

INFORMATION SHEET FOR REZONING REQUESTS

Application # 216-09 DATE OF READING 5-19-16

REZONE FROM A-1 TO R-1 low density residential

PROPERTY OWNER William + Rhiannon Holt

LOCATION OF PROPERTY 1029 Carter Mtn. Rd SE Fairmont

DESCRIPTION OF PROPERTY

1.04 ACRES

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

1. Approval

STIPULATIONS:

septic system can be installed and maintained on this separate tract

**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.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-09 be approved and that the Future Land Use Map is amended with the stipulation that the septic system can be installed and maintained on this separate tract.

Eddie Smith made the motion to approve the rezoning application identified as #Z16-09 from A-1 to R-1 and amend the Future Land Use Map with the stipulation that the septic system can be installed and maintained on this separate tract. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z16-10, JESSIE LEE HALL**  
**(APPLICANT: PAUL BUNCH)**

Chairman Rule read rezoning application #Z16-10, Jessie Lee Hall, requesting to rezone a 1 acre tract located at 292 Erwin Road, Adairsville from A-1 to C-G. Paul Bunch represented the request explaining that he had been operating a dog grooming business out of the home but has out-grown the home occupation and this building had originally been a storage building so he would like to move the grooming business into the storage building. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-10 be approved and that the Future Land Use Map is amended.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z16-10 from A-1 to C-G and amend the Future Land Use Map with the stipulation that if this business ceases operation that the zoning would revert back to A-1 zoning. Butch Layson 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. Eddie Smith seconded the motion. All voted aye. The meeting was adjourned at 6:20 p.m.

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Zelda Gregg, Secretary

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Randy Rule, Chairman  
Butch Layson, Vice-Chairman

**Cover Sheet  
Proposal for Land Use Action**

Application Number: 216-09 Present Zoning: A-1 Proposed Zoning: R-1

Date of Planning Commission Meeting: May 9, 2016

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

Applicant: Brooke Huskins

Property Owner: (if different from applicant) William & Rhiannon Holt

Property Address: 148 Cochran Rd., Fairmount

Said Property having a frontage of 336.83 feet and containing 1.04 acres.

Future Development Map Classification: Rural / Agricultural Reserve

Current Zoning Map Classification: Agricultural

Proposed Action: subdivide an acre off of 6.457 acres.

Reason for Proposed Action: Would like to give it to my sister to build a house on. Would like it to be in compliance with the U.L.D.C.

Directions to Property: Hwy 53E to Fairmount, turn left on Hwy 411 to Hwy 53E go about 2 miles turn right onto Carter Mtn. Rd. Go about 1/2 mile on left.

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

**Date of Report:** May 9, 2016

**Application #** Z16-09

**Applicant and Property Owner:** William & Rhiannon Holt (applicant: Brooke Huskins)

**Location of Property:** 148 Cochran Road, Fairmount, GA 30139

**Property Frontage:** 336.83 Feet      **Tract Size:** 1.04 acres

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

**Reason for Proposed Action:** Would like to subdivide off an acre from 6.47 acres to deed to my sister for the purpose of building a house and that it can be in compliance with the U.L.D.C.

**Future Development Map Classification:** Rural/Agricultural Reserve

**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:*** Not sure if 1 acre will be adequate for house and septic system without seeing a level 3 soil study. We cannot install in the power line easement. No issues w/zoning, just lot size.
- \* ***Building Department:*** N/A
- \* ***Fire Department:*** O.K.
- \* ***Gordon County School System:*** N/A
- \* ***Road Department or Georgia Dept. of Transportation:*** Driveway permit required prior to construction.
- \* ***Water & Sewer (City of Calhoun):*** No City of Calhoun water service in this area. May be served by Pickens County?
- \* ***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, some large and small tracts. There is one low-density residential zoning on Cochran Rd.

***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 may 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 Rural/Agricultural Reserve on the Gordon County Future Development Map. This classification supports land uses intended for Agricultural, Low-intensity single-family residential and passive recreation. 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 is not compatible with the surrounding properties but the use of the subject property is because there are several smaller agricultural tracts with residential uses. This would be family property if the parent tract had 0.53 acre more.

### **Planning Staff's Recommendation:**

The rezoning request identified as Application #Z16-09 be recommended for approval and the Future Land Use Map is amended with the stipulation that the septic system can be installed and maintained on this separate tract.

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

Recorded 07/15/2004 11:44A  
Georgia Transfer Tax Paid : \$70.00

Deed  
Doc: WD  
Rpt # 20488

LEWIS COUCH  
Clerk Superior Court, GORDON County, Ga.  
Bk 01094 Pg 0497

104-7083

Return Recorded Document to:  
Cox, Byington, Corwin, Niedrach, Atkins, Smith & Perkins, P.C.  
104 Stonewall Street  
Cartersville, GA 30120

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF BARTOW

File #: 040911

This Indenture made this 9th day of July, 2004 between Bonnie H. Cochran, as party or parties of the first part, hereinafter called Grantor, and William E. Holt, 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 66, 23rd District, 2nd Section Gordon County, Georgia; and being more particularly described as that certain 6.457 acre tract and 2.00 acre tract as shown on that plat of survey prepared for William E. Holt by William C. Smith, GRLS #1803, and recorded in Plat Book, 43, Page 112 Gordon County, Georgia records, which plat is incorporated herein and made a part hereof by reference.

An inspection of the Gordon County Probate records revealed that J.D. (Jordan) Cochran died August 27, 1993 and that Willie Ovalee Cochran died April 17, 1994 thus ending the life estate reserved in Deed Book 261, Page 319 Gordon County, Georgia records.

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:

Healey Turner  
Witness

Bonnie H. Cochran (Seal)  
Bonnie H. Cochran



N.P. SEAL AFFIXED

FILED & RECORDED 7-15-04 LEWIS COUCH, CSC

**BOUNDARY SURVEY  
FOR**

**Adrienne Brooke Huskins**

GORDON County, Georgia

LOCATED IN LAND LOT 66, 23rd DISTRICT &  
2nd SECTION OF GORDON COUNTY, GEORGIA

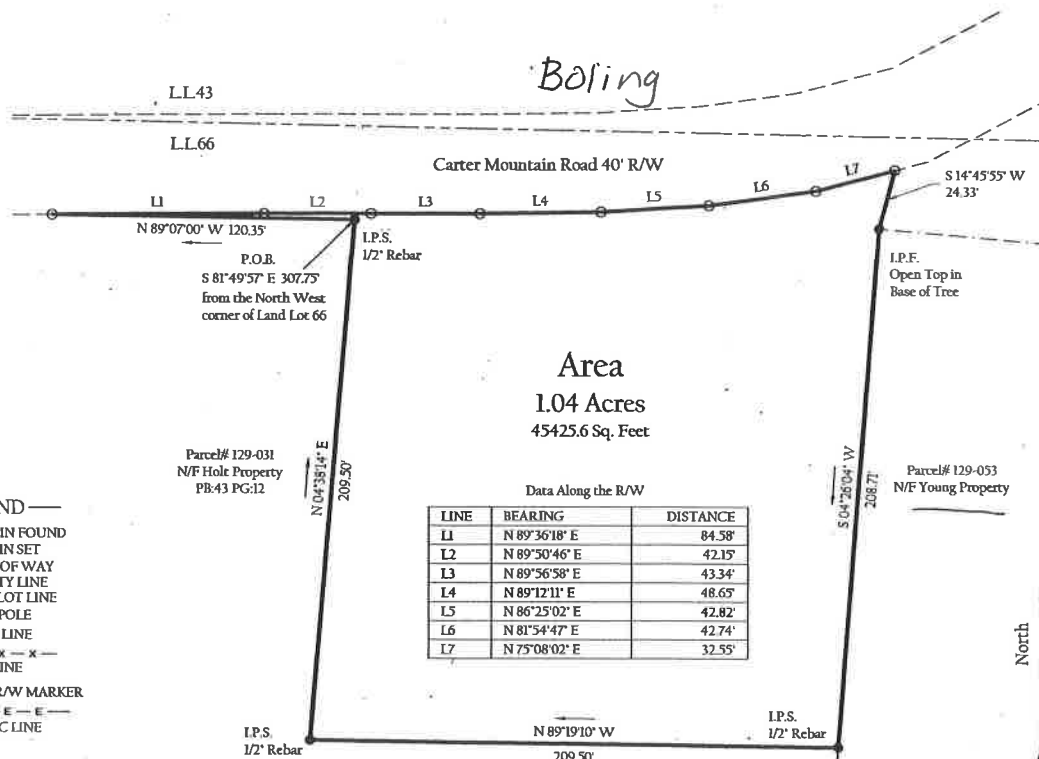


Date of field work: 4/4/2016  
Date of plat: 4/5/2016

Scale: 1"=50'



Note: The property surveyed hereon is a 1.00 Acre parcel off of Parcel#129-031 & a 0.04 Acre parcel off of Parcel#128-058 being a total of 1.04 Acres.



**LEGEND**

- I.P.F. - IRON PIN FOUND
- I.P.S. - IRON PIN SET
- R/W - RIGHT OF WAY
- P/L - PROPERTY LINE
- 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 - 0225D

**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.

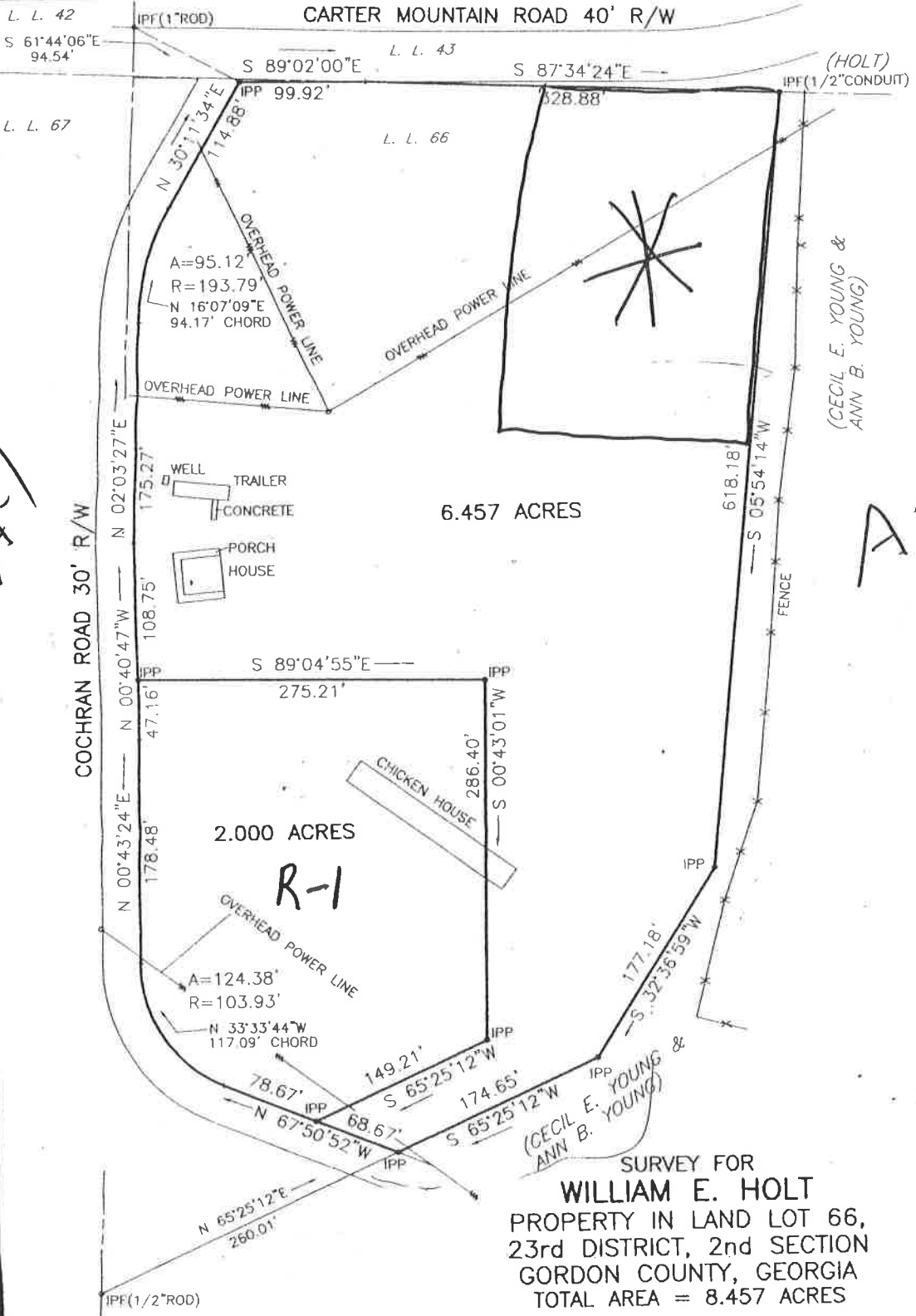
THIS PLAT HAS BEEN CALCULATED TO HAVE A CLOSURE OF 1" IN 100,000\*

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.



A-1

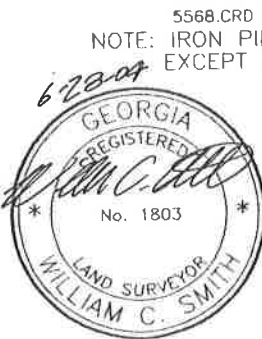


SURVEY FOR  
**WILLIAM E. HOLT**  
 PROPERTY IN LAND LOT 66,  
 23rd DISTRICT, 2nd SECTION  
 GORDON COUNTY, GEORGIA  
 TOTAL AREA = 8.457 ACRES

FIELD TRAVERSE:  
 CLOSURE; ONE FOOT IN 20,000 FEET  
 USING A LIETZ SET 3.  
 ANGULAR ERROR; 0'00'06" PER ANGLE  
 POINT USING A LIETZ SET 3.  
 ADJUSTED; USING THE COMPASS RULE.

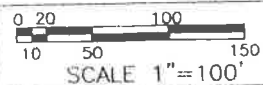
SMITH & SMITH LAND SURVEYORS, P.C.  
 2 SOUTH AVENUE, CARTERSVILLE, GA. 30120  
 PHONE 770-382-0457

REGISTERED LAND SURVEYOR No. 1803



5568.CRD 5568.DWG  
 NOTE: IRON PINS ARE (1/2" RE-BAR)  
 EXCEPT AS SHOWN.

PLAT CLOSURE;  
 ONE FOOT IN  
 249,000 FEET.  
 JUNE 28, 2004



FILE 5568

R/W	RIGHT OF WAY	R	RADIUS	LP	LIGHT POLE
IPP	IRON PIN PLACED	-X-X-	FENCE		
IPF	IRON PIN FOUND	---	LAND LOT LINE		
CM	CONCRETE MARKER	⊕	CENTER LINE		
CH	CHORD	---	POWER LINE		
L OR A	LENGTH OF CURVE	PP	POWER POLE		

A-1

A-1

MAG. NORTH

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # Z16-09 Holt AI to R-1

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:

Not sure if 1 acre will be adequate for house and septic system without seeing a level 3 soil study. We cannot install in the power line easement.

No issues w/ zoning, just lot size.

-CB

**DEPARTMENTAL REVIEW - FIRE DEPARTMENT**

Application # Z16-09 Holt AI to RI

Date: 4/12/16

Reviewed by: JOEY JORDON

**FIRE DEPARTMENT**

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

O.K.  
 4/20/16

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 216-09 Holt A-1 to R-1  
Date: 4/12/16  
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 Required Prior to  
Construction.

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-09  
APPLICATION NAME: WILLIAM & RHIANNAN HOLT  
TYPE OF ZONING: A-1 TO R-1  
DATE: 4/18/2016  
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

NO CITY OF CALHOUN WATER SERVICE IN THIS AREA. MAY BE SERVED BY PICKENS COUNTY??

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 FEILD SURVEY HAS BEEN COMPLETED.