

INFORMATION SHEET FOR REZONING REQUESTS

Application # 213-03 DATE OF READING Nov. 5, 2013

REZONE FROM A-1 TO RA-1

PROPERTY OWNER Robert Wright

LOCATION OF PROPERTY 968 Old Rome-Dalton Rd.

Calhoun

DESCRIPTION OF PROPERTY  
4.596 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  
October 14, 2013**

The Gordon County Planning Commission held a Public Hearing on Monday, October 14, 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	Jerry Lovelace
Randy Rule	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.

**APPROVAL OF MINUTES**

A motion was made by Randy Rule to approve the minutes of the previous meeting of September 9, 2013. Jerry Lovelace seconded the motion. All voted aye. The minutes were approved as written.

**VARIANCE APPLICATION #V13-10 & REZONING APPLICATION #Z13-03,  
ROBERT WRIGHT**

Chairman Rains read variance application #V13-10 and rezoning application #Z13-03, Robert Wright, requesting a variance to reduce required county road frontage and the rezoning from A-1 to RA-1 on 4.596 acres located at 968 Old Rome-Dalton Road, Calhoun. Mr. Wright represented the requests explaining that he would like to bring the property into compliance with the U.L.D.C. and secure the variance and zoning change needed so that he could acquire a building permit to build a garage. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V13-10 be approved as requested, with the condition that evidence of a permanent easement for access to the property from Old Rome-Dalton Road is submitted to the Gordon County Planning and Development Department and on the rezoning request identified as Application #Z13-03 to rezone from A-1 to RA-1 be approved.

Butch Layson made the motion to approve both the variance application identified as #V13-10 and rezoning application identified as #Z13-03 from A-1 to RA-1, as requested with the condition that evidence of a permanent easement for access to the property from Old Rome-Dalton Road is submitted to the Gordon County Planning and Development Department. Randy Rule seconded the motion. All voted aye. The variance application #V13-10 was granted. The thirty- (30) day appeal period was explained. The recommendation for approval of rezoning application #Z13-03 was sent to the Board of Commissioners.

**VARIANCE APPLICATION #V13-11, JESSIE & ERIN DEROSIER**

Chairman Rains read variance application #V13-11, Jessie and Erin Derosier, requesting a variance to increase size of accessory building on .46 acres located at 301 Rips Road, Calhoun. Mr. Derosier represented the request explaining that he would like to buy a pre-assembled metal carport to park his camper and boat under and request the variance to be an extra 100 square feet instead of the maximum 500 square feet. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V13-11 be approved as requested.

Butch Layson made the motion to approve the variance application identified as #V13-11 as requested to allow the pre-assembled metal accessory building to be up to 600 square feet. Randy Rule seconded the motion. All voted aye. The variance was granted. The thirty- (30) day appeal period was explained.

**ADDITIONAL BUSINESS**

There being no additional business, Jerry Lovelace made the motion to adjourn. Butch Layson seconded the motion. All voted aye. The meeting was adjourned at 6:13 p.m.

---

Zelda Gregg, Secretary

---

Brad Rains, Chairman  
Ron Free, Vice-Chairman

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

**Rezoning Proposal**

**Date of Report:** September 30, 2013

**Application #** Z13-03

**Applicant and Property Owner:** Robert Wright

**Location of Property:** 968 Old Rome Dalton Rd, Calhoun

**Property Frontage:** \_\_\_\_\_ **Feet**      **Tract Size:** 4.596 acre

**Proposed Action:** Rezone from A-1 (Agricultural) to RA-1 (Residential Agricultural)

**Reason for Proposed Action:** Applicant desires to rezone this 4.596 acre tract of land in order to build a garage, there is an existing house on the property already. Property has been subdivided from a 5.27 acre tract which was created in 1991 several times leaving a 4.596 acre tract with only a 50 feet easement.

**Future Development Map Classification:** Hillside Conservation

**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 needed from EHS.
- *Fire Department:* OK
- *Gordon County School System:* N/A
- *Road Department or Georgia of Transportation:* Modification of driveway on R/W would require a permit from the Public Woks Dept.
- *Water & Sewer (City of Calhoun):* N/A
- *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 two acre minimum lot size, is consistent with nearby land uses. Surrounding properties include low-density residential uses on A-1 zoned properties that are generally less than five acres in size.

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

The proposed zoning is not anticipated to adversely affect the existing use or 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 less than the minimum required five acre lot size for A-1 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 Hillside Conservation on the Gordon County Future Development Map. This classification supports predominantly rural, undeveloped land that is intended to maintain the areas' steep slopes, while accommodating low-density residential uses. The proposed zoning district is intended to preserve the rural character and viewsheds. The character of land is consistent with the Future 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 subject property contains an existing single-family dwelling and meets applicable development requirements. Rezoning of the property will bring it fully into compliance with the ULDC.

**Planning Staff's Recommendation:**

The rezoning request identified as Application #Z13-03 be recommended for approval.

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

(022-076)

Recorded 06/01/2006 8:30  
Doc: MD Rct#: 126324  
TRANSFER TAX: 169.00  
TRANSFER TAX ID: 0642006001618  
Brian Brannon, C.S.C.  
GORDON County, Ga  
DEED Bk: 1316 Pg: 381

Return Recorded Document to:  
Cox Byington, P.C.  
1287 Curtis Parkway  
Calhoun, Georgia 30703  
File #056G0520

STATE OF GEORGIA  
COUNTY OF GORDON

**WARRANTY DEED**

This Indenture made this 30th day of May, 2006 between CHARLES W. BURNETTE AND MARIE BURNETTE, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and ROBERT WAYNE WRIGHT, JR., 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 183 of the 14th District and 3rd Section of Gordon County, Georgia and being that certain 4.596 acres according to a plat of survey as recorded at Plat Book 42, Page 177, Gordon County, Georgia records, which plat by reference is incorporated herein and made a part hereof.

Together with and subject to a fifty foot (50') easement for ingress and egress as shown on a plat of survey.

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.

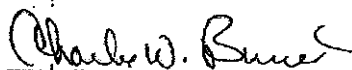
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

 (Seal)  
CHARLES W. BURNETTE

 (Seal)  
MARIE BURNETTE



N.P. SEAL AFFIXED

FILED & RECORDED 6-1-06 BRANNON, CS

022 094

Joshua and Julia Raines

022 073

Eric and Kimberly Kirkham

002

022 075

Robert Wright

022 076

Randall Fox

022 079

022 079

Randall Fox

022 077

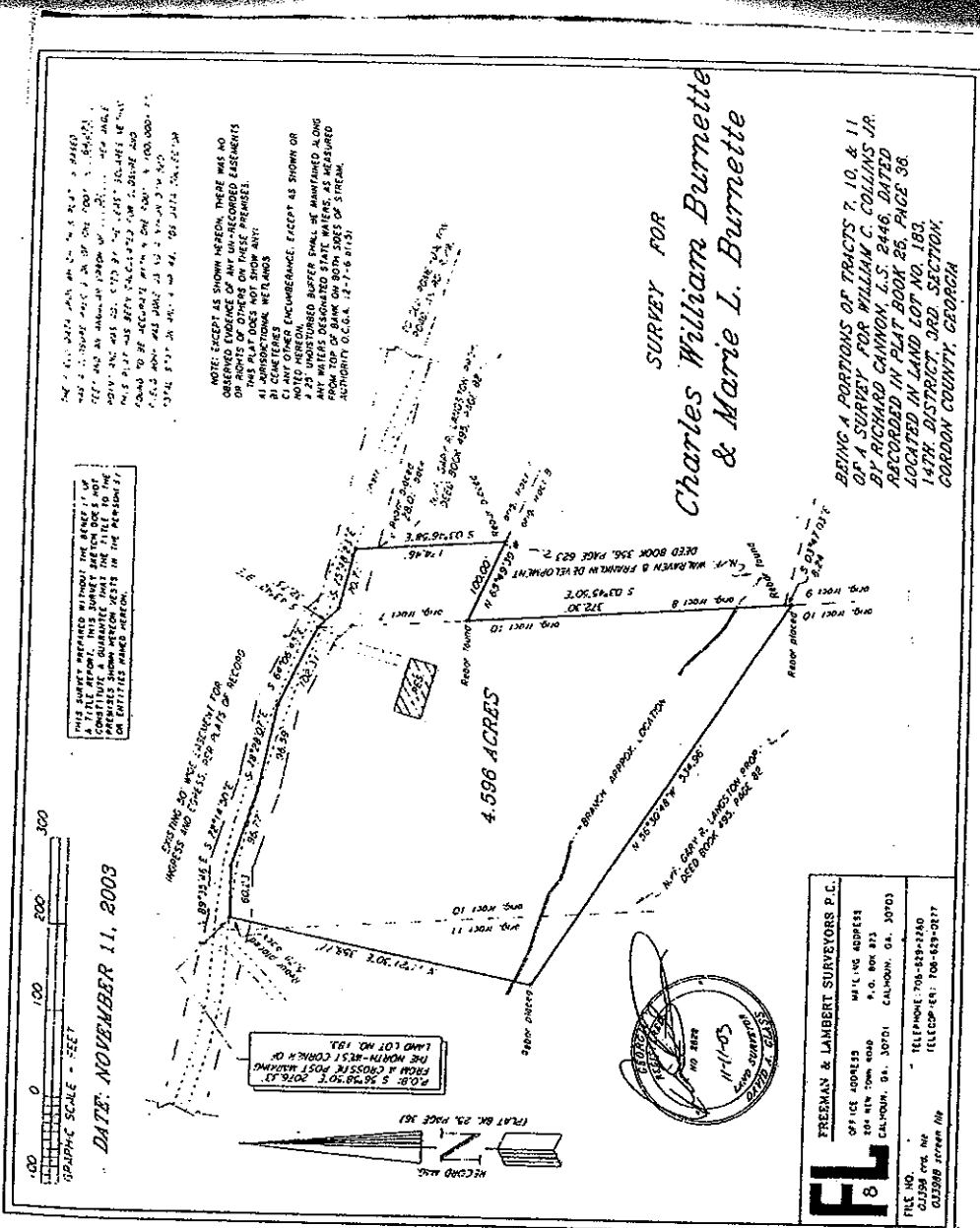
Marcus Lee and

Teresa Phipps Moore

William Watkins

022 078

014



NOTE: EXCEPT AS SHOWN HEREON, THERE WAS NO OBSERVED EVIDENCE OF ANY UNRECORDED EASEMENTS OR RIGHTS OF OTHERS ON THESE PREMISES.

ALL UNRECORDED EASEMENTS, RIGHTS, AND INTERESTS ARE SHOWN AS THEY APPEAR ON THE RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF GORDON, GEORGIA.

ALL UNRECORDED EASEMENTS, RIGHTS, AND INTERESTS ARE SHOWN AS THEY APPEAR ON THE RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF GORDON, GEORGIA.

ALL UNRECORDED EASEMENTS, RIGHTS, AND INTERESTS ARE SHOWN AS THEY APPEAR ON THE RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF GORDON, GEORGIA.

**SURVEY FOR**  
**Charles William Burnette**  
**& Marie L. Burnette**

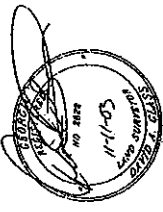
BEING A PORTIONS OF TRACTS 7, 10, & 11 OF A SURVEY FOR WILLIAM C. COLLINS JR. BY RICHARD CANNON, L.S. 2446, DATED 1878, RECORDED IN PLAT BOOK 25, PAGE 36. ACCORDING TO LAND LOT NO. 183, 14TH DISTRICT, 3RD SECTION, GORDON COUNTY, GEORGIA.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A SURVEYOR'S GUARANTEE AND THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT. THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT.

DATE: NOVEMBER 11, 2003

GRAPHIC SCALE - FEET

LAND LOT NO. 183  
 FROM A CROSS-TIE POST MARKING  
 P.O.B. 5 26 28 30 7 2076 31



**FL**  
 FREEMAN & LAMBERT SURVEYORS P.C.  
 OFFICE ADDRESS MAILING ADDRESS  
 204 N.W. 70th AVE. P.O. BOX 273  
 CALHOUN, GA 30701 CALHOUN, GA 30703  
 FILE NO. TELEPHONE: 706-829-2240  
 012987 078 00 TELECOPY: 706-829-0277