

INFORMATION SHEET FOR REZONING REQUESTS

Application # 217-15 DATE OF READING 10-17-17

REZONE FROM A-1 TO RA-1

PROPERTY OWNER Stephen M. Chastain

LOCATION OF PROPERTY 374 Cochran Rd NE

Fairmount, GA

DESCRIPTION OF PROPERTY

2.34 ACRES

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

1. Approval

STIPULATIONS:

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

**REZONING APPLICATION #Z17-15, STEPHEN M. CHASTAIN**

Chairman Rule read rezoning application #Z17-15, Stephen M. Chastain, requesting to rezone a 2.34 acre tract located at 374 Cochran Road, Fairmount from A-1 to RA-1. Mr. Chastain represented the request explaining that he had purchased this property from a family member off of a 46.69 acre tract to build a new home. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z17-15 be approved.

Eddie Smith made the motion to approve the rezoning application identified as #Z17-15 from A-1 to RA-1. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z17-16, ERIC S. ROWELL & AMANDA M. ROWELL**

Chairman Rule read rezoning application #Z17-16, Eric S. Rowell and Amanda M. Rowell, requesting to rezone a 1.285 acre tract located on Farmville Road, Calhoun from A-1 to R-1. Mr. Rowell represented the request explaining that he wanted to purchase this property if he could acquire the rezoning to build a new home. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z17-16 be approved.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z17-16 from A-1 to R-1. Eddie Smith seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**VARIANCE APPLICATION #V17-11, HAZEN BRIGGS**

Chairman Rule read variance application #V17-11, Hazen Briggs requesting a variance on a 10.50 acre tract located at 669 Everett Springs Road, S.W., Calhoun. Mr. Briggs represented the request explaining that he would like a variance to increase the required 500 feet maximum for a metal structure to 720 square feet for a garage and storage building, so he needed a 220 square foot variance. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V17-11 be approved.

Eddie Smith made the motion to approve Variance Application #V17-11 as requested. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

**Cover Sheet  
Proposal for Land Use Action**

Application Number: 217-15 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: October 9, 2017

Date of Board of Commissioners' Meeting: October 17, 2017

Applicant: Stephen M. Chastain

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

Property Address: 374 Cochran Rd SE, Fairmount GA 30139

Said Property having a frontage of 449.18 feet and containing 2.34 acres.

Future Development Map Classification: Rural Agricultural Reserve

Current Zoning Map Classification: Agricultural District

Proposed Action: Subdivided property. A 2.34 acre tract from 46.69 acres.

Reason for Proposed Action: Our distant family member sold us 2.34 acres in order to build a house for ourselves.

Directions to Property: HWY 53 E to Fairmount. + Lt onto Hwy 411, right onto Hwy 53, turn right onto Ryo Mtn Rd., turn right onto Cochran Rd. 2nd drive on rt. (Mobile Home on property) It will be removed.

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

**Date of Report:** September 22, 2017

**Application #** Z17-15

**Applicant and Property Owner:** Stephen M. Chastain

**Location of Property:** 374 Cochran Rd, SE, Fairmount, GA 30139

**Property Frontage:** 449.18 Feet    **Tract Size:** 2.34 acres

**Proposed Action:** Rezone from A-1, Agricultural District to RA-1, Residential Agricultural Reserve.

**Reason for Proposed Action:** Our distant family member sold us a 2.34 acre tract in order for us to build a house. The existing mobile home will be removed.

**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 from EH on division of property.
- \* **Building Department:** N/A
- \* **Fire Department:** OK
- \* **Gordon County School System:** N/A
- \* **Road Department:** Everything looks up to specs as far as the Public Works Department is concerned, driveway are in place.
- \* **Georgia Dept. of Transportation:** N/A
- \* **Water & Sewer (City of Calhoun):** No City water service in this area. 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. The proposed zoning is consistent with neighborhood.

***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 dedeed through the Family Ties Regulations because they are not immediate family members. Also, there was an existing mobile home on the property and it will be replaced with a conventional dwelling.

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

The rezoning request identified as Application #Z17-15 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

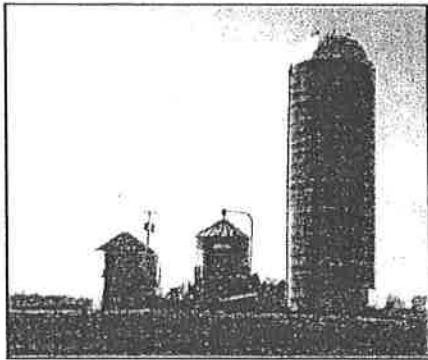
- Sense of Place
- Regional Identity

### Implementation Strategies

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



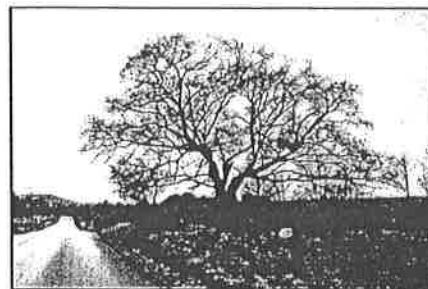
## 6. Rural/Agricultural Reserve



*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*

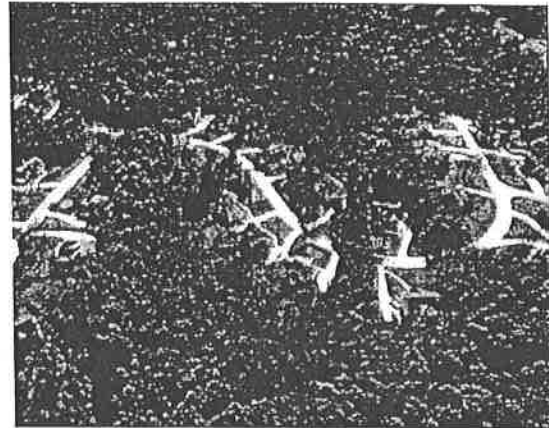
- Agricultural
- Low-intensity single-family residential
- Passive recreation

### *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.



Recorded 08/04/2017 1:57  
Doc: WD Rcpt#: 320184  
TRANSFER TAX: 22.00  
TRANSFER TAX ID: 0642017001387  
Grant Walraven, C.S.C.  
GORDON County, Ga  
DEED Bk: 2086 Pgs: 193-194

After recording return to:  
Stephen M. Chastain  
235 Carter Mountain Road SE  
Fairmount Georgia 30139

### WARRANTY DEED

STATE OF GEORGIA  
GORDON COUNTY

THIS INDENTURE, made this 4 day of August, 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 **STEPHEN M. CHASTAIN and LINDA F. CHASTAIN** 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 an iron pin located on the north right of way line of Cochran Road at a point South 85 degrees 59 minutes 35 seconds West 208.89 feet from the intersection of the west right of way of Ryo Mountain Road and the north right of way of Cochran Road; thence North 73 degrees 49 minutes 19 seconds West along and with the north right of way of Cochran Road 18.30 feet to a point; thence North 56 degrees 39 minutes 38 seconds West along and with the north right of way of Cochran Road 37.97 feet to a point; thence North 46 degrees 07 minutes 37 seconds West continuing along and with the north right of way of Cochran Road 110.53 feet to a point; thence North 55 degrees 51 minutes 09 seconds West continuing along and with the north right of way of Cochran Road 61.52 feet to a point; thence North 68 degrees 12 minutes 14 seconds West continuing along and with the north right of way of Cochran Road 64.45 feet to a point; thence North 74 degrees 36 minutes 57 seconds West continuing along and with the north right of way of Cochran Road 73.33 feet to a point; thence



North 72 degrees 58 minutes 14 seconds West continuing along and with the north right of way of Cochran Road 46.62 feet to a point; thence North 6 9 degrees 57 minutes 43 seconds West continuing along and with the north right of way of Cochran Road 36.46 feet to an iron pin; thence North 15 degrees 20 minutes 33 seconds East 210.00 feet to an iron pin; thence thence South 77 degrees 01 minutes 23 seconds East 388.98 feet to an iron pin: thence South 08 degrees 01 minutes 25 seconds West 324.98 feet to the point of beginning. Said tract being 2.34 acres according to a survey plat prepared for Stephen Chastain by David A. Glass GRLS dated 6/20/17.

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

  
\_\_\_\_\_

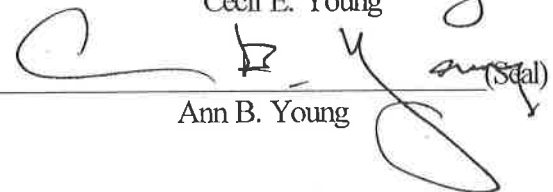
  
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Notary Public;

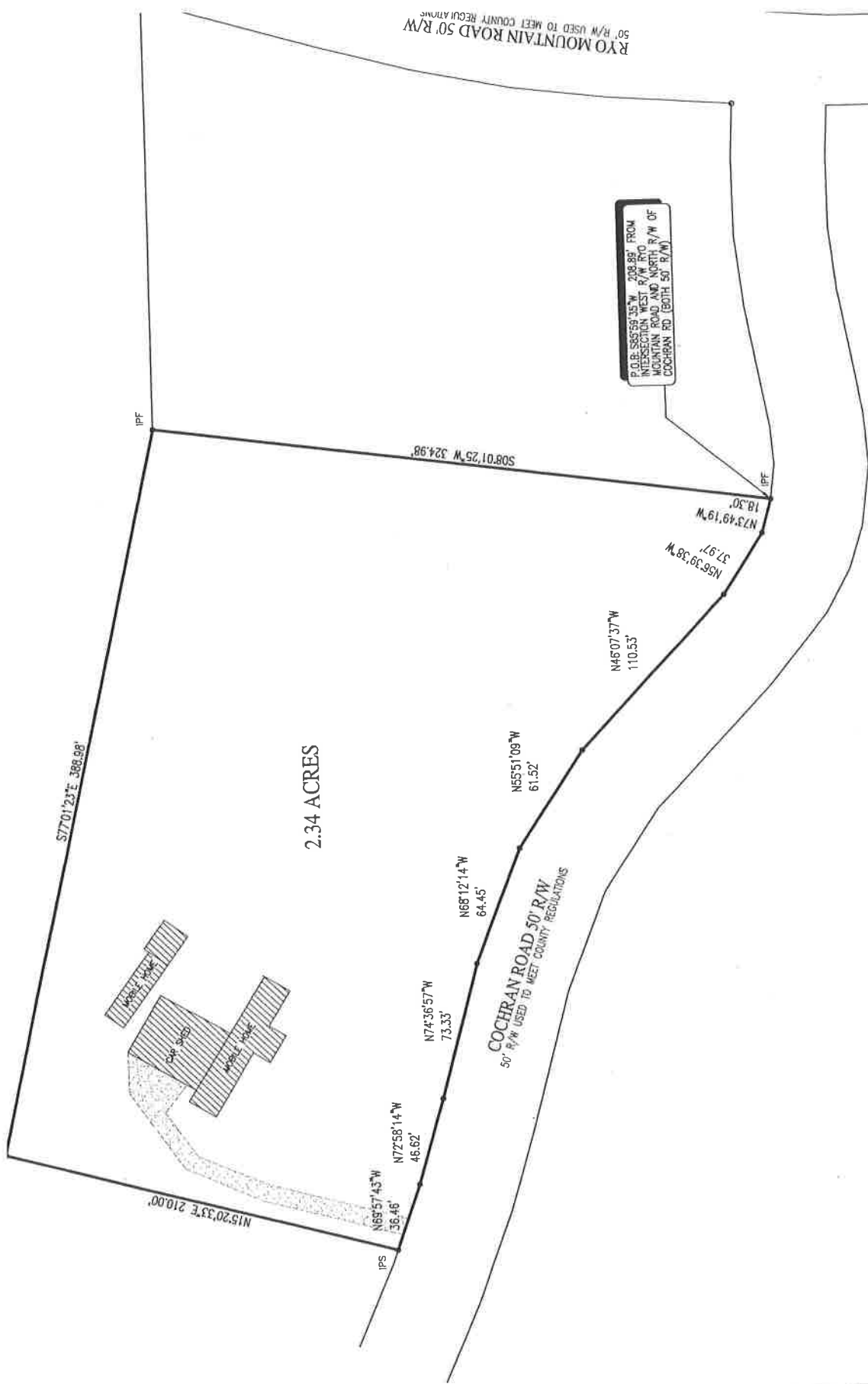
Gordon County, Georgia

My commission expires: 1-25-2020

 (Seal)  
Cecil E. Young

 (Seal)  
Ann B. Young





P.O.B. S85°59'35"W 208.89' FROM INTERSECTION WEST R/W OF MOUNTAIN ROAD AND WEST R/W OF COCHRAN RD (20TH 50' R/W)

ND

---	LAND LOT LINE
- - -	FENCE
- x -	TELEPHONE LINE
- 0 -	GAS LINE
- . -	WATER LINE
- S -	SEWERY POWER LINE
- O.H.P. -	OVERHEAD POWER LINE
- C.B. -	CATCH BASIN
- J.B. -	JUNCTION BOX
- D.I. -	DROP INLET
- Y.I. -	YARD INLET
- W.I. -	WELL INLET
- M.H. -	MANHOLE
- C.O. -	COURT ORDER
- W.M. -	WATER METER
- W.W. -	WATER WAVE
- G.W. -	GUY WIRE

DATE PLANE WEST ZONE COORDINATE 1983 (NAD83) DATUM OF 1985 (NAD83) AN HEREIN ARE RECORDED IN THE PUBLIC RECORDS OF THE COUNTY NAMED HEREIN. IN THE COUNTY NAMED HEREIN. THIS SURVEY IS MADE FOR THE BENEFIT OF AN ABSTRACT OF TITLE. THE SURVEY IS MADE FOR THE BENEFIT OF THE SURVEYORS, AND ARE NOT GUARANTEED BY THE SURVEYORS.

DATE OF SURVEY ARE SHOWN HEREON.

WHERE DIMENSIONS, BEARINGS, OR DISTANCES ARE NOT SHOWN, THE SURVEY IS PURELY A STATEMENT OF THE ORIGINAL SURVEY AND DOES NOT IMPLY OR GUARANTEE THE ACCURACY OF THE ORIGINAL SURVEY. THE SURVEY IS MADE IN ACCORDANCE WITH THE RULES OF THE GEORGIA BOARD OF SURVEYORS AND LAND SURVEYORS AND ENGINEERS AND LAND SURVEYORS AND ENGINEERS (OCGA 15-6-87 AS ANNOTATED (OCGA 15-6-87) AS APPLIED TO THE REQUIREMENTS OF LAW PREVAL.

4.8865' 5.288' 1 POINT RULE 25 TOTAL STATION 1A, COLLECTED, CASS NETWORK 7/20/2017

VRCEL # 125-053

**ERTIFICATION**

OF O.C.G.A. SECTION 15-6-87, THIS LAND SURVEY HAS BEEN APPROVED BY ALL THE NECESSARY OFFICIALS OF THE SURVEYORS AND ENGINEERS OF THE STATE OF GEORGIA. THIS SURVEY IS MADE FOR THE BENEFIT OF AN ABSTRACT OF TITLE. THE SURVEY IS MADE FOR THE BENEFIT OF THE SURVEYORS, AND ARE NOT GUARANTEED BY THE SURVEYORS.

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 217-15 Chostain A-1 to RA-1

Date: 9-18-17

Reviewed by: Steve Paine

ROAD DEPARTMENT

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

All looks up to specs far as the Public Works department is concerned driveways are in place.

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 217-15 Chastain A-1 to RA-1

Date: 9/21/17

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 on division of property.

CITY OF CALHOUN  
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z17-15  
APPLICATION NAME Stephen Chastain  
TYPE OF ZONING: A-1 to RA-1  
DATE: 9/15/2017  
REVIEWED BY: Mark Williamson

WATER COMMENTS:

No City water service in this area

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.

**DEPARTMENTAL REVIEW - FIRE DEPARTMENT**

Application # 217-15 Chastain A-1 to RA-1

Date: 9/15/17

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.  
  
9/15/17