



CARTERSVILLE PLANNING COMMISSION MEETING

Council Chambers, Third Floor of City Hall
Tuesday, June 11, 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. May 7, 2024 Meeting Minutes

ANNEXATIONS

2. AZ24-03. 1440 Hwy 113. Applicant: Cercasbest North America LLC

DE-ANNEXATION

3. AZ24-04. Walnut Grove Rd at Cummings Road. (C074-0002-001). Applicant: Manor Restorations LLC

STAFF OR COMMITTEE COMMENTS

ADJOURNMENT

*** City Council 1st Reading: June 20th. 7:00PM. Council Chambers. 3rd fl City Hall.**

**** City Council 2nd Reading (Final Action): Tuesday, July 2nd. 7:00PM. Council Chambers. 3rd fl City Hall.**

The next meeting of the Planning Commission will be July 9th. 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:	June 11, 2024
SUBCATEGORY:	Minutes
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	May 7, 2024 Meeting Minutes
DEPARTMENT SUMMARY RECOMMENDATION:	The minutes from the May 7, 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, May 7, 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 May 16, 2024, and June 6, 2024, at the City Council Meeting.

ROLL CALL

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

APPROVAL OF MINUTES

1. April 9, 2024, Meeting Minutes

Board Member Culverhouse made a motion to approve the minutes. Board Member Dent seconded the motion. Motion carried. Vote: 4-0

ANNEXATIONS

2. AZ24-02. 72, 78, & 80 Bates Rd

Applicant: Switch

David Hardegree, Planning and Development Assistant Director, 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 requests annexation of (4) parcels into the city. The proposed zoning is "T" (Technology).

Staff does not oppose the annexation of Technology District (T) zoning if the following conditions are applied to zoning. No exceptions from other departments.

- a. All minimum zoning development standards for the "T" zoning district are followed per Text Amendment, T23-04.
- b. A minimum 100 ft. natural landscape buffer for the purposes of visual screening remains in place along all adjacent residential use or zoned properties. The 100 ft. buffer may include the building setback.
- c. If the minimum 100 ft. natural landscape buffer is disturbed, then the buffer is to be planted with landscape material appropriate to re-establish the buffer and visual screen.
- d. The public entrance shall be on Old Alabama Road. No public access from the Bates Road driveway.
- e. Access to landlocked properties is to be negotiated between Switch LTD and affected property owners, as requested by the property owner.

- f. Access to the NRCS flood control structures be negotiated between Switch LTD and the NRCS or their representative, as required.
- g. All site plans for future development phases after Phase 1 are to be shared with the Paulding County Community Development office.
- h. The subject property’s principal use shall be limited to data processing, storage, hosting and related services and accessory uses shall include principal uses listed as permitted uses in the Technology district ordinance which are associated with data processing, storage, hosting, and related services as well as security and customary accessory uses.

Chairman Pendley opened the public hearing for the annexation portion of the application.

Brandon Bown, 15 S Public Square, gave overview of entire campus. There is one homeowner who is not willing to sell, and they are working with Switch. The other properties who have agreed to sell, the houses will end up being demolished.

Board Member Womack asked why they needed so much additional space. Mr. Bowen stated that it will help create a larger buffer and more security for the company.

Chairman Pendley closed the public hearing for the annexation portion. Opened the hearing for the zoning portion of the application.

Mr. Mannino, Planning and Development Director, stated that the staff incorporate their comments on this portion as well.

Chairman Pendley closed the public hearing for the zoning portion of the case.

Board Member Dent made a motion to approve the annexation portion of the application. Board Member Milam seconded the motion. Motion carried unanimously. Vote 4-0.

Board Member Milam made a motion to approve the zoning portion with the approval of the 8 conditions. Board Member Dent seconded the motion. Motion carried unanimously. Vote 4-0.

With no further business to discuss,

Mr. Mannino wanted to bring an update on two previous cases that came before the Planning Commission. The Old Cassville ready mix site annex was approved by the council. The 90 townhomes that were denied by the planning commission were also denied by the city council.

Board Member Dent made a motion to adjourn the meeting.

The meeting adjourned at 5:45 PM.

Date Approved: June 11, 2024.

/s/ _____
Lamar Pendley, Chairman



PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	June 9, 2024
SUBCATEGORY:	Annexation
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	AZ24-03. 1440 Hwy 113. Applicant: Cercasbest North America LLC
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Applicant requests annexation of two (2) tracts identified as Tax Parcel 0055-0873-005 containing 0.42 +/- acres and Tax Parcel 0055-0873-006 containing 0.48 +/- acres. These parcels are located in Land Lot 873 of the 4th District, 3rd Section and are zoned A-1, Agricultural. The proposed zoning is H-I, Heavy Industrial.</p> <p>Staff Recommendation: Staff is not opposed to the annexation or zoning.</p>
LEGAL:	N/A

ZONING & ANNEXATION SYNOPSIS

Petition Number(s): AZ24-03

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: Cercasbest North America LLC
Representative: Karl Lutjens, PE. Southland Engineering
Location: 1440 Hwy 113. (Tax IDs No. 0055-0873-005 and 0055-0873-006)
Total Acreage: 0.42 & 0.48 acres. (Total= 0.90 acres)

LAND USE INFORMATION

Current Zoning: County A-1 (Agriculture)
Proposed Zoning: H-I (Heavy Industrial)
Proposed Use: To Be Determined
Current Zoning of Adjacent Property:

North: H-I and County A-1 (Agriculture)
South: County A-1 (Agriculture)
East: County A-1 (Agriculture)
West: H-I

For All Tracts:

District: 4th **Section:** 3rd **LL(S):** 873
Ward: 2 **Council Member:** Jayce Stepp

The Future Development Map designates adjacent properties as: Workplace Center

The Future Land Use Map designates adjacent or nearby city properties as: Industrial

ANALYSIS

City Departments Reviews

Electric: Not in Service Area

Fibercom: Takes no exception.

Fire: No comments received.

Gas: Takes no exception.

Planning and Development: Takes no exception.

Public Works: Takes no exception.

Cartersville Water and Sewer: Not in Service Area

Cartersville School District: Takes no exception.

Bartow County: Takes no exception.

Bartow County School District: No comments received.

Public comments: None received as of 6-3-24.

REQUEST SUMMARY:

Applicant requests the annexation and zoning of two (2) tracts totaling 0.90 acres (+/-) located at 1440 Hwy 113 and identified as Tax Parcels 0055-0873-005 and 0055-0873-006. The properties are owned by Cercasbest North America LLC and the are currently undeveloped.

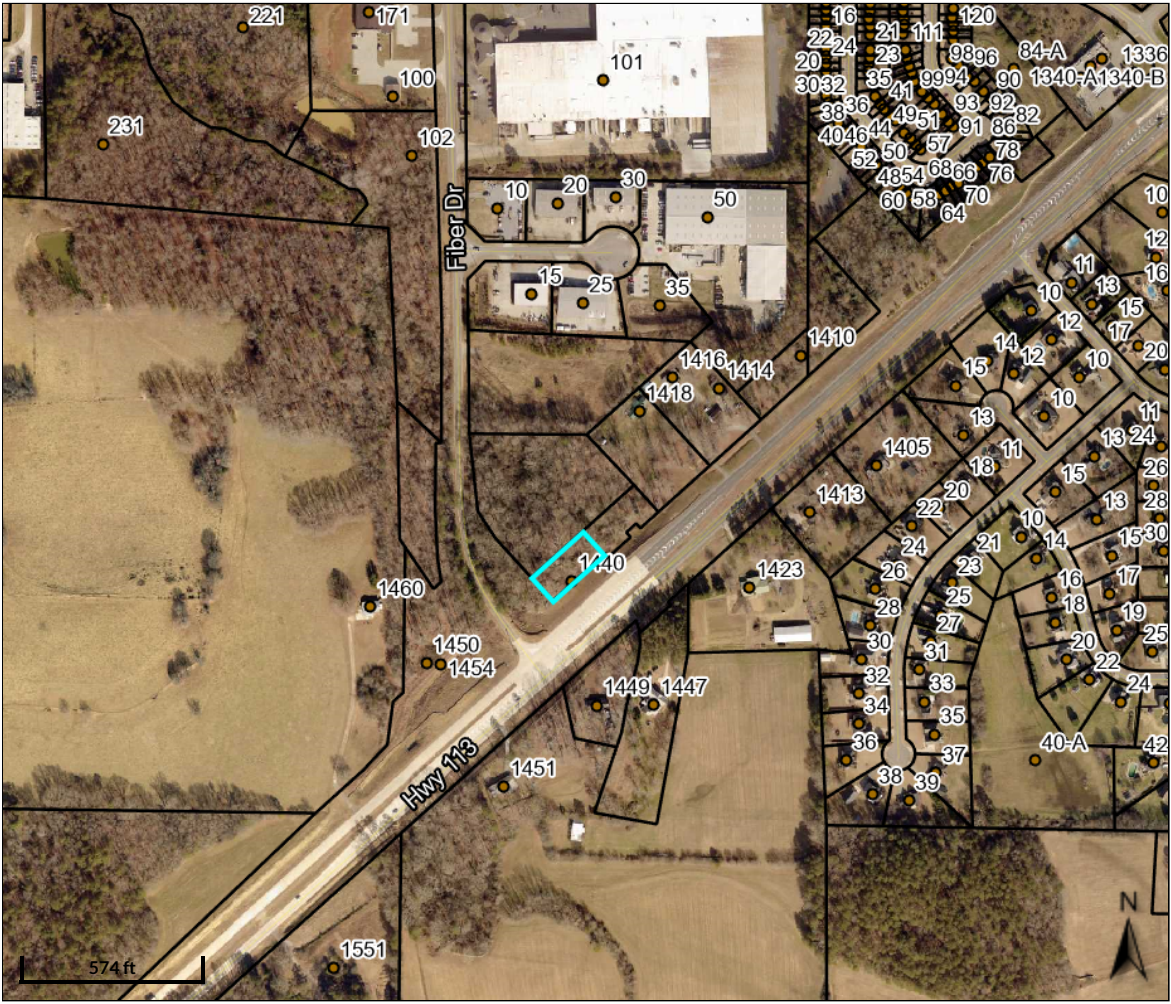
H-I, Heavy Industrial, zoning is requested for the tracts to match the existing 3.5 acre H-I tract to the north. The 3.5 acre tract is owned by the same owner. The existing zoning is County A-1 (Agriculture).

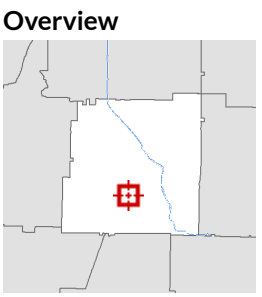
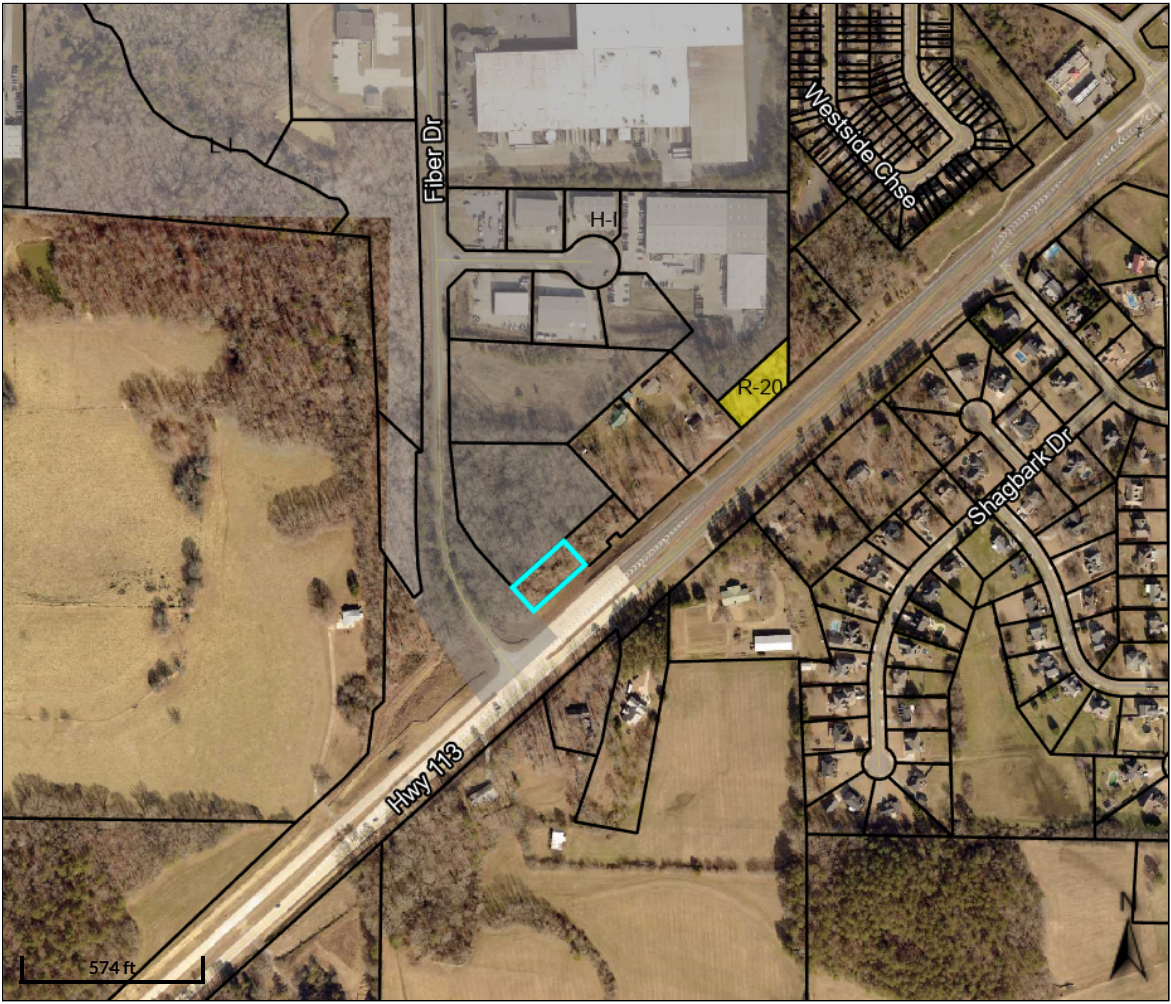
If the zoning is approved, the owner intends to combine all three tracts together to form a 4.4 acre +/- tract for future development. Currently, no projects are proposed.

STANDARDS FOR EXERCISE OF ZONING POWERS.

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
The zoning proposal will permit a use (Industrial) that is suitable in view of the use and development of adjacent and nearby property.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The proposed application will not create an isolated district.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The proposed zoning should not adversely affect the existing use or usability of adjacent property. No changes in land use are currently proposed.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
Under the current County A-1 zoning, the properties likely do not have a reasonable economic use as access to the properties is limited and the distance to Hwy 113 is not ideal for residential development.
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The zoning proposal should not result in a use that will have an excessive or burdensome use of streets, transportation facilities, utilities or schools. No changes in land use are proposed.
- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*
The proposed zoning would conform to the city's land use plan for the area. (Industrial)
- G. *Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.*
The zoning proposal should not have an adverse environmental effect.
- H. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*
No additional conditions are known.

RECOMMENDATION: Staff is not opposed to the annexation or Heavy Industrial (H-I) zoning.





- Legend**
- Parcels
 - Roads
- Cartersville Zoning**
- AG
 - DBD
 - G-C
 - G-C*
 - H-I
 - H-I*
 - L-I
 - L-I*
 - M-U
 - M-U*
 - MF-14
 - MF-14*
 - MN
 - O-C
 - O-C*
 - P-D
 - P-D*
 - P-I
 - P-S
 - P-S*
 - R-10
 - R-10*
 - R-15
 - R-15*
 - R-20
 - R-20*
 - R-7
 - R-7*
 - R-D
 - RA-12
 - RA-12*

Parcel ID 0055-0873-005
 Sec/Twp/Rng n/a
 Property Address 1440 HWY 113

Alternate ID 10273
 Class Residential
 Acreage 0.42

Owner Address CERCASBEST NORTH AMERICA LLC
 180 A LINDBERGH DR NE
 ATLANTA, GA 30305

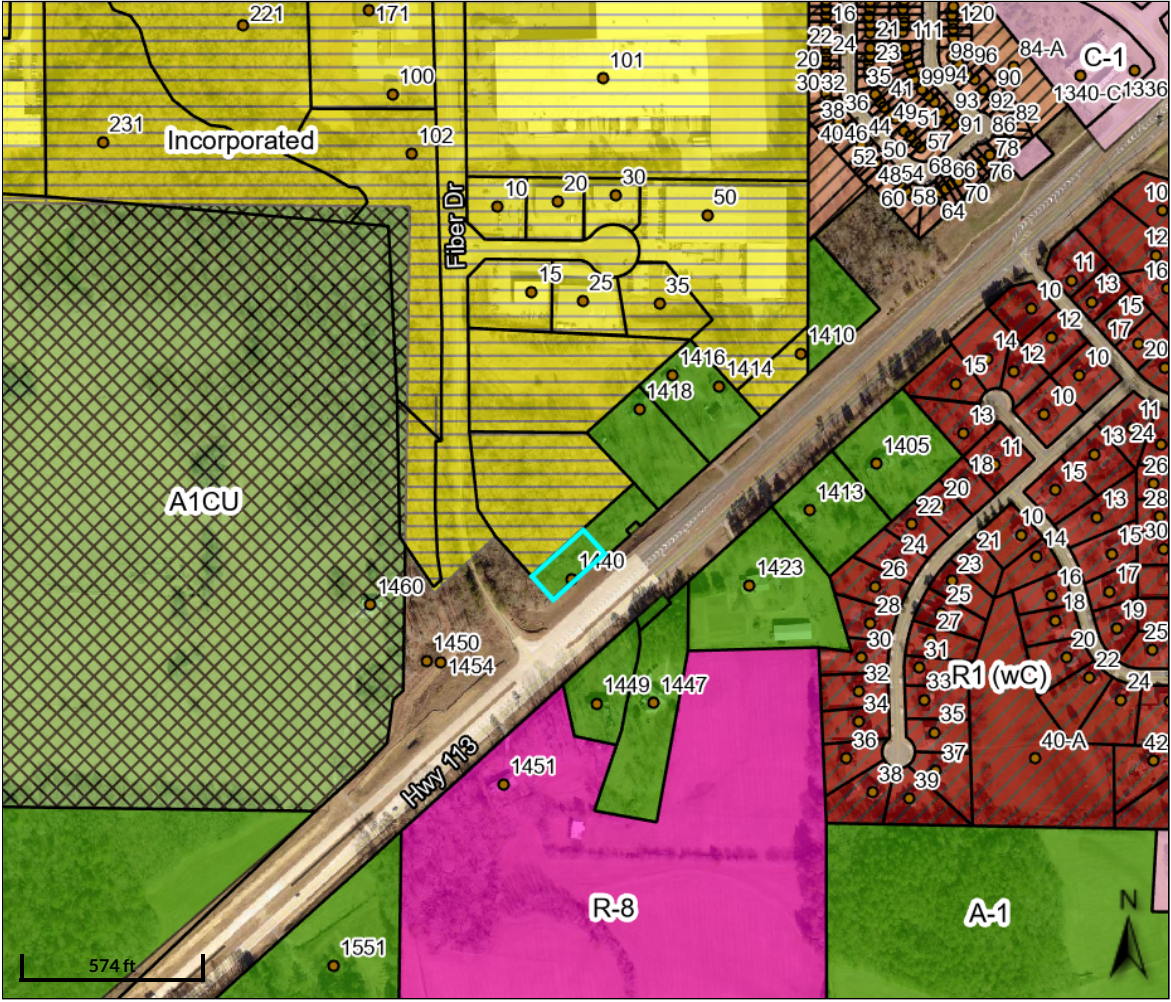
District
Brief Tax Description

Bartow County
LL 873 LD 4 TRACT 2
(Note: Not to be used on legal documents)

Item 2.

Date created: 6/4/2024
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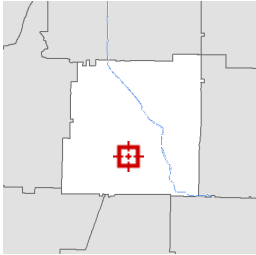
Developed by  **Schneider**
GEOSPATIAL



- Legend**
- Parcels
 - Structural Numbers**
 - Abandoned or Inactive
 - Active
 - Proposed
 - <all other values>
 - Roads
 - Bartow County Zoning**
 - A-1
 - A1 (wC)
 - A1CU
 - BPD
 - BPD (wC)
 - C-1
 - C1 (wC)
 - C1CU
 - CN
 - CN (wC)
 - CNCU
 - I-1
 - I-2
 - I1 (wC)
 - I1CU
 - I2 (wC)
 - I2CU
 - Incorporated
 - M-1
 - M1 (wC)
 - M1CU
 - O/I
 - OI (wC)
 - OICU
 - PUD
 - PUD (wC)
 - PUDCU
 - R-1
 - R-2



Overview



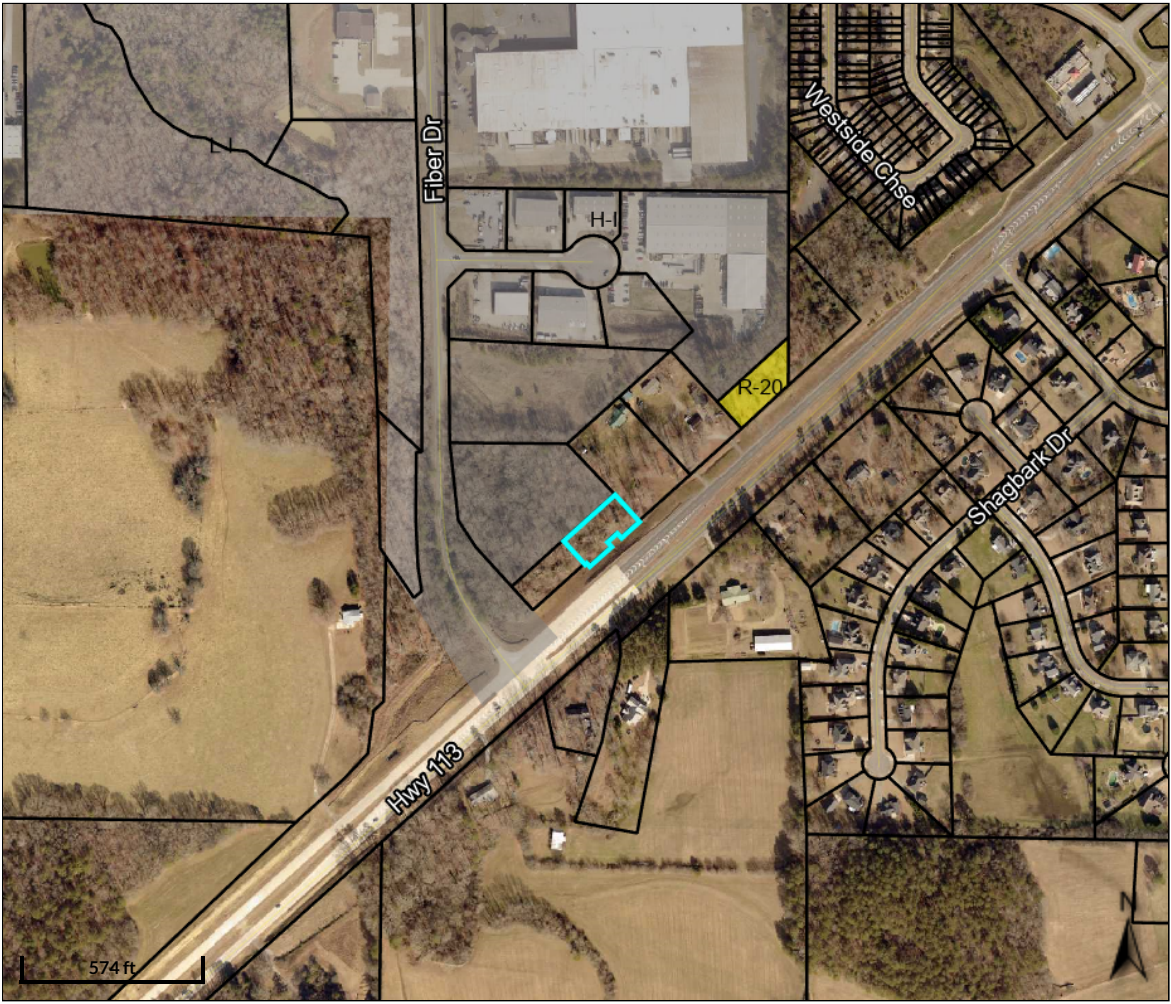
Legend

- Parcels
- Structural Numbers**
 - Abandoned or Inactive
 - Active
 - Proposed
 - <all other values>
- Roads

Parcel ID	0055-0873-006	Alternate ID	10274	Owner Address	CERCASBEST NORTH AMERICA LLC
Sec/Twp/Rng	n/a	Class	Residential		180 A LINDBERGH DR NE
Property Address	1440 HWY 113	Acreage	0.48		ATLANTA, GA 30305
District	Bartow County				
Brief Tax Description	LL873 LD4 TRACT 1				
	<i>(Note: Not to be used on legal documents)</i>				

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Developed by Schneider
 GEOSPATIAL



- Legend**
- Parcels
 - Roads
- Cartersville Zoning**
- AG
 - DBD
 - G-C
 - G-C*
 - H-I
 - H-I*
 - L-I
 - L-I*
 - M-U
 - M-U*
 - MF-14
 - MF-14*
 - MN
 - O-C
 - O-C*
 - P-D
 - P-D*
 - P-I
 - P-S
 - P-S*
 - R-10
 - R-10*
 - R-15
 - R-15*
 - R-20
 - R-20*
 - R-7
 - R-7*
 - R-D
 - RA-12
 - RA-12*

Parcel ID 0055-0873-006
 Sec/Twp/Rng n/a
 Property Address 1440 HWY 113

Alternate ID 10274
 Class Residential
 Acreage 0.48

Owner Address CERCASBEST NORTH AMERICA LLC
 180 A LINDBERGH DR NE
 ATLANTA, GA 30305

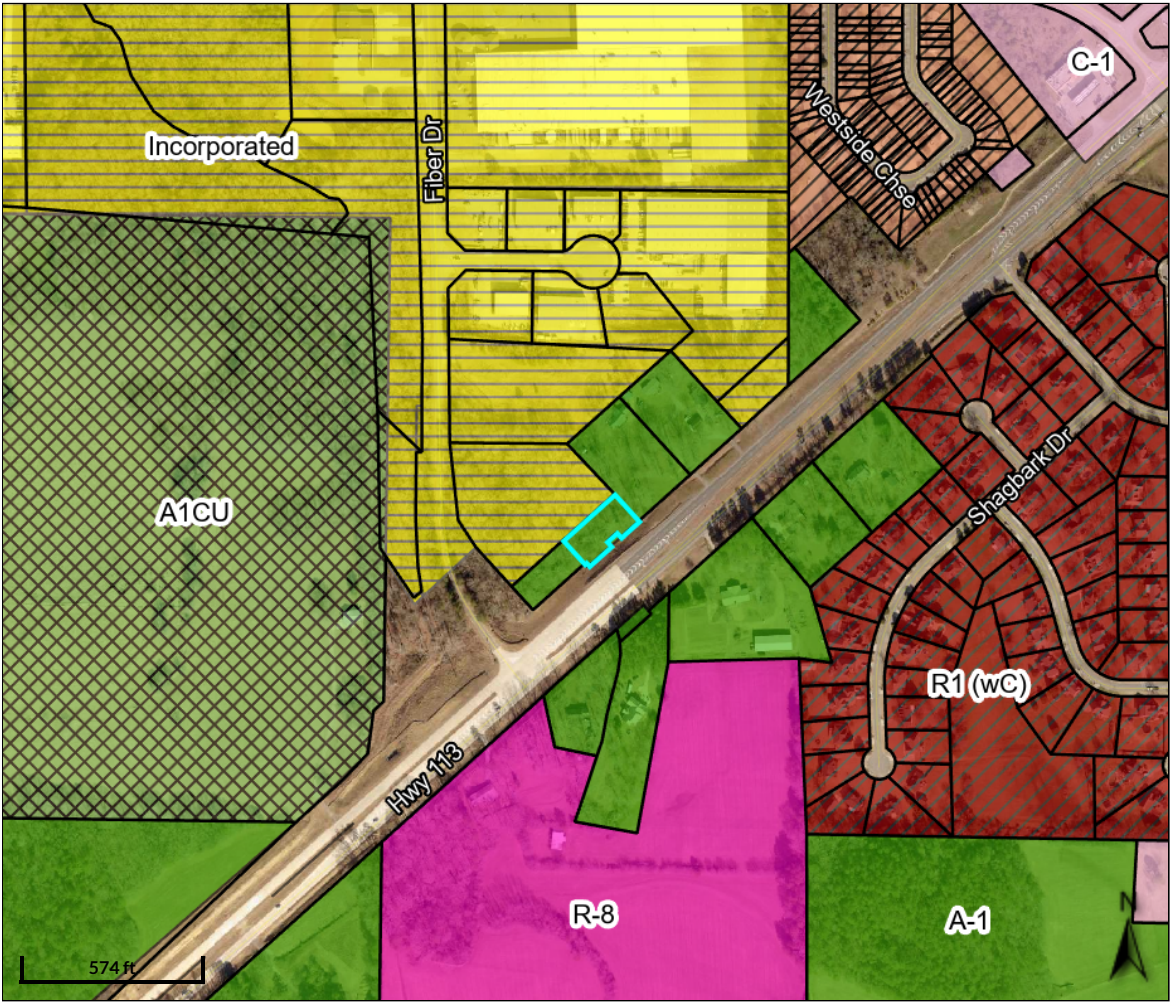
District
Brief Tax Description

Bartow County
LL873 LD4 TRACT 1
(Note: Not to be used on legal documents)

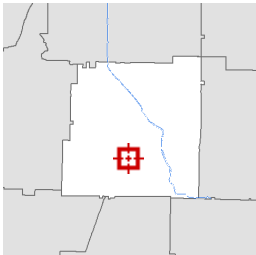
Item 2.

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GEO SPATIAL



Overview



Legend

- Parcels
- Roads

Bartow County Zoning

- A-1
- A1 (wC)
- A1CU
- BPD
- BPD (wC)
- C-1
- C1 (wC)
- C1CU
- CN
- CN (wC)
- CNCU
- I-1
- I1 (wC)
- I1CU
- I-2
- I2 (wC)
- I2CU
- Incorporated
- M-1
- M1 (wC)
- M1CU
- O/I
- OI (wC)
- OICU
- PUD
- PUD (wC)
- PUDCU
- R-1
- R-2
- R-3
- R-4
- R-7
- R-8
- R-8 w/c
- R1 (wC)

-  R1CU
-  R2 (wC)
-  R2CU
-  R3 (wC)
-  R3CU
-  R4 (wC)
-  R4CU
-  R7 (wC)
-  RE-1
-  RE-2
-  RE1 (wC)
-  RE1CU
-  RE2 (wC)
-  RE2CU
-  Unknown
-  Zoning with Conditions

Parcel ID 0055-0873-006 **Alternate ID** 10274
Sec/Twp/Rng n/a **Class** Residential
Property Address 1440 HWY 113 **Acreage** 0.48
District Bartow County
Brief Tax Description LL873 LD4 TRACT 1
(Note: Not to be used on legal documents)

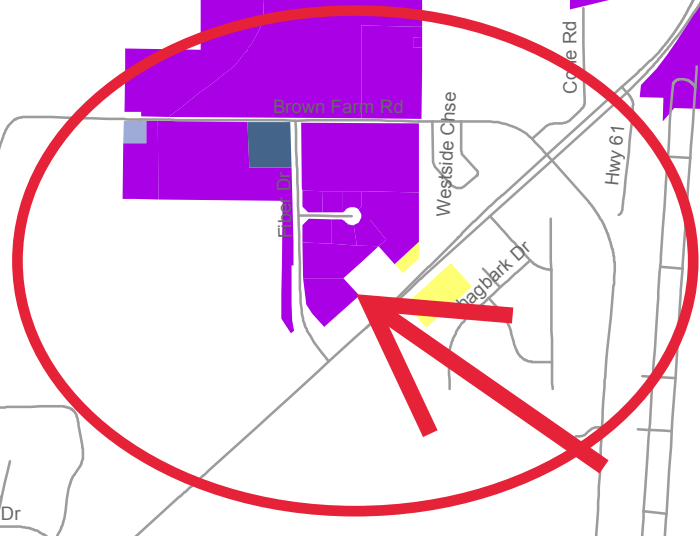
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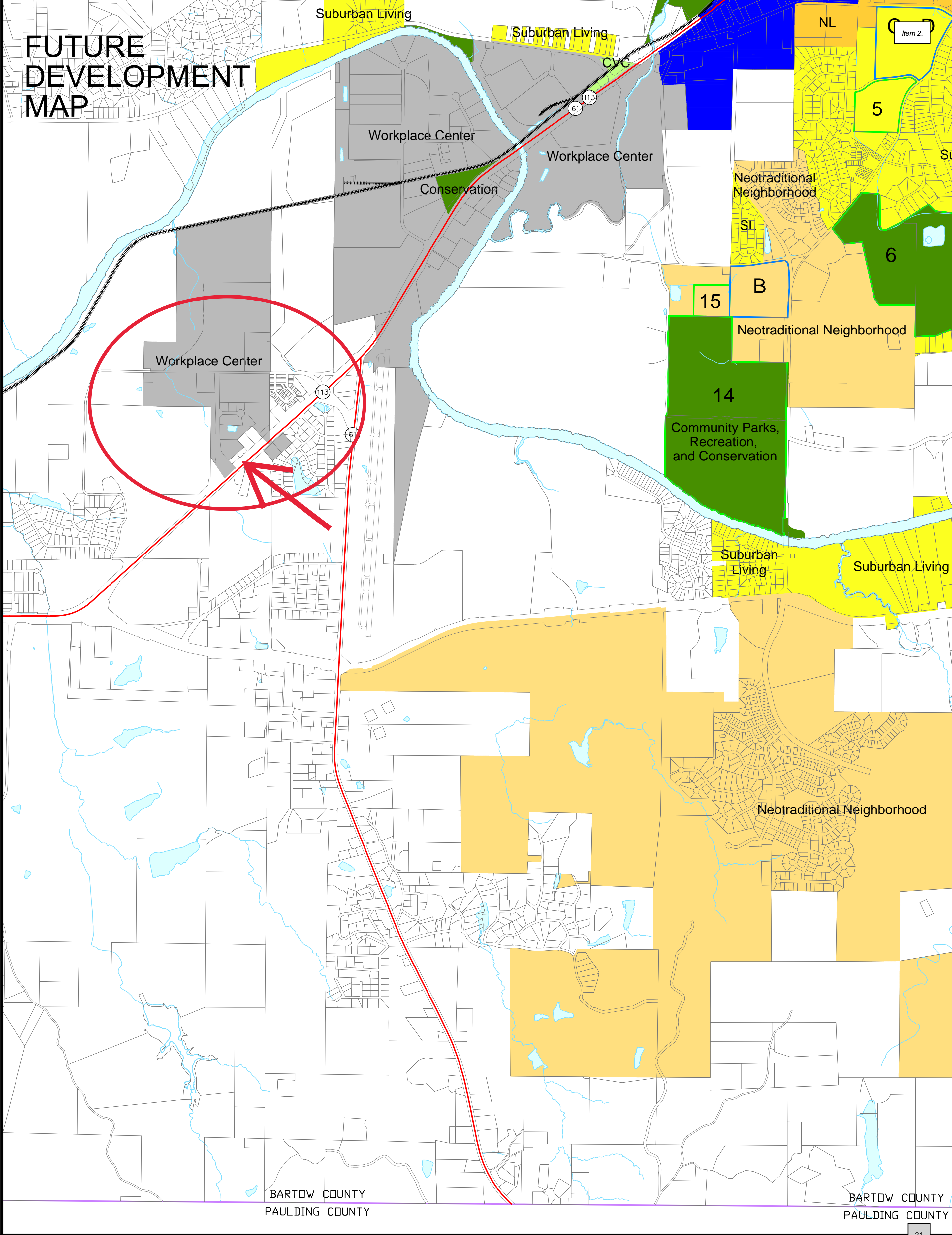
Developed by 

2017 Future Land Use Map

Item 2.



FUTURE DEVELOPMENT MAP



BARTOW COUNTY
PAULDING COUNTY

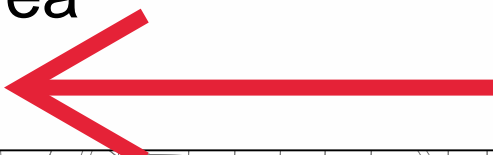
BARTOW COUNTY
PAULDING COUNTY

CARTERSVILLE, GEORGIA

Future Development Map

Character Areas of the Future Development Map

- Civic Village
- Community Parks, Recreation, and Conservation
- Community Village Center
- Downtown Business District
- Highlands
- Highway Commercial
- Historic Neighborhood
 - Atco Mill Historic Village
 - Cherokee - Cassville Historic District
 - Olde Town Historic District
 - West End Historic District
- Main Street Overlay District
- Mining
- Mixed-Use Activity Center
- Neotraditional Neighborhood
- Neighborhood Living
- North Towne Revitalization Area
- Parkway Corridor
- Suburban Living
- Summer Hill
- Tellus Interchange Commercial
- Tennessee Street Corridor
- Transitional Use Area
- Workplace Center

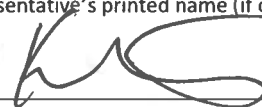
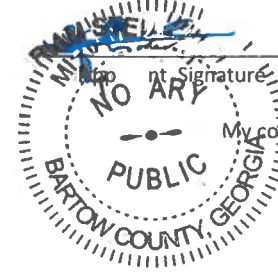



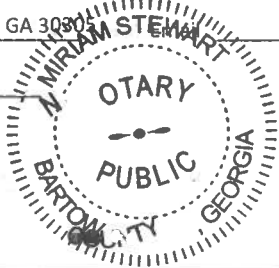
Application for Annexation/ Zoning
City of Cartersville

Case Number: AZ24-03
Date Received: 4-23-24

Public Hearing Dates:

Planning Commission 6-11-24 5:30pm 1st City Council 6-20-24 7:00pm 2nd City Council Tues. 7/2/24 7:00pm

Applicant Cercasbest North America LLC Office Phone 901-834-1678
 (printed name)
 Address 180A Lindbergh Drive NE Mobile/ Other Phone _____
 City Atlanta State GA Zip 30305 Email rafisch@gmail.com
 Representative's printed name (if other than applicant) Southland Engineering, INC. Phone (Rep) 770 387 0440
 Email (Rep) karl@southlandengineers.com
 Representative Signature 
 Signed, sealed and delivered in presence of: _____ My commission expires: 10/11/2025
 Notary Public 

* Titleholder Cercasbest North America LLC Phone 901-834-1678
 (titleholder's printed name)
 Address 180A Lindbergh Drive NE Atlanta, GA 30305 Email rafisch@gmail.com
 Signature 
 Signed, sealed, delivered in presence of: _____ My commission expires: 10/11/2025
 Notary Public 

Present Zoning District A-1 Requested Zoning H-I
 Acreage 0.455 & 0.499 Land Lot(s) 873 District(s) 4th Section(s) 3rd
 Location of Property: Fiber Drive Parcel ID No. 005-0873-005 & 005-0873 006
 (street address, nearest intersections, etc.)
 Reason for Rezoning Request: Requesting the two parcels be annexed into the City of Cartersville and zoned H-I in order to combine with parcel to the north on fiber drive. See Tracts 2 and 3 on Survey, attached.
 (attach additional statement as necessary)

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

Zoning Analysis for Annexation/ Zoning

Specifics of Proposed Use

Case Number: AZ24-03

Tax Map Parcel(s) # 0055-0873-005 & 0055-0873-006 Voting Ward(s) 2

Current Land Use Commercial/Mixed Use Current Zoning A-1

Proposed Land Use Commercial Proposed Zoning G-C

Number of Dwelling Units N/A Number of Occupants N/A

Owner Occupied? Yes No

Number of School-aged Children N/A Grade Level(s) of School-aged Children N/A

School(s) to be attended: _____

Current Utility Service Providers (Check Service provider or list if Other)

Water: _____ City County _____ Well/ Other

Sewer: _____ City County _____ Septic/ Other

Natural Gas: City _____ Other (List) _____

Electricity: _____ City GA Power _____ Greystone
 _____ Other (List) _____

CAMPAIGN DISCLOSURE REPORT
FOR ZONING ACTIONS

Pursuant to O.C.G.A. 36-67A-3 any and all applicants to a zoning action must make the following disclosures:

Date of Application: 3/22/2024

Date Two Years Prior to Application: 3/22/2022

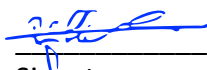
Date Five Years Prior to Application: 3/22/2019

1. Has the applicant within the five (5) years preceding the filing of the zoning action made campaign contributions aggregating \$250.00 or more to any of the following:

	YES	NO
Mayor: Matt Santini	_____	_____ x _____
Council Member:		
Ward 1- Kari Hodge	_____	_____ x _____
Ward 2- Jayce Stepp	_____	_____ x _____
Ward 3- Cary Roth	_____	_____ x _____
Ward 4- Calvin Cooley	_____	_____ x _____
Ward 5- Gary Fox	_____	_____ x _____
Ward 6- Taff Wren	_____	_____ x _____
Planning Commission		
Lamar Pendley, Chair	_____	_____ x _____
Anissa Cooley	_____	_____ x _____
Fritz Dent	_____	_____ x _____
Greg Culverhouse	_____	_____ x _____
Jeffery Ross	_____	_____ x _____
Stephen Smith	_____	_____ x _____
Travis Popham	_____	_____ x _____

2. If the answer to any of the above is **Yes**, please indicate below to whom, the dollar amount, date, and description of each campaign contribution, during the past five (5) years.

N/A


3-19-2024

 Signature Date
 Rafi Schwartz

 Print Name

LIST OF ADJACENT PROPERTY OWNERS
(Not required if City mails public notices)

The following are all of the individuals, firms, or corporations owning property on the sides, rear, and in front of (across street from) the property sought to be rezoned:

	<u>NAME</u>	<u>ADDRESS</u>
1.	Karl Delano	5114 Greythorne Lane Marietta, GA 30068
2.	McKinnon Development, LLC	990 Cobb Parkway North Suite 201 Marietta, GA 30062
3.	Development Authority of Cartersville C/O Aquafil	1 Aquafil Dr Cartersville, GA 30120
4.	Charles and Patricia Waits	1418 Hwy 113 SW Cartersville, GA 30120
5.	Carl Pinson	1423 Hwy 113 SW Cartersville, GA 30120
6.	Bradley Jones, James & Emily Thompson	1447 Hwy 113 SW Cartersville, GA 30120
7.	Joseph and Steve Owen	1449 Hwy 113 SW Cartersville, GA 30120
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Attach additional names if necessary.

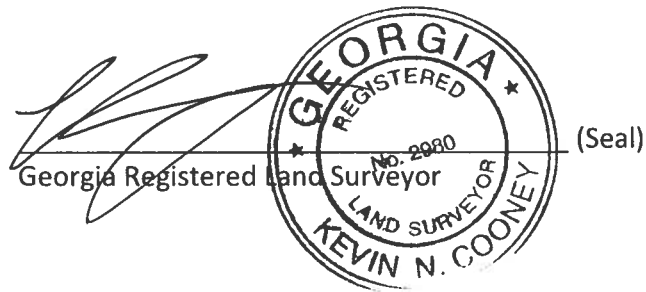
(Indicate property owned by the above persons on plat accompanying this application.)

SURVEYOR'S CERTIFICATE

That the undersigned, a Georgia Registered Land Surveyor, on behalf of the above Annexation/ zoning applicant do certify the following:

- 1) That the attached survey contains no fewer than four surveyed map regulation points and recorded with the Georgia Coordinate System of 1985.
- 2) That the attached survey shows the boundaries of the area being annexed and the existing boundaries of the area being annexed and the existing boundaries of the annexing municipality between the points at which these boundaries close, if applicable.
- 3) That the attached survey meets the requirements of O.C.G.A. 15-6-67 and Section 180-7-01 Technical Standards for Property Survey, Rules and Regulations of the State of Georgia.
- 4) That the map demarcation of the map registration points are well distributed along, within, or near the boundary of the annexed area.
- 5) That at least one-eighth of the aggregate external boundary or fifty (50) feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary if it were not otherwise separated from the municipal boundary by other lands owned by the municipal corporation, by lands owned by this State, or by the definite width of any street or street right of way; any creek or river; any right of way of a railroad or other public service corporation, which divides the municipal boundary from any area proposed to be annexed.

03/21/2024
Date



ZONING ADMINISTRATOR:

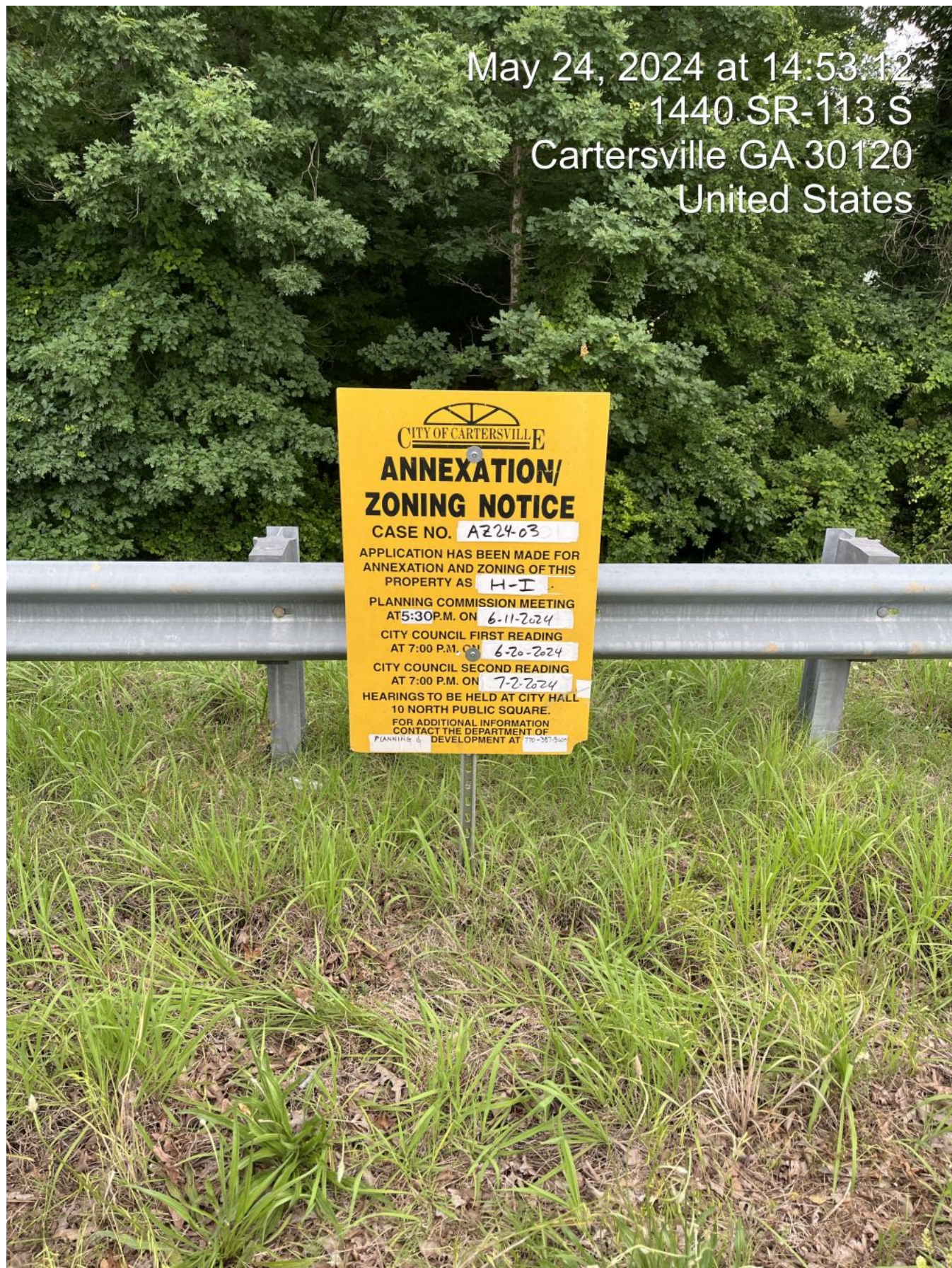
- 1. Case Number: AZ24-03
- 2. Yes No

The above property complies with the City of Cartersville minimum size requirements to construct a building or structure occupiable by persons or property under the policies, ordinance, or regulations of the City of Cartersville.

- 3. Survey attached? YES

4-23-24
Date

David Hardegree
Zoning Administrator





PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	June 9, 2024
SUBCATEGORY:	Annexation
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	AZ24-04. Walnut Grove Rd at Cummings Road. (C074-0002-001). Applicant: Manor Restorations LLC
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Applicant requests the de-annexation of a portion of the property on Walnut Grove Road at Cummings Road identified as Tax Parcel C074-0002-001 containing a total of 1.00 +/- acres. The subdivided tract to be de-annexed contains 0.29 acres +/- . This parcel is zoned P-I, Public Institutional.</p> <p>If approved, the de-annexed tract will be combined with the larger development tract, Parcel ID 0073-0735-001.</p> <p>Staff Recommendation: Staff is not opposed to the de-annexation.</p>
LEGAL:	N/A

ZONING & DE-ANNEXATION SYNOPSIS

Petition Number(s): AZ24-04

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: Manor Restorations LLC
Representative: Karl Lutjens, PE. Southland Engineering
Location: Walnut Grove Rd at Cummings Rd. (Tax ID No. C074-0002-001)
Total Acreage: Subdivided tract is 0.29 acres. Parent tract was 1.00 acres.

LAND USE INFORMATION

Current Zoning: P-I (Public Institutional)
Proposed Zoning: N/A
Proposed Use: Residential Development in County
Current Zoning of Adjacent Property:

North: P-I and County A-1 (Agriculture)
South: County PUD wC (Planned Unit Development with Conditions)
East: County A-1
West: County PUD wC

For All Tracts:

District: 4th **Section:** 3rd **LL(S):** 735
Ward: 2 **Council Member:** Jayce Stepp

The Future Development Map designates adjacent properties as: N/A

The Future Land Use Map designates adjacent or nearby city properties as: N/A

ANALYSIS

City Departments Reviews

Electric: Takes no exception

Fibercom: Takes no exception.

Fire: No comments received.

Gas: Takes no exception.

Planning and Development: Takes no exception.

Public Works: Takes no exception.

Cartersville Water and Sewer: Takes no exception

Cartersville School District: Takes no exception.

Bartow County: Takes no exception.

Bartow County School District: Takes no exception.

Public comments: None received as of 6-3-24.

REQUEST SUMMARY:

Applicant requests the de-annexation of a portion of the property on Walnut Grove Road at Cummings Road identified as Tax Parcel C074-0002-001 containing a total of 1.00 +/- acres. The subdivided tract to be de-annexed contains 0.29 acres +/- . This parcel is located in Land Lot 735 of the 4th District, 3rd Section and is zoned P-I, Public Institutional.

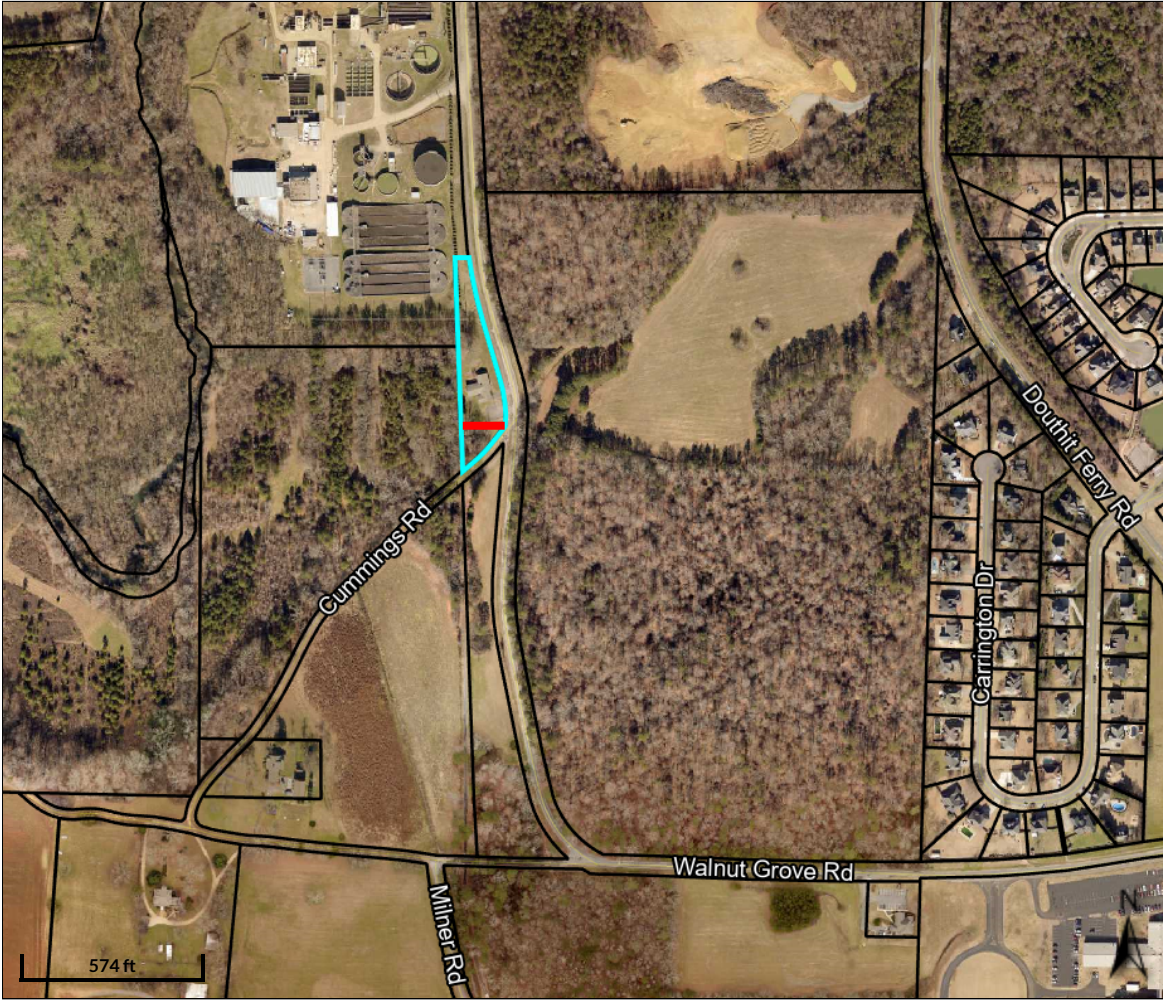
If approved, the de-annexed tract will be combined with the larger development tract, Parcel ID 0073-0735-001.

The subdivision and sale of the tract to be de-annexed occurred in February of this year. De-annexing this tract will allow the developer to design a safe intersection at Walnut Grove Rd.

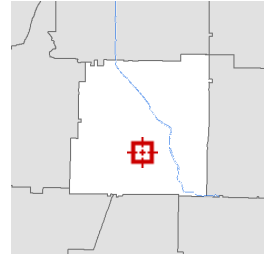
STANDARDS FOR EXERCISE OF ZONING POWERS.

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
Not applicable to the de-annexed tract. The remaining portion of the parent tract does permit a use that is suitable in view of the use and development of adjacent and nearby property.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The proposed application will not create an isolated district.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The proposed zoning should not adversely affect the existing use or usability of adjacent property.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
The P-I zoning of the 0.29 acre tract is not an appropriate zoning for the County development.
- E. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The zoning proposal should not result in a use that will have an excessive or burdensome use of streets, transportation facilities, utilities or schools. This element should be studied by the developer or County.
- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*
The remaining portion of the parent tract does conform to the city's land use plan for the area. (Transportation/Communication/Utilities)
- G. *Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.*
No adverse impact is anticipated.
- H. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*
No additional conditions are known.

RECOMMENDATION: Staff is not opposed to the de-annexation.



Overview



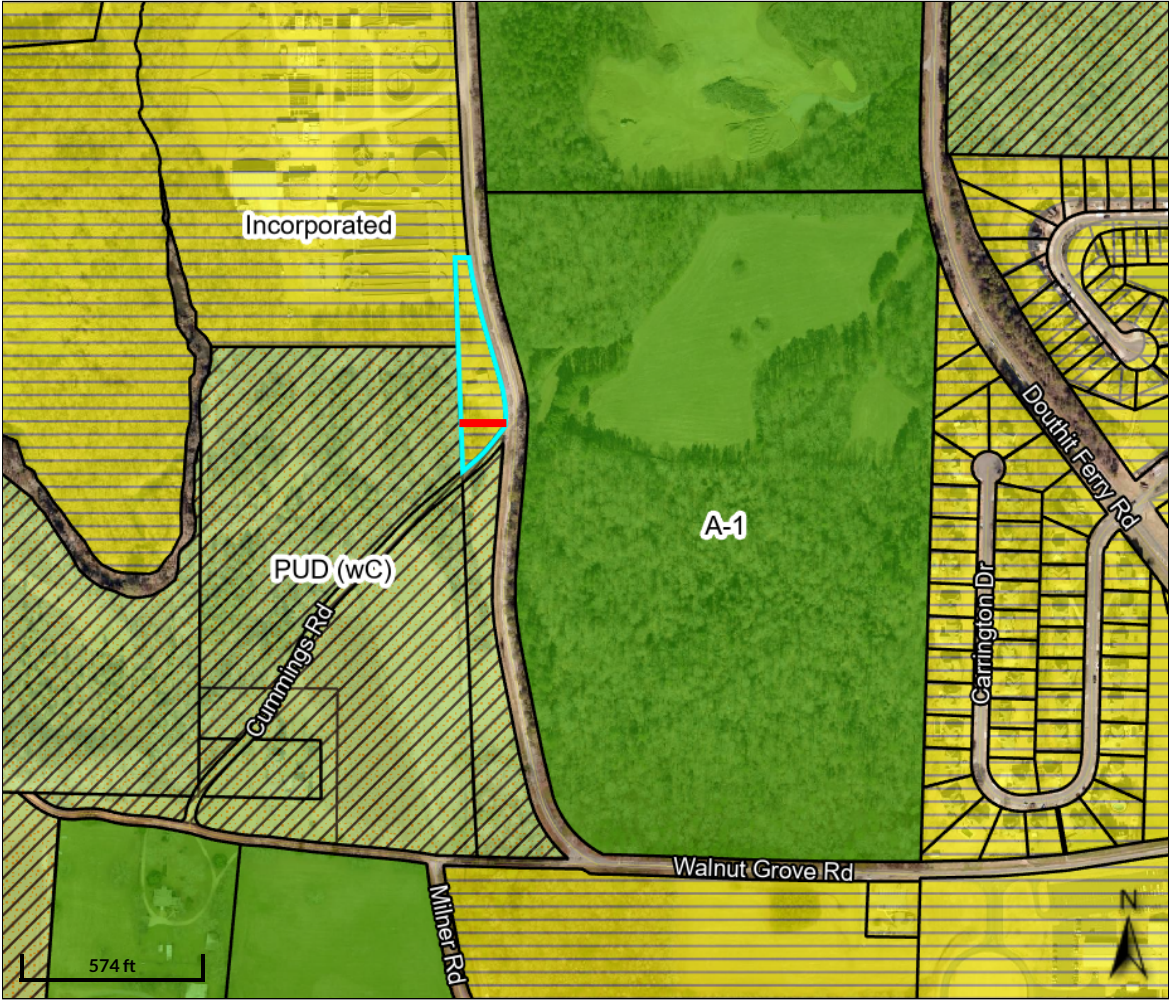
Legend

- Parcels
- Roads

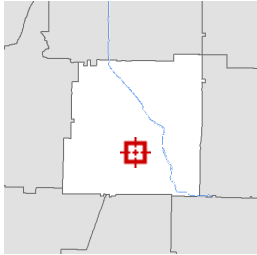
Parcel ID	C074-0002-001	Alternate ID	37156	Owner Address	CITY OF CARTERSVILLE
Sec/Twp/Rng	n/a	Class	Exempt		P O BOX 1390
Property Address	WALNUT GROVE RD	Acreage	1.0		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL735,706 LD4				
	(Note: Not to be used on legal documents)				

Date created: 5/2/2024
 Last Data Uploaded: 5/1/2024 9:04:28 PM

Developed by Schneider
 GEOSPATIAL



Overview



Legend

- Parcels
- Roads

Bartow County Zoning

- A-1
- A1 (wC)
- A1CU
- BPD
- BPD (wC)
- C-1
- C1 (wC)
- C1CU
- CN
- CN (wC)
- CNCU
- I-1
- I-2
- I1 (wC)
- I1CU
- I2 (wC)
- I2CU
- Incorporated
- M-1
- M1 (wC)
- M1CU
- O/I
- O1 (wC)
- O1CU
- PUD
- PUD (wC)
- PUDCU
- R-1
- R-2
- R-3
- R-4
- R-7
- R-8
- R-8 w/c
- R1 (wC)

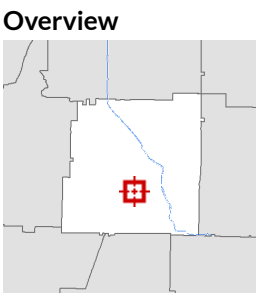
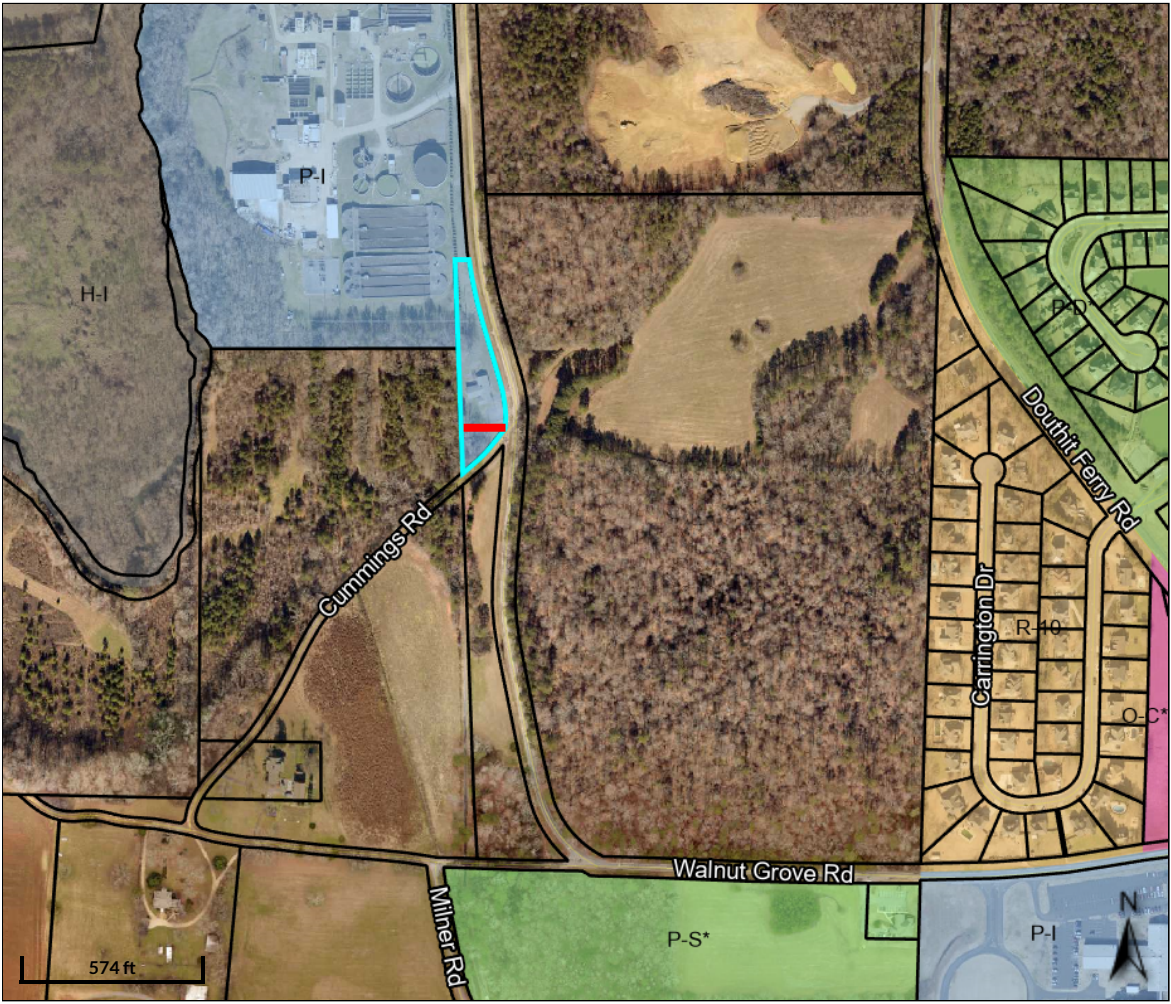
-  R1CU
-  R2 (wC)
-  R2CU
-  R3 (wC)
-  R3CU
-  R4 (wC)
-  R4CU
-  R7 (wC)
-  RE-1
-  RE-2
-  RE1 (wC)
-  RE1CU
-  RE2 (wC)
-  RE2CU
-  Unknown
-  Zoning with Conditions

Parcel ID C074-0002-001 **Alternate ID** 37156
Sec/Twp/Rng n/a **Class** Exempt
Property Address WALNUT GROVE RD **Acreage** 1.0
District Cartersville
Brief Tax Description LL735,706 LD4
(Note: Not to be used on legal documents)

Owner Address CITY OF CARTERSVILLE
P O BOX 1390
CARTERSVILLE, GA 30120

Date created: 5/2/2024
Last Data Uploaded: 5/1/2024 9:04:28 PM

Developed by  Schneider
GEOSPATIAL



- Legend**
- Parcels
 - Roads
- Cartersville Zoning**
- AG
 - DBD
 - G-C
 - G-C*
 - H-I
 - H-I*
 - L-I
 - L-I*
 - M-U
 - M-U*
 - MF-14
 - MF-14*
 - MN
 - O-C
 - O-C*
 - P-D
 - P-D*
 - P-I
 - P-S
 - P-S*
 - R-10
 - R-10*
 - R-15
 - R-15*
 - R-20
 - R-20*
 - R-7
 - R-7*
 - R-D
 - RA-12
 - RA-12*

Parcel ID C074-0002-001
 Sec/Twp/Rng n/a
 Property Address WALNUT GROVE RD

Alternate ID 37156
 Class Exempt
 Acreage 1.0

Owner Address CITY OF CARTERSVILLE
 P O BOX 1390
 CARTERSVILLE, GA 30120

District Cartersville
Brief Tax Description LL735,706 LD4
(Note: Not to be used on legal documents)

Date created: 5/2/2024
Last Data Uploaded: 5/1/2024 9:04:28 PM

Developed by  **Schneider**
GEO SPATIAL

Application for Annexation/ Zoning
City of Cartersville DE-Annexation

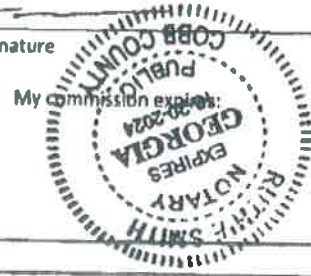
Case Number: AZ24-04
Date Received: 4/25/24

Public Hearing Dates:

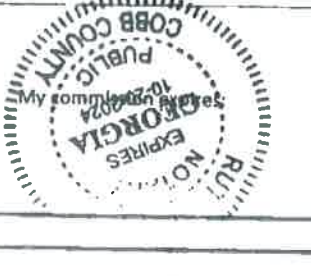
Planning Commission 6/11/24 5:30pm 1st City Council 6/20 7:00pm 2nd City Council Tues 7/2/24 7:00pm



Applicant Manor Restorations, LLC Office Phone 770-652-0044
 (printed name)
 Address 4670 Jefferson Township Lane Mobile/ Other Phone N/A
Marietta State GA Zip 30066 Email bsmith@masterworksatlanta.com
 Representative's printed name (if other than applicant) Phone (Rep) 770-387-0440
 Email (Rep) _____
 Representative Signature _____ Applicant Signature _____
 Signed, sealed and delivered in presence of: My commission expires: _____
 Notary Public _____



Titleholder Manor Restorations, LLC Phone 770-652-0044
 (titleholder's printed name)
 Address 4670 Jefferson Township Lane Marietta, GA 30066 Email bsmith@masterworksatlanta.com
 Signature _____
 Signed, sealed, delivered in presence of: My commission expires: _____
 Notary Public _____



Present Zoning District P-1 Requested Zoning PUD(wC) - In Bartow County
 Acreage 0.290 Land Lot(s) 735 District(s) 4 Section(s) 3
 Location of Property: Walnut Grove Road Parcel ID No. C074-0002-001
 (street address, nearest intersections, etc.)
 Reason for Rezoning Request: This small acreage was purchased by the developer of the neighboring property on Cumming Road
We are requesting that it be de-annexed from the City of Cartersville so it can be combined with the 22.17 acre property to the
west in Bartow County.
 (attach additional statement as necessary)

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

CAMPAIGN DISCLOSURE REPORT
FOR ZONING ACTIONS

Pursuant to O.C.G.A. 36-67A-3 any and all applicants to a zoning action must make the following disclosures:

Date of Application: N/A


Date Two Years Prior to Application: N/A

Date Five Years Prior to Application: N/A

1. Has the applicant within the five (5) years preceding the filing of the zoning action made campaign contributions aggregating \$250.00 or more to any of the following:

	YES	NO
Mayor: Matt Santini	_____	✓
Council Member:		
Ward 1- Kari Hodge	_____	✓
Ward 2- Jayce Stepp	_____	✓
Ward 3- Cary Roth	_____	✓
Ward 4- Calvin Cooley	_____	✓
Ward 5- Gary Fox	_____	✓
Ward 6- Taff Wren	_____	✓
Planning Commission		
Lamar Pendley, Chair	_____	✓
Anissa Cooley	_____	✓
Fritz Dent	_____	✓
Greg Culverhouse	_____	✓
Jeffery Ross	_____	✓
Stephen Smith	_____	✓
Travis Popham	_____	✓

2. If the answer to any of the above is **Yes**, please indicate below to whom, the dollar amount, date, and description of each campaign contribution, during the past five (5) years.


4/25/2024

 Signature Date
 BERNIE SMITH

 Print Name

SURVEYOR’S CERTIFICATE

That the undersigned, a Georgia Registered Land Surveyor, on behalf of the above Annexation/ zoning applicant do certify the following:

- 1) That the attached survey contains no fewer than four surveyed map regulation points and recorded with the Georgia Coordinate System of 1985.
- 2) That the attached survey shows the boundaries of the area being annexed and the existing boundaries of the area being annexed and the existing boundaries of the annexing municipality between the points at which these boundaries close, if applicable.
- 3) That the attached survey meets the requirements of O.C.G.A. 15-6-67 and Section 180-7-01 Technical Standards for Property Survey, Rules and Regulations of the State of Georgia.
- 4) That the map demarcation of the map registration points are well distributed along, within, or near the boundary of the annexed area.
- 5) That at least one-eighth of the aggregate external boundary or fifty (50) feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary if it were not otherwise separated from the municipal boundary by other lands owned by the municipal corporation, by lands owned by this State, or by the definite width of any street or street right of way; any creek or river; any right of way of a railroad or other public service corporation, which divides the municipal boundary from any area proposed to be annexed.

04.25.24
Date


Georgia Registered Land Surveyor




ZONING ADMINISTRATOR:

- 1. Case Number: AZ24-04
- 2. Yes No To be combined with an existing 22acre tract,

The above property complies with the City of Cartersville minimum size requirements to construct a building or structure occupiable by persons or property under the policies, ordinance, or regulations of the City of Cartersville.

- 3. Survey attached? Yes.

4-29-24
Date


Zoning Administrator

BENCHMARK

BENCHMARK SET TO THE NAIL IN PAVEMENT NEAR EXISTING SANITARY SEWER RUN ALONG CUMMINGS ROAD, WEST OF WALNUT GROVE ROAD.
NAIL ELEVATION = 684.86

LEGAL DESCRIPTION OF HATCHED AREA

All that tract or parcel of land lying and being in Land Lots 735 and 736 of the 4th District, 3rd Section in Bartow County, Georgia, and being more particularly described as follows:

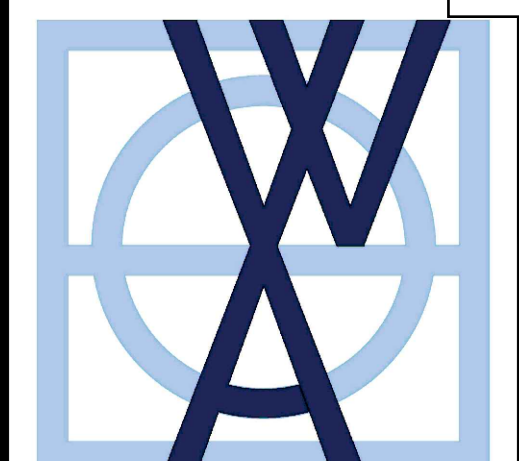
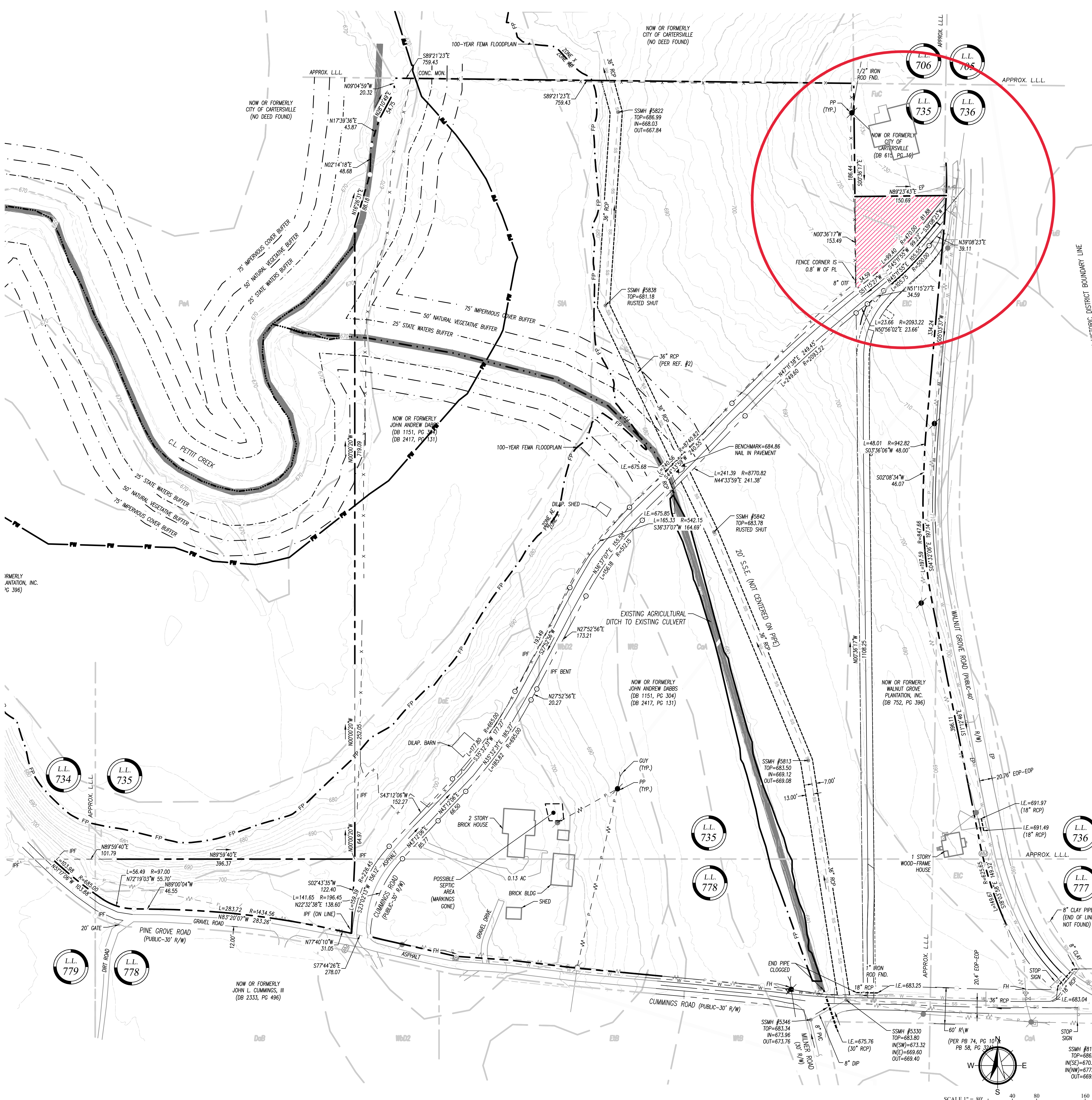
TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT a point at the intersection of the westerly right of way of Walnut Grove Road (60' right of way) and the northerly right of way of Cummings Road (30' right of way), said point being the TRUE POINT OF BEGINNING.
FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED; thence leaving said westerly right of way and along said northerly right of way the following courses and distances: S39°08'23"W for a distance of 61.68 feet to a point; 99.40 feet along the arc of a curve to the right, said curve having a radius of 470.00 feet and being subtended by a chord of S45°11'55"W, 99.22 feet to a point; S51°15'27"W for a distance of 34.59 feet to a point; thence leaving said northerly right of way N00°36'17"W for a distance of 153.49 feet to a point; thence N89°23'43"E for a distance of 150.69 feet to a point, said point being the TRUE POINT OF BEGINNING.
Said tract or parcel of land containing 0.290 acres.

LEGEND

- PROJECT PROPERTY LINE
- ADJACENT PROPERTY LINE
- PR. LOT LINE
- FUTURE R/W LINE
- EASEMENT
- BUFFER OR SETBACK LINE
- LAKE
- FLOODPLAIN
- FLOODWAY
- BUILDING
- FENCE
- MAJOR CONTOUR LINE
- MINOR CONTOUR LINE
- OVERHEAD UTILITY LINE
- OVERHEAD POWER LINE
- UNDERGROUND POWER LINE
- SEWER LINE
- WATER LINE

SYMBOL LEGEND

- SANITARY SEWER MANHOLE
- FIRE HYDRANT ASSEMBLY
- WATER METER
- WATER VALVE
- POWER POLE
- STORM CATCH BASIN
- STORM MANHOLE (JUNCTION BOX)
- PROPERTY LINE PIN
- SIGN



W&A ENGINEERING
 CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
 LAND SURVEYING | TRAFFIC ENGINEERING
 ECONOMIC DEVELOPMENT

2300 Windy Ridge Pkwy SE, Suite
 560S, Atlanta, GA 30339
 P: (706) 310-0400
 waengineering.com

ALL DRAWINGS SHALL REMAIN THE PROPERTY OF W&A ENGINEERING. THESE INSTRUMENTS OF SERVICE ARE TO BE USED ONLY FOR THIS SPECIFIC PROJECT. W&A ENGINEERING SHALL RETAIN ALL LEGAL RIGHTS TO THE USE OF THE INSTRUMENTS OF SERVICE AND SHALL RETAIN FULL PROTECTION UNDER UNITED STATES COPYRIGHT LAW.

WALNUT GROVE
 BARTOW COUNTY, GEORGIA
 WALNUT GROVE ROAD - 43.42 ACRES

Know what's below.
 Call before you dig.

REVISIONS

DATE	COMMENT

FOR REVIEW

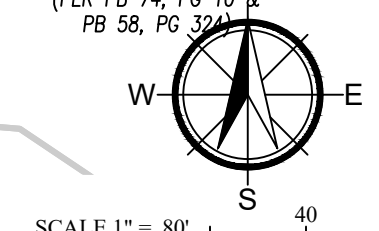
INITIAL SUB. DATE: ---

ISSUANCE DATE: ---

W&A PROJECT #: 220640

EXISTING CONDITIONS

C101



Written Description- Cummings Road, Swap 5

All that tract or parcel of land lying and being in Land Lots 735 and 736 of the 4th District, 3rd Section in Bartow County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a point at the intersection of the westerly right of way of Walnut Grove Road (60' right of way) and the northerly right of way of Cummings Road (30' right of way), said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence leaving said westerly right of way and along said northerly right of way the following courses and distances: S39°08'23"W for a distance of 81.88 feet to a point; 99.40 feet along the arc of a curve to the right, said curve having a radius of 470.00 feet and being subtended by a chord of S45°11'55"W, 99.22 feet to a point; S51°15'27"W for a distance of 34.59 feet to a point; thence leaving said northerly right of way N00°36'17"W for a distance of 153.49 feet to a point; thence N89°23'43"E for a distance of 150.69 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land containing 0.290 acres.

After Recording Return To:
Leslie Vaughan Simmons, PC
1105 North Tennessee Street
Cartersville, GA 30120

File Number: 24-115
Parcel ID: c074-0002-001

Warranty Deed

This indenture made this 20th day of February, 2024 between, **City Of Cartersville**, as party or parties of the first part, (henceforth referred to as "Grantor"), and **Manor Restorations, LLC, a Georgia Limited Liability Company**, as part or parties of the second part, (henceforth referred to as "Grantee").

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100 (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee:

All that tract or parcel of land lying and being in Land Lots 735 and 736 of the 4th District, 3rd Section in Bartow County, Georgia, and being more particularly described as follows: TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a point at the intersection of the westerly right of way of Walnut Grove Road (60' right of way) and the northerly right of way of Cummings Road (30' right of way), said point being the TRUE POINT OF BEGINNING, FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED: thence leaving said westerly right of way of Walnut Grove Road and along said northerly right of way of Cummings Road the following courses and distances: S39°08'23"W a distance of 81.88 feet to a point; thence 99.22 feet along the arc of a curve to the right, said curve having a radius of 470.00 feet and being subtended by a chord of S45°11'55"W 99.40 feet to a point; thence S51°15'27"W a distance of 34.59 feet to a point; thence leaving said northerly right of way N00°36'17"W for a distance of 153.49 feet to a point; thence N89°23'43"E for a distance of 150.69 feet to a point, said point being the TRUE POINT OF BEGINNING. Said tract or parcel of land containing 0.290 acres.

This Deed is given subject to all easements and restrictions of record, if any.

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 behoove of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, sealed and delivered on
20th day of February, 2024 in the
presence of:

City Of Cartersville

By: Matthew J. Santirji (SEAL)
Matthew J. Santirji, Mayor

Attest: Julia Drake (SEAL)
Julia Drake, City Clerk

Stacy L. Forristall

Witness

Stacy L. Forristall
Notary

