

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 22-28 DATE OF READING 12-20-2022
REZONE FROM A-1 TO RA-1 residential Agricultural
District

APPLICANT John Richardson

OWNER _____

LOCATION OF PROPERTY 8363 Fairmount Hwy

Fairmount

DESCRIPTION OF PROPERTY

2.039 ACRES

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

1. Approval

STIPULATIONS:

REZONING APPLICATION #Z22-28, JOHN RICHARDSON

Vice-Chairman Lovelace read rezoning application #Z22-28, John Richardson, requesting to rezone 2.039 acres located at 8363 Fairmount Hwy., Fairmount from A-1 to RA-1. Mr. Richardson represented the request explaining that he would like to subdivide this property from another tract to construct a home. All adjoining property owners had been notified.

Tommy Hibberts made the motion to approve the rezoning application identified as #Z22-28 from A-1 to RA-1. Sabrina Poole seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V22-18, W. HARRISON UNLIMITED LLC – WILL HARRISON

Vice-Chairman Lovelace read variance application #V22-18, W. Harrison Unlimited LLC – Will Harrison requesting a variance on a .47 acre tract located on Lot 5 Black Oaks Park Subdivision, Rips Road. Mr. Harrison represented the request explaining that he requests a variance of 15 feet from R-O-W because there is a creek on the property creating the hardship. Adjusting the setback distance would allow for a house to be built on the property. All adjoining property owners had been notified.

Tommy Hibberts made the motion to approve the variance application identified as #V22-18 and grant the variance of 15 feet from R-O-W. Sabrina Poole seconded the motion. All voted aye. The variance was granted. The thirty (30) day appeal period was explained.

VARIANCE APPLICATION #V22-19, JOSHUA WOODS

Vice-Chairman Lovelace read variance application #V22-19, Joshua Woods requesting a variance on a .78 acre tract located at 246 Williams Way, S.W. Mr. Woods represented the request explaining that he requests a variance to reduce side setback of 9 feet and rear setback of 6 feet. This would put the structure 1 foot off the side property line and 6 feet off the back property line. He would like to build a detached garage which will have a mother-in-law apartment above. All adjoining property owners had been notified.

Sabrina Poole made the motion to approve the variance application identified as #V22-19 and grant the variance as requested. Tommy Hibberts seconded the motion. All voted aye. The variance was granted. The thirty (30) day appeal period was explained.

ADDITIONAL BUSINESS

There being no additional business, Sabrina Poole made the motion to adjourn. Tommy Hibberts seconded the motion. All voted aye. The meeting was adjourned at 6:50 p.m.

Zelda Gregg, Secretary

Randy Rule, Chairman
Jerry Lovelace, Vice-Chairman

Cover Sheet
Proposal for Land Use Action

Application Number: 22228 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: December 12, 2022

Date of Board of Commissioners' Meeting: December 20, 2022

Applicant: John Richardson

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

Property Address: 8303 Fairmount Hwy, Fairmount, GA 30139

Said Property having a frontage of 177.57 feet and containing 2.039 acres.

Future Development Map Classification: Emerging Mixed-Use Community

Current Zoning Map Classification: A1 Agriculture

Proposed Action: Subdivided property into 2 tracts.

Reason for Proposed Action: Subdivided property with sister and plan to construct a single-family residence

Directions to Property: Take Hwy 53 (Fairmount Hwy) East out of Calhoun towards Fairmount, property is located 0.75 mi East of the intersection of Cash Rd and Fairmount Hwy, on the South side of the road.

Application Number: Z 22-28

Proposal Information (cont.)

If proposing a **Future Development Map** amendment, please provide the following information:

Present Map classification: _____

Proposed classification: _____

Present Map classifications of abutting property to the subject property:

Reason for the Map amendment: ~~to construct single-family residence~~

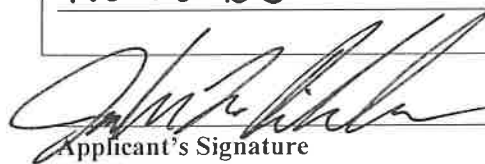
If proposing an **Official Zoning Map** amendment (*rezoning of property*), please provide the following information:

Present zoning district: A1 Agriculture

Proposed zoning district: RA - 1, Residential Agricultural District

Future Development Map classification: Emerging Mixed-Use Community

Reason for the Zoning Map amendment: subdivided property with sister and plan to construct a single-family residence


Applicant's Signature

11/14/2022
Date

Property Owner's Signature (If different)

Date

Signed and sealed in the presence of:

Ussula Richardson
Notary Public

2/24/25
Commission Expires

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

Rezoning Proposal

Date of Report: November 23, 2022

Application # Z22-28

Applicant/Property Owner: John Richardson

Location of Property: 8363 Fairmount Hwy, Fairmount, GA 30139

Property Frontage: 177.57 +/- Feet Tract Size: 2.039 +/- Acres

Directions to property: Hwy 53E, property is located 0.75 miles east of the intersection of Cash Rd and Fairmount Hwy, on the south side of the road.

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

Reasons for Proposed Action: Subdivided property with my sister and plan to construct a single-family residence.

Future Development Map Classification: Emerging Mixed-Use Community

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 septic records for #8363 (existing house built @ 1978). Need to have a licensed septic contractor locate septic tank and drainfield to ensure drainfield does not cross new proposed line. Property line for 2.03 acres appears to be close to existing house.

Building Inspection Department: N/A

Fire Department: OK with fire department.

Gordon County School System: N/A

Public Works Department: N/A

Georgia Dept. of Transportation: No comment.

Water & Sewer (City of Calhoun): This property can be served by an 8" water line. No City 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 small and large tracts of agricultural property used for residential purposes and there some residential zoning in the area.

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 was owned by their grandparents and divided a couple of years ago between two siblings.

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: Emerging Mixed-Use Community 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 will have the potential to accommodate the needs of the local resident to construct a house. The request is in compliance with the Future Land Development Map.

Planning Staff's Recommendation

The Rezoning Application #Z22-28 is recommended for approval as long as they can accommodate the requirements from Environmental Health.

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

222-28

eFiled & eRecorded
DATE: 12/3/2020
TIME: 11:35 AM
DEED BOOK: 02405
PAGE: 00060
RECORDING FEES: \$25.00
TRANSFER TAX: \$10.00
PARTICIPANT ID: 7981764245
CLERK: Grant Walraven
GORDON County, GA
PT61: 0642020002414

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

WARRANTY DEED

STATE OF GEORGIA,
COUNTY OF GORDON

This Indenture made this 21 day of November, 2020 between Anne B. Collins aka Anne Butler Collins and E. W. Collins, of the County of GORDON, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and John Richardson, 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 Land Lot 191 of the 6th District and 3rd Section of Gordon County, Georgia and being that 2.039 acres labeled as Tract 2 on a survey labeled "Minor Subdivision prepared for Ross & Jenna Wyatt Tract 1 and John Richardson Tract 2" and as recorded at Plat Book 57, Page 249, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

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

Signed, sealed and delivered in the presence of:

Vickie Almy
Witness

Anne B. Collins (Seal)
Anne B. Collins aka Anne Butler Collins

[Signature]
Notary Public



Vickie Almy
Witness

E. W. Collins (Seal)
E. W. Collins

[Signature]
Notary Public



DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # Z22-28 Richardson A-1 to RA-1

Date: 11-16-22

Reviewed by: Christy Blain

ENVIRONMENTAL HEALTH

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

No septic records for #8363 (existing house built @1970).

Need to have a licensed septic contractor locate septic tank and drainfield to ensure drainfield does not cross new proposed property line.

Property line for the 2.03 acres (088 057A) appears to be close to existing house.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z22-28 Richardson A-1 to RA-1

Date: 11/22/22

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 Chance

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z22-28
APPLICATION NAME John Richardson
TYPE OF ZONING: A-1 to RA-1
DATE: 11/22/2022
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.