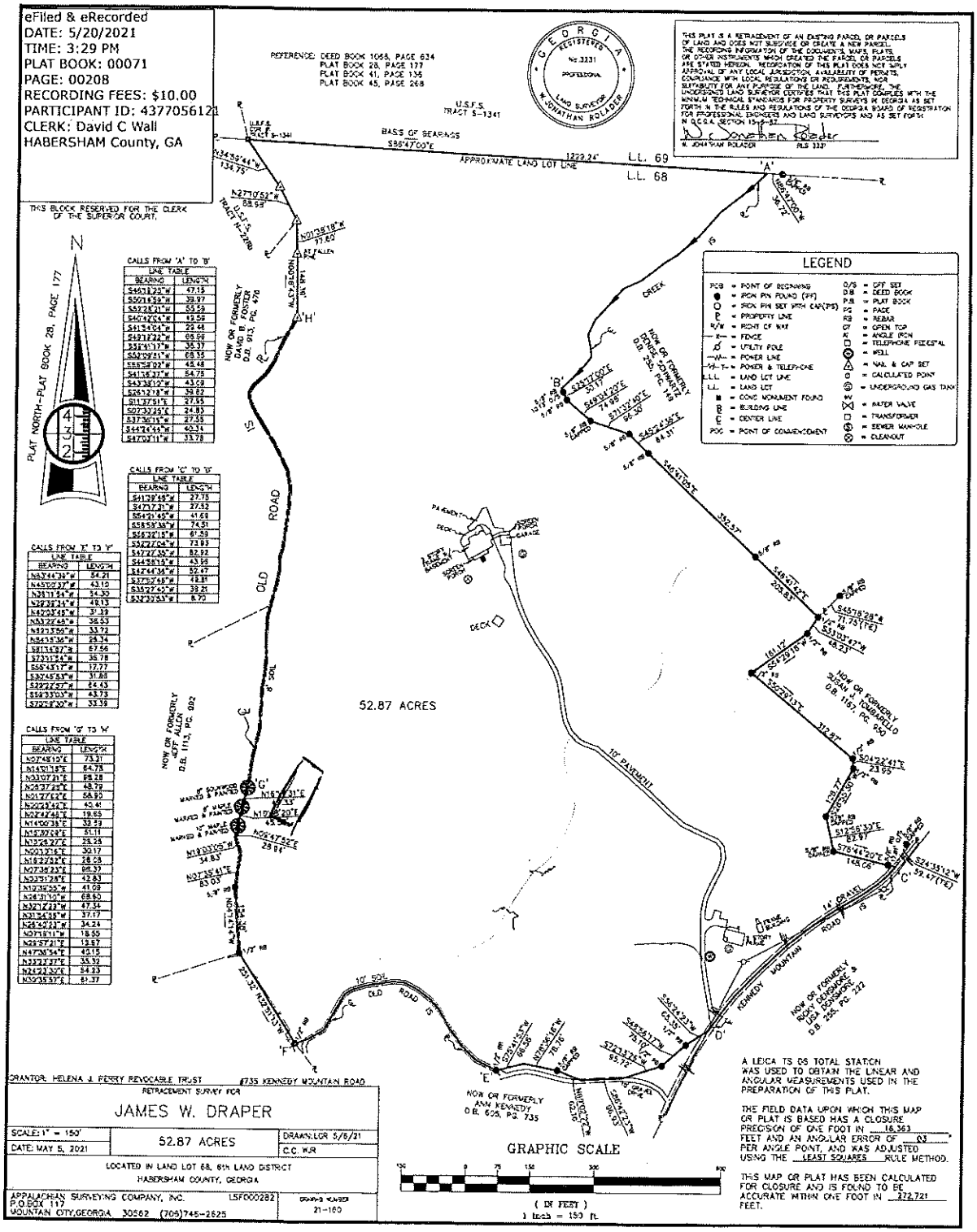
Signature of Property Owner/Executor/Officer — Date of Signature

Estate /Company /Corporation — Authorized Agent (Please Print)

Signature of Authorized Agent — Date of Signature

Estate /Company /Corporation — Authorized Agent (Please Print)

Signature of Authorized Agent — Date of Signature

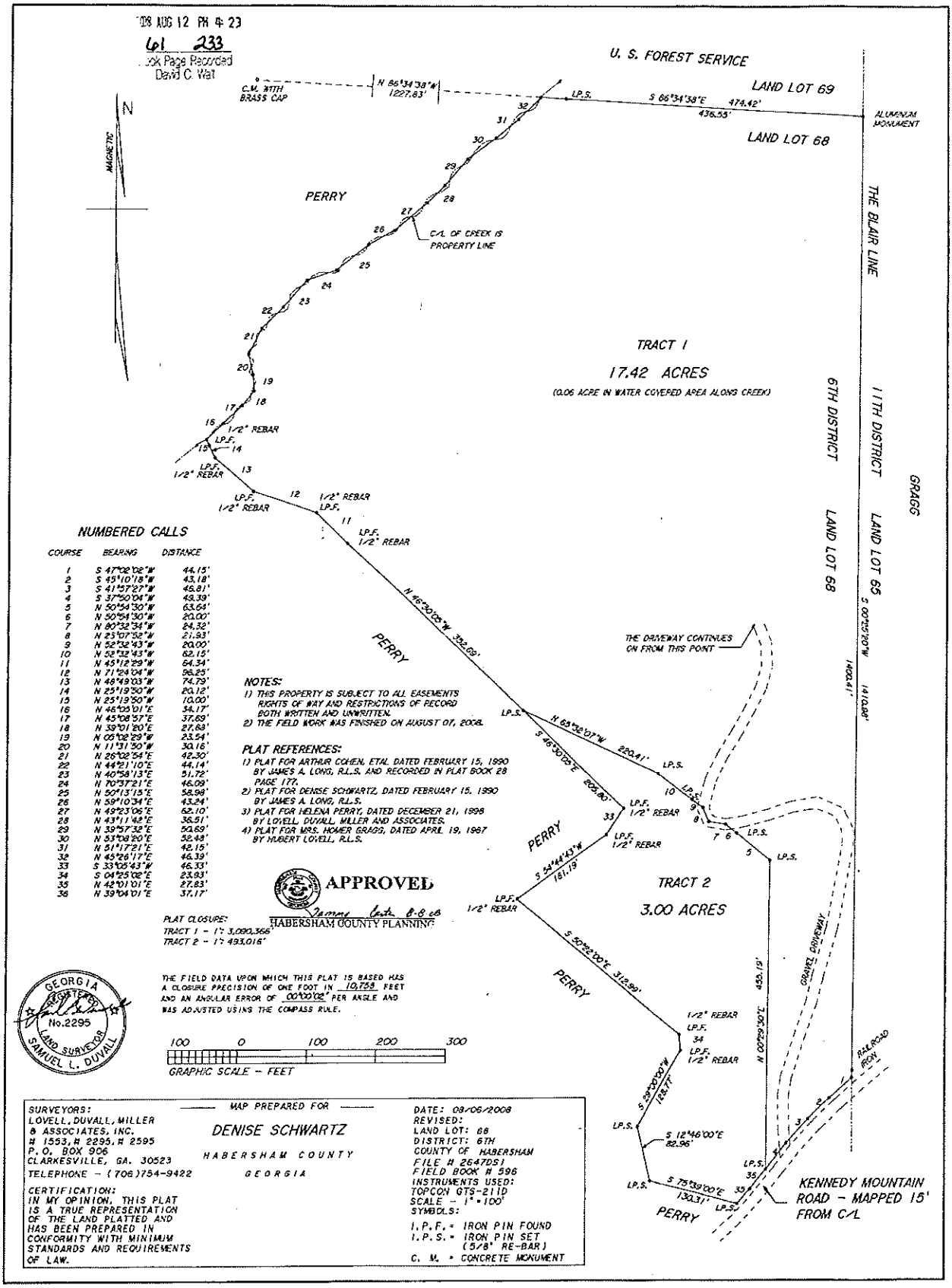

eFiled & eRecorded
DATE: 5/20/2021
TIME: 3:29 PM
PLAT BOOK: 00071
PAGE: 00208
RECORDING FEES: $10.00
PARTICIPANT ID: 4377056121
CLERK: David C Wall
HABERSHAM County, GA
THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT
REFERENCE: DEED BOOK 1068, PAGE 634
PLAT BOOK 28, PAGE 177
PLAT BOOK 41, PAGE 135
PLAT BOOK 45, PAGE 268
GEORGIA REGISTERED No. 3231 PROFESSIONAL LAND SURVEYOR W. JONATHAN ROLADER
THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECREATION OF THIS PLAT DOES NOT SATISFY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.
W. JONATHAN ROLADER RLS 3231
BASIS OF BEARINGS S89°47'00"E
1729.24'
APPROXIMATE LAND LOT LINE
L.L. 69
L.L. 68
U.S.F.S. TRACT S-1341
TRACT W-2289
N34°30'44"W 134.75'
N27°10'52"W 68.59'
N01°39'18"W 77.80'
ALICE SLOON D.B. 191, PG. 1
NOW OR FORMERLY DAVID B. FOSTER D.B. 913, PG. 478
OLD ROAD IS 9' SOIL
52.87 ACRES
NOW OR FORMERLY JEFF ALLEN D.B. 1113, PG. 902
NOW OR FORMERLY DENISE JOHNSTON D.B. 235, PG. 145
NOW OR FORMERLY SUSAN A. TOMBARELLO D.B. 1157, PG. 950
NOW OR FORMERLY ANN KENNEDY D.B. 605, PG. 735
NOW OR FORMERLY RICKY DESMORE LISA DESMORE D.B. 235, PG. 222
KENNEDY MOUNTAIN ROAD
10' GRAVEL
10' PAVEMENT
10' SOIL
CREEK
PAVEMENT
DECK
GARAGE
CARPORT
BARN
WELL
UTILITY POLE
POWER LINE
MARKED & PAINTED
LEGEND
POB = POINT OF BEGINNING
IPF = IRON PIN FOUND (FF)
IPS = IRON PIN SET WITH CAP(PS)
PL = PROPERTY LINE
R/W = RIGHT OF WAY
FENCE
UP = UTILITY POLE
POWER LINE
POWER & TELEPHONE
L.L.L. = LAND LOT LINE
L.L. = LAND LOT
CONC MONUMENT FOUND
BL = BUILDING LINE
CL = CENTER LINE
POC = POINT OF COMMENCEMENT
O/S = OFF SET
D/B = DEED BOOK
P/B = PLAT BOOK
PG = PAGE
RB = REBAR
OT = OPEN TOP
AI = ANGLE IRON
TP = TELEPHONE PEDESTAL
W = WELL
N/C = NAIL & CAP SET
C = CALCULATED POINT
UGT = UNDERGROUND GAS TANK
WV = WATER VALVE
TR = TRANSFORMER
S = SEWER MANHOLE
CO = CLEANOUT
N
PLAT NORTH-PLAT BOOK 28, PAGE 177
CALLS FROM 'A' TO 'B'
CALLS FROM 'B' TO 'C'
CALLS FROM 'C' TO 'D'
CALLS FROM 'D' TO 'E'
CALLS FROM 'E' TO 'F'
CALLS FROM 'F' TO 'G'
CALLS FROM 'G' TO 'H'
GRAPHIC SCALE
(IN FEET)
1 inch = 150 ft.
A LEICA TS 05 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 16,363 FEET AND AN ANGULAR ERROR OF 03 PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES RULE METHOD.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 272,721 FEET.
GRANTOR: HELENA J. PERRY REVOCABLE TRUST 8735 KENNEDY MOUNTAIN ROAD
RETRACEMENT SURVEY FOR
JAMES W. DRAPER
SCALE: 1" = 150'
DATE: MAY 5, 2021
52.87 ACRES
DRAWN: LOR 5/6/21
C.C. WJR
LOCATED IN LAND LOT 68, 6TH LAND DISTRICT
HABERSHAM COUNTY, GEORGIA
APPALACHIAN SURVEYING COMPANY, INC. LSF000282
P.O.BOX 117
MOUNTAIN CITY, GEORGIA 30562 (706)746-2625
DRAWING NUMBER 21-160

08 AUG 12 PM 4:23

61 233

Book Page Recorded

David C. Wat



NUMBERED CALLS

COURSE	BEARING	DISTANCE
1	S 47°02'02"W	44.15'
2	S 45°10'18"W	43.18'
3	S 41°57'27"W	46.81'
4	S 37°50'04"W	49.39'
5	N 50°54'30"W	63.64'
6	N 50°54'30"W	20.00'
7	N 80°32'34"W	24.32'
8	N 23°07'52"W	21.93'
9	N 52°32'43"W	20.00'
10	N 52°32'43"W	62.15'
11	N 45°12'29"W	64.34'
12	N 71°24'04"W	96.25'
13	N 48°49'03"W	74.79'
14	N 25°19'50"W	20.12'
15	N 25°19'50"W	10.00'
16	N 46°05'01"E	34.17'
17	N 45°08'57"E	37.69'
18	N 39°01'20"E	27.68'
19	N 05°08'29"W	23.54'
20	N 11°31'50"W	30.16'
21	N 26°02'54"E	42.30'
22	N 44°21'10"E	44.14'
23	N 40°58'13"E	51.72'
24	N 70°37'21"E	46.09'
25	N 50°13'15"E	58.98'
26	N 39°10'34"E	43.24'
27	N 49°23'06"E	62.10'
28	N 43°11'42"E	38.51'
29	N 39°57'32"E	50.69'
30	N 53°08'20"E	58.48'
31	N 51°17'21"E	42.15'
32	N 45°26'17"E	46.39'
33	S 33°05'43"W	46.33'
34	S 04°25'02"E	23.93'
35	N 42°01'01"E	27.83'
36	N 39°04'01"E	37.17'

NOTES:

1) THIS PROPERTY IS SUBJECT TO ALL EASEMENTS RIGHTS OF WAY AND RESTRICTIONS OF RECORD BOTH WRITTEN AND UNWRITTEN.
2) THE FIELD WORK WAS FINISHED ON AUGUST 07, 2008.

PLAT REFERENCES:

1) PLAT FOR ARTHUR COHEN, ETAL DATED FEBRUARY 15, 1990 BY JAMES A. LONG, R.L.S. AND RECORDED IN PLAT BOOK 28 PAGE 177.
2) PLAT FOR DENISE SCHWARTZ, DATED FEBRUARY 15, 1990 BY JAMES A. LONG, R.L.S.
3) PLAT FOR HELENA PERRY, DATED DECEMBER 21, 1998 BY LOVELL, DUVALL, MILLER AND ASSOCIATES.
4) PLAT FOR MRS. HOMER GRAGG, DATED APRIL 19, 1967 BY HUBERT LOVELL, R.L.S.

APPROVED

Jimmy Cato 8-8-08

HABERSHAM COUNTY PLANNING

PLAT CLOSURE:
TRACT 1 - 1: 3,090,366'
TRACT 2 - 1: 493,016'

GEORGIA REGISTERED No.2295 LAND SURVEYOR SAMUEL L. DUVALL

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,758 FEET AND AN ANGULAR ERROR OF 00°00'02" PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.

100 0 100 200 300
GRAPHIC SCALE - FEET

SURVEYORS:
LOVELL, DUVALL, MILLER & ASSOCIATES, INC.
1553, # 2295, # 2595
P.O. BOX 906
CLARKESVILLE, GA. 30523
TELEPHONE - (706)754-9422

CERTIFICATION:
IN MY OPINION, THIS PLAT IS A TRUE REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

MAP PREPARED FOR

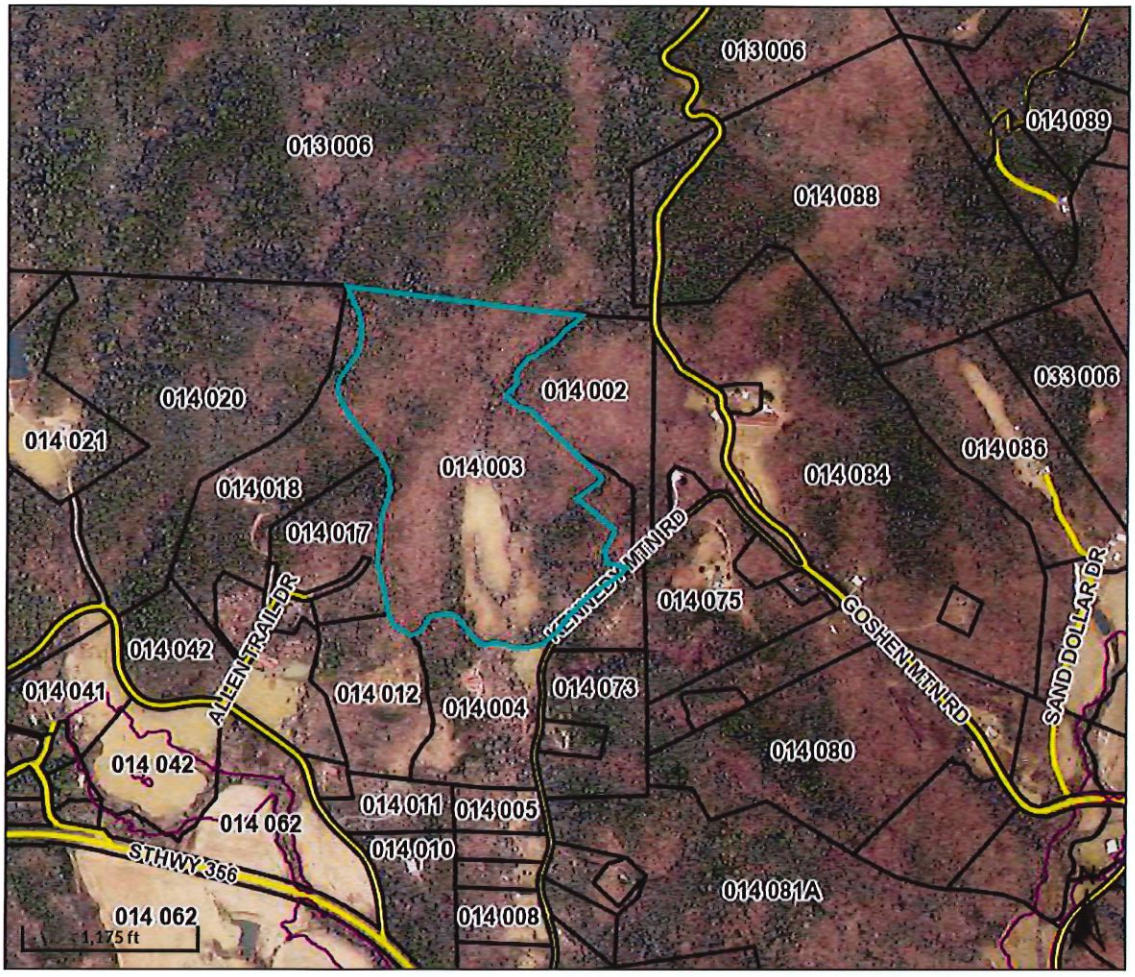
DENISE SCHWARTZ

HABERSHAM COUNTY

GEORGIA

DATE: 08/06/2008
REVISED:
LAND LOT: 68
DISTRICT: 6TH
COUNTY OF HABERSHAM
FILE # 2647DS1
FIELD BOOK # 596
INSTRUMENTS USED:
TOPCON GTS-211D
SCALE - 1" = 100'
SYMBOLS:
I.P.F. = IRON PIN FOUND
I.P.S. = IRON PIN SET (5/8" RE-BAR)
C. M. = CONCRETE MONUMENT

qPublic.net™ Habersham County, GA





Legend

- Parcels
- Roads
- Flood Map

Parcel ID	014 003	**Alternate ID**	372889	**Owner Address**	DRAPER JAMES WILLIAM JR &
Sec/Twp/Rng	n/a	**Class**	Consv Use		DRAPER DIANE K
Property Address	735 KENNEDY MOUNTAIN RD	**Acreage**	52.87		1040 MONROE HWY
					BETHLEHEM, GA 306203412

District COUNTY

Brief Tax Description 6-68 PB 28-177 PB71-208 DB 1296-525
(Note: Not to be used on legal documents)

Flood Map Disclaimer: The data shown is provided as a reference only and does not imply accuracy with regard to horizontal or vertical location. This data is not to be employed to determine any base flood elevations for National Flood Insurance.

FEMA provides access to the National Flood Hazard Layer (NFHL) through web mapping services. The NFHL is a computer database that contains FEMA's flood hazard map data. The simplest way for you to access the flood hazard data, including the NFHL, is through FEMAs Map Service Center (MSC). If you want to explore the current digital effective flood hazard data in a map, the best tool to use is the NFHL Viewer. From the NFHL Viewer, you may view, download, and print flood maps for your location

Date created: 3/31/2025
Last Data Uploaded: 3/30/2025 11:48:29 PM

Developed by SCHNEIDER GEOSPATIAL