

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 21-09 DATE OF READING 5-18-2021

REZONE FROM A-1 TO R-1

APPLICANT Jerry CONAWAY

OWNER _____

LOCATION OF PROPERTY 251 McCreary Rd SE
Calhoun, GA

DESCRIPTION OF PROPERTY

1.34 ACRES

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

1. Approval

STIPULATIONS:

REZONING APPLICATION #Z21-08, PAUL DAO (appl.) SPRING BANK, LLC (owner)

Vice-Chairman Lovelace read rezoning application #Z21-08, Paul Dao (appl.) and Spring Bank, LLC (owner), requesting to rezone a 140 +/- acre tract located at 1680 Mount Olive Church Road, Fairmount from A-1 to Conditional Use. Mr. Dao and Al Kolazar represented the request explaining that they would like to build 4 chicken houses. Jeremy Collis, an adjoining property owner, spoke in opposition to the rezoning for reason of traffic, noise, smell, and property value by the fact that there are already 58 chicken houses in the area. Mr. Dao and Mr. Kolazar spoke again stating that the chicken houses would be 1,000 feet from the road with the timber left around the houses as a buffer. Planning Commission member Eddie Smith asked the applicant if he would be willing to use an additive to the feed to help with the smell and they stated they would be open to doing so if Tyson would allow. Mr. Dao added that the trucks would only come during the day to pick up the eggs. All adjoining property owners had been notified.

Nathan Serritt made the motion to approve the rezoning application identified as #Z21-08 from A-1 to Conditional Use for 4 new poultry houses. Sabrina Poole seconded the motion. Eddie Smith voted against the motion. The vote was 2-1 to approve. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z21-09, JERRY CONAWAY

Vice-Chairman Lovelace read rezoning application #Z21-09, Jerry Conaway, requesting to rezone a 1.34 acre tract located at 251 McCreary Road, Calhoun from A-1 to R-1. Mr. Conaway represented the request explaining that he is potentially selling this home due to employment relocation and since the property had been given to him from a family member he needs to rezone to bring into compliance with county codes. All adjoining property owners had been notified.

Nathan Serritt made the motion to approve the rezoning application identified as #Z21-09 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.

ADDITIONAL BUSINESS

There being no additional business, Nathan Serritt made the motion to adjourn. Eddie Smith seconded the motion. All voted aye. The meeting was adjourned at 6:48 p.m.

Zelda Gregg, Secretary

Randy Rule, Chairman
Jerry Lovelace, Vice-Chairman

**Cover Sheet
Proposal for Land Use Action**

Application Number: 221-09 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: Jerry Conaway

Property Owner: (if different from applicant) _____

Property Address: 251 McCreezy Road^{SE}, Calhoun, GA 30701

Said Property having a frontage of 207.7 ft feet and containing 1.34 acres.

Future Development Map Classification: Residential Emerging Suburban

Current Zoning Map Classification: Agricultural

Proposed Action: Rezone lot from Agricultural to Residential

Reason for Proposed Action: County mandates to properties that were given between family members be rezoned before sale. Potential future sale due to employment relocation.

Directions to Property: From Calhoun - West Line St. to Dews Pond Road. Travel to intersection with Campbell Road, turn right. Travel to McCreezy Road, turn left. Property is 8th lot on the right. Drive is marked with red reflector, house # is on utility pole east of driveway.

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

Rezoning Proposal

Date of Report: April 26, 2021

Application # Z21-09

Applicant/Property Owner: Jerry Conaway

Location of Property: 251 McCreary Rd. SE, Calhoun, GA 30701

Property Frontage: 207.70 Feet Tract Size: 1.34 Acres

Directions to property: Dews Pond Rd. turn right onto Campbell RD. Turn left onto McCreary Rd. Property is the 8th lot on the right.

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

Reasons for Proposed Action: The tract was a family property transfer. It has to be rezoned to bring into compliance before potential future sale.

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 zoning. Septic record from 2006 attached.

Building Inspection Department: N/A

Fire Department: OK with Fire Department

Gordon County School System: N/A

Public Works Department: Any additional driveways must be approved by the Public Works Dept.

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.

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 is a subdivision to the north as well as small residential tracts near the property.

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 because it is less than the minimum five (5) acre lot size requirement for A-1 zoning.

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.

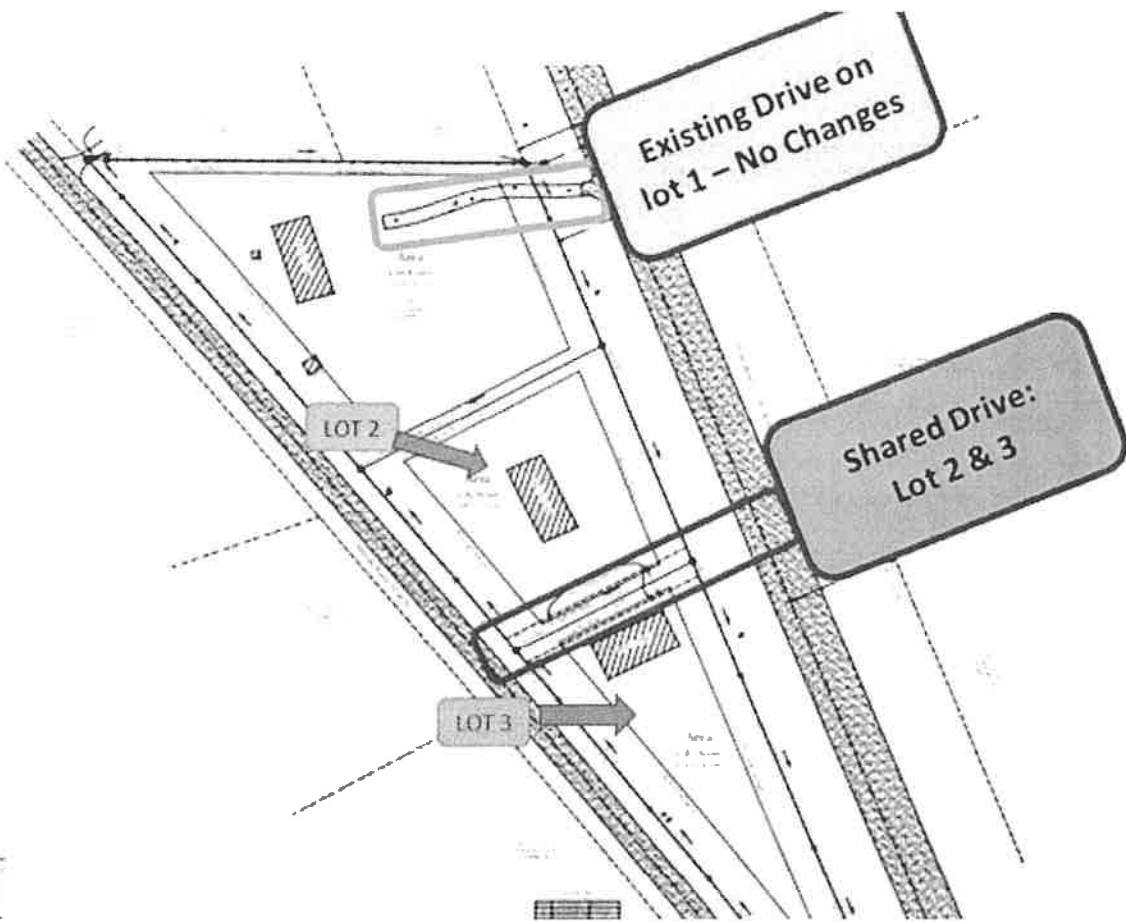
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproved of the zoning proposal.

The proposed zoning is compliance with our Future Development Map.

Planning Staff's Recommendation

The Rezoning Application #Z21-09 is recommended for approval.

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



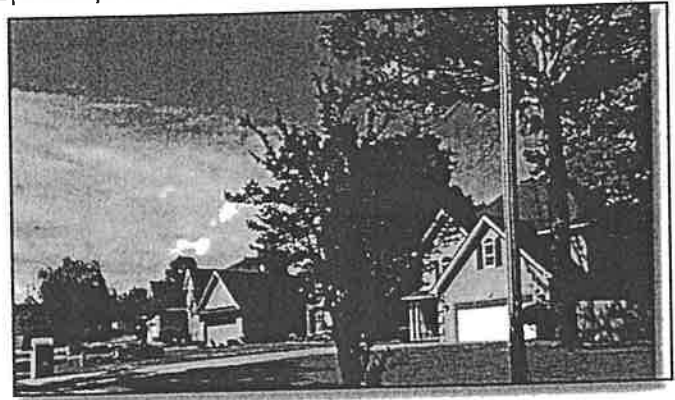
EMERGING SUBURBAN

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

Deed
 Doc: WD
 Recorded 07/22/2005 08:30A Rept# 30325
 Georgia Transfer Tax Paid : \$0.00
 BRIAN BRANNON
 Clerk Superior Court, GORDON County, Ga.
 Bk 01214 Pg 0006

105-7624

STATE OF GEORGIA
 COUNTY OF GORDON

WARRANTY DEED
 DEED ONLY, TITLE NOT EXAMINED

THIS INDENTURE made this 13th day of July, 2004, by and between

LOYD CONAWAY AND BETTY CONAWAY

party or parties of the first part, hereinafter referred to as "Grantor", and

JERRY CONAWAY AND DENISE CONAWAY, as joint tenants with
 the right of survivorship, and not as tenants in common

party or parties of the second part hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter,
 masculine and feminine genders, the singular and the plural;

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten Dollars in hand paid and other good and valuable consideration
 delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which
 is hereby acknowledged, Grantor, has, and hereby does, grant, bargain, sell and convey unto Grantee and the heirs, legal
 representatives, successors and assigns of Grantee

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 257 of the 7th District
 and 3rd Section of Gordon County, Georgia; and being that certain 1.34 acre tract as shown on
 that certain survey entitled "Survey for Loyd Conaway" dated June 28, 2005 which plat of survey is
 recorded At Plat Book 44, Page 171 Gordon County, Georgia records which plat by reference is
 incorporated herein and made a part hereof.

TO HAVE AND TO HOLD said tract or parcel of land, together with any and all of 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 Grantee and the heirs, legal representatives, successors and assigns of Grantee, forever, in FEE SIMPLE.

GRANTOR SHALL WARRANT and forever defend the right and title to said tract or parcel of land unto the
 Grantee and the heirs, legal representatives, successors and assigns of Grantee, against the claims of all persons
 whomsoever.

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

Signed, Sealed and Delivered in the presence of:

Edwaine D. Sweet
 (Unofficial Witness)

Loyd Conaway (SEAL)
 LOYD CONAWAY

[Signature]
 (Notary Public)



Betty Conaway (SEAL)
 BETTY CONAWAY

N.P. SEAL AFFIXED

FILED & RECORDED 7-22-05 BRIAN BRANNON, CSC

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 221-09 Conway A-1 to R-1

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:

No issues w/ zoning.
Septic record from 2006 attached.

**GORDON COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SECTION**

318 North River Street • Calhoun, GA 30701
(706) 624-1440 or (706) 624-1441

APPLICATION: ON-SITE SEWAGE MANAGEMENT SYSTEM

NEW
 EXISTING

APPLICATION DATE 7-14-05
PERMIT NUMBER 14374
ZONING CERTIFICATE NUMBER

PROPERTY OWNER Jerry Conaway 602-8555 770-548-9823 cell	APPLICANT JERRY CONAWAY	TELEPHONE
ADDRESS	ADDRESS	
PROPOSED CONSTRUCTION ADDRESS #251 McCreary Rd	SUBDIVISION NAME	<input type="checkbox"/> LOT NUMBER <input checked="" type="checkbox"/> ACRE <input type="checkbox"/> SQ.FT. 1.34
DIRECTIONS TO SITE LOCATION Dews Pond Rd. right on Campbell Rd, left on McCreary, property on right on top of hill - (just past yellow house w/triple garage) @ 1/10 mile		

TYPE FACILITY <input checked="" type="checkbox"/> House <u>3</u> # of Bedrooms <input type="checkbox"/> Mobile Home <u>n</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>Aragon</u> Perc Rate <u>10 mpi</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.

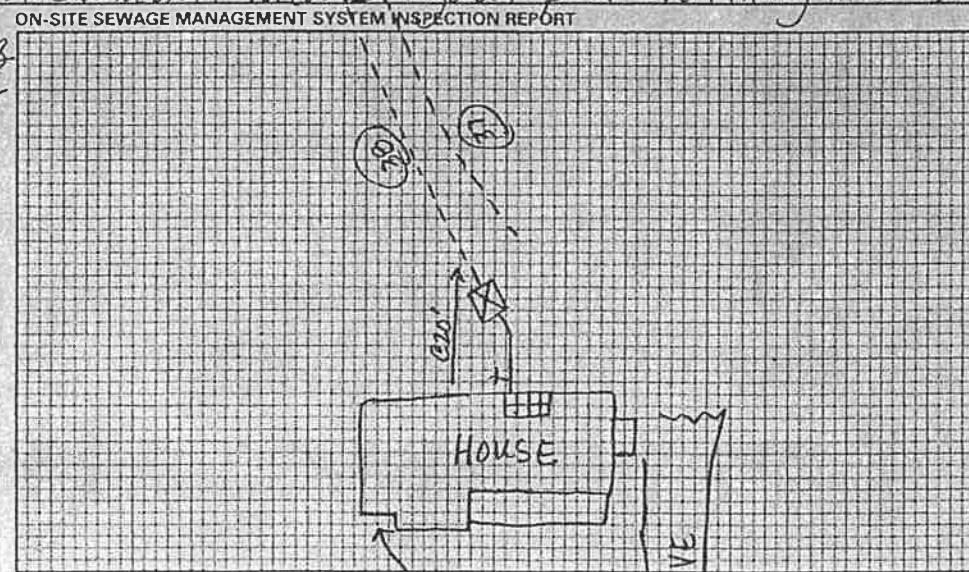
Authorized Signature (Owner or Applicant) Jerry Conaway *400' x .75' = 300' 8/17/06 - updated - new sizing requirements apply CB*

MINIMUM REQUIREMENTS	Septic Tank Capacity <u>1000</u>	Grease Trap Capacity <u>N/A</u>	Total Linear Feet <u>400</u>	Trench Depth In <u>12-14"</u>	Trench Width In <u>36"</u>
SITE APPROVED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>GRAVEL ONLY (H₂O table @ 36-40")</u>				
Approved by (Health Authority) <u>Christy Blair</u>	Title <u>EHCM</u>	Date of Issue <u>7/10/05</u>			

COMMENTS: Need to have builder and septic installer meet on-site to decide on elevation of stub out. Stub out needs to be high enough for shallow tank placement and shallow drainfield installation. Need 12" + good top soil overfilling lines. Bring in and narrow in b4 install.

PRIMARY TREATMENT:
Septic Tank 1000 Gal. w/ Tuftite filter
Grease Trap N/A Gal.
Distance Tank from Well N/A ft.

SECONDARY TREATMENT:
Field Layout Method CHAMBER (75)
Total Linear Feet 300
Total Square Feet 900
Width of Trenches 36 Inches
Distance Between Trenches 10 Feet
Average Trench Depth 12" Inches
Aggregate: Size --- Depth ---
Distance from Building 0'20" Feet
Distance from Well N/A Feet
Nearest Property Line Rear @ 30' Feet



COMMENTS: *12" deep in original w/12" cover (8 loads)
> used Standard Quick 4

INSPECTOR: Christy Blair CONTRACTOR: Randy Hufstetter DATE: 9/18/06
APPROVED DISAPPROVED
MCCORDON DR

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z-21-09 Conway A-1 to R-1

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

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # Z21-09 Conaway A-1 to R-1

Date: _____

Reviewed by: _____

PUBLIC WORKS DEPARTMENT

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

Any additional driveways must
be approved by the Public Works Dept.

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z21-09
APPLICATION NAME Jerry Conaway
TYPE OF ZONING: A-1 to R-1
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.