

INFORMATION SHEET FOR REZONING REQUESTS

Application # 214-07 DATE OF READING 8-5-14

REZONE FROM A-1 TO O-I

PROPERTY OWNER THOMAS GROVER LUNSFORD

LOCATION OF PROPERTY 405 EDWARDS ST.

CAITHORN

DESCRIPTION OF PROPERTY
.46 ACRES

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

1. Approval

STIPULATIONS:
the developer hook up to the public sewer system to be in compliance with the ULDC for the land requirement before obtaining a Gordon County business license, or apply for a variance

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

The Gordon County Planning Commission held a Public Hearing on Monday, July 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 Ron Free
Jerry Lovelace

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 Jerry Lovelace to approve the minutes of the previous meeting of June 9, 2014. Ron Free seconded the motion. All voted aye. The minutes were approved as written.

REZONING APPLICATION #Z14-07, THOMAS GROVER LUNSFORD

Chairman Rains read rezoning application #Z14-07, Thomas Grover Lunsford, requesting to rezone .46 acres at 405 Edwards Street, Calhoun, from A-1 to O-I. Mr. Lunsford represented the request explaining that he had purchased the existing house to use as an insurance office but had decided now to just sell it as an office structure. Mr. Lunsford also stated that he had spoke with Mark Williamson, with the City of Calhoun, about connecting to city sewer and there is not a sewer line on Edwards Street and it would be at his expense to connect to the existing sewer line on Highway 53. All adjoining property owners had been notified.

The recommendation from the Gordon County Planning Administrator is that the rezoning request identified as Application #Z14-07 be approved with the stipulation that the developer hook up to the public sewer system to be in compliance with the U.L.D.C. for the land requirement before obtaining a Gordon County Business License, or apply for a variance.

Ron Free made the motion to approve the rezoning request identified as Application #Z14-07 from A-1 to O-I with the stipulation stated by the Gordon County Planning Administrator to connect to the public sewer system or apply for a variance before a business license could be issued. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

ADDITIONAL BUSINESS

There being no additional business, Ron Free made the motion to adjourn. Jerry Lovelace seconded the motion. All voted aye. The meeting was adjourned at 6:20 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: June 19, 2014

Application # Z14-07

Applicant and Property Owner: Thomas Grover Lunsford

Location of Property: 405 Edwards St., Calhoun GA 30701

Property Frontage: 132.50 Feet **Tract Size:** 0.46 acres

Proposed Action: Rezone from A-1 (Agricultural) to O-I (Office/Institutional)

Reason for Proposed Action: To convert existing house into an office.

Future Development Map Classification: Neighborhood Commercial

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:** See attached record of septic repair from 10/02/2000. No issues w/commercial building being on septic. Be sure to locate tank in front before beginning repairs – do not drive or park over septic system. Do Not Pave over septic system.
- * **Building Department:** No comment.
- * **Fire Department:** Ok.
- **Gordon County School System:** N/A
- **Road Department or Georgia of Transportation:** Edward Street is a City of Calhoun Street.
- **Water & Sewer (City of Calhoun):** This property is served by a 2” water line. No sewer service to this property at this time.
- **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 Commercial with an older residential subdivision in the interior between Hwy 53 and Hwy 41.

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

The proposed zoning will cause the area to experience additional vehicular traffic, although it 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 Neighborhood Commercial on the Gordon County Future Development Map. This classification supports land uses intended for an office, small-scale retail and to accommodate conversion of existing residential uses into office or commercial uses while maintaining the existing buildings. The proposed zoning is consistent with the Future Development Map.

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 primary issue is that the existing house is on a private septic system and would have to obtain public sewer system to be in compliance with the land requirement of the U.L.D.C. for Office/Institutional zoning.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z14-07 be recommended for approval with the stipulation that the developer hook up to the public sewer system to be in compliance with the U.L.D.C. for the land requirement before obtaining a Gordon County Business License or apply for a variance.

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

214-07

Recorded 09/30/2013 10:17
Doc: WD Rcp#: 299466
TRANSFER TAX ID: 064001876
Grant Walraven, C.S.C.
GORDON County, Ga
DEED Bk: 1857 Pg: 527

Return Recorded Document to:
Cox, Byington, Brumlow, & Twyman, LLP
1287 Curtis Parkway
Calhoun, GA 30701
File No.

STATE OF GEORGIA, COUNTY OF GORDON

**DEED ONLY, TITLE NOT EXAMINED
WARRANTY DEED**

THIS INDENTURE made this ____ day of September, 2013 by and between

D. L. WALRAVEN

party or parties of the first part, hereinafter referred to as "Grantor", and

THOMAS GROVER LUNSFORD

party or parties of the second part hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural;

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten Dollars in hand paid and other good and valuable consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, Grantor, has, and hereby does, grant, bargain, sell and convey unto Grantee and the heirs, legal representatives, successors and assigns of Grantee

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 264 of the 14th District and 3rd Section of Gordon County, Georgia and being Lot 6 of the property of F.J. Richardson, sahe same being a portin of the revised Mason Subdivision property according to a plat thereof recorded in Plat Book 4, Page 97, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

TO HAVE AND TO HOLD said tract or parcel of land, together with any and all of 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 Grantee and the heirs, legal representatives, successors and assigns of Grantee, forever, in FEE SIMPLE.

GRANTOR SHALL WARRANT and forever defend the right and title to said tract or parcel of land unto the Grantee and the heirs, legal representatives, successors and assigns of Grantee, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

Signed, Sealed and Delivered in the presence of:

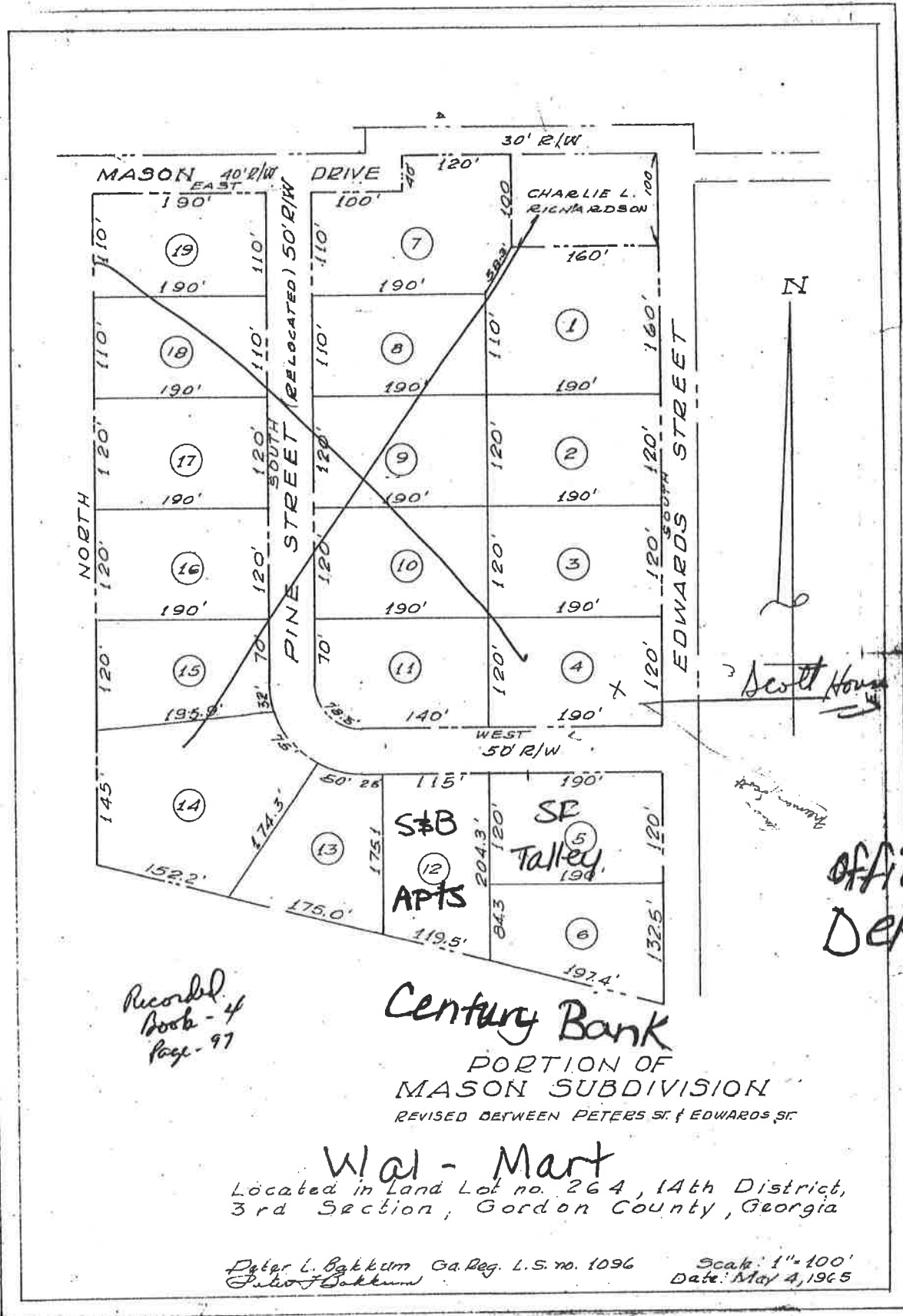
[Signature]

(Nonofficial Witness)
[Signature]

(Notary Public)

[Signature] (SEAL)
D.L. WALRAVEN





Recorded
Book - 4
Page - 97

Century Bank

PORTION OF
MASON SUBDIVISION
REVISED BETWEEN PETERS ST. & EDWARDS ST.

Wal-Mart

Located in Land Lot no. 264, 14th District,
3rd Section, Gordon County, Georgia

Peter L. Bakken Ga. Reg. L.S. no. 1096
Peter L. Bakken

Scale: 1" = 100'
Date: May 4, 1965

surrounded by City property except
next door house
"Mostly" Business 214-07
Commercial

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTHApplication # 214-07 Lunsford A-1 to O-IDate: 10/18/14Reviewed by: Christy Blair**Environmental Health****Comments, recommendations, or any condition of approval to serve proposed rezoning or variance with Environmental Health:**

See attached record of septic repair from 10-2-2000. No issues w/ commercial building being on septic. Be sure to locate tank in front before beginning repairs - do no drive or park over septic system. Do not pave over septic system.

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z14-07
APPLICATION NAME: GROVER LUNSFORD
TYPE OF ZONING: A-1 TO O-1
DATE: 6/19/2014
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS PROPERTY IS SERVED BY A 2" WATER LINE.

SEWER COMMENTS:

NO SEWER SERVICE TO THIS PROPERTY AT THIS TIME.

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.

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 214-07 Lunsford A-1 to O-I

Date: 6/18/14

Reviewed by: BARRY HICE

ROAD DEPARTMENT

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

EDWARD STREET IS A CITY OF
CALHOUN STREET

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

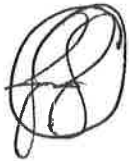
Application # 214-07 Lunsford A-1 to O-I

Date: 6/18/14

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.

6/20/14