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STAFF REPORT

From the Department of Community Development

May 7, 2026

CASE NUMBER: ANNEX – 0052-2026

APPLICANT: CCRR Development

REQUEST: Annexation and zoning of 35.59 acres from R-AG (County) to R-3 Single Family Residential

LOCATION: Kings Chapel Road. Tax Map Parcel: 000820 01600

BACKGROUND INFORMATION: The applicant proposes to annex the entirety of the above-mentioned parcel into the City of Perry. It will be developed into a single-family residential subdivision, if approved. The lot is proposed to be zoned R-3, Single Family Residential.

The applicant asserts that there are no known covenants or restrictions on the subject property which would preclude the use permitted in the proposed zoning district.

STANDARDS FOR ESTABLISHING A ZONING CLASSIFICATION:

1. The existing land uses and zoning classifications of nearby property.

	Zoning	Land Use
North	R-AG (County)	Single Family Residential
South	R-2 Single Family Residential	Residential Subdivision
East	R-AG (County)	Agricultural - Undeveloped
West	R-AG (County)	Undeveloped

2. Does the proposed zoning classification comply with the Comprehensive Plan and other adopted plans applicable to the subject property?

The proposed zoning designation is compatible with the Suburban Residential character area within which the parcel is located. This character area is comprised of a mix of housing types, like townhouses, and walkable uses. This proposed zoning classification is also consistent with the City of Perry's Future Land Use Map where this parcel is identified as being suitable for medium density housing where R-3 zoning is identified as medium density. Staff believes this annexation would serve to bolster the variety of housing needs and support the City's comprehensive planning goals as expressed in the 2022 Joint Comprehensive Plan as well as Future Land Use Map.

3. Are all of the uses permitted in the proposed zoning classification compatible with existing uses on adjacent and nearby properties?

The proposed zoning designation is compatible with zoning in the area. The R-3 zoning allows for single-family dwelling units to be constructed in the existing residential area. Proposed residential development following this action will be required to meet all development standards for R-3 zoning as outlined in the Land Management Ordinance.

4. Will any of the uses permitted in the proposed zoning classification cause adverse impacts to adjacent and nearby properties?

There should be no adverse impacts on adjacent or surrounding properties. Traffic may increase, resulting from the new residential units, but estimates do not exceed what is expected for Kings Chapel Road.

5. Will any of the permitted uses and density allowed in the proposed zoning classification cause an excessive burden on existing streets, utilities, city services, or schools?

City emergency services, streets, and schools should not be negatively impacted by this development. A city sewer line divides the property into 2 halves. Applicants are required to submit letters outlining sewer demands, and Engineering Services will determine capacity availability during the development process. The improved infrastructure in the area has been undertaken to provide for this type of growth in the area. Staff considers the focus of this application to be to determine whether the proposed annexation and zoning designation align with the City's adopted Comprehensive Plan.

6. Are there existing or changing conditions in the area which support either approval or disapproval of the proposed zoning classification?

The city is consistently studying the best way to manage growth throughout the city limits. The results of these efforts include reviewing opportunities to annex properties into the city limits, streamlining services for residents, improving infrastructure, and maintaining the housing development patterns. Annexing and rezoning this property aligns with the city's comprehensive and future land use planning efforts as well as infrastructure improvements including the newly completed AE Harris Wastewater Reclamation Facility.

Staff Recommends: Approval of the application as submitted.



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Application # ANNX
0052-2026

Application for Annexation

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	CCRR Development	Maria Fugger / Connie Potter POA
*Title	Owner	
*Address	820A GA Hwy 247, Suite 1 Kathleen, GA 31047	PO Box 1382 Perry, GA 31069
*Phone	[REDACTED]	[REDACTED]
*Email	[REDACTED]	[REDACTED]

Property Information

*Street Address or Location	Kings Chapel Rd
*Tax Map #(s)	000820 01600
*Legal Description	A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available; B. Provide a survey plat of the property, tied to the Georgia Planes Coordinate System. **If the property being annexed is a portion of a recorded parcel, the portion being annexed must be a separate recorded parcel before this application will be accepted as complete.**

Request

*Current County Zoning District	A5 <u>RAG</u>	*Proposed City Zoning District	R3
*Please describe the existing and proposed use of the property <u>Note: A Site Plan and/or other information which fully describes your proposal may benefit your application.</u>			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential Zoning (R-Ag, R-1, R-2, R-3) - \$325.00 plus \$28.00/acre
 - Non-residential Zoning (other than R-Ag, R-1, R-2, R-3) - \$543.00 plus \$43.00/acre
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Annexation applications require an informational hearing before the planning commission and a public hearing before City Council. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- *The applicant must be present at the hearings to present the application and answer questions that may arise.
- *Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes No
If yes, please complete and submit a Disclosure Form available from the Community Development office.

8. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

9. *Signatures:

*Applicant		*Date 04/06/2026
*Property Owner/Authorized Agent <i>Connie Potter</i> <small>Connie Potter (Apr 6 2026 15:30:05 EDT)</small>		*Date 04/06/2026

Standards for Granting a Zoning Classification

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

- (1) Whether the proposed zoning classification complies with the Comprehensive Plan and other adopted plans applicable to the subject property.
- (2) Whether all of the uses permitted in the proposed zoning classification are compatible with existing uses on adjacent and nearby properties.
- (3) Whether any of the uses permitted in the proposed zoning classification will cause adverse impacts to adjacent and nearby properties.
- (4) Whether any of the permitted uses and density allowed in the proposed zoning classification will cause an excessive burden on existing streets, utilities, city services, or schools.
- (5) Whether there are existing or changing conditions in the area which support either approval or disapproval of the proposed zoning classification.



April 6, 2026

Ref: Annexation/Re-zoning Request for Tax Parcel 000820 016000

To Whom it May Concern,

CCRR Development is requesting the annexation and re-zoning of Parcel # 000820 01600 located on Kings Chapel Rd. The property is currently zoned RAG, in the county, and the applicant is requesting a zoning of R3 located in the City of Perry. The properties located to the north, east, and west are currently zoned RAG in the county. The property located to the south is a conservation subdivision zoned R-2. The applicant owns the property to the south and is planning on providing the same residential product that is in the adjacent subdivision. Access to the property will be an extension of one of the existing subdivision roads to the south of the subject property. There are no known covenants or restrictions pertaining to the property that would preclude the uses permitted in the proposed zoning district.

STANDARDS:

1. The future land use map has the current property shown as a medium-density residential area. A medium-density residential area includes zoning of R-2, R-3, R-TH, RM-1, R-MH, FBR, and PUD.
2. The uses permitted in the proposed zoning classification are compatible with existing uses on adjacent and nearby properties. Properties located to the north, east, and west are zoned residential ag. The property to the south is a R-2 subdivision, and the property adjacent to the southwest corner is an approved residential PUD development.
3. The permitted uses in the proposed zoning classification will not cause adverse impacts to adjacent and nearby properties. The proposed zoning and use is residential like the nearby properties.
4. The permitted use and density allowed in the proposed zoning classification will not cause an excessive burden on existing streets, utilities, city services or schools. The city has relayed that there is available drinking water and sanitary sewer capacity for the proposed property.
5. The proposed property goes along with the development that is currently happening along Kings Chapel Rd.

Best Regards,

Casey Graham, PE



Doc ID: 013440640002 Type: GLR
Recorded: 06/17/2014 at 04:55:22 PM
Fee Amt: \$136.60 Page 1 of 2
Transfer Tax: \$124.60
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk

BK **6585** PG **101-102**

After recording return to:

File No.: P'14-#293

WALKER HULBERT GRAY & MOORE, LLP
P. O. Box 1770 / 909 Ball Street
Perry, Georgia 31069
Attorney: DAVID P. HULBERT, JR.
chc # 58517

STATE OF GEORGIA
COUNTY OF HOUSTON

WARRANTY DEED

THIS INDENTURE, Made the 17th day of June, in the year two thousand fourteen (2014),
between

PARKWAY FARMS, LLC

a Georgia limited liability company, as party or parties of the first part, hereinafter called Grantor,

and **MARIA ELISABETH THUN-GRAEFIN FUGGER**

of the County of Houston and State of Georgia, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Other Good and Valuable Considerations and Ten (\$10.00) and NO/100-----DOLLARS, before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, alienated, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey or confirm unto the said Grantee, the following described property:

All that tract or parcel of land situate, lying and being in the 10th Land District of Houston County, Georgia, and in the East part of Land Lot 142, containing 94.60 acres, and having such shape, metes, bounds, courses and distances as are shown on plat of survey made by Rhodes Sewell, Surveyor, on April 23, 1940, a copy of said plat being of record in Map Book 1, Page 306, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 94.60 acres.

The above described property is the same property conveyed to Tom Chapman by Gus Bannister by Warranty Deed dated December 12, 1973, and recorded in Deed Book 427, Page 154, Clerk's Office, Houston Superior Court.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 142 of the 10th Land District of Houston County, Georgia, comprising 61.030 acres, according to plat of record recorded in Map Book 51, Page 174, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said 61.030 acres.

LESS AND EXCEPT all that tract or parcel of land situate, lying and being in Land Lot 142 of the 10th Land District of Houston County, Georgia, containing .0904 acres, known and designated as Parcel D according to that certain plat of survey of record in Map Book 52, Page 120, Clerk's Office, Houston Superior Court, which said plat is by this reference thereto incorporated herein for the purpose of a more particular and accurate description of said Parcel D.

BOOK 6585 PAGE 102

The above described property is ALSO the same property as Parcel No. 15 conveyed to Mae D. Chapman by Executor's Deed of Assent dated July 29, 2004 and recorded in Deed Book 3216, Pages 218-228, Clerk's Office, Houston Superior Court.

Reference: Map Code 82-16, comprising 33.47 acres, more or less.

ALSO CONVEYED is that certain 30.00' strip along Land Lot lines 143 and 144 and being more particularly described as follows: All that tract or parcel of land situate, lying and being in Land Lot 143 and 144 of the Tenth Land District of Houston County, Georgia, being known and designated as Tract "MC", comprising 2.11 acres, according to that certain plat of survey of said Property entitled "Survey for Estate of Mae D. Chapman", prepared by Jones Surveying & Engineering, Inc., certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated December 18, 2013, a copy of which is of record in Map Book 75, Pages 194, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

Said 30.00' strip described above is the same property as conveyed from The Board of Commissioners of Houston County, Georgia to H. David Moore in his capacity as Executor of the Last Will and Testament and the Estate of Mae D. Chapman, Deceased, dated December, 2013 and as recorded in the Clerk's Office, Houston Superior Court.

ALSO INCLUDED in this conveyance and subject to the terms therein, is a perpetual nonexclusive access easement over and across property owned by The City of Perry as evidenced by instrument dated March 14, 2014 and recorded in Deed Book 6511, pages 343-346, Clerk's Office, Houston Superior Court.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor warrants and will forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

PARKWAY FARMS, LLC

By: [Signature]
CHARLES R. AYER, Managing Member

(LLC Seal)

Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public

