

INFORMATION SHEET FOR REZONING REQUESTS

Application # 221-22 DATE OF READING 9-21-21
REZONE FROM A-1 TO R-2 medium density residential

APPLICANT Quang Nguyen + Giau Vo

OWNER _____

LOCATION OF PROPERTY Lindsey Lane
Calhoun

DESCRIPTION OF PROPERTY
1.29 ACRES

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

- Approval

STIPULATIONS:

REZONING APPLICATION #Z21-21, JAREN JEFFORDS

Chairman Rule read rezoning application #Z21-21, Jaren Jeffords, requesting to rezone 27.41 acres located on Tucker Hollow Rd., Calhoun from R-2 to A-1. Mr. Jeffords explained that the property had been rezoned for a subdivision which he would like to rezone back to A-1 and use it for his cattle. All adjoining property owners had been notified.

Nathan Serritt made the motion to approve the rezoning application identified as #Z21-21 from R-2 to A-1. Eddie Smith seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z21-22, QUANG NGUYEN & GIAU VO

Chairman Rule read rezoning application #Z21-22, Quang Nguyen and Giau VO, requesting to rezone 1.29 acres located on Lindsey Lane, Calhoun from A-1 to R-4. Mr. Nguyen explained that they would like to build a duplex on this site that had been used for a mobile home in the past. He also added that they would annex into the City for sewer connection. All adjoining property owners had been notified.

Sabrina Poole made the motion to approve the rezoning application identified as #Z21-22 from A-1 to R-4. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z21-24, JEFF LANGSTON

Chairman Rule read rezoning application #Z21-24, Jeff Langston, requesting to rezone 2.071 acres located at 749 Brackett Rd., Resaca from A-1 to RA-1. Mr. Langston explained that he is splitting this property off of a larger tract and needs to bring into compliance. All adjoining property owners had been notified.

Nathan Serritt made the motion to approve the rezoning application identified as #Z21-24 from A-1 to RA-1 with the stipulations that all the Environmental Health requirements are met. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z21-25, JEFF LANGSTON

Chairman Rule read rezoning application #Z21-25, Jeff Langston, requesting to rezone 1.817 acres located at 749 Brackett Rd., Resaca from A-1 to R-6. Mr. Langston explained that he is splitting this property with existing mobile home from a larger tract to sale and needs to bring into compliance. All adjoining property owners had been notified.

Eddie Smith made the motion to approve the rezoning application identified as #Z21-25 from A-1 to R-6 with the stipulations that all the Environmental Health requirements are met. Nathan Serritt 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: August 27, 2021

Application # Z21-22

Applicant/Property Owner: Quang Nguyen & Giau VO

Location of Property: Lindsey Lane, Calhoun, GA 30701

Property Frontage: 300 Feet **Tract Size:** 1.29 Acres

Directions to property: Hwy US 53E, turn left onto Lovers Lane Rd. Go .8 miles turn right onto Lindsey Lane, last lot on left.

Proposed Action: Rezone from A-1, Agricultural District to R-4, High Density Residential

Reasons for Proposed Action: The property has been used for mobile homes in the past, I would like to build a duplex.

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: Are the trailers on this property that is referenced on the plat? And frame house? If so, it will be a NO on a septic permit for a new structure/duplex. If there is nothing else on the property, then I will need a level 3 soil analysis and the duplex plans to move forward with designing a septic system.

Building Inspection Department: N/A

Fire Department: OK with Fire Department.

Gordon County School System: N/A

Public Works Department: This property will require a driveway permit upon approval from the Public Works Dept.

Georgia Dept. of Transportation: N/A.

Water & Sewer (City of Calhoun): This property is served by a 2" water line. Sewer service can be made available to this property from easements obtained by the property owner if the property meets the requirements for annexation. It must annex into the City of Calhoun for sewer service.

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

Cover Sheet
Proposal for Land Use Action

Application Number: 221-22 Present Zoning: A-1 Proposed Zoning: R-4

Date of Planning Commission Meeting: September 13, 2021

Date of Board of Commissioners' Meeting: September 21, 2021

Applicant: Quang Nguyen & Giau Vo

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

Property Address: Lindsey Lane, Calhoun, GA 30701

Said Property having a frontage of 300.39 1/2 feet and containing 1.29 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural District

Proposed Action: Rezone property

Reason for Proposed Action: To build duplex

Directions to Property: Dews Pond Rd to Lovers Lane Rd.
turn left on Lindsey Ln, last lot on left.

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 located just off Lovers Lane Rd., there are small lots with homes zoned A-1 in the area. Also this property has had six (6) dwellings in the past.

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 can be further developed as currently zoned, with one (1) dwelling only.

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 Land Development Map.

Planning Staff's Recommendation

The Rezoning Application #Z21-22 may be recommended for approval if a variance is applied for, for a septic system versus going on city sewer which the property would have to be annexed into the City of Calhoun to obtain, as per the Water & Sewer Dept.

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

Return Recorded Document to:
Brumlow, Corwin & Delashmit, P.C.
1287 Curtis Parkway SE
Calhoun, GA 30701
File #0721G039

**JOINT TENANCY WITH SURVIVORSHIP
WARRANTY DEED**

**STATE OF GEORGIA,
COUNTY OF Gordon**

This Indenture made this 5th day of August, 2021 between Kimberley Anderson, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Quang Thanh Nguyen, Tram Van Nguyen, Giau Thi Ngoc and Thi Ghe Nguyen, 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 238 of the 14th District and 3rd Section of Gordon County, Georgia; and being that 1.25 acre tract of land according to a plat prepared by Carl F. Freeman, Jr. surveyor of date October 14, 1981, which plat is recorded in Plat Book 12, Page 208, 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.

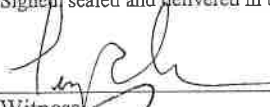
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as joint tenants and not as tenants in common, for and 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.

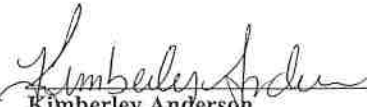
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

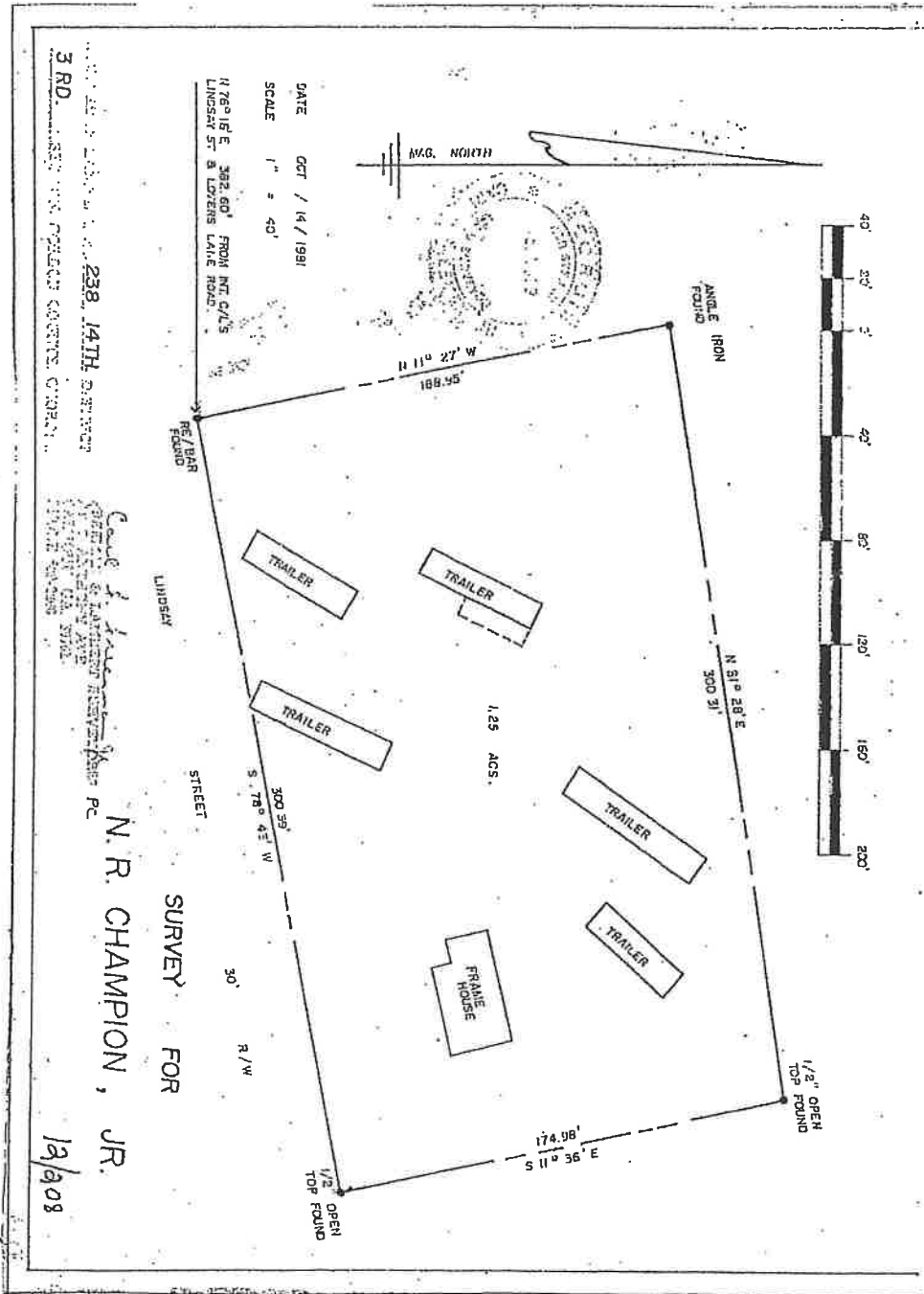
 (Seal)

Kimberley Anderson

Notary Public



221-2A



Filed in office
 10-23-81
 2 P.M.

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 221-22 Nguyen A-1 to R-4

Date: 8/26/21

Reviewed by: Christy Blair

ENVIRONMENTAL HEALTH

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

Are the trailers still on this property that are referenced on the plat? and frame house?

If so, it will be a NO on a septic permit for a new structure/duplex. If there is nothing else on the property, then I will need a level 3 soil analysis and the duplex plans to move forward with designing a septic system.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z21-22 Nguyen A-1 to R-4

Date: 8/17/2021

Reviewed by: Ron Chance Greg Hasty

FIRE DEPARTMENT

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

OK With Fire Department

Ron Chance

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # Z21-22 Nguyen Alt to R#

Date: 8-18-21

Reviewed by: Stu Paris

PUBLIC WORKS DEPARTMENT

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

This property will require a driveway permit upon approval from the Public Works Dept.

Stu Paris

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z21-22
APPLICATION NAME QUANG NGUYEN
TYPE OF ZONING: A-1 TO R-4
DATE: 8/27/2021
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS AREA IS SERVED BY A 2" WATER LINE.

SEWER COMMENTS:

SEWER SERVICE CAN BE MADE AVAILIABLE TO THIS PROPERTY FROM EASEMENTS OBTAINED BY THE PROPERTY OWNER. IF THE PROPERTY MEETS THE REQUIREMENTS FOR ANNEXATION, IT MUST ANNEX INTO THE CITY OF CALHOUN FOR SEWER SERVICE.

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.