

INFORMATION SHEET FOR REZONING REQUESTS

Application # 217-09 DATE OF READING 6-20-17
REZONE FROM CH TO R4 high density residential

PROPERTY OWNER Stanley Simpson

LOCATION OF PROPERTY 5200 Fairmount Highway
Calhoun

DESCRIPTION OF PROPERTY
1.47 ACRES

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

- Approval

STIPULATIONS:

**GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
JUNE 12, 2017**

The Gordon County Planning Commission held a Public Hearing on Monday, June 12, 2017 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	Jerry Lovelace
Nathan Serritt	Eddie Smith

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 May 8, 2017. Nathan Serritt seconded the motion. All voted aye. The minutes were approved as written.

**VARIANCE APPLICATION #V17-05 & REZONING APPLICATION #Z17-09,
STANLEY SIMPSON**

Chairman Rule read variance application #V17-05 and rezoning application #Z17-09, Stanley Simpson for a 1.47 acre tract located at 5200 Fairmount Hwy., Calhoun. Mr. Simpson represented the request explaining that he had rezoned this same tract with the existing structure a few months ago to CH, but he had received more interest in rental for residential property than for rental of office space and/or a used car lot, so now he would like to rezone back to R-4 and use it as a rental duplex. The reason he is asking for the variance is to remain on the existing septic system and not have to connect to the city sewage system because it would be a huge financial burden. He also added that if he had to connect to the city sewage it would have to be run about a half a mile and the cost would be around \$50,000 so it was more cost efficient to add another septic system so each unit would have their own septic tank. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V17-05 be approved as requested and on the rezoning request identified as Application #Z17-09 it is recommended for approval from CH to R-4.

On variance request #V17-05, Eddie Smith made the motion to approve as requested. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

On rezoning request #Z17-09, Jerry Lovelace made the motion to approve the rezoning request from CH to R-4. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V17-06, RON HAGGARD

Chairman Rule read variance application #V17-06, Ron Haggard requesting a variance on a 1 acre tract located at 173 Newtown Church Road, Calhoun. Mr. Haggard represented the request explaining that he had already built the 800 square foot metal garage because he was told by a friend that he didn't need a building permit for a metal structure, so now he needs to ask for a 300 foot variance to the required 500 foot maximum for a metal structure. It was also added that he needed a structure large enough to house his camper. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V17-06 be approved.

Eddie Smith made the motion to approve Variance Application #V17-06 as requested. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

VARIANCE APPLICATION #V17-07, J. HALEY STEPHENS

Chairman Rule read variance application #V17-07, J. Haley Stephens requesting a variance on a 10.33 acre tract located at 3217 Red Bud Road, Calhoun. Mr. Stephens represented the request explaining that he would like a variance to increase the required 500 feet maximum for a metal structure to 1200 square feet for a garage large enough for his vehicles, so he needed a 700 square foot variance. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V17-07 be approved.

Nathan Serritt made the motion to approve Variance Application #V17-07 as requested. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

VARIANCE APPLICATION #V17-08, JASON MULLINS

Chairman Rule read variance application #V17-08, Jason Mullins requesting a variance on a .53 acre tract located at 196 Dixie Drive, Calhoun. Mr. Mullins represented the request explaining that he would like a variance to decrease the required side set back requirements for a 16x28 garage addition that would be 6 feet from the side setback of the property line. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V17-08 be approved.

**Cover Sheet
Proposal for Land Use Action**

Application Number: 217-09 Present Zoning: CH Proposed Zoning: R4

Date of Planning Commission Meeting: June 12, 2017

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

Applicant: Stanley Simpson

Property Owner: (if different from applicant) _____

Property Address: 5200 Fairmount Hwy, Calhoun

Said Property having a frontage of 504 feet and containing 1.47 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: CH, Highway Commercial

Proposed Action: To rezone property to R4 to use
the existing duplexes as rentals.

Reason for Proposed Action: Have had more interest as
rental properties than offices and used
car lot.

Directions to Property: Go Hwy 53 East, 2 miles from I-75.
Property on left at intersection of Hwy 53E
& Foster Lusk Rd.

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: May 26, 2017

Application # Z17-09

Applicant and Property Owner: Stanley Simpson

Location of Property: 5200 Fairmount Hwy, Calhoun, GA 30701

Property Frontage: 504 Feet **Tract Size:** 1.47 acres

Proposed Action: Rezone from CH (Highway Commercial) to R-4 (High Density Residential).

Reason for Proposed Action: I have had more interest as a rental property than offices and a used car lot, I'd like to just use it as a rental duplex.

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 with division from Environmental Health. The soils on this tract are acceptable for septic. They have been submitted by the soil scientist. (Armuchee – A code)
- * ***Building Department:*** N/A
- * ***Fire Department:*** OK
- * ***Gordon County School System:*** N/A
- * ***Road Department: and/or Georgia Dept. of Transportation:*** Same property that changed from residential to commercial last year. If going back to residential, we have no comments unless, they are adding new driveway of State Route.
- * ***Water & Sewer (City of Calhoun):*** This property is served by an 8" 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 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 and low-density residential uses and a 5.691 acre tract south of the property that is zoned CH but has been undeveloped since 2010.

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 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 cannot be further developed as currently zoned because it is less than the minimum 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 will not 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 Emerging Suburban on the Gordon County Future Development Map. This classification supports land uses intended for single-family residential, passive and active recreation, and civil/institutional. The proposed zoning is consistent with surrounding residential and agricultural uses.

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. The property has the existing duplexes which can be utilized as rental properties.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z17-09 is recommended for approval.

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

Recorded 05/05/2016 9:00
Doc: 00 Rcp#: 313349
TRANSFER TAX: 50.00
TRANSFER TAX ID: 0642016000754
Grant Malraven, C.S.C.
GORDON County, Ga
DEED Bk: 2005 Pg: 182

Return Recorded Document to:
Brumlow, Corwin & Delashmit, P.C.
1287 Curtis Parkway SE
P.O. Box 2500
Calhoun, GA 30703
File #0416G437

STATE OF GEORGIA

COUNTY OF GORDON

WARRANTY DEED

This Indenture made this 4th day of May, 2016 between JANICE WEST AND DOROTHY CRONAN GALLMAN FKA DOROTHY GRONAN GREESON, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and STANLEY SIMPSON, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" 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 receipt 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 Grantee,

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 1 of the 6th District and 3rd Section of Gordon County, Georgia; and being that certain 1.47 acre tract as shown on plat dated 06/14/1976 and amended 08/22/1986 and recorded in Plat Book 17, Page 204, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

This Deed is given subject to all easements and restrictions of record, if any.

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 behoof of the said Grantee forever in FEE SIMPLE.

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, 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


Notary Public




JANICE WEST (Seal)


DOROTHY CRONAN GALLMAN FKA
DOROTHY CRONAN GREESON (Seal)

6. Rural/Agricultural Reserve (con't.)

Development Pattern (con't).

- Reduce impervious cover
- Utilize natural features for stormwater management
- Accommodate low-intensity uses

Primary Land Uses

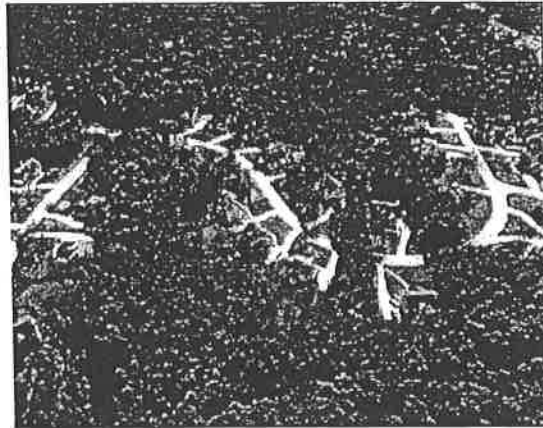
- Agricultural
- Low-intensity single-family residential
- Passive recreation

Quality Community Objectives

- Sense of Place
- Open Space Preservation
- Environmental Protection

Implementation Strategies

- Adopt a policy that discourages extension of public utilities into these areas
- Continue to follow BMPs for any land disturbance activities, including tree harvesting and utility construction
- Adopt a Conservation Subdivision Ordinance
- Adopt typical street cross-sections for these areas that identify appropriate width and configuration and that require paved roads to use drainage swales in lieu of curb and gutter
- Encourage the use of Stormwater Better Site Design Standards (part of the Georgia Stormwater Management Manual) to conserve natural areas, reduce impervious surfaces and better integrate stormwater treatment in site planning and design
- Increase buffer requirements between agricultural and non-agricultural uses
- Adopt policies that require setting aside land as part of subdivision development for a County-wide network of greenways/trails for use by non-motorized users
- Promote the use of conservation easements and conservation tax credits by landowners to help preserve viable farmland



An example of a conservation subdivision, which maximizes and protects existing green space/trees
Source: Georgia Stormwater Management Manual

7. Emerging Suburban

Suburban-type residential development (smaller-lot neighborhoods versus individual, large lots) has occurred to some extent east of Calhoun between State Highway 156 (Red Bud Road) and State Highway 53. These residential subdivisions have typically developed in a leap-frog fashion, and they lack connectivity when they do abut. Like much of the County, the homes utilize septic systems. Less dense residential development has occurred southwest of Calhoun. Together, these two areas have the potential to accommodate residential growth in the County. Development is not expected to be at the same intensity as what is encouraged in the Emerging Mixed Use – Community Node character areas, especially due to the presence of groundwater recharge areas, the lack of sewer infrastructure, and the existing development pattern that includes large-lot development. Conservation subdivisions, however, are a suitable use to help retain the open spaces and rural character that are prevalent throughout the area.

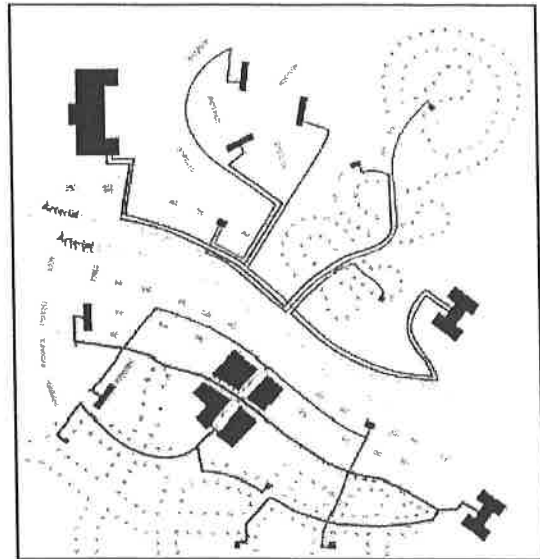


7. Emerging Suburban (con't.)

Development Pattern

The development pattern should seek to:

- Respect the rural character
- Provide adequate open space
- Provide connected system of streets within new subdivisions and connect to existing subdivisions
- Include a variety of housing choices
- Limit clearing and grading
- Provide sidewalks, street trees and decorative, pedestrian-scale lighting
- Provide safe facilities for pedestrians, schools buses, and bicyclists using the road right-of-way
- Connect to a network of greenways/trails, wherever possible
- Continue to follow the lot size requirements of the Groundwater Recharge Area Protection Ordinance
- Assure compatibility of infill development with surrounding neighborhoods
- Require residential subdivisions accessing a highway to be interconnected and to provide at least two entrances
- Allow higher density development if water/sewer infrastructure can be provided
- Encourage conservation subdivisions
- Provide active and passive recreation opportunities for area residents



The Emerging Suburban character area seeks to encourage the connectivity depicted on the bottom of the diagram and discourage conventional suburban sprawl shown in the top of the diagram.

Primary Land Uses

- Single-family residential
- Passive and active recreation
- Civic/institutional

Quality Community Objectives

- Housing Choices
- Open Space Preservation
- Transportation Alternatives
- Sense of Place

Implementation Strategies

- Adopt a Conservation Subdivision Ordinance
- Adopt a Landscape and Buffer Ordinance
- Continue to enforce the existing Groundwater Recharge Area Protection Ordinance
- Adopt a Tree Protection/Replacement Ordinance
- Adopt maximum lot coverage requirements



DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # Z17-09 V17-05 Simpson CG to R4
Variance

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:

New septic systems were installed, inspected and approved on 4-18-17. (see attached inspection sheets).

**GEORGIA DEPARTMENT OF PUBLIC HEALTH
ON-SITE SEWAGE MANAGEMENT SYSTEM INSPECTION REPORT**

CONSTRUCTION PERMIT NUMBER

OSC06401410

COUNTY	COUNTY CODE	HEALTH DISTRICT	MONTH	DAY	YEAR
Gordon	064	1-1	04	18	2017

SUBDIVISION: _____ LOT: _____ PROPERTY OWNER: **STANLEY SIMPSON**

PROPERTY LOCATION / ADDRESS: **5200 FAIRMOUNT HWY, CALHOUN, GA 30701**

SEWAGE CONTRACTOR: **Tim Brown**

CONTRACTOR LICENSE: **12725**

ALL ITEMS: (BLANK) = Not Applicable (0) = Unknown *ITEMS (1) = Yes (2) = No

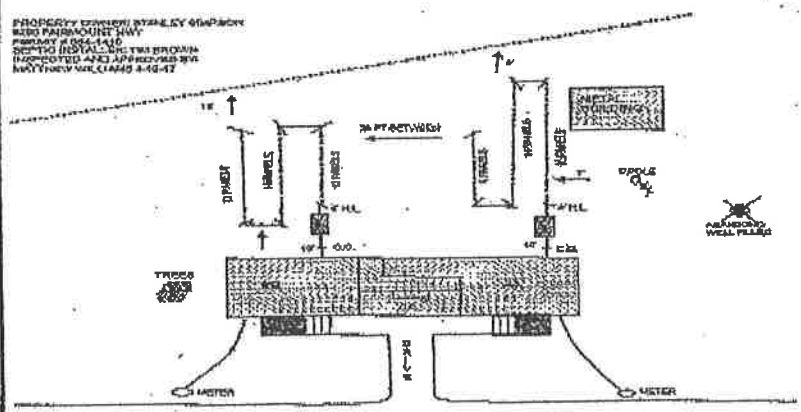
Section A - General	Section B - Primary / Pretreatment	Section C - Secondary Treatment
1. WATER SUPPLY: (1) Public (2) Private (3) Community	1. DISPOSAL METHOD: (1) Septic Tank (2) Privy (3) Aerobic Unit (4) Other:	1. ABSORPTION FIELD DESIGN (1) Level (2) Serial (3) Drp (4) Bed (5) Distribution box (6) Mound (7) Other:
2. ** TYPE OF STRUCTURE: (see below)	2. SEPTIC TANK: a. Capacity (gals):	2. ABSORPTION FIELD: a. Total square feet:
3. STRUCTURE AGE: (1) New (2) <1 year (3) >1 year	b. Material: (1) Concrete (2) Polyethylene (3) Fiberglass (4) Poured (5) Other:	b. Total linear feet:
4. SEWAGE SYSTEM: (1) New (2) Repair (3) Addition	c. Distance from (feet): (1) Well: (2) Building: (3) Lake/Stream: (4) Nearest property line:	c. Number of trenches:
5. AGE OF SYSTEM (repairs): (1) <1 (2) 1-5 (3) 6-10 (4) 11-20 (5) 21-30 (6) 31-40 (7) >40	d. Manufacturer: Calhoun Precast	d. Length trenches (feet):
6. * IN SUBDIVISION?:	3. FILTER MANUFACTURER/MODEL: Tuf-Tite / EF-4	e. Distance between trenches (feet):
7. WATER USAGE BY: (1) Bedroom Numbers (2) Gallons per day	4. AEROBIC UNIT: a. Treatment capacity:	f. Depth of trenches (range in inches):
8. NO. OF BEDROOMS/ GALLONS PER DAY:	b. Manufacturer/Model: 0 / 0	g. * Aggregate proper size:
9. LOT SIZE:	5. DOSING TANK CAP. (gals):	h. * Aggregate proper depth:
10. PERCOLATION RATE/ LOADING RATE:	6. GREASE TRAP CAP. (gals):	i. Distance from (feet): (1) Well: (2) Building: (3) Lake/Stream: (4) Nearest property line:
11. SOIL CLASSIFIER:		j. Nearest property line: Rear
12. SOIL SERIES:		k. Product used:
		3. ABSORPTION LINE: Quick 4 Plus Standard - 12hr.

** TYPE OF FACILITY
(1) Single-Family Residence
(2) Multi-Family Residence
(3) Commercial ≤2000
(4) Commercial ≥2000
(5) Restaurant
(6) Mobile Home Park
(7) Other (specify) Multi-Family Residence

REMARKS:
See Addendum

Drawing not to scale

Issuance of a construction permit for an on-site sewage management system, and subsequent approval of same by representatives of the County Board of Health shall not be construed as a guarantee that such systems will function satisfactorily for a given period of time; furthermore, said representatives do not, by any action taken in affecting compliance with these rules, assume any liability for damages which are caused, or which may be caused, by the malfunction of such system.



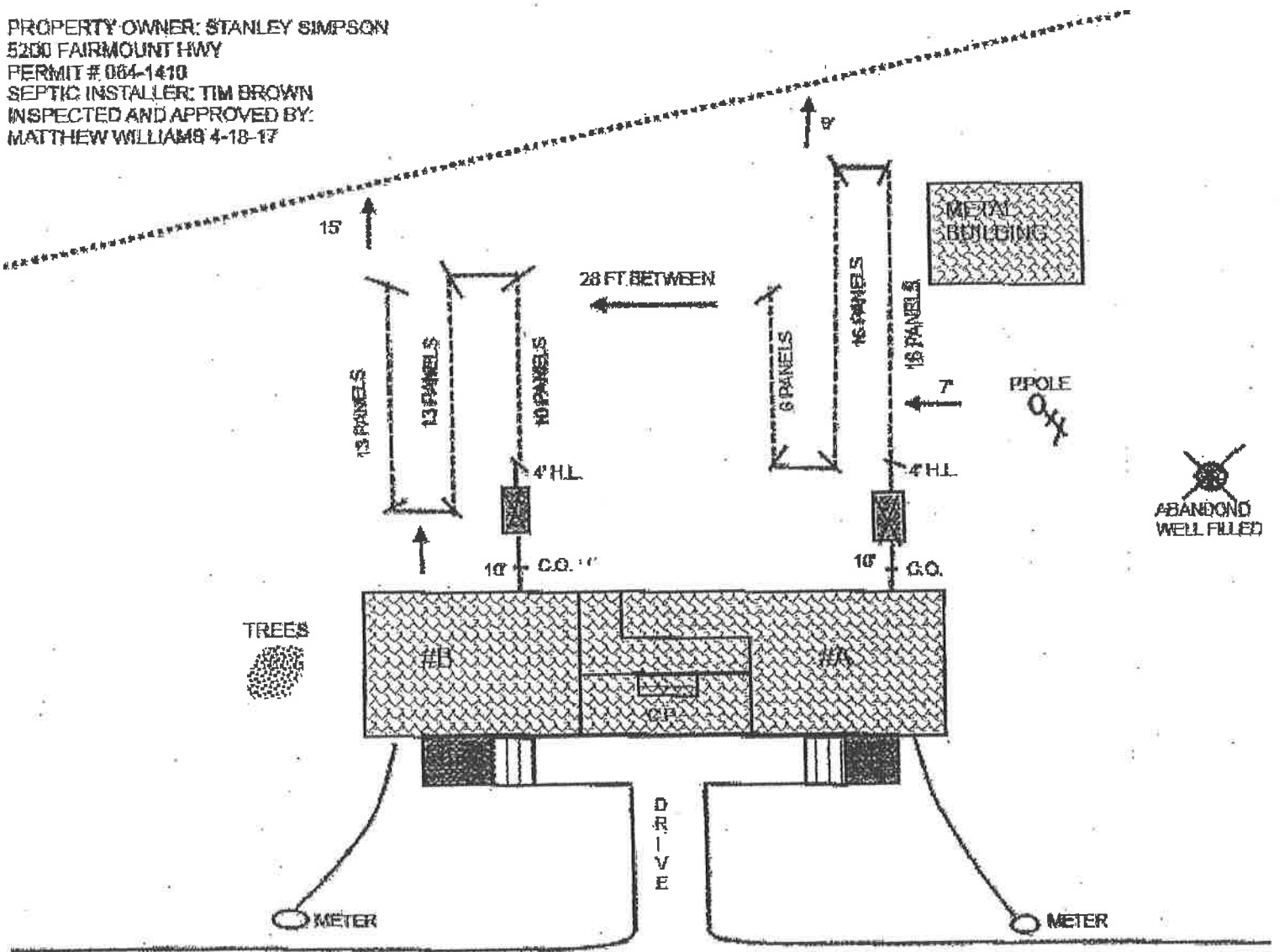
ENVIRONMENTALIST
Matthew Williams

TITLE
Environmental Health Specialist IV

*SYSTEM APPROVED;
(see Sect. A 7 & 8)

Y

PROPERTY OWNER: STANLEY SIMPSON
5200 FAIRMOUNT HWY
PERMIT # 084-1410
SEPTIC INSTALLER: TIM BROWN
INSPECTED AND APPROVED BY:
MATTHEW WILLIAMS 4-18-17



County: Gordon

Permit Number: OSC06401410

Property Address: 5200 FAIRMOUNT HWY CALHOUN, GA 30701

Property Owner: STANLEY SIMPSON

Remarks: INFILTRATOR QUICK 4 PLUS STANDARD, DUPLEX A, 38 PANELS 456 TOTAL SQUARE FEET, 152 TOTAL LINEAR FEET, 1000 GAL TANK, 10' FROM BUILDING, DUPLEX B, 36 PANELS, 432 TOTAL SQUARE FEET, 144 TOTAL LINEAR FEET, TANK 1000 GAL, 10' FROM BUILDING. ABANDONED WELL WAS FILLED. OWNER REQUEST FOOTAGE, (REPAIR AREA BETWEEN AND BELOW BOTH SYSTEMS.) PROPERTY MUST REMAIN TOGETHER AS 1.47 ACRES AND CANNOT BE SUBDIVIDED IF SEPTIC SYSTEMS ARE UTILIZED, TO TREAT SEWAGE.

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z17-09
APPLICATION NAME STANLEY SIMPSON
TYPE OF ZONING: CH TO R4, VARIAN
DATE: 5/25/2017
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS PROPERTY IS SERVED BY AN 8" WATER LINE.

SEWER COMMENTS:

NO CITY SEWER TO 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 - FIRE DEPARTMENT

Application # 217-09 V17-05 Simpson CG to R4
Variance

Date: 5/18/17

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.


DEPARTMENT REVIEW – STATE DEPARTMENT OF
TRANSPORTATION

Application # 217-09 V17-05 Simpson CH to R-4
Date: May 16, 2017 Variance
Reviewed by: Stanley McCarley

State Department of Transportation

Comments, recommendations, or any condition of approval to serve proposed rezoning or variance with State Department of Transportation:

Same property that changed from residential to commercial last year?
If going back to residential, we have no comments unless, they are adding new driveway of State Route.