



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development

April 4, 2025

CASE NUMBER: ANNX-0041-2025

APPLICANT: Matt Widner, Widner & Associates, Inc.

REQUEST: Annexation and Rezone of acres from RAG (County) to C-2, General Commercial

LOCATION: Main Street; Tax Map Numbers: 00310 032000, 000310 036000. Portion of 000310 033000

BACKGROUND INFORMATION: The applicant proposes to annex 3.15 acres of land into the City of Perry for proposed neighborhood commercial development. The lot is proposed to be zoned C-2, General Commercial.

There are no known covenants or restrictions on the subject property which would preclude the uses 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)	Undeveloped
South	R-AG (County)	Undeveloped
East	GU, Governmental Use/R-AG (County)	Heritage Oaks Park/undeveloped
West	PUD, Planned Unit Development	Houston Springs (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 the parcel is in. This area is characterized by a mix of housing types and walkable, commercial uses. Placing a commercial development in this area will increase services to the surrounding residents and walkability in the area.

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 C-2, General Commercial use allows for neighborhood-level retail and services. Uses in this designation should not cause a disruption to residents' experiences along Airport Road Ext.

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 as a result of the new commercial uses, but estimates do not exceed what is expected for this area. Buffering is required for commercial uses to insulate residents from noise and/or light coming from the commercial development.

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. Proximity to a GDOT-maintained highway may require additional traffic calming measures be implemented, as determined by GDOT. Sewer capacity in the area is limited but is currently being studied to determine whether accommodation is available.

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

The city is studying the best way to manage growth throughout the city limits. Part of that process is reviewing opportunities to annex "county island" properties into the city limits, streamlining services, sewer infrastructure, and maintaining the preferred density. Annexing and rezoning this property supports that effort.

Staff Recommends: Staff recommends approval of the application as submitted.

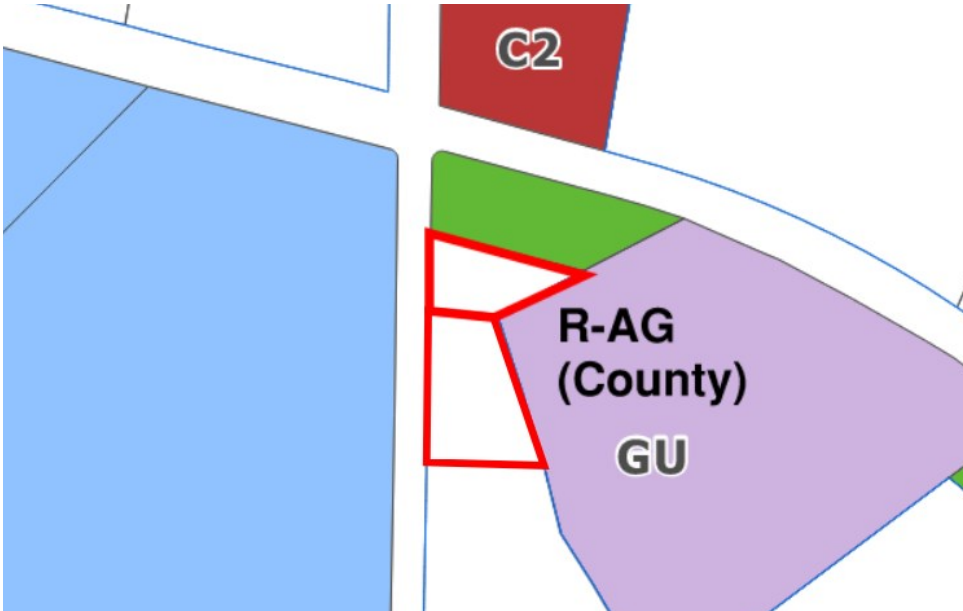


ANNX-0041-2025

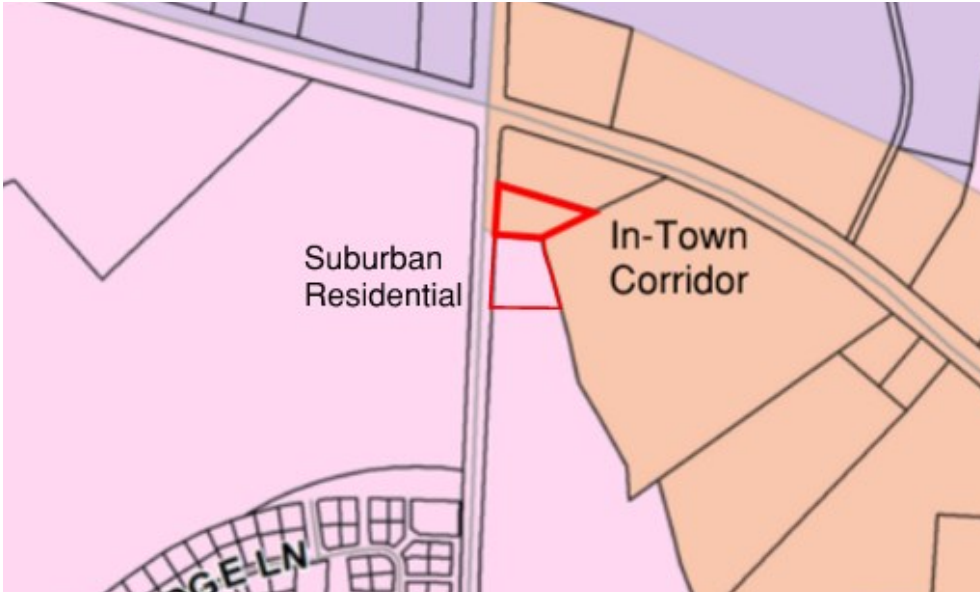
0 Airport Rd

Annex and Rezone from RAG to C-2

Aerial



Zoning



Character Area



Where Georgia comes together.

Application # Annex
0041-2025

Application for Annexation

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Matthew Widner/Widner & Associates, Inc.	KNS Place LLC
*Title	Representative	Owner
*Address	793 Poplar St. Macon, GA 31201	1115 Morningside Dr. Perry, GA 31069
*Phone	478-746-2010	478-714-2836
*Email	Matt@Widner-Assoc.com	soundappan2711@gmail.com

Property Information

*Street Address or Location	Airport Rd
*Tax Map #(s)	00310 032000, 000310 036000, Portion of 000310 033000
*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


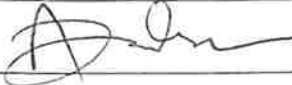
*Current County Zoning District	R1 - Tract 1, RAG - Tracts 2-4B	*Proposed City Zoning District	C-2
*Please describe the existing and proposed use of the property <u>Note: A Site Plan and/or other information which fully describes your proposal may benefit your application.</u>			
Existing: Undeveloped woodland area. Proposed: Neighborhood commercial development.			

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) - \$316.00 plus \$27.00/acre
 - Non-residential Zoning (other than R-Ag, R-1, R-2, R-3) - \$527.00 plus \$42.00/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 x
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 03/04/2025
*Property Owner/Authorized Agent 	*Date 3/3/2025

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.

March 3, 2025



City of Perry
1211 Washington Street
P.O. Box 2030
Perry, GA 31069

Subject: Airport Rd, Tract 2, 3 & 4-B, Houston Co, Commercial Development
Project Number: 7317-015-01

Dear Planning Commission,

Widner & Associates respectfully requests annexation and rezoning for the proposed residential development of the property.

Standards for Granting a Zoning Classification

(1) Whether the proposed zoning classification complies with the Comprehensive Plan and other adopted plans applicable to the subject property.

The property at the northeast corner of the intersection of Airport Road and Sam Nunn Blvd. is zoned C-2. This application is to request that the properties on the southeast corner of this same intersection of Airport Road and Sam Nunn Blvd. be rezoned to C-2 to support neighborhood commercial development.

(2) Whether all of the uses permitted in the proposed zoning classification are compatible with existing uses on adjacent and nearby properties.

The property to the north is the same zoning as requested in this application. The proposed is a development to support neighborhood commercial development ancillary to the residential communities.

(3) Whether any of the uses permitted in the proposed zoning classification will cause adverse impacts to adjacent and nearby properties.

The uses permitted in C-2 would not be adverse to adjacent properties. Property to the south is under the same ownership. To the north the zoning is the same for that parcel as proposed in this application. Additionally, the City ordinance creates buffering to mitigate commercial to adjacent residential parcels. These future commercial developments are intended to be integrated into the neighborhood and to provide supportive functions for the residents.

(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.

The proposed commercial development is not anticipated to create additional traffic to the area. Utilities and city services will be capable of accommodating future development. Schools will not be impacted.

March 3, 2025

(5) Whether there are existing or changing conditions in the area which support either approval or disapproval of the proposed zoning classification.

The additional homes constructed in the last several years or with proposed developments will support commercial development in the area.

Respectfully submitted,

Matthew T. Widner, RLA



793 Poplar Street
P.O. Box 102
Macon, GA 31202
(478) 746-2010
Fax (478) 746-0149
widner@widner-assoc.com
www.widner-assoc.com

LEGEND

- 1/2" REBAR SET
- 1/2" REBAR FOUND UNLESS OTHERWISE NOTED
- TP OPEN TOP PIPE FOUND
- △ CALCULATED CORNER
- CONCRETE MONUMENT FOUND
- RIGHT OF WAY
- BUILDING LINE
- PROPERTY LINE
- DRAINAGE EASEMENT
- UTILITIES EASEMENT
- SANITARY SEWER EASEMENT
- MANHOLE
- CATCH BASIN
- JUNCTION BOX
- DROP INLET
- HEADWALL
- ACRE
- PAVEMENT
- CREEK
- LAND LOT LINE
- FIRE HYDRANT
- FENCE LINE
- FINISH FLOOR ELEVATION
- POWER LINE
- POWER POLE
- CENTER LINE
- TEST HOLE
- SITE PLAN ENG. DEPT.
- SITE PLAN HEALTH DEPT.
- RADIUS
- ELEVATION
- RESIDENTIAL DRAINAGE PLAN
- REINFORCED CONCRETE PIPE
- CORRUGATED METAL PIPE
- LIGHT POLE
- WATER VALVE
- WATER METER
- P.O.B. POINT OF BEGINNING
- NOW OR FORMERLY

TOTAL AREA: 24.43 ACRES

SURVEYOR'S CERTIFICATION
 IT IS CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION, THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN, AND THAT ALL SURVEYING AND PLATTING REQUIREMENTS OF THE LAND SUBDIVISION REGULATIONS OF THE CITY / COUNTY, HAVE BEEN FULLY COMPLIED WITH. FURTHERMORE, THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYORS IN GEORGIA AS SET FORTH IN CHAPTER 186-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-47, AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-9, 43-15-22.

Type: GEORGIA STANDARD PLATS
 Recorded: 1/9/2025 3:05:00 PM
 Fee Amt: \$10.00 Page 1 of 1
 Houston County Georgia
 Terri L Childers Clerk of Superior Court
BK 85 PG 147

P.O. BOX 1821
 Perry, GA 31069
 Phone: (478) 242-3070
 Fax: (478) 242-3072
 WWW.MCLEODSURVEYING.COM

McLeod SURVEYING

BY (MARTY A. McLeod) *Marty A. McLeod*
 REGISTERED GEORGIA LAND SURVEYOR NUMBER - 2991

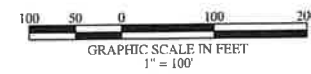
FOR THE CLERK OF SUPERIOR COURTS USE ONLY

NOTES:
 THIS PROPERTY IS SUBJECT TO ANY RESTRICTIONS OR EASEMENTS THAT MAY NOT BE SHOWN HEREON.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED USING USING A TOPCON GTS 211D AND HAS A LINEAR PRECISION RATIO OF ONE FT. IN 24,000 FEET AND AN ANGULAR ERROR OF 0.3 SECONDS PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CHECKED FOR MATHEMATICAL ACCURACY AND CLOSURES WITHIN ONE FT. IN 1,000,000 FEET.

ACCORDING TO INFORMATION SHOWN ON F.E.M.A. COMMUNITY PANEL NUMBER 13153 C 0112 E, EFFECTIVE DATE SEPTEMBER 24, 2007, A PORTION OF THIS PROPERTY IS LOCATED IN A F.L.A. FLOOD HAZARD ZONE.

NO WETLANDS SHOWN HEREON



TRACT "4-A"
 0.20 ACRES
 (A PORTION OF TAX PARCEL No. 000310 033000)

TRACT "4-A" NOTE:
 TO COMBINE TRACT "4-A" TO THE TRACT "3" TO ONE ONE TRACT CONTAINING 2.20 ACRES AS SHOWN HEREON.

TRACT "3"
 2.00 ACRES
 (A PORTION OF TAX PARCEL No. 000310 033000)

TRACT "4-B"
 1.53 ACRES
 (A PORTION OF TAX PARCEL No. 000310 033000)

TRACT "4"
 19.70 ACRES
 (REMAINING PORTION OF TAX PARCEL No. 000310 033000)

TRACT "5" NOTE:
 TO COMBINE TRACT "5" TO THE PROPERTY TO THE SOUTH OWNED BY FELIX M. SMITH WHICH HAS THE TAX PARCEL No. 000310 005000.

TRACT "5"
 1.00 ACRES
 (A PORTION OF TAX PARCEL No. 000310 033000)

BEARING NOTE:
 ALL PROPERTY LINES ARE THE SAME AS SHOWN ON PLAT BOOK 84, PAGE 154. THE BEARING BASIS ON THIS PLAT IS 27 SECONDS CLOCKWISE FROM SAID PLAT.

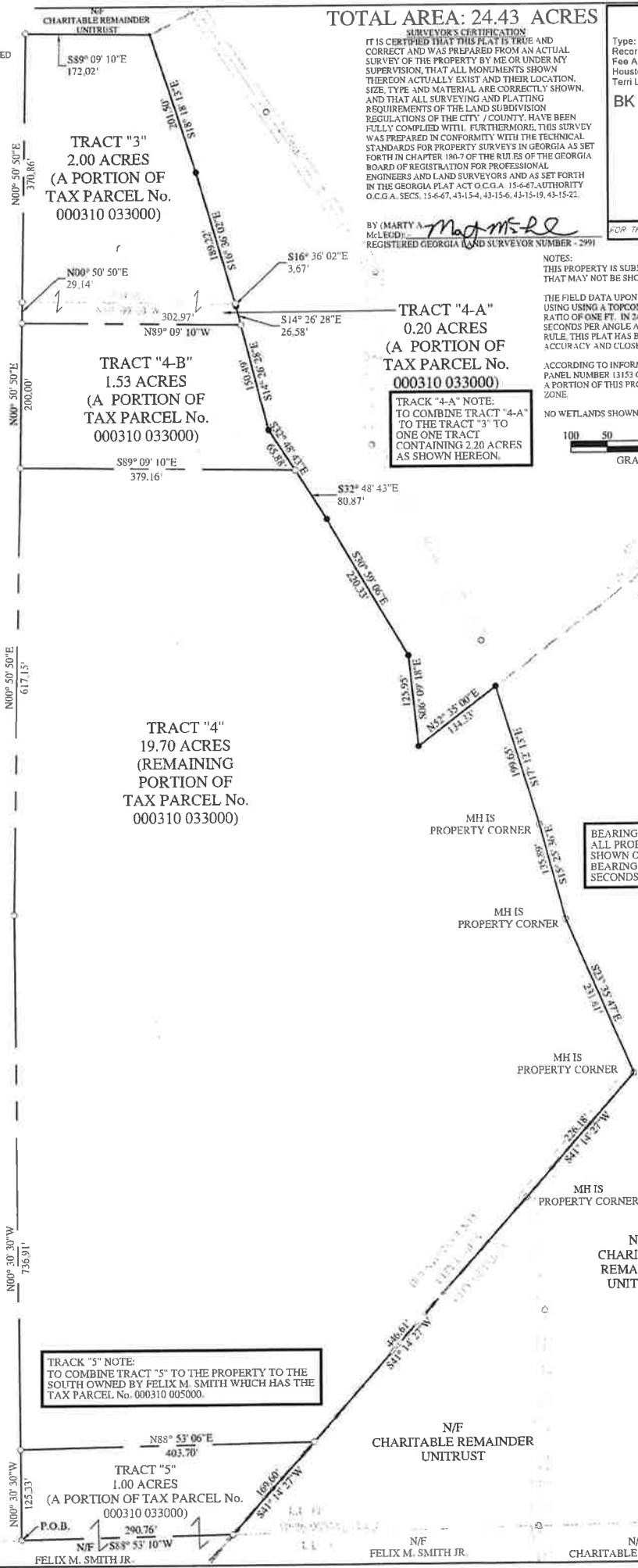
SURVEY FOR:
TRACTS 3-4 & 5 - 24.43 ACRES ON AIRPORT ROAD

COUNTY:	HOUSTON
DISTRICT:	10TH
LAND LOT:	19
DATE:	01/02/2025
SCALE:	1" = 50'
JOB NO.:	99112-004

NO.	DATE	REVISION



AIRPORT ROAD 80' R/W



1/9/2025
 Houston County Planning Commission
[Signature]

Return:
Robert T. Tuggle, III
Daniel, Lawson, Tuggle & Jerles, LLP
Post Office Box 89
Perry, Georgia 31069

File No.: 23-29710-R

Type: GEORGIA LAND RECORDS
Recorded: 8/25/2023 1:56:00 PM
Fee Amt: \$809.30 Page 1 of 3
Transfer Tax: \$784.30
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Superior Court Clerk

Participant ID(s): 7491002503,
0466245412

BK 10181 PG 151 - 153

LIMITED WARRANTY DEED

STATE OF TENNESSEE
COUNTY OF RUTHERFORD

THIS INDENTURE, Made the 18th day of August, in the year two thousand twenty-three, between

JOSEPH M. SWANSON AS TRUSTEE OF THE CHARITABLE REMAINDER UNITRUST

of the State of Tennessee, as party of the first part, hereinafter called Grantor, and

KNS PLACE, LLC
DIXIE HOMES, LLC
LONE HAWK LLC

of the State of Georgia, as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" 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 **TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS**, in hand paid at and 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 and confirm unto the said Grantees, all the following described property, to wit:

SEE ATTACHED EXHIBIT "A"

Said property is conveyed subject to all taxes and assessments for the year 2023 and subsequent years, not yet due and payable, and all rights, reservations, restrictions, covenants, conditions, easements and other matters of record that may affect such property (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the said property, 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 Grantees 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 Grantees against the claims of all persons claiming by, through or under the Grantor (excluding claims arising out of the Permitted Exceptions).

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

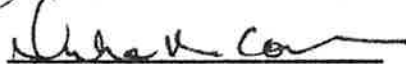


JOSEPH M. SWANSON AS TRUSTEE OF THE CHARITABLE REMAINDER UNITRUST (SEAL)

Signed, sealed and delivered
in the presence of:



Witness



Notary Public



Daniel, Lawson, Tuggle & Jerles, LLP
Attorneys At Law
P. O. Box 89
912 Main Street
Perry, GA 31049

Exhibit "A"
Legal Description

TRACT 1

All that tract or parcel of land situate, lying and being in Land Lot 19 of the 10th Land District of Houston County, Georgia, and being known and designated as Tract 1, containing 2.43 acres, and having such shapes, metes, bounds courses and distances as are shown on a plat of survey prepared by Marty McLeod, Georgia Registered Land Surveyor No. 2991, dated August 4, 2023 and recorded in Plat Book 84, Page 153, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto.

TRACT 2

All that tract or parcel of land situate, lying and being in Land Lot 19 of the 10th Land District of Houston County, Georgia, and being known and designated as Tract 2, containing 1.15 acres, and having such shapes, metes, bounds courses and distances as are shown on a plat of survey prepared by Marty McLeod, Georgia Registered Land Surveyor No. 2991, dated August 4, 2023 and recorded in Plat Book 84, Page 155, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto.

TRACT 3

All that tract or parcel of land situate, lying and being in Land Lot 19 of the 10th Land District of Houston County, Georgia, and being known and designated as Tract 3, containing 2.00 acres, and having such shapes, metes, bounds courses and distances as are shown on a plat of survey prepared by Marty McLeod, Georgia Registered Land Surveyor No. 2991, dated August 4, 2023 and recorded in Plat Book 84, Page 154, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto.

TRACT 4

All that tract or parcel of land situate, lying and being in Land Lot 19 of the 10th Land District of Houston County, Georgia, and being known and designated as Tract 4, containing 21.43 acres, and having such shapes, metes, bounds courses and distances as are shown on a plat of survey prepared by Marty McLeod, Georgia Registered Land Surveyor No. 2991, dated August 4, 2023 and recorded in Plat Book 84, Page 154, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto.

TRACT 5

All that tract or parcel of land situate, lying and being in Land Lot 19 of the 10th Land District of Houston County, Georgia, and being known and designated as Tract 5, containing 1.00 acres, and having such shapes, metes, bounds courses and distances as are shown on a plat of survey prepared by Marty McLeod, Georgia Registered Land Surveyor No. 2991, dated August 4, 2023 and recorded in Plat Book 84, Page 154, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto.

Type: GEORGIA LAND RECORDS
Recorded: 8/25/2023 1:56:00 PM
Fee Amt: \$25.00 Page 1 of 2
Transfer Tax: \$0.00
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Superior Court Clerk

Return To:
Robert T. Tuggle, III
Daniel, Lawson, Tuggle & Jerles, LLP
912 Main Street
P.O. Box 89
Perry, Georgia 31069
DLTJ File No.: 23-29710-R

Participant ID(s): 7491002503,
0466245412

BK 10181 PG 154 - 155

QUIT CLAIM DEED

**STATE OF GEORGIA
COUNTY OF HOUSTON**

THIS INDENTURE, made this 18th day of August, in the Year of our Lord Two Thousand Twenty-Three, between

DIXIE HOMES, LLC AND LONE HAWK LLC

as parties of the first part, and

KNS PLACE, LLC

as party of the second part,

WITNESSETH: That said parties of the first part, for and in consideration of the sum of **TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS**, in hand paid, the receipt whereof is acknowledged, has bargained, sold and by these presents do remise, convey and forever **QUIT-CLAIM** to the said party of the second part, its heirs and assigns, all that tract or parcel of land, lying and being in Houston County and more particularly described as follows:

TRACT 1

All that tract or parcel of land situate, lying and being in Land Lot 19 of the 10th Land District of Houston County, Georgia, and being known and designated as Tract 1, containing 2.43 acres, and having such shapes, metes, bounds courses and distances as are shown on a plat of survey prepared by Marty McLeod, Georgia Registered Land Surveyor No. 2991, dated August 4, 2023 and recorded in Plat Book 84, Page 153, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto.

TRACT 2

All that tract or parcel of land situate, lying and being in Land Lot 19 of the 10th Land District of Houston County, Georgia, and being known and designated as Tract 2, containing 1.15 acres, and having such shapes, metes, bounds courses and distances as are shown on a plat of survey prepared by Marty McLeod, Georgia Registered Land Surveyor No. 2991, dated August 4, 2023 and recorded in Plat Book 84, Page 155, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto.

TO HAVE AND TO HOLD the said described premises to the said party of the second part, so that neither the said parties of the first part nor its successors or assigns, nor any other person or persons claiming under them shall at any time, by any means or ways, have claim or demand any right or title to the aforesaid premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, the day and year above written.


DIXIE HOMES, LLC

By: William L. Hudson (SEAL)
WILLIAM L. HUDSON; SOLE MEMBER

Signed, sealed and delivered
in the presence of:

[Signature]
Witness

[Signature]
Notary Public



LONE HAWK LLC

By: Tim Demoonie (SEAL)
TIM DEMOONIE; SOLE MEMBER

Signed, sealed and delivered
in the presence of:

[Signature]
Witness

[Signature]
Notary Public



Daniel, Lawson, Tuggle & Jerles, LLP
912 Main Street
Post Office Box 89
Perry, Georgia 31069
(478) 987-2622