

INFORMATION SHEET FOR REZONING REQUESTS

Application # 214-08 DATE OF READING 10-21-14

REZONE FROM A-1 agricultural TO R-6 manufactured housing

PROPERTY OWNER Tommie Stone

LOCATION OF PROPERTY 111 Orr Mill Rd. SE

Ranger

DESCRIPTION OF PROPERTY

1.23 ACRES

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

- Approval

STIPULATIONS:

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**GORDON COUNTY PLANNING COMMISSION  
PUBLIC HEARING  
OCTOBER 13, 2014**

The Gordon County Planning Commission held a Public Hearing on Monday, October 13, 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	Butch Layson
Randy Rule	

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 8, 2014. Jerry Lovelace seconded the motion. All voted aye. The minutes were approved as written.

**REZONING APPLICATION #Z14-08, TOMMIE STONE**

Chairman Rains read rezoning application #Z14-08, Tommie Stone, requesting to rezone 1.23 acres located at 111 Orr Mill Road, SE, Ranger, from A-1 to R-6. Mr. Stone represented the request explaining that they wanted to move the existing mobile home that was located at 250 Orr Mill Road to the 111 Orr Mill Road location permanently and then they were either going to build or buy a new mobile home to place at the 250 Orr Mill Road location. Randy Rule asked for clarification that they were not just abandoning the mobile home and Mr. Stone replied that they were going to set the existing mobile home up at the 111 Orr Mill Road location. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z14-08 be approved.

Jerry Lovelace made the motion to approve the rezoning request identified as #Z14-08 from A-1 to R-6 as requested. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z14-10, TONY LEE TURNER**

Chairman Rains read rezoning application #Z14-10, Tony Lee Turner, requesting to rezone a 56 acre tract located at 714 Ryo Mtn. Road, Fairmount, from R-1 to A-1. Mr. Turner represented the request explaining that he would like to build 4 poultry houses on the property. All adjoining property owners had been notified.

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Mr. Ian MacFarlane, an adjoining property owner and Mrs. Ann Payne spoke in support and with no objections to changing the zoning back to A-1.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z14-10 be approved.

Ron Free made the motion to approve the rezoning request identified as #Z14-10 from R-1 to A-1 as requested. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**VARIANCE APPLICATION #V14-07, SHANE & CHARITY CARNEY**

Chairman Rains read variance application #V14-07, Shane and Charity Carney, requesting a variance on a 16.978 acre tract located at 587 Wesley Chapel Road, Calhoun, to reduce setback requirements to adjacent dwelling to build chicken houses. Mrs. Carney represented the request explaining that her family currently have 4 poultry houses at this location and would like to add 2 more houses because they needed to increase their income and it would be more cost efficient to have the new houses with the existing houses, saving on water, electrical, gas, etc. The new houses would need a variance due to the fact they would only be 400 feet from the adjacent property which is across Hwy. 53 instead of the required 500 feet. Mrs. Carney added that this farm had been in her husband's family for over 100 years and they would like for their son to continue to work the farm in the future with the additional houses. All adjoining property owners had been notified.

Judith Ralston, representing her mother, Tinsey Erwin, who could not be present due to being in the hospital, spoke in opposition to the requested variance. Mrs. Ralston stated her family was in the poultry business as well and was not against the chicken farming business but this would put the back end of these 2 new houses 400 feet from her mother's rental property, and that the back end is where all the smell, dust, and noise comes from. She asked that the planning commission hold this ordinance in place since this would harm the value of her mother's property for the future. Mrs. Carney spoke again stating that they really needed to be able to build these 2 new houses for financial reasons. Ron Free stated he believed that the Carneys did have 500 feet and would not need the variance.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V14-07 be approved.

Ron Free made the motion to deny the variance application identified as #V14-07 as requested. Butch Layson seconded the motion. No one voted with the motion. Motion dies. Jerry Loveless made the motion to approve the variance application as requested. No one seconded the motion. Motion dies. Ron Free again stated he did not think they needed the variance and made a motion to table until the November 2014 meeting so the Carneys could provide a scaled drawing of the distance between the adjacent property and the new houses. Butch Layson seconded the motion. All voted aye. The variance was tabled until the November 10, 2014 meeting.

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

**Rezoning Proposal**

**Date of Report:** August 20, 2014

**Application #** Z14-08

**Applicant and Property Owner:** Tommie Stone

**Location of Property:** Orr Mill Road, Ranger GA 30734

**Property Frontage:** corner lot Feet      **Tract Size:** 1.23 acres

**Proposed Action:** Rezone from A-1 (Agricultural) to R-6 (Manufactured Housing)

**Reason for Proposed Action:** To place a mobile home on a subdivided property.

**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:*** Lot should be large enough. Soil work will need to be done for septic application.
- \* ***Building Department:*** No comment.
- \* ***Fire Department:*** Ok.
- ***Gordon County School System:*** N/A
- ***Road Department or Georgia of Transportation:*** Any new driveway or existing driveway that does not meet ULDC will be required to have new driveway permit from Public Works Dept..
- ***Water & Sewer (City of Calhoun):*** Orr Mill Rd. is served by a 12" water main. No city sewer service 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**

**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 property is located on the corner of Hwy 411 and Orr Mill Rd. and was originally a 3.23 acre tract with an existing house and the proposed use would be suitable to adjacent properties.

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

The proposed zoning will not 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.

**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 land uses intended for undeveloped areas left in their natural state, passive recreation, low density single-family residential, forestry/agricultural . 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 proposed zoning and use is compatible with surrounding properties.

**Planning Staff's Recommendation:**

The rezoning request identified as Application #Z14-08 be recommended for approval.

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

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z14-08  
APPLICATION NAME: TOMMIE STONE  
TYPE OF ZONING: A-1 TO R-6  
DATE: 9/26/2014  
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

ORR MILL ROAD IS SERVED BY A 12" WATER MAIN.

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 FIELD SURVEY HAS BEEN COMPLETED.

**DEPARTMENTAL REVIEW - FIRE DEPARTMENT**

Application # 214-08 Stone A-1-R6

Date: 9/15/14

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.



9/24/14

**DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH**

Application # 214-08 Stone A-1 to B-6

Date: 9/15/14

Reviewed by: Christy Blair

**Environmental Health**

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

Lot should be large enough. Soil work will need to be done for septic application.



**DEPARTMENTAL REVIEW – ROAD DEPARTMENT**

Application # 214-08 Stone A-1 to R-6

Date: 9/15/14

Reviewed by: BARRY HICE

**ROAD DEPARTMENT**

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

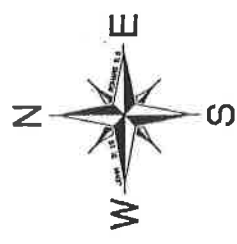
Any NEW DRIVEWAY OR EXISTING DRIVEWAY THAT DOES NOT MEET ULDC WILL BE REQUIRED TO HAVE NEW DRIVEWAY PERMIT FROM PUBLIC WORKS DEPT.

BHH

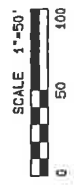
214-08

**BOUNDARY SURVEY**  
FOR  
**SHEILA NELSON**  
GORDON County, Georgia

**LOCATED IN LAND LOTS 285 & 292, 24th DISTRICT & 2nd SECTION OF GORDON COUNTY, GEORGIA**



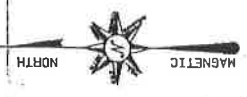
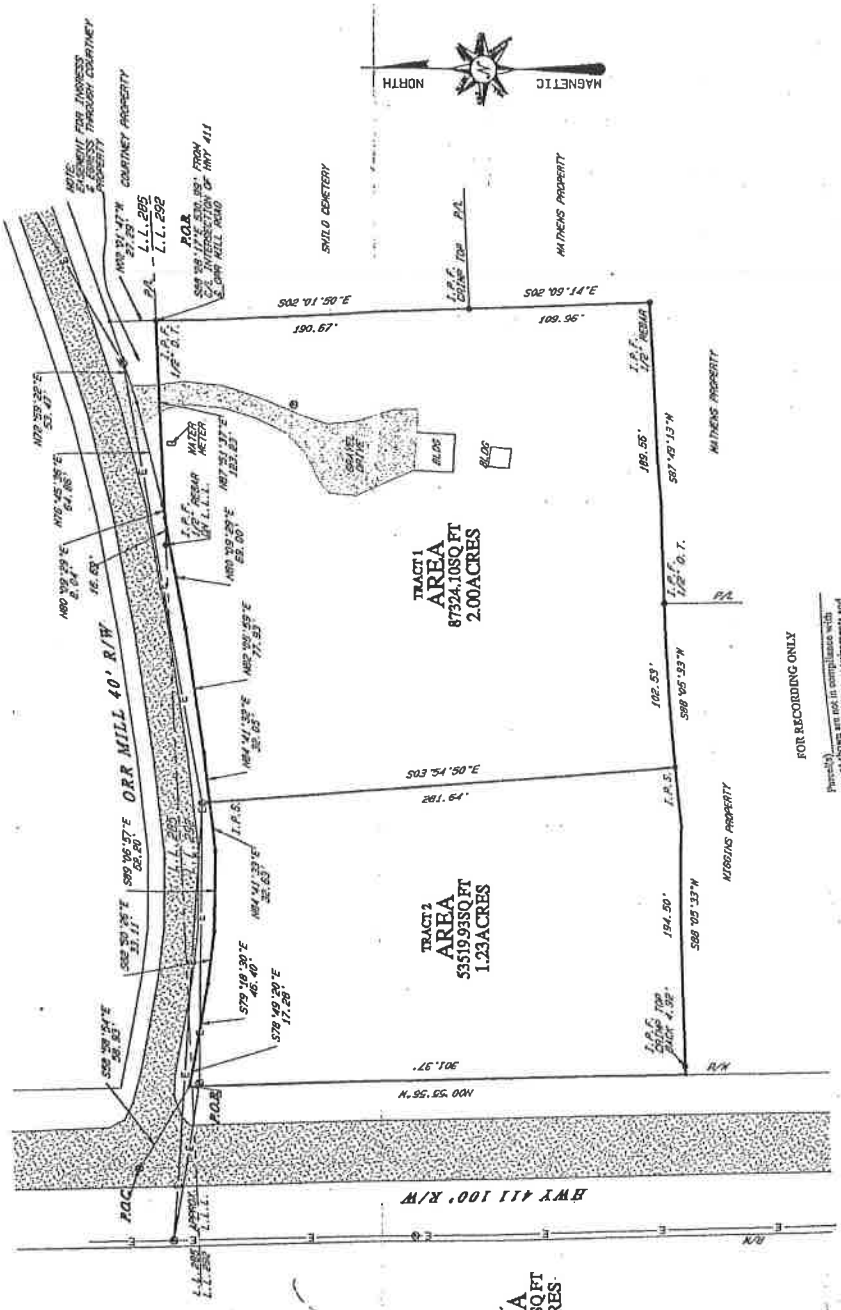
**DATE: 5/12/2008**



- REFERENCES:**  
 PR: 23 PR: 171  
 PR: 18 PR: 22  
 PR: 30 PR: 78  
 PR: 25 PR: 31  
 DR: 617 PR: 154  
 DR: 1 PR: 49E  
 DR: 653 PR: 372  
 DR: 1405 PR: 346

PLAT BY FREEMAN E. TROBERT SURVEYORS P.C.  
 DATED 4/2/1993, FOR TRISHA BRAUN

**TOTAL AREA**  
 140844.038 SQ FT  
 3.23 ACRES



FOR RECORDING ONLY

Plotted curves are not in compliance with Georgia County Judge's requirements and are not eligible for indexing permits.

Quincy City Building, Planning & Development  
 By: [Signature] Date: 5/12/08



*IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF LAW.*

THIS PLAT SUBJECT TO ALL EASEMENTS AND RIGHT OF WAYS. THIS PLAT HAS BEEN CALCULATED TO HAVE A CLOSURE OF 1" IN 100,000+ THE FIELD DATA UPON WHICH THIS PLAT IS BASED ON HAS A CLOSURE PRECISION OF ONE FOOT IN 40,000 FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT. AND HAS ADJUSTED USING THE COMPASS RULE. FIELD WORK WAS DONE BY USING A NIKON DTM-520 03" SECOND TOTAL STATION & H.P. DATA COLLECTOR.

**NOTE**  
 THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA ACCORDING TO MAPS FURNISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. COMPARISON PANEL NUMBER: 13094 - 0000 B J-3020

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

214-08

Recorded 02/24/2014 11:14  
Doc# WD Rec#:# 301586  
TRANSFER TAX: 8.50  
TRANSFER TAX ID: 0642014000003  
Grant Walraven, C.S.C.  
GORDON County, Ga  
DEED Bk: 1879 Pg: 44

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 2nd day of January, 2014 by and between

**BOYCE N. WARD**

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

**TOMMIE STONE AND MARY STONE**, as joint tenants with rights of survivorship and not as tenants in common 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 Lots 285 and 292 of the 24th District and 2nd Section of Gordon County, Georgia and being Tract 2 containing 1.23 acres as per plat entitled "Boundary Survey for Sheila Nelson" dated 5/12/2008 and being recorded at Plat Book 51, Page 148, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.**

*Alle* \*Along with Tract 1 containing 2.00 acres as shown on said plat. It being the intent to convey all the property acquired by grantor @ Deed Book 1821, Page 298.

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:

*Jack Terry Brumlow*  
(Unofficial Witness)

*Boyce N. Ward* (SEAL)  
**BOYCE N. WARD**

(Notary Public)

