

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z14-06 DATE OF READING 6-24-14

REZONE FROM A-1 TO C-H

PROPERTY OWNER Neil Bishop Applicant: Stephen Williams

LOCATION OF PROPERTY 878 Covington Bridge Rd. Fairmount

DESCRIPTION OF PROPERTY

2.38 ACRES

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

1. Approval

STIPULATIONS:

With the stipulation that if the current business ceases to be a non-conforming business, then the zoning converts back to A-1

Ron Free made the motion to approve both the variance application identified as #V14-04 as requested and the rezoning application identified as #Z14-04 from A-1 to C-G, with the stipulation that Ms. Leung bring the proof of notifying the adjoining property owners into Ms. Desrosier. Jerry Lovelace seconded the motion. All voted aye. The variance application #V14-04 was granted with the stipulation. The thirty- (30) day appeal period was explained. The recommendation for approval of rezoning application #Z14-04 was sent to the Board of Commissioners with the stipulation. (Note: Ms. Leung did bring in the property owners notifications to Ursula Desrosier, Zoning Administrator.)

REZONING APPLICATION #Z14-05, TAMMY BURCHETT

Chairman Rains read rezoning application #Z14-05, Tammy Burchett, requesting to rezone a 1.156 acre tract located at 3433 Rome Road, Plainville from A-1 to C-G. Ms. Burchett along with her business partner, Jerry Stroup, represented the request stating that she and Mr. Stroup presently owned Opi's Roadhouse which is located on Highway 53 just inside of Floyd County and they would like to relocate the business to Gordon County and subdivide off from Ms. Burchett's property to build a 3500 square foot structure for the restaurant with a bar. They addressed the issues of the septic system stating that the study indicated that another .50 acres might be needed to install the septic system for a commercial rezoning, the D.O.T. requirements, parking, lighting, hours of operations, as well as the building that would be constructed. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z14-05 be approved, with the following condition that all state and local regulations shall be complied with, including but not limited to Gordon County appearance standards for structures in commercial zoning districts, landscaping and buffer requirements, and sign requirements.

Randy Rule made the motion to approve the rezoning request identified as Application #Z14-05 from A-1 to C-G with the conditions stated by Ms. Desrosier, Zoning Administrator and the amendment of .50 acres more or less if needed to install the proper septic system. Ron Free seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z14-06, NEIL BISHOP
(Applicant: Stephen P. Williams)

Chairman Rains read rezoning application #Z14-06, Neil Bishop (applicant: Stephen P. Williams), requesting to rezone a 2.38 acre tract located at 878 Covington Bridge Road, Fairmount from A-1 to C-H. Stephen Williams represented the request stating that he had started operating a cabinet shop at this location in 1996 but in 2005 when the economy took a dive he only worked from his shop in Summerville, therefore letting the business license lapse. In 2008, Mr. John Arthur started using the shop as a location to work on farm equipment. The property is owned by Mr. Neil Bishop, who has a lease/purchase agreement with Mr. Williams. The Gordon County Ordinance Officer had requested that Mr. Arthur obtain a county business license even though the majority of the repair work is done at other sites when farm equipment needs repaired.

Harry Young, Mac Wright, and Marcus Dyer, all area property owners and farmers, spoke in support for Mr. Arthur to continue his business. They said that the service he provides in this community is very helpful and much needed especially when large farm equipment breaks down out in the field, Mr. Arthur comes to the site. Beth Bishop McGee, daughter of Neil Bishop, and who has Power of Attorney over her father's business spoke in support as well. John Arthur added that this business had just started small and has grown because of the need for the service he provides. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, stated that the proposed zoning is not consistent with the Future Development Map and this would be considered spot zoning therefore recommended that the rezoning request identified as Application #Z14-06 be denied

Randy Rule commented to how impressed he was with the support from the community for Mr. Arthur to continue to operate. Ron Free commented that in his opinion, this type of a business is a neighborly deed that fortunately Mr. Arthur gets paid for. Randy Rule made the motion to approve the rezoning request identified as Application #Z14-06 from A-1 to C-H with the stipulation that if the current business ceases to be a non-conforming business then the zoning converts back to A-1. Butch Layson 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. Randy Rule seconded the motion. All voted aye. The meeting was adjourned at 7:00 p.m.

Zelda Gregg, Secretary

Brad Rains, Chairman
Ron Free, Vice-Chairman

Cover Sheet
Proposal for Land Use Action

Application Number: 214-06 Present Zoning: A-1 Proposed Zoning: C-H

Date of Planning Commission Meeting: June 9, 2014

Date of Board of Commissioners' Meeting: June 24, 2014

Applicant: Stephen Williams

Property Owner: (if different from applicant) Neil Bishop

Property Address: 878 Covington Bridge Rd Fairmount Ga 30139

Said Property having a frontage of _____ feet and containing 2.38 acres.

Future Development Map Classification: Agricultural/Rural Reserve

Current Zoning Map Classification: A-1 Agricultural

Proposed Action: rezone to commercial to continue to operate major vehicle repair shop, primarily, farm related.

Reason for Proposed Action: County requested. To operate a vehicle repair shop for cars, farm equipment & ^{farm} trucks. Sometimes mobile (we go to them). Custom Craft Cabinet was operated on property for a very long time.

Directions to Property: Hwy 53 East turn left Cash Rd take 3rd road to Right Covington Bridge Rd property 1.3 miles on the left

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

Rezoning Proposal

Date of Report: May 21, 2014

Application # Z14-06

Applicant and Property Owner: Stephen P. Williams (applicant) Neil Bishop (owner)

Location of Property: 878 Covington Bridge Road, Fairmount GA 30139

Property Frontage: _____ Feet

Tract Size: 2.38 acres

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

Reason for Proposed Action: County requested, to continue operating major vehicle repair shop, primarily farm related equipment, cars and farm trucks. Sometimes we repair at owners property, mobile. We need to obtain our Gordon County Business License.

Future Development Map Classification: Rural/Agricultural Reserve

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:** This site was evaluated on May 23, 2014. No water or plumbing has been installed in these buildings. Therefore, there are no septic systems on this property. (Porta-Johns only). Rezoning should not be an issue for our office unless the operating hours for repair shop is two (2) hours or more per day. Facilities that operate for two (2) hours or more per day are required to have a septic system installed. This would require permitting from our office.
- * **Building Department:** No comment.
- * **Fire Department:** Ok.
- **Gordon County School System:** N/A
- **Road Department or Georgia of Transportation:** New or modification of entrance will require driveway permit from Public Works Dept.
- **Water & Sewer (City of Calhoun):** This property is served by a 8" and 12" 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 area is predominately rural with agricultural and residential uses that are zoned A-1.

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 requirements for A-1 zoning, and it cannot be used for commercial purposes. The proposed use is not permitted under A-1 zoning.

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 Rural/Agricultural Reserve on the Gordon County Future Development Map. This classification supports land uses intended for agricultural, low-intensity single-family residential, passive recreation. Development in the area should respect the County's farming tradition. Although the proposed zoning is not consistent with the Future Development Map, it is consistent with a business being on the property. Prior to the repair shop, there was also a cabinet shop located on the properties years ago.

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 not consistent with the Future Development Map and this would be considered spot zoning.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z14-06 be recommended for denial.

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

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # Z14-060 Bishop A-1 to C-G

Date: _____

Reviewed by: Shane Hendrix EHS#

Environmental Health

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

This site was evaluated on 5/23/14. No water or plumbing has been installed in these buildings. Therefore, there are no septic systems on this property. (Porta-Johns Only). Rezoning should not be an issue for our office unless the operating hours for repair shops is (2) hours or more per day. Facilities that operate for (2) hours or more per day are required to have a septic system installed. This would require permitting from our office.

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # 214-06 Bishop A-1 to C-H

Date: 5/13/14

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.



5/20/14

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 214-060 Williams A1 to C-H

Date: 5/14/14

Reviewed by: Barry Hice

ROAD DEPARTMENT

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

NEW OR MODIFICATION OF ENTRANCE
WILL REQUIRE A DRIVEWAY PERMIT FROM
PUBLIC WORKS DEPT.

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z14-06
APPLICATION NAME: STEPHEN WILLIAMS
TYPE OF ZONING: A-1 TO C-H
DATE: 5/14/2014
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS PROPERTY IS SERVED BY AN 8" & 12" 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.