

INFORMATION SHEET FOR REZONING REQUESTS

Application # 219-09 DATE OF READING 7-16-19

REZONE FROM A-1 TO R-1

APPLICANT Robyn Renee White

OWNER \_\_\_\_\_

LOCATION OF PROPERTY 146 Brackett Rd

RESACH

DESCRIPTION OF PROPERTY

1.12 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  
JULY 8, 2019**

The Gordon County Planning Commission held a Public Hearing on Monday, July 8, 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  
Jerry Lovelace

Eddie Smith  
Nathan Serritt

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 Nathan Serritt to approve the minutes of the previous meeting of June 10, 2019. Jerry Lovelace seconded the motion. All voted aye. The minutes were approved as written.

**REZONING APPLICATION #Z19-08, ELIZABETH POWELL**

Chairman Rule read rezoning application #Z19-08, Elizabeth Powell, requesting to rezone 3.83 acres located at 654 Ryo Mountain Road, Fairmount from A-1 to R-6. Mrs. Powell represented the request explaining that she had obtained this property from her brother who is now deceased and would like to subdivide the two existing tracts and mobile homes to sell to recover the money she had provided to help her brother out of his financial hardship. She added that she had verified that the drain field is not crossing, that she will make sure the driveway is in compliance, and that the potential buyer had stated that they would install another meter for water if required. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z19-08 from A-1 to R-6. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z19-09, ROBYN RENEE WHITE**

Chairman Rule read rezoning application #Z19-09, Robyn Renee White, requesting to rezone a 1.12 acre tract located at 146 Brackett Road, Resaca from A-1 to R-1. Ms. White represented the request explaining that this property has been subdivided from a larger tract and that she wants to build a new home at this site. All adjoining property owners had been notified.

Nathan Serritt made the motion to approve the rezoning application identified as #Z19-09 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.

**REZONING APPLICATION #Z19-10, MK HOLDINGS, LLC**  
**MICHAEL & KELLY VIEL**

Chairman Rule read rezoning application #Z19-10, MK Holdings, LLC/Michael and Kelly Viel, requesting to rezone 11.98 acres located at 207 Hensley Road, Adairsville from A-1 to R-6. Ms. Viel represented the request explaining that she and her husband had bought this property in 2017 that was already a mobile home community and that they would like to bring it into compliance with its current use. She added that they had been making improvements to the area and would like to potentially add new homes. Ms. Viel stated that she knew that they would have to comply with the stipulations required by the Gordon County Public Works Department and the Environmental Health Service concerning septic issues before any new homes could be added. All adjoining property owners had been notified.

Eddie Smith made the motion to approve the rezoning application identified as #Z19-10 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.

**REZONING APPLICATION #Z19-11, MANNINGTON MILLS, INC.**

Chairman Rule read rezoning application #Z19-11, Mannington Mills, Inc., requesting to rezone 10.5 acres located at 115 Old Belwood Road, Calhoun from C-G to I-1. Ursula Richardson, Zoning Administrator for Gordon County, stated that this construction had already been started when it was discovered that the property was actually in the county not the city, and now it will require rezoning. Someone from Mannington Mills will be present at the Board of Commissioners meeting on July 16, 2019 to answer the questions from Environmental Health and Georgia D.O.T. All adjoining property owners had been notified.

Nathan Serritt made the motion to approve the rezoning application identified as #Z19-11 from C-G to I-1. Jerry Lovelace seconded the motion. Eddie Smith voted against the motion. The vote was 3-1 to approve. 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 6:26 p.m.

**Cover Sheet**  
**Proposal for Land Use Action**

Application Number: 219-09 Present Zoning: A-1 Proposed Zoning: R-1

Date of Planning Commission Meeting: July 8, 2019

Date of Board of Commissioners' Meeting: July 16, 2019

Applicant: Robyn Renee White

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

Property Address: Brackett Rd., Resaca GA 30735

Said Property having a frontage of 160.07 feet and containing 1.12 acres.

Future Development Map Classification: Rural/Agricultural Reserve

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Property was subdivided from a larger tract.

Reason for Proposed Action: In order to build myself a house.

Directions to Property: HWY 41 N + rt onto HWY 225, + right onto W. Pine Chapel Rd, + Lt onto Brackett, first lot on Left past corner house.

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

**Date of Report:** May 21, 2019

**Application #** Z19-09

**Applicant/Property Owner:** Robyn Renee White as Trustee of the Robyn Renee White Revocable Living Trust

**Location of Property:** Brackett Rd., Resaca, GA 30735

**Property Frontage:** 160.07 Lot Feet    Tract Size: 1.12 acres

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

**Reasons for Proposed Action:** Property was subdivided from a larger.

**Future Development Map Classification:** Rural/Agricultural Reserve

**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:*** 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 4" 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.***

The proposed property is surrounded by Agricultural zoned properties used both for residential and farming.

***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 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 Rural/Agricultural Reserve on the Gordon County Future Development Map. This classification supports land uses intended for large lot residential, agricultural, agribusiness, conservation, passive recreation.

***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.***

There are smaller tracts of property in the area.

### **Planning Staff's Recommendation:**

The rezoning request identified as Application #Z19-09 is recommended for approval.

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

## RURAL/AGRICULTURAL RESERVE

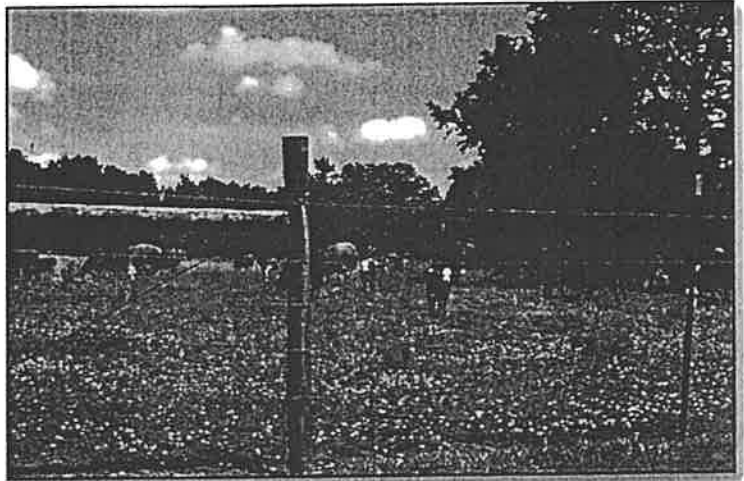
### Description:

These are rural areas, away from Interstate 75 and the Calhoun Metropolitan Area. This part of the county consists of rural residential homes and family farms typically not served by sewer. The poultry industry has also seen tremendous growth in these parts of the county. Much of the County's floodplain lies within these areas providing for potential greenspace and recreational development.

### Development

#### Strategies/Policies:

- ❖ **Infrastructure:** Limiting expansion of sewer to these areas will prevent over development if the county hopes to retain the rural character of this area. However, internet access in these areas is becoming increasingly important, particularly for students doing school assignments. Roads should only be widened when absolutely necessary. Zoning is another opportunity to prevent sprawl and over development.
- ❖ **Conservation Easements:** Many properties in these areas could take advantage of conservation easements. These are an opportunity to protect greenspace and natural resources. Conservation efforts are especially important along rivers and creeks.
- ❖ **Agribusiness development:** There is a growing market for locally produced products, whether fruits and vegetables, meats and cheeses, or even local wine production. North Georgia has seen explosive growth in the development of wineries and vineyards. Ensure that zoning and local ordinances allow for the development of such opportunities. These can also be tourism draws.
- ❖ **Zoning:** Protect the character of this area by zoning it for large lot residential and agricultural. Agribusiness properties should allow for enough of a buffer to prevent things like manure odors and insecticide overspray from adversely affecting the quality of life for neighboring residences.



*Cows and calves, Highway 53.*

### Land Uses:

Large lot residential, agricultural, agribusiness, conservation, passive recreation (i.e. fishing, hunting)

Recorded 06/06/2019 3:00  
Doc: WD Rcpt#: 331146  
TRANSFER TAX ID: 0642019001060  
Grant Walraven, C.S.C.  
GORDON County, Ga  
DEED Bk: 2215 Pg: 159

Return Recorded Document to:  
Brumlow, Corwin & Delashmit, P.C.  
1287 Curtis Parkway  
Calhoun, GA 30701  
File#

STATE OF GEORGIA  
COUNTY OF GORDON

**DEED ONLY NO TITLE OPINION  
WARRANTY DEED**

This Indenture made this 6<sup>th</sup> day of June, 2019 between ROBYN WHITE, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and ROBYN RENEE WHITE as TRUSTEE OF THE ROBYN RENEE WHITE REVOCABLE LIVING TRUST DATED MAY 9, 2019, 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 No. 4 of the 7th District and 3rd Section of Gordon County, Georgia, being 1.12 acres as shown on a plat of survey entitled "Boundary Survey for Robyn White" prepared by Allen Dale Hall, GRLS No. 2609, dated 05/06/19 and recorded in the office of the Clerk of the Superior Court of Gordon County, Georgia in Plat Book 56, Page 100 to which said plat and the record thereof reference is hereby made for a full and complete description of the land herein conveyed.

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

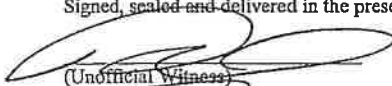
Preparer makes no warranties or representations as to the status of the title to the property described herein, other than that the description has been properly prepared from the information provided to the preparer.

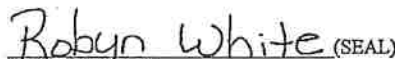
**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

**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:

  
(Unofficial Witness)

  
ROBYN WHITE (SEAL)

(Notary Public)





214-04

eFiled & eRecorded  
DATE: 5/21/2019  
TIME: 12:45 PM  
PLAT BOOK: 00056  
PAGE: 00100  
RECORDING FEES: \$8.00  
PARTICIPANT ID: 7981764245  
CLERK: Grant Walraven  
GORDON County, GA

# BOUNDARY SURVEY

FOR

## Robyn White

GORDON County, Georgia

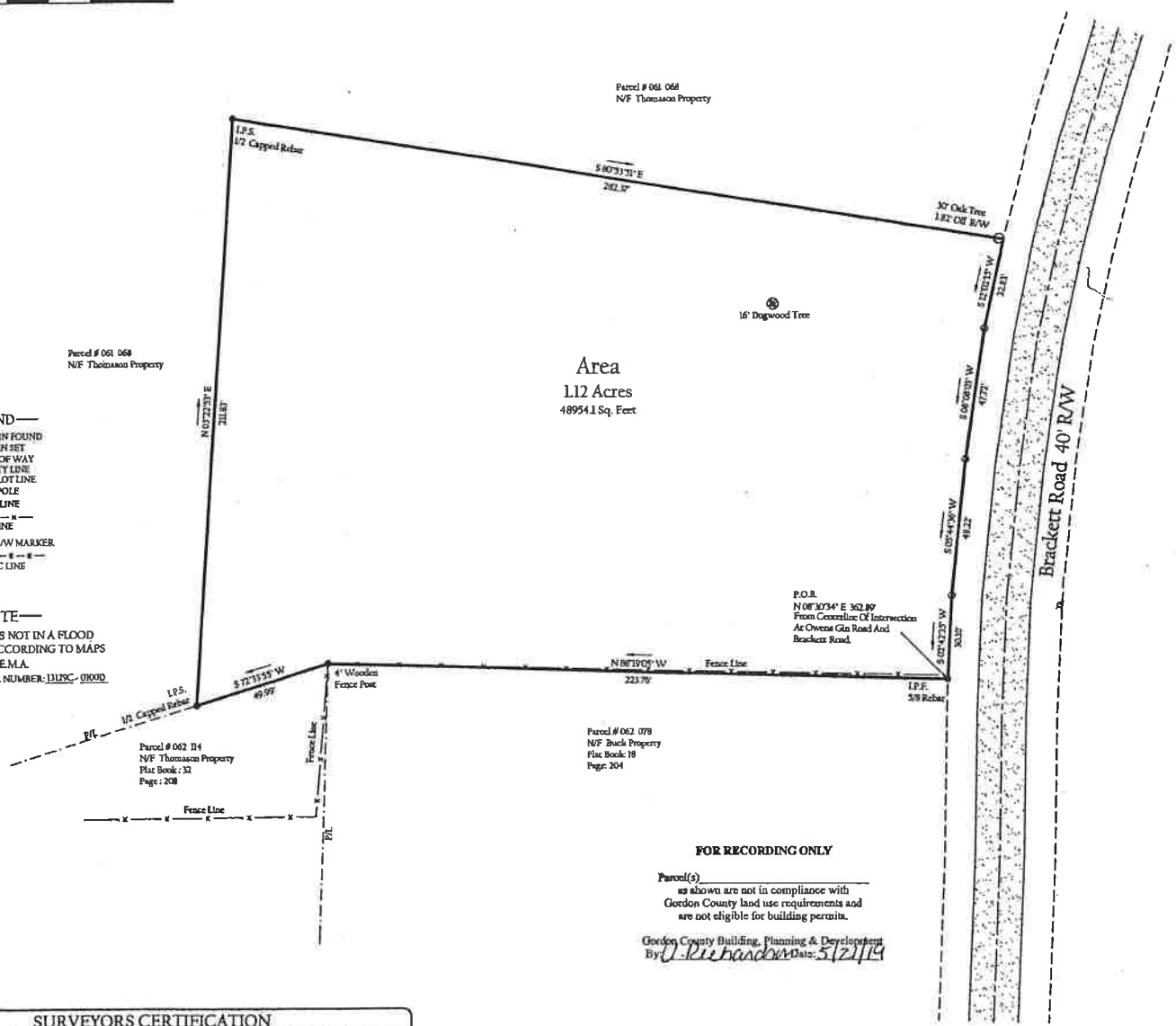
LOCATED IN LAND LOT 4, 7th DISTRICT &  
3rd SECTION OF GORDON COUNTY, GEORGIA



This block reserved for the Clerk of the Superior Court.

Date of field work: 5/3/2019  
Date of plat: 5/6/2019

Scale: 1"=30'



- LEGEND—
- I.P.S. - IRON PIN FOUND
  - I.P.S. - IRON PIN SET
  - R.W. - RIGHT OF WAY
  - P.L. - PROPERTY LINE
  - L.L.L. - LAND LOT LINE
  - ⊙ - POWER POLE
  - ⊕ - CENTER LINE
  - — — — — FENCE LINE
  - ⊗ - CONC. R/W MARKER
  - — — — — ELECTRIC LINE

—NOTE—  
THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA ACCORDING TO MAPS FURNISHED BY F.E.M.A. COMMUNITY-PANEL NUMBER: 1112PC-0800D

**FOR RECORDING ONLY**

Parcel(s) \_\_\_\_\_ as shown are not in compliance with Gordon County land use requirements and are not eligible for building permits.

Gordon County Building, Planning & Development  
By: U. Richardson Date: 5/12/19

### SURVEYORS CERTIFICATION

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



Michael Paul Bunch  
Michael Paul Bunch GA RLS #3350 5/6/2019

THIS PLAT SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY.  
THIS PLAT HAS BEEN CALCULATED TO HAVE A CLOSURE OF 1" IN 100,000+ THE FIELD DATA UPON WHICH THIS PLAT IS BASED ON HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FEET AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.  
FIELD WORK WAS DONE BY USING A TOPCON GPT-3001LW 01" SECOND TOTAL STATION & CARLSON DATA COLLECTOR.



**North Georgia SURVEYING**  
262 Ervins Road S.E.  
Columbus, GA 31901  
706-625-1046

**DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH**

Application # 219-09 White A-1 to R-1

Date: 4/18/19

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 with EH.

**DEPARTMENTAL REVIEW – FIRE DEPARTMENT**

Application # 219-09 Robyn White A-1 to R-1

Date: 6/18/19

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. 

**DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT**

Application # 219-09 White A-1 to B-1

Date: June 14, 2019

Reviewed by: Rusty Hogan

**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 Dept.

A handwritten signature or set of initials, possibly 'RH', written in black ink. The signature is stylized and somewhat abstract, with a large loop on the right side.

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z19-09  
APPLICATION NAME Robyn Renee White  
TYPE OF ZONING: A-1 to R-1  
DATE: 6/12/2019  
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 4" 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.