

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 21-01 DATE OF READING 2-23-2021

REZONE FROM A-1 TO RA-1 Residential Agricultural District

APPLICANT Tina Escalante

OWNER Jeffrey + Lisa Snodgrass

LOCATION OF PROPERTY 152 Timms Loop SE

Calhoun

DESCRIPTION OF PROPERTY

8.14 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 8, 2021**

The Gordon County Planning Commission held a Public Hearing on Monday, February 8, 2021 at 6:00 p.m. in Calhoun's Gem Theater across from 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
Sabrina Poole	

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. Chairman Rule also welcomed all guests including Jim Ledbetter, Gordon County Administrator, and Pam Madison, Adairsville City Administrator.

APPROVAL OF MINUTES

A motion was made by Jerry Lovelace to approve the minutes from the previous meeting of January 11, 2021. Nathan Serritt seconded the motion. All voted aye. The minutes were approved as written.

**VARIANCE APPLICATION #V21-01 REZONING APPLICATION #Z21-01,
TINA ESCALANTE (appl.) JEFFREY & LISA SNODGRASS (owner)**

Chairman Rule read variance application #V21-01 and rezoning application #Z21-01, Tina Escalante (appl.), Jeffrey & Lisa Snodgrass (owner), requesting a variance on a 8.14 acre tract located at 152 Timms Loop, Calhoun. Ms. Escalante and Mr. and Ms. Snodgrass all represented the request explaining that a variance is requested to allow access, using an existing 25 foot easement to the tract and subdivide the property with an existing house to build a new house on the balance of the tract and therefore needing to rezone to RA-1. This existing easement is currently shared by 3 homes. All adjoining property owners had been notified.

On Variance Application #V21-01, Jerry Lovelace made the motion to approve the variance as requested. Eddie Smith seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

On Rezoning Application #Z21-01, Eddie Smith made the motion to approve the rezoning request from A-1 to RA-1. Jerry Lovelace 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: 221-01 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: February 8, 2021

Date of Board of Commissioners' Meeting: February 23, 2021

Applicant: Tina Escalante

Property Owner: (if different from applicant) Jeffrey + Lisa Snodgrass

Property Address: 152 Timms Loop SE, Calhoun, GA 30701

Said Property having a frontage of easement feet and containing 8.14 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Subdivide into 2 tracts

Reason for Proposed Action: Build a new home

Directions to Property: Hwy 53 to Lovers Lane. Right on Boone Ford. Left on Wrights Hollas. Right on Timms Loop. Right at 3 mailboxes and follow easement straight into our driveway.

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: January 22, 2021

Application # Z21-01

Applicant/Property Owner: Tina Escalant (appl) Jeffrey & Lisa Snodgrass (owner)

Location of Property: 152 Timms Loop SE, Calhoun, GA 30701

Property Frontage: 25+/- Hwy 53Feet Tract Size: 8.14 Acres

Directions to property: Off Hwy 53E, turn left onto Lovers Lane Rd., then right onto Boone Ford Rd., then turn left onto Wright's Hollow Rd., then right onto Timms Loop and right at the multiple mailboxes, follow easement straight into our driveway.

Proposed Action: Rezone from A-1, Agricultural District to RA-1, Residential Agricultural District

Reasons for Proposed Action: We are requesting to subdivide and rezone our property into two (2) tracts with one (1) existing house on the property. I would like to build a house on the vacant property. We are on a 25 feet easement, there is no road frontage.

Future Development Map Classification: Emerging Suburban

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/EH on Variance. No septic records found on file on existing house (#152 built about 1977). Owner needs to be sure existing drainfield will NOT be crossing newly proposed property lines...

Building Inspection Department: N/A

Fire Department: OK with Fire Department.

Gordon County School System: N/A

Public Works Department: This location will be on a private property should not require anything from Public Works Dept.

Georgia Dept. of Transportation: No comment.

Water & Sewer (City of Calhoun): This area is served by a 2" 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 proposed zoning is a suitable use in the neighborhood. There are several homes in the area.

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 Emerging Suburban on the Gordon County Future Development Map. This classification supports land uses intended for Residential, light commercial, and 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 #Z21-01 is recommended for approval.

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

Frank B. Pallotta, Pc.
400 Creekstone Ridge
Woodstock, Ga 30188
FILE # 20-365

Recorded 10/05/2020 11:34
Doc: WD Rpt#: 340825
TRANSFER TAX: 260.00
TRANSFER TAX ID: 0642020001939
Grant Walraven, C.S.C.
GORDON County, Ga
DEED #: 2383 Pgs: 106-108

**JOINT TENANCY WITH SURVIVORSHIP
WARRANTY DEED**

STATE OF GEORGIA
COUNTY OF CHEROKEE

THIS INDENTURE, made this 23rd day of September, 2020, between

STEVEN JAKE BENTON

of the County of **Gordon**, and State of Georgia, as party or parties of the firstpart, hereinafter called Grantor, and

JEFFREY SNODGRASS and LISA SNODGRASS

AS JOINT TENANTS WITH RIGHT 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 the said parties of the first part, for and in consideration of the sum of Ten and No/100 DOLLARS, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said parties of the second part, 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:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

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 any wise appertaining to, the only proper use, benefit and behoof of the said parties of the second part, 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 O.C.G.A. 44-6-190, and it is the intention of the parties hereto to hereby create in parties of the second part a joint tenancy estate with right of survivorship and not as tenants in common.

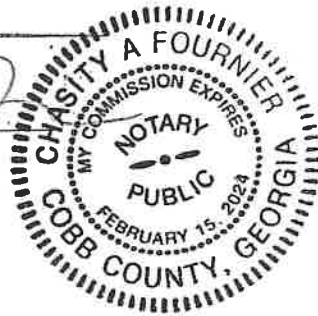
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, sealed and delivered in the presence of:

Steven Jake Benton By
Sara Titus Benton AEF

[Signature]
Witness
[Signature]
Notary Public



_____(Seal)
STEVEN JAKE BENTON

_____(Seal)

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 221-01 Snodgrass A-1 to RA-1
V21-01 Variance

Date: 1/20/2021

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/ EH on variance.

No septic records found on file on existing house (#152 built about 1977). Owner needs to be sure existing drain field will NOT be crossing newly proposed property lines.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 221-01 Snodgrass variance
A-1 to RA-1

Date: 21JAN2021

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

Greg Hasty

DEPARTMENTAL REVIEW - PUBLIC WORKS DEPARTMENT

Application # 221-01 Snodgrass A-1 to RA-1
V21-01 Variance

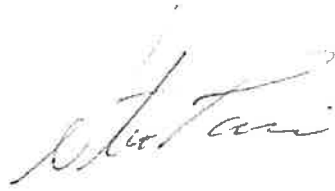
Date: 1-13-21

Reviewed by: Steve Parris

PUBLIC WORKS DEPARTMENT

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

This location will be on private property should not require anything from Public Works Department.

A handwritten signature in cursive script, appearing to read "Steve Parris", is located in the lower right quadrant of the page.

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z21-01
APPLICATION NAME Tina Escalante
TYPE OF ZONING: A-1 to RA-1
DATE: 1/19/2021
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 2" 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.