



CARTERSVILLE PLANNING COMMISSION MEETING

Council Chambers, Third Floor of City Hall
Tuesday, August 06, 2024 at 5:30 PM

AGENDA

COMMISSIONERS:

Lamar Pendley – Chairman
Greg Culverhouse
Anissa Cooley
John Clayton
Jay Milam
Fritz Dent
Matt Womack

CITY CLERK:

Julia Drake

PLANNING DIRECTOR:

Randy Mannino

CITY PLANNER:

David Hardegree

CITY ATTORNEY:

Keith Lovell

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

- [1.](#) July 9, 2024, Meeting Minutes

TEXT AMENDMENT

- [2.](#) T24-04. Applicant: Lehmann L. Smith

SPECIAL USE PERMIT

- [3.](#) SU24-03. Applicant: Lehmann L. Smith. Address 681 Henderson Dr.

PRELIMINARY PLAT

- [4.](#) Harmony Walk Preliminary Plat Approval Applicant: Windsong Properties

STAFF OR COMMITTEE COMMENTS

ADJOURNMENT

*** City Council 1st Reading: August 15th. 7:00PM. Council Chambers. 3rd fl City Hall.**

**** City Council 2nd Reading (Final Action): September 5th. 7:00PM. Council Chambers. 3rd fl City Hall.**

The next meeting of the Planning Commission will be September 10th. 5:30PM.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the human resources office, ADA coordinator, 48 hours in advance of the meeting at 770-387-5616.

P.O Box 1390 – 10 N. Public Square – Cartersville, Georgia 30120
Telephone: 770-387-5616 – Fax 770-386-5841 – www.cityofcartersville.org



PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	August 6, 2024
SUBCATEGORY:	Minutes
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	July 9, 2024, Meeting Minutes
DEPARTMENT SUMMARY RECOMMENDATION:	The minutes from the July 9, 2024, Planning Commission Meeting have been uploaded for your review and approval.
LEGAL:	N/A

MINUTES OF THE CARTERSVILLE PLANNING COMMISSION

The Cartersville Planning Commission met in a regularly scheduled meeting on Tuesday, July 9, 2024, at 5:30 p.m. in the City Hall Council Chambers.

CALL TO ORDER: 5:30 PM

Chairman Lamar Pendley stated to the audience that the Planning Commission is a recommending body only and that for all cases heard, recommendations would be forwarded to the City Council for consideration. Furthermore, the cases would be heard before the Council July 18, 2024, and August 1, 2024, at the City Council Meeting.

ROLL CALL

Present: Lamar Pendley, Fritz Dent, Greg Culverhouse and John Clayton
Absent: Jay Milam, Matt Womack, and Anissa Cooley
Staff Members: Randy Mannino, Julia Drake, Zack Arnold

Keith Lovell, City Attorney, stated that motions made by this board require the majority of the quorum to pass.

APPROVAL OF MINUTES

1. June 11, 2024, Meeting Minutes

Board Member Clayton made a motion to approve the minutes. Board Member Dent seconded the motion. Motion carried. Vote: 3-0-1 with Board Member Culverhouse abstaining and Chairman Pendley voting.

ZONINGS

2. Z24-05: 681/683 Henderson Dr.

Applicant: Lehmann Smith

Zack Arnold, Assistant City Planner, stated that all adjacent property owners had been notified and the property had properly been posted and advertised. Continuing, he gave an overview of the application stating the applicant is proposing the rezoning of the 1.286-acre property located at 681 Henderson Drive. The original structure was constructed c. 1996 and was designed for office/warehouse use.

The property was home to a construction company for many years. In recent years, the building has been divided to support additional occupations. Based on historic imagery, the rear of the lot has been used as a storage lot for building material. This has likely occurred for the life of the structure (c. 1996). Planning and Development was not aware of complaints from any of the neighbors regarding the business activity being conducted on the site.

The applicant proposes to rezone the property to allow outdoor storage on the lot. Currently, there are two (2) storage containers on the lot, as well as various other materials. Code Enforcement

notified the property owner that storage containers, as well as outdoor storage is not allowed in the O-C (Office Commercial) zoning district, thus leading to this request. This request is the first step in resolution of the storage container/outdoor storage issue on the property. The applicant is also applying for a text amendment that would allow use of storage containers on lots that allow outdoor storage, provided they are screened from all rights-of way and a special use permit is approved. The text amendment and the applicants special use permit request will be before the Planning Commission on August 6th, 2024.

Chairman Pendley opened the public hearing.

Mark Harris, 700 Douthit Ferry Rd. Suite 770., came forward to represent the applicant and to answer any questions from the Board Members.

With no questions from the Board Members, Chairman Pendley closed the public hearing.

Board Member Culverhouse made a motion to approve Z24-05 with the staff recommended condition:

- All G-C uses except “Construction Contractors” and “Offices, General” are prohibited.

Board Member Dent seconded the motion. Motion carried unanimously. Vote 3-0.

3. Z24-06: 165 Cassville Rd

Applicant: Muhammed Chishti

Mr. Arnold stated that the property had properly been posted and advertised. Continuing, he gave an overview of the application stating Applicant requests to rezone .92 acres (+/-) located at 165 Cassville Road (Tax ID C013-0001-003). The property is owned by Muhammad Chishti and the property is currently used as a gas station and convenience store. The existing building also has two (2) vacant suites. The owner wishes to have more available uses for the vacant suites than the O-C zoning ordinance allows, particularly the retail package store (liquor) use.

G-C, General Commercial, zoning is requested for the parcel. The existing zoning is O-C.

The property is within the FEMA floodplain. The current and proposed use are not expected to affect the floodplain unless expansion of the building footprint occurs.

Chairman Pendley opened the public hearing.

Ali Kashan, 165 Cassville Rd., came forward to represent the application and to answer any questions from the Board Members.

With no questions from the Board Members, Chairman Pendley closed the public hearing.

Board Member Culverhouse made a motion to approve Z24-06. Board Member Dent seconded the motion. Motion carried unanimously. Vote 3-0.

TEXT AMENDMENT

4. T24-03: Billboard setback from I-75

Applicant: Flournoy Holdings, LLC

Mr. Arnold gave an overview of the application stating that the Text Amendment to Chapter 20, Signs and Outdoor advertising, Article II, Sign Ordinance, Sec. 20-29 (b)(1)(f), Billboards, to add:

“(f). Shall be set back at least six hundred and sixty-one (661) feet from the right-of-way of Interstate Highway 75.”

This amendment would permit the applicant to install static billboard at 2337 Hwy 411.

The closest billboards to this proposed area are at 2197 Hwy 411 (Christian Fellowship Church) which is approximately 2,600 feet to the south, and at 2471 Hwy 411 (Sunoco Gas Station) which is approximately 2,760 feet to the north. Both are static billboards. The billboard at 2471 Hwy 411 (Sunoco Gas Station) is visible from Interstate Highway 75, but pre-dates the zoning ordinance, therefore it is in a “legal non-conforming” status.

Staff was not opposed to the amendment.

Chairman Pendley opened the public hearing.

Jack Howard, 118 5th St North, Columbus MS., came forward to represent Flournoy LLC and presented a slide show that explained viewing distance and visibility of proposed billboard sign from Hwy 411. Continuing, he stated his proposed target was not I-75, but in fact, Hwy 411. In closing, he reviewed the proposed changes to the current sign ordinance.

Bobby Walker, 15 S. Public Square, came forward on behalf of Tilley Properties and Tilley Outdoors and stated they were in favor of the text amendment.

Mr. Harris returned to the podium to state he was in favor of the text amendment.

Discussion commenced among the board members as to the verbiage of a possible approval.

Chairman Pendley closed the public hearing.

Board Member Culverhouse made a motion to approve T24-03. However, section (f) shall read:

“(f). Shall be set back at least six hundred and sixty-one (661) feet from the right-of-way of Interstate Highway 75 *except along Hwy 411 between I-75 and 2321 Hwy 411 (Tax ID: C049-0004-003).*”

Board Member Dent seconded the motion. Motion failed. Vote: 2-1 with Chairman Pendley opposed and Board Member Clayton recusing himself.

OTHER

Randy Mannino, Planning and Development Director, stated that AZ24-03: Fiber Dr. and AZ24-04 – Cummings Road at Walnut Grove went before City Council on July 2, 2024, and both cases were approved.

With no further business to discuss, Board Member Dent made a motion to adjourn the meeting.

The meeting adjourned at 6:16 PM.

Date Approved: August 6, 2024.

/s/ _____
Lamar Pendley, Chairman



PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	August 6, 2024
SUBCATEGORY:	Text Amendment
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	T24-04. Applicant: Lehmann L. Smith
DEPARTMENT SUMMARY RECOMMENDATION:	Text Amendment to Chapter 26, Zoning, Article IV, General Provisions, Sec. 4.25, to amend the ordinance: To allow shipping containers to be used as storage containers on properties zoned G-C, L-I, and H-I provided they are screened from all rights-of-way, and a special use permit is granted. Also, to amend the Zoning Definitions, Sec. 2.2, for Accessory Structure, Outdoor Storage, and Structure, Accessory to include Shipping Containers. Staff is not opposed to the amendment.
LEGAL:	N/A

MEMO

To: Planning Commission, Mayor Santini & City Council

From: Randy Mannino, David Hardegree, and Zack Arnold

Date: July 26, 2024

Re: *Text Amendment T24-04. Amendment to Chapter 26, Zoning, Article IV, General Provisions, Sec. 4.25, Outdoor Storage*

Text Amendment to Chapter 26, Zoning, Article IV, General Provisions, Sec. 4.25, to add:

Sec. 4.25. – Outdoor Storage

Outdoor storage shall be allowed in G-C, L-I, and H-I districts only. In G-C and L-I districts, outdoor storage must be located in a side or rear yard and screened from all rights-of-way, and residential districts that abut the outdoor storage area. Such storage shall be screened in accordance with the requirements under section 4.17 of this chapter. In G-C and L-I districts, the use of trucks, truck bodies, enclosed containers, campers, recreational vehicles, or other types of motor vehicles for storage is prohibited. This section does not apply to incidental outside storage on properties in residential districts.

In the G-C district, neither vehicles (whether operable or inoperable) nor trailers (whether on or off their axles) may be used as storage buildings. This shall apply to all vehicles and trailers, including commercial vehicles, recreational vehicles, panel vans, tractor-trailer rigs, railroad box-cars, etc. **Provided however, shipping containers may be allowed by special use application if approved by the governing authority and properly screened in accordance with the requirements under section 4.17 of this chapter.** The storage of new or used tires on any G-C district property is prohibited unless the same are stored within an enclosed building or garage. It is illegal to discard or abandon tires on any property other than a lawful landfill.

This amendment would allow shipping containers to be used on properties zoned G-C, L-I, and H-I provided they are screened from all rights-of-way, and a special use permit is granted.

If this change is approved, the following Zoning Ordinance definitions (Sec. 2.2) will be updated:

Accessory structure. A structure on the same lot with, and of a size and nature customarily incidental and subordinate to, the principal structure. Examples of accessory structures include, but are not limited to, the following: detached garages and/or carports; storage structures and/or barns; shipping containers; freestanding greenhouses; aboveground swimming pools and pool houses; tennis courts; freestanding workshops; freestanding decks and gazebos; and freestanding ATM bank machines.

Outdoor storage. The keeping, in an unenclosed area, of any goods, salvage, material, merchandise, storage trailers, shipping containers, or vehicles outdoors on the property for more than twenty-four (24) hours. The term "outdoor storage" shall not include the keeping of vehicles or manufactured housing structures on sales lots in districts which allow such sales lots.

Structure, accessory. A subordinate structure, customarily incidental to a principal structure or use and is located on the same lot. Examples of accessory structures in residential districts shall include, but is not limited to, tool sheds, guest houses, detached garages, and play sets. Examples of accessory structures in nonresidential districts shall include, but is not limited to, storage buildings, shipping containers, freestanding signs, play sets, and detached carwashes.

Staff is not opposed to the amendment.

Application for Text Amendment(s)
To Zoning Ordinance
City of Cartersville

Case Number: T24-04
Date Received: 5-28-2024

Public Hearing Dates: Aug 6, 2024 Aug 15, 2024 September 5, 2024
Planning Commission July 9, 2024 1st City Council July 18, 2024 2nd City Council August 1, 2024
5:30pm 7:00pm 7:00pm

APPLICANT INFORMATION

Applicant Lehmann L. Smith
(printed name)

-Office Phone 770-387-7013

Address P.O. Box 1750

Mobile/ Other Phone 770-382-3497

City Cartersville

State GA

Zip 30120

Email: lehmannsmith@hotmail.com

Mark A. Harris

Cell Phone: 770-314-3145

Representative's printed name (if other than applicant)

Email (Rep) mark@handhrealty.net

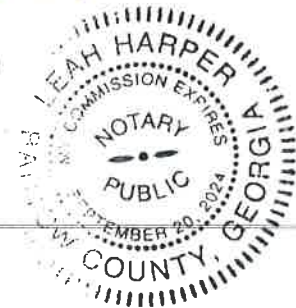
Mark A. Harris
Representative Signature

Lehmann Smith
Applicant Signature

Signed, sealed and delivered in presence of:

My commission expires:

Leah Harper
Notary Public



1. Existing Text to be Amended:

Article IV _____, Section 4 _____, Subsection 25 _____

Existing Text Reads as Follows: Outdoor storage shall be allowed in G-C, L-I, and H-I Districts only. In G-C and L-I Districts outdoor storage must be located at a side or rear yard and screened from all rights of way, and residential districts that abut the outdoor storage area. **Such storage shall be screened in accordance with the requirements under section 4.17 of this chapter.** In G-C and L-I, Districts the use of trucks, truck bodies, **enclosed containers**, campers, recreational vehicles, or other types of motor vehicles for storage is prohibited. This section does not apply to incidental outside storage on properties and residential districts. In the G-C District neither vehicles (whether operable or inoperable) nor trailers (whether on or off their axles) may be used as storage buildings. This shall apply to all vehicles and trailers including commercial vehicles recreational vehicles panel

vans tractor trailer rigs railroad box cars, etc. The storage of new or used tires on any G-C District property is prohibited unless the same are stored within an enclosed building or garage. It is illegal to discard or abandon tires on any property other than a lawful landfill.

2. Proposed Text:

Proposed Text Reads as Follows: Outdoor storage shall be allowed in G-C, L-I, and H-I Districts only. In G-C and L-I Districts outdoor storage must be located at a side or rear yard and screened from all rights of way, and residential districts that abut the outdoor storage area. **Such storage shall be screened in accordance with the requirements under Section 4.17 of this chapter.** In G-C and L-I, Districts the use of truck, truck bodies, campers, recreational vehicles, or other types of motor vehicles for storage is prohibited. This section does not apply to incidental outside storage on properties and residential districts.

In the G-C, District neither vehicles (whether operable or inoperable) nor trailers (whether on or off their axles) may be used as storage buildings. This shall apply to all vehicles and trailers including commercial vehicles, recreational vehicles, panel vans, tractor-trailer rigs, railroad box cars, etc. **Provided however, shipping containers may be allowed by special use application if approved by the governing authority and properly screened in accordance with the requirements under Section 4.17 of this chapter.** The storage of new or used tires on any G-C district property is prohibited unless the same are stored within an enclosed building or garage. It is illegal to discard or abandon tires on any property other than a lawful landfill.

Reason(s) for the Amendment Request: Shipping containers have become a reasonable alternative, for certain businesses to store material, tools, inventory, etc. where there is adequate surplus land on the site to the rear or side of yard that can be adequately screened from the street. Property owners with such surplus land are faced with hardship if they cannot use such surplus land for storage related to their business or trade, for themselves or for their tenants.

(Continue on additional sheets as needed)

**REQUIREMENTS FOR FILING
AN APPLICATION FOR TEXT AMENDMENT(S)
CITY OF CARTERSVILLE, GA**

Completed applications must be submitted to the City of Cartersville Planning & Development Department, located at 10 N. Public Square, 2nd Floor. Cartersville, GA 30120.

Requirements

1. **Completed Application:** Include all signatures. Complete items 1, 2 and 3.
2. **Filing Fee:** A non-refundable filing fee of **\$400.00** must accompany the completed application.
3. **Public Notice Fee (Optional):** The City staff prepare and manage the public notification process. If this option is requested, there is an additional fee of \$400.00. This fee covers the cost of the newspaper ad and Public Hearing. *FEE waived by Randy M.*
4. **Public Notification:** The applicant must follow the public notification process outlined in **item 4** unless the applicant has requested a waiver.
 - a. Not less than fifteen (15) days prior to the scheduled date of the meeting of the City Council and not less than ten (10) days prior to the meeting, a **notice of public hearing** shall be published in the Daily Tribune newspaper within the City of Cartersville. The notice shall include the application file number, and shall include the property, its area, owner, current zoning classification, and the proposed zoning classification. Such notice shall include both the Planning Commission and the City Council meeting dates. (See attached Notice of Public Hearing).

NOTICE OF PUBLIC HEARING

The City of Cartersville Planning Commission will hold a public meeting on _____ at 5:30 p.m. in the City Hall Council Chambers, 3rd Floor, City Hall at 10 North Public Square, Cartersville, Georgia, 30120.

The Planning Commission will review an application by _____
for a text amendment to the zoning ordinance. The applicant requests a text amendment to

_____.

The Cartersville City Council will hold the first reading on _____ at 7:00 p.m. in the City Hall Council Chambers to consider the recommendation of the Planning Commission on the above mentioned application. The Cartersville City Council will have a second reading and final action on said application on _____ at 7:00 p.m. in the City Hall Council Chambers.

Please contact the City of Cartersville Planning & Development Department, City Hall, 2nd Floor, 10 North Public Square, Cartersville, Georgia 30120 or (770) 387-5600 to receive information on the filing.

If you have interest in the proposed amendments as stated above, you are encouraged to attend the meetings as stated herein.

CITY OF CARTERSVILLE

Case # _____

Sec. 4.25. Outdoor storage.

Outdoor storage shall be allowed in G-C, L-I, and H-I districts only. In G-C and L-I districts, outdoor storage must be located in a side or rear yard and screened from all rights-of-way, and residential districts that abut the outdoor storage area. Such storage shall be screened in accordance with the requirements under section 4.17 of this chapter. In G-C and L-I districts, the use of trucks, truck bodies, enclosed containers, campers, recreational vehicles, or other types of motor vehicles for storage is prohibited. This section does not apply to incidental outside storage on properties in residential districts.

In the G-C district, neither vehicles (whether operable or inoperable) nor trailers (whether on or off their axles) may be used as storage buildings. This shall apply to all vehicles and trailers, including commercial vehicles, recreational vehicles, panel vans, tractor-trailer rigs, railroad box-cars, etc. **Provided however, shipping containers may be allowed by special use application if approved by the governing authority and properly screened in accordance with the requirements under section 4.17 of this chapter.** The storage of new or used tires on any G-C district property is prohibited unless the same are stored within an enclosed building or garage. It is illegal to discard or abandon tires on any property other than a lawful landfill.

In the M-U district, outdoor storage of landscape supplies and materials may be permitted per the requirements in section 9.2.3, development standards.

(Ord. No. 11-18, § 1, 5-17-18)



PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	August 6, 2024
SUBCATEGORY:	Special Use Permit
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	SU24-03. Applicant: Lehmann L. Smith. Address 681 Henderson Dr.
DEPARTMENT SUMMARY RECOMMENDATION:	Special Use Permit to allow shipping containers to be used as storage containers on the property. Zoning, if approved by City Council on 8-1-24, will be G-C, General Commercial and eligible for a special use permit for shipping containers. The containers will have to be placed 5ft off property lines and screened from all right-of-ways per <i>Sec. 4.17, Buffer and Screening Requirements</i>, of the zoning ordinance. Staff is not opposed to the amendment.
LEGAL:	N/A

SPECIAL USE APPLICATION SYNOPSIS

REQUEST SUMMARY:

The applicant requests a special use permit to allow shipping containers in the rear lot of his commercial property, screened from all rights-of-way.

Petition Number(s): **SU24-03**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Lehmann Smith**

Representative: **Mark Harris**

Property Owner: **Same**

Property Location: **683 Henderson Dr. Parcel ID C022-0004-019**

Access to the Property: **Henderson Dr.**

Site Characteristics:

Tract Size: **1.28 +/- ac.** District: **4th** Section: **3rd** LL(S): **594**

Ward: **2** Council Member: **Jayce Stepp**

LAND USE INFORMATION

Current Zoning: **O-C (Office Commercial). Property has pending application to rezone to G-C (General Commercial), Z24-05.**

Proposed Zoning: **G-C (General Commercial)**

Proposed Use: **Office/Warehouse with shipping containers and outdoor storage in the rear.**

Current Zoning of Adjacent Property:

North:	<u>O-C (Office Commercial)</u>
South:	<u>O-C (Office Commercial)</u>
East:	<u>O-C (Office Commercial)</u>
West:	<u>G-C (General Commercial)</u>

The Future Development Map designates the subject property as: **Highway Commercial**

The Future Land Use Map designates the subject property as: **Commercial**

2. City Department Comments (as of 7/26/24):

Electric: No comment received

Fibercom: No comment received

Fire: No comment received

Gas: No comment received

Public Works: No comment received.

Water and Sewer: No comment received.

3. Public Comments:

None Received as of 7/26/2024

4. Special Use Review

Mark Harris, applicant representative, requests the Special Use Permit to allow shipping containers to be used for storage on the property at 683 Henderson Drive. In the G-C district, shipping containers are not currently allowed. Text Amendment, T24-04, has been requested concurrently with this application to allow shipping containers to be used on property zoned G-C as long as they are screened from all rights-of-way, and a Special Use Permit is approved.

5. Zoning Ordinance Findings

Please review the following findings, as stated in the Zoning Ordinance, which are to be utilized in determining justification for approval or denial of special use request(s).

B) Article XVI. Special Uses**Sec. 16.1. Scope and intent.**

- A. This article specifies uses which are not classified as permitted uses as a matter of right in zoning districts, and are therefore only allowed through the approval of a Special use. The standards which apply to each use are enumerated and must be met in order for an application to be granted.
- B. In granting a Special use, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors in order to assimilate the proposed development or use into the neighborhood with minimal impact.

Sec. 16.2. Application of regulations and approval.

Uses allowable with a Special use and the minimum standards for such uses are listed in section 16.4 of this article.

Uses in the districts enumerated herein may be authorized by Special use only. The regulations contained in this article shall not apply to any permitted use as a matter of right in any zoning district.

Any use which may be authorized by Special use shall be approved by the Mayor and Council in accordance with section 16.1, scope and intent, provided:

- A. The standards for the Special use as specified herein can be met;
- B. Recommendations have been received from the planning and development staff and other appropriate City departments.
- C. A public hearing has been held in relation to the Special use before the Planning Commission in conformance with the advertising standards outlined in article XXIV of this chapter. The Planning Commission shall make recommendations to the Mayor and Council regarding the application for a Special use; and
- D. A public hearing has been held in relation to the Special use before the Mayor and Council in conformance with the advertising standards outlined in article XXIV of this chapter.

Sec. 16.3. Additional restrictions.

- A. In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site proposed for a use which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special Use permit:
 - 1. The effect of the proposed activity on traffic flow along adjoining streets;
 - 2. The availability, number and location of off-street parking;
 - 3. Protective screening;
 - 4. Hours and manner of operation of the proposed use;
 - 5. Outdoor lighting;
 - 6. Ingress and egress to the property; and
 - 7. Compatibility with surrounding land use.
- B. Any use which may be authorized by special use shall comply with all other City regulations, zoning district regulations and other regulations contained herein, and conditions of zoning approval if applicable. Whenever a standard contained in this section is in conflict with another provision of this chapter, the more restrictive provision shall prevail.

6. How General Standards Are Met (Staff response):

Standard #1: The effect of the proposed activity on traffic flow along adjoining streets.

How Standard #1 has / will be met: No negative effect to traffic along Henderson Drive is anticipated.

Standard #2: The availability, location, and number of off-street parking.

How Standard #2 has / will be met: No negative effect on parking is anticipated.

Standard #3: Protective screening.

How Standard #3 has / will be met: The applicant is proposing to screen the shipping containers from the Henderson Drive right-of-way.

Standard #4: Hours and manner of operation:

How Standard #4 has / will be met: Site use is expected to be normal business hours.

Standard #5: Outdoor lighting

How Standard #5 has / will be met: None required or proposed.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met: Henderson Drive.

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met: No compatibility conflicts have been identified.

8. Staff Recommendation: Staff does not oppose the application.

6/2022

Southern Heat

Item 3.

Nogee's New York Style Pizzeria

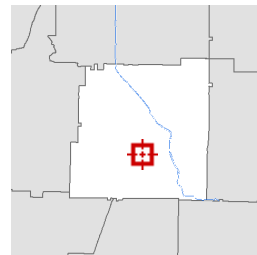
Sixes Tavern

681 Henderson Dr. Absolute Plumbing, Water Heaters, and...

Rollins Child Development Center



Overview



Legend

-  Parcels
 Roads

Parcel ID	C022-0004-019	Alternate ID	34896	Owner Address	SMITH L LEHMANN
Sec/Twp/Rng	n/a	Class	Commercial		P.O. BOX 1750
Property Address	683 HENDERSON DR	Acreage	1.28		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL594 LD4				
	(Note: Not to be used on legal documents)				

Date created: 5/23/2024

Last Data Uploaded: 5/22/2024 10:39:17 PM

 Developed by 

Application for Special Use
City of Cartersville

Case Number: 5624-03
Date Received: 5-28-2024

Item 3.

Public Hearing Dates: Aug 6, 2024 Aug 15, 2024 September 5, 2024
Planning Commission: July 9, 2024 1st City Council: July 18, 2024 2nd City Council: August 1, 2024
5:30pm 7:00pm 7:00pm

Applicant Lehmann L. Smith
(printed name)

Office Phone: 770-387-7043

Address: P.O. Box 1750

Mobile/ Other Phone _____

City: Cartersville State: GA Zip: 30120 Email: lehmannsmith@hotmail.com
Mark A. Harris

Phone (Rep): 770-314-3145

Representative's printed name (if other than applicant)

Email (Rep): mark@handhrealty.net

Representative Signature

Applicant Signature

Signed, sealed and delivered in presence of:

My commission expires:

Notary Public



* Titleholder: Lehmann L. Smith
(titleholder's printed name)

Phone: 770-382-3497

Address: P.O. Box 1750, Cartersville, GA 30120

Email: lehmannsmith@hotmail.com

Signature

Signed, sealed, delivered in presence of:

My commission expires:

Notary Public



Present Zoning District: Pending G-C approval

Parcel ID No. C022-0004-019

Acreage: 1.28 Land Lot(s) 594

District(s) 4 Section(s) 3

Location of Property: 683 Henderson Drive/North of intersection with Old Mill Road
(street address, nearest intersections, etc.)

Reason for Special Use Request: To allow property owner to have outdoor storage and storage containers placed on his excess land to the rear of the existing building, properly screened as allowed for proposed Text Amendment in the Application for Text Amendment filed contemporaneously with this application, subject to its approval. The owner and his tenant are in construction and service trades whereby they have the need for outdoor storage of material, tools, equipment, etc. as part of their day-to-day work activities.

(attach additional statement as necessary)

* Attach additional notarized signatures as needed on separate application pages.

SPECIAL USE JUSTIFICATION

The Mayor and City Council, upon review, may authorize a Special Use which is not classified as a permitted use by right in a zoning district.

Zoning Ordinance section 16.3.A

In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special use:

1. The effect of the proposed activity on traffic flow along adjoining streets;
2. The availability, number and location of off-street parking;
3. Protective screening;
4. Hours and manner of operation of the proposed use;
5. Outdoor lighting;
6. Ingress and egress to the property; and
7. Compatibility with surrounding land use.

Zoning Ordinance section 16.4 states standards for specific uses – if the use you are applying for has additional standards, these must also be addressed below.

Use applied for:

Outside storage and shipping containers on surplus property to rear of building containing over 0.4 acre

Standard #1: The effect of the proposed activity on traffic flow along adjoining streets.

How Standard #1 has / will be met:

There will be no effect on traffic flow along adjoining streets

Standard #2: The availability, number, and location of off-street parking.

How Standard #2 has / will be met:

The Subject Property presently has over 35 paved and marked parks to the front and side of the building. This is 21 parks over the minimum required (Section 17.6.21). Outside storage will be in the unpaved rear of the site that contains approximately 0.43 acre of surplus land for storage.

Standard #3: Protective screening.

How Standard #3 has / will be met:

Although there is no required protective screen required under Section 9.6.3 (G), the applicant will comply with screening requirements in accordance with Article IV Section 4.17 if the applicant is required to do so.

Standard #4: Hours and manner of operation of the proposed use.

How Standard #4 has / will be met:

No effect. The subject property occupants operate within normal, daytime, business hours and this Special Use Permit will not change operation hours or manner of operation.

Standard #5: Outdoor lighting.

How Standard #5 has / will be met:

No Change. Existing lighting attached to the building are all that is needed and no plans to install additional lighting.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met:

No Change. The permission for outdoor storage to the rear of the property will no impact ingress and egress to the property.

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met:

No effect as the outside storage will be to the rear of the building on a gravel section of surplus property. Properties to the North and West of the subject property presently utilize outdoor storage. Photo's attached of subject property and surrounding properties.

Additional standards from Zoning Ordinance section 16.4 for use applied for and how they are met:

This application for special use to allow for outdoor storage and container storage falls within the minimum standards set for in Article IV 2.0 Section 16.4

Signed

Paul R. Harris

Applicant or Representative

Date

May 17, 2024

Subject
Property

683 Henderson Dr

Item 3.



683 Henderson Drive
Site/Outdoor Storage Area

Created by: H & H REALTY, LLC



159 Henderson Drive





659 Henderson Dr.

377 Old Mill Rd

Item 3.



377 Old Mill Rd.

Item 3.



924 West Ave.

Item 3.





PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	August 6, 2024
SUBCATEGORY:	Preliminary Plat Approval
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	Harmony Walk Preliminary Plat Approval Applicant: Windsong Properties
DEPARTMENT SUMMARY RECOMMENDATION:	Preliminary Plat approval for a new development along Mimosa Lane at Wildwood Dr. This is a 72-unit senior living, townhome development. Zoning is RSL. Residential Senior Living. Acreage: 9.5ac. Staff is not opposed to the plat approval.
LEGAL:	N/A

SITE DATA:

OWNER/DEVELOPER: WINDSONG PROPERTIES
120 COLONY CENTER DRIVE, SUITE 300
WOODSTOCK, GA 30188
24HR CONTACT: CALEB EYL
EMAIL: CEYL@WINDSONGLIFE.COM
PHONE: 470-540-3772

ENGINEER: STEPHENSON ENGINEERING, INC.
P.O. BOX 20188
CARTERSVILLE, GEORGIA 30120
PHONE: 770-655-3046

BOUNDARY SURVEYOR: LRS SURVEYING, LLC
25 MAPLE RIDGE DRIVE, SUITE A
CARTERSVILLE, GA 30120
PHONE: 770-235-3610
EMAIL: LShelton@LRSurveying.com

TOPOGRAPHIC INFORMATION: LRS SURVEYING, LLC
25 MAPLE RIDGE DRIVE, SUITE A
CARTERSVILLE, GA 30120
PHONE: 770-235-3610
EMAIL: LShelton@LRSurveying.com

SITE AREA: SITE: +/- 9.33 ACRES

DISTURBED AREA: 10.30 ACRES (INCLUDING OFFSITE AREAS)

IMPERVIOUS SURFACE: 4.75 AC - 206,910 SF (PROPOSED SITE)

PROPOSED USE: TOWNHOMES (72 TOTAL)

ZONING: RSL

FLOOD NOTE: THIS TRACT OF LAND DOES NOT LIE WITHIN THE 100 YEAR FLOOD INTERMEDIATE FLOOD ZONE AS PER FEMA COMMUNITY PANEL #1301SC0060 F, LAST REVISED OCTOBER 5, 2018.

DEVELOPMENT STANDARDS:

MINIMUM FRONT YARD: 10 FEET

MINIMUM SIDE YARD: 10 FEET

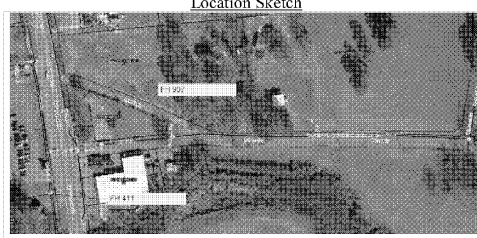
MINIMUM REAR YARD: 20 FEET

MAXIMUM HEIGHT: BUILDINGS SHALL BE NO HIGHER THAN 45 FEET OR 3+ STORIES, WHICHEVER IS HIGHER

GREENSPACE: PROVIDED: 43,560 SF - 100 ACRES

FIRE HYDRANT FLOW TEST

Requested By:	Watershed Development
Company Name:	P.O. Box 1201
Address:	Woodstock, GA 30188
PH:	
Email:	
Date:	3/22/2024
Location:	Midway Lane
Equipment Used:	
Hydrant Ear Size:	Diffuser
Number of Ears Flowed:	2.5
Flow Test Hydrant No.:	907
Static Pressure:	89 PSI
Pump Pressure:	75 PSI
Flow:	1450 GPM
Residual Pressure:	62 PSI
Flow Test Check Hyd. No.:	411
Static Pressure:	91 PSI
Pump Pressure:	76 PSI
Residual Pressure:	62 PSI



For any questions or concerns please call or email David Beck at 770-655-3046. David@stephensoneng.com
P.O. Box 1980 Cartersville, GA 30130

24 Hr Emergency Contact:

Caleb Eyl
470-540-3772

*** CAUTION ***

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. IF THERE ARE ANY DISCREPANCIES THE ENGINEER MUST BE NOTIFIED. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

*** ELEVATION NOTE ***

TOPOGRAPHIC INFORMATION PROVIDED BY LRS SURVEYING. IT IS THE CONTRACTORS RESPONSIBILITY TO FIELD VERIFY ALL EXISTING AND PROPOSED ELEVATIONS AND GRADES ON STREET, STORM DRAINS, AND UTILITIES PRIOR TO CONSTRUCTION. IF AN DISCREPANCY IS FOUND THEN IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE ENGINEER.

PRELIMINARY PLAT APPROVAL CERTIFICATE

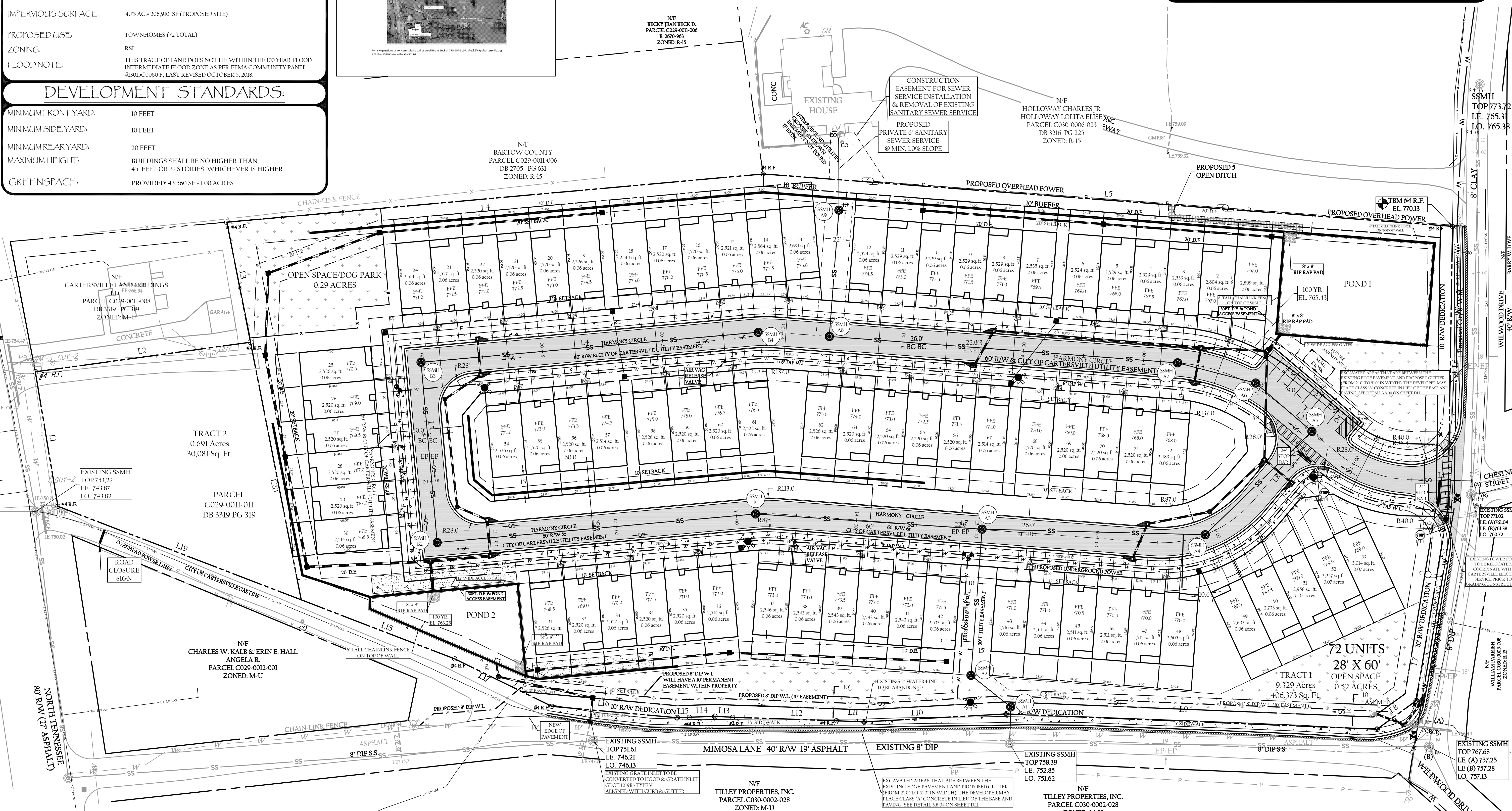
All requirements of the City of Cartersville Development Regulations relative to the preparation and submission of a Preliminary Plat having been fulfilled, approval of this plat is hereby granted subject to further provisions of said Regulations. This certificate is effective for 24 months from the date of signing unless a Final Plat is recorded.

Planning Commission Chairman

Date



LOCATION MAP



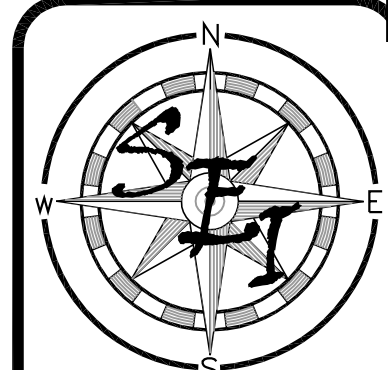
GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

CARTERSVILLE GAS NOTE

THERE ARE NO NATURAL GAS SERVICES PROPOSED FOR THIS SITE.

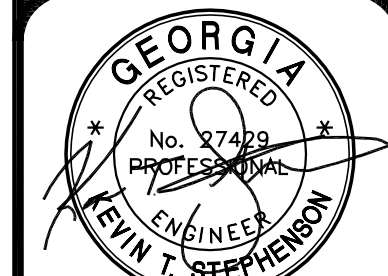


STEPHENSON
ENGINEERING, INC.

CIVIL ENGINEERING,
LAND PLANNING &
DEVELOPMENT CONSULTING
P.O. BOX 20188
CARTERSVILLE, GEORGIA 30120
EMAIL: STEPHENSONENG@YAHOO.COM
PHONE: (770)82-3977
FAX: (770)82-3742

REVISION

DATE



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OWNER/DEVELOPER:

Windsong Properties
120 Colony Center Drive, Suite 300
Woodstock, GA 30188
24hr Contact: Caleb Eyl
email: ceyl@windsonglife.com
Phone: 470-540-3772

Harmony Walk

PROJECT#

DATE

23-027

3-4-24

SHEET TITLE

Preliminary
Plat

SHEET NO.

P1