

INFORMATION SHEET FOR REZONING REQUESTS

Application # 216-30 DATE OF READING 1-24-17

REZONE FROM CG TO A-1  
General Commercial

PROPERTY OWNER TON TRAN

LOCATION OF PROPERTY 3274 Rome Rd Plainville

DESCRIPTION OF PROPERTY  
1.82 ACRES

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

- Approval

STIPULATIONS:

Butch Layson made the motion to approve the variance application identified as #V16-18 with the condition that only one street is allowed the 25 feet from the ROW. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

**REZONING APPLICATION #Z16-30, TON TRAN**

Chairman Rule read rezoning application #Z16-30, Ton Tran, requesting to rezone a 1.82 acre tract located at 3274 Rome Road, Plainville from CG to A-1. Moon Tran represented the request explaining that this business had shut down in 2006 and that they would like to rezone back to agricultural and incorporate it to the 37.80 acre poultry farm. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-30 be approved.

Eddie Smith made the motion to approve the rezoning application identified as #Z16-30 from CG to A-1. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z16-31, TED KING**

(Applicant: Patrick Davis)

Chairman Rule read rezoning application #Z16-31, Ted King (applicant: Patrick Davis), requesting to rezone a 15.28 acre tract and a 34.64 acre tract located on Union Grove Road and Belwood Road, Calhoun from A-1 to I-2. Mr. Davis, with 3D Development, LLC, represented the request explaining the need to rezone these 2 parcels to maximize the usable area of the property for development, to accommodate the development of a proposed travel stop, and to match the existing trend of adjacent property zonings to industrial. He also added that access to the travel plaza would be from Belwood Road. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-31 be approved with an amendment to the Future Land Use map.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z16-31 from A-1 to I-2 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: 216-30 Present Zoning: CG Proposed Zoning: A-1

Date of Planning Commission Meeting: January 9, 2017

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

Applicant: Ton Tran

Property Owner: (if different from applicant) \_\_\_\_\_

Property Address: 3274 Rome Rd. Plainville

Said Property having a frontage of \_\_\_\_\_ feet and containing 1.82 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: CG, General Commercial

Proposed Action: To rezone back to A-1, Agricultural  
and incorporate it to the 37.80 acres.  
Originally rezoned in July 20, 2004. #0774.

Reason for Proposed Action: No longer using it as a  
business.

Directions to Property: Hwy 53W, where medium ends,  
property on left. Two white buildings.

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

**Rezoning Proposal**

**Date of Report:** December 21, 2016

**Application #** Z16-30

**Applicant and Property Owner:** Ton Tran

**Location of Property:** 3274 Rome Road, Plainville GA 30733

**Property Frontage:** 150 Feet                      **Tract Size:** 1.82 acres

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

**Reason for Proposed Action:** To rezone the property back to A-1 (Agricultural District) and incorporate it to the 37.80 acres. Originally rezoned in July 20, 2004 when it was used as a business, no longer using it as a business.

**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 issues w/Environmental Health.
- \* **Building Department:** N/A
- \* **Fire Department:** OK
- \* **Gordon County School System:** N/A
- \* **Road Department and/or Georgia Dept. of Transportation:** No comment.
- \* **Water & Sewer (City of Calhoun):** This property is served by an 8" water line. City sewer is unavailable.
- \* **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 and low-density residential uses on agricultural zoning.

***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 is not being used commercially so it has no reasonable use as currently zoned.

***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 not 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 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 consistent with surrounding residential and agricultural uses and 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 properties. .

**Planning Staff's Recommendation:**

The rezoning request identified as Application #Z16-30 is recommended for approval.

***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

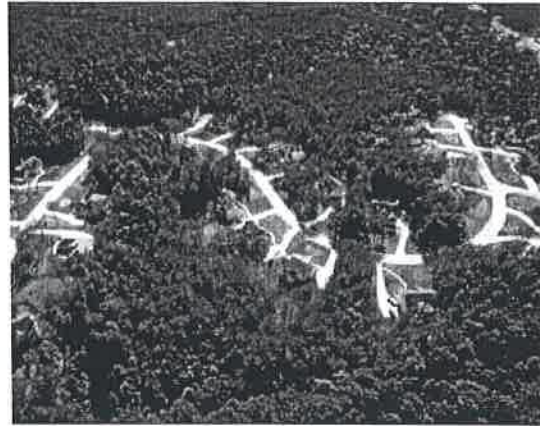
- Agricultural
- Low-intensity single-family residential
- Passive recreation

### 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.

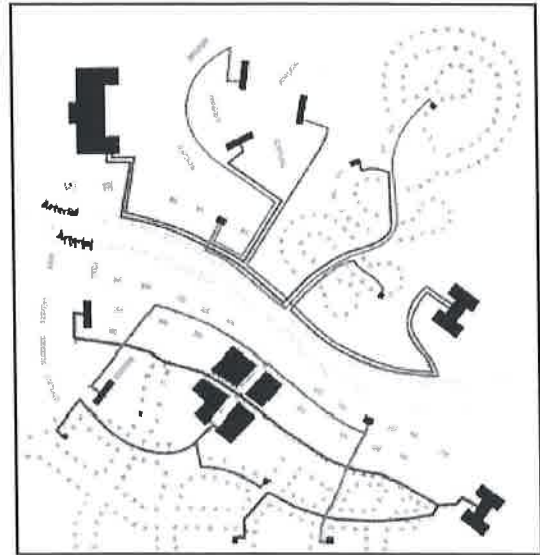


## 7. Emerging Suburban (con't.)

### 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



216-30

AFTER RECORDING RETURN TO:  
WHITE, CHOATE & WATKINS, LLC  
325 SOUTH WALL STREET  
CALHOUN, GA 30701

Recorded 03/11/2004 09:20AM  
Georgia Transfer Tax Paid : \$410.00

Clerk Superior Court, GORDON COUNTY County, Ga.  
BK 01054 Pg 0243

IO4-2387

STATE OF GEORGIA  
COUNTY OF GORDON

### WARRANTY DEED

This indenture, made this the 4th day of March, 2004 between PHILIP T. CAGLE and CAROL CAGLE of the State of Georgia, County of Gordon, hereinafter referred to as "Grantors", and TON TRAN and MOON NGUYEN, of the State of Georgia, County of Gordon, hereinafter referred to as "Grantees";

Witnesseth: That the Grantors, for and in consideration of the sum of TEN (\$10.00) DOLLARS in hand paid and for good and other valuable consideration, the receipt of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do hereby grant, bargain, sell and convey to the Grantees their heirs and assigns, the following:

All that tract or parcel of land lying and being in Land Lots 55 and 56 of the 15<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia and being that certain tract of land consisting of 69.62 acres, as per plat prepared by Jerry D. Lambert, G.R.L.S. #2147, dated October 22, 1998, for Phillip T. Cagle and Carol Cagle recorded in Plat Book 42, Page 267, Plat records of Gordon County, Georgia.

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 any wise appertaining, to the only proper use, benefit, and behoof of said Grantees, their heirs and assigns, forever, in Fee Simple.

And the said Grantors, their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the Grantees, their heirs and assigns, against the claims of all persons whatsoever.

In witness whereof, the Grantors have hereunto set their hands and seals, the day and year above written.

Signed, sealed, and delivered in presence of:

[Signature]  
WITNESS  
[Signature]  
NOTARY PUBLIC  
My Commission Expires \_\_\_\_\_

[Signature]  
Philip T. Cagle [Seal]  
[Signature]  
Carol Cagle (Seal)

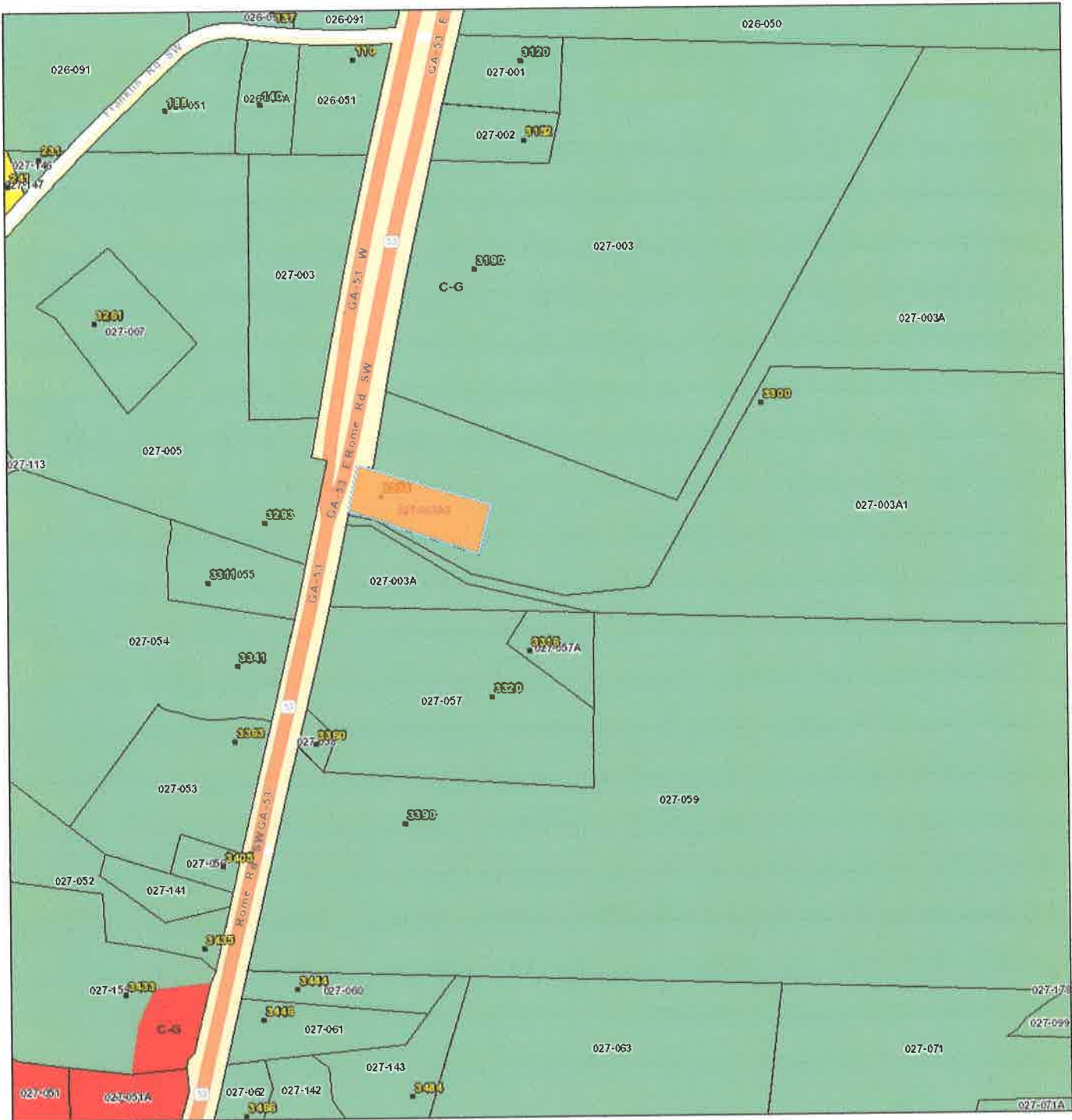


N.P. SEAL AFFIXED

FILED & RECORDED 3-11-04 LEWIS COUCH, CSC



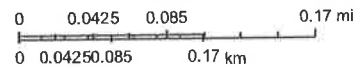
# ArcGIS Web Map



December 21, 2016

- |                    |                                     |      |                 |
|--------------------|-------------------------------------|------|-----------------|
| -                  | Addresses                           | RA-1 | I-1             |
| ---                | Parcels                             | RC-1 | I-2             |
| ---                | Flood Creeks                        | R-1  | <b>GC Roads</b> |
| <b>Flood Zones</b> |                                     | R-2  | I-75            |
| ---                | floodway ae                         | R-3  | I-75 Ramps      |
| ---                | zone a                              | R-4  | US Hwys         |
| ---                | zone ae                             | R-5  | GA Hwys         |
| ---                | zone x other                        | R-6  | GC Roads        |
| ---                | New Echota Overlay District         | MU   | All Cities      |
| ---                | Resaca Battlefield Overlay District | O-I  |                 |
| ---                | State Owned Park                    | C-C  |                 |
| ---                | County Owned Park                   | C-G  |                 |
| ---                | A-1                                 | C-H  |                 |

1:4,514



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 216-30 Tran CG to A-1

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 w/ EH

**DEPARTMENTAL REVIEW - FIRE DEPARTMENT**


Application # Z16-30 Tran CG to A-1

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

**DEPARTMENT REVIEW – STATE DEPARTMENT OF  
TRANSPORTATION**

Application # Z16-30 Tran CG to A-1

Date: 12/12/16

Reviewed by: Stan McCarley

**State Department of Transportation**

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

No Comments.

CITY OF CALHOUN  
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-30  
APPLICATION NAME TON TRAN  
TYPE OF ZONING: CG TO A-1  
DATE: 12/13/2016  
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.