

HABERSHAM COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: Map Amendment Application Z-25-03

DATE: June 4, 2025

☒ **RECOMMENDATION**
☐ **POLICY DISCUSSION**
☐ **STATUS REPORT**
☐ **OTHER**

BUDGET INFORMATION: N/A
ANNUAL-
CAPITAL-

COMMISSION ACTION REQUESTED ON: June 16, 2025

PURPOSE: Present to the Board application Z-25-03: Judy Haney has applied for a map amendment to rezone 1.0 acres from AG, Agricultural District to LI, Light Intensity District at 1650 Fred Pitts Road (tax parcel 040 078G).

BACKGROUND / HISTORY:

1. The applicant owns 10.0 acres at 1650 Fred Pitts Road. They want to give some property to one of their children to build a future single-family home on their property.
 2. The area is in the Rural Character Area in the Comprehensive Plan which recommends LI District uses.
 3. The AG District has a minimum lot size of 3 acres. They want to rezone a portion to allow for a one-acre parcel.
 4. The surrounding area is largely developed with single-family homes, agricultural and undeveloped properties.
 5. The Planning Commission really had no concerns about the map amendment but did express concerns about the few commercial uses allowed in the LI District. They did not want to inadvertently allow small commercial uses in the area.
 6. There were no citizens, other than the applicants, at the meeting to speak in favor or opposition of the request.
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FACTS AND ISSUES: **FACTS AND ISSUES:** The Planning Commission forwards this application to the Board with a recommendation of Approval with Conditions.

- a. The uses are restricted to the residential uses allowed in the LI District as listed in the CLDO.
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OPTIONS: The Board of Commissioners could act on this application as follows:

1. Approval of the request with conditions as recommended by the Planning Commission;
 2. Denial of the request as submitted;
 3. Commission defined alternative.
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RECOMMENDED SAMPLE MOTION: I move to approve Map Amendment Z-25-03 with conditions as recommended by the Planning Commission.

DEPARTMENT:

Prepared by: Mike Beecham

Director _____

**ADMINISTRATIVE
COMMENTS:** _____

County Manager

DATE: _____



HABERSHAM COUNTY

Planning & Development

130 Jacob's Way, Clarkesville, GA 30523

706-839-0140

www.habershamga.com

Habersham County Planning Commission Map Amendment

Staff Report

APPLICATION NUMBER: Z-25-03

REQUESTED ACTION: Judy Haney is seeking a Map Amendment to rezone a parcel from **Ag -Agriculture** to **LI - Low Intensity**. The tract is located at 1650 Fred Pitts Rd. and is further identified as Map 040 Parcel 078G.

PETITIONER:

Judy Haney
1650 Fred Pitts Rd.
Clarkesville, Ga. 30523

PROPERTY OWNER:

Same

EXISTING USE: Agriculture

PROPOSED USE: Low Intensity

LOCATION: 1650 Fred Pitts Rd.

PARCEL SIZE: 10 acres

MAP# 040 PARCEL(S)# 078G.

EXISTING & FUTURE LAND USE DISTRICT:

	Current Zoning District	Current Character Area
Parcel	AG	Rural
North	LI	Rural
East	AG	Rural
South	AG	Rural

MEETING DATES: Planning Commission: June 3, 2025

Board of Commissioners: June 16, 2025

PLANNING ANALYSIS:

1. **The existing land uses and zoning classification of nearby property;**
This parcel as well as adjoining properties all share the same character area of **Rural**. The parcel in the proposal is zoned AG – Agriculture and neighboring properties are zoned a mixture of LI – Low Intensity and AG - Agriculture.
2. **The suitability of the subject property for the zoned purposes;**
The configuration, size and intent are suitable for LI - Low Intensity.
3. **The extent to which the property values of the subject property are diminished by the particular zoning restrictions;**
An LI District will allow for the intended purpose. See Article VI Sec. 68-607 in the Habersham County CLDO.
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;**
Staff feels there is **no diminution of property values**. An LI district will help to maintain the value of properties in this area.
5. **The relative gain to the public, as compared to the hardship imposed upon the individual property owner;**
Relative gain and the relinquish of the hardship are both a result of the allowance of the zoning change.
6. **Whether the subject property has a reasonable economic use as currently zoned;**
Parcel has an economic use as a Low Intensity site and/or use.
7. **Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property;**
Proposed zoning is suitable in view of use and development of adjacent and nearby properties.
8. **Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;**
No adverse effects are expected on neighboring properties.
9. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan;**
The Comprehensive Plan identified this area as Rural. The proposed change will be in conformity with the CLDO.
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 proposal should not cause an excessive or burdensome use of existing infrastructure.
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;**
This proposal will not change the overall character of the area.

Staff Recommendation:

Judy Haney is seeking a Map Amendment to have their property rezoned. It is currently zoned AG – Agriculture and the owners are requesting that the tract be rezoned to LI – Low Intensity. According to Article VI Sec. 68-607 of the Habersham County CLDO, when a parcel is zoned AG – Agriculture the owner is held to a **3-acre minimum** for a residence. Rezoning the property to LI – Low Intensity will allow them to have only a **1-acre minimum** for any future residence(s). Staff feels that approval of this change should not interfere with the balance or harmony of the community. Therefore, Planning Staff recommends approval of **Z-25-03**.

☒ Approve as Submitted

☐ Denial

☐ Approval with Conditions

☐ Table

Planning Commission recommendation:

☐ Approved

☐ Denial

☐ Approval with Conditions

☐ Table

Board of Commissioners decision:

☐ Approved

☐ Denial

☐ Approval with Conditions

☐ Table

deadline 4-15-25



HABERSHAM COUNTY
GEORGIA | Est. 1818

HABERSHAM COUNTY

Planning & Development

130 Jacob's Way Clarkesville, GA 30523
706-839-0140 www.habershamga.com

APPLICATION TYPE: Variance: _____ Conditional Use: _____ Map Amendment: ☒
[Check ☒ appropriate application(s)]

PLEASE BE ADVISED THIS FORM IS PUBLIC INFORMATION

Applicant / Primary Contact Judy R. Haney

Address [REDACTED] City [REDACTED] State [REDACTED] Zip [REDACTED]

Telephone # [REDACTED] Cell Telephone # () [REDACTED]

E-Mail [REDACTED]

Property Owner(s) [REDACTED]

Address [REDACTED] City [REDACTED] State [REDACTED] Zip [REDACTED]

Telephone # [REDACTED] Cell Telephone # () [REDACTED]

E-Mail [REDACTED]

Agent: _____

Address _____ City _____ State _____ Zip _____

Telephone # () _____ Cell Telephone # () _____

E-Mail _____

Location (Street Address) of Property: 1650 fred pitts rd

Acreage of Site: 10 Tax Map & Parcel#: 040 0786 Existing LUI District: AG

Action Requested: rezone parcel to LI

Cite Pertinent Section(s): _____

Existing Use: _____

Proposed Use: additional single family residence in future

APPLICATION PROCESS FEE: \$300.00

RECEIVED
APR 10 2025
BY: t. dills



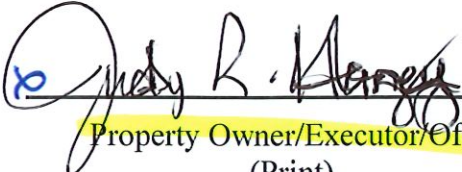
HABERSHAM COUNTY

Planning & Development

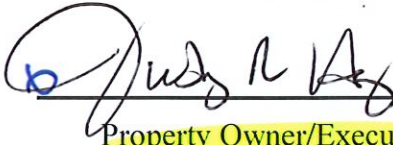
130 Jacob's Way Clarkesville, GA 30523
706-839-0140 www.habershamga.com

PROPERTY OWNER'S CERTIFICATION

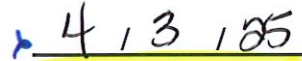
I hereby certify that I am the owner of the property described in the attached legal description, that all information contained in this application is true and correct to the best of my knowledge, and that the applicant and/or agent listed below is authorized to act as the applicant and/or agent in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



Property Owner/Executor/Officer
(Print)



Property Owner/Executor/Officer
(Signature)



Date of Signature

Authorized Agent
(Print)

Authorized Agent
(Signature)

Date of Signature



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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.

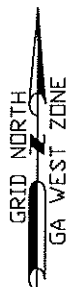
If you have made such contributions, you must provide the data required below within 10 days of filing this application.

Name of Official(s)	Office	Amount	Date of Contribution
☒ Judy R. Harney			1/1/
Applicant's Name (Please Print)			
☒ [Signature]			4, 3, 2025
Signature of Applicant			
Date of Signature			

LEGEND:
 I.P.F. IRON PIN FOUND
 I.P.S. IRON PIN SET (1/2" RB)
 RB REBAR
 P/L PROPERTY LINE
 C/L CENTERLINE
 INT. INTERSECTION
 R/W RIGHT OF WAY
 BULD BUILDING
 E POWER LINE
 X FENCE
 OTP OPEN TOP PIPE
 CTP CLOSED TOP PIPE
 CONC. CONCRETE

BLOCK IS RESERVED FOR THE
 CLERK OF SUPERIOR COURT

FIELD WORK COMPLETED: 05/30/2005
 PROPERTY IS SUBJECT TO ALL EASEMENTS,
 RIGHT OF WAYS, AND RESTRICTIONS OF
 RECORD WRITTEN OR UNWRITTEN.
 THIS SURVEY WAS MADE WITHOUT THE
 BENEFIT OF A CURRENT TITLE COMMITMENT.
 EASEMENTS AND ENCUMBRANCES MAY EXIST
 WHICH BENEFIT AND BURDEN THIS PROPERTY.
 THE LINEAR AND ANGULAR MEASUREMENTS SHOWN
 ON THIS PLAT WERE OBTAINED BY USING CARLSON
 BRU7 RECEIVERS BASE AND ROVER WITH CARLSON
 SURVPC SOFTWARE. THE RELATIVE POSITIONAL
 ACCURACY OBTAINED ON THE POINTS UTILIZED IN
 THIS SURVEY WERE LESS THAN OR EQUAL TO
 .004 HORIZONTAL AND .002 VERTICAL AND
 THE .99% CONFIDENCE LEVEL.
 THIS PLAT WAS CALCULATED FOR CLOSURE
 AND WAS FOUND TO BE ACCURATE WITHIN
 ONE FOOT .99241 FEET.



80' R/W
 FRED PITTS ROAD
 (CIV. ASPHALT RD)

CLAUD HANEY JR & ETAL
 DB 1094 PG 958
 PB 64 PG 74

CLAUD HANEY JR & ETAL
 DB 1094 PG 958
 PB 64 PG 74

1.00 ACRES

1. APPROVAL OF THIS PLAT BY LOCAL COUNTY BOARD OF HEALTH
 DOES NOT CONSTITUTE APPROVAL OF SEPTIC SYSTEM CONSTRUCTION
 FOR NEW LOTS OF RECORD.
2. ALL LOTS ARE SUBJECT TO THE HABERSHAM COUNTY BOARD OF
 HEALTH'S MINIMUM SEPTIC PERMITTING REQUIREMENTS.

DIVISION OF PARENT TRACT
 SURVEY FOR:
 CLAUD C. HANEY JR
 JUDY HANEY

LOCATED IN:
 LAND LOT 158 - 11TH DISTRICT
 HABERSHAM COUNTY, GEORGIA
 DATE: 05/20/2005
 SCALE: ONE INCH = 50 FEET



HOLCOMB SURVEYING
 158 HOLCOMB DR.
 DEMOREST, GEORGIA 30535
 TEL: 706-754-1875

As required by subsection(d) of O.C.G.A., this plat has been prepared by a
 land surveyor and approved by all applicable local jurisdictions for recording
 as evidenced by approved certificates, signatures, stamps, or statements hereon.
 Such approvals or affirmations should be confirmed with the appropriate
 governmental bodies by any purchaser or user of this plat as to intended use
 of any parcel. Furthermore the undersigned land surveyor certifies that this plat
 complies with the minimum standards of 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.



040 047

040 046 157 FRED PITTS RD

040 079A

1729 FRED PITTS RD
040 079B

040 079

1730 FRED PITTS RD

1670 FRED PITTS RD

040 078G

1650 FRED PITTS RD

1653 FRED PITTS RD

040 078A

1584 FRED PITTS RD

040 078B

040 078

349 AUNT'S RD

281 AUNT'S RD

040 078

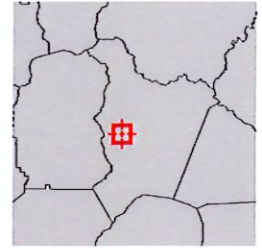
1493 SUTTON RD

040 078

AUNT'S RD



Overview



Legend

-  Parcels
-  Roads
-  Flood Map

Parcel ID	040 078G	Alternate ID	487056	Owner Address	HANEY CLAUD C JR & ETAL
Sec/Twp/Rng	n/a	Class	Residential		1650 FRED PITTS RD
Property Address	1650 FRED PITTS RD	Acreage	10.0		CLARKESVILLE, GA 30523
District	COUNTY				
Brief Tax Description	11-158 PB 64-74 DB 1094-958				
	(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 [FEMA's 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: 4/15/2025

Last Data Uploaded: 4/15/2025 12:32:16 AM

Developed by  **SCHNEIDER**
GEOSPATIAL