



# CARTERSVILLE BOARD OF ZONING APPEALS MEETING

Council Chambers, Third Floor of City Hall  
Monday, November 22, 2021 at 5:30 PM

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## AGENDA

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### BOARD MEMBERS:

Lamar Pendley – Chairman  
Linda Brunt  
John Clayton  
J.B. Hudson  
Kevin McElwee  
Malcolm Cooley  
Patrick Murphy

### CITY CLERK:

Julia Drake

### PLANNING DIRECTOR:

Randy Mannino

### CITY PLANNER:

David Hardegree

### ASSISTANT CITY ATTORNEY:

Keith Lovell

### CALL TO ORDER

### ROLL CALL

### APPROVAL OF MINUTES

1. Meeting Minutes. September 20, 2021

### OLD BUSINESS

2. V21-01 (Tabled). 2337 Hwy 411. Applicant: Richard O. Flournoy, Jr.

### VARIANCE CASES

3. V21-23. 4 Hillshire Ct. Applicant: Justin Cooper
4. V21-26. Jackson Farm Subdiv. Applicant: SDH Atlanta, LLC.

### STAFF OR COMMITTEE COMMENTS

### OTHER

The next meeting of the Board of Zoning Appeals will be Monday, December 20th.

### OTHER

*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](http://www.cityofcartersville.org)**



## BOARD OF ZONING APPEALS ITEM SUMMARY

|   |   |
|---|---|
| <b>MEETING DATE:</b>                      | November 22, 2021   |
| <b>SUBCATEGORY:</b>                       | Approval of Minutes   |
| <b>DEPARTMENT NAME:</b>                   | Planning and Development  |
| <b>AGENDA ITEM TITLE:</b>                 | Meeting Minutes. September 20, 2021   |
| <b>DEPARTMENT SUMMARY RECOMMENDATION:</b> | The minutes from the September 20, 2021 BZA Meeting are uploaded for review and approval. |
| <b>LEGAL:</b>                             | N/A   |

**MINUTES  
OF  
THE CARTERSVILLE BOARD OF ZONING APPEALS**

The Cartersville Board of Zoning Appeals met in a regularly scheduled meeting on September 20, 2021 in the Council Chambers.

Board Members Present: Lamar Pendley, JB Hudson, Linda Brunt, Malcolm Cooley, Patrick Murphy  
Absent: John Clayton, Kevin McElwee  
Staff Present: Randy Mannino, David Hardegree, Julia Drake

**CALL TO ORDER**

Chairman Pendley called the meeting to order at 5:30 PM

**ROLL CALL**

**APPROVAL OF MINUTES**

**1. Approval of Minutes: August 23, 2021**

Chairman Lamar Pendley called for a motion on the August 23, 2021 BZA meeting minutes. Board Member Murphy made a motion to approve the minutes. Motion was seconded by Board Member Brunt and carried unanimously. Vote: 4-0.

**VARIANCE CASES**

**2. V21-19: 233 N. Erwin St. Applicant: George Musau  
Multiple variances to the Multiple Use Zoning District Development Standards,  
Section 9.2.3, for multi-family development.**

David Hardegree, Senior Planner, stated that all adjacent property owners had been notified and the property had been properly posted and advertised. Continuing, Mr. Hardegree gave an overview of the case stating this was multiple variance requests to the Multiple Use District Development Standards to allow a multi-family development.

Furthermore, Mr. Hardegree stated the applicant was previously denied approval in June 2021 with the request of a seven unit apartment complex. The request has been revised to limit the development to four units.

In closing, Mr. Hardegree reviewed the department comments and no public comments were received.

Public hearing opened.

George Musau, 935 Bream Ct., Marietta, came forward to represent his application and answer any questions from the Board. Mr. Musau explained that following the last proposal, he had communicated, at length, with his neighbors, that were previously against the seven unit development and all parties have agreed that a four unit development would be more feasible.

With no questions from the Board and no one else to speak for or against the application, the public hearing was closed.

Board Member Brunt made a motion to approve V21-19 with the condition that the exterior will represent similarly to those renderings provided in the Board Members packets. Board Member Hudson seconded the motion. Motion carried unanimously. Vote: 4-0

**3. V21-20: 214 E. Cherokee Ave. Applicant: David Holt  
Variance to allow a covered patio to encroach into the front yard building setback.**

Mr. Hardegree stated that all adjacent property owners had been notified and the property had been properly posted and advertised. Continuing, Mr. Hardegree stated this variance was to approve an already constructed patio cover that encroaches into the required 10-foot setback. The request was to reduce the setback from ten feet to zero feet. In closing, Mr. Hardegree reviewed department comments and stated no public comments were received.

Public hearing opened.

David Holt, 218 West Ave., came forward to represent the application and stated that all department comments had already been addressed.

With no questions from the Board and no one else to come forward to speak for or against the variance application, the public hearing was closed.

Board Member Hudson made a motion to approve V21-20. Board Member Murphy seconded the motion. Motion carried unanimously. Vote: 4-0

**4. V21-21: 4 S. Tennessee St. Applicant: David Holt  
Variance to allow a covered patio to encroach into the front yard building setback.**

Mr. Hardegree stated that all adjacent property owners had been notified and the property had been properly posted and advertised. Continuing, Mr. Hardegree stated this variance was to approve a patio cover that would encroach into the required 10-foot setback. The request was to reduce the ten foot setback to zero feet. In closing, Mr. Hardegree reviewed department comments and stated no public comments were received.

Public hearing opened.



Mr. Holt came forward, once again, to represent the application and stated that he will address all of the department comments and will adhere to all requests.

Public hearing closed.

Board Member Murphy made a motion to approve V21-21. Board Member Brunt seconded the motion. Motion carried unanimously. Vote: 4-0

**STAFF OR COMMITTEE COMMENTS**

**5. 2022 Meeting Dates**

Mr. Hardegree stated that due to Municipal Court moving into City Hall on September 13, 2021, and court proceedings taking place at 3:00 P.M. on Mondays, the potential for conflict with the Board of Zoning Appeals meeting could become an issue if court cases are not completed by 5:30 P.M. In an effort to avoid any potential conflict of schedules, it was requested that the Board of Zoning Appeals look at other option for potential meeting times. Said change would not take place until January 2022.

Some options presented to the Board by Mr. Hardegree were:

- Second Thursday of the month at 5:30 P.M.
- Any Wednesday evening at 5:30 P.M.
- During normal business hours

After a brief discussion, all Board Members agreed unanimously that the second Thursday of the month would work best.

Board Member Brunt made a motion to change the Board of Zoning Appeals Meeting to the second Thursday of the month at 5:30 P.M. beginning January 2022. Board Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

With no other business to discuss, Board Member Murphy made a motion to adjourn at 6:00 P.M.

\_\_\_\_\_  
Date Approved

/s/ \_\_\_\_\_  
Chair



## BOARD OF ZONING APPEALS ITEM SUMMARY

|   |   |
|---|---|
| <b>MEETING DATE:</b>                      | November 22nd, 2021   |
| <b>SUBCATEGORY:</b>                       | Variance  |
| <b>DEPARTMENT NAME:</b>                   | Planning and Development  |
| <b>AGENDA ITEM TITLE:</b>                 | V21-01. 2337 Hwy 411. Applicant: Richard O. Flournoy, Jr.   |
| <b>DEPARTMENT SUMMARY RECOMMENDATION:</b> | To allow a chain link fence in the front yard of a commercial property.<br><br>Staff does not oppose the request. |
| <b>LEGAL:</b>                             | N/A   |



# City of Cartersville

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## PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120  
 Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

## MEMO

**To:** BZA  
**From:** Randy Mannino/David Hardegree  
**CC:** Keith Lovell  
**Date:** November 15, 2021  
**Re:** File # V21-01

**Summary: To allow a chain link fence in the front yard of a commercial corner lot.**

### **Section 1: Project Summary**

Variance application by Richard O. Flournoy, Jr. representing Flournoy Holdings, LLC (new owner) for property located at 2337 Hwy 411, zoned G-C, General Commercial. Said property contains approximately 3.75 acres. The previous owner was Barjinder Singh. This application was tabled at the request of Mr. Singh & Mr. Flournoy at the July 12<sup>th</sup> meeting. The property sale occurred on 6/30/21 per the tax records.

In 2020, Mr. Singh installed a chain link fence in the front yard of this lot adjacent to Hwy 411. The fence turns to the northwest, across the entrance drive and encloses the slab of the previous restaurant site. A gate was installed at the driveway, and had been hit and damaged by trucks. The new owner has repaired the fence and secured the property. Fortiline Waterworks, the business operating on the property to the north, is planning to expand onto this property

Site plans will be needed for the expansion.

By ordinance, a chain link fence in front yards requires BZA review and approval.

### **The variance requests are for the following:**

1. To allow a chain link fence in the front yard of a commercial corner lot.

### **Section 2. Department Comments (Previous comments)**

**Electric Department:** Takes No Exception.

**Fibercom:** No comments received.

**Fire Department:** Takes No exception.

**Gas Department:** Takes No Exception.

**Public Works Department:** No comments received.

**Water Department:** No comments received.

### **Section 3. Public Comments Received by Staff**

None.

### **Section 4. Variance Justification:**

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

#### **Sec. 4.16. Fences and walls.**

A. In all zoning districts:

1. No fence or wall shall constitute an obstruction to the vision for or create a hazard to vehicular traffic.
2. No fence or wall, including retaining walls, shall be constructed of exposed concrete block, tires, junk or other discarded materials.
3. The fencing standards as stated in this section shall not apply to fencing for detention ponds.
4. The wall standards as stated in this section shall not apply to retaining walls approved by the plan review process for planned developments.

B. In all residential and commercial zoning districts:

1. Any fence or wall which extends into the front yard shall be ornamental or decorative, and shall not be opaque. Any such fence or wall may be constructed of brick, stone, wood, wrought iron, split rail, or other decorative material as approved by the zoning administrator.
2. Fences and walls shall not exceed four (4) feet in height in a front yard and shall not exceed eight (8) feet in height in a side or rear yard.
3. Chain-link fencing material may be used in the front yard with prior approval of a variance by the board of zoning appeals. No variance is required if chain link fencing material is used in a side or rear yard.
4. For a corner lot or double frontage lot, a screening or opaque fence may be installed to the rear of the principal structure at a maximum of eight (8) feet in height provided that the fence shall be located behind the required front yard setback and shall not be located adjacent to or abutting a collector or arterial street.
5. Razor wire (ribbon) shall be prohibited.

C. In all industrial zoning districts:

1. Fences or walls shall not exceed (8) feet in height in front, side and rear yards.  
(Ord. No. 20-21, § 1, 4-1-2021)

### **Sec. 21.3. - Powers and duties of the board of zoning appeals.**

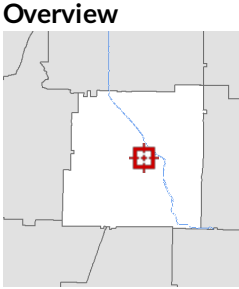
The board of zoning appeals shall have the following powers and duties:

- 21.3.1. *Appeals.* To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this chapter. Appeals to the board of appeals may be taken by any person aggrieved or by any officer, department, board, or agency of the City of Cartersville affected by any decision of the zoning administrator. Such appeal shall be taken within thirty (30) days of said decision by filing with the zoning administrator a written notice of appeal specifying the grounds thereof. Decisions on appeals shall be issued in writing within ten (10) business days of the hearing on the appeal.
- 21.3.2. *Continuance of a nonconforming use.* The board of zoning appeals may allow a nonconforming use to be reestablished after discontinuance for twelve (12) consecutive months. The procedure for the request shall be the same as if it was a variance. If it is deemed by the board of zoning appeals that one (1) or more of the following apply, the board may grant said request.
  - A. The design, construction, and character of the building is not suitable for uses permitted in the district in which the nonconforming use is situated; and
  - B. Undue hardships to the property owner would result in not allowing the building to be reopened for a nonconforming use; and
  - C. Adjacent property would not be unduly damaged by such use of the building; and
  - D. The use is to be identical or similar to the prior nonconforming use of the building.
- 21.3.3. *Variations.* The board of appeals has the power to hear requests for variances from the provisions of this chapter. Variance may be granted only if the board finds all of the following to exist:
  - A. That one (1) of the following is true, through no action or fault of the property owner or predecessor:
    1. The property is exceptionally narrow, shallow or unusually shaped;
    2. The property contains exceptional topographic conditions;
    3. The property contains other extraordinary or exceptional conditions; or
    4. There are existing other extraordinary or exceptional circumstances; and
  - B. That the strict application of the requirements of this chapter would result in practical difficulties to, or undue hardship upon, the owner of this property; and
  - C. That the requested variance relief may be granted without substantially impairing the intent and purpose of this chapter.

Variance decisions shall be issued in writing within ten (10) business days of the hearing.

- 21.3.4. *Conditions.* In granting a variance, the board of appeals may attach such conditions regarding the location, character and other features of the proposed building, structure, property, development standards or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured and substantial justice done.
- 21.3.5. *Limitations on variances; improper variance requests.* Variances cannot be given to totally remove a requirement or to exempt a property or applicant entirely from a requirement. If a variance is being sought that is, in the judgment of the zoning administrator, a request that would constitute a text amendment, then the application shall not be accepted. The applicant shall instead be directed to file for a text amendment. Furthermore, the board of appeals shall not be authorized to grant a density variance or a use variance to permit a use in a district in which the use is prohibited. A variance application shall not be accepted if the variance seeks something that cannot be varied. A variance application shall not be accepted if the variance is contradictory to the ordinance.
- 21.3.6. *Self-inflicted hardship.* The board shall not grant variances when the hardship was created by the property owner or his predecessor, and shall not grant hardship variances based on shape or topography for lots of record not existing prior to November 7, 1996. Configuring a subdivision to create lots that are difficult to build is an example of a hardship created by the property owner or predecessor, that does not justify a variance.

Sections 21.3.7, *Place of worship*, and 21.3.8, *Group homes*, omitted. *Not applicable.*



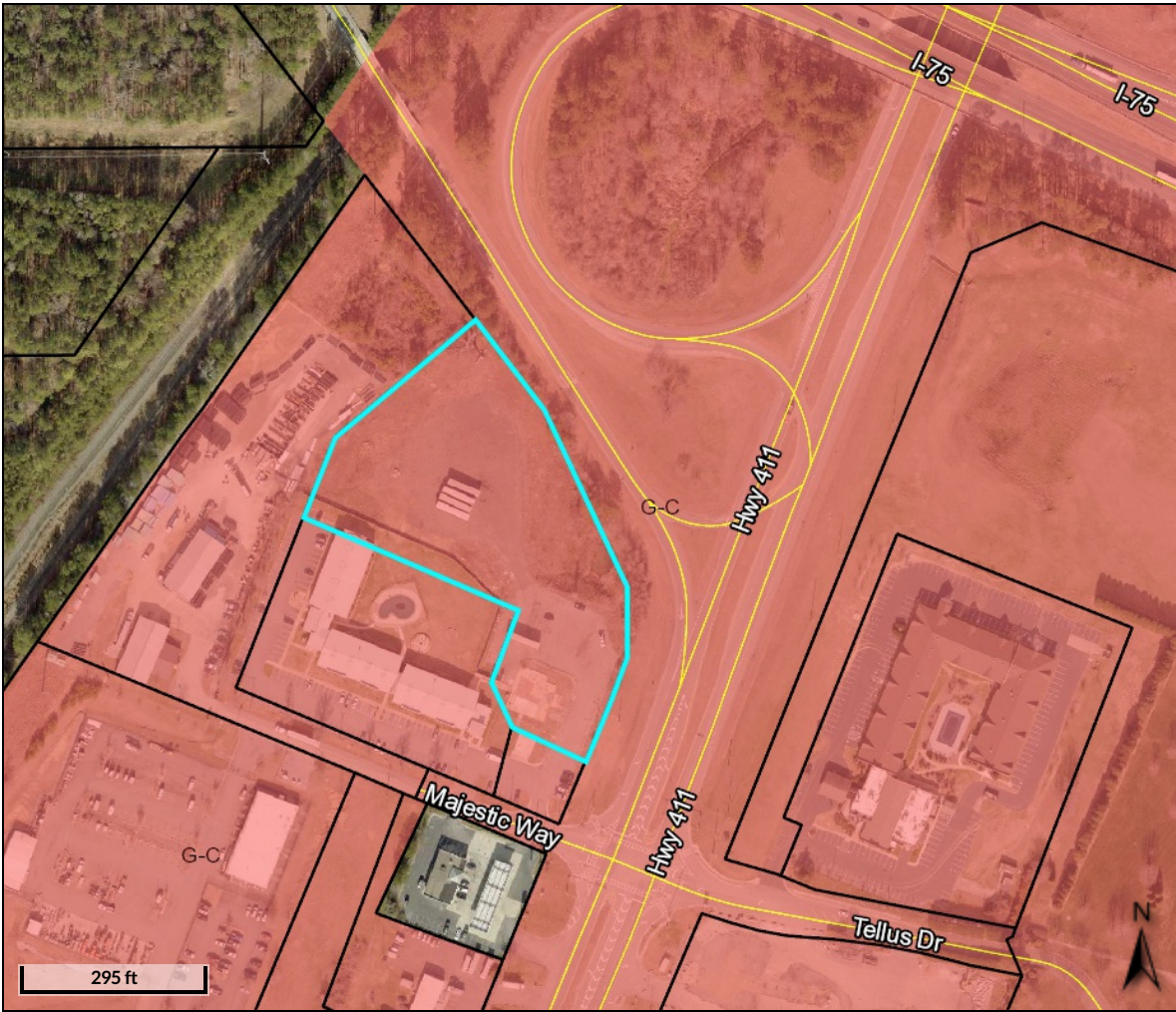
**Legend**  
 □ Parcels  
 — Roads

|                              |  |                     |            |                      |                        |
|------------------------------|--|---------------------|------------|----------------------|------------------------|
| <b>Parcel ID</b>             | C049-0004-007                                    | <b>Alternate ID</b> | 36461      | <b>Owner Address</b> | FLOURNOY HOLDINGS LLC  |
| <b>Sec/Twp/Rng</b>           | n/a  | <b>Class</b>        | Commercial |                      | PO BOX 2737            |
| <b>Property Address</b>      | 2337 HWY 411                                     | <b>Acreeage</b>     | 3.75       |                      | CARTERSVILLE, GA 30121 |
| <b>District</b>              | Cartersville                                     |                     |            |                      |                        |
| <b>Brief Tax Description</b> | LL 238 239 D5 TR 1 PLAT 59-283                   |                     |            |                      |                        |
|                              | <i>(Note: Not to be used on legal documents)</i> |                     |            |                      |                        |

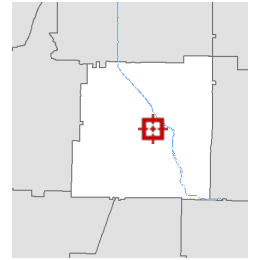
Date created: 11/15/2021  
 Last Data Uploaded: 11/12/2021 9:51:12 PM

Developed by 





Overview



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\*
- RSL

Property Address 2337 HWY 411      Acreage 3.75  
 District Cartersville  
 Brief Tax Description LL 238 239 D5 TR 1 PLAT 59-283  
 (Note: Not to be used on legal documents)

Date created: 11/15/2021  
 Last Data Uploaded: 11/12/2021 9:51:12 PM

Developed by Schneider  
 GEOSPATIAL

Parcel ID C049-0004-007  
 Sec/Twp/Rng n/a

Alternate ID 36461  
 Class Commercial

Owner Address FLOURNOY HOLDINGS LLC  
 PO BOX 2737  
 CARTERSVILLE, GA 30121



City of Cartersville  
Application for Variance  
Board of Zoning Appeals

Hearing Date: 10/18/2021

5:30pm

Application Number: V21-01

Date Received: \_\_\_\_\_

Applicant Richard O. Flournoy, Jr. Office Phone 770-475-3006 x 103  
(printed name)

Address 2337 Hwy 411 NE Mobile/ Other Phone 770-815-8599

City Cartersville State GA Zip 30121 Email richard@flournoyholdings.com

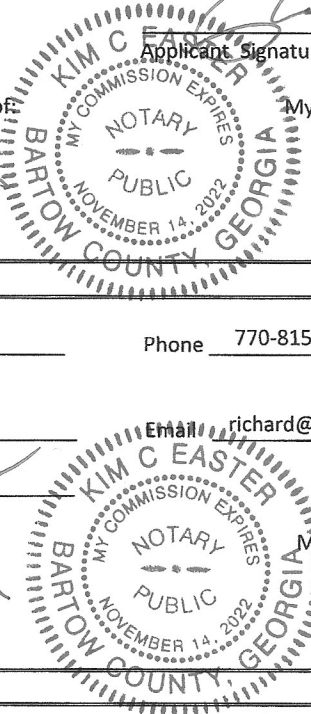
Todd Jenkins Phone (Rep) 404-227-6468  
 Representative's printed name (if other than applicant)

Email (Rep) todd.jenkins@fortiline.com

[Signature] Representative Signature [Signature] Applicant Signature

Signed, sealed and delivered in presence of [Signature] My commission expires: 11/14/22

[Signature] Notary Public



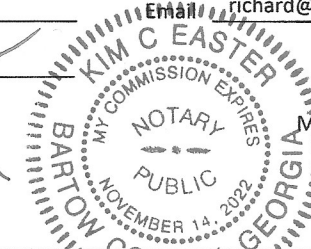
\* Titleholder Flournoy Holdings, Llc. Phone 770-815-8599  
(titleholder's printed name)

Address 175 Pine Grove Rd., Ste 125 Email richard@flournoyholdings.com

Signature [Signature]

Signed, sealed, delivered in presence of [Signature] My commission expires: 11/14/22

[Signature] Notary Public



Present Zoning District General Commercial

Acreage 3.75 ac Land Lot(s) 238,239 District(s) 5th Section(s) 3rd

Location of Property: 2337 Hwy 411 Cartersville, GA 30121  
(street address, nearest intersections, etc.)

Zoning Section(s) for which a variance is being requested: Sec. 4.16, Fences & Walls

Summary Description of Variance Request: Fence Approval - Pipe Yard

(Additional detail can be provided on Justification Letter)

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

City of Cartersville  
Application for Variance  
Board of Zoning Appeals

Hearing Date: 2/15/2021 5:30pm

Application Number: VZ1-01  
Date Received: 12/22/2020

Applicant BARJINDER SINGH Office Phone 470-510-6214  
 (printed name)  
 Address 2337 Hwy 411 NE Mobile/ Other Phone 209-219-9549  
 City CARTERSVILLE State GA Zip 30121 Email HARJEET JAP @ GMAIL . Com  
 Representative's printed name (if other than applicant) \_\_\_\_\_  
 Phone (Rep) \_\_\_\_\_  
 Email (Rep) BOB @ HARJAS FREIGHT . Com  
 Representative Signature \_\_\_\_\_ Applicant Signature Barjinder Singh  
 Signed, sealed and delivered in presence of: \_\_\_\_\_ My commission expires: 11/30/2021  
 Notary Public \_\_\_\_\_

\* Titleholder \_\_\_\_\_ Phone \_\_\_\_\_  
 (titleholder's printed name)  
 Address \_\_\_\_\_ Email \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Signed, sealed, delivered in presence of: \_\_\_\_\_ My commission expires: \_\_\_\_\_  
 Notary Public \_\_\_\_\_

Present Zoning District General Commercial  
 Acreage 3.75 AC Land Lot(s) 238, 239 District(s) 5<sup>th</sup> Section(s) 3<sup>rd</sup>  
 Location of Property: 2337 Hwy 411 CARTERSVILLE GA 30121  
 (street address, nearest intersections, etc.)  
 Zoning Section(s) for which a variance is being requested: SEC 4.16, FENCES & WALLS  
 Summary Description of Variance Request: FENCE APPROVAL - TRUCK PARKING  
FRONT YARD CEILING LINK & HEIGHT (OVER 4')  
 (Additional detail can be provided on Justification Letter)

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

**CITY OF CARTERSVILLE**  
**Application for Variance**  
**Board of Zoning Appeals**

Date Received: \_\_\_\_\_

Applicant \_\_\_\_\_  
(printed name)

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Representative's printed name (if other than appli \_\_\_\_\_  
Email (Rep) \_\_\_\_\_

Representative Signature \_\_\_\_\_ Applicant Signature \_\_\_\_\_

Signed, sealed and delivered in presence of: \_\_\_\_\_ My commission expires: \_\_\_\_\_

Notary Public \_\_\_\_\_

2337  
Hwy 411  
Jays Trucking

\* Titleholder BARINDER SINGH  
(titleholder's printed name) Phone 470-510-6214

Address 19 AUTUMN WOOD DR Email BARINDER@GMAIL.COM

Signature \_\_\_\_\_  
Signed, sealed, delivered in presence of: \_\_\_\_\_  
My commission expires: 11/30/2021

Notary Public \_\_\_\_\_



Present Zoning District \_\_\_\_\_

Acreage \_\_\_\_\_ Land Lot(s) \_\_\_\_\_ District(s) \_\_\_\_\_ Section(s) \_\_\_\_\_

Location of Property: \_\_\_\_\_  
(street address, nearest intersections, etc.)

Zoning Section(s) for which a variance is being requested: \_\_\_\_\_

Summary Description of Variance Request: \_\_\_\_\_

(Additional detail can be provided on Justification Letter)

### CONDITIONS VERIFICATION

List the Article(s), Section(s) and Subsection(s) of the Zoning Ordinance for which a variance is requested.

Article IV Section 4-16 Subsection \_\_\_\_\_  
 Article \_\_\_\_\_ Section \_\_\_\_\_ Subsection \_\_\_\_\_  
 Article \_\_\_\_\_ Section \_\_\_\_\_ Subsection \_\_\_\_\_

The Board of Zoning Appeals was established to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of the zoning ordinance. The Board has the power to hear requests for variances from the provisions of the zoning ordinance, Article XXI APPEALS. See Section 21.3 for additional information pertaining to conditions.

To assist staff and the Board of Zoning Appeals in the analysis of the variance application, please check all of the following conditions that apply to your variance request:

- 1.  The property is exceptionally narrow, shallow or unusually shaped,
- 2.  The property contains exceptional topographic conditions,
- 3.  The property contains other extraordinary or exceptional conditions; and
- 4.  There are other existing extraordinary or exceptional circumstances; and
- 5.  The strict application of the requirements of this ordinance would result in practical difficulties to, or undue hardship upon, the owner of this property;
- 6.  The requested variance relief may be granted without substantially impairing the intent and purpose of this ordinance

Additional Comments by Applicant: JAYS TRUCK PARKING  
REQUEST FOR CHAIN LINK FENCE APPROVAL  
BEST KIND OF FENCE FOR THE PROPERTY AND COMMUNITY  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date: 12/12/2020

Ref: 2337 US 411  
Cartersville, Ga 30121  
Harjas Freight INC DBA Jay's Truck Parking

Detailed Letter of Explanation and Justification for the Property Fencing

A commercial grade chain link fence was installed by Bartow Fence in September, 2020.

The applicant is proposing to use the property as the location for truck parking. The condition that the applicant currently keeps its facility in further attests to this use and compatibility of surrounding businesses.

Additionally, this location is currently functioning in a manner that is fully compatible with surrounding commercial businesses. Please reference the application with pictures of surrounding businesses with similar fencing. This compliments the property's lot not only for protection but for safety.

Finally, even though the Applicant's proposed use is entirely consistent with surrounding and future zoning classifications, the applicant has additionally put a large amount of effort into limiting any impact the proposed use may have on the community and surrounding businesses.

The applicant also asked for and incorporated the input from surrounding business owners in regards to the landscaping and fencing materials used. Additionally, the Applicant is investing more money than necessary in order to make the parking lot more aesthetically pleasing than one would normally see in a commercial setting.



Images taken 10-27-21







Image taken 10-27-21



Image taken 10-27-21





Damaged Fence. Image taken 2-25-21



Chain link fence connects to privacy fence behind hotel. Image taken 2-25-21





## BOARD OF ZONING APPEALS ITEM SUMMARY

|   |   |
|---|---|
| <b>MEETING DATE:</b>                      | November 22nd, 2021   |
| <b>SUBCATEGORY:</b>                       | Variance  |
| <b>DEPARTMENT NAME:</b>                   | Planning and Development  |
| <b>AGENDA ITEM TITLE:</b>                 | V21-23. 4 Hillshire Ct. Applicant: Justin Cooper  |
| <b>DEPARTMENT SUMMARY RECOMMENDATION:</b> | To allow a privacy fence and accessory structure (storage shed) in the front yard of a double frontage lot. |
| <b>LEGAL:</b>                             | N/A   |



# City of Cartersville

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PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120  
 Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

## MEMO

To: BZA  
 From: Randy Mannino/David Hardegree/Caitly Chandler  
 CC: Keith Lovell  
 Date: November 21, 2021  
 Re: File # V21-23

**Summary: To allow a privacy fence and a shed in the front yard of a multi-frontage lot.**

### **Section 1: Project Summary**

Variance application by owner/applicant Justin Cooper for property located at 4 Hillshire Court, zoned R-20, Residential. Setbacks are Front- 20ft and Side- 10ft. Said property contains approximately 0.46 acres. The lot is a multi-frontage lot with road frontages along Hillshire Court and Old Mill Road.

The applicant proposes to build a privacy fence to the rear of the house along the Old Mill Road right-of-way. The zoning ordinance requires privacy fences to be installed behind the front yard setback. Additionally, there is a utility easement on this property, along Old Mill Road. Any fence would have to be installed at least 10 feet from the property line to avoid this easement. The fence is planned to be installed 10 feet off the property line along Old Mill Road and on the property line along the side yards. This fence would encroach approximately 10 feet into the front yard setback that abuts Old Mill Road.

A shed was placed to the rear of the house, in the front yard setback that abuts Old Mill Road. By ordinance, a shed (accessory structure) is to be located in a side yard or rear yard. This shed was placed at least 5 feet from the side property line and at least 10 feet from the property line that abuts Old Mill Road. This shed was placed in a front yard and it encroaches 10 feet into the front yard setback along Old Mill Road.

**The variance requests are for the following and per the submitted site plan sketch:**

1. To allow a 6ft. privacy fence to encroach into the front yard setback of a multi-frontage lot; and
2. To allow a shed in the front yard (rear of house) of a multi-frontage lot.

## **Section 2. Department Comments**

**Electric Department:** Takes no exception.

**Fibercom:** Takes No exception.

**Fire Department:** No comments received.

**Gas Department:** In response to the following request, the Gas System owns and operates an existing 6” HP steel natural gas main within an easement located behind the right-of-way of Old Mill Road. The Gas System takes no exception to the request provided the proposed fence and the shed do not encroach within the existing easement and do not impede access to the existing natural facility. Also, an existing natural gas service and meter is located on the southeastern side of the house and the driveway. The Gas System takes no exception to the request provided further the proposed fence and the shed do not impede access to the existing natural gas service and meter facilities. Should the applicant have any questions, please refer the applicant to this office.

**Public Works Department:** It appears the back of the lot near Old Mill has a utility easement. The fence or building could not go in this easement.

**Water Department:** No comments received.

## **Section 3. Public Comments Received by Staff**

A neighbor, Lanny Heilman, contacted the Planning & Development office on October 28, 2021. He expressed his opposition to variance for the fence and shed.

On November 16<sup>th</sup>, 2021 the Planning & Development Department received a letter from neighbors Lanny Heilman and Everett Willis. This letter stated that they are in opposition to variance because the fence and shed will cause a “negative visual impact”.

## **Section 4. Variance Justification:**

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

### **Sec. 4.9. Accessory uses, buildings or structures.**

Accessory uses, buildings, or structures on residential lots shall be located within a rear yard only and be a minimum of five (5) feet from all property lines which do not abut a street right-of-way. A detached garage or carport may be allowed in a side yard of a residential lot and, if so placed, shall comply with the side yard setback requirements of the district. In the case of a residential corner lot, in which a lot abuts or adjoins the intersection of two (2) or more streets

other than an alley, an accessory structure may be allowed in a side yard and, if so placed, shall comply with the side yard setback requirements of the district.

Accessory uses, buildings, or structures on nonresidential lots shall not be allowed in the front yard and must comply with side and rear yard requirements established for the zoning district in which such accessory buildings or uses are located. The following accessory uses, buildings, or structures on nonresidential lots may be allowed in a front yard of a nonresidential lot and, if so placed, shall comply with the front yard setback requirements of the district: ATMs (automated teller machines) and service stations.

All accessory uses, buildings, or structures in all zoning districts shall be subordinate to the principal structure. An accessory building's floor area shall be no larger than fifty (50) percent of the principal structure floor area. Accessory structures shall not exceed the height of the most prevalent roof top of the principal building on the property.

Outdoor play structures or play sets in commercial districts, commonly associated with fast-food eating establishments, shall be located in a side or rear yard only and shall comply with the required yard setbacks of the district.

All site plans for multifamily, commercial, and industrial buildings shall include a solid waste container pad that has easy and safe access for a front-end loader. Solid waste containers shall be screened from all streets and adjoining properties with a solid, opaque fence or wall which shall be a minimum of six (6) inches taller than the container.

An amenity, as defined by this chapter, shall not be considered an accessory structure.

#### **Sec. 4.16. - Fences and walls.**

##### **A. In all zoning districts:**

1. No fence or wall shall constitute an obstruction to the vision for or create a hazard to vehicular traffic.
2. No fence or wall, including retaining walls, shall be constructed of exposed concrete block, tires, junk or other discarded materials.
3. The fencing standards as stated in this section shall not apply to fencing for detention ponds.
4. The wall standards as stated in this section shall not apply to retaining walls approved by the plan review process for planned developments.

##### **B. In all residential and commercial zoning districts:**

1. Any fence or wall which extends into the front yard shall be ornamental or decorative, and shall not be opaque. Any such fence or wall may be constructed of brick, stone, wood, wrought iron, split rail, or other decorative material as approved by the zoning administrator.
2. Fences and walls shall not exceed four (4) feet in height in a front yard and shall not exceed eight (8) feet in height in a side or rear yard.

3. Chain-link fencing material may be used in the front yard with prior approval of a variance by the board of zoning appeals. No variance is required if chain link fencing material is used in a side or rear yard.
4. For a corner lot or double frontage lot, a screening or opaque fence may be installed to the rear of the principal structure at a maximum of eight (8) feet in height provided that the fence shall be located behind the required front yard setback and shall not be located adjacent to or abutting a collector or arterial street.
5. Razor wire (ribbon) shall be prohibited.

C. In all industrial zoning districts:

Fences or walls shall not exceed (8) feet in height in front, side and rear yards

**Sec. 21.3. - Powers and duties of the board of zoning appeals.**

The board of zoning appeals shall have the following powers and duties:

- 21.3.1. *Appeals.* To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this chapter. Appeals to the board of appeals may be taken by any person aggrieved or by any officer, department, board, or agency of the City of Cartersville affected by any decision of the zoning administrator. Such appeal shall be taken within thirty (30) days of said decision by filing with the zoning administrator a written notice of appeal specifying the grounds thereof. Decisions on appeals shall be issued in writing within ten (10) business days of the hearing on the appeal.
- 21.3.2. *Continuance of a nonconforming use.* The board of zoning appeals may allow a nonconforming use to be reestablished after discontinuance for twelve (12) consecutive months. The procedure for the request shall be the same as if it was a variance. If it is deemed by the board of zoning appeals that one (1) or more of the following apply, the board may grant said request.
  - A. The design, construction, and character of the building is not suitable for uses permitted in the district in which the nonconforming use is situated; and
  - B. Undue hardships to the property owner would result in not allowing the building to be reopened for a nonconforming use; and
  - C. Adjacent property would not be unduly damaged by such use of the building; and
  - D. The use is to be identical or similar to the prior nonconforming use of the building.
- 21.3.3. *Variances.* The board of appeals has the power to hear requests for variances from the provisions of this chapter. Variance may be granted only if the board finds all of the following to exist:
  - A. That one (1) of the following is true, through no action or fault of the property owner or predecessor:
    1. The property is exceptionally narrow, shallow or unusually shaped;

2. The property contains exceptional topographic conditions;
  3. The property contains other extraordinary or exceptional conditions; or
  4. There are existing other extraordinary or exceptional circumstances; and
- B. That the strict application of the requirements of this chapter would result in practical difficulties to, or undue hardship upon, the owner of this property; and
- C. That the requested variance relief may be granted without substantially impairing the intent and purpose of this chapter.

Variance decisions shall be issued in writing within ten (10) business days of the hearing.

21.3.4. *Conditions.* In granting a variance, the board of appeals may attach such conditions regarding the location, character and other features of the proposed building, structure, property, development standards or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured and substantial justice done.

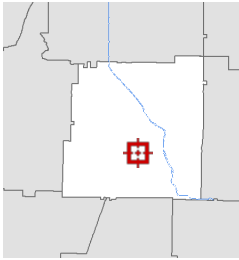
21.3.5. *Limitations on variances; improper variance requests.* Variances cannot be given to totally remove a requirement or to exempt a property or applicant entirely from a requirement. If a variance is being sought that is, in the judgment of the zoning administrator, a request that would constitute a text amendment, then the application shall not be accepted. The applicant shall instead be directed to file for a text amendment. Furthermore, the board of appeals shall not be authorized to grant a density variance or a use variance to permit a use in a district in which the use is prohibited. A variance application shall not be accepted if the variance seeks something that cannot be varied. A variance application shall not be accepted if the variance is contradictory to the ordinance.

21.3.6. *Self-inflicted hardship.* The board shall not grant variances when the hardship was created by the property owner or his predecessor, and shall not grant hardship variances based on shape or topography for lots of record not existing prior to November 7, 1996. Configuring a subdivision to create lots that are difficult to build is an example of a hardship created by the property owner or predecessor, that does not justify a variance.

Sections 21.3.7, *Place of worship*, and 21.3.8, *Group homes*, omitted. *Not applicable.*



Overview



Legend

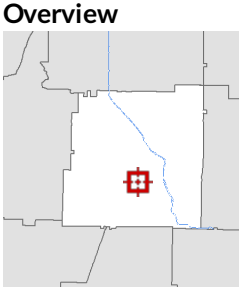
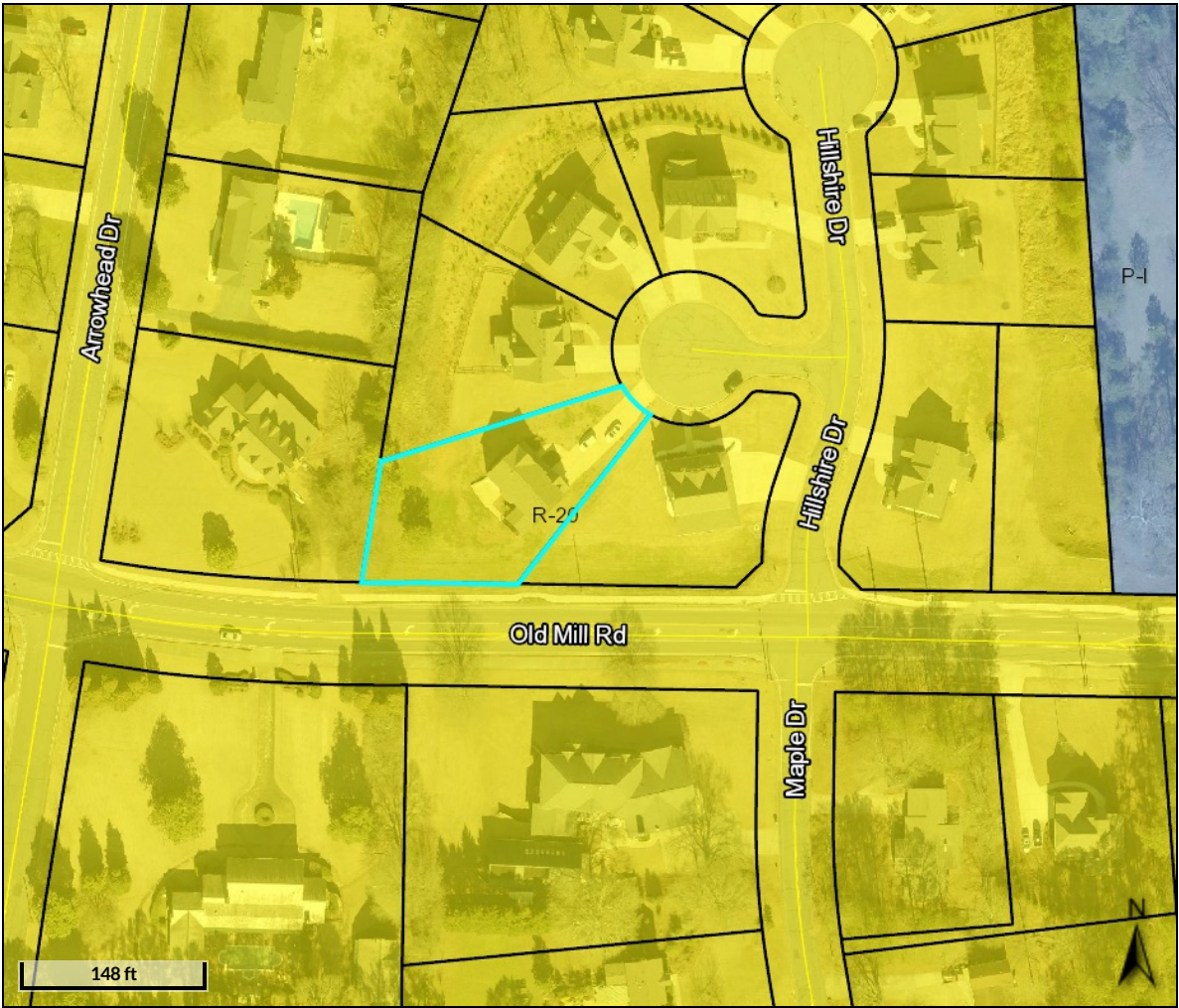
- Parcels
- Roads

|                              |   |                     |             |                      |                           |
|------------------------------|---|---------------------|-------------|----------------------|---------------------------|
| <b>Parcel ID</b>             | C020-0014-011                             | <b>Alternate ID</b> | 43717       | <b>Owner Address</b> | COOPER JUSTIN TRAVARAS SR |
| <b>Sec/Twp/Rng</b>           | n/a                                       | <b>Class</b>        | Residential |                      | 4 HILLSHIRE COURT         |
| <b>Property Address</b>      | 4 HILLSHIRE COURT                         | <b>Acreage</b>      | 0.46        |                      | CARTERSVILLE, GA 30120    |
| <b>District</b>              | Cartersville                              |                     |             |                      |                           |
| <b>Brief Tax Description</b> | LOT 11 HILLSHIRE LL 628 D 4 PB 66 PG 184  |                     |             |                      |                           |
|                              | (Note: Not to be used on legal documents) |                     |             |                      |                           |

Date created: 10/18/2021  
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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\*
  - RSL

Parcel ID C020-0014-011  
 Sec/Twp/Rng n/a

Alternate ID 43717  
 Class Residential

Owner Address COOPER JUSTIN TRAVARAS SR  
 4 HILLSHIRE COURT



**Property Address** 4 HILLSHIRE COURT      **Acreage** 0.46  
**District** Cartersville  
**Brief Tax Description** LOT 11 HILLSHIRE LL 628 D 4 PB 66 PG 184  
*(Note: Not to be used on legal documents)*

CARTERSVILLE, GA 30120

Item 3.

Date created: 11/17/2021  
Last Data Uploaded: 11/16/2021 10:18:48 PM

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GEO SPATIAL

City of Cartersville  
Application for Variance  
Board of Zoning Appeals

Hearing Date: 11/22/21 5:30pm

Application Number: V21-23

Date Received: 9/21/21

Applicant Justin Cooper Office Phone 312-213-3363  
(printed name)  
 Address 4 Hillshire Ct. Mobile/ Other Phone 470-529-8829  
 City Cartersville State GA Zip 30120 Email COOPDville21@yahoo.com

Representative's printed name (if other than applicant) \_\_\_\_\_ Phone (Rep) \_\_\_\_\_  
 Email (Rep) \_\_\_\_\_

Representative Signature \_\_\_\_\_ Applicant Signature [Signature]

Signed, sealed and delivered in presence of: \_\_\_\_\_ My commission expires: \_\_\_\_\_  
[Signature] Notary Public 

\* Titleholder Justin Cooper Phone 470-529-8829  
(titleholder's printed name)  
 Address 4 Hillshire Ct. Email COOPDville21@yahoo.com  
 Signature [Signature]

Signed, sealed, delivered in presence of: \_\_\_\_\_ My commission expires: \_\_\_\_\_  
[Signature] Notary Public 

Present Zoning District R-20  
 Acreage 0.46 Land Lot(s) 628 District(s) 4 Section(s) 3  
 Location of Property: 4 Hillshire Ct.  
(street address, nearest intersections, etc.)  
 Zoning Section(s) for which a variance is being requested: \_\_\_\_\_  
 Summary Description of Variance Request: \_\_\_\_\_  
 \_\_\_\_\_  
 (Additional detail can be provided on Justification Letter)

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

September 19, 2021

Justin Cooper

4 Hillshire Ct.

Cartersville, GA. 30120

(470) 529-8829

To whom it may concern,

I am reaching out on behalf of my family and myself, about the shed and fence on 4 Hillshire ct. Cartersville GA. The reason I am writing is to get a variance on the shed we had built and on getting a privacy fence built. We were told to file for a variance on the shed that we use for storage for lawn equipment. The lawn equipment is use to maintain of the property in regulation of HOA and city codes. The reason for privacy fence is for my support dog(German Shepard)(Chicoletta), being a military veteran she is a important part to me. She helps with my health and PTSD. The fence would help her to be stress free. The people passing by with/without their pets sends her in to panic mode. With the road being right next the the house with out a proper size fence she could jump the fence. Also with the main road being right the it's hard for the kids to enjoy the yard. With a total 9 kids and grandson they need room in the yard to play without the fear of being hit by the constant traffic or even being kidnapped because of no privacy fence in place. I hope that we can resolve this matter in a timely matter if any questions please call me at the number above.

Sincerely yours,

Justin Cooper



# G SOUTHLAND ENGINEERING

324 NORTH HENDERSON STREET, CARLETSVILLE, GA 30120  
 PHONE: 770.507.9444 FAX: 770.507.9151

**FINAL PLAT FOR:**  
**HILLSHIRE**  
 LOCATED IN LAND LOT 628,  
 4th DISTRICT, 3rd SECTION,  
 CITY OF CARLETSVILLE, BARLOW COUNTY, GEORGIA

**\*\* FLOOD STATEMENT \*\***  
 THE FLOOD FLOOD INSURANCE RATE MAP FOR THE REFERENCE PARCEL IS NOT AN AEA, BECAUSE THE PARCEL IS NOT A PARCEL OF LAND WITH A DEDICATED USE OR USES. SEE FLOOD INSURANCE RATE MAP, 15025 C 0086 F, EFFECTIVE FEBRUARY 28, 1989.

DATE: APRIL 16, 2007 REC: 6/25/10 JOB NO: 10074  
 P 25 50 100 150  
 SCALE: 1" = 50' GRAPHIC SCALE

**OWNER'S CERTIFICATE**  
 THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SHOWN HEREON HAS BEEN ADVISED BY AN AUTHORIZED AGENT, CERTIFIED THAT THIS PLAT WAS MADE FROM A SURVEY THAT ALL STATE, CITY AND COUNTY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID AND THAT ALL WATER STRIKES, DRAINAGE AND DRAINAGE DITCHES ARE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PUBLIC FOREVER.

**OWNER'S CERTIFICATE**  
 THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SHOWN HEREON HAS BEEN ADVISED BY AN AUTHORIZED AGENT, CERTIFIED THAT THIS PLAT WAS MADE FROM A SURVEY THAT ALL STATE, CITY AND COUNTY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID AND THAT ALL WATER STRIKES, DRAINAGE AND DRAINAGE DITCHES ARE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PUBLIC FOREVER.

**SURVEYOR'S CERTIFICATE**  
 IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION, THAT ALL MEASUREMENTS AND CALCULATIONS WERE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PUBLIC FOREVER, AND THAT ALL REQUIREMENTS OF THE DEPARTMENT AND ZONING REGULATIONS HAVE BEEN FULLY COMPLIED WITH.

**COVENANTS AND RESTRICTIONS**  
 THIS PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE SEPARATE DOCUMENT WHICH HEREBY BECOME PART OF THIS PLAT AND WHICH WERE RECORDED IN PLAT BOOK PAGE \_\_\_\_\_

**CITY OF CARLETSVILLE CERTIFICATE**  
 IN ACCORDANCE TO THE CITY OF CARLETSVILLE ZONING REGULATIONS AND THE CITY'S ZONING ORDINANCE, THIS PLAT HAS BEEN REVIEWED AND APPROVED BY THE CITY ENGINEER AS BEING IN ACCORDANCE WITH THE CITY OF CARLETSVILLE ZONING REGULATIONS.

DATE: 6/25/10  
 DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

| CHAINS | ARC LENGTH | BEARING | CHORD        | DIRECTION | CHORD  |
|--------|------------|---------|--------------|-----------|--------|
| C1     | 101.90     | 120.00  | 318.0000 W   |           | 101.90 |
| C2     | 16.62      | 289.00  | 56.0000 W    |           | 16.62  |
| C3     | 7.82       | 8.00    | 52.0000 W    |           | 7.82   |
| C4     | 6.91       | 60.00   | 51.0000 W    |           | 6.91   |
| C5     | 41.40      | 60.00   | N47°23'27"W  |           | 42.46  |
| C6     | 38.41      | 60.00   | N64°48'50"W  |           | 39.40  |
| C7     | 35.57      | 60.00   | N51°08'12"W  |           | 36.56  |
| C8     | 59.46      | 60.00   | S33°08'12"E  |           | 57.06  |
| C9     | 7.82       | 8.00    | N47°09'31"E  |           | 7.91   |
| C10    | 13.96      | 8.00    | N44°09'31"E  |           | 12.26  |
| C11    | 84.26      | 8.00    | S52°50'00"E  |           | 72.95  |
| C12    | 42.99      | 60.00   | S70°03'01"W  |           | 42.95  |
| C13    | 42.99      | 60.00   | S09°18'10"W  |           | 46.47  |
| C14    | 47.72      | 60.00   | S34°44'00"W  |           | 46.47  |
| C15    | 94.11      | 60.00   | N63°03'42"E  |           | 84.75  |
| C16    | 14.02      | 8.00    | S56°09'20"W  |           | 12.79  |
| C17    | 16.25      | 220.00  | N52°00'00"W  |           | 17.29  |
| C18    | 16.25      | 220.00  | S100°00'00"W |           | 15.31  |
| C19    | 55.59      | 180.00  |              |           | 55.51  |

| LINE | LENGTH | BEARING     |
|------|--------|-------------|
| L1   | 24.13  | N43°30'11"W |
| L2   | 12.08  | N01°09'41"E |
| L3   | 88.28  | N02°50'15"W |
| L4   | 88.28  | N02°50'15"W |
| L5   | 31.20  | N02°50'15"W |
| L6   | 24.31  | S82°50'48"E |
| L7   | 24.31  | S82°50'48"E |
| L8   | 44.69  | S18°09'15"W |
| L9   | 21.85  | S07°09'41"W |
| L10  | 21.85  | S07°09'41"W |
| L11  | 15.19  | N07°20'41"W |
| L12  | 20.00  | S07°03'11"E |
| L13  | 12.43  | S07°03'11"E |

**GENERAL NOTES**

- ALL PROPERTY CORNERS ARE 1/2" REBAR, EXCEPT AS NOTED.
- THE RED DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSEST APPROXIMATION OF 1" IN 10,000 FEET AND IS SUBJECT TO A 3" REAR ANGLE FRONT, AND WAS ADAPTED USING COMPASS METHOD.
- THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS IN ACCORDANCE WITH 1" IN 41,700 FEET.
- A LEGAL EASEMENT FOR ROAD, ROAD STRUCK, WITH MAIN 5' RIGHTS OF WAY ARE BASED UPON PINS FOUND AND/OR CENTERLINE EASEMENTS OF THE 6" W/ SHALL BE MAINTAINED BY THE PROPERTY OWNER.

**ZONING NOTES**

AREAS OF SITE: 7192 ACRES  
 ZONED: R-20  
 TOTAL NUMBER OF LOTS = 13  
 MINIMUM FRONT YARD SETBACK = 20 FT.  
 MINIMUM REAR YARD SETBACK = 20 FT.  
 MINIMUM LOT AREA = 20,000 SF.  
 MINIMUM LOT FRONTAGE = 100 FT.

THE PURPOSE OF THIS PLAT IS TO CHANGE THE ROAD NAMES FROM BRICKSHIRE DRIVE AND BRICKSHIRE COURT TO HILLSHIRE DRIVE AND HILLSHIRE COURT.

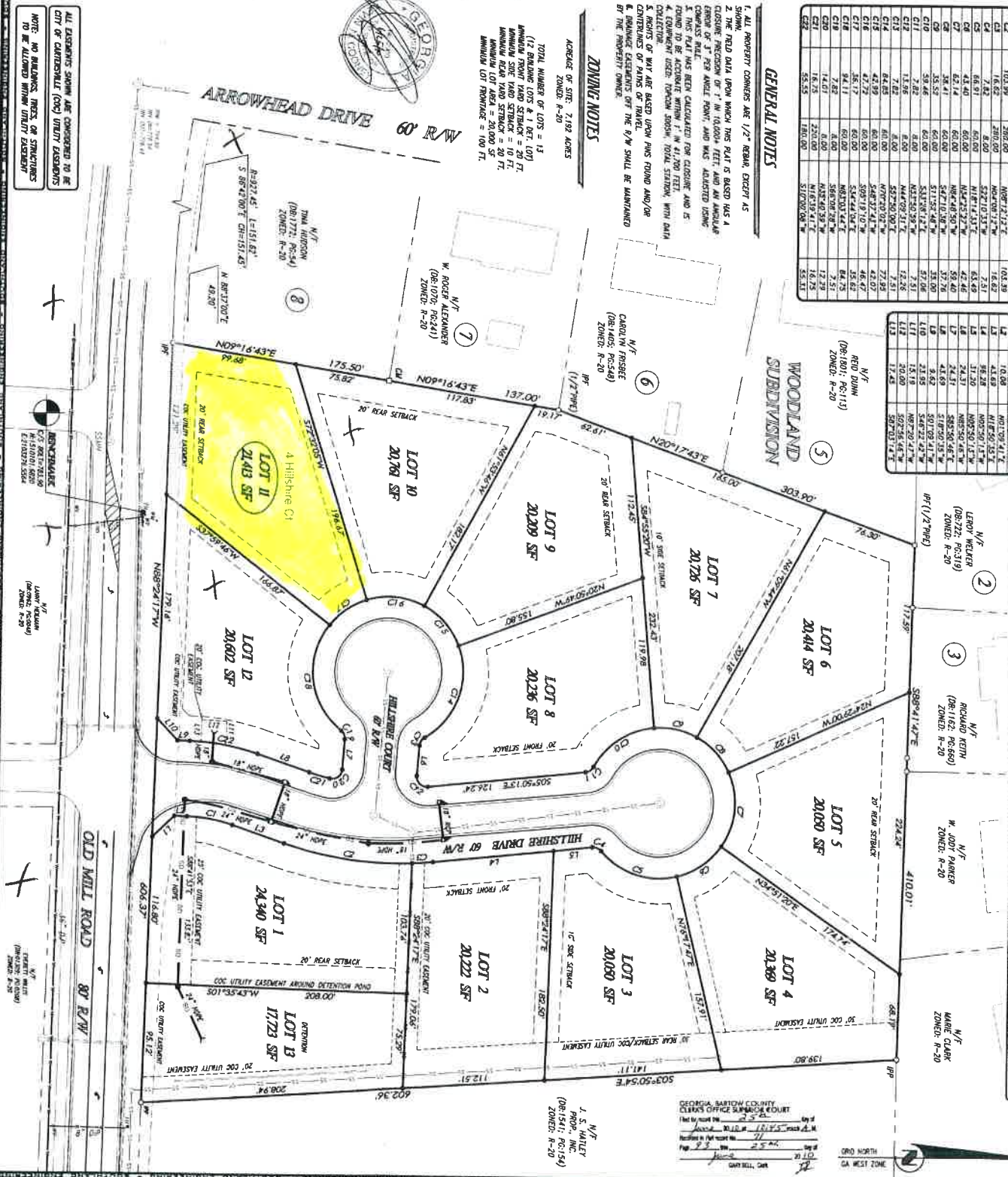
N/E/ W/CELEP (08-222; PG-519) ZONED: R-20

RICHARD KEITH (08-1162; PG-660) ZONED: R-20

W/ JODI PARKER ZONED: R-20

W/ ERIK CLARK ZONED: R-20

WOODLAND SUBDIVISION



ALL EASEMENTS SHOWN ARE CONSIDERED TO BE CITY OF CARLETSVILLE (CITY) UTILITY EASEMENTS TO BE ALLOWED WITHIN UTILITY EASEMENT

GEORGIA, BARLOW COUNTY CLERK'S OFFICE SURVEYOR'S COURT  
 FILED BY: \_\_\_\_\_  
 THIS PLAT WAS FILED FOR RECORD ON APRIL 16, 2007 AT 10:07 AM.  
 BY: \_\_\_\_\_  
 CLERK OF SUPERIOR COURT  
 BARLOW COUNTY, GEORGIA

### CONDITIONS VERIFICATION

List the Article(s), Section(s) and Subsection(s) of the Zoning Ordinance for which a variance is requested.

Article 4 Section 9 Subsection \_\_\_\_\_

Article 4 Section 16 Subsection \_\_\_\_\_

Article \_\_\_\_\_ Section \_\_\_\_\_ Subsection \_\_\_\_\_

The Board of Zoning Appeals was established to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of the zoning ordinance. The Board has the power to hear requests for variances from the provisions of the zoning ordinance, Article XXI APPEALS. See Section 21.3 for additional information pertaining to conditions.

To assist staff and the Board of Zoning Appeals in the analysis of the variance application, please check all of the following conditions that apply to your variance request:

- 1. \_\_\_\_\_ The property is exceptionally narrow, shallow or unusually shaped,
- 2. \_\_\_\_\_ The property contains exceptional topographic conditions,
- 3. X The property contains other extraordinary or exceptional conditions; and
- 4. X There are other existing extraordinary or exceptional circumstances; and
- 5. X The strict application of the requirements of this ordinance would result in practical difficulties to, or undue hardship upon, the owner of this property;
- 6. X The requested variance relief may be granted without substantially impairing the intent and purpose of this ordinance

Additional Comments by Applicant: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



November 7, 2021

City of Cartersville Planning & Development Department  
City of Cartersville Board of Zoning  
10 North Public Square  
P.O. Box 1390  
Cartersville, GA. 30120

RE: Case V21-23  
Appeals Public Hearing, November 22, 2021  
Application of Appeal by Justin Cooper, 4 Hillshire Court, Land Lot 628 of the 4<sup>th</sup> District

Dear Board Members:

As we both are unable to attend the meeting, we are requesting this letter to serve as our opposition to the above referenced application for appeal.

We understand the request for appeal is for proposed construction of fencing and an outdoor maintenance building, both of which will directly impact adjacent homeowners as well as the public at large on Old Mill Road.

The city ordinance against such placement is a sound and necessary ordinance as it protects all adjacent homeowners and the public at large from a negative visual impact. Upon viewing the property, it appears there is sufficient side yard on the northwest side to install an outdoor maintenance building and dog run that would be satisfactory to the property owner. This location would be consistent with the current city ordinance and will not set a precedent for future variance requests.

We would like to thank you for your consideration in this important matter.

Sincerely,



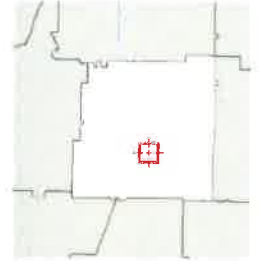
Lanny Heilman  
186 Old Mill Road  
Cartersville, GA. 30120



Everett Willis  
184 Old Mill Road  
Cartersville, GA. 30120



Overview



Legend

- Parcels
- Roads

|                       |  |              |             |               |                           |
|-----------------------|--|--------------|-------------|---------------|---------------------------|
| Parcel ID             | C020-0014-011                                    | Alternate ID | 43717       | Owner Address | COOPER JUSTIN TRAVARAS SR |
| Sec/Twp/Rng           | n/a  | Class        | Residential |               | 4 HILLSHIRE COURT         |
| Property Address      | 4 HILLSHIRE COURT                                | Acreage      | 0.46        |               | CARTERSVILLE, GA 30120    |
| District              | Cartersville                                     |              |             |               |                           |
| Brief Tax Description | LOT 11 HILLSHIRE LL 628 D 4 PB 66 PG 184         |              |             |               |                           |
|                       | <i>(Note: Not to be used on legal documents)</i> |              |             |               |                           |

Date created: 11/16/2021  
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Developed by Schneider  
 GEOSPATIAL

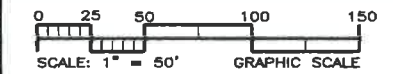


**SOUTHLAND ENGINEERING**  
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
 925 NURKIN TENNESSEE STREET, CARTERSVILLE, GA 30120  
 PHONE: 770.387.0440 FAX: 770.607.5151

IPF = IRON PIN FOUND L.L. = LAND LOT  
 IPS = IRON PIN SET L.L.L. = LAND LOT LINE  
 OTP = OPEN TOP PIPE PP = POWER POLE  
 CTP = CRIMPED TOP -P- = POWER LINE  
 R/W = RIGHT OF WAY -X- = FENCE LINE  
 CM = CONCRETE MONUMENT CH = CHORD  
 N/F = NOW OR FORMERLY A or L = ARC LENGTH

FINAL PLAT FOR:  
**HILLSHIRE**  
 LOCATED IN LAND LOT 628,  
 4th DISTRICT, 3rd SECTION,  
 CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA

**\*\* FLOOD STATEMENT \*\***  
 THE F.I.R.M. FLOOD INSURANCE RATE MAP SHOWS THE  
 REFERENCED PARCEL IS NOT IN AN AREA HAVING  
 SPECIAL FLOOD HAZARDS, ACCORDING TO PANEL NO.  
 13015 C 0088 F, DATED: SEPTEMBER 29, 1989.  
 DATE: APRIL 16, 2007 REV: 6/25/10 JOB NO: 10074



**OWNER'S CERTIFICATE**  
 THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE  
 NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY  
 AUTHORIZED AGENT, CERTIFIES THAT THIS PLAT WAS MADE FROM  
 AN ACTUAL SURVEY, THAT ALL STATE, CITY AND COUNTY TAXES  
 OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN  
 PAID, THAT ALL STREETS, WATER SYSTEMS, DRAINS AND  
 DRAINAGE EASEMENTS, AND PUBLIC PLACES SHOWN ARE  
 DEDICATED TO THE USE OF THE PUBLIC FOREVER.

**SURVEYOR'S CERTIFICATE**  
 IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT  
 AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE  
 PROPERTY BY ME OR UNDER MY SUPERVISION, THAT ALL  
 MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED  
 "FUTURE" AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE  
 CORRECTLY SHOWN, AND THAT ALL REQUIREMENTS OF THE  
 DEVELOPMENT AND ZONING REGULATIONS HAVE BEEN FULLY  
 COMPLIED WITH.

**COVENANTS AND RESTRICTIONS**  
 THIS PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE  
 SEPARATE DOCUMENT(S) ATTACHED HERETO DATED \_\_\_\_\_  
 WHICH HEREBY BECOME A PART OF THIS  
 PLAT, AND WHICH WERE RECORDED IN PLAT BOOK \_\_\_\_\_  
 PAGE \_\_\_\_\_

**CITY OF CARTERSVILLE CERTIFICATE**  
 IN ACCORDANCE TO THE CITY OF CARTERSVILLE DEVELOPMENT  
 REGULATIONS AND THE CITY'S ZONING ORDINANCE, ALL  
 REQUIREMENTS OF APPROVAL HAVING BEEN FULFILLED, THIS PLAT  
 WAS GIVEN FINAL APPROVAL BY THE FOLLOWING CITY PERSONNEL  
 ON BEHALF OF THE CITY OF CARTERSVILLE:

*[Signature]* 6/25/10 DATE  
 ZONING ADMINISTRATOR  
 WATER SUPERINTENDENT \_\_\_\_\_ DATE  
 CITY ENGINEER \_\_\_\_\_ DATE  
 GAS SUPERINTENDENT \_\_\_\_\_ DATE  
 FIBER SUPERINTENDENT \_\_\_\_\_ DATE  
 ELECTRIC SUPERINTENDENT \_\_\_\_\_ DATE

**CURVE TABLE**

| CH/IRV# | ARC LENGTH | RADIUS | CHORD       | DIRECTION | CHORD  |
|---------|------------|--------|-------------|-----------|--------|
| C1      | 37.03      | 120.00 | S10°00'08"W |           | 36.89  |
| C2      | 103.99     | 280.00 | N08°12'12"E |           | 103.39 |
| C3      | 16.62      | 280.00 | N04°08'12"E |           | 16.62  |
| C4      | 7.82       | 8.00   | S22°10'33"W |           | 7.51   |
| C5      | 66.91      | 60.00  | N18°14'33"E |           | 63.49  |
| C6      | 43.40      | 60.00  | N34°25'27"W |           | 42.46  |
| C7      | 62.14      | 60.00  | N84°48'50"W |           | 59.40  |
| C8      | 38.41      | 60.00  | S47°10'38"W |           | 37.76  |
| C9      | 35.52      | 60.00  | S11°52'48"W |           | 35.00  |
| C10     | 59.46      | 60.00  | S11°28'12"E |           | 57.06  |
| C11     | 7.82       | 8.00   | N33°50'59"W |           | 7.51   |
| C12     | 13.96      | 8.00   | N44°09'31"E |           | 12.26  |
| C13     | 7.82       | 8.00   | S57°50'00"E |           | 7.51   |
| C14     | 84.85      | 60.00  | N70°20'02"W |           | 77.95  |
| C15     | 42.99      | 60.00  | S48°37'43"W |           | 42.07  |
| C16     | 47.72      | 60.00  | S05°19'10"W |           | 46.47  |
| C17     | 36.17      | 60.00  | S34°44'04"E |           | 35.62  |
| C18     | 94.11      | 60.00  | N83°03'44"E |           | 84.75  |
| C19     | 7.82       | 8.00   | S66°08'28"W |           | 7.51   |
| C20     | 14.01      | 8.00   | N35°40'59"W |           | 12.29  |
| C21     | 16.75      | 220.00 | N16°39'41"E |           | 16.75  |
| C22     | 55.55      | 180.00 | S10°00'08"W |           | 55.33  |

**LINE TABLE**

| LINE | LENGTH | BEARING     |
|------|--------|-------------|
| L1   | 24.13  | N43°37'18"W |
| L2   | 10.00  | N01°09'41"E |
| L3   | 43.69  | N18°50'35"E |
| L4   | 96.28  | N05°50'13"W |
| L5   | 31.20  | N05°50'13"W |
| L6   | 24.31  | N85°50'46"W |
| L7   | 24.31  | S85°50'46"E |
| L8   | 43.69  | S18°50'35"W |
| L9   | 9.62   | S01°09'41"W |
| L10  | 23.95  | S48°22'42"W |
| L11  | 15.19  | N87°20'47"W |
| L12  | 20.00  | S02°56'46"W |
| L13  | 17.45  | S87°03'14"E |

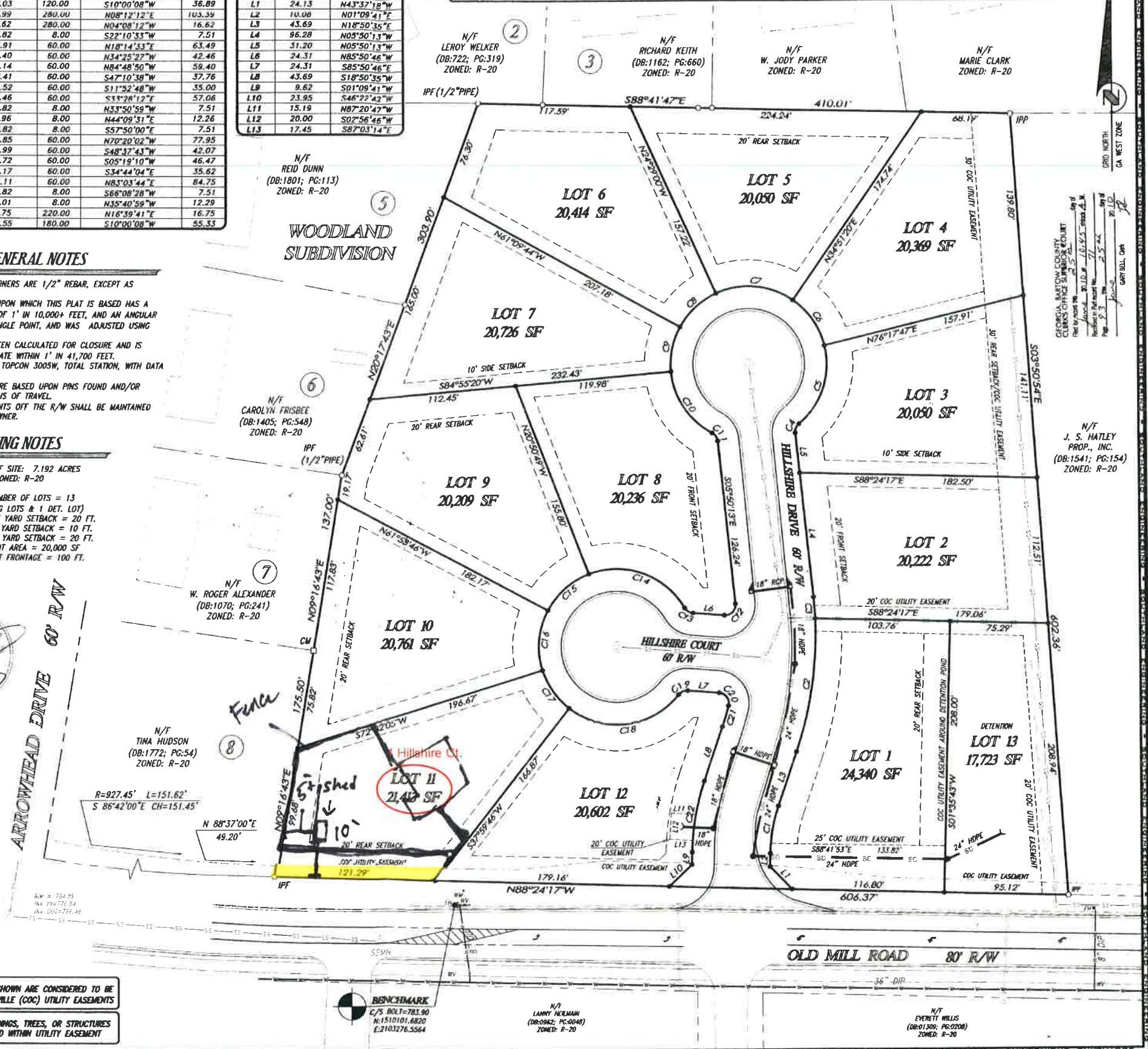
THE PURPOSE OF THIS PLAT IS TO CHANGE THE ROAD NAMES FROM BRICKSHIRE DRIVE AND BRICKSHIRE COURT TO HILLSHIRE DRIVE AND HILLSHIRE COURT.

**GENERAL NOTES**

1. ALL PROPERTY CORNERS ARE 1/2" REBAR, EXCEPT AS SHOWN.
2. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1" IN 10,000+ FEET, AND AN ANGULAR ERROR OF 3" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1" IN 41,700 FEET.
4. EQUIPMENT USED: TOPCON 300SW, TOTAL STATION, WITH DATA COLLECTOR.
5. RIGHTS OF WAY ARE BASED UPON PINS FOUND AND/OR CENTERLINES OF PATHS OF TRAVEL.
6. DRAINAGE EASEMENTS OFF THE R/W SHALL BE MAINTAINED BY THE PROPERTY OWNER.

**ZONING NOTES**

ACREAGE OF SITE: 7.192 ACRES  
 ZONED: R-20  
 TOTAL NUMBER OF LOTS = 13  
 (12 BUILDING LOTS & 1 DET. LOT)  
 MINIMUM FRONT YARD SETBACK = 20 FT.  
 MINIMUM SIDE YARD SETBACK = 10 FT.  
 MINIMUM REAR YARD SETBACK = 20 FT.  
 MINIMUM LOT AREA = 20,000 SF  
 MINIMUM LOT FRONTAGE = 100 FT.



ALL EASEMENTS SHOWN ARE CONSIDERED TO BE CITY OF CARTERSVILLE (COC) UTILITY EASEMENTS  
 NOTE: NO BUILDINGS, TREES, OR STRUCTURES TO BE ALLOWED WITHIN UTILITY EASEMENT

GEORGIA BARTOW COUNTY CLERK'S OFFICE SURVEYOR COUNTY  
 Filed for record on \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ A.M.  
 Book \_\_\_\_\_ Page \_\_\_\_\_  
 N/F J. S. HATLEY PROP., INC. (DB:1541; PG:154) ZONED: R-20



# DEED CERTIFICATE

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

6/25/10  
DATE

# COVENANTS AND RESTRICTIONS

I HEREBY CERTIFY THAT THE COVENANTS SET FORTH IN THE DOCUMENT(S) ATTACHED HERETO DATED \_\_\_\_\_, WHICH HEREBY BECOME A PART OF THIS INSTRUMENT, WERE RECORDED IN PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_.

# CARTERSVILLE CERTIFICATE

I HEREBY CERTIFY THAT THE CITY OF CARTERSVILLE DEVELOPMENT HAS COMPLIED WITH THE CITY'S ZONING ORDINANCE, ALL REQUIREMENTS FOR APPROVAL HAVING BEEN FULFILLED, THIS PLAT IS APPROVED BY THE FOLLOWING CITY PERSONNEL \_\_\_\_\_ OF THE CITY OF CARTERSVILLE:

6/25/10  
DATE

DATE

DATE

DATE

DATE

ACREAGE OF SITE: 7.192 ACRES  
ZONED: R-20

TOTAL NUMBER OF LOTS = 13  
(12 BUILDING LOTS & 1 DET. LOT)  
MINIMUM FRONT YARD SETBACK = 20 FT.  
MINIMUM SIDE YARD SETBACK = 10 FT.  
MINIMUM REAR YARD SETBACK = 20 FT.  
MINIMUM LOT AREA = 20,000 SF  
MINIMUM LOT FRONTAGE = 100 FT.



ARROWHEAD DRIVE 60' RW

N/F  
W. ROGER ALEXANDER  
(DB:1070; PG:241)  
ZONED: R-20

N/F  
TINA HUDSON  
(DB:1772; PG:54)  
ZONED: R-20

R=927.45' L=151.62'  
S 86°42'00"E CH=151.45'

N 88°37'00"E  
49.20'

R/W = 754.55  
IN = 176.775.24  
AV = 501-775.49

ALL EASEMENTS SHOWN ARE CONSIDERED TO BE CITY OF CARTERSVILLE (COC) UTILITY EASEMENTS

NOTE: NO BUILDINGS, TREES, OR STRUCTURES

(1/2" PIPE)

LOT 9  
20,209 SF

LOT 8  
20,236 SF

Item 3.

LOT 10  
20,761 SF

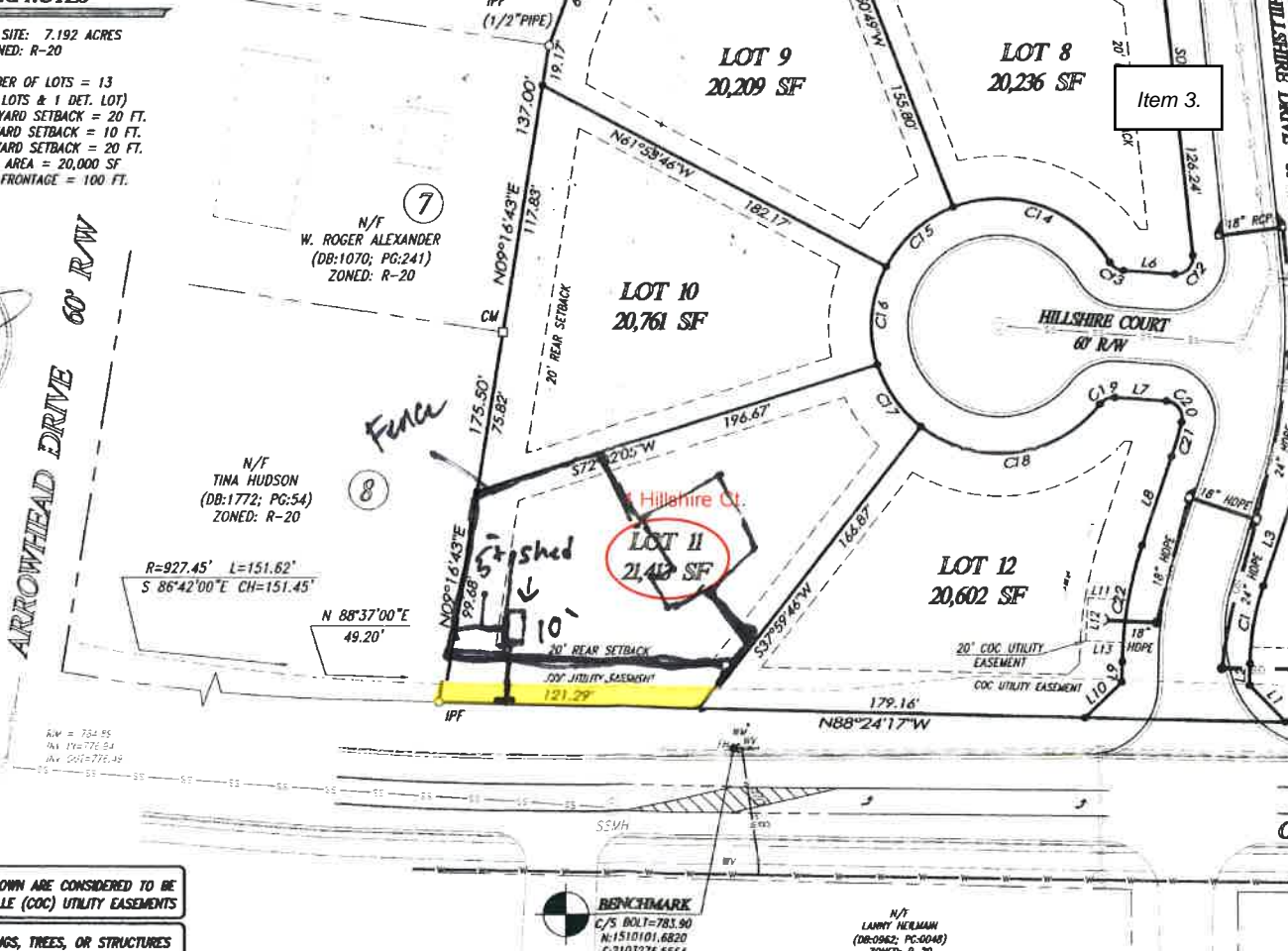
8

LOT 11  
21,412 SF

LOT 12  
20,602 SF

BENCHMARK  
C/S BOLT=783.90  
N=1510101.6820  
E=1010374.4

N/F  
LARRY HERMAN  
(DB:0962; PG:0048)











## BOARD OF ZONING APPEALS ITEM SUMMARY

|   |  |
|---|--|
| <b>MEETING DATE:</b>                      | November 22nd, 2021  |
| <b>SUBCATEGORY:</b>                       | Variance   |
| <b>DEPARTMENT NAME:</b>                   | Planning and Development   |
| <b>AGENDA ITEM TITLE:</b>                 | V21-26. Jackson Farm Subdiv. Applicant: SDH Atlanta, LLC.                      |
| <b>DEPARTMENT SUMMARY RECOMMENDATION:</b> | To defer certain site Development Regulation requirements for up to 12 months. |
| <b>LEGAL:</b>                             | N/A  |



# City of Cartersville

## PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120  
 Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

## MEMO

To: BZA  
 From: Randy Mannino/David Hardegree/Meredith Ulmer  
 CC: Keith Lovell  
 Date: November 10, 2021  
 Re: File # V21-26

**Request Summary: To defer the completion of multiple site development regulations.**

### **Section 1: Project Summary**

Variance application by SDH Atlanta, LLC (Smith-Douglas Homes), developer, for the Jackson Farm Subdivision located on Mission Road, Property Tax ID C024-0001-003 and zoned P-D, Planned Development. Said property contains approximately 43.8 acres.

The developer has been approved for (191) single family detached homes constructed in two (2) phases- Phase 1: 105 Lots. Phase 2: 86 Lots. An amenity area is also proposed in Phase 1.

Zoning for the project was approved 12-7-06 with case no. Z06-21. The preliminary plat was approved by the planning commission on 3-10-2020. The site plans were approved by staff on 9-1-2020.

The developer has requested that some of the site development regulations be deferred for up to twelve (12) months and that a final plat be issued for (31) of the approved (105) Lots in Phase 1 per plans submitted with the application. The site development regulations are typically required to be completed in their entirety prior to approval of the final plat. In this case, all development requirements for all of Phase 1 should be completed prior to approving the final plat. An approved final plat is the instrument that is recorded and, once recorded, creates legal land titles to allow the developer to sell individual lots.

Department comments are being captured in a list of conditions that are to accompany a variance approval. These conditions have been developed over the course of several department meetings and are intended to protect the city against default by the developer. If the variance is approved with these conditions, the approved conditions will be submitted to City Council for approval as part of a Development Agreement.

**The variance requests are for the following Site Development Regulations, in whole or in part, to be deferred for a period of not more than 12 months:**

**Chapter 7.5, Development Regulations**

**Article II. Plan Review and General Requirements.**

**Section 7.5.31. – Plan Review Procedure.** *Section: (2)(d) Final Plat*

**Section 7.5.32. – Permits.** *Section: (3) Driveway Permit*

**Section 7.5.33. – Construction.** *Section: (2) Approved Plans.*

**Section 7.5.35. – As-builts.**

**Section 7.5.36. – Maintenance bond, letters of credit and performance bonds.**

**Section 7.5.37. – Twelve-month maintenance period.**

**Section 7.5.38. – Deed of dedication and maintenance agreement and easement.**

**Article III. General Design Regulations.**

**Section 7.5-63. – Subdivisions.** *Sections: (1) Minimum Lot Requirements; (3) Drainage Ways and Easement; (4) Street Criteria; (5) Entrances; (6) Utilities; (7) Final Plat.*

**Section 7.5-65. – Street Design Criteria.** *Sections: (7) Street paving; (10) Sidewalks; (11) Traffic Signs; (12) Utility Locations.*

**Section 7.5.69. – Construction.**

**Section 2. Department Comments**

See variance conditions.

**Section 3. Public Comments Received by Staff**

11-8: Stephanie, Reserve at Pettit Creek resident. General inquiry with specific concerns regarding stormwater management and traffic issues.

11-8: Neal Saleh, Reserve at Pettit Creek resident. General inquiry with specific concern regarding stormwater management.

**Section 4. Variance Justification:**

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

**Sec. 7.5-10. Variances and appeals.**

- (1) Whenever a tract of land to be developed is of such unusual size, topography or shape or is surrounded by such development or has unusual conditions affecting said development that the strict application of the requirements contained in this chapter would result in substantial hardship or injustice, the city board of zoning appeals may vary or modify such requirements so that the subdivider may develop his land in a reasonable manner,



whereby, at the same time, the public welfare and interests of the city are protected and the general intent and spirit of this chapter preserved.

- (2) Variance requests of the requirements of these regulations or appeals regarding the interpretation of these regulations by the director of the city department who enforces the regulations of a specific article of these regulations shall be submitted in accordance with the appeal procedures set forth in the city zoning ordinance along with such fees as established therein.
  - (3) The fee assessed pursuant to this section is as referenced on the fee schedule in the City of Cartersville Code, section 17-90(a).
- (Ord. No. 32-98, § 1, 8-27-98; Ord. No. 45-05, § 4, 7-7-05)

### **Sec. 21.3. - Powers and duties of the board of zoning appeals.**

The board of zoning appeals shall have the following powers and duties:

- 21.3.1. *Appeals.* To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this chapter. Appeals to the board of appeals may be taken by any person aggrieved or by any officer, department, board, or agency of the City of Cartersville affected by any decision of the zoning administrator. Such appeal shall be taken within thirty (30) days of said decision by filing with the zoning administrator a written notice of appeal specifying the grounds thereof. Decisions on appeals shall be issued in writing within ten (10) business days of the hearing on the appeal.
- 21.3.2. *Continuance of a nonconforming use.* The board of zoning appeals may allow a nonconforming use to be reestablished after discontinuance for twelve (12) consecutive months. The procedure for the request shall be the same as if it was a variance. If it is deemed by the board of zoning appeals that one (1) or more of the following apply, the board may grant said request.
  - A. The design, construction, and character of the building is not suitable for uses permitted in the district in which the nonconforming use is situated; and
  - B. Undue hardships to the property owner would result in not allowing the building to be reopened for a nonconforming use; and
  - C. Adjacent property would not be unduly damaged by such use of the building; and
  - D. The use is to be identical or similar to the prior nonconforming use of the building.
- 21.3.3. *Variances.* The board of appeals has the power to hear requests for variances from the provisions of this chapter. Variance may be granted only if the board finds all of the following to exist:
  - A. That one (1) of the following is true, through no action or fault of the property owner or predecessor:
    1. The property is exceptionally narrow, shallow or unusually shaped;
    2. The property contains exceptional topographic conditions;
    3. The property contains other extraordinary or exceptional conditions; or

- 4. There are existing other extraordinary or exceptional circumstances; and
- B. That the strict application of the requirements of this chapter would result in practical difficulties to, or undue hardship upon, the owner of this property; and
- C. That the requested variance relief may be granted without substantially impairing the intent and purpose of this chapter.

Variance decisions shall be issued in writing within ten (10) business days of the hearing.

21.3.4. *Conditions.* In granting a variance, the board of appeals may attach such conditions regarding the location, character and other features of the proposed building, structure, property, development standards or use as it may deem advisable so that the purpose of this chapter will be served, public safety and welfare secured and substantial justice done.

21.3.5. *Limitations on variances; improper variance requests.* Variances cannot be given to totally remove a requirement or to exempt a property or applicant entirely from a requirement. If a variance is being sought that is, in the judgment of the zoning administrator, a request that would constitute a text amendment, then the application shall not be accepted. The applicant shall instead be directed to file for a text amendment. Furthermore, the board of appeals shall not be authorized to grant a density variance or a use variance to permit a use in a district in which the use is prohibited. A variance application shall not be accepted if the variance seeks something that cannot be varied. A variance application shall not be accepted if the variance is contradictory to the ordinance.

21.3.6. *Self-inflicted hardship.* The board shall not grant variances when the hardship was created by the property owner or his predecessor, and shall not grant hardship variances based on shape or topography for lots of record not existing prior to November 7, 1996. Configuring a subdivision to create lots that are difficult to build is an example of a hardship created by the property owner or predecessor, that does not justify a variance.

Sections 21.3.7, *Place of worship*, and 21.3.8, *Group homes*, omitted. *Not applicable.*

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## Chapter 7.5 DEVELOPMENT REGULATIONS<sup>1</sup>

### ARTICLE I. IN GENERAL

#### Sec. 7.5-1. Title.

These regulations shall be known as "The City of Cartersville Development Regulations," and may be referred to generally as "the development regulations," or as used herein, "these regulations."

(Ord. No. 32-98, § 1, 8-27-98)

#### Sec. 7.5-2. Purpose.

These regulations are intended to serve the following purposes:

- (a) To protect and promote the public health, safety, and general welfare.
- (b) To provide a system for the subdividing of land and the accurate recording of land titles.
- (c) To encourage economically sound and orderly land development in accordance with the policies and objectives of the comprehensive plan of the city.
- (d) To assure the provision of required streets, utilities, and other facilities and services to new land developments in the city.
- (e) To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new land developments in the city.
- (f) To assure the provision of needed public open spaces and building sites in new land developments in the city through the dedication or reservation of land for recreational, educational, and other public purposes.
- (g) To assure protection of streams, waterways, and wetlands within the city.
- (h) To assure equitable review and approval of all subdivision and site plans by providing uniform procedures and standards for the developer.

(Ord. No. 32-98, § 1, 8-27-98)

#### Sec. 7.5-3. Intent.

The intent and purpose of these regulations is to provide for the harmonious development of the city and to insure a coordinated layout with adequate provisions for traffic, recreation, drainage, sewers and other technical elements of land development. This control is necessary to assure the maximum return on the local and

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<sup>1</sup>Cross reference(s)—Buildings and building regulations, Ch. 6; planning and development, Ch. 17; streets and sidewalks, Ch. 22; subdivisions, Ch. 23; utilities, Ch. 24.

government investments and at the same time to assure the homeowner protection and the developer full consideration of his interests and responsibilities.

(Ord. No. 32-98, § 1, 8-27-98)

#### **Sec. 7.5-4. Use of words and interpretation.**

- (1) For the purpose of these regulations, the following shall apply to the use of all words:
  - (a) When appropriate to the context, words used in the singular shall include the plural, and the plural the singular; words used in the present tense shall include the future tense, and vice versa.
  - (b) Words in the masculine gender shall include the feminine.
  - (c) The word "shall" is mandatory and not discretionary.
  - (d) The word "may" is permissive.
  - (e) Use of the word "and" is inclusive and requires that all of the component phrases so connected must be present or fulfilled for sufficiency.
  - (f) Use of the word "or" is not exclusive, and requires that at least one (1) of the component phrases so connected must be present or fulfilled for sufficiency. The word "or" may allow more than one (1) component phrase to be present or fulfilled, as is implied by the common term "and/or."
- (2) The following shall control the interpretation of words and phrases as used in these regulations:
  - (a) Words and phrases defined in these regulations shall be interpreted as defined herein.
  - (b) Words or phrases not defined herein shall be interpreted as defined in other ordinances and codes of the city. Words or phrases not defined in the above mentioned documents shall have their customary dictionary definitions where not inconsistent with the context.

(Ord. No. 32-98, § 1, 8-27-98)

#### **Sec. 7.5-5. Administration.**

These regulations shall be administered, interpreted, and enforced by the directors of the departments responsible for said regulations as established by the mayor and city council.

(Ord. No. 32-98, § 1, 8-27-98)

#### **Sec. 7.5-6. Platting authority.**

From and after the effective date of this chapter, the city manager or his/her designated representative(s) shall be the official subdivision platting authority, and no plat of a land subdivision as defined in these specifications shall be entitled to be recorded in the office of the Clerk of the Superior Court of Bartow County unless it has the approval of the zoning administrator or his/her designated representative inscribed thereon. Whoever files or records or procures the filing or recording of a plat of a subdivision by any employee of the clerk of the superior court, with intent to deceive or to evade these standards and regulations, without the approval of the city for such plat as required by this chapter, shall be guilty of a misdemeanor and may suffer such penalties as may be imposed pursuant to this chapter.

(Ord. No. 32-98, § 1, 8-27-98)

**Sec. 7.5-7. Use of plat.**

The transfer, sale, agreement to sell, or negotiation to sell land by reference to, exhibition of, or other use of a plat of a subdivision as defined in these specifications that has not been approved by the city and recorded in the office of the Clerk of the Superior Court of Bartow County is prohibited, and the description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from such penalties.

(Ord. No. 32-98, § 1, 8-27-98)

**Sec. 7.5-8. Erection of buildings.**

No building permit shall be issued and no building shall be erected on any lot in an incorporated area of the city in which building permits are required by the city, unless the street giving access thereto has been inspected and approved in accordance with this chapter.

(Ord. No. 32-98, § 1, 8-27-98)

**Sec. 7.5-9. Regulations to be published.**

It shall be the duty and responsibility of the director of the department of planning and development or his/her designee to maintain an accurate and up-to-date compilation of these regulations and all amendments and pertinent attachments thereto, and to publish said compilation and make it available to the public at a cost as established by the mayor and city council.

(Ord. No. 32-98, § 1, 8-27-98; Ord. No. 51-08, § 1, 12-4-08)

**Sec. 7.5-10. Variances and appeals.**

- (1) Whenever a tract of land to be developed is of such unusual size, topography or shape or is surrounded by such development or has unusual conditions affecting said development that the strict application of the requirements contained in this chapter would result in substantial hardship or injustice, the city board of zoning appeals may vary or modify such requirements so that the subdivider may develop his land in a reasonable manner, whereby, at the same time, the public welfare and interests of the city are protected and the general intent and spirit of this chapter preserved.
- (2) Variance requests of the requirements of these regulations or appeals regarding the interpretation of these regulations by the director of the city department who enforces the regulations of a specific article of these regulations shall be submitted in accordance with the appeal procedures set forth in the city zoning ordinance along with such fees as established therein.
- (3) The fee assessed pursuant to this section is as referenced on the fee schedule in the City of Cartersville Code, section 17-90(a).

(Ord. No. 32-98, § 1, 8-27-98; Ord. No. 45-05, § 4, 7-7-05)

**Sec. 7.5-11. Appeals of decisions by the board of zoning appeals.**

Recourse from the decisions made by the board of zoning appeals shall be to a court of competent jurisdiction.

(Ord. No. 32-98, § 1, 8-27-98)

### Sec. 7.5-12. Jurisdiction, violations, and penalties.

These regulations shall govern all developments of land within the incorporated areas of the City of Cartersville, Georgia, as now or hereafter established, and shall govern all undeveloped units of existing subdivision.

Any person, firm, corporation or any agent, servant, employee, officer or contractor for any person, firm or corporation who shall violate any provision, requirement, term or condition of this chapter shall be guilty of a misdemeanor and each day of such violation shall constitute a separate offense.

Any violation of any provision, requirement, term or condition of this chapter shall constitute a nuisance and any person aggrieved thereby may abate the same or the same may be abated as a public nuisance. Continuous violation thereof may be restrained in a court of equity having jurisdiction thereof.

- (a) *Stop work orders.* The director of each city department addressed in these regulations or his/her designated representative is hereby authorized and directed to issue "stop work" orders in writing on any project when the person or persons responsible therefor shall fail or refuse to comply with any ordinance or regulation, including these standards, pertaining to any matter contained in these standards. Such "stop work" orders may be lifted at such time as the city is satisfied that a good faith determination to comply is being made. A written order is not required from the city where an emergency exists.
- (b) *Penalties.* Any person who violates any provision of these standards and any rules and regulations adopted pursuant thereto, or any permit, condition or limitation established pursuant to these standards, rules or regulations, or who negligently or intentionally fails or refuses to comply with any order of the city shall be liable for a civil penalty not to exceed one thousand dollars (\$1,000.00) per day. Each day during which the violation or failure or refusal to comply continues shall be a separate violation.

(Ord. No. 32-98, § 1, 8-27-98)

### Sec. 7.5-13. Effective date.

- (1) These regulations shall be in full force and effect on August 28, 1998, following the adoption by the mayor and city council of the city, and shall apply to any land-disturbance permit for which an application is received after the effective date of these regulations.
- (2) Any subdivision or other project for which a valid and complete application for a land-disturbance permit shall have been received or a preliminary plat has been submitted for approval prior to the effective date of these regulations shall be considered nonconforming and, at the developer's option, may proceed to completion and building permits may be issued under the subdivision regulations of the city in place prior to the effective date of these regulations.
- (3) Nothing in these regulations shall be construed to affect the validity of any building permit lawfully issued prior to the effective date of these regulations.

(Ord. No. 32-98, § 1, 8-27-98)

### Sec. 7.5-14. Amendments.

- (1) These regulations may be amended from time to time by the mayor and city council provided that public due process is provided. Such amendments shall be effective as of their date of adoption unless otherwise stated in the adopting ordinance.

(Supp. No. 22)

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- (2) No amendment to these regulations shall be construed to affect the validity of any building permit lawfully issued prior to the adoption of said amendment.

(Ord. No. 32-98, § 1, 8-27-98)

#### **Sec. 7.5-15. Severability.**

It is the intent of the mayor and city council of the city in adopting this regulation that all portions hereof, are constitutional. However, no provision of the regulation contained herein, shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, or provision of this chapter.

(Ord. No. 32-98, § 1, 8-27-98)

#### **Sec. 7.5-16. Conflicting regulations.**

Whenever the provisions of this chapter and those of some other ordinance or statute apply to the same subject matter, that ordinance, or statute requiring the highest, or strictest standard shall govern.

(Ord. No. 32-98, § 1, 8-27-98)

#### **Sec. 7.5-17. State permitting.**

The city manager and his/her designee(s) are hereby authorized to file and execute any and all documents necessary for the issuing of permits, notice of intents, and notice of termination or as otherwise required by the State of Georgia in regards to City of Cartersville construction projects.

(Ord. No. 08-08, § 1, 2-7-08)

#### **Secs. 7.5-18—7.5-30. Reserved.**

## **ARTICLE II. PLAN REVIEW AND GENERAL REQUIREMENTS**

### **Sec. 7.5-31. Plan review procedure.**

- (1) *Types of developments.* Plan review procedures are dependent on the type of the proposed development. There are three (3) types of developments as follows:
- (a) Subdivision developments (residential, commercial, and industrial) involving the subdividing of a tract or parcel of land into two (2) lots or building sites;
  - (b) Subdivision developments (residential, commercial, and industrial) involving the subdividing of a tract or parcel of land into three (3) or more lots or building sites; and
  - (c) Nonsubdivision commercial/industrial developments.
- (2) *Stages of subdivision development plans review.* Plan design, submittal, and review is divided into four (4) stages which corresponds to the following four (4) types of plans:
- (a) *Preliminary plat:* Conceptual street and lot layout of subdivision with topography of not more than two-foot intervals. A plat review fee as indicated in City of Cartersville Code, section 17-78 shall be

required at the time of submittal. No less than fifteen (15) working days prior to the next regular meeting of the planning commission, a letter addressed to the planning commission requesting review and approval of a preliminary plat shall be given to the planning and development department along with seven (7) copies of the plat to be distributed as follows: Water department (two (2) plat copies); public works (two (2) plat copies); electric (one (1) plat copy); gas (one (1) plat copy); planning and development (one (1) plat copy). Upon approval of the plat by individual departments, seven (7) copies of the approved plat stamped by each department shall be submitted to the department of planning and development to be distributed to the City of Cartersville Planning Department for approval. Approval of a preliminary plat shall expire and be null and void after a period of twenty-four (24) months from the date of approval unless an extension of time is approved by the planning commission. (A preliminary plat shall not be required of subdivisions on an existing street involving only two (2) lots or building sites.

*Information to be provided.* Preliminary subdivision plats shall contain the following information:

1. Subdivision name.
2. Name, address and twenty-four-hour phone number of developer.
3. Date including most recent revision date.
4. Graphic scale (not to exceed one (1) inch = one hundred (100) feet).
5. Location index map (approximate scale one (1) inch = six thousand (6,000) feet).
6. North arrow.
7. Land lot, district and section.
8. Maximum sheet size twenty-four (24) inches × thirty-six (36) inches unless otherwise approved.
9. Exact boundary lines of the entire tract indicated by a heavy line giving lengths and bearings.
10. Present zoning and zoning of abutting land.
11. Proposed street and lot layout.
12. Proposed street names.
13. Lot lines with approximate dimensions.
14. Location of bold lines for phased developments.
15. Lots numbered consecutively disregarding phasing.
16. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
17. Existing streets, utilities, and easements on and adjacent to the tract.
18. Provisions for water supply, sewerage, and drainage.
19. Location of one hundred-year floodplain or statement that no part of the property lies within the one hundred-year floodplain.
20. Minimum building front yard setback line shown graphically on the plat.
21. Surveyors and/or engineer's stamp.
22. Signature statement for planning commission. Statement shall read as follows:

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 twenty-four (24) months from the date of signing unless a Final Plat is recorded.

|                                 |      |
|---------------------------------|------|
| Planning Commission<br>Chairman | Date |
|---------------------------------|------|

- 23. Any and all other information as may be required by the city.
- 24. Names of owners of record of adjoining properties.
- (b) *Construction plans:* Detailed design plans of proposed subdivision infrastructure improvements. Eleven (11) sets of the construction plans shall be submitted to the department of planning and development to be distributed as follows: water department (three (3) sets); electric (one (1) set); gas (one (1) set); public works (one (1) set); planning and development (one (1) set); developer (four(4) sets). Upon approval of the plans, a stamped approved copy shall be given to each department and the developer sets up a pre-construction conference with the contractor(s) and the city departments mentioned herein. If any construction activity involves a state right-of-way, the developer must first contact public works and obtain Georgia D.O.T. approval before construction plans can be approved by the city.
  - a. *Information to be provided.* Construction plans shall contain the following information:
  - b. *Road design:*
    - 1. Acceleration/deceleration lanes at entrance.
    - 2. Typical road section for all roads.
    - 3. Dimensions of turn radii.
    - 4. Plan and profile of existing city or county road at proposed entrance with the City of Cartersville's minimum horizontal and vertical stopping sight distance requirements satisfied. The speed limit for the existing city or county road shall be shown.
    - 5. If additional right-of-way is required to bring the city road up to minimum standards, as shown on the current city street classification map, the future right-of-way shall be shown on the plan. Set backs shall be measured from the future right-of-way.
    - 6. Proposed street profiles for all new streets.
    - 7. Proposed street grades.
    - 8. Proposed length of vertical curves.
    - 9. Vertical stopping sight distance at all proposed internal subdivision intersections.
    - 10. Street horizontal curve radii.
    - 11. All radii, curb setbacks and taper details.
    - 12. Typical construction detains (curb and gutter, paving, etc.).
    - 13. Street signs.
- Storm drainage:*
  - 1. Topographic layout of development at two-foot contour intervals based on mean sea level datum with storm drain layout.

2. Location, size, ad length of existing drainage structures with drainage area.
3. Description by registered engineer of downstream property showing the method of runoff control will not adversely affect the property downstream.
4. Location, size, length, and type of all proposed drainage structures.
5. Drainage area to each inlet point of the drainage system.
6. Ditch profiles.
7. Ditch cross-sections every fifty (50) feet with velocity of runoff (no more than five (5.0) fps without lining the ditch.)
8. Hydrology study by a state approved professional for detention ponds, if required.
9. The one hundred-year floodplain limits and elevation or note absence.
10. Profile of storm drainage pipes.
11. All cross-drain pipes shown on the street profiles.
12. Water travel distance between catch basins.
13. Drainage at intersections indicated by flow arrows on plan sheet.
14. All drainage structure outlets to be erosion proofed.
15. Method of sizing all storm drainage structures.
16. Easements for drainage system - minimum of ten (10) feet for piped runoff, minimum of twenty (20) feet for open ditches.
17. Dam breach zone shown if an existing or proposed permanent pond/lake is a part of the proposed subdivision.
18. Cul-de-sac grading detail for steep downhill cul-de-sacs.

*Water layout:*

1. Site plan with water layout only.
2. Pipe locations and sizes.
3. Location and size of gate valves, air release valves.
4. Thrust blocks at all bends and tees.
5. Location of all existing and proposed fire hydrants.
6. Existing water main locations, sizes, and types of materials surrounding the project.
7. Detail of tap to water main.
8. Proposed meter sizes and locations.
9. Nearest existing line valves on main, in order to isolate tap.
10. Pressure flow-test results.
11. If proposed water line crosses private property, a twenty-foot easement is required.

*Sewer layout:*

1. EPD sanitary sewer submittal form filled out by registered engineer.

2. Site plan showing sewer layout.
3. Sewer layout should have manhole numbers, line designations, flow arrows, street names, and topography.
4. Sewer layout showing proposed storm drain crossings.
5. Detail tie-in of proposed lines with existing lines as to elevation and invert direction of manholes.
6. Profile of proposed sewer lines with:
  7. Manhole numbers and locations.
  8. Outside drop-manhole designated.
  9. Percent grade, length, size of lines.
  10. Lateral locations.
  11. Materials to be used.
  12. Location in profile of streams and storm drains.
13. Easements to be twenty-foot permanent and sixty-foot for temporary construction.
14. Easements for future sewers if required.
15. Bedding details.

*Additional requirements:*

1. Preliminary plat submitted with construction plans.
2. Sidewalks.
3. Show location of all wells within one hundred (100) feet of property or certify that there are no wells, if lots are served by septic tank.
4. Names of all utility companies.
5. Erosion control plan.
6. Tree protection plan.
7. Show location of any landfills or debris or garbage disposal sites on the property.
8. If there are any walls associated with the development of the site, safety measures such as fences and/or safety railings will be required.
9. Additional notes below:

*Notes:*

1. It is the developer's responsibility to address any wetland issues to the satisfaction of the U.S. Army Corps of Engineers.
2. It is the developer's responsibility to abide by all the rules and regulations pertaining to the State of Georgia's National Pollutant Discharge Elimination System (NPDES) permit requirements.
3. It is the developer's responsibility to address any endangered species issues to the satisfaction of the U.S. Fish and Wildlife Service.

- (c) *Erosion and sediment control plans:* A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity involving the disturbance of 1.0 acres or greater. Said plans are a part of the requirements for a land-disturbance permit as addressed in article VII of these regulations. An

approved copy of this plan must be provided to all departments as part of the construction plan review process.

- (d) *Final plat*: Plan of a subdivision which conforms to the approved preliminary plat and the specifications required herein for recording at the clerk of superior court. Prior to the submittal of the final plat for review, the following shall apply: 1.) All street and city-owned utility (including city gas, electric, water, sewer, and fiber) construction must be completed, inspected and approved; 2.) All property corner pins must be installed; 3.) As-built drawings must be submitted; and 4.) Bonding requirements, if applicable, satisfied. Seven (7) copies of the final plat and as-built drawings shall be submitted to the department of planning and development to be distributed as follows: Water department (two (2) sets of each); public works (one (1) set of each); planning and development (one (1) set of each); gas department (one (1) set of each); electric department (one (1) set of each); and fiber department (one (1) set of each). Once the signatures of approval from the designated city departments have been obtained on the final plat, the developer shall submit the plat to the Clerk of Superior Court of Bartow County for recording. Upon recording of the final plat, the developer shall provide four (4) hard copies of the plat to the planning and development department. An electronic version of the final plat shall be provided in AutoCAD format to the city engineer.

- *Information to be provided*. The final plat shall contain the following information:
1. Sheet size no larger than eighteen (18) inches × twenty-four (24) inches.
  2. Exact boundary lines of the tract by bearings and distances determined by a field survey.
  3. Field survey error of closure not to exceed one (1) to ten thousand (10,000).
  4. Equipment used in field survey.
  5. Calculated error of closure of plat.
  6. Present zoning and zoning of abutting land.
  7. Exact locations, R/W widths, and names of all streets that immediately adjoin the subdivision.
  8. Appropriate data for all streets, lot lines, and centerlines as required by the city and according to the requirements of the State of Georgia for professional surveyors and engineers.
  9. General notes on the plat stating total project acreage, total number of lots and lot density, minimum size of lots, minimum lot width and frontage, and required setbacks for present zoning.
  10. Lots shall be numbered consecutively; divisions shall be made by units or phases.
  11. Each lots' area in square feet or acres.
  12. Deed book and page number of protective covenants if any.
  13. Accurate location, material, and description of all monuments and markers.
  14. Location of sidewalks.
  15. Location of all easements.
  16. Required buffers and recreational areas (if any).
  17. Land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.
  18. All surveys and plats must be prepared by a state certified engineer and /or surveyor.
  19. Location of one hundred-year floodplain or statement that no part of the property lies within the one hundred-year floodplain.

20. The following certificate statements shall be shown on the plat:

*Owner's Certificate:*

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state, city and county taxes or other assessments now due on this land have been paid, that all streets, water systems drains and drainage easements, and public places are dedicated to the use of the public forever.

|       |      |
|-------|------|
|       |      |
| Owner | Date |

*Surveyor's Certificate:*


It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all monuments shown hereon actually exist or are marked "future and their location, size, type and material are correctly shown, and that all requirements of the development and zoning regulations have been fully complied with.

|       |      |
|-------|------|
|       |      |
| Owner | Date |

*City of Cartersville Certificate:*

In accordance to the City of Cartersville Development Regulations and the City's Zoning Ordinance, all requirements of approval have been fulfilled; this plat was given final approval by the following City personnel on behalf of the City of Cartersville:

|                         |      |
|-------------------------|------|
|                         |      |
| Zoning Administrator    | Date |
|                         |      |
| Water Superintendent    | Date |
|                         |      |
| Gas Superintendent      | Date |
|                         |      |
| Electric Superintendent | Date |
|                         |      |
| Fiber Superintendent    | Date |
|                         |      |
| City Engineer           | Date |

 21. Any and all other information as required by the city.

(3) *Commercial/industrial site development plans which do not involve the subdividing of land.* Only construction plans are designed and submitted for review for this type of development. Five (5) sets of plans shall be



submitted to the department of planning and development to be distributed as follows: water department (one (1) set); public works (one (1) set); gas (one (1) set); electric (one (1) set); and planning and development (one (1) set). Upon approval of the plans by individual departments, each department retains a copy of the approved stamped plans.

- (4) *Plan approval.*
- (a) No preliminary or final plat, or land-disturbance permit, shall be approved without the written approval of the respective department head, or his/her designated representative, of the fire department, public works department, utility departments, or planning and development department.
  - (b) Approval of construction plans shall expire eighteen (18) months from the date of approval without the issuance of a building permit from the city.
  - (c) If a discrepancy occurs between the approved plans and the city's development standards, unless a variance or exception has been obtained, the development standards shall be the superseding document.

(Ord. No. 32-98, § 1, 8-27-98; Ord. No. 41-99, § 13, 9-16-99; Ord. No. 68-04, §§ 1—4, 9-2-04; Ord. No. 43-05, § 1, 7-7-05; Ord. No. 24-07, § 1, 6-7-07; Ord. No. 51-08, § 1, 12-4-08)

## Sec. 7.5-32. Permits.

- (1) *Subdivisions:* The department of planning and development issues the following permit for the construction of a subdivision:

- A. *Land-disturbance permit.* After the approval of the construction plans, this permit is issued for the implementation of erosion and sediment control measures as shown on the approved construction plans for all projects as required under article VII of this chapter.
- B. *Reserved.*

- (2) *Commercial/industrial sites not involving the subdividing of land:* The department of planning development issues the following two (2) permits for the construction of sites:

- A. *Land-disturbance permit.* After the approval of the construction plans, this permit is issued for the implementation of erosion and sediment control measures as shown on the approved construction plans for all projects as required under article VII of this chapter.
- B. *Building permit.* This permit is issued for the construction of proposed buildings. The building permit is issued after the site construction plans are approved, the building architectural plans are approved, and the land-disturbance permit is issued (if applicable). Appropriate permit fees shall apply.

- (3) *Driveway permit.* A review will be required of all new driveway cuts on a public right-of-way for the purpose of ensuring the requirements of these regulations are complied with and to determine if additional right-of-way improvements will need to be made by the property owner in order that the public right-of-way will accommodate the proposed vehicular use of said new driveway. When a building permit or land-disturbance permit is required, the driveway permit will be incorporated into said permits and no additional fees will be required. When no other permits are required, as stated herein, and a new driveway cut is made, a permit fee of fifty dollars (\$50.00) will be required.

- (4) *Pavement cut permit.* A permit will be required prior to any work being done involving the cutting of any existing public right-of-way pavement. Said permit will be issued by the city public works department. (No permit fee is required.)

- (5) *Displaying permits.* Permits must be openly displayed on the site at all times.

(Ord. No. 32-98, § 1, 8-27-98; Ord. No. 59-00, 12-21-00; Ord. No. 60-00, 12-21-00; Ord. No. 68-04, § 5, 9-2-04; Ord. No. 51-08, § 1, 12-4-08)

### → **Sec. 7.5-33. Construction.** ←

- (1) *Preconstruction conference.* The developer is required to schedule a meeting with the department of planning and development and all public and/or private utilities for the purpose of discussing the construction and inspection of the proposed development. A preconstruction conference is required before the issuance of any permits unless waived by all affected city departments.
- (2) *Approved plans.* An approved set of construction plans stamped by the city must be kept onsite at all times by the contractor.
- (3) *Notification.* The city shall be notified by the developer or his/her contractor before construction begins, and at the various stages in construction required by the city. The city shall be given a two (2) business day advance notice before construction begins. The appropriate department as outlined in section 7.5-34 of these regulations will be directly notified for an inspection request.

(Ord. No. 32-98, § 1, 8-27-98; Ord. No. 51-08, § 1, 12-4-08)

### **Sec. 7.5-34. Inspection.**

- (1) *Subdivisions.*
  - (a) *Public works department.* This department is responsible for the inspection of roads, storm drainage, and grading construction.
  - (b) *Water department.* This department is responsible for the inspection of water and sanitary sewer construction.
  - (c) *Planning and development department.* The building official in this department is responsible for the inspection of erosion control construction.
  - (d) *Other departments.* And any other appropriate city department whose inspections are necessary to insure compliance with the ordinances of the city.
- (2) *Commercial/industrial sites not involving the subdividing of land.*
  - (a) *Public works department.* This department is responsible for the inspection of entrances, storm drainage, and grading construction.
  - (b) *Water department.* This department is responsible for the inspection of water, sanitary sewer, and firelines for sprinkler system construction to the double check detector meter and vault. Construction of sanitary sewers onsite within sewer easements or offsite within the public rights-of-way are inspected by this department. Sanitary sewer services outside easements will be inspected by the building department. Water line construction up to and including water meters will be inspected by this department. Water line construction downstream of the meters (with the exception of the fire sprinkler system) will be inspected by the building department.
  - (c) *Planning and development department.* This department is responsible for the inspection of erosion control, parking layout and landscaping.
  - (d) *Other departments.* And any other appropriate city department whose inspections are necessary to insure compliance with the ordinances of the city.

(Ord. No. 32-98, § 1, 8-27-98; Ord. No. 51-08, § 1, 12-4-08)

### → **Sec. 7.5-35. As-builts.** ←

As-builts shall be required before the final plat is recorded for subdivisions or before a certificate of occupancy issued for commercial/industrial sites. All as-built drawings must be on standard twenty-four (24) inches x thirty-six (36) inches sheets with a maximum scale of one (1) inch = fifty (50) feet. Electronic files must also be submitted in AutoCAD format with water, sewer and storm system all on separate layers.

- (a) The water system as-builts shall show locations of fire hydrants, line valves, tees, water main sizes, and types of materials.
- (b) The sanitary sewer system as-builts shall show locations of manholes, lines, services, line sizes, types of materials, manhole inverts, and line grades.
- (c) Street and storm sewer as-builts shall show street layout, profiles, grades, storm sewers and sizes, storm drainage structures, and detention ponds.
- (d) Commercial site layout as-builts in addition to water, sanitary sewer, and storm sewer, as-builts shall include, but not limited to, the following final locations of building(s), entrance(s), parking, and grading on computer disk in AutoCAD format (if feasible).
- (e) Sprinkler system as-builts with head count.

(Ord. No. 32-98, § 1, 8-27-98; Ord. No. 68-04, § 6, 9-2-04)

### → **Sec. 7.5-36. Maintenance bond, letters of credit, and performance bond.** ←

- (a) The developer, after completion of construction to the standards of these regulations, must obtain written approval of said construction by the city before recording the final plat or final approval by the city.
- (b) The maintenance bond or letter of credit covers the cost of maintaining the project for a period of eighteen (18) months from the date the city issues approval of the final plat or project.
- (c) The city shall determine the amount of the bond or letter of credit based upon the type of project and the total cost which shall be a minimum of twenty-five (25) percent of the total costs of the project. Maintenance bonds or letters of credit are only required for projects whose total project costs exceeds twenty thousand dollars (\$20,000.00). The appropriate legal representative shall approve the bond or letter of credit as to form. The bond or letter of credit shall be payable to the City of Cartersville.
- (d) In cases where work on city right-of-way is required (i.e. Accel/decel lanes at development entrances), the city shall require a performance bond or letter of credit to cover the cost of estimated construction within the right-of-way. The performance bond or letter of credit amount shall be determined by the city engineer. The bond term will be one (1) year from the issuance of the land-disturbance permit. If the construction covered by the bond fails to be completed within this time frame, the city will access the bond and complete the work.
- (e) For all bridges to be constructed which are to be dedicated to the city, the developer shall provide a separate maintenance bond or letter of credit on the bridge structure for a period consistent with specifications listed above in sections (b) and (c).

(Ord. No. 32-98, § 1, 8-27-98; Ord. No. 04-02, § 3, 1-3-02; Ord. No. 68-04, § 7, 9-2-04; Ord. No. 46-06, § 1, 7-6-06)

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**Sec. 7.5-37. Twelve-month maintenance period.**

- (a) The developer shall maintain the improvements in his/her development for a period of twelve (12) months from the date the city issues approval of the final plat or project. At the end of the twelve-month maintenance period, the city shall perform an inspection of the development and all improvements. The developer shall be notified by the city of the inspection results in writing within fifteen (15) days from the date of said inspection. The maintenance bond or letter of credit shall be released upon the issuance of a letter stating approval of the development by the city. (The final plat shall note said maintenance period and note the date that street dedication to the city shall occur.)
- (b) If repairs are needed at the end of the twelve-month maintenance period in order for the improvements to meet city specifications, the developer shall be required to make such repairs within sixty (60) days, after written notification by the city. If the repairs are not completed within said time, and the developer fails to show a legitimate hardship, as determined by the city, which inhibits the completion of the repairs, the maintenance bond or letter of credit shall be called in to pay for the repairs. Should the amount of the maintenance bond or letter of credit be inadequate to pay for the repairs, the developer shall pay the remaining amount. The following procedures shall apply in this situation:
- (1) The city shall notify the developer in writing of such action.
  - (2) Upon completion of necessary maintenance repairs, the developer shall request in writing to the city for inspection of the maintenance repairs. The city shall make said inspection and in turn notify the developer of the inspection results.
- (c) If the work is free from defects, and the improvements are in compliance with city specifications, the city shall provide written approval to the developer of said compliance and the maintenance bond or letter of credit shall be released.

(Ord. No. 32-98, § 1, 8-27-98; Ord. No. 04-02, § 4, 1-3-02; Ord. No. 46-06, § 2, 7-6-06)

**Sec. 7.5-38. Deed of dedication and maintenance agreement and easement.**

Upon issuance of the maintenance bond or letter of credit as provided above, the developer shall execute a deed of dedication as provided by the city. All streets and rights-of-way shown upon the final plat, together with all other public improvements and easements shall be dedicated to the City of Cartersville either in fee simple or by perpetual easement, as appropriate. The deed of dedication shall be recorded by the city in the office of the Clerk of Superior Court of Bartow County, Georgia. The developer shall pay all recording costs associated therewith. The developer shall also furnish to the city an opinion by an attorney acceptable to the city that title records have been examined and that marketable fee simple title was vested in the developer at time of recording of the deed of dedication, if requested by the city. The city reserves the right to refuse said dedication for reasons related to construction, maintenance or title issues.

The deed of dedication shall obligate the developer, his/her successor and assigns to maintain the streets and improvements for a period of twelve (12) months from the date of written acceptance by the city and to correct or repair the same as required in section 7.5-37 of this article. Said acceptance being the date of the deed of dedication is executed by the city. Furthermore, the developer his/her successors and assigns, shall agree to hold the city harmless and indemnify the city from liabilities arising from defects in design, installation and/or maintenance during the twelve-month period.

In the event that any utility infrastructure is located in another city's, Bartow County, or the State of Georgia's right-of-way a maintenance agreement on the form provided by the city shall be required in lieu of a deed of dedication.

(Ord. No. 32-98, § 1, 8-27-98; Ord. No. 68-04, § 8, 9-2-04; Ord. No. 46-06, § 3, 7-6-06)

### **Sec. 7.5-39. Insurance requirement.**

- (a) Prior to the issuance of any permit which includes the construction or installation of infrastructure to be dedicated to the city within rights-of-way, easement, or other property either owned by, to be dedicated, conveyed, or used by the city, said contractor, property owner, or entity working on said property for himself/itself and for all subcontractors must provide the city a liability insurance certificate of one million dollars (\$1,000,000.00) in general liability insurance listing the city as a co-insured or indicating that coverage under said policy is provided for the city.
- (b) Said certificate shall be presented to the director of planning and development prior to the issuance of any construction related permits, and must be approved by him prior to the issuance of any construction related permits.

(Ord. No. 04-02, § 5, 1-3-02; Ord. No. 51-08, § 1, 12-4-08)

### **Sec. 7.5-40. Model home permits.**

The city at its discretion may approve up to two (2) model home permits per residential subdivision development with the following stipulations:

- (1) The streets of the development should be sufficiently complete having graded aggregate base (GAB) in place to avoid the tracking of mud onto adjacent streets;
- (2) A working fire hydrant must be within two hundred fifty (250) linear feet of the model home site;
- (3) Final connection to all utilities must be postponed until final platting is complete and recorded.

(Ord. No. 68-04, § 9, 9-2-04)

### **Sec. 7.5-41. Electronic submission of building plans.**

In the event of new construction or additions of over thirty (30) percent of the entire square footage, the following must be submitted and approved by the fire department prior to the granting of a certificate of occupancy by the City of Cartersville.

- (1) A hard copy and electronic version of the final site plan and building/construction floor plan which shall be provided in AutoCAD format (DWG, DXF) or FirezoneCAD format (CZD).
- (2) The plans at a minimum shall include:
  - (a) Building/construction floor plan consisting of the following:
    - 1. All interior and exterior walls with openings for each level of the building both above and below grade;
    - 2. Room labels;
    - 3. Building measurements and dimensions;
    - 4. Roof access;
    - 5. Electrical panels and shutoffs;

(Supp. No. 22)

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6. All life safety items (including but not limited to fire extinguishers, emergency lights, exit signs, fire protection systems, and alarm information); and
  7. Other information as required by the City of Cartersville Fire Department.
- (b) Site plans shall comply with all other requirements of the City of Cartersville, and additionally, shall include:
1. Fire hydrants;
  2. Post indicator valves;
  3. Storage tanks;
  4. Water and gas shutoffs;
  5. Types and purpose of building; and
  6. Other information as required by the City of Cartersville Fire Department.
- (3) All plans must be submitted to the Cartersville Fire Department either in person, by U.S. Mail or email as indicated during the plan review process.
- (4) The effective date shall be October 1, 2008 and shall be applicable for all certificate of occupancy's issued after said date.

(Ord. No. 30-08, § 1, 9-18-08)

**Secs. 7.5-42—7.5-60. Reserved.**

### **ARTICLE III. GENERAL DESIGN REGULATIONS**

**Sec. 7.5-61. Generally.**

- (1) *Enforcement.* The public works department and/or the planning and development department of the City of Cartersville shall be responsible for the enforcement, issuance of permits, and all other requirements contained in this article.
- (2) *Use of this document:*
  - (a) This document is subject to periodic revision to meet changing requirements for materials, state and federal regulations, etc. At the beginning of a project the user should verify that he/she has the latest edition.
  - (b) This document is intended to convey the general design and construction requirements for a typical project. It also lists the specific City of Cartersville requirements relating to plan review, inspection, testing and acceptance of facilities. It is not intended as a substitute for site-specific engineering and construction techniques.

(Ord. No. 25-07, § 1, 6-7-07; Ord. No. 51-08, § 1, 12-4-08)

**Sec. 7.5-62. Definitions.**

When used in this chapter, the following words and phrases shall have the meanings given in this section. Terms not herein defined shall have their customary dictionary definitions where not inconsistent with the

context. The term "shall" is mandatory. When not inconsistent with the context, words in the singular number include the plural and those used in the plural number include the singular. Words used in the present tense include the future.

*As-built drawing:* A survey or other drawing based on a field survey which shows existing features or components and horizontal or vertical information (grades or location of improvements). All as-built information submitted to the City of Cartersville in the form of electronic files must be in AutoCAD format and be drawn using State Plane Coordinates.

*Block:* A piece or parcel of land entirely surrounded by public highways or streets other than alleys. In cases where the plotting is incomplete or disconnected, the subdivider may determine the outline of the block.

*Building line:* Refer to the zoning ordinance for the City of Cartersville.

*City* means the City of Cartersville, Georgia, United States of America.

*Clearing:* The removal of trees or other vegetation, but not including grubbing activities.

*Comprehensive plan:* The most recently adopted comprehensive plan as adopted for the City of Cartersville, Georgia.

*Construction plans:* A set of engineering drawings of the proposed streets, drainage, and utilities as set forth in article II in the "subdivision construction plan checklist."

*Contractor:* A person, firm, or corporation with whom the owner of a property has employed or contracted to perform construction activity associated with the development. For purpose of this ordinance the term contractor shall include all subcontractors who are under separate contract or agreement with the contractor for performance of a part of the work at the site.

*Cul-de-sac street:* A street having one (1) end open to traffic and being permanently terminated within the development by a vehicular turnaround. For the purpose of designation, a cul-de-sac street shall be interpreted to begin at the intersection of two (2) or more streets nearest to the vehicular turnaround.

*Developer:* Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit who directs the undertaking or proposes to undertake development activities whether the development involves the subdivision of the land for sale to individual users, the construction of buildings or other improvements on a single land ownership, or both.

*Drainage way:* An area designated for the conveyance of stormwater runoff through real property, including both natural and manmade areas.

*Easement:* Recorded authorization for a specified purpose by a property owner for the use of any designated part of the real property by another entity.

*Erosion control regulations:* Refer to article VII "soil erosion and sediment control" of these regulations.

*Final plat:* A plat of a tract of land which meets the requirements of the City of Cartersville for permanent recording in the office of the Clerk of Superior Court of Bartow County.

*Floodplain ordinance:* Refer to article VI "floodplain management/flood damage prevention" of these regulations.

*Frontage:* Refer to "lot frontage" in the zoning ordinance for the City of Cartersville.

*Georgia DOT:* The Department of Transportation of the State of Georgia.

*Grading:* The movement, removal or addition of earth on a site by the use of mechanical equipment.

*Grubbing:* The removal of stumps or roots from a property.

*Health department:* The Bartow County Health Department.

*Heavy industrial development:* Any development that will contain a loading dock or will be subject to frequent truck traffic.

*Lot:* A lot of record, or any combination of lots of record, held in a single ownership by one (1) person, or in common ownership by more than one (1), which has both lot area and lot dimensions equal to or greater than the lot width and lot area requirements established by the city zoning ordinance for the zoning district in which such tract of land is located and for the use proposed for the tract of land.

*Lot width:* The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

*Mean sea level:* The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of these Regulations, the term is synonymous with the National Geodetic Vertical Datum (NGVD). All topographic information submitted to the City of Cartersville as part of a proposed development must be reduced to mean sea level, data based on assumed elevations is not acceptable.

*Preliminary plat:* An overall layout of the proposed development usually shown on one (1) sheet which meets the minimum standards of the City of Cartersville.

*Project:* A principal building or structure, or group of buildings or structures, planned and designed as an interdependent unit together with all accessory uses or structures, utilities, drainage, access, and circulation facilities, whether built in whole or in phases. Examples include but are not limited to: a principal building on a lot, a residential subdivision, a multi-family development, a shopping center, or an office park.

*Responsible party:* In the context of enforcement procedures, a person who is alleged to have committed, causes, continued or created a violation of the terms, requirements, regulations, or provisions of these regulations whether as a direct act, through lack of action, through neglect, or at the direction of or on behalf of others. A responsible party may be the owner of a premises where a violation has occurred; an occupant whether through ownership, lease or other tenancy; a contractor, builder or developer; an agent of or person otherwise acting on behalf of the aforementioned parties; or other person acting in violation of these regulations.

*Street classification map:* A comprehensive plan of arterial, major collector, minor collector, and local streets and roads for all or a portion of the city as adopted by the mayor and city council on June 7, 2007, as amended.

*Site work:* Development activity to prepare a property for construction of buildings or finished structures, including clearing, grubbing, grading, and installation of soil sedimentation and erosion control facilities.

*Street classification:* Will be defined according to the City of Cartersville Street Classification Map but are described in general as follows:

- (a) *Arterial:* Refer to "street, arterial" in the zoning ordinance for the City of Cartersville.
- (b) *Major collector:* Refer to "street, major collector" in the zoning ordinance for the City of Cartersville.
- (c) *Minor collectors:* Refer to "street, minor collector" in the zoning ordinance for the City of Cartersville.
- (d) *Local:* Refer to "street, local" in the zoning ordinance for the City of Cartersville.

*Soil erosion and sediment control regulations:* See the definition of erosion and sediment control regulations above.

*Subdivider:* Any person, corporation or duly authorized agent, planner, designer, land surveyor, (landscape) architect or engineer, who undertakes the subdivision of land as defined herein.

*Subdivision:* Any division of a tract or parcel of land into two (2) or more lots, building sites, or other parts for the purpose of immediate or future sale, legacy, or building development. The term includes re-subdivision and any division of land involving a new street, existing street, or a change in existing streets, and, as appropriate to the context, relates to the process of subdividing or to the land or area subdivided. The term does not include the

combination or recombination of portions of previously plated lots, where the total number of lots is not increased and the resultant lots meet the standards of the city, or the division of land into parcels of five (5) acres or more, where no new streets or new utility services are involved.

*Variance:* A variance is a change in the general design of a development but which shall in no way make null the Development Regulations or the City of Cartersville Zoning Ordinance.

*Water and sewer system:* City of Cartersville Water Department provides water and sewer in portions of the city. Portions of the city are provided with water and sewer by Bartow County.

*Zoning ordinance:* The ordinance adopted by the mayor and council and known as the City of Cartersville Zoning Ordinance.

(Ord. No. 25-07, § 1, 6-7-07)

## → **Sec. 7.5-63. Subdivisions.** ←

### → (1) *Minimum lot requirements:*

- (a) *Minimum right-of-way:* Each lot shall front upon a dedicated public street having a right-of-way of not less than sixty (60) feet.
  - (b) *Arrangements:* Side lot lines should be at right angles (ninety (90) degrees) to straight street lines or radial to curved street lines. Side lot lines should be radial to the center points in all culs-de-sac. Side lot lines may deviate up to five (5) degrees if necessary to combine property corners.
  - (c) *Building lines:* Building lines shall conform to the city zoning ordinance.
  - (d) *Double frontage lots:* Access shall be restricted to the interior street(s) for all residential subdivisions.
  - (e) *Minimum lot frontage:* The minimum width of frontage of any lot shall be as required by the city zoning ordinance for the specific zoning district in which the lot is located. The lot width at any point from the road right-of-way to the building line shall not be less than the minimum required frontage width.
- (2) *Monuments:* All corners shall be marked with an iron pin, one-half-inch in diameter or greater and eighteen (18) inches long and driven so as to extend not less than one (1) inch above the finished grade. If unable to penetrate ground eighteen (18) inches, then set other permanent monuments (PK nail in asphalt, spike, chiseled x, etc.).

### → (3) *Drainage ways and easement:*

- (a) Drainage ways for manmade drainage ditches shall be cleared and opened at the time of development to control surface water runoff. Runoff slopes, and side slopes to be specified by the developer's engineer, according to good engineering practices. Drainage ditches shall conform to the requirements of this regulation, as specified in subsection 7.5-66(2)(j).
- (b) Drainage ways shall be provided where a subdivision is traversed by a water course, natural stream, channel or any other circumstances where required by the public works department. It shall conform substantially to the limits of such water course plus any additional width as is necessary to accommodate future development.
- (c) Drainage ways off the street right-of-way that are to be dedicated to the city shall be clearly defined on the plat of the individual property owner and said property owner shall be required to keep easement free of obstructions and shall maintain same in such a way as to assure free and maximum flow at all times.
- (d) All drainage ways, including existing drainage ditches, shall be clear of debris, excess dirt and other materials. The ground shall be smoothed down and grassed by the developer within ten (10) days of

completing construction work. The use of sediment control measures shall be required to protect the area until a vegetative cover is obtained.

- (e) Permanent sanitary sewer easements of twenty (20) feet in width shall be provided for sewer lines. If sanitary sewer lines are excessively deep, wider easements shall be required to maintain a 1:1 open cut slope.
- (f) Easements for sanitary sewers, drainage, and other utility purposes may be combined, but shall be of a minimum width as specified by the superintendent of the specific utility departments of the involved utilities.
- (g) All drainage ditches and structures must be centered on dedicated easements unless otherwise approved by the public works department.

→ (4) *Streets:*

- (a) *Classification.* Prior to submission of preliminary plat, the developer shall meet with the director of public works to have the proposed street classified, in order that it can be accepted into the city's system. In some cases, it may be desirable for a street to have a higher classification based upon ultimate development of the entire area, which is not necessarily just the one (1) development being submitted. This is particularly true in the more outlying areas around the city. Street continuity may require that a cul-de-sac street be provided in a current development at the property line, such that it can be extended in the future. In a case of this nature, the current development would provide the street to the property line. The future development would pick up at the property line and continue the street.
- (b) *Existing streets:* When development is proposed on an existing street(s), all improvements required under these standards shall apply to the side of the street which the development abuts.
- (c) *Relation to adjoining street system:* The proposed street system shall extend existing streets, but to current city standards. If lots front on the existing city street, it shall be improved out to an acceptable city or county road by the developer.
- (d) *Alleys:* Alleys may be provided to the rear of all lots except lots with double frontage.
- (e) *Restriction of access:* When a subdivision fronts on an arterial or major collector as shown on the City of Cartersville Street Classification Map, double frontage lots shall be provided with frontage on an interior street with no access to the arterial or major collector.
- (f) *Dead ends.* All dead end streets shall have a cul-de-sac as defined in section 7.5-70, standard details.
- (g) *Conformity to the Cartersville Street Classification Map.* The location and width of all streets and roads shall conform to the official City of Cartersville Street Classification Map. Street plans and profiles shall be approved by the city.
- (h) *Intersections:*
  - Street intersections shall be as nearly at right angles as is possible.
  - No intersection shall be at an angle of less than seventy-five (75) degrees.
  - The property line at street corners shall be mitered adequately to permit construction of a seventeen-foot clear shoulder behind the curb and gutter.
  - Sight distance at intersections shall meet requirements of this regulation (see section 7.5-70, standard details, detail 3.8.06.)



- Islands at intersections shall be subject to individual approval by the city. In no case shall anything extend more than two (2) feet above the back of the curb within the right-of-way, of the street to be intersected.
- Landings shall be required for all intersections. These landings shall be as defined in section 7.5-70, standard details, detail 3.8.05.
- Opposing tee street intersections shall be directly aligned or shall be offset at least two hundred (200) feet.
- Intersections shall have a minimum radius as measured to the face of the curb of forty (40) feet for residential, commercial and retail subdivisions and seventy-five (75) feet for heavy industrial subdivisions.

(i) *Names:*

- Proposed streets that are obviously in alignment with other already existing and named street(s) shall bear the name(s) of such existing street(s).
- No proposed street name shall duplicate an existing street name within the City of Cartersville or Bartow County regardless of the use of the suffix "Street," "Avenue," "Boulevard," "Drive," "Place," "Way," "Court," or however otherwise designated.
- All street names are subject to the approval of the city.

→ (j) *Right-of-way:*

- • The minimum width of right-of-way, as measured from lot line, shall be as shown in section 7.5-70, standard details, detail 3.8.01.
- • Adequate right-of-way shall be provided to allow the construction of a seventeen-foot cleared shoulder behind the curb line except industrial streets shall have a sixteen-foot cleared shoulder.
- Lawn sprinkler systems and trees shall be located outside existing or proposed street right-of-ways unless otherwise approved by the city.

(k) *Traffic studies:* The public works department may require that a traffic study be performed prior to the issuance of any permits to evaluate the current capacity of streets expected to carry the traffic volumes from the proposed development.→ (5) *Entrances:*

- (a) *Maximum lots served.* A subdivision shall serve no more than two hundred (200) lots with a single entrance.
- (b) *Street access.* Curb cuts in other than residential districts: Curb cuts for service drives, entrances, exits, and other similar facilities on public streets in other than residential districts shall not be located within fifty (50) feet of any intersection.
- (c) *Driveways:* No more than two (2) combined entrances and exits shall be allowed on any parcel or property when the frontage of which is less than two hundred (200) feet. Additional entrances or exits for parcels or property having a frontage in excess of two hundred (200) feet shall be permitted only after showing of actual requirements of convenience and necessity.
  - The angle of driveways shall not be less than forty-five (45) degrees with the edge of the road or street, except on divided highways the entrance angle to roadside commercial establishments may be reduced to thirty (30) degrees. Exit drives from roadside commercial establishments on divided highways shall have an angle of not less than sixty (60) degrees with the roadway.
- • Driveways shall be constructed in accordance with section 7.5-70, standard details, detail 3.8.08.

- (d) *Entrance widening.* Subdivision developments shall construct entrance widening to the following requirements:
1. Residential subdivisions:
    - a. Residential subdivisions not exceeding twenty (20) lots whose entrance is on a local or minor collector, as shown on the City of Cartersville Street Classification Map, shall install offset radii and fifty-foot tapers as shown in section 7.5-70, standard details, detail 3.8.18.
    - b. All other residential subdivisions shall construct full acceleration/deceleration lanes to conform to section 7.5-70, standard details, detail 3.8.19.
    - c. Residential subdivisions exceeding two hundred (200) lots shall be required to install entrance with a center turn lane and longer acceleration/deceleration lanes if it is located on a minor collector, major collector or an arterial street as shown on the City of Cartersville Street Classification Map. Entrance shall conform to section 7.5-70, standard details, detail 3.8.20.
  2. Commercial/industrial subdivisions.
    - a. Full acceleration and deceleration lanes shall be installed per section 7.5-70, standard details, detail 3.8.21. Paving section shall correspond to the street classification of the existing road.
    - b. Commercial/industrial subdivisions shall be required to install entrance with a center turn lane and longer acceleration/ deceleration lanes if it is located on a minor collector, major collector or an arterial street as shown on the City of Cartersville Street Classification Map. Entrance shall conform to section 7.570, standard details, detail 3.8.21.
      - Access onto a state road shall meet existing Georgia DOT requirements. Such an application for a DOT permit shall be submitted to the city prior to submittal to DOT. Once approved by DOT, a copy shall be provided to the city. All such entrances shall be paved.
      - Sight distance: The developer shall be required to upgrade the existing city or county road to meet the sight distance requirements of section 7.5-65(4). See subsection 7.5-65(6) for more detailed requirements concerning lane requirements.
      - The developer shall install any catch basins and drainage pipe which must be constructed when an existing city or county road is required to be modified as a result of proposed development at his/her expense.
      - Existing or proposed water mains and storm sewers shall be relocated at the developer's expense, to a point outside of the entrance widening.
- (e) *State department of transportation approval:* All entrances or exits of any street or drive, public or private, from or to any state highway shall be approved by the state department of transportation prior to the construction of such street or drive, or the issuance of any development permit for any improvement to be served by such street or drive.

→ (6) *Utilities:*

- (a) The design and construction specifications for all public utilities shall conform to the Specifications for the City of Cartersville.
- (b) All utilities shall be buried in a residential subdivision unless otherwise required by the City of Cartersville. This requirement may only be waived by the director of the respective department, said waiver must be in writing.

- (7) *Final plats*: Final plats shall be required to meet the State Plat Act and the current City of Cartersville Zoning Ordinance.

(Ord. No. 25-07, § 1, 6-7-07)

### **Sec. 7.5-64. Individual commercial/industrial/multifamily sites.**

- (1) *Development entrances*: In addition to the following, parking lots shall not drain onto a city street except as approved by the public works department.
- (a) The city shall approve the number of entrances to a proposed development.
  - (b) On minor collector streets provide offset radii and tapers per section 7.5-70, standard details, detail 3.8.22 except in the DBD zoned area.
  - (c) Industrial developments, commercial businesses and multifamily developments shall install full acceleration/deceleration lanes section 7.570, standard details, detail 3.8.23 if accessing a major collector or an arterial street except in the DBD zoned area.
  - (d) Industrial developments on corner lots which have frontage on interior subdivision streets shall have access only from the interior subdivision street(s).
  - (e) Developments on corner lots which have frontage on a local or minor collector city road shall install an additional lane pursuant to the specifications of the public works department except in the DBD area.
  - (f) The city may require a center turn lane or a longer deceleration lane if the city determines the traffic the project generates and the existing city street warrants it.
  - (g) Access onto a state road shall meet existing Georgia DOT requirements, except for the entrance must be paved.
  - (h) *Sight distance*: No entrance shall be allowed in a location that does not provide adequate sight distance as specified in section 7.5-70, standard details, in details 3.8.06 and 3.8.07. The developer may choose to upgrade the existing city or county road to meet the sight distance requirements of section 7.5-65(4).
  - (i) Fire lanes shall be designed with proper space for fire vehicles movement. Fire lanes shall be approved by the City of Cartersville Fire Department.
- (2) *Off street automobile parking*:
- (a) Parking layout shall conform to section 7.5-70, standard details, detail 3.8.10a, 3.8.10b and 3.8.10c. All off street parking shall be paved unless otherwise approved by the city.
  - (b) Reserved.

(Ord. No. 25-07, § 1, 6-7-07)

### **→ Sec. 7.5-65. Street design criteria. ←**

- (1) *AASHTO standards*: Road design shall conform to AASHTO (American Association of State Highway and Transportation Official(s)) requirements as published in "A Policy on Geometric Design of Highways and Streets" 1994 edition as amended, unless otherwise noted herein.
- (2) *Minimum design speed and maximum grade*: Minimum design speeds and maximum grades for proposed streets in the City of Cartersville by street classification shall be as follows:

| Street Type      | Maximum Allowable Grade | Minimum Required Design Speed |
|------------------|-------------------------|-------------------------------|
| Arterial         | 7%                      | 55 MPH                        |
| Major Collector  | 10%                     | 45 MPH                        |
| Minor Collection | 12%                     | 35 MPH                        |
| Local            | 12%                     | 30 MPH                        |
| Alleys           | 12%                     | N/A                           |
| Cul-de-sac       | 4%                      | N/A                           |

(3) *Minimum street grade:* Minimum grade on culs-de-sac shall be one and one-half (1.5) percent to maintain one (1) percent in curb line. Minimum street grade outside of culs-de-sac shall be one (1) percent.

(4) *Site distance at entrances:*

(a) Sight distance requirements along existing city roads shall be determined using the posted speed limit and the corresponding stopping sight distance as shown in section 7.5-70, standard details, detail 3.8.06.

(b) The sight distance for crest and sag vertical curves is the distance measured along the roadway from a driver's eye three and one-half (3.5) feet above the pavement to an object six (6) inches high at the intersection as shown in section 7.5-70, standard details, detail 3.8.06.

(c) The sight distance for horizontal curves is determined by the line of sight available two (2.0) feet above the road surface. The sight distance is measured along the existing edge of pavement beginning at the centerline of the proposed entrance and ending where the line of sight intersects it. The line of sight is the projected line of visibility beginning at the entrance centerline and tangent to an obstruction two (2.0) feet above the road surface. Examples of obstructions are vegetation, ground cover, signs, existing topography, etc. (See section 7.5-70, standard details, detail 3.8.07.)

(5) *Curves:*

(a) *Vertical:* The length of vertical cures, both crest and sag, shall be based upon current AASHTO standards.

(b) *Horizontal:* Streets shall be designed to have a centerline radius of curvature of no less than one hundred (100) feet. Proposed minor collector streets shall have a minimum three hundred (300) centerline radius of curvature. All other streets horizontal curvature shall be designed according to AASHTO standards.

Tangent distance between reverse curves shall be as follows:

|                   |          |
|-------------------|----------|
| Major collectors: | 300 feet |
| Minor collectors: | 200 feet |

(6) *Street cross-section:*

(a) Street cross-sections shall be as shown in section 7.5-70, standard details, detail 3.8.01.

(b) Curb and gutter shall be as shown in section 7.5-70, standard details, detail 3.8.09.

(c) Cul-de-sac radius shall be as shown in section 7.5-70, standard details, detail 3.8.02 for residential applications and 3.8.03 for commercial applications.

→ (7) *Street paving:* Pavement thickness for streets shall be as specified in section 7.570, standard details, detail 3.8.01

(a) "GAB" refers to graded aggregate base as specified in the Georgia DOT in Standard Specifications Section 815.

(b) "Type B" refers to Type B Asphalt concrete as specified in the Georgia DOT in Standard Specifications Section 828.

(c) "Type E" refers to Type E Asphalt concrete as specified in the Georgia DOT in Standard Specifications Section 828.

(d) "Type F" refers to Type F Asphalt concrete as specified in the Georgia DOT in Standard Specifications Section 828.

(e) All local commercial/industrial and minor collector commercial/industrial streets shall have the same paving section as the major collector street type.

(8) *Dam supporting road:* No city street shall be designed to cross an existing or proposed dam that is regulated by the Safe Dams Act.

(9) *Curb and gutter:* Curb and gutter shall be required on all paved streets. (See section 7.5-70, standard details, detail 3.8.09.)

→ (10) *Sidewalks:*

(a) Sidewalks shall be required on at least one (1) side of all new streets in residential developments and are required along property frontage of all new developments on existing streets.

(b) Sidewalks shall be a minimum of five (5) feet in width and shall be constructed in accordance with section 7.5-70, standard details, detail 3.8.15 and located as shown in detail 3.8.14.

(c) Sidewalks shall be backfilled and landscaped.

(d) Sidewalks shall include handicap ramps at all street intersections to meet the Americans with Disabilities Act (ADA) requirements. See section 7.5-70, standard details, detail 3.8.16a, 3.8.16b, 3.8.16c and 3.8.16d.

→ (11) *Traffic signs:* The design professional shall show the location of all required traffic signs. The developer shall furnish and install all street signage in the project. Unless otherwise noted, design of traffic signs shall conform to the Manual on Uniform Traffic Control Devices (MUTCD), Latest Edition, published by the United States Government Printing Office.

→ (12) *Utility locations:* All utility locations shall correspond to the typical layout shown in section 7.5-30, standard details, details 3.8.12 and 3.8.13.

(Ord. No. 25-07, § 1, 6-7-07)

## **Sec. 7.5-66. Storm drainage design criteria.**

(1) *Storm sewers:*

(a) All storm sewer design calculations shall be certified by a professional engineer, land surveyor or landscape architect currently licensed in the State of Georgia.



- (b) Storm drainage pipes shall be sloped so as to maintain a minimum velocity of three (3) feet per second (fps) during the two-year design storm event in order that sediment will not collect.
  - (c) Drainage formulas used in determining size of storm sewer components shall meet all criteria of: "STORMWATER MANAGEMENT MANUAL," Latest Revision, facilitated by the Atlanta Regional Commission, the Georgia Department of Natural Resources-Environmental Protection Division and thirty-five (35) cities and counties across Georgia.
  - (d) The 25-year storm event shall be used in designing the storm drains. In cases where the property is traversed by a spring, creek, or other watercourse, the one hundred-year storm event will be used for design.
  - (e) Storm sewers shall not be less than fifteen (15) inches in diameter. No storm drain pipe running parallel to the existing primary road shall be located beneath the proposed entrance widening. Relocation of existing storm drainage structures shall be done by the developer.
  - (f) Storm drainage structures or drainage ways shall not be located within twenty (20) feet of any existing or proposed building.
  - (g) Storm sewers shall extend at least from edge of right-of-way to edge of right-of-way. Residential subdivision storm sewers shall extend at least to the rear of the building on all piping.
  - (h) Catch basins, junction boxes, drop inlets and outlet structures shall have a minimum elevation drop from the inlet invert elevation to the outlet invert elevation of at least 0.20 feet.
  - (i) Maximum continuous length of pipe without a junction box, drop inlet, or catch basin, shall be three hundred (300) feet for pipes less than forty-two (42) inches in diameter, and five hundred (500) feet maximum for pipe greater than forty-two (42) inches in diameter.
  - (j) Storm sewers shall be reinforced concrete pipe (RCP) within the right-of-way of an existing or proposed street.
  - (k) Aluminum storm drain piping shall be encased in a polyethylene wrap when it is located within twenty (20) feet of a steel gas line. Contact the City of Cartersville Gas Department for specifications.
- (2) *Drainage structures (excluding pipe or culverts):*
- (a) The design engineer shall check the hydraulic capacity of each drainage structure designed as an inlet point in the drainage system. The actual stormwater flows shall be compared with the structures flow capacity to insure their capacity is not exceeded.
  - (b) Catch basins shall be constructed in accordance with the Georgia Department of Transportation Standard Details 1033D and/or 1034D.
  - (c) Catch basins shall be located outside of intersection radii.
  - (d) Catch basin spacing from each other shall be limited to a maximum distance as follows:
    - Two hundred fifty (250) feet on grades up to seven (7) percent.
    - Four hundred (400) feet on grades from seven (7) percent to ten (10) percent.
    - Five hundred (500) feet on grades over ten (10) percent.
    - No curb cuts in lieu of drainage structures will be allowed.
  - (e) The outlet end of all storm drain pipes shall have either flared-end sections or concrete headwalls which meet Georgia DOT Standards 1120 or 1125. This same standard applies to the inlet end of storm sewers where an open pipe is designed to collect the runoff. Flared ends shall be of the same material as the storm drain pipe.

- (f) Drop inlets shall be designed to Georgia DOT Standard Detail 1019A. Weir drop inlets shall be provided in landscaped areas. Grated drop inlets shall be provided in paved areas.
- (g) Junction boxes or manholes having access to the pipe shall be constructed to meet the requirements of Georgia DOT Standard Detail 9031U or 1011A. Manholes shall be provided with eccentric cone sections.
- (h) All drainage structures shall have a minimum elevation drop from the inlet invert elevation to the outlet invert elevation of at least 0.20 feet.
- (i) Stormwater management facilities having a depth, including freeboard, greater than or equal to four (4) feet shall be fenced and have a ten-foot wide lockable gate for entrance and maintenance. The fence shall be a minimum of four (4) feet in height and shall be of the vinyl-coated chain link, decorative, or wooden privacy type. If the side slopes are 3 (horizontal) to 1 (vertical) (3:1) or flatter, then safety benches with an average width of fifteen (15) feet may be used in lieu of a fence. If side slopes are 4 (horizontal) to 1 (vertical) (4:1) or flatter, then a fence will not be required.
- (j) Stormwater ditches:
1. All ditches between storm drain pipes and downstream of storm drain pipe shall be designed by a professional engineer or landscape architect currently licensed in the State of Georgia.
  2. The ditch profile and cross-sections shall be shown on the plans. The plans shall show the velocity and flow for the ditch design. Drainage ditches shall be designed to limit the runoff velocity to less than five (5) fps or the ditch shall have the bottom and sides lined with sod. Ditches shall be designed to limit the runoff velocity to less than eight (8) fps or the ditch shall have a paved invert as shown in section 7.5-70, standard details, details 3.8.17a and 3.8.17b.
  3. In residential subdivisions, all ditches are to be installed and apparent prior to approval of the final plat.
- (k) Subdrainage: When subgrade compaction requirements of these specifications cannot be met, subdrainage will be installed to control the surplus ground water by intercepting side-hill seepage or by lowering or regulating the ground water level.
- (l) Bridges: Bridges shall not be allowed unless otherwise approved by the public works department.
- (m) Existing dams:
1. It shall be the responsibility of the developer to provide any required information or studies, to include the dam breach analysis, for any dam located on the property proposed to be developed or located on adjacent property upstream of the proposed development, to the City of Cartersville. The design engineer shall search the entire watershed upstream of the property for other dams regulated by the state. The City of Cartersville shall maintain a record of dams reported to the city and their attendant breach zones. The design engineer shall include a statement in the dam breach analysis report whether or not any dams were found upstream and whether or not they affect the property to be developed.
  2. The City of Cartersville shall submit the required information to the Environmental Protection Division of the Georgia Department of Natural Resources for review.
  3. The City of Cartersville shall notify the dam owner in accordance with the procedures set forth in the Georgia Safe Dams Act.
  4. If development is proposed in the breach zone below the dam, then the dam owner shall be required to upgrade the dam to Category I standards, as defined in the Georgia Safe Dams Act, or breach the dam in a safe manner as authorized by the Environmental Protection Division of the Georgia Department of Natural Resources. If the dam owner elects to breach the dam, measures

must be taken to ensure that stormwater flows are not increased on downstream property owners.

- (n) Proposed dams: The developer of any proposed new dams which are regulated by the Georgia Safe Dams Act shall obtain necessary permits and approvals from the State of Georgia prior to obtaining a development permit from the City of Cartersville. A development permit shall be required before the construction of said dam.

(Ord. No. 25-07, § 1, 6-7-07; Ord. No. 24-17, § 1, 7-20-17)

### **Sec. 7.5-67. Stormwater quality/quantity control facilities.**

The City of Cartersville requires each new project to create adequate stormwater controls using Best Management Practices (BMP)'s. Use of the BMP's to enhance water quality to comply with the Clean Water Act (CWA) is federally mandated. The City of Cartersville will utilize the Atlanta Regional Commission's Georgia Stormwater Management Manual, Volumes I and II, as standards for compliance with the required BMP's. Refer to article IX of this chapter for guidance on compliance with these requirements.

(Ord. No. 25-07, § 1, 6-7-07)

### **Sec. 7.5-68. Materials.**

- (1) *Compliance:* All materials shall comply with Georgia DOT Standard Specifications for Construction of Roads and Bridges, 1993 edition, as amended, with supplemental specifications and standard details, unless otherwise noted.
- (2) *Streets:*
- (a) *GAB.* Graded aggregated base course shall consist of mineral aggregate and may be a combination of natural deposit or a blend of the materials specified in the Georgia DOT in Standard Specifications Section 815
- (b) *Black base.* Black base shall consist of asphalt concrete conforming to Type B specifications of the Georgia DOT in Standard Specifications Section 828.
- (c) *Prime.* After the base has been placed, mixed, compacted, shaped, inspected and accepted, it shall be primed with suitable asphalt materials as specified in Georgia DOT in Standard Specifications Section 412.
- (d) *Tack.* Tack coat shall be applied on a prepared road surface according to the requirements of Georgia DOT in Standard Specifications Section 413.
- (e) *Surface course.* Type E Asphalt concrete as specified in the Georgia DOT in Standard Specifications Section 828.
- (3) *Curb and gutter.* Concrete shall be Class "A" as defined by Georgia DOT in Standard Specifications Section 500 and have a minimum compressive strength of three thousand (3,000) psi at twenty-eight (28) days.
- (4) *Storm sewers.*
- (a) Georgia DOT Standard Detail 1030D shall be used in determining class concrete or gauge of pipe under fill.
- (b) A certification by the supplier of the pipe specifications for each pipe shall be required before installation.

- (c) Concrete pipe shall be steel reinforced in accordance with AASHTO: M170.
- (d) All corrugated metal pipe shall be aluminum or type II aluminized steel.
- (e) High Density Polyethylene (HDPE) pipe materials may be acceptable at locations approved by the Public Works Department. HDPE Corrugated and Smooth Lined Pipe and Fittings shall be manufactured in accordance with requirements of AASHTO M 294 and AASHTO MP7, latest edition.

(Ord. No. 25-07, § 1, 6-7-07)

## → **Sec. 7.5-69. Construction.** ←

- (1) *Compliance.* All construction shall comply with Georgia DOT Standard Specifications Construction of Road and Bridges, with Supplemental Specifications and Standard Details, 1993 edition, as amended, unless noted otherwise.
- (2) *Clearing and grubbing.* Grading sections shall be cleared and grubbed of all trees, bushes, stumps and debris. Such debris shall be disposed of in a lawful manner. There shall be no burial of such debris on site.
- (3) *Grading.*
  - (a) Grading shall be accurately done to the lines and grades shown on the plans. Embankments shall be placed in uniform layers not to exceed six (6) inches and compacted to a density of ninety-five (95) percent of the maximum laboratory dry weight per cubic foot as determined by AASHTO Method T-99. The contractor shall add moisture to the material as required as it is placed to obtain required compaction.
  - (b) Compaction test shall be provided by the developer and shall be performed by a geotechnical engineer licensed in the State of Georgia. Required test shall be every two (2) feet vertically and five hundred (500) feet horizontal.
  - (c) Maximum construction cut and fill slopes are as follows:

| Depth of cut or fill | Cut slopes | Fill slopes |
|----------------------|------------|-------------|
| 2 feet or less       | 4 to 1     | 4 to 1      |
| 2 feet to 5 feet     | 3 to 1     | 3 to 1      |
| 5 feet to 10 feet    | 2 to 1     | 2 to 1      |
| Over 10 feet         | 2 to 1     | 2 to 1      |

The depth of cut referred to shall be constructed to the maximum cut or fill occurring in any one (1) section of cut or fill. The slope on cut or fill slopes shall be uniform throughout for each section or cut or fill. When a cut is made in rock that requires blasting, the slope may be changed to vertical slope upon the written approval of the public works director.

- (4) *Subgrade.*
  - (a) After the earth work has been completed, all storm drainage and other underground utilities have been installed under the roadbed, and the backfill in all such ditches thoroughly compacted, the subgrade shall be brought to the lines, grades and cross-section shown on the plans. Underground utilities located in the shoulder of the road shall not be installed until the seventeen-foot shoulder has been constructed to the subgrade level.

- (b) If any sections of the subgrade are composed of unsuitable or unstable material, such material shall be removed to the depth directed by the authorized representative of the city and replaced with suitable, thoroughly compacted material.
- (c) When the street is to be used for construction traffic before the paving work is completed, a layer of GAB can be laid as a traffic surface.
- This material shall not be used as part of the base material.
  - It may be worked into the subgrade, or it shall be removed before the base course is set up for paving.
  - Provision shall be made to drain low points in road construction when the final paving surface is delayed.
- (5) *Curb and gutter.*
- (a) Line and grade shall be set by developer's engineer, landscape architect, or land surveyor.
- (b) One-half-inch expansion joints or pre-molded bituminous expansion joint material shall be provided at all radius points and at intervals not to exceed fifty (50) feet in the remainder of the curb and gutter.
- (c) Cross-section shall be in accordance with section 7.5-70, standard details, detail 3.8.09.
- (d) All curbing within a public street right-of-way must be installed on a minimum of six (6) inches of compacted GAB graded aggregate base).
- (6) *Street cuts.*
- (a) The city's policy is no existing streets can be open cut unless unusual circumstances warrant it. No street shall be cut or bored without a written permit issued by the public works department. Application for such permit shall be made at least two (2) business days prior to the desired time for starting work.
- (b) All trenches shall be backfilled and compacted the same day the trench is opened. Compaction requirements are as follows:
- Trenches under paving shall be backfilled with GAB and returned to one hundred (100) percent compaction.
  - Trenches elsewhere shall be returned to ninety-five (95) percent compaction.
- (c) If the city allows open cutting, all trenches under existing paving shall be backfilled and compacted in six-inch lifts and excavated to allow for concrete and asphalt to be placed as shown in section 7.5-70, standard details, detail 3.8.11. The edges of the paving cut shall be saw cut smooth.
- (d) Compaction test on cuts shall be made at two (2) per cross cut.
- (7) *Underground utilities.*
- (a) All utilities within the curbs shall be installed and the ditches backfilled and thoroughly compacted before any pavement or base is installed.
- (b) All utility manholes and valve boxes shall be brought to the finished grade within the roadway section.
- (8) *Easements.* Easements shall be clear of limbs and debris, graded smooth, and established in grass.
- (9) *Foreign materials on streets.*
- (a) The developer, builders, and/or homeowners shall be responsible for keeping dirt, mud, building materials, concrete, etc., off the pavement and curbing of existing city or county roads during construction of buildings in all developments covered by these regulations.



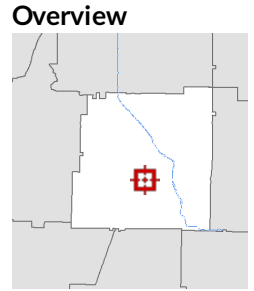
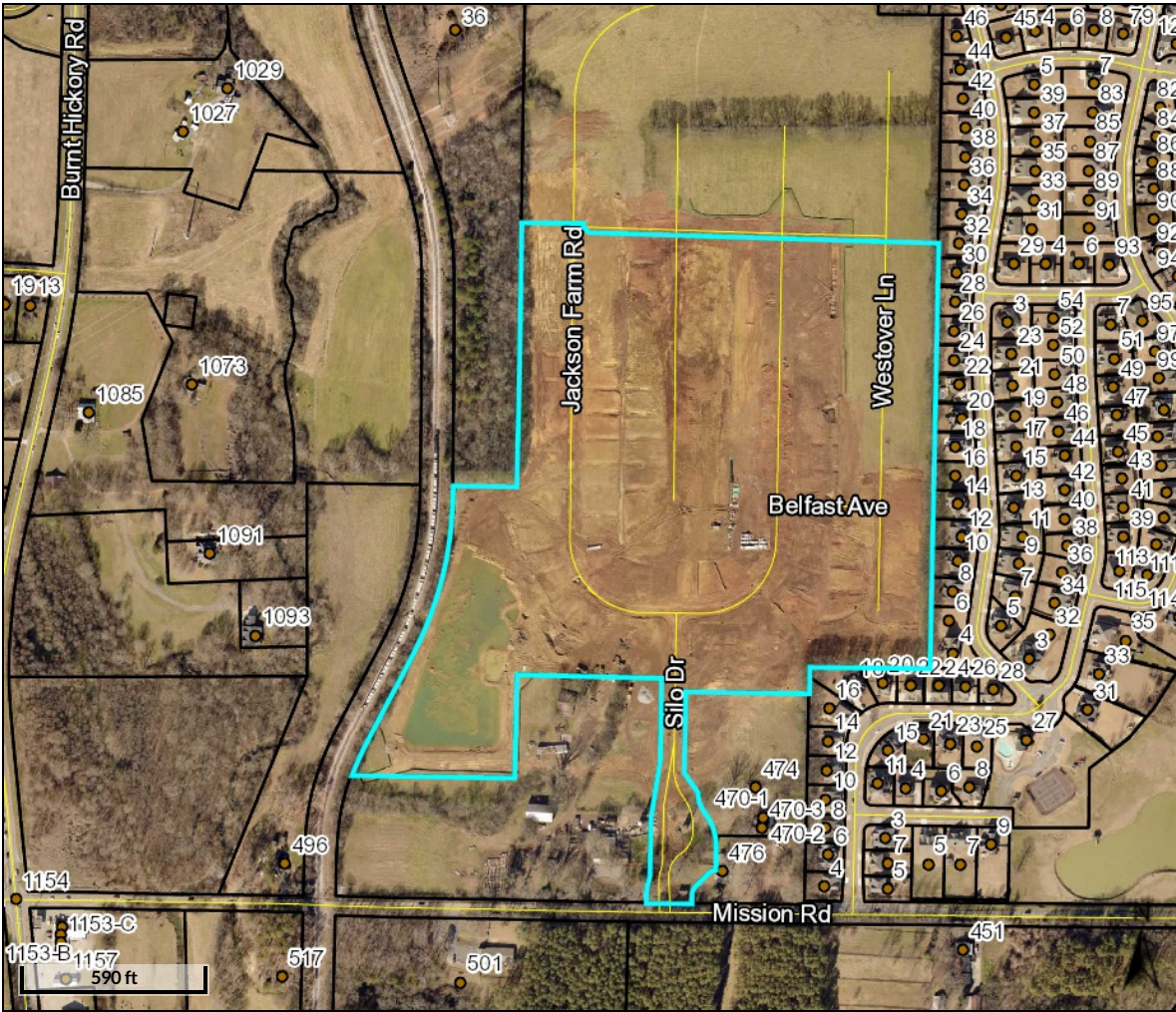
- (b) Before the streets are accepted by the City of Cartersville, all litter and trash shall be removed from the dedicated rights-of-way and surrounding areas.
- (10) *Storm sewers.* Pipe installation shall conform to Georgia DOT Standard Specifications for Construction of Roads and Bridges.
- (a) Before any traffic over a storm drain is allowed, the developer shall provide an adequate depth and width of compacted backfill to protect the structure from damage or displacement. Any debris or silt that constricts the flow through a pipe shall be removed by the developer as often as necessary to maintain drainage. All pipe structures shall be cleaned before the work is accepted. Any damage or displacement that may occur due to traffic or erosion shall be repaired or corrected at the developer's expense.
- (b) Minimum clearances are:
1. One (1) foot between the bottom of the base or sub-base, if used, and the exterior crown of the culvert.
  2. A minimum of one-half (0.5) foot between underground utilities and exterior crown of culverts.
- (c) Trench construction for storm drainage pipe shall be in accordance with State Highway Standard 1030D.
- (d) Storm drainage pipe shall be bedded in Size No. 57 (1" to No. 4) per ASTM D-448 Table 1, standard sizes of processed aggregates when structural fill material is not available.

(Ord. No. 25-07, § 1, 6-7-07)

### **Sec. 7.5-70. Standard details (see details at the end of article III).**

### **Sec. 7.5-71. Private streets.**

- (1) *Definitions.*
- (a) *City engineer* shall be the individual designated by the city manager to perform said functions.
- (b) *City of Cartersville Development Standards.* The City of Cartersville Zoning Ordinance, City of Cartersville Development Regulations and all codes and ordinances adopted by the City of Cartersville.
- (c) *Director* refers to the City of Cartersville Director of Planning and Development.
- (d) *Subdivision* for the purpose of this section, subdivisions include only the following uses:
- (1) Single-family residential units; and
  - (2) Fee simple town home units, fee simple condominiums or other fee simple ownership of the individual residential units.
- (2) *Private streets permitted.* Private streets may, upon application, be permitted by the planning commission within subdivisions, subject to the requirements of this section. Applications for approval of private street shall be considered by the planning commission at the time of preliminary plat approval by the planning commission. Following a recommendation by the public works director or city engineer to authorize private streets in a major subdivision, the planning commission shall consider the application and may impose conditions on the approval of private street to ensure various public purposes and to mitigate potential problems with private streets. No final plat involving a private street shall be approved unless said final plat conforms to the requirements of this section.



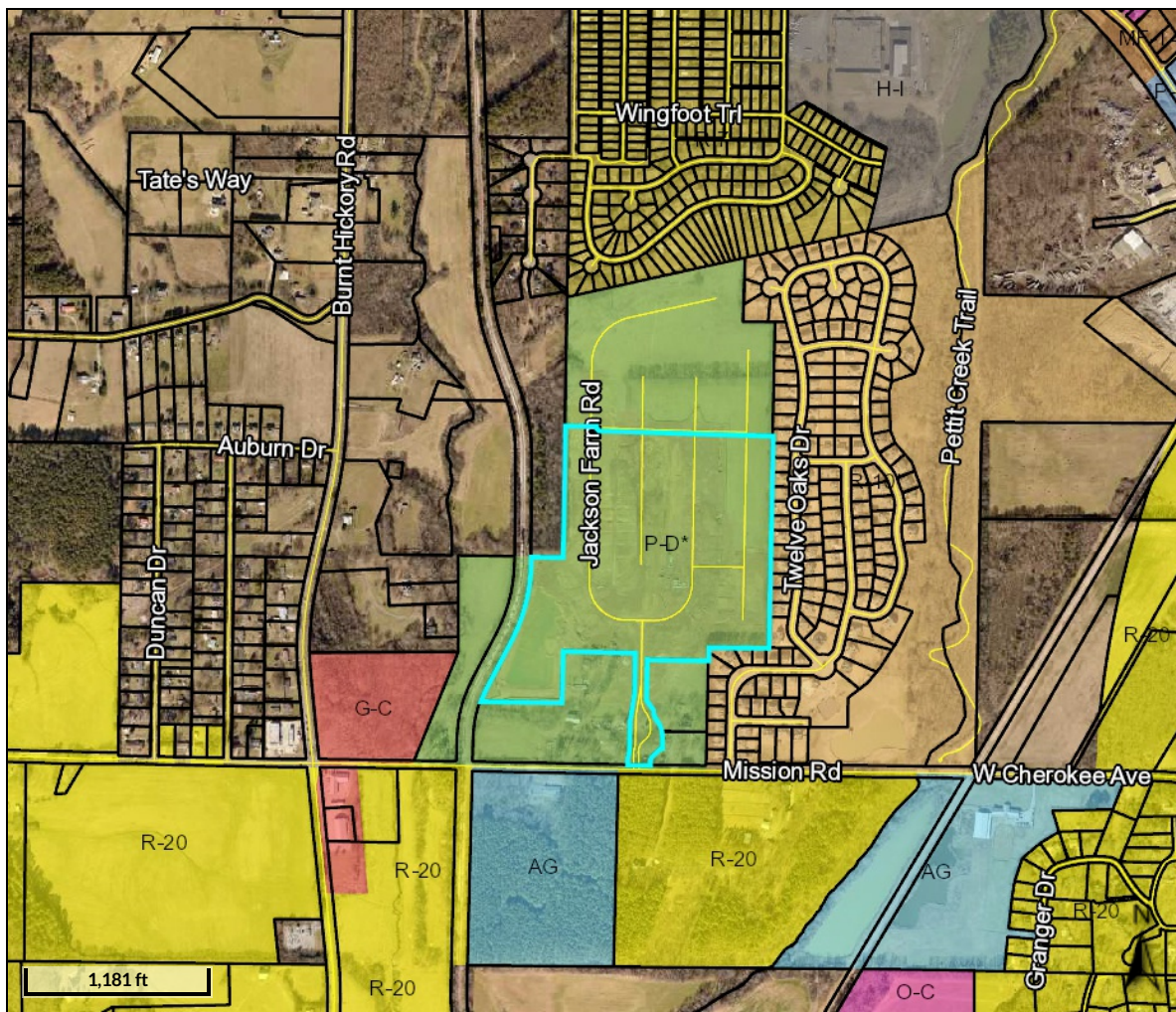
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- Parcels
  - Structural Numbers**
  - <all other values>
  - Abandoned or Inactive
  - Active
  - Proposed
  - Roads

|                       |   |              |              |               |                      |
|-----------------------|---|--------------|--------------|---------------|----------------------|
| Parcel ID             | C024-0001-003                             | Alternate ID | 48449        | Owner Address | JACKSON FARM 106 LLC |
| Sec/Twp/Rng           | n/a                                       | Class        | Agricultural |               | 901 BAY BRIDGE ROAD  |
| Property Address      | MISSION RD                                | Acreeage     | 43.76        |               | SUITE 141            |
|                       |   |              |              |               | ANNAPOLIS, MD 21403  |
| District              | Cartersville                              |              |              |               |                      |
| Brief Tax Description | LL 448-449-416 LD 4                       |              |              |               |                      |
|                       | (Note: Not to be used on legal documents) |              |              |               |                      |

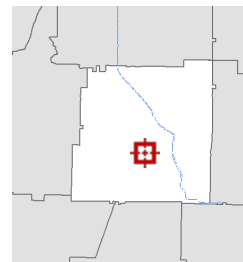
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Developed by Schneider GEOSPATIAL





Overview



**Legend**

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

**Parcel ID** C024-0001-003      **Alternate ID** 48449  
**Sec/Twp/Rng** n/a      **Class** Agricultural  
**Property Address** MISSION RD      **Acreage** 43.76

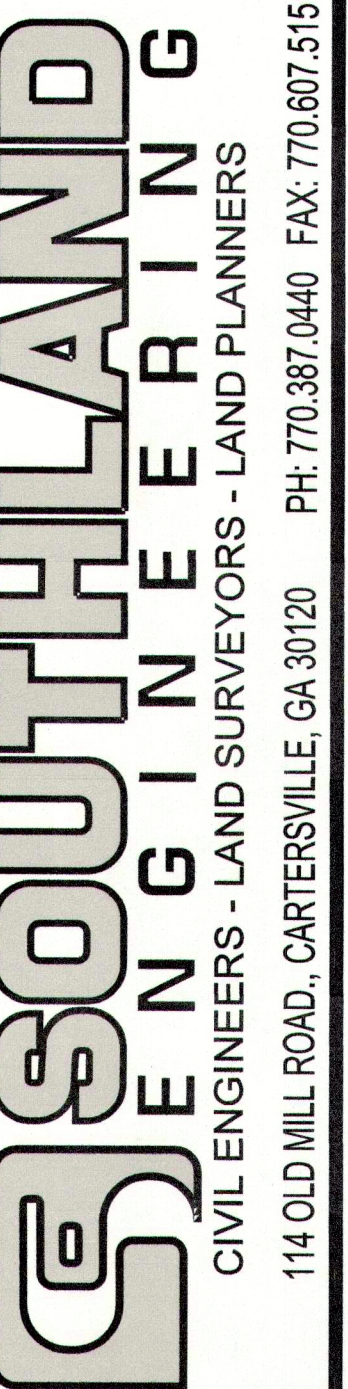
**Owner Address** JACKSON FARM 106 LLC  
 901 BAY BRIDGE ROAD  
 SUITE 141  
 ANNAPOLIS, MD 21403

**District** Cartersville  
**Brief Tax Description** LL 448-449-416 LD 4  
 (Note: Not to be used on legal documents)

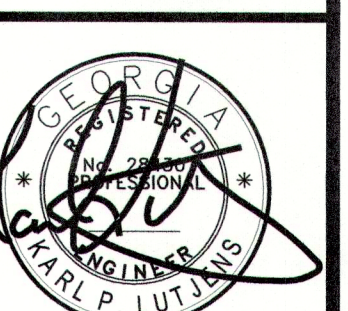
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| DATE    | DESCRIPTION      |
|---------|------------------|
| 1/23/20 | PRELIMINARY PLAT |
| 3/9/20  | CITY COMMENTS    |
| 4       |                  |
| 5       |                  |
| 6       |                  |



**JACKSON FARM  
PLANNED DEVELOPMENT**  
LOCATED IN LAND LOTS 448, 449, 416, 377  
4TH DISTRICT, 3RD SECTION  
CITY OF CARTERSVILLE, GEORGIA

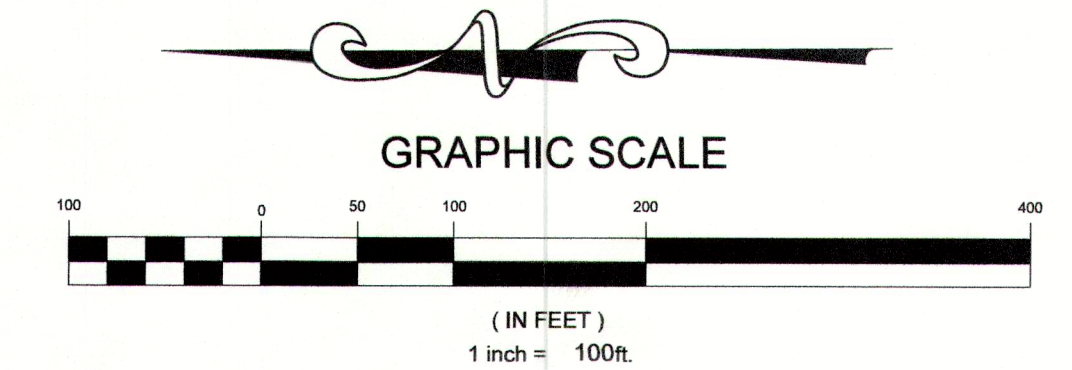


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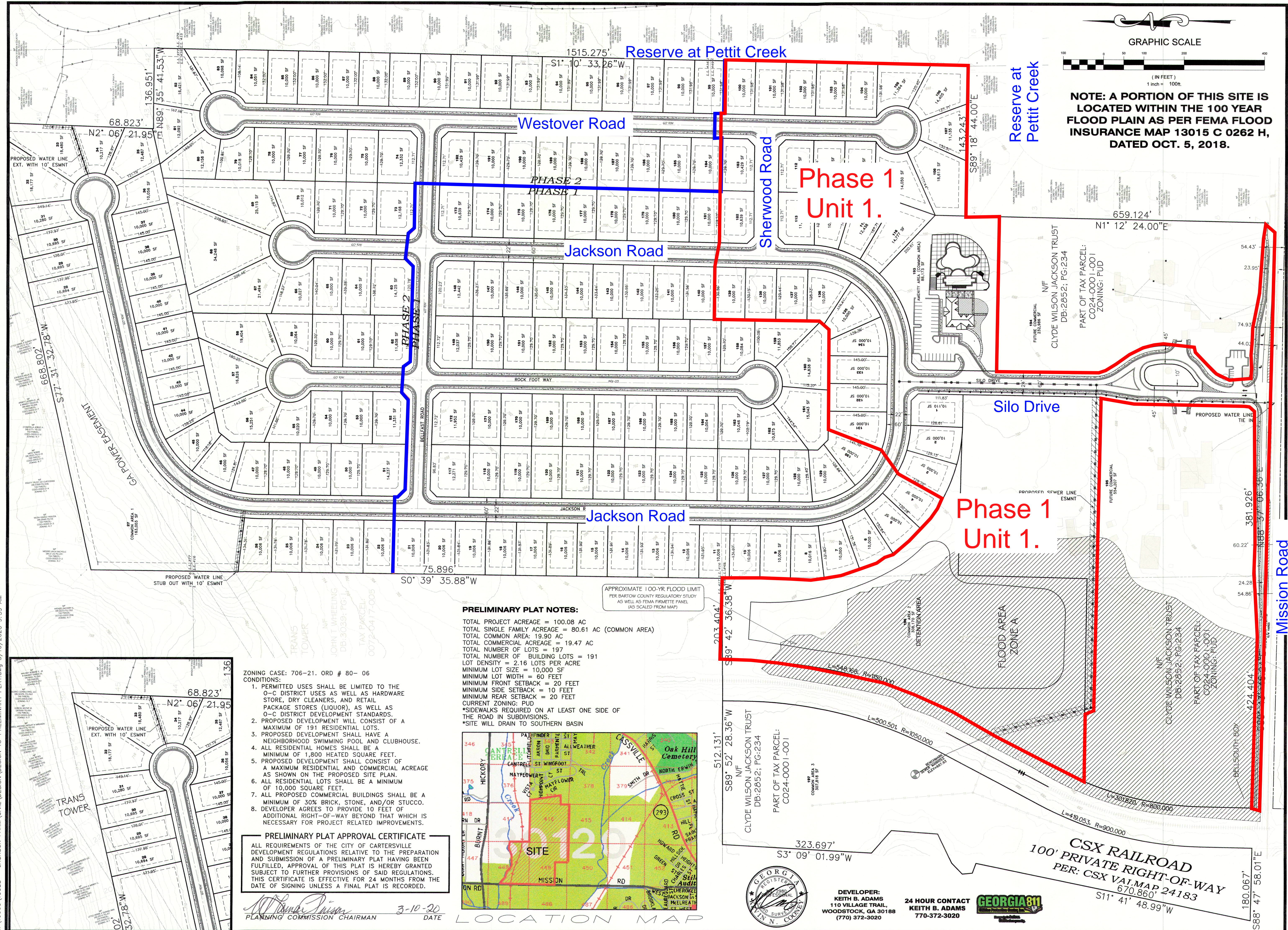
PRELIMINARY PLAT (PUD)

SHEET NO.:

PRE-1.0

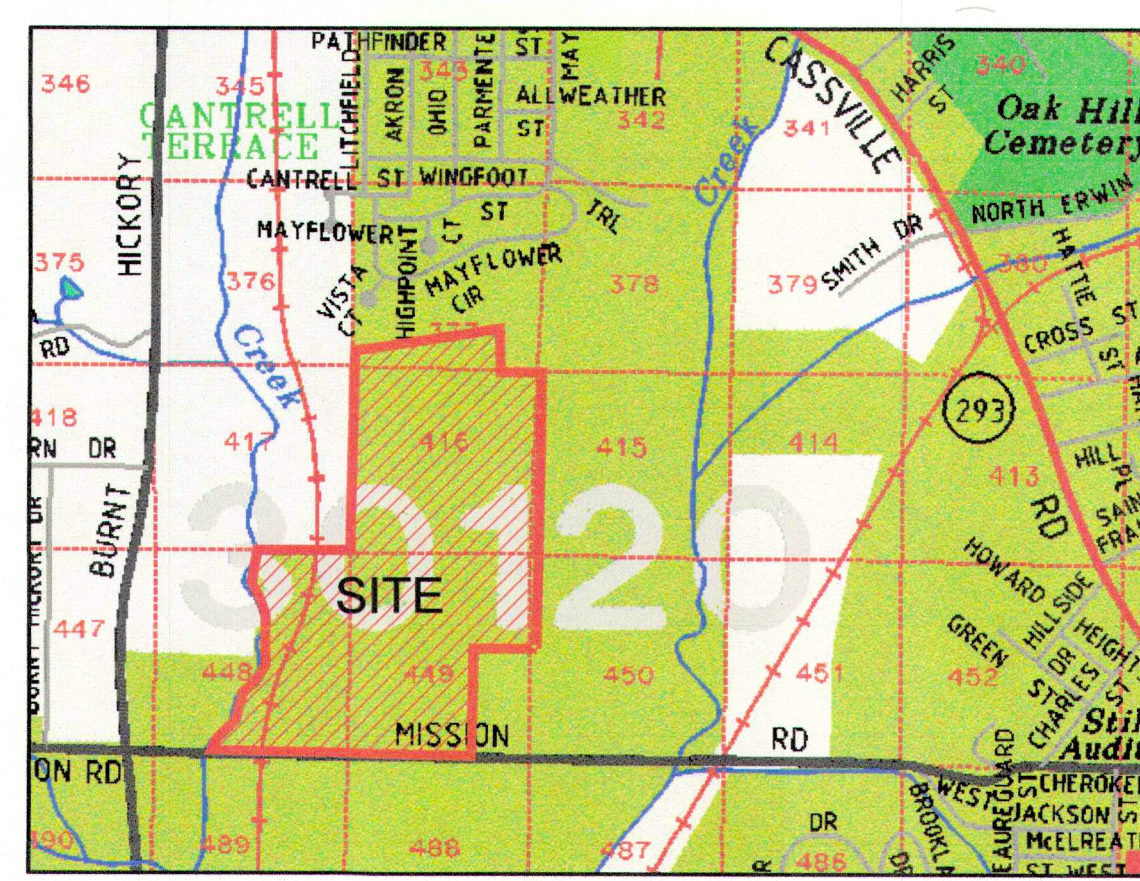


**NOTE: A PORTION OF THIS SITE IS LOCATED WITHIN THE 100 YEAR FLOOD PLAIN AS PER FEMA FLOOD INSURANCE MAP 13015 C 0262 H, DATED OCT. 5, 2018.**



**PRELIMINARY PLAT NOTES:**

- TOTAL PROJECT ACREAGE = 100.08 AC
- TOTAL SINGLE FAMILY ACREAGE = 80.61 AC (COMMON AREA)
- TOTAL COMMON AREA: 19.90 AC
- TOTAL COMMERCIAL ACREAGE = 19.47 AC
- TOTAL NUMBER OF LOTS = 197
- TOTAL NUMBER OF BUILDING LOTS = 191
- LOT DENSITY = 2.16 LOTS PER ACRE
- MINIMUM LOT SIZE = 10,000 SF
- MINIMUM LOT WIDTH = 60 FEET
- MINIMUM FRONT SETBACK = 20 FEET
- MINIMUM SIDE SETBACK = 10 FEET
- MINIMUM REAR SETBACK = 20 FEET
- CURRENT ZONING: PUD
- \*SIDEWALKS REQUIRED ON AT LEAST ONE SIDE OF THE ROAD IN SUBDIVISIONS.
- \*SITE WILL DRAIN TO SOUTHERN BASIN



- ZONING CASE: 706-21. ORD # 80- 06  
CONDITIONS:
- PERMITTED USES SHALL BE LIMITED TO THE O-C DISTRICT USES AS WELL AS HARDWARE STORE, DRY CLEANERS, AND RETAIL PACKAGE STORES (LIQUOR), AS WELL AS O-C DISTRICT DEVELOPMENT STANDARDS.
  - PROPOSED DEVELOPMENT WILL CONSIST OF A MAXIMUM OF 191 RESIDENTIAL LOTS.
  - PROPOSED DEVELOPMENT SHALL HAVE A NEIGHBORHOOD SWIMMING POOL AND CLUBHOUSE.
  - ALL RESIDENTIAL HOMES SHALL BE A MINIMUM OF 1,800 HEATED SQUARE FEET.
  - PROPOSED DEVELOPMENT SHALL CONSIST OF A MAXIMUM RESIDENTIAL AND COMMERCIAL ACREAGE AS SHOWN ON THE PROPOSED SITE PLAN.
  - ALL RESIDENTIAL LOTS SHALL BE A MINIMUM OF 10,000 SQUARE FEET.
  - ALL PROPOSED COMMERCIAL BUILDINGS SHALL BE A MINIMUM OF 30% BRICK, STONE, AND/OR STUCCO.
  - DEVELOPER AGREES TO PROVIDE 10 FEET OF ADDITIONAL RIGHT-OF-WAY BEYOND THAT WHICH IS NECESSARY FOR PROJECT RELATED IMPROVEMENTS.

**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.

*Karl P. Lutjens*  
PLANNING COMMISSION CHAIRMAN  
3-10-20 DATE

G:\19000\19088 - JACKSON FARM CIVIL DESIGN 18-PRELIMINARY PLAT.dwg 3/10/2020 9:39 AM



**ARCHER & LOVELL, P.C.**

ATTORNEYS AT LAW  
102 LEAKE STREET  
P. O. BOX 1024  
CARTERSVILLE, GEORGIA 30120

David G. Archer  
E. Keith Lovell

Phone: (770) 386-1116  
Fax: (770) 382-7484

**MEMORANDUM****PROPOSED CONDITIONS JACKSON FARM VARIANCE**

1. One (1) year from the approval of the DEVELOPMENT AGREEMENT with the City of Cartersville, the following must be completed:
  - a) Topping, curb and gutter is required to be installed for the entrance and left turn lane as shown on the attached drawing.
  - b) All gas utilities are required to be installed prior to the roads being topped. All areas where gas facilities are to be installed are required to be graded by developer to City standards, prior to installation.
  - c) All utility easements and all utility relocations must be provided to the City and/or completed and transferred to the City, as required, and as shown on the final plat.
  - d) No building permits may be issued until all utilities are installed within the subdivision, as indicated on the approved final plat.
  - e) All requirements shown on the final plat or necessary for providing service must be completed and shown on the final plat or provided for in the development agreement, referenced herein.
  - f) For the purpose of this variance, the final plat shall be prepared in accordance with the approved construction plans, upon which shall be indicated "final plat approved subject to variance V21-26."
  - g) All items for which variances are granted are required, upon completion, to submit a maintenance bond as of the date of the compliance and acceptance by the City of Cartersville.
  - h) If the work referenced herein is not commenced within three (3) months, and not completed within twelve (12) months from the date of the final plat, all payment and performance bonds shall be called by the City of Cartersville on either respective date.
  - i) Roads shall not be accepted by the City of Cartersville until satisfactory installation of all infrastructure, including utilities, sidewalks, curb and gutter, topping and roads have been completed. At that time, a new maintenance bond will be required for 18 months.
  - j) The existing natural gas main relocation along Mission Road shall be completed prior to placing the pavement for the turn lanes. The existing natural gas main relocation cannot be completed until the proposed shoulder grading and the curb and gutter is complete from the end of the roadway taper to the east of the entrance roadway and the end of the roadway taper to the west of the entrance roadway.

- k) All other requirements of the City of Cartersville Development Regulations must be complied with.
  - l) Completion of the executed easements for the Lots 39-46 and Lots 147-165 from The Reserve at Pettit Creek by Smith Douglas Homes is required as referred to in the email to Public Works on Tuesday, November 6, 2018.
2. Prior to approval of the FINAL PLAT, the following is required:
- a. The maintenance bond, excluding topping, shall be provided for the roads, prior to issuance of a final plat.
    - b. A performance and payment bond equal to one hundred twenty-five (125%) percent of the cost for developer to prepare the site for gas utilities to be installed, must be provided prior to the final plat approval.
    - c. All water, sewer, and storm sewer installations, must be completed prior to the approval of the final plat.
3. After approval of the FINAL PLAT, the following is required:
- a. Road topping for interior roads beginning from STA 0+40 on Silo Drive, based on the attached plat, may be delayed one (1) year from the date of the final plat. A performance and payment bond in the amount in one hundred twenty-five (125%) percent of the cost must be submitted prior to final plat approval.
4. Prior to issuance of a RESIDENTIAL BUILDING PERMIT, the following is required:
- a. Sidewalks along the west side of Silo Drive and along the frontage of Mission Road, must be installed within one (1) year from the issue date of the first single-family residential building permit. A performance and payment bond in the amount of one hundred twenty-five (125%) percent of the anticipated cost must be provided.
5. These variances are approved subject to a development agreement between the City and Developer/Owner, being executed which includes at a minimum said variances, payment and performance bonds, and other related matters being approved by the Mayor and City Council, within forty-five (45) days of the approval of this variance. If said agreement is not approved this variance expires after said time period.
6. If said final plat is not approved with three (3) months of the approval of this variance, said variance shall terminate and the pre-existing ordinance requirements shall be reinstated.

\$300 Fee  
\$50 Adver  
\$350 total

### City of Cartersville Application for Variance Board of Zoning Appeals

Hearing Date: Nov. 22, 2021 5:30pm

Application Number: V21-26

Date Received: 11-1-21

Applicant SDH ATLANTA, LLC Office Phone 770-372-3020  
(printed name)  
 Address 110 Village Trail, Suite 215 Mobile/ Other Phone 678-758-2089  
 City WOODSTOCK State GA Zip 30188 Email kodams@smithdayles.com


Representative's printed name (if other than applicant) \_\_\_\_\_  
 Phone (Rep) \_\_\_\_\_  
 Email (Rep) \_\_\_\_\_

Representative Signature \_\_\_\_\_  
 Applicant Signature Kodam S. Smith, VP or Land Acq. Dir.

Signed, sealed and delivered in presence of: \_\_\_\_\_ My commission expires: 9.5.25  
Jill F Witter  
 NOTARY PUBLIC  
 Cherokee County, GEORGIA  
 My Commission Expires 09/05/2025

\* Titleholder Jackson Farm 106 Phone 443-949-7120  
(titleholder's printed name)  
 Address 901 Bay Ridge Road, Suite 141 Annapolis MD 21403 Email bill@builder.capital  
 Signature \_\_\_\_\_

Signed, sealed, delivered in presence of: \_\_\_\_\_ My commission expires: 4/22/2025  
June Davis  
 Notary Public



JUNE DAVIS  
 NOTARY PUBLIC  
 ANNE ARUNDEL COUNTY  
 MARYLAND  
 MY COMMISSION EXP. 4/22/2025

Present Zoning District PUD  
 Acreage 100.09 Land Lot(s) 233 District(s) 4th Section(s) 3rd  
 Location of Property: Mission Rd & Silo Dr (paved) just west of Sateley Oaks Dr.  
(street address, nearest intersections, etc.)  
 Zoning Section(s) for which a variance is being requested: SEE ATTACHED EXHIBIT "A"  
 Summary Description of Variance Request: SUB-DIVISION OF FULL PLAT DUE TO DEFERRED SITE IMPROVEMENTS- ROAD TOPPING  
(Additional detail can be provided on Justification Letter)

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



**Exhibit "A"**

Based on the attached letter, the Applicant is requesting variances on the following Sections of the City of Cartersville Development Regulations.

**Article II. General Requirements.**

Section 7.5.31. – Plan Review Procedure.

Section 7.5.32. – Permits.

Section 7.5.33. – Construction.

Section 7.5.35. – As-builts.

Section 7.5.36. – Maintenance bond, letters of credit and performance bonds.

Section 7.5.37. – Twelve-month maintenance period.

Section 7.5.38. – Deed of dedication and maintenance agreement and easement.

**Article II. General Design Regulations.**

Section 7.5-63. – Subdivisions.

Section 7.5-65. – Street design criteria.

Section 7.5.69. – Construction.





QUALITY | INTEGRITY | VALUE

October 28, 2021

Mr. Dan Porta  
City Manager  
City of Cartersville  
1 North Erwin Street  
Cartersville, Georgia 30120

RE: Jackson Farm PH1, Unit 1- Developer Agreement

Mr. Porta:

Smith Douglas Homes is requesting that the City of Cartersville consider a request to defer certain land development improvements for Jackson Farm PH1, Unit 1. The basis of the request is due to the relocation and placement of dry utilities within the site. The deferred improvements are minor in scope and will be fully bonded; the deferred items are as follows:

1. All road topping for interior and entrance roadways including left turn lane improvements.
2. Sidewalk installation along the west side of Silo Rd along the frontage of Mission Road.
3. Final installation of city owned infrastructure as applicable.

The current infrastructure for the community provides for the appropriate and safe operation of constructing single family homes, however our intent is to provide these improvements prior to the one-year expiration or the issuance of the 30<sup>th</sup> building permit.

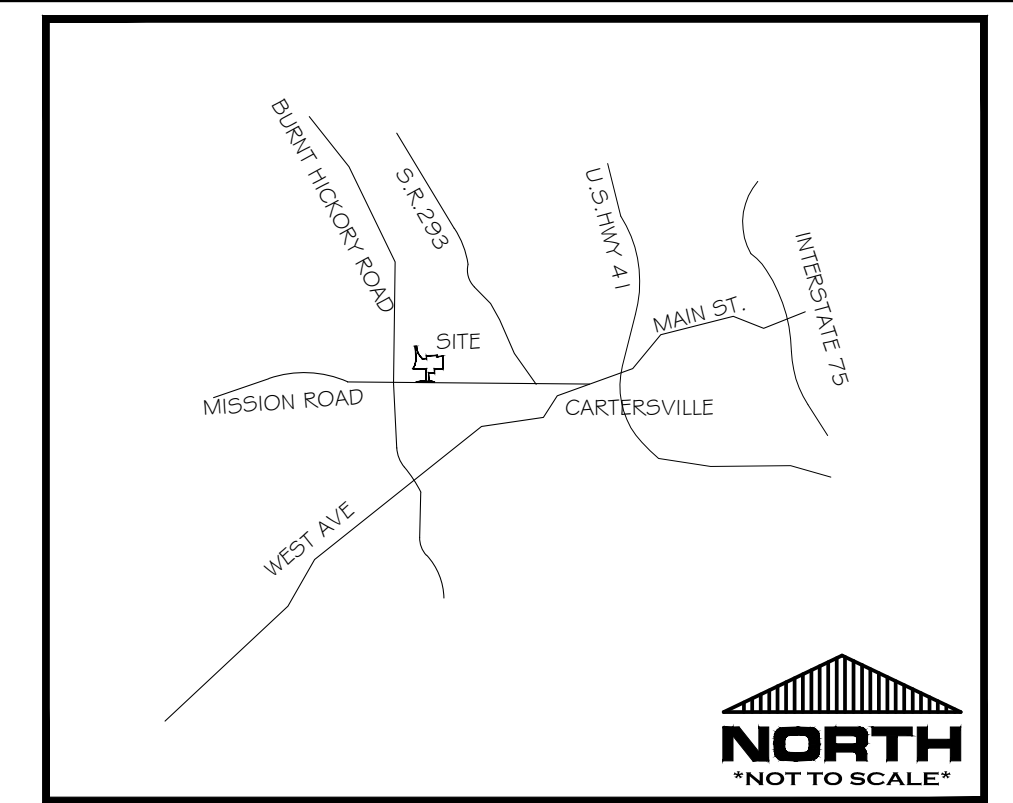
We appreciate your consideration in this matter if you have any further questions, please feel free to contact me at 678-758-2089.

Sincerely,

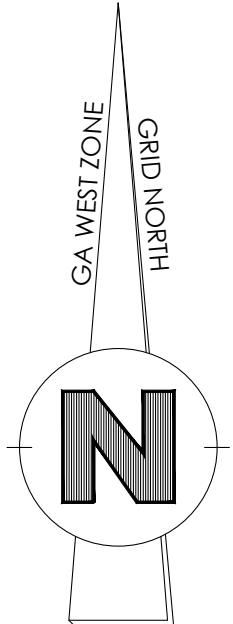
A handwritten signature in blue ink that reads 'Keith B Adams'.

Keith B Adams  
VP of Land Acquisition and Development

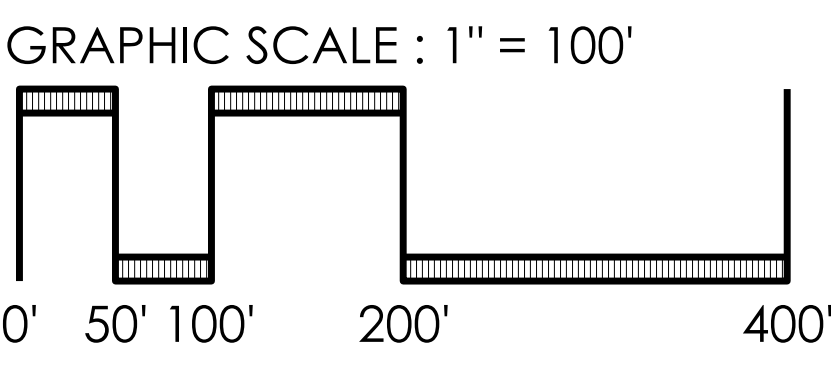
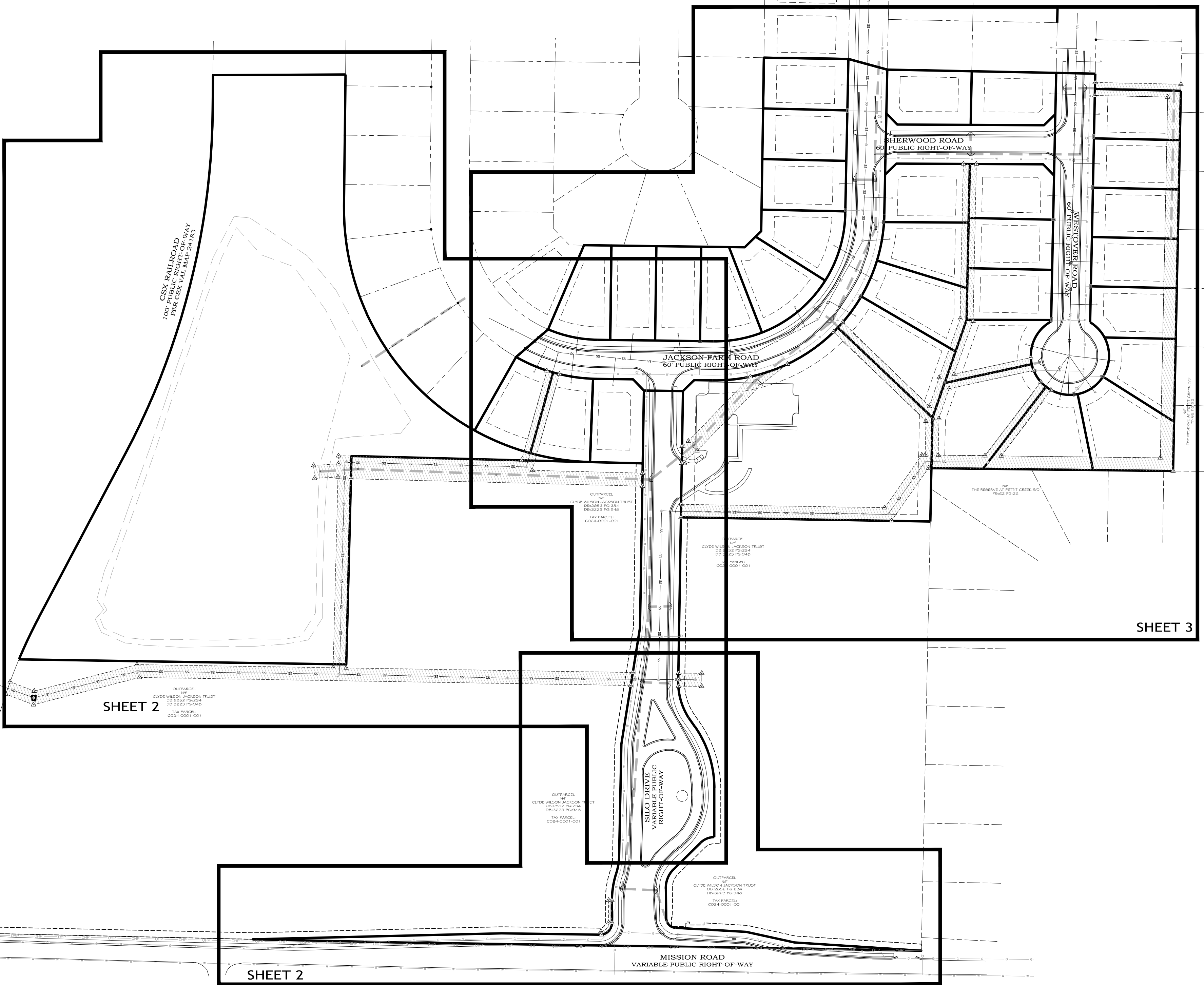
Vicinity Map



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.



OVERALL MAP



| ROAD INFORMATION       |        |          |
|------------------------|--------|----------|
| ROAD NAME(R/W WIDTH)   | LENGTH | R/W AREA |
| SILO DRIVE (60)        | 853 LF | 1,917 AC |
| JACKSON FARM ROAD (60) | 872 LF | 1,231 AC |
| SHERWOOD ROAD (60)     | 260 LF | 0,371 AC |
| WESTOVER ROAD (60)     | 494 LF | 0,778 AC |

|                        |                             |                        |                            |                        |
|------------------------|-----------------------------|------------------------|----------------------------|------------------------|
| ○ = IRON PIN FOUND     | △ = DOUBLE WING CATCH BASIN | ⊗ = GAS VALVE          | ⊙ = SEWER MANHOLE          | ⊕ = POWER POLE         |
| □ = CONCRETE MON.FOUND | ▽ = SINGLE WING CATCH BASIN | ⊗ = GAS METER          | ⊙ = CLEAN OUT              | ⊖ = GUY WIRE           |
| ● = IRON PIN PLACED    | ⊙ = JUNCTION BOX            | ⊙ = TELEPHONE MANHOLE  | ⊙ = WATER VALVE            | ⊙ = ELECTRIC METER     |
| ⊕ = BENCHMARK          | ⊙ = CURB INLET              | ⊙ = ELECTRIC MANHOLE   | ⊙ = WATER METER            | ⊙ = TRANSFORMER        |
| ⊕ = PHOTO REFERENCE    | ⊙ = YARD INLET              | ⊙ = TELEPHONE PEDESTAL | ⊙ = FIRE HYDRANT           | ⊙ = LIGHT POLE         |
| ⊕ = EXCEPTIONS         | ⊙ = DROP INLET              | ⊙ = SIGN               | ⊙ = IRRIGATION CONT. VALVE | ⊙ = FLOW ARROW         |
| ⊕ = PARKING BOLLARD    | ⊙ = HEADWALL                |                        | ⊙ = WELL                   | ⊙ = MAILBOX            |
|                        | — = STORM PIPE              | — = OVERHEAD P.W.R.    | — = WATER LINE             | — = COMM. LINE         |
|                        | — = SEWER PIPE              | — = FENCE LINE         | — = GAS LINE               | — = UNDERGROUND P.W.R. |

**Surveyor Certificate**  
 IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION...  
 KEVIN COONEY - GA PLS 2980

**General Notes**  
 1. ALL PROPERTY CORNERS ARE 1/2" REBAR, EXCEPT AS SHOWN.  
 2. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1" IN 53,487 FEET, AND AN ANGULAR ERROR OF 03" PER ANGLE POINT, AND WAS NOT ADJUSTED.  
 3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1" IN 379,462 FEET.  
 4. EQUIPMENT USED: TOPCON 3005W, TOTAL STATION, WITH DATA COLLECTOR.  
 5. RIGHTS OF WAY ARE BASED UPON PINS FOUND AND/OR CENTERLINES OF PATHS OF TRAVEL.  
 6. ALL LOTS TO HAVE AN IMPLIED DRAINAGE EASEMENT OF 5 FEET ON ALL SIDE LOTS LINE AND 10 FEET FOR ALL REAR LOT LINES.  
 7. DRAINAGE EASEMENTS OFF THE R/W SHALL BE MAINTAINED BY THE PROPERTY OWNER. UTILITY EASEMENTS ARE CENTERED ON STORM PIPES AS CONSTRUCTED.  
 8. \* = LOTS 99 101 102 107 108 114 AND 115 WILL REQUIRE A RESIDENTIAL DRAINAGE PLAN (RDP) PRIOR TO ISSUANCE OF A BUILDING PERMIT.  
 9. \*\* = STREET ADDRESS; CORNER LOTS USE ADDRESS THAT IS ON STREET THAT HOUSE FACES  
 10. ALL SIDEWALKS TO BE INSTALLED PRIOR TO ACCEPTANCE OF THE CERTIFICATE OF OCCUPANCY.  
 11. PINS TO BE SET WHEN MASS GRADING IS COMPLETE.

**City of Cartersville Certification**  
 IN ACCORDANCE TO THE CITY OF CARTERSVILLE DEVELOPMENT REGULATIONS AND THE CITY'S ZONING ORDINANCE, ALL REQUIREMENTS OF APPROVAL HAVE BEEN FULFILLED; THIS EASEMENT DRAWING WAS GIVEN FINAL APPROVAL BY THE FOLLOWING CITY PERSONNEL ON BEHALF OF THE CITY OF CARTERSVILLE:

|                         |      |
|-------------------------|------|
| ZONING ADMINISTRATOR    | DATE |
| WATER SUPERINTENDENT    | DATE |
| GAS SUPERINTENDENT      | DATE |
| ELECTRIC SUPERINTENDENT | DATE |
| FIBER SUPERINTENDENT    | DATE |
| CITY ENGINEER           | DATE |

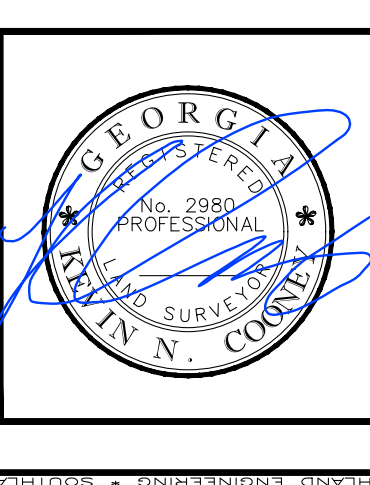
**Conformity Statement**  
 THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.  
 KEVIN COONEY - GA PLS 2980

**Owners Certificate**  
 THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAMES IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, CERTIFIES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, THAT ALL STATE, CITY AND COUNTY TAXES OR OTHER ASSIGNMENTS NOW DUE ON THIS LAND HAVE BEEN PAID, THAT ALL STREETS, WATER SYSTEMS DRAINS AND DRAINAGE EASEMENTS, AND PUBLIC PLACES ARE DEDICATED TO THE USE OF THE PUBLIC FOREVER.  
 KEITH ADAMS  
 TAX PARCEL: C024-0001-003  
 DATE

**SOUTHLAND ENGINEERING**  
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
 114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151

DATE: SEPTEMBER 30, 2021 REV: \_\_\_\_\_ JOB NO: 19088  
 DATE OF FIELDWORK: SEPTEMBER 29, 2021 DR: CPR CH: KNC APP: KNC

**JACKSON FARM PHASE 1 UNIT 1**  
 LOCATED IN LAND LOT(S) 233,  
 4TH DISTRICT, 3RD SECTION,  
 CITY OF BARTOW, BARTOW COUNTY, GEORGIA



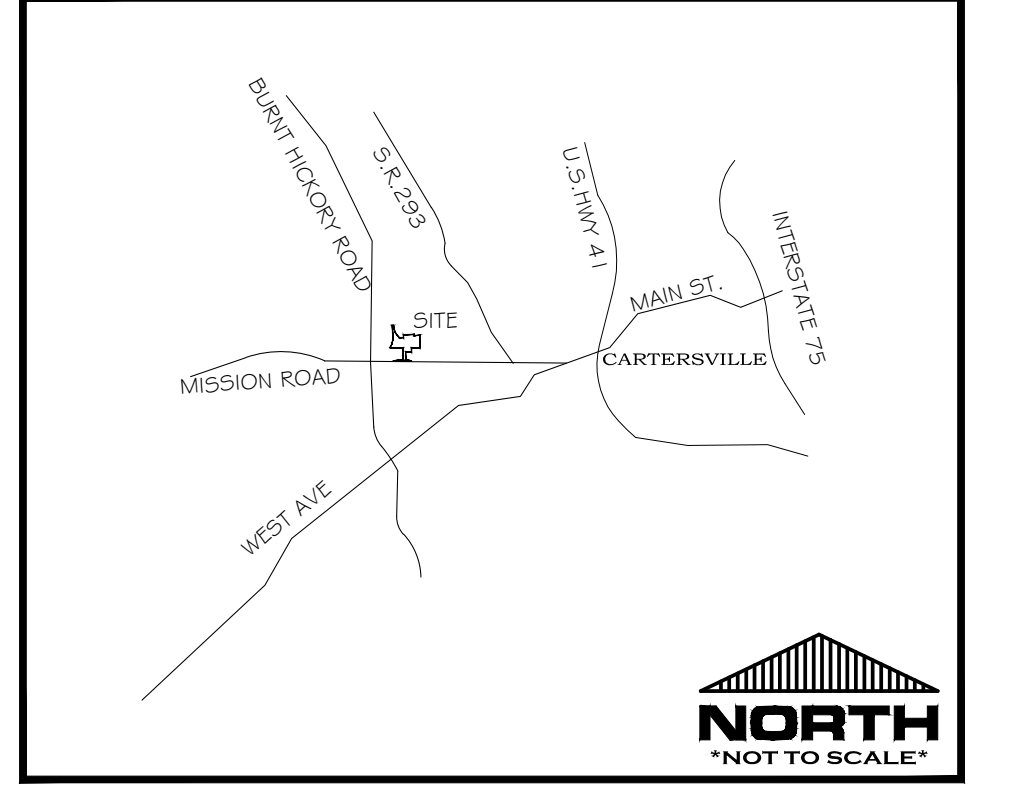
**Flood Statement**  
 THE F.I.R.M. (FLOOD INSURANCE RATE MAP) SHOWS THE REFERENCED PARCEL TO BE IN ZONE A AND IS IN AN AREA HAVING SPECIAL FLOOD HAZARDS ACCORDING TO PANEL NO: 13015 C 0262 H, DATED: OCTOBER 5, 2018.

**Owner Developer**  
 SMITH DOUGLAS HOMES  
 ATTN: KEITH ADAMS  
 110 VILLAGE TRAIL, SUITE 215 WOODSTOCK, GA 30188  
 OFFICE: (770)-372-3020

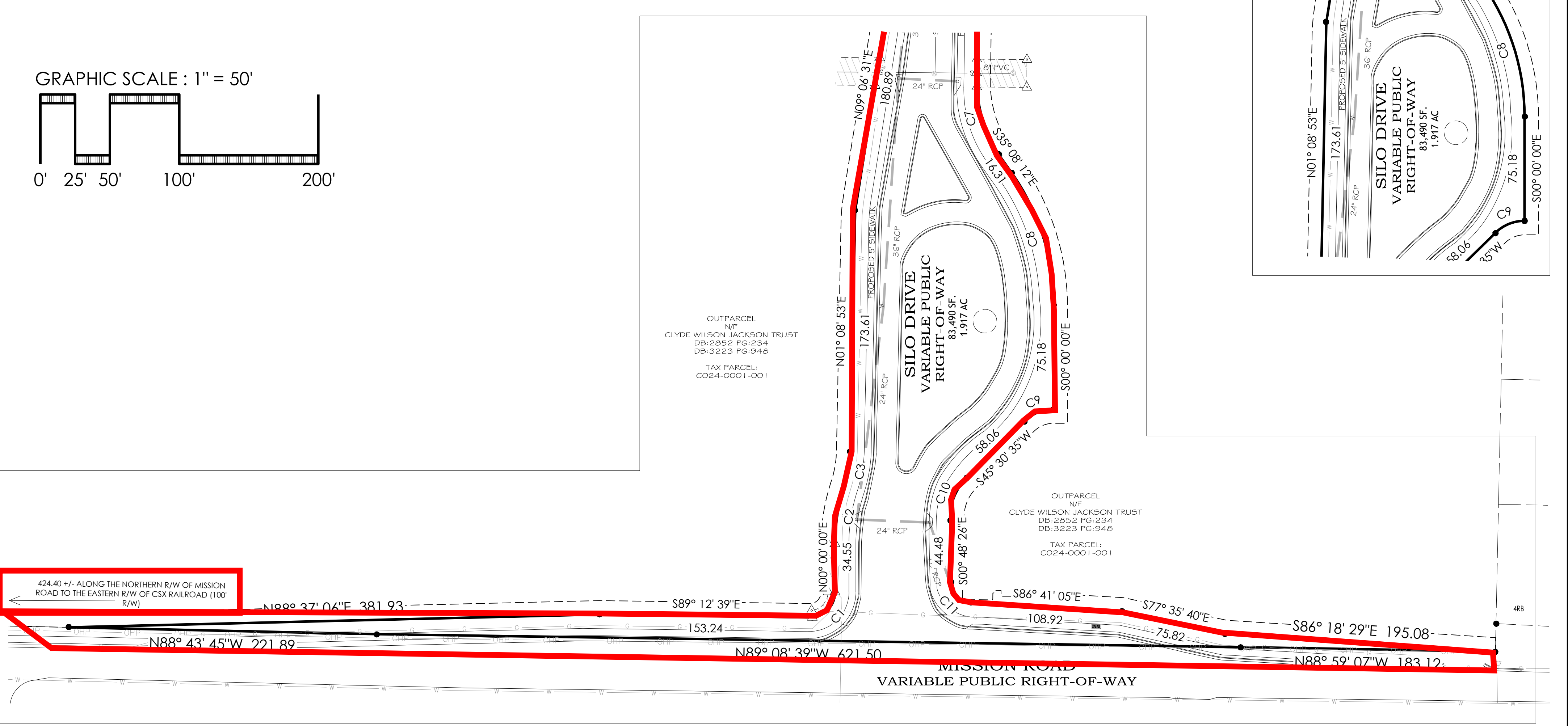
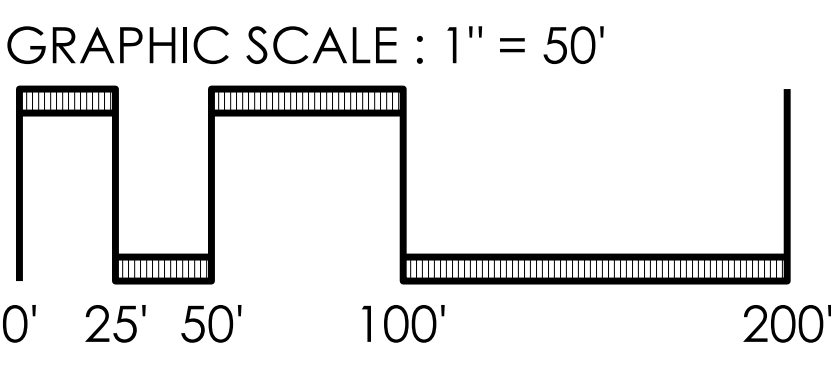
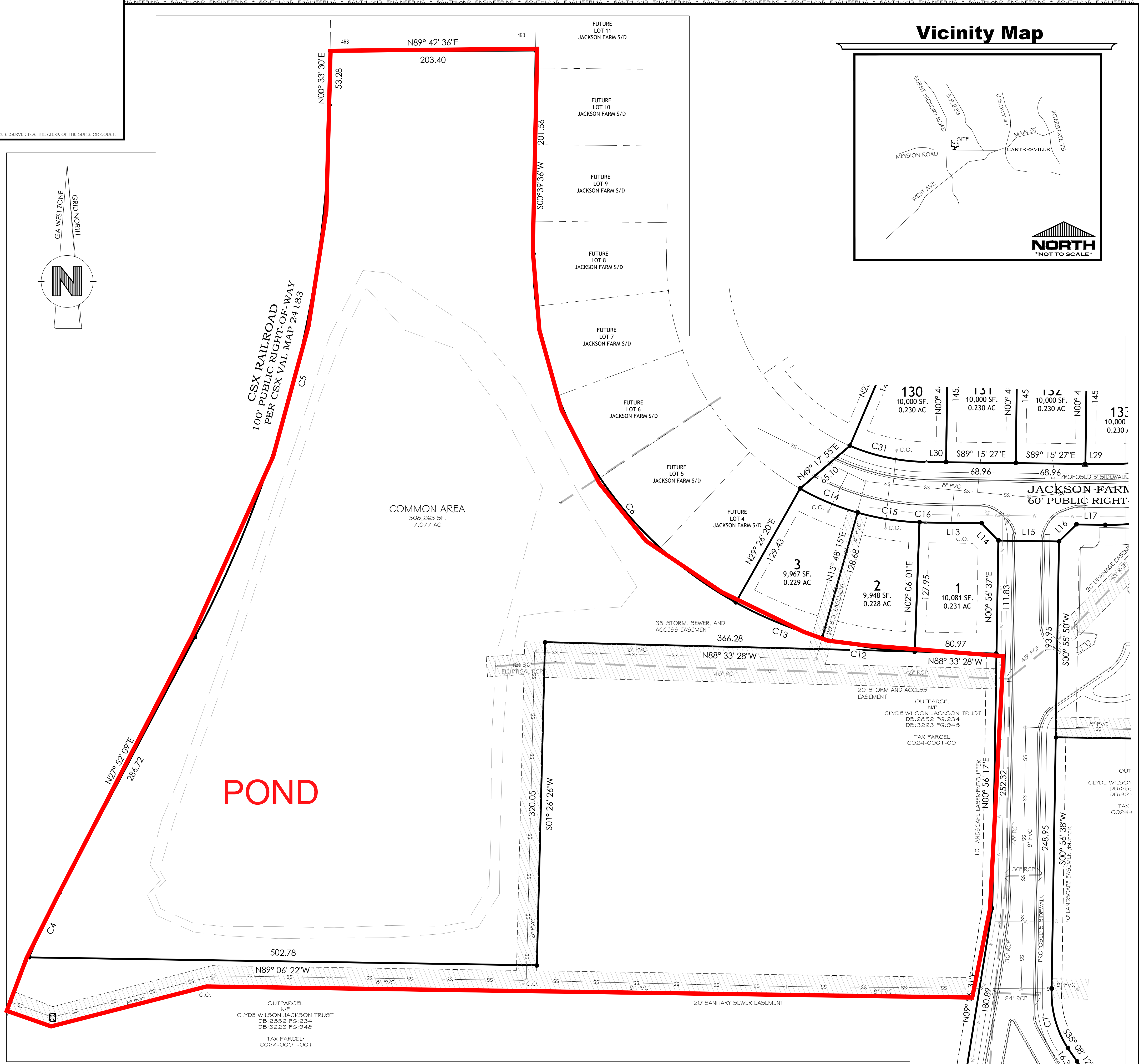
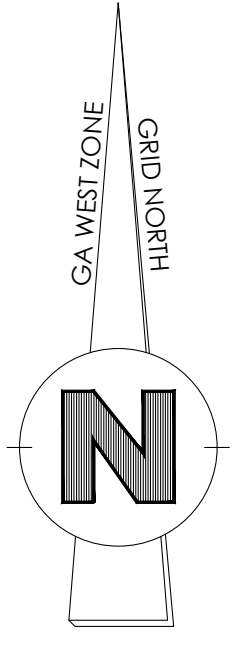
**Zoning Notes**  
 ZONED: PUD  
 ACREAGE: 100.08 TOTAL  
 RESIDENTIAL-80.61 COMM-20.28  
 TOTAL PROJECT LOTS: 197  
 TOTAL PROJECT RESIDENTIAL BLDG LOTS: 191  
 DENSITY: 2.16 LOTS PER ACRE  
 A. FRONT YARD SETBACK: 20 FEET  
 B. SIDE YARD SETBACK: 10 FEET  
 C. REAR YARD SETBACK: 20 FEET  
 D. MINIMUM LOT AREA: 10,000



**Vicinity Map**



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.



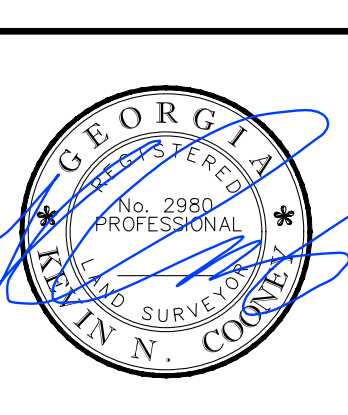
424.40 +/- ALONG THE NORTHERN R/W OF MISSION ROAD TO THE EASTERN R/W OF CSX RAILROAD (100' R/W)

**SOUTHLAND ENGINEERING**  
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
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FINAL PLAT  
**JACKSON FARM PHASE 1 UNIT 1**

LOCATED IN LAND LOT(S) 233,  
 4TH DISTRICT, 3RD SECTION,  
 CITY OF BARTOW, BARTOW COUNTY, GEORGIA



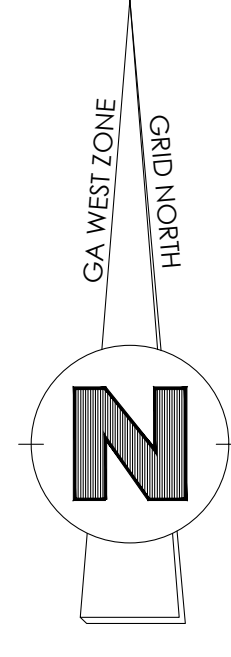
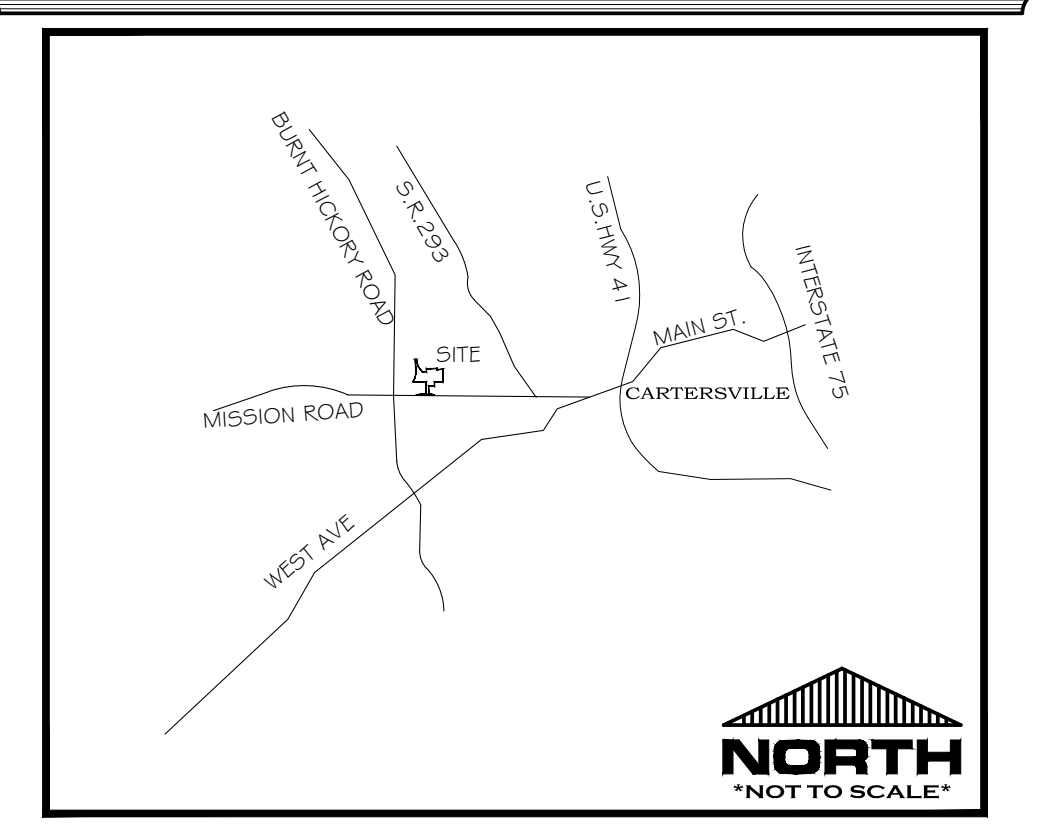
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Vicinity Map



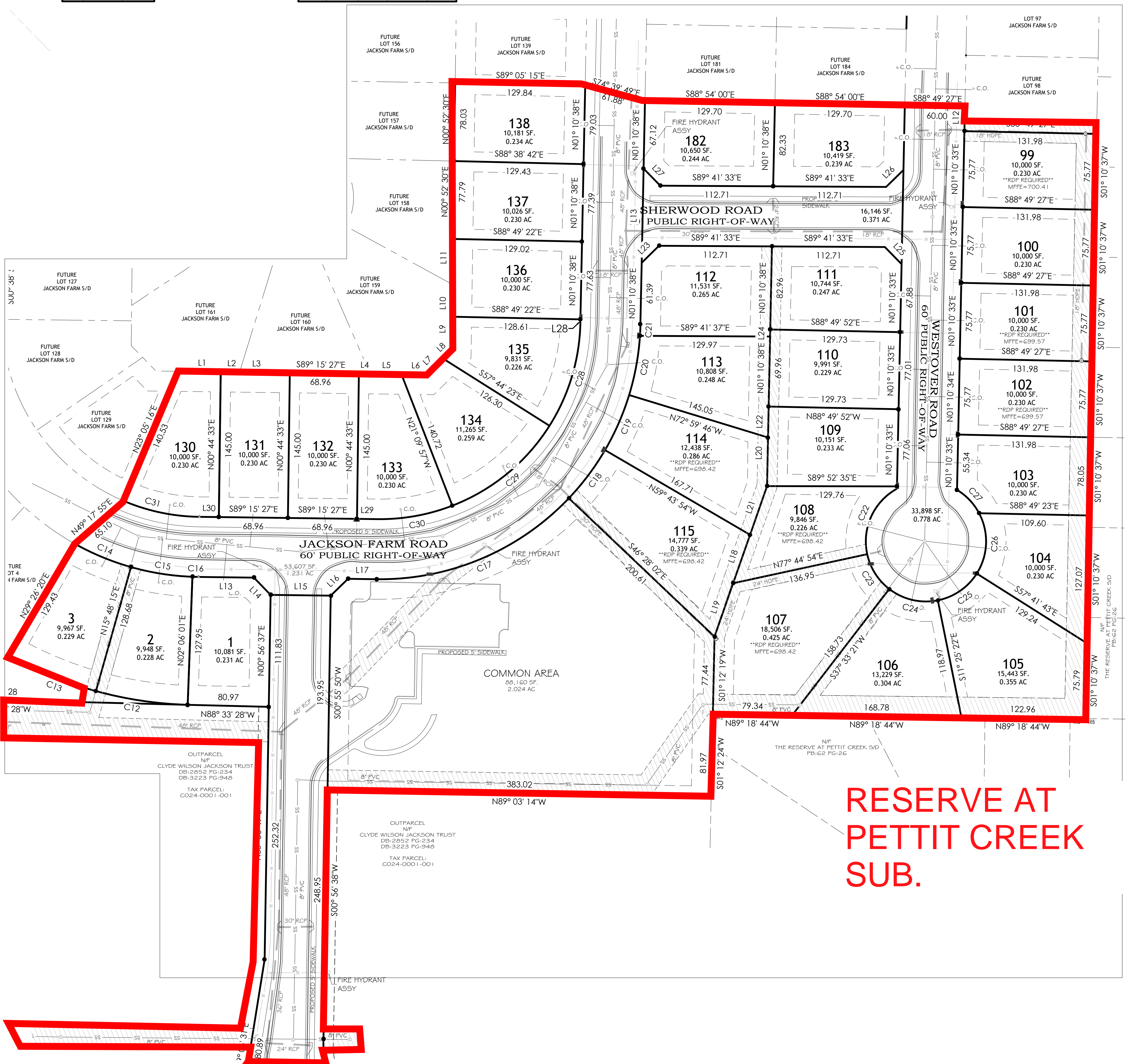
THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

| LINE | BEARING     | LENGTH |
|------|-------------|--------|
| L1   | S89°15'27"E | 42.07  |
| L2   | S89°15'27"E | 18.82  |
| L3   | S89°15'27"E | 50.15  |
| L4   | S89°15'27"E | 11.22  |
| L5   | S89°15'27"E | 31.32  |
| L6   | S89°15'27"E | 24.26  |
| L7   | S45°41'46"W | 23.28  |
| L8   | S45°41'46"W | 12.05  |
| L9   | N00°52'30"E | 33.07  |
| L10  | N00°52'30"E | 32.45  |
| L11  | N00°52'30"E | 45.19  |
| L12  | N01°10'33"E | 23.50  |
| L13  | S89°15'27"E | 55.23  |
| L14  | S44°09'35"E | 24.00  |
| L15  | S89°15'26"E | 59.99  |
| L16  | N45°50'25"E | 24.08  |
| L17  | S89°15'27"E | 28.59  |
| L18  | N19°13'54"E | 51.30  |
| L19  | N19°13'54"E | 56.38  |
| L20  | N01°10'38"E | 48.57  |

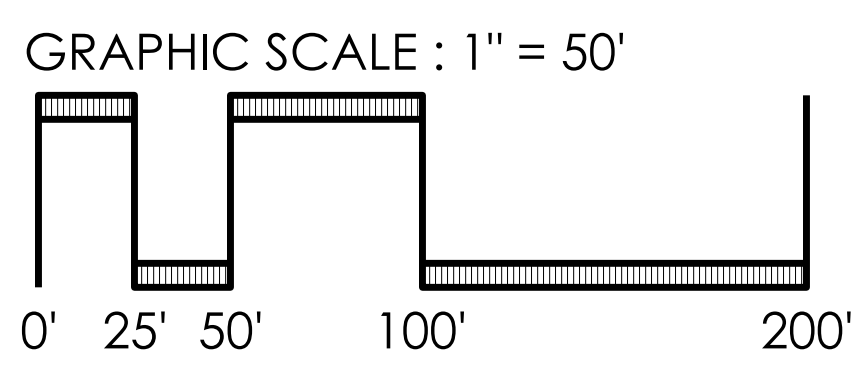
| LINE | BEARING     | LENGTH |
|------|-------------|--------|
| L21  | N19°13'54"E | 51.45  |
| L22  | N01°10'38"E | 30.86  |
| L23  | N45°44'32"E | 24.22  |
| L24  | N01°10'38"E | 7.05   |
| L25  | S44°15'28"E | 23.90  |
| L26  | N45°44'32"E | 24.26  |
| L27  | S44°15'28"E | 23.86  |
| L28  | N01°10'38"E | 3.61   |
| L29  | S89°15'27"E | 20.42  |
| L30  | S89°15'27"E | 19.46  |

| CURVE | LENGTH | RADIUS  | DIRECTION   | CHORD  |
|-------|--------|---------|-------------|--------|
| C1    | 26.84  | 18.50   | N41°33'44"E | 24.55  |
| C2    | 41.84  | 133.00  | N09°00'48"E | 41.67  |
| C3    | 25.58  | 93.15   | N10°09'39"E | 25.50  |
| C4    | 70.67  | 800.00  | N25°20'19"E | 70.65  |
| C5    | 548.17 | 1150.00 | N14°12'50"E | 542.99 |
| C6    | 419.01 | 389.38  | S30°10'03"E | 399.08 |
| C7    | 61.70  | 101.30  | S15°06'01"E | 60.75  |
| C8    | 101.19 | 165.00  | S17°34'06"E | 99.61  |
| C9    | 23.22  | 34.00   | S67°41'06"W | 22.65  |
| C10   | 33.83  | 40.16   | S21°19'40"W | 32.84  |
| C11   | 22.48  | 15.00   | S43°44'45"E | 20.44  |
| C12   | 92.88  | 389.04  | S81°30'03"E | 92.66  |
| C13   | 92.59  | 389.04  | S67°50'36"E | 92.37  |
| C14   | 61.87  | 260.00  | S67°22'50"E | 61.73  |
| C15   | 62.19  | 260.00  | S81°03'00"E | 62.04  |
| C16   | 6.15   | 260.00  | S88°34'47"E | 6.15   |
| C17   | 214.23 | 260.00  | N67°08'16"E | 208.22 |
| C18   | 60.19  | 260.00  | N36°54'02"E | 60.06  |
| C19   | 60.19  | 260.00  | N23°38'10"E | 60.06  |
| C20   | 60.19  | 260.00  | N10°22'17"E | 60.06  |

| CURVE | LENGTH | RADIUS | DIRECTION   | CHORD  |
|-------|--------|--------|-------------|--------|
| C21   | 11.63  | 260.00 | N02°27'30"E | 11.62  |
| C22   | 76.91  | 60.00  | S24°28'20"W | 71.75  |
| C23   | 42.09  | 60.00  | S32°20'52"E | 41.23  |
| C24   | 51.29  | 60.00  | S76°56'00"E | 49.74  |
| C25   | 48.46  | 60.00  | N55°26'27"E | 47.15  |
| C26   | 63.14  | 60.00  | N02°09'26"E | 60.27  |
| C27   | 32.27  | 60.00  | N43°23'50"W | 31.88  |
| C28   | 108.50 | 200.00 | N16°43'08"E | 107.18 |
| C29   | 127.67 | 200.00 | N50°32'50"E | 125.51 |
| C30   | 76.48  | 200.00 | N79°47'18"E | 76.01  |
| C31   | 78.00  | 200.00 | S78°05'05"E | 77.51  |



RESERVE AT PETTIT CREEK SUB.



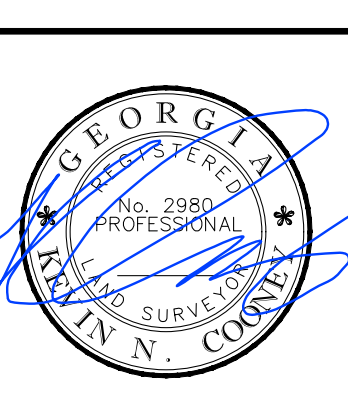
|                     |                           |                      |                          |                    |
|---------------------|---------------------------|----------------------|--------------------------|--------------------|
| ● IRON PIN FOUND    | ○ DOUBLE WING CATCH BASIN | ○ GAS VALVE          | ○ SEWER MANHOLE          | ○ POWER POLE       |
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| ○ IRON PIN PLACED   | ○ JUNCTION BOX            | ○ TELEPHONE MANHOLE  | ○ WATER VALVE            | ○ ELECTRIC METER   |
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| ○ PARKING BOLLARD   |                           |                      | ○ WELL                   | ○ MAILBOX          |
| ○ STORM PIPE        | ○ OVERHEAD PWR.           | ○ WATER LINE         | ○ COMM. LINE             | ○ UNDERGROUND PWR. |
| ○ SEWER PIPE        | ○ FENCE LINE              | ○ GAS LINE           |                          |                    |

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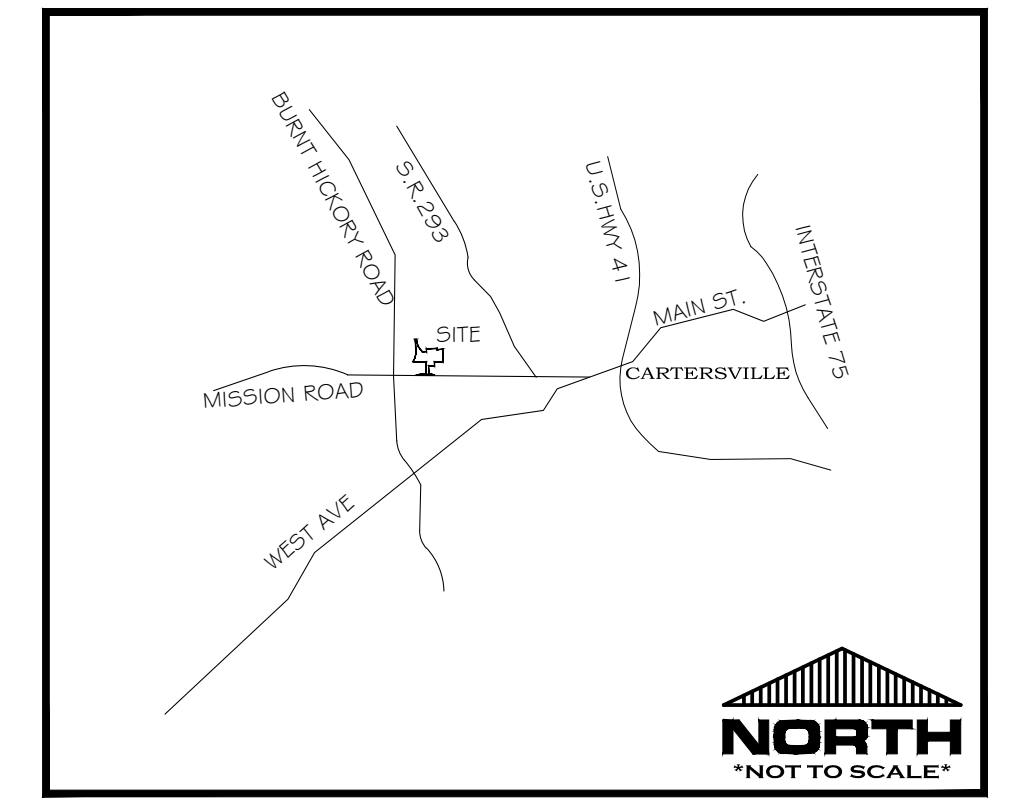
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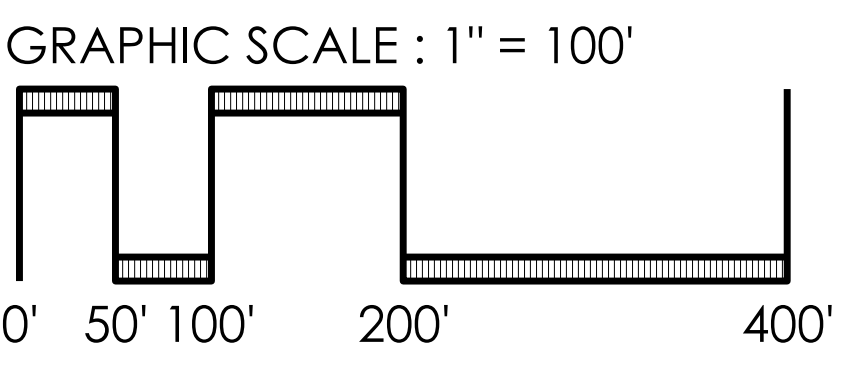
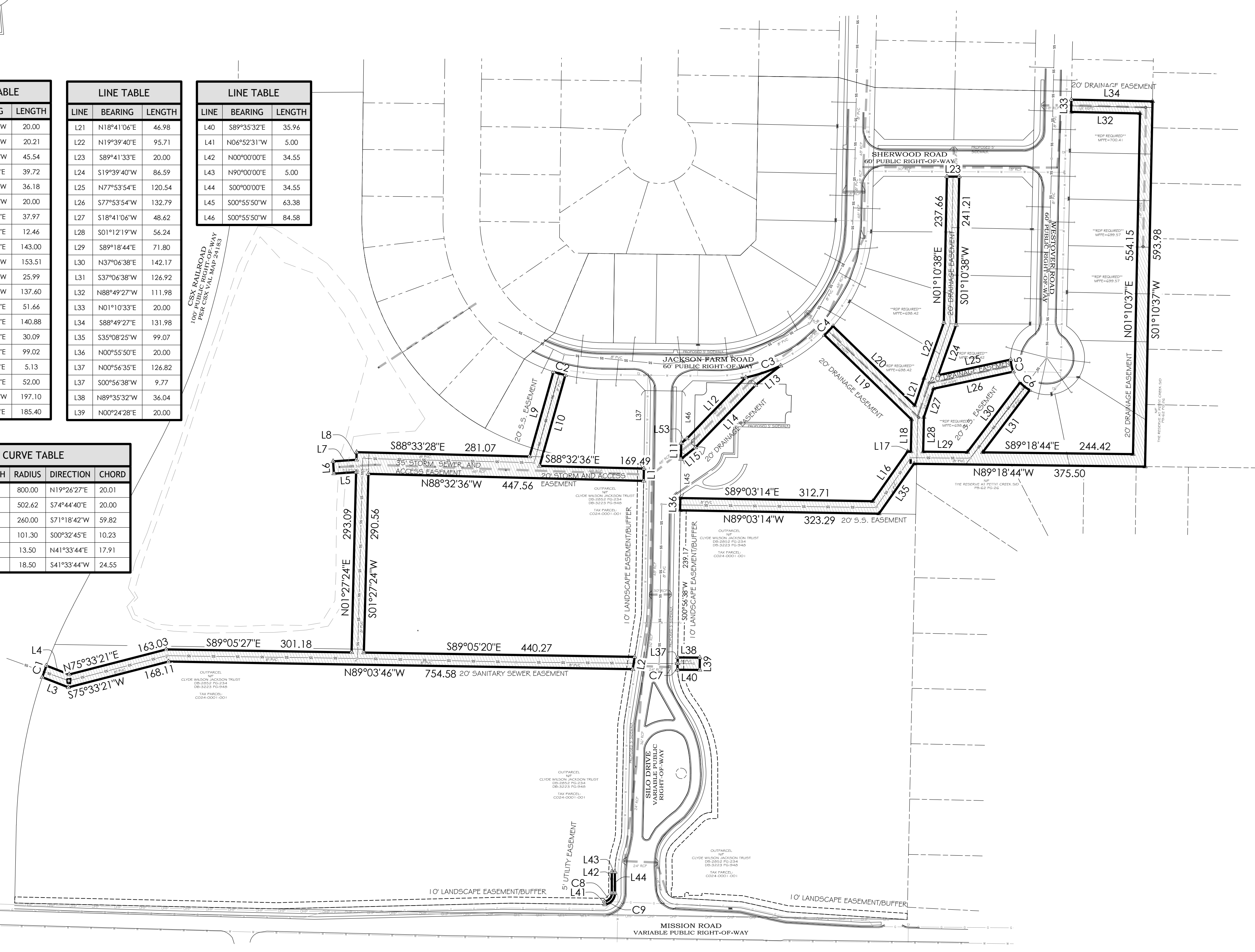
Vicinity Map



EASEMENTS

| LINE TABLE |             |        | LINE TABLE |             |        | LINE TABLE |             |        |
|------------|-------------|--------|------------|-------------|--------|------------|-------------|--------|
| LINE       | BEARING     | LENGTH | LINE       | BEARING     | LENGTH | LINE       | BEARING     | LENGTH |
| L1         | S00°56'17"W | 20.00  | L21        | N18°41'06"E | 46.98  | L40        | S89°33'32"E | 35.96  |
| L2         | S09°06'31"W | 20.21  | L22        | N19°39'40"E | 95.71  | L41        | N06°52'31"W | 5.00   |
| L3         | N68°47'01"W | 45.54  | L23        | S89°41'33"E | 20.00  | L42        | N00°00'00"E | 34.55  |
| L4         | S68°47'25"E | 39.72  | L24        | S19°39'40"W | 86.59  | L43        | N90°00'00"E | 5.00   |
| L5         | S86°19'46"W | 36.18  | L25        | N77°53'54"E | 120.54 | L44        | S00°00'00"E | 34.55  |
| L6         | N03°40'14"W | 20.00  | L26        | S77°53'54"W | 132.79 | L45        | S00°55'50"W | 63.38  |
| L7         | N86°19'46"E | 37.97  | L27        | S18°41'06"W | 48.62  | L46        | S00°55'50"W | 84.58  |
| L8         | N01°27'24"E | 12.46  | L28        | S01°12'19"W | 56.24  |            |             |        |
| L9         | N15°48'31"E | 143.00 | L29        | S89°18'44"E | 71.80  |            |             |        |
| L10        | S15°48'31"W | 153.51 | L30        | N37°06'38"E | 142.17 |            |             |        |
| L11        | S00°55'50"W | 25.99  | L31        | S37°06'38"W | 126.92 |            |             |        |
| L12        | S43°57'07"W | 137.60 | L32        | N88°49'27"W | 111.98 |            |             |        |
| L13        | N52°17'18"E | 51.66  | L33        | N01°10'33"E | 20.00  |            |             |        |
| L14        | N43°57'07"E | 140.88 | L34        | S88°49'27"E | 131.98 |            |             |        |
| L15        | N51°14'19"E | 30.09  | L35        | S35°08'25"W | 99.07  |            |             |        |
| L16        | N35°08'25"E | 99.02  | L36        | N00°55'50"E | 20.00  |            |             |        |
| L17        | S89°18'44"E | 5.13   | L37        | N00°56'35"E | 126.82 |            |             |        |
| L18        | N01°12'19"E | 52.00  | L37        | S00°56'38"W | 9.77   |            |             |        |
| L19        | N45°50'28"W | 197.10 | L38        | N89°35'32"W | 36.04  |            |             |        |
| L20        | S45°50'28"E | 185.40 | L39        | N00°24'28"E | 20.00  |            |             |        |

| CURVE TABLE |        |        |             |       |
|-------------|--------|--------|-------------|-------|
| CURVE       | LENGTH | RADIUS | DIRECTION   | CHORD |
| C1          | 20.01  | 800.00 | N19°26'27"E | 20.01 |
| C2          | 20.00  | 502.62 | S74°44'40"E | 20.00 |
| C3          | 59.95  | 260.00 | S71°18'42"W | 59.82 |
| C7          | 10.23  | 101.30 | S00°32'45"E | 10.23 |
| C8          | 19.59  | 13.50  | N41°33'44"E | 17.91 |
| C9          | 26.84  | 18.50  | S41°33'44"W | 24.55 |



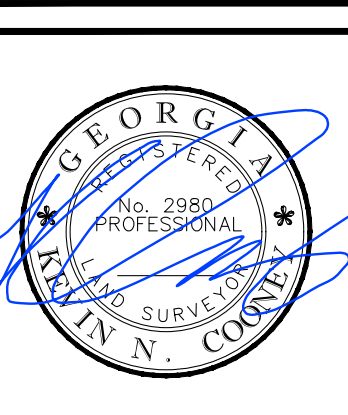
|                        |                             |                        |                            |                    |
|------------------------|-----------------------------|------------------------|----------------------------|--------------------|
| ⊙ = IRON PIN FOUND     | ⊙ = DOUBLE WING CATCH BASIN | ⊙ = GAS VALVE          | ⊙ = CLEAN MANHOLE          | ⊙ = POWER POLE     |
| ⊙ = CONCRETE MON.FOUND | ⊙ = SINGLE WING CATCH BASIN | ⊙ = GAS METER          | ⊙ = WATER VALVE            | ⊙ = GUY WIRE       |
| ⊙ = IRON PIN PLACED    | ⊙ = JUNCTION BOX            | ⊙ = TELEPHONE MANHOLE  | ⊙ = WATER METER            | ⊙ = ELECTRIC METER |
| ⊙ = BENCHMARK          | ⊙ = CURB INLET              | ⊙ = ELECTRIC MANHOLE   | ⊙ = TRANSFORMER            | ⊙ = LIGHT POLE     |
| ⊙ = PHOTO REFERENCE    | ⊙ = YARD INLET              | ⊙ = TELEPHONE PEDESTAL | ⊙ = FIRE HYDRANT           | ⊙ = FLOW ARROW     |
| ⊙ = EXCEPTIONS         | ⊙ = DROP INLET              | ⊙ = SIGN               | ⊙ = IRRIGATION CONT. VALVE | ⊙ = MAILBOX        |
| ⊙ = PARKING BOLLARD    | ⊙ = HEADWALL                |                        | ⊙ = WELL                   |                    |
| — = STORM PIPE         | — = OVERHEAD P.W.R.         | — = WATER LINE         | — = COMM. LINE             |                    |
| — = SEWER PIPE         | — = FENCE LINE              | — = GAS LINE           | — = UNDERGROUND P.W.R.     |                    |

**SOUTHLAND ENGINEERING**  
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
 114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151

DATE: SEPTEMBER 30, 2021 | REV: | JOB NO: 19088  
 DATE OF FIELDWORK: SEPTEMBER 29, 2021 | DR: CPR | CH: KNC | APP: KNC

FINAL PLAT  
**JACKSON FARM PHASE 1 UNIT 1**

LOCATED IN LAND LOT(S) 233,  
 4TH DISTRICT, 3RD SECTION,  
 CITY OF BARTOW, BARTOW COUNTY, GEORGIA



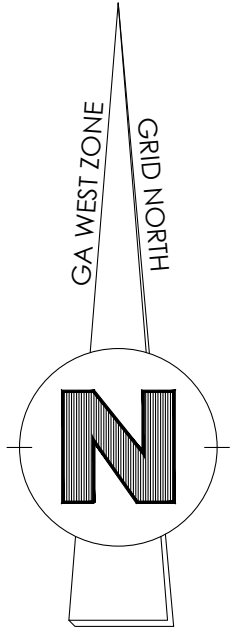
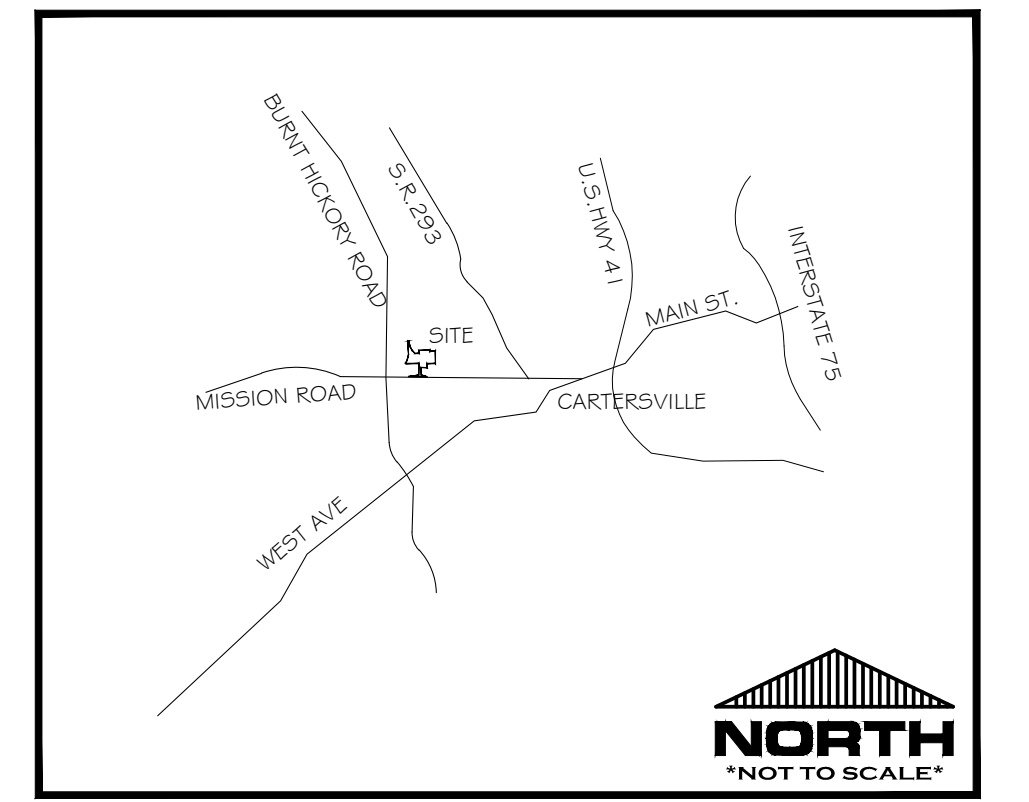
**Flood Statement**  
 THE F.I.R.M. (FLOOD INSURANCE RATE MAP) SHOWS THE REFERENCED PARCEL TO BE IN ZONE A AND IS IN AN AREA HAVING SPECIAL FLOOD HAZARDS ACCORDING TO PANEL NO: 13015 C 0262 H, DATED: OCTOBER 5, 2018.

**Owner Developer**  
 SMITH DOUGLAS HOMES  
 ATTN: KEITH ADAMS  
 110 VILLAGE TRAIL, SUITE 215 WOODSTOCK, GA 30188  
 OFFICE: (770)-372-3020

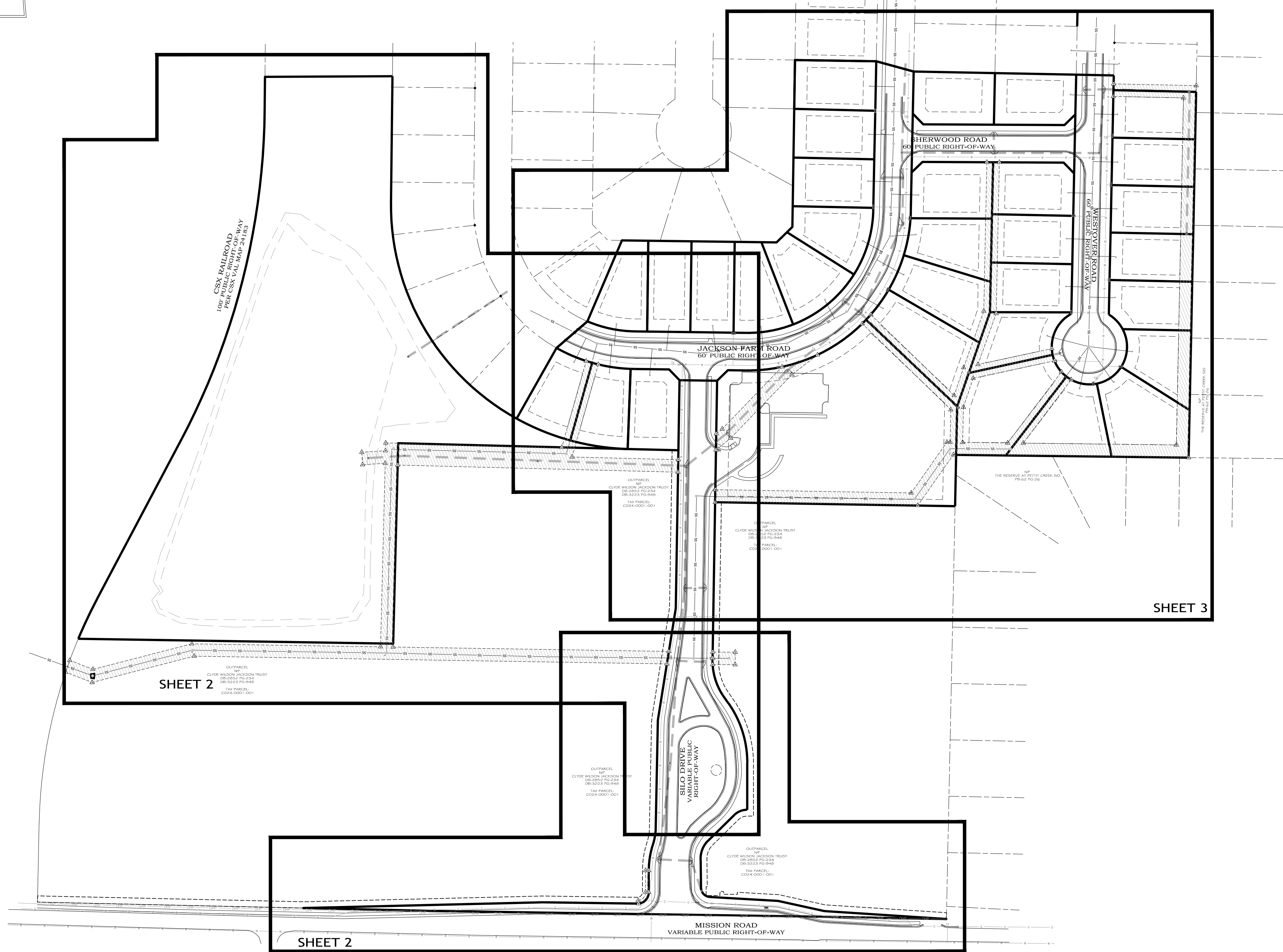
**Zoning Notes**  
 ZONED: PUD  
 ACREAGE: 1.00.08 TOTAL  
 RESIDENTIAL-80 61 COMM.-20.28  
 TOTAL PROJECT LOTS: 197  
 TOTAL PROJECT RESIDENTIAL BLDG LOTS: 191  
 DENSITY: 2.16 LOTS PER ACRE  
 A. FRONT YARD SETBACK: 20 FEET  
 B. SIDE YARD SETBACK: 10 FEET  
 C. REAR YARD SETBACK: 20 FEET  
 D. MINIMUM LOT AREA: 10,000



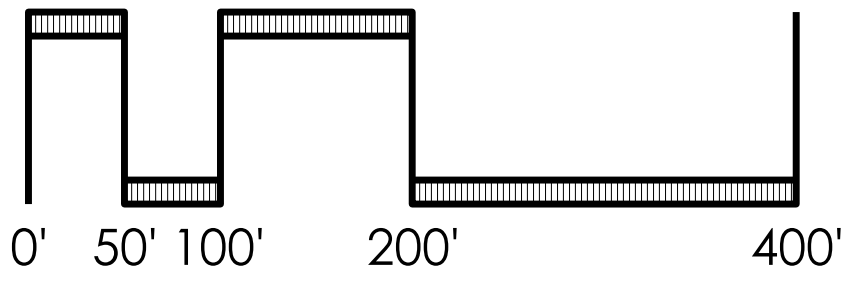
**Vicinity Map**



**OVERALL MAP**



GRAPHIC SCALE : 1" = 100'



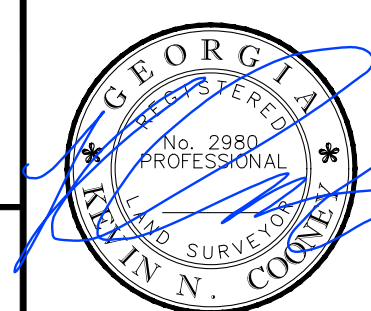
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|------------------------|-----------------------------|------------------------|----------------------------|--------------------|
| ○ = IRON PIN FOUND     | △ = DOUBLE WING CATCH BASIN | ⊗ = GAS VALVE          | ⊙ = SEWER MANHOLE          | ⊕ = POWER POLE     |
| □ = CONCRETE MON/FOUND | ⊙ = SINGLE WING CATCH BASIN | ⊗ = GAS METER          | ⊙ = CLEAN OUT              | ⊕ = GUY WIRE       |
| ● = IRON PIN PLACED    | ⊙ = JUNCTION BOX            | ⊙ = TELEPHONE MANHOLE  | ⊙ = WATER VALVE            | ⊕ = ELECTRIC METER |
| ⊕ = BENCHMARK          | ⊙ = CURB INLET              | ⊙ = ELECTRIC MANHOLE   | ⊙ = WATER METER            | ⊕ = TRANSFORMER    |
| ⊕ = PHOTO REFERENCE    | ⊙ = YARD INLET              | ⊙ = TELEPHONE PEDESTAL | ⊙ = FIRE HYDRANT           | ⊕ = LIGHT POLE     |
| ⊕ = EXCEPTIONS         | ⊙ = DROP INLET              | ⊙ = SIGN               | ⊙ = IRRIGATION CONT. VALVE | ⊕ = FLOW ARROW     |
| ⊕ = PARKING BOLLARD    | ⊙ = HEADWALL                |                        | ⊙ = WELL                   | ⊕ = MAILBOX        |

| ROAD INFORMATION       |        |          |
|------------------------|--------|----------|
| ROAD NAME(R/W WIDTH)   | LENGTH | R/W AREA |
| SILO DRIVE (60)        | 853 LF | 1.917 AC |
| JACKSON FARM ROAD (60) | 872 LF | 1.231 AC |
| SHERWOOD ROAD (60)     | 260 LF | 0.371 AC |
| WESTOVER ROAD (60)     | 494 LF | 0.778 AC |

**SOUTHLAND ENGINEERING**  
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
 114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151

**AS-BUILT JACKSON FARM PHASE 1 UNIT 1**

LOCATED IN LAND LOT(S) 233,  
 4TH DISTRICT, 3RD SECTION,  
 CITY OF BARTOW, BARTOW COUNTY, GEORGIA



**Flood Statement**

THE F.I.R.M. (FLOOD INSURANCE RATE MAP) SHOWS THE REFERENCED PARCEL TO BE IN ZONE A AND IS IN AN AREA HAVING SPECIAL FLOOD HAZARDS ACCORDING TO PANEL NO: 13015 C 0262 H, DATED: OCTOBER 5, 2018.

**Owner Developer**

SMITH DOUGLAS HOMES  
 ATTN: KEITH ADAMS  
 1170 VILLAGE TRAIL, SUITE 215 WOODSTOCK, GA 30188  
 OFFICE: (770)-372-3020

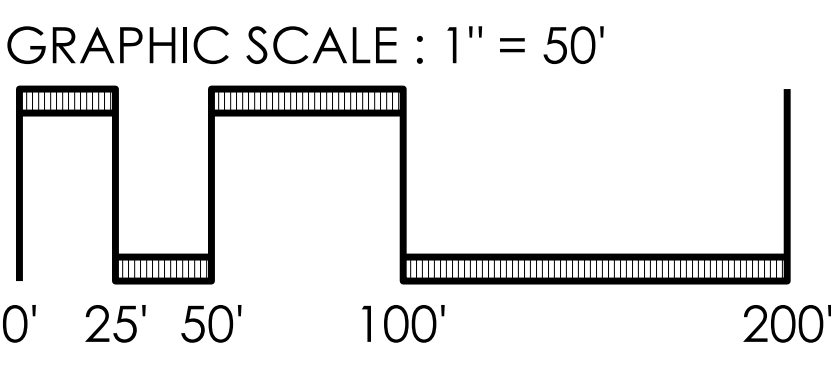
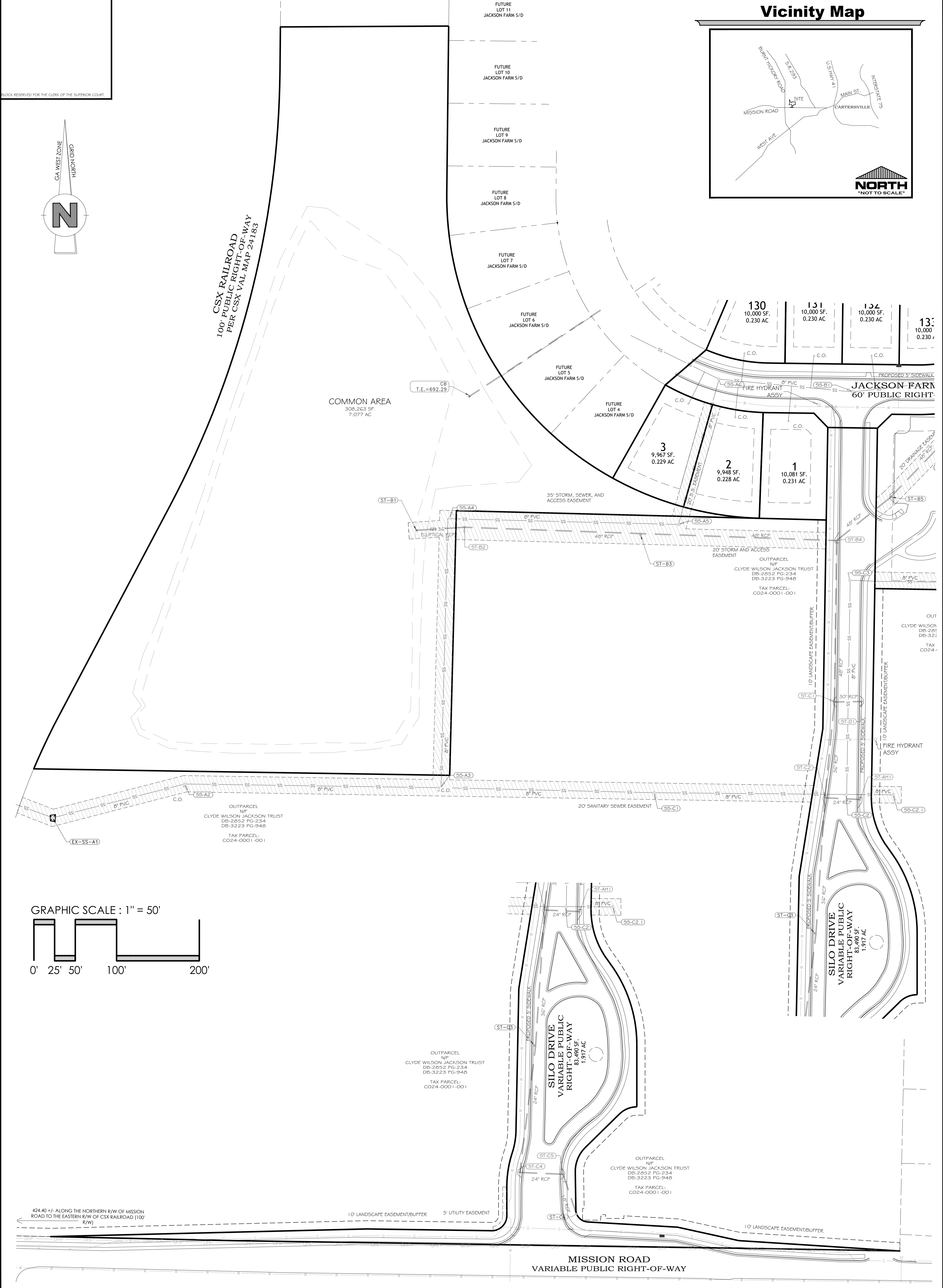
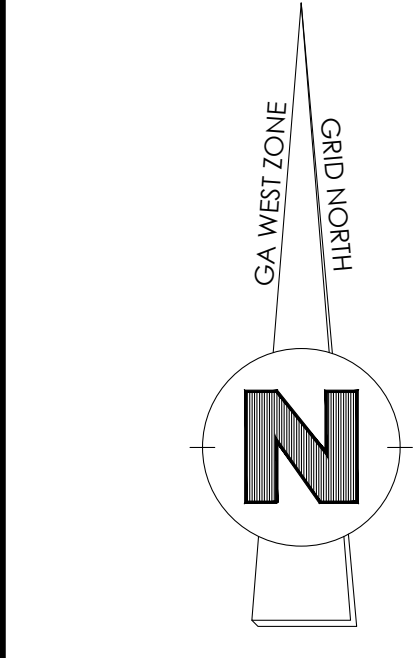
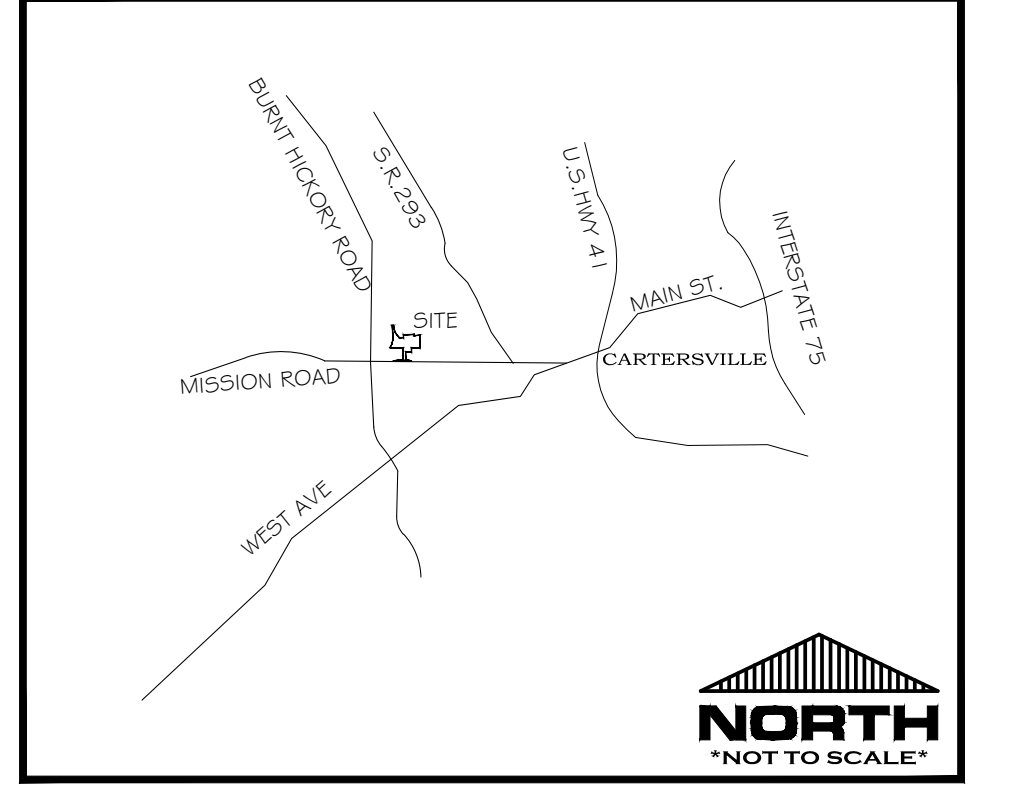
**Zoning Notes**

ZONED: PUD  
 ACREAGE: 1.00.08 TOTAL  
 RESIDENTIAL-00.61 COMM.-20.28  
 TOTAL PROJECT LOTS: 197  
 TOTAL PROJECT RESIDENTIAL BLDG LOTS: 191  
 DENSITY: 2.16 LOTS PER ACRE  
 A. FRONT YARD SETBACK: 20 FEET  
 B. SIDE YARD SETBACK: 10 FEET  
 C. REAR YARD SETBACK: 20 FEET  
 D. MINIMUM LOT AREA: 10,000

|                                       |         |                  |
|---------------------------------------|---------|------------------|
| DATE: SEPTEMBER 30, 2021              | REV:    | JOB NO: 19088    |
| DATE OF FIELDWORK: SEPTEMBER 29, 2021 | DR: CPR | CH: KNC APP: KNC |



**Vicinity Map**

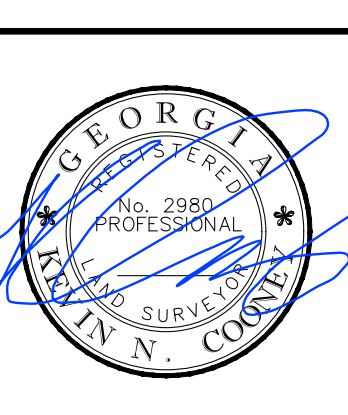


424.40 +/- ALONG THE NORTHERN R/W OF MISSION ROAD TO THE EASTERN R/W OF CSX RAILROAD (100' R/W)

**SOUTHLAND ENGINEERING**  
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
 114 OLD MILL ROAD, CARTERSVILLE, GA 30120 PH: 770.387.0440 FAX: 770.607.5151

DATE: SEPTEMBER 30, 2021 REV: \_\_\_\_\_ JOB NO: 19088  
 DATE OF FIELDWORK: SEPTEMBER 29, 2021 DR: CPR CH: KNC APP: KNC

AS-BUILT  
**JACKSON FARM PHASE 1 UNIT 1**  
 LOCATED IN LAND LOT(S) 233,  
 4TH DISTRICT, 3RD SECTION,  
 CITY OF BARTOW, BARTOW COUNTY, GEORGIA



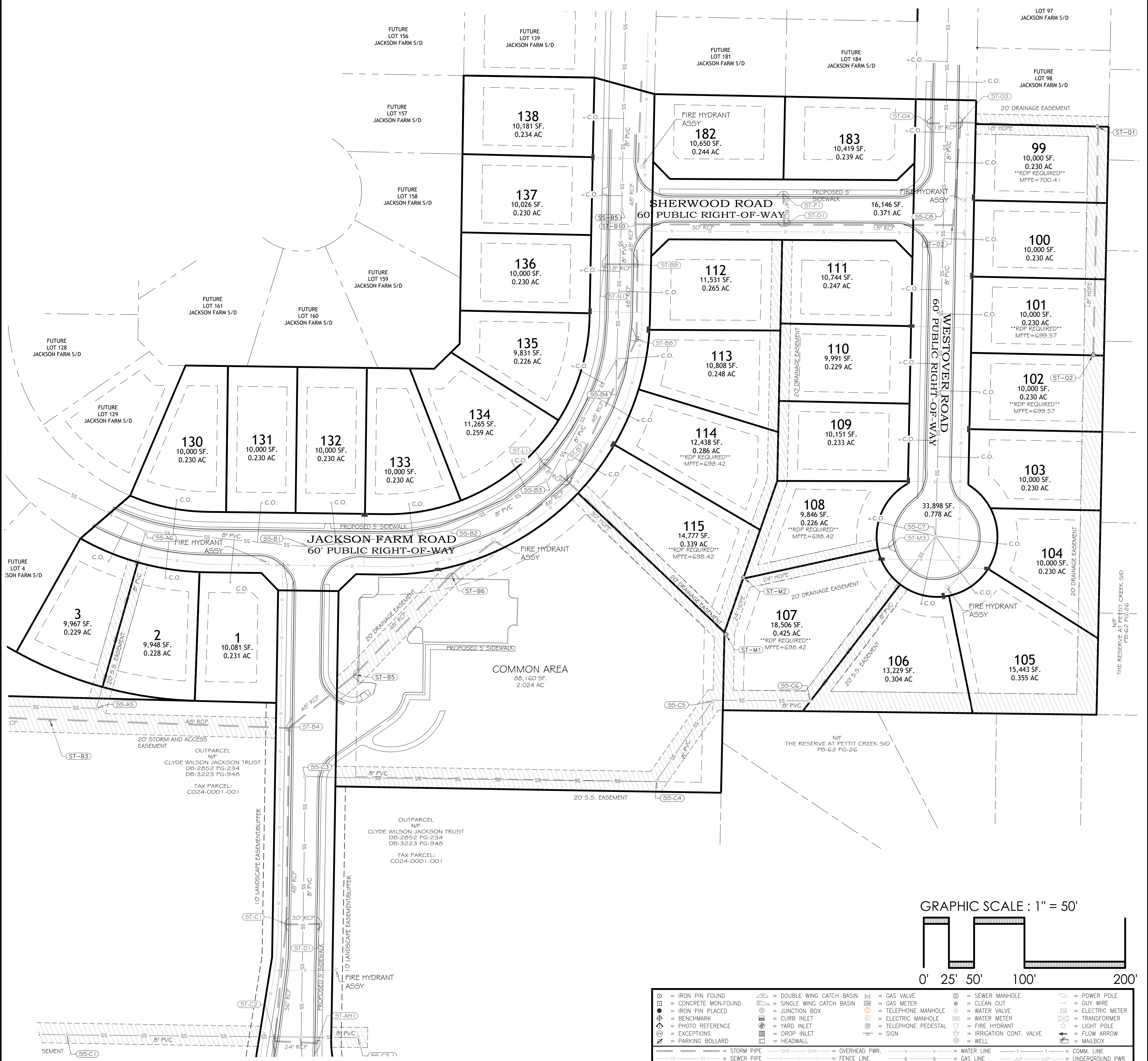
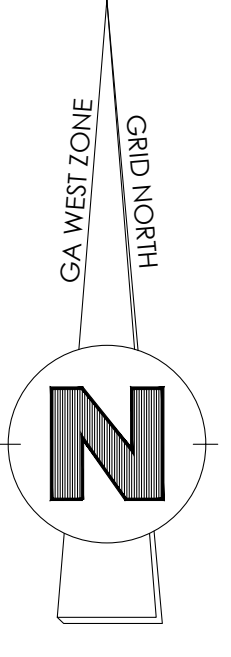
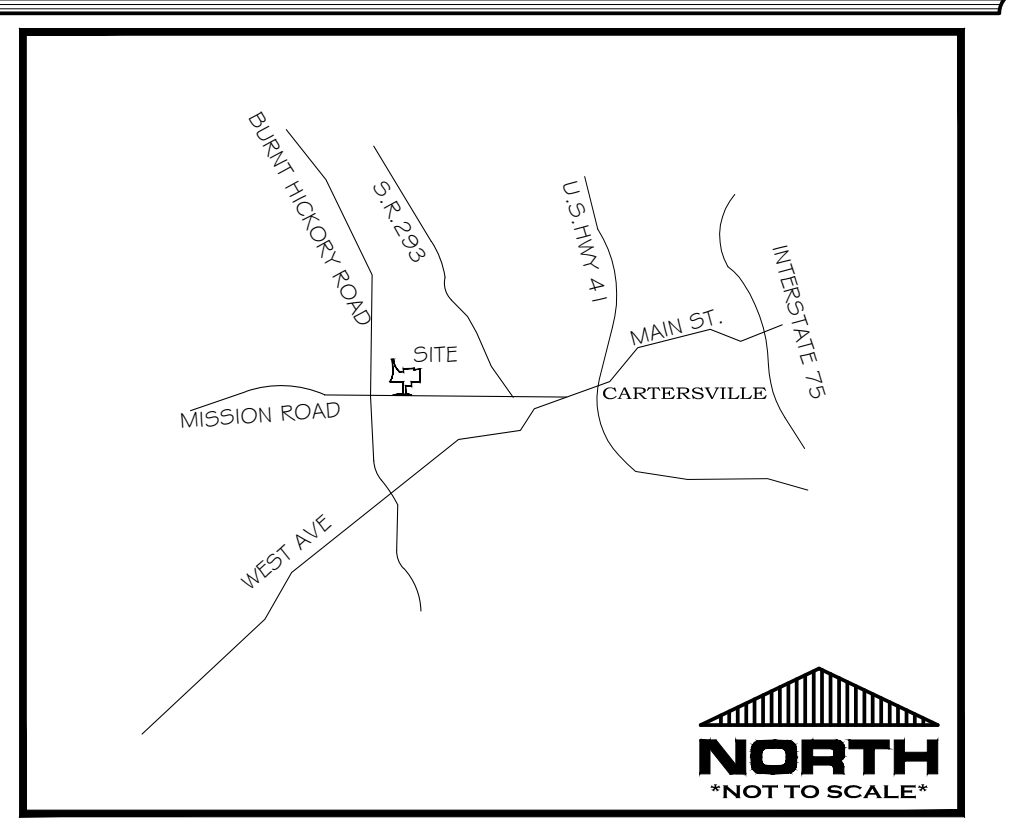
**Flood Statement**  
 THE F.I.R.M. (FLOOD INSURANCE RATE MAP) SHOWS THE REFERENCED PARCEL TO BE IN ZONE A AND IS IN AN AREA HAVING SPECIAL FLOOD HAZARDS ACCORDING TO PANEL NO: 13015 C 0262 H, DATED: OCTOBER 5, 2018.

**Owner/Developer**  
 SMITH DOUGLAS HOMES  
 ATTN: KEITH ADAMS  
 110 VILLAGE TRAIL, SUITE 215 WOODSTOCK, GA 30188  
 OFFICE: (770)-372-3020

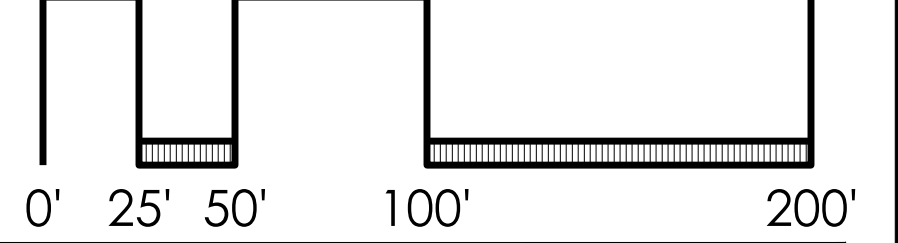
**Zoning Notes**  
 ZONED: PUD  
 ACREAGE: 1 00.08 TOTAL  
 RESIDENTIAL-20 61 COMM.-20.28  
 TOTAL PROJECT LOTS: 197  
 TOTAL PROJECT RESIDENTIAL BLDG LOTS: 191  
 DENSITY: 2.16 LOTS PER ACRE  
 A. FRONT YARD SETBACK: 20 FEET  
 B. SIDE YARD SETBACK: 10 FEET  
 C. REAR YARD SETBACK: 20 FEET  
 D. MINIMUM LOT AREA: 10,000



Vicinity Map



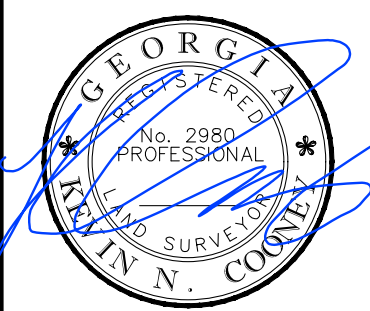
GRAPHIC SCALE : 1" = 50'



|                        |                             |                            |                      |                    |
|------------------------|-----------------------------|----------------------------|----------------------|--------------------|
| ○ = IRON PIN FOUND     | △ = DOUBLE WING CATCH BASIN | ⊠ = GAS VALVE              | ⊙ = SEWER MANHOLE    | ⊕ = POWER POLE     |
| ⊙ = CONCRETE MAN-FOUND | ▽ = SINGLE WING CATCH BASIN | ⊙ = GAS METER              | ⊙ = CLEAN OUT        | — = GUY WIRE       |
| ● = IRON PIN PLACED    | ⊙ = JUNCTION BOX            | ⊙ = TELEPHONE MANHOLE      | ⊙ = WATER VALVE      | — = ELECTRIC METER |
| ⊙ = BENCHMARK          | ⊙ = CURB INLET              | ⊙ = ELECTRIC MANHOLE       | ⊙ = WATER METER      | ⊙ = TRANSFORMER    |
| ⊙ = PHOTO REFERENCE    | ⊙ = YARD INLET              | ⊙ = TELEPHONE PEDESTAL     | ⊙ = FIRE HYDRANT     | ⊙ = LIGHT POLE     |
| ⊙ = EXCEPTIONS         | ⊙ = DROP INLET              | ⊙ = IRRIGATION CONT. VALVE | ⊙ = WELL             | → = FLOW ARROW     |
| ⊙ = PARKING BOLLARD    | ⊙ = HEADWALL                | ⊙ = SIGN                   |                      | ⊙ = MAILBOX        |
| — = STORM PIPE         | — = OVERHEAD PWR.           | — = WATER LINE             | — = COMM. LINE       |                    |
| — = SEWER PIPE         | — = FENCE LINE              | — = GAS LINE               | — = UNDERGROUND PWR. |                    |

AS-BUILT  
JACKSON FARM  
PHASE 1 UNIT 1

LOCATED IN LAND LOT(S) 233,  
4TH DISTRICT, 3RD SECTION,  
CITY OF BARTOW, BARTOW COUNTY, GEORGIA



Flood Statement

THE F.I.R.M. (FLOOD INSURANCE RATE MAP) SHOWS THE REFERENCED PARCEL TO BE IN ZONE A AND IS IN AN AREA HAVING SPECIAL FLOOD HAZARDS ACCORDING TO PANEL NO: 13015 C 0262 H, DATED: OCTOBER 5, 2018.

Owner Developer

SMITH DOUGLAS HOMES  
ATTN: KEITH ADAMS  
1110 VILLAGE TRAIL, SUITE 215 WOODSTOCK, GA 30188  
OFFICE: (770)-372-3020

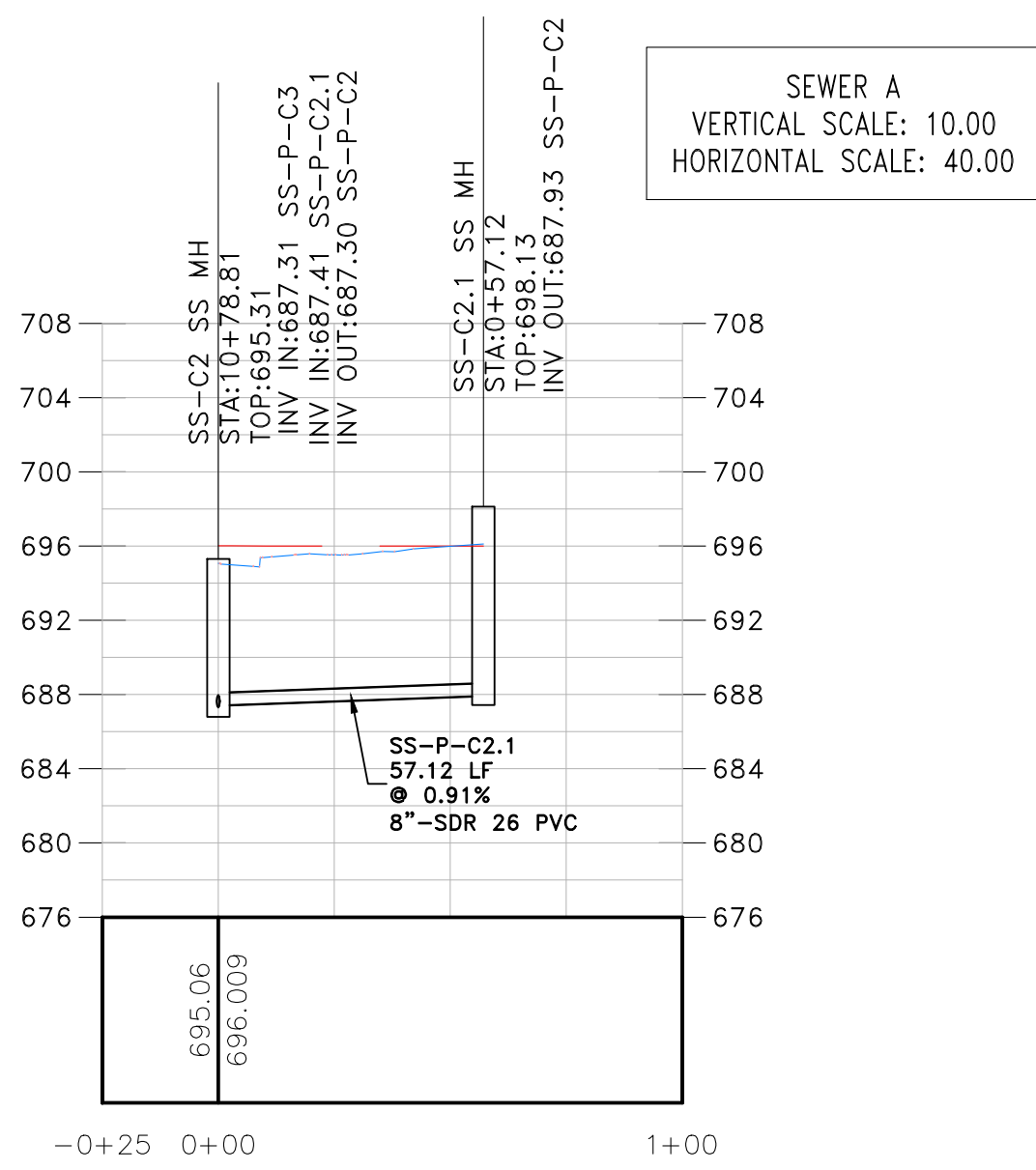
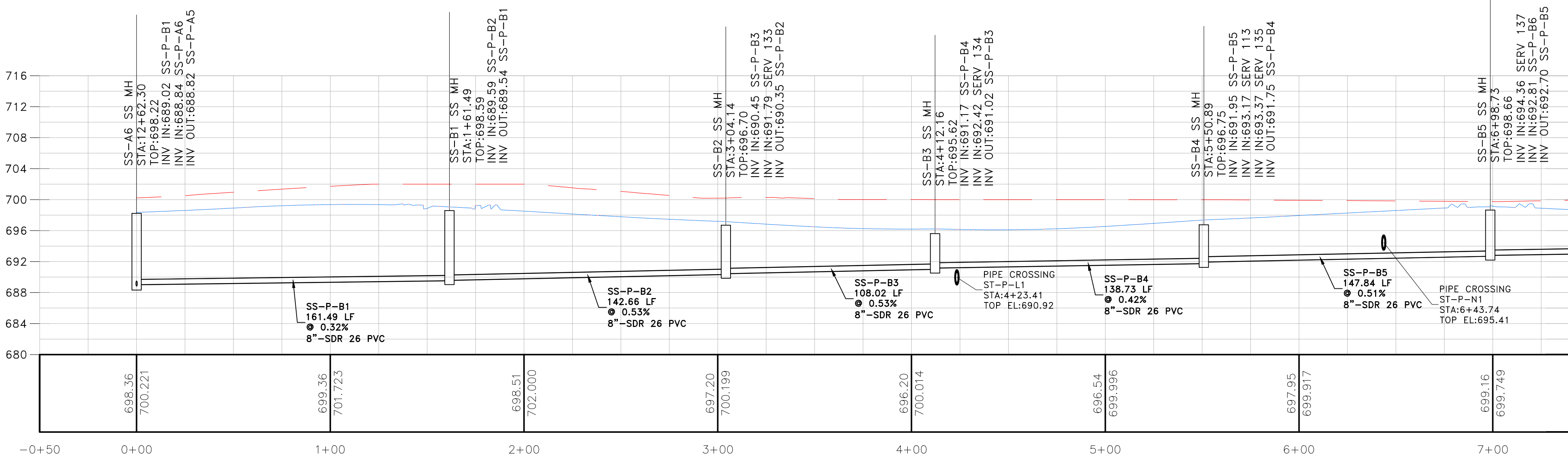
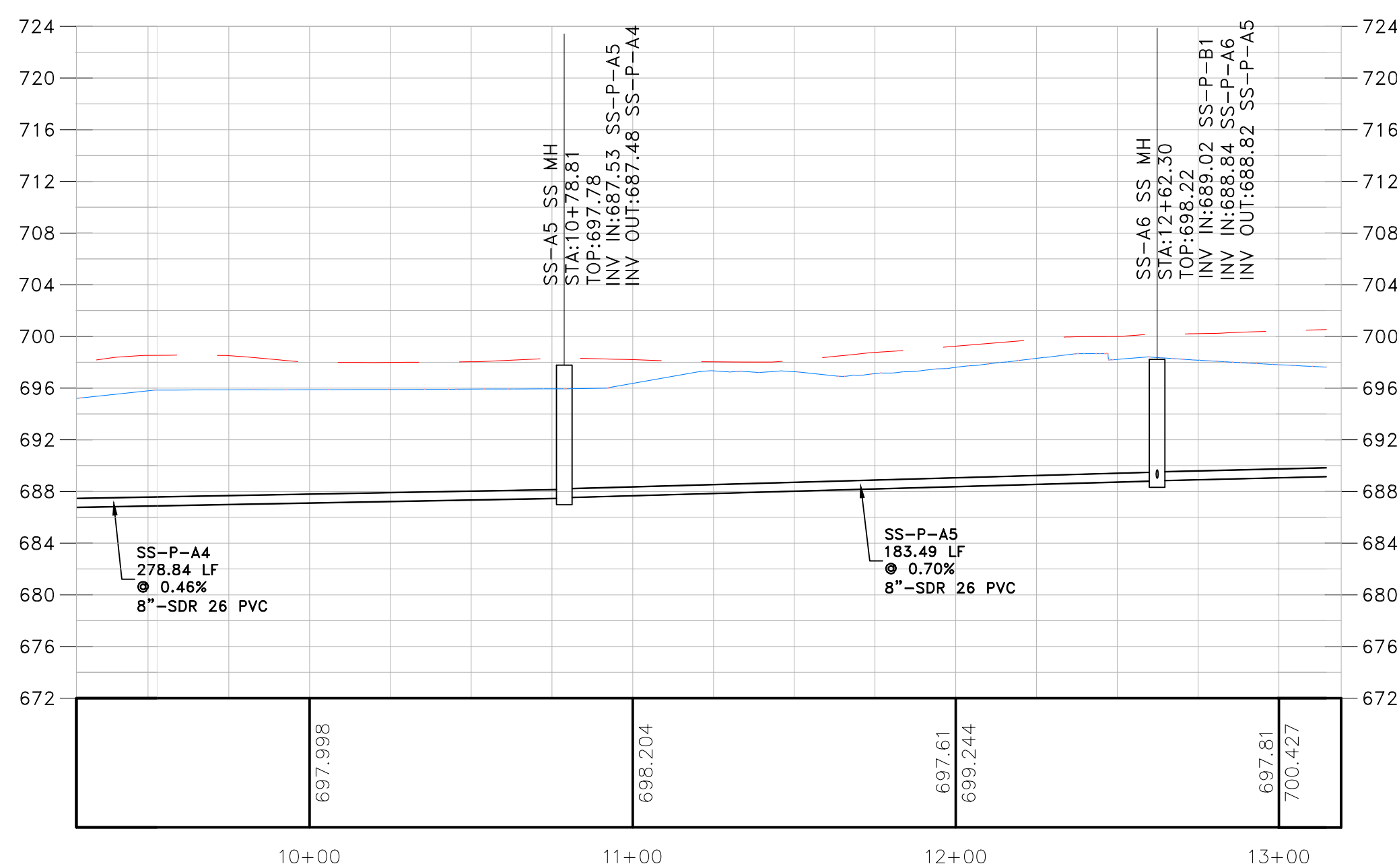
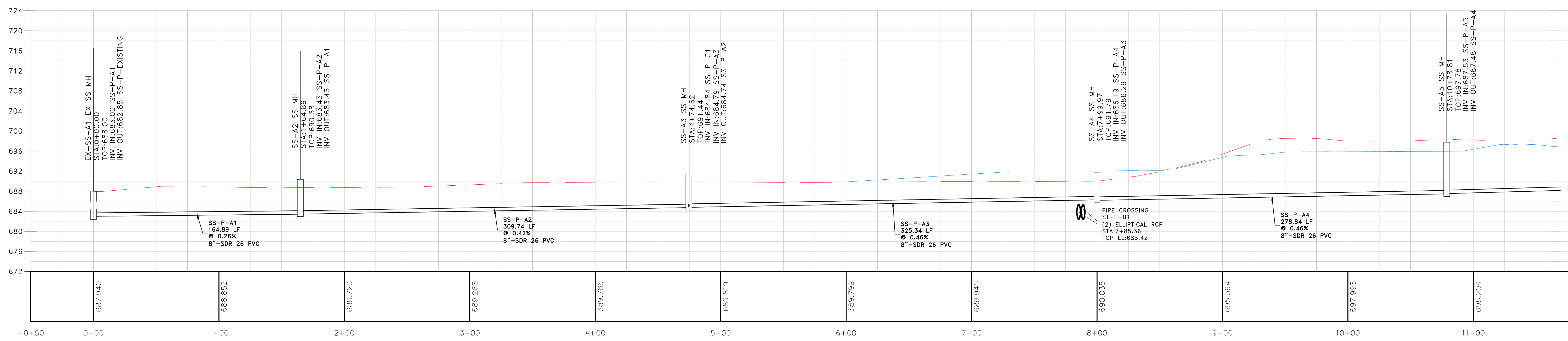
Zoning Notes

ZONED: PUD  
ACREAGE: 1 00.08 TOTAL  
RESIDENTIAL-80 61 COMM-10.28  
TOTAL PROJECT LOTS: 197  
TOTAL PROJECT RESIDENTIAL BLDG LOTS: 191  
DENSITY: 2.16 LOTS PER ACRE  
A. FRONT YARD SETBACK: 20 FEET  
B. SIDE YARD SETBACK: 10 FEET  
C. REAR YARD SETBACK: 20 FEET  
D. MINIMUM LOT AREA: 10,000



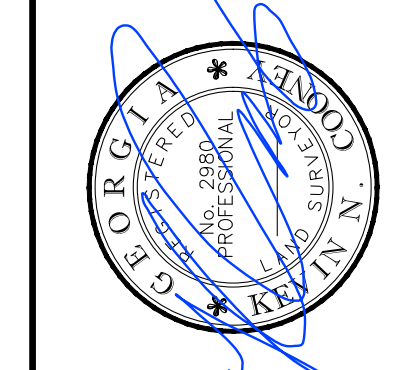
DATE: SEPTEMBER 30, 2021 | REV: | JOB NO: 19088  
DATE OF FIELDWORK: SEPTEMBER 29, 2021 | DR: CPR | CH: KNC | APP: KNC





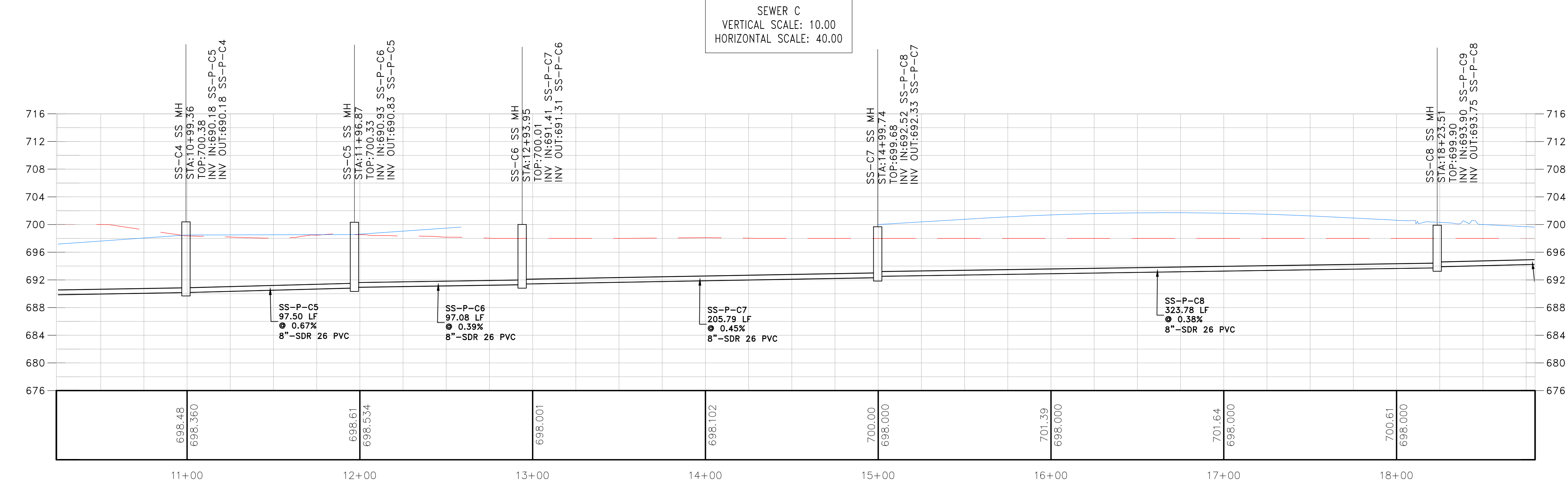
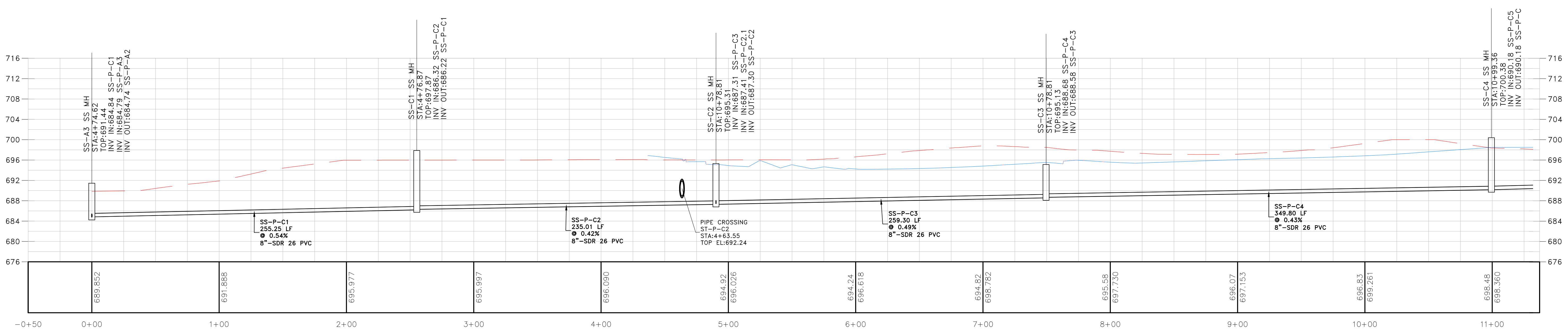
**Zoning Notes**  
 ZONED: R4D  
 AVERAGE: 1.00 DD TOTAL  
 TOTAL PROJECT LOTS: 197  
 TOTAL PROJECT RESIDENTIAL BLDG  
 DENSITY: 2.16 LOTS PER ACRE  
 A. FRONT YARD SETBACK: 20 FEET  
 B. SIDE YARD SETBACK: 10 FEET  
 C. OFF-LOT SETBACK: 10 FEET  
 D. MINIMUM LOT AREA: 10,000

**Flood Statement**  
 THE AREA IN RED HIGHLIGHTS ON THIS MAP SHOWS THE REFERENCED PARCEL TO BE IN ZONE X AND IS IN AN AREA HAVING SPECIAL FLOOD HAZARDS ACCORDING TO PANEL NO. 13015 C 0262 H, DATED: OCTOBER 5, 2018.  
**Owner Developer**  
 SMITH DOUGLAS HOMES  
 ATTN: KATHY ADAMS  
 114 OLD MILL ROAD, CARTERSVILLE, GA 30156  
 OFFICE: 770-387-0440  
 MOBILE: 770-387-0440



**AS-BUILT**  
**JACKSON FARM**  
**PHASE 1 UNIT 1**  
 LOCATED IN LAND LOT(S) 233,  
 4TH DISTRICT, 3RD SECTION,  
 CITY OF BARTOW, BARTOW COUNTY, GEORGIA

**SOUTHLAND ENGINEERING**  
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
 114 OLD MILL ROAD, CARTERSVILLE, GA 30156  
 PH: 770.387.0440 FAX: 770.607.5151  
 DATE: SEPTEMBER 30, 2021 | REV: | JOB NO: 19066  
 DATE OF FIELDWORK: SEPTEMBER 29, 2021 | DR: KNC | APP: KNC



**AS-BUILT**


**JACKSON FARM**

**PHASE 1 UNIT 1**

LOCATED IN LAND LOT(S) 233,  
4TH DISTRICT, 3RD SECTION,  
CITY OF BARTOW, BARTOW COUNTY, GEORGIA

**Owner Developer**

SMITH DOUGLAS HOMES  
ATTN: KEITH ADAMS  
100 WILSON AVENUE, SUITE 215  
WOODSTOCK, GA 30186  
PHONE: 770-972-6365



**Southland Engineering**

CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
114 OLD MILL ROAD, CARTERSVILLE, GA 30120  
PH: 770.387.0440 FAX: 770.607.5151

DATE: SEPTEMBER 30, 2021 | REV: |

JOB NO: 19066

DATE OF FIELDWORK: SEPTEMBER 29, 2021 | DR: KNC

CH: KNC

APP: KNC

**Zoning Notes**

ZONED: R4D

AVERAGE: 100.00 TOTAL  
AREA: 100.00 ACRES  
TOTAL PROJECT LOTS: 197

TOTAL PROJECT RESIDENTIAL BLDG  
DENSITY: 2.16 LOTS PER ACRE

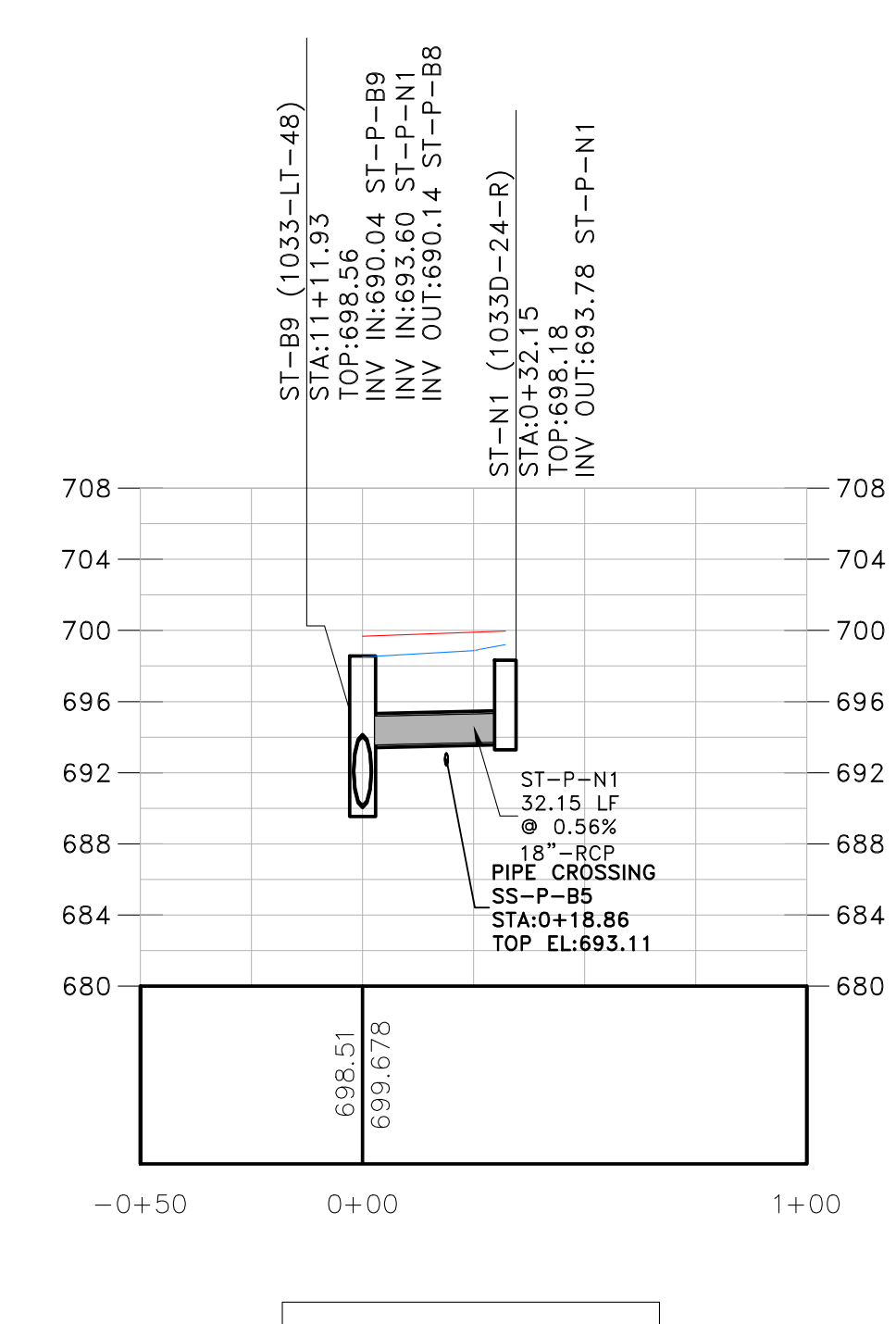
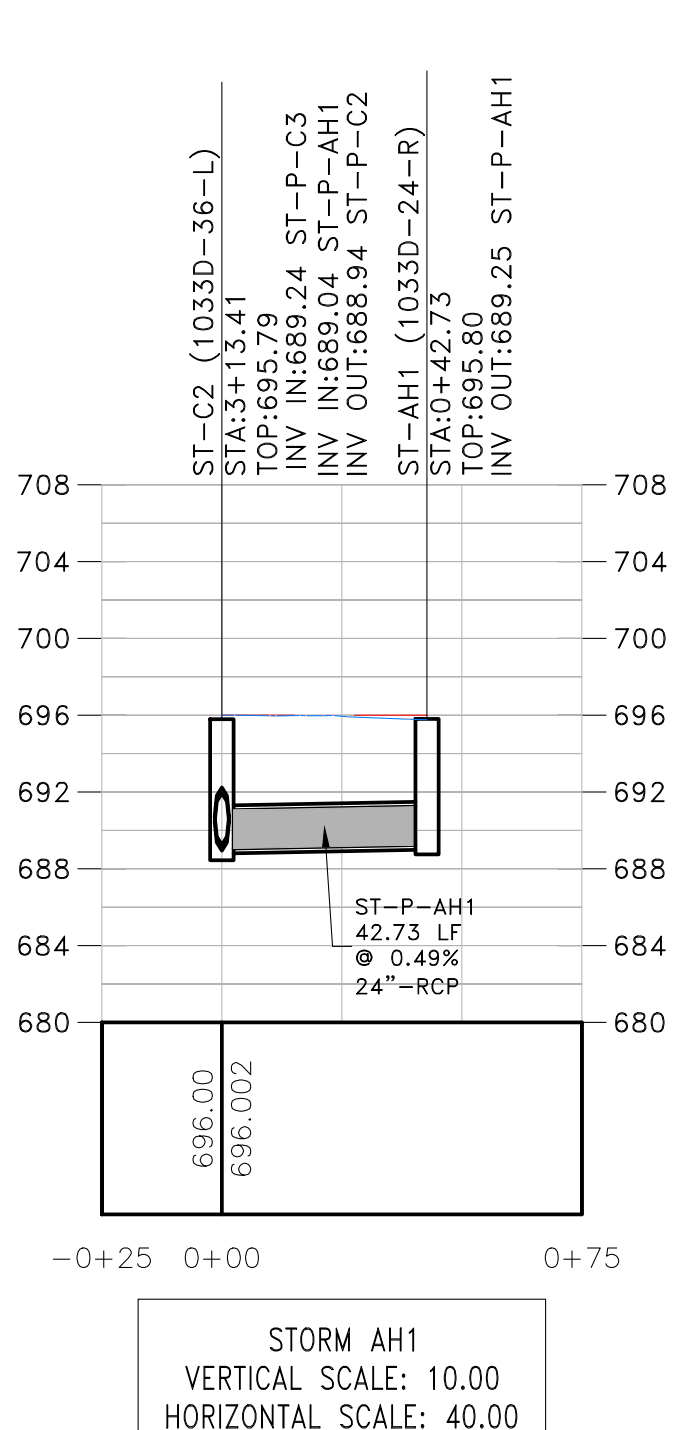
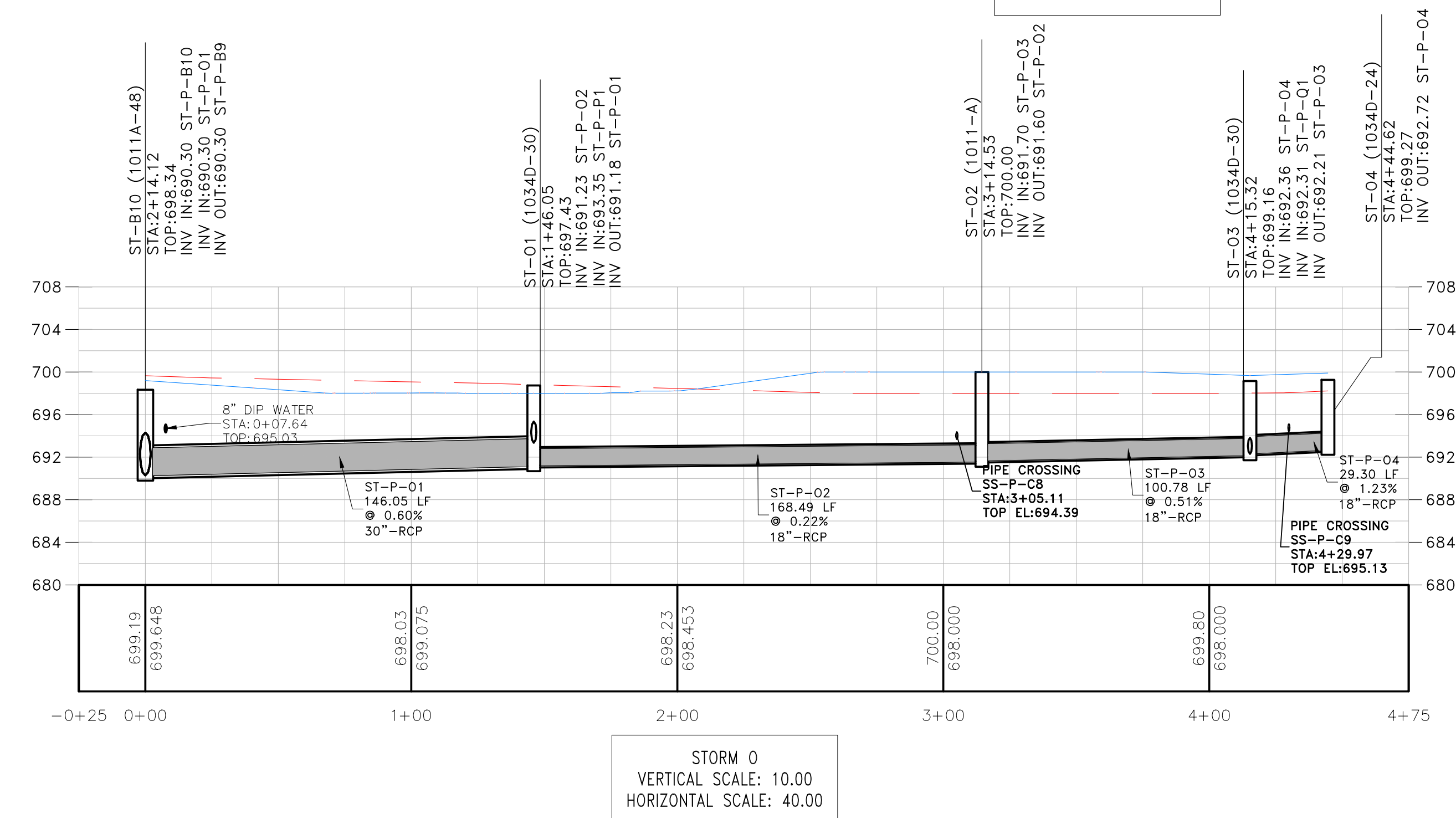
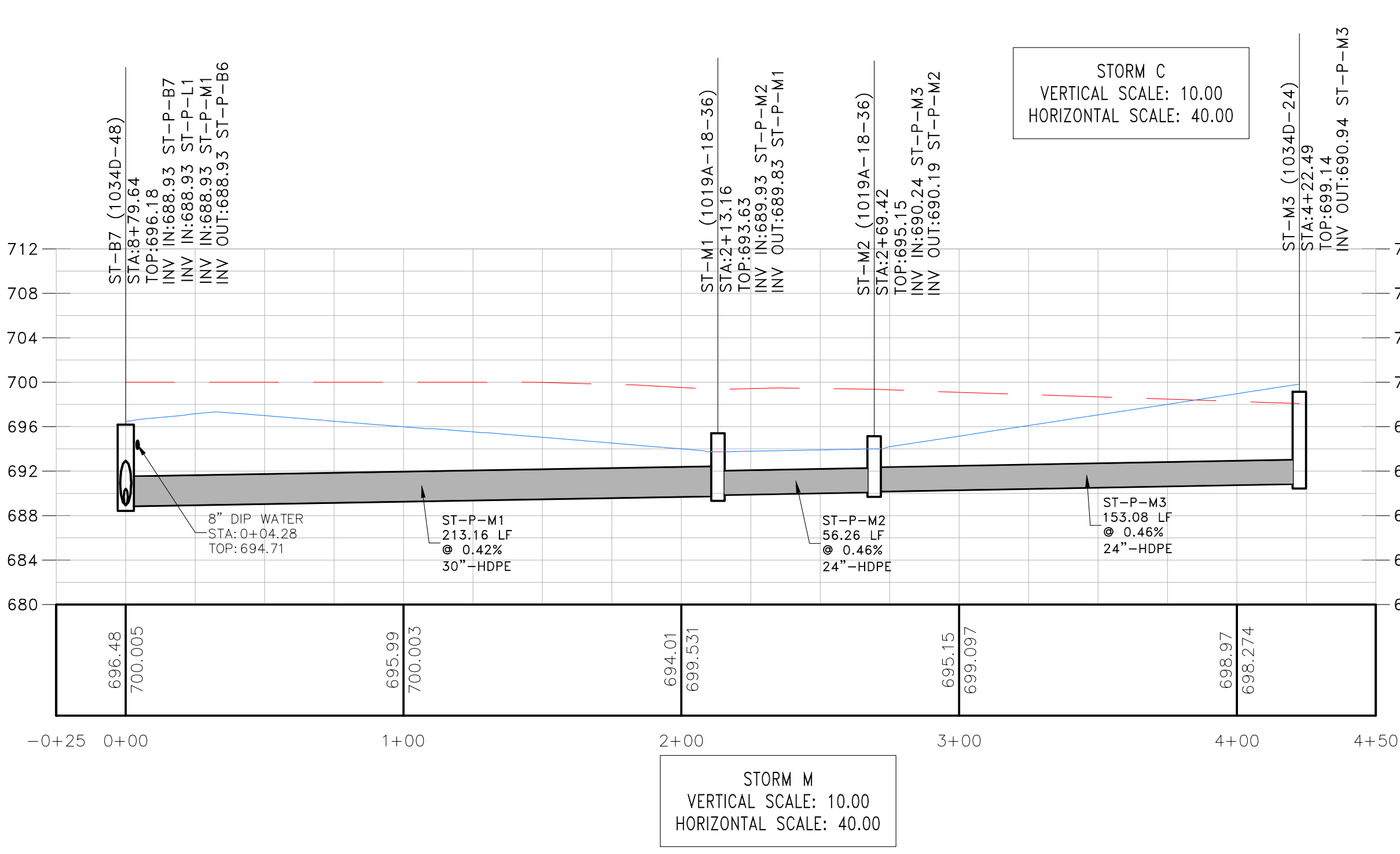
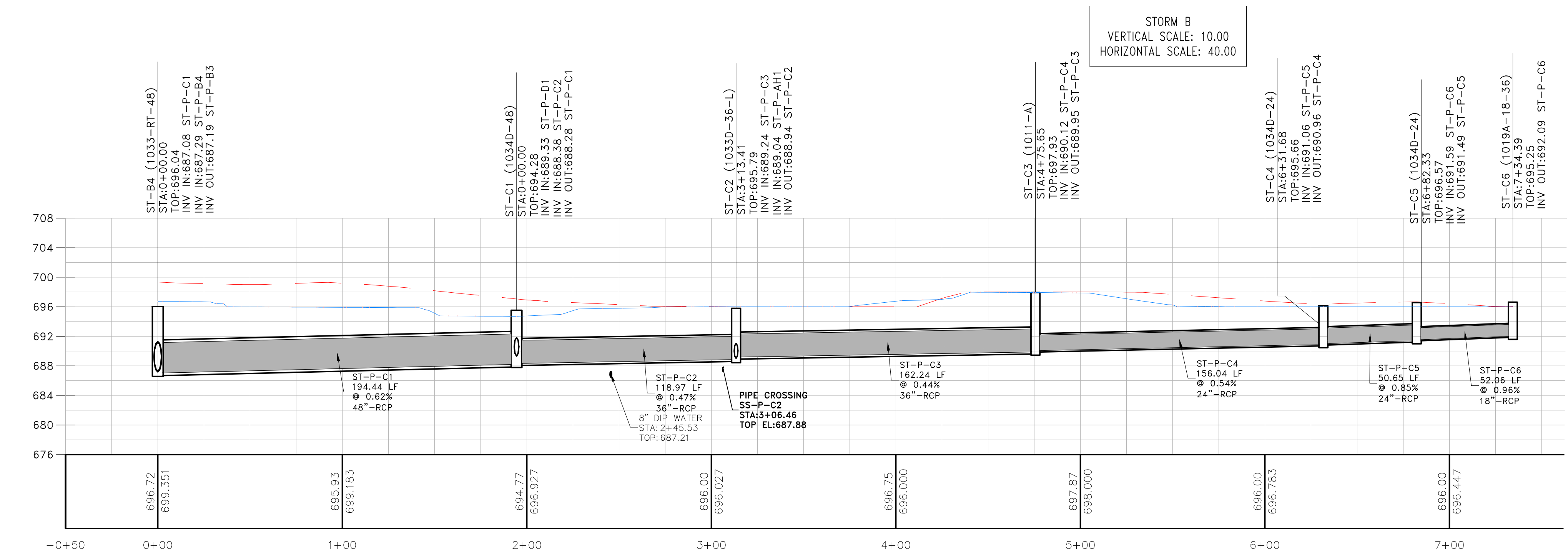
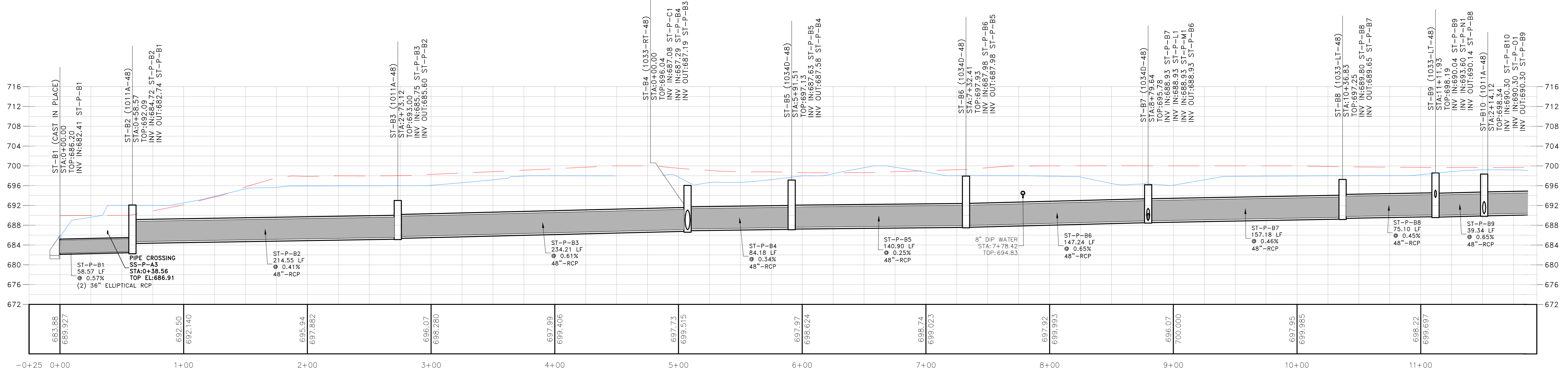
A. FRONT YARD SETBACK: 20 FEET  
B. SIDE YARD SETBACK: 10 FEET  
C. REAR YARD SETBACK: 10 FEET  
D. MINIMUM LOT AREA: 10,000

**Flood Statement**

THE U.S. FLOOD INSURANCE RATE MAP SHOWS THE REFERENCED PARCEL  
TO BE IN ZONE XA1D IN AN AREA HAVING SPECIAL FLOOD HAZARDS  
ACCORDING TO PANEL NO. 13015 C 0262 H, DATED: OCTOBER 5, 2018.

G:\19000\19088 - JACKSON FARM\SURVEY\FINAL PLAT AND ASBUILTS\19088\_CS FINAL PLAT AND AS-BUILTS 4.dwg, 9/30/2021 4:46:16 PM, DWG To PDF.pc3





**AS-BUILT**

# JACKSON FARM

## PHASE 1 UNIT 1

LOCATED IN LAND LOT(S) 233,  
4TH DISTRICT, 3RD SECTION,  
CITY OF BARTOW, BARTOW COUNTY, GEORGIA

**DATE:** SEPTEMBER 30, 2021 **REV:**

**DATE OF FIELDWORK:** SEPTEMBER 29, 2021 **DR:** KNC **APP:** KNC

**JOB NO.:** 19066

**SOUTHLAND ENGINEERING**  
CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
114 OLD MILL ROAD, CARTERSVILLE, GA 30120  
PH: 770.387.0440 FAX: 770.607.5151

**Storm B**  
VERTICAL SCALE: 10.00  
HORIZONTAL SCALE: 40.00

**Storm AH1**  
VERTICAL SCALE: 10.00  
HORIZONTAL SCALE: 40.00

**Storm N**  
VERTICAL SCALE: 10.00  
HORIZONTAL SCALE: 40.00

**Storm M**  
VERTICAL SCALE: 10.00  
HORIZONTAL SCALE: 40.00

**Storm O**  
VERTICAL SCALE: 10.00  
HORIZONTAL SCALE: 40.00

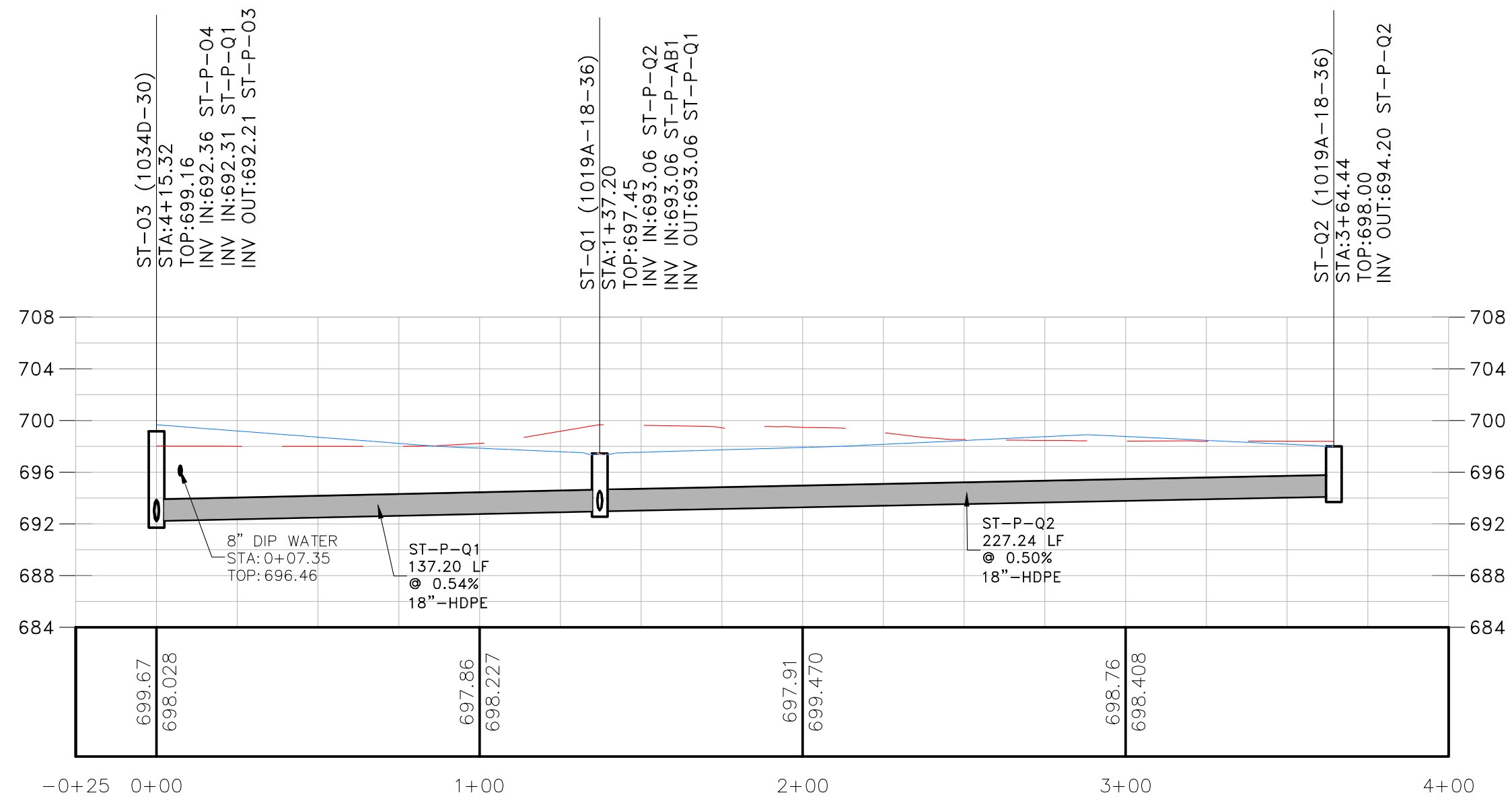
**Owner Developer**  
SMITH DOUGLAS HOMES  
ATTN: KATHY ADAMS  
1000 WOODSTOCK, SUITE #19 WOODSTOCK, GA 30186  
OFFICE: (770) 976-6868

**Flood Statement**  
THE PLAN, RECORD SURFACE RATE MAPS SHOW THE REFERENCED PARCEL TO BE IN ZONE A AND IN AN AREA HAVING SPECIAL FLOOD HAZARDS ACCORDING TO PANEL NO. 13015 C 0262 H, DATED: OCTOBER 5, 2018.

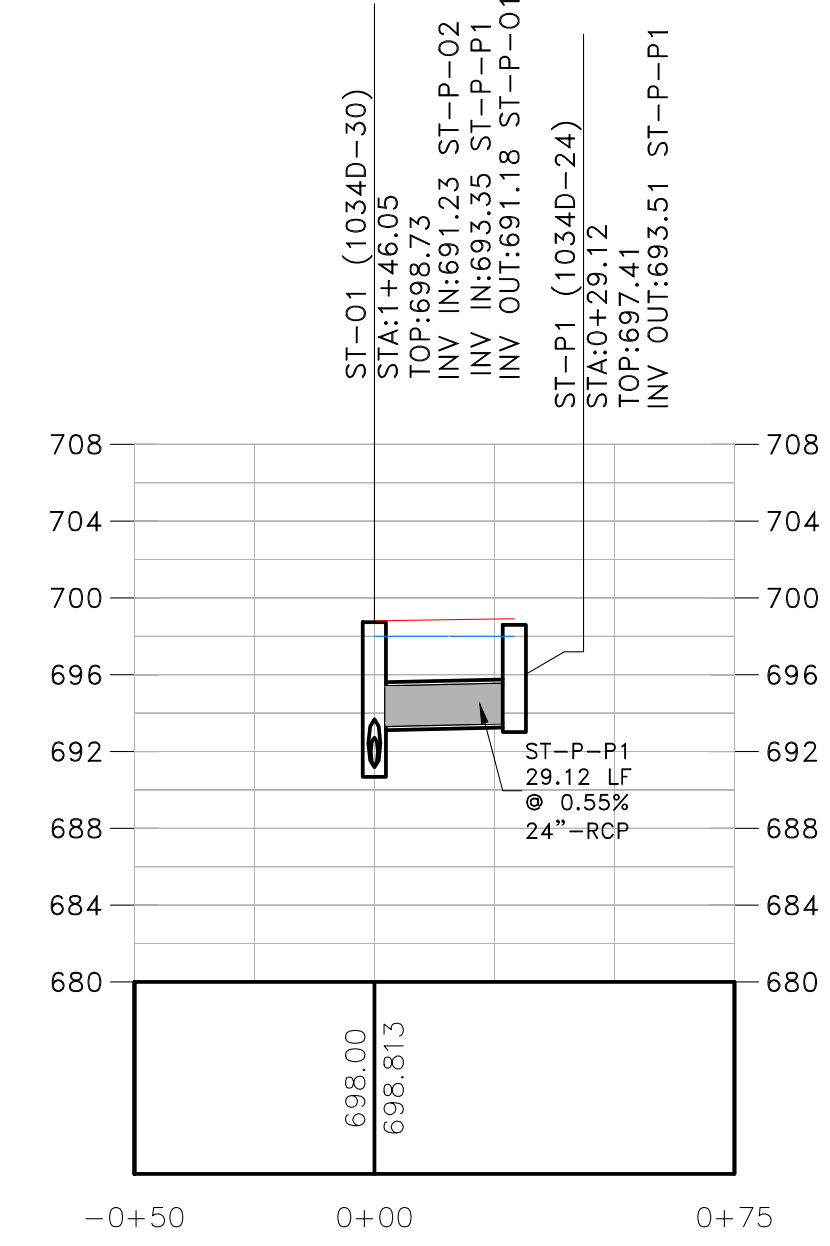
**Zoning Notes**  
ZONED: R4D  
AVERAGE: 1.00 D.P. TOTAL  
TOTAL PROJECT TOTAL: 20.28  
TOTAL PROJECT RESIDENTIAL BLDG: 197  
DENSITY: 2.16 LOTS PER ACRE  
A. FRONT YARD SETBACK: 20 FEET  
B. SIDE YARD SETBACK: 10 FEET  
C. REAR YARD SETBACK: 10 FEET  
D. MINIMUM LOT AREA: 10,000

G:\19000\19088 - JACKSON FARM\SURVEY\FINAL PLAT AND ASBUILTS\19088\_CS FINAL PLAT AND AS-BUILTS 4.dwg, 9/30/2021 4:49:27 PM, DWG To PDF.pc3

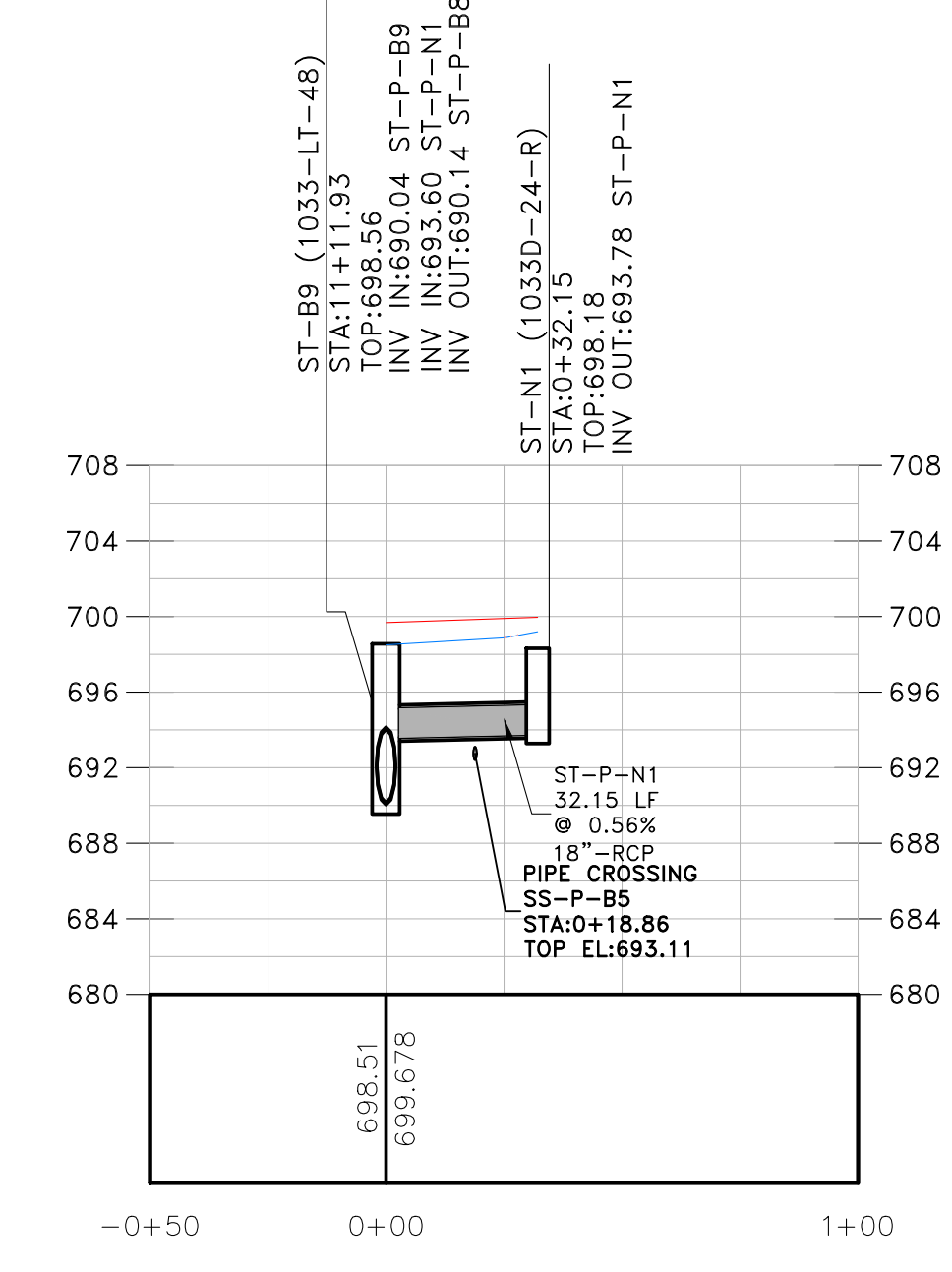




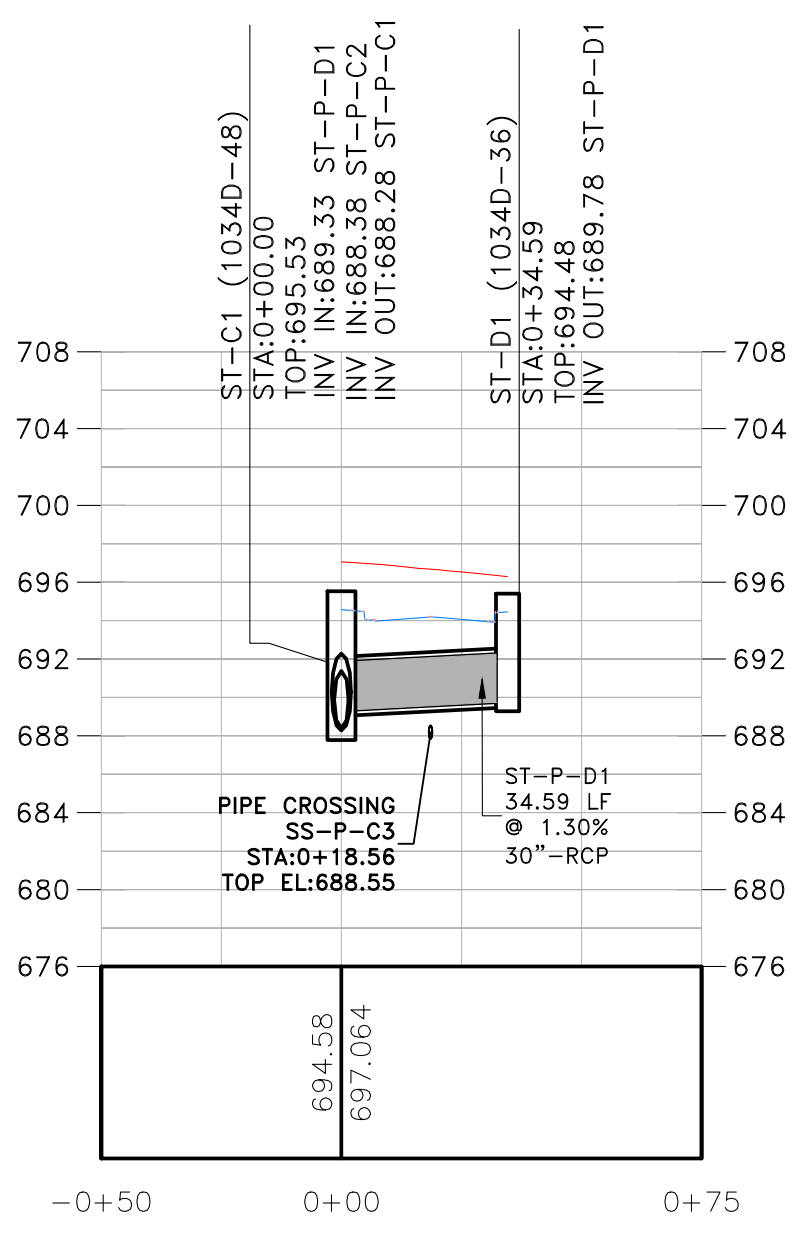
STORM Q  
VERTICAL SCALE: 10.00  
HORIZONTAL SCALE: 40.00



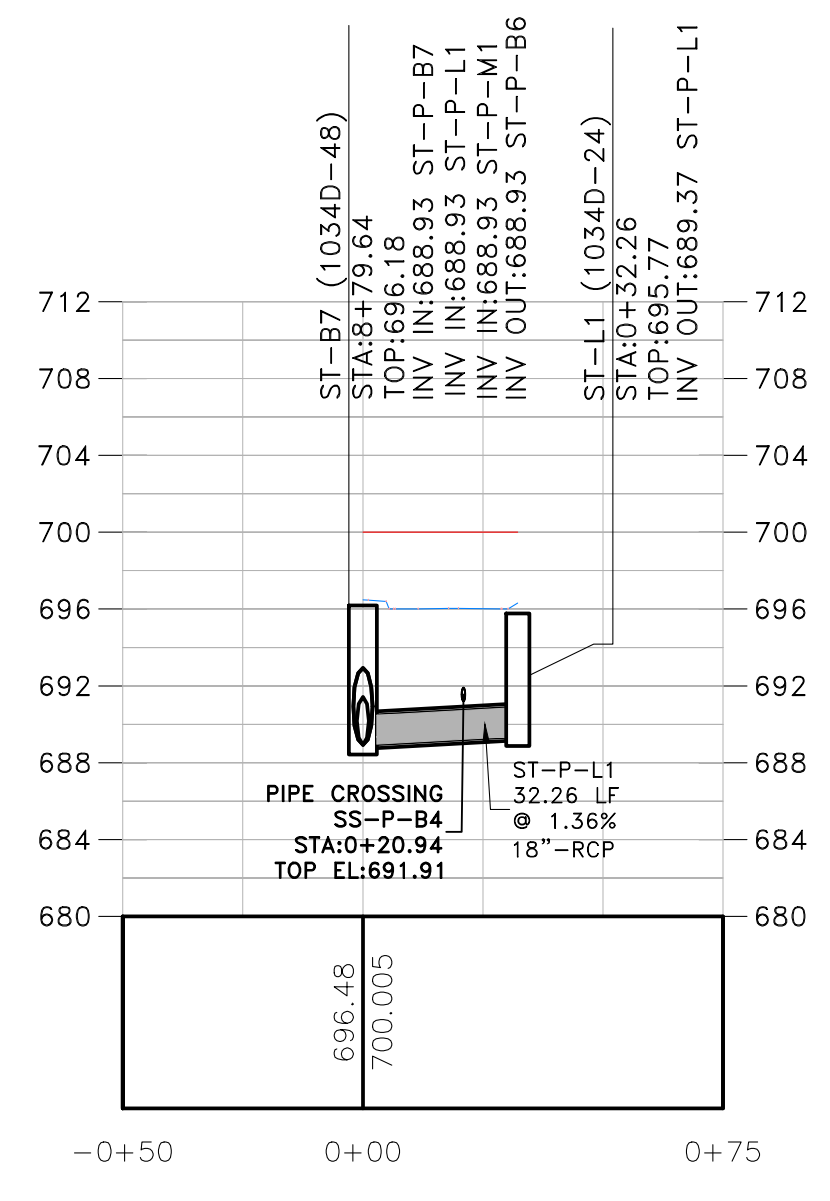
STORM P  
VERTICAL SCALE: 10.00  
HORIZONTAL SCALE: 40.00



STORM N  
VERTICAL SCALE: 10.00  
HORIZONTAL SCALE: 40.00



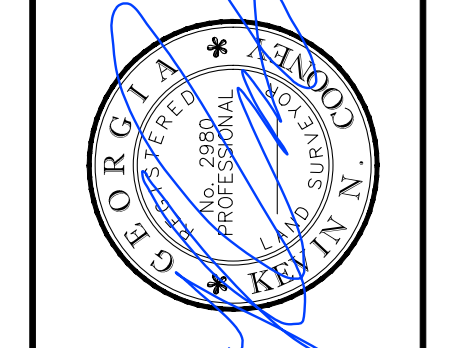
STORM D  
VERTICAL SCALE: 10.00  
HORIZONTAL SCALE: 40.00



STORM L  
VERTICAL SCALE: 10.00  
HORIZONTAL SCALE: 40.00

**Zoning Notes**  
ZONED: R4D  
AVERAGE: 1.00 DD TOTAL  
TOTAL PROJECT LOTS: 197  
TOTAL PROJECT RESIDENTIAL BLDG DENSITY: 2.16 LOTS PER ACRE  
A. FRONT YARD SETBACK: 20 FEET  
B. SIDE YARD SETBACK: 10 FEET  
C. REAR YARD SETBACK: 10 FEET  
D. MINIMUM LOT AREA: 10,000

**Flood Statement**  
THE DESIGN FLOOD ELEVATION RATE MAPS SHOWING THE REFERENCED PARCEL TO BE IN ZONE A AND IN AN AREA HAVING SPECIAL FLOOD HAZARDS ACCORDING TO PANEL NO. 13015 C 0262 H, DATED: OCTOBER 5, 2018.  
**Owner Developer**  
SMITH DOUGLAS HOMES  
ATTN: KEITH ADAMS  
1000 WILSON AVENUE, SUITE 215 WOODSTOCK, GA 30186  
OFFICE: (770) 376-6868



FINAL PLAT  
**JACKSON FARM  
PHASE 1 UNIT 1**  
LOCATED IN LAND LOT(S) 233,  
4TH DISTRICT, 3RD SECTION,  
CITY OF BARTOW, BARTOW COUNTY, GEORGIA

**SOUTHLAND ENGINEERING**  
CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
114 OLD MILL ROAD, CARTERSVILLE, GA 30120  
PH: 770.387.0440 FAX: 770.607.5151  
JOB NO.: 19066  
DATE: SEPTEMBER 30, 2021 | REV: |  
DATE OF FIELDWORK: SEPTEMBER 29, 2021 | DR: KNC | CH: KNC | APP: KNC









Mission Rd. entrance  
looking West (Accel.  
Lane)



Mission Rd. entrance  
looking North along Silo  
Dr.



Mission Rd. entrance  
looking East (Decel  
Lane)





Mission Rd. entrance  
looking North along Silo  
Dr.



Mission Rd. entrance  
looking North along Silo  
Dr.



Silo Dr. at Jackson Rd.  
Looking South





Detention Pond Looking West



Jackson Road at Silo Rd looking Northwest toward Phase 2. (Storm pipe being installed in distance)



Silo Dr at Jackson Rd looking East across Amenity Area & Parking lot.





Model Home under construction on Jackson Rd at Silo Dr.



Jackson Rd at Sherwood Rd. looking North towards Phase 2.



Westover Rd. at Sherwood Rd. looking North towards Phase 2.





Westover Rd. at Sherwood Rd. looking West (Street lights being installed on left side)



Westover Rd. at Sherwood Rd. looking South towards homes in Reserve at Pettit Creek.



Westover Rd. cul-de-sac looking South towards homes in Reserve at Pettit Creek.



Images From Site Visit 11-18-21

Item 4.



Westover Rd. cul-de-sac  
looking North towards  
Sherwood Rd.



Westover Rd. at Phase  
2 Boundary looking  
South towards  
Sherwood Rd.