

INFORMATION SHEET FOR REZONING REQUESTS

Application # 218-13 DATE OF READING 06-05-18

REZONE FROM A-1 TO R-6

APPLICANT Cheryl Johnston - Executor

OWNER O'Shields Estate

LOCATION OF PROPERTY Union Grove Church Rd.

Calhoun

DESCRIPTION OF PROPERTY
1.02 ACRES

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

- Approval

STIPULATIONS:

REZONING APPLICATION #Z18-13, THE O’SIELDS ESTATE

(Executor: Cheryl Johnston)

Chairman Rule read rezoning application #Z18-13, The O’Shields Estate, (Executor: Cheryl Johnston), requesting to rezone 1.02 acres located at 480 Union Grove Church Road, Calhoun from A-1 to R-6. Ms. Johnston represented the request explaining that she was dividing the estate of her late mother and the original property was 6.02 acres and this 1.02 acres has an existing mobile home so she needs to bring it into compliance. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z18-13 be approved.

Eddie Smith made the motion to approve the rezoning application identified as #Z18-13 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.

VARIANCE APPLICATION #V18-06, LEE HUNT

Chairman Rule read variance application #V18-06, Lee Hunt, requesting a variance on a 1.10 acre tract located at 3615 Roland Hayes Parkway, Calhoun. Mr. Hunt represented the request explaining that he had already bought an 18x31 metal storage building to replace the old existing one and he wasn’t aware of the ordinance, so he would like to request a variance to increase the size to 558 square feet from the county requirements of 500 square feet. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V18-06 be approved as requested.

Nathan Serritt made the motion to approve the variance application identified as #V18-06 as requested and increase the metal structure requirements to 558 square feet. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

ADDITIONAL BUSINESS

There being no additional business, Eddie Smith made the motion to adjourn. Jerry Lovelace seconded the motion. All voted aye. The meeting was adjourned at 6:44 p.m.

Zelda Gregg, Secretary

Randy Rule, Chairman
Butch Layson, Vice-Chairman

**Cover Sheet
Proposal for Land Use Action**

Application Number: 218-13 Present Zoning: A-1 Proposed Zoning: R-6

Date of Planning Commission Meeting: MAY 14, 2018

Date of Board of Commissioners' Meeting: JUNE 5, 2018

Applicant: CHERYL JOHNSON - EXECUTOR OF ESTATE

Property Owner: (if different from applicant) MARIE O'SHEA'S ESTATE

Property Address: 480 UNION GROVE CH. RD. CALHOUN, GA

Said Property having a frontage of 100.42 feet and containing 1.02 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: TO DIVIDE PARCEL FROM 6.02 ACRES TO
5 TRACTS PER WISHES OF M. O'SHEA'S. THIS REZONE
TRACT FROM AGRICULTURE TO

Reason for Proposed Action: TO FULFILL MY ^{DUTIES AS} EXECUTOR OF
MY MOTHER'S ESTATE AS BEST I CAN. THIS
TRACT NEEDS TO BE REZONED. PROPERTY IS
BEING SUBDIVIDED WITH EXISTING MOBILE HOME.

Directions to Property: EAST ON HWY 53. TURN RIGHT
ON UNION GROVE CH. RD, PROCEED TO
HOUSE ON LEFT EMERGENCY # IS ON
THE END OF THE DRIVEWAY. JUST
PAST 476.

Map 058A-010(split)

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: April 27, 2018

Application # Z18-13

Applicant: Cheryl Johnston

Property Owner: O'Shield's Estate

Location of Property: 480 Union Grove Church Rd., Calhoun, GA 30701

Property Frontage: 100.42 Lot Feet **Tract Size:** 1.02 acres

Proposed Action: Rezone from A-1, Agricultural District to R-6, Manufactured Housing.

Reasons for Proposed Action: The property has been subdivided into several tracts per my mother's wishes and I need to rezone this tract in order to bring it into compliance with an existing mobile home.

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 with EH.
- ***Building Department:*** N/A
- * ***Fire Department:*** O.K.
- * ***Gordon County School System:*** N/A
- * ***Road Department:*** If driveway access is off county road driveway must be approved by the Public Works Dept.
- * ***Georgia Dept. of Transportation:*** N/A
- * ***Water & Sewer (City of Calhoun):*** This property is served by an 8" 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 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 A-1, Agricultural zoning used for residential purposes, also R-1, Low Density Residential in close proximity.

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.

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.

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 and/or may impede on traffic flow since there will be no work performed there.

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. The primary land uses are Single-family residential, Passive and active recreation, and Civic/institutional.

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 property was subdivided with an existing mobile home per wishes from their deceased parent's; needs to be rezoned to bring it into compliance with zoning also, it is consistent with the Future Land Use Map.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z18-13 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.

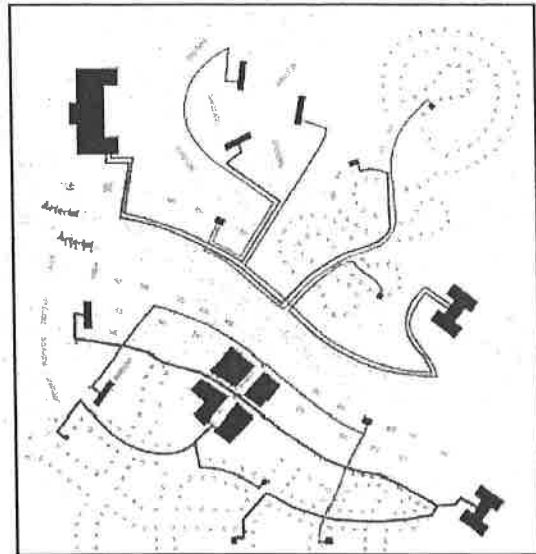


7. Emerging Suburban (con't.)

Development Pattern

The development pattern should seek to:

- Respect the rural character
- Provide adequate open space
- Provide a 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



DB 287p 185

STONEMOUNT COUNTY, GEORGIA
Real Estate Transfer Tax

Paid \$ -0-
Date 8-4-88

Lewis Couch

Gordon Clerk of Superior County.



STATE OF GEORGIA,

THIS INDENTURE, made this 27 day of July
in the year of our Lord One Thousand Nine Hundred and Eighty-Eight

between Jesse J. O'Shields
of the State of Georgia and County of Gordon of the first part
and Marie O'Shields
of the State of Georgia and County of Gordon of the second part

WITNESSETH: That the said part Y of the first part, for and in consideration of the sum of
ten dollars and no/100 and other valuable considerations DOLLARS
in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged
ha ve granted, bargained, sold and conveyed and by these presents do es grant, bargain, sell and convey
unto the said part, Y of the second part, _____ heirs and assigns, all that tract or

parcel of land lying and being in Land Lot 212 of the 15th District, 3rd Section,
Gordon County, Georgia, and being a parcel containing 6.02 acres as
shown per plat of survey for Jesse J. and Marie O'Shields prepared by
Carl F. Freeman, Jr. Georgia Registered Land Surveyor, dated July 27,
1976, and being more particularly described as follows:

BEGINNING at an iron pin on the northeasterly right-of-way of Union
Grove Church Road, which iron pin is 159.85 feet as measured north
01° 43' 29" west from the northwest intersection of Pioneer and
Union Grove Road; running thence south 24° 16' east along south-
easterly right-of-way of Union Grove Church Road a distance of 95.01
feet to a point; continue thence south 13° 44' east along the easterly
right-of-way of Union Grove Church Road a distance of 110.96 feet to
an iron pin; running thence north 79° 59' east a distance of 305.23'
to an iron pin; running thence north 00° 05' west a distance of 1023.76
feet to a rock pile; running thence north 88° 47' west a distance of
524.25' to an iron pin; running thence south 06° 12' east a distance
of 232.44' to a 12 inch diameter Oak; running thence north 48° 59' 47"
east a distance of 194.55 feet to an iron pin; running thence south
34° 19' east 248.66 feet to an iron pin; running thence south 00° 33'
37" west 179.68 feet to an iron pin; running thence south 69° 34' 53"
east a distance of 142.71 feet to an iron pin; running thence south
16° 37' 26" east a distance of 83.18 feet to a point; running thence
south 02° 35' 02" west a distance of 79.48 feet to an iron pin; running
thence south 41° 33' 35" west a distance of 207.06 feet to an iron pin;
running thence south 74° 16' 25" west a distance of 173.18 feet to an
(legal description cont. on reverse side)

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

And the said part _____ of the first part, for _____ heirs, executors and administrators
will warrant and forever defend the right and title to the above described property unto the said part _____ of the
second part, _____ heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said part _____ of the first part ha _____ hereunto set _____ hand
and affixed _____ seal _____ the day and year above written. CONTINUED

Signed, sealed and delivered in the presence of

Pat Richards
Mary Holden Notary Public
Secretary of Commission 6/16/90
N.P. SEAL AFFIXED

Marie O'Shields (Seal)

_____ (Seal)

on pin on the northeasterly right-of-way of Union Grove Church Road
and the point of beginning. (in reference probate of will Jesse
J. O'Shields in Gordon County Probate Court)

FILED & RECORDED: 8-4-88 LEWIS COUCH, CSC

WARRANTY DEED

FROM

Jesse J. O'Shields

TO

Marie O'Shields
(Executrix)

Georgia, Horden County

Clerk's Office, Superior Court.

Filed for Record at 11 o'clock A.M.

August 4, 1988

Recorded in Book 287 Folio _____

August 4, 1988

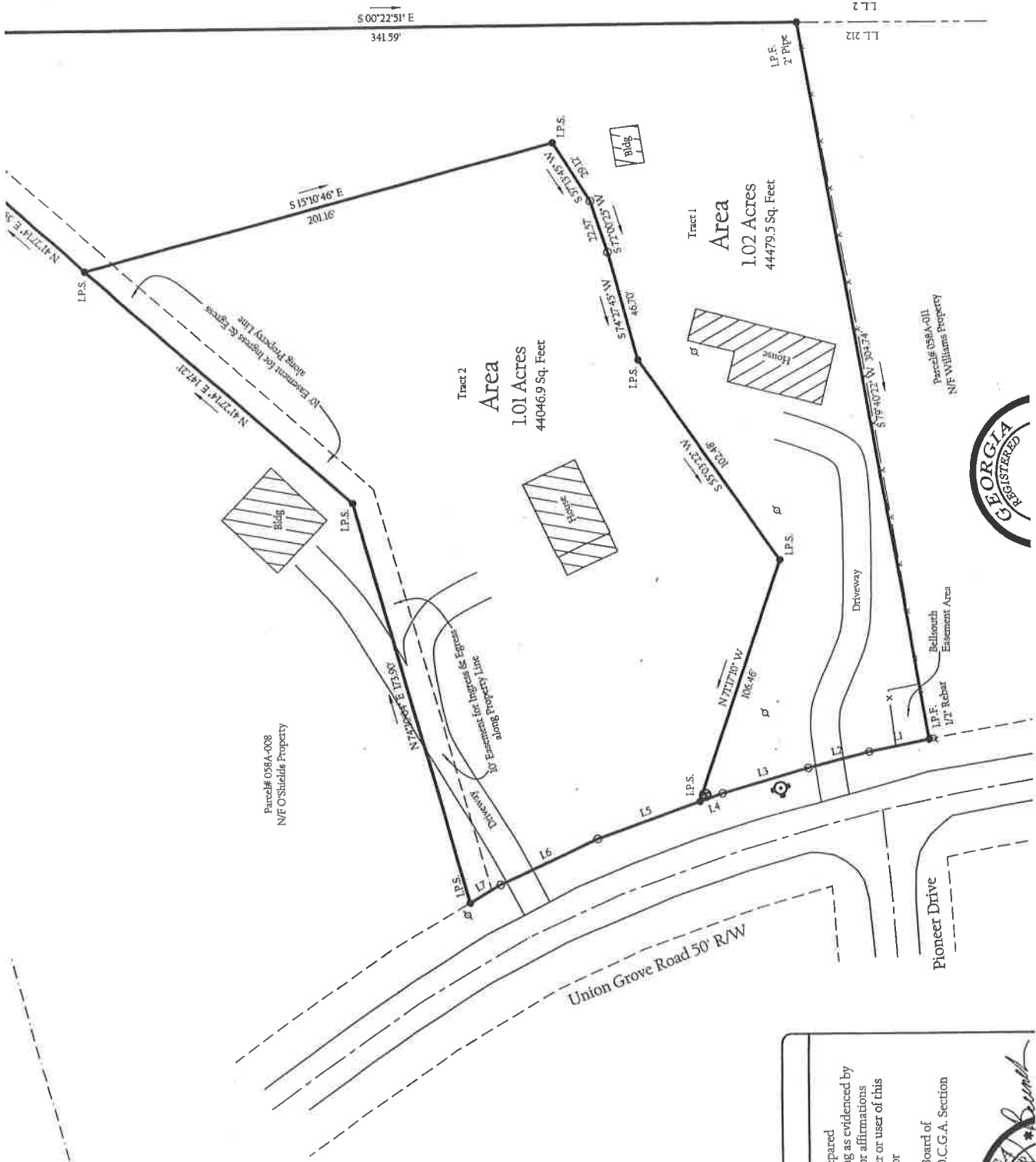
Minard Stry sg Clerk

S 00°22'51" E 685.61'
from the North Easer
corner of Land Lot 212

Parcel# 058A-011
N/F Williams Property

Boundary Data

LINE	BEARING	DISTANCE
L1	N 11°17'20" W	26.32'
L2	N 14°13'42" W	26.64'
L3	N 18°11'24" W	37.41'
L4	N 19°40'13" W	10.15'
L5	N 19°40'13" W	45.57'
L6	N 24°46'02" W	44.74'
L7	N 30°54'55" W	14.70'



This plat has been prepared by me or under my direct supervision and I am a duly Licensed Professional Surveyor in the State of Georgia. I hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the purchaser or user of this plat.

Surveyor's Name: _____
 State of Georgia
 O.C.G.A. Section _____

DEPARTMENT REVIEW – ENVIRONMENTAL HEALTH

Application # 218-13 Johnston A-1 to R6

Date: 4/26/18

Reviewed by: Christy Blair

Environmental Health

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

No issues with EH

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

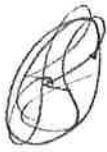
Application # 218-13 Johnston A-1 to R6

Date: 4/27/18

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.
4/27/18

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z18-~~0~~13
APPLICATION NAME Cheryl Johnston
TYPE OF ZONING: A-1 to R-~~A~~6
DATE: 4/27/2018
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by an 8" 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 # 218-13 Johnston A-1 to R-1 R-6
Date: 1-25-18
Reviewed by: Rusty Hagan / Steve Parris

ROAD DEPARTMENT

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

IF driveways access is off county Rd
driveway must be approved by
Public Works Dept.