

INFORMATION SHEET FOR REZONING REQUESTS

Application # 221-39 DATE OF READING 12-21-2021
REZONE FROM A-1 TO RA-1 residential agricultural district

APPLICANT Bertie Wilson

OWNER _____

LOCATION OF PROPERTY 153 Baker Rd.

Calhoun

DESCRIPTION OF PROPERTY
8.33 +/- ACRES

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

- Approval

STIPULATIONS:

REZONING APPLICATION #Z21-37, JERRY W. GRAVITTE (appl)
MARSHA PARKER (owner)

Chairman Rule read rezoning application #Z21-37, Jerry W. Gravitte (appl) and Marsha Parker (owner), requesting to rezone a 34.0 acre tract located at 1420 Liberty Church Rd., Ranger from A-1 to C-G. Mr. Gravitte explained that he would like to rezone property to build a drive-in movie theater. Adjoining property owners and other concerned citizens spoke in opposition to the rezoning with concerns of noise, traffic, roads public safety, litter, etc. Those speaking in opposition were Nancy Clardy, Rodney Swann, Melissa Vinson, Terry Harris, Andrew Swann, Kayren Vinson, Andy Bailey, Paula Wardlaw, and Neil Nix. Chairman Rule read a letter with a petition of 358 signatures of those opposing the rezoning. Nancy Clardy asks for those in attendance that were opposed to stand and 50-75 people stood in opposition. Ariel Emmons, Courtney Miles and Sabrina Wilson, all spoke in favor of the rezoning. All adjoining property owners had been notified.

Sabrina Poole made the motion to deny the rezoning application identified as #Z21-37 from A-1 to C-G. Jerry Lovelace seconded the motion. All voted aye. The recommendation for denial was sent to the Board of Commissioners.

VARIANCE APPLICATION #V21-22 & REZONING APPLICATION #Z21-38,
MARTY CARROLL

Chairman Rule read variance application #V21-22 and rezoning application #Z21-38, Marty Carroll for a 8 acre tract located at 1420, 1424 and Hwy. 41N, Calhoun. Mr. Carroll represented the requests explaining that he would like to develop property into a campground resort with amenities. The reason for the variance is the minimum site area for a campground is 20 acres; therefore needing a 12 acre variance and would like to rezone this property from C-G to C-H. He plans on a complete landscape design with 68 pads for RV's that will help to spice up that area of the county and completely surrounded by a privacy fence. All adjoining property owners had been notified.

On variance application #V21-22, Nathan Serritt made the motion to approve the variance and grant the 12 acre variance. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained. On rezoning application #Z21-38, Jerry Lovelace made the motion to approve the rezoning from C-G to C-H. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V21-23 & REZONING APPLICATION #Z21-39,
BERTIE WILSON

Chairman Rule read variance application #V21-23 and rezoning application #Z21-39, Bertie Wilson for a property located at 153 Baker Rd., Calhoun. Jacob Phipps represented the requests explaining that he wants to buy the existing house, storage building, and 4 acres of the 8.33 acre tract and the balance of 4.33 acres to be accessed by an easement. Therefore, needs to rezone entire 8.33 acre tract from A-1 to RA-1 to bring into compliance. All adjoining property owners had been notified.

On variance application #V21-23, Nathan Serritt made the motion to approve the variance and allow access to 4.33 acres with an easement. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained. On rezoning application #Z21-39, Nathan made the motion to approve the rezoning request from A-1 to RA-1 on the 8.33 acre tract. Sabrina Poole seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V21-24 & REZONING APPLICATION #Z21-40, INLIGHT REAL ESTATE ACQUISITIONS, LLC (appl) BOBBY BURNETT (owner)

Chairman Rule read variance application #V21-24 and rezoning application #Z21-40, InLight Real Estate Acquisitions, LLC (appl) and Bobby Burnett (owner). Terry Brumlow, a local attorney, represented the requests and stated that he was withdrawing the variance request V21-24, since InLight Real Estate Acquisitions had acquired adjoining properties the variance was no longer needed. Mr. Brumlow stated that this was a 5.20 acre tract located at 1316 Gardner Springs Road, Adairsville and would like to rezone from A-1 to I-1 to build an industrial building. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z21-40 from A-1 to I-1. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z21-41, INLIGHT REAL ESTATE ACQUISITIONS, LLC (appl) CHRIS HALL (owner)

Chairman Rule read rezoning application #Z21-41, InLight Real Estate Acquisitions, LLC (appl) and Chris Hall (owner), requesting to rezone 5.82 acres located at 1350 Gardner Springs Road, Adairsville from A-1 to I-1. Terry Brumlow, a local attorney, represented the request stating that this is another piece of the property to be the site of an industrial building. All adjoining property owners had been notified.

Sabrina Poole made the motion to approve the rezoning application identified as #Z21-41 from A-1 to I-1. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z21-42, INDUSTRIAL VI ENTERPRISES, LLC (appl) MATT SMITH (owner)

Chairman Rule read rezoning application #Z21-42, Industrial VI Enterprises, LLC (appl) and Matt Smith (owner), requesting to rezone 93.58 acres located at 5313 Fairmount Hwy., Calhoun from A-1 to I-1. William Valentine, development director for Industrial VI Enterprises, LLC, represented the request stating that this is to be a million square foot warehouse. Mike Goforth, adjoining property owner spoke wanting clarity to the planned project. All adjoining property owners had been notified.

**Cover Sheet
Proposal for Land Use Action**

Application Number: 221-39 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: December 13, 2021

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

Applicant: Bertie Wilson

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

Property Address: 153 Baker Rd. SE, Calhoun, GA 30701

Said Property having a frontage of 331.20 feet and containing 8.33 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Selling the existing house with
4.00 acres and keeping the remaining
4.33 acres with an easement.

Reason for Proposed Action: To bring to property into
compliance w/zoning.

Directions to Property: Dews Pond Rd. + left on
Love Bridge at Antioch ch, go 1 mile
+ right onto Baker, first house on
right.

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

Rezoning Proposal

Date of Report: November 24, 2021

Application # Z21-39

Applicant/Property Owner: Bertie Wilson

Location of Property: 153 Baker Rd. SE, Calhoun, GA 30701

Property Frontage: 331.20 +/- Feet **Tract Size:** 8.33 +/- Acres

Directions to property: Dews Pond Rd. turn left onto Love Bridge Rd. at Antioch Baptist Church, go about 1 miles turn right onto Baker Rd., first house on the right.

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

Reasons for Proposed Action: I would like to sell the existing house with 4.00 acres and keep the remaining property with an easement.

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: Nothing from EH. /no septic records for #153, house built @ 1970.

Building Inspection Department: N/A

Fire Department: OK with Fire Department.

Gordon County School System: N/A

Public Works Department: If driveway's are to be added to this location they will need to be inspected and 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 Pubic Hearing on the 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 subject property is compatible with the surrounding area, agriculture zoned smaller lots used for residential.

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 requirement 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.*

The proposed zoning is compatible to the surrounding area and the Future Land Development Map.

Planning Staff's Recommendation

The Rezoning Application #Z21-39 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

STATE OF GEORGIA
COUNTY OF GORDON

FILED & RECORDED
TIME: 1:55
DATE: 4-18-96
BOOK: 478 PAGE 128
LEWIS C. COOK, C.S.C.
GORDON COUNTY, GA

221-39

**CORRECTIVE
WARRANTY DEED**

THIS INDENTURE, made this 18 day of April in the year of
our Lord One Thousand Nine Hundred and Ninety Six, between

JACK D. STEPP and DWIGHT L. WALRAVEN

as Grantor, and

LEE ROY WILSON and BERTIE F. WILSON

the Grantee.

In this deed, where the context so requires, the masculine gender includes feminine and/or neuter and the singular number includes the plural. Wherever herein a verb, pronoun or other part of speech is used in the singular, and there be more than one Grantor or Grantee, said singular part of speech shall be read as the plural, and each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein. Wherever herein Grantor or Grantee is used, the same shall be considered to mean as well, the heirs, executors, administrators, successors, representatives and assigns of the same.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS, in hand paid at and before the sealing and delivery of these presents, the receipt of which is acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the GRANTEE, the following described property:

All that tract or parcel of land lying and being in the 7th District and 3rd Section of Gordon County, Georgia, and being in the North half of Land Lot 219 and more particularly described as follows: Beginning at an iron pin located on the West side of County Road where County Road and North line of Land Lot No. 219 intersect; thence running along the North line of Land Lot No. 219 in a due West direction 1320 feet to an iron pin; thence South 3 degrees 12 minutes West a distance of 331.1 feet to an iron pin; thence due West a distance of 1316.6 feet to an iron pin on the West side of dirt road; thence North 3 degrees 47 minutes East a distance of 331.1 feet to point of Beginning.

Said tract containing 10 acres, more or less. Being Tract No. 4 of a plat made by Carl F. Freeman, Jr., Surveyor, August 26, 1969 and recorded in Plat Book 5, Page 52 in the Office of the Clerk of Superior Court, Gordon County, Georgia.

This deed is executed, delivered and filed in order to correct the description contained in a prior deed between the same parties recorded August 29, 1969 in Deed Book 87 Page 264, Deed Records of Gordon County, Georgia, (the "prior deed").

Grantors specifically agree that the covenants of warranty contained in said prior deed shall be applicable to the real estate described herein.

Grantees hereby accept delivery of this corrective warranty deed and agree to all the terms and provisions hereof.

TO HAVE AND TO HOLD the said tract 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 GRANTEE, his heirs and assigns, forever, in Fee Simple.

AND THE SAID GRANTOR, for himself, his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said GRANTEE, his heirs and assigns, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR has hereunto set his hand and seal, the day and year first above written.

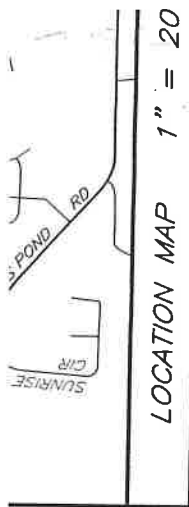
Signed, sealed and delivered in
the presence of:

James G. Franklin (SEAL)
WITNESS JACK D. STEPP

Lee Roy Wilson (SEAL)
NOTARY PUBLIC DWIGHT L. WALRAVEN
GA. STATE AT LARGE

MY COMM. EXPIRES: 10-24-1998 4-18-96

NOT SEAL AFFIXED



9. THE SURVEYOR MAKES NO CLAIM AS TO THE ACCURACY OF THE INFORMATION SHOWN HEREON BEYOND THE LAST FIELD WORK DATE SHOWN.

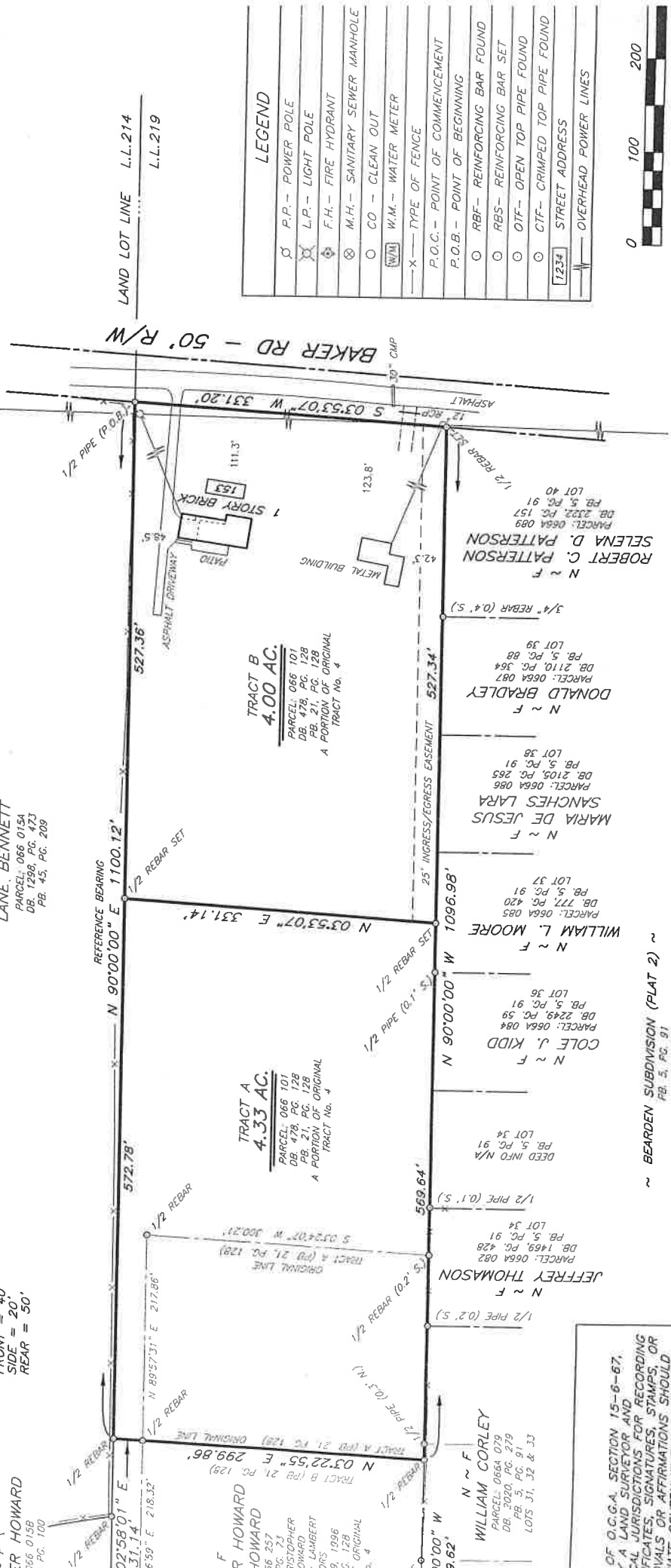
ZONING NOTES:

ALL PARCELS AS DEPICTED HEREIN ARE CURRENTLY ZONED A-1 (AGRICULTURAL DISTRICT) AS PER GORDON COUNTY ZONING MAP AND SETBACK DISTANCES TAKEN FROM GORDON COUNTY UNIFIED LAND DEVELOPMENT CODE.

MINIMUM REQUIRED BUILDING SETBACKS:
 FRONT = 40'
 SIDE = 20'
 REAR = 50'

N ~ F
 LANE, BENNETT
 PARCEL: 066 0154
 DB, 1298, PG. 473
 PB, 45, PG. 208

REFERENCE BEARING
 N 90°00'00" E 1100.12'



TRACT A
 4.33 AC.
 PARCEL: 066 101
 DB, 478, PG. 128
 PB, 21, PG. 128
 A PORTION OF ORIGINAL TRACT No. 4

TRACT B
 4.00 AC.
 PARCEL: 066 101
 DB, 478, PG. 128
 PB, 21, PG. 128
 A PORTION OF ORIGINAL TRACT No. 4

LEGEND

○	P.P. - POWER POLE
○	L.P. - LIGHT POLE
○	F.H. - FIRE HYDRANT
○	M.H. - SANITARY SEWER MANHOLE
○	CO - CLEAN OUT
○	W/M - WATER METER
-X-	TYPE OF FENCE
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
○	RBF - REINFORCING BAR FOUND
○	RBS - REINFORCING BAR SET
○	OTF - OPEN TOP PIPE FOUND
○	OTF - CRIMPED TOP PIPE FOUND
[]	STREET ADDRESS
	OVERHEAD POWER LINES



LOT SPLIT SURVEY FOR:
JACOB PHIPPS
 PORTION OF TRACT No. 4

DATE	: 11/4/2021	REVISIONS:
SCALE	: 1" = 100'	
DRAWN BY	: ADS	
CHECKED BY	: GFM	
SURVEYED BY	: ADS	
BAKER RD 153		



BEARDEN SUBDIVISION (PLAT 2)
 PB, 5, PG. 91

OF O.G.G.A. SECTION 15-6-87, Y.A. LAND SURVEYOR AND ALL JURISDICTIONS FOR RECORDING INDICATES SIGNATURES, STAMPS, OR INITIALS OR AFFIRMATIONS SHOULD STATE GOVERNMENTAL BODIES BY WHICH PLAT AS TO INTENDED USE OF UNDESIGNED LAND SURVEYOR AS WITH THE MINIMUM STANDARDS AS SET FORTH IN THE RULES AND BOARD OF REGISTRATION FOR LAND SURVEYORS AND AS SET FORTH

11-4-2021
 DATE

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 221-39 Wilson A-1 to RA-1
V21-23 Variance

Date: 11/19/21

Reviewed by: Christy Blair

ENVIRONMENTAL HEALTH

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

Nothing needed from EH.

No septic records for #153, house built @ 1970.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 221-39 Wilson A-1 to RA-1
V21-23 Variance

Date: 11/23/21

Reviewed by: R. Chance & 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

Ron Chance

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # 221-39 Wilson A-1 to RA-1
V21-23 variance

Date: 11-16-21

Reviewed by: Stave

PUBLIC WORKS DEPARTMENT

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

If driveways are to be added to this location they will need to be inspected and approved by the Public Works Dept.



CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z21-39
APPLICATION NAME Bertie Wilson
TYPE OF ZONING: A-1 to RA-1
DATE: 11/23/2021
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.