

INFORMATION SHEET FOR REZONING REQUESTS

Application # 2-16-08 DATE OF READING 5-17-16
REZONE FROM A-1 TO C-H Highway Commercial

PROPERTY OWNER Larry Miles

LOCATION OF PROPERTY 1386 Rome Rd. Calhoun

DESCRIPTION OF PROPERTY
2.33 ACRES

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

1. Approval

STIPULATIONS:

**GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
MAY 9, 2016**

The Gordon County Planning Commission held a Public Hearing on Monday, May 9, 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 March 14, 2016. Nathan Serritt seconded the motion. All voted aye. The minutes were approved as written.

**REZONING APPLICATION #Z16-08, LARRY MILES
(APPLICANT: BRYON WEAVER)**

Chairman Rule read rezoning application #Z16-08, Larry Miles, requesting to rezone a 2.33 acre tract located at 1386 Rome Road, Calhoun from A-1 to C-H. Bryon Weaver represented the request explaining that he was going to rent the property and operate an auto repair shop. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-08 be approved and that the Future Land Use Map is amended.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z16-08 from A-1 to C-H and amend the Future Land Use Map. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z16-09, WILLIAM & RHIANNON HOLT
(APPLICANT: BROOKE HUSKINS)**

Chairman Rule read rezoning application #Z16-09, William and Rhiannon Holt, requesting to rezone a 1.04 acre tract located at 148 Cochran Road, Fairmount from A-1 to R-1. Ms. Holt & Ms. Huskins represented the request explaining that the Holt's were going to give the tract to Ms. Huskins so she could build a home on the back of the existing 6.457 acres. All adjoining property owners had been notified.

**Cover Sheet
Proposal for Land Use Action**

Application Number: 216-08 Present Zoning: A-1 Proposed Zoning: C-H

Date of Planning Commission Meeting: May 9, 2016

Date of Board of Commissioners' Meeting: May 17, 2016

Applicant: Bryon Weaver

Property Owner: (if different from applicant) Larry Miles

Property Address: 1386 Rome Rd., Calhoun

Said Property having a frontage of _____ feet and containing 2.33 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1 Agricultural

Proposed Action: Would to rezone property with an existing commercial structure on it to remodel. Was built in 1968.

Reason for Proposed Action: Would like to open a major vehicle repair shop.

Directions to Property: Hwy 53 W. Corner of Liberty Rd & Rome Rd.

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: May 9, 2016

Application # Z16-08

Applicant and Property Owner: Larry Miles (applicant: Bryan Weaver)

Location of Property: 1386 Rome Road, Calhoun, GA 30701

Property Frontage: _____ Feet **Tract Size:** 2.33 acres

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

Reason for Proposed Action: Would like to rezone subject property with an existing commercial structure on it to remodel for a major vehicle repair shop. The building was built in 1968.

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:*** No records of septic system. No issues with rezoning.
- * ***Building Department:*** N/A
- * ***Fire Department:*** O.K.
- * ***Gordon County School System:*** N/A
- * ***Road Department or Georgia Dept. of Transportation:*** Drive access to come from county road.
Road Department: Existing driveway entrance to be used. Any modifications would require a driveway permit. No parking in the right-of-way, temporary or permanent.
- * ***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 commercial and some 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 adversely affect nearby properties. The property has always been used for commercial uses.

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 requirement for A-1 Zoning and it cannot be used for any other purpose.

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 vehicular traffic and may 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, Passive and active-recreation, and Civil/Institutional. The proposed zoning is inconsistent 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. This is a non-conforming structure which has always been used for a commercial use. Since they are changing the use from one commercial use to another, it needs to be brought into compliance to be zoned Commercial.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z16-018 be recommended for approval and the Future Land Use Map is amended.

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

6. Rural/Agricultural Reserve (con't.)

Development Pattern (con't).

- Reduce impervious cover
- Utilize natural features for stormwater management
- Accommodate low-intensity uses

Primary Land Uses

- Agricultural
- Low-intensity single-family residential
- Passive recreation

Quality Community Objectives

- Sense of Place
- Open Space Preservation
- Environmental Protection

Implementation Strategies

- Adopt a policy that discourages extension of public utilities into these areas
- Continue to follow BMPs for any land disturbance activities, including tree harvesting and utility construction
- Adopt a Conservation Subdivision Ordinance
- Adopt typical street cross-sections for these areas that identify appropriate width and configuration and that require paved roads to use drainage swales in lieu of curb and gutter
- Encourage the use of Stormwater Better Site Design Standards (part of the Georgia Stormwater Management Manual) to conserve natural areas, reduce impervious surfaces and better integrate stormwater treatment in site planning and design
- Increase buffer requirements between agricultural and non-agricultural uses
- Adopt policies that require setting aside land as part of subdivision development for a County-wide network of greenways/trails for use by non-motorized users
- Promote the use of conservation easements and conservation tax credits by landowners to help preserve viable farmland



An example of a conservation subdivision, which maximizes and protects existing green space/trees
Source: Georgia Stormwater Management Manual



7. Emerging Suburban

Suburban-type residential development (smaller-lot neighborhoods versus individual, large lots) has occurred to some extent east of Calhoun between State Highway 156 (Red Bud Road) and State Highway 53. These residential subdivisions have typically developed in a leap-frog fashion, and they lack connectivity when they do abut. Like much of the County, the homes utilize septic systems. Less dense residential development has occurred southwest of Calhoun. Together, these two areas have the potential to accommodate residential growth in the County. Development is not expected to be at the same intensity as what is encouraged in the Emerging Mixed Use – Community Node character areas, especially due to the presence of groundwater recharge areas, the lack of sewer infrastructure, and the existing development pattern that includes large-lot development. Conservation subdivisions, however, are a suitable use to help retain the open spaces and rural character that are prevalent throughout the area.



**Georgia Bank & Trust
Deed to Secure Debt**

Georgia, GORDON County

THIS INDENTURE made this 15TH day of AUGUST, 1996 between

LARRY W. MILES, SR.

of GORDON County, Georgia, hereinafter called Grantor, which term, wherever used, shall include the heirs, executors, administrators, successors and assigns of such Grantor, and Georgia Bank & Trust of Gordon County, Georgia, hereinafter called Grantee, which term, wherever used, shall include the heirs, executors, administrators and assigns of said grantee.

WITNESSETH: That Grantor, in consideration of the sum of (\$25,316.00)

TWENTY-FIVE-THOUSAND-THREE-HUNDRED-SIXTEEN-AND-NO/100 Dollars
in hand paid by Grantee, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, assign and convey to Grantee:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 296 of the 14th District, 3rd Section of Gordon County, Georgia, and being two and one third (2 1/3) acres, more or less, and being more particularly described as follows:
Lying South of the Liberty Church-McDaniel Station Public Road and West of the Old Calhoun-Rome Public Road and East of the present Calhoun-Rome Public Road. Said tract being all of said Land Lot No. 296 lying between the above mentioned roads, formerly owned by Thomas J. Brown, and being bounded as follows:
On the North by Liberty Church-McDaniel Station Public Road; on the South and East by a ditch following the course of the Old Calhoun-Rome Public Road; and on the West by the New Calhoun-Rome Public Road. Being the identical lands conveyed to J. C. Parker by H. W. Greeson by Deed dated October 25, 1958, recorded in Deed Book 41, page 509, Gordon County, Georgia Records.

TO HAVE AND TO HOLD such property unto Grantee and Grantee's successors and assigns forever, in fee simple, together with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water, water rights and water stock, and all fixtures now or hereafter attached to the property, all of which, including replacements and additions thereto shall be deemed to be and remain a part of the property covered by this deed to secure debt. Grantor covenants that Grantor is lawfully seized of the estate hereby conveyed and has the right to grant and convey the property, that the property is unencumbered, and that Grantor will warrant and defend the title to the property against the claims and demands of all persons whomsoever.

CONTINUED

DEPARTMENTAL REVIEW -- FIRE DEPARTMENT

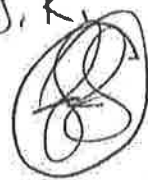
Application # 216-08 Miles AI to CH

Date: 4/12/16

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.

4/20/16

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 216-08 Miles A-1 to CH

Date: 4/12/16

Reviewed by: Christy Blair

Environmental Health

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

No records of septic system.

No issues with rezoning.

DEPARTMENTAL REVIEW – ROAD DEPARTMENT

Application # 216-08 Miles

Date: 4/12/16

Reviewed by: 4/18/16

ROAD DEPARTMENT

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

Existing driveway entrance to be used.
Any modifications would require a driveway permit. No parking in the right-of-way, temporary or permanent.

Per: Barry Hice

By: Ursula Desrosier

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-08
APPLICATION NAME: LARRY MILES
TYPE OF ZONING: A-1 TO C-H
DATE: 4/18/2016
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS PROPERTY IS SERVED BY AN 8" 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.

APR-12-2016 07:41A FROM:

7066258253

TO: 917703874851438

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**DEPARTMENT REVIEW - STATE DEPARTMENT OF
TRANSPORTATION**

Application # Z116-08 Miles A-1 to CH

Date: 4/12/16

Reviewed by: Donovan Fisher

State Department of Transportation

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

Drive access to come from County Road.

3 December, 2014

THIS IS TO CERTIFY THAT BRIAN WEAVER HAS RENTED MY PROPERTY @ 1386 ROME ROAD SW, AND IS PERMITTED TO APPLY FOR ELECTRICITY AND WATER SERVICE.

LARRY MILES

Larry Miles

706-237-2372

160-64-7756