

INFORMATION SHEET FOR REZONING REQUESTS

Application # 217-08 DATE OF READING 5-16-17

REZONE FROM A-1 TO R-1 low density residential

PROPERTY OWNER Gregory + ERIN Young

LOCATION OF PROPERTY 396 Cochran Rd SE Fairmount

DESCRIPTION OF PROPERTY

1.50 ACRES

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

- Approval

STIPULATIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Jerry Lovelace made the motion to approve the variance application identified as #V17-04. Butch Layson seconded the motion. All voted aye.

**REZONING APPLICATION #Z17-07, LINDA BENNETT (APPL: ADAM BENNETT)**

Chairman Rule read rezoning application #Z17-07, Linda Bennett (appl: Adam Bennett), requesting to rezone a 1.54 acre tract located at 552 Miller Ferry Road, Adairsville from A-1 to R-6. Wayne Bennett represented his mother and son explaining that they would like to place another mobile home on the property for his son to help out with his mother who is getting older and needs some attention. Plus they have family in the surrounding properties. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z17-07 be approved.

Eddie Smith made the motion to approve the rezoning application identified as #Z17-07 from A-1 to R-6. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z17-08, GREGORY AND ERIN YOUNG**

Chairman Rule read rezoning application #Z17-08, Gregory and Erin Young, requesting to rezone a 1.50 acre tract located at 396 Cochran Road, Fairmount from A-1 to R-1. Mr. Young explained that his great uncle deeded them the property in order so they could build a house and help out with the farm. They have family in the surrounding area. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z17-08 be approved.

Nathan Serritt made the motion to approve the rezoning application identified as #Z17-08 from A-1 to R-1. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**VARIANCE APPLICATION #V17-03, NIRAV PATEL (APPL: ZAHID RASHID)**

(Tabled from April 10, 2017)

Chairman Rule read variance application #V17-03, Nirav Patel (appl: Zahid Rashid) for a 2 acre tract located at 110 Shope Lake Road, Calhoun. Mr. Rashid explained that he thought the sign company would get the building permit for the sign and didn't realize that they hadn't and that they had built it larger than the ordinance requires. All adjoining property owners had been notified.

Chairman Rule asked if the sign was exactly the dimensions as the sign design and Mr. Rashid replied that it was. The variance was a 2 feet height difference and 62 feet size difference.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V17-03 be approved.

Jerry Lovelace made the motion to approve the variance application identified as #V17-03. Nathan Serritt seconded the motion. All voted aye.

**Cover Sheet**  
**Proposal for Land Use Action**

Application Number: 217-08 Present Zoning: A-1 Proposed Zoning: R-1

Date of Planning Commission Meeting: May 8, 2017

Date of Board of Commissioners' Meeting: May 16, 2017

Applicant: Gregory & Erin Young

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

Property Address: 396 Cochran Rd. SE, Fairmount

Said Property having a frontage of Corner lot feet and containing 1.50 acres.

Future Development Map Classification: Rural / Agricultural Reserve

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Subdivided property. A 1.50 acre tract from 49.69 acres.

Reason for Proposed Action: My great uncle sold us 1.50 acres in order that we can build a house.

Directions to Property:  Hwy 53 to Fairmount. left on 411 for .5 miles. Right on 53 roughly 3 miles. Right on R40 Mainway Rd. Cochran Rd is the first right. Property is on corner of Cochran + R40

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

**Date of Report:** April 24, 2017

**Application #** Z17-08

**Applicant and Property Owner:** Gregory & Erin Young

**Location of Property:** 396 Cochran Rd. SE, Fairmount, GA 30139

**Property Frontage:** Corner Lot Feet      **Tract Size:** 1.50 acres

**Proposed Action:** Rezone from A-1 (Agricultural District) to R-1 (Low Density Residential).

**Reason for Proposed Action:** Subdivided property. We purchased a 1.50 acre tract from my great uncle in order that we can build a house. He has 48.19 acres remaining.

**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 division from Environmental Health. The soils on this tract are acceptable for septic. They have been submitted by the soil scientist. (Armuchee – A code)
- \* ***Building Department:*** N/A
- \* ***Fire Department:*** OK
- \* ***Gordon County School System:*** N/A
- \* ***Road Department:*** and/or *Georgia Dept. of Transportation:* Mr. Young has already acquired his permit for a driveway inspection and will be installing it himself and will be inspected on his completion. Everything else looks good as far as Public Works is concerned.
- \* ***Water & Sewer (City of Calhoun):*** This area is served by Pickens County water. 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 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 property used for residential uses and some R-1 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 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 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 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.

***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. The property cannot be deeded through the Family Ties Regulations because they are not immediate family members.

### **Planning Staff's Recommendation:**

The rezoning request identified as Application #Z17-08 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

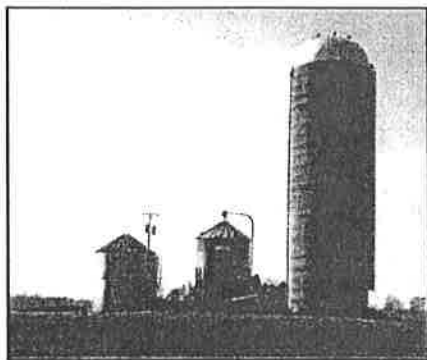
- Sense of Place
- Regional Identity

### Implementation Strategies

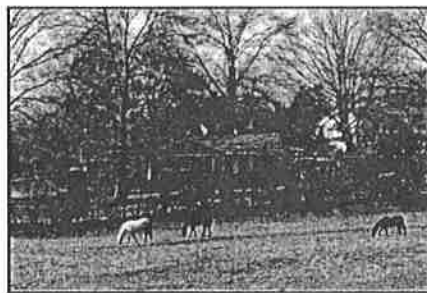
- Adopt minimum standards for commercial building and site design
- Adopt a Conservation Subdivision Ordinance
- Widen roadways only when absolutely necessary



## 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**

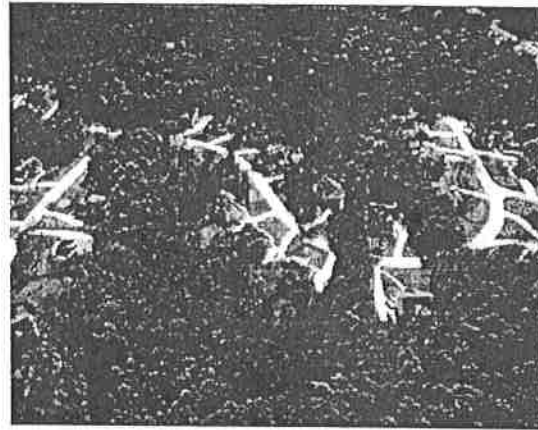
- Agricultural
- Low-intensity single-family residential
- Passive recreation

### **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.



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Grant Walraven, C.S.C.  
GORDON County, Ga  
DEED Bk: 2066 Pgs: 98-99

Prepared by;  
Charles M. Williams  
Attorney at law  
203 N. Piedmont St.  
Calhoun Georgia 30701

WARRANTY DEED

STATE OF GEORGIA

GORDON COUNTY

THIS INDENTURE, made this 11 day of April, in the year of our Lord Two Thousand Seventeen (2017) between **CECIL E. YOUNG and ANN B. YOUNG** of the State of Georgia and County of Gordon of the first part and **THOMAS GREGORY YOUNG and ERIN RANEE YOUNG** of the State of Georgia and County of Gordon of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN (\$10.00) DOLLARS AND OTHER VALUABLE CONSIDERATION in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns, the following described property, to wit:

All that tract or parcel of land lying and being in the 23rd District and 2nd Section of Gordon County, Georgia, and being a part of Land Lot No. 66 thereof, and more particularly described as follows: BEGINNING at the intersection of the west right of way of Ryo Mountain Road and the north right of way of Cochran Road; thence North 87 degrees 16 minutes 29 seconds West along and with the north right of way of Cochran Road 28.85 feet to a point; thence South 89 degrees 25 minutes 25 seconds West continuing along and with the north right of way of Cochran Road 41.41 feet to a point; thence South 83 degrees 17 minutes 30 seconds West continuing along and with the north right of way of Cochran Road 37.35 feet to a point; thence South 79 degrees 25 minutes 26 seconds West continuing along and with the north right of way of Cochran Road 64.54 feet to a point; thence South 85 degrees 09 minutes 14 seconds West continuing along and with the north right of way of Cochran Road 19.70 feet to a point; thence North 82 degrees 39 minutes 17 seconds West along



and with the north right of way of Cochran Road 18.15 feet to an iron pin; thence North 08 degrees 01 minutes 25 seconds East 324.98 feet to an iron pin; thence North 90 degrees 00 minutes 00 seconds East 226.44 feet to an iron pin located on the west right of way of Ryo Mountain Road; thence South 16 degrees 41 minutes 45 seconds West along and with the west right of way of Ryo Mountain Road 93.36 feet to a point; thence South 15 degrees 30 minutes 56 seconds West continuing along and with the west right of way of Ryo Mountain Road 51.86 feet to a point; thence South 11 degrees 52 minutes 31 seconds West continuing along and with the west right of way of Ryo Mountain Road 53.21 feet to a point; thence South 07 degrees 21 minutes 29 seconds West continuing along and with the west right of way of Ryo Mountain Road 50.19 feet to a point; thence South 04 degrees 38 minutes 16 seconds West continuing along and with the west right of way of Ryo Mountain Road 66.19 feet to the point of beginning. Said tract being 1.50 acre according to a survey plat prepared by David A. Glass GRLS dated 3/27/17, for Thomas Gregory Young and Erin Rancee Young.

TO HAVE AND TO HOLD the said bargained premises, together with all the rights, members and appurtenances thereof, to the same being, belonging or anywise appertaining to the only proper use, benefit and behoof of them the said parties of the second part, their heirs and assigns forever, IN FEE SIMPLE.

AND THE SAID PARTIES of the first part, for themselves, their heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said parties of the second part, their heirs and assigns, against the lawful claims of all persons, whomsoever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and affixed their seals, the day and year above written.

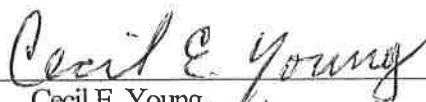
Signed, sealed and delivered  
in the presence of

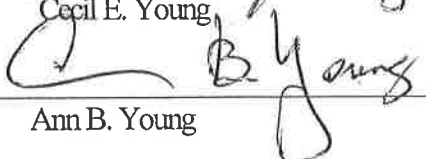
  
\_\_\_\_\_

  
\_\_\_\_\_

Notary Public;  
Gordon County, Georgia

My commission expires: 5/21/17

  
\_\_\_\_\_ (Seal)  
Cecil E. Young

  
\_\_\_\_\_ (Seal)  
Ann B. Young

N.P. SEAL AFFIXED



DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 217-08 Young A-1 to R-1

Date: 4/11/17

Reviewed by: Christy Blain

Environmental Health

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

No issues w/division from EH.

The soils on this tract are acceptable for septic. They have been submitted by the soil scientist. (Armuchee - A code)

**DEPARTMENTAL REVIEW - FIRE DEPARTMENT**

Application # 217-08 Young A-1 to R-1  
Date: 4/11/17  
Reviewed by: JOEY JORTEN

**FIRE DEPARTMENT**

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

O.K.  
  
4/21/17

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 217-08 Young A-1 to R-1

Date: 4/11/17

Reviewed by: Steve Parris

ROAD DEPARTMENT

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

Mr. Young has already acquired his permit for driveway inspection. And will be installing his self to be inspected on his completion. Everything else looks good for as Public Works is concerned.



CITY OF CALHOUN  
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z17-08  
APPLICATION NAME Gregory & Erin Young  
TYPE OF ZONING: A-1 to R-1  
DATE: 4/24/2017  
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by Pickens County water.

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.