

INFORMATION SHEET FOR REZONING REQUESTS

Application # 222-03 DATE OF READING 4-12-2022

REZONE FROM CG ^{General} Commercial TO A-1

APPLICANT Brian + Pam Long

OWNER _____

LOCATION OF PROPERTY Stape Lake Rd.

Calhoun GA

DESCRIPTION OF PROPERTY

3.79 +/- ACRES

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

1. 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: 222-03 Present Zoning: C-G Proposed Zoning: A-1

Date of Planning Commission Meeting: March 14, 2022

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

Applicant: Brian & Pam Long

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

Property Address: Shope Lake Rd., Calhoun, GA 30701

Said Property having a frontage of 394.97 feet and containing 3.79 acres.

Future Development Map Classification: _____

Current Zoning Map Classification: C-G, General Commercial

Proposed Action: TO rezone property back to agricultural.

Reason for Proposed Action: Purchased the entire 12.25 acre tract & would like to rezone the 3.79 commercial tract back to agricultural

Directions to Property: HWY 53 E past Sonoraville School turn right onto Shope Lake Rd. 2nd property on left.

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

Rezoning Proposal

Date of Report: February 25, 2022

Application # Z22-03

Applicant/Property Owner: Brian & Pam Long

Location of Property: Shope Lake Rd., Calhoun, GA 30701

Property Frontage: 394.97 +/- Feet **Tract Size:** 3.79 +/- Acres

Directions to property: Proceed on Hwy 53E past Sonoraville School, turn right onto Shope Lake Rd. 2nd property on the left

Proposed Action: Rezone from C-G, General Commercial to A-1, Agricultural District

Reasons for Proposed Action: Purchased the entire 12.25 acre tract & would like to rezone the 3.79 acre commercial tract back to agricultural in order to build a house.

Future Development Map Classification: Emerging Mixed-Use Community

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 office.

Building Inspection Department: N/A

Fire Department: OK with Fire Department.

Gordon County School System: N/A

Public Works Department: Any new driveway or crossings of county row will require approval/permit from the Public Works Department.

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 located on Shope Lake Rd. with a convenience store adjacent to the east but the area is very rural with large agricultural tracts used for residential and farming purposes.

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 could be developed as currently zoned however, the prior applicant decided not to build the self-storage facility.

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 because it will be developed for one dwelling.

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 Community 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 with the Future Land Use Map.

Planning Staff's Recommendation

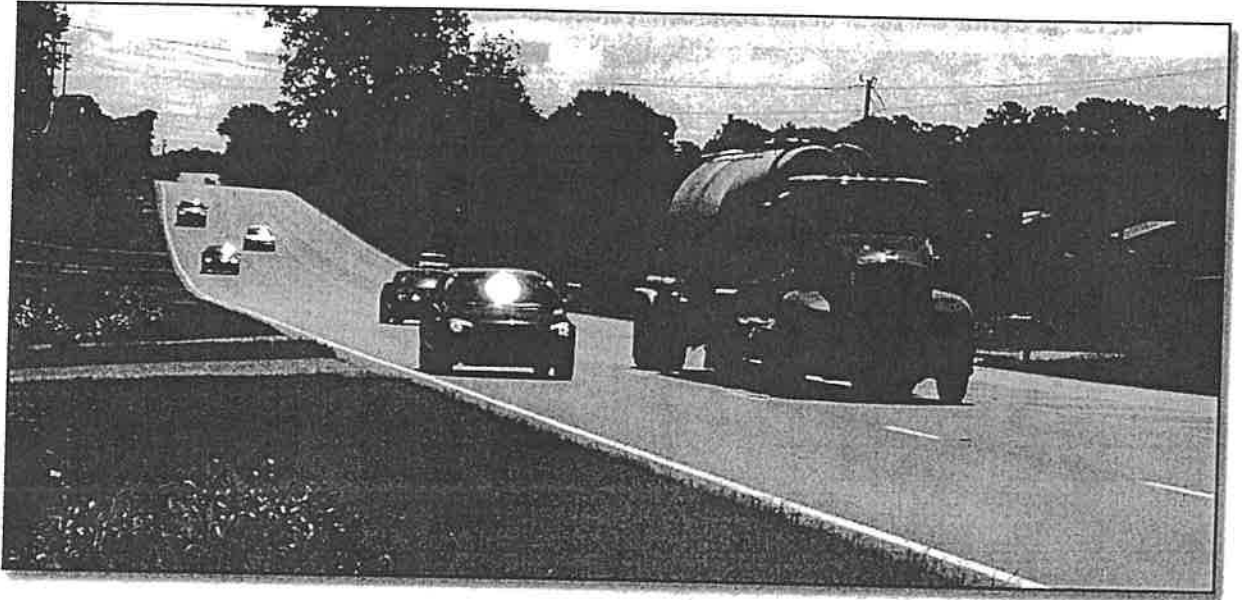
The Rezoning Application #Z22-03 is recommended for approval.

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%)

ReRecorded Document to:
Brow, Corwin & Delashmit, P.C.
128 Curtis Parkway SE
Columbus, GA 30701
Filed 11/21/2021

STATE OF GEORGIA,
COUNTY OF GORDON

**JOINT TENANCY WITH SURVIVORSHIP
WARRANTY DEED**

This Indenture made this 4th day of February, 2022 between **Regan Stone**, of the County of Gordon, State of Georgia, as party parties of the first part, hereinafter called Grantor, and **Brian Long and Pam Long**, as joint tenants with survivorship and 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 130 of the 6th District and 3rd Section of Gordon County, Georgia; and being 19.946 acres and designated as Tract 2 according to a plat prepared for "Billy B. Wood and Tinsey W. Erwin" prepared by North Georgia Surveying, Allen Dale Hall, GA Registered Land Surveyor No. 2609, dated 08/08/2001 as per plat recorded in Plat Book 40, Page 159, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

LESS AND EXCEPT: ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 130 of the 6th District and 3rd Section of Gordon County, Georgia and being more particularly described as follows: BEGINNING at a point where the Southwest corner of that certain 19.946 acre parcel shown as Tract 2 on a plat of survey entitled "Boundary Survey for the Estate of A.O. Wood" which plat is recorded in Plat Book 40, Page 159 intersects the East right of way of Shope Lake Road (80' R/W), thence proceeding North along and with said right of way North 14 degrees 17 minutes 09 seconds East a distance of 166.01 feet to a point, thence North 14 degrees 53 minutes 35 seconds East a distance of 126.83 feet to a point, thence leaving said right of way and proceeding South 80 degrees 03 minutes 50 seconds East a distance of 200 feet to a point, thence South 75 degrees 12 minutes 08 seconds East a distance of 775.15 feet to a point on the East line of the aforementioned Land Lot 130, thence along and with said line South 01 degree 27 minutes 27 seconds West a distance of 135.64 feet to a point on the South line of the above referenced Tract 2, thence North 85 degrees 14 minutes 27 seconds West a distance of 1020.07 feet to the point of beginning. Said tract containing 5.01 acres.

LESS AND EXCEPT: ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 130 of the 6th District and 3rd Section of Gordon County, Georgia; and being 2.01 acre tract as shown on that plat prepared for Regan Stone dated 09/6/2008 by North Georgia Surveying, Allen Dale Hall, GRLS No. 2609, dated 08/08/2001 as per plat recorded in Plat Book 49, Page 230, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

LESS AND EXCEPT: ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 130 of the 6th District and 3rd Section of Gordon County, Georgia, described as follows: BEGINNING at a point marked by an iron stake on the Easterly right of way line

of the Shope Lake Road, said point being 852 feet from the center of State Highway 53 where said highway intersects with said Shope Lake Road; thence running East a distance of 200 feet to an iron stake; thence South 150 feet to a iron stake; thence West 200 feet to an iron stake on the Easterly right of way line of said Shope Lake Road; thence North along and with the right of way line of said Shope Lake Road 150 feet to the POINT OF BEGINNING.

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



Regan Stone (Seal)



Notary Public



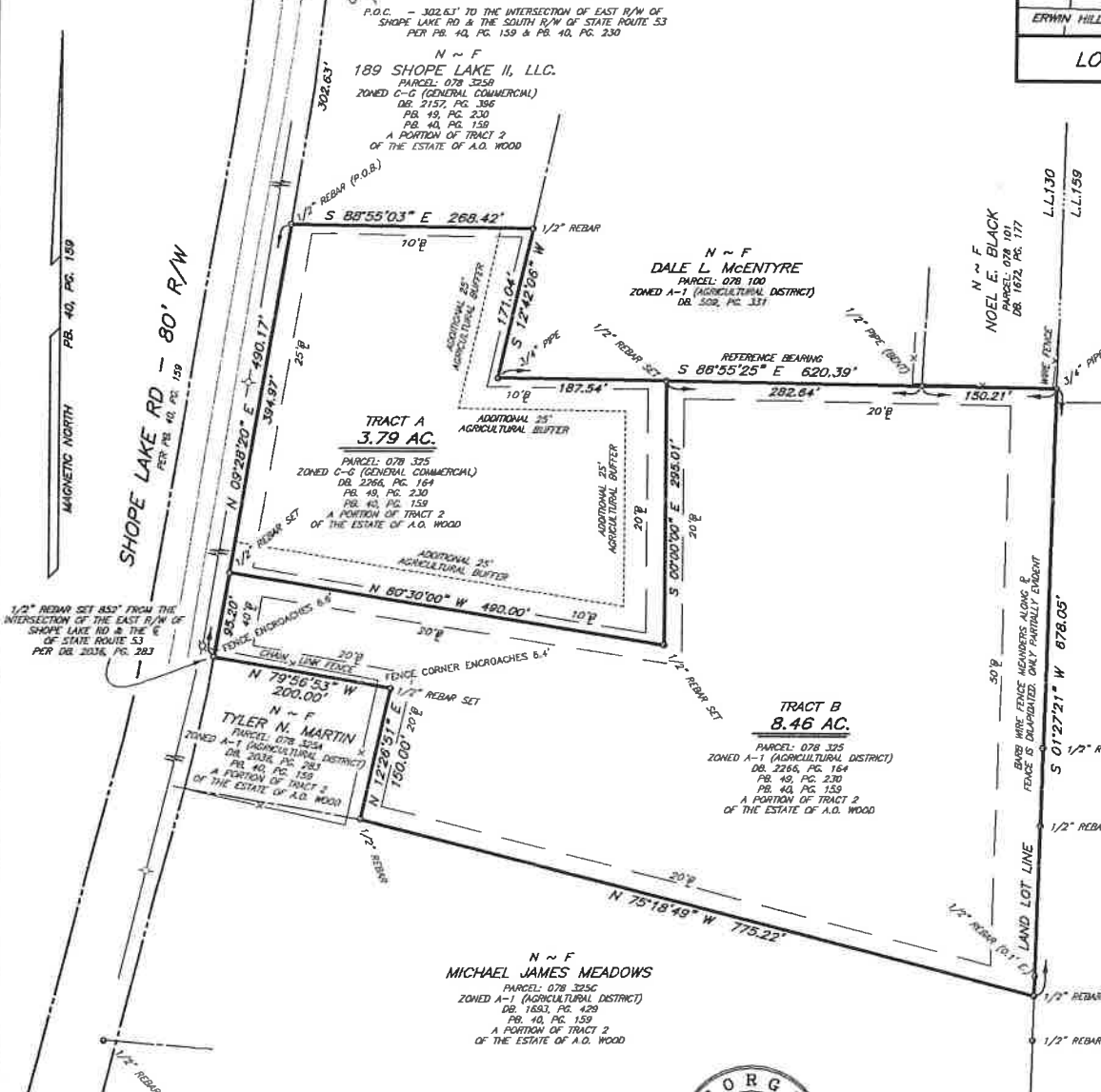
GENERAL NOTES:

1. THE PURPOSE OF THIS SURVEY IS TO RETRACE THE BOUNDARY OF PARCEL No. 078 325 AS DESCRIBED IN DB, 2286, PG. 164, AND IN PB. 40, PG. 159 & PB. 49, PG. 230, IN THE GORDON COUNTY TAX ASSESSOR'S RECORDS.
1. FIELD WORK COMPLETED ON JANUARY 27, 2022.
2. TRACT A = 3.79 ACRES
TRACT B = 8.46 ACRES
TOTAL ACREAGE = 12.25 ACRES
3. THE PROPERTY DEPICTED ON THIS PLAT MAY BE SUBJECT TO CROSSOVER EASEMENTS, INCLUDING THOSE FOR STORM WATER, UTILITIES, COMMON AREAS, INGRESS AND EGRESS, WHICH MAY BE RECORDED IN THE GORDON COUNTY, GEORGIA RECORDS.
4. SURVEY AUTHORIZED BY: BRIAN LONG
5. CURRENT OWNER(S): REGAN STONE
6. THIS PLAT OF SURVEY IS MADE FOR THE SOLE USE AND BENEFIT OF THE PERSON(S) OR ENTITIES NAMED HEREON.
7. THE SURVEYOR ASSUMES NO LIABILITY TO PERSONS OR ENTITIES NOT NAMED HEREON, AND ANY USE OF THIS PLAT BY UNNAMED PARTIES IS DONE AT THEIR OWN RISK.
8. THE SURVEYOR MAKES NO CLAIM AS TO THE ACCURACY OF THE INFORMATION SHOWN HEREON BEYOND THE LAST FIELD WORK DATE SHOWN.

THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT



STATE ROUTE 53
R/W VARIES



LOCATION MAP 1" = 2000'

ZONING NOTES:
PARCEL 078 325 AS CURRENTLY DEPICTED IS ZONED C-G (GENERAL COMMERCIAL) AS PER GORDON COUNTY ZONING MAP
C-G (GENERAL COMMERCIAL) MINIMUM SETBACKS AS PER GORDON COUNTY:
FRONT = 25'
SIDE = 10'
REAR = 20'
A-1 (AGRICULTURAL DISTRICT) MINIMUM SETBACKS AS PER GORDON COUNTY:
FRONT = 40'
SIDE = 20'
REAR = 50'
A 25' BUFFER IS ADDED TO C-G (GENERAL COMMERCIAL) SETBACKS ON ALL PROPERTY LINES ADJUTING PROPERTIES ZONED A-1 (AGRICULTURAL DISTRICT).

LEGEND		
⊕	P.P. - POWER POLE	
⊕	L.P. - LIGHT POLE	
⊕	F.H. - FIRE HYDRANT	
⊕	M.H. - SANITARY SEWER MANHOLE	
⊕	W.M. - WATER METER	
⊕	⊕	TYPE OF FENCE
⊕	P.O.C. - POINT OF COMMENCEMENT	
⊕	P.O.B. - POINT OF BEGINNING	
⊕	⊕	REINFORCING BAR FOUND
⊕	⊕	OPEN TOP PIPE FOUND
⊕	⊕	WATER VALVE
⊕	⊕	SOUTHERN BELL MANHOLE
⊕	⊕	STREET ADDRESS
⊕	⊕	TELEPHONE BOX
⊕	⊕	OVERHEAD POWER LINES
⊕	⊕	SIGN



SURVEYOR'S CERTIFICATION
THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

1-31-2022
REGISTERED LAND SURVEYOR No. 2745 DATE

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY PANEL # 13129 C 0200 D DATED SEPTEMBER 26, 2008.

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER. LINEAR PRECISION OF TRAVERSE: 1/51,043; ANGULAR PRECISION: 0.0" OR. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/217,413+. MATTERS OF TITLE ARE EXCEPTED.

DATE	REVISIONS:
1/31/2022	
SCALE: 1" = 100'	
DRAWN BY: ADS	
CHECKED BY: GFM	
SURVEYED BY: ADS	
SHOPE LAKE RD 0	

TERRAIN SOLUTIONS, LLC
P.O. BOX 365
KENNESAW, GEORGIA 30158
(770) 427-3080
www.TerrainSolutionsLLC.com

BOUNDARY RETRACEMENT SURVEY FOR:
BRIAN LONG
PAM LONG
A PORTION OF TRACT 2
THE ESTATE OF A.O. WOOD
LOCATED IN L.L. 130
6th DIST., 3rd SECT.,
GORDON COUNTY, GA.

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # Z22-03 Long C-G to A-1

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:

No issues w/ EH office

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z22-03 Long C-G to A-1

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 

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # Z 2203 Long C-G to A-1

Date: 2-16-22

Reviewed by: Steve

PUBLIC WORKS DEPARTMENT

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

Any new driveway's are crossings of County ROW will require approval / permit from the Public Work's Department.



CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z22-03
APPLICATION NAME Brian Long
TYPE OF ZONING: C-G to A-1
DATE: 2/24/2022
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.