

INFORMATION SHEET FOR REZONING REQUESTS

Application # 216-28 DATE OF READING 1-24-17

REZONE FROM A-1 TO CH

PROPERTY OWNER Tony Temple

LOCATION OF PROPERTY 262 Newtown Rd

DESCRIPTION OF PROPERTY

1.0 ACRES

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

- Approval

STIPULATIONS:

VARIANCE APPLICATION #V16-16 & REZONING APPLICATION #Z16-27, MITCHELL WAYNE WORLEY

Chairman Rule read variance application #V16-16 and rezoning application #Z16-27, Mitchell Wayne Worley for a 1.52 acre tract located at 253 Rock Creek Road, Calhoun. Mr. Worley represented the requests explaining that the property was subdivided into two tracts and that he had inherited the back tract from his father (his brother had inherited the front tract). He has removed the existing mobile home and would like to build a house for his son. The variance is to reduce the required county road frontage for R-1 zoning from 75 feet to a 15 foot easement and the rezoning is from A-1 to R-1. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V16-16 be approved, with the condition that evidence of a permanent easement for access is submitted to the Gordon County Planning and Development Department and on rezoning request identified as Application #Z16-27 it is recommended for approval from A-1 to R-1.

On variance request #V16-16, Jerry Lovelace made the motion to approve as requested; with the condition that evidence of a permanent easement for access is submitted to the Gordon County Planning and Development Department. Eddie Smith seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

On rezoning request #Z16-27, Eddie Smith made the motion to approve the request from A-1 to R-1. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z16-28, TONY TEMPLE

Chairman Rule read rezoning application #Z16-28, Tony Temple, requesting to rezone a 1 acre tract located at 262 Newtown Road, Calhoun from A-1 to CH. Mr. Temple represented the request explaining that this property was subdivided and must be brought into compliance before any building permit could be issued, regardless of use, but he would like to build a 42 x 48 foot shop for storage of his construction equipment. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-28 be approved and that the Future Land Use Map be amended.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z16-28 from A-1 to CH and an amendment is made to the Future Land Use Map. Nathan Serritt 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: 216-28 Present Zoning: A1 Proposed Zoning: CH

Date of Planning Commission Meeting: Jan. 9, 2017

Date of Board of Commissioners' Meeting: Jan 24, 2017

Applicant: Tony Temple

Property Owner: (if different from applicant) _____

Property Address: 262 Newtown Rd. Calhoun

Said Property having a frontage of 273.23 feet and containing 1.00 acres.

Future Development Map Classification: Early Suburban

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Property was subdivided. Must bring into compliance for specific use.

Reason for Proposed Action: To build a shop for storage of my construction equipment.

Directions to Property: Red Bud Rd. + Left onto Newtown
2nd drive on Left after Watertank just
Davis

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: December 21, 2016

Application # Z16-28

Applicant and Property Owner: Tony Temple

Location of Property: 262Newtown Road, Calhoun GA 30701

Property Frontage: 273.23 Feet **Tract Size:** 1.00 acres

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

Reason for Proposed Action: This property was subdivided and must be brought into compliance before any building permit can be issued regardless of use. I would like to build a shop for storage of my construction equipment.

Future Development Map Classification: Early 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 issues from Environmental Health.
- * ***Building Department:*** N/A
- * ***Fire Department:*** OK
- * ***Gordon County School System:*** N/A
- * ***Road Department and/or Georgia Dept. of Transportation:*** A preliminary site drawing is needed and a commercial driveway permit will be required.
- * ***Water & Sewer (City of Calhoun):*** This property is served by an 8" water line. No city sewer 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 is surrounded by primarily agricultural property used for residential uses, however, Newtown Rd. from Red Bud Rd is scattered with multiple non-conforming offices and businesses. Also, Ashworth School is in close proximity.

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 of nearby property.

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 and since the property was subdivided cannot be used for anything until it is brought into compliance with the use.

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 Early Suburban on the Gordon County Future Development Map. This classification supports land uses intended for single-family residential, parks and public/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 consistent with the surrounding development pattern of the surrounding properties

Planning Staff's Recommendation:

The rezoning request identified as Application #Z16-28 is recommended for approval and the Future Land Use Map be amended.

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

- Accommodate senior housing opportunities, which can be integrated into the existing development pattern and can benefit from close proximity to downtown goods and services
- Connect to a network of greenways/trails, wherever possible

Primary Land Uses

- Single-family residential
- Parks
- Public/institutional



5.1.7 Early Suburban

The Early Suburban character area describes areas where typical types of suburban residential subdivision development have occurred in the post World War II era. Neighborhoods are characterized by low pedestrian orientation, larger lot sizes, high to moderate degree of building separation, and are predominantly residential with scattered civic buildings and varied street patterns (often curvilinear) that include cul-de-sacs.

Development Pattern

The development pattern should seek to:

- Accommodate in-fill development that compliments the scale, setback and style of existing adjacent homes
- Promote single-family uses
- Maintain existing tree cover
- Provide safe facilities for pedestrians, school buses, and bicyclists using the road right-of-way
- Incorporate sidewalks, traffic calming improvements and/or increased street interconnections, where appropriate, to improve walkability within existing neighborhoods as well as connectivity to neighboring communities and major destinations, including schools
- Connect to a network of greenways/trails, wherever possible
- Accommodate senior housing opportunities, which can be integrated into neighborhoods that benefit from close proximity to downtown goods and services

Primary Land Uses

- Single-family residential
- Parks
- Public/institutional

5.1.8 Emerging Suburban

Emerging Suburban increasingly covers areas within and adjacent to the city limits of Calhoun. Typically, suburban areas evolve with low pedestrian orientation, larger lot sizes, high to moderate degree of building separation, and are predominantly residential with scattered civic buildings and varied disconnected street patterns (often curvilinear) that include cul-de-sacs. These residential subdivisions have typically developed in a leap-frog fashion, and they tend to lack connectivity when they do abut. "Conservation subdivisions" should be encouraged as a suitable alternative to traditional low-density residential subdivisions in order to maximize open space.

Development Pattern

The development pattern should seek to:

- Provide connected system of streets within new subdivisions and to existing subdivisions, resulting in an expanded local street network for motorists and emergency vehicles



Recorded 07/14/2016 10:00
Doc: WD RCP#: 314382
TRANSFER TAX: 12.00
TRANSFER TAX ID: 0642016001166
Grant Walraven, C.S.C.
GORDON County, Ga
DEED Bk: 2017 Pg: 339

Return Recorded Document to:
Brumlow, Corwin & Delashmit, P.C.
1287 Curtis Parkway SE
Calhoun, GA 30703
File #0616G776

STATE OF GEORGIA

COUNTY OF GORDON

WARRANTY DEED

This Indenture made this 6th day of July, 2016 between **Scottie Enterprises Inc**, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **Tony L Temple**, 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 159 of the 14th District and 3rd Section of Gordon County, Georgia; and ~~SCOTTIE ENTERPRISES INC~~ **containing 1.00 acre as per plat recorded in Plat Book 53, Page 13, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.** *KL*

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: **Scottie Enterprises Inc**

[Signature]

Witness

By: *[Signature]*

Name/Title: Larry Clark, CEO

[Signature]

Notary Public

Attest: _____
Name/Title:



(Corporate Seal)

50 0 50 100 150

GRAPHIC SCALE - FEET

1 INCH = 50 FEET

DATE OF SURVEY: 06-10-16

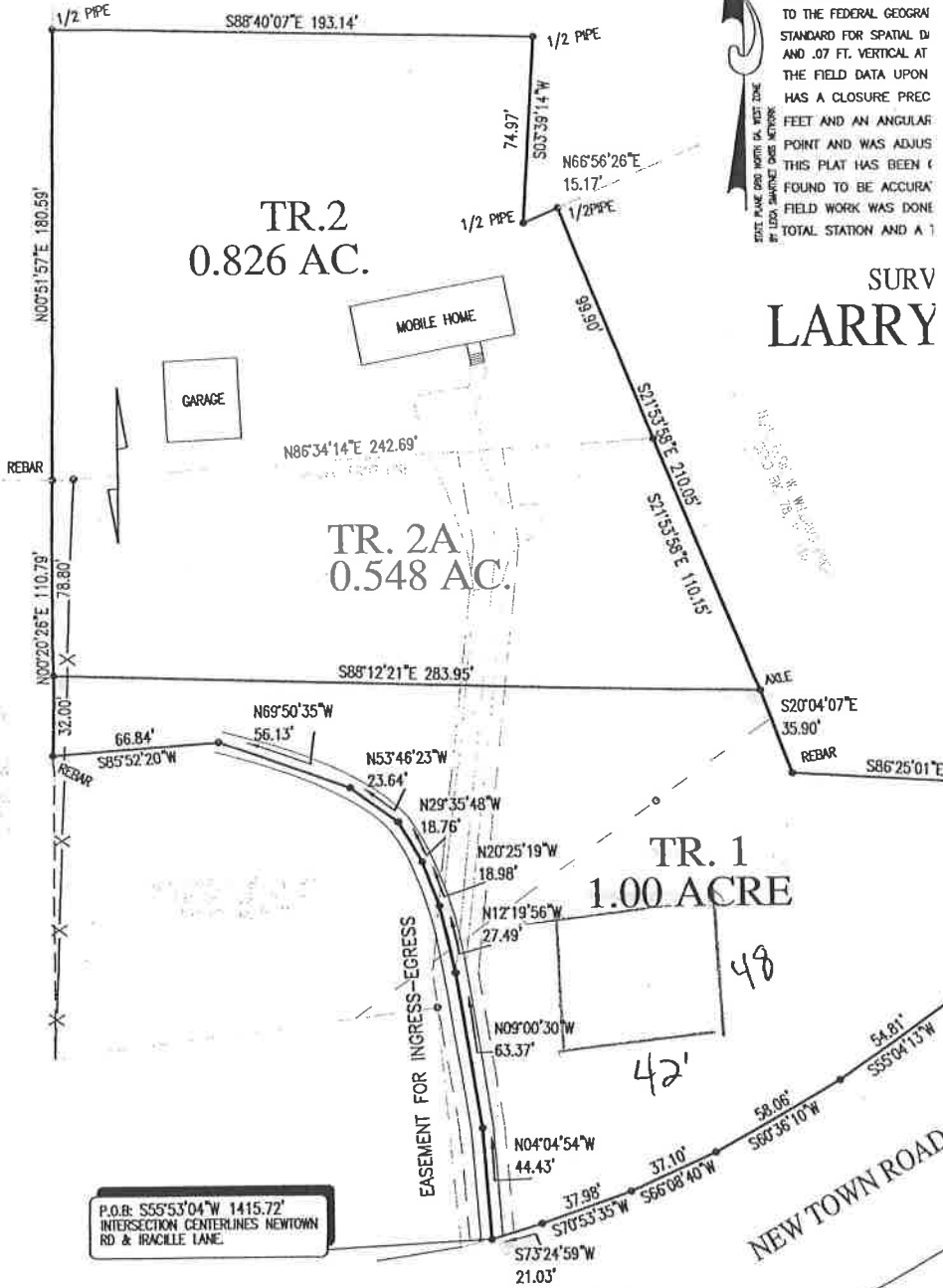
DATE OF PLAT: 06-17-16

REVISED 6-22-16, (TRACT 2A)

THIS SURVEY PREPARED BY THE SURVEYOR SHALL CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE PREMISES SHOWN HEREON OR ENTIRELY THEREON.

THE INITIAL CONTROL POINT WAS ESTABLISHED BY UTILIZING GPS. THE EQUIPMENT USED WAS A LEICA 1200 DUAL FREQUENCY GPS RECEIVER. THE NETWORK OPERATED BY THE FEDERAL GEOGRAPHIC CENTER IS THE STANDARD FOR SPATIAL DATA. THE FIELD DATA WERE COLLECTED UPON A CLOSURE. THE PRECISION OF THE POINT AND AN ANGULAR POINT WAS ADJUSTED. THIS PLAT HAS BEEN FOUND TO BE ACCURATE. FIELD WORK WAS DONE AT THE TOTAL STATION AND A

SURV LARRY



294.26'

DAVID A. GLASS, L.S.
CSWCO, INC. 2, CERRITOS, CALIF.

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # Z16-28 Temple A-1 to CH

Date: 12/12/16

Reviewed by: Christy Blair

Environmental Health

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

No issues from EH

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 216-28 Temple A-1 to CH

Date: 12/12/16

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.



12/15/16

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 216-28 Temple At to CH

Date: 12/12/16

Reviewed by: Blake Nicholson - public works

ROAD DEPARTMENT

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

A preliminary site drawing is needed and a commercial driveway permit will be required.

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-28
APPLICATION NAME TONY TEMPLE
TYPE OF ZONING: A-1 TO C-H
DATE: 12/13/2016
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS AREA IS SEVED 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.