

INFORMATION SHEET FOR REZONING REQUESTS

Application # 216-12 DATE OF READING 6-21-16
REZONE FROM A-1 TO CG General Commercial

PROPERTY OWNER Thomas Grover Lunsford

LOCATION OF PROPERTY 976 Hwy 53 West SW
Calhoun

DESCRIPTION OF PROPERTY
2.26 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
JUNE 13, 2016**

The Gordon County Planning Commission held a Public Hearing on Monday, June 13, 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
Jerry Lovelace	Nathan Serritt

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 May 9, 2016. Nathan Serritt seconded the motion. All voted aye. The minutes were approved as written.

**REZONING APPLICATION #Z16-11, CON-ONLAUL FARM, L.L.L.P.
(Applicant: OWR, LLC)**

Chairman Rule read rezoning application #Z16-11, Con-onaula Farms, L.L.L.P., requesting to rezone 25 acres located at 3538 US Hwy. 41 South, Calhoun from A-1 to I-2. Terry Brumlow, a local attorney represented the request explaining that OWR, LLC, which is owned by Sage Ralston and L.P. Owens, wished to buy these 25 acres if the rezoning is received from Con-onaula Farms to build industrial buildings to sale or lease to industry. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-11 be approved.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z16-11 from A-1 to I-2. Eddie Smith seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z16-12, THOMAS GROVER LUNSFORD

Chairman Rule read rezoning application #Z16-12, Thomas Grover Lunsford, requesting to rezone a 2.26 acre tract located at 976 Hwy. 53 West, Calhoun from A-1 to C-G. Mr. Lunsford represented the request explaining that he thought that this was already zoned C-G since he had operated an insurance agency at this address since 1987 and now he would like to bring the property into compliance so he can open another business to sell fireworks. The fireworks business would only be open seasonally, before July 4th and before New Years. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-12 be approved and that the Future Land Use Map.

Nathan Serritt made the motion to approve the rezoning application identified as #Z16-12 from A-1 to C-G and amend the Future Land Use Map. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V16-04, CLAY & DENISE WARD

Chairman Rule read variance application #V16-04, Clay and Denise Ward, requesting a variance on a .94 acre tract located at 102 Woodedge Dr., Calhoun. Mr. & Mrs. Ward represented the application explaining that they would like to build a 40 x 36, 3-car garage, but needed a 10 foot variance from the required minimum setback from right of way because of where their pool is located. When the Chairman inquired when the applicants had posted the sign of notification in the yard it was disclosed that they had not placed it up the 15 days before this meeting. Jerry Lovelace made the motion to table the application until the July 11, 2016 meeting so that the sign would be displayed the required amount of time and so that the applicants could send out the notifications again. Eddie Smith seconded the motion. All voted aye. The variance application was tabled until the July 11, 2016 meeting.

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.

Zelda Gregg, Secretary

Randy Rule, Chairman
Butch Layson, Vice-Chairman

Cover Sheet
Proposal for Land Use Action

Application Number: 216-12 Present Zoning: A-1 Proposed Zoning: CG

Date of Planning Commission Meeting: June 13, 2016

Date of Board of Commissioners' Meeting: June 21, 2016

Applicant: Thomas Grover Lunsford

Property Owner: (if different from applicant) _____

Property Address: 976 Hwy 53 West SW

Said Property having a frontage of 659.64 feet and containing 2.24 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Would like to rezone to CG to
bring into compliance w U.L.D.C

Reason for Proposed Action: Existing State Farm Insurance
Office also would like to add another
structure for retail sale.

Directions to Property: Hwy 53 W, SW, 1st driveway
on left past Clemonts Catholic Church.

Proposal Information (cont.)

If proposing a **Future Development Map** amendment, please provide the following information:

Present Map classification: _____

Proposed classification: _____

Present Map classifications of abutting property to the subject property:

Reason for the Map amendment: _____

If proposing an **Official Zoning Map** amendment (*rezoning of property*), please provide the following information:

Present zoning district: A-1, Agricultural

Proposed zoning district: CG - General Commercial

Future Development Map classification: Emerging suburban.

Reason for the Zoning Map amendment: would like to bring property into compliance with existing State Farm Ins. Office. would like to add another structure on property for retail.

Grover Lunsford
Applicant's Signature

5/16/14
Date

Grover Lunsford
Property Owner's Signature (If different)

5/16/14
Date

Signed and sealed in the presence of:

Ursula Desrosier
Notary Public

2/24/17
Commission Expires

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: May 19, 2016

Application # Z16-12

Applicant and Property Owner: Thomas Grover Lunsford

Location of Property: 976 Hwy 53 West SW, Calhoun, GA 30701

Property Frontage: 659.64 Feet **Tract Size:** 2.26 acres

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

Reason for Proposed Action: Would like to rezone the property with existing State Farm Insurance Office. Also, would like to add another building for firework retail sales.

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 water using fixtures in new proposed building for fireworks retail sales. No septic system will be needed. See attached paperwork issued by my office. They also applied with us as 972 Hwy 53.
- * **Building Department:** N/A
- * **Fire Department:** O.K.
- * **Gordon County School System:** N/A
- * **Road Department or Georgia Dept. of Transportation:** Contact GDOT for additional driveway requests.
- * **Water & Sewer (City of Calhoun):** This property is served by a 2" water line on the south side of Hwy 53. There is a 6" water line on the north side of Hwy 53. No city sewer service to this area of Gordon 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 adjacent to a Commercial zoned property to the north. Existing Insurance Office already on property.

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 the existing use of usability of adjacent or 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 five acre lot size requirements for A-1 zoning, and it cannot be used for commercial purposes. The proposed use is not permitted under A-1 zoning.

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 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 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 in compliance with the existing use of the property. The Gordon County Building Inspector approved the construction of a commercial building in 1987 (attached) before there was any zoning. Therefore, it is simply bringing the property into compliance.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z16-12 be recommended for approval and the Future Land Use be 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

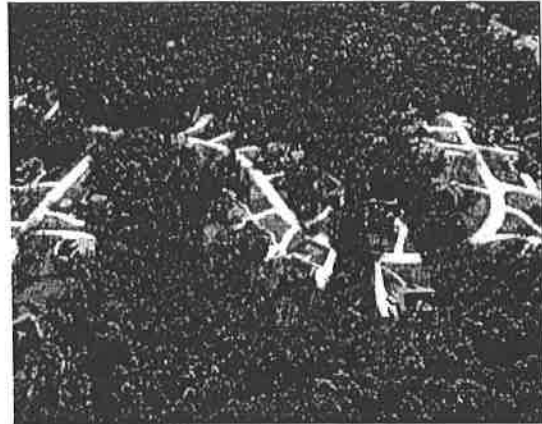
- Agricultural
- Low-intensity single-family residential
- Passive recreation

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.

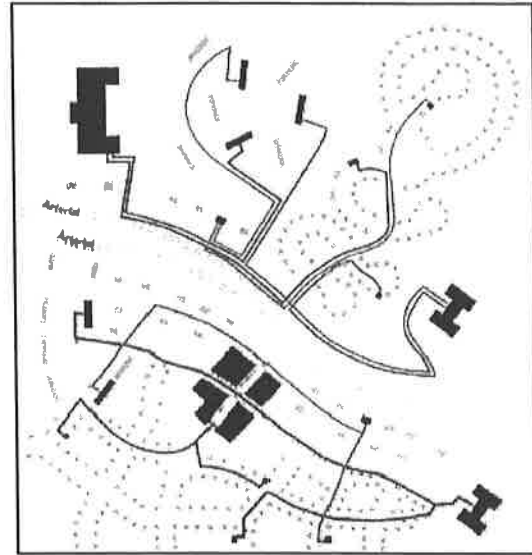


7. Emerging Suburban (con't.)

Development Pattern

The development pattern should seek to:

- Respect the rural character
- Provide adequate open space
- Provide connected system of streets within new subdivisions and connect to existing subdivisions
- Include a variety of housing choices
- Limit clearing and grading
- Provide sidewalks, street trees and decorative, pedestrian-scale lighting
- Provide safe facilities for pedestrians, schools buses, and bicyclists using the road right-of-way
- Connect to a network of greenways/trails, wherever possible
- Continue to follow the lot size requirements of the Groundwater Recharge Area Protection Ordinance
- Assure compatibility of infill development with surrounding neighborhoods
- Require residential subdivisions accessing a highway to be interconnected and to provide at least two entrances
- Allow higher density development if water/sewer infrastructure can be provided
- Encourage conservation subdivisions
- Provide active and passive recreation opportunities for area residents



The Emerging Suburban character area seeks to encourage the connectivity depicted on the bottom of the diagram and discourage conventional suburban sprawl shown in the top of the diagram.

Primary Land Uses

- Single-family residential
- Passive and active recreation
- Civic/institutional

Quality Community Objectives

- Housing Choices
- Open Space Preservation
- Transportation Alternatives
- Sense of Place

Implementation Strategies

- Adopt a Conservation Subdivision Ordinance
- Adopt a Landscape and Buffer Ordinance
- Continue to enforce the existing Groundwater Recharge Area Protection Ordinance
- Adopt a Tree Protection/Replacement Ordinance
- Adopt maximum lot coverage requirements



QUIT-CLAIM DEED

STATE OF GEORGIA, WHITFIELD County.

THIS INDENTURE, made this _____ day of January in the year of our Lord One Thousand Nine Hundred and Eighty-seven (1987)

between Gulf Southeastern Mortgage Coporation d/b/a First Atlanta Mortgage of the first part, and THOMAS GROVER LUNSFORD and NONA K. LUNSFORD of the second part.

WITNESSETH: That the said party of the first part for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, cash in hand paid, the receipt of which is hereby acknowledged, has bargained, sold and does by these presents bargain, sell, remise, release, and forever quit-claim to the said parties of the second part, their heirs and assigns, all the right, title, interest, claim or demand which the said party of the first part has or may have had in and to

All that tract or parcel of land lying and being in the 14th District and 3rd Section of Gordon County, Georgia, being part of Land Lot No. 280 thereof, and being more particularly described as BEING TRACT NO. 1, containing 2.26 acres, according to a plat of survey prepared by Carl F. Freeman, Jr., Freeman & Lambert Surveyors, of date November 2, 1979, AMENDED March 6, 1986, AMENDED April 4, 1986, AMENDED December 31, 1986, and entitled "Survey for Thomas Grover & Nona K. Lunsford and First Atlanta Mortgage Corp.", a copy of said plat of survey being recorded in the office of the Clerk of the Superior Court of Gordon County, Georgia in Plat Book 18, page 90, to which said plat and the record thereof, reference is hereby made for a full and complete description of the lands herein conveyed.

This intent of this conveyance is to release the above property from the loan made to the grantees by the grantor dated March 14, 1986, recorded in the office of the Clerk of the Superior Court of Gordon County, Georgia in Deed Book 240, page 574.

with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

TO HAVE AND TO HOLD the said described premises unto the said parties of the second part, their heirs and assigns, so that neither the said party of the first part nor its successors, nor any other person claiming under it shall at any time, claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

IN WITNESS WHEREOF, the said party of the first part has caused this instrument to be signed in its name by two of its officers and its corporate seal to be ^{thereto attached}

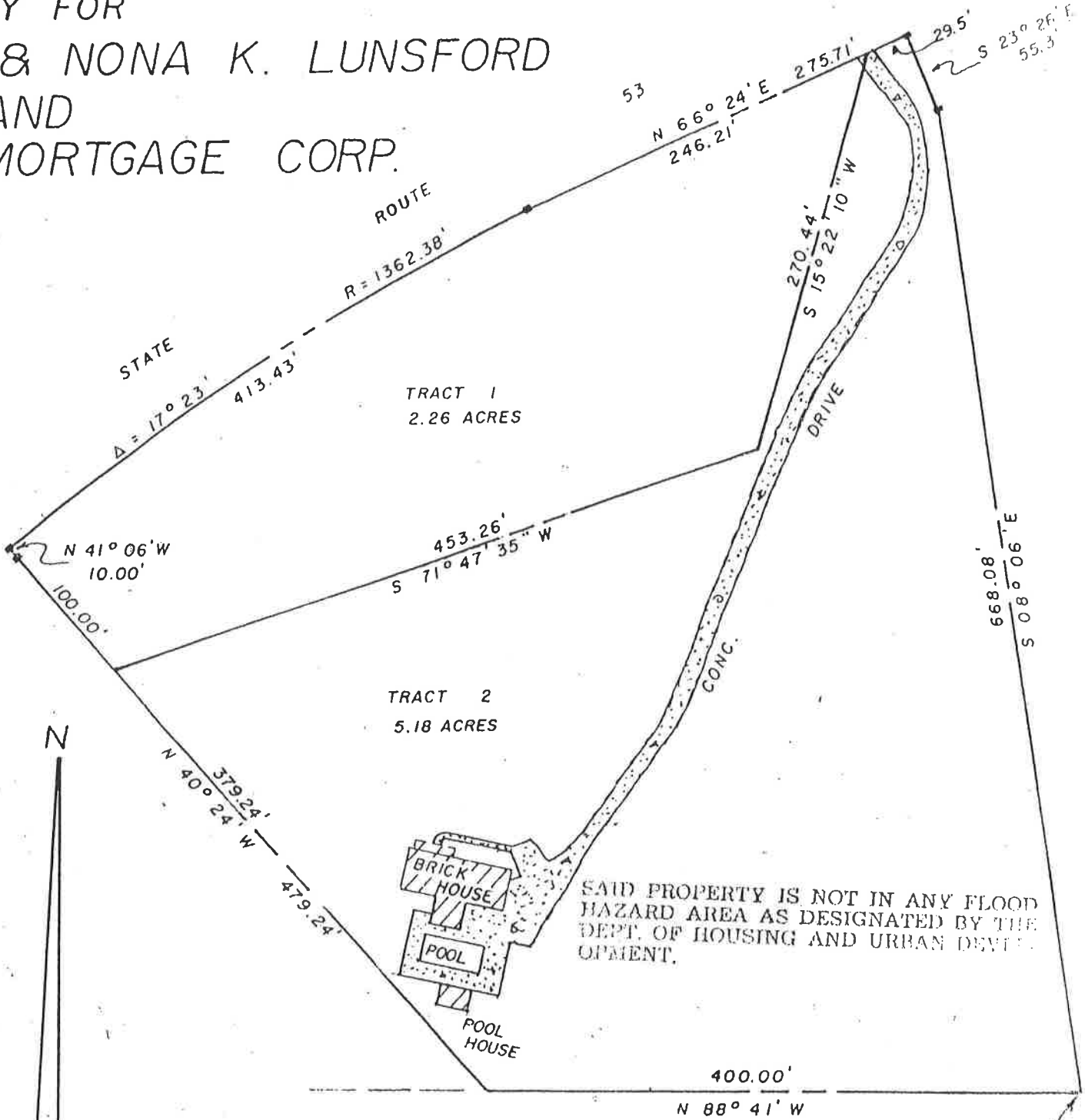
Signed, sealed and delivered in the presence of: Gulf Southeastern Mortgage Corporation d/b/a First Atlanta Mortgage Corporation (Seal)

Hyatt E. Howell N.P. BY: [Signature] (Seal)

Notary Public, State at Large _____ County, Ga. ATTEST: [Signature] (SEAL)
Notary Public, Fulton County, Georgia
My Commission Expires Nov. 18, 1990

3-20-87

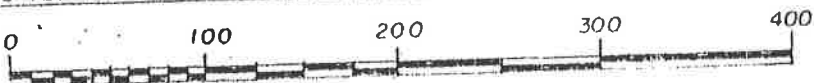
KEY FOR
 & NONA K. LUNSFORD
 AND
 MORTGAGE CORP.



SCALE 1" = 100'
 DATE NOV 2, 1979

AMENDED MAR/6/1986 & 4/4/86 & 12/31/86

LOCATED IN LAND LOT 280, 14TH. DIST.
 3RD. SECT. GORDON COUNTY, GEORGIA



N 88° 41' W 643.63' FROM
 S. E. COR. LL 280

Freeman & Lambert Surveyors
 Calhoun, Georgia
 PH 628-2260

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTHApplication # 2-116-12 Lunsford A-1 to C-GDate: 5/17/16Reviewed by: Christy Blair**Environmental Health****Comments, recommendations, or any condition of approval to serve proposed rezoning or variance with Environmental Health:**

No water using fixtures in new proposed building for fireworks retail sales. No septic system will be needed. See attached paperwork issued by my office. They also applied with us as 912 Hwy 53.

Gordon County Health Department

310 North River Street
Calhoun, Georgia 30701
Phone 706-624-1440
Fax 706-624-1442



Northwest Health District
Gordon County Board of Health

Northwest Georgia Public Health
C. Wade Sellers, M.D., M.P.H.
Director, Gordon County Board of Health
1309 Redmond Road, NW
Rome, Georgia 30165
www.nwgapublichealth.org

According to the information provided below, our office has determined that the proposed construction and/or addition at this property should not adversely affect the proper functioning of the existing septic system.

No Septic Permit Required

Property Information		
Owner Name: Grover Lunsford		
Applicant Name:		
Address: 972 Hwy 53		
City: Calhoun	State: GA	Zip: 30701
Phone Number: 770-548-9294		Phone Number:
Directions: Hwy 53 W, same property as State Farm Insurance Agency on the left.		
Type of Construction or Addition: 16x40 Portable		
Building for a fire works Business, no water, no septic		
Signature of Owner/Applicant: Jessa Blair		Date: 5/16/16

Environmental Health Comments:

Owner states no restroom in building so no septic needed.
Septic system for insurance office is behind building.
This portable building is to be to the left of the ex. building.

If you have any questions or concerns please contact the Gordon County Environmental Health office at (706) 624-1440.

Inspector: C Blair Date: 5/16/16

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # 216-12 Lunsford A-1 to C-G

Date: 5/17/16

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.  5/25/16

MAY-17-2016 11:02A FROM:

7066258253

TO: 917703874851438

P.5

706 625 825 3

**DEPARTMENT REVIEW - STATE DEPARTMENT OF
TRANSPORTATION**

Application # 2110-12 Lunsford A-1 to C-G

Date: 5/17/16

Reviewed by: _____

State Department of Transportation

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

Contact GDOT for additional drive requests.

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-12
 APPLICATION NAME: THOMAS GROVER LUNSFORD
 TYPE OF ZONING: A-1 TO CG
 DATE: 5/18/2016
 REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS AREA IS SERVED BY A 2" WATER LINE ON THE SOUTH SIDE OF HWY. 52. THERE IS A 6" WATER LINE ON THE NORTH SIDE OF HWY. 53.

SEWER COMMENTS:

NO CITY SEWER SERVICE TO THIS AREA OF GORDON COUNTY.

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.