

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 20-02 DATE OF READING 2-25-2020

REZONE FROM A-1 TO R-6

APPLICANT Sammy L. Truax, Sr.

OWNER _____

LOCATION OF PROPERTY 631 US Hwy 411

Ranger, GA

DESCRIPTION OF PROPERTY

1.39 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
FEBRUARY 10, 2020**

The Gordon County Planning Commission held a Public Hearing on Monday, February 10, 2020 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 January 13, 2020. Butch Layson seconded the motion. All voted aye. The minutes were approved as written.

REZONING APPLICATION #Z20-01, RONALD & DOROTHY LEDFORD

Chairman Rule read rezoning application #Z20-01, Ronald and Dorothy Ledford, requesting to rezone a 3.41 acre tract located at 200 Fir Rd., Ranger from R-6 to RA-1. Mr. Ledford represented the request explaining that they would like to build a home at this site rather than put a mobile home there. All adjoining property owners had been notified.

Nathan Serritt made the motion to approve the rezoning application identified as #Z20-01 from R-6 to RA-1. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z20-02, SAMMY L. TRUAX, SR.

Chairman Rule read rezoning application #Z20-02, Sammy L. Truax, Sr., requesting to rezone a 1.39 acre tract located at 631 Hwy. 411, Ranger from A-1 to R-6. Mr. Truax represented the request explaining that he would like to subdivide off 1.39 acres from his existing 12.187 acre tract and place a manufactured home on the property to either rent or sale for extra income. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z20-02 from A-1 to R-6. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**Cover Sheet
Proposal for Land Use Action**

Application Number: 220-02 Present Zoning: A-1 Proposed Zoning: RA-R-6

Date of Planning Commission Meeting: February 10, 2020

Date of Board of Commissioners' Meeting: February 25, 2020

Applicant: SAMMY L TRUAX SR

Property Owner: (if different from applicant) _____

Property Address: 631 US HWY 411 Ranger GA. 30734

Said Property having a frontage of 231.97 feet and containing 1.39 acres.

Future Development Map Classification: Rural / Agricultural Reserve

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: would like to move in a
MANUFACTURED home

Reason for Proposed Action: To build second income
for myself subdividing property.

Directions to Property: Redbud Rd to Hwy 411 go south
one mile when you pass welcome to ranger sign
first mail box on left

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: January 24, 2020

Application # Z20-02

Applicant/Property Owner: Sammy L. Truax Sr.

Location of Property: 637 US Hwy 411, Ranger, GA 30734

Property Frontage: 231.97 Feet **Tract Size:** 1.39 acres

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

Reasons for Proposed Action: Subdividing off 1.39 acres from 12.187 acre tract. I would like to move in a mobile home for myself for a second income.

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:*** A permit has been issued by my office (see attached). No issues w/ subdivision of property.
- * ***Building Inspection Department:*** N/A
- * ***Fire Department:*** OK with Fire Dept.
- * ***Gordon County School System:*** N/A
- * ***Public Works Department:*** Property owner must consult with the Gordon County Public Works Department to bring their driveway entrance into compliance with the ULDC.
- * ***Georgia Dept. of Transportation:*** For a residential access please call area 1 office at 770-387-3680.
- * ***Water & Sewer (City of Callhoun):*** This area 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.

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)

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 subject property is located in a State Route which consists of rural residential, agricultural properties also with some commercial business.

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 District on the Gordon County Future Development Map. This classification supports 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.

The proposed zoning is compatible with the Future Development Map.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z20-02 is recommended for approval.

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

After Recording Return To:

Leslie Vaughan Simmons, LLC
1105 North Tennessee Street
Cartersville, GA 30120

File No.: 16-256A

Recorded 05/18/2016 8:55
Doc# MD Rcet#: 313545
TRANSFER TAX: 42.00
TRANSFER TAX ID: 0642016000816
Grant Wairaven, C.S.C.
GORDON County, Ga
DEED Bk: 2007 Pg: 207

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF GORDON

THIS INDENTURE, made this 13th day of May, 2016, between

ABERLOUR, LLC, A GEORGIA LIMITED LIABILITY COMPANY

as party or parties of the first part, hereinafter called Grantor, and

SAMMY L. TRUAX, SR.

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 \$10.00 Dollars (\$10.00 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 Lots 183 and 214 of the 24th District, 2nd Section of Gordon County, Georgia; and being that certain 12.187 acres as shown on that plat recorded in Plat Book 34, Page 185, of the Gordon County, Georgia records.

Said plat is incorporated herein for a more full and accurate description of the property.

SUBJECT to restrictive covenants and general utility easements of record.

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, the Grantor has signed, sealed and delivered this deed, the day and year above written.

Aberlour, LLC

(Seal)

BY:

Kenneth J. Huguley
Kenneth J. Huguley, as General Manager

Nancy Alexander
Unofficial Witness

Notary



DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # Z20-02 Truax Sr. A-1 to R-6

Date: 1/14/20

Reviewed by: C Blair

ENVIRONMENTAL HEALTH

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

Septic permit has been issued by my office
(see attached).


No issues w/ subdivision of property.

Z20-02

**GEORGIA DEPARTMENT OF PUBLIC HEALTH
APPLICATION FOR CONSTRUCTION PERMIT AND SITE APPROVAL
For On-Site Sewage Management System**

COUNTY: Gordon	SUBDIVISION:	LOT NUMBER:	BLOCK:
PROPERTY LOCATION (ADDRESS/DIRECTIONS): 631 US HWY 411 NE RANGER, GA 30734 RED BUD ROAD, RIGHT ON HWY 411 (TOWARD RANGER), GO @ 9/10 OF A MILE, DRIVE ON LEFT, USE #637 DRIVE, OWNER: SAM TRUAX, 706-238-2445, INSTALLING 1200 SQ FT M/H ON PROPERTY, HOUSE SITE IS STAKED OFF.			

I hereby apply for a construction permit to install an On-Site Sewage Management System and agree that the system will be installed to conform to the requirements of the rules of the Georgia Department of Public Health. Chapter 511-3-1. By my signature, I understand that final inspection is required and will notify the County Health Department upon completion of construction and before applying final cover material to the system.

PROPERTY OWNER'S/AUTHORIZED AGENT'S SIGNATURE: 	DATE: 01/07/2020	
PROPERTY OWNER'S NAME: SAM TRUAX	PHONE NUMBER: (706) 238-2445	ALTERNATE PHONE NUMBER:
PROPERTY OWNER'S ADDRESS: 631 US HWY 411 NE RANGER, GA 30734		
AUTHORIZED AGENT'S NAME (IF OTHER THAN OWNER):	PHONE NUMBER:	RELATIONSHIP TO OWNER:

Section A — General Information

1. REQUIRED SETBACK FROM RECEIVING BODIES (wells, lakes, sinkholes, streams, etc.) EVALUATED: (1) Yes (2) No	5. TYPE OF STRUCTURE (single/multi-family residence, commercial, restaurant, etc.): Single-Family Residence	9. SOIL SERIES (e.g. Pacolet, Orangeburg, etc.): Enders
2. WATER SUPPLY: (1) Public (2) Private (3) Community	6. WATER USAGE BY: Bedroom Numbers	10. PERCOLATION RATE / HYDRAULIC LOADING RATE: 9 0
3. SEWAGE SYSTEM TO BE PERMITTED: (1) New (2) Repair (3) Addition	7. NO. OF BEDROOMS / GPD: 3	11. RESTRICTIVE SOIL HORIZON DEPTH (INCHES): 4 8
4. LOT SIZE (SQUARE FEET / ACRES): 1 2 5	8. LEVEL OF PLUMBING OUTLET: (1) Ground Level (2) Basement (3) Above ground level	12. SOIL TEST PERFORMED BY: Cabe, Douglas E

Section B — Primary / Pretreatment

1. DISPOSAL METHOD: Septic Tank	2. GARBAGE DISPOSAL: (1) Yes (2) No	3. SEPTIC TANK CAPACITY (GALLONS): 1000	4. ATU Capacity: 0	5. DOSING TANK CAPACITY (GALLONS):	6. GREASE TRAP CAPACITY (GALLONS):
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Section C — Secondary Treatment

1. ABSORPTION FIELD DESIGN: (1) Level Field (2) Serial (3) Drip (4) Bed (5) Distribution Box (6) Mound/Area Fill (7) Other	4. TOTAL ABSORPTION FIELD SQUARE FEET REQUIRED: 1 1 7 0	7. NUMBER OF ABSORPTION TRENCHES:
2. ABSORPTION FIELD PRODUCT: Conventional 12x36 gravel & pipe	5. TOTAL ABSORPTION FIELD LINEAR FEET REQUIRED: 3 9 0	8. SPECIFIED LENGTH OF ABSORPTION TRENCHES:
3. AGGREGATE DEPTH (inches):	6. DEPTH OF ABSORPTION TRENCHES (range in inches): 1 8 — 2 4	9. Distance Between Absorption Trenches :

Permit


A PERMIT IS HEREBY GRANTED TO INSTALL THE ON-SITE SEWAGE MANAGEMENT SYSTEM DESCRIBED ABOVE. THIS PERMIT IS NOT VALID UNLESS PROPERLY SIGNED BELOW. THIS PERMIT EXPIRES TWELVE (12) MONTHS FROM DATE OF ISSUANCE.

ANY GRADING, FILLING, OR OTHER LANDSCAPING SUBSEQUENT TO ISSUANCE OF A PERMIT MAY RENDER PERMIT

1. SITE APPROVED AS SPECIFIED ABOVE: (1) Yes (2) No
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VOID, FAILURE TO FOLLOW SITE PLAN MAY RENDER PERMIT VOID. ANY GRADING, FILLING, OR OTHER LANDSCAPING SUBSEQUENT TO FINAL INSPECTION BY COUNTY HEALTH DEPARTMENT, WHICH ADVERSELY AFFECTS THE FUNCTION OF THE ON-SITE SEWAGE MANAGEMENT SYSTEM, MAY RENDER APPROVAL VOID. INSTALLATION CONTRACTION IS RESPONSIBLE FOR LOCATING PROPER DISTANCES FROM BUILDINGS, WELLS, PROPERTY LINES, ETC.

ISSUANCE OF A CONSTRUCTION PERMIT FOR AN ON-SITE SEWAGE MANAGEMENT SYSTEM, AND SUBSEQUENT APPROVAL OF SAME BY REPRESENTATIVE OF THE GEORGIA DEPARTMENT OF PUBLIC HEALTH OR COUNTY BOARD OF HEALTH SHALL NOT BE CONSTRUED AS A GUARANTEE THAT SUCH SYSTEMS WILL FUNCTION SATISFACTORILY FOR A GIVEN PERIOD OF TIME; FURTHERMORE, SAID REPRESENTATIVE(S) DO NOT, BY ANY ACTION TAKEN IN EFFECTING COMPLIANCE WITH THESE RULES, ASSUME ANY LIABILITY FOR DAMAGES WHICH ARE CAUSED, OR WHICH MAY BE CAUSED, BY THE MALFUNCTION OF SUCH SYSTEM.

APPROVING ENVIRONMENTAL 	TITLE: Environmental Health Specialist IV	DATE: 01/13/2020	CONSTRUCTION PERMIT NUMBER: OSC06402052
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DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z20-02 Truax SR. A1 to R-6

Date: 24JAN2020

Reviewed by: G. Hasty

FIRE DEPARTMENT

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

OK WITH FIRE DEPARTMENT



DEPARTMENTAL REVIEW – STATE OF DEPARTMENT TRANSPORTATION

Application # Z20-02 Truax Sr. A-1 to R-6

Date: 1/14/20

Reviewed by: Dominic Lucbe

STATE DEPARTMENT OF TRANSPORTATION

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

For a residential drive access please call Area 2 office @ 770-387-3680

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z20-02
APPLICATION NAME Sammy Truax
TYPE OF ZONING: A-1 to R-6
DATE: 1/24/2020
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.