

INFORMATION SHEET FOR REZONING REQUESTS

Application # 218-18 DATE OF READING 7-17-18

REZONE FROM A-1 TO R-1

APPLICANT Michael Hicks

OWNER _____

LOCATION OF PROPERTY 3003 Redbud Rd.

Calhoun

DESCRIPTION OF PROPERTY

1.38 ACRES

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

1. Approval

STIPULATIONS:

Eddie Smith made the motion to approve the rezoning application identified as #Z18-17 from A-1 to R-4. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V18-12, ERNEST C. SADLER

Chairman Rule read variance application #V18-12, Earnest C. Sadler, requesting a variance on a 1.06 acre tract located at 137 Aubrey Ave., N.E., Calhoun. Mr. Sadler represented the request explaining that he would like to increase the size of a metal carport to 738 square feet for his camper on an existing concrete pad. The building would be 18x41 therefore requesting a variance of 238 square feet. All adjoining property owners had been notified.

Ursula Richardson, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V18-12 be approved as requested.

Jerry Lovelace made the motion to approve the variance application identified as #V18-12 as requested and increase the metal structure requirements to 738 square feet. Eddie Smith seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

REZONING APPLICATION #Z18-18, MICHAEL HICKS

Chairman Rule read rezoning application #Z18-18, Michael Hicks, requesting to rezone a 1.38 acre tract located at 3003 Red Bud Rd., Calhoun from A-1 and R-1. Mr. Hicks represented the request explaining that this property had been subdivided with an existing old house that he has now torn down and in order to rebuild he needs to rezone 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 #Z18-18 be approved.

Eddie Smith made the motion to approve the rezoning application identified as #Z18-18 from A-1 and R-1. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

ADDITIONAL BUSINESS

There being no additional business, Jerry Lovelace made the motion to adjourn. Eddie Smith seconded the motion. All voted aye. The meeting was adjourned at 6:13 p.m.

Cover Sheet
Proposal for Land Use Action

Application Number: 218-18 Present Zoning: A-1 Proposed Zoning: R-1

Date of Planning Commission Meeting: July 9, 2018

Date of Board of Commissioners' Meeting: July 17, 2018

Applicant: Michael Hicks

Property Owner: *(if different from applicant)* _____

Property Address: 3003 Red Bud Rd., Calhoun GA 30701

Said Property having a frontage of 204.33 feet and containing 1.38 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Would like to rebuild a house on the property.

Reason for Proposed Action: Property was subdivided by family into 4 tracts. Would like to rezone this tract to be compliance w/U.L.D.C.

Directions to Property: Red bud Rd. property on right just past Mass Creek subdivision.

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: June 22, 2018

Application # Z18-18

Applicant/Property Owner: Michael Hicks

Location of Property: 3003 Red Bud Rd., Calhoun, GA 30701

Property Frontage: 204.33 Lot_Feet Tract Size: 1.38 acres

Proposed Action: Rezone from A-1, Agricultural District to R-1, Low density residential

Reasons for Proposed Action: The property was subdivided by family into 4 tracts. I would like to rezone this tract to be in compliance w/ULDC to rebuild a house.

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:*** A temporary septic permit was issued to Michael Hicks by my office on May 16, 2018 (see attached).
- ***Building Department:*** N/A
- * ***Fire Department:*** O.K.
- * ***Gordon County School System:*** N/A
- * ***Road Department:*** N/A
- * ***Georgia Dept. of Transportation:*** Contact Stacey Siniard concerning residential driveway at 770-387-3680
- * ***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 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 and residential property used for residential uses.

2. Whether the proposed zoning will adversely affect the existing use of usability of adjacent or 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 requirements for A-1 zoning and it cannot be used for residential as currently zoned because of the subdividing of property.

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 impede on traffic flow. There was a house on the property at one time.

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. 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 proposed zoning is compatible with our Future Land Development Map.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z18-18 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

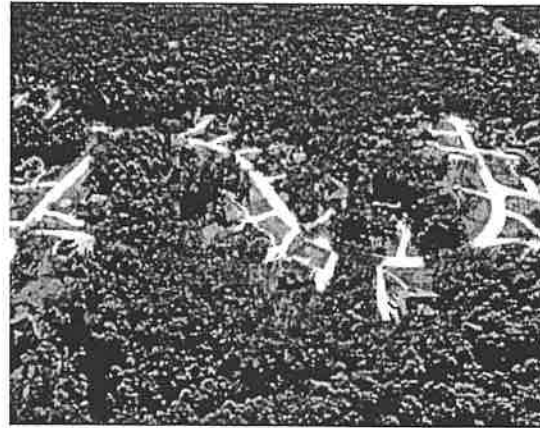
- Agricultural
- Low-intensity single-family residential
- Passive recreation

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.

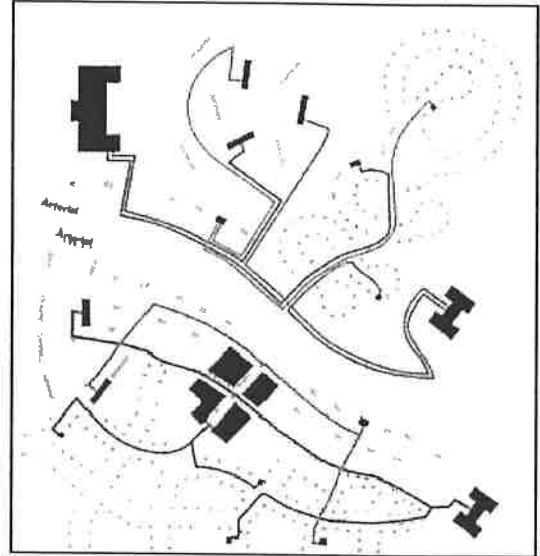


7. Emerging Suburban (con't.)

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



Recorded 12/15/2017 2:25
Doc: WD Rcpt#: 322137
TRANSFER TAX: 23.00
TRANSFER TAX ID: 0642017003314
Grant Walraven, C.S.C.
GORDON County, Ga
DEED Bk: 2110 Pg: 363

Return Recorded Document to:
Brumlow, Corwin & Delashmit, P.C.
1287 Curtis Parkway SE
P.O. Box 2500
Calhoun, GA 30703
File #1217G409

STATE OF GEORGIA
COUNTY OF GORDON

WARRANTY DEED

This Indenture made this 14th day of December, 2017 between SARAH P. OLIVER, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MICHAEL HICKS, 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,

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 146 of the 7th District and 3rd Section of Gordon County, Georgia; and being Tract 1 containing 1.38 acres as per plat recorded in Plat Book 51, Page 61, 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.

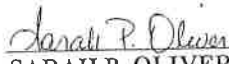
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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



SARAH P. OLIVER (Seal)

Notary Public



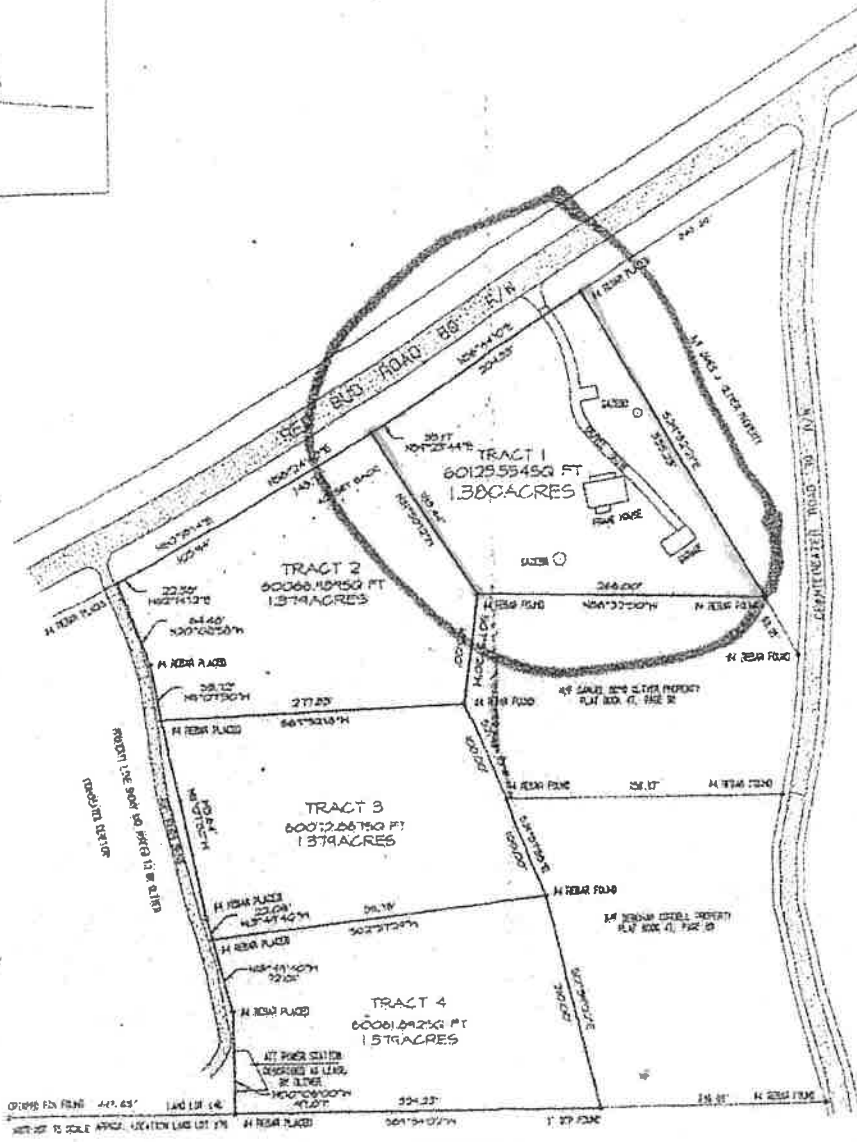
SUBDIVISION SURVEY FOR THE OLIVER ESTATE

FOR AN EQUAL DIVISION AMONG HEIRS



FINAL PLAT DOCUMENT
MAY BE RECORDED
THIS DOCUMENT HAS BEEN REVIEWED AND
ACCEPTED BY GORDON COUNTY AS THE
FINAL PLAT OF THIS SUBDIVISION WHICH BEING
SO DATED BY ALL DEPARTMENTS AND OFFICES NECESSARY
BUILDING: 11/11/11
ZONING: Residential S1P143
RECORD: 212114
HEARING: 11/11/11 4:30 PM
PLAN: 11/11/11 43112

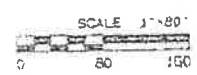
Tracts 1, 2, 3 & 4 are not in compliance with the U.L.D.C.



Reference to U.L.D.C. 310
and 311.100.100.100
shall not apply to this
subdivision as the
plan is not in compliance.

PROPERTY OWNERS DEVELOPER
SAMUEL OLIVER
100 GRAYLEY ROAD SE
CALDWELL, GA 30135
770-993-1022

SETBACKS
FRONT 4 FT
SIDE 5 FT
REAR 2 FT



DATE OF FIELD SURVEY: 10/20/11
DATE OF PLAT: 11/15/11

16500
L.P. - NON PLACED
L.T. - NON PLACED
C.L. - LAND LOT LINE
C.A. - CENTERLINE
P.L. - PROPERTY LINE
R.W. - ROAD OF WAY
H. - HOME HOLD

THIS PROPERTY IS NOT SHOWN TO BE IN
A FLOOD HAZARD ZONE ACCORDING TO
FLOOD MAPS PROVIDED BY FEMA
COMMUNITY PANEL NO. 131200 -- 01000, 03700

THIS PLAT SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO
BE ACCURATE WITHIN ONE FOOT IN 200,000 FEET.
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE
PRECISION OF ONE FOOT IN 10,000+ FEET AND AN ANGULAR ERROR OF
30" PER ANGULAR POINT, AND WAS ADJUSTED USING THE COMPOUND RULE
FIELD WORK WAS DONE BY USING A NIKON MP-102
DS-3 SECOND TOTAL STATION & TDS RECORD DATA COLLECTOR.

TOTAL AREA: 5.517 ACRES
TOTAL TRACTS: 4
ZONING: A1
AVG LOT SIZE: 1.374 ACRES
TRACT 4 TO BE COMBINED WITH TROBROW CONTELL PROPERTY
TRACT 3 TO BE COMBINED WITH SANDAL OLIVER PROPERTY
TRACT 1 TO REMAIN AS PARENT PARCEL
TRACT 2 NEWLY CREATED PARCEL

FOR ANY LOTS DEVELOPED UPSTREAM OF ANY EXISTING
CROSSING, PARALLEL TO ROAD OR DIVERSION SHALL BE
NO LESS THAN 7' ABOVE THE LEGAL POINT IN THE ROAD
REZONING REQUIRED FOR PLAT APPROVAL

Call Before You Dig



Utilities Protection Center
(800) 262-7411

THE EXISTING UTILITIES SHOWN ON THIS PLAN WERE OBTAINED
FROM VARIOUS UTILITY COMPANIES. SEPARATE AGENCIES
AND AGENT SHOULD IDENTIFY THE EXISTING UTILITIES
AND CLAIM TO THE COMPLETION OF THIS INFORMATION. THE SIZE,
LOCATION OR DEPTH OF UTILITIES MAY BE UNUSUAL DURING
EXCAVATION. PRIOR TO EXCAVATING ANY EARTH DISTURBANCE OPERATION,
THE UTILITY PROTECTION CENTER MUST BE NOTIFIED.

McBrayer
Land Surveying
Inc.
107 PROFESSIONAL CT. COLLEEN, GA 30701
Phone: (706) 622-8240

DAVID McBRAYER, L.S.
Georgia RLS No. 3064

LAND LOT: 146
DISTRICT: 7th
SECTION: 3rd
COUNTY: GORDON
STATE: GEORGIA

11/15/11

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 218-18 Hicks A-1 to R-1

Date: 6/19/18

Reviewed by: Christy Blair

ENVIRONMENTAL HEALTH

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

A temporary septic permit was issued to Michael Hicks by my office on May 16, 2018.
(See attached).

Existing On-site Sewage Management System Performance Evaluation Report Form

Applicant: MICHAEL HICKS		Reason for Existing Sewage System Evaluation: PLACING HOUSE IN SAME SPOT AS OTHER ONE	
Property/System Address: 3003 RED BUD RD RANGER, GA 30734			
Subdivision Name:	Lot:		Block:
Existing System Information: Water Supply (circle) <input checked="" type="radio"/> Public <input type="radio"/> Private Well <input type="radio"/> Community	Number of Bedrooms/GPD: 3/0		Garbage Grinder: (circle) <input type="radio"/> Yes <input checked="" type="radio"/> No

*** One of Section A, B, or C should be Completed ***
SECTION A - System on Record

(1) Yes (2) No	Existing On-site Sewage Management System inspection records indicate that all components of the system were properly constructed and installed at the time of the original inspection.	Comments: RED BUD RD, GO PAST MOSS CREEK AND CEMETARY, 1ST DRIVE ON RIGHT. (BARN AND GAZEBO TO LT OF HS) OWNER MICHAEL HICKS 770-878-0303. BUILDING A HOUSE IN SAME SPOT. 3 BED ROOMS.	
(1) Yes (2) No	A copy of the original On-site Sewage Management System Inspection Report is attached.		
(1) Yes (2) No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years or the system was installed within that time frame.		
(1) Yes (2) No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system.		
Evaluating Environmentalist	Title:	Date:	I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

SECTION B - System Not on Record

<input checked="" type="radio"/> Yes	No inspection records are on file showing the On-site Sewage Management System was inspected and approved at the time of the installation	Comments: A new 1000 gallon tank and 100' of chamber was installed as a repair on 5-25-2002.	
<input checked="" type="radio"/> Yes (2) No	The septic tank was uncovered at the time of the evaluation and it appears to meet the required design, construction and installation criteria.		
(1) Yes <input checked="" type="radio"/> No	Documentation from a Georgia Certified Installer has been provided as to the condition of the septic tank and its respective components, certifying its design, construction, and installation criteria. A copy is attached.		
(1) Yes <input checked="" type="radio"/> No	Maintenance records indicate that the system has been pumped out or serviced within the last five (5) years or the system was installed within that time frame.		
<input checked="" type="radio"/> Yes (2) No	A site evaluation of the system on this date revealed no evidence of system failure or of conditions which would adversely affect the functioning of the system; however, appropriateness of the sizing and installation cannot be verified since no initial inspection records exist.		
Evaluating Environmentalist	Title:	Date:	I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.
	Environmental Health County Manager	16-May-18	

SECTION C - System Not Approved

(1) Yes (2) No	The On-site Sewage Management System was disapproved at the time of the initial and is thus not considered an approved system.	Comments: TEMPORARY PERMIT: 200' of drain field must be added to the existing system to allow for a 3 bedroom SFR. Please have installer call for inspection prior to covering. Pump tank, check T's, clean filter and replace.	
(1) Yes (2) No	Evaluation of the system revealed evidence of system failure or malfunction, and will therefore require corrective action in order to obtain approval of the system.		
(1) Yes (2) No	Evaluation of the system revealed conditions which would adversely affect the proper functioning of the system, and will therefore require corrective action in order to obtain approval of the system.		
Evaluating Environmentalist	Title:	Date:	I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

SECTION D - Addition to Property or Relocation of Home (section completed in conjunction with A, B, or C above)

(1) Yes (2) No	An existing On-site Sewage Management System is located on the property listed above and has been evaluated in accordance with Section A or B above.	Comments:	
(1) Yes (2) No	A site evaluation on this date as well as the provided information indicate that the proposed construction to home or property or that the proposed relocation of the home should not adversely affect the proper functioning of the existing system provided that no additional sewage load is added to the system for the listed size home adjacent.	Number of Bedrooms/GPD: 3	Garbage Grinder: (circle) <input type="radio"/> Yes <input checked="" type="radio"/> No
Evaluating Environmentalist	Title:	Date:	I verify this data to be correct at the time of the evaluation. This verification shall not be construed as a guarantee of the proper functioning of this system for any given period of time. No liability is assumed for future damages that may be caused by malfunction.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 218-18 HICKS A-1 to R-1

Date: 6/15/18

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.

6/15/18

DEPARTMENTAL REVIEW – STATE OF DEPARTMENT TRANSPORTATION

Application # Z18-18 Hicks A-1 to R-1

Date: 6/18/18

Reviewed by: Donovan Lucken

STATE DEPARTMENT OF TRANSPORTATION

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

Contact Stacey Siniard concerning residential driveways at 770-387-3680

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z18-18
APPLICATION NAME Micheal Hicks
TYPE OF ZONING: A-1 to R-1
DATE: 6/15/2018
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.