

INFORMATION SHEET FOR REZONING REQUESTS

Application # 221-27 DATE OF READING 10-19-2021

REZONE FROM A-1 TO RA-1 residential agricultural district

APPLICANT DAMIAN + JOHANNA LIKER

OWNER _____

LOCATION OF PROPERTY 1697 Covington Bridge Rd SE

Fairmount GA

DESCRIPTION OF PROPERTY

4.0 ACRES

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

- Approval

STIPULATIONS:

Atty. Bill Thompson spoke in opposition stating that this is the largest proposed residential development in Gordon County and the first residential project for the DRI process. The high-density development will bring a significant tax burden on the Gordon County Government, not to mention the State of Georgia. Gordon County will be forced to adapt its fire, law enforcement and recreational resources to a new dynamic. The School Board will have a dramatic challenge facing it with regard to educating the children that will come. The proposed drawing of the development shows one entry way in and out of what will become the largest and most dense development that will challenge the GDOT, not to mention the impact from the new By-Pass. We have to control the developments that are coming.

Sue Hibberts spoke in opposition regarding the impact the new high school has already put on this community with transportation due to the traffic and the impact this will have on our school system.

Nathan Roberts also spoke in opposition about the intense use for this area and did not want this intensity in this area that it should be closer to the city. All adjoining property owners had been notified.

Eddie Smith made a motion to deny the rezoning application identified as #Z21-23. Jerry Lovelace second the motion. Sabrina Poole abstained from voting. All voted aye. The recommendation for denial was sent to the Board of Commissioners.

REZONING APPLICATION #Z21-27, DAMIAN AND JOHNNA LIKER

Chairman Rule read rezoning application #Z21-27, Damian & Johnna Liker, requesting to rezone a 4.00 acre tract located at 1697 Covington Bridge Rd., Fairmount. Mrs. Liker explained that they have purchased a 4 acre tract that was subdivided from a larger tract and would like to build a house there. All adjoining property owners had been notified.

Jerry Lovelace made a motion to approve the rezoning application identified as #Z21-27. Sabrina Poole second the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners

VARIANCE APPLICATION #V21-17, OWR, LLC (appl) JOE MOORE, TIM MOORE & LINDA MOORE KELLY INDIVIDUALLY AND AS TRUSTEES (owner)

Chairman Rule read variance application #V21-17, OWR, LLC requesting a variance for a 94+/- acre tract located at Trimble Hollow Rd. and Spring Hill Rd., Adairsville. Attorney Terry Brumlow explained that the property to the north has been acquired and closed on but could not disclose the name yet but that they have things moving forward with a manufacturing plant. The variance was to reduce the buffer strip on the north and east. All adjoining property owners had been notified.

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: September 24, 2021

Application # Z21-27

Applicant/Property Owner: Damian & Johnna Liker

Location of Property: 1697 Covington Bridge Rd. SE, Fairmount, GA 30139

Property Frontage: 813 +/- Feet Tract Size: 4.00 Acres

Directions to property: Dews Pond Rd., turn left onto Covington Bridge Rd., go about 3 miles on right.

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

Reasons for Proposed Action: Subdivided the four (4) acre tract from a larger parent tract and would like to rezone in order to bring into compliance for building a house.

Future Development Map Classification: Rural/Agricultural Reserve

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: Our office has already issued a septic permit for the 4 acre tract for Mr. Liker (see attached). Due to the percolation rate of 120 mpi, this property can never be subdivided below 3 acres. No issues w/the rezoning.

Building Inspection Department: The property is located within a "Zone A" Floodplain. A "zone A" indicates that no base flood elevation has been determined. Therefore, in order to obtain a building permit the following must be done: A flood resistant foundation must be engineered by a Georgia Registered Engineer; The floor elevation of the first finished floor must be a minimum of 3 feet above the highest adjacent ground; All service equipment must be mounted a min. of 3 feet above the highest adjacent ground; A elevation certificate must be submitted once the first finished floor is built.

Fire Department: OK with Fire Department.

Gordon County School System: N/A

Public Works Department: Existing driveway applied for and approved. Any additional driveways must be approved by the GCPW Dept.

Georgia Dept. of Transportation: N/A

Water & Sewer (City of Calhoun): This area is served by an 8" 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

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 compatible with the surrounding properties for housing.

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 requirements for A-1 zoning and cannot be used for residential purposes.

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 Rural/Agricultural Reserve on the Gordon County Future Development Map. This classification supports land uses intended for large lot residential, agricultural, agribusiness, conservation, passive 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 #Z21-27 is recommended for approval.

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

RURAL/AGRICULTURAL RESERVE

Description:

These are rural areas, away from Interstate 75 and the Calhoun Metropolitan Area. This part of the county consists of rural residential homes and family farms typically not served by sewer. The poultry industry has also seen tremendous growth in these parts of the county. Much of the County's floodplain lies within these areas providing for potential greenspace and recreational development.

Development

Strategies/Policies:

- ❖ Infrastructure: Limiting expansion of sewer to these areas will prevent over development if the county hopes to retain the rural character of this area. However, internet access in these areas is becoming increasingly important, particularly for students doing school assignments. Roads should only be widened when absolutely necessary. Zoning is another opportunity to prevent sprawl and over development.
- ❖ Conservation Easements: Many properties in these areas could take advantage of conservation easements. These are an opportunity to protect greenspace and natural resources. Conservation efforts are especially important along rivers and creeks.
- ❖ Agribusiness development: There is a growing market for locally produced products, whether fruits and vegetables, meats and cheeses, or even local wine production. North Georgia has seen explosive growth in the development of wineries and vineyards. Ensure that zoning and local ordinances allow for the development of such opportunities. These can also be tourism draws.
- ❖ Zoning: Protect the character of this area by zoning it for large lot residential and agricultural. Agribusiness properties should allow for enough of a buffer to prevent things like manure odors and insecticide overspray from adversely affecting the quality of life for neighboring residences.



Cows and calves, Highway 53.

Land Uses:

Large lot residential, agricultural, agribusiness, conservation, passive recreation (i.e. fishing, hunting)

Cover Sheet
Proposal for Land Use Action

Application Number: 221-27 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: October 11, 2021

Date of Board of Commissioners' Meeting: October 19, 2021

Applicant: Damian & Johnna Liker

Property Owner: (if different from applicant) _____

Property Address: 1197 Covington Bridge Rd SE

Said Property having a frontage of 813⁺ feet and containing 4 acres.

Future Development Map Classification: Rural / Agricultural Reserve

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: To @ rezone property from agricultural zoning to Residential zoning

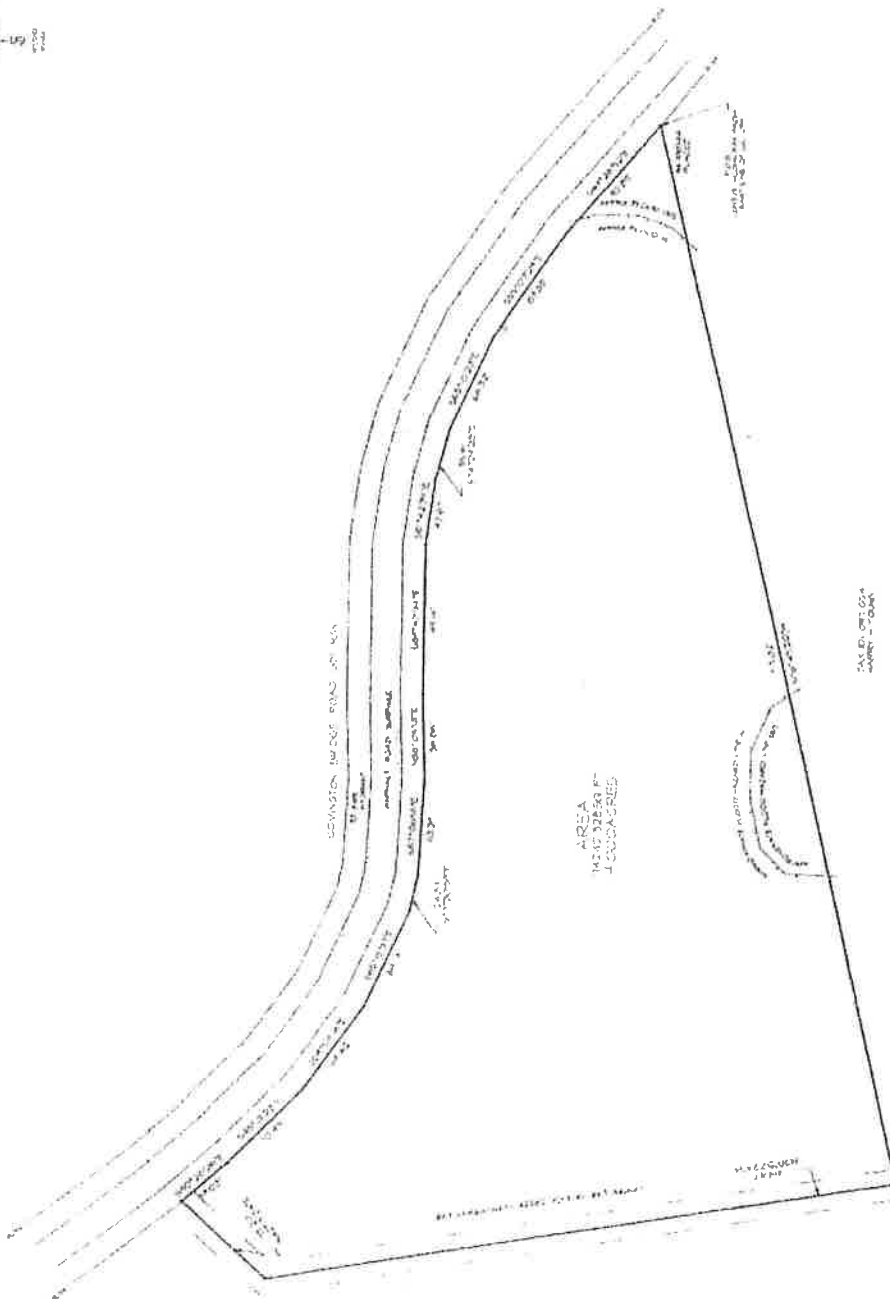
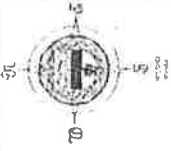
Reason for Proposed Action: Requesting a rezone to obtain a building permit so I can build my home. Subdivided the 4 acre tract from a larger parent tract

Directions to Property: directly across from 11041 Covington Bridge (Ms. Shirley Wright) @ 3 miles from Cash Rd on rt.

221-27

eFiled & eRecorded
DATE: 6/4/2021
TIME: 10:12 AM
PLAT BOOK: 00058
PAGE: 00123
RECORDING FEES: \$10.00
PARTICIPANT ID: 7981764245
CLERK: Grant Walraven
GORDON County, GA

SURVEY
for
HARRY H. YOUNG



PLAT NO. 024
JUNE - 2021

FOR RECORDING ONLY
Plats submitted for recording with
Gordon County have not been reviewed and
are ineligible for building permits.
County Office Building, Planning & Development
200 W. Main Street, Gordon, GA 31027
Phone: (706) 853-1234



Land Surveying
200 South 2nd Street, Columbus, GA 31901
Phone: (706) 850-4340

SEPARATE CERTIFICATION
I, the undersigned, being a duly qualified and licensed Surveyor, do hereby certify that the foregoing plat is a true and correct copy of the original survey as shown to me by the owner or his agent, and that the same has been filed for record in the office of the Clerk of Superior Court, in and for the County of Gordon, State of Georgia, on this 4th day of June, 2021.
James H. Young, Surveyor
PLAT NO. 024
JUNE - 2021

LAND LOT: 250
SECTION: 3
COUNTY: GORDON
STATE: GEORGIA



THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF GEORGIA LAW. I AM A DULY LICENSED SURVEYOR IN THE STATE OF GEORGIA. MY LICENSE NUMBER IS 12345. I AM NOT PROVIDING ANY WARRANTY OR GUARANTEE FOR THIS SURVEY. THE USER OF THIS SURVEY SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. I AM NOT PROVIDING ANY INSURANCE COVERAGE FOR THIS SURVEY. I AM NOT PROVIDING ANY FINANCIAL SERVICES FOR THIS SURVEY. I AM NOT PROVIDING ANY LEGAL ADVICE FOR THIS SURVEY. I AM NOT PROVIDING ANY OTHER SERVICES FOR THIS SURVEY.

eFiled & eRecorded
DATE: 6/14/2021
TIME: 10:23 AM
DEED BOOK: 02493
PAGE: 00295
RECORDING FEES: \$25.00
TRANSFER TAX: \$30.00
PARTICIPANT ID: 7981764245
CLERK: Grant Walraven
GORDON County, GA
PT61: 0642021001394

Return Recorded Document to:
Brumlow, Carwin and Delasbault, P.C.
1287 Curtis Parkway
Calhoun, Georgia 30701

STATE OF GEORGIA,
COUNTY OF GORDON

DEED ONLY NO TITLE OPINION

WARRANTY DEED

This Indenture made this 8th day of June, 2021 between HARRY H. YOUNG, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and JOHNNA LIKER AND DAMIAN LIKER, 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 no. 239, 7th district, 3rd section of Gordon County, Georgia, and being that certain 4.00 acres according to a plat of survey recorded at Plat Book 58, Page 123, 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.

Preparer makes no warranties or representations as to the status of the title to the property described herein, other than that the description has been properly prepared from the information provided to the preparer.

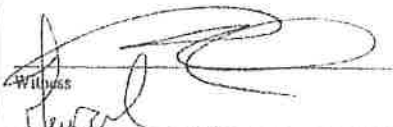
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as joint tenants and not as tenants in common, for and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



Notary Public



Harry H. Young (Seal)



DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 221-27 Liker A-1 to RA-1

Date: 9/17/21

Reviewed by: Christy Blair

ENVIRONMENTAL HEALTH

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

Our office has already issued a septic permit for the 4 acre tract for Mr. Liker (see attached).

Due to the percolation rate of 120 mpi, this property can never be subdivided below 3 acres.

No issues w/the rezoning.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 221-27 Liker A-1 to RA-1

Date: 9-15-21

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 # 221-27 Liker A-1 to RA-1

Date: Sept. 24, 2021

Reviewed by: Rusty Hagan

PUBLIC WORKS DEPARTMENT

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

Existing Driveway Applied for an approved. Any additional driveways must be approved by the GCPW Dept.

DEPARTMENTAL REVIEW – BUILDING INSPECTION DEPARTMENT

Application # 221-27 Liker A-1 to RA-1

Date: 8/20/21

Reviewed by: TOM BURGESS

BUILDING INSPECTION DEPARTMENT

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

THE PROPERTY IS LOCATED WITHIN A "ZONE A" FLOODPLAIN. A "ZONE A" INDICATES THAT NO BASE FLOOD ELEVATION HAS BEEN DETERMINED.

THEREFORE, IN ORDER TO OBTAIN A BUILDING PERMIT THE FOLLOWING MUST BE DONE:

- A FLOOD RESISTANT FOUNDATION MUST BE ENGINEERED BY A GEORGIA REGISTERED ENGINEER.
- THE FLOOR ELEVATION OF THE FIRST FINISHED FLOOR MUST BE A MINIMUM OF 3 FEET ABOVE THE HIGHEST ADJACENT GROUND
- ALL SERVICE EQUIPMENT MUST BE MOUNTED A MIN. OF 3 FT ABOVE THE HIGHEST ADJACENT GROUND.
- A ELEVATION CERTIFICATE MUST BE SUBMITTED ONCE THE FIRST FINISHED FLOOR IS BUILT.

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z21-27
APPLICATION NAME Damien Liker
TYPE OF ZONING: A-1 to RA-1
DATE: 9/22/2021
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by an 8" 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.