

INFORMATION SHEET FOR REZONING REQUESTS

Application # 219-21 DATE OF READING 1-21-2020

REZONE FROM A-1 TO I-2

APPLICANT Bagwell Family LLC

OWNER _____

LOCATION OF PROPERTY 315 GALLMAN Ave.

Calhoun

DESCRIPTION OF PROPERTY
10.002 ACRES

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

- Approval

STIPULATIONS:
If business ceases to exist then the zoning
would revert back to A-1

**GORDON COUNTY PLANNING COMMISSION
PUBLIC HEARING
JANUARY 13, 2020**

The Gordon County Planning Commission held a Public Hearing on Monday, January 13, 2020 at 6:00 p.m. in the Conference Room of the Gordon County Administration Building for the purpose of hearing variance and zoning change requests. Members present were:

Randy Rule
Jerry Lovelace
Butch Layson

Eddie Smith
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 December 9, 2019. Nathan Serritt seconded the motion. All voted aye. The minutes were approved as written.

REZONING APPLICATION #Z19-21, BAGWELL FAMILY, LLC

Chairman Rule read rezoning application #Z19-21, Bagwell Family, LLC, requesting to rezone a 10.002 acre tract located at 315 Gallman Ave., Calhoun from A-1 to I-2. William Smith, a partner with Bagwell Family, LLC represented the request explaining that they would like to subdivide and rezone this property to be used to recycle wood and brush and bring in a rollback truck about 3-4 times a week to unload the debris from land clearing that will be stored in the open air so no storage building will be built. He added that they would bring a mobile chipper in about every 3 months to chip into mulch, then load and transport to the Inland Paper Company for the boiler. The existing houses will be torn down. All adjoining property owners had been notified.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z19-21 from A-1 to I-2, with the stipulation that if the business ceases to exist then the zoning would revert back to A-1. Nathan Serritt seconded the motion. Eddie Smith voted with the motion. Butch Layson abstained from the vote. The vote was 3-0 for approval. The recommendation for approval was sent to the Board of Commissioners.

**Cover Sheet
Proposal for Land Use Action**

Application Number: 219-21 Present Zoning: A1 Proposed Zoning: I-2

Date of Planning Commission Meeting: Jan. 13, 2020

Date of Board of Commissioners' Meeting: Jan 21, 2020

Applicant: BAGWELL Family LLC

Property Owner: (if different from applicant) SAME

Property Address: 315 Gallman Ave, Calhoun GA 30701

Said Property having a frontage of 152.86 feet and containing 10.002 acres.

Future Development Map Classification: West Calhoun

Current Zoning Map Classification: A1, Agricultural

Proposed Action: WOOD AND BRUSH RECYCLING AND RECOVERY. Bring roll back trucks @ 3-4 times a week to unload in open air, no storage

blpd. Bring in mobile chipper @ every 3 months to chip into mulch? Load & transport to (Inland Paper for boiler.)

Reason for Proposed Action: CURRENT ZONING DOES NOT Allow

The houses on the property will be demolished

Directions to Property: From McCOWNEL GO WEST ON GALLMAN AVE. FROM POINT GALLMAN TURNS DUE SOUTH CONTINUE STRAIGHT INTO DRIVEWAY OF PROPERTY.
POINT OF INTERSECTION OF GALLMAN AVE AND CREST DRIVE

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: December 27, 2019

Application # Z19-21

Applicant/Property Owner: Bagwell Family, LLC

Location of Property: 315 Gallman Ave, Calhoun, GA 30701

Property Frontage: 152.86 Lot Feet Tract Size: 10.002 acres

Proposed Action: Rezone from A-1, Agricultural District to I-2, Heavy Industrial

Reasons for Proposed Action: Subdividing off a 10.002 acre to recycle wood and brush. Will bring a rollback truck in about 3-4 times a week to unload the debris, it will be stored in the open air, no storage building will be built. We will bring a mobile chipper about every 3 months to chip into mulch, then load and transport to the Inland Paper Co. for the boiler. The existing houses will be torn down.

Future Development Map Classification: West Calhoun

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 with EH.
- * ***Building Inspection Department:*** N/A
- * ***Fire Department:*** OK with Fire Dept.
- * ***Gordon County School System:*** N/A
- * ***Road Department:*** N/A
- * ***Georgia Dept. of Transportation:*** N/A
- * ***Water & Sewer (City of Calhoun):*** This area is served by a 6" water line. This property is served by a 6" sewer line.
- * ***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 Pubic Hearing on the subject 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 is located in an area which has Low-density Residential, Commercial and Industrial.

2. Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.

The proposed zoning will not adversely affect the existing use or 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 exceeds the minimum lot size requirements for A-1 zoning and has the potential to be developed accordingly.

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 West Calhoun on the Gordon County Future Development Map. This classification supports land uses intended for Residential, Recreation/Greenspace, Industrial, and Commercial.

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 Future Development Map. The property is located within the flood zone which shouldn't hinder the operation.

Planning Staff's Recommendation:

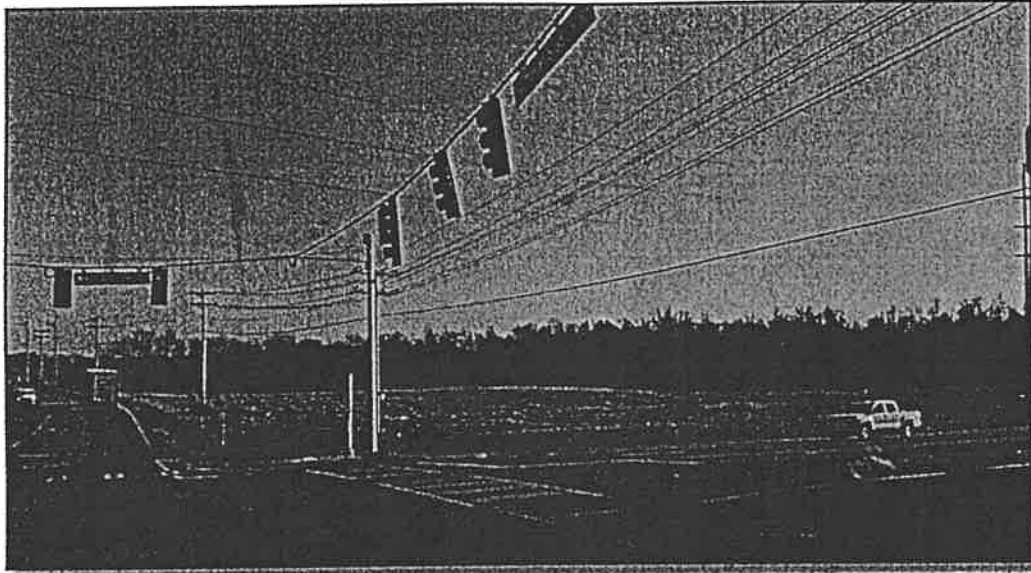
The rezoning request identified as Application #Z19-21 is recommended for approval with the stipulation that it revert back to A-1, Agricultural District when the business ceases.

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

WEST CALHOUN

Description:

This area could be described as transitional mixed uses, together with undeveloped properties, all lying just outside the City of Calhoun. Many of these properties are currently being used for agricultural purposes. The surrounding properties may be residential, industrial, or park areas. These properties are likely to face limited development pressure, since they are typically within or adjacent to floodplains.



SR 53 at McDaniel Station Road.

Development Strategies:

- ❖ Subarea Planning: This area has the potential to develop into industrial like some of the neighboring properties, residential, which is also nearby, commercial or greenspace.
- ❖ Infrastructure: Infrastructure needs will depend on the desired usage of the property.
- ❖ Zoning: once a use is decided these areas should be zoned appropriately.

Land Uses: Residential, Recreation/ Greenspace, Industrial, Commercial

Cross Ref:
COVE 2137/200

Recorded 08/07/2017 4:12
Doc: ESTD Rcpt#: 320226
TRANSFER TAX ID: 064001397
Grant Walraven, C.S.C.
GORDON County, Ga
DEED Bk: 2086 Pgs: 424-425

After recording, return to:
B, C & D, P.C.
1287 Curtis Parkway
Calhoun, GA 30701

STATE OF GEORGIA
COUNTY OF GORDON

DEED ONLY, TITLE NOT EXAMINED
EXECUTOR'S DEED

THIS INDENTURE, made this the 4th day of August, 2017, by and between **MICHAEL RAY BAGWELL** AS EXECUTOR OF THE ESTATES OF **RAYMOND H. BAGWELL AND EVA CHARLEEN BAGWELL**, late of the State of Georgia, and County of Gordon, per the Last Will and Testament, duly probated in Solemn Form and recorded in Probate Court of Gordon County, Georgia, Estate #2010-6480 and Estate #2014-7498 respectively, Party of the First Part, (hereinafter called "Grantor") and **BAGWELL FAMILY LLC**, of the State of Georgia, County of Gordon, 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 the Grantor, acting under and by virtue of the power and authority contained in said will has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Grantee the following:

ALL THAT TRACT OR PARCEL OF LAND being more particularly described in Exhibit "A" attached hereto and specifically incorporated herein by reference.

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 behalf of the said Grantee forever, IN FEE SIMPLE: in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

IN WITNESS WHEREOF, the Grantor herein has hereunto set his hand and seal, the day and year first above written.

Sworn to and subscribed before me
this the 4th day of February, 2016:

Katharine

Unofficial Witness

Michael Ray Bagwell (SEAL)
MICHAEL RAY BAGWELL AS EXECUTOR OF THE
ESTATES OF RAYMOND H. BAGWELL AND EVA
CHARLEEN BAGWELL

Elaine Gilbert

Notary Public



of the second part, his heirs and assigns, all that tract or parcel of land ~~known as~~ containing Sixty Six and $54/100$ (66.54) acres, more or less, known as the "H.P. Bagwell Place" in land Lots Nos. 206 and 207, of the 14th District and 3rd. Section of Gordon County, Georgia, adjoining the corporate limits of the City of Calhoun, Ga., on the West thereof, on the South side of the Calhoun and Oostanaula Public Road; Bounded now or formerly as follows: On the North by the Calhoun and Oostanaula Public Road; On the East by lands of King, lands of Lang Subdivision, lands of Moore; On the South by lands of Moore; On the West by Oothcaloga Creek. Said tract of land being more particularly described and delineated according to a plat thereof prepared by J. B. Stephenson, Surveyor, on the 1st day of November, 1950 and recorded in the office of the Clerk of the Superior Court of Gordon County, Georgia, in Plat Book 2 at page 79, which said plat and the record thereof are by reference incorporated in the description of the lands herein conveyed.

property, to wit: All that tract or parcel of land lying and being in the 14th District and 3rd Section of Gordon County, Georgia, and being a part of Land Lots Numbers 206 and 207 and more particularly described as follows: BEGINNING at the Northwest corner of Court Street at the Eastern boundary line of property now or formerly of Raymond H. and Eva Charleen Bagwell, thence running Northeasterly direction along said Eastern line now or formerly of the Bagwells a distance of 414 feet to a corner of the lands now or formerly of the Bagwells with the lands of Frank Mays; thence Westerly direction 15 feet; thence Southwesterly direction along a line 15 feet Westerly and parallel with the Bagwells' Eastern line a distance of 180 feet; thence Westerly a distance of 435 feet to a point; thence Southerly direction a distance of 691.67 feet to a point; thence Easterly direction a distance of 435 feet to the Eastern boundary line of the property now or formerly of the Bagwells; thence along the said Eastern boundary line of Bagwells a distance of 483.50 feet to the Point of Beginning. The lands now or formerly of the Bagwells from which said tract herein conveyed is taken is particularly shown by a plat of record in the office of the Clerk of the Superior Court of Gordon County, Georgia, in Plat Book 2, Page 79, which marks and defines the Eastern boundary line now or formerly of the Bagwells.

It is understood that the additional consideration would include the right of the Grantees to have access to the City sewer tap, but this access would not in any way waive the costs and fees required for said access.

This action is taken because it is deemed to be in the best interest of the City of Calhoun to acquire the necessary Easement for the sewer interceptor project and has been expressly approved by the Mayor and Council on June 22, 1992.

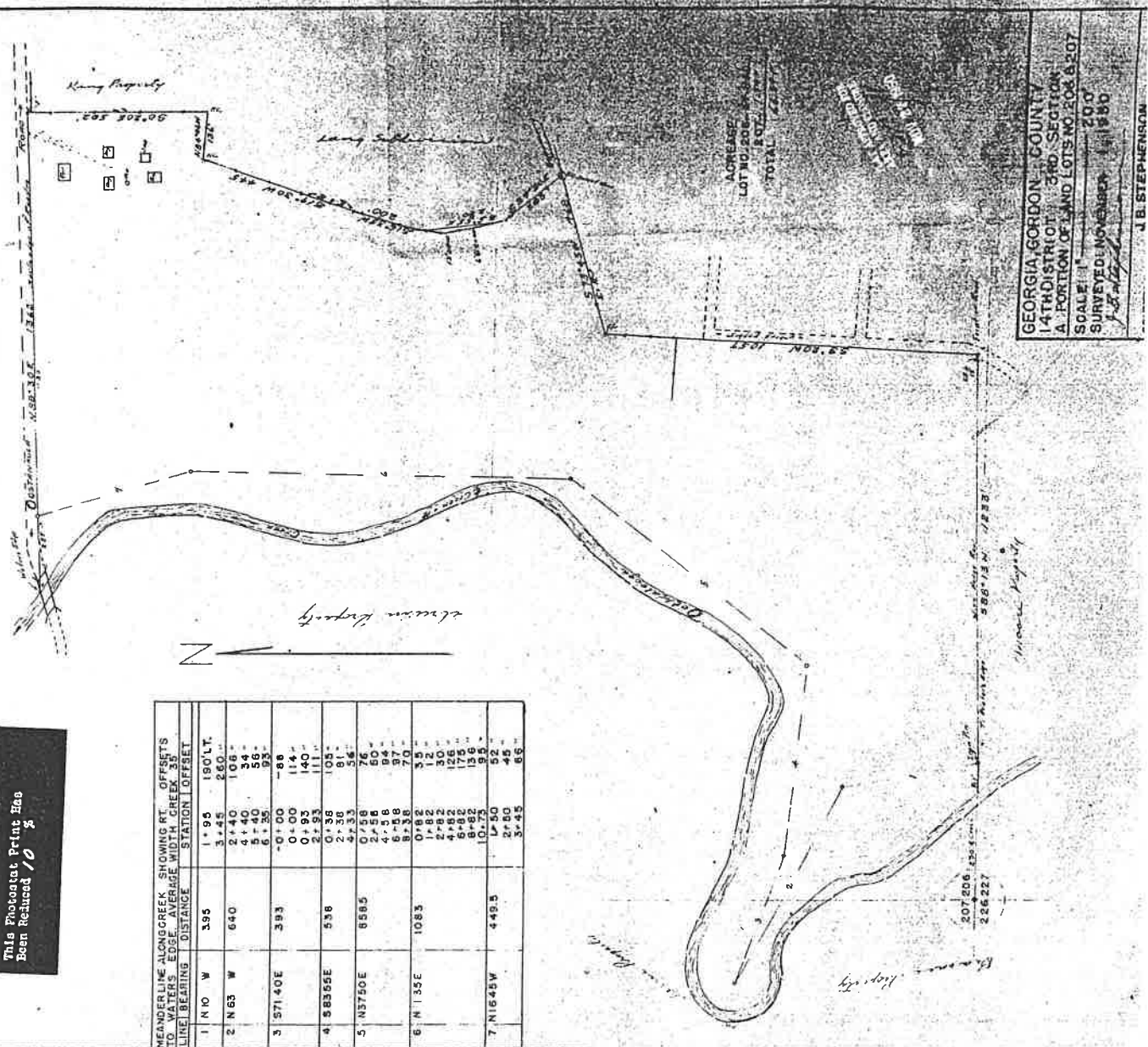
All that tract or parcel of land lying and being in the City of Calhoun, Gordon County, Georgia, and being lots Nos. 170 and 171 of the M.H. Dobson Subdivision according to a plat of said subdivision recorded in the office of the Clerk of the Superior Court of Gordon County, Georgia in Plat Book 1, Page 171 to which plat and the record thereof reference is hereby made for a full and complete description of the metes and bounds of the lands herein conveyed.

The above described lands being the same lands described in a deed from Betty Ruth (Parris) Long to Thelma Davis, which said deed is recorded in Deed Book 57, Page 385; Deed Records of Gordon County, Georgia, and deed dated September 3, 1963 from Thelma Davis to H.B. Bagwell and Mae Bagwell recorded in Deed Book 58, Page 188, Deed records of Gordon County, Georgia.

RAYMOND H. BAGWELL PROPERTY

This Photostat Print Has
Been Reduced 10 %

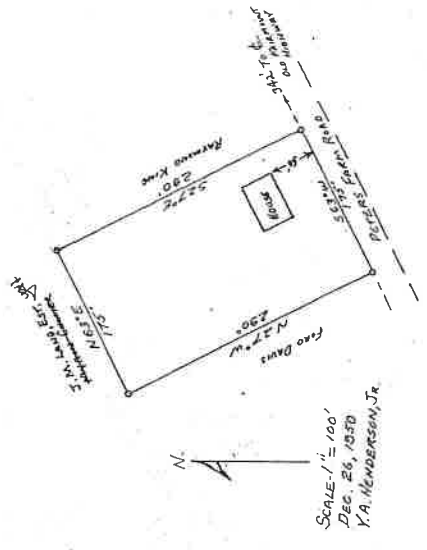
MEANS LINE	ALONG CREEK	SHOWING RT.	OFFSETS
LINE BEARING	DISTANCE	STATION	TO WATER
			TO CENTER
			LINE OFFSET
1 N 10° W	395	1+96	190' L.
2 N 63° W	640	3+45	250
		4+40	34
		5+30	55
3 S 71° 40' E	383	0+00	88
		0+00	114
		0+93	140
4 S 83° 55' E	538	2+93	111
		0+38	105
		2+36	91
5 N 57° 50' E	5585	4+58	60
		5+58	97
		6+58	94
6 N 135° E	1083	0+82	52
		2+82	30
		4+82	126
		6+82	175
		8+82	98
7 N 16° 45' W	4425	1+50	52
		2+50	45
		3+45	65



GEORGIA, GORDON COUNTY
14TH DISTRICT, 3RD SECTION
A PORTION OF LAND LOTS NO. 206 & 207
SCALE 1" = 100'
SURVEYED NOVEMBER 1, 1950

J. B. STEPHENSON

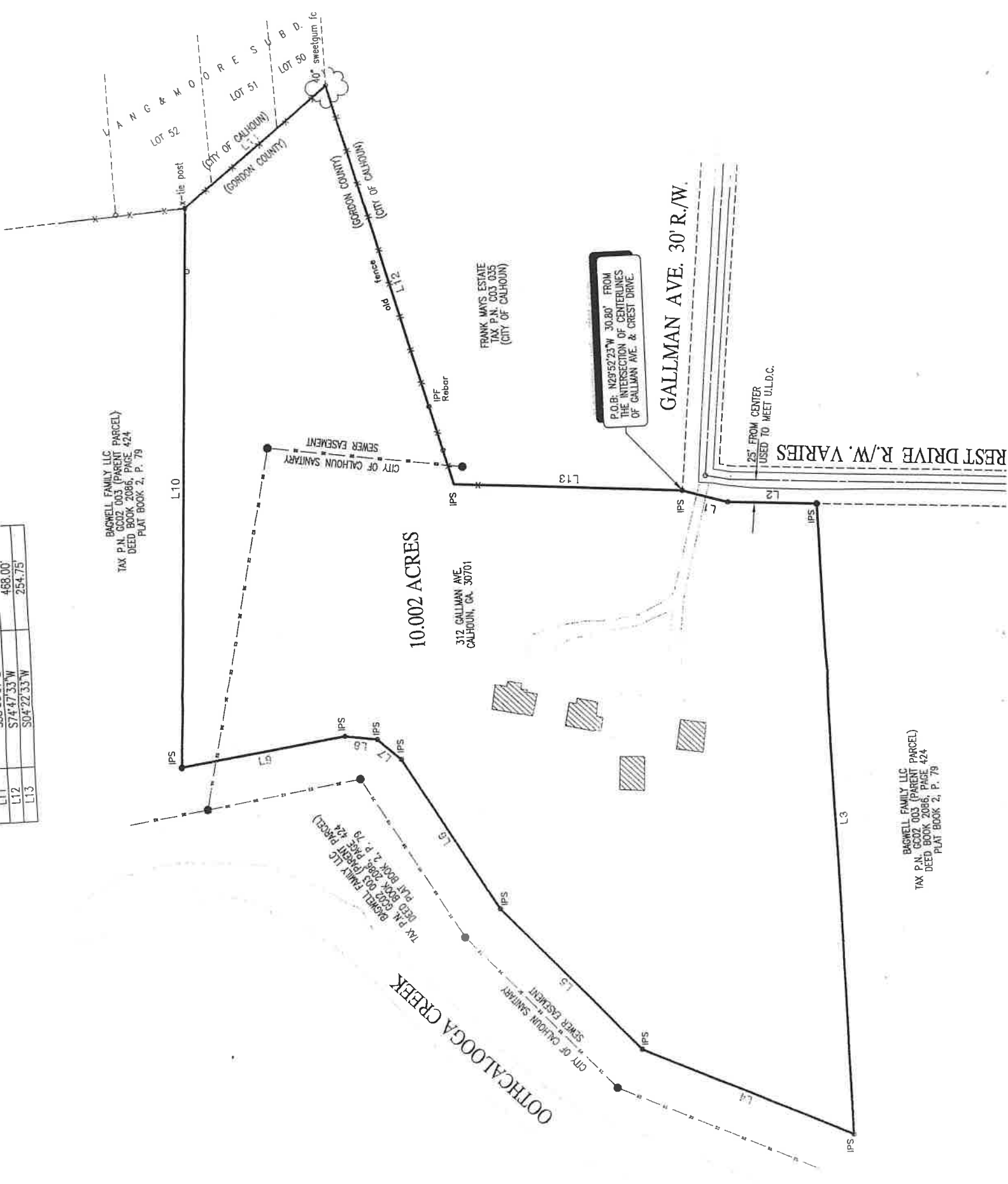
PLAT OF THE LAND OF T. J. MAULDIN, JR.
BEING A FRACTIONAL PART OF LAND LOT
266, 14TH DISTRICT, 3RD SECTION, GORDON
COUNTY, GEORGIA.



Book 2, Page 79

Filed in Office Jan. 22-1951
Kerr B. Langford, C. B. C.

L11	468.00'
L12	574'47.33" W
L13	504'22.33" W



BACKWELL FAMILY LLC
 TAX P.N. GC02 003 (PARENT PARCEL)
 DEED BOOK 2086, PAGE 424
 PLAT BOOK 2, P. 79

10.002 ACRES

312 GALLMAN AVE.
 CALHOUN, GA 30701

P.O.B. N29°52'23" W 30.80' FROM
 THE INTERSECTION OF CENTERLINES
 OF GALLMAN AVE. & CREST DRIVE.

GALLMAN AVE. 30' R./W.

25' FROM CENTER
 USED TO MEET U.L.D.C.

REST DRIVE R./W. VARIES

BACKWELL FAMILY LLC
 TAX P.N. GC02 003 (PARENT PARCEL)
 DEED BOOK 2086, PAGE 424
 PLAT BOOK 2, P. 79

OOTHGALTOGA CREEK

88). OF THE BOARD OF SUPERVISORS HAS BEEN REVIEWED AND APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF GORDON, GEORGIA, THIS 15th DAY OF MAY, 2018.

89). THIS DEED IS HEREOF TO THE NEAREST AND ACCORDING TO THE TERMS AND CONDITIONS SET FORTH HEREIN AND THE TERMS AND CONDITIONS OF THE INSTRUMENTS REFERRED TO HEREIN.

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # Z19-21 Bagwell A-1 to I-2

Date: 12/27/19

Reviewed by: Matthew Williams

ENVIRONMENTAL HEALTH

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

No issues with EH.

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 219-21 Baqwell 219-21

Date: 20DEC19

Reviewed by: Greg Hasty

FIRE DEPARTMENT

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

OK WITH FIRE DEPARTMENT.

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # 219-21 Bagwell A-1 to I-2

Date: 12-19-19

Reviewed by: Rusty Hogan

PUBLIC WORKS DEPARTMENT

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

NA



CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z19-21
APPLICATION NAME Bagwell Family LLC
TYPE OF ZONING: A-1 to I-2
DATE: 12/23/2019
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 6" water line.

SEWER COMMENTS:

This property is served by a 6" sewer line.

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.