

**INFORMATION SHEET FOR REZONING REQUESTS**

APPLICATION # 212-03

DATE OF READING 9-18-12

REZONE FROM Agricultural TO Light Industrial

PROPERTY OWNER: Hollander Corporation

LOCATION OF PROPERTY: Union Grove Rd.  
Calhoun

DESCRIPTION OF PROPERTY:

1.05 ACRES

**THIS REQUEST COMES TO THE BOARD OF COMMISSIONERS  
FROM THE PLANNING COMMISSION WITH THEIR  
RECOMMENDATION FOR:**

1. Approval

2. \_\_\_\_\_

STIPULATIONS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Chairman Talley asks for another motion to be brought to the floor. Ricky Smith made the motion to approve all variances as requested. Brad Rains seconded the motion. Ron Free and Randy Rule were opposed to the motion. Chairman Talley voted with the motion. The vote was 3-2 to approve. The variance was granted. The thirty- (30) day appeal period was explained.

On rezoning request #Z12-02, Brad Rains made the motion to approve the rezoning from C-G to C-H as requested. Ron Free seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**VARIANCE APPLICATION #V12-03 & REZONING APPLICATION #Z12-03,**  
**Paul Hollander - Hollander Corporation**

Chairman Talley read variance application #V12-03 and rezoning application #Z12-03, Paul Hollander with Hollander Corporation requesting a variance and rezoning of 1.05 acres, from A-1 to I-1, on property located on Union Grove Road, Calhoun for the purpose of future construction. The reason for the variance is to reduce the required 100 foot buffer strip on all sides to 20 feet. The front 3 acre tract was rezoned in 1999 to I-1 and a variance was granted to reduce the buffer strip for the Hollander Corporation. Due to the construction of the Southern Calhoun Bypass, the Georgia D.O.T. has bought a .552 acre tract and then a .50 acre tract in the front of the property. Mr. Hollander and Maddie Hollander represented the request explaining that shortly after acquiring the rezoning and variance in 1999 rumors of the Southern Calhoun Bypass started and they did not want to construct a new building if a bypass coming through would be an issue, so they have been leasing a warehouse on Marine Drive to operate from and just waiting the see what would happen with the bypass. They just found out last year that the bypass was to actually be constructed and they have purchased 2 additional parcels from Ted King to bring their property back to 3 acres after the D.O.T.'s purchase of the original front of the property. They need the variance and rezoning on the 2 additional parcels. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that both the variance request identified as #V12-03 and rezoning request identified as #Z12-03 be approved.

Randy Rule made the motion to approve both the variance request identified as #V12-03 and rezoning request identified as #Z12-03 as requested. Ron Free seconded the motion. All voted aye for approval of both request. The variance was granted. The thirty- (30) day appeal period was explained. The recommendation for approval of the rezoning request was sent to the Board of Commissioners.

**Planning Staff Report  
to the  
Gordon County Planning Commission**

**Rezoning Proposal**

**Date of Report:** August 27, 2012

**Application #** Z12-03

**Applicant and Property Owner:** Paul Hollander – Hollander Corporation

**Location of Property:** Union Grove Road, Calhoun GA

**Property Frontage:** N/A Feet      **Tract Size:** 1.05 acre

**Proposed Action:** Rezone from A-1 (Agricultural) to I-1 (Light Industrial)

**Reason for Proposed Action:** Front three (3) acre tract was rezoned back on September 21, 1999 to I-1, #0439 and a variance #0176 was approved to reduce buffer strip to twenty feet around property setbacks for the Hollander Corporation but due to the construction of the new Southern Calhoun Bypass, the D.O.T. bought a .552 acre tract and then a .50 acre tract in the front of the property. We bought the 1.05 acre property in the back of the property in two tracts and would like to request to bring the property back into the initial acreage for future construction. Variance Application V12-03 is requesting to be 20 feet on all property side setbacks.

*Table 4.07.06(C). Buffer Area Standards.*

*Proposed Zoning District I-1 to Adjacent Zoning District A-1, RA-1, RC-1, R-1, R-2, R-3, R-4, R-5, R-6, O-1, C-C, MU minimum buffer area (in width) 100 feet in side and rear yards and 50 feet in the front yard  
C-G and C-H 50 feet in all yards*

**Future Development Map Classification:** Emerging Suburban

**Departmental Reviews**

It shall be understood that the following Departmental Review requirements, if any, shall be satisfied by the Applicant in addition to all standard County zoning, building, and development codes prior to the issuance of any land disturbance permit, building permit and/or certificate of occupancy, as deemed applicable by the County building official relating to the subject proposal if said proposal is approved by the Gordon County governing authority.

- **Environmental Health Services:** No issues.
- **Fire Department:** No issues.
- **Gordon County School System:** N/A
- **Road Department or Georgia of Transportation:** Right of way has been purchased for widening of Union Grove Road by the Georgia Department of Transportation. All right of way issues for this section of Union Grove Road will be addressed by the Department of Transportation.
- **Water & Sewer (City of Calhoun):** This area is served by an 12" water line. No city sewer in this area.

- **Zoning Division:** *A Notice of Public Hearing has been properly advertised in the local newspaper, zoning application fees have been paid and Applicant has been advised to post a Notice of Pubic Hearing on the subject property.*

### **Planning Staff Findings & Recommendations**

The following standards from Section 10.03.0212.6 of the Gordon County Unified Land Development Code (ULDC), in addition to the Departmental Reviews above, have been considered in the findings and recommendations of the planning staff:

***1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.***

The proposed zoning is consistent with the existing land use. Surrounding properties include Agricultural and Industrial uses.

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

The proposed zoning is not anticipated to adversely affect the existing use of usability of adjacent or nearby property.

***3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.***

The subject property cannot be further developed as currently zoned.

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

The proposed zoning is not anticipated to cause an excessive or burdensome use of existing public infrastructure or facilities.

***5. Whether the zoning proposal is in conformity with the policy and intent of the Future Development Map and Comprehensive Plan.***

The subject property is classified as *Emerging Suburban* on the Gordon County Future Development Map. This classification supports single family residential, passive and active recreation and Civic/institutional uses. The classification is intended to respect the rural character, provide adequate open space and provide connected system of streets within new subdivisions and connect to existing subdivisions as recommended with the Future Development Map and Comprehensive Plan.

***6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproved of the zoning proposal.***

The front property is currently zoned Light Industrial and developed for non-residential uses in an area that is predominantly industrial. The property would have to comply with the State Department of Transportation requirements (see "Departmental Reviews") should the rezoning request be approved.

### **Planning Staff's Recommendation:**

The rezoning request identified as Application #Z12-03 be recommended for approval. Recommendation of approval of the associated variance request, Application V12-03.

*This report is a part of the official record of the subject application*

**Cover Sheet**  
**Proposal for Land Use Action**

Application Number: Z12-03 Present Zoning: A-1 Proposed Zoning: I-1

Date of Planning Commission Meeting: Sept. 10, 2012

Date of Board of Commissioners' Meeting: Sept. 18, 2012

Applicant: Paul Hollander - Hollander Corp

Property Owner: (if different from applicant) \_\_\_\_\_

Property Address: Union Grove Rd, Calhoun

Said Property having a frontage of - 0 - feet and containing 1.05 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1 Agricultural

Proposed Action: Front 3 acres zoned I-1 on 9-21-99.

Rezoning back 1.05 acres to I-1.

(attached)

Reason for Proposed Action: GA D.O.T came back twice  
and bought an acre from front property  
for Calhoun Bypass. Future site of  
Hollander Corp.

Directions to Property: Take Belwood Rd from Hwy 53.  
Turn left at Union Grove and the  
property is located less than a 1/4 mile  
on the left.

Please return to:  
Thomas E. Shanahan  
112 Court Street  
Calhoun, GA 30701

Recorded 05/18/2012 9:37  
Doc: WD Rpt#: 290391  
TRANSFER TAX: 22.60  
TRANSFER TAX ID: 0642012000980  
Brian Brannon, C.S.C.  
GORDON County, Ga  
DEED Bk: 1763 Pgs: 300-301

WARRANTY DEED

STATE OF GEORGIA  
COUNTY OF GORDON

THIS INDENTURE, made this 17th day of May, in the year of our Lord Two Thousand and Twelve (2012) between **OOHCALOOGA-RPTG-GK, LLC, a Georgia Limited Liability Company, and OOTHALOOGA-RPTG-TK, LLC, a Georgia Limited Liability Company,** of the State of Georgia and the County of Gordon, as party or parties of the first part, hereinafter referred to as "Grantor", and **HOLLANDER CORPORATION** of the State of Georgia and the County of Gordon, as party or parties of the second part, hereinafter referred to as "Grantee" (the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural);

WITNESSETH: That Grantor, for and in consideration of the sum of TEN (\$10.00) DOLLARS AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto Grantee, himself and his heirs and assigns, the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot No. 209 of the 15<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia, containing 0.50 acre, and being more particularly described according to a plat of survey thereof entitled "Boundary Survey for Hollander Corporation" prepared by Allen Dale Hall, GRLS No. 2609, of North Georgia Surveying, Calhoun, Georgia, dated 5/03/2012, a copy of said plat being recorded in the office of the Clerk of the Superior Court of Gordon County, Georgia, in Plat Book 50, at page 196, to which said plat and the record thereof reference is hereby made for a full and complete description of the land herein conveyed.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining to the only proper use, benefit and behoof of Grantee, his heirs and assigns forever, in FEE SIMPLE.

And Grantor, for himself and his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property unto Grantee, his heirs and assigns, against the lawful claims of all persons whomsoever.



Please return to:  
Thomas E. Shanahan  
112 Court Street  
Calhoun, GA 30701

Recorded 10/27/2011 2:19  
Doc: WD Rcpt#: 297105  
TRANSFER TAX: 24.90  
TRANSFER TAX ID: 0642011001997  
Brian Brannon, C.S.C.  
GORDON County, Ga  
DEED Bk: 1729 Pgs: 330-331

WARRANTY DEED

STATE OF GEORGIA  
COUNTY OF GORDON

THIS INDENTURE, made this 26th day of October, in the year of our Lord Two Thousand and Eleven (2011) between OOTHCALOOGA, LLLP, a Georgia Limited Liability Limited Partnership, of the State of Georgia and the County of Gordon, as party or parties of the first part, hereinafter referred to as "Grantor", and HOLLANDER CORPORATION of the State of Georgia and the County of Gordon, as party or parties of the second part, hereinafter referred to as "Grantee" (the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural);

WITNESSETH: That Grantor, for and in consideration of the sum of TEN (\$10.00) DOLLARS AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto Grantee, himself and his heirs and assigns, the following described property, to-wit:

ALL THAT TRACT OR PARCEL OF LAND DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE THERETO.


TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining to the only proper use, benefit and behoof of Grantee, his heirs and assigns forever, in FEE SIMPLE.


And Grantor, for himself and his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property unto Grantee, his heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set his hand and affixed his seal, the day and year above written.


OOTHCALOOGA, LLLP, acting by and Through its General Partner, King Property Management, LLC, a Georgia Limited Liability Company

Signed, sealed, and delivered in the presence of:

  
Unofficial Witness

  
N.P., Gordon County, GA  
My Comm. Exp. \_\_\_\_\_

By:   
Ted R. King, Member

By:   
Ginger A. King, Member

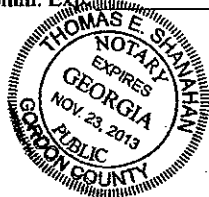
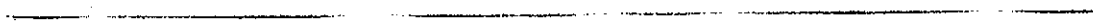




EXHIBIT A

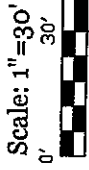
ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot No. 209 of the 15<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia, containing 0.552 acres as shown by a plat of survey entitled "BOUNDARY SURVEY FOR Hollander Corporation", prepared by Allen Dale Hall, GRLS No. 2609, of North Georgia Surveying, dated 10/7/2011, recorded in the office of the Clerk of the Superior Court of Gordon County, Georgia, in Plat Book 50, at page 142, to which said plat and the record thereof reference is hereby made for a full and complete description of the land herein conveyed.

TRH  
G.A.H.



**BOUNDARY SURVEY**  
FOR  
**Hollander Corporation**  
GORDON County, Georgia

LOCATED IN LAND LOT 209, 15th DISTRICT & 3rd SECTION OF GORDON COUNTY, GEORGIA.



Scale: 1"=30'

DATE: 05/03/2012

Note: The property surveyed hereon is a 0.50 Acre tract off of parcel#058-060.

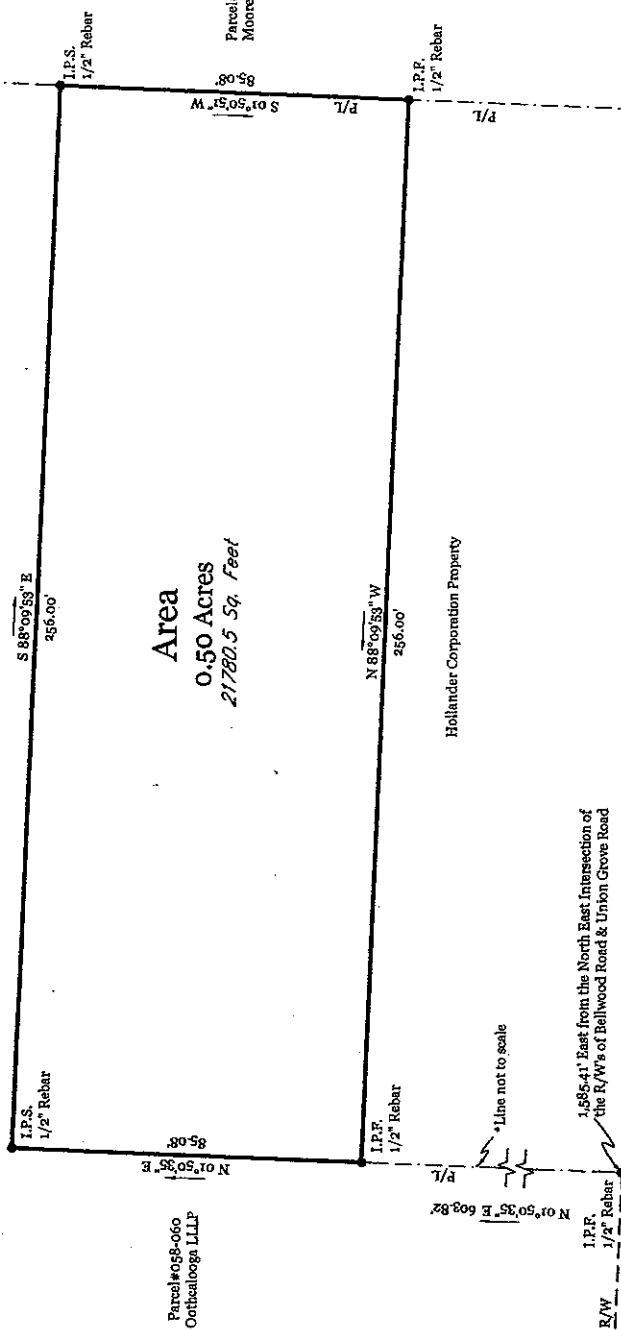
- LEGEND**
- I.P.F. = IRON PIN FOUND
  - R/W = RIGHT OF WAY
  - P/L = PROPERTY LINE
  - L.L.L. = LAND LOT LINE
  - σ = POWER POLE
  - ⊙ = CENTER LINE
  - x - x - x - = FENCE LINE
  - ⊠ = CONC. R/W MARKER
  - E - E - E - E - = ELECTRIC LINE

**NOTE**

THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA ACCORDING TO MAPS FURNISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

COMMUNITY-PANEL NUMBER: 13129C - 0188D

THIS PLAT SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY. THIS PLAT HAS BEEN CALCULATED TO HAVE A CLOSURE OF 1" IN 100,000+ THE FIELD DATA UPON WHICH THIS PLAT IS BASED ON HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE. FIELD WORK WAS DONE BY USING A TOPCON GPT-3003IW 03" SECOND TOTAL STATION & CARLSON DATA COLLECTOR.



**Area**  
0.50 Acres  
21780.5 Sq. Feet



IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW

North Georgia Surveying  
262 Erwin Road S.E.  
Calhoun Georgia, 30701-4003  
Phone: (706) 625-1046

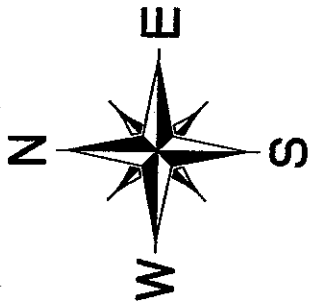


J-3188A

# BOUNDARY SURVEY FOR Hollander Corporation

GORDON County, Georgia

LOCATED IN LAND LOT 209, 15th DISTRICT & 3rd SECTION OF GORDON COUNTY, GEORGIA.



Scale: 1" = 30'  
0' 30' 60' 90'

DATE: 05/03/2012

Note: The property surveyed hereon is a 0.50 Acre tract off of parcel #058-060.

- LEGEND**
- I.P.F. = IRON PIN FOUND
  - R/W = RIGHT OF WAY
  - P/L = PROPERTY LINE
  - L.L.L. = LAND LOT LINE
  - ⊕ = POWER POLE
  - ⊙ = CENTER LINE
  - X - X - X - = FENCE LINE
  - ⊠ = CONC. R/W MARKER
  - E - E - E - = ELECTRIC LINE

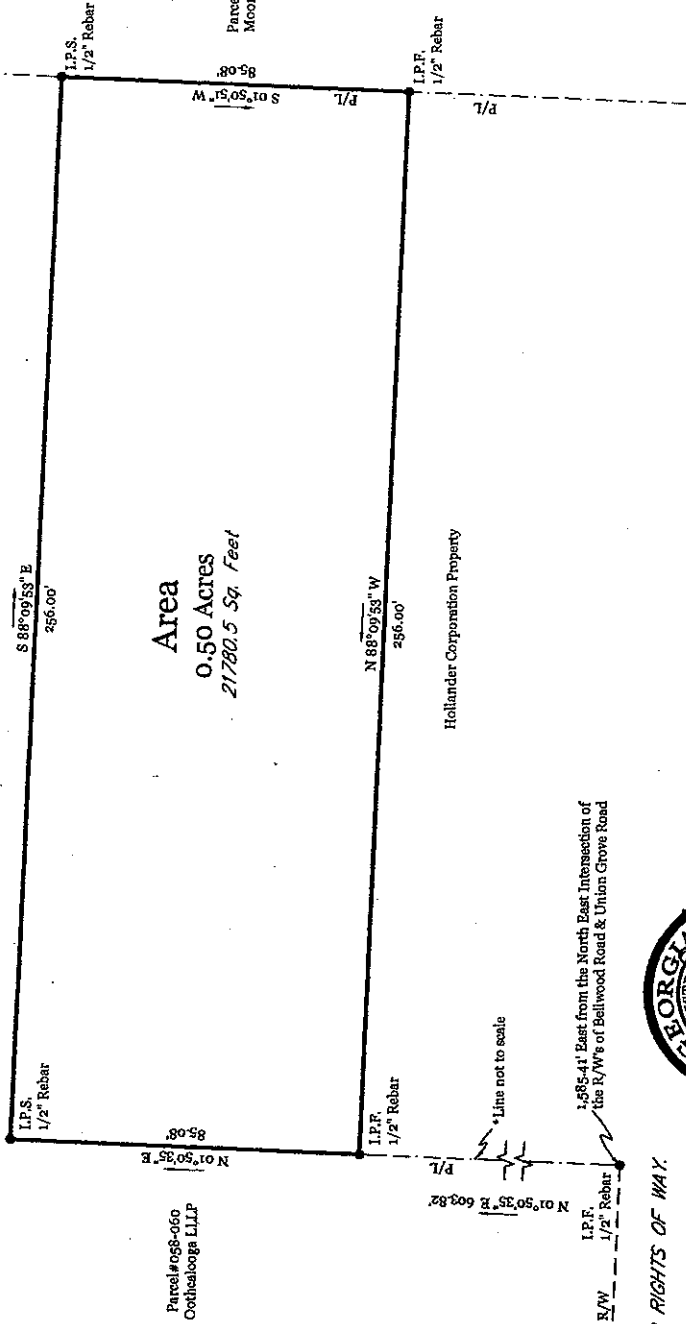
**NOTE**

THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA ACCORDING TO MAPS FURNISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

COMMUNITY-PANEL NUMBER: 13120C - 058BD

THIS PLAT SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY.

THIS PLAT HAS BEEN CALCULATED TO HAVE A CLOSURE OF 1" IN 100,000+ THE FIELD DATA UPON WHICH THIS PLAT IS BASED ON HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE. FIELD WORK WAS DONE BY USING A TOPCON GPT-3003XW 03" SECOND TOTAL STATION & CARLSON DATA COLLECTOR



Area  
0.50 Acres  
21780.5 Sq. Feet

Hollander Corporation Property

Parcel #058-061  
Moore Property

Parcel #058-060  
Oothoaloga LLLP

Parcel #058-060  
Oothoaloga LLLP

Line not to scale  
N 01°30'35" E 603.82'  
I.P.F. 1/2" Rebar

1585-41' East from the North East Intersection of the R/W's of Bellwood Road & Union Grove Road



North Georgia Surveying  
262 Erwin Road S.E.  
Calhoun Georgia, 30701-4003  
Phone: (706) 625-1046

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW

J-3188A

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z12-03  
APPLICATION NAME: Paul Hollander, Hollander Corp.  
TYPE OF ZONING: A-1 to I-1  
DATE: 8/27/2012  
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 12" water line.

SEWER COMMENTS:

No City Sewer service in this area.

THE INFORMATION IN THIS REPORT WAS OBTAINED USING MAPS AND RECORDS THAT MAY NOT BE ENTIRELY ACCURATE. THIS INFORMATION CANNOT BE CONSIDERED ACCURATE UNTIL A FEILD SURVEY HAS BEEN COMPLETED.

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z12-03  
APPLICATION NAME: Paul Hollander, Hollander Corp.  
TYPE OF ZONING: A-1 to I-1  
DATE: 8/27/2012  
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 12" water line.

SEWER COMMENTS:

No City Sewer service in this area.

THE INFORMATION IN THIS REPORT WAS OBTAINED USING MAPS AND RECORDS THAT MAY NOT BE ENTIRELY ACCURATE. THIS INFORMATION CANNOT BE CONSIDERED ACCURATE UNTIL A FEILD SURVEY HAS BEEN COMPLETED.

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 212-03 Hollander A-1 to I-1  
V12-03 variance

Date: 8/14/12

Reviewed by: BARRY HICE

ROAD DEPARTMENT

Comments, recommendation, or any condition of approval to serve proposed rezoning or variance with Road Department services:

RIGHT OF WAY HAS BEEN PURCHASED FOR WIDENING OF UNION GROVE ROAD BY THE GEORGIA DEPARTMENT OF TRANSPORTATION. ALL RIGHT OF WAY ISSUES FOR THIS SECTION OF UNION GROVE ROAD WILL BE ADDRESSED BY THE GEORGIA DEPARTMENT OF TRANSPORTATION.

**DEPARTMENTAL REVIEW -- FIRE DEPARTMENT**


Application # 212-03 Hollander A-1 to I-1  
V12-03 Variance

Date: 8/14/12

Reviewed by: JOEY BEDAW

**FIRE DEPARTMENT**

Comments, recommendation, or any condition of approval to serve proposed rezoning or variance with Fire Department services:

O.K.  
 8/16/12

**DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH**

Application # 212-03 Hollander A-1 to I-1  
V12-03 variance

Date: \_\_\_\_\_

Reviewed by: Christy Blaw

**Environmental Health**

Comments, recommendations, or any condition of approval to serve proposed rezoning or variance with Environmental Health:

No issues w/ EHS.