

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 22-14 DATE OF READING 9-20-2022
REZONE FROM A-1 TO C-H Highway Commercial

APPLICANT Christina R. Jenkins - legal repr.

OWNER Sweyma A. Cardoza

LOCATION OF PROPERTY 1600 Sugar Valley Rd.

Callhoun, GA 30701

DESCRIPTION OF PROPERTY

.44 ACRES

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

1. Approval

STIPULATIONS:

The property cannot have any registered vehicles to be used as parts and must maintain the buffer strip of 50ft on all sides. Also, shall provide an opaque fence or adequate landscaping of an evergreen species of plant having a minimum of six feet height.

**GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
SEPTEMBER 12, 2022**

The Gordon County Planning Commission held a Public Hearing on Monday, September 12, 2022 at 6:00 p.m. in the Assembly Room of the Gordon County Judicial Building for the purpose of hearing variance and zoning change requests. Members present were:

Randy Rule	Sabrina Poole
Jerry Lovelace	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 Jerry Lovelace to approve the minutes of the previous meeting of August 8, 2022. Nathan Serritt seconded the motion. All voted aye. The minutes were approved as written.

REZONING APPLICATION #Z22-16, CURTIS DEVELOPMENT GROUP, LLC & KING CURTIS, LLC (owner), THOR NW GEORGIA, LLC (appl.)

Chairman Rule read rezoning application #Z22-16, Curtis Development Group, LLC and King Curtis, LLC (owner), Thor NW Georgia, LLC (appl.), requesting to rezone a 111.97 acre tract located on Miller Ferry Road and Shaw Road, Adairsville from A-1 to I-1. Terry Brumlow, attorney for the applicant represented the application and requested that the rezoning application be tabled until the October 10, 2022 Planning Commission's meeting. He explained that the Northwest Georgia Regional Commission has made a determination that the project warrants regional review and the process of compiling a Development of Regional Impact (DRI) report has been initiated. The report will not be ready for a few weeks and the applicant would like to review the report and address other concerns which have been made known since the time of filing of the application. All adjoining property owners had been notified.

Jerry Lovelace made the motion to table the rezoning application identified as #Z22-16 from A-1 to I-1. Nathan Serritt seconded the motion. All voted aye. The application was tabled until the October 10, 2022 meeting which will be held at the Gem Theater.

REZONING APPLICATION #Z22-14, SULEYMA A. CORDOZA (owner), CHRISTINA R. JENKINS, LLC (legal rep.)

Chairman Rule read rezoning application #Z22-14, Suleyma A. Cordoza (owner), Christina R. Jenkins, LLC (legal rep.), requesting to rezone a .44 acre tract located at 1600 Sugar Valley Road, Calhoun from A-1 to C-H. Ms. Jenkins represented the request explaining that her client would like to re-establish this building as a auto service station, it was built in 1953 and is no longer grandfathered in as a non-conforming use due to the closure of the business for more than one year and due to the design of the property it is best suited to remain as a service station. Ms. Jenkins went on to say that it will be a one in one out business.

Nathan Serritt ask if they would be operating this business or would it be leased to someone else to operate and Ms. Jenkins replied it would be leased. Area property owners Herrick Whiting and Thomas Davis spoke with concerns of the probability of non-operating vehicles being stored on the property for parts, that they didn't want it to become a junk yard like it once was, operating all hours of the night, and decreasing their property values. Ms. Jenkins stated that provisions would be in place in the lease to hold the operator in compliance with the stipulations and they would build a fence around the property. All adjoining property owners had been notified.

Nathan Serritt made the motion to approve the rezoning application identified as #Z22-14 from A-1 to C-H, with the stipulation that it cannot store any unregistered vehicles to be used as parts and must maintain the buffer strip of 50 feet on all sides. Also, shall provide an opaque fence or adequate landscaping of an evergreen species of plant having a minimum of six feet height. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z22-15, ZHENHAO HOLDING, LTD (owner),
SAGE RALSTON (agent)**

Chairman Rule read rezoning application #Z22-15, Zhenhao Holding, LTD (owner), Sage Ralston (agent), requesting to rezone a 3.26 acre tract located at 199 Spring Hill Road, Adairsville from A-1 to R-6. Mr. Ralston represented the request explaining that he would like to subdivide the property in 2 tracts to place 2 mobile homes for employee housing and they would be able to access the public sewer service that is being planned. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z22-15 from A-1 to R-6. 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. Jerry Lovelace seconded the motion. All voted aye. The meeting was adjourned at 6:37 p.m.

Zelda Gregg, Secretary

Randy Rule, Chairman
Jerry Lovelace, Vice-Chairman

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: August 26, 2022

Application # Z22-14

Applicant/Property Owner: Suleyma A. Cardoza (owner), Christina R. Jenkins LLC (legal rep.)

Location of Property: 1600 Sugar Valley Rd., Calhoun, GA 30701

Property Frontage: 210 +/- Feet **Tract Size:** 0.44 +/- Acres

Directions to property: Hwy 136 Connector, just past Coggins Loop on the left.

Proposed Action: Rezone from A-1, Agricultural District to C-H, Highway Commercial

Reasons for Proposed Action: The property was no longer grandfathered in as a non-conforming use due to the closure of the business for more than one (1) year but due to the design of the property is best suited to remain as a service station.

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: No issues w/zoning. EH may require an existing system evaluation prior to occupancy.

Building Inspection Department: N/A

Fire Department: This building will need to be inspected prior to getting a business license.

Gordon County School System: N/A

Public Works Department: N/A

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 has had a service station since it was built in 1953, the structure couldn't be remodeled for a house and there isn't enough room to build a house unless the structure is torn down.

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 the area is already being used for this purpose.

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

The proposed property needs to be rezoned to be able to reopen as a service station for which it was built, because it has been closed for over a year.

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 with the existing building as its original intended purpose as a service station. The service station was built in 1953 for that purpose and is still categorized as a commercial use on the tax records.

Planning Staff's Recommendation

The Rezoning Application #Z22-14 is recommended for approval with the stipulation that it cannot store any unregistered vehicles to be used as parts and must maintain the buffer strip of 50 feet on all sides. Also, shall provide an opaque fence or adequate landscaping of an evergreen species of plant having a minimum of six (6) feet height.

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

RURAL/AGRICULTURAL RESERVE

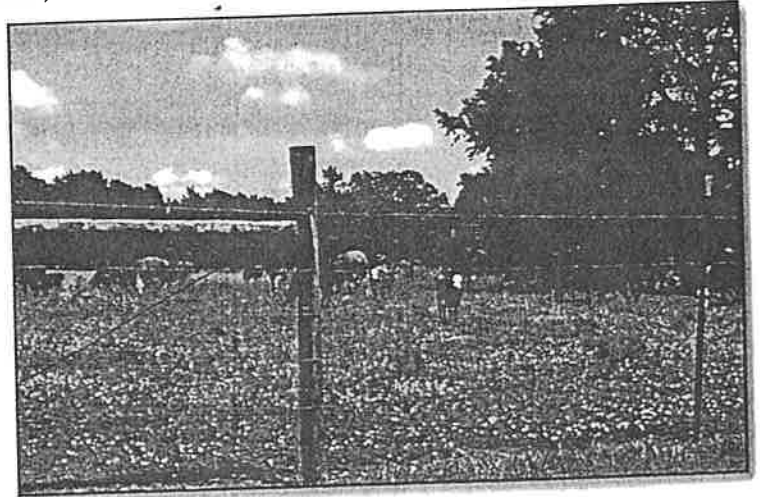
Description:

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.

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.



Cows and calves, Highway 53.

Land Uses:

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

222-14

Recorded 06/29/2022 2:00
Doc: WD Rpt#: 356348
TRANSFER TAX: 85.00
TRANSFER TAX ID: 0642022001738
Grant Walraven, C.S.C.
GORDON County, Ga
DEED Blk: 2623 Pg: 161

Return Recorded Document to:
Brunlow, Corwin & Delashmit, P.C.
1287 Curtis Parkway SE
Calhoun, GA 30701
File #0622G739

STATE OF GEORGIA
COUNTY OF GORDON

WARRANTY DEED

This Indenture made this 13th day of June, 2022 between FRANK GENTRY, JR., of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and SULEYMA ARACELY CORDOZA, 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 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 receipt 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 Grantee,

All that tract or parcel of land lying and being in the 14th District and 3rd Section of Gordon County, Georgia and being 2 acres, more or less, off of the Southwest corner of Land Lot No. 117, being a portion of said lot lying South of the Calhoun-Sugar Valley Public Road, and bounded as follows: On the North by the Calhoun-Sugar Valley Public Road; South by lands of Alvin Free, and West by other lands of the grantor herein. This being the same identical lands described in a deed from J.M. Hall to J.S. Holt of date February 1, 1943 and recorded in the Office of the Clerk of the Superior Court of said county in Deed Book 16, Page 43, (except for a one (1) acre tract previously sold off by grantor herein to Alvin Free), and to which deed reference is hereby made for a full and complete description thereof. Said tract of land lying in the form of a triangle.

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.

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, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature] (Seal)
FRANK GENTRY, JR.

[Signature]
Notary Public



Summary

Parcel Number 031 122
 Location Address 1600 SUGAR VALLEY RD
 Legal Description N/A
 Class C3-Commercial
 (Note: This is for tax purposes only. Not to be used for zoning.)
 Tax District Countywide (District 01)
 Millage Rate 28.65
 Acres 0.44
 Homestead Exemption No (S0)
 Landlot/District N/A

[View Map](#)

Note: Class differs from Zoning. For Zoning information, please refer to the Zoning layer on the map.



Owner

RUSSELL SHEILA
 1821 OLD ROME DALTON RD NW
 CALHOUN, GA 30701-8110

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	COMM-AC COUNTY (LOT)	Acres	19,166	0	0	0.44	0

Commercial Improvement Information

Description Garage/Service Repair-3
 Value \$15,300
 Actual Year Built 1953
 Effective Year Built 1953
 Square Feet 1400
 Wall Height 10
 Wall Frames Bearing Wall
 Exterior Wall Aluminum Siding
 Roof Cover Aluminum
 Interior Walls Sheetrock
 Floor Construction Reinforced Concrete
 Floor Finish Concrete
 Ceiling Finish Acoustical Tile
 Lighting Standard F.F.
 Heating No Heat
 Number of Buildings 1

Valuation

	2022	2021	2020	2019	2018
Previous Value	\$30,700	\$30,700	\$30,700	\$24,700	\$24,700
Land Value	\$15,400	\$15,400	\$15,400	\$15,400	\$15,400
+ Improvement Value	\$15,300	\$15,300	\$15,300	\$15,300	\$7,500
+ Accessory Value	\$0	\$0	\$0	\$0	\$1,800
= Current Value	\$30,700	\$30,700	\$30,700	\$30,700	\$24,700

Historical Property Record Card

[Property Record Card \(PDF\)](#)

2022 Assessment Notice

[2022 Assessment Notice \(PDF\)](#)

2021 Assessment Notice

[2021 Assessment Notice \(PDF\)](#)

Photos

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # Z22-14 Cardoza A-1 to C-H

Date: 8/26/22

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/ zoning.

EH may require an existing system evaluation prior to occupancy.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z22-14 Cardoza A1 to C-H

Date: 08/17/22

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:

This building will need to be inspected prior to getting a business license.

Ron Chance

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z22-14
APPLICATION NAME Suleyma Cardoza
TYPE OF ZONING: A-1 to C-H
DATE: 8/25/2022
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.