

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z20-11 DATE OF READING 7-21-2020

REZONE FROM A-1 TO R-1

APPLICANT Rusty and Joyce Maddox

OWNER _____

LOCATION OF PROPERTY 2913 Sugar Valley Rd.

Sugar Valley, GA

DESCRIPTION OF PROPERTY

1.46 ACRES

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

1. Approval

STIPULATIONS:

**GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
JULY 13, 2020**

The Gordon County Planning Commission held a Public Hearing on Monday, July 13, 2020 at 6:00 p.m. in the Main Court Room of the Gordon County Courthouse for the purpose of hearing variance and zoning change requests. Members present were:

Randy Rule	Eddie Smith
Jerry Lovelace	Nathan Serritt
Butch Layson	

Jerry Lovelace 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 Butch Layson to approve the minutes of the previous meeting of June 8, 2020. Eddie Smith seconded the motion. All voted aye. The minutes were approved as written.

REZONING APPLICATION #Z20-11, RUSTY & JOYCE MADDOX

Vice-Chairman Lovelace read rezoning application #Z20-11, Rusty and Joyce Maddox, requesting to rezone a 1.46 acre tract located at 2913 Sugar Valley Rd., Sugar Valley from A-1 to R-1. Joyce Maddox represented the request explaining that they would like bring this property into compliance with zoning because this tract had been subdivided off from a larger tract. All adjoining property owners had been notified.

Eddie Smith made the motion to approve the rezoning application identified as #Z20-11 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.

ADDITIONAL BUSINESS

There being no additional business, Randy Rule made the motion to adjourn. Nathan Serritt seconded the motion. All voted aye. The meeting was adjourned at 6:05 p.m.

Zelda Gregg, Secretary

Randy Rule, Chairman
Jerry Lovelace, Vice-Chairman

**Cover Sheet
Proposal for Land Use Action**

Application Number: Z20-11 Present Zoning: A-1 Proposed Zoning: N/A R-1

Date of Planning Commission Meeting: July 13, 2020

Date of Board of Commissioners' Meeting: July 21, 2020

Applicant: Rusty & Joyce Maddox

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

Property Address: 2913 Sugar Valley Rd., Sugar Valley, GA 30745

Said Property having a frontage of 415'± feet and containing 1.46 acres.

Future Development Map Classification: Hillside Conservation

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Rezoning to bring property into compliance with the existing house.

Reason for Proposed Action: Property was subdivided off from a larger tract

Directions to Property: Go on Sugar Valley Rd almost into Sugar Valley. Property on right just before Guyton Rd. - Corner

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: June 26, 2020

Application # Z20-11

Applicant/Property Owner: Rusty & Joyce Maddox

Location of Property: 2913 Sugar Valley Rd., Sugar Valley, GA 30745

Property Frontage: 415+/- Feet Tract Size: 1.46 Acres

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

Reasons for Proposed Action: I purchased the house with a smaller tract of land; property had been subdivided down from a larger tract. The house was built in 1969. I would like to bring it into compliance with zoning.

Future Development Map Classification: Hillside Conservation

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 septic records on this house (built in 1969). However, the new 1.46 acre tract should be sufficient size for septic repair when needed.
- * *Building Inspection Department:* N/A
- * *Fire Department:* OK with Fire Department.
- * *Gordon County School System:* N/A
- * *Public Works Department:* N/A
- * *Georgia Dept. of Transportation:* No Comments.
- * *Water & Sewer (City of Calhoun):* This area is served by a 6" 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.

The subject property is surrounded by small and large lots with homes and some farming. Abuts a smaller tract community on Fairview Rd.

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 A-1, Agricultural. It must be brought into compliance with the ULDC in regards to the zoning district.

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 Hillside Conservation on the Gordon County Future Development Map. This classification supports land uses intended for conservation, agricultural, recreation, rural residential.

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 in compliance with the Future Development Map and will bring the property into compliance with the ULDC regarding the zoning district.

Planning Staff's Recommendation

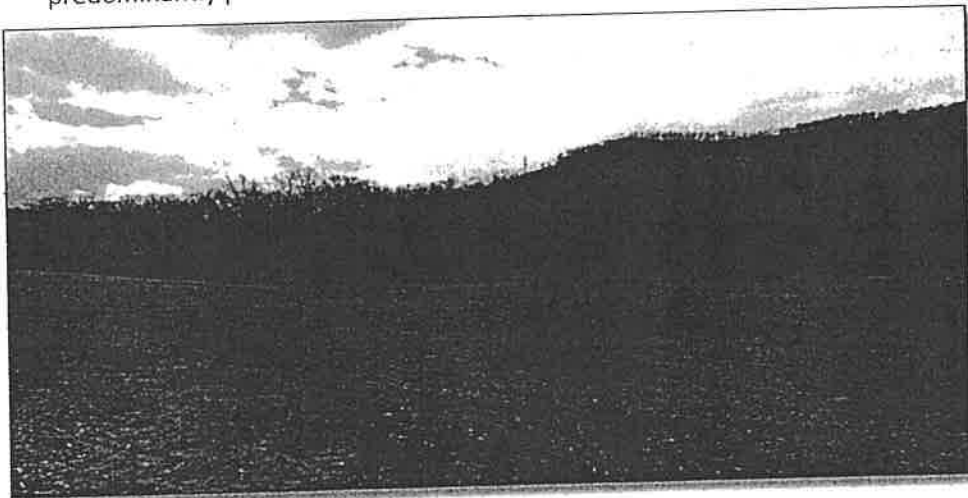
The Rezoning Application #Z20-11 is recommended for approval.

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

HILLSIDE CONSERVATION

Description:

These areas occur on the western and eastern sides of Gordon County. The City of Calhoun was developed along the river in the fertile plains between these two areas. The area to the west is predominantly part of the Conasauga District of the Chattahoochee National Forrest and includes Baugh and Horn Mountains.



These mountains do not meet steep slope criteria. Some of this area is privately owned and the rest is in US Forest Service ownership.

The area to the east of Georgia Hwy 411, bordering Pickens County also features steeper, hilly

topography than most of Gordon County. This area to the east is beginning to see pressure for residential growth on the Gordon and Pickens sides of the county line.

Development Strategies/Policies:

- ❖ Infrastructure: Development in these areas should be minimal and that can be encouraged through the limited availability of infrastructure, such as: water, sewer, fiber optic.
- ❖ Zoning: These areas should also be zoned to discourage development of anything other than agricultural use, or possibly large lot rural residential. The view of these areas from Calhoun is quite scenic and should be preserved as tree covered slopes, to the extent possible.
- ❖ The parts of these areas that are privately owned are ideal properties for conservation easements.
- ❖ Recreation: There are multiple existing trails within the Chattahoochee National Forrest. It would be wise to plan for ways to connect to these trails, which also connect to Floyd, Chattooga, Walker and Whitfield Counties. The rural nature of these areas also offers other opportunities for things like camping and hunting

Land Uses: Conservation, agricultural, recreation, rural residential

Return Recorded Document to:
Brumlow, Corwin & Dalashmit, P.C.
1287 Curtis Parkway SE
Calhoun, GA 30701
File #1219C493

STATE OF GEORGIA
COUNTY OF GORDON

**JOINT TENANCY
WARRANTY DEED**

This Indenture made this 22nd day of May, 2020 between **LOIS JANE REECE AKA LOIS JANE GREEN AKA LOIS JANE FAULKENBERRY AND MONICA M. GREEN**, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **JOYCE MADDOX AND RUSTY MADDOX, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON**, 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 77 of the 14th District and 3rd Section of Gordon County, Georgia; and being that certain 1.46 acre tract as per plat entitled "Boundary Survey for Rusty E. & Joyce L. Maddox", prepared by Michael Paul Bunch, GRLS No. 3350 and recorded in Plat Book 57, Page 90, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

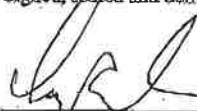
This Deed is given subject to all easements and restrictions of record, if any.

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.

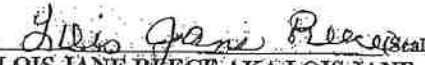
Signed, sealed and delivered in the presence of:



Witness



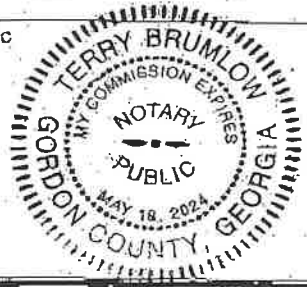
Notary Public



LOIS JANE REECE AKA LOIS JANE GREEN AKA LOIS JANE FAULKENBERRY



MONICA M. GREEN



DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 220-11 Maddox A-1 to R-1

Date: 4/23/2020

Reviewed by: Christy Blair

ENVIRONMENTAL HEALTH

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

No records on file for this house (built @ 1969).
↑
septic

However, the new 1.45 acre tract should be sufficient size for septic repair when needed.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z20-11 Maddox A-1 to B-1

Date: 19JUN2020

Reviewed by: Lt. 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

Greg Hasty

DEPARTMENTAL REVIEW – STATE OF DEPARTMENT TRANSPORTATION

Application # Z 20-11 Macklox A-1 to R-1

Date: 6/25/20

Reviewed by: Dorovan Jackson

STATE DEPARTMENT OF TRANSPORTATION

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

No Comments.

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z20-11
APPLICATION NAME Rusty Maddox
TYPE OF ZONING: A-1 tp R-1
DATE: 6/23/2020
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 6" 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.