

INFORMATION SHEET FOR REZONING REQUESTS

Application # 222-05 DATE OF READING 4-19-2022

REZONE FROM A-1 TO I-2 Heavy industrial

APPLICANT Jim Calhoun

OWNER Arnold & Timna Hooley

LOCATION OF PROPERTY 3330 Nickelsville Rd. NE

RESACH

DESCRIPTION OF PROPERTY

10.74 ACRES

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

1. Approval

STIPULATIONS:

If the business ever ceases to exist then the property would revert back to A-1 zoning before any other heavy industrial company could develop the property.

**GORDON COUNTY PLANNING COMMISSION  
PUBLIC HEARING  
APRIL 11, 2022**

The Gordon County Planning Commission held a Public Hearing on Monday, April 11, 2022 at 6:00 p.m. in the Conference Room of the Gordon County Administration Building for the purpose of hearing variance and zoning change requests. Members present were:

Randy Rule  
Jerry Lovelace  
Eddie Smith

Sabrina Poole  
Nathan Serritt

Randy Rule called the meeting to order and advised all present of the sign-up sheets available for those who wish to address the Planning Commission on any of the zoning or variance change applications.

**APPROVAL OF MINUTES**

A motion was made by Nathan Serritt to approve the minutes of the previous meeting of March 14, 2021. Eddie Smith seconded the motion. All voted aye. The minutes were approved as written.

**REZONING APPLICATION #Z22-05, JIM CALHOUN (appl.)  
ARNOLD & TIMNA HOOLEY (owner)**

Chairman Rule read rezoning application #Z22-05, Jim Calhoun (appl.) and Arnold and Timna Hooley (owner), requesting to rezone 10.74 acres located at 3330 Nickelsville Road, Resaca from A-1 to I-2. Jim Calhoun represented the request explaining that he wants to purchase the existing wood yard and start manufacturing wood pallets at this site. Lisa Rogers Smith spoke in opposition to the rezoning stating that her mother owns the adjoining 80 acres with cattle and they are concerned with the additional traffic and noise. Mr. Calhoun responded that currently 6-8 trucks a day enter the wood yard and there would only be 2 more daily at his facility and that the noise concerns should be minimal since manufacturing will be done in a closed building. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z22-05 from A-1 to I-2 with the stipulations if the business ever ceases to exist then the property would revert back to A-1 zoning before any other heavy industrial company could develop the property. 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:** March 25, 2022

**Application #** Z22-05

**Applicant/Property Owner:** Jim Calhoun (appl) Arnold & Timna Hooley (owner)

**Location of Property:** 3330 Nickelsville Rd. NE, Resaca, GA 30735

**Property Frontage:** 380 +/- Feet    **Tract Size:** 10.74 +/- Acres

**Directions to property:** Hwy 41N, turn right onto Hwy 225, go to Nickelsville, turn right onto Hwy 136, go about 3/10 mile to property on the left.

**Proposed Action:** Rezone from A-1, Agricultural District to I-2, Heavy Industrial.

**Reasons for Proposed Action:** Rezone existing woodyard to bring into compliance for manufacturing wood pallets.

**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:* No issues w/rezoning. Owners will need to come see EH for permitting of building. Will need a Level 3 soil analysis and site plan.

*Building Inspection Department:* N/A

*Fire Department:* Gordon County ULDC 6.03.03 Fire Protection:

- A. Fire protection: The placement of fire hydrants within a subdivision or parcel of land deemed necessary for the protection of buildings, homes, facilities, or other property types shall be required, with hydrant placement at locations such that each structure is not further than five hundred (500) feet from such hydrant. When six-inch public water lines are available within one thousand (1,000) feet from any portion of the subdivision, the developer/property owner shall assume all costs of extending such lines to the subdivision such that no structure within the subdivision is more than five hundred (500) feet from a hydrant. Refer to the current edition of the International Fire Code, Appendix B, for minimum fire-flow requirements.
- B. This will require fire hydrants to be placed on property. When we get a full set of plans of the building will then be able to determine the number of hydrants. International Fire Code 2018. (503.1.1) this also may require a Fire Department Access Road.

*Gordon County School System:* N/A

*Public Works Department:* N/A

**Cover Sheet  
Proposal for Land Use Action**

Application Number: 222-05 Present Zoning: A-1 Proposed Zoning: I-2

Date of Planning Commission Meeting: April 11, 2022

Date of Board of Commissioners' Meeting: April 19, 2022

Applicant: Jim Calhoun

Property Owner: (if different from applicant) Arnold Hooley

Property Address: 3330 Nicklesville Rd. NE. Resaca GA 30735

Said Property having a frontage of 380 $\frac{1}{2}$  feet and containing 10.74 $\frac{1}{2}$  acres.

Future Development Map Classification: Emerging Mixed Use

Current Zoning Map Classification: A-1, Agricultural District

Proposed Action: Build wooden pallet manufacturing building on site with saw mill.

Reason for Proposed Action: Rezone existing woodyard to bring into compliance w/manufacturing, for wood pallets.

Directions to Property: HWY 41 N, turn right onto HWY 225, go to Nicklesville, turn right onto HWY 136 go about 3/10 mile to property on the left.

**Georgia Dept. of Transportation:** A commercial driveway permit will be required to modify the existing drive to current standards.

**Water & Sewer (City of Calhoun):** This property can be 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 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 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 is currently zoned A-1 with an existing woodyard but would need to be brought into compliance with zoning for the manufacturing of the wood pallets.

***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 #Z22-05 is recommended for approval with the following condition: If the business ever ceases to exist than the property would revert back to A-1 zoning before any other heavy industrial company could develop the property.

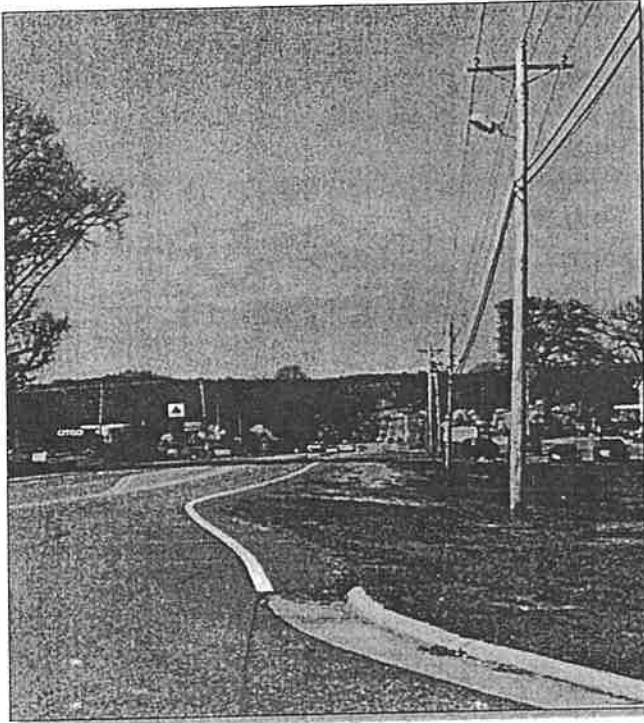
*This report is a part of the official record of the subject application*

## EMERGING MIXED USE

### Description:

This type of development typically occurs along highways and other well-traveled roads, as well as around major intersections. Examples include the area along Georgia Highway 53, near the proposed southern bypass (southwest section of the county).

The Sonoraville area, along Georgia Highway 53, does include industrial properties including Pine Hall Brick, but future trends will favor dense suburban residential and commercial development. The area is



Highway 53, Sonoraville.

expected to continue to accommodate light industrial development, but buffers and other screening devices will have to be put in place to protect residential uses.

The US 411 Corridor is anticipated to go from agricultural to commercial and industrial uses, with the expansion of rail usage and the Appalachian Regional Port in Murray County as drivers.

### Development Strategies/Policies:

- ❖ Infrastructure: Development pressure in these areas will result in an increased need for electricity, water, sewer and fiber optics.

- ❖ Transportation Planning: This type of development will undoubtedly lead to an increase in vehicular traffic. Intersection upgrades or road-widenings should be prepared for in advance in an effort to avoid traffic congestion. Consider roundabouts as

opposed to traffic lights in an effort to keep traffic moving. Sidewalks and pedestrian facilities should also be

incorporated into transportation improvement plans.

- ❖ Zoning: Developing business, mixed use residential, or commercial properties in this area instantly becomes more appealing if the area is already zoned for such use.
- ❖ Walkability: Ordinances can be developed to ensure that future development will include quality sidewalks, installed by developers, as opposed to being taxpayer funded. These are particularly important to low income residents, the elderly, and others who might not drive.

### Land Uses:

Commercial (40%), multi-family residential (40%), light industrial (20%)

Recorded 11/06/2007 8:30  
Doc# MD Rec# 264302  
TRANSFER TAX: 37.60  
TRANSFER TAX ID: 0642007002677  
Brian Brannon, C.S.C.  
GORDON County, Ga  
DEED BK: 1485 Pg: 479

STATE OF GEORGIA  
COUNTY OF GORDON

**DEED ONLY, TITLE NOT EXAMINED  
WARRANTY DEED**

THIS INDENTURE made this \_\_\_\_ day of October, 2007 by and between

**CHRIS FRIX.**

party or parties of the first part, hereinafter referred to as "Grantor", and

**P. ARNOLD HOOLEY AND TIMNA HOOLEY, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP  
AND NOT AS TENANTS IN COMMON**

party or parties of the second part hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural;

**WITNESSETH:**

FOR AND IN CONSIDERATION of the sum of Ten Dollars in hand paid and other good and valuable consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, Grantor, has, and hereby does, grant, bargain, sell and convey unto Grantee and the heirs, legal representatives, successors and assigns of Grantee

**ALL THAT TRACT OR PARCEL OF LAND** lying and being in Land Lot 285 of the 8th District and 3rd Section of Gordon County, Georgia, and being further described as follows: Beginning at a point where the Southeastern corner of Tract Seven (7) as shown on a plat dated May 16, 1994, entitled "Plat for O.S. Brackett, Jr." prepared by N. B. DeLoach of Bakkum – DeLoach & Associates, Inc., G. R. L. S. #1347 recorded at Plat Book 29, Page 267, Gordon County, Georgia Records intersects the North right of way of Georgia Highway 136 (100' right of way); thence South 81 degrees 06 minutes 20 minutes West 100.06 feet to a point along the aforesaid North right of way of Georgia Highway 136; thence North 02 degrees 26 minutes 42 seconds East a distance of 1,135.97 feet to a point; thence South 88 degrees 41 minutes 07 seconds East a distance of 100.06 feet, more or less, to a point on the East line of the aforesaid Tract Seven (7); thence South 02 degrees 26 minutes 42 minutes West a distance of 1,135.97 feet, more or less, to the POINT OF BEGINNING.

TO HAVE AND TO HOLD said tract or parcel of land, together with any and all of 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 Grantee and the heirs, legal representatives, successors and assigns of Grantee forever in FFF

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STATE OF GEORGIA  
COUNTY OF Gordon

Return Recorded Document to:  
C.B.C.N.A.B.S&P, P.C.  
Post Office Box 2500  
Calhoun, Georgia 30703

WARRANTY DEED

THIS INDENTURE, made the 27th day of April, 2005, by and between Angela Moorehead and Presley Moorehead party or parties of the first part, hereinafter referred to as "Grantor", and P. Arnold Hooley and Timna Hooley, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP and not as Tenants In Common, party or parties of the second part, hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural;

WITNESSETH

FOR AND IN CONSIDERATION of the sum of Ten Dollars in hand paid and other good and valuable consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, Grantor has and hereby does, grant, bargain, sell and convey unto Grantee and the heirs, legal representatives, successors and assigns of Grantee

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 285 and 292 of the 8th District and 3rd Section of Gordon County, Georgia and being Tract 6 containing 8.15 acres according to a plat of survey as recorded at Plat Book 29, Page 267, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof. Subject to a joint driveway easement as recorded at Plat Book 29, Page 267, Gordon County, Georgia Records,

TO HAVE AND TO HOLD said tract or parcel of land, together with any and all of 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 Grantee and the heirs, legal representatives, successors and assigns of Grantee, forever, in FEE SIMPLE.

GRANTOR SHALL WARRANT and forever defend the right and title to said tract or parcel of land unto the Grantee and the heirs, legal representatives, successors and assigns of Grantee, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

Signed, Sealed and Delivered



STATE OF GEORGIA  
COUNTY OF GORDON

**DEED ONLY, TITLE NOT EXAMINED  
WARRANTY DEED**

THIS INDENTURE made this 30<sup>th</sup> day of October, 2007 by and between

**CHRIS FRIX.**

party or parties of the first part, hereinafter referred to as "Grantor", and

**P. ARNOLD HOOLEY AND TIMNA HOOLEY, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP  
AND NOT AS TENANTS IN COMMON**

party or parties of the second part hereinafter referred to as "Grantee", the words "Grantor" and "Grantee" to include the neuter, masculine and feminine genders, the singular and the plural;

**WITNESSETH:**

FOR AND IN CONSIDERATION of the sum of Ten Dollars in hand paid and other good and valuable consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, Grantor, has, and hereby does, grant, bargain, sell and convey unto Grantee and the heirs, legal representatives, successors and assigns of Grantee

**ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 285 of the 8th District and 3rd Section of Gordon County, Georgia, and being further described as follows: Beginning at a point where the Southeastern corner of Tract Seven (7) as shown on a plat dated May 16, 1994, entitled "Plat for O.S. Brackett, Jr." prepared by N. B. DeLoach of Bakkum – DeLoach & Associates, Inc., G. R. L. S. #1347 recorded at Plat Book 29, Page 267, Gordon County, Georgia Records intersects the North right of way of Georgia Highway 136 (100' right of way); thence South 81 degrees 06 minutes 20 minutes West 100.06 feet to a point along the aforesaid North right of way of Georgia Highway 136; thence North 02 degrees 26 minutes 42 seconds East a distance of 1,135.97 feet to a point; thence South 88 degrees 41 minutes 07 seconds East a distance of 100.06 feet, more or less, to a point on the East line of the aforesaid Tract Seven (7); thence South 02 degrees 26 minutes 42 minutes West a distance of 1,135.97 feet, more or less, to the POINT OF BEGINNING.**

TO HAVE AND TO HOLD said tract or parcel of land, together with any and all of 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 Grantee and the heirs, legal representatives, successors and assigns of Grantee, forever, in FEE SIMPLE.



**DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH**

Application # 222-05 Hooley A-1 to I-2

Date: 3/22/22

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/ rezoning.

Owners will need to come see EH for permitting of building. Will need a level 3 soil analysis and site plan.

**DEPARTMENTAL REVIEW – FIRE DEPARTMENT**

Application # Z22-05 Hooley A-1 to I-2

Date: 3/17/22

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:**

Gordon County ULDC 6.03.03 Fire Protection

A. Fire protection. The placement of fire hydrants within a subdivision or parcel of land deemed necessary for the protection of buildings, homes, facilities, or other property types shall be required, with hydrant placement at locations such that each structure is not further than five hundred (500) feet from such hydrant. When six-inch public water lines are available within one thousand (1,000) feet from any portion of the subdivision, the developer/property owner shall assume all costs of extending such lines to the subdivision such that no structure within the subdivision is more than five hundred (500) feet from a hydrant. Refer to the current edition of the International Fire Code, Appendix B, for minimum fire-flow requirements.

This will require fire hydrants to be placed on property. When we get a full set of plans of the building we will then be able to determine the number of hydrants.

International Fire Code 2018. (503.1.1) This also may require a Fire Department Access Road.

Ron 

**DEPARTMENTAL REVIEW – STATE OF DEPARTMENT TRANSPORTATION**

Application # 222-05 Hooley A-1 to I-2

Date: 3/17/2022

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:**

A commercial driveway permit will be required to modify the existing drive to current standards.

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z22-05  
APPLICATION NAME Arnold Hooley & Jim Calhoun  
TYPE OF ZONING: A-1 to I-2  
DATE: 3/16/2022  
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.