

APPLICATION FOR APPEAL
GORDON COUNTY, GEORGIA

Application no. A13-02 Date submitted 4/18/13

Application is hereby made to the Gordon County Board of Commissioners for the purpose of appealing a decision made by the Planning Commission.

Name of Applicant: John R. Gordon

Address: 430 Langston Dr., Calhoun

Telephone: Home 770-608-2620 Work: _____

Name of Property Owner: same

Address of property for which the appeal is sought: "

Frontage: 100' Depth: _____ Acres: 0.46

The subject property deed is recorded in deed book 1682, page 379

- A recorded deed and plat must be submitted with this application.
- This application shall be accompanied by a fee of \$ 150. and must be submitted no later than 3 weeks prior to the date that the request is to be considered.
- The applicant(s) shall be present at hearing.

Directions to subject property from courthouse: Exit 317 off of I-75
turn right on Hwy 225. Turn left by the
Elks Club onto Craigtown Rd. Take the
third road on left, Langston Dr. - 2nd
house on right.

GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
April 8, 2013

The Gordon County Planning Commission held a Public Hearing on Monday, April 8, 2013 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:

Brad Rains	Randy Rule
Ron Free	Walter "Butch" Layson

Chairman Rains 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. Chairman Rains also welcomed guest with the 2013 Leadership program. The guests were Jennifer Wise, with Gordon Hospital; Russell Bennett, with Opus 1 Group; and Debra Brock, with the Gordon County Board of Education.

APPROVAL OF MINUTES

A motion was made by Randy Rule to approve the minutes of the previous meeting of February 11, 2013. Walter "Butch" Layson seconded the motion. All voted aye. The minutes were approved as written.

VARIANCE APPLICATION #V13-01, CHRISTY GORDON

Chairman Rains read variance application #V13-01, Christy Gordon, requesting to reduce property side setback for existing storage building from 10 feet to 0 feet. Christy Gordon represented the request explaining that they did not know that they were required to get a permit or about set back requirements, prior to placing a metal carport on their property. They had been made aware of the need for the permit and variance from the Gordon County Ordinance Officer. She added that there was no other place to put the carport on the lot because of the terrain of the property. Ms. Gordon was told by the Planning Commission that it was actually on the adjoining property. Her reply was that the neighbor had helped her husband put the carport up. The Building Department review was that the variance be denied unless applicant can show proof that topography prevented this structure from being able to comply with standard setbacks and that the applicant be required to obtain permits and meet other standards as deemed necessary. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V13-01 be denied.

Ron Free made the motion to deny the variance request identified as Variance Application #V13-01. Walter "Butch" Layson seconded the motion. Randy Rule abstained from the vote. Chairman Rains voted with the motion. The vote was 3-0 to deny. The variance request was denied. The thirty- (30) day appeal period was explained.

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

Date of Report: March 22, 2013 **Application #** V13- 01

Applicant: John Gordon

Property Owner: *(if different from above)* John Gordon

Location of Property: 430 Langston Drive NE, Calhoun, GA

Property Frontage: 100 Feet **Tract Size:** 0.45

Requested Variance: To reduce property side set-back for existing storage building from 10 feet to 0 feet.

Zoning Ordinance Section: 5.04.04. (E)

Reason for Proposed Action: Built a three sided carport on property line for boat storage without getting a building permit and did not know it had to be 10 feet away from the property line. The land in the back yard is not flat and there was really nowhere else to put it to get the boat in and out.

Zoning Map Classification: A-1 Agricultural District - Sequoyah Subdivision

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:** Tank in back & drain field in front: so septic system should not be affected (see attached sketch)
- **Fire Department:** O.K.
- **Building Department:** This structure was built without obtaining required permits and no inspections have been done. I recommend that this variance be denied unless applicant can show proof that topography prevented this structure from being able to comply with standard setbacks. Applicant will be required to obtain permits and meet other standards as deemed necessary.

- *Road Department or Georgia Department of Transportation:* This has no effect on road or right-of-way.
- *Water & Sewer (City of Calhoun):* This property is served by a 2" water. No City sewer service in this area.
- *Zoning Division: A Notice of Public Hearing has been properly advertised in the local newspaper and posted on the Property and variance application fees have been paid.*

Planning Staff Findings & Recommendations

The Variance request identified as Application V13-01 be denied.

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

BOUNDARY SURVEY

FOR

John R. Gordon

GORDON County, Georgia

LOCATED IN LAND LOT 93, 14th DISTRICT &
3rd SECTION OF GORDON COUNTY, GEORGIA
BEING LOT 69 OF THE CHIEFTAIN HILLS SUBDIVISION

DATE OF FIELD WORK: 04/16/2013

DATE OF PLAT: 04/19/2013

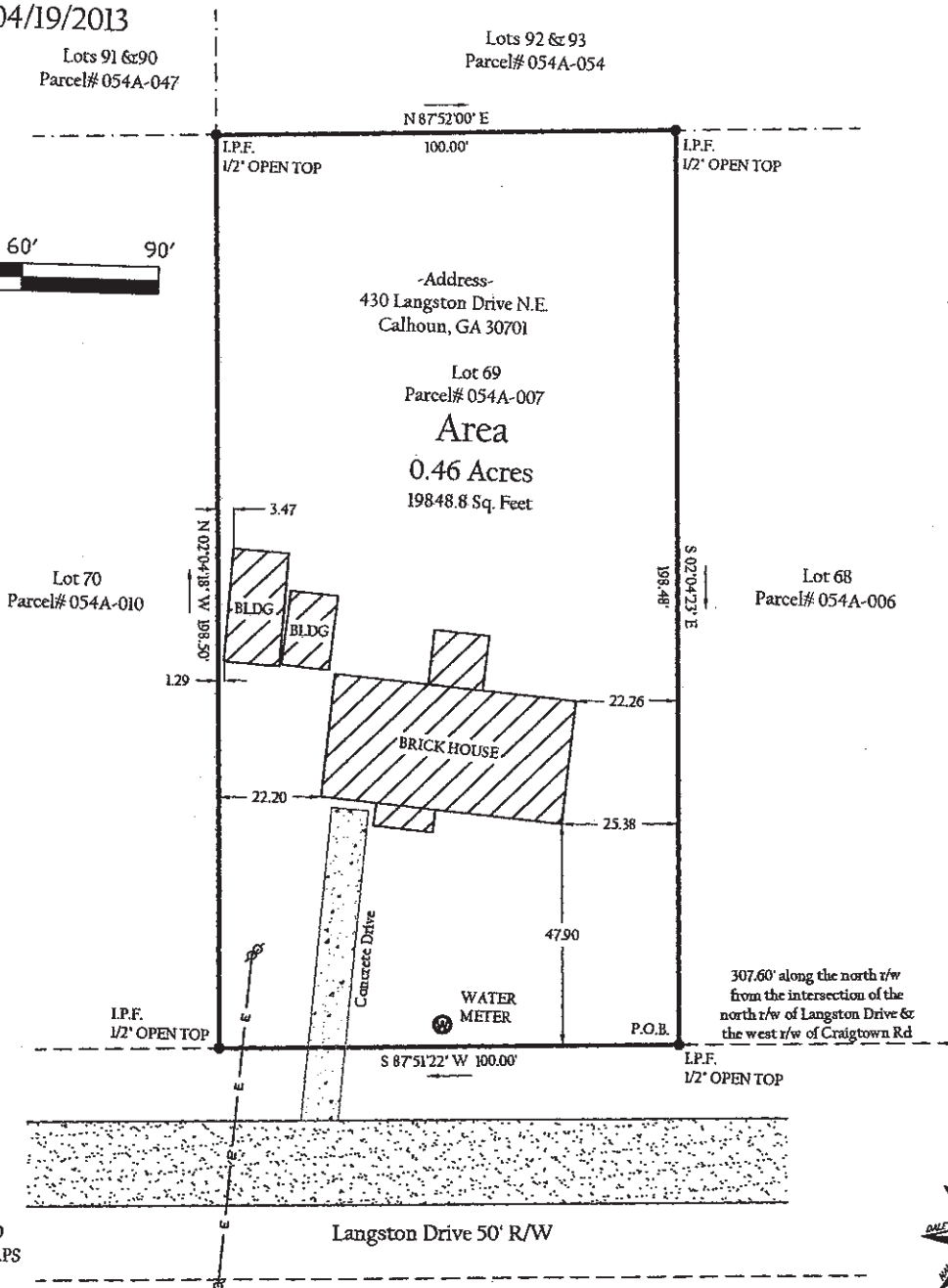
Lots 91 & 90
Parcel# 054A-047

Lots 92 & 93
Parcel# 054A-054

Scale: 1"=30'



Reference:
Plat done by E.M. Smith
Dated: August 22, 1966
Titled: Chieftain Hills



LEGEND

- I.P.F. - IRON PIN FOUND
- I.P.S. - IRON PIN SET
- R/W - RIGHT OF WAY
- P/L - PROPERTY LINE
- L.L. - LAND LOT LINE
- ⊕ - POWER POLE
- ⊙ - CENTER LINE
- x-x-x-x- - FENCE LINE
- ⊠ - CONC. R/W MARKER
- E-E-E-E- - ELECTRIC LINE

NOTE

THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA ACCORDING TO MAPS FURNISHED BY F.E.M.A. COMMUNITY-PANEL NUMBER: B129C - 0075D

North Georgia Surveying
262 Erwin Road S.E.
Calhoun Georgia. 30701-4003
Phone: (706) 625-1046



Recorded 12/07/2010 10:00
Doc: WD Rpt#: 282346
TRANSFER TAX: 97.00
TRANSFER TAX ID: 0642010002136
Brian Brannon, C.S.C.
GORDON County, Ga
DEED Bk: 1682
379

Return Recorded Document to:
Cox Byington, P.C.
1287 Curtis Parkway
Post Office Box 2500
Calhoun, Georgia 30703
File #110G0558

STATE OF GEORGIA
COUNTY OF GORDON

WARRANTY DEED

This Indenture made this 3rd day of December, 2010 between **MEREDITH P. HOLTON**, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **JOHN R. GORDON**, 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 93 of the 14th District and 3rd Section of Gordon County, Georgia and being Lot 69 of Chiefton Hills Subdivision according to a plat of survey recorded at Plat Book 32, Page 199, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof. Subject to Restrictions as recorded at Deed Book 76, Page 499, Gordon County, Georgia Records.

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:

Kim Hedrick
Witness

Meredith P. Holton (Seal)
MEREDITH P. HOLTON

Notary Public



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C-G
EIKS Club

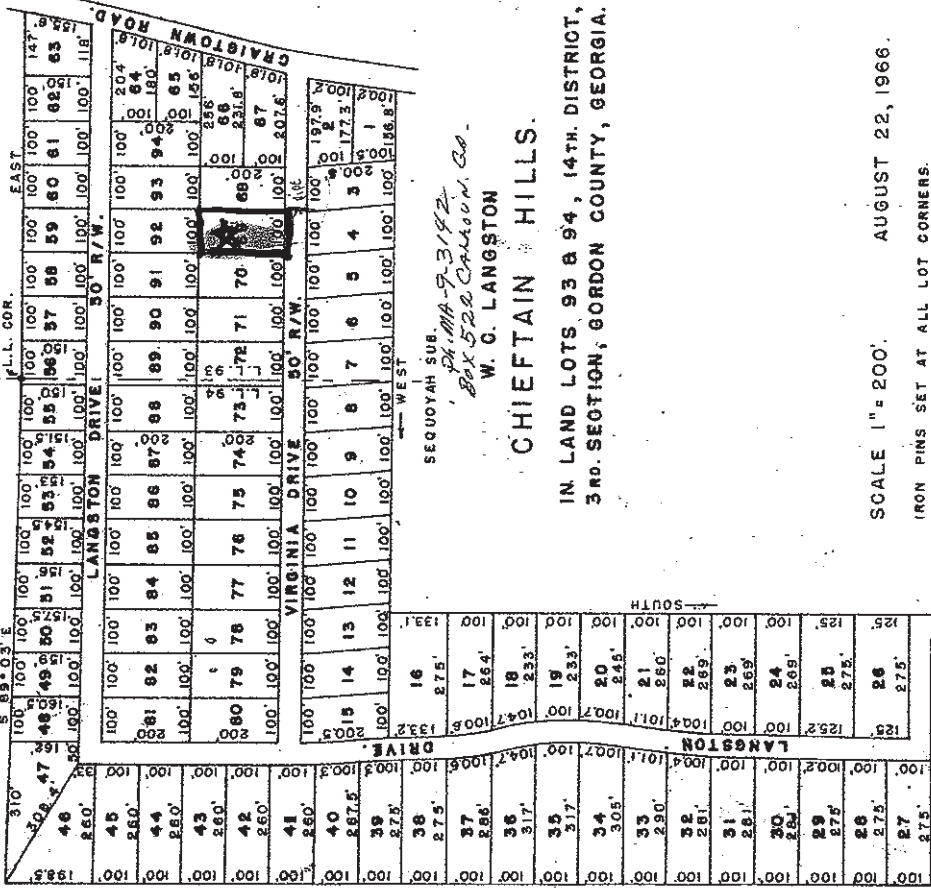
V13-01

Added for copy
March 2, 1966

A-1

PAULINE CHASTAIN.

EARNEST JURIOR, GEE.



SEQUOYAH SUB.
Box 522, Dalton, Ga.
W. G. LANGSTON

CHIEFTAIN HILLS.

IN LAND LOTS 93 & 94, 14TH. DISTRICT,
3RD. SECTION, GORDON COUNTY, GEORGIA.

SCALE 1" = 200'. AUGUST 22, 1966.
IRON PINS SET AT ALL LOT CORNERS.

Emmett Dalton, GEORGIA.
REGISTERED SURVEYOR 923.



A-1

C-G

Created in 1966
Dalton, Ga.
Emmett Dalton