



Carroll County
Department of Community Development

423 College Street – P.O. Box 338
Carrollton, Georgia 30117
(770) 830-5861

Janet Hyde
County Planner

V-21-03-01

COMMISSION DISTRICT:
BOARD OF APPEALS MEMBER: Patricia
Whatley
COUNTY COMMISSIONER: Ernie Reynolds

PUBLIC HEARING DATE
BOARD OF APPEALS: March 2, 2021
REQUEST: Intrafamily Transfer Variance

OWNER/APPLICANT: Shannon Hancock
ACRES: 12.42
PARCEL NUMBER(S): 081-0013
LOCATION: 2127 Oak Grove Road

Current Land Use: Residential/Agricultural
Future Land Use: Agricultural

PROJECT DESCRIPTION: The applicant is requesting a variance to subdivide property for family.

SURROUNDING PROPERTIES:

	Current Zoning	Land Use
North	Agricultural/R2	Agricultural/Residential
East	R2	Residential
South	R2	Residential
West	Agricultural	Agricultural/Residential

REVIEW CRITERIA AND STANDARDS FOR CONSIDERING INTRAFAMILY TRANSFER VARIANCES:

The Community Development Appeals Board shall grant a variance provided that **ALL** of the following standards are met:

A. Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed single family dwelling will be located.

There will not be a significant adverse effect on the neighborhood. The surrounding area is predominantly agricultural and residential.

B. Whether or not the proposed single family dwelling is otherwise compatible with the neighborhood.

A single family dwelling will be compatible with the neighborhood. The subject property abuts property which is zoned R2 Residential.

C. Whether or not the public health, safety, or welfare concerns of the surrounding neighborhood will be adversely affected.

The public health, safety, and welfare concerns of the surrounding neighborhood will not be adversely affected.

D. Whether a denial would impose an unnecessary hardship upon the applicant and the immediate family.

Denial could pose an unnecessary hardship upon the applicant and immediate family, as the family will not be able to live in close proximity to one another.

E. The applicant's justification for not choosing to apply for a conditional use or zoning change.

This property is being split among family and the family does not wish to pursue rezoning. The property in the immediate vicinity is all agricultural and residential.

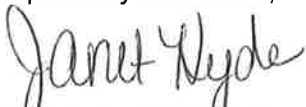
STAFF COMMENTS:

The applicant is requesting a variance to split an approximately 1.78 acre tract from a 12.78 acre tract. The 1.78 acre tract will be deeded to the applicant's daughter to build a home. There is no flood plain on the property. There are a few other parcels in the vicinity that are less than the required four acres in agricultural zoning. Traffic generation for single family residences is 10 trips per day average. If the applicant were to deed the required four acres, it would reduce the amount of land remaining for farming.

STAFF RECOMMENDATION: APPROVAL.

PUBLIC NOTIFICATIONS: As required by Sections 14.3 and 14.4 of the Carroll County Zoning Ordinance, the public has been notified in the *Times-Georgian* on February 15, 2021; a sign was posted on the subject property, and all abutting property owners were notified the rezoning request via U.S. mail.

Respectfully submitted,

A handwritten signature in cursive script that reads "Janet Hyde".

Janet Hyde, County Planner

INTRA FAMILY TRANSFER

Variance Application

Carroll County
423 College Street

Department of Community Development
Carrollton, GA 30117 (770) 830-5861



Date Received: 1/26/02
Received by: [Signature]

Application must be filed by noon on the 1st Thursday of the month to go on the next month's agenda.
No exceptions

Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed.

APPLICANT	Applicant Name: <u>Shannon Hancock</u>
	Address: <u>2127 Oak Grove Road</u> City: <u>Carrollton</u> State: <u>Ga.</u> Zip: <u>30117</u>
	Phone: <u>(770) 317-3226</u> Fax: () _____ Email: <u>cndy4258@aol.com</u>
	Agent Name: <u>Shannon Hancock</u>
	Address: <u>same</u> City: _____ State: _____ Zip: _____
	Phone: () _____ Fax: () _____ Email: _____
	Owner Name (If different from applicant): <u>Shannon & Cynthia Hancock</u>
	Address: <u>same</u>
	Phone: () _____ Fax: () _____
	<i>(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)</i>

CONDITIONAL USE	Project Name: <u>Shannon & Cynthis Hancock division</u>
	Variance Location (attach location map): _____
	Proposed Use: <u>rsidential</u>
	Total acreage: <u>12.42 acres (12.78 acre cutout)</u>
	Describe Proposed Variance:
	<u>I would like to divide off a 1.78 acre tract in order for my daughter to build a house next to me.</u>

Staff Use Only

Land Lot 94 of the 11A District, Carroll County Tax Map 081 Parcel 0093

SPECIFIC INFORMATION

Describe how the proposed Variance will affect:

Traffic: There will be very little difference in traffic since there will be only one additional house built.

Parking: All required parking will be provided on site.

Availability of Public Facilities/Utilities: All utilities needed already exist.

Other relevant Impacts of the Proposal: none

Describe how the proposed Rezoning will be a benefit to the public.

An additional house will be an increase in taxes.

Required Materials to Accompany the Application:

1. Completed application and the fee.
2. Copy of deed, lease, option agreement or other evidence of ownership or applicant's interest in the property. If the applicant is not the owner, attach a notarized statement signed by the owner authorizing the applicant to request the amendment.
3. All required items listed in the **Submittal Requirements checklist**.

Return Form to:

Artagus Newell or Margie Milam
Department of Community Development
423 College Street
Carrollton, Georgia 30117

For Department Use Only

Application No: V 21-03-01
Filing Fee: \$150
Pre-Application Conf: 1-25-21
Date Advertised: 2-18-21
Date Notices Sent: 2-18-21
PC Public Hearing Date: 3-4-21
BoCC Public Hearing Date: _____
Disposition: _____
Approved by Resolution #: _____

**PARCEL INFORMATION SHEET &
APPLICATION FOR ZONING COMPLIANCE CERTIFICATE**

To be completed by Map Room Personnel in Room #414

MAP ROOM OFFICAL:

MAP: 081 LAND LOT: 67 & 94
 PARCEL: 0093 DISTRICT: 11
 CURRENT PROPERTY OWNER: Shannon & Cynthis Hancock division
 PROPERTY OWNER AS OF JANUARY 1ST: Edward E. Hancock
 APPLICANT (IF DIFFERENT FROM OWNER): Shannon Hancock
 PROJECT ADDRESS: 2127 Oak Grove Road
 CITY: Carrollton, gA., 30117

SUBDIVISION: _____ LOT #: _____
 ACREAGE: _____ PARCEL SPLIT FROM: _____

CURRENT ZONING CLASSIFICATION		
REQUIRED SETBACKS	FRONT	
	SIDE	
	REAR	
CERTIFICATE OF ZONING COMPLIANCE - CHECKLIST		
<input type="checkbox"/> Owner(s) & Agent (if applicable) <input type="checkbox"/> Legal Description or Adequate Description of Property <input type="checkbox"/> Complete Inventory of Existing Structures (noting uses & non-conforming structures) <input type="checkbox"/> Complete Inventory of Proposed Structures <input type="checkbox"/> Complete Inventory of Existing Uses and/or Activities <input type="checkbox"/> Applicant's Certification		
Signature of Zoning Administrator or Designee: _____ Date: _____ Comments: _____		
CDP COMPLIANCE	<input type="checkbox"/> YES <input type="checkbox"/> NO	Signature of CDP Administrator or Designee: _____ Date: _____ Comments: _____
PLAT APPROVED	<input type="checkbox"/> YES <input type="checkbox"/> NO	Signature of County Engineer or Designee: _____ Date: _____ Comments: _____
APPROVED FOR NEW ADDRESS	<input type="checkbox"/> YES <input type="checkbox"/> NO	Signature of Zoning Administrator or Designee: _____ Date: _____ Comments: _____

STATE OF GEORGIA
COUNTY OF CARROLL



AFFIDAVIT FOR A Intra Family Transfer

Shannon Hancock, personally appeared before me, the undersigned officer, duly authorized to administer oaths in the State of Georgia and, having been duly sworn, sets forth the following statements for the purpose of being granted approval for a Intra Family Transfer under the Ordinances of Carroll County:

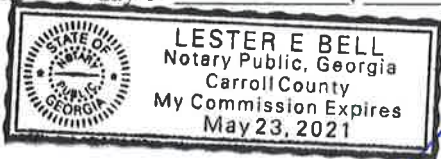
The information contained within the application attached hereto and filed in the Department of Community Development consists of facts within my personal knowledge that I know are true and correct, and will be relied upon by officials of Carroll County in making a decision whether to issue this Application, License, Permit, or other Department approval.

On behalf of the Applicant, I declare that the Applicant, regardless if a partnership, corporation, or other organization or entity that is receiving a benefit under this Application, License, Permit, or other Department approval (whichever is applicable) is not delinquent in the payment of any taxes or fees due Carroll County.

FURTHER AFFIANT SAYETH NOT.

I declare under penalty of false swearing that the above is true and correct.

This _____ day of _____



Shannon R Hancock
AFFIANT (signature)

Address: 2127 Oak Grove Road
Carrollton, Ga., 30117

Sworn to and subscribed
before me this 25 day
of Jan, 2021

Lester E Bell
Notary Public

My Commission Expires:

If Affiant is authorized to sign on behalf of a partnership, corporation, or other organization or entity, please set forth the entity and address

Entity: _____
Address: _____

STATE OF GEORGIA Carroll COUNTY:

THIS INSTRUMENT, made this 27th day of September in the year of our Lord, One Thousand Nine Hundred and Eighty-Eight (1988) between

Shannon R. Hancock of the county of Carroll and State of Georgia of the first part, and Cynthia A. Hancock of the county of Carroll and State of Georgia of the second part

WITNESSETH, That the said part Y of the first part for and in consideration of the sum of (\$10.00 & O.V.C.) Ten and Other Valuable Considerations DOLLARS

to had paid of and before the signing, sealing and delivery of these presents, the receipt whereof is hereby acknowledged, to S granted, bargained, sold and conveyed, and by these presents do es grant, bargain, sell and convey unto the said part Y of the second part her, heirs and assigns, all of that tract or parcel of land situate, lying and being in the County of Carroll said State of Georgia

AN UNDIVIDED ONE-HALF (1/2) INTEREST IN:

All that tract or parcel of Land lying and being in Land Lot 94 of the 11th District of Carroll County, Georgia, containing 2.02 acres, and being more particularly described as follows:

TO FIND THE POINT OF BEGINNING commence at the original Northeast corner of said Land Lot 94 and from said point run thence S00°00'00"W along the original East land lot line of said Land Lot 94 a distance of 144.56 feet to a point on the Westerly right of way of Oak Grove Road (80 foot right of way); running thence in a Southwesterly direction along the Westerly right of way of Oak Grove Road the following courses and distances: S13°40'30"W 111.02 feet, S10°25'01"W 83.29 feet, and S08°59'07"W 81.74 feet to an iron pin and the TRUE POINT OF BEGINNING; running thence S07°40'33"W along the Westerly right of way of Oak Grove Road a distance of 209.60 feet to an iron pin; running thence N81°04'27"W a distance of 420.45 feet to an iron pin; running thence N07°48'35"E a distance of 209.59 feet to an iron pin; running thence S81°04'27"E a distance of 419.96 feet to an iron pin and the POINT OF BEGINNING.

Carroll County Georgia Real Estate Transfer Tax Paid 2-28-88 Date 9-28-88 *Kenneth Skinner* Clerk of Superior Court

GA. PUBLIC RECORDS SUPERIOR 1988 SEP 23 PM 4:16

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof to the same, being, belonging or in anywise appertaining to the proper use, benefit and behoof of Cynthia A. Hancock sold part Y of the second part her, heirs, executors, administrators and assigns in FREE SIMPLE.

And the said part Y of the first part for himself and his heirs, executors and administrators, the said bargained premises unto the said part Y of the second part her, heirs, executors, administrators and assigns, against said part Y of the first part his, heirs, executors and administrators, and all and every other person, or persons, shall and will warrant and forever defend by virtue of these presents.

IN WITNESS WHEREOF, The said part Y of the first part has herunto set his hand and affixed his seal on the day and year first above written.

Signed, sealed and delivered in the presence of: *Kimberly R. Myers* Notary

Shannon R. Hancock (SEAL) Shannon R. Hancock (SEAL)

NOTARY PUBLIC BY COMMISSION EXPIRES APR 27, 1991

SEP 28 1988

RECORDED KENNETH SKINNER, CLERK

QUIT CLAIM DEED

STATE OF GEORGIA, COUNTY OF CARROLL

THIS INDENTURE, Made the 25 day of January, 2021, between

EDWARD E. HANCOCK

a resident of Carroll County, Georgia, as party of the first part (hereinafter referred to as the "Grantor"), and

SHANNON R. HANCOCK & CYNTHIA A. HANCOCK

a resident of Carroll County, Georgia, as party 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 a deed of gift and other valuable considerations, the receipt of which is hereby acknowledged, has bargained, sold, and does by these presents bargain, sell, remise, release and forever quit claim to Grantee all the right, title interest, claim or demand which the Grantor has or may have had in and to the following described real property, to-wit:

All that tract or parcel of land lying and being in Land Lot 67 & 94 of the 11^h District of Carroll County, Georgia and being more particularly described as 10.35 acres of land and is shown as TRACT 1B on that plat entitled "FINAL EXAMPTION PLAT: SHANNON R. HANCOCK CYNTHIA A. HANCOCK"; dated January 6, 2021, prepared by Pioneer Land Surveying; certified by Lester E. Bell, LS 2935; and recorded in Plat Book 107 page 255. This plat and the record thereof are hereby incorporated herein by reference for a more detail description.

with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

TO HAVE AND TO HOLD the said described premises unto the Grantee, so that neither the said Grantor, nor any other person or persons claiming under Grantor shall at any

time claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

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

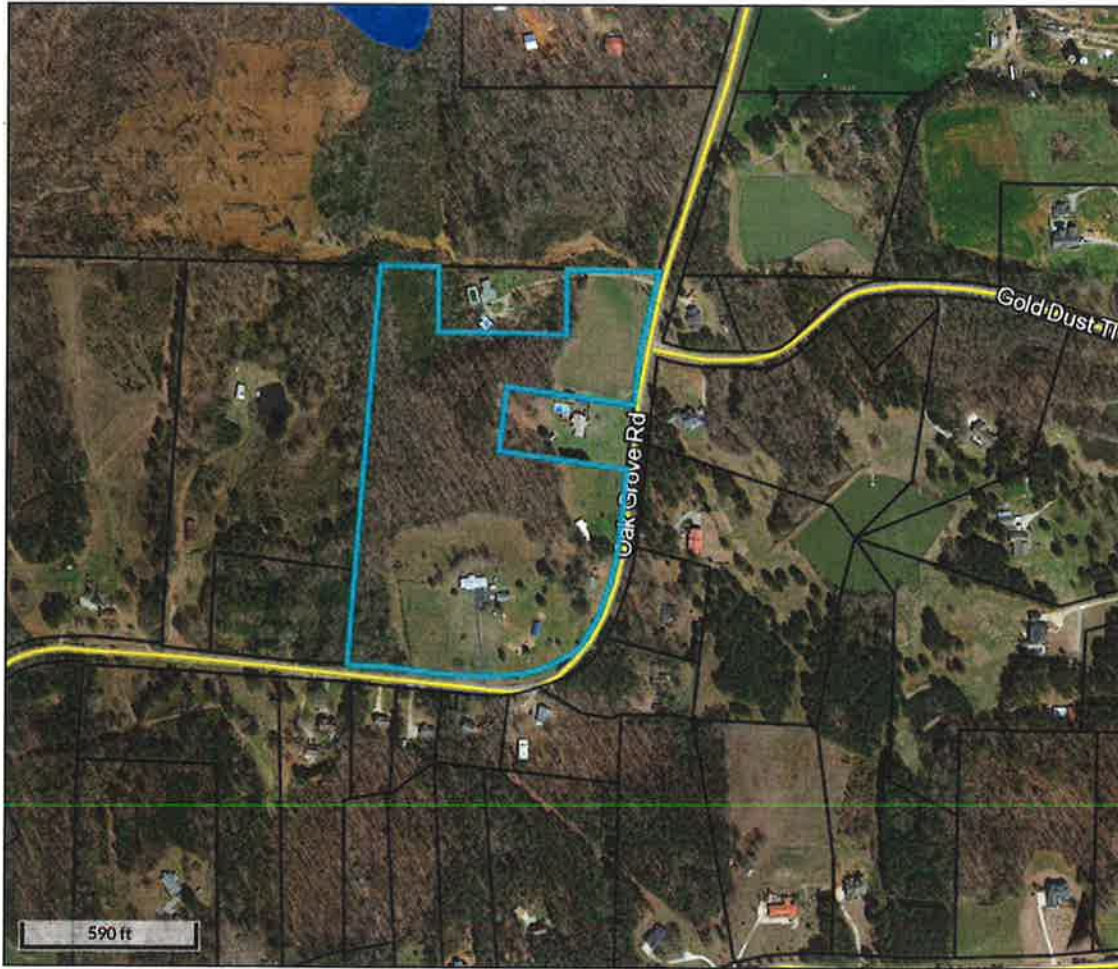
Signed, sealed and delivered
in the presence of:

Jay Dene
Unofficial Witness

Edward E. Hancock
EDWARD E. HANCOCK

Lester E. Bell
Notary Public
My Commission Expires:
(SEAL)












Overview



Legend

-  Parcels
-  Roads
-  Streams and River (Large)
-  Lakes

Flood Map

-  A - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Base Flood Elevations (BFE) have not been determined.
-  AE - 100 Year Flood Area - Areas of 1% annual chance flood also known as the base flood. Determined by detailed methods with Base Flood Elevations (BFE).
-  VE: Coastal SFHA with BFE & velocity, wave action - Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
-  X: 500 Year Flood - Areas of 0.2% annual chance flood

Parcel ID 0810013
 Class Code Residential
 Taxing District COUNTY
 Acres 13.98

Owner HANCOCK EDWARD E
 2215 OAK GROVE RD
 CARROLLTON, GA 30117
 Physical Address 2215 OAK GROVE RD
 Assessed Value Value \$114438

Last 2 Sales			
Date	Price	Reason	Qual
8/9/1993	0	NM	U
n/a	0	n/a	n/a

(Note: Not to be used on legal documents)

GENERAL NOTES:

- 1.) SURVEY DONE WITHOUT BENEFIT OF A CURRENT TITLE SEARCH OR COMMITMENT. AS SUCH, LAND USE RESTRICTIONS, SETBACKS, ZONING, EASEMENTS, RIGHTS OF WAY OR OTHER TITLE FACTS MAY EXIST THAT ARE NOT SHOWN.
- 2.) SPECIAL FLOOD HAZARDS DO NOT EXIST FOR SUBJECT PROPERTY PER FIRM MAPS 13045C0245D, 13045C0285D, 13045C0360D, AND 13045C0380D EFFECTIVE DATE SEPTEMBER 19, 2020.
- 3.) UTILITIES SUCH AS ELECTRIC LINES, WATER LINES, GAS LINES, SANITARY SEWER LINES OR WELLS MAY OR MAY NOT EXIST ON SITE AND MAY OR MAY NOT BE SHOWN HEREON.
- 4.) THIS PROPERTY IS TO BE SERVED BY A SEPTIC SYSTEM, AND A SEPTIC TANK PERMIT IS REQUIRED PRIOR TO A BUILDING PERMIT.
- 5.) THE ACCEPTANCE OF THE PLAT HEREON AND MONUMENTS USED AND SET DURING THE PERFORMANCE OF THE FIELD SURVEY HEREBY LIMIT THE TORT OR CONTRACT HERE TO AN AMOUNT NOT TO EXCEED THE FEE CHARGED.
- 6.) DATE OF FIELD WORK: NOVEMBER 16, 17, AND 19, 2020.

NOTE: The area in Land Lot 67 has an overlap with Deed Book 922 page 61. However, current deeds do not overlap.

CURVE	LENGTH	RADIUS	CH direction	CHORD
C1	65.08'	2163.96'	S 1555'00" W	65.08'
C2	154.42'	2163.96'	S 13'00'38" W	154.39'
C3	22.33'	3740.33'	S 08'42'34" W	22.33'
C4	143.25'	3740.33'	S 07'26'29" W	143.24'

CERTIFICATE OF FINAL PLAT APPROVAL
 All Requirements of the Carroll County Subdivision Regulations Relative to the Preparation and Submission of a Final Plat having been fulfilled, Approval by this Plat is hereby Granted, Subject to Further Provisions of Said Subdivision Regulations, and the Plat has Fully Complied with the Carroll County Zoning Resolution, and the Conditions of Zoning Approval have been met.

____ Date of Approval

 Director, Community Development Dept.

GRAPHIC SCALE
 (IN FEET)
 1 inch = 100 ft.

RESERVED FOR THE CLERK OF SUPERIOR COURT

- LEGEND**
- ⊙ IFF - Iron Pin Found
 - ⊙ (1/2" Rebar Unless Shown Otherwise)
 - ⊙ IFF - 1/2" Rebar #/ Cap #2935
 - ⊙ PS - Iron Pin Set
 - ⊙ (1/2" Rebar #/ Cap #2935
 - ⊙ CH - Concrete Monument Found
 - P.O.C. - Point of Commencement
 - P.O.B. - Point of Beginning
 - LLC - Land Lot Line
 - LL - Land Lot Line
 - R/W - Right of Way
 - C/L - Centerline
 - ⊙ - Overlaid Power Line
 - ⊙ - Sanitary Sewer Manhole
 - UD - Utility Pole
 - Mire Fence
 - Wood Fence

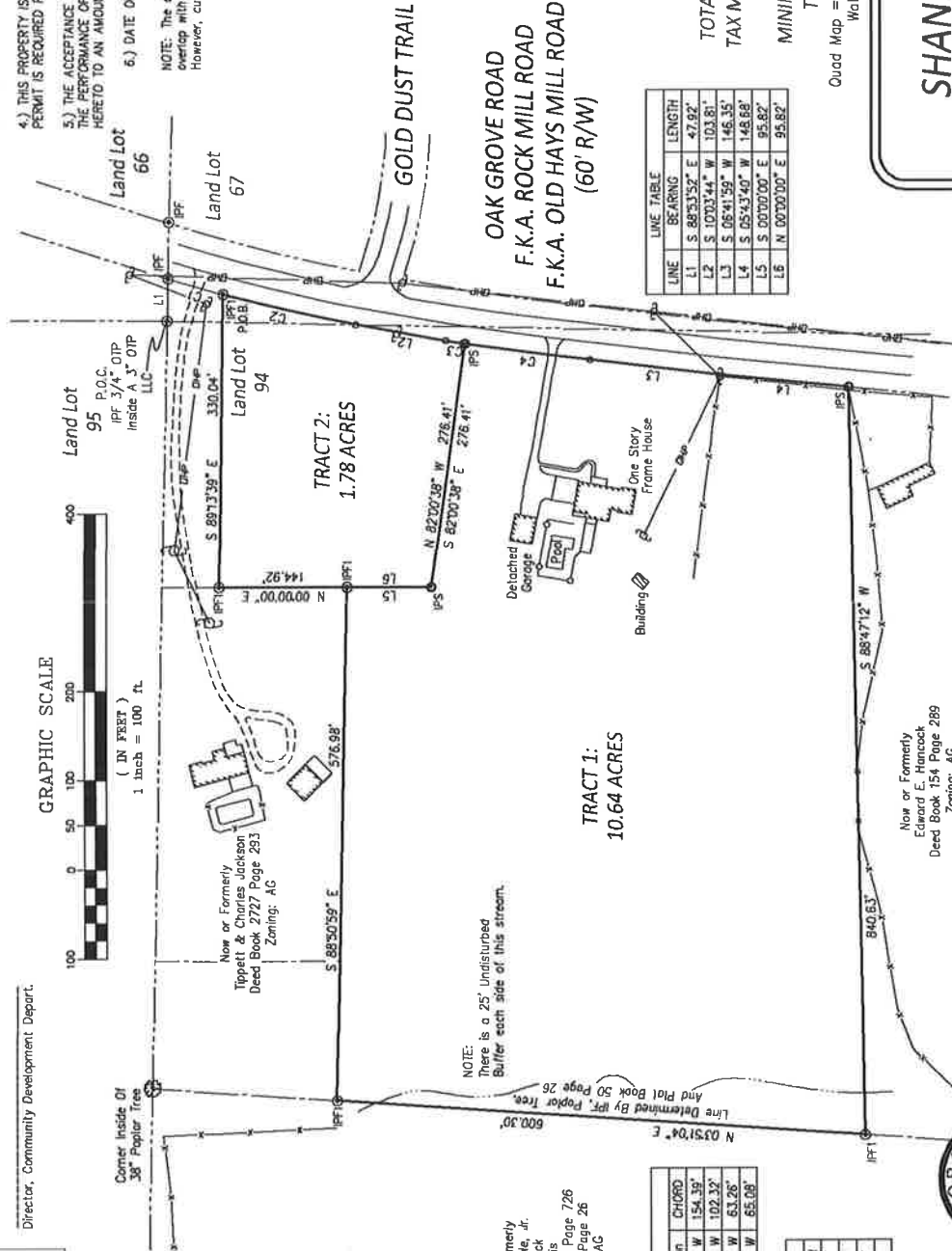
Now or Formerly
 Tony Joe Lyle, Jr.
 Heidi Beck
 Alex Ellis
 Deed Book 5621 Page 726
 Plat Book 50 Page 26
 Zoning: AG

CURVE	LENGTH	RADIUS	CH direction	CHORD
C1	154.42'	2163.96'	S 13'00'38" W	154.39'
C2	102.37'	3740.33'	S 08'15'49" W	102.32'
C3	63.26'	3740.33'	S 08'42'34" W	63.26'
C4	65.08'	2163.96'	S 1555'00" W	65.08'

LINE	BEARING	LENGTH
L1	S 10'03'44" W	103.91'
L2	S 08'41'50" W	146.35'
L3	S 05'43'40" W	148.88'
L4	S 88'53'57" E	47.97'

SAFE DAMS NOTE:
 I hereby certify that this property is not down stream of a Category II Dam.

PREPARED BY:
PIONEER LAND SURVEYING
 963 WHOOPIING CREEK ROAD
 CARROLLTON, GEORGIA 30116
 PHONE: 770-838-1919
 FAX: 666-636-7769
 Pioneer Land Surveying is a DBA for PL SINC, Inc.
 www.plsinc.net



LINE	BEARING	LENGTH
L1	S 88'53'57" E	47.97'
L2	S 10'03'44" W	103.91'
L3	S 08'41'50" W	146.35'
L4	S 05'43'40" W	148.88'
L5	S 00'00'00" E	95.87'
L6	N 00'00'00" E	95.87'

OWNER / SUBDIVIDER:
SHANNON & CYNTHIA HANCOCK
 2127 OAK GROVE ROAD
 CARROLLTON, GEORGIA 30117
 VESTING DEED: DEED BOOK 608 PAGE 356
 & DEED BOOK PAGE

VARIANCE NUMBER -
 TOTAL AREA SHOWN = 42.42 ACRES
 TAX MAP 081 PARCEL 0013 AND 0093
 CURRENT ZONING = AG
 MINIMUM LOT SIZE = 174,240 Sq. Ft.
 TOTAL NUMBER OF LOTS = 2
 Quad Map = Bowdon East, Carrollton, Lowell, Roopville
 Watershed = Lower Little Talapoosa

SHANNON R. HANCOCK
CYNTHIA A. HANCOCK
 LAND LOT 67 & 94 - 11th DISTRICT
 CARROLL COUNTY - GEORGIA

FINAL EXEMPTION PLAT:

DATE: FEBRUARY 1, 2021

REVISIONS

FIELD DRAFTER: LEB
 PROJECT NO.: 22035882

NOTE: THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON, AND WHOSE INTEREST IS SHOWN THEREON. THIS FIRM ASSUMES NO LIABILITY TO THE PERSON, PERSONS, OR ENTITY NOT NAMED HEREON, AND ANY USE BY UNNAMED PARTIES WILL BE AT THEIR OWN RISK.

CLOSURE STATEMENT
 The field data upon which this plat is based has a closure precision of one foot in 114,583 feet, and an angular error of 1 sec. per angle point, and was adjusted using the Least Square Method.
 This plat has been calculated for closure, and is found to be accurate within one foot in 100,000 feet.
 This survey was made using a GOMAX ZOOM50 Total Station, which reads distances to the nearest 0.007 foot and with direct measurement.

SURVEYOR CERTIFICATION:
 As required by subsection (c) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor approved by all applicable local, state, and federal authorities for the State of Georgia. The surveyor certifies that the plat complies with the minimum technical standards for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.
 Surveyor: Lester E. Bell, L5002935

Application: V-21-03-01

Intrafamily Transfer Variance

Shannon Hancock

081-0013



- 1.5 Mile Radius
- Municipal_2018
- Bodies of Water
- A - Agriculture (4 ac min.)
- C - Commercial

- I - Industrial
- TP - Technology Park
- OI - Office and Institutional
- HDDR - High Density Detached Residential
- MFR - Multi-Family Residential

- MHS - Manufactured Home Subdivision
- PUD - Planned Unit Development
- R1 - Single Family Home (3 ac min.)
- R2 - Single Family Home (1 ac min.)
- R3 - Single Family Home (0.5 ac min.)
- R30 - Single Family Home (0.75 ac min.)

