

Rezone for Proposed Tract 3 and Tract 4
Existing Parcel 281 001B
REPORT

This report is intended to support the application to rezone the proposed parcels identified as Tract 3 and Tract 4 on the attached subdivision plat. This rezone shall be for the two parcels located in the County. The other parcels shown on the plat are not included in this application. A proposed subdivision plat is attached and legal descriptions for Tract 3 and Tract 4 are included in Exhibit F.

The proposed subdivision and rezone area contains 30 acres total. Tract 4 is 10.0 acres and Tract 3 is 20.0 acres. The existing Parcel 281 001B is currently split between Athens Clarke County and The City of Winterville and is 71.544 acres in total. It is split zoned with the County portion zoned AR and the balance within the City zoned R18H. This application shall focus on the portion located in the County as the City portion shall remain unaltered. Parcel 281 001B and the proposed area to be subdivided into the 30 acres total has a Future Land Use of Rual.

The subject Tracts are surrounded by a mixture of uses which some are undeveloped parcels with primarily wooded nature. Parcel 281 001D to the North is a single family residence along with Parcel 281 010C to the West across Charlie Bolton Road. Charlie Bolton Road bounds the subject tracts to the West. The subject parcel has been used as farm land and is mostly fenced in pasture with a small area of trees along the Eastern boarder. The Parcels to the south shall remain a cattle and poultry farm. There are no existing structures on the subject tracts as all structures shall remain as part of the existing parcel.

The owner wishes to rezone the subject tracts to C-R. This will not require a change of the Future Land Use because this zoning is compatible with the FLU Map. The balance of the property shall remain the existing zoning and requires no change to the FLU Map.

The owner wishes to develop the property for a Church. The current zoning of AR allows churches only by Special Use Plan; therefore, this request is a Type II rezone to C-R with no conditions and no change to the current Future Land Use. The subject parcel would be developed following the Athens Clarke County Code of Ordinances for the proposed zone. This church is an existing church that has been meeting in the City of Winterville Marigold Auditorium for Arts and Culture and the Winterville Cultural Center for the past 4 years. This rental space has been a meaningful and intentional place to grow and establish this church. However, this church has been blessed to grown to a member number that requires meeting for two services in this location. The mission statement of the church is "to connect All People to a growing relationship with Jesus." The church leadership feels the purchase and rezone of these Tracts are the next steps to create a permanent home for the church right where this church started. The proposed development will allow for greater auditorium capacity and accessory uses.

There are no environmental areas on or near this property. Refer to Exhibits B, C and D for the Zoning and Future Land Use for the subject parcel and surrounding parcels. Refer to the attached draft subdivision plat and Exhibit A for the proposed tracts of the subject parcel.

The development of this parcel under a C-R zoning will create an isolated district in the Zoning map but not in the Future Development Map. The proposed use of this parcel will not create a hot spot of activity that may create a nuisance to the neighbors since the rezone is compatible with the future uses. While these tracts shall be the only CR in the zoning map for this area, CR is a congruent zone with the surrounding AR.

The proposed rezoning will not adversely affect the balance of the land uses in Athens-Clarke County since the parcel shall remain a "rural" zone. The surrounding area is developing in proportionate commercial and residential uses. The C-R rezone allows this parcel to be developed in compatibility with those surrounding it.

The rezone should not affect the provision of services in the area. The indented use should not adversely effect the existing infrastructure's ability to support the agricultural and residential uses of the local area. Any infrastructure required to support the development on this property is being provided by the owner/developer. Water infrastructure will be extended within the parcel for use of both potable water and fire suppression of the proposed use.

The proposed use on this parcel appears to meet all objective criteria set forth for that use in the zoning regulations. No variances or special conditions are required to develop the property under C-R zoning regulations. C-R zoning conforms to the purpose and intent of the Future Land Use Map for this area.

The existing land use pattern surrounding the property is a mix of residential, undeveloped forest, and agricultural properties of varying densities. The intent of this rezone is to develop the property as a church that will conform to all applicable Athens Clarke County Ordinances. The surrounding parcels are a mix of Athens Clarke County Zoning and City of Winterville Zoning. All the parcels to the North, East, and West are in the County and are Zoned AR. The parcels to the South are zoned R18H as shown on the City of Winterville Zoning Map. While the proposed rezone for the subject parcel may be construed as creating an isolated district, it is, in effect, not. The C-R Zone is compatible with the zonings surrounding the parcel.

The population density pattern for the area is increasing in density. The existing roads in the area are developed to handle the required density. Since this is a church with the peak use on Sundays and Wednesdays evenings it is not expected that streets shall be overtaxed. A review of the project was performed by Athens Clarke County Traffic Engineering and it was determined that a Traffic Impact Analysis was not required for this project. Since the peak hours shall not align with the typical peak hours for work and school, this requested use shall not create additional stress on the existing roadway infrastructure.

A capacity evaluation has been performed by Athens-Clarke County Public Utilities Department for the estimated peak water demand for this development. It has been determined that water capacity is available. See the approval letter in Exhibit E. The Department of Environmental health has been consulted concerning the septic system required for this development and are in agreement that there is sufficient usable area on the development for the system. Soils testing shall confirm the exact location and size, but this system is below the 1,200 gallons per day per acre maximum allowed. This development is also below the 10,000 total gallons per day threshold and shall not be required to be reviewed by EPD.

Since no new residential units are created as part of this development, there shall be no increase in the number of children attending Clarke County schools.

There are no environmental impacts on this property due to development except during construction. The impact will be mitigated by application of current ACC ordinances for Erosion Sedimentation and Pollution Control as well as the Georgia Stormwater Management Manual. No reduction in air quality is anticipated during or after this development.

The proposed zoning amendment will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.

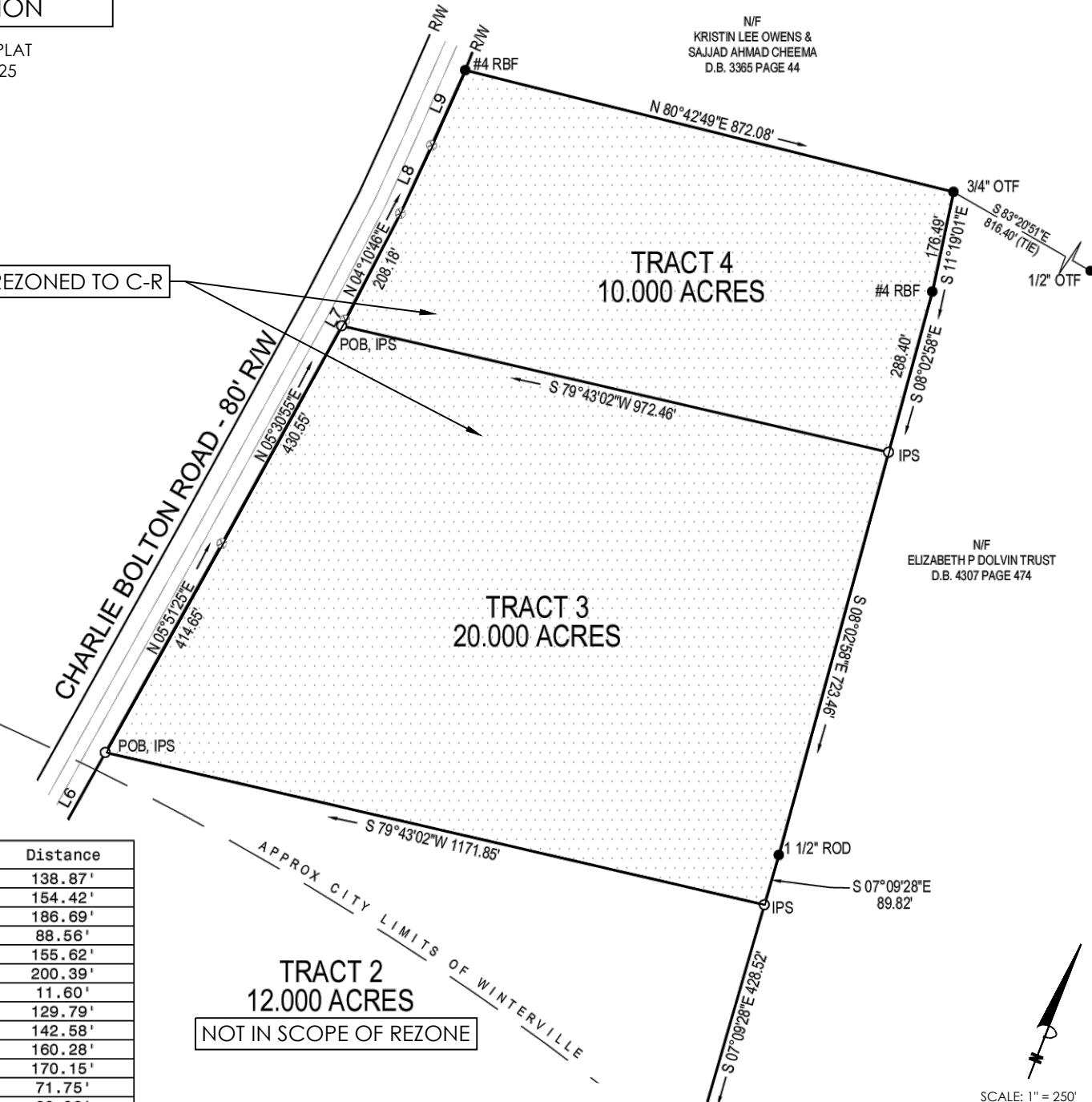
The current AR zone has restrictive commercial uses and almost all of which are not feasible to develop on the subject tracts. While a church may be allowed in this zone, it is by special use permit only. This zone also only allows for 20% coverage of the parcel with impervious surfaces. A variance would have to be approved as part of the Special Use Plan to increase the coverage. After review with ACC Planning Staff, it was determined that the Special Use process with variance would not be the optimal course of action. This rezone is a more direct process to obtain the desired use while also limiting the impact to the surrounding parcels. The CR zone will allow a church by right while also allowing an acceptable level of coverage for the intended use.

The aesthetic effect of existing and future use of the property as it relates to the surrounding area is relatively unchanged whether the property is rezoned C-R or remains AR. Both Zones require large open spaces and areas of a vegetative nature while largely limiting the impervious surfaces allowed. It would be possible to construct agricultural buildings of similar size to the proposed use on the existing zone, but of less appealing architecture on this lot. The Rezone will require structures and the site layout to conform to the general requirements set forth in the ordinance for the proposed zone. Allowing these subject tracts to be rezoned to C-R allows the intended use by right while also limiting the impact to the surrounding parcels.

PROPOSED SUBDIVISION

PORTION OF THE SUBDIVISION PLAT
PREPARED BY SPG DATED 10.1.25

TRACTS TO BE REZONED TO C-R



ENGINEERS
ARCHITECTS
PLANNERS
amt
Armentrout • Matheny • Thurmond

255 SMITHONIA ROAD
REZONE APPLICATION
255 SMITHONIA ROAD
WINTERVILLE, GEORGIA 30683

EXHIBIT
A
PROPOSED
SUBDIVISION

OMBROOK CORPORATE CAMPUS
339 RIVERCAMP DRIVE, SUITE A240
ATHENS, GEORGIA 30605 (706) 546-8211
FAX: (706) 546-1114
www.ambat.com

CURRENT ACC ZONING MAP

AR

AR

AR

AR

R18H

R18H

R18H

- 6 -

R18H

R18H

AR

Smithsonian

TRACTS TO BE REZONED TO C-R

Smithfield/Riverside & Sons Creek Yards

Spring Leaf Tip

SCALE: NTS

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OAKBROOK CORPORATE CAMPUS
330 RESEARCH DRIVE, SUITE A240
ATHENS, GEORGIA, USA 30605-2760
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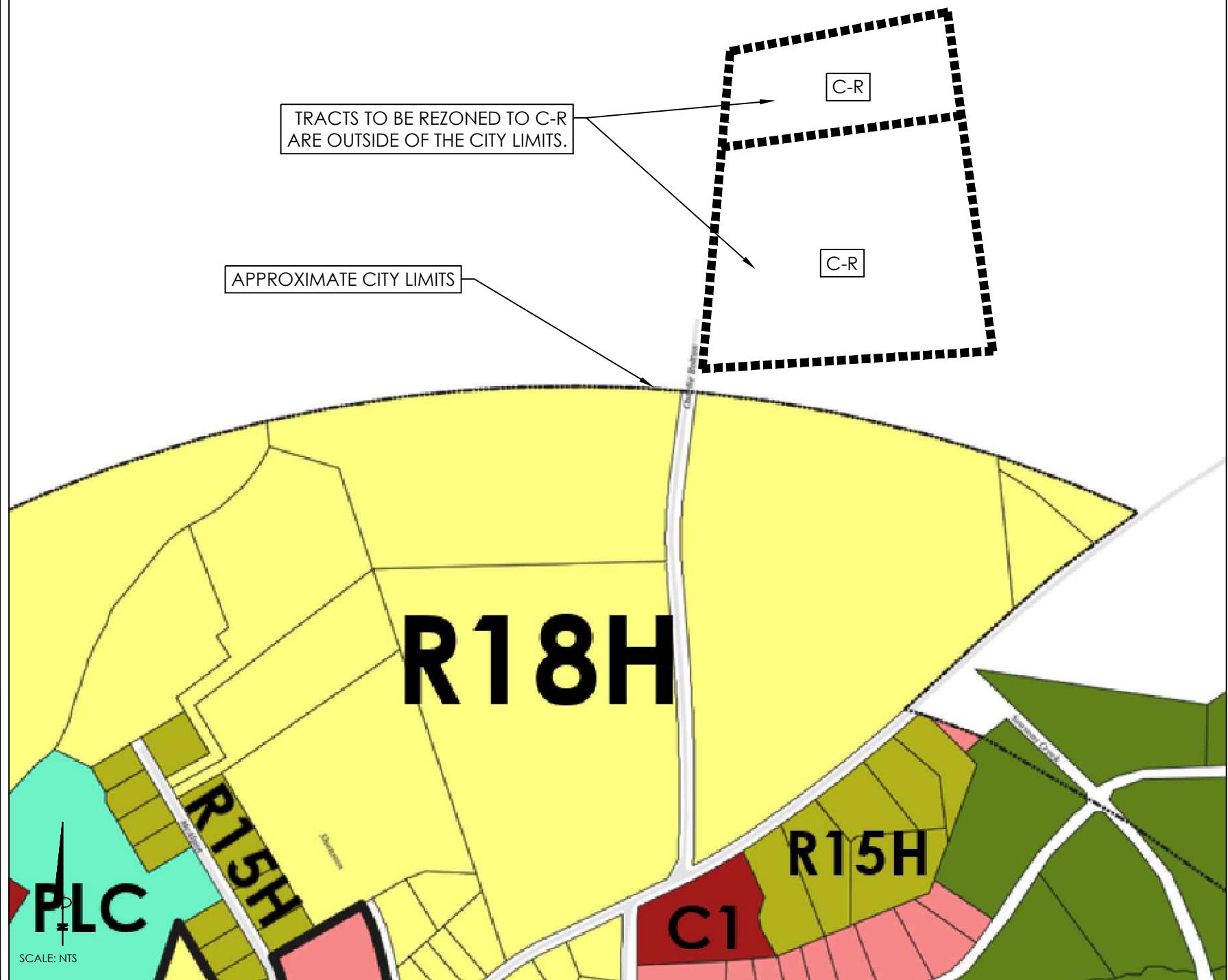
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EXHIBIT
B

CURRENT CITY OF WINTERVILLE ZONING MAP



OAKBROOK CORPORATE CAMPUS
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FUTURE LAND USE MAP



OMNIBOOK CORPORATE CAMPUS
339 RESEARCH DRIVE, SUITE A240
ATHENS, GEORGIA USA 30605-2760
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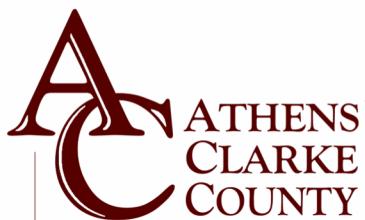
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WINTERVILLE, GEORGIA 30683

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10/20/2015 10:52:55 AM



September 30, 2025

Chase T. Zech, P.E.
Armentrout Matheny Thurmond PC
330 Research Drive, Suite A240
Athens, GA 30605

Re: Water Evaluation
255 Smithonia Rd, Winterville GA

Dear Mr. Zech:

Per your request, the Public Utilities Department evaluated the water capacity for the above referenced project. This evaluation was made utilizing the following criteria and/or assumptions:

1. Development Type: Commercial
2. Domestic Water Demand: Commercial = 4,905 GPD Total
3. The Athens-Clarke County water system's available fire flow (AFF) capacity to serve this project is currently limited to 1,500 GPM

As of this date, the Athens-Clarke County water system does have capacity available to serve the proposed development with water based on the above referenced demands.

The Unified Government of Athens-Clarke County does not reserve utility line capacity for this or any other development. This evaluation is valid for one (1) year from the date of this letter. Service capacity is committed to a particular development only, when the owner/developer secures a building permit for the Athens-Clarke County Building Permits and Inspection Office.

This evaluation is based on information you provided. If the development requires rezoning or is not compatible with the Athens-Clarke County Land Use Plan an additional evaluation may be required.

ENGINEERING MANAGEMENT

124 E. Hancock Ave. * P.O. Box 1868 * Athens, Georgia 30601 - 1868
(706) 613-3490



FAX (706) 613-3198

Page 2 of 2
Chase T. Zech, P.E.
255 Smithonia Rd

September 30, 2025

Please be aware that the Athens-Clarke County Fire Marshal is responsible for determining and approving the Needed Fire Flow (NFF) for the proposed development. You should contact the Fire Marshal for a determination of the NFF to insure that the NFF does not exceed the Available Fire Flow (AFF).

If an extension(s) is required to obtain utility service from the public system, the extension(s) will be at the sole responsibility and expense of the property owner/developer. Permanent easements conveying ownership, operation, and maintenance responsibility of the utility lines and meters to the Unified Government of Athens-Clarke County are required for any extension.

If you have any questions or need additional information, please call.

Sincerely,



Joel D. Phillips
Interim Engineering Administrator

Cc: Hollis Terry IV, Director
Hugh Ogle, Assistant Director of Linear
Matt Adamson, Assistant Director of Engineering
Bruce Lonnee, Planning Director
Richard Vaughn, Fire Marshall
Office File

JP

LEGAL DESCRIPTION: TRACT "3"

255 Smithonia Road Winterville Ga

All that tract or parcel of land lying and being in 220th G.M.D., Clarke County, Georgia as shown on a subdivision survey prepared by SPG for Randy Williams, dated October 1st, 2025 and being shown as "Tract 3" being more particularly described as follows:

Commencing at the 1/2" Iron Pin Set as the Point of Beginning (POB) as shown on the South West corner of Tract 3 along the Charlie Bolton Right of way, THENCE North 5 degrees 51 minutes 25 seconds East for a distance of 414.65 feet to a calculated point

Thence North 5 degrees 30 minutes 55 seconds East for a distance of 430.55 feet to a 1/2" iron pin set also being the Point of Beginning for Tract 4.

Thence leaving the right of way of Charlie Bolton Road North 79 degrees 43 minutes 02 seconds East for a distance of 972.46 feet to a 1/2" iron pin set

Thence South 08 degrees 02 minutes 58 seconds East for a distance of 723.46 feet to a 1 1/2" iron rod. Thence continue South 07 degrees 09 minutes 28 seconds East for a distance of 89.82 feet to a 1/2" iron pin set

Thence South 79 degrees 43 minutes 02 seconds West for a distance of 1171.85 feet to a 1/2" Iron Pin Set and said point being the POINT OF BEGINNING.

Said property contains 20.00 acres more or less.

LEGAL DESCRIPTION: TRACT "4"

255 Smithonia Road Winterville Ga

All that tract or parcel of land lying and being in 220th G.M.D., Clarke County, Georgia as shown on a subdivision survey prepared by SPG for Randy Williams, dated October 1st, 2025 and being shown as "Tract 4" more particularly described as follows:

Commencing at the 1/2" Iron Pin Set as the Point of Beginning (POB) as shown on the South West corner of Tract 4 along the Charlie Bolton Right of way, THENCE North 05 degrees 30 minutes 55 seconds East for a distance of 11.60 feet along L7 to a calculated point. Thence North 04 degrees 10 minutes 46 seconds East for a distance of 208.18 feet to a calculated point. Thence North 01 degrees 15 minutes 55 seconds East for a distance of 129.79 feet along L8 to a calculated point. Thence North 00 degrees 48 minutes 44 seconds East for a distance of 142.58 feet along L9 to a #4 Rebar Found.

Thence leaving the right of way of Charlie Bolton Road North 80 degrees 42 minutes 49 seconds East for a distance of 872.08 feet to a 3/4" iron pin found.

Thence South 11 degrees 19 minutes 01 seconds East for a distance of 176.49 feet to a #4 Rebar found. Thence continue South 08 degrees 02 minutes 58 seconds East for a distance of 288.40 feet to a 1/2" iron pin set

Thence South 79 degrees 43 minutes 02 seconds West for a distance of 972.46 feet to a 1/2" Iron Pin Set and said point being the POINT OF BEGINNING.

Said property contains 10.00 acres more or less.