

INFORMATION SHEET FOR REZONING REQUESTS

APPLICATION # 212-02

DATE OF READING 9-18-12

REZONE FROM General Commercial TO Highway Commercial

PROPERTY OWNER: Outdoor Media Group

LOCATION OF PROPERTY: 1966 Rome Rd.
CAITHORN

DESCRIPTION OF PROPERTY:

1.0 ACRES

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

1. Approval

2. _____

STIPULATIONS: _____

**GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
SEPTEMBER 10, 2012**

The Gordon County Planning Commission held a Public Hearing on Monday, September 10, 2012 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:

Brant Talley	Brad Rains
Ron Free	Ricky Smith
Randy Rule	

Chairman Talley 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 Brad Rains to approve the minutes of the previous meeting of July 9, 2012. Ron Free seconded the motion. All voted aye. The minutes were approved as written.

**VARIANCE APPLICATION #V12-02 & REZONING APPLICATION #Z12-02,
C.W. Barrett (applicant: Outdoor Media Group)**

Chairman Talley read variance application #V12-02 and rezoning application #Z12-02, C.W. Barrett (applicant: Outdoor Media Group), requesting 4 variances and the rezoning of 1 acre, from C-G to C-H, located at 1966 Rome Road, S.W., Calhoun for the purpose of relocating existing billboard because the Georgia D.O.T. is building the Southern Calhoun Bypass. Charles Dixon with Outdoor Media Group represented the applications explaining that they would like to relocate the sign and keep the existing size of the billboard at 672 square feet instead of the required 300 square feet maximum sign area, height to be 40 feet instead of the required 30 feet, to be 2 feet off right of way instead of required 50 feet, and to be placed 268 feet from a residence instead of the required 500 feet. The reason for the zoning change is to bring property into compliance. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the variance request identified as #V12-02 be denied with concerns of site distance if placement is 2 feet off right of way. On rezoning request #Z12-02, recommendation is for approval.

On variance application #V-1202, Ron Free made the motion to approve all the variances with the exception of the size; he wants the sign to be 300 square feet. Randy Rule seconded the motion. Brad Rains and Ricky Smith were opposed to the motion. Chairman Talley voted against the motion. Motion dies.

Chairman Talley asks for another motion to be brought to the floor. Ricky Smith made the motion to approve all variances as requested. Brad Rains seconded the motion. Ron Free and Randy Rule were opposed to the motion. Chairman Talley voted with the motion. The vote was 3-2 to approve. The variance was granted. The thirty- (30) day appeal period was explained.

On rezoning request #Z12-02, Brad Rains made the motion to approve the rezoning from C-G to C-H as requested. Ron Free seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**VARIANCE APPLICATION #V12-03 & REZONING APPLICATION #Z12-03,
Paul Hollander - Hollander Corporation**

Chairman Talley read variance application #V12-03 and rezoning application #Z12-03, Paul Hollander with Hollander Corporation requesting a variance and rezoning of 1.05 acres, from A-1 to I-1, on property located on Union Grove Road, Calhoun for the purpose of future construction. The reason for the variance is to reduce the required 100 foot buffer strip on all sides to 20 feet. The front 3 acre tract was rezoned in 1999 to I-1 and a variance was granted to reduce the buffer strip for the Hollander Corporation. Due to the construction of the Southern Calhoun Bypass, the Georgia D.O.T. has bought a .552 acre tract and then a .50 acre tract in the front of the property. Mr. Hollander and Maddie Hollander represented the request explaining that shortly after acquiring the rezoning and variance in 1999 rumors of the Southern Calhoun Bypass started and they did not want to construct a new building if a bypass coming through would be an issue, so they have been leasing a warehouse on Marine Drive to operate from and just waiting the see what would happen with the bypass. They just found out last year that the bypass was to actually be constructed and they have purchased 2 additional parcels from Ted King to bring their property back to 3 acres after the D.O.T.'s purchase of the original front of the property. They need the variance and rezoning on the 2 additional parcels. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that both the variance request identified as #V12-03 and rezoning request identified as #Z12-03 be approved.

Randy Rule made the motion to approve both the variance request identified as #V12-03 and rezoning request identified as #Z12-03 as requested. Ron Free seconded the motion. All voted aye for approval of both request. The variance was granted. The thirty- (30) day appeal period was explained. The recommendation for approval of the rezoning request was sent to the Board of Commissioners.

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

Rezoning Proposal

Date of Report: August 27, 2012

Application # Z12-02

Applicant and Property Owner: Traina Enterprises Inc., DBA: Outdoor Media Group / Owner: C.W. Barrett

Location of Property: 1966 Rome Rd. SW, Calhoun GA

Property Frontage: Corner Lot Feet **Tract Size:** 1.00 acre

Proposed Action: Rezone from C-G (General Commercial) to C-H (Highway Commercial)

Reason for Proposed Action: To comply with the new ULDC, having to relocate existing billboard due to the construction of the new Southern Calhoun Bypass, billboards are no longer allowed in C-G zoning district. C.W. Barrett Company also located on the property.

Due to the relocating of the existing billboard Variance Application V12-02 requests in Section 5.04.05 (E) 2. Free standing outdoor advertising signs located in the C-H, I-1, or I-2 zoning districts on lots, parcels, or tracts of land having frontage on a state or county road shall be allowed a maximum sign area of three hundred (300) square feet and shall not exceed thirty (30) feet in height. Applicant would like to keep the existing 672 square feet billboard instead of the required (300) feet. Also, to increase the height size to be (40) feet instead of the required (30) feet.

5.04.05. (E) 3. All free standing outdoor advertising signs shall be setback a minimum of fifty (50) feet from all rights-of-way, public or private, and a minimum twenty-five (25) feet from all other property lines and buildings on the site; Would like to be (2) feet off the right-of-way instead of the required (50) feet.

5.04.05 (E) 4. All free standing outdoor advertising signs shall be a minimum of five hundred (500) feet from any single-family or multi-family zoning. Would like to 268 feet instead of the required 500 feet.

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:** Nothing should be needed from EHS for either of these items.
- **Fire Department:** No issues.
- **Gordon County School System:** N/A

- **Road Department or Georgia of Transportation:** D.O.T needs the application plans before giving any review and needs approval from Gordon County first.
- **Water & Sewer (City of Calhoun):** This area is served by an 8" water line. No city sewer 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.

The proposed zoning, which requires a one acre minimum lot size, is consistent with the existing land use. Surrounding properties include residential uses on A-1 zoned properties that are generally less than five acres in size. Neighboring property to the northwest zoned C-G.

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

The proposed zoning is not anticipated to 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 cannot be further developed as currently zoned because it is the maximum required one acre lot size for C-G zoned properties.

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.

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 single family residential, passive and active recreation and Civic/institutional uses. The classification is intended to respect the rural character, provide adequate open space and provide connected system of streets within new subdivisions and connect to existing subdivisions as recommended with the Future Development Map and Comprehensive Plan.

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 property is currently zoned and developed for non-residential uses in an area that is predominantly residential and rural in nature: however, the proposed rezoning would permit higher intensity. The property would have to comply with the State Department of Transportation requirements (see "Departmental Reviews") should the rezoning request be approved.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z12-02 recommends to be approved. Recommendation of denial of the associated variance request, Application V12-02.

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

Mrs. Ethel Barna

TO

WARRANTY DEED

C.W. Barrett and
Mrs. C.W. Barrett
STATE OF GEORGIA, GORDON COUNTY.

THIS INDENTURE, made this 5th. day of December in the year of our Lord One Thousand nine Hundred and Forty Four between Mrs. Ethel Barna of the State of Georgia and County of Gordon of the first part and C.W. Barrett and Mrs. C.W. Barrett 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 the sum of Nine Thousand (\$9,000.00) and NO/100 Dollars, 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 parties of the second part, their heirs and assigns, all that tract or parcel of land lying and being in

the 15th. District and 3rd. Section of Gordon County, Georgia, being 100 acres, more or less, of the Northeastern portion of Lot of land No. 61, bounded on the East by the original lot line until said line intersects the Calhoun and Rome Road; thence along said road to the corners of lots Nos. 61, 62 and 59, and on the South by the original lot line. Also 60 acres, more or less, of the Northeastern portion of lot No. 62, bounded on all sides by the original line except the Southeastern side, the line starts at the corners of Lots Nos. 61, 62 and 59 and runs South 46½ degrees East 20 chains to a stake; thence South 67 3/4 degrees East 20 chains and 14 links to a whiteoak tree; at which place it intersects the original lot line, being known as the R.J. Shelor Place.

R.S. \$9.90

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 them the said parties of the second part, their heirs and assigns, forever, IN FEE SIMPLE.

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

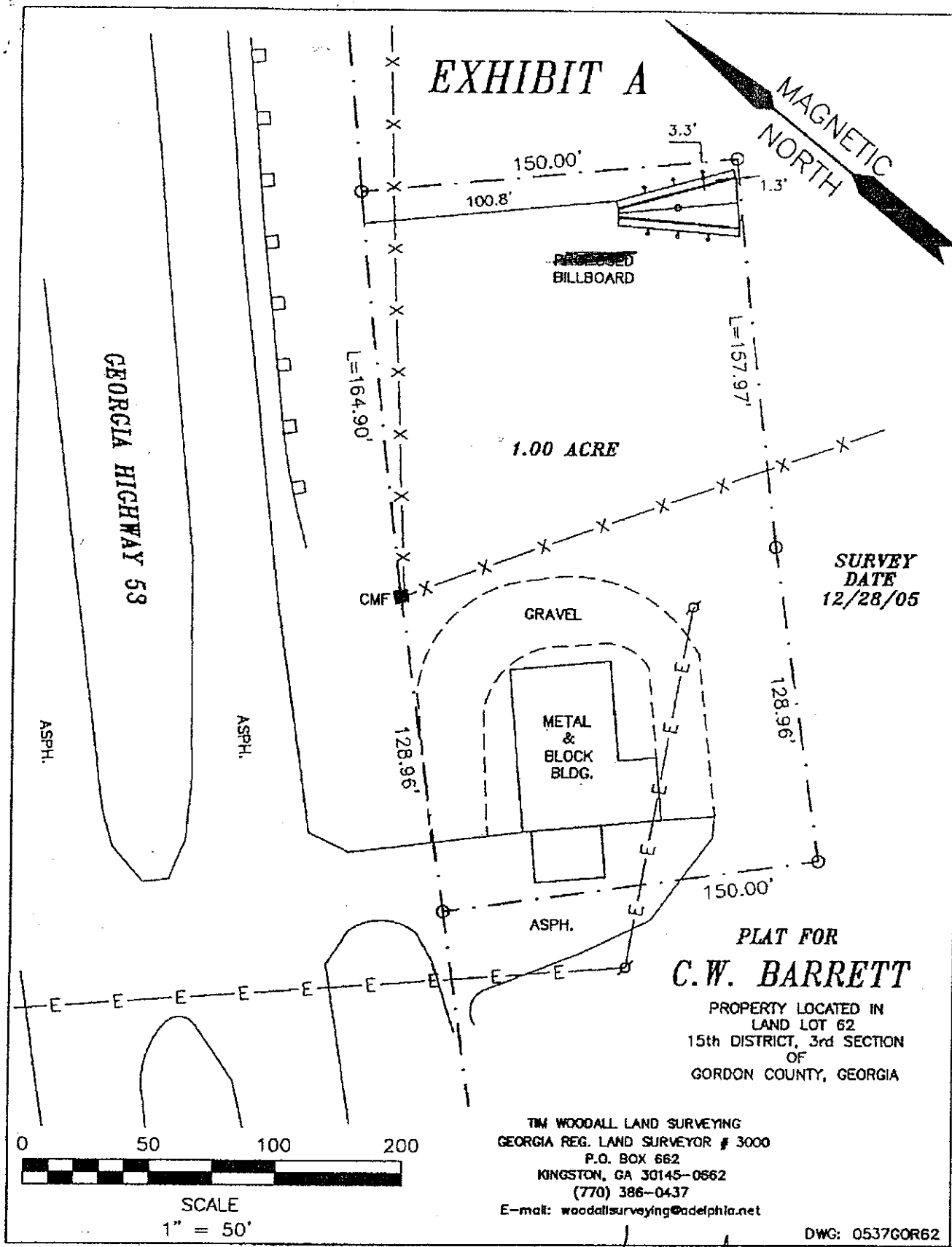
IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and affixed her seal, the day and year above written.

Signed, sealed and delivered in the presence of;
G.U. Barna
Y.A. Henderson, N.P. Georgia, State at Large

Mrs. Ethel Barna (SEAL)

Filed and recorded in officethis 5th. day of December, 1944.
O.C. Langford, Clerk S.C.

EXHIBIT A



SURVEY
DATE
12/28/05

PLAT FOR
C.W. BARRETT

PROPERTY LOCATED IN
LAND LOT 62
15th DISTRICT, 3rd SECTION
OF
GORDON COUNTY, GEORGIA

TIM WOODALL LAND SURVEYING
GEORGIA REG. LAND SURVEYOR # 3000
P.O. BOX 662
KINGSTON, GA 30145-0662
(770) 386-0437
E-mail: woodallsurveying@adelphia.net

DWG: 0537GOR62

FILED & RECORDED 22206 BRIAN BRANNON, CSC

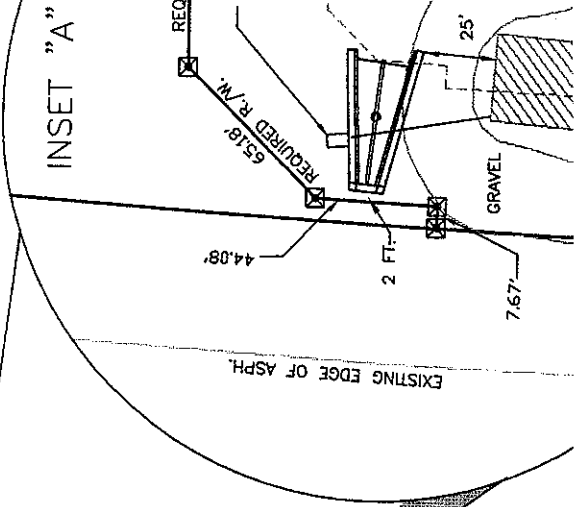
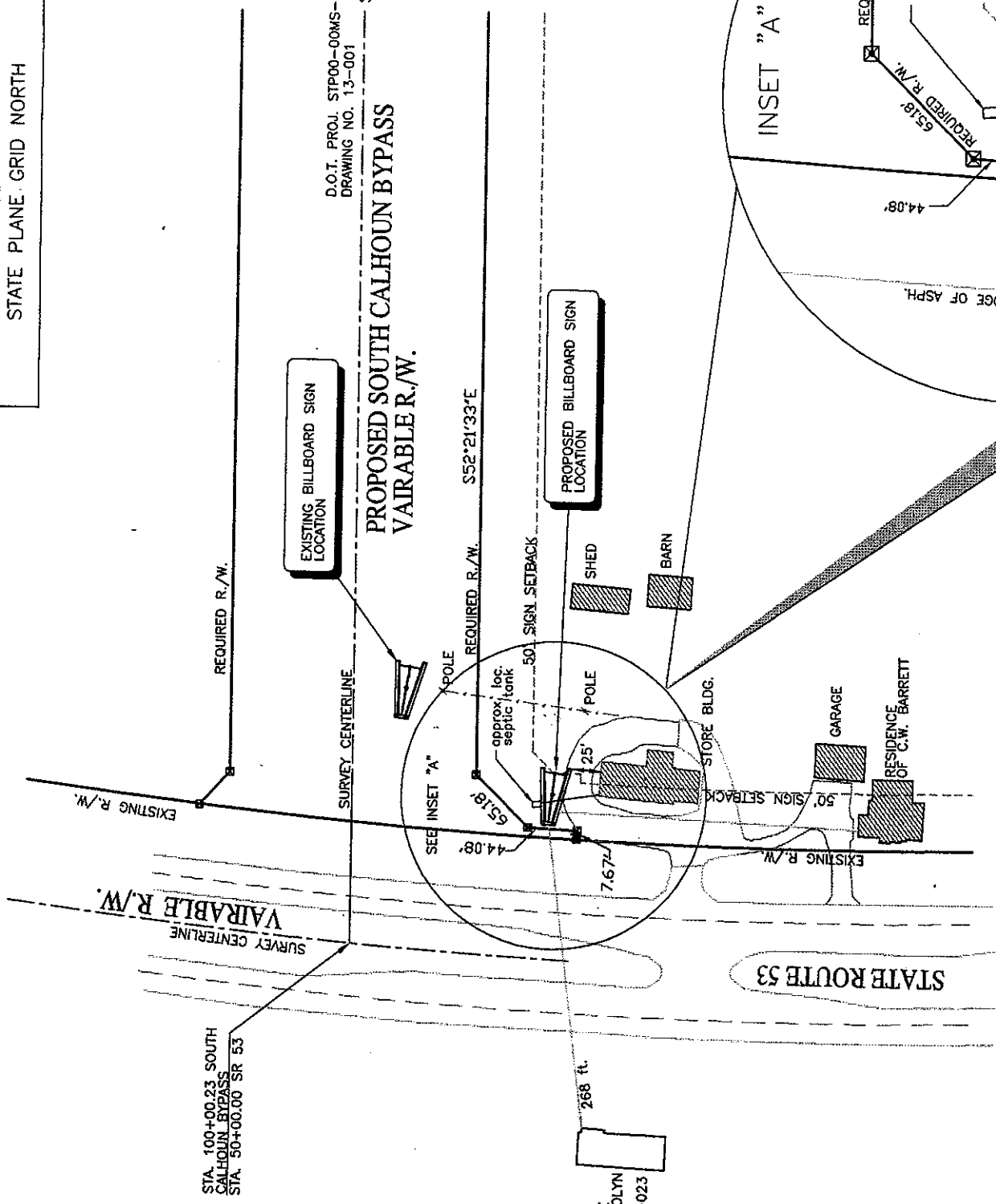


LOCATION MAP
STATE PLANE GRID NORTH

STA. 100+00.23 SOUTH
CALHOUN BYPASS
STA. 50+00.00 SR 53

D.O.T. PROJ. STP00-00MS-00(007)
DRAWING NO. 13-001
S52°21'33"E

PROPOSED SOUTH CALHOUN BYPASS VARIABLE R./W.



NOTE: THERE IS NO OTHER BILLBOARD SIGN
LOCATED WITHIN 1500 FT. OF THIS SITE.

RESIDENCE
HAROLD W. CAROLYN
ZACHARIS
TAX P.N. 035K-023