

**GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
JUNE 12, 2023**

The Gordon County Planning Commission held a Public Hearing on Monday, June 12, 2023 at 6:00 p.m. at the Gem Theater, 114 N. Wall St., Calhoun, for the purpose of hearing variance and zoning change requests. Members present were:

Randy Rule	Tommy Hibberts
Jerry Lovelace	Ken Dinning
Sabrina Poole	

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. The Planning Commission welcomed an estimate of 250 guests, along with County Administrator, Jim Ledbetter, Virginia Harman and Chris Jackson, with MSP Attorneys, LLC of Rome, GA, and Keith King. Chairman Rule asked the representative with Rezoning Application #Z23-19, Thor NW Georgia LLC, if they would have an objection to moving the order of their request to the last one on the agenda and they stated they had no objection. Chairman Rule then made a motion to move application #Z23-19 to the end of the agenda. Jerry Lovelace seconded the motion. All voted aye.

APPROVAL OF MINUTES

A motion was made by Jerry Lovelace to approve the minutes of the previous meeting of May 8, 2023. Ken Dinning seconded the motion. All voted aye. The minutes were approved as written.

VARIANCE APPLICATION #V23-03, PAUL HOOPER

Chairman Rule read variance application #V23-03, Paul Hooper requesting to reduce the front setback to the Right-of-Way on .75 acres located at 130 Bowdoin Lane, Adairsville. Mr. Hooper represented the request explaining that he seeks a variance to reduce required front setback to ROW to 30 feet in order to build a garage. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the application identified as #V23-03 and grant the variance to reduce front setback to 30 feet from ROW as requested. Ken Dinning seconded the motion. All voted aye. The variance was granted. The thirty (30) day appeal period was explained.

VARIANCE APPLICATION #V23-04, RUBEN SANDOVAL NINO

Chairman Rule read variance application #V23-04, Ruben Sandoval Nino requesting to reduce required rear setback to place a mobile home 12 feet from the rear of property line instead of the required 30 feet on .50 acres located at 135 Valley View Drive, Calhoun. Mr. Nino represented the request asking for an 18 foot variance. All adjoining property owners had been notified.

Tommy Hibberts made the motion to approve the application identified as #V23-04 and grant the variance to reduce rear setback to 12 feet to place a mobile home instead of the required 30 feet. Sabrina Poole seconded the motion. All voted aye. The variance was granted. The thirty (30) day appeal period was explained.

VARIANCE APPLICATION #V23-05, DARYLE HEFNER

Chairman Rule read variance application #V23-05, Daryle Hefner requesting a variance on 2 acres located at 4777 Roland Hayes Pkwy SW, Calhoun. Mr. Hefner represented the request explaining that his property does not have any road frontage and he would like to deed 2 acres from his property to his daughter for her to build a house and use his existing easement as access to the new home site. All adjoining property owners had been notified.

Sabrina Poole made the motion to approve the application identified as #V23-05 and grant the variance to access a 2 acre tract by the existing 25 foot easement. Ken Dinning seconded the motion. All voted aye. The variance was granted. The thirty (30) day appeal period was explained.

VARIANCE APPLICATION #V23-06, JUANITA BROWDER

Chairman Rule read variance application #V23-06, Juanita Browder requesting a variance on a 1.815 acre tract located at 1567 Firetower Road SE, Fairmount. Mrs. Browder, along with her granddaughter Chasity Parker represented the request explaining that she would like a variance to reduce required front setback to ROW and is asking for 15 feet, should be 40 feet from ROW. She added that her granddaughter will be living there so she can help take care of her. This will be a caretaker dwelling. All adjoining property owners had been notified.

Sabrina Poole made the motion to approve the application identified as #V23-05 and grant the variance to access a 2 acre tract by the existing 25 foot easement. Ken Dinning seconded the motion. All voted aye. The variance was granted. The thirty (30) day appeal period was explained.

REZONING APPLICATION #Z23-20, B & F REAL ESTATE-TRENT FRIX

Chairman Rule read rezoning application #Z23-20, B & F Real Estate – Trent Frix requesting to rezone a 1.50 acre tract located at 115 & 117 Boone Ford Road SE, Calhoun from A-1 to C-G. Mr. Frix represented the request explaining that the property will be used for commercial use. Currently it has a monument company and a storage building sales located on it. It has been in commercial use for over 20 years and has a high traffic area that is continuing to grow. He added since it has been used for commercial use for so long he wants to keep it commercial. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z23-20 with the stipulation that the zoning change to a C-C, Crossroad Commercial which would be a better fit to keep it at a limited retail and service so if it ever changed owners it would be required to stay as a low density business with minimal vehicle traffic. Ken Dinning seconded the motion. Sabrina Poole and Tommy Hibberts voted with the motion. Chairman Rule voted against the motion. The vote was 4 to 1 to approve. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V23-07 & REZONING APPLICATION #Z23-21, KEVIN CHOATE

Chairman Rule read variance application #V23-07 and rezoning application #Z23-21, Kevin Choate. The property is 18 acres total and located at 3780 Hwy. 41, North, Resaca. LaRhonda Johnson, a local realtor represented the requests explaining that her client has had this property on the market for some time, it is a family estate and he now lives in Texas. It has been hard to sell because of the unique and odd shape of the tract. He would like to subdivide the property into 2 tracts. The 2.55 acres in the front with the existing house needs to be rezoned from A-1 to RA-1 and 15.45 acres in the rear using an easement as access therefore requesting a variance. All adjoining property owners had been notified.

On variance application #V23-07, Sabrina Poole made the motion to approve the variance to allow access to a 15.45 acre tract using an easement road. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty (30) day appeal period was explained.

On rezoning application #Z23-21, Ken Dinning made the motion to approve the rezoning request from A-1 to RA-1 on the 2.55 acres. Tommy Hibberts seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z23-19, THOR NW GEORGIA LLC (appl.) CURTIS DEVELOPMENT GROUP LLC & KING CURTIS LLC (owner) CHRISTIANE BARD & JOHN MINOR V, ESQUIRES (legal reps.)

Chairman Rule read rezoning application #Z23-19, Thor NW Georgia LLC (appl.) Curtis Development Group LLC and King Curtis LLC (owner) and Christiane Bard and John Minor, V, (legal representatives), requesting to rezone 127.784 acres located at 555 Miller Ferry Road at Miller Ferry Road and Shaw Road, Adairsville from A-1 to I-1. Christiane Bard and John Minor, V, attorneys, represented the request for the applicant explaining that the applicant would like to develop the southern portion of the property and construct two industrial building with the first being 400,000 square feet and the second being 1,000,000 square feet and tie into the rail service. The concerns of the Gordon County Fire Department would not be an issue with mutual aid from Bartow County. Another warehouse that was built on Highway 41 is similar in size and there were no concerns at that time because of the fire suppression equipment that was used. There would be a bridge built across the railroad crossing to address the issue of trains blocking the road for loading and unloading. The truck traffic entering the development would not be near the residential homes. Joel DelliCarpini, with Bohler Engineers, spoke with infrastructure improvements such as road improvements, berms, and fencing for buffering. Tom Camarity, with JLL that handles leasing and sales for local industry, spoke stating that a lot of the leasing they have been involved with in Gordon and Bartow Counties has been for the flooring, automotive and the fast evolving solar and electric vehicle industry. Employers look at this area because of the excess labor that is available and that labor rates are more reasonable than in the metro Atlanta area. The unique characteristics for this property are that it is feasible to bring rail to the development. John Minor, attorney spoke stating this is a good opportunity for Gordon County with increased tax revenue, high paying jobs, an opportunity that that doesn't come often.

Area, adjoining, and other concerned citizens spoke in opposition to the rezoning change request. Those in opposition were: McKenzie Combs, Tim Harleson, Kyle Diamond, Shannon Diamond, Andy Smith, David Rodriquez, Kari Rodriquez, Jeffrey Morrell, Donna Morrell, Brian Cobb, Mark Burris, Kristi Cobb, Steve Bradshaw, Brandy Jenkins, Robert Styler, and Ed Moore. Some of the concerns were: Noise from truck and forklifts, trash in creeks, wildlife, property values, roads being too narrow, effects to groundwater, and health hazards. Brent Bennett, area homeowner, spoke in support of the rezoning stating this would be a benefit to the area with all the road improvements. Darin Hardin, owner of the property, spoke stating this is a unique piece of property and the longest with rail and without flood land in Northwest Georgia that can have access to railroad spurs. CSX has approved the preliminary plans if the rezoning is approved. Anthony Parker spoke in favor of the rezoning stating that after working with Thor in the past he found them to be neighborhood friendly by keeping pollution out of retention ponds before releasing water into the streams. Christiane Bard and John Minor, V, again spoke to the concerns of property value and quality of life stating that the adjoining subdivision to the recent construction of a warehouse by Thor on Highway 41 has had 3 homes that have sold, one at an increase of \$69,000. Projects like this can improve property values. Thor will invest in the community by providing infrastructure improvements not just to this project. It will give higher paying jobs and increased tax revenue. Chairman Rule asks if the project by Thor was complete on Highway 41 and it was stated that it was 80% complete with several prospects for tenants. Jim Ledbetter, County Administrator asked if this was a speculative warehouse or if they knew what type of business it would house and at this time they do not. All adjoining property owners had been notified.

Sabrina Poole made the motion to deny the rezoning application identified as #Z23-19 from A-1 to I-1. Jerry Lovelace seconded the motion. All voted aye. The recommendation for denial was sent to the Board of Commissioners.

OLD BUSINESS

A motion was made by Randy Rule to table the old business discussion until the July 10, 2023 meeting. Jerry Lovelace seconded the motion. All voted aye. The old business will be discussed at the July 10, 2023 meeting.

ADDITIONAL BUSINESS

There being no additional business, Tommy Hibberts made the motion to adjourn. Jerry Lovelace seconded the motion. All voted aye. The meeting was adjourned at 8:02 p.m.

Zelda Gregg, Secretary

Randy Rule, Chairman
Jerry Lovelace, Vice-Chairman