

INFORMATION SHEET FOR REZONING REQUESTS

Application # 222-10 DATE OF READING 5-17-2022

REZONE FROM A-1 TO I-1 Light Industrial

APPLICANT Thor Equities LLC / Alberta Lewis

OWNER 1383 + 2334 Trimble Hollow Rd.

LOCATION OF PROPERTY Adairsville

DESCRIPTION OF PROPERTY

0.775/2.8471 ACRES

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

- Approval

STIPULATIONS:

**VARIANCE APPLICATION #V22-06 & REZONING APPLICATION #Z22-10,  
THOR EQUITIES, LLC (appl) ALBERTA MORRIS LEWIS (owner)**

Chairman Rule read variance application #V22-06 and rezoning application #Z22-10, Thor Equities, LLC, applicant and Alberta Morris Lewis, owner for a .775 acre tract located at 1383 Trimble Hollow Road, Adairsville and a 2.847 acre tract located at 2334 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 #V22-06, 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 yard adjoining Trimble Hollow Road. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

On rezoning application #Z22-10, Nathan Serritt made the motion to approve the rezoning request from A-1 to I-1. Sabrina Poole seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**ADDITIONAL BUSINESS**

There being no additional business, Nathan Serritt made the motion to adjourn. Eddie Smith seconded the motion. All voted aye. The meeting was adjourned at 6:55 p.m.

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Zelda Gregg, Secretary

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Randy Rule, Chairman  
Jerry Lovelace, Vice-Chairman



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

**Date of Report:** April 22, 2022

**Application #** Z22-10

**Applicant/Property Owner:** Thor Equities LLC/ Alberta Lewis, a/k/a Alberta Morris Lewis

**Location of Property:** 1383 & 2334 Trimble Hollow Rd., Adairsville, GA 30103

**Property Frontage:** 125.91/1008.36 +/- Feet    Tract Size: 0.775/2.8471 +/- 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/EH. No records of septic found on 2334 Trimble Hollow (MH). Septic tank will need to be pumped and properly filled once MH is removed for future development.

*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):* T 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 #Z22-10 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.



*Union Grove Industrial Site.*

## 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.

MRA# 048-003

222-10

FILED & RECORDED

TIME: 1:45

DATE: 5-13-03

BOOK 954 PAGE 58-59

LEWIS COUCH, C.S.C.  
GORDON COUNTY, GA.

103-5371

[Space Above this Line for Recording Data]

After Recording: Please return to:  
James T. Fordham  
McCamy, Phillips, Tuggle & Fordham LLP  
P. O. Box 1105  
Dalton GA 30722-1105  
706-278-4499

### QUITCLAIM DEED

STATE OF GEORGIA,  
COUNTY OF GORDON.

THIS INDENTURE, made this 13<sup>th</sup> day of May, 2003, between ALBERTA LEWIS, as Attorney-in-Fact for ARDELL MORRIS, pursuant to and in accordance with Power of Attorney executed by ARDELL MORRIS on February 14, 2002, recorded in Deed Book 817, page 140, Deed Records, Gordon County, Georgia, reference to which is herein made, as party or parties of the first part, hereinafter called Grantor, and ALBERTA LEWIS of Gordon County, Georgia, and LOUISE MORRIS, of Fulton County, Georgia, daughters of ARDELL MORRIS, 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 One (\$1.00) Dollar, and other valuable considerations, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever Quitclaim unto the said Grantee, all right, title, interest, claim or demand which Grantor has or may have had in and to the following described lands:

TRACT I: All that tract or parcel of land lying and being in the 15<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia, and being four (4) acres, more or less, off of Land Lot No. 174 thereof and being in the Southeast corner of said Land Lot and being all of said Land Lot owned by the Grantor herein that lies South of what is known as the Gardner Springs Public Road.

TRACT II: All that tract or parcel of land lying and being in the 15<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia, and being One (1) acre, more or less, of Land Lot No. 174 thereof described as follows:

BEGINNING at an iron stake located on the South side of the Gardner Springs Public Road, which beginning point is 688 feet, more or less, West of the culvert located under the intersection of the Gardner Springs and Trimble Public Road; running thence along and with the South side of the said Gardner Springs Public Road in a Westerly direction a distance of 530

CONTINUED

feet, more or less, to an iron stake; running thence in an Easterly direction a distance of 520 feet, more or less, to an iron stake; running thence in a Northerly direction a distance of 147 feet, more or less, to the point of beginning, and being in the shape of a triangle.

TRACT III: All that tract or parcel of land lying and being in the 15<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia, and being five (5) acres, more or less, off of Land Lot No. 174 thereof, and being all of the lands owned by Oscar Morris in said Land Lot at the time of his death.

TO HAVE AND TO HOLD said described premises unto said Grantee, so that neither Grantor nor any other person or persons claiming under said Grantor shall at any time claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

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

*Alberta Lewis*  
ALBERTA LEWIS, AS ATTORNEY-  
IN-FACT FOR ARDELL MORRIS

Signed, sealed and delivered  
this 13<sup>th</sup> day of May,  
2003, in the presence of:

*James T. Jordan*  
WITNESS

*Sandra K. Babich*  
NOTARY PUBLIC



SEAL AFFIXED

**NOTE: THE TITLE TO THE PROPERTY DESCRIBED IN THIS DEED HAS NOT BEEN EXAMINED BY THE PREPARER AND THE PREPARER MAKES NO REPRESENTATION AS TO THE STATUS OF THE TITLE**

G:\attorney areas\fordham\deeds\albrtalewisqc

FILED & RECORDED 5-13-03 LEWIS COUCH, CSC



MR# 048-091

7-706  
1:05

222-10

Recorded 7/07/2006 1:05  
Doc: WD Rct#: 127314  
TRANSFER TAX: 1.00  
TRANSFER TAX ID: 0642006001614  
Brian Brannon, C.S.C.  
GORDON County, Ga  
DEED Bk: 1330 Pgs: 150-151

[Space Above this Line for Recording Date]

After Recording: Please return to:  
James T. Fordham  
McCarry, Phillips, Tuggle & Fordham LLP  
P. O. Box 1105  
Dallan GA 30722-1105  
706-278-4499

WARRANTY DEED

STATE OF GEORGIA,  
COUNTY OF GORDON.

IN CONSIDERATION of Ten Dollars (\$10.00) and other good and valuable considerations, GEORGE OSCAR (VAN) MORRIS, of the County of Gordon, State of Georgia, does hereby sell and convey unto ALBERTA MORRIS LEWIS, of the County of Gordon and State of Georgia, her successors, and assigns, a tract or parcel of land which is described as follows:

All that tract or parcel of land lying and being in Land Lot No. 174 of the 15<sup>th</sup> District and 3<sup>rd</sup> Section of Gordon County, Georgia, being more particularly described as 0.775 acres according to a plat of survey thereof entitled "Survey for George Oscar (Van) Morris" prepared by Paul R. Rogers, GRLS No. 2303 of Rhodes Engineering Services of Cartersville, Georgia, dated October 6, 1997, a copy of said plat of survey being recorded in the Office of the Clerk of the Superior Court of Gordon County, Georgia in Plat Book 34, Page 30, to which said plat and the record thereof is hereby made for a full and complete description of the land herein conveyed.

TO HAVE AND TO HOLD said lands and appurtenances unto said ALBERTA MORRIS LEWIS, her successors and assigns in fee simple. This property is conveyed subject to easements, restrictions and covenants of record in so far as the same may lawfully affect the above described property.

CONTINUED

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222-10

Warrant the title to said lands against the lawful claims of all persons.

IN WITNESS WHEREOF, they have hereunto set their hands and affixed their seals, this 30 day of May, 2006.

(VAN)  
George OSCAR MORRIS  
GEORGE OSCAR (VAN) MORRIS

Signed, sealed and delivered,  
this 30 day of June,  
2006, in the presence of:

Lois Hand  
WITNESS

William W. Hutchinson  
NOTARY PUBLIC  
G:\attorney areas\fordham\deed\albrta\lew\swd

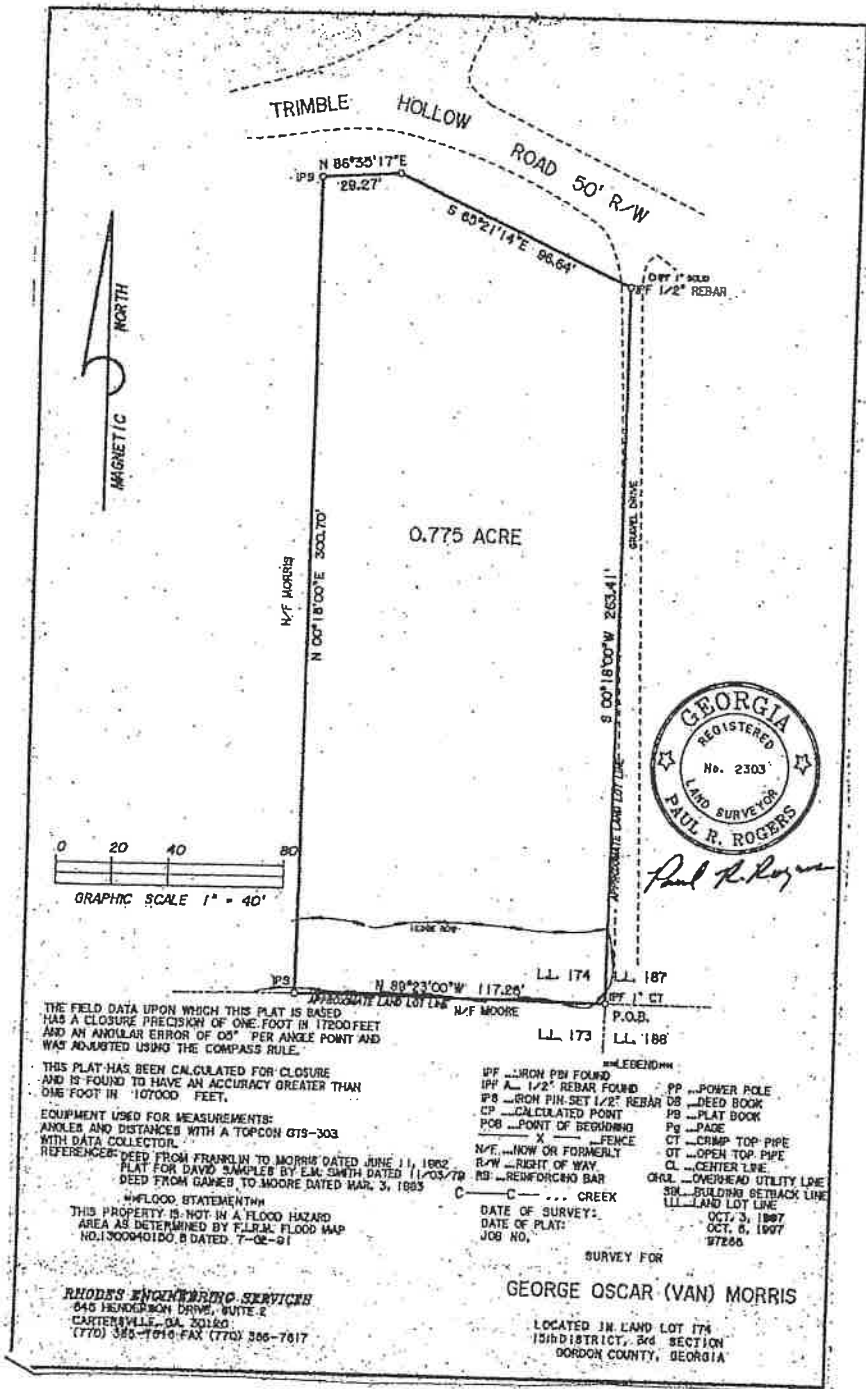
**NOTE: THE TITLE TO THE PROPERTY DESCRIBED IN THIS DEED HAS NOT BEEN EXAMINED BY THE PREPARER AND THE PREPARER MAKES NO REPRESENTATION AS TO THE STATUS OF THE TITLE.**

FILED & RECORDED 7-7-06 BRIAN BRANNON, CSC

N

5  
A-Scanner

22-10



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 17200 FEET AND AN ANGULAR ERROR OF 00" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO HAVE AN ACCURACY GREATER THAN ONE FOOT IN 107000 FEET.

EQUIPMENT USED FOR MEASUREMENTS: ANGLE AND DISTANCES WITH A TOPCON GTS-303 WITH DATA COLLECTOR.

REFERENCES: DEED FROM FRANKLIN TO MORRIS DATED JUNE 11, 1962. PLAT FOR DAVID SAMPLES BY E.M. SMITH DATED 11/03/78. DEED FROM GAMES TO MOORE DATED MAR. 3, 1883.

FLOOD STATEMENT: THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA AS DETERMINED BY FLEAL FLOOD MAP NO. 1300940180, 8 DATED 7-02-91.

- LEGEND
- IPF --- IRON PIN FOUND
  - IPP A --- 1/2" REBAR FOUND
  - IPB --- IRON PIN SET 1/2" REBAR
  - CP --- CALCULATED POINT
  - POB --- POINT OF BEGINNING
  - X --- FENCE
  - N/F --- NOW OR FORMERLY
  - R/W --- RIGHT OF WAY
  - RD --- REINFORCED BAR
  - C --- CREEK
  - PP --- POWER POLE
  - DB --- DEED BOOK
  - PB --- PLAT BOOK
  - PG --- PAGE
  - CT --- CRIMP TOP PIPE
  - OT --- OPEN TOP PIPE
  - CL --- CENTER LINE
  - OU --- OVERHEAD UTILITY LINE
  - SB --- BUILDING SETBACK LINE
  - LLL --- LAND LOT LINE
- DATE OF SURVEY: OCT. 3, 1997  
DATE OF PLAT: OCT. 6, 1997  
JOB NO. 97266

**RHODES ENGINEERING SERVICES**  
640 HENDERSON DRIVE, SUITE 2  
CARTERSVILLE, GA 30106  
(770) 383-1610 FAX (770) 386-7817

SURVEY FOR  
**GEORGE OSCAR (VAN) MORRIS**  
LOCATED IN LAND LOT 174  
15TH DISTRICT, 8th SECTION  
DORDON COUNTY, GEORGIA

PH 34/30

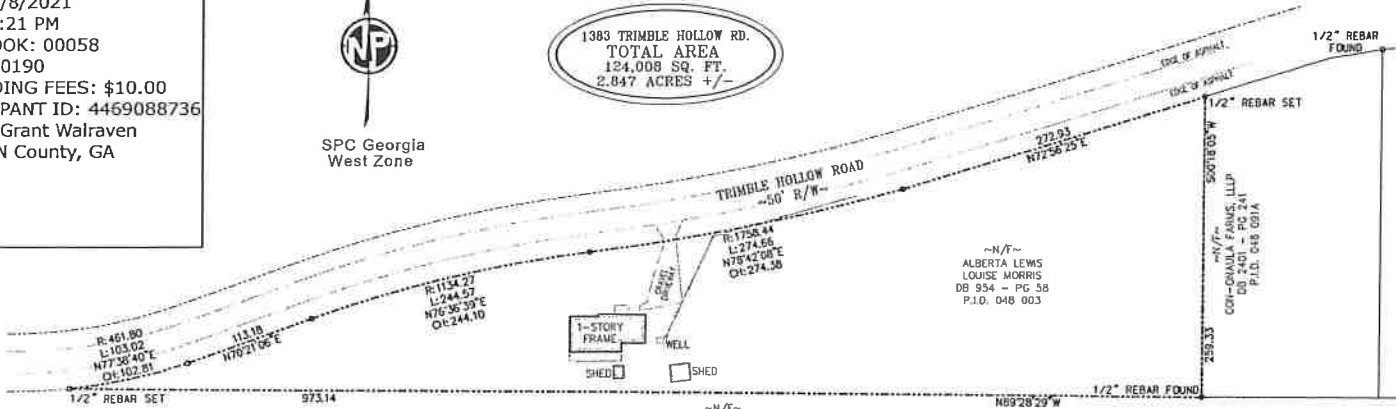
**FILING INFORMATION BOX**

eFiled & eRecorded  
 DATE: 9/8/2021  
 TIME: 4:21 PM  
 PLAT BOOK: 00058  
 PAGE: 00190  
 RECORDING FEES: \$10.00  
 PARTICIPANT ID: 4469088736  
 CLERK: Grant Walraven  
 GORDON County, GA



SPC Georgia  
 West Zone

1383 TRIMBLE HOLLOW RD.  
 TOTAL AREA  
 124,008 SQ. FT.  
 2.847 ACRES +/-



**SURVEYOR'S CERTIFICATE**

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 RECORDS, 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 COMPLIES 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.

KENNETH LANE FULLERTON, GA, PLS  
 REGISTERED NUMBER: 3325



08/10/2021



**LEGEND**

- OVERHEAD ELECTRIC
- ⊕ POWER POLE (PP)
- IRON PIN FOUND OR SET

**FEMA FLOOD STATEMENT**

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X, ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY NUMBER 130024, MAP NUMBER 13129 C 0175 D DATED SEPTEMBER 26, 2008.

**SURVEY NOTES**

EQUIPMENT USED:  
 SPECTRA PRECISION, FOCUS 30 TOTAL STATION  
 FIELD SURVEY COMPLETED: 08/07/2021  
 CLOSURE STATEMENT:  
 THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS ACCURATE WITHIN 1:406,938  
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1:20,000+ AND AN ANGULAR ERROR OF 3" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.

CERTIFICATION:  
 THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF CLIENT HAIRED HEREON AND REPRESENTS A SPECIFIC SCOPE OF SERVICE AND IS NON-TRANSFERABLE.

DATE	: 08/10/2021
PROJECT NO.	: 021-K1
SCALE	: 1" = 50'
DRAWN BY	:
CHECKED BY	: KEN FULLERTON
FIELD CREW	: KEN FULLERTON TRACY TUCKER
11x17 DWG PATH	: 2021/021-K1/021-K1BND
SHEET	: 1 OF 1

**BOUNDARY SURVEY**  
 FOR  
**ALBERTA LEWIS**

1383 TRIMBLE HOLLOW ROAD  
 LOCATED IN LAND LOT 174  
 15th DISTRICT, 3rd SECTION  
 GORDON COUNTY, GEORGIA



**NORTH POINT  
 LAND SURVEYING**  
 3104 CREEKSIDE VILLAGE DRIVE  
 SUITE 406  
 KENNESAW, GEORGIA 30144  
 PHONE: (770) 313-5129  
 EMAIL: NS@NP-LandSurveying.com  
 www.NP-LandSurveying.com

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # 222-10 LEWIS A-1 to I-1  
V22-06 variance

Date: 4-22-22

Reviewed by: Christy Blair

048-091  
2334  
Trimble Hollow

ENVIRONMENTAL HEALTH

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

No issues w/ rezoning w/ EH.

No records of septic found on 2334 Trimble Hollow (MH).

Septic tank will need to be pumped and properly filled once MH is removed for future development.

**DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT**

Application # <sup>Z22-D</sup> V22-06 Lewis <sup>A-1 to I-1</sup> Variance

Date: 4-19-22

Reviewed by: Stu

**PUBLIC WORKS DEPARTMENT**

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

Any ~~ex~~ crossing of County Rd will require permits and approval from the Public Works Dept.



CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z22-10  
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.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z22-10 V22-060 Lewis A1 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*