

INFORMATION SHEET FOR REZONING REQUESTS

Application # 215-06 DATE OF READING 7-21-15

REZONE FROM A-1 TO RA-1

PROPERTY OWNER Richard Hendrix

LOCATION OF PROPERTY 273 Yarbrough Mill Rd.

Fairmount

DESCRIPTION OF PROPERTY

2.47 ACRES

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

- Approval

STIPULATIONS:

Nathan Serritt made the motion to approve the rezoning application identified as #Z15-05 from A-1 to I-1, with the stipulations that the sprinkler system and septic system be brought up to date. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z15-06, RICHARD HENDRIX

Chairman Rule read rezoning application #Z15-06, Richard Hendrix requesting to rezone a 2.47 acre tract located at 273 Yarborough Mill Road, Fairmount from A-1 to RA-1. Mr. Hendrix represented the request explaining that he had bought this residential house when it was about 75% completed and in order to use it as investment property, he needed to rezone because it was initially being constructed under family property. All adjoining property owners had been notified.

The Planning Staff for Gordon County recommended that the rezoning request identified as Application #Z15-06 be approved.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z15-06 from A-1 to RA-1. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V15-04, LG HAUSYS AMERICA, INC.

Chairman Rule read variance application #V15-04, LG Hausys America, Inc. requesting a variance for a 35.064 acre tract located at 310 LG Drive, Adairsville, GA to increase building height size. William Thompson, a local attorney, explained that this was the fourth similar variance that LG Hausys had requested, with the first being in 2003 and each of the others were approved when requested. He also added that this new manufacturing facility for Viatera synthetic granite would be a 40 million dollar investment into the county. The reason the variance is to increase the height of the building from the required 60 feet to a height of 64 feet 4-1/2 inches for the gravity vertical drop in order to measure properly the raw materials necessary for quality control. All adjoining property owners had been notified.

The Planning Staff for Gordon County recommended that the variance request identified as Application #V15-04 be approved.

Nathan Serritt made the motion to approve the variance application identified as #V15-04 to increase the height of the building from 60 feet to 64 feet 4-1/2 inches as requested. Butch Layson seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

Cover Sheet
Proposal for Land Use Action

Application Number: 215-06 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: July 13, 2015

Date of Board of Commissioners' Meeting: July 21, 2015

Applicant: Richard Hendrix

Property Owner: (if different from applicant) _____

Property Address: 273 Yarborough Mill Rd. Fairmount, GA

Said Property having a frontage of 194.06 feet and containing 2.47 acres.

Future Development Map Classification: Rural/Agricultural Reserve

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Rezoning - Family property, was subdivided.

Reason for Proposed Action: I was sold this property as a 3/4 completed residential house. In order to finish it and use it, I need it rezoned as RA-1 to bring into compliance, was family property.

Directions to Property: Hwy 53 east 9 miles from Calhoun, Right on Yarborough Mill Rd. For 2/3 mile, House is on the left.

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: June 16, 2015

Application # Z15-06

Applicant and Property Owner: Richard Hendrix

Location of Property: 273 Yarborough Mill Road, Fairmount, GA 30139

Property Frontage: 194.06 Feet **Tract Size:** 2.47 acres

Proposed Action: Rezone from A-1, (Agricultural District) to RA-1, (Residential Agricultural District)

Reason for Proposed Action: Would like to bring into compliance with the U.L.D.C, purchased a family piece of property with partially built dwelling.

Future Development Map Classification: Rural/Agricultural Reserve

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:*** Mr. Hendrix contacted my office about this property. Septic system was installed on 11/14/2005 but not finished. A final inspection of pump and water flow to d-box was done on 05/04/15. Approval date by CB on 05/04/15 (see attached).

* ***Building Department:*** No comment.

* ***Fire Department:*** O.K.

• ***Gordon County School System:*** N/A

• ***Road Department or Georgia of Transportation:*** Driveway exists. Permit required for new driveway.

• ***Water & Sewer (City of Calhoun):*** No city water in this area.. No city sewer service 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 Public 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 suitable in view of the use and development of the current use of this specific property. Adjacent and nearby property are mostly rural single-family homes.

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

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

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 because it is less than the minimum required five (5) acre lot size requirements for A-1 zoning.

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. There is an existing house on the property.

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 Rural/Agricultural Reserve on the Gordon County Future Development Map. This classification supports land uses intended for agriculture, low-intensity single-family residential, passive recreation. The proposed zoning is consistent with the Future Development Map.

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.

There is an existing house on the property which is partially constructed and the new owner would like to complete the dwelling and reside in it. It was originally permitted under the "Family Ties" section in the ULDC.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z15-06 be approved.

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

Z15-06

Recorded 04/29/2015 8:30
Doc: WD Rct#: 307738
TRANSFER TAX ID: 064000702
Grant Wairaven, C.S.C.
GORDON County, Ga
DEED Bk: 1945 Pg: 223

Return Recorded Document to:
Cox, Byington, Brumlow & Twyman, LLP
1287 Curtis Parkway
Calhoun, GA 30703
File #: 0415G342

STATE OF GEORGIA,
COUNTY OF GORDON

**JOINT TENANCY WITH SURVIVORSHIP
WARRANTY DEED**

This Indenture made this 23rd day of April, 2015 between **Cormelia Virginia Hobgood**, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **Richard Hendrix and Carol Hendrix**, as joint tenants with survivorship and not as tenants in common 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 AND 00/100'S (\$10.00) Dollars** and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 226 of the 6th District and 3rd Section of Gordon County, Georgia; and being 2.47 acres as per plat recorded in Plat Book 51, Page 223, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

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 behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

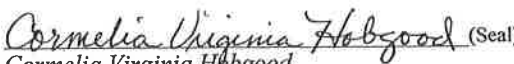
THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

AND THE SAID Grantor will warrant and 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 hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:


Witness

 (Seal)
Cormelia Virginia Hobgood

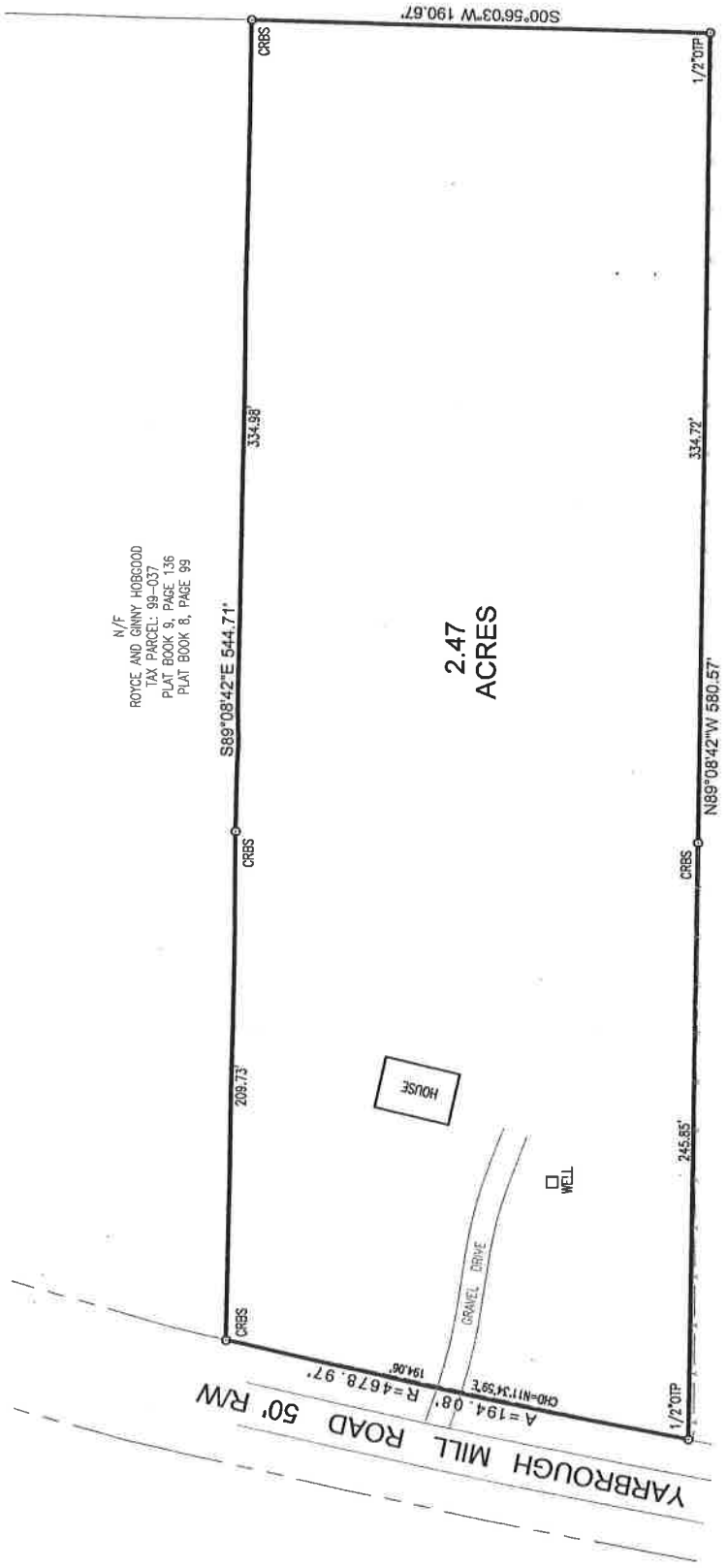

Notary Public



N/F
 COLENE SEABOLT & SHARON GREENSON
 TAX PARCEL: 099-052

N/F
 ROYCE AND GINNY HOBGOOD
 TAX PARCEL: 99-037
 PLAT BOOK 9, PAGE 136
 PLAT BOOK 8, PAGE 99

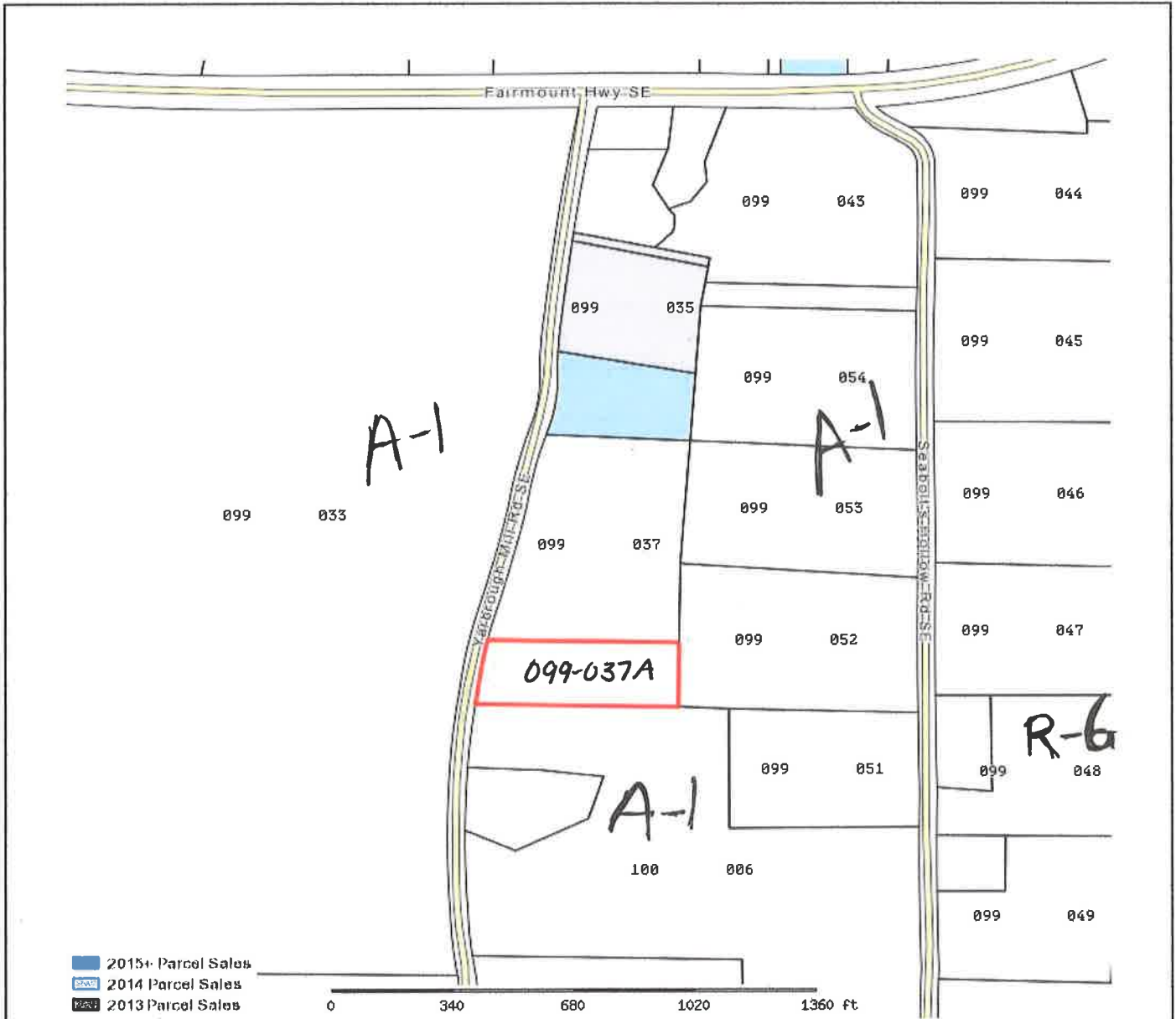
N/F
 BILLY JOE JOHNSON
 TAX PARCEL: 100-006



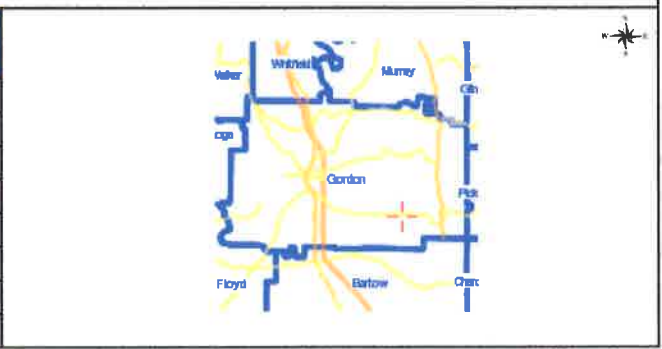
SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR
 PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES
 OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND
 SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

MASSEY

215-06



| Gordon County Assessor | |
|-------------------------|-----------------|
| Parcel: 099 037A Acres: | |
| Name: | Land Value: |
| Site: | Building Value: |
| Sale: | Misc Value: |
| Mail: | Total Value: |
| | |
| | |



The Gordon County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER GORDON COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—
 Date printed: 06/10/15 : 10:53:49

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z15-06
APPLICATION NAME: Richard Hendrix
TYPE OF ZONING: A-1 to ra-1
DATE: 6/25/2015
REVIEWED BY: Mark Williamson

WATER COMMENTS:

No City water in this area.

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 - Public Works

Application # Z15-06 Hendrix A1 to RA-1

Date: 6/15/15

Reviewed by: Barry Hice

FIRE DEPARTMENT

Comments, recommendation, or any condition of approval to serve proposed rezoning or variance

DRIVEWAY EXISTS.

PERMIT REQ'D FOR NEW DRIVEWAY

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # Z15-06 Hendrix A-1 to RA-1
Date: 6/15/15
Reviewed by: Christy Blair

Environmental Health

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

Mr Hendrix contacted my office about this property. Septic system was installed 11/14/2005 but not finished.

A final inspection of pump and water flow to d-box was done 5/4/15.

Approval date by CB on 5/4/15
(see attached).

**GORDON COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SECTION**
318 North River Street • Calhoun, GA 30701
(706) 624-1440 • (706) 624-1441

NEW
 EXISTING

APPLICATION DATE
10-28-05

PERMIT NUMBER
14581

ZONING CERTIFICATE NUMBER
1,000 sq ft (90)

TELEPHONE

APPLICATION: ON SITE SEWAGE MANAGEMENT SYSTEM

PROPERTY OWNER
Royce Hobgood *2015 owner: Richard Hendrix*

APPLICANT
Bobby 629-5956

ADDRESS
205 Yarbrough Mill Rd. Fairmount, GA

ADDRESS
706-889-0043

PROPOSED CONSTRUCTION ADDRESS
273 Yarbrough Mill Rd.

SUBDIVISION NAME

LOT NUMBER ACRE SQ. FT.
2 1/4

DIRECTIONS TO SITE LOCATION
Hwy 53 east, right on Yarbrough Mill Rd, 5th drive on (left just past #205)
(log style siding)

TYPE OF FACILITY: House Mobile Home

of Bedrooms 1

Garbage Disposal

Commercial

of Gallons

of Persons

PLUMBING DESIGN: Ground level Split Level Basement

WATER SOURCE: Public Individual *m (R)* Other

SOIL CONDITIONS: Soil Type _____ Perc Rate _____

I hereby apply for a construction permit to install or construct a sewage disposal system and agree that the system will be installed to conform to the requirements of the rules and regulations of the Georgia Department of Human Resources, Public Health Chapter 200-5-20 now assigned to the Gordon County Board of Health. I understand that final inspection is required and will notify the Health Department upon completion of construction. The Health Department will not be held responsible for any damages which may be caused by the system. Issuance of a construction permit for an on-site sewage management system, and subsequent approval of same by the Health Department, shall not be construed as a guarantee that such system will function satisfactorily for a given period of time; furthermore, said approval shall not be construed as a guarantee that the system will not cause any liability for damages which are caused, or which may be caused, by malfunction of such systems. **This application expires (12) months from this date.**

PUMP

Authorized Signature (Owner or Applicant) *Bobby Royal Hobgood*

MINIMUM REQUIREMENTS:

Septic Tank Capacity 1000 Pump Tank Grease Trap Capacity 1000 Total Linear Feet 260 Trench Depth In. 18-24 Trench Width In. 36

SITE APPROVED Yes No

Approved by (Health Authority) *Shane H. & Christy Blair* Title *EHS I & EHC M* Date of Issue *10/31/05*

COMMENTS: ** Pump sewage to D-box at high right side of property & install drainfield in tested soil area (see map) * Ensure that pump is sized to meet grade increase * Maintain 100 ft from well and 5 ft from all property lines * Call with any questions*

ON-SITE SEWAGE MANAGEMENT SYSTEM INSPECTION REPORT

PRIMARY TREATMENT:

Septic Tank 1000 Gal. CP 1000 w/zebra filter

Pump Tank 1000 Gal. CP 1000

Distance Tank from Well > 100 Ft.

SECONDARY TREATMENT:

Field Layout Method *Distribution (Quick & Hit)*

Total Linear Feet 136

Total Square Feet 408

Width of Trenches 36 Inches

Distance Between Trenches 8 FT

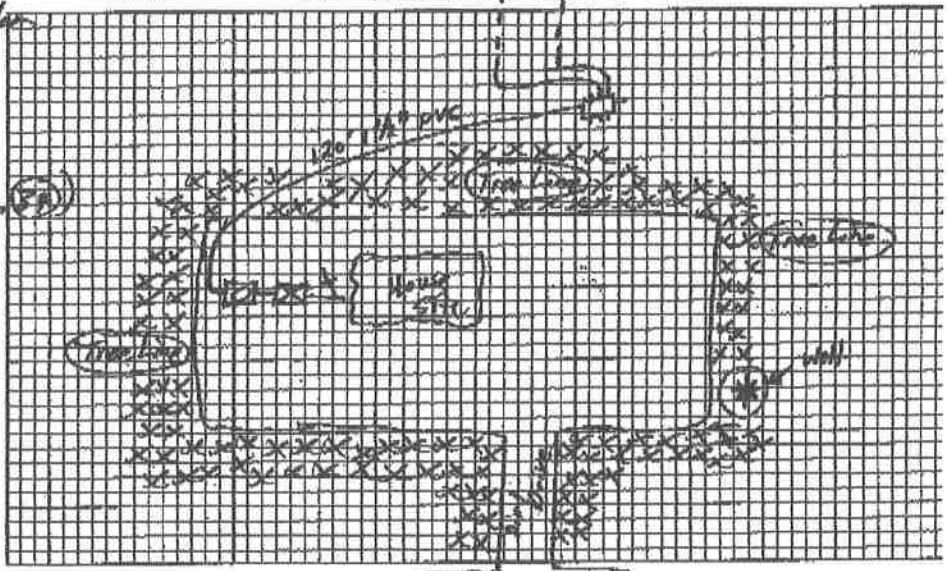
Average Trench Depth 24 Inches

Aggregate: Size NA Depth NA

Distance from Building > 100 Ft.

Distance from Well > 100 Ft.

Nearest Property Line RS @ 60-70 FT



COMMENTS: ** 7-outlet D-box installed * Hydraulic Schief-40 pump installed -> Checked on: 5/4/15 Alarm: 5/4/15 flow to > alarm is located inside in Kitchen area dual alarm visible.*

Inspector *Shane Hendrix* Contractor *Shawn Smith* Date *11/14/05*

- SYSTEM APPROVED DISAPPROVED

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # Z15-06 Hendrix A1 to RA-1

Date: 6/15/15

Reviewed by: JOEY JORDAN

FIRE DEPARTMENT

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

O.K.  6/18/15