

INFORMATION SHEET FOR REZONING REQUESTS

Application # 216-13 DATE OF READING 7-19-16

REZONE FROM A-1 TO R-1

PROPERTY OWNER MYRA GWEN EDEN

LOCATION OF PROPERTY 132 SWANN DR.

RESACA

DESCRIPTION OF PROPERTY  
3.17 ACRES

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

1. APPROVAL

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

**GORDON COUNTY PLANNING COMMISSION  
PUBLIC HEARING  
JULY 11, 2016**

The Gordon County Planning Commission held a Public Hearing on Monday, July 11, 2016 at 6:00 p.m. in the Conference Room of the Gordon County Administration Building for the purpose of hearing variance and zoning change requests. Members present were:

Randy Rule	Eddie Smith
Jerry Lovelace	Nathan Serritt

Randy Rule called the meeting to order and advised all present of the sign-up sheets available for those who wish to address the Planning Commission on any of the zoning or variance change applications.

**APPROVAL OF MINUTES**

A motion was made by Jerry Lovelace to approve the minutes of the previous meeting of June 13, 2016. Eddie Smith seconded the motion. All voted aye. The minutes were approved as written.

**VARIANCE APPLICATION #V16-04, CLAY & DENISE WARD**  
(Tabled from the June 13, 2016 Meeting)

Chairman Rule read variance application #V16-04, Clay and Denise Ward, requesting a variance on a .94 acre tract located at 102 Woodedge Dr., Calhoun. Ursula Desrosier, Zoning Administrator for Gordon County, announced that the application #V16-04 had been withdrawn. No additional action was taken.

**VARIANCE APPLICATION #V16-05 AND REZONING APPLICATION #Z16-13,  
MYRA GWEN EDEN**

Chairman Rule read variance application #V16-05 and rezoning application #Z16-13, Myra Gwen Eden, for a 3.17 acre tract located at 132 Swann Dr., Resaca. Mrs. Eden represented the requests explaining that this property had been in her family for many years and that she would like to sub-divide the property for her son to build a new home for his family and since the property was only accessible through an easement road they needed to ask for a variance as well as the rezoning. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V16-05 be approved, with the condition that evidence of a permanent easement for access to the property from Fite Bend Road is submitted to the Gordon County Planning and Development Department and on the zoning request identified as Application #Z16-13 also be approved.

On Variance Application #V16-05, Eddie Smith made the motion to approve the variance for access to the property using only an easement, with the condition that evidence of a permanent easement for access to the property from Fite Bend Road is submitted to the Gordon County Planning and Development Department. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

On Rezoning Application #Z16-13, Jerry Lovelace made the motion to approve the rezoning application from A-1 to R-1. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**ADDITIONAL BUSINESS**

There being no additional business, Eddie Smith made the motion to adjourn. Nathan Serritt seconded the motion. All voted aye. The meeting was adjourned at 6:07 p.m.

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Zelda Gregg, Secretary

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Randy Rule, Chairman  
Butch Layson, Vice-Chairman

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

**Rezoning Proposal**

**Date of Report:** June 10, 2016

**Application #** Z16-13

**Applicant and Property Owner:** Myra Gwen Eden

**Location of Property:** 132 Swann Dr. NE, Resaca, GA 30735

**Property Frontage:** 438.93 Feet                      **Tract Size:** 3.17 acres

**Proposed Action:** Rezone from A-1, (Agricultural District) to R-1, (Low Density Residential).

**Reason for Proposed Action:** Subdividing property with existing house in order to build another house for my son.

**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:*** Mrs. Eden called me to come out and mark her tank and drain field. She will be fine with the division of the property. No drain field will be on son's 2 acres.
- \* ***Building Department:*** N/A
- \* ***Fire Department:*** O.K.
- \* ***Gordon County School System:*** N/A
- \* ***Road Department or Georgia Dept. of Transportation:*** No negative impact on road or right of way.
- \* ***Water & Sewer (City of Calhoun):*** This property is served by a 2" water line. 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 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.***

Subject property is surrounded by agricultural land primary used for residential purposes. Adjacent lot areas are mostly one acre tracts.

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

The proposed zoning will not adversely affect the existing use of 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 five 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 may generate additional vehicular traffic and may impede traffic flow.

***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 agricultural, low-intensity single-family residential and 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.***

The subject and adjoining property has been family since the 1930's.

**Planning Staff's Recommendation:**

The rezoning request identified as Application #Z16-13 is recommended for approval.

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



STATE OF GEORGIA,

Gordon County

THIS INDENTURE, made this 13th day of December in the year of our Lord One Thousand Nine Hundred and Ninety One between James E. Wilson, Sr.

of the State of Georgia and County of Gordon of the first part and Myra Gwen Wilson Holmes of the State of Georgia and County of Gordon of the Second part

WITNESSETH; That the said part Y of the first part, for and in consideration of the sum of Valuable Consideration and Ten (\$10.00) and No/100--DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged ha...S... granted, bargained, sold and conveyed and by these presents do... grant, bargain, sell and convey unto the said part Y of the second part, her heirs and assigns, all that tract or parcel of land lying and being in

All that tract or parcel of land lying and being in the 14th District and 3rd Section of Gordon County, Georgia located in Land Lot No. 15, and being Tract 2 according to a survey prepared by Carl F. Freeman, Jr., for James E. and Ernest Wilson dated July 18, 1985, which said plat is recorded in Plat Book 15, Page 272, Plat Records of Gordon County, Georgia and reference is hereby made to said plat for a full and complete description of said land.

The above described land being a part of the land described in a deed from J.J. Robertson to Walter Wilson dated January 4, 1941, which said deed is recorded in Deed Book 18, Page 600, the said Walter Wilson having died intestate a resident of Gordon County, Georgia leaving as his sole heirs as law James E. Wilson and Ernest Wilson.

Said land is conveyed subject to the following restrictions:

No trailers, apartment houses, chickenhouses, hog lots, dog lots. No house shall be constructed with less than 1000 sq. ft. living area.

This Deed is made for the purpose of correcting the description in a deed from Grantor to Grantee dated January 30, 1987, and recorded in Deed Book 258 Page 007 Deed Records of Gordon County, Georgia.

1988 12-13-91 Davis Records

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 her the said part Y of the second part, her heirs and assigns, forever, IN FEE SIMPLE.

And the said part Y of the first part, for himself, his heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said part Y of the second part, her heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said part Y of the first part ha S hereunto set his hand and affixed his seal, the day and year above written.

Signed, sealed and delivered in the presence of

N.P. SEAL AFFIXED Deborah Thomas

Mary Sue

N. P., Georgia, State at Large. My Commission Expires: 3-27-92

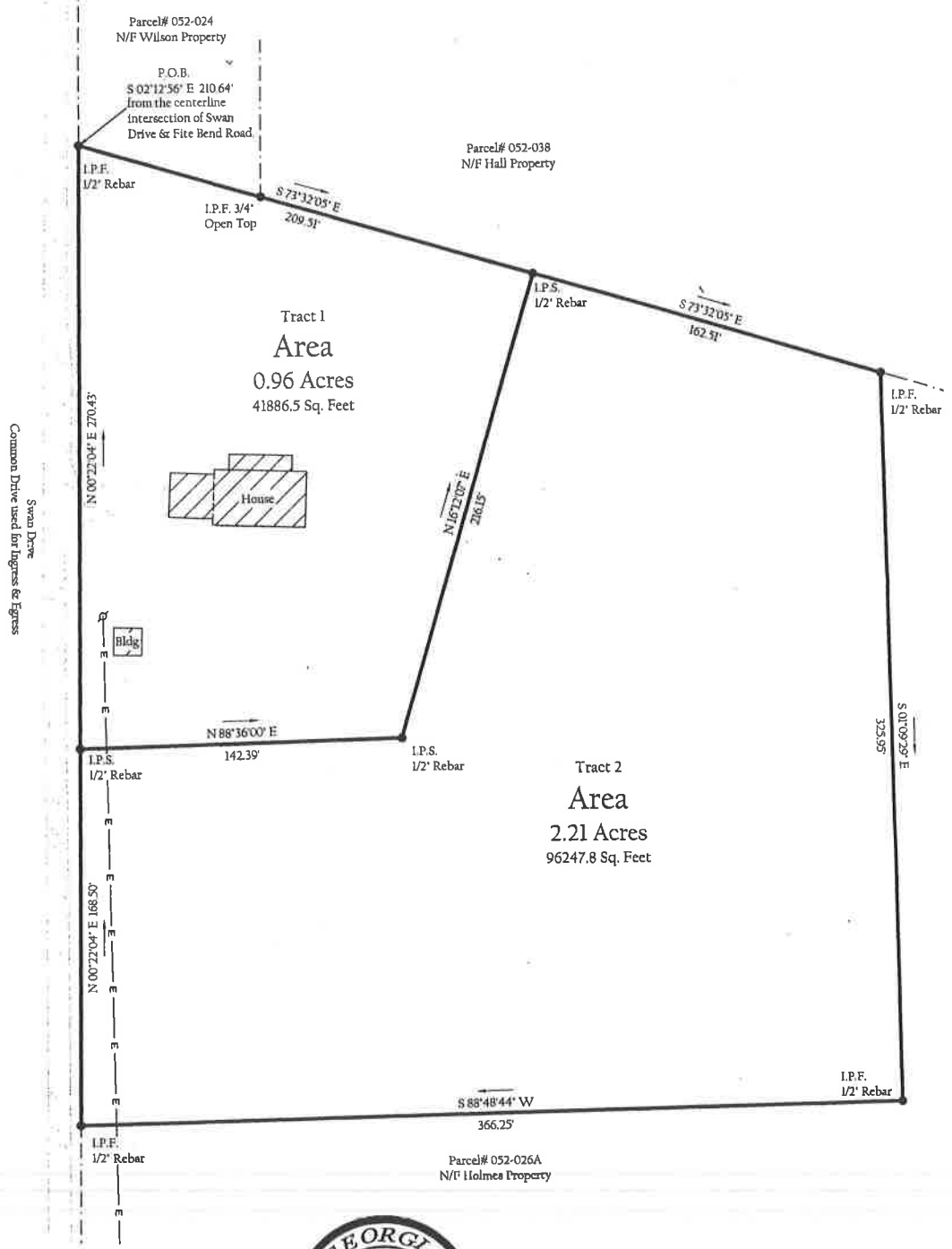
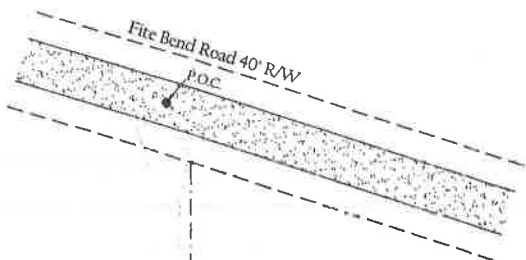
James E. Wilson (Seal) James E. Wilson, Sr. (Seal)

(Seal) (Seal)

FILED & RECORDED 12-13-91 LEVITS COUN. CSS (Seal)



surveyed hereon is all of Parcel#



FOUND  
 SET  
 WAY  
 LINE  
 LINE  
 LINE  
 MARKER  
 NOT IN A FLOOD  
 ACCORDING TO MAPS  
 V.L.A.  
 NUMBER: 13129C - 0075D



ALL EASEMENTS AND RIGHTS OF WAY.  
 CALCULATED TO HAVE A CLOSURE OF 1" IN 100,000\*  
 WHICH THIS PLAN IS BASED ON HAS A HORIZONTAL



DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # V 16-05 Z 16-13 Eden Variance  
A-1 to R-1

Date: 6/13/16

Reviewed by: C Blair

Environmental Health

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

We have no septic records on 132 Swann Dr.  
 Drainfield needs to be located before new property lines are determined. Drainfield does not need to cross property lines. Have them call with questions.

See Attached





Gordon County  
Government

Ursula Desrosier <udesrosier@gordoncounty.org>

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## 132 Swann Drive

1 message

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**Blair, Christy** <Christy.Blair@dph.ga.gov>  
To: Ursula Desrosier <udesrosier@gordoncounty.org>

Tue, Jun 28, 2016 at 9:02 AM

Mrs. Eden called me to come out and mark her tank and drain field. She will be fine with the division of the property. No drain field will be on son's 2 acres.

See attached.

Christy Blair

Gordon County Environmental Health

310 North River Street

Calhoun, GA 30701

706-624-1440

Public Health...Inform. Prevent. Protect.

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 **132 Swann Drive, existing.pdf**  
282K

# District 1-1 Onsite Sewage Management Field Worksheet



**Public Health**  
Prevent. Promote. Protect.

Gordon County EHS

Owner: Gwen Eden

Date: 10/27/2016

Address: 132 Swann Drive

Construction Permit Number: Ex

**Absorption Field**

Septic Contractor: ?

Field Layout	<u>SERIAL</u>
Total Square Feet	<u>@555</u>
Total Linear Feet	<u>C185</u>
Depth of Trenches	<u>24-28</u>

Septic Tank

Septic Tank Manufacturer: precast  
Septic Tank Capacity: 1000

**Absorption Field Distances**

Septic Tank Distances

Well: N/A  
Building: @121

Well	<u>N/A</u>
Building	<u>@22</u>
Nearest Prop. Line	<u>10' Rear</u>
Field Line Type	<u>gravel</u>
Trench Width	<u>36"</u>

Filter Manufacturer: N/A

Filter Model: \_\_\_\_\_

ATU Manufacturer: \_\_\_\_\_

ATU Model: \_\_\_\_\_

Dosing Tank: \_\_\_\_\_

Pump: \_\_\_\_\_

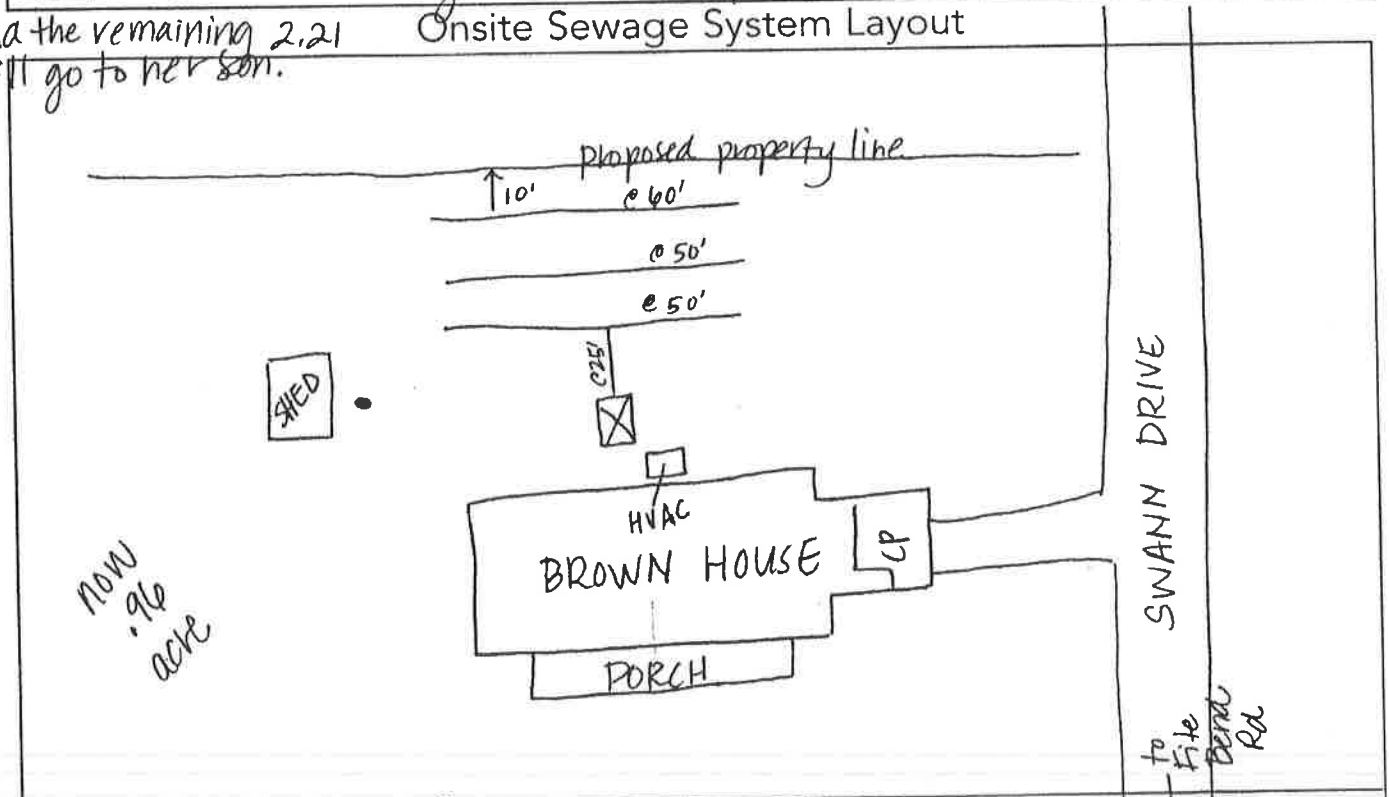
Comments:

- > tank and drainfield location found and marked for zoning purposes.
- > gravel drainfield found
- > house built @ 1982, no records found

> proposed property line @ 10' from drainfield. Future repair can be behind house or to the front  
> gravel line > 3 pipes > 3.7 acres will be cut down to .96

and the remaining 2.21 will go to her son.

Onsite Sewage System Layout



Inspector: C Blair

Approved: YES  NO

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # V16-05 Z16-13 Eden Variance  
A-1 to R-1

Date: 6/13/16

Reviewed by: Barry HICE

ROAD DEPARTMENT

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

No NEGATIVE IMPACT ON ROAD OR RIGHT  
 OF WAY.

BH

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-13  
APPLICATION NAME: MYRA GWEN EDEN  
TYPE OF ZONING: A-1 TO R-1, VARIAN  
DATE: 6/15/2016  
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS PROPERTY IS SERVED BY A 2" 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.