

INFORMATION SHEET FOR REZONING REQUESTS

Application # 217-23 DATE OF READING 2-27-18

REZONE FROM A-1 TO R-1

APPLICANT Sonya Irmischer

OWNER _____

LOCATION OF PROPERTY 301 Switch Rd

Calhoun

DESCRIPTION OF PROPERTY
.81 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
FEBRUARY 12, 2018**

The Gordon County Planning Commission held a Public Hearing on Monday, February 12, 2018 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	Butch Layson
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 January 8, 2018. Butch Layson seconded the motion. All voted aye. The minutes were approved as written.

REZONING APPLICATION #Z17-23, SONYA G. IRMSCHER

(Tabled from January 8, 2018)

Chairman Rule read rezoning application #Z17-23, Sonya G. Irmischer, requesting to rezone a .81 acre tract located at 301 Switch Road, Calhoun from A-1 to R-1. Sonya Irmischer represented the request explaining that this .81 acre tract is to be subdivided off from the original 6.80 acres to build a small house and the existing old house on this tract will be torn down. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z17-23 be approved.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z17-23 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.

VARIANCE APPLICATION #V17-16, ROGER & TERESA RACE

Chairman Rule read variance application #V17-16, Roger and Teresa Race, requesting a variance on a 71.22 acre tract located at 436 Liberty Church Road, Ranger. Mr. Race represented the request explaining that they would like to build a metal building approximately 2400-2800 square feet to house worm farming equipment and increase the maximum requirement of 500 square feet for metal structures. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V17-16 be approved.

**Cover Sheet
Proposal for Land Use Action**

Application Number: 217-23 Present Zoning: A-1 Proposed Zoning: R-1

Date of Planning Commission Meeting: January 8, 2018

Date of Board of Commissioners' Meeting: January 16, 2018

Applicant: Sonya G. Irmscher

Property Owner: *(if different from applicant)* _____

Property Address: 301 Switch Rd SW Calhoun

Said Property having a frontage of 151.08 feet and containing 0.81 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Subdividing property into 2 tracts.

Original tract is 6.80. First tract will remain
5.99 acres, second tract will be 0.81 acre.

Reason for Proposed Action: Would like to build a small
house on the 0.81 acres. The existing old house
on this tract will be torn down.

Directions to Property: Hwy 53 W, turn rt. on Switch
Connector, turn rt on Switch Rd, it is the
8th driveway on rt. #301

Map. 025-072

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: December 21, 2017

Application # Z17-23

Applicant and Property Owner: Sonya G. Irmscher

Location of Property: 301 Switch Rd. SW, Calhoun, GA 30701

Property Frontage: 151.08 Feet **Tract Size:** 0.81 acres

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

Reasons for Proposed Action: Subdividing property into two (2) tracts. Original tract is 6.80. The first tract will be 5.99 acres and will remain Agricultural, the second tract will be a 0.81 acre. I would like to build a small house on the small tract, the existing old house on this tract will be torn down.

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 from E.H. on zoning. New house/property will require a new 911 address. Existing Irmscher home on the hill is #301 Switch Rd.
- * **Building Department:** N/A
- * **Fire Department:** OK.
- * **Gordon County School System:** N/A
- * **Road Department:** On inspection I found nothing that requires anything from the Public Works Department. There is an existing driveway, if there are no plans to widen it or add a new one we are good to go.
- * **Georgia Dept. of Transportation:** N/A
- * **Water & Sewer (City of Calhoun):** This property is served by a 6" water line. No City 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 located next to some R-1 zoning and across the street from a R-1, residential subdivision. Also, agricultural zoning used for residential purposes.

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 property.

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

The subject property exceeds the minimum lot size requirements for A-1 zoning and has the potential to be developed accordingly but it already has a livable existing house on the tract.

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 and/or may impede on 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 Emerging Suburban on the Gordon County Future Development Map. The primary land uses are Single-family residential, Passive and active recreation, and Civil/institutional.

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.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z17-23 is recommended for approval.

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

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

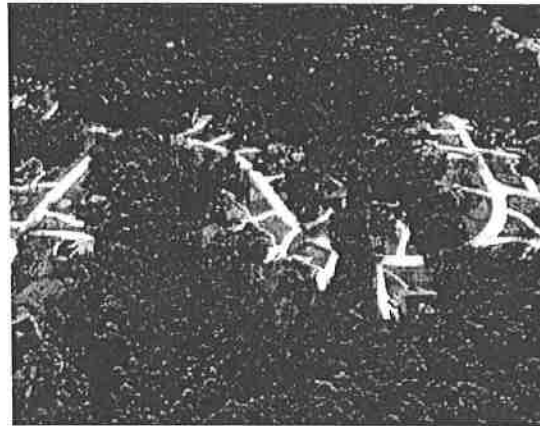
- Agricultural
- Low-intensity single-family residential
- Passive recreation

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.

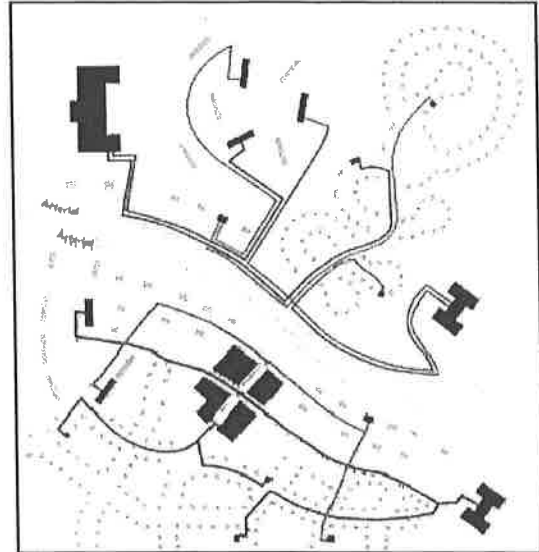


7. Emerging Suburban (con't.)

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



Final Title

199604288

ATTORNEY'S SUPPLEMENTAL TITLE CERTIFICATE

THIS IS TO CERTIFY THAT I, TOM E. SHANAHAN A PRACTICING ATTORNEY OF GORDON COUNTY, GEORGIA HAVE EXAMINED THE PUBLIC RECORDS OF GORDON COUNTY GEORGIA AFFECTING TITLE TO THE PROPERTY DESCRIBED IN THE SECURITY DEED GIVEN BY SONYA G. IRMSCHER DATED THE 9TH DAY OF AUGUST, 2011, TO GREATER COMMUNITY BANK OF CALHOUN. I FIND FURTHER THAT SAID SECURITY DEED IS RECORDED IN DEED BOOK 1719, PAGE 153, OFFICE OF THE CLERK OF THE SUPERIOR COURT OF GORDON COUNTY, GEORGIA, AND IS A VALID FIRST (1ST) LIEN OF THE SAME.

THIS 28TH DAY OF SEPTEMBER, 2011.

Tom E. Shanahan

Thomas E. Shanahan
Attorney at Law
P.O. BOX 1298
CALHOUN, GA 30703

(706) 625-4646

Donna

ATTORNEY'S PRELIMINARY REPORT ON TITLE

The undersigned certifies to **GREATER COMMUNITY BANK OF CALHOUN** that, based on a personal examination made of all conveyances correctly indexed of record affecting the title to the real estate described in Schedule A hereof, which sources of title information cover a period of fifty (50) years, it is the opinion of the undersigned that, subject to the liens, encumbrances and other objections noted under Schedule B hereof, good and merchantable title to said real estate is, as of the date of this report, vested in **SONYA IRMSCHER** by virtue of a Warranty Deed from Billy R. Loveless to Scott Irmscher and Sonya Irmscher dated December 13, 2001, which said deed is recorded in Deed Book 798, at Page 212, and by Quit Claim Deed from Scott Irmscher to Sonya Irmscher dated November 18, 2004, recorded in Deed Book 1152, page 409, Deed Records of Gordon County, Georgia. (All references to recorded documents are to the Gordon County, Georgia deed records unless noted otherwise.)

SCHEDULE A

All that tract or parcel of land lying and being in Land Lot No. 60 of the 15th District and 3rd Section of Gordon County, Georgia, containing 6.80 acres, and being more particularly described as Tract No. 2 according to a plat of survey entitled "Survey for Scott W. Irmscher & Sonya G. Irmscher" prepared by David A. Glass, GRLS No. 2822, of Freeman & Lambert Surveyors, P. C., Calhoun, Georgia, dated March 28, 2002, revised December 28, 2004, a copy of said plat being recorded in the office of the Clerk of the Superior Court of Gordon County, Georgia, in Plat Book 44, at page 1, to which said plat and the record thereof reference is hereby made for a full and complete description of the land herein conveyed.

SCHEDULE B

1. Taxes: 2011 and subsequent years of Gordon County ad valorem taxes of which the 2011 taxes are not yet due and payable.
2. Mortgages:
 - A. NONE.
3. Other liens, objections and defects:
 - A. Subject to execution and recording of a Quit Claim Deed from Tamra S. Loveless to Sonya Irmscher releasing any interest which she may have in and to the property described herein.
4. Any unrecorded contractor's materialmen's or laborer's liens.
5. Any state of facts which might be shown by an accurate survey and inspection of the property above described or of the adjoining and/or surrounding property.
6. Any adverse claim or claims of any person or persons now in possession of said lands.

7. Any unrecorded utility and road easements and/or right-of-way deeds.
8. Any unrecorded protective or restrictive covenants.
9. No certification is made as to value of sufficiency of property.
10. This Certificate does not cover any personal property which may be attached to realty and considered a part thereof, unless the lien against said personal property is recorded in the real property indexes of said County.
11. Any matters arising out of any bankruptcy proceeding, now or hereafter pending, which may adversely affect any interest in the property, except to the extent that a notice of a defect, lien of encumbrance resulting from any bankruptcy proceeding affecting the property is a matter of record.
12. Any law, ordinance or governmental regulation restricting, regulating, prohibiting or relating to: (i) the occupancy, use or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; or (iii) environmental protection, or the effect on any, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land is a matter of record.

The undersigned further certifies that, so far as known to the undersigned, there is no dispute among attorneys of the local bar as to the validity of the title to the real estate covered by this report.

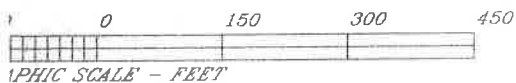
This Certificate is given only for your use and benefit and not for the benefit of any other person, firm or corporation.

This title is certified down to July 30, 2011, at 5:00 P.M.

P.O. Box 1298
Calhoun, GA 30703
(706) 625-4646


By: Thomas E. Shanahan

Date of Preparation: July 15, 2011



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 18,421 FEET AND AN ANGULAR ERROR OF .02" PER ANGLE POINT AND WAS ADJUSTED BY THE LEAST SQUARES METHOD THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET FIELD WORK WAS DONE USING A TOPCON GTS 303D TOTAL STATION AND A MC-5 DATA COLLECTOR.

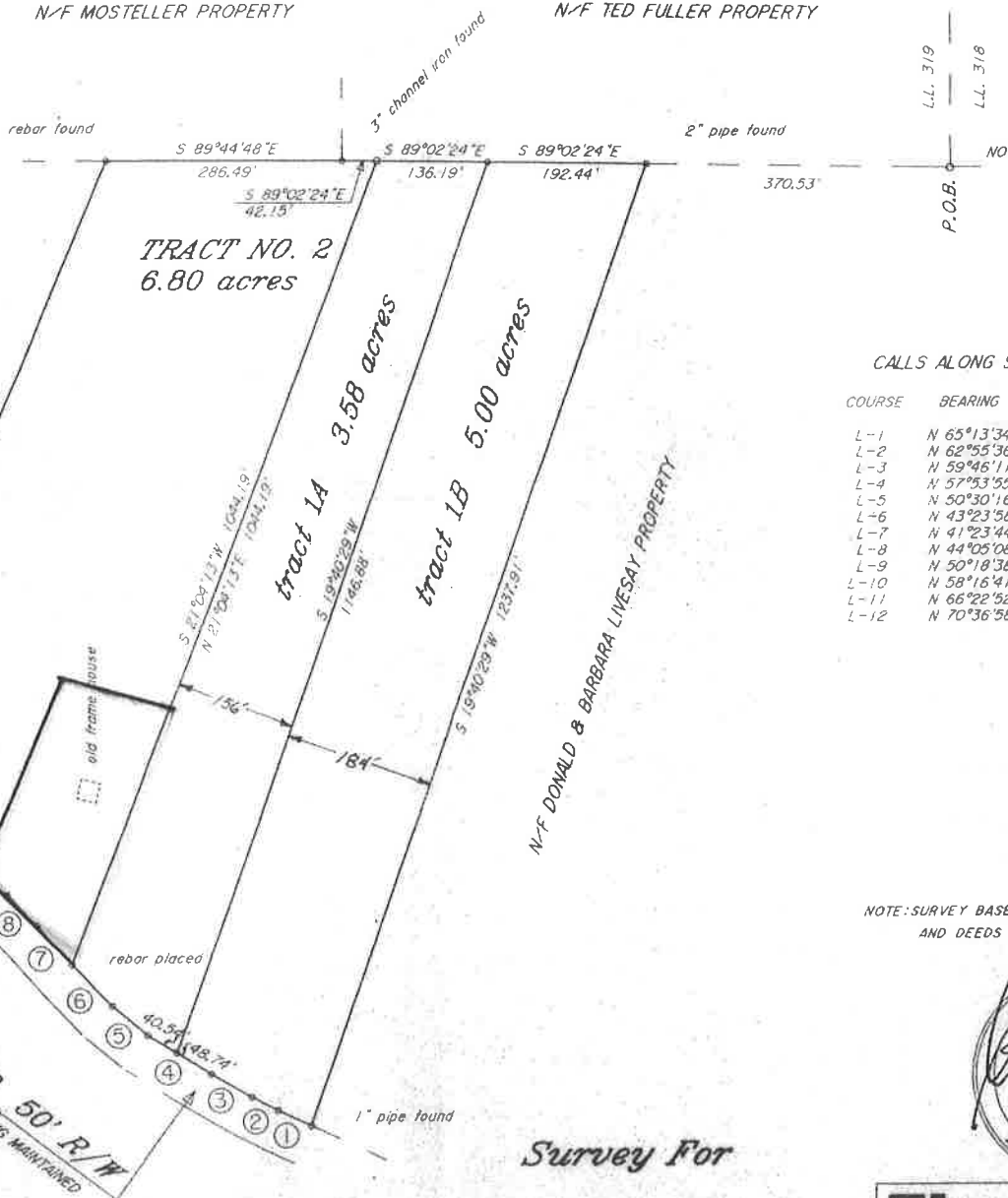
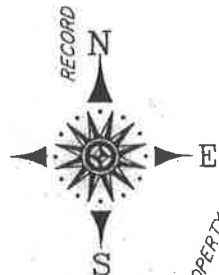
SAID PROPERTY IS HAZARD AREA AS D. OF HOUSING AND U. community-panel of

SAID PROPERTY ALL EASEMENTS, AND RESTRICTI/ OF RECORD

ate: February 28, 2002 (Field Work)
 ate: March 28, 2002 (Plat)
 revised: December 28, 2004

N/F MOSTELLER PROPERTY

N/F TED FULLER PROPERTY



CALLS ALONG SH

COURSE	BEARING
L-1	N 65°13'34" E
L-2	N 62°55'36" E
L-3	N 59°46'11" E
L-4	N 57°53'55" E
L-5	N 50°30'16" E
L-6	N 43°23'58" E
L-7	N 41°23'44" E
L-8	N 44°05'08" E
L-9	N 50°18'38" E
L-10	N 58°16'41" E
L-11	N 66°22'52" E
L-12	N 70°36'58" E

NOTE: SURVEY BASED AND DEEDS AN



Survey For

Scott W. Irmscher
 & Sonya G. Irmscher

FL FREEMAN
 & OFFICE
 104 107
 FILE NO.
 02-073

ATED IN LAND LOT NO. 60,
 TH. DISTRICT, 3RD. SECTION,
 RDON COUNTY, GEORGIA.

DEPARTMENT REVIEW -- ENVIRONMENTAL HEALTH

Application # Z17-23 Irmscher A-1 to R-1

Date: 12/20/17

Reviewed by: Christy Blair

Environmental Health

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

No issues from EH on zoning.
New house/property will require a new 911 address.
Existing Irmischer home on the hill is #301 Switch.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 217-23 Irmscher A1 to R-1

Date: 12/20/17

Reviewed by: JOEY JORDON

FIRE DEPARTMENT

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

A handwritten signature, possibly reading "S", enclosed in a circle.

O.K.

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 217-23 Irmschen A-1 to R-1

Date: 12-19-17

Reviewed by: Steve Parris

ROAD DEPARTMENT

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

On Inspection find nothing that requires anything from Public Works Department
There is an existing drive way if there is no plans to widen or add new one
We are good to go



CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z17-23
APPLICATION NAME Sonya G. Irmischer
TYPE OF ZONING: A-1 to R-1
DATE: 12/12/2017
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This property is served by a 6" 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.