

INFORMATION SHEET FOR REZONING REQUESTS

Application # 216-17 DATE OF READING 9-20-16

REZONE FROM A-1 TO RA-1

PROPERTY OWNER Joseph A. Hopper

LOCATION OF PROPERTY US Hwy 41

Ranger

DESCRIPTION OF PROPERTY

2.32 ACRES

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

1. Approval

STIPULATIONS:

REZONING APPLICATION #Z16-15, MICKEY L. MOORE
(Moore Equipment Sales, Inc.)

Chairman Rule read rezoning application #Z16-15, Moore Equipment Sales, Inc., requesting to rezone 2 acres located at 5867 Red Bud Road, Ranger from A-1 to CH. Mickey L. Moore represented the request, explaining that the company needed to add an addition to the existing office and to do so they needed to bring in compliance with the ULDC. Mr. Moore also added that the business had been there since 1999. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-15 be approved and the future land use map be amended.

Nathan Serritt made the motion to approve the rezoning application identified as #Z16-15 from A-1 to CH 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 #Z16-17, JOSEPH A. HOPPER
(Applicant: Terry Brumlow for David & Karen Tinsley)

Chairman Rule read rezoning application #Z16-17, Joseph A. Hopper (applicant: David and Karen Tinsley) requesting to rezone 2.32 acres located on US Hwy. 411, Ranger from A-1 to RA-1. Terry Brumlow, a local attorney represented the request, explaining that the Tinsley's were cousins to Mr. Hopper and still live in New York, but when they retire they are going to locate in Ranger and have already purchased this tract of land and they just wanted to get everything in order so when they did retire they would be ready to build on this property. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-17 be approved.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z16-17 from A-1 to RA-1. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

ADDITIONAL BUSINESS

Ursula Desrosier, Zoning Administrator for Gordon County, announced that the Board of Commissioners had asked for the Planning Commissions' input on Section 5.02.00 Accessory Uses and Structures and Section 5.02.01 Pre-engineered or pre-assembled metal structures shall be no larger than 500 square feet in area, should this statement be more clearly defined for residential and/or agricultural such as: should variances be granted on residential, should agricultural be allowed without variances, etc. They are just looking for the Planning Commissions input and ideas.

Randy Rule noted that he believed that this should be more clearly defined to give folks parameters on the residential side and that the Planning Commission should possibly start looking at other counties for what kind of guidelines they have in place. Mr. Rule also thought that the Planning Commission should be more proactive to look at other statements in ULDC that might need more clarification as well in the future.

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 6:47 p.m.

Zelda Gregg, Secretary

Randy Rule, Chairman
Butch Layson, Vice-Chairman

**Cover Sheet
Proposal for Land Use Action**

Application Number: Z-16-17 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: September 12, 2016

Date of Board of Commissioners' Meeting: September 20, 2016

Applicant: DAVID D. & KAREN TINSLEY

Property Owner: (if different from applicant) JOSEPH A. HOPPER

Property Address: US HWY 411, RANGER, GA 30734

Said Property having a frontage of 250 feet and containing 2.32 acres.

Future Development Map Classification: Rural / Agricultural Reserve

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: CHANGE ZONING FROM A-1 TO RA1.

Reason for Proposed Action: REZONE PROPERTY SO APPLICANT CAN BUILD A
RESIDENCE ON THE PROPERTY.

Directions to Property: PROCEED EAST ON RED BUD ROAD UNTIL YOU REACH THE
EAST TERMINUS OF RED BUD ROAD AT ITS INTERSECTION WITH US HWY 411. TURN
RIGHT AND PROCEED SOUTH ON US HWY 411 APPROXIMATELY 0.653 OF A MILE AND
THE PROPERTY WILL BE ON THE LEFT/EAST SIDE OF US HWY 411.

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

Rezoning Proposal

Date of Report: August 22, 2016

Application # Z16-17

Applicant and Property Owner: David D. & Karen Tinsley: applicant /Joseph Tinsley: owner

Location of Property: US Hwy 411, Ranger, GA 30734

Property Frontage: 250 Feet **Tract Size:** 2.32 acres

Proposed Action: Rezone from A-1 (Agricultural District) to RA-1 (Residential Agricultural District).

Reason for Proposed Action: To rezone property so applicant can build a residence on the property.

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:* No issues with Environmental Health.
- * *Building Department:* N/A
- * *Fire Department:* OK
- * *Gordon County School System:* N/A
- * *Road Department or Georgia Dept. of Transportation:* Contact GDOT Permit Inspector Nathan Howell @770-387-3680 to get residential driveway permit.
- * *Water & Sewer (City of Calhoun):* This property 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 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.

Subject property has R-1(low density single-family) zoning to the north, which was originally part of this property and R-6 (manufactured housing) to the south but primarily agricultural zoned properties surrounding.

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 (5) acre lot size requirements for 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 will generate additional vehicular traffic.

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 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 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 latter portion of this property was previously rezoned to R-1 zoning leaving this portion not in compliance with the U.L.D.C in regards to zoning, therefore, it needs to be brought into compliance in order to obtain a building permit.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z16-17 is recommended for approval.

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

5. Rural Crossroads (con't.)

Quality Community Objectives

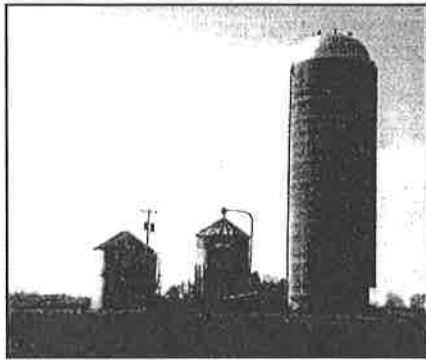
- Sense of Place
- Regional Identity

Implementation Strategies

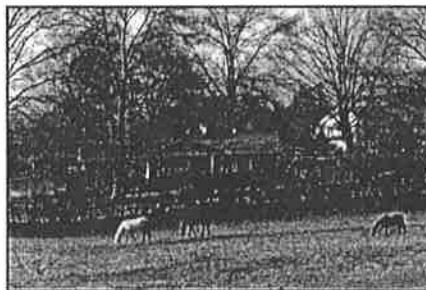
- Adopt minimum standards for commercial building and site design
- Adopt a Conservation Subdivision Ordinance
- Widen roadways only when absolutely necessary



6. Rural/Agricultural Reserve



Agriculture, a traditional industry in the County, contributes to the rural nature of this character area



The existing development pattern of large lots and open space should be maintained



Tree canopies are valuable contributions to scenic views and the rural character of the area

The Rural/Agricultural Reserve character area is widespread throughout Gordon County. The character area includes predominantly rural, undeveloped land that is suited for agricultural and large-lot residential uses. Development in the area should respect the County's farming tradition and maintain its rural, open spaces. Lack of sewer infrastructure is common, which makes higher density development unsuitable. An exception is clustering of homes to preserve significant amounts of open space. "Conservation subdivisions" may be an appropriate alternative to large-lot residential uses and an appropriate response to development pressures for lower density residential neighborhoods.

Development Pattern

The development pattern should seek to:

- Protect farmland, open space, and environmentally-sensitive areas by maintaining large lot sizes
- Preserve economic function of agriculture, livestock and forestry in Gordon County
- Cluster new residential development in a conservation subdivision design that incorporates significant amounts of open space and natural conservation areas
- Limit grading and clearing
- Preserve natural hydrology and drainageways
- Connect new conservation subdivisions to a County-wide network of greenways
- Discourage extension of public utilities into these areas
- Carefully design roadway alterations to minimize scenic and environmental impacts
- Preserve rural character, viewsheds, and natural features/resources
- Allow unpaved roads and shared driveways that provide access from a public road for up to six residences
- Limit impacts of new development on the environment, including reducing limits on clearing and grading



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

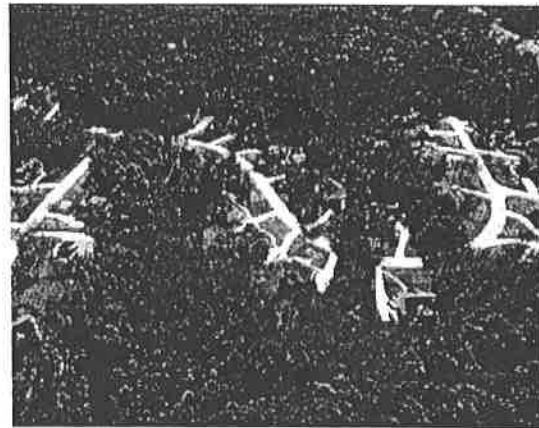
- Agricultural
- Low-intensity single-family residential
- Passive recreation

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.



Recorded 02/09/2011 9:47
Doc: QCD Rpt#: 283236
TRANSFER TAX ID: 064000251
Brian Brannon, C.S.C.
GORDON County, Ga
DEED BK: 1692 Pg: 93

Return Recorded Document to:
Cox Byington, P.C.
1287 Curtis Parkway
Calhoun, Georgia 30703
File #110G0540

STATE OF GEORGIA,
COUNTY OF GORDON

****Deed Preparation Only; Title Not Examined****

QUITCLAIM DEED

THIS INDENTURE, Made the 18th day of January, 2011, between DAVID T. HOPPER of the State of New York, as party or parties of the first part, hereinafter called Grantor, and JOSEPH A. HOPPER of the State of Georgia, 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 one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee,

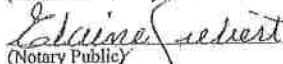
ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 183 of the 24th District and 2nd Section of Gordon County, Georgia; and being that certain 5.187 acre tract as per plat recorded in Plat Book 32, Page 219, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

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:


(Unofficial witness)


(Notary Public)





DAVID T. HOPPER

(Seal)

(2)

Recorded 02/09/2011 9:47
Doc: GCD Rpt#: 283236
TRANSFER TAX ID: 064000250
Brian Brannon, C.S.C.
GORDON County, Ga
DEED Bk: i692 Pg: 94

Return Recorded Document to:
Cox Byington, P.C.
1287 Curtis Parkway
Calhoun, Georgia 30703
File #110G0540

STATE OF GEORGIA,
COUNTY OF GORDON

Deed Preparation Only; Title Not Examined

QUITCLAIM DEED

THIS INDENTURE, Made the 10th day of January, 2011, between ROBERT E. HOPPER of the State of Iowa, as party or parties of the first part, hereinafter called Grantor, and JOSEPH A. HOPPER of the State of Georgia, 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 one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 183 of the 24th District and 2nd Section of Gordon County, Georgia; and being that certain 5.187 acre tract as per plat recorded in Plat Book 32, Page 219, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

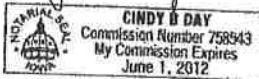
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:

Chris Hopper
(Unofficial witness)

Cindy B Day
(Notary Public)

ROBERT E. HOPPER (Seal)



Filed in office 4-12-96 (10.15 AM)

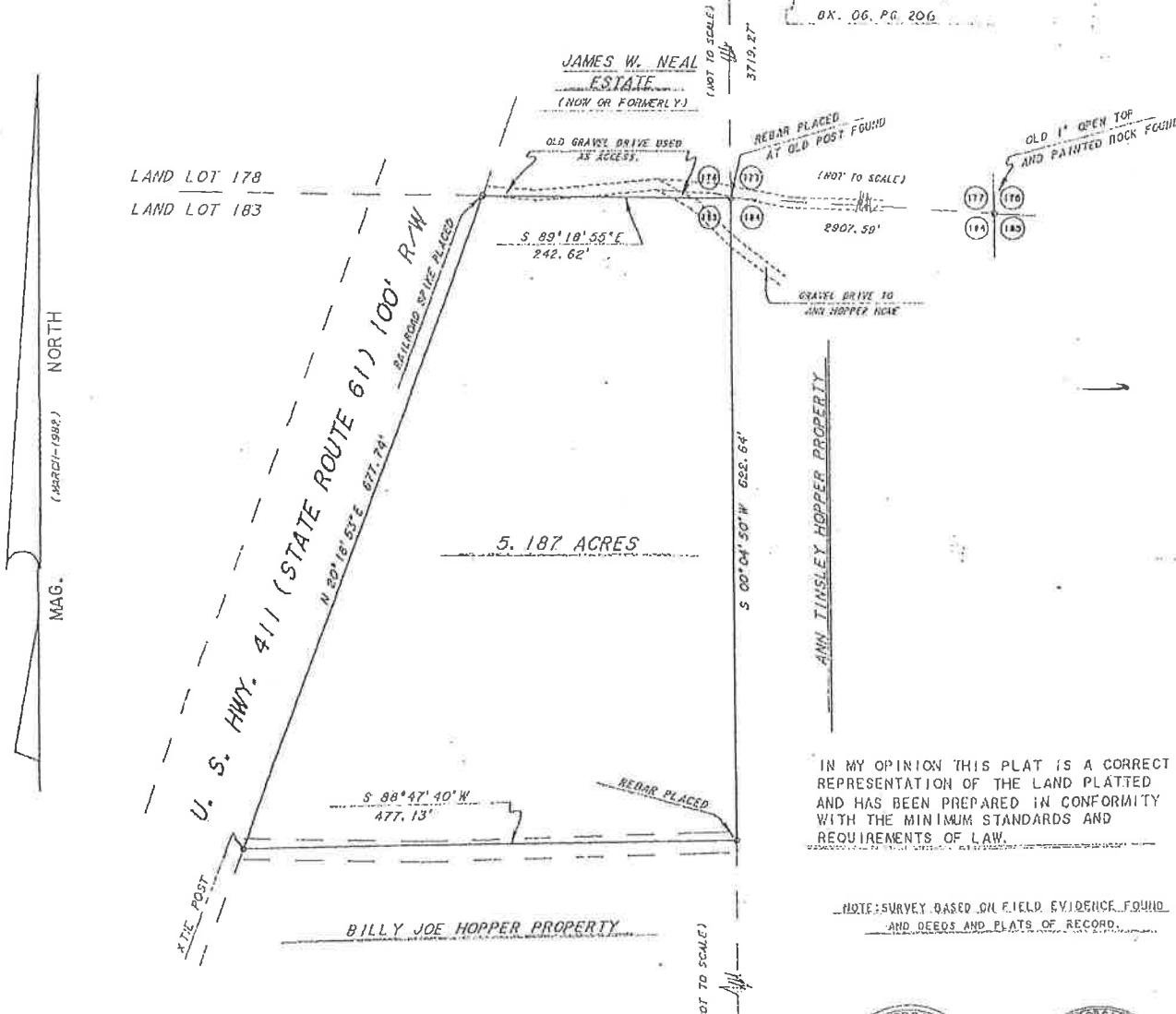


SAID PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.

A PORTION OF SAID PROPERTY IS IN A FLOOD HAZARD AREA AS DESIGNATED BY THE DEPT. OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY-PANEL NUMBER 130094 0100 B

DATE: FEB-13-1996

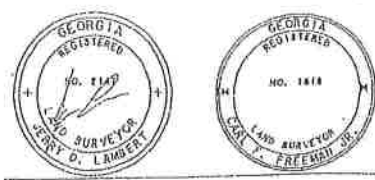


IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW

NOTE: SURVEY BASED ON FIELD EVIDENCE FOUND AND DEEDS AND PLATS OF RECORD.

SURVEY FOR ANN TINSLEY HOPPER

LOCATED IN LAND LOT NO. 183, 24TH. DISTRICT, 2ND. SECTION, GORDON COUNTY, GEORGIA.



FREEMAN & LAMBERT SURVEYORS P. C. 204 NEW TOWN ROAD CALHOUN, GEORGIA, 30701 TELEPHONE 706-629-2260 FILE NO. 96058

PB 32-220

**DEPARTMENT REVIEW - STATE DEPARTMENT OF
TRANSPORTATION**

Application # 216-17 Tinsley A-1 to RA-1

Date: 8/16/16

Reviewed by: Donovan Lusk

State Department of Transportation

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

Contact GDOT Permit Inspector Nathan Howell

@ 770-387-3680 to get residential driveway permit.

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # Z116-17 Hopper A-1 to RA-1

Date: 8/16/17

Reviewed by: Christy Blair

Environmental Health

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

No issues w/ EM

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # 216-17 Hopper A-1 to RA-1

Date: 8/16/16

Reviewed by: JOEY JORDAN

FIRE DEPARTMENT

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

J. L. Jordan

O.K.

8/18/16

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-17
APPLICATION NAME: DAVID & KAREN TINSLEY
TYPE OF ZONING: A-1 TO RA-1
DATE: 8/16/2016
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.