

INFORMATION SHEET FOR REZONING REQUESTS

Application # 217-16 DATE OF READING 10-17-17

REZONE FROM A-1 TO R-1

PROPERTY OWNER Eric + Amanda Rowell

LOCATION OF PROPERTY Farmville Rd.

Calhoun

DESCRIPTION OF PROPERTY

1.285 ACRES

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

1. _____

STIPULATIONS:

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: 217-16 Present Zoning: A-1 Proposed Zoning: R-1

Date of Planning Commission Meeting: October 9, 2017

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

Applicant: Eric S. Rowell & Amanda M. Rowell

Property Owner: (if different from applicant) Ariel & Andrew Benton

Property Address: Farmville Rd, Calhoun GA 30701

Said Property having a frontage of 100 feet and containing 1.285 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural District

Proposed Action: Subdivided off a 1.285 acre tract
in order to sell to the interested applicant.

Reason for Proposed Action: Applicant would like to build
themselves a house.

Directions to Property: Hwy 53E. Turn left onto
Farmville Rd. 2nd drive on Lt.

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

Rezoning Proposal

Date of Report: September 22, 2017

Application # Z17-16

Applicant and Property Owner: Eric & Amanda Rowell (applicant) Andrew & Ariel Benton (owner)

Location of Property: Farmville Rd., Calhoun GA 30701

Property Frontage: 100 Feet **Tract Size:** 1,285 acres

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

Reason for Proposed Action: We subdivided off a 1.285 acre tract in order to sell to the interested applicant. The applicant's would like to build themselves a house there.

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 from EH on division of property.
- * ***Building Department:*** N/A
- * ***Fire Department:*** OK
- * ***Gordon County School System:*** N/A
- * ***Road Department:*** Everything looks good. Contractor/property owner has already received a permit for the driveway.
- * ***Georgia Dept. of Transportation:*** N/A
- * ***Water & Sewer (City of Calhoun):*** This area is served by a 6" water line. 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 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 and some commercial 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 Emerging Suburban on the Gordon County Future Development Map. This classification supports land uses intended for Single-family residential, Passive and active recreation and Civic/Institutional. 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.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z17-16 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

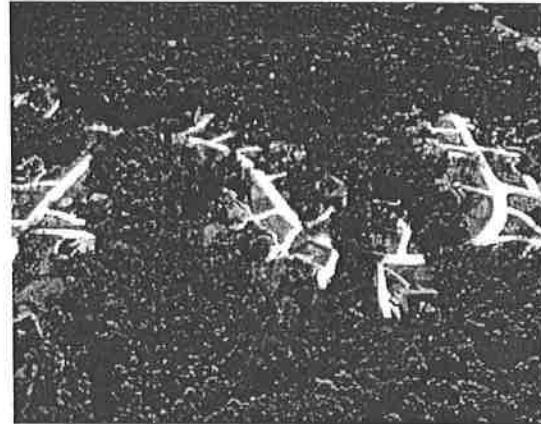
- Agricultural
- Low-intensity single-family residential
- Passive recreation

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.

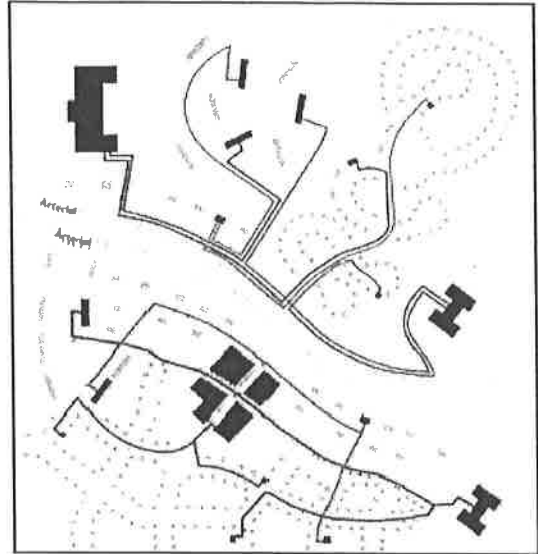


7. Emerging Suburban (con't.)

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

X



Recorded 11/03/2016 4:00
Doc: WD Rec# 316194
TRANSFER TAX: \$0.00
TRANSFER TAX ID: 0642016000012
Grant Malraven, C.S.C.
GORDON County, Ga
DEED Bk: 2039 Pg: 386

Return Recorded Document to:
Benton, Corwin & DeBault, P.C.
1287 Curtis Parkway SE
Cathlamet, GA 30703
File #: 16166241

STATE OF GEORGIA,
COUNTY OF GORDON

**JOINT TENANCY WITH SURVIVORSHIP
WARRANTY DEED**

This Indenture made this 7th day of November, 2016 between Mary Elaine Fox Wood, of the County of Mobile, State of Alabama, as party or parties of the first part, hereinafter called Grantor, and Ariel Ryan Benton and Kevin Andrew Benton, as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the reading and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 96 of the 6th District and 3rd Section of Gordon County, Georgia and being more particularly described as that certain 8.74 acre tract shown on a plat of entitled "Boundary Survey for Mary Elaine Fox Wood" which survey is recorded at Plat Book 53, Page 73 in the office of the Clerk of Superior Court of Gordon County, Georgia and reference is hereby made to said plat for a more full and complete description of the lands herein conveyed.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

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 behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FREE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantees against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

John R. Nix
Witness

Mary Elaine Fox Wood (Seal)
Mary Elaine Fox Wood

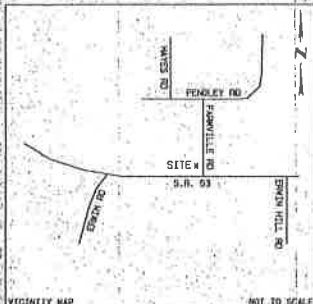
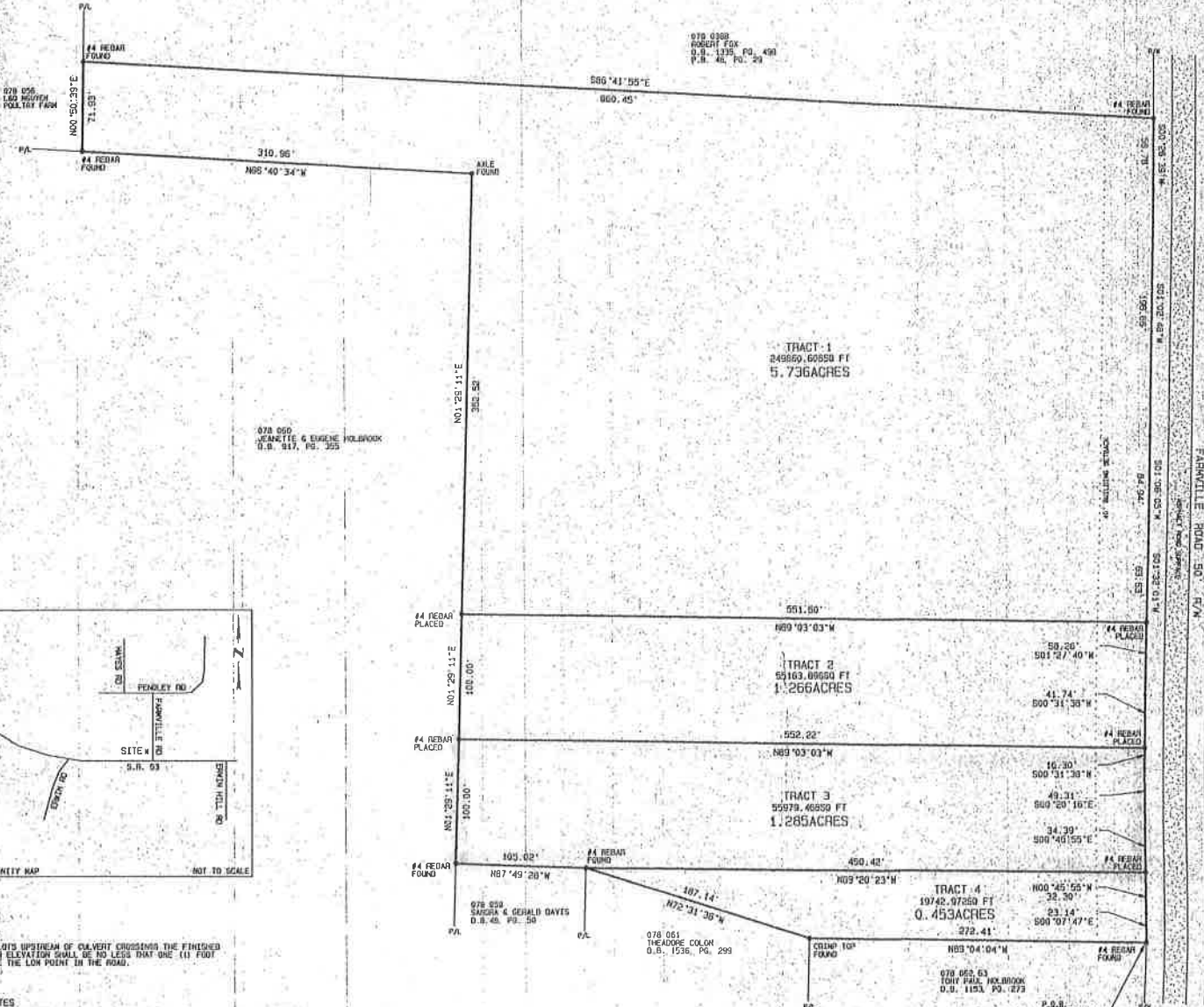
Jennifer Celeste Daugherty
Notary Public

JENNIFER CELESTE DAUGHERTY
Notary Public, Alabama State At Large
My Commission Expires
December 05, 2018

MINOR SUBDIVISION SURVEY
for
ARIEL RYAN BENTON



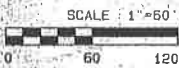
RESERVED FOR CLERK OF SUPERIOR COURT



VELOCITY MAP NOT TO SCALE

NOTE:
FOR LOTS UPSTREAM OF CONCRETE CROSSING THE FINISHED
FLOOR ELEVATION SHALL BE NO LESS THAT ONE (1) FOOT
ABOVE THE LOW POINT IN THE ROAD.

- NOTES
- PARENT PARCEL 078 038A
 - CURRENT ZONING A-1
 - NO NEW STREETS PROPOSED
 - FRONT SETBACK 40'
 - SIDE SETBACK 25'
 - REAR SETBACK 60'
 - MAXIMUM BUILDING HEIGHT 2.5 STORIES
 - NO PROTECTIVE COERCANTS NOT IN DAM BREACH ZONE



OWNER/DEVELOPER
ARIEL RYAN BENTON
776-324-8457
142 FARMVILLE RD.
CALHOUN, GA 30701

FOR RECORDING ONLY

Parcel(s)
as shown are not in compliance with
Gordon County local use regulations and
are not eligible for building permits.
Gordon County Building, Planning & Development
By: *[Signature]* Date: 10/11/11

SURVEYOR CERTIFICATION

As required by subsection (c) of O.C.G.A. Section 45-6-51,
this map or plat has been prepared and drawn for installation
and approval by the local jurisdiction as in evidence by
the professional classification, registration, stamp, or statement
hereon. Such approval or affirmations shall be confirmed
with the appropriate governmental bodies by any purchaser
or user of the survey or map as to intended use of any parcel.
Further, the undersigned Land Surveyor certifies that this
map, plat, or plan complies with the minimum technical
standards for property surveys in Georgia as set forth
in Chapter 180-7 of the Rules of the Georgia Board of
Registration for Professional Engineers and Land Surveyors
and as set forth in the Georgia Public Act 2006-10-5-07.
Gordon County document number is 11-00133. Attest:
and be well placed on this plat by the undersigned.

LEGEND
 L.P.S. -- IRON PIN SET
 L.P.T. -- IRON PIN FOUND
 L.L.L. -- LAND LOT LINE
 C.C.L. -- CENTER LINE
 P.L. -- PROPERTY LINE
 P.W. -- RIGHT OF WAY
 P.M. -- POWER PILE

This survey was prepared in contract conditioned solely for
the purpose or utility listed to hereon and may not be
applicable to any future uses.

[Signature]
Lemar David McBrayer, Jr.
GA HLS 3164

LAND LOT: 06
DISTRICT: 6
SECTION: 3
COUNTY: GORDON
STATE: GEORGIA

325 South Wall Street Calhoun, GA 30701
Phone: (706) 602-8240

Lemar David McBrayer, Jr.
Georgia HLS No. 3064

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z17-16
APPLICATION NAME Eric & amanda Rowell
TYPE OF ZONING: A-1 to R-1
DATE: 9/15/2017
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area 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.

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 217-16 Benton A-1 to R-1

Date: 9-15-17

Reviewed by: Steve Pavia

ROAD DEPARTMENT

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

Everything Looks good Contractor/Property owner has already received Permit for driveway.

A handwritten signature in black ink, appearing to be 'Steve Pavia', located at the bottom right of the page.

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # 217-16 Benton A-1 to R-1


Date: 9/15/17

Reviewed by: JOEY JORDON

FIRE DEPARTMENT

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

O.K.



9/15/17

DEPARTMENT REVIEW – ENVIRONMENTAL HEALTH

Application # ZM-16 Benton A-1 to R-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/ land division