

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 16-07 DATE OF READING 3-29-16

REZONE FROM A-1 TO R-1

PROPERTY OWNER \_\_\_\_\_

LOCATION OF PROPERTY LAVIER ROLAND

Red Bud Rd

DESCRIPTION OF PROPERTY  
1.009 ACRES

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

- Approval

STIPULATIONS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

On Variance Application #V16-02, Nathan Serritt made the motion to deny the variance to reduce the required acres from 10 acres down to 8.52 acres for MU zoning. Eddie Smith seconded the motion. Butch Layson stated he would abstain from voting since he owned adjoining property. Jerry Lovelace voted against the motion. The vote was 2 to 1 to deny. The variance was denied. The thirty-(30) day appeal period was explained.

On Rezoning Application #Z16-05, Nathan Serritt made the motion to deny the rezoning application from A-1 to MU. Eddie Smith seconded the motion. Butch Layson stated he would abstain from voting since he owned adjoining property. Jerry Lovelace voted against the motion. The vote was 2 to 1 to deny. The recommendation for denial was sent to the Board of Commissioners.

**REZONING APPLICATION #Z16-06, MARVIN L. ROBERTS**

Chairman Rule read rezoning application #Z16-06, Marvin L. Roberts, requesting to rezone a 2 acre tract located at 3286 Chatsworth Hwy. 225 NE, Calhoun from C-G to A-1. Mr. Roberts represented the request explaining that the property had previously been used for a flea market and now he just wants to combine it back in with the rest of his property. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-06 be approved.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z16-06 from C-G to A-1. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z16-07, LANIER ROLAND (APPLICANT: BRIAN AND VICKI BAXTER)**

Chairman Rule read rezoning application #Z16-07, Lanier Roland (applicant: Brian and Vicki Baxter), requesting to rezone a 1 acre tract located on Red Bud Road, Calhoun from A-1 to R-1. Terry Brumlow, a local attorney represented the request, explaining that Mr. Lanier would like to sell this 1 acre tract to his wife's sister for them to build a new home and be close to one another. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-07 be approved.

Nathan Serritt made the motion to approve the rezoning application identified as #Z16-07 from A-1 to R-1. Jerry Lovelace 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: 216-07 Present Zoning: A-1 Proposed Zoning: R-1

Date of Planning Commission Meeting: March 14, 2016

Date of Board of Commissioners' Meeting: April 5, 2016

Applicant: Brian and Vicki Baxter

Property Owner: (if different from applicant) LANIER ROLAND

Property Address: Red Bud Road, Calhoun, GA

Said Property having a frontage of 75 (<sup>five</sup>~~seventy~~) feet and containing 1.009 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: Agricultural - A-1

Proposed Action: Rezoning A-1 to R-1

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason for Proposed Action: Subdivided from larger tract. would like to build a house.

\_\_\_\_\_  
\_\_\_\_\_

Directions to Property: Proceed East from Calhoun on Highway 156/Red Bud Road and property is located approximately 3.2 miles East of the intersection of I-75 and Red Bud Road. Immediately past existing home of Lanier and Susan Roland.

\_\_\_\_\_

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

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

**Application #** Z16-07

**Applicant and Property Owner:** Lanier Roland (applicant: Brian Baxter & Vicki Baxter)

**Location of Property:** 3282 Red Bud Road NE, Calhoun, GA 30701

**Property Frontage:** 75 Feet                      **Tract Size:** 1.00 acres

**Proposed Action:** Rezone from A-1, (Agricultural District) to R-1, (Low Density Residential).

**Reason for Proposed Action:** The subject property was subdivided from a 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:*** Be sure drainfield from existing house does not encroach onto new property.
- \* ***Building Department:*** N/A
- \* ***Fire Department:*** O.K.
- \* ***Gordon County School System:*** N/A
- \* ***Road Department or Georgia Dept. of Transportation:*** Contact Nathan Howell at 770-387-3680 concerning residential drives.
- \* ***Water & Sewer (City of Calhoun):*** This area is served by an 8" 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 Public 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.***

Subject property is surrounded by agricultural zoned properties with residential uses, also several residential subdivisions in the area.

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

The proposed zoning will not adversely 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 exceeds the minimum lot size requirements for A-1 zoning and has the potential to be developed accordingly.

***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 not generate additional vehicular traffic and will not impede 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 residences, 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 proposed zoning and use of the subject property is compatible with surrounding properties.

**Planning Staff's Recommendation:**

The rezoning request identified as Application #Z16-07 be recommended for approval.

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

216-07

FILED  
Clerk Superior Ct., Gordon County

FEB 15 2016

Grant Walraven  
Clerk

Brumlow, Corwin & Delashmit, P.C.  
Attorneys at Law  
1287 Curtis Parkway  
Calhoun, Georgia 30701

STATE OF GEORGIA  
COUNTY OF GORDON

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

THIS INDENTURE made this 15th day of February, 2016 by and between

**ERNEST GENTRY AND SYLVIA GENTRY**

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

**LANIER ROLAND**

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 142 and 147 of the 7<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia; and being more particularly shown and delineated on plat of survey by North Georgia Surveying dated January 21, 2016 and being more particularly described as follows: BEGINNING at a point which is the Southeast corner of that certain 1.02 acre tract as recorded at Plat Book 51, Page 83; thence running north along and with the east line of said tract North 01 degree 38 minutes 34 seconds West a distance of 124.39 feet to a point; thence North 86 degrees 58 minutes 55 seconds a distance of 335.53 feet to a point; thence South 36 degrees 45 minutes 41 seconds West a distance of 250.51 feet to a point on the north right of way of State Route 156 (80' R/W); thence traveling with said right of way along the arc of a curve to the left South 73 degrees 16 minutes 00 seconds West an arc distance of 75.00 feet to a point; thence leaving said right of way and traveling North 53 degrees 48 minutes 56 seconds West a distance of 135.98 feet to the point of Beginning. Said tract containing 1.09 acres and the purpose of this deed is to clarify the lines between the Grantors and the Grantee.

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 behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in FEE SIMPLE, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

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:

*Clairaine Gentry*  
(Unofficial Witness)

*Ernest Gentry* (SEAL)  
ERNEST GENTRY

\_\_\_\_\_  
(Notary Public)

*Sylvia Gentry* (SEAL)  
SYLVIA GENTRY



216-07

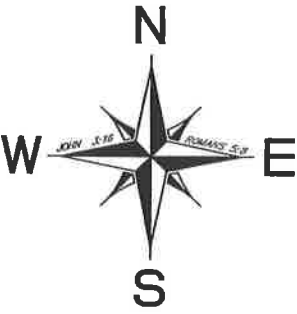
# BOUNDARY SURVEY

FOR

## Brian Baxter

GORDON County, Georgia

LOCATED IN LAND LOTS 142 & 147, 7th DISTRICT & 3rd SECTION OF GORDON COUNTY, GEORGIA

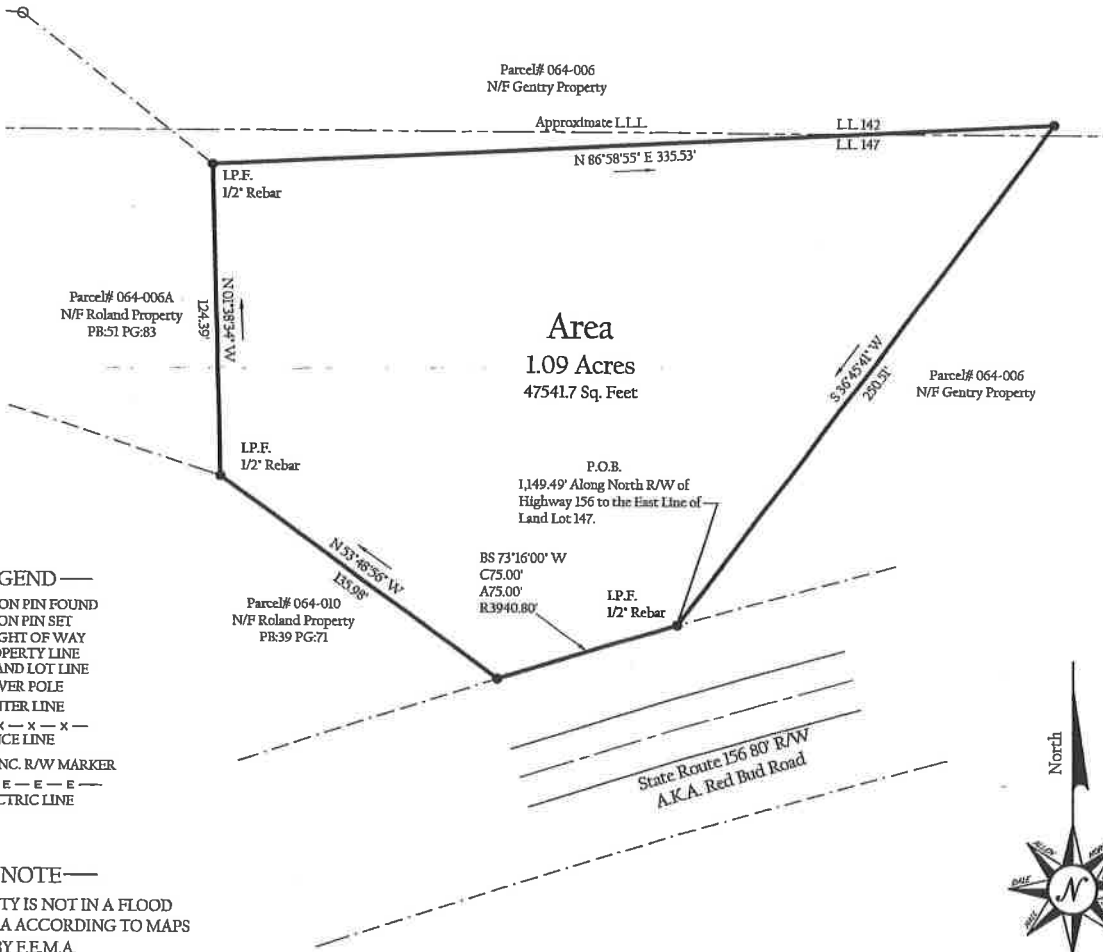


Scale: 1"=50'



Date of field work: 9/11/2015

Date of plat: 1/21/2016



- LEGEND —
- LP.F. - IRON PIN FOUND
  - LP.S. - IRON PIN SET
  - R/W - RIGHT OF WAY
  - P/L - PROPERTY LINE
  - L.L.L. - LAND LOT LINE
  - ⊙ - POWER POLE
  - ⊕ - CENTER LINE
  - x - x - x - x -
  - FENCE LINE
  - ⊠ - CONC. R/W MARKER
  - e - e - e - e -
  - ELECTRIC LINE

— NOTE —

THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA ACCORDING TO MAPS FURNISHED BY F.E.M.A. COMMUNITY-PANEL NUMBER: 13129C - 0100D

**North Georgia SURVEYING**  
 262 Erwin Road S.E.  
 Calhoun, GA 30701  
**706-625-1046**

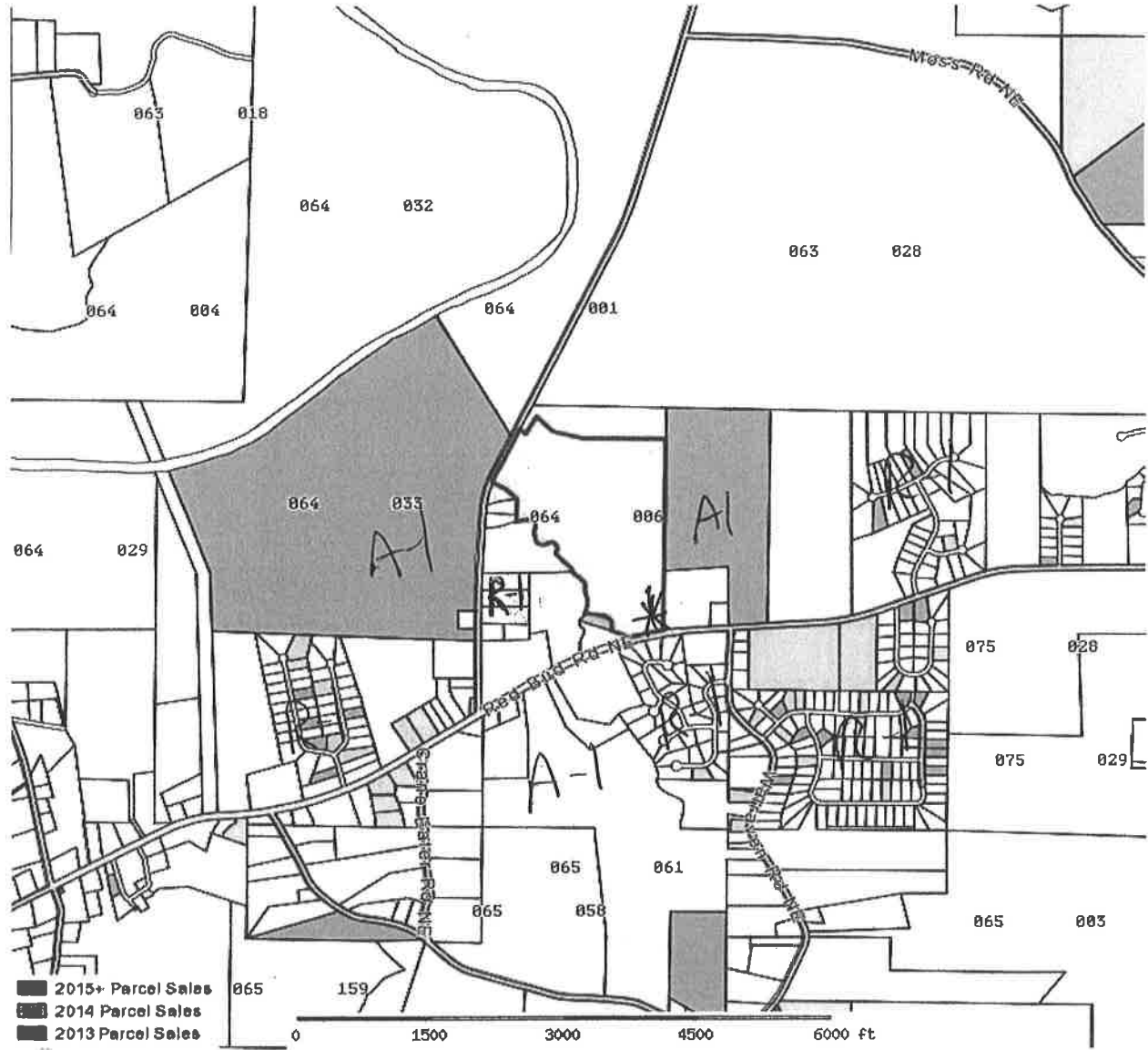


IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.



THIS PLAT SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY.  
 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 HORIZONTAL PRECISION OF 0.03 FEET AND A VERTICAL PRECISION OF 0.04 FEET AND WAS OBTAINED BY USING THE SOKKIA GRX-1 BASE STATION AND ROVER UNIT TO PRODUCE A R.T.K. NETWORK SURVEY.  
 FIELD WORK WAS DONE BY USING A SOKKIA GRX-1 GPS SYSTEM & CARLSON DATA COLLECTOR.

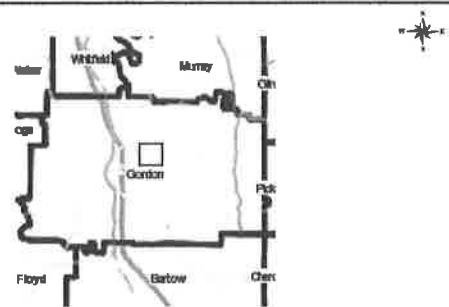
216-07



■ 2015+ Parcel Sales  
 ■ 2014 Parcel Sales  
 ■ 2013 Parcel Sales

0 1500 3000 4500 6000 ft

Gordon County Assessor			
Parcel: 064 006 Acres: 73.32			
Name:	GENTRY ERNEST & SYLVIA	Land Value	\$241,200.00
Site:	433 PINE CHAPEL RD	Building Value	\$296,500.00
Sale:		Misc Value	\$5,800.00
	433 PINE CHAPEL ROAD NE	Total Value:	\$543,500.00
Mail:	CALHOUN, GA 307019517		



The Gordon County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER GORDON COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS --THIS IS NOT A SURVEY--  
 Date printed: 02/22/16 : 10:07:06



**DEPARTMENTAL REVIEW – FIRE DEPARTMENT**

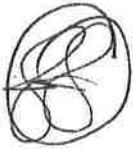
Application # 216-07 Lanier A-1 to R-1

Date: 2/15/16

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.

2/24/16

CITY OF CALHOUN  
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-07  
APPLICATION NAME: ROLAND LANIER  
TYPE OF ZONING: A-1 TO R-1  
DATE: 2/19/2016  
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS AREA IS SERVED BY AN 8" 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.

**DEPARTMENT REVIEW – ENVIRONMENTAL HEALTH**

Application # 216-07 Lanier A-1 to R-1

Date: 2/15/16

Reviewed by: Christy Blair

**Environmental Health**

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

Be sure drainfield from existing house  
does not encroach onto new property.

**DEPARTMENT REVIEW - STATE DEPARTMENT OF  
TRANSPORTATION**

Application # 216-07 Lanier A-1 to R-1

Date: 2/15/16

Reviewed by: Donovan Jaber

**State Department of Transportation**

**Comments, recommendations, or any condition of approval to serve proposed rezoning or variance with State Department of Transportation:**

Contact Nathan Howell @ 770-387-3680  
concerning residential drives.