

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 21-36 DATE OF READING 12-21-2021
REZONE FROM R-1 TO RA-1 residential agricultural density

APPLICANT David W. Biggs

OWNER _____

LOCATION OF PROPERTY 4898C Fairmount Hwy

Calhoun

DESCRIPTION OF PROPERTY
4.0 +/- ACRES

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

- Approval

STIPULATIONS:

Mr. Brumlow stated that this was a 5.20 acre tract located at 1300 Gardner Springs Road, Adairsville and would like to rezone from A-1 to I-1 build an industrial building. All adjoining property owners had been notified.

Sabrina Poole made the motion to approve the rezoning application identified as #Z21-30 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 #Z21-34, INDUSTRIAL VI ENTERPRISES, LLC (appl.)
JOHNNIE DOBSON AND LAURA DOBSON – CO-EXECUTORS FOR THE ESTATE
OF MELVIN DOBSON (owner) (Tabled from November 8, 2021)**

Chairman Rule read rezoning application #Z21-34, Industrial VI Enterprises, LLC (appl.) and Johnnie Dobson and Laura Dobson – co-executors for the estate of Melvin Dobson (owner), requesting to rezone a 76.17 acre tract located South of the intersection of Union Grove Road and Hwy. 53, Adairsville from A-1 to I-1. William Valentine with Industrial VI Enterprises, LLC requested that the rezoning request again be tabled until the next meeting. All adjoining property owners had been notified.

Jerry Lovelace made the motion to table the request until the January 10, 2022 meeting. Sabrina Poole seconded the motion. All voted aye. The rezoning request was tabled until the January 10, 2022 meeting.

REZONING APPLICATION #Z21-35, RALPH E. BEAUCHAMP

Chairman Rule read rezoning application #Z21-35, Ralph E. Beauchamp requesting to rezone a 1.60 acre tract located at Bud Hardy Rd., Calhoun from R-1 to A-1. Mr. Beauchamp had contacted Ursula Richardson, Zoning Administrator, and wanted to table the request until the January meeting due to illness.

Nathan Serritt made the motion to table the request until the January 10, 2022 meeting. Jerry Lovelace seconded the motion. All voted aye. The rezoning request was tabled until the January 10, 2022 meeting.

REZONING APPLICATION #Z21-36, DAVID W. BIGGS

Chairman Rule read rezoning application #Z21-36, David W. Biggs, requesting to rezone a 4.0 acre tract located at 4898, Lot C, Fairmount Hwy., Calhoun from R-1 to RA-1. Mr. Biggs explained that he would like to place a mobile home with permanent foundation at this site for his son. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z21-36 from R-1 to RA-1. 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: November 24, 2021

Application # Z21-36

Applicant/Property Owner: David W. Biggs

Location of Property: 4898C Fairmount Hwy., Calhoun, GA 30701

Property Frontage: 0 +/- Feet **Tract Size:** 4.00 +/- Acres

Directions to property: Hwy 53E, turn left onto private drive across from Blackwood Church, second lot on right.

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

Reasons for Proposed Action: I would like to rezone the property to place a mobile home there. The property was rezoned to R-1 in September 9, 2006 #0922.

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: No issues w/EH other than the address. MH will need a new 911 address. There are 5 properties using 4898.

Building Inspection Department: N/A

Fire Department: OK with Fire Department.

Gordon County School System: N/A

Public Works Department: N/A

Georgia Dept. of Transportation: No comments.

Water & Sewer (City of Calhoun): This area is served by a 2" 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 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 properties, combination of small and large lots, with residential uses.

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 is zoned R-1 and has the potential to be developed accordingly but cannot be used for mobile homes but RA-1 allows either or.

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 #Z21-36 is recommended for approval.

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

Cover Sheet
Proposal for Land Use Action

Application Number: 22-36 Present Zoning: R-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: December 13, 2021

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

Applicant: David W. Biggs

Property Owner: (if different from applicant) _____

Property Address: 4898 Fairmount⁺ Hwy, Calhoun
easement

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

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: R-1, Low Density Residential

Proposed Action: Rezone property for a mobile
home.

Reason for Proposed Action: Same

Directions to Property: Hwy 53E, + Left on private
drive across from Blackwood Ch. ~~Ch.~~
second lot on right.

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

After Recording Return To:
Leslie Vaughan Simmons, PC
1105 North Tennessee Street
Cartersville, GA 30120

File Number: 20-602
Parcel ID: 058B 010

eFiled & eRecorded
DATE: 11/19/2020
TIME: 3:37 PM
DEED BOOK: 02400
PAGE: 00130 - 00132
RECORDING FEES: \$25.00
TRANSFER TAX: \$34.90
PARTICIPANT ID: 6451790115
CLERK: Grant Walraven
GORDON County, GA
PT61: 0642020002372

Warranty Deed

This indenture made this 29th day of October, 2020 between, **Jewel Rosetta Garrett**, as party or parties of the first part, (henceforth referred to as "Grantor"), and **David Biggs, Sr. and Reta Kay Biggs, as Joint Tenants with the Right of Survivorship**, as part or parties of the second part, (henceforth referred to as "Grantee").

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100 (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt 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 Grantee:

All that tract or parcel of land lying and being in Land Lot 308 of the 15th District and 3rd Section of Gordon County, Georgia; and being more particularly described as follows:

BEGINNING at an iron stake on the east line of the property owned by Ed Chitwood, said point being 600 feet North from the north right of way line and State Route No. 53, as measured along the East line of said Chitwood property. Thence running North along and with said Chitwood property line 420 feet to a post; thence running East 458 feet to a post by a rock pile and ditch; thence running South 320 feet to a post; thence running West 420 feet to the point of beginning. Said tract being bounded as follows: On the West by Ed Chitwood property; on the North, East and South by property of Dewey Thomas, or formerly owned by Dewey Thomas.

Also conveyed by this instrument being an easement leading from State Route 53 North through the above tract to the South property line of the property owned by Jerrell Thomas to be used for ingress and egress to the above described property and to the Jerrell Thomas property. Said easement follows the old road now on said property.

This Deed is given subject to all easements and restrictions of record, if any.

221-36

eFiled & eRecorded
DATE: 11/19/2020
TIME: 3:37 PM
DEED BOOK: 02400
PAGE: 00131

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 Grantee forever in FEE SIMPLE.

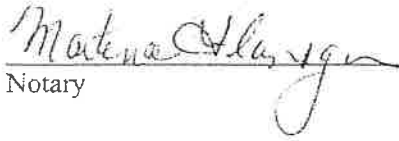
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

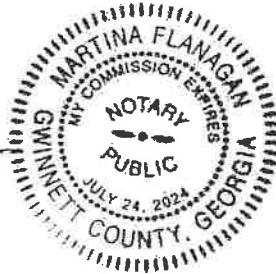
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.


Jewel Rosetta Garrett

Signed, sealed and delivered on
29th day of October, 2020 in the
presence of:


Witness


Notary



Application Number: Z 21-36

Proposal Information (cont.)

If proposing a **Future Development Map** amendment, please provide the following information:

Present Map classification: _____

Proposed classification: _____

Present Map classifications of abutting property to the subject property:

Reason for the Map amendment: _____

If proposing an **Official Zoning Map** amendment (*rezoning of property*), please provide the following information:

Present zoning district: R-1

Proposed zoning district: RA-1

Future Development Map classification: Emerging Suburban

Reason for the Zoning Map amendment: would like to change the zoning so I can place a mobile home on the property.

[Signature]
Applicant's Signature

10/25/21
Date

[Signature]
Property Owner's Signature (If different)

Date

Signed and sealed in the presence of:
Wesula Richardson
Notary Public

2/24/25
Commission Expires

DEPARTMENTAL REVIEW – STATE OF DEPARTMENT TRANSPORTATION

Application # Z21-36 Biggs R-1 to RA-1

Date: 11/24/2021

Reviewed by: Donovan Tucker

STATE DEPARTMENT OF TRANSPORTATION

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

No comments.

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 221-36 Biggs R-1 to RA-1

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:

No issues w/EH other than the address.

MH will need a new 911 address.

There are 5 properties using 4898.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z 21-36 Biggs R-1 to RA-1

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

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z21-36
APPLICATION NAME David Biggs
TYPE OF ZONING: R-1 to RA-1
DATE: 11/23/2021
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 2" 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.