

INFORMATION SHEET FOR REZONING REQUESTS

Application # 217-21 DATE OF READING 1-16-18  
REZONE FROM A-1 TO CG

APPLICANT CHAM Real Estate Investments, LLC

OWNER Licia Davis

LOCATION OF PROPERTY 1400 US Hwy 41 So.  
Calhoun Ga.

DESCRIPTION OF PROPERTY  
.52 ACRES

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

1. Approval

STIPULATIONS:  
All applicable state and local regulations shall be complied with, including but not limited to Gordon appearance standards for structures in commercial zoning districts, landscaping and buffer requirements and sign requirements.

**GORDON COUNTY PLANNING COMMISSION  
PUBLIC HEARING  
JANUARY 8, 2018**

The Gordon County Planning Commission held a Public Hearing on Monday, January 8, 2018 at 6:00 p.m. in the Conference Room of the Gordon County Administration Building for the purpose of hearing variance and zoning change requests. Members present were:

Randy Rule	Butch Layson
Jerry Lovelace	Nathan Serritt
Eddie Smith	

Randy Rule called the meeting to order and advised all present of the sign-up sheets available for those who wish to address the Planning Commission on any of the zoning or variance change applications.

**APPROVAL OF MINUTES**

A motion was made by Jerry Lovelace to approve the minutes of the previous meeting of December 11, 2017. Eddie Smith seconded the motion. All voted aye. The minutes were approved as written.

**ELECTION OF CHAIRMAN AND VICE-CHAIRMAN**

Ursula Richardson, Zoning Administrator for Gordon County, opened the floor for nominations for the 2018 Chairman and Vice-Chairman positions for the Planning Commission. Eddie Smith made a motion to keep Randy Rule as the Chairman. Nathan Serritt seconded the motion. All voted aye. Eddie Smith made a motion to keep Butch Layson as the Vice-Chairman. Nathan Serritt seconded the motion. All voted aye. Randy Rule will remain the Chairman and Butch Layson will remain the Vice-Chairman in 2018 for the Gordon County Planning Commission.

**REZONING APPLICATION #Z17-21, CHAM REAL ESTATE INVESTMENTS, LLC**

Chairman Rule read rezoning application #Z17-21, CHAM Real Estate Investments, LLC, requesting to rezone a .52 acre tract located at 1400 US Hwy. 41, South, Calhoun from A-1 to C-G. Licia Davis, owner, represented the request explaining that she had recently purchased Belwood Nursery and all its properties and would like to expand the family owned business by removing the existing blue house and build a 50x75x15 commercial warehouse to be leased to Landscape Creations. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z17-21 be approved, with the following condition: that all applicable state and local regulations shall be complied with, including but not limited to Gordon County appearance standards for structures in commercial zoning districts, landscaping and buffer requirements and sign requirements.

Nathan Serritt made the motion to approve the rezoning application identified as #Z17-21 from A-1 to C-G with the condition stated by the Zoning Administrator. Eddie Smith seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z17-22, BRYAN A. WRIGHT

Chairman Rule read rezoning application #Z17-22, Bryan A. Wright, requesting to rezone a 5.34 acre tract located at 1000 South Wall St., Calhoun from A-1 to O-I. Mr. Wright represented the request explaining that he had been renovating the 3 old existing homes and now would like to rezone so he can lease them out as office space. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z17-22 be approved, with the following condition: that all applicable state and local regulations shall be complied with, including but not limited to Gordon County appearance standards for structures in office zoning districts, landscaping and buffer requirements and sign requirements.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z17-22 from A-1 to O-I with the condition stated by the Zoning Administrator. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z17-23, SONYA G. IRMSCHER

Ursula Richardson announced that Ms. Irmischer had failed to mail out the adjoining property owner letters and wants to table until the February 12, 2018 meeting. Butch Layson made the motion to table the rezoning request until the February meeting. Jerry Lovelace seconded the motion. All voted aye. The rezoning application was tabled until the February 12, 2018 meeting.

ADDITIONAL BUSINESS

There being no additional business, Butch Layson made the motion to adjourn. Eddie Smith seconded the motion. All voted aye. The meeting was adjourned at 6:22 p.m.

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Zelda Gregg, Secretary

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Randy Rule, Chairman  
Butch Layson, Vice-Chairman

**Cover Sheet  
Proposal for Land Use Action**

Application Number: Z17-21 Present Zoning: A-1 Proposed Zoning: C-G

Date of Planning Commission Meeting: January 8, 2018

Date of Board of Commissioners' Meeting: January 16, 2018

Applicant: CHAM Real Estate Investments, LLC

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

Property Address: 1406 US Hwy 415, Calhoun GA 30701

Said Property having a frontage of 150 feet and containing 0.52 acres.

Future Development Map Classification: Hwy 53 Transitional

Current Zoning Map Classification: A-1, Agricultural District

Proposed Action: To remove existing house and to build a 50x75x15 Commercial Warehouse to lease to Landscape Creations.

Reason for Proposed Action: We recently purchased Belwood Nursery and all the properties and would like to expand the business. Family owned.

Directions to Property: Hwy 415 just past Executive Dr. on Left. Blue house on property

Map GC58-015

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

**Rezoning Proposal**

**Date of Report:** December 21, 2017

**Application #** Z17-21

**Applicant and Property Owner:** CHAM Real Estate Investments (appl.) Licia C. Davis (owner)

**Location of Property:** 1400 US Hwy 41S, Calhoun, GA 30701

**Property Frontage:** 150 Feet      **Tract Size:** 0.52 acres

**Proposed Action:** Rezone from A-1, Agricultural District to C-G, General Commercial.

**Reasons for Proposed Action:** To remove the existing house and to build a 50x75x15 commercial warehouse to lease to Landscape Creations. We recently purchased Belwood Nursery and all its properties and would like to expand the business. Family owned.

**Future Development Map Classification:** Hwy 53 Transitional

**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:*** This property is on City Sewer, so no issues from E.H.
- \* ***Building Department:*** N/A
- \* ***Fire Department:*** OK.
- \* ***Gordon County School System:*** N/A
- \* ***Road Department:*** N/A
- \* ***Georgia Dept. of Transportation:*** Contact GA DOT for commercial driveway access.
- \* ***Water & Sewer (City of Calhoun):*** This property is served by an 8" water line running on the west side of Hwy 41. This property is served by an 8" sewer line located along Hwy 41.
- \* ***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 has Light Industrial across the street with commercial zoning to the south and west, and apartments behind the property on Stones Loop.

***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 or nearby property since this will compliment the existing Belwood Nursery business.

***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 zoning and cannot be used for a commercial business as currently zoned.

***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/or may impede on 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 Hwy 53 Transitional on the Gordon County Future Development Map. The Hwy 53 Transitional area is situated between Hwy 53 frontage properties and the extensive industrial areas to the south. The primary land uses are Commercial (non "big-box"), Office, Smaller warehousing, Multi-family, and Mixed-use.

***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 #Z17-21 is recommended for approval with the following condition:

1. All applicable state and local regulations shall be complied with, including but not limited to Gordon County appearance standards for structure in commercial zoning districts, landscaping and buffer requirements and sign requirements.

***This report is a part of the official record of the subject application***

**Primary Land Uses**

- Commercial (not "big-box")
- Office

**5.1.18 Highway 53 Corridor**

The Highway 53 Corridor reflects larger-scale commercial developments that are typical of U.S. highways outside of downtowns / town centers. "Strip centers" and "big boxes" are common, as are interstate-oriented commercial uses near the I-75 interchange. Commercial corridors like Highway 53 are often characterized by large signs that can dominate the visual landscape, numerous curb cuts and driveways that slow traffic flow, large parking areas void of landscaping, and a lack of sidewalks. The heavily traveled corridor also acts as a gateway to the City.

**Development Pattern**

The development pattern should seek to:

- Enhance overall appearance with design guidelines
- Preserve/improve traffic flow, utilizing access management techniques such as interparcel access and driveway consolidation
- Depict clear physical boundaries and transitions between the highway and adjacent residential uses
- Facilitate quality redevelopment (includes permitting mixed-use development)
- Control "big box" development
- Provide sidewalk connections to adjacent residential areas
- Increase landscaping along the corridor, including in and along parking lots to provide shade, reduce impervious surfaces, shield parking areas, and improve the appearance of individual sites and the entire corridor
- Limit signs and billboards
- Coordinate land use planning with bike, pedestrian and transit opportunities
- Better integrate stormwater treatment in site planning and design with additional site design standards

**Primary Land Uses**

- Commercial
- Professional offices
- Mixed use development (including residential uses above ground-floor retail or office space)

**5.1.19 Highway 53 Transitional**

The Highway 53 Transitional area is situated between Highway 53 frontage properties and the extensive industrial areas to the south. Land uses include a mix of strip center development, warehousing and multi-family units off of Richardson Road, and some single-family residential that fronts Highway 53 south.

**Development Pattern**

The development pattern should seek to:

- Prevent encroachment of Highway 53-oriented uses and intensive industrial uses
- Create pedestrian linkages to the highway and between uses within the character area
- Differentiate scale and character from Hwy 53
- Prohibit "big box" development
- Adopt landscaping and site design standards to enhance overall appearance of a site, reduce impervious surfaces, and better integrate stormwater treatment



- Limit signs and billboards
- Encourage interparcel access to maintain traffic flow in the area
- Accommodate campus-like, mixed-use development

#### **Primary Land Uses**

- Commercial (non "big-box")
- Office
- Smaller warehousing
- Multi-family
- Mixed-use

### **5.1.20 Interstate Commercial**

Interstate Commercial accommodates uses that benefit from good vehicular access, such as close proximity to the interstate, without necessarily having to be visible from the interstate. Curtis Parkway is an example, along which can be found a pool supply store, equipment rentals, store-alls, a carpet distribution center, and a portrait studio.

#### **Development Pattern**

The development pattern should seek to:

- Depict clear physical boundaries and transitions between Interstate Commercial uses and adjacent residential uses
- Minimize curb cuts and encourage interparcel access
- Limit signs and billboards
- Encourage site design that minimizes impervious surfaces, better integrates stormwater treatment, and screens parking and loading from the right-of-way

#### **Primary Land Uses**

- Commercial
- Office
- Warehousing/wholesaling

### **5.1.21 Emerging Mixed Use Center – Regional Activity**

Emerging Mixed Use Center – Regional Activity represents areas that the potential to develop a regionally-marketed mixture of uses, including employment and housing opportunities, due to interstate access and proximity to other larger scale areas that are developed or have the potential to develop. "Big box" retail is appropriate for these areas and should be designed to fit into mixed-use planned development with limited parking that is shared with surrounding uses. The Trimble Hollow/I-75 area is identified as Emerging Mixed Use Center – Regional Activity. The planned Calhoun Bypass includes an interchange at Union Grove Road, just north of the site. This interchange, and the potential for another at Trimble Hollow Road, positions this area for growth.

#### **Development Pattern**

The development pattern should seek to:

- Include a relatively high-density mix of commercial and retail centers, office, services, and employment to serve a regional market area
- Include a diverse mix of higher-density housing types (town homes, apartments, lofts, and condominiums) that can serve a broad range of incomes, including workforce and affordable housing
- Provide strong, walkable connections between different uses
- Connect to nearby networks of greenspace or multi-use trails





Recorded 10/30/2017 1:47  
Doc: WD Rcpt#: 321422  
TRANSFER TAX: 550.00  
TRANSFER TAX ID: 0642017001951  
Grant Walraven, C.S.C.  
GORDON County, Ga  
DEED Bk: 2101 Pg: 261

Return Recorded Document to:  
Brumlow, Corwin & Delashmit, P.C.  
1287 Curtis Parkway SE  
P.O. Box 2500  
Calhoun, GA 30703  
File #0917G131

STATE OF GEORGIA  
COUNTY OF GORDON

**WARRANTY DEED**

This Indenture made this 27th day of October, 2017 between WILLIAM RAY STONE, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and CHAM REAL ESTATE INVESTMENTS LLC, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" 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 sealing and delivery of these presents, the receipt 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 Grantee,

Map Reference GC58-005

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 275 of the 14th District and 3rd Section of Gordon County, Georgia; and being Lot 3 of Bellwood Park Subdivision as per plat recorded in Plat Book 1, Page 183, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

Map Reference ~~GC58-006~~  
GC58-006

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 275 of the 14th District and 3rd Section of Gordon County, Georgia; and being Lot 4 of Bellwood Park Subdivision as per plat recorded in Plat Book 1, Page 183, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

Map Reference ~~GC58-007~~  
GC58-007

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 275 of the 14th District and 3rd Section of Gordon County, Georgia; and being Lots 9 and 10 of Bellwood Park Subdivision as per plat recorded in Plat Book 1, Page 183, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

Map Reference ~~GC58-018~~  
GC58-018

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 275 of the 14th District and 3rd Section of Gordon County, Georgia; and being Lot 11, 12, 40 and 41 of Bellwood Park Subdivision as per plat recorded in Plat Book 1, Page 183, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

Map Reference ~~GC58-015~~  
GC58-015

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 275 of the 14th District and 3rd Section of Gordon County, Georgia; and being Lot 42, 43 and 44 of Bellwood Park Subdivision as per plat recorded in Plat Book 1, Page 183, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

This Deed is given subject to all easements and restrictions of record, if any.

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

Signed, sealed and delivered in the presence of:

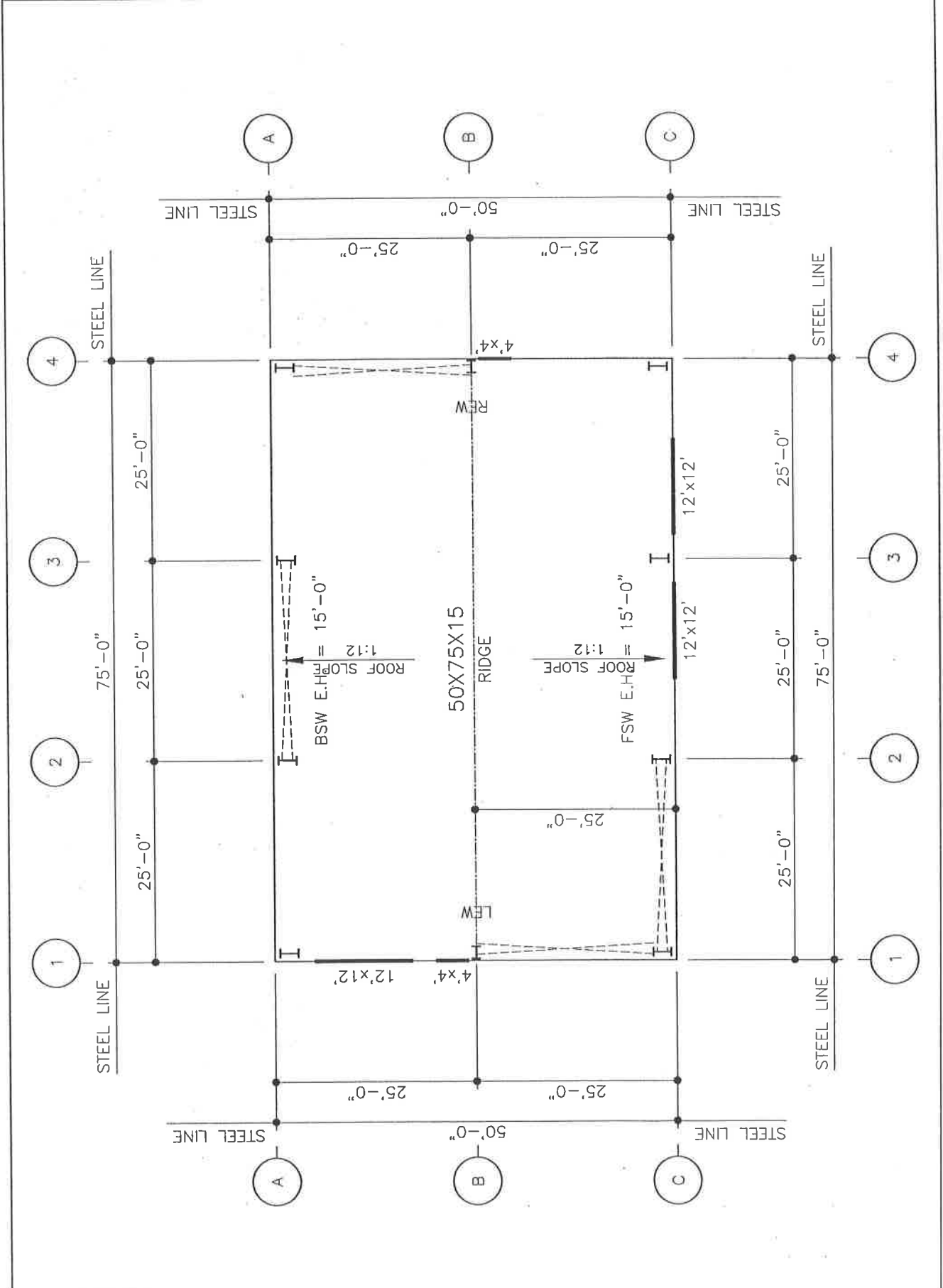
  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
WILLIAM RAY STONE (Seal)

  
\_\_\_\_\_  
Notary Public



\_\_\_\_\_  
(Seal)

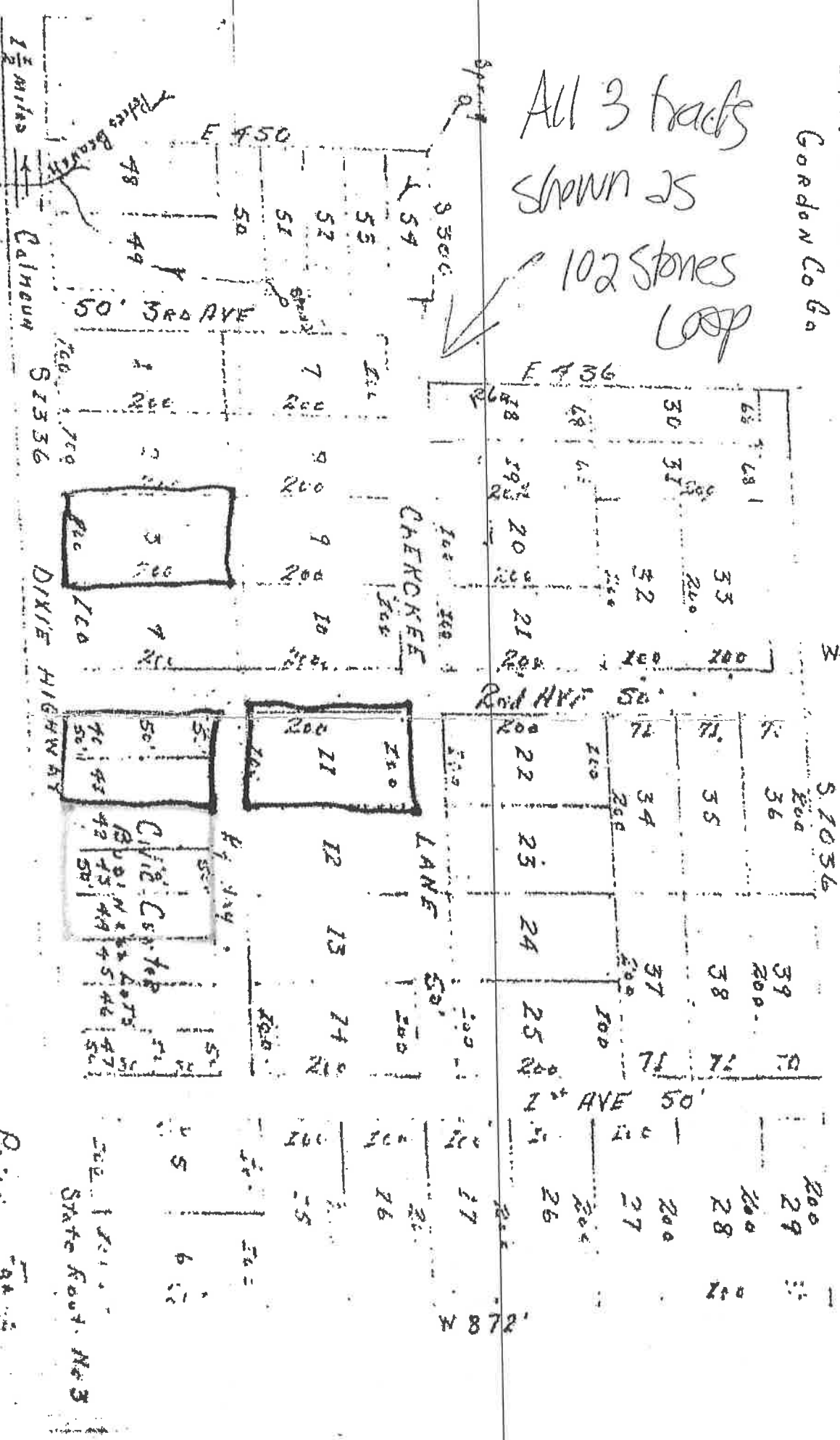


Land Lot 275  
 14th Dist 3rd Sec  
 Gordon Co Ga

All 3 tracts  
 shown as  
 102 Stones  
 Loop



1-103



Usual Restrictions  
 Resident Lots 50' Building Line

Calhoun  
 B.L. Wood Park Addition  
 Sect. 1 = 200

217-21

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 217-21 CHAM Real Estate A1 to C-G

Date: 12/19/17

Reviewed by: Christy Blair

Environmental Health

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

This property is on city sewer, so no issues from EH.

**DEPARTMENTAL REVIEW -- FIRE DEPARTMENT**

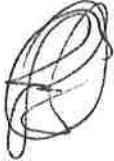
Application # 217-21 CHAM Real Estate A1 to CG

Date: 12/20/17

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.

DEPARTMENT REVIEW - STATE DEPARTMENT OF  
TRANSPORTATION

Application # 217-21 CHAM Real Estate Inv. - Licia Davis

Date: 12/13/17 A-1 to C-G

Reviewed by: Donovan Juelke

State Department of Transportation

Comments, recommendations, or any condition of approval to serve proposed rezoning or variance with State Department of Transportation:

Contact Ga DOT for commercial driveway access.

CITY OF CALHOUN  
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z17-21  
APPLICATION NAME Cham Real Estate  
TYPE OF ZONING: A-1 to C-G  
DATE: 12/12/2017  
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This property is served by an 8" water line running on the west side of Hwy. 41.

SEWER COMMENTS:

This property is served by an 8" Sewer line located along Hwy. 41.

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.