

INFORMATION SHEET FOR REZONING REQUESTS

Application # 216-02 DATE OF READING 2-16-2016
REZONE FROM A-1 TO C-C Crossroads Commercial

PROPERTY OWNER MARTHA ANN HALEY

LOCATION OF PROPERTY LOVERS LANE CALHOUN

DESCRIPTION OF PROPERTY
2.0 ACRES

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

- Approval

STIPULATIONS:

REZONING APPLICATION #Z16-02, MARTHA ANN HALEY

Chairman Rule read rezoning application #Z16-02, Martha Ann Haley, requesting to rezone a 2 acre tract located on Lovers Lane, Calhoun from A-1 to C-C. Mrs. Haley represented the request explaining that she has a potential buyer, Marty Carroll, for the property and he wants to build a beauty salon for his wife since he has the adjoining property and operates a business already. Gary Beisser, an adjoining homeowner to the rear of the proposed rezoning, spoke that he would be in support of the rezoning if the construction and operation is only a beauty salon and a 50 foot buffer be along the north and east boundaries of the property. Christine Fisher, the applicant's daughter, spoke in support to the rezoning. Marty Carroll, the proposed buyer, explained that he only wanted to build a small plaza that would house his wife's beauty salon and possibly a small retail business to lease. He also added that he would comply with buffer requirements. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-02 be approved.

Eddie Smith made the motion to approve the rezoning application identified as #Z16-02 from A-1 to C-C. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

ADDITIONAL BUSINESS

There being no additional business, Nathan Serritt made the motion to adjourn. Jerry Lovelace seconded the motion. All voted aye. The meeting was adjourned at 6:24 p.m.

Zelda Gregg, Secretary

Randy Rule, Chairman
Butch Layson, Vice-Chairman

**Cover Sheet
Proposal for Land Use Action**

Application Number: Z16-02 Present Zoning: A-1 Proposed Zoning: C-C

Date of Planning Commission Meeting: February 8, 2016

Date of Board of Commissioners' Meeting: February 8, 2016

Applicant: Martha Ann Haley

Property Owner: *(if different from applicant)* _____

Property Address: LOVERS LANE

Said Property having a frontage of 295.06 feet and containing 2 acres.

Future Development Map Classification: Emerging Mixed Use Center - Community Node

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Potential Buyer wants to build a Beauty Shop for his wife to operate.

Reason for Proposed Action: Would need to rezone for Commercial use

Directions to Property: From Dews Pond Rd. proceed South past Three Oaks Dr. and property begins on the left and ends at the Tact Gun & Ammo store.

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

Rezoning Proposal

Date of Report: January 19, 2016

Application # Z16-02

Applicant and Property Owner: Martha Ann Haley

Location of Property: Lovers Lane Road, NE., Calhoun, GA 30701

Property Frontage: 295.06 Feet **Tract Size:** 2.00 acres

Proposed Action: Rezone from A-1, (Agricultural District) to C-C (Crossroads Commercial).

Reason for Proposed Action: Would like to sell property to a potential purchaser for the construction of a beauty shop and need to bring it into compliance.

Future Development Map Classification: Emerging Mixed Use Center – Community Node

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:** Zoning issue is fine with EH. Just be sure owner knows this property is on septic and they must come to my office before disturbing land.
- * **Building Department:** No comment.
- * **Fire Department:** O.K.
- **Gordon County School System:** N/A
- **Road Department or Georgia of Transportation:** Driveway permit and design required before start of construction. Commercial requirements apply.
- **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 commercial and industrial zoned also backs up to a residential subdivision.

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

The proposed zoning will not affect nearby properties anymore than current adjacent land use.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The subject property would not be desirable as currently zoned for a residential use.

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 and could possibly 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 Mixed Use Center – Community Node on the Gordon County Future Development Map. This classification supports land uses intended for mixed use (commercial, retail, residential), Civil/institutional, passive and active parks. 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 development pattern as being close to the commercial oriented crossroad of Lovers Lane Road and Dews Pond Rd.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z16-02 be approved.

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

Deed
Doc: WD
Recorded 06/06/2005 01:30P Rept # 29028
Georgia Transfer Tax Paid : \$0.00

BRIAN BRANNON
Clerk Superior Court, GORDON County, Ga.
Bk 01199 Pg 0089

705-5664

STATE OF GEORGIA
COUNTY OF GORDON

WARRANTY DEED OF GIFT

THIS INDENTURE, made this 2 day of JUNE in the year of our Lord Two and Five, between

HENRY C. HALEY
as Grantor, and

MARTHA ANN HALEY
the Grantee.

In this deed, where the context so requires, the masculine gender includes feminine and/or neuter and the singular number includes the plural. Wherever herein a verb, pronoun or other part of speech is used in the singular, and there be more than one Grantor or Grantee, said singular part of speech shall be read as the plural, and each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein. Wherever herein Grantor or Grantee is used, the same shall be considered to mean as well, the heirs, executors, administrators, successors, representatives and assigns of the same.

WITNESSETH: That the GRANTOR, for and in consideration of his natural love and affection for the Grantee, has given, granted and conveyed and by there presents does give, grant and convey unto the said Grantee, the following described property:

All that tract or parcel of land lying and being in Land Lot 231 of the 14th District and 3rd Section of Gordon County, Georgia consisting of 2.00 acres as shown and described on a plat of survey for Henry C. Haley, dated April 8, 2002, prepared by David A. Glass, G.R.L.S. No. 2822 and recorded in the office of the Clerk of the Superior Court of Gordon County, Georgia in Plat Book 40 page 189 and said plat and the record thereof are made a part of this description and instrument by reference.

TO HAVE AND TO HOLD the said tract of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit and behoof of the said GRANTEE, his heirs and assigns, forever, in Fee Simple.

AND THE SAID GRANTOR, for himself, his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said GRANTEE, his heirs and assigns, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set his hand and seal, the day and year first above written.

Signed, sealed and delivered
in the presence of:

W.P. Bailey
WITNESS

Henry C. Haley (SEAL)
HENRY C. HALEY

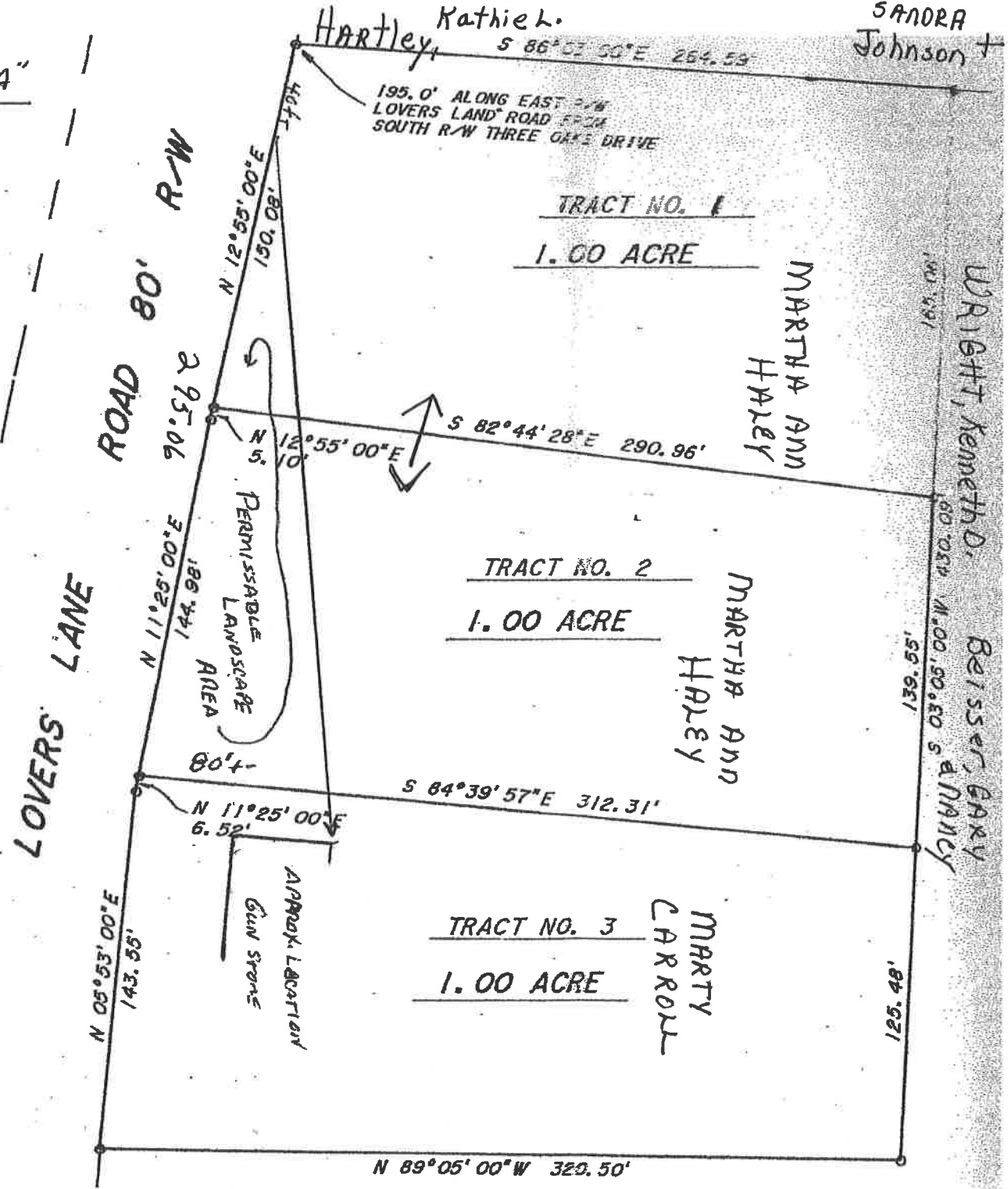
Carla O'Kelley
NOTARY PUBLIC
MY COMM. EXPIRES: 10/25/2007

N.P. SEAL AFFIXED

Return To:
William P. Bailey
Attorney at Law
P.O. Box 1089
Gordon, Ga 30703-1089

FILED & REC. 06-06-05 BRIAN BRANNON, CSC

216-01
EXHIBIT "A"



PLATTED FOR
JOHN SLAGLE
SYBLE SPINK
FLORENCE LAWRENCE

LOCATED IN LAND LOT NO. 231,
14TH. DISTRICT, 3RD. SECTION,

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 2116-02 Haley A-1 to CC

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:

Zoning issue is fine with EH. Just be sure owner knows this property is on septic and they must come to my office before disturbing land.

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # 216-02 Haley A-1 to C-C

Date: 1/12/16

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.
 1/15/16

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 21602 Haley A-1 to C-C

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:

DRIVEWAY PERMIT AND DESIGN REQUIRED
BEFORE START OF CONSTRUCTION. COMMERCIAL
REQUIREMENTS APPLY.

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-02
APPLICATION NAME: Martha Ann Haley
TYPE OF ZONING: A-1 to C-C
DATE: 1/13/2016
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.