

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 16-01 DATE OF READING 2-16-2016

REZONE FROM A-1 TO RA-1

PROPERTY OWNER Justin Clements

LOCATION OF PROPERTY Plainview Rd CA/HOUN

DESCRIPTION OF PROPERTY  
3.0 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  
FEBRUARY 8, 2016**

The Gordon County Planning Commission held a Public Hearing on Monday, February 8, 2016 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:

Randy Rule	Eddie Smith
Butch Layson	Nathan Serritt
Jerry Lovelace	

Randy Rule 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 January 11, 2016. Eddie Smith seconded the motion. All voted aye. The minutes were approved as written.

**ELECTION OF CHAIRMAN AND VICE-CHAIRMAN**

Randy Rule opened the floor for nominations for the 2016 Chairman and Vice-Chairman positions for the Planning Commission. Jerry Lovelace made a motion to keep Butch Layson as the Vice-Chairman. Nathan Seritt seconded the motion. All voted aye. Butch Layson made a motion to keep Randy Rule as the Chairman. Jerry Lovelace seconded the motion. All voted aye. Randy Rule will remain the Chairman and Butch Layson will remain the Vice-Chairman in 2016 for the Gordon County Planning Commission.

**REZONING APPLICATION #Z16-01, JUSTIN CLEMENTS**

Chairman Rule read rezoning application #Z16-01, Justin Clements, requesting to rezone a 3 acre tract located on Plainview Road, Calhoun from A-1 to RA-1. Mr. Clements represented the request explaining that he had bought the property that was sub-divided from a larger tract of land and would like to build a house. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-01 be approved.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z16-01 from A-1 to RA-1. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**Cover Sheet**  
**Proposal for Land Use Action**

Application Number: Z16-01 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: February 8, 2016

Date of Board of Commissioners' Meeting: February 16, 2016

Applicant: Justin Clements

Property Owner: *(if different from applicant)* \_\_\_\_\_

Property Address: Plainview Rd., Calhoun

Said Property having a frontage of 300 feet and containing 300 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Rezone property to build a house.

Reason for Proposed Action: Subdivided property from larger tract of land.

Directions to Property:  Hwy 53E. Turn right onto Plainview Rd. go about 1/4 mile on right.

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

**Date of Report:** January 12, 2016

**Application #** Z16-01

**Applicant and Property Owner:** Justin Clements

**Location of Property:** Plainview Road, NE., Calhoun, GA 30701

**Property Frontage:** 300 Feet                      **Tract Size:** 3.00 acres

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

**Reason for Proposed Action:** Property subdivided from larger tract, would like to build a house.

**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:*** 3 acres should be large enough to meet all septic requirements.
- \* ***Building Department:*** No comment.
- \* ***Fire Department:*** O.K.
- ***Gordon County School System:*** N/A
- ***Road Department or Georgia of Transportation:*** New driveway permit and design required prior to start of construction.
- ***Water & Sewer (City of Calhoun):*** This area is served by a 6" water line. 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**

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 adjacent and nearby properties are primary agricultural with residential uses.

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

The proposed zoning will not affect nearby properties.

***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 (5) acre lot size requirements for A-1 zoning, and cannot be used for residential purposes as zoned.

***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 will generate additional traffic but shouldn't impede on the traffic flow.

***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 for Single-family residential, Passive and active recreation, and Civil/institutional. 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 subject property is consistent with the established development pattern with the Gordon County Future Land Use Plan.

**Planning Staff's Recommendation:**

The rezoning request identified as Application #Z16-01 be approved.

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

Recorded 12/14/2015 9:16  
Doc: WD Rcpt#: 311215  
TRANSFER TAX: 22.50  
TRANSFER TAX ID: 0642015002102  
Gratit Walraven, C.S.C.  
GORDON County, Ga  
DEED Bk: 1981 Pg: 185

Return Recorded Document to:  
Brumlow, Corwin & Delashmit, P.C.  
1287 Curtis Parkway SE  
P.O. Box 2500  
Calhoun, GA 30703  
File #1015G853

STATE OF GEORGIA  
COUNTY OF GORDON

**WARRANTY DEED**

This Indenture made this 11th day of December, 2015 between PEGGY ACREE AND RYAN ACREE, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and JUSTIN CLEMENTS, 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 63 of the 6th District and 3rd Section of Gordon County, Georgia; and being 3.00 acres as per plat recorded in Plat Book 52, Page 131, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.**

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**.

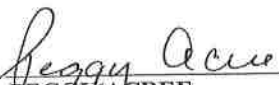
**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

**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

  
\_\_\_\_\_  
PEGGY ACREE (Seal)

  
\_\_\_\_\_  
RYAN ACREE (Seal)



DEPARTMENT REVIEW -- ENVIRONMENTAL HEALTH

Application # Z116-01 Clements A-1 to RA-1

Date: 1/12/16

Reviewed by: Christy Blair

Environmental Health

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

3 acres should be large enough to meet all septic requirements.



CITY OF CALHOUN  
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-01  
APPLICATION NAME: Justin Clements  
TYPE OF ZONING: A-1 to RA-1  
DATE: 1/13/2016  
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 6" water line.

SEWER COMMENTS:

No sewer service to 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.

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # Z16-01 Clements A-1 to RA-1

Date: 1/12/16

Reviewed by: Barry Hice

ROAD DEPARTMENT

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

NEW DRIVEWAY PERMIT AND DESIGN REQUIRED  
PRIOR TO START OF CONSTRUCTION

**DEPARTMENTAL REVIEW -- FIRE DEPARTMENT**

Application # 216-01 Clements A-1 to RA-1

Date: 1/12/16

Reviewed by: Josy Jordan

**FIRE DEPARTMENT**

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

O.K.



1/15/16