

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 22-09 DATE OF READING 5-17-2022

REZONE FROM A-1 TO I-1 Light Industrial

APPLICANT Thor Equities LLC

OWNER CON-ONAWLA FARMS LLLP

LOCATION OF PROPERTY Trimble Hollow Rd

Adairsville

DESCRIPTION OF PROPERTY
1.0 ACRES

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

- Approval

STIPULATIONS:

Mr. Greeson stated that the retention pond would be in the corner of the property that the adjoining property owners referred to as swampy and that the development would be connected to city sewer. All adjoining property owners had been notified.

Sabrina Poole made the motion to approve the rezoning application identified as #Z22-08 from A-1 to R-4. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V22-04 & REZONING APPLICATION #Z22-09, THOR EQUITIES, LLC (appl) CON-ONLA FARM L.L.L.P. (owner)

Chairman Rule read variance application #V22-04 and rezoning application #Z22-09, Thor Equities, LLC, applicant and Con-onaula Farms L.L.L.P., owner on a 1 acre tract located on Trimble Hollow Road, Adairsville. Terry Brumlow, a local attorney, represented the request stating that the variance request is to reduce the buffer strip from 100 feet to 0 feet on side and rear and from 50 feet on front yard down to 20 feet along current front yard adjoining Trimble Hollow Road and the rezoning request is to rezone from A-1 to I-1 for Industrial Development. All adjoining property owners had been notified.

On variance application #V22-04, Nathan Serritt made the motion to approve the variance as requested to reduce the county buffer requirements from 100 feet down to 0 feet on the sides and rear of property and from 50 feet to 20 feet on the front of Trimble Hollow Road. Eddie Smith seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

On rezoning application #Z22-09, Jerry Lovelace made the motion to approve the rezoning request from A-1 to I-1. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V22-05 , THOR EQUITIES, LLC (appl) TIMOTHY I. MOORE(owner)

Chairman Rule read variance application #V22-05, Thor Equities, LLC, applicant and Timothy I. Moore, owner for a 35 acre tract located at US Hwy 41, South and Trimble Hollow Road, Adairsville. Terry Brumlow, a local attorney, represented the request stating that the variance request is to reduce the buffer strip from 100 feet to 20 feet on the eastern boundary of the tract. All adjoining property owners had been notified.

Nathan Serritt made the motion to approve the variance as requested to reduce the county buffer requirements from 100 feet down to 20 feet on the eastern boundary of the tract. Sabrina Poole seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

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

Rezoning Proposal

Date of Report: April 22, 2022

Application # Z22-09

Applicant/Property Owner: Thor Equities LLC/ Con-Onaula Farms, LLLP

Location of Property: Trimble Hollow Rd., Adairsville, GA 30103

Property Frontage: 159.89 +/- Feet **Tract Size:** 1.00 +/- Acres

Directions to property: Take Hwy 41 S twds. Adairsville, at the intersection of US Hwy 41S and Trimble Hollow Rd. turn left, subject property lies south of Trimble Hollow Rd. just before the road splits into Spring Hill Rd.

Proposed Action: Rezone from A-1, Agricultural District to I-1, Light Industrial

Reasons for Proposed Action: Industrial Development

Future Development Map Classification: Industrial

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 w/Variance. Future Developments here should be on city sewer.

Building Inspection Department: N/A

Fire Department: Ok with Fire Department.

Gordon County School System: N/A

Public Works Department: Any crossing of the County ROW will require permits and approval of the Public Works Dept.

Georgia Dept. of Transportation: N/A

Water & Sewer (City of Calhoun): This property can be served by a 12" water line. Developer is working with the City Engineering Dept. to serve this property with water service. No City sewer service at this time. Developer is working with the City Engineering Dept. to get sewer service to this property.

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 has I-2 zoning to the north and I-1 zoning to the south and is suitable for accommodating new industry with the rail service along the western edge, I-75 on the eastern boundary and the nearby Tom B. David Airport.

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 because of all the existing industrial use.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The subject property is going to be surrounded by industrial structures and has no reasonable economic uses as currently zoned.

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 Industrial on the Gordon County Future Development Map. This classification supports land uses intended for Industrial (light and heavy), commercial of various intensities, civic uses and other vehicle driven uses.

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 important to the economic health of the County with attracting new industry also, within proximity to residential growth areas which is compatible with the Future Land Use Map, to provide opportunities for workforce housing.

Planning Staff's Recommendation

The Rezoning Application #Z22-09 is recommended for approval. All applicable state and local regulations shall be complied with, including but not limited to Gordon County appearance standards for structures in industrial zoning districts, landscaping, and sign requirements

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

INDUSTRIAL

Description:

Gordon County has a significant amount of industrial/advanced manufacturing employers and that number is expected to rise in the future. Current development exists along Hwy 41 primarily south of Calhoun, with smaller developments appearing on the northern side of Calhoun and throughout the County. Attractors include access to Interstate 75, as well as Hwy 41, and to CSX and Norfolk Southern rail lines. Additional industrial and commercial development is anticipated along US 411 due to the expansion of rail usage and the Appalachian Regional Port in Murray County.



Development Strategies/Policies:

- ❖ Infrastructure: The County should continue infrastructure upgrades to allow for future growth, providing access to water, sewer, electricity, gas, fiber optic, interstates/highways, rail access.
- ❖ Property identification/acquisition: Identify sites for acquisition and development.
- ❖ Marketing/recruitment: The Chamber of Commerce and Development Authority are skilled and experienced at marketing these properties and preparing incentive packages for the recruitment of interested parties.
- ❖ Zoning/design guidelines: Industrial/advanced manufacturing developments can create noise, light, odors or traffic impacts. Zoning and development guidelines can be created to mitigate these issues through requiring buffers, stormwater controls and other measures.
- ❖ Recreation: Incoming industries can sometimes be convinced to develop trails across their large properties as part of marketing campaigns or employee wellness programs.
- ❖ Food/gas: Nearby dining opportunities and convenience stores should be allowed for the purpose of serving employees of these industries during their breaks.

Land Uses: Industrial (light and heavy), commercial of various intensities, civic uses and other vehicle-driven uses.

eFiled & eRecorded
DATE: 11/24/2020
TIME: 4:19 PM
DEED BOOK: 02401
PAGE: 00241 - 00243
RECORDING FEES: \$25.00
TRANSFER TAX: \$32.50
PARTICIPANT ID: 9346900302,7067927936
CLERK: Grant Walraven
GORDON County, GA
PT61: 0642020002403

[Space above this line for recording data.]

Please Record and Return To:

J. Tom Minor, IV
The Minor Firm
P.O. Box 2586
Dalton, GA 30722-2586

WARRANTY DEED

Georgia, Whitfield County

THIS INDENTURE made this 20th day of November 2020, between E. Ann Payne, individually and Eleanor Ann Barrett Payne, as Executrix of the Last Will and Testament of Sam M. Payne, deceased, Grantor, and Con-Onaula Farms, L.L.P., a limited liability limited partnership, Grantee.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

THE GRANTOR, for and in consideration of the sum of ten dollars and other valuable considerations, in hand paid at or before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the said Grantee all that tract or parcel of land as more particularly described in Exhibit "A" attached hereto, reference to which is hereby made and incorporated herein by reference.

THIS CONVEYANCE is made subject to all zoning ordinances, easements, and restrictions of record insofar as the same may lawfully affect the above-described property.

TO HAVE AND TO HOLD the said tract of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit and behoof of the said Grantee forever, in Fee Simple. The said Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the lawful claims of all persons.

222-09

defend the right and title to the above-described property unto the said Grantee against the lawful claims of all persons.

IN WITNESS WHEREOF, this deed has been duly executed and sealed by Grantor the day and year first above written.

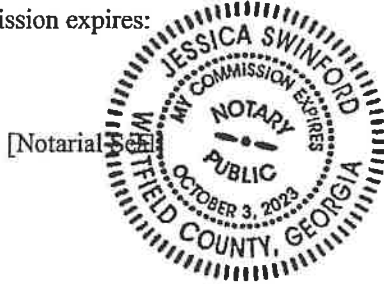
Signed, sealed and delivered

In the presence of:

J. A. J. III
Unofficial Witness

J. S.
Notary Public

My commission expires:



Eleanor E Ann Payne
Ann Barrett Payne (Seal)
E. Ann Payne, individually and Eleanor Ann Barrett Payne, as Executrix of the Last Will and Testament of Sam M. Payne

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot No. 174 in the 15th District and 3rd Section of Gordon County, Georgia, and being more particularly described according to a plat of survey prepared for George Morris by M. Gregory Massey, Georgia Registered Land Surveyor No. 2760, dated May 5, 2000, and recorded in Plat Book 38 Page 19, Gordon County, Georgia Land Records, reference to which plat is hereby made and incorporated herein by reference.

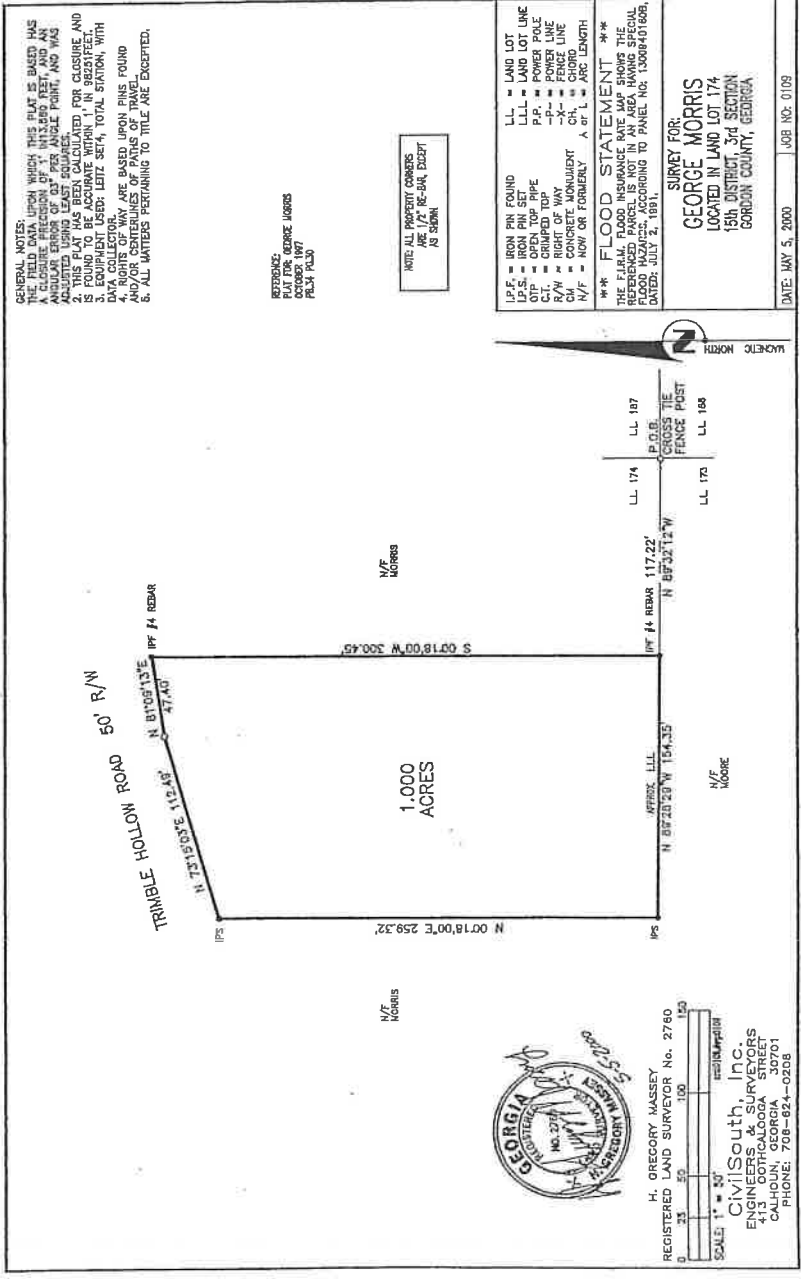
For prior title, see Deed Book 1160 Page 143, Gordon County, Georgia Land Records.

ECW

60-222

FILED & RECORDED
 TIME: 4:15
 DATE: 5-19-2000

Scanned



GENERAL NOTES:
 1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS BEEN CHECKED AND FOUND TO BE CORRECT. THE BEARINGS AND DISTANCES OF ALL LINES HAVE BEEN ADJUSTED USING LEAST SQUARES.
 2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND ADJUSTED USING LEAST SQUARES.
 3. EQUIPMENT USED: LEITZ SETA TOTAL STATION WITH DATA COLLECTOR.
 4. BEARINGS AND DISTANCES ARE BASED UPON PINS FOUND AT THE CORNERS OF PLOTS OR TRACTS.
 5. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.

REFERENCE:
 PLAT FOR GEORGE MORRIS
 BOOK 107
 PAGE 123

NOTE: ALL PROPERTY OWNERS
 ARE 1/2" REBAR, EXCEPT
 AS SHOWN

LEGEND:
 I.P.F. = IRON PIN FOUND
 O.P.F. = OPEN TOP PIPE
 C.T. = CHANGED TOP
 R/W = RIGHT OF WAY
 M.C. = MOUNTAIN CREST
 N/F = NOW ON FORMERLY A.C.L. = A.C.S. LENGTH

LL = LAND LOT
 LLL = LAND LOT LINE
 P.L. = POWER LINE
 F.L. = FENCE LINE
 G.L. = GROUND
 A.C.L. = A.C.S. LENGTH



LL 174
 P.O.B.
 GROSS I.E.
 FENCE POST
 LL 173
 LL 168

H. GREGORY MASSEY
 REGISTERED LAND SURVEYOR No. 2760

SCALE: 1" = 50'

CivilSouth, Inc.
 ENGINEERS & SURVEYORS
 1000 W. BROADWAY
 ATLANTA, GEORGIA 30370
 PHONE: 708-824-0255



APPROX. L.L.L.
 N 87°20'00" W 154.35'
 N 87°32'12" W
 P.F. 14 REBAR 117.22'
 N 07°18'00" E 259.32'
 S 07°18'00" W 300.45'

DATE: MAY 5, 2000 JOB NO. 0109

SURVEY FOR:
 GEORGE MORRIS
 LOCATED IN LAND LOT 174
 15th DISTRICT, 3rd SECTION
 GORDON COUNTY, GEORGIA

**** FLOOD STATEMENT ****
 THE FLOOD INSURANCE RATE MAP SHOWS THE TRACT IS LOCATED IN A FLOOD HAZARD ZONE. ACCORDING TO PANEL NO. 1300R401600, DATED: JULY 2, 1991.

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # ^{Z22-09} V22-04 ^{A-1 to I-1} Con-Onaulla Farms Variance

Date: 4-22-22

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/ variance.

Future developments here should be on city sewer.

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # ²²²⁻⁰⁹ V22-04 Con-Onaula Farms A-1 to I-1
variance

Date: 4-19-22

Reviewed by: Stur

PUBLIC WORKS DEPARTMENT

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

Any ~~etc~~ crossing of the County ROW will require permits and approval of the Public Works Dept.



DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 222-09 V22-04 Con-Droule Farms A-1 to I-1
Variance

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

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z22-09
APPLICATION NAME Thor Equities, LLC
TYPE OF ZONING: A-1 to I-1, Variances
DATE: 4/13/2022
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 12" water line. Developer is working with the City Engineering Dept. to serve this property with water service.

SEWER COMMENTS:

No City sewer service at this time. Developer is working with the City Engineering Dept. to get sewer service to this property.

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.