

INFORMATION SHEET FOR REZONING REQUESTS

Application # 220-19 DATE OF READING 1-5-2021

REZONE FROM A-1 TO R-1

APPLICANT Allen + Christa Bowen

OWNER _____

LOCATION OF PROPERTY 300 Bud Hardy Rd SE

Calhoun

DESCRIPTION OF PROPERTY

1.0 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
DECEMBER 14, 2020**

The Gordon County Planning Commission held a Public Hearing on Monday, December 14, 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
Jerry Lovelace
Butch Layson

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 Jerry Lovelace to approve the minutes of the previous meeting of November 9, 2020. Nathan Serritt seconded the motion. All voted aye. The minutes were approved as written.

VARIANCE APPLICATION #V20-11, JAMES SIKES

Chairman Rule read variance application #V20-11, James Sikes, requesting a variance for a 6 acre tract located at 719 Erwin Hill Church Road, Adairsville. Mr. Sikes explained he would like to construct a metal storage building to store his motor home, trailer, 2 cars, and tools. This variance increase would be from 2,000 square feet to 4,000 square feet for a metal structure. All adjoining property owners had been notified.

Butch Layson made the motion to approve the variance application identified as #V20-11 to allow construction of a metal storage building and increase the size to 4,000 square feet. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

REZONING APPLICATION #Z20-19, ALLEN & CHRISTA BOWEN

Chairman Rule read rezoning application #Z20-19, Allen and Christa Bowen, requesting to rezone a 1 acre tract located at 300 Bud Hardy Road, Calhoun from A-1 to R-1. Ms. Bowen represented the request explaining that they would like to sell the existing house and acreage and subdivide off an acre to build a smaller house. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z20-19 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.

Cover Sheet
Proposal for Land Use Action

Application Number: 220-19 Present Zoning: A-1 Proposed Zoning: R-1

Date of Planning Commission Meeting: 12/14/2020

Date of Board of Commissioners' Meeting: 01/05/2021

Applicant: Allen + Christa Bower

Property Owner: (if different from applicant) _____

Property Address: 300 Bud Hardy Rd SE Calhoun, GA 30701

Said Property having a frontage of 153.07 feet and containing 1 acres.

Future Development Map Classification: Emerging Mixed-Use Community

Current Zoning Map Classification: A-1, Agricultural District

Proposed Action: Subdividing property into 2 tracts.

First tract with existing house will have
10.93 acres. Second tract will have 1.00
acre.

Reason for Proposed Action: We would like to sell the
existing house and acreage and build
a smaller home on the acre.

Directions to Property: From Calhoun, Take Hwy 53E to the
Soporaville Community. Turn left onto Bud Hardy
Rd just past the Citgo gas station. The property
is on the left of Bud Hardy Rd, about
.4 mile, 5th house and property on the left.

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

Rezoning Proposal

Date of Report: November 25, 2020

Application # Z20-19

Applicant/Property Owner: Allen & Christa Bowen

Location of Property: 300 Bud Hardy Rd. SE, Calhoun, GA 30701

Property Frontage: 153.07 +/- Feet Tract Size: 1.00 Acres

Directions to property: Hwy 53E. Turn right onto Bud Hardy Rd. just past the CITGO gas station. The property is on the left .4 mile, 5th house on the left.

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

Reasons for Proposed Action: We would like to sell the existing house and acreage but subdivide off an acre to build a smaller 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: Should be no issues w/EH. Be sure existing drainfield for 300 Bud Hardy does NOT cross new property lines. Septic record attached for #300. Would recommend having a level 3 soil test done in area of proposed 1 acre to be sure good soil in this before having surveyor map out the 1 acre.

Building Inspection Department: N/A

Fire Department: OK with Fire Department.

Gordon County School System: N/A

Public Works Department: This property will need to be approved for a driveway to cross GC R-O-W.

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 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.

A few residential subdivisions are located within the surrounding property along with some large tracts used for dwellings.

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 Suburban on the Gordon County Future Development Map. This classification supports land uses intended for residential, light commercial, parks/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 in compliance with our Future Development Map.

Planning Staff's Recommendation

The Rezoning Application #Z20-19 is recommended for approval as long as all permitting has been obtained and approved.

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

220-19

Recorded 08/27/2007 8:51
Doc: WD Rcpt#: 262658
TRANSFER TAX: 355.00
TRANSFER TAX ID: 0642007002207
Brian Brannon, C.S.C.
GORDON County, Ga
DEED Bk: 1466 Pg: 462

Return Recorded Document to:
Cox Byington, P.C.
1287 Curtis Parkway
Calhoun, Georgia 30703
File #: 077G0838

STATE OF GEORGIA,
COUNTY OF GORDON

**JOINT TENANCY WITH SURVIVORSHIP
WARRANTY DEED**

This Indenture made this 23rd day of August, 2007 between Gary D. Blalock and Tina M. Blalock, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Allen R. Bowen and Christa Bowen, as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" 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 receipts 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 Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 127 of the 6th District and 3rd Section of Gordon County, Georgia, and being Tract 2 containing 11.57 acres, according to a plat of survey as recorded at Plat Book 37, Page 219, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

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 behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

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 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



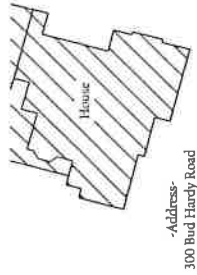
 (Seal)

Gary D. Blalock
 (Seal)

Tina M. Blalock

GORDON County, Georgia

LOCATED IN LAND LOT 127, 6th DISTRICT & 3rd SECTION OF GORDON COUNTY, GEORGIA



-Address-
300 Bud Hardy Road
Calhoun, GA 30701

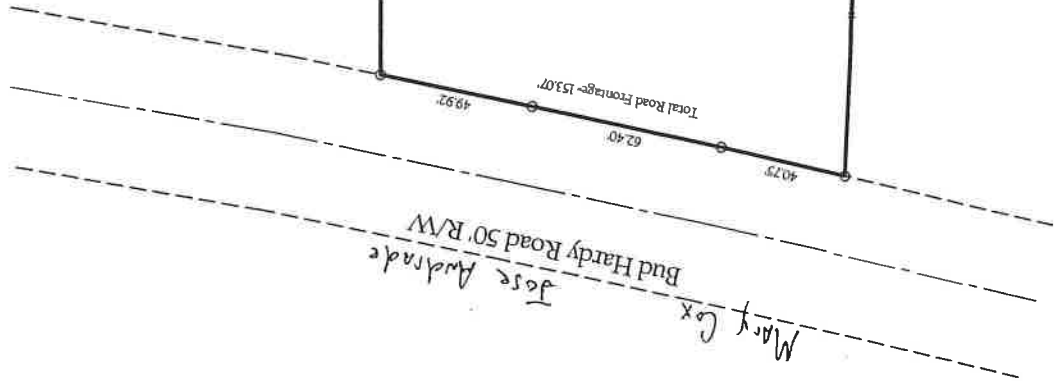
Parcel# 078 311
N/F Bowen Property
Zoning A-1
PB37 PG219

Parcel# 078 311
N/F Bowen Property
Zoning A-1
PB37 PG219

Area
1.00 ACRES
43616.3 Sq. Feet

Parcel# 079 178
N/F Mauldin Property
Zoning A-1

Laurence A. Mauldin



1 inch hereon is a 1,000 Acres
parcel# 078 311.

ork:
12/2020

MENTS AND RIGHTS OF WAY.
ED TO HAVE A CLOSURE OF 1" IN 100,000".
THIS PLAT IS BASED ON HAS A HORIZONTAL
VERTICAL PRECISION OF 0.04 FEET AND WAS
IA GRX-1 BASE STATION AND ROVER UNIT
K SURVEY.
ING A SOKKIA GRX-1
COLLECTOR

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z20-19
APPLICATION NAME Alan Bowen
TYPE OF ZONING: A-1 to R-1
DATE: 11/23/2020
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.

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # Z 20-19 Bowen A-1 to R-1

Date: 11-19-20

Reviewed by: Steve

PUBLIC WORKS DEPARTMENT

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

This property will need to be approved for a driveway to cross GC ROW.

Stuart

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 220-19 Bowen A-1 to R-1

Date: 18NOV2020

Reviewed by: G. Hasty / R. Chance

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 – ENVIRONMENTAL HEALTH

Application # Z20-19 Bowen A-1 to R-1

Date: 11/24/2020

Reviewed by: Christy Blair

ENVIRONMENTAL HEALTH

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

Should be no issues w/ EH. Be sure existing drainfield for 300 Bud Hardy does NOT cross new property lines. Septic record attached for 300.

Would recommend having a level 3 soil test done in area of proposed 1 acre to be sure good soil on this before having surveyor map out the 1 acre.

**GORDON COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SECTION**
318 North River Street • Calhoun, GA 30701
(706) 624-1440 or (706) 624-1441

NEW
 EXISTING

APPLICATION DATE 12-4-00
PERMIT NUMBER 064-11688
ZONING CERTIFICATE NUMBER

APPLICATION: ON-SITE SEWAGE MANAGEMENT SYSTEM

PROPERTY OWNER Gary Blalock (Tina 629-4441)	APPLICANT	TELEPHONE
ADDRESS	ADDRESS	
PROPOSED CONSTRUCTION ADDRESS Hardy Rd 300 Bud Hardy Rd.	SUBDIVISION NAME	<input type="checkbox"/> LOT NUMBER <input checked="" type="checkbox"/> ACRES <input type="checkbox"/> SQ.FT. 11 1/2
DIRECTIONS TO SITE LOCATION Hwy 53 toward Fairmount, right on Hardy Rd, property on left (black wooden fence) prop across from Sage Trail		

TYPE FACILITY <input checked="" type="checkbox"/> House <u>3</u> # of Bedrooms <input type="checkbox"/> Mobile Home <u>0</u> Garbage Disposal	PLUMBING DESIGN <input checked="" type="checkbox"/> Ground Level <input type="checkbox"/> Split Level <input type="checkbox"/> Basement	WATER SOURCE <input checked="" type="checkbox"/> Public <input type="checkbox"/> Individual <input type="checkbox"/> Other	SOIL CONDITIONS Soil Type <u>PERC</u> Perc Rate <u>60 min</u>
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I hereby apply for a construction permit to install or construct a sewage disposal system and agree that the system will be installed to conform to the requirements of the rules and regulations of the Georgia Department of Human Resources Public Health, Chapter 290-5-26 now assigned to the Gordon County Board of Health. I understand that final inspection is required and will notify the Health Department upon completion of construction and before applying final cover. This permit is not valid unless properly signed below. Issuance of a construction permit for an on-site sewage management system, and subsequent approval of same by representatives of the Georgia Department of Human Resources 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 representatives 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. This application expires (12) twelve months from date of issue.

Authorized Signature (Owner or Applicant) Tina Blalock

MINIMUM REQUIREMENTS
Septic Tank Capacity 1000 Grease Trap Capacity N/A Total Linear Feet 330 Trench Depth In 24 Trench Width In 36

SITE APPROVED Yes No
Approved by (Health Authority) Christy Blair Title EHS II Date of Issue 12/4/00

COMMENTS:

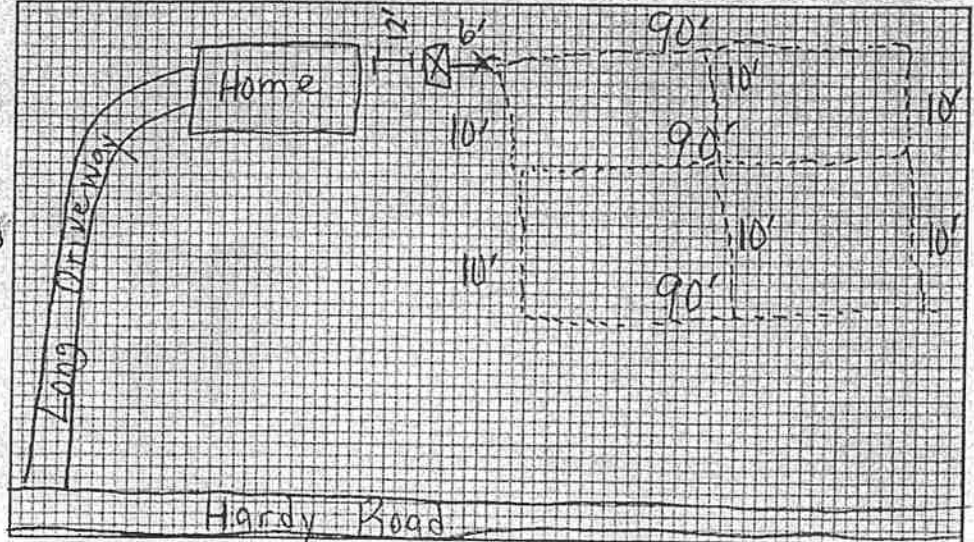
ON-SITE SEWAGE MANAGEMENT SYSTEM INSPECTION REPORT

PRIMARY TREATMENT:

Septic Tank 1000 Gal.
Grease Trap N/A Gal.
Distance Tank from Well N/A ft.

SECONDARY TREATMENT:

Field Layout Method Level
Total Linear Feet 330
Total Square Feet 990
Width of Trenches 36 Inches
Distance Between Trenches 10 Feet
Average Trench Depth 24 Inches
Aggregate: Size _____ Depth _____
Distance from Building @ 12 Feet
Distance from Well N/A Feet
Nearest Property Line _____ Feet



COMMENTS:

--- SYSTEM ---
 APPROVED
 DISAPPROVED

INSPECTOR:
E. Williams, Jr, EHS I

CONTRACTOR:
Billy Moore

DATE:
06-25-2001