

INFORMATION SHEET FOR REZONING REQUESTS

Application # 217-10 DATE OF READING 6-20-17  
REZONE FROM A-1 TO R-4 High density residential

PROPERTY OWNER Linda Hobgood Applicant: Pam Duckworth

LOCATION OF PROPERTY Corner lot of Cherry St. & Linda Lane

DESCRIPTION OF PROPERTY  
1.38 ACRES

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

- denial

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

Jerry Lovelace made the motion to approve Variance Application #V17-08 as requested. Nathan Serritt seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

**VARIANCE APPLICATION #V17-09, CHERYL JOHNSTON**

Chairman Rule read variance application #V17-09, Cheryl Johnston requesting a variance on a 6.02 acre tract located at 476 Union Grove Church Road, Calhoun. Ms. Johnston represented the request explaining that she would like a variance to increase the required 500 feet maximum for a metal structure to 1152 square feet for a storage building to un-clutter her house and have somewhere to put her stuff, so she needed a 652 square foot variance. Dianne Williams, an adjoining property, owner spoke in opposition to the variance. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V17-09 be approved.

Jerry Lovelace made the motion to approve Variance Application #V17-09 as requested. Eddie Smith seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

**VARIANCE APPLICATION #V17-10, FIREHOUSE SUBS.**  
**(Applicant: Southern Advertising & Sign Service, LLC)**

Chairman Rule read variance application #V17-10, Firehouse Subs requesting a variance on a .52 acre tract located at 1131 S. Wall Street, Calhoun. Tony Brown, with Southern Advertising & Sign Service, LLC represented the request explaining that they would like a variance of 6 feet to increase the square footage of the sign from the required 50 square feet to 56 square feet and will be using the existing pole from the previous business sign. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V17-10 be approved.

Nathan Serritt made the motion to approve Variance Application #V17-10 as requested. Eddie Smith seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

**REZONING APPLICATION #Z17-10, LINDA J. HOBGOOD**  
**(Applicant: Pam Duckworth)**

Chairman Rule read rezoning application #Z17-10, Linda J. Hobgood (applicant: Pam Duckworth), requesting to rezone a 1.38 acre tract located at the corner of Cherry Street and Linda Lane, Calhoun from A-1 to R-4. Ms. Duckworth represented the request explaining that this property belongs to her mother and she wants to rezone this property to be able to build in the next 2-3 years 3 duplex living quarters. Area property owners that spoke in opposition to this rezoning change were Cherrie Farmer, Jackie Clayton and Elise Fain. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z17-10 be denied to maintain and protect the established single-family area and due to the lack of being able to obtain public sewage.

Jerry Lovelace made the motion to deny the rezoning application identified as #Z17-10 from A-1 to R-4. Nathan Serritt seconded the motion. All voted aye. The recommendation for denial 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 7:10 p.m.

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Zelda Gregg, Secretary

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Randy Rule, Chairman  
Butch Layson, Vice-Chairman

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

Application Number: 217-10 Present Zoning: Agricul Proposed Zoning: R4

Date of Planning Commission Meeting: June 12, 2017

Date of Board of Commissioners' Meeting: June 20, 2017

Applicant: Pam Duckworth

Property Owner: (if different from applicant) Linda J. Hobgood

Property Address: Corner of Cherry Street & Linda Lane

Said Property having a frontage of Corner lot feet and containing 1.38 acres.  
Refer to Plat Total

Future Development Map Classification: Peter St. Residential

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: To rezone to R-4, High Density Residential

Reason for Proposed Action: To build 3 duplex living quarters.

Directions to Property: Peters St + Lt on May St.  
go over to Linda Lane + rt - + Lt  
on Cherry St - corner lot

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

**Rezoning Proposal**

**Date of Report:** May 26, 2017

**Application #** Z17-10

**Applicant and Property Owner:** Pam Duckworth (appl) Linda J. Hobgood (owner)

**Location of Property:** Corner of Cherry St. & Linda Lane, Calhoun, GA 30701

**Property Frontage:** Corner lot Feet      **Tract Size:** 1.38 acres

**Proposed Action:** Rezone from A-1 (Agricultural) to R-4 (High Density Residential).

**Reason for Proposed Action:** To build 3 Duplex living quarters.

**Future Development Map Classification:** Peters Street Residential

**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:*** This property should be on city sewer. Nothing needed from EH.
- \* ***Building Department:*** N/A
- \* ***Fire Department:*** OK
- \* ***Gordon County School System:*** N/A
- \* ***Road Department; and/or Georgia Dept. of Transportation:*** If the entrance to the site is going off of Linda Lane, then that would be City R/W. If coming off of Cherry St. they will need to get a permit from Public Works Dept. Also, will need to present us with proposed plans for project to be approved as far as design of entrance, drainage, etc.
- \* ***Water & Sewer (City of Calhoun):*** This property is served by a 6" water line and a 2" water line located along Linda Lane. This property has access to city sewer service. If property is eligible for annexation into the city, property must annex before sewer service is provided or show hardship before sewer service is provided.
- \* ***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.***

Subject property is surrounded by agricultural zoned low-density residential dwellings.

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

The proposed zoning will adversely affect the existing use of usability of adjacent of nearby property.

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

The subject property can be further developed as currently zoned because it is a non-conforming lot and can have a dwelling constructed on each of the lots, if the property perked for a septic system.

***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 will generate additional vehicular traffic.

***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 Peters Street Residential on the Gordon County Future Development Map. This classification supports land uses intended for Residential (single-family and multi-family), parks, Public/Institutional and Neighborhood commercial (along Peters Street and Richardson Road). The proposed zoning is not consistent with surrounding residential neighborhood.

***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 proposed zoning is consistent with the Future Land Development Map, however, is not consistent with the single-family dwellings in the neighborhood. This development would be required to have public sewage and as stated per the City of Calhoun Water and Sewer, they would have to annex in order to be considered for sewage.

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

The rezoning request identified as Application #Z17-10 is recommended for denial to maintain and protect the established single-family area and due to the lack of being able of obtaining public sewage.

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

GORDON

County.

THIS INDENTURE, made this 21st day of May in the year of our Lord One Thousand Nine Hundred and Seventy-Six



between C. R. Parker of the State of Georgia and County of Gordon of the first part and Linda Jean Hobgood 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 Ten and No/100 (\$10.00) and Love and Affection DOLLARS

in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged in S granted, bargained, sold and conveyed and by these presents do S grant, bargain, sell and convey unto the said part Y of the second part, his heirs and assigns, all that tract or parcel of land lying and being in the 14th District and 3rd Section of Gordon County, Georgia, being a part of Land Lot No. 239 thereof, and being more particularly described as Lot Nos. 4 and 5, Block "G" of the Parker Subdivision according to Plat No. 2, prepared by Peter L. Bakum, Ga. Reg. L.S. No. 1096, of date May 7, 1959, and recorded in the office of the Clerk of Superior Court of Gordon County, Georgia, in Plat Book 2, Page 186, to which said plat and the record thereof reference is hereby made for a full and complete description of the lands herein conveyed.

This property restricted for residential purpose only. No Mobile Homes. Must be brick construction homes valued at \$20,000.00 or more.

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 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 Greg Weathers, Notary Public, Linda J. Hobgood, C. R. Parker (Seal), FLOYD WHITTEMORE, ESQ. (Seal), FILED & RECORDED: 6-11-76

51-489

(66)

C. R. Parker  
to  
Linda Jean Parker

## WARRANTY DEED

STATE OF GEORGIA, GORDON COUNTY:

THIS INSTRUMENT, Made this 10th day of August, 1961, between C. R. Parker of the State of Georgia and County of Gordon of the first part and Linda Jean Parker of the State of Georgia and County of Gordon of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of \$1.00 and love and affection in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, her heirs and assigns, all that tract or parcel of land lying and being in

the 11th district and 3rd Section of Gordon County, Ga. and being part of land lot 239 thereof, and more particularly described as follows: Being lots 1 and 2 of Block C of the C. R. Parker Subdivision, according to a plat of said subdivision prepared by Joseph N. Amis, Surveyor, of date June 8, 1957, which said plat is recorded in the Office of the Clerk of Superior Court of Gordon County, Georgia in Plat Book 2, page 265, to which said plat and the record thereof reference is hereby made for a full and complete description of the lands herein conveyed.

This conveyance is made subject to the following restrictions: All dwellings shall be of brick or brick veneer construction only, and no dwelling shall be constructed on said property that costs less than \$5000.00.

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 anywise appertaining, to the only proper use, benefit and behoof of her the said party of the second part, her heirs and assigns, forever, IN FEE SIMPLE.

And the said party 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 party of the second part, her heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and affixed his seal; the day and year above written.

Signed, sealed & delivered in presence of:  
Margaret S. Talley  
T. L. Shanahan, N.P.

C. R. Parker (seal)

Filed &amp; recorded: 4/14/62. Floyd Whittemore, CSC

Roy O. Pass Jr.  
to  
C. R. Parker

## WARRANTY DEED

STATE OF GEORGIA, GORDON COUNTY:

THIS INSTRUMENT, Made this 13th day of April, 1962, between Roy O. Pass Jr. of the County of Gordon and State of Georgia of the first part and C. R. Parker of the County of Gordon and State of Georgia of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of \$1.00 and exchange of property in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns, all that tract or parcel of land lying and being in

the 11th district and 3rd Section of Gordon County, Ga. and being a part of lot of land 228 thereof, and more particularly described as follows: BEGINNING at a point on the East side of Victory Drive at the Northwest corner of property now or formerly owned by Monroe Sutherland and running thence North along the said East side of Victory Drive a distance of 117 feet, more or less to an iron stake; thence running in an Easterly direction a distance of 345 feet, more or less, to an iron stake; thence running in a Southerly direction 117 feet, more or less, to an iron stake at the property line of said Monroe Sutherland; thence in a Westerly direction along said Sutherland line a distance of 345 feet, more or less, to the point of beginning. Said tract being bounded now or formerly as follows: On the North by land of J. A. King; on the East by land of Jesse McEntyre; on the South by land of Monroe Sutherland, and on the West by the said Victory Drive.

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 anywise appertaining, to the only proper use, benefit and behoof of him the said party of the second part, his heirs and assigns, forever, IN FEE SIMPLE.

And the said party 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 party of the second part, his heirs and assigns, against the claims of all persons whomsoever.

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

Signed, sealed & delivered in presence of:  
Susie R. Gray  
Frank Dobbs, N.P.

Roy O. Pass Jr. (seal)

Filed &amp; recorded: 4/14/62. Floyd Whittemore, CSC

R. B. Eads  
to  
George W. Cox

## WARRANTY DEED

STATE OF GEORGIA, GORDON COUNTY:

THIS INSTRUMENT, Made this 20 day of January, 1960, between R. B. Eads of the County of Gordon and State of Georgia of the first part and George W. Cox of the County of Gordon and State of Georgia of the second part.



- Provide safe facilities for pedestrians, schools buses, and bicyclists using the road right-of-way
- Connect to a network of greenways/trails, wherever possible
- Provide adequate open space and active and passive recreation opportunities for area residents
- Limit clearing and grading
- Encourage use of Planned Residential Development zoning classification and/or Conservation Subdivision ordinance with the goal of maximizing open space
- Include a variety of housing choices
- Provide sidewalks, street trees and decorative, pedestrian-scale lighting
- Require residential subdivisions accessing a highway to be interconnected and to provide at least two entrances

#### **Primary Land Uses**

- Single-family residential
- Parks
- Public/institutional
- development; require pedestrian paths through cul-de-sacs; limit cul-de-sac use by permitting increased density as an incentive, etc.)

#### **5.1.9 Peters Street Residential**

Peters Street Residential is similar to the Early Suburban character area in that it reflects post-World War II development, however a key differentiation is that it includes a mix of residential uses and some commercial uses. Single-family homes include conventional construction as well as mobile homes, and several apartment complexes are located throughout the character area. Recent residential in-fill projects can also be found.

#### **Development Pattern**

The development pattern should seek to:

- Add sidewalks, traffic calming improvements and/or increased street interconnections to improve walkability within existing neighborhoods
- Accommodate residential in-fill development that compliments the scale, setback and style of existing adjacent homes
- Accommodate "neighborhood commercial" uses along Peters Street and Richardson Road (conversion, rather than demolition, of existing homes for commercial use is encouraged; standards should apply for parking, landscaping, lighting, signage, outdoor storage, etc. that respect adjacent residential uses and character of the area)
- Focus on reinforcing stability by encouraging home ownership and maintenance or upgrade of existing properties
- Maintain housing choice but protect established single-family areas

#### **Primary Land Uses**

- Residential (single-family and multi-family)
- Parks
- Public/institutional
- Neighborhood commercial (along Peters Street and Richardson Road)



CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z17-10  
APPLICATION NAME PAM DUCKWORTH  
TYPE OF ZONING: AG TO R4  
DATE: 5/25/2017  
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

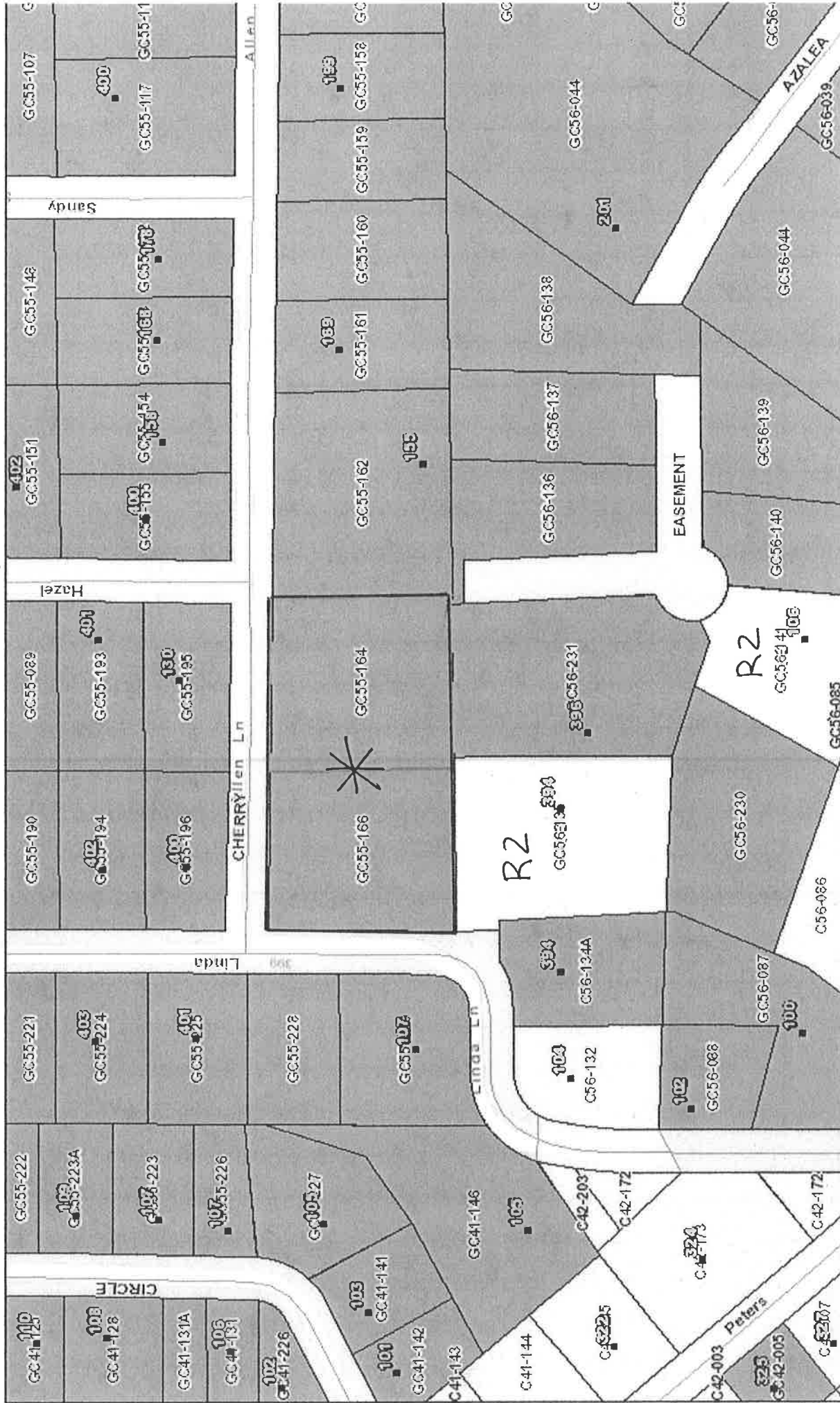
THIS AREA IS SERVED BY A 6" WATER LINE AND A 2" WATER LINE LOCATED ALONG LINDA LANE.

SEWER COMMENTS:

THIS PROPERTY HAS ACCESS TO CITY SEWER SERVICE. IF PROPERTY IS ELIGIBLE FOR ANNEXIATION INTO THE CITY, PROPERTY MUST ANNEX BEFORE SEWER SERVICE IS PROVIDED OR SHOW HARDSHIP BEFORE SEWER SERVICE IS PROVIDED.

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.

# ArcGIS Web Map



May 15, 2017

*A-1 surrounding*

■ Addresses  
□ Parcels  
— Flood Creeks  
▨ Flood Zones  
▨ floodway ae  
▨ zone a  
▨ zone ae  
▨ zone x other  
▨ New Echota Overlay District  
▨ Resaca Battlefield Overlay District

0 0.0175 0.035 0.07 mi  
 0 0.02 0.04 0.08 km

Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, N  
 Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), M  
 NGCC, © OpenStreetMap contributors, and the GIS User Community

Web AppBuilder  
 Esri, HERE, Garmin, INCREMENT P, NC

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 217-10 Hobgood A1 to R4

Date: 5/22/17

Reviewed by: Christy Blair

Environmental Health

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

This prop should be on city sewer ~  
Nothing needed from EH.

**DEPARTMENTAL REVIEW – FIRE DEPARTMENT**

Application # 217-10 Hobgood A-1 to R4

Date: 5/19/17

Reviewed by: JOEY JORDON

**FIRE DEPARTMENT**

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

O.K.  


DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 217-10 Hobgood A-1 to R4

Date: 5/25/17

Reviewed by: Steve Parris

ROAD DEPARTMENT

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

IF the entrance to the site is going off ~~to be off~~ Linda Lane, that would be city R/W.

IF coming off Cherry St. they will need to get Permit from public works dept. Also will need to present us with proposed Plan for project to be approved for as design of entrance, drainage, etc.

Steve Parris