

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z14-02 DATE OF READING 5-06-14

REZONE FROM A-1 TO CH

PROPERTY OWNER Willard Childers

LOCATION OF PROPERTY Belwood Road SE

DESCRIPTION OF PROPERTY

1.01 ACRES

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

1. Approval

STIPULATIONS:

**GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
APRIL 14, 2014**

The Gordon County Planning Commission held a Public Hearing on Monday, April 14, 2014 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
Ron Free	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 Butch Layson to approve the minutes of the previous meeting of March 10, 2014. Jerry Lovelace seconded the motion. All voted aye. The minutes were approved as written.

REZONING APPLICATION #Z14-01, PRACHI HELI, LLC (Timakiben Rasikal Patel)

Chairman Rains read rezoning application #Z14-01, Prachi Heli, LLC (Timakiben Rasikal Patel), requesting to rezone a 1 acre tract located at 2929 Highway 411, Oakman, GA from A-1 to C-G. The applicant was not present to represent the application. Ron Free made the motion to table the rezoning application identified as #Z14-01 until the May 12, 2014 meeting. Jerry Lovelace seconded the motion. All voted aye. The rezoning application #Z14-01 was tabled until May 12, 2014.

VARIANCE APPLICATION #V14-03, JEFF SHICK

Chairman Rains read variance application #V14-03, Jeff Shick, requesting a variance on 17.40 acres located at 287 Hayes Road, S.E., to reduce required setback, when replacing poultry houses that were destroyed in tornado of 2013, to adjacent property line and dwelling. Mr. Shick represented the request explaining that he would like to build 2-50X500 poultry houses to replace 4-40X400 foot houses that were built in 1990. The same access would be used. Mr. Shick stated that he needs to build back in same location as the original poultry houses which is 50 feet to rear property line instead of required 100 feet and 325 feet to nearest adjacent dwelling instead of required 500 feet. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V14-03 be approved.

Butch Layson made the motion to approve the variance application identified as #V14-03 as requested. Jerry Lovelace seconded the motion. Ron Free stated that since this is just to replace destroyed poultry houses he was voting with the motion. All voted aye. The variance was granted. The thirty- (30) day appeal period was explained.

REZONING APPLICATION #Z14-02, WILLARD CHILDERS

Chairman Rains read rezoning application #Z14-02, Willard Childers, requesting to rezone 1.01 acres located on Belwood Road, from A-1 to C-H. Mr. Childers represented the request stating that he wanted to build an 80X120 metal building for major repair vehicle shop and use existing repair shop as a paint shop. Ron Free and Jerry Lovelace praised Mr. Childers as to the cleanliness of the business. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z14-02 be approved.

Jerry Lovelace made the motion to approve the rezoning request identified as Application #Z14-02 from A-1 to C-H. Ron Free seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

ADDITIONAL BUSINESS

There being no additional business, Butch Layson made the motion to adjourn. Jerry Lovelace seconded the motion. All voted aye. The meeting was adjourned at 6:17 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: March 24, 2014

Application # Z14-02

Applicant and Property Owner: Willard Childers

Location of Property: Belwood Road SE, Calhoun GA

Property Frontage: 252.40 Feet **Tract Size:** 1.01 acre

Proposed Action: Rezone from A-1 (Agricultural) to C-H (Highway Commercial)

Reason for Proposed Action: To build a 80 feet x 120 feet metal building on the property to accommodate our existing major repair vehicle shop and convert the existing building into a paint shop which is already zoned C-G, General Commercial.

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 needed from EH for rezoning. Will need septic permit for building.
- ***Fire Department:*** OK
- ***Gordon County School System:*** N/A
- ***Road Department or Georgia of Transportation:*** Access should be from Belwood Road. Belwood Drive not designed to handle heavy traffic or loads. If new driveway is required, a driveway permit is required prior ro construction.
- ***Water & Sewer (City of Calhoun):*** This area is served by a 6" water line.
- ***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.

Adjacent property is commercial with an existing major repair shop, the area has agricultural and residential uses that are zoned A-1, properties include low-density residential uses on A-1 zoned properties. However, the Outlet Drive/Belwood Road has several existing commercial properties and the Gordon County Multi- Complex Center.

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 exceeds the minimum lot size requirements for A-1 zoning and has the potential to be developed accordingly.

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 land uses intended to preserve existing rural character while accommodating residential growth, as follows: single family residential, passive and active recreation and civic and institutional uses. While "neighborhood commercial" uses may be appropriate for some suburban areas, the proposed zoning would permit uses that are not intended to meet common retail and service needs for nearby residents. The proposed zoning is inconsistent with the Future Development Map. However, the as stated earlier, there already is an existing major repair shop that the applicant already owns and operates and would like to improve his quality for his business and the road itself leaning towards commercial activities.

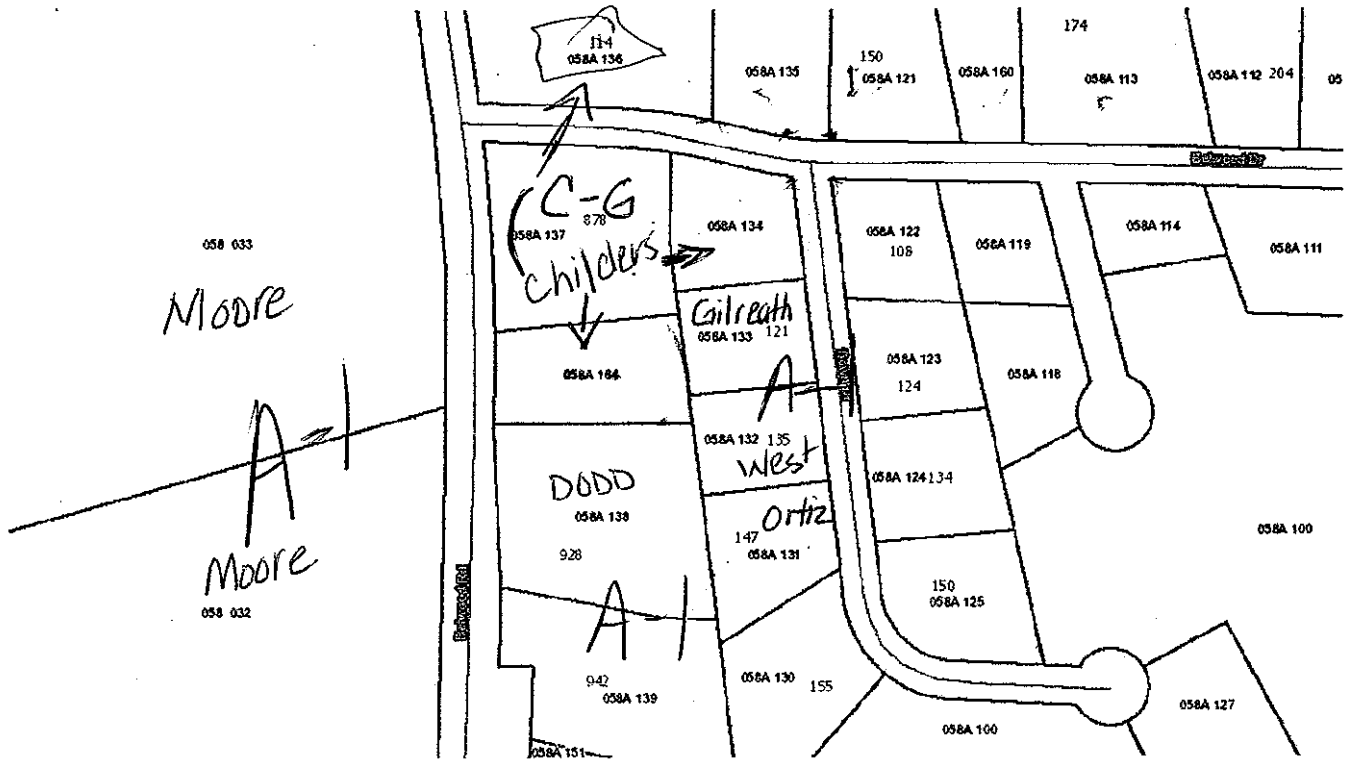
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproved of the zoning proposal.

Primary issues are the introduction of a zoning classification that is inconsistent with the development pattern of the area with the Future Development Map. However, this will have to come under review because of the pattern of the existing road and the new development of the new South Calhoun Bypass.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z14-02 be recommended for approval.

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



Recorded 02/28/2007 9:00
Doc: WD Rcpt#: 258163
TRANSFER TAX: 50.00
TRANSFER TAX ID: 0642007000555
Brian Brannon, C.S.C.
GORDON County, Ga
DEED Bk: 1409 Pgs: 340-341

Return Recorded Document to:
Cox Byington, P.C.
1287 Curtis Parkway
Post Office Box 2500
Calhoun, Georgia 30703
File #017G0113

STATE OF GEORGIA

COUNTY OF GORDON

WARRANTY DEED

This Indenture made this 16th day of February, 2007 between **PFW PROPERTIES, INC.**, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **WILLARD CHILDERS**, 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 210 of the 15th District and 3rd Section of Gordon County, Georgia and being more particularly described in Exhibit "A" attached hereto and specifically incorporated herein by reference.

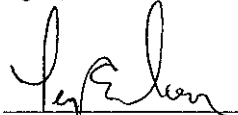
This Deed is given subject to all easements and restrictions of record, if any.

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.

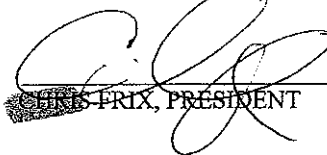
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:



Witness

PFW PROPERTIES, INC.



BRIAN BRANNON, PRESIDENT (Seal)

Notary Public



N P SEAL AFFIXED

(CORPORATE SEAL)

CORP. SEAL AFFIXED

CONTINUED

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 214-02 Childers A-1 to CH

Date: 3/18/14

Reviewed by: Christy Blair

Environmental Health

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

Nothing needed from EH for zoning.
Will need septic permit for building.

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # 214-02 Childers A-1 to CH

Date: 3/18/14

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.



3/19/14

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # ZK-02 Childers A-1 to C-H
Date: 3/10/14
Reviewed by: BARRY HICE

ROAD DEPARTMENT

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

ACCESS SHOULD BE FROM BELWOOD RD. BELWOOD DRIVE ~~IS~~ NOT DESIGNED TO HAND HEAVY TRAFFIC OR LOADS.

IF NEW DRIVEWAY IS REQUIRED, A DRIVEWAY PERMIT IS REQUIRED PRIOR TO CONSTRUCTION.

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z14-02
APPLICATION NAME: WILLARD CHILDERS
TYPE OF ZONING: A1 TO CH
DATE: 3/18/2014
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS AREA IS SERVED BY A 6" WATER LINE.

SEWER COMMENTS:

NO 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 FIELD SURVEY HAS BEEN COMPLETED.