

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 22-02 DATE OF READING 4-12-2022

REZONE FROM A-1 TO C-G General Commercial

APPLICANT Jeffrey Scott Lunsford

OWNER \_\_\_\_\_

LOCATION OF PROPERTY 996 Hwy 53 WSW

Calhoun, GA

DESCRIPTION OF PROPERTY  
2.0 +/- ACRES

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

- Approval

STIPULATIONS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**VARIANCE APPLICATION #V22-02 & REZONING APPLICATION #Z22-02,  
JEFFREY SCOTT LUNSFORD**

Chairman Rule read variance application #V22-02 and rezoning application #Z22-02, Jeffrey Scott Lunsford for 2 acres located at 976 Hwy. 53W, SW, Calhoun. Mr. Lunsford represented the requests explaining that he request the variance to reduce the county road frontage requirement from 100 feet to 32.55 feet. Also, to reduce buffer strip from 25 feet on the side of the property line to 10 feet and rezone property from A-1 to C-G to grade off and level the left side of the driveway for potential future growth of family businesses. All adjoining property owners had been notified.

On variance application #V22-02, Nathan Serritt made the motion to approve the variance as requested and reduce road frontage requirements from 100 feet to 32.55 feet and reduce buffer strip from 25 feet on the side of property line to 10 feet. Sabrina Poole seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

On rezoning application #Z22-02, Nathan Serritt made the motion to approve the rezoning request from A-1 to C-G. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z22-03, BRIAN & PAM LONG**

Chairman Rule read rezoning application #Z22-03, Brian and Pam Long, requesting to rezone a 3.79 acre tract located on Shope Lake Road, Calhoun from C-G to A-1. Ms. Long represented the request explaining that they had purchased the entire 12.25 acre tract and would like to rezone the 3.79 acre commercial tract back to agricultural to be able to possibly use for cattle. All adjoining property owners had been notified.

Eddie Smith made the motion to approve the rezoning application identified as #Z22-03 from C-G to A-1. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z22-04, STEVEN WARE (appl.)  
THE LANDLORD. INC. (owner)**

Chairman Rule read rezoning application #Z22-04, Steven Ware (appl.) and The Landlord, LLC (owner), requesting to rezone a 5 acre tract located at 195B Daisy Street, Resaca from A-1 to RA-1. Flipper McDaniel, owner, represented the request explaining that he would like to subdivide the property to convert into two single affordable family dwellings. All adjoining property owners had been notified.

**Cover Sheet**  
**Proposal for Land Use Action**

Application Number: 222-02 Present Zoning: A-1 Proposed Zoning: C-G

Date of Planning Commission Meeting: March 14, 2022

Date of Board of Commissioners' Meeting: April 12, 2022

Applicant: Jeffrey Scott Lunsford

Property Owner: (if different from applicant) \_\_\_\_\_

Property Address: 976 Hwy 53W SW

Said Property having a frontage of 32.55 feet and containing 2 $\frac{1}{2}$  acres.

Future Development Map Classification: Emerging Mixed-Use Community

Current Zoning Map Classification: Agricultural, A-1

Proposed Action: To rezone the agricultural property to commercial

Reason for Proposed Action: Subdivided property to utilize more space to the existing commercial fireworks store. Family business's are located there.

Directions to Property: Hwy 53W to 976 Hwy 53W on left at the Firework Store. Across from the gas station.

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

**Date of Report:** February 25, 2022

**Application #** Z22-02

**Applicant/Property Owner:** Jeffrey Scott Lunsford

**Location of Property:** 976 Hwy 53W SW, Calhoun, GA 30701

**Property Frontage:** 32.55 +/- Feet    **Tract Size:** 2 +/- Acres

**Directions to property:** Hwy 53W to 976 Hwy 53W on left at the Fireworks Store, across from the gas station.

**Proposed Action:** Rezone from A-1, Agricultural District to CG, General Commercial.

**Reasons for Proposed Action:** Subdivided the property to utilize more space to the existing commercial firework store. Family businesses located on the property. Property will be graded and leveled off on the left side of the driveway for potential future growth.

**Future Development Map Classification:** Emerging Mixed Use

**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 issues w/entrance. Owner has contacted our office in reference to the requirements for the new proposed business. A Level III Soil study will be required w/Septic Permit Issuance.

***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 comment

***Water & Sewer (City of Calhoun):*** This property can be served by a 6" water line installed to serve the fireworks store fire protection at Hwy 53. 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 existing business and will have to be rezoned in order to comply with the use of the property and for future expansion.

*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 with the new subdivision is not in compliance because part of the tract is zoned C-G and part is A-1. The property needs to be brought into compliance with 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 may 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 Mixed Use on the Gordon County Future Development Map. This classification supports land uses intended for Commercial (30%), residential (40%), multifamily residential (20%), industrial (10%).

*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**

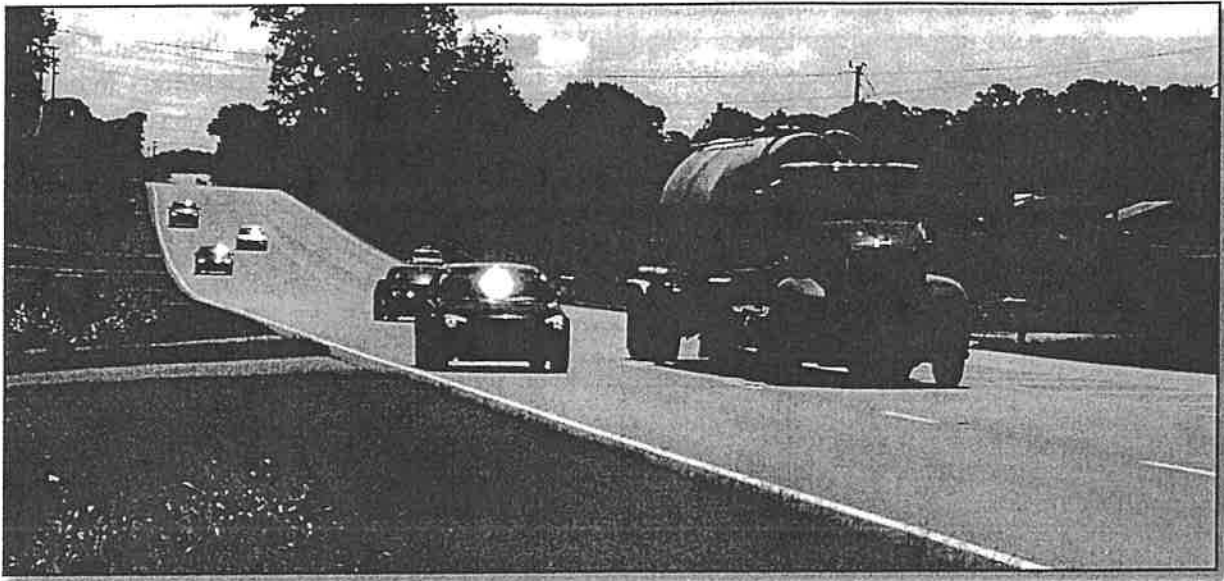
The Rezoning Application #Z22-02 is recommended for approval with the following condition: all applicable state and local regulations shall be complied with, including but not limited to the Gordon County appearance standards for structures in commercial zoning district, landscaping, and sign requirements.

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

EMERGING MIXED-USE COMMUNITY

Description:

These are areas that are likely to see an increase in commercial, industrial and residential. This category occurs in the area near the Union Grove Interchange on I-75, as well as in the Sonoraville area on Hwy 53 (near Sonoraville High School) and in the Red Bud Road area. The Sugar Valley area in Northwest Gordon County is also expected to see more mixed-use development.



SR 53 Sonoraville (Dollar General on Right).

Development Strategies/Policies:

- ❖ Infrastructure: Some of these areas are rural than traditional mixed-use communities that typically occur in more urbanized areas. Ensure that all necessary infrastructure is in place to support such development.
- ❖ Zoning: Zoning (and other necessary ordinances and regulations) is crucial to the proper development of mixed-use communities. Care has to be taken when combining commercial and residential as some commercial businesses can be loud, clog streets or take up all available parking. There are numerous other possible pitfalls as well, if not properly thought out
- ❖ Development of Housing: Housing in these areas is of particular interest to younger generations and younger families, including millennials who prefer to live, work and play in the same community. Housing should be encouraged that is quality, affordable and include amenities.
- ❖ Pedestrian-friendly: These areas should walkable and include sidewalks, trails, bike lanes and Streetscapes.
- ❖ Greenspace/Recreation: These areas should have access to parks, playgrounds and natural areas, especially because housing in these areas tend to have smaller lot sizes, if any outdoor space at all.
- ❖ Public Services: These areas should have access to schools, medical care and other services.

Land Uses: Commercial (30%), residential (40%), multifamily residential (20%), industrial (10%)

eFiled & eRecorded  
DATE: 2/7/2022  
TIME: 1:45 PM  
DEED BOOK: 02579  
PAGE: 00153  
RECORDING FEES: \$25.00  
TRANSFER TAX: \$0.00  
PARTICIPANT ID: 7981764245  
CLERK: Grant Walraven  
GORDON County, GA  
PT61: 0642022000319

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

STATE OF GEORGIA  
COUNTY OF GORDON

DEED ONLY NO TITLE OPINION  
WARRANTY DEED

This Indenture made this 25 day of January, 2022 between Thomas Grover Lunsford and and Nona K. Lunsford, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Jeffery Scott Lunsford, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" 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 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 280 of the 14th District and 3rd Section of Gordon County, Georgia, and being Tract 2 containing 3,384 acres as per plat entitled "Boundary Survey for Tract 1 and 3 Thomas Grover Lunsford and Nona K. Lunsford and Tract 2 Jeffery Scott Lunsford" dated 01/12/2022 and recorded in Plat Book 58, Page 299, Gordon County, Georgia Deed Records, which plat by reference is incorporated herein and made a part hereof.

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

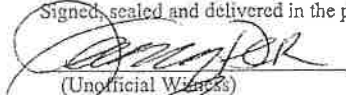
Preparer makes no warranties or representations as to the status of the title to the property described herein, other than that the description has been properly prepared from the information provided to the preparer.

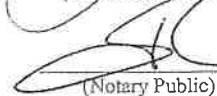
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

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.

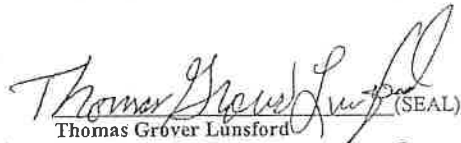
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

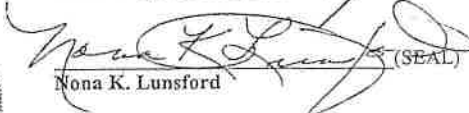
Signed, sealed and delivered in the presence of:

  
(Unofficial Witness)

  
(Notary Public)



  
Thomas Grover Lunsford (SEAL)

  
Nona K. Lunsford (SEAL)

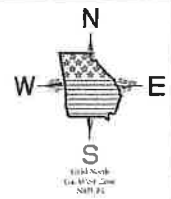
eFiled & eRecorded  
 DATE: 1/18/2022  
 TIME: 9:43 AM  
 PLAT BOOK: 00058  
 PAGE: 00299  
 RECORDING FEES: \$10.00  
 PARTICIPANT ID: 3395671904  
 CLERK: Grant Walraven  
 GORDON COUNTY, GA

**BOUNDARY SURVEY**

FOR  
**Tracts 1 & 3 - Thomas Grover Lunsford & Nona K. Lunsford**  
**Tract 2 - Jeffery Scott Lunsford**

GORDON County, Georgia

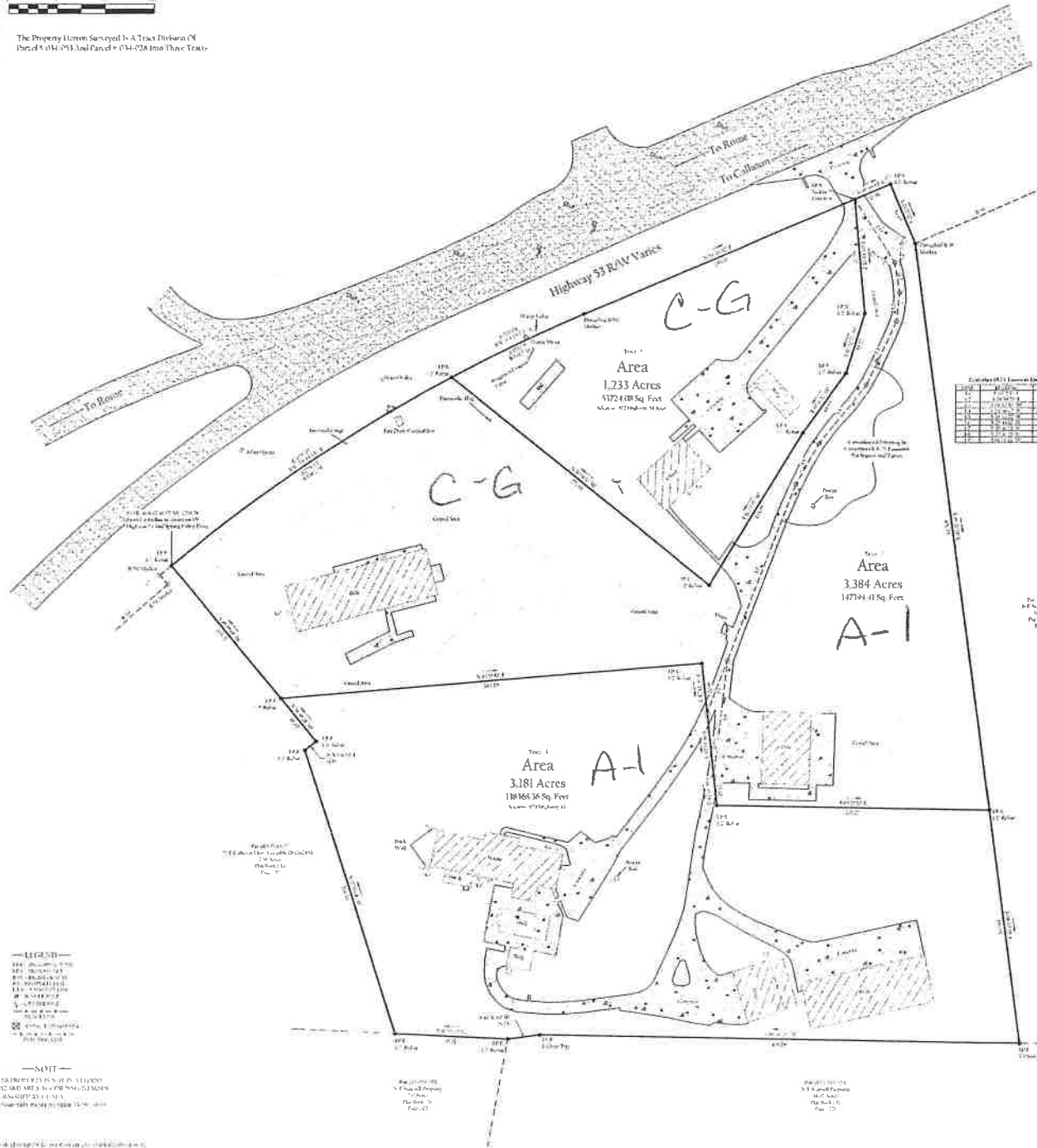
LOCATED IN LAND LOT 280, 14th DISTRICT &  
3rd SECTION OF GORDON COUNTY, GEORGIA



Date of field work: 1/3,4/2022  
 Date of plat: 1/12/2022



The Property Herein Surveyed Is A Tract Division Of  
 Parcel 5 04 053 And Parcel 5 04 026 Into Three Tracts



- LEGEND**
- 1.00' Boundary
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**NOTICE**  
 THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1967 AND THE SURVEYING BOARD OF GEORGIA.

THE SURVEYOR HAS BEEN ADVISED THAT THE PROPERTY IS BEING SURVEYED FOR THE PURPOSE OF DIVIDING THE SAME INTO THREE TRACTS. THE SURVEYOR HAS BEEN ADVISED THAT THE PROPERTY IS BEING SURVEYED FOR THE PURPOSE OF DIVIDING THE SAME INTO THREE TRACTS. THE SURVEYOR HAS BEEN ADVISED THAT THE PROPERTY IS BEING SURVEYED FOR THE PURPOSE OF DIVIDING THE SAME INTO THREE TRACTS.

**SURVEYOR'S CERTIFICATION**

I, the undersigned, being duly qualified and licensed as a Professional Surveyor in the State of Georgia, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the property herein surveyed, and that the same has been prepared in accordance with the laws and regulations of the State of Georgia, and that the same has been prepared in accordance with the laws and regulations of the State of Georgia.

*Michael Paul Green*  
 Michael Paul Green, Surveyor  
 No. 12345, State of Georgia

**SEE KEY DRAWING SHEET**

North  
 1/18/2022

**North Georgia SURVEYING**  
 706-625-1046



**DEPARTMENTAL REVIEW – FIRE DEPARTMENT**

Application # 222-02 Lunsford A-1 to C-1  
V22-02 Variance

Date: 02/24/22

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 CE*

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 222-02 Lunnsford A-1+OC-G  
Y22-02 variance

Date: 2/24/22

Reviewed by: Matthew Williams

ENVIRONMENTAL HEALTH

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

EH has no issue w/ Entrance  
\* Owner has contacted our office in reference to the requirements for the new proposed business.  
\* A level III soil study will be required w/ Septic Permit Issuance.

CITY OF CALHOUN  
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z22-02  
APPLICATION NAME Scott Lunsford  
TYPE OF ZONING: A-1 to C-G  
DATE: 2/24/2022  
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This property can be served by a 6" water line installed to serve the fireworks store fire protection at Hwy. 53.

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 FIELD SURVEY HAS BEEN COMPLETED.