

INFORMATION SHEET FOR REZONING REQUESTS

Application # 222-07 DATE OF READING 5-17-2022
REZONE FROM A-1 TO RA-1 Residential Agricultural Reserve

APPLICANT Joshua H. Turner

OWNER _____

LOCATION OF PROPERTY 256 Freeman Rd.

RESACA

DESCRIPTION OF PROPERTY
5.187 ACRES

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

- Approval

STIPULATIONS:

**GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
MAY 9, 2022**

The Gordon County Planning Commission held a Public Hearing on Monday, May 9, 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	Sabrina Poole
Jerry Lovelace	Nathan Serritt
Eddie Smith	

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 Jerry Lovelace to approve the minutes of the previous meeting of April 11, 2021. Nathan Serritt seconded the motion. All voted aye. The minutes were approved as written.

REZONING APPLICATION #Z22-07, JOSHUA H. TURNER

Chairman Rule read rezoning application #Z22-07, Joshua A. Turner, requesting to rezone 5.187 acres located at 256 Freeman Road, Resaca from A-1 to RA-1. Mr. Turner represented the request explaining that he would like to subdivide the property into two tracts with an existing mobile home, and deed the other tract to his parents to build a home. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z22-07 from A-1 to RA-1. Sabrina Poole seconded the motion. Nathan Serritt abstained from the vote. Eddie Smith voted with the motion. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z22-08, MANDY GENTRY & ERIC GREESON (appl)
RECHAL PROPERTIES (owner)**

Chairman Rule read rezoning application #Z22-08, Mandy Gentry and Eric Greeson (appl.), Rechal Properties (owner), requesting to rezone 15 acres located at 883 Harris Beamer Road, Calhoun from A-1 to R-4. Mr. Greeson represented the request explaining that they would like to develop and build townhomes on the property for sale. These townhomes will be built mostly in quadplex style, about 120 units. The townhomes will have garages, there will be a retention pond and green space, and sell in the price range of \$200,000. Area and adjoining property owners spoke in opposition to the rezoning request for reasons of traffic, erosion, run-off from old landfill across road, livestock issues, and the swampy area on the property. Those opposed were Angie Rains, Matt Rains, Melissa Hunter, and Randall Hunter.

Cover Sheet
Proposal for Land Use Action

Application Number: 222-01 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: May 9, 2022

Date of Board of Commissioners' Meeting: May 17, 2022

Applicant: Joshua H. Turner

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

Property Address: 256 Freeman Rd, Resaca, GA 30735

Said Property having a frontage of 1681.64 feet and containing 5.187 acres.

Future Development Map Classification: Rural/Agricultural Reserve

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Subdividing the property into two tracts with an existing house.

Reason for Proposed Action: We will continue living there and the other tract will be deeded to my parents to build a dwelling.

Directions to Property: Hwy 41N, + right onto Hwy 136 + Left onto Freeman Rd, (go 3 mile on Left) 1/4 mile on Left.

706-483-8401

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: April 22, 2022

Application # Z22-07

Applicant/Property Owner: Joshua H. Turner

Location of Property: 256 Freeman Rd., Resaca, GA 30735

Property Frontage: 681.64 +/- Feet **Tract Size:** 5.187 +/- Acres

Directions to property: Hwy 41N, turn right onto Hwy 136, go about 3 miles and turn left onto Freeman Rd. ¼ mile on the left.

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

Reasons for Proposed Action: I would like to subdivide the property into two tracts with an existing mobile home, I'd like to deed my parents the other tract to build themselves a dwelling.

Future Development Map Classification: Rural/Agricultural Reserve

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: Septic system for 256 Freeman Rd. will still be within the new property lines of the 2.694 acres (see attached sketch).

Building Inspection Department: N/A

Fire Department: OK with Fire Department.

Gordon County School System: N/A

Public Works Department: Any new driveways will require a permit and approval by the Public Works Dept.

Georgia Dept. of Transportation: No comments.

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 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 cannot be further developed as currently zoned because it is at the 5 acre limit for agricultural and cannot be subdivided.

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: Rural/Agricultural Reserve on the Gordon County Future Development Map. This classification supports land uses intended for large lot residential, agricultural, agribusiness, conservation, passive 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

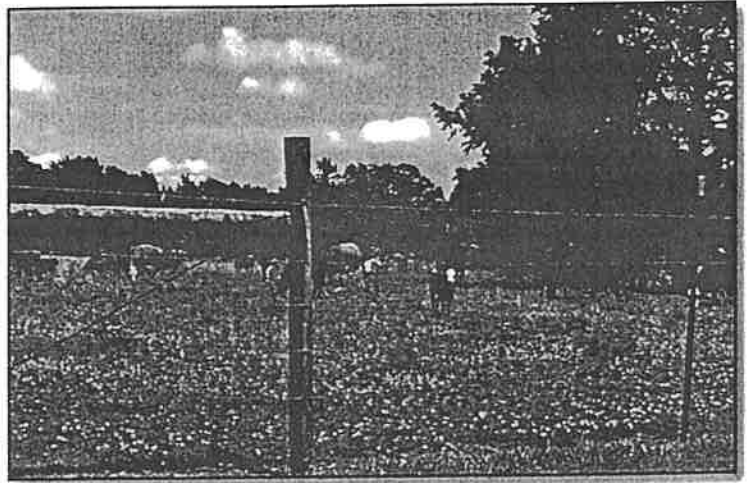
The Rezoning Application #Z22-07 is recommended for approval.

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

RURAL/AGRICULTURAL RESERVE

Description:

These are rural areas, away from Interstate 75 and the Calhoun Metropolitan Area. This part of the county consists of rural residential homes and family farms typically not served by sewer. The poultry industry has also seen tremendous growth in these parts of the county. Much of the County's floodplain lies within these areas providing for potential greenspace and recreational development.



Cows and calves, Highway 53.

Development

Strategies/Policies:

- ❖ **Infrastructure:** Limiting expansion of sewer to these areas will prevent over development if the county hopes to retain the rural character of this area. However, internet access in these areas is becoming increasingly important, particularly for students doing school assignments. Roads should only be widened when absolutely necessary. Zoning is another opportunity to prevent sprawl and over development.
- ❖ **Conservation Easements:** Many properties in these areas could take advantage of conservation easements. These are an opportunity to protect greenspace and natural resources. Conservation efforts are especially important along rivers and creeks.
- ❖ **Agribusiness development:** There is a growing market for locally produced products, whether fruits and vegetables, meats and cheeses, or even local wine production. North Georgia has seen explosive growth in the development of wineries and vineyards. Ensure that zoning and local ordinances allow for the development of such opportunities. These can also be tourism draws.
- ❖ **Zoning:** Protect the character of this area by zoning it for large lot residential and agricultural. Agribusiness properties should allow for enough of a buffer to prevent things like manure odors and insecticide overspray from adversely affecting the quality of life for neighboring residences.

Land Uses:

Large lot residential, agricultural, agribusiness, conservation, passive recreation (i.e. fishing, hunting)

Recorded 09/17/2013 8:30
Doc: ESTD Rcpt#: 299158
TRANSFER TAX: 5.00
TRANSFER TAX ID: 0642013001858
Grant Wairaven, C.S.C.
GORDON County, Ga
DEED Bk: 1855 Pg: 239

Return Recorded Document to:
Cox, Byington, Brunlow & Twyman, LLP
1287 Curtis Parkway
Calhoun, GA 30703
File #0813G566

STATE OF GEORGIA
COUNTY OF GORDON

ADMINISTRATOR'S DEED

This Indenture made this 6th day of September, 2013 between Carol E Evans as Administrator of the Estate of Anthony R. Evans, late of the State of Georgia, and County of Gordon, as party or parties of the first part, hereinafter called Grantor, and Joshua Turner, 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 the Grantor, acting under and by virtue of the power and authority granted by the Probate Court of Gordon County, Georgia Estate No. 2011-6640, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Grantee the following:

ALL THAT TRACT OR PARCEL OF LAND Lying and being in Land Lot 305 of the 13th District and 3rd Section, Gordon County, Georgia; containing 5.189 acres, as per plat recorded in Plat Book 33, Page 236, Gordon County, Georgia 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.

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: in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

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:


Witness


Notary Public




Carol E Evans as Administrator of the Estate of Anthony R. Evans

LOCATED IN LAND LOT 305, 13th DISTRICT &
3rd SECTION OF GORDON COUNTY, GEORGIA

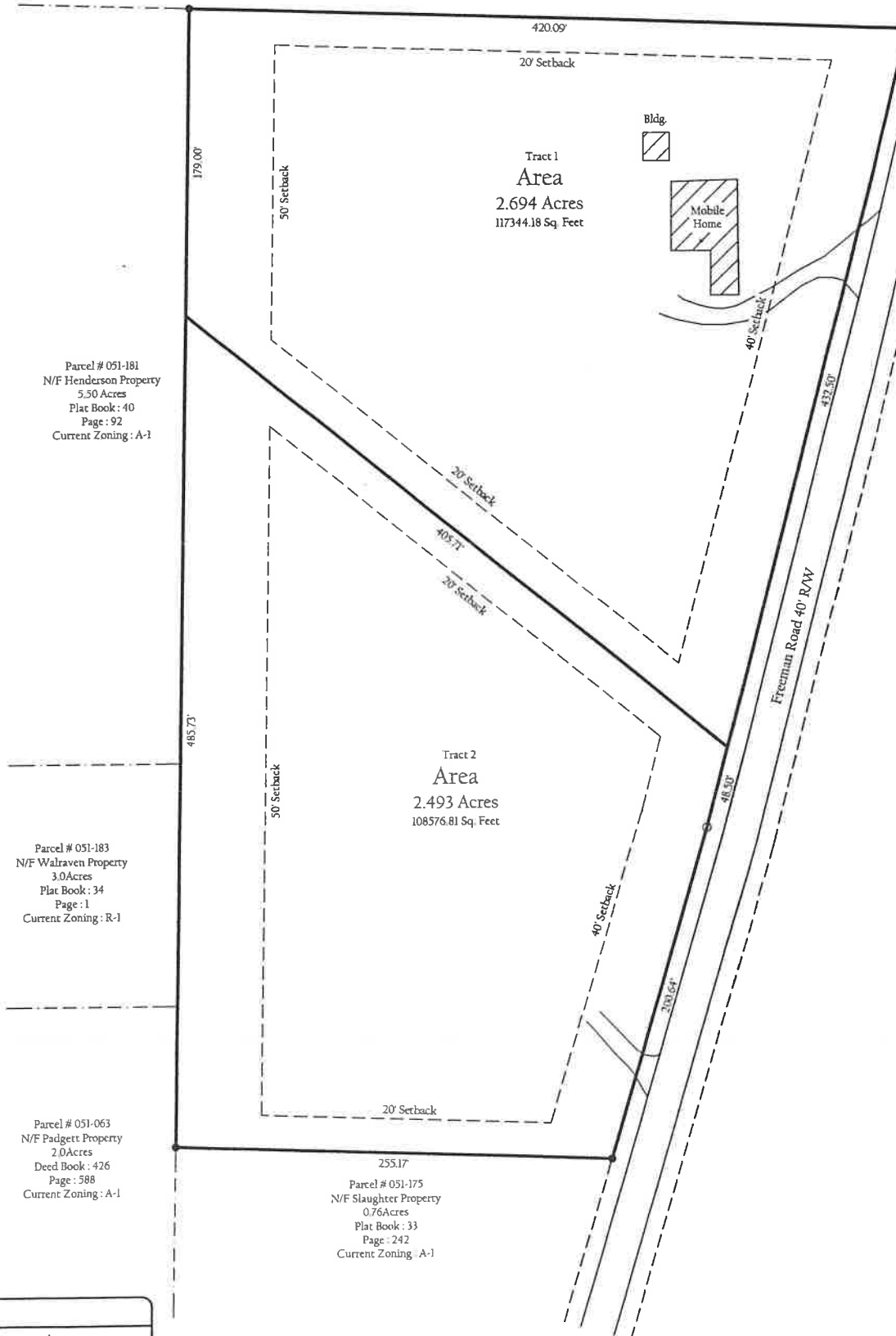
Parcel # 051-190
N/F Martin Property
5.0 Acres
Plat Book : 34
Page : 27
Current Zoning : A-1

Parcel # 051-181
N/F Henderson Property
5.50 Acres
Plat Book : 40
Page : 92
Current Zoning : A-1

Parcel # 051-183
N/F Walraven Property
3.0 Acres
Plat Book : 34
Page : 1
Current Zoning : R-1

Parcel # 051-063
N/F Padgett Property
2.0 Acres
Deed Book : 426
Page : 588
Current Zoning : A-1

Parcel # 051-175
N/F Slaughter Property
0.76 Acres
Plat Book : 33
Page : 242
Current Zoning : A-1



S OF WAY.
SURE OF 1" IN 100,000*
ED ON HAS A HORIZONTAL
ION OF 0.04 FEET AND WAS
.TION AND ROVER UNIT

1

S CERTIFICATION

Section 15-6-67, this plat has been prepared
licable local jurisdictions for recording as evidenced by
r statements hereon. Such approvals or affirmations
governmental bodies by any purchaser or user of this
ermore, the undersigned land surveyor

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # Z22-07 Turner A-1 to RA-1

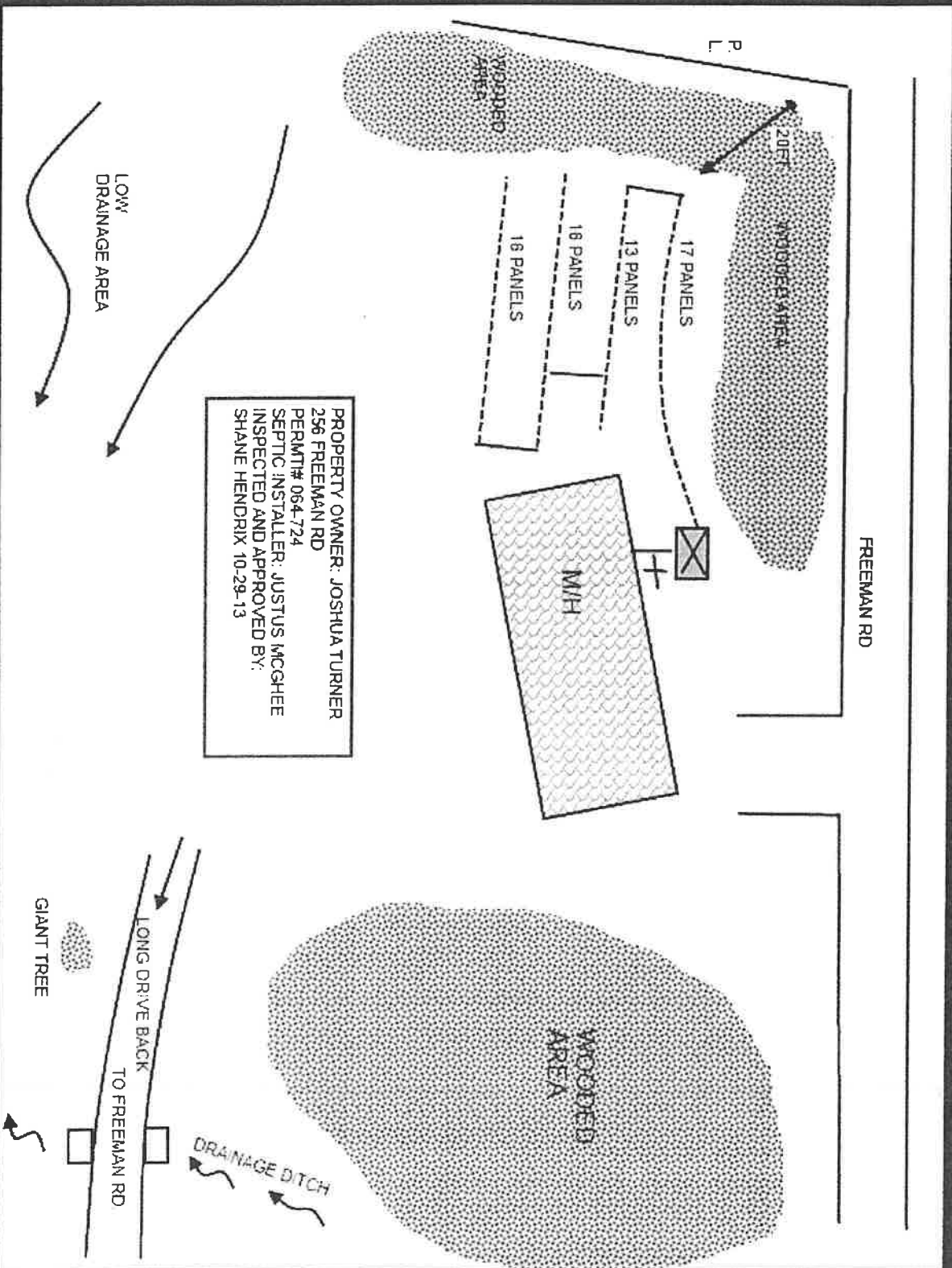
Date: 4/22/22

Reviewed by: Christy Blain

ENVIRONMENTAL HEALTH

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

Septic system for 256 Freeman Rd will still be within the new property lines of the 2.694 acres. (See attached sketch).



PROPERTY OWNER: JOSHUA TURNER
 256 FREEMAN RD
 PERMIT# 064-724
 SEPTIC INSTALLER: JUSTUS MCGHEE
 INSPECTED AND APPROVED BY:
 SHANE HENDRIX 10-29-13

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z22-07 Turner A-1 to RA-1

Date: 4-13-22

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 CL

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # 222-07 Turner A-1 to RA-1

Date: 4-19-22

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 driveways will require a permit and approval by the Public Works Dept.

A handwritten signature in cursive script, appearing to read "Steve", located at the bottom right of the page.

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z22-07
APPLICATION NAME Joshua Turner
TYPE OF ZONING: A-1 to RA-1
DATE: 4/13/2022
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 FIELD SURVEY HAS BEEN COMPLETED.