

INFORMATION SHEET FOR REZONING REQUESTS

Application # 217-03 DATE OF READING 2-21-17

REZONE FROM A-1 TO RA-1 residential agricultural

PROPERTY OWNER Mike Masley

LOCATION OF PROPERTY Hightower Loop

Ranger

DESCRIPTION OF PROPERTY

9.348 ACRES

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

- Approval

STIPULATIONS:

On variance request #V17-01, Jerry Lovelace made the motion to approve the variance as requested. Butch Layson seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

On rezoning request #Z17-01, Eddie Smith made the motion to approve the request from A-1 to CH, with the condition that the business will remain contained within the acreage rezoned and shall strictly follow the standards for a Vehicle Repair Shop including, but not limited to, the installation of an opaque fence or adequate evergreen trees. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z17-02 & REZONING APPLICATION #Z17-03,
SPRINGBANK, LLC (APPL: MIKE MASLEY)**

Chairman Rule read rezoning application #Z17-02 and #Z17-03; Mike Masley requesting to rezone a 3 acre tract located at the corner of Red Bud Road and Hightower Loop, Ranger from A-1 to I-1 and rezone an adjoining 9.348 acres from A-1 to RA-1 that is located on Hightower Loop, Ranger. Mr. Masley represented the requests explaining that he was purchasing these 12.348 acres and wants to relocate his existing cabinet shop to the 3 acre tract and save the other 9.348 tract for his sons to possibly build homes on in the future. He added that he was going to build a 6000 square foot metal building with office space, a break room, 2 restrooms, and shop area and that he has 6 employees. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the zoning request identified as Application #Z17-02 be approved from A-1 to I-1 with the Future Land Use Map being amended and on the rezoning request identified as Application #Z17-03 it is recommended for approval from A-1 to RA-1.

On rezoning request #Z17-02, Eddie Smith made the motion to approve the request from A-1 to I-1, with the Future Land Use Map being amended. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

On rezoning request #Z17-03, Jerry Lovelace made the motion to approve the request 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.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

Ursula Desrosier, Zoning Administrator for Gordon County, opened the floor for nominations for the 2017 Chairman and Vice-Chairman positions for the Planning Commission. Butch Layson made a motion to keep Randy Rule as the Chairman. Jerry Lovelace seconded the motion. All voted aye. Jerry Lovelace made a motion to keep Butch Layson as the Vice-Chairman. Eddie Smith seconded the motion. All voted aye. Randy Rule will remain the Chairman and Butch Layson will remain the Vice-Chairman in 2017 for the Gordon County Planning Commission.

**Cover Sheet
Proposal for Land Use Action**

Application Number: 217-03 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: February 13, 2017

Date of Board of Commissioners' Meeting: February 21, 2017

Applicant: Mike Masley

Property Owner: (if different from applicant) Springbank, LLC

Property Address: Hightower Loop, Ranger

Said Property having a frontage of 777.46 feet and containing 9.348 acres.

Future Development Map Classification: Rural/Agricultural Reserve

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Subdividing property into two tracts.

Reason for Proposed Action: Subdividing property into 2 -
4.674 acre tracts to give to my sons so they
can build a dwelling.

Directions to Property: Red Bud Rd go about 11 miles
turn left onto Hightower Loop go about
300 feet on right.

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: January 27, 2017

Application # Z17-03

Applicant and Property Owner: Mike Masley (applicant) / Springbank, LLC (owner)

Location of Property: Hightower Loop, Ranger, GA 30734

Property Frontage: 777.46 Feet **Tract Size:** 9.338 acres

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

Reason for Proposed Action: Subdividing property into two (2) tracts. I would like to give my two sons a 4.674 acre tract apiece so they can build a dwelling.

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:*** Nothing needed from Environmental Health for division of property.
- * ***Building Department:*** N/A
- * ***Fire Department:*** OK.
- * ***Gordon County School System:*** N/A
- * ***Road Department: and/or Georgia Dept. of Transportation:*** If a new entrance is desired to access properties a driveway entrance permit must be obtained from Gordon County Public Works Department prior to construction of entrance.
- * ***Water & Sewer (City of Calhoun):*** This area 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 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 agricultural property used for residential uses.

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 exceeds the minimum lot size for A-1 zoning and has the potential to be developed accordingly.

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 Rural/Agricultural Reserve 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 proposed zoning is consistent with the Future Land Development Map, however, if subdivided must be brought into compliance with the U.L.D.C. in order to build a dwelling.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z17-03 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

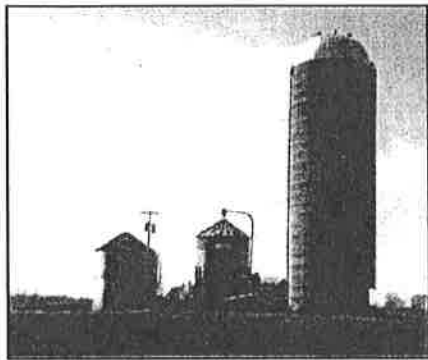
- Sense of Place
- Regional Identity

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

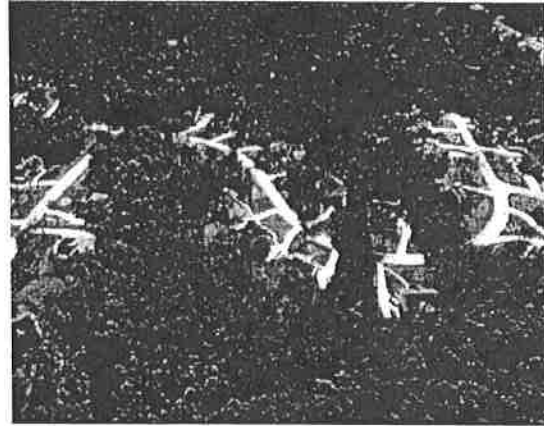
- Agricultural
- Low-intensity single-family residential
- Passive recreation

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.



FILED & RECORDED

TIME: 8:30

DATE: 6-10-03

BOOK 964 PAGE 20250

LEWIS COUCH, C.S.C.
GORDON COUNTY, GA.

103-6536

After recording return to:
Calloway Title & Escrow, LLC
Attn: David Dudley 2-14249 (60)
4800 Ashford Dunwoody Rd. Ste. 240
Atlanta, Georgia 30338

GORDON COUNTY GEORGIA
REAL ESTATE TRANSFER TAX
22,277.40
6-10-03
Lewis Couch
LEWIS COUCH, CLERK OF SUPERIOR COURT

THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:

Stephen B. Schrock, Esq.
Powell, Goldstein, Frazer & Murphy LLP
191 Peachtree Street, N.E.
16th Floor
Atlanta, Georgia 30303

LIMITED WARRANTY DEED

THIS INDENTURE is made as of May 20, 2003 by and between BOWATER INCORPORATED, a Delaware corporation (hereinafter referred to as "Grantor") and SPRINGBANK, LLC, a Delaware limited liability company (hereinafter referred to as "Grantee") ("Grantor" and "Grantee" to include their respective successors, legal representatives and assigns where the context requires or permits).

WITNESSETH:

GRANTOR, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD, ALIENED, CONVEYED and CONFIRMED, and does hereby GRANT, BARGAIN, SELL, ALIEN, CONVEY and CONFIRM unto Grantee all that tract or parcel of land lying and being in Gordon County, Georgia (hereinafter referred to as the "Property") as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

RESERVING unto Grantor the right to harvest and remove on or prior to June 30, 2004 all merchantable timber located on a portion of the Property being more particularly described on Exhibit "B" attached hereto and by reference made a part hereof (the "Reserved Timber") together with the right expiring on June 30, 2004 of ingress and egress to and from the Reserved Timber over and across the existing roadways on the Property more particularly described on Exhibit "B".

TO HAVE AND TO HOLD the Property, 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 Grantee forever in FEE SIMPLE.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Property unto Grantee against the claims of all persons claiming by, through or under Grantor, subject to and except for claims arising under or by virtue of those matters set forth on Exhibit "C" attached hereto and incorporated herein by reference.

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

Signed, sealed and delivered in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

Commission Expiration Date:
~~My Commission Expires~~
March 26, 2012
[NOTARIAL SEAL]

GRANTOR:

BOWATER INCORPORATED, a Delaware corporation

By: *[Signature]*
Name: Harry F. Gear
Title: Vice President - General Counsel and Secretary

ATTEST: *[Signature]*
Name: William A. McCormick
Title: Assistant Secretary

[CORPORATE SEAL]

N.P. SEAL AFFIXED

CORP. SEAL AFFIXED

EXHIBIT "A"

**TRACT NO. 6391
GORDON COUNTY, GEORGIA**

All that tract or parcel of land lying and being in the 7th District and 3rd Section of Gordon County, Georgia:

Being a part of Land Lot 93 of said District and Section, and being described as follows: BEGINNING at a stake on the East line of Lot 93, 50 feet North of the southeast corner of said lot; thence West parallel with the South line of said lot 428 feet to a stake; thence North 15 degrees West 450 feet to a stake; thence West 1150 feet to a stake; thence North 376 feet to a stake; thence North 66 degrees East 600 feet to a stake; thence East 1147 feet to a stake; thence South along the East line of said lot 1044 feet to the point of beginning. Containing 26 acres, more or less.

Being the same property as conveyed to Northumberland Corporation by Deed from G. Carlton Walraven dated February 1, 1956 recorded in Book 37, Page 289, in the Office of the Clerk of Superior Court for Gordon County, Georgia.

LEGEND

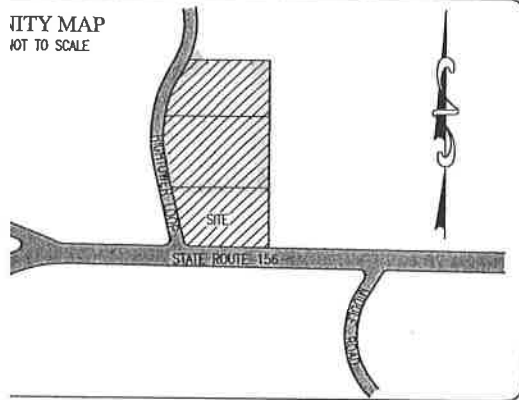
- | | | | |
|-----|---------------------------|----------|---------------------|
| IPF | IRON PIN FOUND | --- | LAND LOT LINE |
| IPS | 1/2" REBAR SET | -X-X- | FENCE |
| CM | CONCRETE MARKER FOUND | -T- | TELEPHONE LINE |
| R/W | RIGHT OF WAY | -G- | GAS LINE |
| CL | CENTER LINE | -W- | WATER LINE |
| PL | PROPERTY LINE | -SS- | SANITARY SEWER LINE |
| STA | STATION | -O.H.P.- | OVERHEAD POWER LINE |
| LL | LAND LOT | C.B. | CATCH BASIN |
| Δ | POST INDICATOR VALVE | J.B. | JUNCTION BOX |
| ○ | SIGN | D.J. | DROP INLET |
| ● | MANHOLE | Y.I. | YARD INLET |
| ⊕ | POWER POLE | W.I. | WEIR INLET |
| ⊕ | FIRE HYDRANT | M.H. | MANHOLE |
| ⊕ | LIGHT POLE | CO | CLEANOUT |
| ICV | IRRIGATION CONTROL VALVE | WM | WATER METER |
| ○ | SITE PHOTO DIR. INDICATOR | WV | WATER VALVE |
| □ | POWER TRANSFORMER (PAD) | GW | GUY WIRE |



TO BE NOTIFIED OF ACTION
MIKE MASLEY
280 FARMVILLE ROAD
CALHOUN GEORGIA 30701
PHONE: 706-280-9117

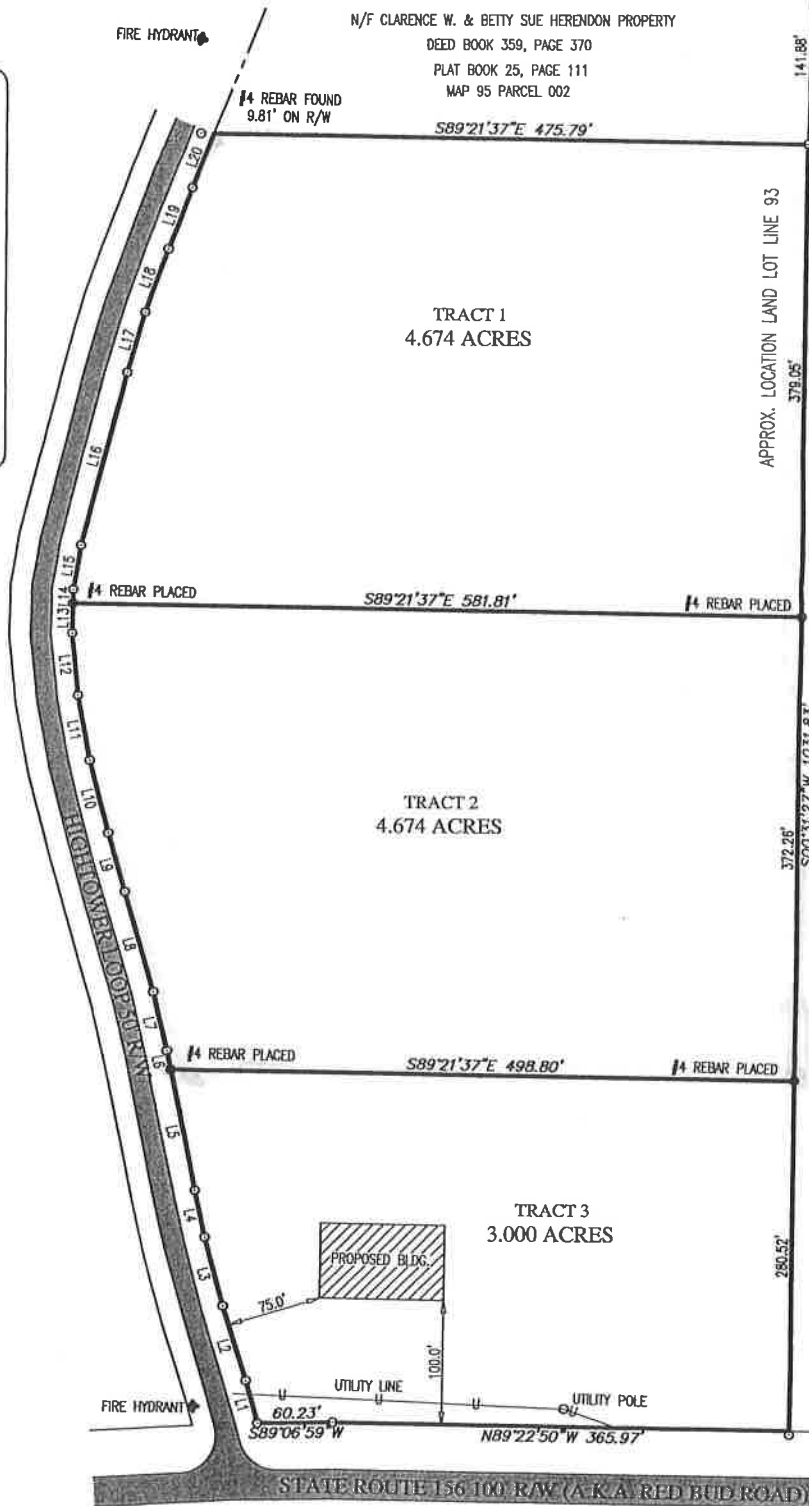
FOR THE
COURT

CITY MAP
NOT TO SCALE



** CALL TABLE **

Bearing	Distance
N15°08'04"W	35.64'
N16°56'07"W	62.51'
N14°55'43"W	56.88'
N12°21'01"W	38.39'
N11°31'50"W	98.37'
N11°31'50"W	15.27'
N12°53'38"W	48.23'
N16°13'28"W	83.48'
N15°44'02"W	48.74'
N14°18'36"W	60.04'
N10°40'55"W	52.96'
N05°58'12"W	50.25'
N01°31'45"E	23.94'
N01°31'45"E	11.17'
N09°16'57"E	36.27'
N14°19'24"E	143.61'
N16°12'43"E	50.41'
N19°33'19"E	53.54'
N20°29'58"E	52.66'
N21°44'11"E	46.89'



DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 217-03 Masley A1 to RA-1

Date: 1/18/17

Reviewed by: Christy Blair

Environmental Health

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

Nothing needed from EH for division of property

DEPARTMENTAL REVIEW - FIRE DEPARTMENT


Application # 217-03 Masley A1 to RA-1

Date: 1/18/17

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.  1/25/17

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # Z17-03 Masley A1 to RA-1

Date: 1/18/17

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:

IF a new Entrance is desired to access properties a driveway entrance permit must be obtained from Gordon County Public Works Department prior to construction of entrance.

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z17-03
APPLICATION NAME MIKE MASLEY
TYPE OF ZONING: A-1 TO RA-1
DATE: 1/26/2017
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS PROPERTY IS SERVED BY A 6" 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.