

INFORMATION SHEET FOR REZONING REQUESTS

Application # 219-06 DATE OF READING 6-18-19
REZONE FROM A-1 TO R-1

APPLICANT Russell Owen

OWNER _____

LOCATION OF PROPERTY 1150 Erwin Hill Church Rd.
Calhoun

DESCRIPTION OF PROPERTY
0.67 ACRES

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

- Approval

STIPULATIONS:

**GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
JUNE 10, 2019**

The Gordon County Planning Commission held a Public Hearing on Monday, June 10, 2019 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 | Eddie Smith |
| Jerry Lovelace | Nathan Serritt |
| Butch Layson | |

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 May 13, 2019. Eddie Smith seconded the motion. All voted aye. The minutes were approved as written.

REZONING APPLICATION #Z19-06, RUSSELL OWEN

Chairman Rule read rezoning application #Z19-06, Russell Owen, requesting to rezone a .67 acre tract located off of 1150 Erwin Hill Church Road, Calhoun from A-1 to R-1. Mr. Owen represented the request explaining that he would like to subdivide off a .67 acre tract from his 35 acre tract for his daughter to build a home. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z19-06 from A-1 to R-1. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z19-07, THOMAS F. BROWN (applicant)
B & J Development Co., LLC (owner)**

Chairman Rule read rezoning application #Z19-07, Thomas F. Brown (applicant) and B&J Development Co., LLC (owner), requesting to rezone a 3 acre tract located at the Southeast corner of Cash Road and Old Boone Ford Road, Calhoun from RA-1 to C-G. Mr. Brown represented the request explaining that he wants to purchase this property, contingent to the zoning request being granted, and then develop an indoor and outdoor mini storage facility. He also stated that he lives next door to this site, that there would no restrooms at this facility, that he is working with the Gordon County Public Works Dept. on the commercial right-of-way entrance, and that he was not aware of any covenants in the area. All adjoining property owners had been notified.

**Cover Sheet
Proposal for Land Use Action**

Application Number: 219-06 Present Zoning: A-1 Proposed Zoning: R-1

Date of Planning Commission Meeting: June 10, 2019

Date of Board of Commissioners' Meeting: June 18, 2019

Applicant: Russell Owen

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

Property Address: split off of 1150 Erwin Hill Ch. Rd., Calhoun

Said Property having a frontage of 1660 feet and containing 0.67 acres.

Future Development Map Classification: Emerging Mixed Use - Community

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: A-1 to R-1 - subdividing off
0.67 acre from larger tract.

Reason for Proposed Action: giving my daughter a place
to build a house

Directions to Property: Hwy 53 East to Bud Herdy Rd.
Right. to the intersect. on of Bud Herdy Rd
& Erwin Hill Church Rd. Turn Left go
approximately 600 feet to the lot on the left

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: May 24, 2019

Application # Z19-06

Applicant/Property Owner: Russell Owen

Location of Property: Split off of 1150 Erwin Hill Church Rd. SE, Calhoun, GA 30701

Property Frontage: 166 Lot Feet **Tract Size:** 0.67 acres

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

Reasons for Proposed Action: I would like to subdivide the property off in order to deed it to my daughter to a build house.

Future Development Map Classification: Emerging Mixed Use - Community

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 w/division of property.
- * ***Building Department:*** N/A
- * ***Fire Department:*** OK.
- * ***Gordon County School System:*** N/A
- * ***Road Department:*** Driveway must be approved by the Gordon County Public Works Dept.
- * ***Georgia Dept. of Transportation:*** N/A.
- * ***Water & Sewer (City of Calhoun):*** This area is served by a 6" water line. No 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.

The proposed property is adjacent to agricultural zoning and several subdivisions in the area which are currently zoned R-1, Low density residential.

2. Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.

The proposed zoning will not adversely affect the existing use or 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 exceeds the minimum lot size requirements for A-1 zoning and has the potential to be developed accordingly.

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.

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 Mixed-Use Community on the Gordon County Future Development Map. This classification supports land uses intended for Commercial (30%), residential (40%), multifamily residential (20%), Industrial (10%).

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 is in compliance with the future land development map.

Planning Staff's Recommendation:

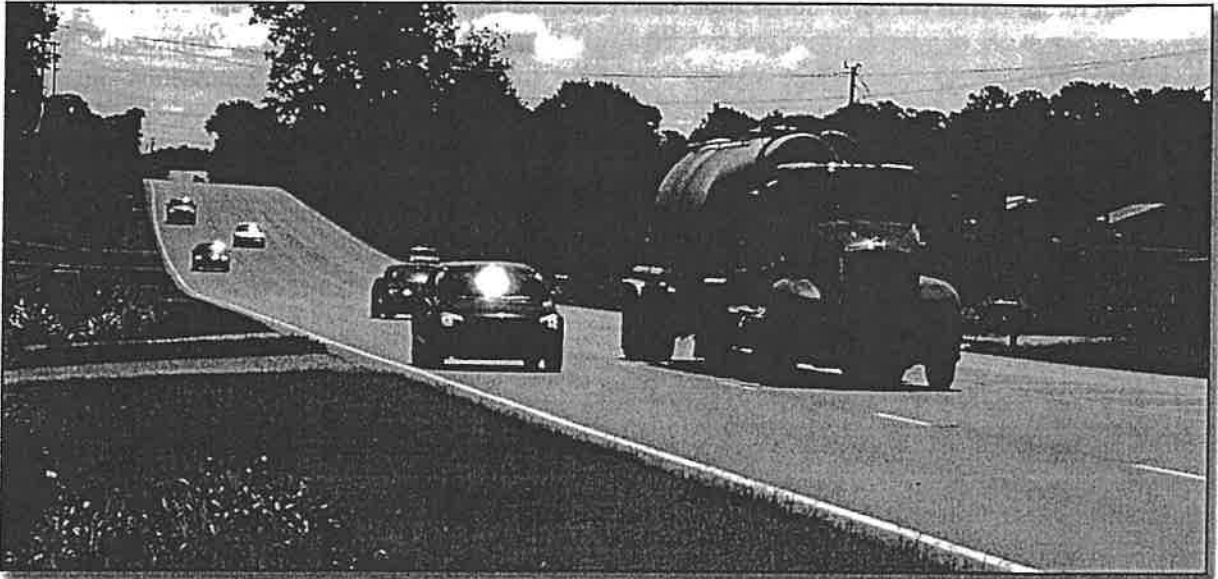
The rezoning request identified as Application #Z19-06 is recommended for approval.

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

EMERGING MIXED-USE COMMUNITY

Description:

These are areas that are likely to see an increase in commercial, industrial and residential. This category occurs in the area near the Union Grove Interchange on I-75, as well as in the Sonoraville area on Hwy 53 (near Sonoraville High School) and in the Red Bud Road area. The Sugar Valley area in Northwest Gordon County is also expected to see more mixed-use development.



SR 53 Sonoraville (Dollar General on Right).

Development Strategies/Policies:

- ❖ Infrastructure: Some of these areas are rural than traditional mixed-use communities that typically occur in more urbanized areas. Ensure that all necessary infrastructure is in place to support such development.
- ❖ Zoning: Zoning (and other necessary ordinances and regulations) is crucial to the proper development of mixed-use communities. Care has to be taken when combining commercial and residential as some commercial businesses can be loud, clog streets or take up all available parking. There are numerous other possible pitfalls as well, if not properly thought out
- ❖ Development of Housing: Housing in these areas is of particular interest to younger generations and younger families, including millennials who prefer to live, work and play in the same community. Housing should be encouraged that is quality, affordable and include amenities.
- ❖ Pedestrian-friendly: These areas should walkable and include sidewalks, trails, bike lanes and Streetscapes.
- ❖ Greenspace/Recreation: These areas should have access to parks, playgrounds and natural areas, especially because housing in these areas tend to have smaller lot sizes, if any outdoor space at all.
- ❖ Public Services: These areas should have access to schools, medical care and other services.

Land Uses: Commercial (30%), residential (40%), multifamily residential (20%), industrial (10%)

219-06

Recorded 12/04/2017 4:13
Doc: QCD Rcpt#: 321956
TRANSFER TAX ID: 064002225
Grant Walraven, C.S.C.
GORDON County, Ga
DEED Bk: 2108 Pg: 205

Return Recorded Document to:
Brumlow, Corwin & Delashmit, P.C.
1287 Curtis Parkway SE
Calhoun, GA 30703
File #1017G223

STATE OF GEORGIA, COUNTY OF Gordon

QUITCLAIM DEED

THIS INDENTURE, Made the 27th day of November, 2017, between **LII SHIUH LOU AND MAY HWA LOU** of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **RUSSELL OWEN** of the State of Georgia, 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 one dollar (\$1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever **QUITCLAIM** unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 26 of the 6th District and 3rd Section of Gordon County, Georgia and being that certain 35.75 acres according to a plat of survey recorded at Plat Book 54, Page 147, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:



(Unofficial witness)



(Notary Public)

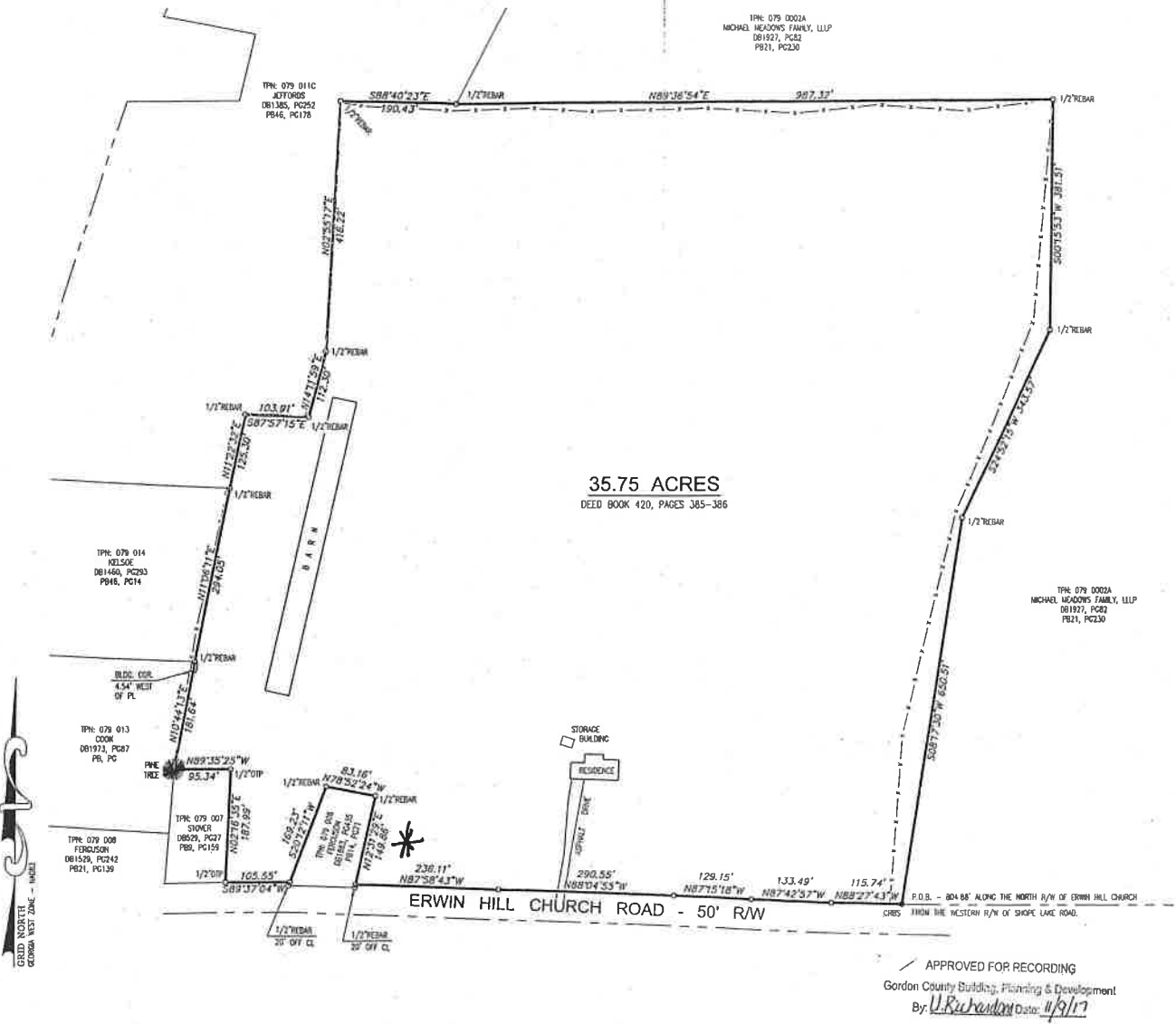
 (Seal)
LII SHIUH LOU

 (Seal)
MAY HWA LOU



eFiled & eRecorded
 DATE: 11/9/2017
 TIME: 4:33 PM
 PLAT BOOK: 00054
 PAGE: 00147
 RECORDING FEE: 8.00
 PARTICIPANT ID: 7981764245
 CLERK: Grant Walraven
 GORDON COUNTY, GA

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT



SURVEYORS CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes in any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and set forth in O.C.G.A. Section 45-6-67.

Reference: Deed Book 420, pages 385-386

Russell Owen
 H. Gregory Massey - PLS 27100
 Date: 10/06/2017

GENERAL NOTES

1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1" IN 15,550 FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE METHOD.
2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1" IN 672,513 FEET.
3. EQUIPMENT USED: SINOVA TOTAL STATION WITH DATA COLLECTOR WAS USED TO OBTAIN ANGULAR AND DISTANCE MEASUREMENTS.
4. TOWNSHIP R-4, MODEL 4 DUAL FREQUENCY GPS UNIT WAS USED FOR ESTABLISHING CONTROL. A NETWORK ADJUSTED R/W SURVEY WERE OBTAINED BY USE OF THE REAL TIME NETWORK OPERATED BY GPS SOLUTIONS.
5. ALL HORIZONTAL DISTANCES SHOWN ARE GROUND DISTANCES.
6. MEASURING UNITS OF THIS SURVEY ARE IN U.S. FEET.
7. PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY, RECORDED AND UNRECORDED.
8. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. SUBJECT AND ADJACENT PROPERTY OWNERS DEED REFERENCES WERE OBTAINED FOR CLERK OF SUPERIOR COURT RECORDS AND ARE NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS.
9. THIS SURVEY WAS PROVIDED FOR THE EXCLUSIVE USE OF THE PERSONS OR ENTITY NAMED HEREON. THIS SURVEY DOES NOT EXTEND TO UNNAMED PERSONS, PERSONS OR ENTITY WITHOUT EXPRESS CERTIFICATION BY THE SURVEYOR NAMED SAID PERSON, PERSONS OR ENTITY.
10. ACCORDING TO THE "FLOOD INSURANCE RATE MAP" OF GORDON COUNTY, GEORGIA, PARCEL NO. 13123022000, DATED: SEPTEMBER 26, 2006. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD AREA PER GEOPHYSICAL PLUTING.
11. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED O.C.G.A. 15-6-67 AS AMENDED BY HB1004(2018), IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.

RETRACEMENT SURVEY FOR:

RUSSELL OWEN
 LOCATED IN LAND LOT 26
 6th DISTRICT, 3rd SECTION
 GORDON COUNTY, GEORGIA



LEGEND

- | | | |
|--------------------------|-----|-----------------|
| RF - REBAR FOUND | -3- | - FENCE LINE |
| CRS - CAPPED REBAR SET | PP | - POWER POLE |
| DIP - OPEN TOP PIPE | R | - RADII |
| CIP - CURBED TOP PIPE | CHD | - CHORD LENGTH |
| DB - DEED BOOK | A | - ARC LENGTH |
| PB - PLAT BOOK | R/W | - RIGHT OF WAY |
| PL - PLAT | PL | - PROPERTY LINE |
| TRK - TAX PARCEL NUMBER | CL | - CENTER LINE |
| MFP - METAL FENCE POST | BL | - BUILDING LINE |
| CA - CONCRETE ANCHORMENT | LL | - LAND LOT |
| -GR- | LLL | - LAND LOT LINE |

CRS - CAPPED 1/2" REBAR SET WITH A CHANCE OF BEING MISSET OR LOST. PLEASE PLACE AT ALL CORNERS UNLESS NOTED OTHERWISE.

TRK - TAX PARCEL NUMBER

DATE OF SURVEY: OCTOBER 03-06, 2017

DATE OF PLOT: OCTOBER 06, 2017

DRAWN: HIGM

CHECKED: HIGM

HIGM

JUL NO: 1542

MASSEY SURVEYING INCORPORATED
 P.O. Box 2821
 Calhoun, Georgia 30703
 Phone: 706-699-0045
 LSF001004 email: gmi@masseysurveying.com@gmail.com
 PROFESSIONAL LAND SURVEYING SERVICES

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 219-06 Owen A-1 to R-1

Date: 5/22/19

Reviewed by: Christy Blair

ENVIRONMENTAL HEALTH

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

No issues w/division of property

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 219-06 Owen A-1 to R-1

Date: 5/15/19

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.



5/15/19

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # Z19-06 Owen A-1 to R-1

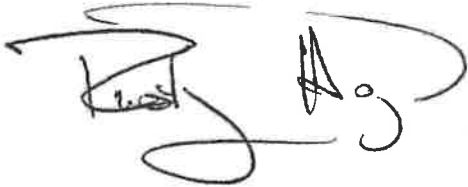
Date: _____

Reviewed by: _____

PUBLIC WORKS DEPARTMENT

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

Driveway must be approved
by the Public Works Department.

A handwritten signature in black ink, appearing to be "J. Ag", enclosed within a large, loopy circular flourish.

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z19-06
APPLICATION NAME Russell Owen
TYPE OF ZONING: A-1 to R-1
DATE: 5/14/2019
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 6" water line.

SEWER COMMENTS:

No 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.