

INFORMATION SHEET FOR REZONING REQUESTS

Application # 216-23 DATE OF READING 12-6-16

REZONE FROM A-1 TO RA-1 residential agricultural

PROPERTY OWNER Chadwick Lane King

LOCATION OF PROPERTY 441 Allen Loop

DESCRIPTION OF PROPERTY
3.65 ACRES

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

- Approval

STIPULATIONS:

VARIANCE APPLICATION #V16-14, TUAN DUC NGO

Chairman Rule read variance application #V16-14, Tuan Duc Ngo requesting a variance to reduce the required setback to property line for a stack house on a 25.16 acre tract located on Cash Road, Calhoun. Mr. Ngo, with his daughter to interpret, represented the request explaining that he needed a variance of 148.94 feet on one corner and 145.42 feet on the other corner from the county required 300 feet setback. This is the only portion of the property that is not in the flood zone. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V16-14 be approved as requested.

Jerry Lovelace made the motion to approve the variance as requested. Nathan Serritt seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

REZONING APPLICATION #Z16-22 & #Z16-23, CHADWICK LANE KING

Chairman Rule read rezoning application #Z16-22 and #Z16-23, Chadwick Lane King, requesting to rezone at 441 Allen Loop, Calhoun. The property is approximately 4.90 acres with an existing house. Mr. King would like to subdivide the property and on application #Z16-22, rezone 1.25 acres and the existing house from A-1 to R-1 and on application #Z16-23, rezone 3.65 acres from A-1 to RA-1 to build a new home for his family. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning requests identified as Application #Z16-22 and #Z16-23 both be approved.

On rezoning request #Z16-22, Eddie Smith made the motion to approve the rezoning A-1 to R-1 on the 1.25 acre tract. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

On rezoning request #Z16-23, Eddie Smith made the motion to approve the rezoning A-1 to RA-1 on the 3.65 acre tract. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z16-24, HUGH GREESON

Chairman Rule read rezoning application #Z16-24, Hugh Greeson, requesting to rezone a .75 acre tract located on Herrington Bend Road, Calhoun from A-1 to R-1. Mr. Greeson and his son Mark Greeson represented the request explaining that he would like to subdivide this tract from his existing land to build a home for himself. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-24 be approved.

**Cover Sheet
Proposal for Land Use Action**

Application Number: 216-23 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: November 14, 2016

Date of Board of Commissioners' Meeting: December 6, 2016

Applicant: Chadwick Lane King

Property Owner: (if different from applicant) _____

Property Address: 441 Allen Loop, Calhoun

Said Property having a frontage of 428.07 feet and containing 3.65 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: subdividing property

Reason for Proposed Action: Would like to build a new house on this tract

Directions to Property: Booneford Rd. Turn right on ^{2nd} Allen Loop. First house on Lt.

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: October 21, 2016

Application # Z16-23

Applicant and Property Owner: Chadwick Lane King

Location of Property: 441 Allen Loop, Calhoun GA 30701

Property Frontage: 428.07 Feet **Tract Size:** 3.65 acres

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

Reason for Proposed Action: Subdividing property. We would like to build another house on this tract for ourselves and rent or sell the other existing house.

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:*** Will require new addressing and a level 3 soil study prior to septic evaluation for permit.
- * ***Building Department:*** N/A
- * ***Fire Department:*** OK
- * ***Gordon County School System:*** N/A
- * ***Road Department or Georgia Dept. of Transportation:*** Driveway permit is required prior to construction.
- * ***Water & Sewer (City of Calhoun):*** This property is served by a 6" 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 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 some agricultural land, with residential use. Majority is zoned R-1, Low Density Residential.

2. Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.

The proposed zoning will not adversely affect the existing use or 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 requirement for A-1, Agricultural 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 and may impede on the 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 recreation and civic/institutional. 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 proposed zoning will consistent with the surrounding development pattern.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z16-23 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

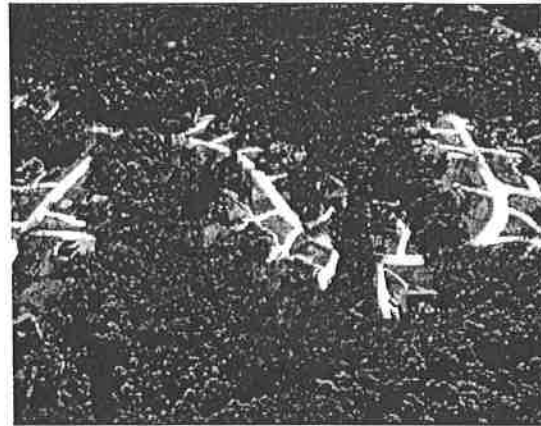
- Agricultural
- Low-intensity single-family residential
- Passive recreation

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.

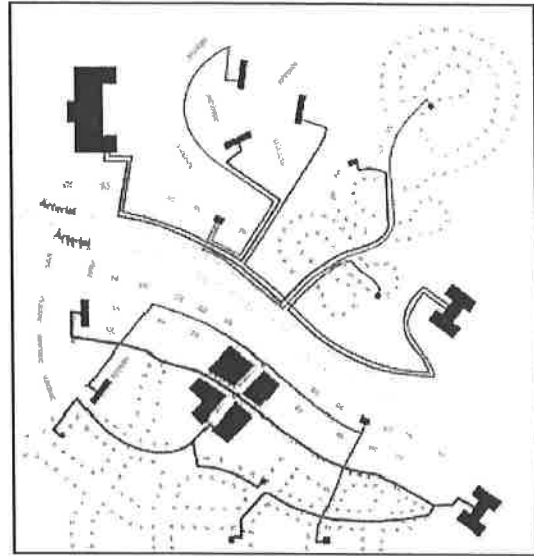


7. Emerging Suburban (con't.)

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



FORD ROAD 80' RW

P.O.B. 8.25'



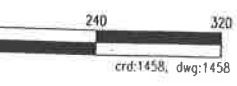
MASSEY GARLS2760
 10/15/2016

THE TECHNICAL STANDARDS FOR SURVEYING ARE SET FORTH IN CHAPTER 180-7 OF THE RULES AND REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS OF THE STATE OF GEORGIA, PLAT ACT O.C.G.A. 15-6-67, 15-4, 43-15-6, 43-15-9, 43-15-22

MASSEY SURVEYING INCORPORATED
 P.O. Box 2821
 Dalton, Georgia 30703
 Phone: 706-629-0045
 Email: msseysurveying@gmail.com
 SURVEYING SERVICES

ACCORDING TO THE "FIRM" (FLOOD INSURANCE RATE MAP) OF GORDON COUNTY, GEORGIA (PANEL NUMBER: 13129C01600), DATED: SEPTEMBER 26, 2008; NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER GRAPHICAL PLOTTING.

CRBS - CAPPED 1/2" REBAR SET WITH AN ORANGE CAP BEARING - MASSEY GARLS2760 PLACED AT ALL CORNERS UNLESS NOTED OTHERWISE.



THIS SURVEY IS BASED ON A CLOSEURE AN ANGULAR ERROR OF 10" PER THE LEAST SQUARES METHOD. THE CLOSEURE AND IS FOUND TO BE WITHIN THE TOLERANCE. ALL STATION WITH DATA COLLECTOR. FOUND AND/OR CENTERLINES. COMMITMENT, OR RESULTS OF A SURVEYOR, ALL DOCUMENTS OF WHICH MAY EXIST OTHER THAN THIS SURVEYED PARCEL. TITLE OR INDEPENDANT SEARCH



LEGEND	
RBF	- REBAR FOUND
CRBS	- CAPPED REBAR SET
OTP	- OPEN TOP PIPE
CTP	- CRIMPED TOP PIPE
DB	- DEED BOOK
PB	- PLAT BOOK
PG	- PAGE
TPN	- TAX PARCEL NUMBER
MFP	- METAL FENCE POST
CM	- CONCRETE MONUMENT
-OHUL-	- OVERHEAD UTILITY LINE

Recorded 10/24/2005 11:15A
Georgia Transfer Tax Paid : \$130.00
Deed Doc: WD Rept # 32775

After Recording Return To:

W. Lane Haley, P.C.
428 N. Wall Street
Calhoun, GA 30701

BRIAN BRANNON
Clerk Superior Court, GORDON County, Ga.
Bk 01244 Pg 0433-0434

205-11095

File No. 0105RE00389

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF GORDON

This INDENTURE, made the 20th day of October 2005, by and between Horace J. Woodard and Kathy Woodard party or parties of the first part, hereinafter referred to as "Grantor," and Chadwick L. King and party or parties of the second part, hereinafter referred to as "Grantee," the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.

WITNESSETH that: For and In Consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid and delivered to Grantor by Grantee at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, Grantor has and hereby does grant, bargain, sell, convey and confirm unto Grantee,

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT to restrictive covenants and general utility easements of record.

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.

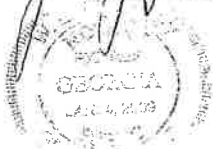
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Horace J. Woodard (Seal)
Horace J. Woodard
Kathy Woodard (Seal)
Kathy Woodard

Signed, Sealed, and Delivered
in the presence of:

[Signature]
(Unofficial Witness)

[Signature]
(Notary Public)



N.P. SEAL AFFIXED

CONTINUED

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 288 in the 7th District and the 3rd Section of Gordon County, Georgia and being more particularly described as follows: BEGINNING at an iron pin in the southeast corner of the intersection of Allen Loop Road (a 40 foot right of way) and Boone Ford Road (an eighty foot right of way), thence south 00 degrees 40 minutes west a distance of 653.58 feet to a point, thence west a distance of 355.60 feet to a point, thence north 25 degrees 51 minutes west a distance of 318.61 feet to a point, thence north 53 degrees 51 minutes east along 40' right of way of Allen Loop Road a distance of 621.84 feet to a point at the intersection of Allen Loop Road (a 40 foot right of way) and Boone Ford Road (an eighty foot right of way) and the point of beginning.

FILED & RECORDED 10-24-05 BRIAN BRANNON, CSC

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 216-23 King A-1 to RA-1

Date: 10/17/10

Reviewed by: Christy Blair

Environmental Health

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

Will require new addressing and a level 3 soil study prior to septic evaluation for permit.

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # 216-23 King A-1 to RA-1

Date: 10/17/16

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.
f. d. Jordan
10/24/16

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 216-23 King A-1 to RA-1

Date: 10/17/14

Reviewed by: Barry HICE

ROAD DEPARTMENT

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

A DRIVEWAY PERMIT IS REQUIRED PRIOR
TO CONSTRUCTION