

INFORMATION SHEET FOR REZONING REQUESTS

Application # 221-07 DATE OF READING 5-18-2021

REZONE FROM A-1 TO R-1

APPLICANT Cody + Belinda West

OWNER Michael G. West

LOCATION OF PROPERTY 268 W. Kinman Rd. SW

Calhoun, GA

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
MAY 10, 2021**

The Gordon County Planning Commission held a Public Hearing on Monday, May 10, 2021 at 6:00 p.m. in the Conference Room of Gordon County Administration Building for the purpose of hearing variance and zoning change requests. Members present were:

Jerry Lovelace	Nathan Serritt
Sabrina Poole	Eddie Smith

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 Eddie Smith to approve the minutes from the previous meeting of April 12, 2021. Nathan Serritt seconded the motion. All voted aye. The minutes were approved as written.

REZONING APPLICATION #Z21-06, ROBERT BURTON
(tabled from 4/12/21 meeting)

Vice-Chairman Lovelace read rezoning application #Z21-06, Robert Burton, requesting to rezone a 2.90 acre tract located at 10997 Fairmount Hwy., Fairmount from A-1 to R-6. Mr. Burton represented the request explaining that he would like to sub-divide this property into 3 tracts and place 1,800 square foot mobile homes on each lot for re-sale. Stephen Delli, an area homeowner of 30 years, spoke in opposition to the rezoning stating it went against the ULDC. All adjoining property owners had been notified.

Eddie Smith made the motion to approve the rezoning application identified as #Z21-06 from A-1 to R-6 with the condition that all applicable state and local regulations shall be complied with especially Environmental Health and Georgia Department of Transportation. Sabrina Poole seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V21-09 & REZONING APPLICATION #Z21-07, CODY M. & BELINDA WEST (appl.) MICHAEL G. WEST (owner)

Vice-Chairman Lovelace read variance application #V21-09 and rezoning application #Z21-07, Cody M. and Belinda West (appl.) Michael G. West (owner), requesting a variance and rezoning on a 1 acre tract located at 268 W. Kinman Road, Calhoun. Gary West (owner) spoke stating that he wants to deed 1 acre to his son from his 39.50 acre tract to build a home and therefore asking to rezone to bring into compliance and needs a variance to reduce county road frontage from 75 feet to an easement drive. Cathryn Morrison Walraven and Keith Walraven, adjoining property owners, spoke to just be clear on the plans. All adjoining property owners had been notified.

On variance application #V21-09, Sabrina Poole made the motion to approve the variance as requested to access the new home site by an easement drive. Eddie Smith seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

Eddie Smith made the motion to approve the rezoning application identified as #Z21-07 from A-1 to R-1. Sabrina Poole seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: April 26, 2021

Application # Z21-07

Applicant/Property Owner: Cody & Belinda West (appl) Michael G. West (owner)

Location of Property: 268 W. Kinman Rd. SW, Calhoun, GA 30701

Property Frontage: 25 Feet Tract Size: 1.00 Acres

Directions to property: Hwy 53W, turn left onto W.Kinman Rd. and go about ¼ on the right, in the curve.

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

Reasons for Proposed Action: Subdividing off an acre for my son to build a home, need to bring into compliance with zoning.

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: EH has no issue with the easement drive. However, we may have an issue with the natural gas easement running through this 1 acre when we try to place the house, drive, utilities, septic system and future repair area. I would suggest the owner having a level 3 soil study on the property and bringing it to my office for review prior to being "locked in" on this particular 1 acre. Son will also need a new 911 address. *See revised comment - Attached*

Building Inspection Department: N/A

Fire Department: OK with Fire Department

Gordon County School System: N/A

Public Works Department: Private Road. No requirements for Public Works.

Georgia Dept. of Transportation: N/A

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.



268 West Kinman Rd, West property

1 message

Blair, Christy <Christy.Blair@dph.ga.gov>

Tue, Apr 27, 2021 at 2:12 PM

To: Ursula Richardson <urichardson@gordoncounty.org>

I received the soil work that I needed from Mr. West on this property. We will be able to issue the septic permit on this and they should have enough room even though that gas easement runs through it. I talked with Gary West (dad) a few ago and told him that I would get back with you. Let me know if you need anything else from me.

Thanks!

Christy Blair

Gordon County Environmental Health

310 North River Street

Calhoun, GA 30701

706-624-1440 Extension 2

Public Health...Inform. Prevent. Protect.

Christy.Blair@dph.ga.gov

Cover Sheet
Proposal for Land Use Action

Application Number: Z21-07 Present Zoning: A-1 Proposed Zoning: R-1

Date of Planning Commission Meeting: May 10, 2021

Date of Board of Commissioners' Meeting: May 18, 2021

Applicant: Cody West Belinda West

Property Owner: (if different from applicant) Michael G. West

Property Address: 2128 West Kinman Rd Calhoun GA 30701

Said Property having a frontage of 136.45 feet and containing 1 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Build home subdividing off
an acre from my 39.50 acre tract.

Reason for Proposed Action: To Build Home for my
son. Need to bring into compliance
with zoning.

Directions to Property: 53 W to W Kinman, Left on Kinman
1/4 mile turn Right on driveway in curve

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 compatible with the surrounding area. There are large and small tracts zoned agricultural in the area.

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.

Primary issues are to satisfy the needs of Environmental Health. The proposed zoning is compliance with our Future Development Map.

Planning Staff's Recommendation

The Rezoning Application #Z21-07 is recommended for approval with the following conditions: All applicable state and local regulations shall be complied with especially EH.

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

EMERGING SUBURBAN

Description:

Most of these areas have historically been agricultural properties, including family farms and family land now being sold to housing developers. Northwest Georgia is benefitting from lower housing costs and a more affordable cost of living, which is causing development pressure for additional housing.

Development Strategies/Policies:

- ❖ Infrastructure: Agricultural or rural residential areas historically had minimal infrastructure, served by wells, septic tanks and narrow roads. As additional housing is developed and population density increases, a need for water, sewer, fiber optic and road improvement arises.
- ❖ Zoning: Zoning and other ordinances (design guidelines, code enforcement, etc.) should be in place in advance to prevent the construction of neighborhoods that are unlikely to retain their value. This can also be used to prevent over-development which will cause vehicular gridlock.
- ❖ Pedestrian-friendly: Housing is more marketable in areas that appear vibrant and thriving. Younger generations are looking for active communities that encourage residents to get out and interact with neighbors. Developers can be encouraged or incentivized to include sidewalks, crosswalks, bike lanes, trails, especially connecting neighborhoods to amenities.
- ❖ Encourage traditional neighborhood development: Offer incentives for developers to develop neighborhoods with various price points (entry-level to executive). Incentives can also be provided to encourage development of grid pattern neighborhoods, as opposed to the typical subdivisions that are comprised of a series of cul-de-sacs with a single point of entry/exit.
- ❖ School Placement: Historically schools have been placed where land values are lower, typically on sites accessible only by vehicular traffic, rather than neighborhood schools in walkable areas. Consider planning for future schools in areas that are likely to see significant residential growth.



Single family residential, Newtown Church Rd.

Land Uses: Residential, light commercial, parks/recreation

221-07

FILED & RECORDED
TIME 4:25
DATE 10-17-2000
BOOK 699 PAGE 358
LEWIS COUCH
GORDON COUNTY GA
I2000-8409

GORDON COUNTY GEORGIA
REAL ESTATE TRANSFER TAX
10-17-2000
Lewis Couch
LEWIS COUCH, CLERK OF SUPERIOR COURT

—SPACE ABOVE RESERVED FOR RECORDING INFORMATION—

Warranty Deed Form 1008 Clyde Castleberry Co., Covington, GA 30014

AFTER RECORDING RETURN TO:

State of Georgia, Gordon County

THIS INDENTURE, Made this 17 day of October in the year of our Lord
two thousand between JEANETTE O. WEST

of the County of Gordon and State of Georgia of the first part, and
Michael Gary West

of the County of Gordon and State of Georgia of the second part:

WITNESSETH, That the said part _____ of the first part, for and in consideration of the sum of
Love and Affection Dollars, in hand paid at and before the sealing
and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said part y of the second part
his heirs and assigns, all the following described property, to wit:

See Exhibit A
See Exhibit B

TO HAVE AND TO HOLD, The said bargained premises, together 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

TO HAVE AND TO HOLD, The said bargained premises, together 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
Michael GARY WEST the said part y of the second part,
his heirs and assigns forever in Fee Simple.

And the said part y of the first part, for her heirs, executors and administrators, will warrant and forever defend the right and title to the above described property unto the said part y of the second part his heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF the said part y of the first part has hereunto set her hand and affixed her seal the day and year first above written.

Signed, sealed and delivered in presence of:

[Signature] ROLANDA FULLER (Seal)
NOTARY
EXPIRES

Jeanette O. West (Seal)
JEANETTE O. WEST (Seal)

NOT P. SEAL AFFIXED

221-07

Exhibit B

All that tract or parcel of land lying and being in the 15th District and 3rd Section of Gordon County, Georgia, and being a part of Land Lot No. 65 thereof, and being more particularly described as 39.50 acres according to plat as being Tract 1 prepared by Freeman & Lambert, Surveyors, P.C. dated August 7, 1997, as "Survey for J. W. McHugh Farm Estate", and said plat is recorded in Plat Book 34, Page 144, Gordon County, Georgia Public Records, and reference is hereby made to said plat and record thereof for a full and complete description of the land herein conveyed.

FILED 10-17-20th LEWIS COUNTY GA

221-07

This box reserved for the Clerk of Superior Court

TAX PARCEL ID#
036 035A3
WALRAVEN, CATHRYN
ANN MORRISON
DB 1776 PG 72
PB 50 PG 204



TAX PARCEL ID#
036 045A
ROBBINS, MARIE

TAX PARCEL ID#
036 045
ROBBINS, MARIE
DB 2030 PG 86

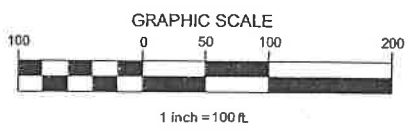
TAX PARCEL ID#
036 046
WEST, MICHAEL GARY
DB 699 PG 358
PB 34 PG 144
39.5 ACRES
PARENT TRACT

THE PURPOSE OF THIS SURVEY PLAT IS TO DEPICT A 1.0
ACRE TRACT TO BE SPLIT FROM THE PARENT 39.5 ACRE
PARCEL (PARCEL ID # 036 046).



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 THE 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 E. Bartenfeld
GEORGIA REGISTERED LAND SURVEYOR RLS # 2604 05/07/2020 DATE



NOTES:
1) ANGLES AND DISTANCES MEASURED WITH A TOPCON ROBOTIC TOTAL STATION & IGACE X90 DUAL FREQUENCY GPS RECEIVER.
2) THIS PLAT IS PREPARED BASED ON A FIELD SURVEY USING A 5 SECOND EDM MAKING REDUNDANT MEASUREMENTS TO ACHIEVE A RELATIVE POSITIONAL TOLERANCE OF 0.05" AND HAS A CLOSURE OF ONE FOOT IN 55,067 FEET. THE TRAVERSE NETWORK WAS ADJUSTED USING THE COMPASS RULE METHOD.
3) THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 132,000+ FEET.

LOT SPLIT PLAT
PREPARED
FOR
CODY & BELINDA WEST

**LAND SURVEYORS &
CONSULTANTS, LLC.**

Surveying • Elevation Certificates • Consulting
12 Centerport Drive
White, GA 30184
678-435-1998
Email: landsurveyors&consultants@gmail.com

PROPERTY DESCRIPTION:

268 WEST KINMAN ROAD
LAND LOT 65, 15th DISTRICT, 3rd SECTION
GORDON COUNTY, GEORGIA

SURVEY TYPE: LOT SPLIT PLAT
DATE OF FIELD SURVEY: 05/04/2020
MAP ISSUE DATE: 05/06/2020
PROJECT No.: 2020/WEST

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # 221-07 West A-1 to R-1
V21-09 Variance

Date: 426-21

Reviewed by: Eusty Hogan

PUBLIC WORKS DEPARTMENT

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

Private Road.

No Requirements for Public Works.

A handwritten signature in black ink, appearing to be 'E. Hogan', located at the bottom right of the page.

DEPARTMENTAL REVIEW - ENVIRONMENTAL HEALTH

Application # 221-07 West AlbR-1
V21-09 variance

Date: 4/23/21

Reviewed by: Christy Blair

ENVIRONMENTAL HEALTH

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

EH has no issue with the easement drive.
However, we may have an issue with the natural gas easement running through this 1 acre when we try to place the house, drive, utilities, septic system & future repair area. I would suggest the owner having a level 3 soil study on the property and bringing it to my office for review prior to being "locked in" on this particular 1 acre.
Son will also need a new 911 address.

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # ^{Z 21-07} V21-09 West A-1 to R-1
Variance

Date: 20APR2021

Reviewed by: Lt G. Hasty and Lt 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

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z21-07
APPLICATION NAME Cody West
TYPE OF ZONING: A-1 R-1, Variance
DATE: 4/13/2021
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.