



CARTERSVILLE PLANNING COMMISSION MEETING

Council Chambers, Third Floor of City Hall
Tuesday, September 06, 2022 at 5:30 PM

AGENDA

COMMISSIONERS:

Lamar Pendley – Chairman
Greg Culverhouse
Anissa Cooley
Jeffery Ross
Travis Popham
Steven Smith
Fritz Dent

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. August 9, 2022

SPECIAL USE PERMIT

2. SU22-03. 315 Industrial Park Rd. Cash Environmental

TEXT AMENDMENT

3. T22-02. Mt. Zion Mission Baptist Church Sign Amendment
4. T22-03. Tilley Holdings LLC. Electronic Billboard Amendment

ZONINGS

5. Z22-03. Carter Grove Blvd. Applicant: The Wasserman Group, LLC
6. Z22-04. Bates Rd. Applicant: Highlands Park of GA, LLC.

STAFF OR COMMITTEE COMMENTS

OTHER

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

**** City Council 2nd Reading (Final Action): October 6th. 7:00pm. Council Chambers. 3rd fl City Hall.**

The next meeting of the Planning Commission will be October 11th. 5:30pm.

ADJOURNMENT

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

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



PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	September 6, 2022
SUBCATEGORY:	Minutes
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	August 9, 2022
DEPARTMENT SUMMARY RECOMMENDATION:	The minutes from the August 9, 2022 Planning Commission Meeting have been uploaded for your review and approval
LEGAL:	N/A

MINUTES OF THE CARTERSVILLE PLANNING COMMISSION

The Cartersville Planning Commission met in a regularly scheduled meeting on Tuesday, August 9, 2022, at 5:30 p.m. in the City Hall Council Chambers.

Present: Lamar Pendley, Jeffery Ross, Greg Culverhouse, Steven Smith, Travis Popham, Anissa Cooley and Fritz Dent
 Absent: ---
 Staff Members: Randy Mannino, Julia Drake, David Hardegree, Zack Arnold, and Keith Lovell

CALL TO ORDER: 5:30 PM

ROLL CALL

Chairman Lamar Pendley stated to the audience that the Planning Commission is a recommending body only and that for all cases heard, recommendations would be forwarded to City Council for consideration. Furthermore, the case heard would be heard before Council at the September 1, 2022 and September 15, 2022 Council Meeting.

APPROVAL OF MINUTES

1. July 12, 2022 Meeting Minutes

Chairman Pendley called for a motion on the May 12, 2022 meeting minutes.

Board Member Culverhouse made a motion to approve the minutes. Board Member Ross seconded the motion. Motion carried unanimously. Vote: 6-0.

CASE UPDATES

2. SU22-02: 40 Curtis Ct.

Applicant: Andrew Schultz

David Hardegree, Planning and Development Assistant Director, stated that SU22-02 was presented to Mayor and Council and upon recommendation from the Planning Commission, Council did approve the Special Use Permit.

ZONINGS

Board Member Culverhouse made a motion to remove Z22-02 from the table. Board Member Popham seconded the motion. Motion carried unanimously. Vote: 6-0

3. Z22-02: 6 Smith Rd

Applicant: Jenny Smith

Mr. Hardegree gave an overview of the case stating the applicant is requesting the rezoning of property located at 6 Smith Rd from R-7 and R-15 (Single Family Residential) to M-U (Multiple-Use) in order to provide a professional office space. There are two residential structures on site identified as 6 and 7 Smith Rd. The structure at 6 Smith Rd will continue to serve as a residence. The structure at 7 Smith Rd will be renovated and converted to a

professional office space. A floor plan, scope of work and cost estimate were included with the application.

Furthermore, at the July 12, 2022 Planning Commission Meeting, the Planning Commission had requested that Ms. Smith subdivide the property to a small tract so that only the small tract would be rezoned as MU (Multi-Use).

Mr. Hardegree stated after further investigation, it was discovered that in 2020, 1.145 acres of 7 Smith Rd, the property under review was subdivided, approved, and recorded. Therefore, the smaller tract of land now meets the requirements proposed by the Planning Commission on July 12, 2022. The case file does reflect these changes along with the three conditions proposed.

Chairman Pendley opened the public hearing.

Board Member Smith inquired about the conditions.

Keith Lovell, Assistant City Attorney, stated the conditions were as follows:

1. Land uses are limited to single family residential, office or retail.
2. Future development of the site is limited to a single structure not to exceed the approximate area and height of the existing structure.
3. The rezoning may be conditioned to the proposed floor plan, scope of work and associated cost estimate for 7 Smith Rd. included with the application.

Board Member Ross asked if the proposed floor plan was existing to which Randy Mannino, Planning and Development Director, stated the renovations were underway for the office use.

With no other comments, questions, or concerns from the public or Board Members, Chairman Pendley closed the public hearing.

Board Member Smith made a motion to approve SU22-02 with the conditions set forth by city staff. Board Member Dent seconded the motion. Motion carried unanimously. Vote: 6-0

OTHER COMMENTS

Mr. Hardegree stated that there is a 5-year update to the comprehensive plan underway and the Planning Commission has been assigned to reviewing those proposed plans and to provide any comments, if needed.

Board Member Ross made a motion to adjourn.

The meeting adjourned at 5:43 pm.

Date Approved: September 6, 2022

/s/ _____
Lamar Pendley, Chairman



PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	September 6th, 2022
SUBCATEGORY:	Special Use Permit
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	SU22-03. 315 Industrial Park Rd. Cash Environmental
DEPARTMENT SUMMARY RECOMMENDATION:	Special Use permit request to allow a Trash Transfer Station at 315 Industrial Park Rd for municipal waste and construction debris. Zoning is Heavy Industrial. Cash Environmental is a spinoff from the company that was approved for a similar special use permit at 375 Industrial Park Rd in 2019, SU19-07.
LEGAL:	N/A

SPECIAL USE APPLICATION SYNOPSIS

Petition Number(s): **SU22-03**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Cash Environmental Resources LLC (Kevin Cash)**

Representative: **Brandon Bowen, Esq.**

Property Owner: **3S Investments, LLC**

Property Location: **315 Industrial Park Rd.**

Access to the Property: **Industrial Park Rd.**

Site Characteristics:

Tract Size: Acres:**5** District: **5th** Section: **3rd** LL(S): **201**

Ward:**6** Council Member: **Taff Wren**

LAND USE INFORMATION

Current Zoning: **H-I (Heavy Industrial)**

Proposed Zoning: **H-I (Heavy Industrial)**

Proposed Use: **Trash Transfer Station**

Current Zoning of Adjacent Property:

North: **H-I (Heavy Industrial)**

South: **County A1 (Agriculture) & County I-2 (Heavy Industrial)**

East: **H-I (Heavy Industrial)**

West: **H-I (Heavy Industrial)**

The Future Development Map designates the subject property as: **Workplace Center.**

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

2. City Department Comments:

Electric: Takes no exception

Fibercom: Takes no exception

Fire: Cartersville Fire Department takes no exceptions to the special use request for property located at 315 Industrial Park Rd provided all adopted codes and ordinances of the city of Cartersville are followed.

Gas: Takes no exception

Public Works: Public Works does not oppose the special use permit.

Water and Sewer: Bartow County Water & Sewer service area.

3. Public Comments:

8/24: Brenda Goolsby, owner, 329 Industrial park Rd. General Questions. Application provided. SU19-07 application and supporting documents also provided via email.

4. Special Use Review

The applicant, Cash Environmental Resources LLC, is requesting a Special Use permit for property identified as 315 Industrial Park Rd (315) in compliance with the zoning requirements for a Waste Transfer Station in the H-I (Heavy Industrial) zoning district. The applicant is proposing a municipal and construction/ demolition waste transfer facility.

In 2019, the applicant in partnership with Regulated Services, LLC, received a special use permit to operate a municipal waste, construction waste and pharmaceutical waste processing and transfer station on the adjacent property at 375 Industrial Park Rd (375). After the permit approval and in consideration of their business needs, the parties agreed that more space should be given to the municipal waste and construction debris operations. The applicant is planning to relocate the municipal and construction waste operations approved with SU19-07 from the 375 site to the 315 site.

Currently, the site is undeveloped and wooded. There is floodplain present on the southern half of the property and the flood ordinance requirements will have to be met.

Per the conceptual site plan, two new structures, 9,600sf. each, are proposed. No encroachment of the floodplain on the southern half of the property is expected. Site development will be addressed during plan review.

GA EPD also has regulatory oversight over this type of operation.

There are no additional Special Use Standards for a Waste Transfer Station beyond the basic standards addressed in the application.

The operation seems appropriate for the H-I zoning district and location.

5. Zoning Ordinance Findings

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

B) Article XVI. Special Uses

Sec. 16.1. Scope and intent.

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

Sec. 16.2. Application of regulations and approval.

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

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

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

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

Sec. 16.3. Additional restrictions.

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

6. How General Standards Are Met:

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

How Standard #1 has / will be met: No negative effect to traffic along Industrial Park Rd. is expected. There will be an increase truck traffic once the facility is operational.

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

How Standard #2 has / will be met: Sufficient space exists on site for employee/ client parking.

Standard #3: Protective screening.

How Standard #3 has / will be met: Not required.

Standard #4: Hours and manner of operation:

How Standard #4 has / will be met: The business would operate (2) overlapping shifts, Mon. – Fri., 6am – 8pm.

Standard #5: Outdoor lighting

How Standard #5 has / will be met: No changes to existing conditions required. New lights may be needed for new buildings and will be addressed during plan review.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met: Primary access is via Industrial Park Rd.

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met: No negative impact to adjacent properties is expected. Brenda Goolsby, owner, 329 Industrial park Rd. did call the P&D office to request information on the application. The application was provided. Two office/warehouse buildings exist on this property with direct driveway access to Industrial Park Rd.

The properties to the south will be buffered approx. 300ft by the flood plain area.

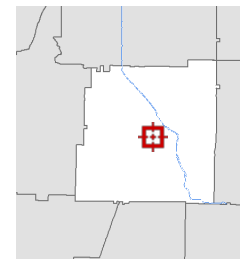
7. Additional standards from Zoning Ordinance section 16.4 for use applied for and how they are met:

N/A

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



Overview



Legend

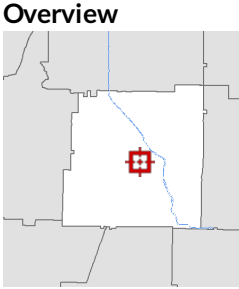
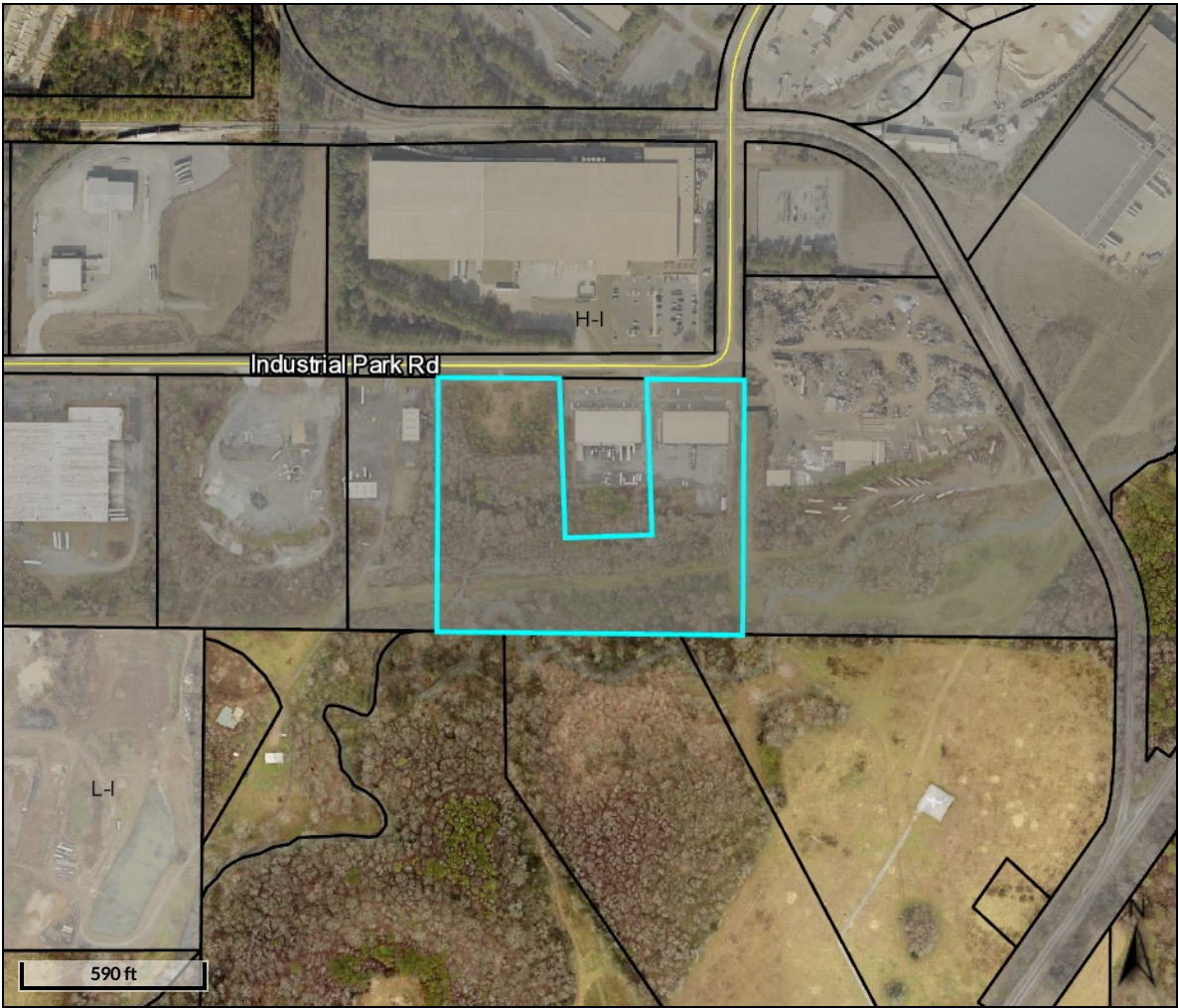
-  Parcels
-  Roads

Parcel ID	C061-0001-004	Alternate ID	36680	Owner Address	3S INVESTMENTS
Sec/Twp/Rng	n/a	Class	Industrial		PO BOX 4087
Property Address	315 INDUSTRIAL PARK RD	Acreeage	14.28		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL 201 D 5				

(Note: Not to be used on legal documents)

Date created: 7/27/2022
 Last Data Uploaded: 7/26/2022 10:21:31 PM

Developed by 



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 C061-0001-004
 Sec/Twp/Rng n/a

Alternate ID 36680
 Class Industrial

Owner Address 3S INVESTMENTS
 PO BOX 4087

Property Address 315 INDUSTRIAL PARK RD

Acreage 14.28

CARTERSVILLE, GA 30120

Item 2.

District Cartersville

Brief Tax Description LL 201 D 5

(Note: Not to be used on legal documents)

Date created: 7/27/2022

Last Data Uploaded: 7/26/2022 10:21:31 PM

Developed by  Schneider
GEOSPATIAL

Application for Special Use
City of Cartersville

Case Number: 5022-03
Date Received: 7/20/22

Public Hearing Dates:

Planning Commission 9/6/22 5:30pm 1st City Council 9/15/22 7:00pm 2nd City Council 10/6/22 7:00pm

Applicant Cash Environmental Resources LLC Office Phone (770) 656-4031
(printed name)

Address 2859 Paces Ferry Rd., Suite 1150 Mobile/ Other Phone _____

City Atlanta State GA Zip 30339 Email kcash@cashenvironmental.com

Brandon Bowen Phone (Rep) (770) 387-1373
 Representative's printed name (if other than applicant) Email (Rep) bbowen@jbwpc.com

[Signature] Representative Signature _____ Applicant Signature

Signed, sealed and delivered in presence of:

Francis Battle Notary Public



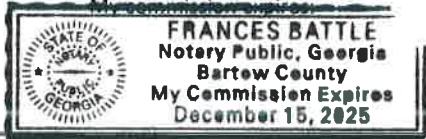
* Titleholder 3S Investments, LLC Phone _____
(titleholder's printed name)

Address 315 Industrial Park Rd. Email _____

Signature [Signature]

Signed, sealed, delivered in presence of:

Francis Battle Notary Public



Present Zoning District H-I

Acreage 14.28 +/- Land Lot(s) 201 District(s) 5 Section(s) 3

Location of Property: 315 Industrial Park Rd.
(street address, nearest intersections, etc.)

Reason for Special Use Request: Transfer Station

(attach additional statement as necessary)

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

**Application for Special Use
City of Cartersville**

Case Number: SU 22-03
Date Received: 7/20/22

2/2
Item 2.

Public Hearing Dates:

Planning Commission _____ 1st City Council _____ 2nd City Council _____
5:30pm 7:00pm 7:00pm

Applicant Cash Environmental Resources LLC Office Phone (770) 656-4031
(printed name)

Address 2859 Paces Ferry Rd., Suite 1150 Mobile/ Other Phone _____

City Atlanta State GA Zip 30339 Email kcash@cashenvironmental.com

Brandon Bowen Phone (Rep) (770) 387-1373
 Representative's printed name (if other than applicant) Email (Rep) bbowen@jwpc.com

 Representative Signature Applicant Signature

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

 Notary Public

* Titleholder 35 Investments Phone _____
(titleholder's printed name)

Address 315 Industrial Park Rd. Email _____

Signature _____

Signed, sealed, delivered in presence of: _____ My commission expires: _____

 Notary Public

Present Zoning District H-I

Acreage 14.28 +/- Land Lot(s) 201 District(s) 5 Section(s) 3

Location of Property: 315 Industrial Park Rd.
(street address, nearest intersections, etc.)

Reason for Special Use Request: Transfer Station

(attach additional statement as necessary)

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

FRANK E. JENKINS, III
BRANDON L. BOWEN
ROBERT L. WALKER
ERIK J. PIROZZI
ELLIOT T. NOLL
C. KIMBERLY PRINE

15 SOUTH PUBLIC SQUARE
CARTERSVILLE, GEORGIA 30120-3350

TELEPHONE
(770) 387-1373

FACSIMILE
(770) 387-2396

www.jbwpc.com

July 20, 2022

Mr. David Hardegree
City Planner
City of Cartersville

Re: Special Use Permit application for Cash Environmental Resources, LLC

Dear David,

I am writing this letter in support of Cash Environmental Resources' application for a special use permit for a municipal solid waste and construction and demolition debris transfer station. This application is related to application SU19-07, in which the Mayor and Council approved the special use permit for the transfer station and a medical waste facility at 375 Industrial Park Road. Cash Environmental Resources was to operate the transfer station component of that project, while Regulated Services LLC was to operate the medical waste component. This application does not affect the Regulated Services' operation; however, Cash Environmental believes that its transfer station would be better operated on the neighboring property – 315 Industrial Drive. Thus, the purpose of this application is not to create a new transfer station, but rather to allow a previously-approved transfer station to be operated on a different property. I am enclosing both the original site plan that the parties contemplated, and also our current proposed site plan, which shows the transfer station to be located on the 315 Industrial Park Road property if the special use permit is approved. Note that all of this property is in the industrial park and is already zoned H-I, so it is well suited for the operation. I will now address the City's special use permit criteria:

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

Since this special use permit seeks a relocation of a transfer station that was previously approved for the adjacent site, we do not see that there will be any change in the traffic flow along the adjoining streets. The property fronts on Industrial Park Road, which was designed and built for industrial traffic.

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

A proposed site plan is attached; the property will be designed so that the anticipated industrial traffic parks and can queue on-site.

Standard # 3 Protective screening.

Since this property is located in the Industrial Park, protective screening is not appropriate. Note too that the rear half of the property has a flood plain approximately 300 feet wide and is expected to remain undisturbed.

Standard # 4 Hours and manner of operation.

This facility will be operated with 2 overlapping shifts, between 6:00 am and 8:00 pm, Monday through Friday, just as proposed with the original special use permit which was approved. It is anticipated that garbage trucks and construction vehicles will bring waste to the transfer station, where it will be sorted and loaded upon tractor trailers to take for disposal. Waste will not remain uncovered or be allowed to be stored on site. All operations will be in compliance with applicable EPD regulations.

Standard # 5: Outdoor lighting.

Security lighting for employee safety only and will not exceed any limits of the Industrial Park.

Standard # 6 Ingress and egress to the property.

The property fronts on Industrial Park Road is readily accessible by Highway 411 / 61 to Interstate 75.

Standard # 7 Compatibility with surrounding uses.

This is a use suitable for an industrial area, and it is compliant with the surrounding industrial uses.

If you have any further questions, I will be happy to get them answered for you.

Very truly yours,

JENKINS, BOWEN & WALKER, P.C.



Brandon L. Bowen

Proposed New site plan for Cash Environmental Resources, LLC

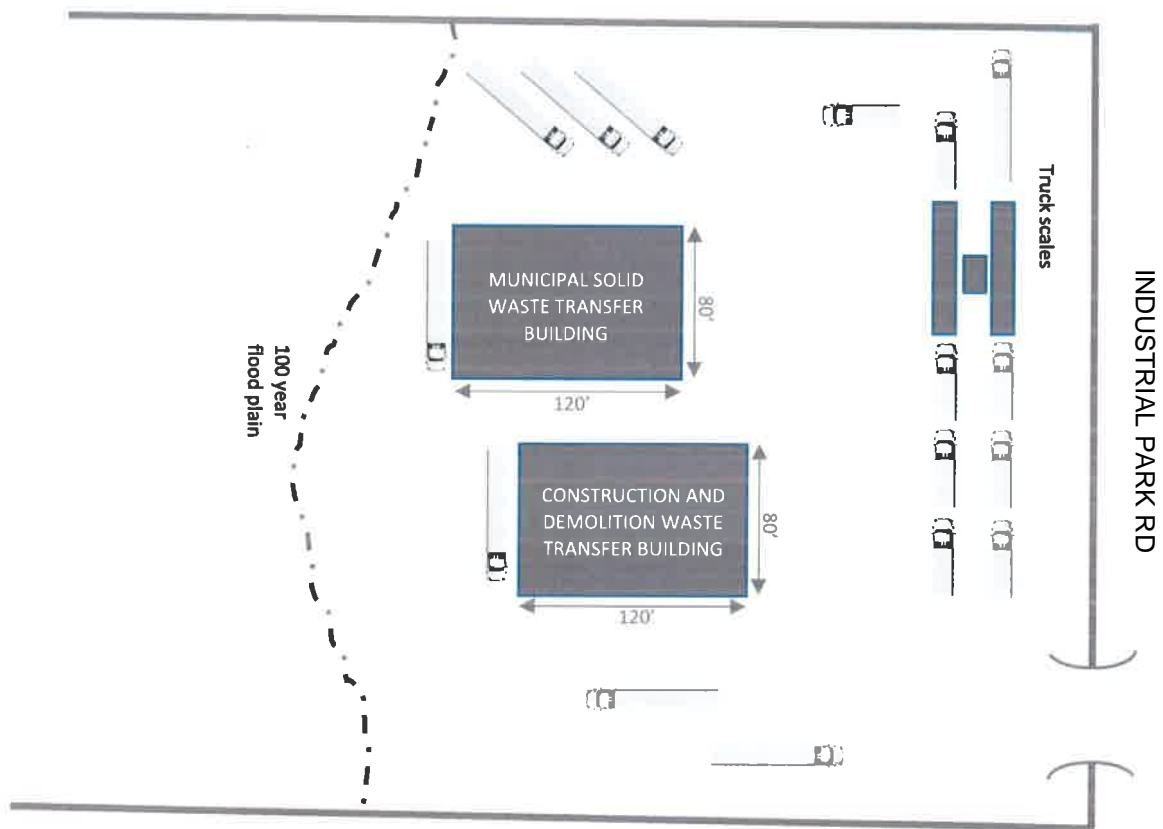
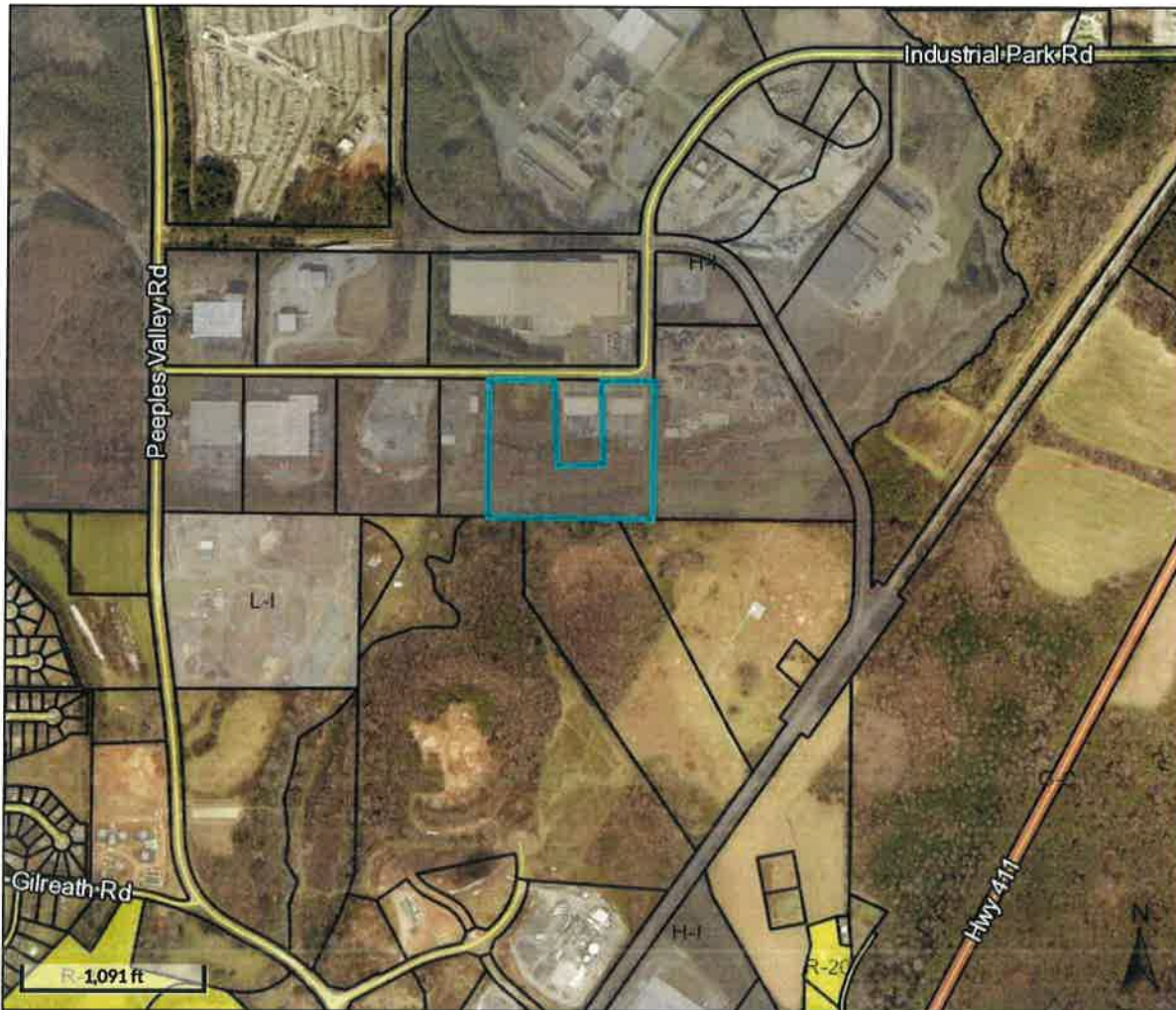


Exhibit "A"**To Limited Warranty Deed****Legal Description of the Land**

All that certain tract or parcel of land situate, lying and being at Cartersville, County of Bartow, State of Georgia, and being more particularly described as follows:

All that tract or parcel of land lying and being in Land Lots 196 and 201, Fifth District, Third Section, Bartow County, Georgia, being Lots 13, 14 and 15 of Cartersville Industrial Park, and being more particularly described as follows: Begin at an IPF at the intersection of the eastern right-of-way of Peebles Valley Road (80 foot right-of-way) and the southern right-of-way of Industrial Park Road (80 foot right-of-way); thence N 87°48'54" E 990.00 feet to the true point of beginning, said point being the northeast corner of a conveyance dated December 21, 1985, recorded in Volume 500, Page 273, Public Records of Bartow County, Georgia; thence along the southern right-of-way of Industrial Park Road N 88°00'28" E 1,815.44 feet to an IPF; thence S 01°47'42" E 787.03 feet to an IPS on the land lot line dividing Land Lots 200 and 201; thence along the land lot line S 88°45'22" W 1,672.96 feet to an IPF at the land lot corner of Land Lots 196, 197, 200 and 201; thence continuing along land lot line S 88°13'00" W 139.25 feet to an IPF; thence N 02°02'11" W 764.67 feet along the eastern property line of lot 12 to the point of beginning, said property consisting of 32.28 acres; and being a part of the same property conveyed by deed dated May 20, 1971, recorded in Deed Book 193, Page 441, all instruments filed in the Superior Court Clerk's Office, Bartow County, Georgia.

00177130033



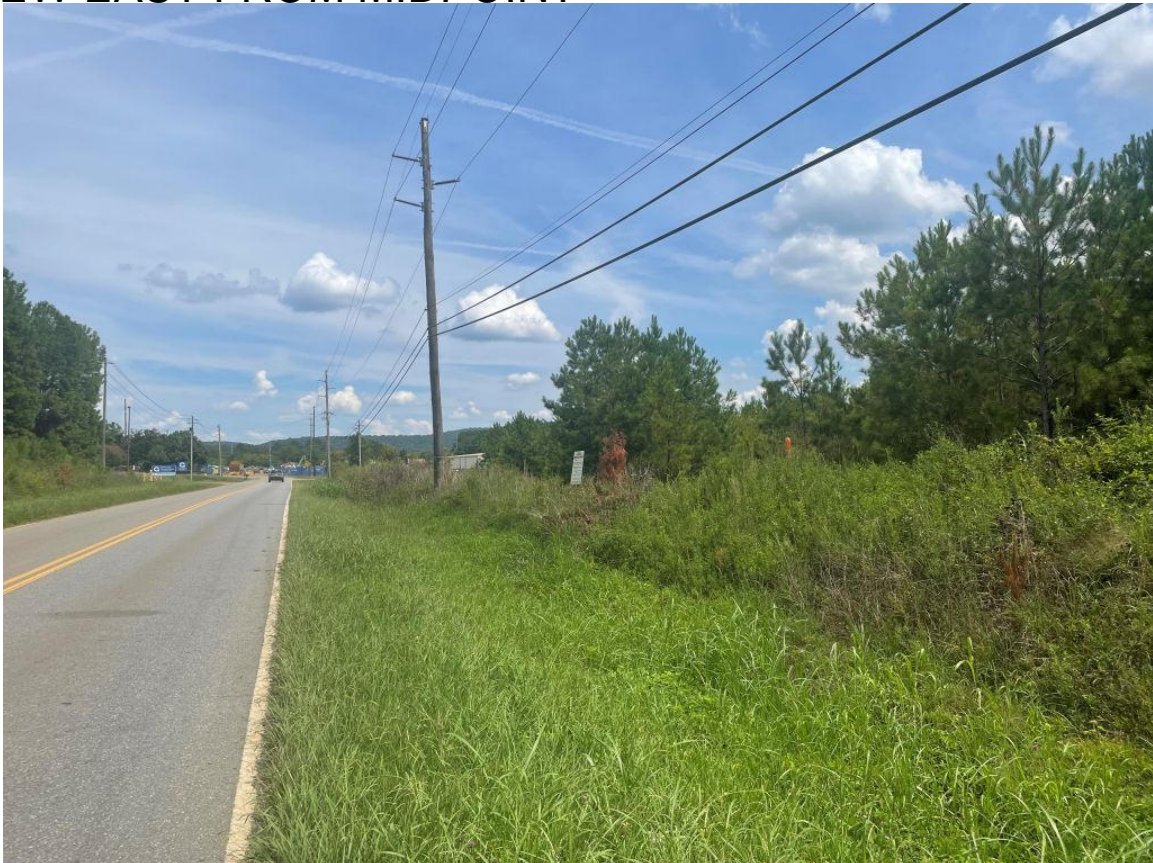
Overview

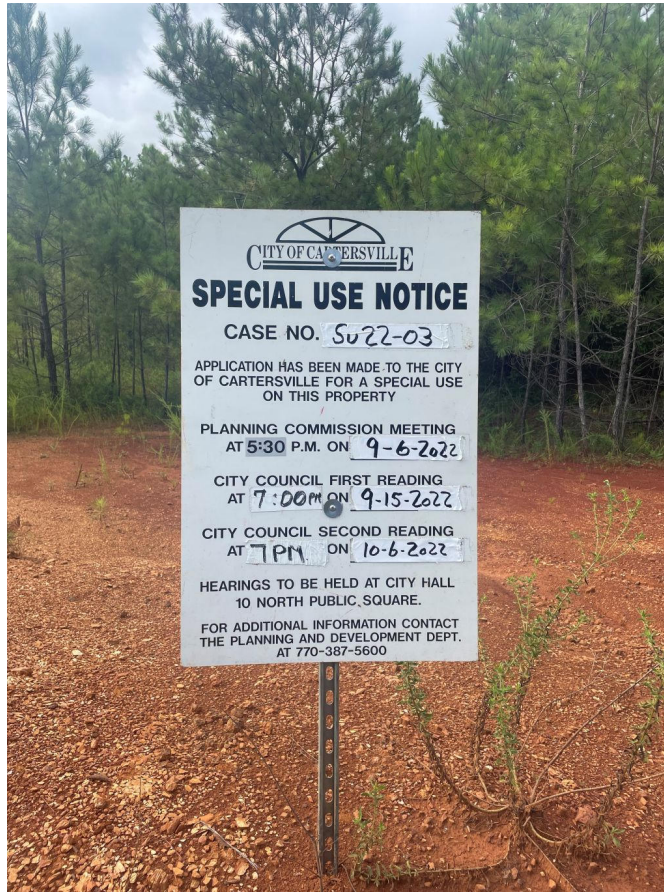


VIEW WEST FROM MIDPOINT



VIEW EAST FROM MIDPOINT







PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	September 6th, 2022
SUBCATEGORY:	Text Amendment
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	T22-02. Mt. Zion Mission Baptist Church Sign Amendment
DEPARTMENT SUMMARY RECOMMENDATION:	Text Amendment to Chapter 20, Signs and Outdoor Advertising, Article II, Section 20-25 (2)(b) to allow electronic signs on Jones St. within 320ft. of Aubrey St.
LEGAL:	N/A

MEMO

To: Planning Commission, Mayor Santini & City Council

From: Randy Mannino and David Hardegree

Date: August 29, 2022

Re: *Text Amendment T22-02. Adding a portion of Jones St. to the allowed streets for electronic freestanding signs.*

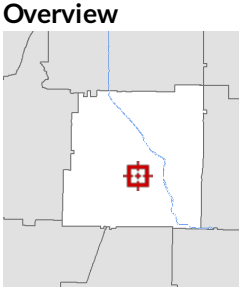
Mt. Zion Mission Baptist Church, 167 Jones St., proposes a revision to the Sign Ordinance, *Section 20-25(2)(b), Electronic Freestanding Signs*, to add “Jones St. (within 320ft. of the intersection with Aubrey St.)” as an allowed street for electronic freestanding signs on non-residential use properties. The proposed distance is the approximate distance from Aubrey St. to the southern-most property line. The approx. distance from Aubrey St. to the existing sign is 229ft.

Mt. Zion Mission Baptist Church is proposing this change in order to allow for an updated and more visible sign for their property. The church intends to utilize the existing sign footprint to house the electronic sign. The electronic sign dimensions are proposed at 2ft. x 4ft.

The current sign requirements for a non-residential sign on Jones St. are: a maximum height of 10ft, a maximum total sign area of 32 sq. ft., and a maximum electronic sign area of 50% of the total sign area.

The proposed electronic sign is also required to be at least 100ft. from a residential dwelling. The distance from the existing sign to the closest house on Jones St. is approx. 100ft.

At the time this memo was prepared a survey showing the exact distances had been requested, but not submitted.



Legend
 □ Parcels
 — Roads

Parcel ID	C003-0009-004	Alternate ID	32482	Owner Address	MT ZION BAPTIST CHURCH
Sec/Twp/Rng	n/a	Class	Exempt		147 JONES ST
Property Address	167 JONES ST	Acreage	1.85		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL 381-412 D 4 & P/O LOT 1 SUMMERHILL				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 8/29/2022
 Last Data Uploaded: 8/26/2022 10:31:21 PM

Developed by 

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

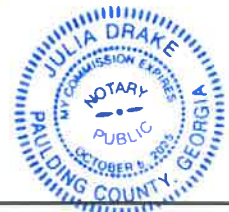
Case Number: T22-02
Date Received: 7-14-2022

Public Hearing Dates:

Planning Commission 9/6/22 5:30pm 1st City Council 9/15/22 7:00pm 2nd City Council 10/6/22 7:00pm

APPLICANT INFORMATION

Applicant (printed name)	<u>Y Mt. Zion Missionary Baptist Church</u>	Office Phone	<u>770-386-4425</u>	
Address	<u>147 Jones St (167 per tax record)</u>	Mobile/ Other Phone	<u>678-464-7514</u>	
City	<u>Cartersville</u>	State	<u>GA</u>	
	Zip	<u>30120</u>	Email	<u>marie.naveen@yahoo.com</u>
Representative's printed name (if other than applicant)	<u>William F. Swanson III</u>	Phone (Rep)	<u>678-464-7514</u>	
		Email (Rep)	<u>marie.naveen@yahoo.com</u>	
Representative Signature	<u>[Signature]</u>			
	Applicant Signature			
Signed, sealed and delivered in presence of:		My commission expires:		
<u>[Signature]</u> Notary Public		<u>10/6/2025</u>		



1. Existing Text to be Amended:

Article 11, Section 20-25, Subsection (2)B

Existing Text Reads as Follows:

See Attached

2. Proposed Text:

Proposed Text Reads as Follows:

Allow 2x4 electronic message sign along Jones st. within 320 ft of the intersection of Aubrey St.

(Continue on additional sheets as needed)

All signs under this section require a permit.

- (1) *Location.* If a lot has more than one (1) street frontage and a freestanding sign is proposed on each street, then the freestanding sign allowed on each frontage can be no closer to the intersection of said streets than half the distance of the frontage on each street.
- (2) *Electronic freestanding signs.*
 - a. Electronic freestanding signs which are directly illuminated; exhibit animation; blink; change copy; display moving pictures or images; flash; contain light emitting diode (LED); and/or contain liquid crystal display (LCD) shall be prohibited for residential use properties and the downtown business district (DBD).
 - b. Electronic freestanding signs on nonresidential use properties shall be prohibited except when located adjacent to one (1) of the following roads:
 1. Burnt Hickory Rd. (beginning at, and including, the intersection with West Ave. and running north).
 2. Cassville Rd. (beginning at, and including, the intersection with North Erwin St. and running northwest).
 3. Church St. (beginning at, and including the intersection with North Tennessee St. and running east).
 4. Collins Dr.
 5. Douthit Ferry Rd. (beginning at, and including, the intersection with West Ave. and running south until, and including, intersection with Indian Mounds Rd.).
 6. E. Main Street, stationary electronic sign only (beginning at US 41 and running east to the east side of the I-75 interchange).
 7. Felton Rd. (beginning at, and including, the intersection with Tennessee St. and running east until, and including, the intersection with US 41).
 8. Gently Blvd.
 9. Grassdale Rd. (beginning at, and including, the intersection with US 41 and running north).
 10. Henderson Dr.
 11. Martin Luther King Jr, Drive (Between Roosevelt St. and Felton St.).
 12. Old Mill Rd. (beginning at, and including, the intersection with Henderson Dr. and running west).
 13. State Route 20.
 14. Tennessee St.

15. US 41 and corresponding frontage roads.
 16. US 411 and corresponding frontage roads.
 17. West Ave. (beginning five hundred (500) feet northeast of the intersection with Henderson Dr. as measured from the centerline of Henderson Dr. at West Ave., and running southwest).
- c. Electronic freestanding signs, including animated illumination or effects; electronic sign; electronic sign, stationary; and/or flashing as defined herein, shall in no case exceed fifty (50) percent of total sign face.
 - d. No more than one (1) electronic freestanding sign may exist on a single lot.
 - e. No electronic freestanding sign may be located within one hundred (100) feet of a single-family residential dwelling.
 - f. Any permit for an electronic freestanding sign shall include a maximum number of displays per cycle for the structure. No more than six (6) displays per minute shall be allowed, and each display shall not change more frequently than once every ten (10) seconds.
 - g. Such displays shall contain static messages only, changed instantaneously, through dissolve or fade transitions, or other subtle transitions that do not have the appearance of moving text or images. In any event, such signs may not have movement, or the appearance of or illusion of movement, of any part of the sign structure, design or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating, or varying of light intensity.
 - h. All such signs shall be programmed to automatically freeze in a single display in the event of a malfunction or computer/system error.
 - i. The planning and development department shall be provided with an on-call contact person and phone number for each permitted electronic freestanding sign. The contact person must have the ability and authority to make immediate modifications to the displays and lighting levels should the need arise. In the event the contact person is unobtainable or unresponsive, the permit holder grants to the planning and development department the authority to access and disable the sign in cases of emergency or when the sign poses a threat to public safety.
 - j. All new electronic freestanding sign installations are required to submit to the city a report certifying that the daytime and nighttime light levels are compliant with the brightness level requirements stated in item (k) below.
 - k. Each sign must have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change to ensure the brightness is decreased in low light situations. Brightness levels may not exceed more than two-tenths (0.20) foot

candles above ambient light levels (at measurement conditions) as measured at a distance of one hundred twenty-five (125) feet.

- l. If the sign is located in the line of sight of a residential dwelling, such sign shall not operate at brightness levels of more than one-tenth (0.1) foot candles above ambient light levels (at measurement conditions) as measured to the nearest property line of the residential dwelling from the electronic sign.
 - m. In the course of investigating a brightness complaint, the planning and development department may request a certification of the brightness (under measurement conditions) by an independent contractor, if the sign has not been certified within the preceding twelve (12) months. If the investigation and certification indicate that the sign exceeds the brightness levels specified in this chapter, the owner of the sign shall turn off the sign until the brightness of the sign is brought into compliance with this chapter within twenty-four (24) hours of a request. Compliance with these requirements will be at the owner's expense.
- (3) *Nonresidential use properties.* Freestanding signs in all nonresidential use properties except DBD shall comply with the following table of regulations:

FREESTANDING SIGN REGULATIONS FOR NONRESIDENTIAL USE PROPERTIES

Location of Property Frontage	Maximum Number and Size of Sign	Maximum Height of Sign
<ul style="list-style-type: none"> - East Main St./State Route 113 (beginning at, and including, U.S. 41 and running east) - State Route 20 - U.S. 41 and corresponding frontage roads - U.S. 411 and corresponding frontage roads - West Ave. (beginning at, and including, the intersection with Henderson Dr. and running southwest) 	<p>One (1) sign on each property frontage with maximum 120 square feet sign area.</p> <p>Freestanding signs on all outparcel lots shall be a maximum of fifty (50) square feet in area and a maximum fifteen (15) feet in height.</p>	<p>20 feet</p>

- Burnt Hickory Rd. (beginning at, and including, the intersection with West Ave. and running north)
- Cassville Rd. (beginning at, and including, the intersection with North Erwin St. and running northwest)
- Church St. (beginning at, and including the intersection with North Tennessee St. and running east)
- Collins Dr.
- Douthit Ferry Rd. (beginning at, and including, the intersection with West Ave. and running south until, and including, the intersection with Pine Grove Rd.)
- East Main St. (beginning at, and including, the intersection with Tennessee St. and running east to the intersection with U.S. 41)
- Felton Rd. (beginning at, and including, the intersection with Tennessee St. and running east until, and including, the intersection with Roving Rd.)
- Gentilly Blvd.
- Grassdale Rd. (beginning at, and including, the intersection with U.S. 41 and running north)
- Henderson Dr.
- Old Mill Rd. (beginning at, and including, the intersection with Henderson Dr. and running west)
- Tennessee St.

One (1) sign on each property frontage with maximum fifty (50) square feet sign area.

Freestanding signs on all outparcel lots shall be a maximum of fifty (50) square feet in area and a maximum ten (10) feet in height.

15 feet

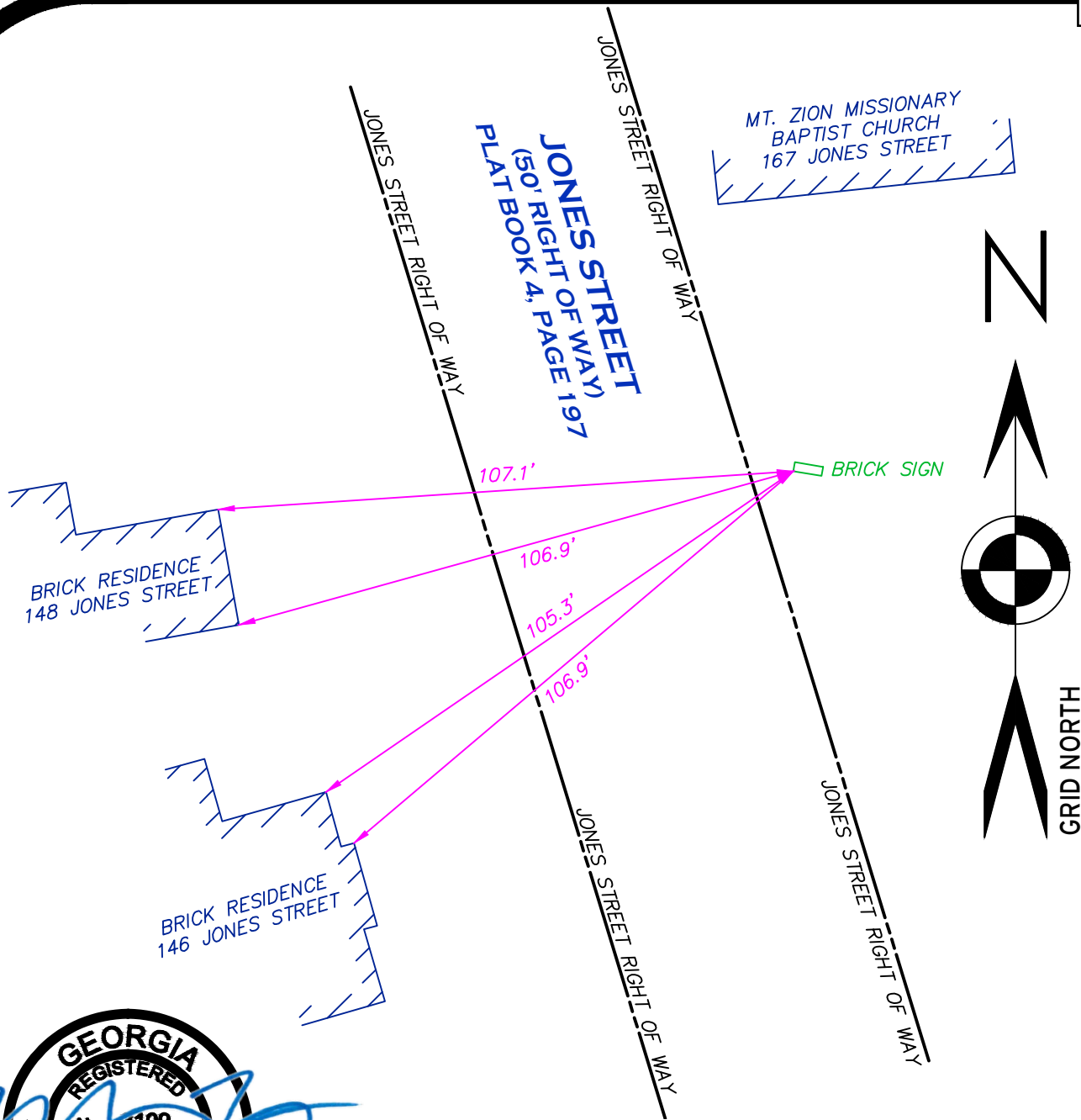
All other streets not listed above	One (1) freestanding sign shall be allowed on each property frontage and shall have a maximum sign area of thirty-two (32) square feet.	10 feet
------------------------------------	---	---------

(4) *Residential use properties.* Freestanding signs for all residential use properties shall not be directly illuminated, and shall comply with the following tables of regulations:

FREESTANDING SIGN REGULATIONS FOR RESIDENTIAL USE PROPERTIES

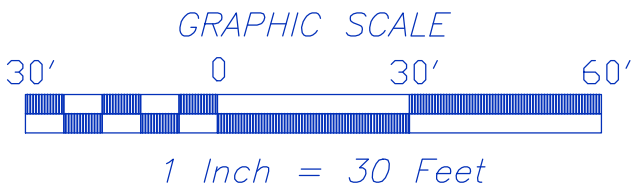
Property Frontage Location and Development Type	Maximum Number and Size of Sign	Maximum Height of Sign
Individual lots on all streets	One (1) freestanding sign shall be allowed on each property frontage and shall have a maximum sign area of six (6) square feet	4 feet
Residential subdivisions and/or developments on all streets	Two (2) subdivision or entrance signs per entrance shall be allowed into any subdivision or development and shall have a maximum sign area of thirty-two (32) square feet	6 feet

(Ord. No. 26-12, 5-3-12; Ord. No. 01-15, § 6, 3-5-15; Ord. No. 10-18, §§ 1, 2, 4-19-18; Ord. No. 12-18, § 1, 6-7-18; Ord. No. 34-19, § 1, 9-5-19)



SIGN DITSANCE VERIFICATION SURVEY
MT. ZION MISSIONARY BAPTIST CHURCH
167 JONES STREET
CARTERSVILLE, GA 30120

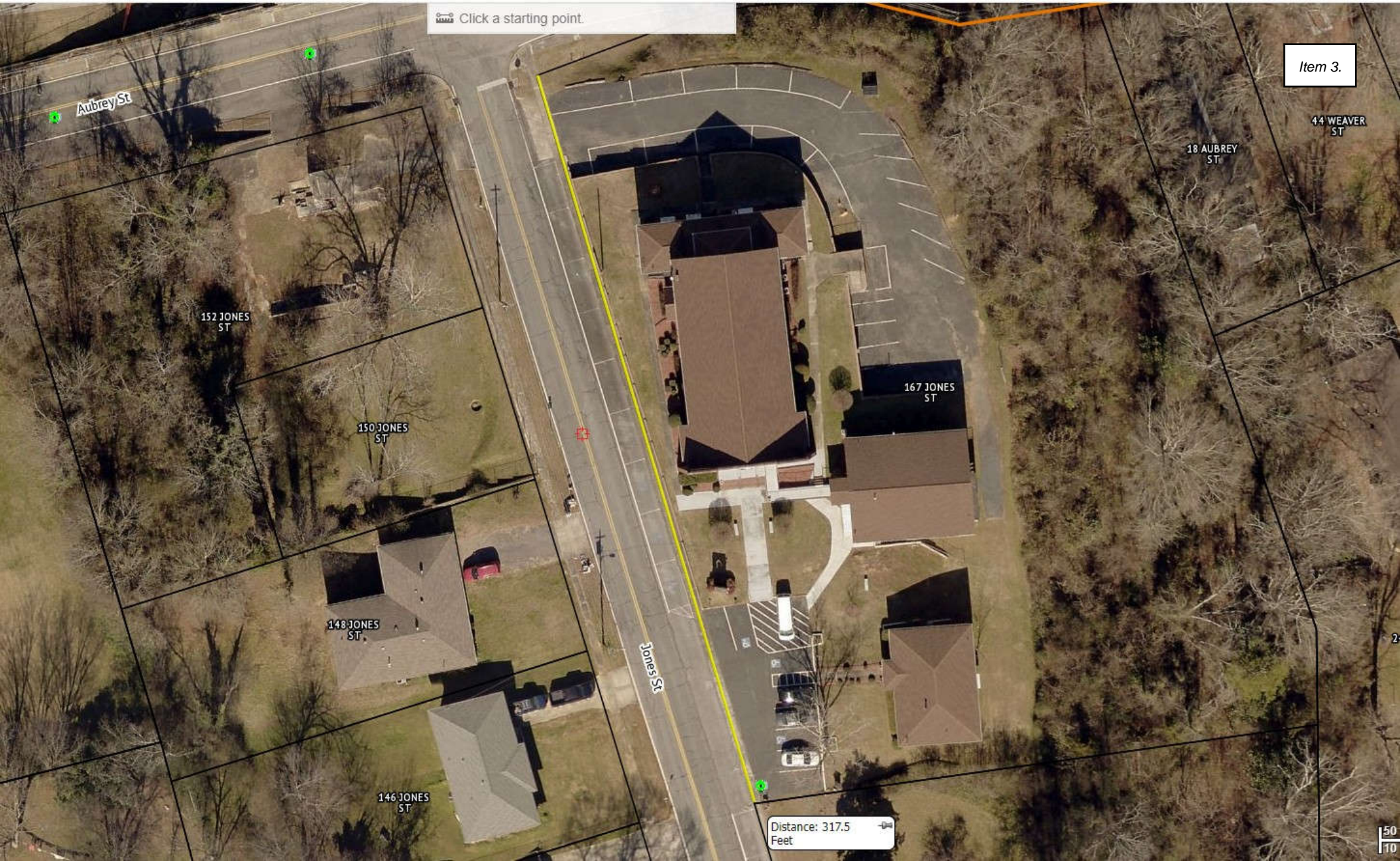
LAND LOTS 381 & 412, 4TH DISTRICT, BARTOW COUNTY
 JOB #: 223982 DATE: SEPTEMBER 1, 2022



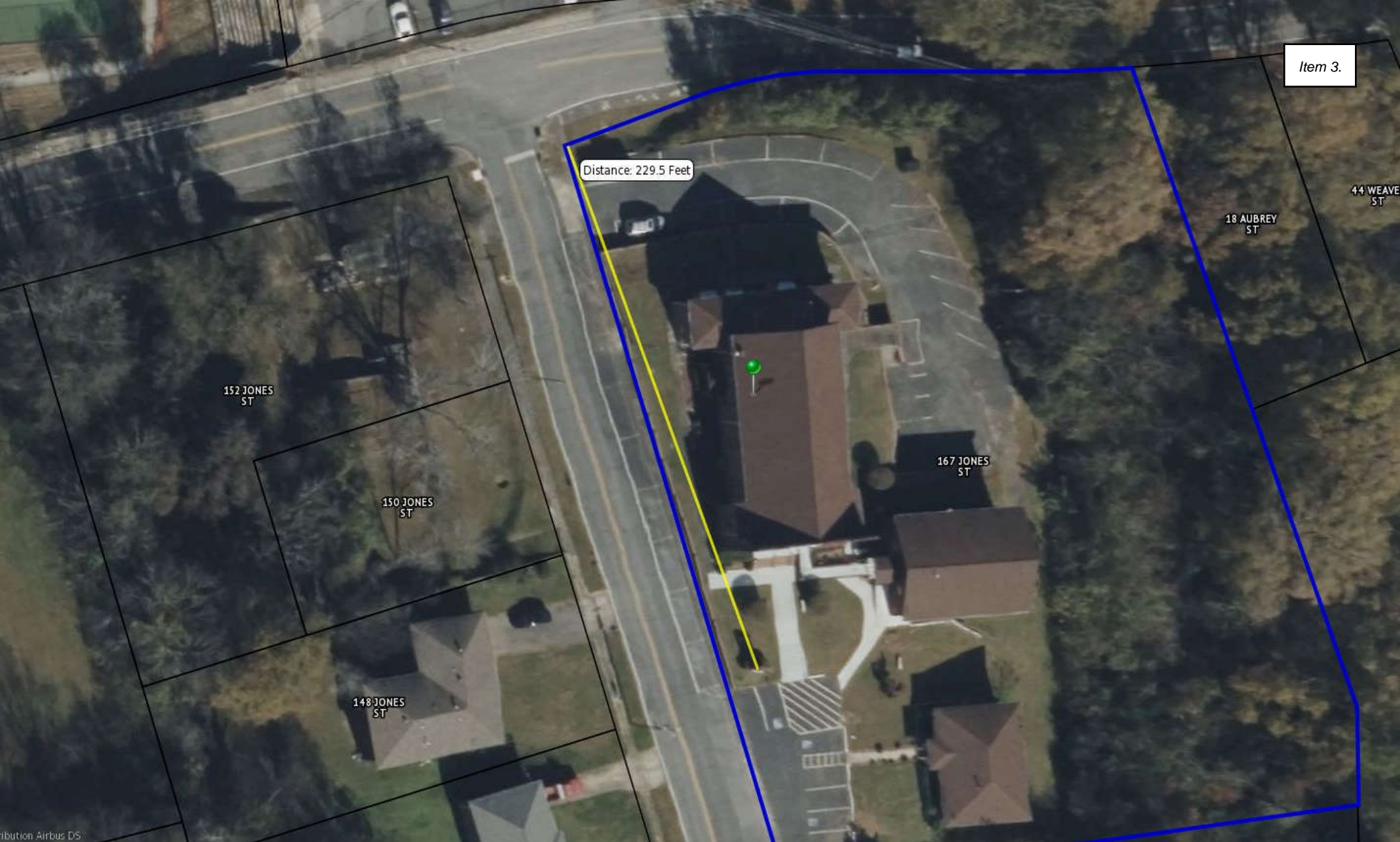
Lowery & Associates
LAND SURVEYING, LLC
 317 GRASSDALE ROAD
 CARTERSVILLE, GA 30121
 770-334-8186
 WWW.LOWERYLANDSURVEYS.COM
 INFO@LOWERYLANDSURVEYS.COM
 GEORGIA C.O.A.: LSF-001102

Click a starting point.

Item 3.



Distance: 317.5 Feet



Item 3.

Distance: 229.5 Feet

152 JONES ST

150 JONES ST

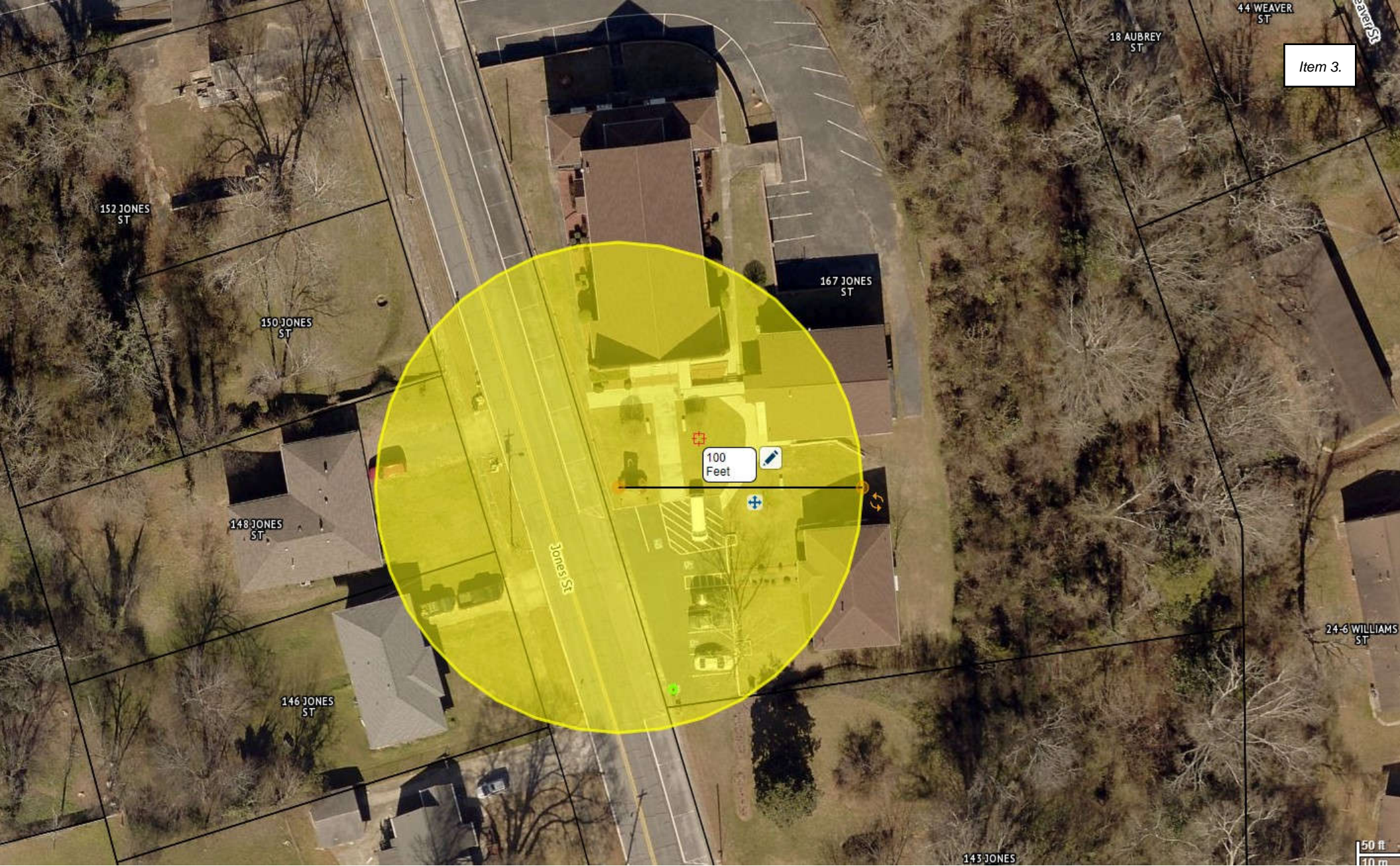
148 JONES ST

167 JONES ST

18 AUBREY ST

44 WEAVER ST

tribution Airbus DS



Item 3.







PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	September 6th, 2022
SUBCATEGORY:	Text Amendment
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	T22-03. Tilley Holdings LLC. Electronic Billboard Amendment
DEPARTMENT SUMMARY RECOMMENDATION:	Text Amendment to Chapter 20, Signs and Outdoor Advertising, Article II, Section 20-29 (B)(2)(a) to allow electronic billboards on Old Mill Rd. (beginning at the centerline of the Old Mill Rd right-of-way intersection with the Erwin St. center line and continuing west a distance of 1000 ft.). Applicable to billboards signs existing as of July 26, 2022.
LEGAL:	N/A

MEMO

To: Planning Commission, Mayor Santini & City Council

From: Randy Mannino and David Hardegree

Date: August 29, 2022

Re: *Text Amendment T22-03. Adding a portion of Old Mill Rd. to the list of allowed streets for electronic billboard signs.*

Tilley Holdings, LLC owns and operates an existing, two-sided, static billboard on property identified as 124 Old Mill Rd. This billboard and the associated property is approx. 700ft. from the intersection of Old Mill Rd and S. Erwin St. The billboard was erected prior to adoption of the sign ordinance (2012) and is considered legal, non-conforming. Variance, V06-22, approved 7/17/06, allowed the billboard to be installed with reduced setbacks.

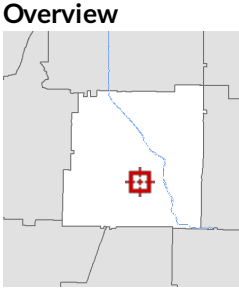
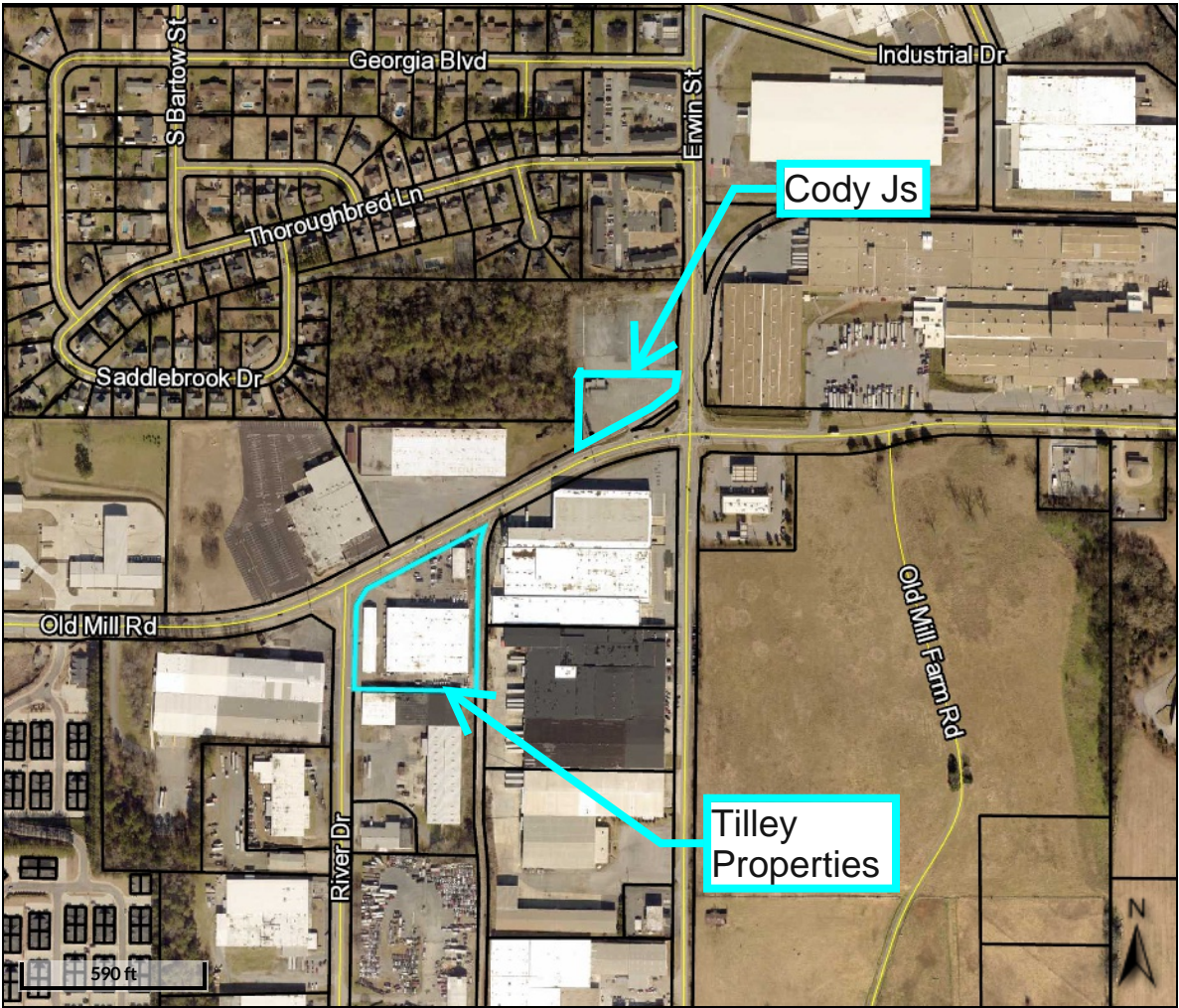
There is also an existing two-sided, double stacked, static billboard on the Cody Js restaurant site located at 675 S. Erwin St. This billboard is legal, non-conforming, located adjacent to Old Mill Rd and approx. 300 ft. from the intersection of Old Mill Rd and S. Erwin St. The separation distance between the Tilley Holdings, LLC billboard and the Cody Js billboards is approx. 500ft.

Tilley Holdings, LLC, proposes an amendment to the Sign Ordinance, Section 20-29, Billboards, (b)(2), Electronic Billboards, to add the following as an allowed street for electronic billboard signs:

“Old Mill Rd. (beginning at the centerline of the Old Mill Rd right-of-way intersection with the Erwin St. center line and continuing west a distance of 1000 ft. Applicable to billboards signs existing as of July 26, 2022).”

Currently, electronic billboards are only allowed along state highways and must be 5,000 ft. from other electronic billboards.

The existing billboard is more than the required 500ft. separation distance from residential zoning districts. The billboard is generally surrounded by Industrial zoning and uses.



Legend
 □ Parcels
 — Roads

Parcel ID	C019-0005-001	Alternate ID	34555	Owner Address	TILLEY HOLDINGS LLC
Sec/Twp/Rng	n/a	Class	Industrial		EVANS KEVIN CARL
Property Address	124 OLD MILL RD	Acreage	3.12		917 N TENNESSEE ST
					CARTERSVILLE, GA 30120

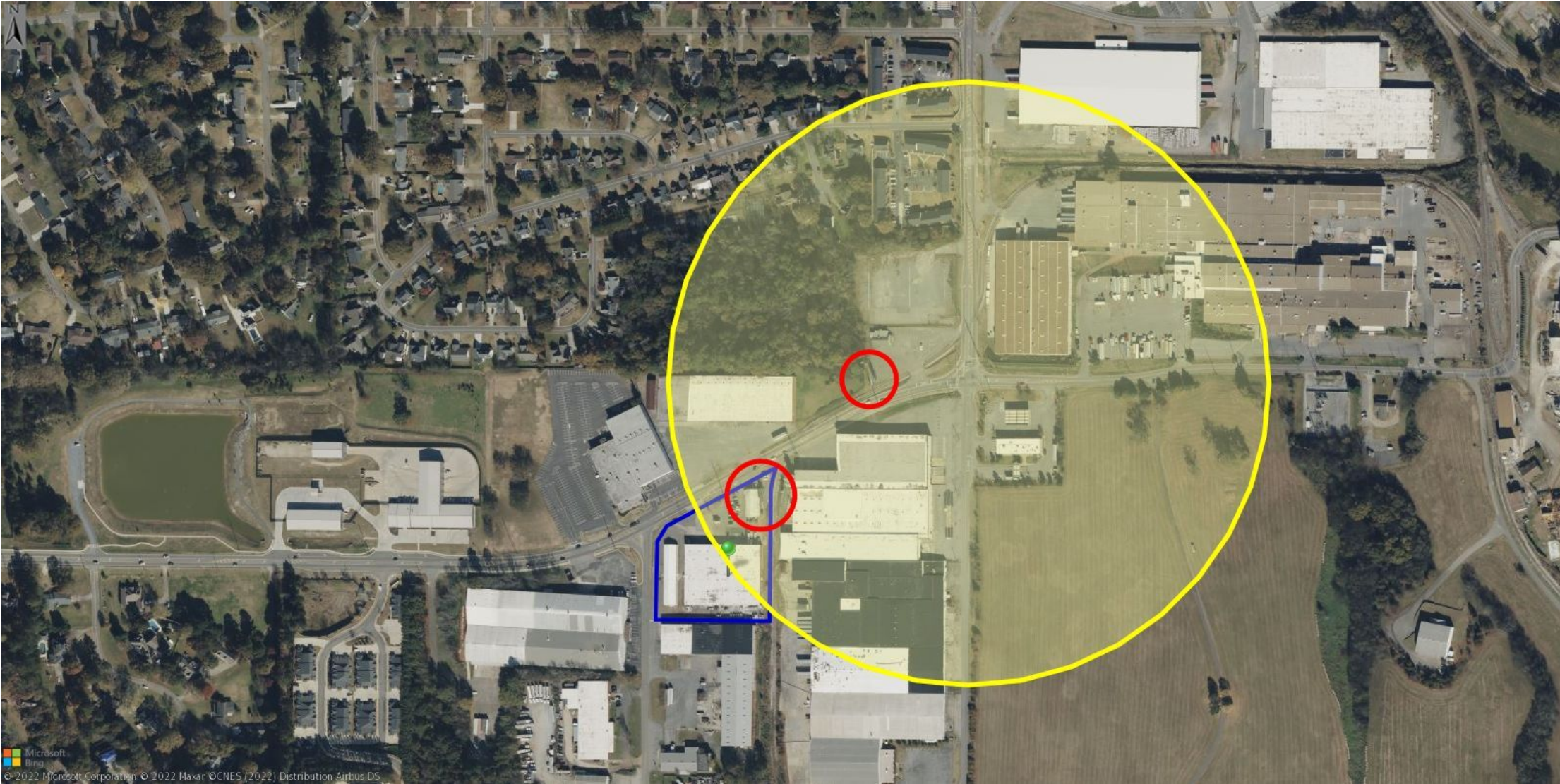
District Cartersville
Brief Tax Description 124 OLD MILL RD
 (Note: Not to be used on legal documents)

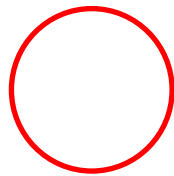
Date created: 8/30/2022
 Last Data Uploaded: 8/29/2022 10:00:32 PM

Developed by Schneider GEOSPATIAL

T22-03_1000ft. radius

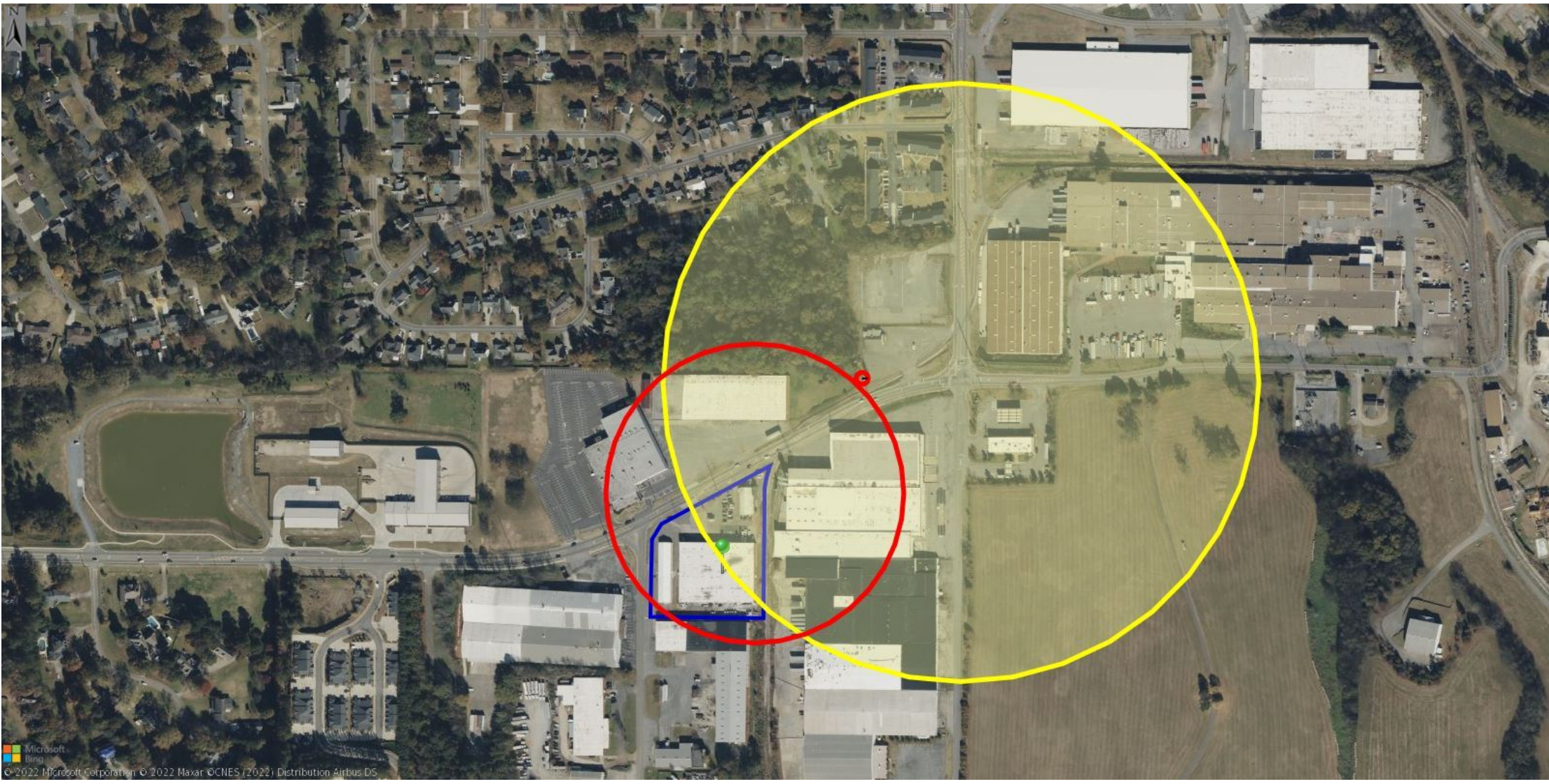
Item 4.





500ft radius_Tilley Billboard Residential Setback

Item 4.



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

Case Number: T22-03
Date Received: 7/26/22

Public Hearing Dates:

Planning Commission 9/6/22 5:30pm 1st City Council 9/15/22 7:00pm of 9am 2nd City Council 10/6/22 7:00pm

APPLICANT INFORMATION

Applicant <small>(printed name)</small>	<u>Tilley Holdings, LLC</u>	Office Phone	<u>770 3860040</u>
Address	<u>917 N. Tennessee St</u>	Mobile/ Other Phone	
City	<u>Cartersville</u>	State	<u>GA</u>
		Zip	<u>30120</u>
		Email	<u>bethtilley@bellsouth.net</u>
Representative's printed name (if other than applicant)	<u>Robert Walker</u>	Phone (Rep)	<u>(770) 387-1373</u>
		Email (Rep)	<u>rwalker@jbwpc.com</u>
Representative Signature		Applicant Signature	
Signed, sealed and delivered in presence of:		My commission expires:	
Notary Public			

1. Existing Text to be Amended:

Code of Ordinances
Article Chapter 20, Section 20-29, Subsection (b)(2.)a.
Article II.

Existing Text Reads as Follows: _____

2. Proposed Text: Add the following text:

Proposed Text Reads as Follows: Co. Old Mill Road (beginning at the center line of the Old Mill Road right-of-way intersection with the Erwin Street center line and continuing west a distance of 1000 feet.) Applicable to billboard signs existing (Continue on additional sheets as needed) as of July 26, 2022.

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

Case Number: _____
Date Received: _____

3. Reason(s) for the Amendment Request: To allow an existing billboard sign located 126 Old Mill Road to be converted to an electronic (digital) billboard sign.

(Continue on additional sheets as needed)

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

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

Requirements

1. **Completed Application:** Include all signatures. Complete items 1, 2 and 3.
2. **Filing Fee:** A non-refundable filing fee of \$400.00 must accompany the completed application.
3. **Public Notice Fee (Optional):** The applicant may choose to have city staff prepare and manage the public notification process outlined in **Requirement 4** below. If this option is requested, there is an additional, non-refundable fee of \$30.00 which covers the cost of the newspaper ad.
4. **Public Notification:** The applicant is responsible for the following **public notification** process unless the applicant has requested that staff manage this process as outlined in **item 4** above:
 - a. Not less than fifteen (15) days and not more than forty-five (45) days prior to the scheduled date of the public hearing being the final action by the City Council and not less than ten (10) days prior to the Planning Commission meeting, a **notice of public hearing** shall be published in the legal notice section of the Daily Tribune newspaper within the City of Cartersville. Such notice shall state the application file number, and shall contain the location of the property, its area, owner, current zoning classification, and the proposed zoning classification. Such notice shall include both the Planning Commission and the City Council meeting dates. (See attached Notice of Public Hearing).

V04-03 - Jeff.
V06-22 - Beth.

David Hardegree

From: David Hardegree
Sent: Friday, July 22, 2022 9:02 AM
To: 'Greg Frisbee'
Subject: RE: [EXTERNAL] Sign Ordinance Text Amendment

The language is fine.

From: Greg Frisbee <gregfrisbee1960@gmail.com>
Sent: Tuesday, July 19, 2022 12:19 PM
To: David Hardegree <dhardegree@cityofcartersville.org>
Subject: [EXTERNAL] Sign Ordinance Text Amendment

CAUTION! : This email originated from outside the City of Cartersville network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sender: gregfrisbee1960@gmail.com

Hello David,
Tilley Properties, Applicant, would like to submit an application for a text amendment to the City of Cartersville Sign Ordinance.

We would like to propose the following text amendment:
City of Cartersville Sign Ordinance, Section 20-29 BillBoards
Paragraph (a.)

existing = legal

Add a number (6.) to read as follows:

"Old Mill Road (beginning at the centerline of the Old Mill Road right -of-way intersection with the Erwin Street centerline and continuing west a distance of 1000 feet."

Also Section (b.) (2.) Electronic Billboards

Add a number (6.) to read as follows:

"Old Mill Road (beginning at the centerline of the Old Mill Road right-of-way intersection with the Erwin Street centerline and continuing west a distance of 1000 feet."

Thanks David.
Greg

- (a) Billboards shall be allowed, in addition to freestanding signs, on nonresidential use properties adjacent to only the following roads:
- (1) State Route 20.
 - (2) U.S. 41 and corresponding frontage roads.
 - (3) U.S. 411 and corresponding frontage roads.
 - (4) West Ave. (beginning at, and including, the intersection with Henderson Dr. and running southwest).
 - (5) State Route 113 (beginning at the centerline of the I-75 Right-of-Way intersection with the GA Hwy 113 centerline and continuing west a distance of 2,700 feet radially; provided however, that this section shall supersede any conditions placed on billboards in this geographic location).

(b) Billboards require a permit to be erected, and shall comply with the following regulations:

(1) *General standards.*

- a. Shall be allowed a maximum sign area of three hundred (300) square feet.
- b. Shall not exceed a height of thirty (30) feet. Height shall be measured from the nearest road grade elevation.
- c. Shall be set back at least fifty (50) feet from the right-of-way of a public street or highway and twenty-five (25) feet from all property lines and buildings on the site.
- d. Shall be a minimum of five hundred (500) feet from a residential zoning district.
- e. Shall be a minimum of one thousand five hundred (1,500) feet from all other billboards. Distance shall be measured from one (1) billboard to another on the same road.
- f. Shall not be visible from or located along Interstate Highway 75.
- g. Shall not be attached to or painted directly on any building or any other natural or manmade structure or object other than the supporting structure specifically built for said sign.

 (2) *Electronic billboards.*

- a. Billboard which are directly illuminated, exhibit animation; blink, change copy, display moving pictures or images, flash, contain light emitting diode (LED), and/or contain liquid crystal display (LCD) shall be prohibited except when located adjacent to one of the following roads:
 1. State Route 20.
 2. U.S. 41 and corresponding frontage roads.
 3. U.S. 411 and corresponding frontage roads.
 4. West Ave. (beginning at, and including, the intersection with Henderson Dr. and running southwest).
 5. State Route 113 (beginning at the centerline of the I-75 Right-of-Way intersection with the GA Hwy 113 centerline and continuing west a distance of 2,700 feet radially; provided however, that this section shall supersede any conditions placed on billboards in this geographic location).
- b. Shall be a minimum of five thousand (5,000) feet from all other electronic billboards and a minimum of one thousand five hundred (1,500) feet from nonelectronic billboards.

- c. Any permit for an electronic billboard shall include a maximum number of displays per cycle for Item 4. than six (6) displays per minute shall be allowed, and each display shall not change more frequently than ten (10) seconds.
- d. Such displays shall contain static messages only, changed instantaneously, through dissolve or fade transitions, or other subtle transitions that do not have the appearance of moving text or images. In any event, such billboards may not have movement, or the appearance of or illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating, or varying of light intensity.
- e. All such billboards shall be programmed to automatically freeze in a single display in the event of a malfunction or computer/system error.
- f. The planning and development department shall be provided with an on-call contact person and phone number for each permitted electronic billboard. The contact person must have the ability and authority to make immediate modifications to the displays and lighting levels should the need arise. In the event the contact person is unobtainable or unresponsive, the permit holder grants to the planning and development department the authority to access and disable the sign in cases of emergency or when the sign poses a threat to public safety.
- (3) *Nonconforming billboards.* Billboard signs legally existing on the date of adoption of this article may be continued even though such signs do not conform to this provision. Such nonconforming signs shall not be expanded, relocated or replaced by another nonconforming sign, except that the substitution of interchangeable poster panels, painted boards or demountable material on nonconforming signs shall be allowed. No such nonconforming sign shall continue after the discontinuance of the nonconforming use for a period of six (6) months.

(Ord. No. 26-12, 5-3-12; Ord. No. 29-18, § 1, 11-1-18)

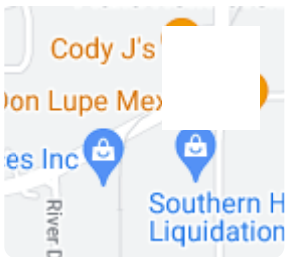
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Image capture: Jun 2022 © 2022 Google

Google

Street View - Jun 2022



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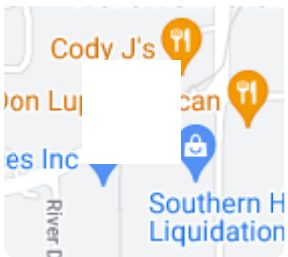


Image capture: Jun 2022 © 2022 Google

Cartersville, Georgia

Google

Street View - Jun 2022





131 Old Mill Rd

Old Mill Rd. View east to S. Erwin St. Approx. 1000ft from S. Erwin St.

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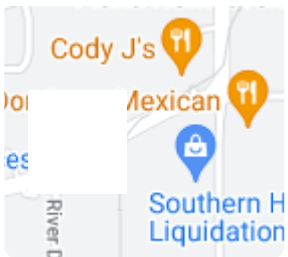


Image capture: Jun 2022 © 2022 Google

Cartersville, Georgia

Google

Street View - Jun 2022





PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	September 6th, 2022
SUBCATEGORY:	Zoning
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	Z22-03. Carter Grove Blvd. Applicant: The Wasserman Group, LLC
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Zoning application to rezone, 48.124 +/- acres from Carter Grove P-D (Planned Development) to P-D (Planned-Development) for the construction of an age targeted, rental community. The rezoning removes the Carter Grove P-D zoning conditions and implements zoning conditions specific to the proposed development.</p> <p>The proposed development would construct (165) duplex and triplex homes with two and three bedroom configurations.</p> <p>Staff does not oppose the zoning proposal with conditions.</p>
LEGAL:	N/A

ZONING SYNOPSIS

Petition Number(s): **Z22-03**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **The Wasserman Group**

Representative: **Same**

Property Owner: **CARTER GROVE (ATLANTA) ASLI VI**

Property Location: **Carter Grove Blvd @ Old Alabama Rd. Tax ID. C107-0001-015**

Access to the Property: **Carter Grove Blvd**

Site Characteristics:

Tract Size: Acres: **48.124** District: **4th** Section: **3rd** LL(S): **953, 954, 991, 992**

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

LAND USE INFORMATION

Current Zoning: **P-D (Carter Grove P-D per Z06-07.)**;

Proposed Zoning: **P-D (Planned Development)**

Proposed Use: **Residential**

Current Zoning of Adjacent Property:

North: **R-20 (Single family Residential) and O-C* (Office Commercial w/ Conditions)**

South: **P-D (Carter Grove P-D)**

East: **County A-1 (Agriculture)**

West: **P-D (Carter Grove P-D)**

The Future Development Plan designates the subject property as: **Neotraditional Neighborhood**

The Future Land Use Map designates the subject property as: **Low/Medium Density Residential**

ZONING ANALYSIS

Project Summary:

Zoning application by The Wasserman Group to rezone, 48.124 +/- acres from Carter Grove P-D (Planned Development) to a new P-D (Planned-Development) for the construction of a senior age targeted, rental community. The community will be a condominium. The rezoning removes the Carter Grove P-D zoning conditions and implements zoning conditions specific to the proposed development.

The proposed development would construct (167) duplex and triplex homes with two and three bedroom configurations. Single home units and one (1) bedroom options are proposed due to the topographic challenges of the site, but are not reflected on the concept site plan. An amenities package will be included. See Exhibit B for a list of amenities. No commercial lots or units are proposed.

The residential units are planned to be rental units under the condominium regulations (verbal confirmation only).

All streets will be private.

In 2006, zoning case Z06-07, approved 5-4-06, introduced a mixed-use planned development concept for the site that proposed as many as 220 residential units to include townhomes-over-retail and traditional townhomes. Seven (7) commercial outlots were proposed along the northern and western boundaries. Currently, the location of Outlots 1-3 on the 2006 plan have been encroached upon by the Old Alabama widening project and slope easements for the road project. These outlots are likely no longer developable as well as a portion of the townhomes-over-retail location.

The 2006 zoning conditions required fee simple ownership of the townhome units under the condominium regulations.

For comparison, the Z06-07 zoning conditions and concept plan are attached.

The unit density of this proposal is 3.42 un/ ac. The density of the 2006 zoning was 2.8 un/ac (145 units) up to 4.57 un/ac (220 units).

City Department Comments

Electric: The Electric System takes no exception to the requested rezoning. We will need to get conduit across the entrances/exits before they start grading, but that can be handled during plan review.

Fibercom: Takes no exception.

Z22-03

Fire: The Cartersville Fire Department takes no exceptions to the rezoning request of Z22-03 at Carter Grove Rd @ Old Alabama Rd as long as the driveways for this development and the new fire station line up and all other adopted codes and ordinances of the City of Cartersville are met.

Gas: Takes no exception.

Public Works: No comments received.

Water and Sewer: This property is not located in the City of Cartersville Water Department’s water service area. Contact the Bartow County Water Department for comments regarding water service.

Bartow County Water: See letter included with application.

City of Cartersville School District: No comments received.

Public Comments:

8/23: Marie Whitton. 1450 Douthit Ferry Rd. In person visit. Requested copy of application.

STANDARDS FOR EXERCISE OF ZONING POWERS.

1. *The existing land uses and zoning of nearby property.*
Existing land uses of adjacent properties are generally residential or undeveloped. Adjacent property zoning is generally Carter Grove P-D or County A-1. County A-1 tracts are residential or undeveloped.

2. *The suitability of the subject property for the zoned purposes.*
The property is suitable for the zoned purposes, but has Carter Grove development conditions assigned to it per Z06-07. The topography will be a challenge for any development.

3. *The relative gain to the public, as compared to the hardship imposed upon the individual property owner.*
Rezoning removes the conditions that could affect development and the cost of development. The proposed project provides a unique project to the City and to Carter Grove as a duplex/triplex, age targeted community.

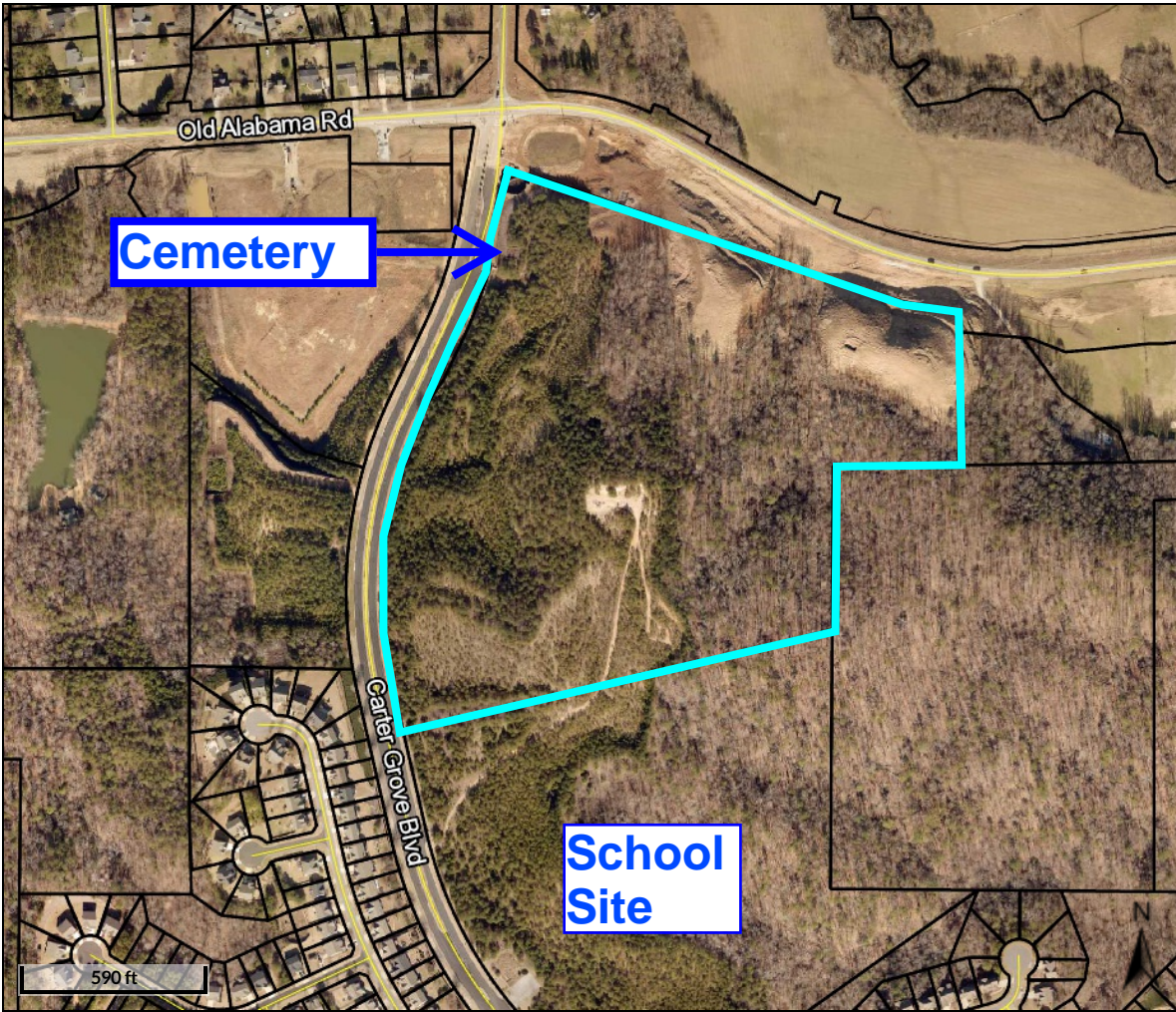
4. *Whether the subject property has a reasonable economic use as currently zoned.*
The property has a reasonable economic use as currently zoned, but has Carter Grove development conditions assigned to it per Z06-07. The commercial elements of the

Z22-03

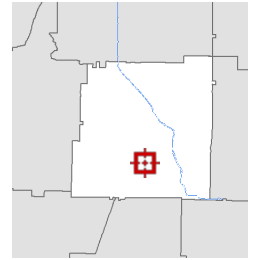
existing P-D may no longer be feasible due to the Old Alabama Road widening and current on-line and remote-work trends for retail and office.

5. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
The zoning proposal would permit a use that is suitable in view of the use of the adjacent residential use properties.
6. *Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.*
The zoning proposal should not have an adverse effect on adjacent property owners or property use.
7. *Whether the zoning proposal is in conformity with the current future development plan and community agenda of the comprehensive land use plan as currently adopted or amended in the future.*
The zoning proposal does conform to the Future Development Map and Future Land Use Map.
8. *Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.*
Development resulting from an approved zoning proposal would be required to meet all local, state, and federal environmental and development regulations. Given the steep topography, the developer and contractors would need to be diligent in protecting adjacent property and streams from erosion and illicit discharge.
9. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The proposed use should not burden existing streets, transportation facilities or, utilities.
10. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*
There is a cemetery on site that will require protection and continued access.

STAFF RECOMMENDATION: Staff does not oppose the P-D zoning proposal with the conditions proposed in the zoning justification letter, the Project Summary (Exhibit B), and as depicted on the concept site plan (Exhibit A), revised 8-22-22.



Overview



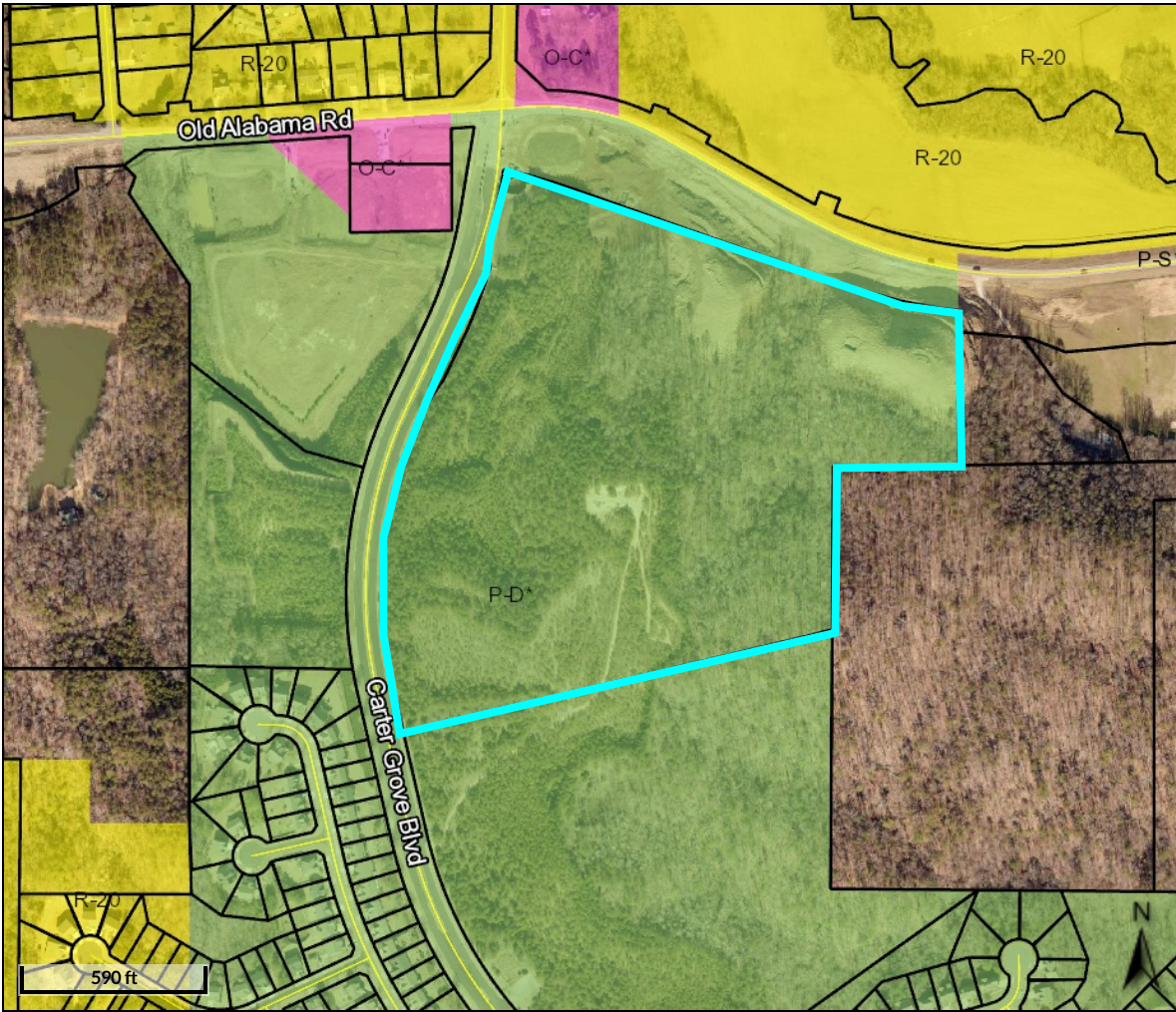
Legend

- Parcels
- Roads

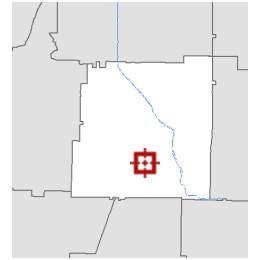
Parcel ID	C 124-0010-005	Alternate ID	42207	Owner Address	CARTER GROVE PLANTATION
Sec/Twp/Rng	n/a	Class	Residential		HOMEOWNERS ASSOCIATION INC
Property Address	CARTER GROVE RD	Acreage	1.85		8295 HWY 92
					WOODSTOCK, GA 30189
District	Cartersville				
Brief Tax Description	CARTER GROVE GREEN SPACE				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 9/1/2022
 Last Data Uploaded: 8/31/2022 10:35:43 PM

Developed by Schneider
 GEOSPATIAL



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

Parcel ID	C124 0010 005	Alternate ID	42207	Owner Address	CARTER GROVE PLANTATION
Sec/Twp/Rng	n/a	Class	Residential		HOMEOWNERS ASSOCIATION INC

Application for Rezoning

City of Cartersville

Case Number: Z22-03

Date Received: 7-22-22

Item 5.

Public Hearing Dates:

Planning Commission 9-6-22 5:30pm 1st City Council 9-15-22 7:00pm 2nd City Council 10-6-22 7:00pm

Applicant The Wasserman Group, LLC Office Phone 770-874-8800
(printed name)

Address 4770SAtlantaRd. Suite200 Mobile/ Other Phone 404-895-7111

City Atlanta State GA Zip 30339 Email smw@wassermangroup.com

Stephen M. Wasserman Phone (Rep) 404-895-7111

Representative's printed name (if other than applicant) Email (Rep) smw@wassermangroup.com

[Signature] Representative Signature *[Signature]* Applicant Signature

Signed, sealed and delivered in presence of: **IAN JACKSON** My commission expires: 9/14/2025
NOTARY PUBLIC
Cobb County
State of Georgia
My Comm. Expires Sept. 14, 2025

Notary Public

* Titleholder Carter Grove (Atlanta) ASL I VI L L P. Phone 407-628-8488
(titleholder's printed name)

Address 923 N. Pennsylvania Avenue

Address Winter Park, FL 32789 Email adubill@avantprop.com

Signature *[Signature]*

Signed, sealed, delivered in presence of: My commission expires: 3/21/2026

[Signature]
Notary Public



P-D w/ Conditions (220 Max Units with Commercial) Requested Zoning Ne Commercial P-D w/ Conditions (167 Units Max Commercial)

Acreage 51.268 Land/Lot(s) 954-955-991 District(s) 4th Section(s) 3rd

Location of Property: Carter Grove Blvd at Old Alabama Rd.
(street address, nearest intersections, etc.)

Reason for Rezoning Request: Requesting down-zoning due to difficult topography

(attach additional statement as necessary)

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

VIA: EMAIL

July 22, 2022

Mr. Randy Mannino
Planning and Development Director
City of Cartersville, Georgia
10 N Public Square
Cartersville, Georgia 30120

RE: Application for Rezoning - Application No.: _____
Applicant: THE WASSERMAN GROUP, LLC
Property Owner: CARTER GROVE (ATLANTA) ASLI VI, L.L.L.P.
Property: Approximately 48.124 acres, more or less, located in the 4th District, 3rd Section, Land Lots 991, 992, 954 as shown on the attached plat Exhibit "A", Parcel Number C107-0001-015, located at the southeast corner of Carter Grove Boulevard and Old Alabama Road in the Carter Grove Community, in the City of Cartersville, in the County of Bartow, Georgia

Dear Mr. Mannino

The Wasserman Group, LLC, (the "Applicant"), and the Property Owner set forth above (the "Owner"), in the referenced Application for Rezoning with regard to property located at the southeast corner of Carter Grove Boulevard and Old Alabama Road in the Carter Grove Community, in the City of Cartersville, Bartow County, Georgia (the "Property"), hereby submit this Application for Rezoning (the "Application") which, if the Application for Rezoning is approved, as submitted, shall become a part of the grant of the requested zoning and shall be binding upon the Property.

This Application for Rezoning is requested because the existing P-D zoning ordinance governing the Property (Ordinance No. 23-06 in Petition Z06-07, adopted May 4, 2006), allowed multiple uses pursuant to the rules and regulations for zoning district M-U as then shown in the City of Cartersville Zoning Ordinance, Article IX, Section 9.1., including up to 220 residential units and an unspecified amount of commercial space in an unspecified number of buildings, and the Applicant is significantly reducing the number of housing units and eliminating the commercial component.

It is our intent to develop the Property as follows:

- (1) Applicant seeks rezoning of the Property from the existing zoning category "P-D with Conditions" to "P-D with NEW Conditions", generally in accordance with the site plan submitted herewith prepared for the Applicant by Stephensen Engineering, Inc. dated July 20, 2022. A reduced copy of the Site Plan is attached hereto for ease of reference as Exhibit "A" and incorporated herein by reference.
- (2) The Property consists of a total of 48.124 acres, and is proposed as a high-quality residential community containing a maximum of one hundred sixty-seven (167) units in the P-D designation/category. The Applicant does not intend to include any commercial structures or commercial space.
- (3) The maximum density shall be no more than 3.5 units per acre.
- (4) All setbacks and building standards shall be in compliance with the P-D ("Planned Development") zoning requirements.
- (5) All residential buildings shall have a maximum building height of no more than 35 feet.
- (6) All residences shall have a minimum of 1,000 square feet of heated and cooled living space and shall be either one-bedroom, two-bedroom, or three-bedroom units. Applicant agrees that no

VIA: EMAIL

Mr. Randy Mannino
 Planning and Development Director
 City of Cartersville, Georgia
 Zoning Application
 July 22, 2022
 Page 2

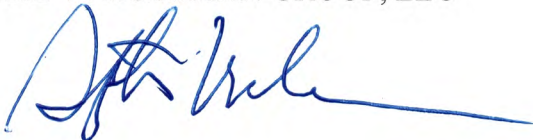
garage area within any of the units will be converted to heated or cooled living space.

- (7) All other requirements of the P-D Zoning Category shall be met.
- (8) The Project shall consist of single, duplex and tri-plex buildings and shall be “Traditional”, “Coastal”, and “Craftsman” in style and architecture, with exterior materials consisting of brick, stone, stacked stone, cedar shake, hardly-plank, board and batten, and combinations thereof and shall be substantially similar to the homes depicted in the elevations attached collectively as Exhibit "B" and incorporated herein by reference.
- (9) Street lighting within the proposed community shall be environmentally sensitive, decorative, and themed to the architecture and style of the residences, as offered by the power provider.
- (10) Amenities for the community shall be both active and passive consisting of a clubhouse/community center, a swimming pool, multiple pickle-ball courts, gathering areas, pocket parks and green space areas, community gardens, and extensive walking trails.
- (11) All streets and alleyways within the proposed residential community shall be private with the construction complying in all respects as to materials, base, and other requirements to the Cartersville and Bartow County Building Codes; and, at Applicant's option, the community may be gated in compliance with all applicable Cartersville and Bartow County Codes, Standards, and Ordinances.
- (12) All setbacks, landscape, and buffer areas may be penetrated for purposes of fencing, access, utilities, and stormwater management; including, but not limited to, drainage and detention facilities, utilities, and any and all slopes or other required engineering features of the foregoing. Any disturbed area shall be restored with comparable plantings, in accordance with the approved and submitted Landscape Plan, and as allowed by the City of Cartersville or any utility provider.
- (13) Applicant agrees to the creation of a mandatory homeowners' association which shall be responsible for architectural controls of the residences within the proposed community; as well as the upkeep and maintenance of the entrance area, signage, all common areas, amenity area, pocket parks, mail kiosk, and private streets contained within the proposed residential community .

We believe the requested zoning is an appropriate use of the Property while taking into consideration the existing conditions of the Property, the area surrounding the proposed development, and the need in the City of Cartersville for the proposed development. The community will be a high-quality development and shall provide a much-needed and highly sought-after type of living environment within the City.

Thank you for your consideration in this request.

THE WASSERMAN GROUP, LLC



Stephen M. Wasserman
 Chief Executive Officer

**CAMPAIGN DISCLOSURE REPORT
FOR REZONING ACTIONS**

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

Date of Application: JULY 22, 2022

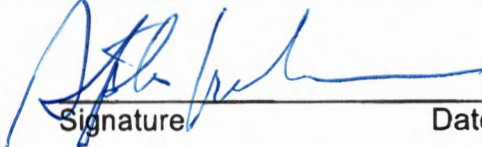
Date Two Years Prior to Application: JULY 22, 2020

Date Five Years Prior to Application: JULY 22, 2017

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

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

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



Signature

7/22/2022

Date

Stephen M. Wasserman
Print Name

CONSTITUTIONAL OBJECTION TO FAILURE TO GRANT APPLICATION

For the record, the Applicant, as required by law, sets forth its constitutional objection to any failure to grant this application. Failure to grant the requested rezoning would constitute a taking of property without just and adequate compensation and without due process of law in violation of the Fourteenth Amendment to the United States Constitution and Article 1, Section 1, Paragraph 1 and Article 1, Section III, Paragraph 1 of the Constitution of Georgia. A denial of the requested rezoning would be unconstitutional and discriminate in an arbitrary and capricious manner between the Applicant and owners of similarly situated property in violation of Article 1, Section III, Paragraph III of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Such would deprive the Applicant of its liberty and property rights. Such a denial would not subsequently advance legitimate state interests, but would cause the Applicant significant detriment.

Z06-07

EXHIBIT A

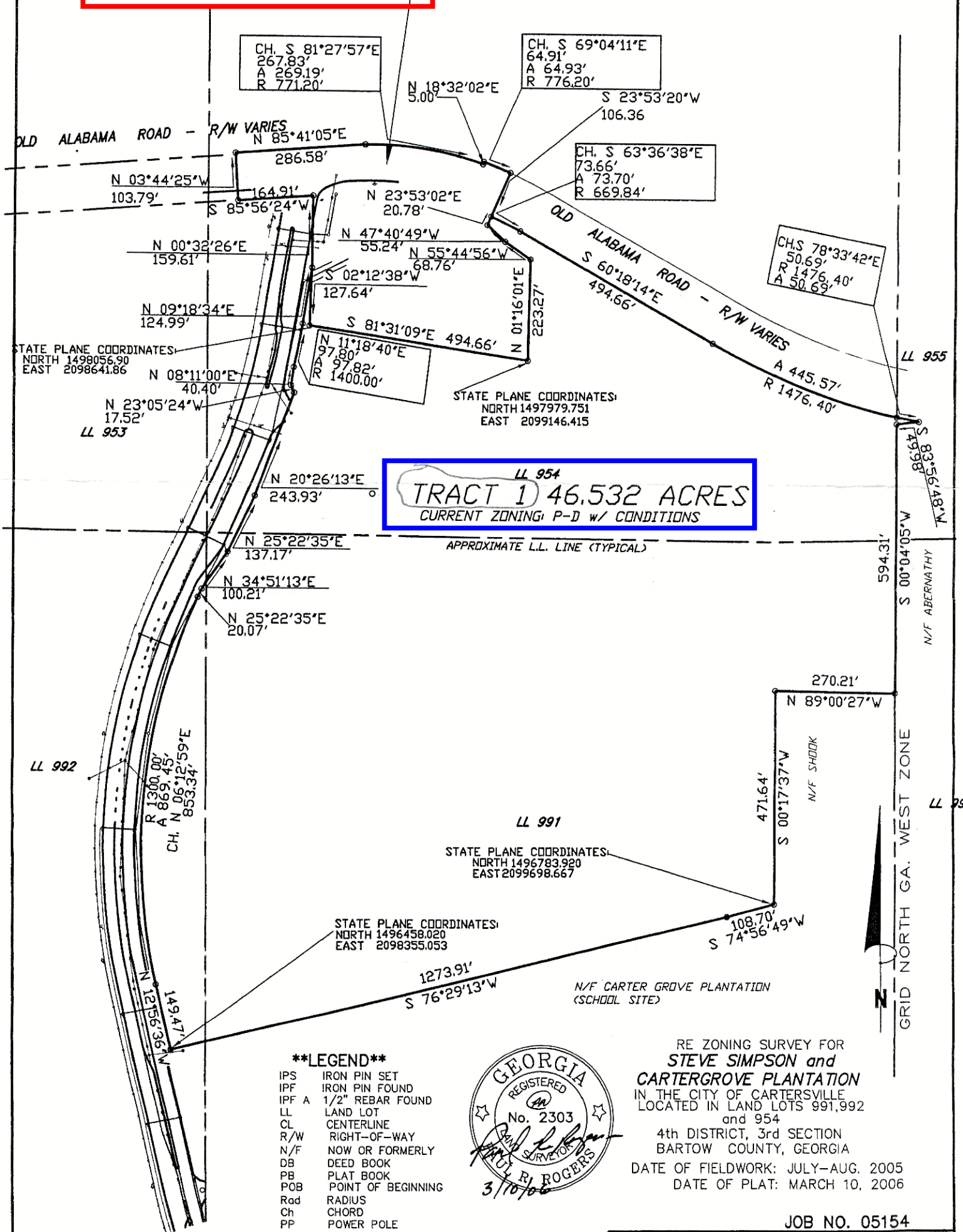
****SURVEYOR'S CERTIFICATION****

Item 5.

Ord. 23-06

TRACT 2 4.813 ACRES
CURRENT ZONING: D-C w/ CONDITIONS

It is hereby certified that this plat is true and correct and was prepared from an actual survey by me or under my supervision; that all monuments shown thereon actually exist and their size, type, and shape are correctly shown. The field data upon which this plat is based was collected using a 5 second electronic total station theodolite and has a closure precision of one foot in +18,800 feet and an angular closure of 09 seconds per angle point, and was not adjusted. This plat has been calculated for closure and found to be accurate within one foot in +300,000 feet.
1/2 INCH REBAR TO BE SET AT ALL CORNERS UPON APPROVAL OF THIS PLAT





July 20, 2022

Kevin Stephenson
Stephenson Engineering, Inc.
P.O. Box 201088
Cartersville, GA 30120

Re: The Starlite – Cartersville Water & Sewer Availability

Dear Mr. Stephenson:

The Bartow County Water Department (BCWD) has prepared this correspondence at your request regarding the Starlite – Cartersville residential development located within the Carter Grove Subdivision within the City of Cartersville and serviced by the BCWD for both water and sewer services.

BCWD currently has an existing 14-inch DIP water main available within the right-of-way of Carter Grove Boulevard to connect to; however, until BCWD completes the waterline upgrade project along Old Alabama Road, the water demands necessary to meet the development’s needs may not be achieved.

Phase 3 of this waterline project, which will continue the installation of the waterline from Bates Road to Douthit Ferry, is currently out for bid. The current estimated completion date for Phase 3 is estimated to be 15 months from the date of this letter. This is an approximate time for completion, and this could change, for better or worse, based on GDOT’s road work schedule and supply chain issues associated with the materials.

Based upon the expectation of this completion date, the BCWD is willing to review and approve development plans for the Starlite – Cartersville project. Final Plats will only be approved by BCWD for lots that are within maximum allowed service distances from hydrants that achieve the City of Cartersville’s fire flow requirements of 1,000-GPM during “As-Built” 24-hour fire flow tests. The “As-Built” flow tests shall be required to be submitted to BCWD and the City of Cartersville Fire Department at the time of any final plat submission for review and consideration.

Additionally, there is an existing 15-inch PVC sanitary sewer line within the right-of-way of Carter Grove Boulevard available from the Bartow County Water Department. Adequacy of capacity must be confirmed and approved based upon submission of development drawings along with anticipated design usage and flows from the developer and the information in this letter is valid for a term no greater than 180 days from the above indicated date of this service availability statement. The information provided is renewable provided said project is moving forward and renewal request is submitted in writing prior to expiration. This request must also include the status of the project and expected construction schedule of the required infrastructure. Furthermore, this letter is not a statement of capacity reservation. Capacity reservation is provided upon plan approval by the Bartow County Water Department.

I hope this correspondence outlines the ability to obtain a development permit for the property while the BCWD water main project is completed along Old Alabama Road. Should you have any questions following your review of this correspondence, please contact me at (770) 387-5169.

Sincerely,

Daniel Manny

Daniel B. Manny, P.E.
Assistant Director - Bartow County Water

Cc: Lamont Kiser, P.E. – Director
Gerardo Becerra, P.E. – Project Engineer
Project File – Starlite - Cartersville

General Specifications and Renderings

Property Name:	THE STARLITE - CARTERSVILLE
Address:	Parcel C107-0001-015, Carter Grove Community, LL 951, 952, 954
Maximum Number of Units Requested:	167
Parcel #:	Condominium with Individual Parcels
Minimum Area Per Building:	2,000 sq. ft. (Two Unit Building)
Total Number of Buildings:	85 (includes clubhouse)
Metering:	Individual
HVAC:	Individual (Ground Mounted)
Hot Water:	Individual
Exterior:	Variety of Painted Brick, Stone, Smooth Hardie Plank Siding
Roof:	Pitched with Asphalt Shingles
Flooring:	Vinyl or Wood Laminate
Windows	Wood frame, double hung (divided lites)
Siding	All front elevations to be brick painted in white or light colors
Doors	Wood 8' entry door. Steel Garage door with Lites. Decorative interior six panel or similar doors
Kitchens:	Granite, Quartz or similar countertops Stainless steel appliances Laminated or similar flooring Large island with high-top seating Decorator cabinets
Other Features	Fenced Backyard Where Possible Roll-in Shower with Tile Surrounds Washer Dryer Provided

COMMUNITY FEATURES

Amenities	1 Clubhouse Pickleball Courts (at least 2) Zero entry pool Indoor and Outdoor Entertainment Areas Business Center with Wi-Fi Lawn Service Optional Concierge Services Gated Access with Neighborhood Surveillance Cameras Dog Park
Parking:	All units with minimum 1 car garage and 1 space on apron
Average SF:	1,400 S.F.
Gross Acreage:	48.124 acres
Density:	3.47/acre
Greenspace required:	9.62 Acres

The Starlite – Cartersville
General Specifications

Item 5.

Greenspace provided: 25.44 Acres

DEVELOPMENT TEAM:

Developer: The Wasserman Group, LLC, Atlanta, GA

Contractor: David Sinclair, Marietta, GA

Architect: Jeffrey Wren, Earthstation Architecture, Decatur, GA

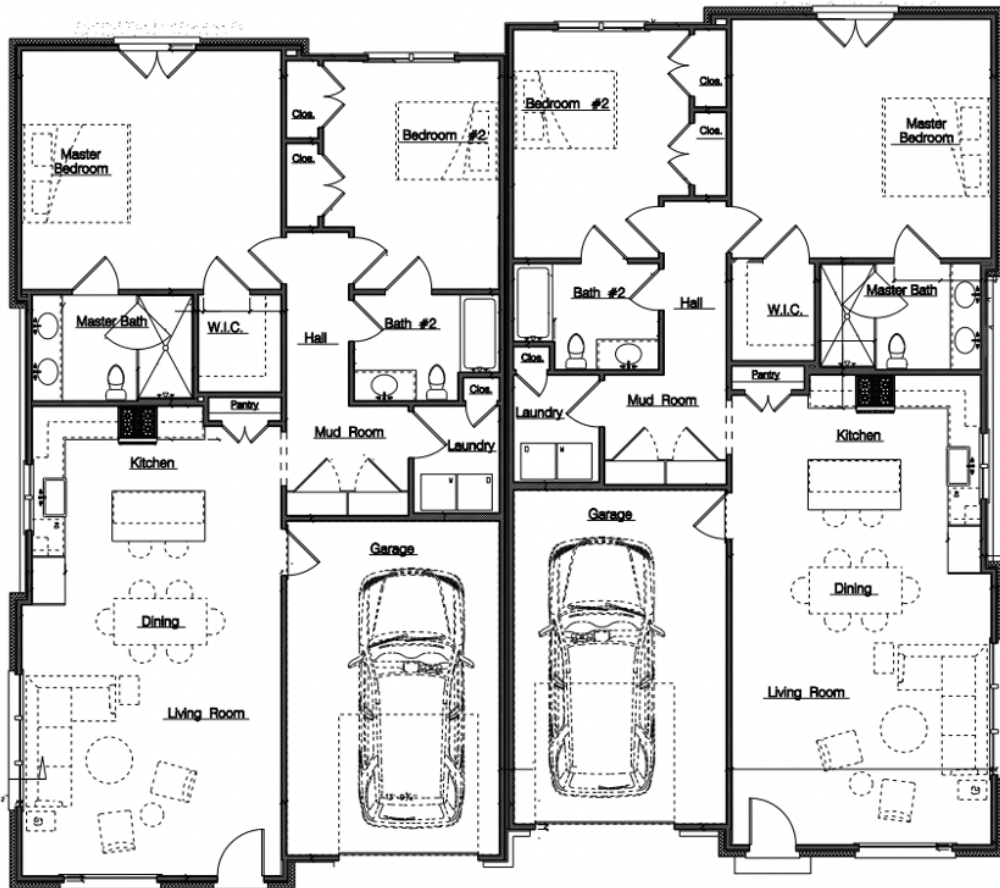
Architect: Lane Rick, Office of Things, Brooklyn, NY

Civil Engineer – Kevin Stephenson, Stephenson Engineering, Inc., Cartersville, GA

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PROTOTYPICAL ELEVATIONS

THE VICEROY



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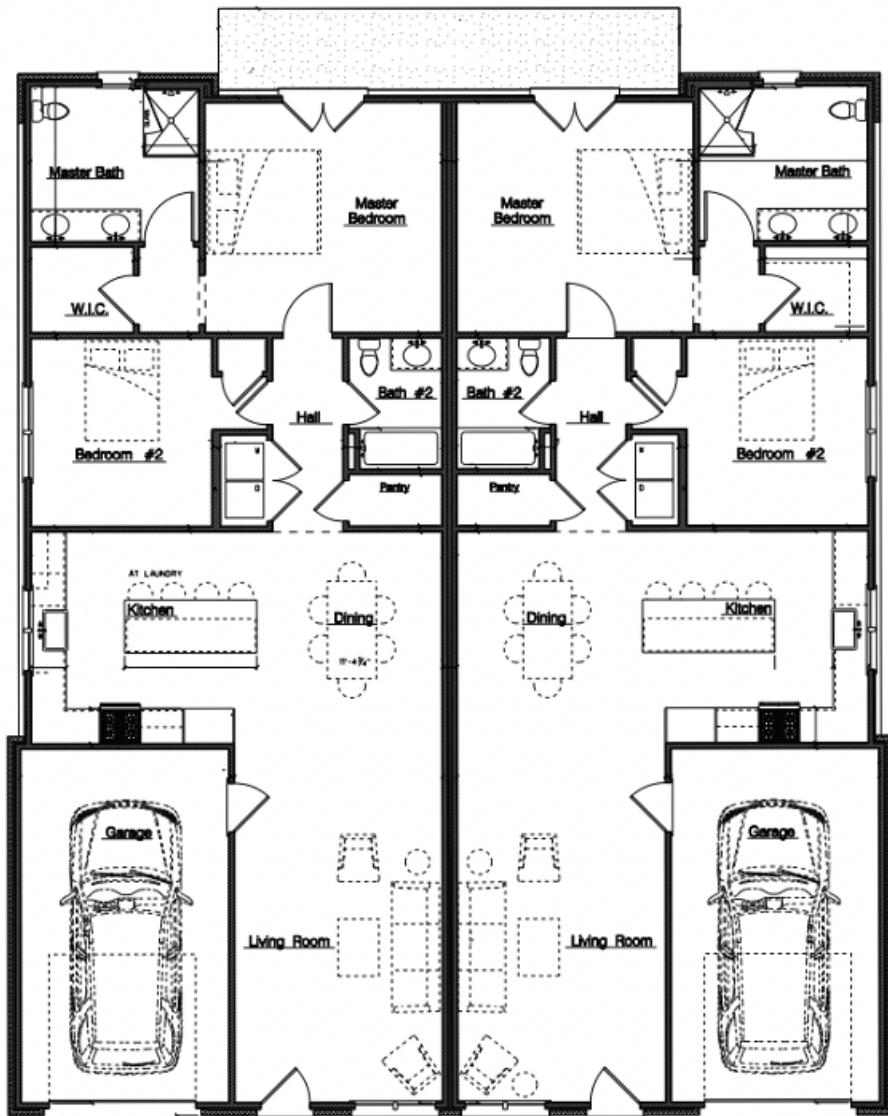
LEFT SIDE "VICEROY" UNIT

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The Starlite – Cartersville
General Specifications

Item 5.

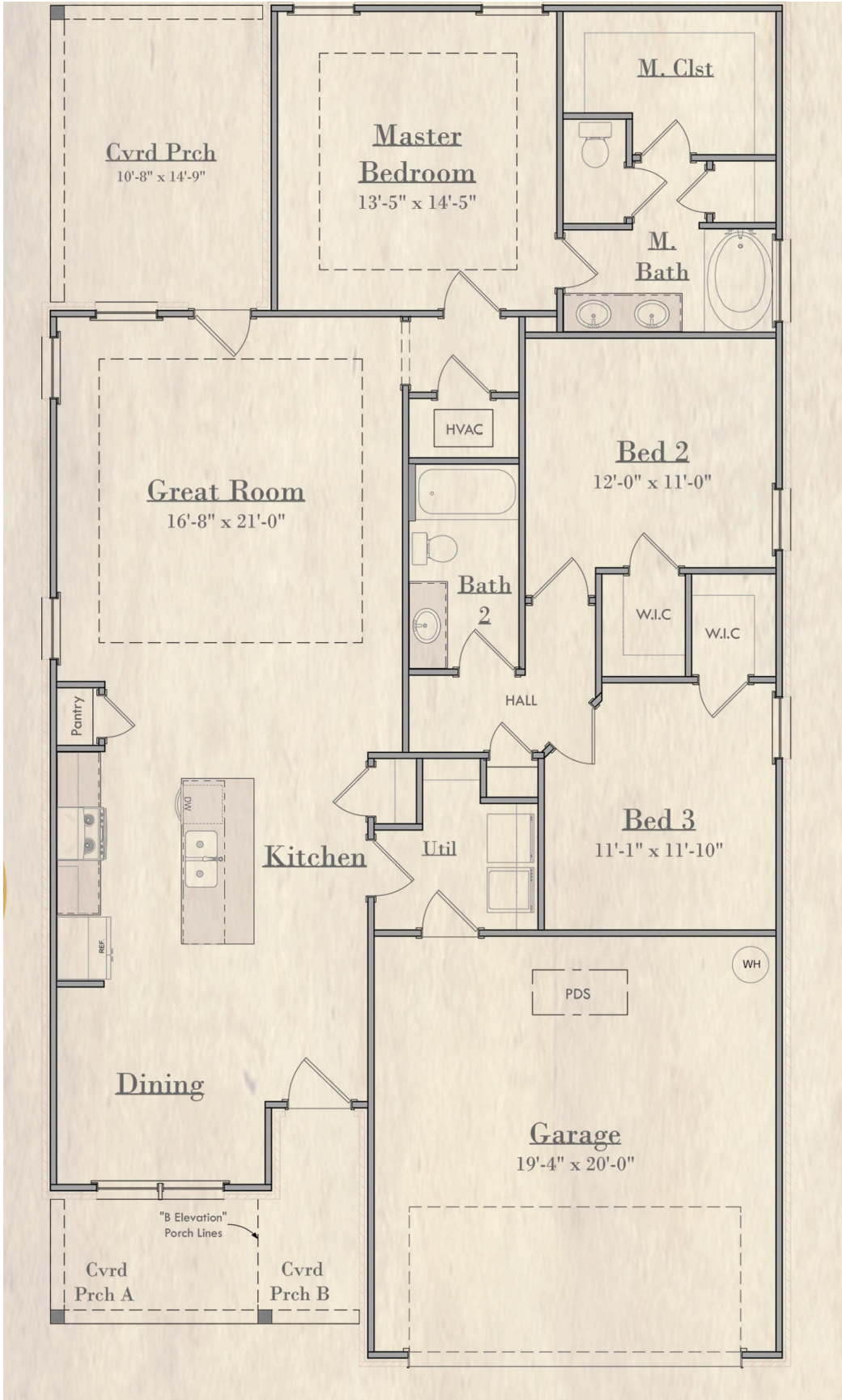
The Evergreen



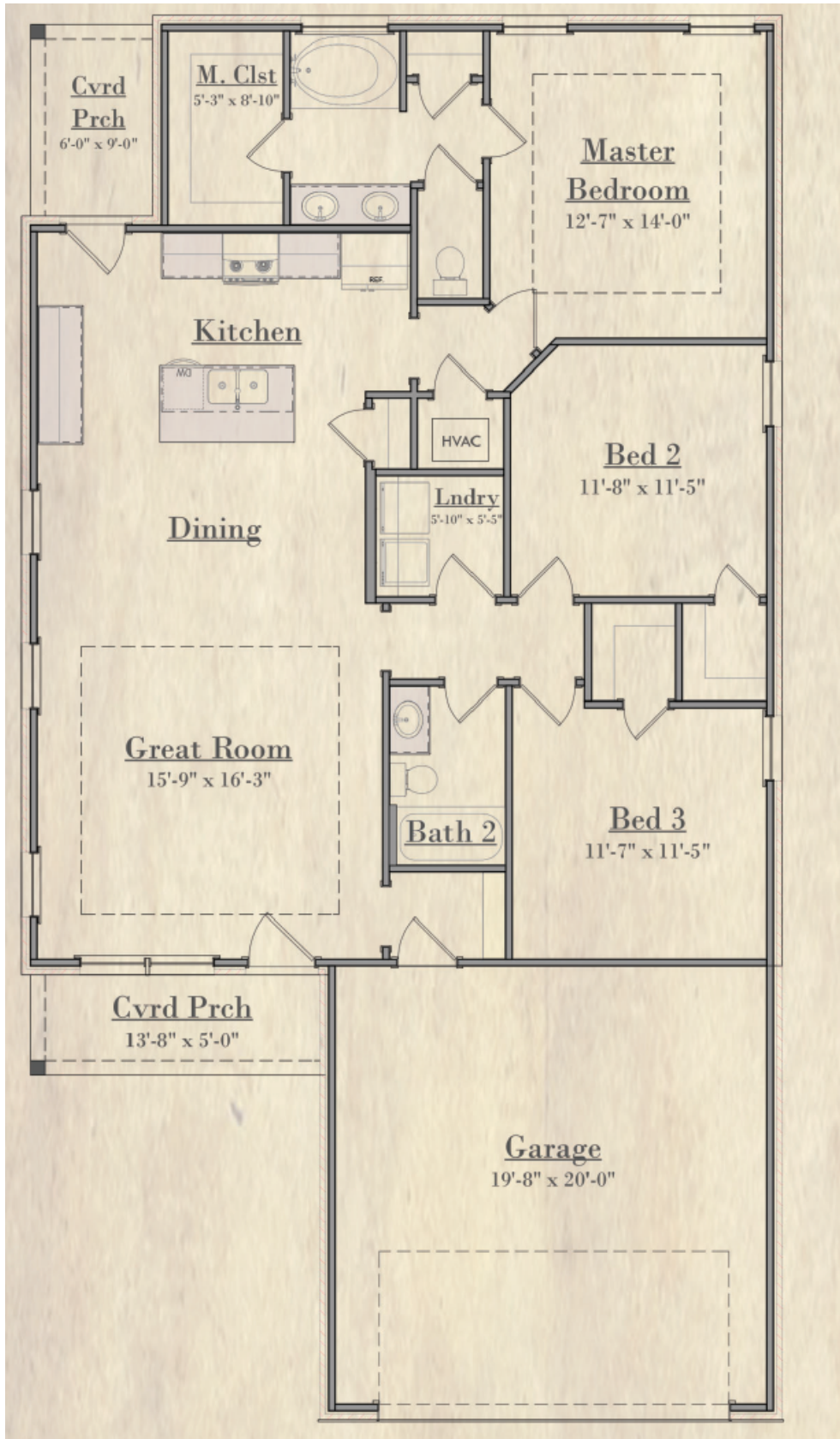


RIGHT SIDE OF "EVERGREEN" UNIT

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1660 S.F.



1452 S.F.

Z06-07 CONCEPT PLAN



PROPERTY CONTAINS 146 TOWNHOME UNITS AND 75,600 S.F. OF RETAIL SPACE WITH OUTPARCELS

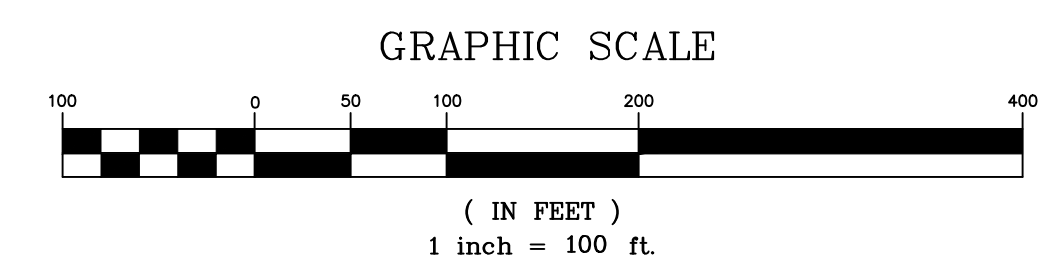
DEVELOPMENT DATA:

- Property is currently Zoned: PD
 - Total Area = ± 45.08 Acres
 - Total Lots: 9
 - Minimum Lot Frontage: 110'
 - Minimum Lot Width @ Building Line - 100'
 - Minimum Lot Width @ Building Line - 100'
 - Maximum Building Height: 45' or 3 1/2 stories
 - Setback Requirements: Front - 20'
Side - 10'
Rear - 20'
 - Vertical Datum: NAVD 1988
 - Freestanding signs shall have a maximum height of 6 feet and a maximum sign area of 32 square feet and such signs shall not be erected on a mon-pole type structure.
- See Zoning Stipulations Sheet 1.1 for issues specific to this development.

FLOOD NOTE:

This property does not lie within a special flood hazard area as shown on F.E.M.A. Flood Rate Insurance Map, Community Panel Number 13015C 0130 F, Dated September 29, 1989.

24 HOUR CONTACT
CHRIS EASTERWOOD
404-379-4470



REVISIONS

PROJECT NAME
CARTERGROVE TOWN CENTER MIXED USE DEVELOPMENT
LAND LOTS 993, 992 & 993, 4TH DISTRICT, 3RD SECTION
CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA

CLIENT NAME
CARTERGROVE PLANTATION, LLC
126 ENTERPRISE PATH, SUITE 208
HIRAM, GEORGIA 30141

SEAL

**PRELIMINARY
NOT FOR
CONSTRUCTION**

DWG. 2006-328.DWG
DATE 4/18/2006
JOB NUMBER 2006-328
DRAWN BY BAG

SHEET TITLE
**OVERALL
SITE PLAN**

SHEET
3.0

PERSPECTIVE ENGINEERING
www.perspectiveeng.com
Ph: (678) 567-4203
Fax: (678) 567-1204
126 Enterprise Path, Suite 104
Hiram, Georgia 30141

Ordinance
of the
City of Cartersville, Georgia

Ordinance No. 23-06

Petition No. Z06-07

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, all that certain tract of land owned by Steve Simpson. Property is located on Carter Grove Boulevard and Old Alabama Road. Said property contains 51.268 acres and is located in the 4th District, 3rd Section, Land Lot 595 as shown on the attached plat Exhibit "A". Property is hereby rezoned from O-C w/conditions (Office Commercial with conditions) and P-D (Planned Development) to P-D with different conditions. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

Buffers:

1. Areas shown as commercial will have a 50-foot wide buffer along any lot line adjoining any residentially used property outside the development, excluding lines along public rights-of-way.
2. Areas shown as commercial will have a 25-foot wide buffer along any lot line adjoining any residentially used property within the development, excluding lines along public rights-of-way.
3. Buffers will remain undisturbed if possible. Disturbed buffers will be planted in accordance with the standards for buffers in Article IV of the current City of Cartersville Zoning Ordinance.
4. Buffers shall remain in place until such time as the zoning of the adjoining residential property is changed to a non-residential classification.

Multiple Use Area:

1. The subject property will be governed by the regulations and restrictions for zoning district M-U as currently shown in the City of Cartersville Zoning Ordinance, Article IX, Section 9.1.
2. The following uses shall be removed from the list of permitted uses: Amateur Radio Transmitter, Hotels, Laundromats, Radio-Television or Other Communication Towers, Stadiums, and Taxi Stands.

- 3. Inter-parcel access shall be implemented into the commercial site plan design, with access locations and internal traffic layout and design subject to the review and approval of the City of Cartersville Public Works Department.**
- 4. Landscaping will include plantings within the parking areas and peripheral plantings which abut any side or rear property line adjacent to residential uses. In areas where general plantings will not prosper, other materials such as fences, walls and pavings of wood, brick, stone, gravel and cobbles will be used.**
- 5. Parking areas will be treated with decorative elements, building wall extensions, plantings, berms or other innovative means to attractively landscape and/or screen from view from adjacent properties. All parking areas shall include landscaped islands to be placed every 12 parking spaces.**
- 6. Waste collection areas will be screened from view.**
- 7. All utilities will be underground.**
- 8. Construction of buildings within the subject property will adhere to the following architectural design standards:**
 - a. No exterior metal walls shall be permitted on any buildings**
 - b. Building facades may be constructed from masonry, glass, stucco, wood or a combination thereof:**
 - i. Masonry construction may consist of solid, cavity or veneered wall. Stone material may consist of granite, sandstone, slate, limestone, marble or other all-weather stone.**
 - ii. Glass walls may consist of a combination of metal, glass and other surfacing materials supported in a metal framework.**
 - iii. Wood construction will be allowed only with a pre-approved architectural design.**
 - c. The material and finishes of exposed roofs will compliment those materials used for the exterior walls. Exposed roofs will be defined as that portion of roof visible from ground level. All roof-mounted equipment will be screened from view.**
 - d. All building mechanical and electrical equipment located adjacent to the building and visible from a public street or residential area will be screened. Any such screen or enclosure will be treated as an integral element of the building's appearance.**

- 9. Prior to submittal of any application for a building permit on any structure with commercial use, the applicant shall submit the architectural renderings of said building to the City of Cartersville City Council for review to ensure the intent of the design concept will be met.**
- 10. Residential units will be fee-simple ownership only, conforming to applicable requirements for condominiums.**
- 11. Both residential and commercial uses will exist concurrently in the same structures to provide for a complete mix of allowable uses.**
- 12. No more than 220 single-family residential units will be constructed within the subject property including any units.**
- 13. Residential units will have a minimum heated floor space of 1800 square feet.**

BE IT AND IT IS HEREBY ORDAINED.

First Reading this the 20th day of April 2006.

ADOPTED this the 4th day of May 2006. Second Reading.

**/s/ _____
Michael G. Fields
Mayor**

ATTEST:

**/s/ _____
Sandra E. Cline
City Clerk**

Images taken 8-18-22





PLANNING COMMISSION ITEM SUMMARY

MEETING DATE:	September 6th, 2022
SUBCATEGORY:	Zoning
DEPARTMENT NAME:	Planning and Development
AGENDA ITEM TITLE:	Z22-04. Bates Rd. Applicant: Highlands Park of GA, LLC.
DEPARTMENT SUMMARY RECOMMENDATION:	<p>Zoning application to rezone (4) properties, totaling 46.12 +/- acres, from Carter Grove P-D (Planned Development) to R-20 (Single Family Residential). The rezoning removes the Carter Grove P-D zoning conditions and insures limited access to Bates Rd. Proposed development following a zoning approval will include the subdivision of 33.71 +/- ac into nine (9) lots.</p> <p>Staff supports the zoning application.</p>
LEGAL:	N/A

ZONING SYNOPSIS

Petition Number(s): **Z22-04**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Highlands Park of Georgia, LLC**

Representative: **Bill Byrne, Byrne Design Group**

Property Owner: **Highlands Park of Georgia, LLC**

Property Location: **Bates Rd. C120-0001-002, C120-0001-006, C120-0001-007, and C120-0001-009**

Access to the Property: **Bates Rd.**

Site Characteristics:

Tract Size: Acres: **46.12** District: **4th** Section: **3rd** LL(S): **1180 1181 1195 1196**
Ward: **2** Council Member: **Jayce Stepp**

LAND USE INFORMATION

Current Zoning: **P-D (Carter Grove Planned Development)**

Proposed Zoning: **R-20 (Single Family Residential)**

Proposed Use: **Single Family Residential**

Current Zoning of Adjacent Property:

North: **County A-1**

South: **P-D and County A-1**

East: **County A-1**

West: **P-D**

The Future Development Plan designates the subject property as: **Neotraditional Neighborhood**

The Future Land Use Map designates the subject property as: **Low/Medium Density Residential**

Z22-04

ZONING ANALYSIS

Project Summary:

The applicant is requesting the rezoning of four (4) properties located on Bates Rd near Greenridge Rd from P-D (Carter Grove Planned Development) to R-20 (Single Family Residential) in order to remove the Carter Grove P-D development conditions and insure limited access to Bates Rd. This was a request from the Planning and Development staff in order to subdivide the property for the construction of large estate lots.

The development intent of the zoning application is to subdivide the largest remaining parcel, 33.71 acres, into nine (9) lots. The (9) lots will share one private street connection to Bates Rd per the “Bartow County letter”. Three tracts of the 50 acre tract were previously subdivided and sold- C120-0001-007(Berry), C120-0001-008(Arveson) and C120-0001-009(Kent)

The (3) remaining lots with P-D zoning will be addressed at a later date.

Access to Bates Rd was approved with conditions by the County Commissioner, Steve Taylor, in 2019 and in conjunction with the 2020 de-annexation of 50+/- acres of the 100 acre Al Meek property (AZ20-02). The driveway cuts specified in the Letter applied to the entire 100ac. tract regardless if any portion of the 100 acres is de-annexed or subdivided. See attached “Bartow County Letter” and AZ20-02 approval letter. The remaining 50 +/- acre tract that was not de-annexed was sold to the applicant for development.

Per the Carter Grove Development Agreement, Bates Rd access from Carter Grove required City and County approval. No access points were ever identified. The rezoning and the Bartow County letter help insure that no access will occur to Carter Grove.

Per the Carter Grove Development Agreement, item 1(c):

- (c) The Developer agrees not to utilize Bates Road as an access point to the Project without prior approval of the City and Bartow County.

The private street serving the proposed nine (9) lot subdivision, the (3) driveways planned for the de-annexed Meek property, and the (3) driveways serving or planned to serve properties C120-0001-007(Berry), C120-0001-008(Arveson) and C120-0001-009(Kent) will exhaust all but one driveway cut allowed per the Bartow County Letter.

Z22-04

City Department Comments**Electric:** Takes no exception.**Fibercom:** Takes no exception.**Fire:** No comments received.**Gas:** The above referenced project is outside the service area of the City of Cartersville Gas System.**Public Works:** No comments received.**Water and Sewer:** Not in service area. Water provided by Bartow County. No sewer service.**City of Cartersville School District:** We take no exception to this rezoning request.**Public Comments:**

None received as of 8-31-22.

STANDARDS FOR EXERCISE OF ZONING POWERS.

1. *The existing land uses and zoning of nearby property.*
The surrounding properties are zoned for large estate lots or agriculture with the exception of the remaining Carter Grove P-D property. The adjacent land is either undeveloped or developed with single family detached homes on large lots.
2. *The suitability of the subject property for the zoned purposes.*
The property is suitable for the zoned purposes, but has Carter Grove development conditions assigned to it.
3. *The relative gain to the public, as compared to the hardship imposed upon the individual property owner.*
The public gain would be minimal. Rezoning removes the conditions that could affect development and the cost of development.
4. *Whether the subject property has a reasonable economic use as currently zoned.*
The property has a reasonable economic use as currently zoned.
5. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*

Z22-04

The zoning proposal would permit a use that is suitable in view of the use of the adjacent residential use properties.

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

The zoning proposal should not have an adverse effect on adjacent property.

7. *Whether the zoning proposal is in conformity with the current future development plan and community agenda of the comprehensive land use plan as currently adopted or amended in the future.*

The zoning proposal does conform to the Future Development Map and Future Land Use Map.

8. *Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil erosion and sedimentation, floodplain, air quality, and water quality and quantity.*

Development of the site would result in a creek crossing that will require additional plan review steps for approval. The creek crossing could also occur if the zoning does not change.

9. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*

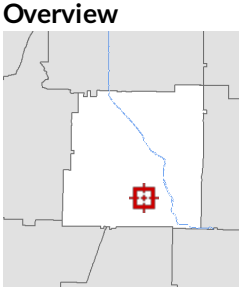
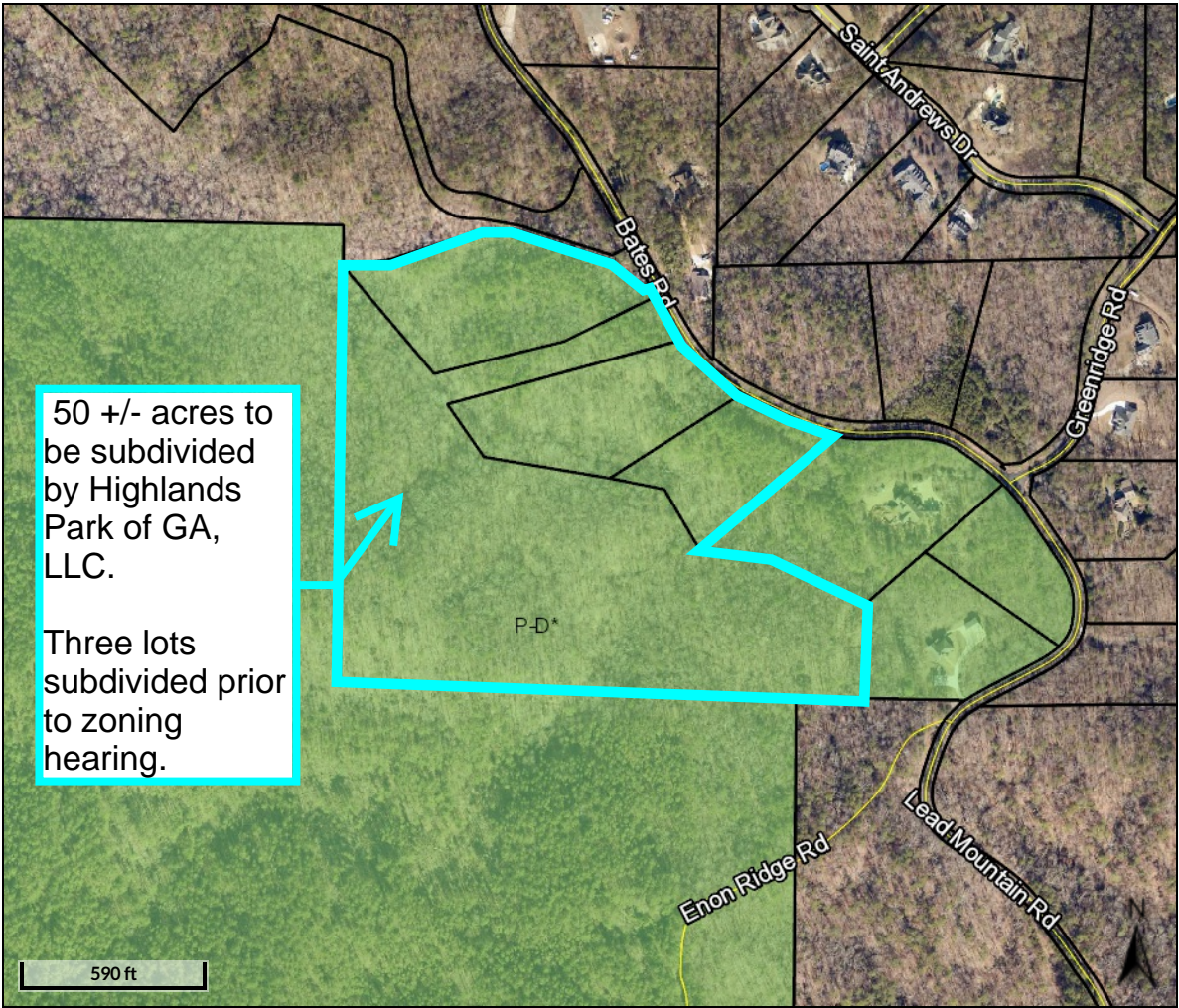
The zoning should not increase the burden to streets, transportation, utilities or schools. The proposed subdivision complies with the County's letter to limit access to Bates Rd.

10. *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*

There are no known conditions.

STAFF RECOMMENDATION:

Staff supports the rezoning.



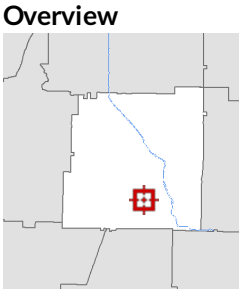
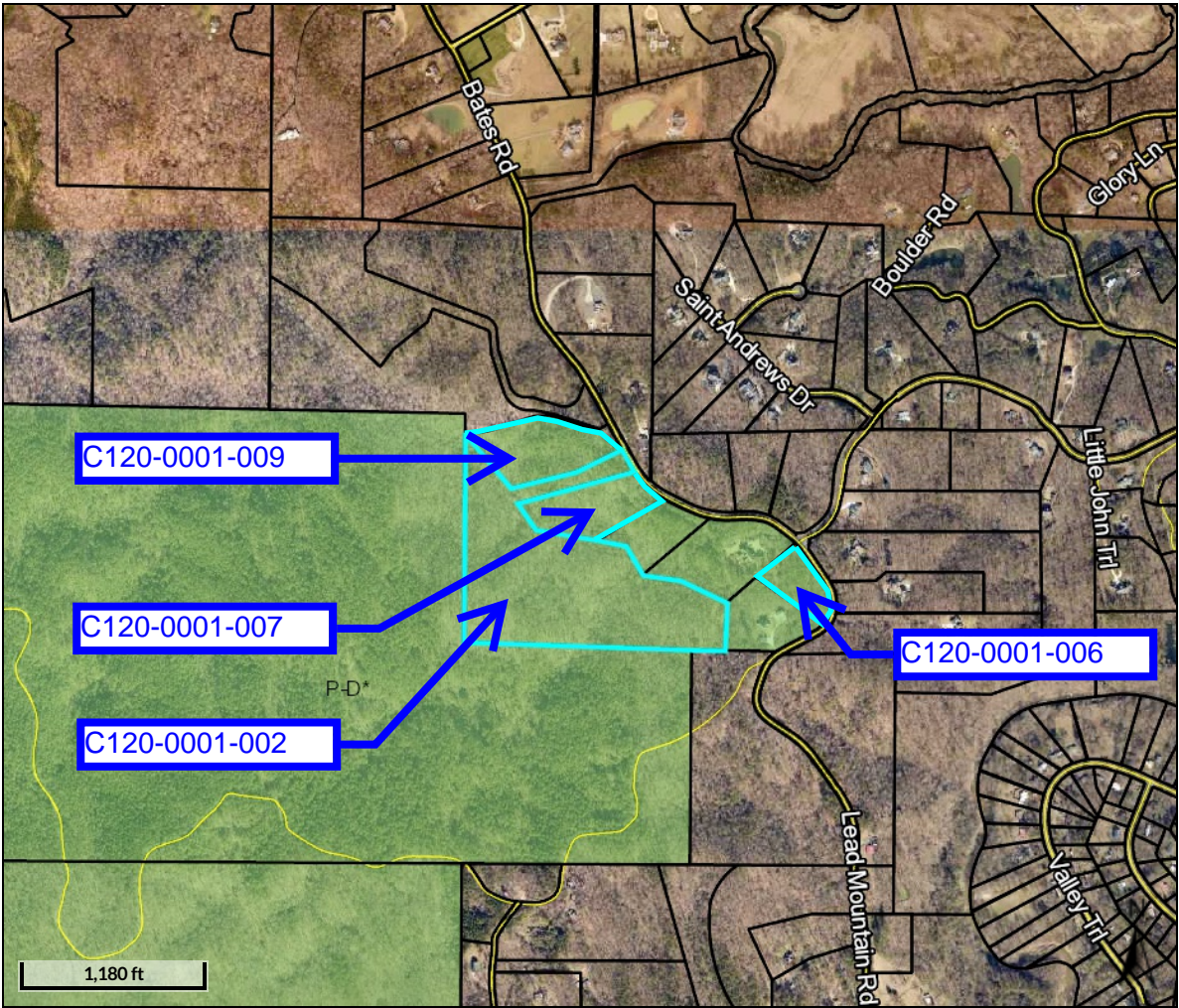
- Legend**
- Parcels
 - Roads
- Cartersville Zoning**
- AG
 - DBD
 - G-C
 - G-C*
 - H-I
 - H-I*
 - L-I
 - L-I*
 - M-U
 - M-U*
 - MF-14
 - MF-14*
 - MN
 - O-C
 - O-C*
 - P-D
 - P-D*
 - P-I
 - P-S
 - P-S*
 - R-10
 - R-10*
 - R-15
 - R-15*
 - R-20
 - R-20*
 - R-7
 - R-7*
 - R-D
 - RA-12
 - RA-12*
 - RSL

Parcel ID 0095-1124-002
 Sec/Twp/Rng n/a

Alternate ID 23096
 Class Residential

Owner Address PRICE JIMMY & CHERYL SUE
 448 BATED RD SE

LOTS TO BE REZONED



- 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	C120-0001-002	Alternate ID	38636	Owner Address	HIGHLANDS PARK OF GEORGIA LLC
Sec/Twp/Rng	n/a	Class	Agricultural		905 BLACKWELL RD STE 511

Property Address 448 BATES RD **Acreage** 3.2

CARTERSVILLE, GA 30120

Item 6.

District Bartow County

Brief Tax Description LL1124 1125 1180 1181 LD4

(Note: Not to be used on legal documents)

Date created: 9/1/2022

Last Data Uploaded: 8/31/2022 10:35:43 PM

Developed by  Schneider
GEOSPATIAL

Application for Rezoning

City of Cartersville

Case Number: 22204

Date Received: 4/20/22

Public Hearing Dates:

Planning Commission 9/6/22
5:30pm

1st City Council 9/15/22
7:00pm

2nd City Council 10/6/22
7:00pm

Applicant Highlands Park of GA Office Phone 404-643-0505
(printed name) LLC

Address 18 Green Valley Trail Mobile/ Other Phone _____

City Cartersville State GA Zip 30120 Email boblterrell@bellsouth.net

Bob Terrell Phone (Rep) 404-643-0505

Representative's printed name (if other than applicant) Email (Rep) boblterrell@bellsouth.net

Bob Terrell Representative Signature Bob Terrell Applicant Signature

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

Notary Public _____

* Titleholder Highlands Park of Phone 404-643-0505
(titleholder's printed name) GA, LLC

Address 18 Green Valley Trail Email boblterrell@bellsouth.net

Signature Bob Terrell

Signed, sealed, delivered in presence of: _____ My commission expires: _____

Notary Public _____

Present Zoning District Carter Grove PUD Requested Zoning R20

Acreage 33.46 Land Lot(s) 1181, 1195 District(s) 4th Section(s) 3rd

Location of Property: 1196 Bates Road
(street address, nearest intersections, etc.)

Reason for Rezoning Request: To rezone from site plan specific Carter Grove PUD to R20 for 8 tracts for building 8 residential houses.
(attach additional statement as necessary)

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

400 app
50 adv

Application for Rezoning
City of Cartersville

BATES RD.

Case Number: Z22-04
Date Received: 2/17/12

Public Hearing Dates:

Planning Commission _____ 1st City Council _____ 2nd City Council _____
5:30pm 7:00pm 7:00pm

Applicant _____ Office Phone _____
(printed name)

Address _____ Mobile/ Other Phone _____

City _____ State _____ Zip _____ Email _____

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

Representative Signature _____ Applicant Signature _____

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

Notary Public _____

* Titleholder Kentand Lisa Carter Phone 678-315-1992
(titleholder's printed name)

Address 460 BATES RD SE Email KentandLisa1016@gmail.com

Signature [Signature]

Signed, sealed, delivered in presence of: _____ My commission expires: 1/23/23

Notary Public [Signature]



Present Zoning District _____ Requested Zoning _____

Acreage _____ Land Lot(s) _____ District(s) _____ Section(s) _____

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

Reason for Rezoning Request: _____

(attach additional statement as necessary)

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



Rwp B-1-22


Item 6.

BILL BYRNE
Landscape Architect
Project Management

Land Planners
Landscape Architecture

May 20, 2022

Mr. Brian J. Reed
ETOWAH CONTROLS
Systems and Services
875 Rowland Springs Road
Suite "A"
Cartersville, Georgia 30121



City of Cartersville
PLANNING & DEVELOPMENT

David Hardegree, AICP
City Planner

10 N. Public Square
P.O. Box 1390
Cartersville, GA 30120
Phone (770) 387-5614
Fax (770) 387-5605
dhardegree@cityofcartersville.org

"Providing dependable service while preserving an exceptional quality of life."

Re: Bates Road Residential Development
"Highlands Park of Georgia"
Zoning Request

Dear Mr. Reed:

Mr. David Hardegree, AICP of the City of Cartersville, Planning and Development department has requested that Bob Terrell of Cherokee Properties rezone the above project from Planned Development (PD) to R-20 Residential and Mr. Terrell has agreed to do so.

Mr. Hardegree has requested that adjacent property be included in the zoning request on a voluntary basis and they all have agreed to do so.

On behalf of Cherokee Properties and the City of Cartersville, I am asking you if you would join the re-zoning request on a voluntary basis as requested by the City of Cartersville. Please answer below.

YES I will join the re-zoning request as proposed.

NO I will not join the re-zoning request as proposed.

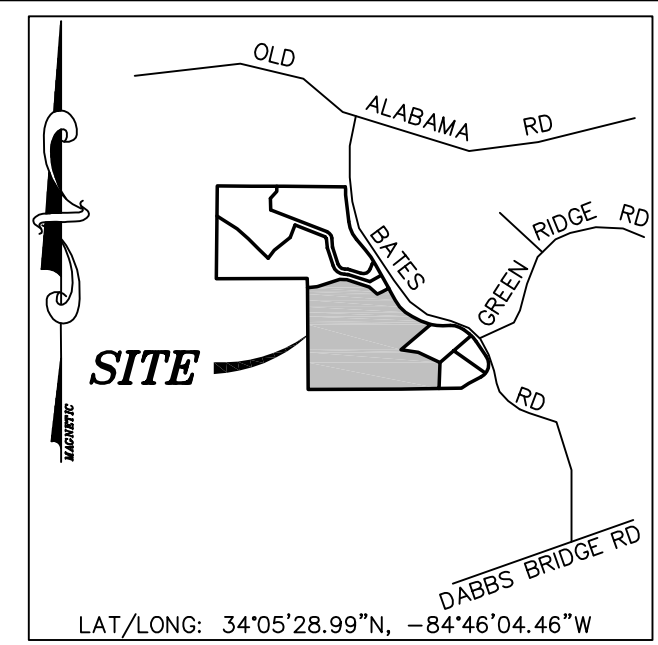
Thank you for your time and consideration.

Sincerely,
BYRNE DESIGN GROUP

William J. Byrne
Project Manager

THE PURPOSE OF THIS PLAN IS FOR REZONING FROM SITE PLAN SPECIFIC, CARTER GROVE PUD TO R-20.

RE-ZONING PLAT: HIGHLANDS PARK OF GA, LLC

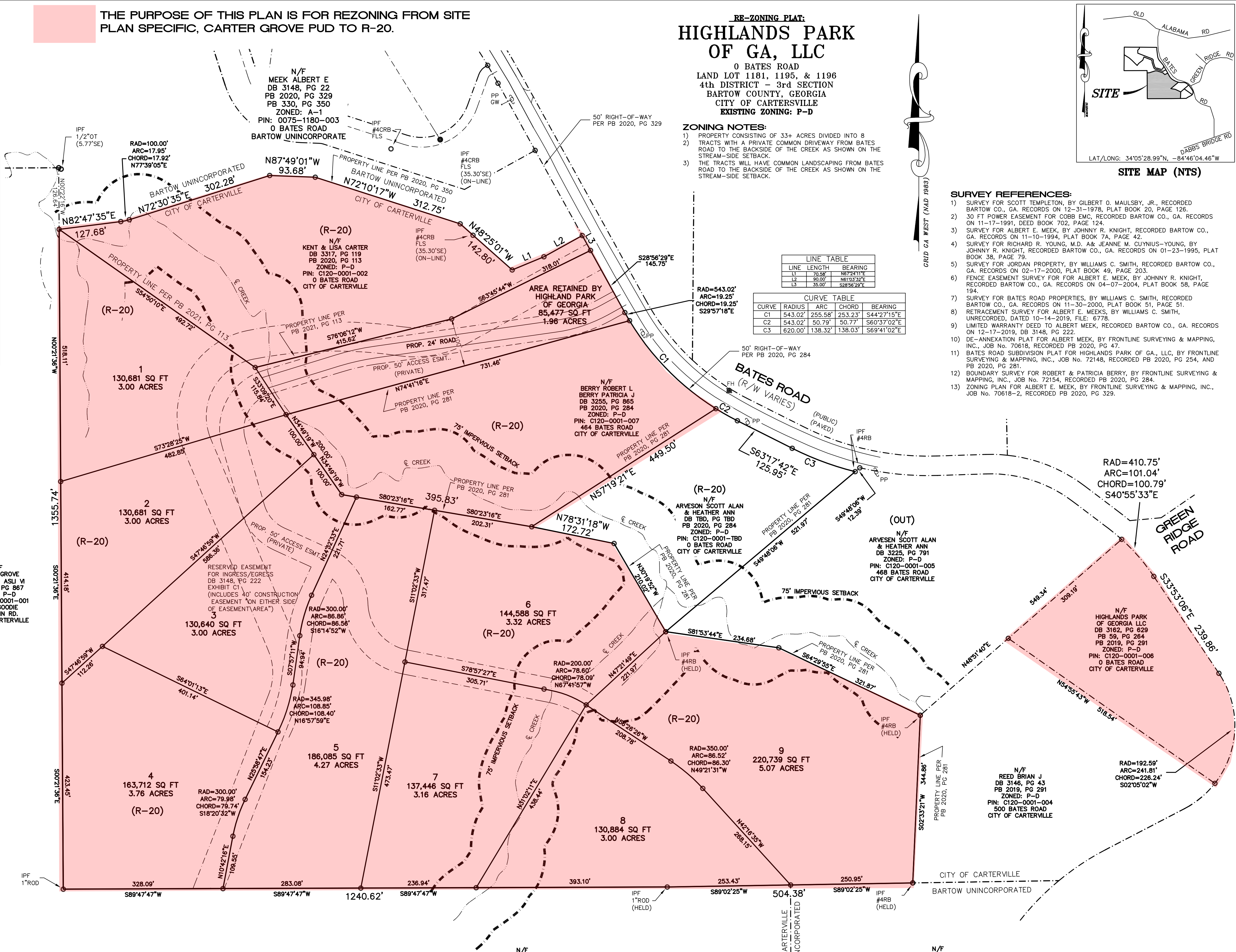


THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

LEGEND: Table listing various symbols and their corresponding features such as BSL (Building Setback Line), IRON PIN SET, OPEN TOP PIN, CRIMP TOP PIN, REINFORCING BAR, etc.

SURVEY NOTES:

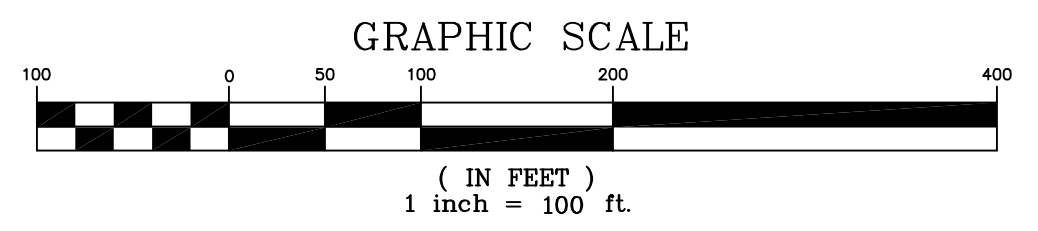
- 1) HORIZONTAL DATUM IS GEORGIA STATE PLANE WEST ZONE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NAD83)
2) VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)
3) ALL DEED BOOK REFERENCES SHOWN HEREON ARE RECORDED IN THE CLERK OF SUPERIOR COURT'S OFFICE OF BARTOW COUNTY, GEORGIA...



LINE TABLE and CURVE TABLE. LINE TABLE lists line length and bearing for segments L1, L2, L3. CURVE TABLE lists curve radius, arc length, chord, and bearing for curves C1, C2, C3.

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...

SURVEYOR'S CERTIFICATION: AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON...



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...

3595 Canton Road, Suite 116, PMB 2772, Marietta, GA 30066. FRONTLINE SURVEYING & MAPPING, INC. Ph. (678) 355-9805. www.frontlinesurveying.com

Table with columns: REVISION, BLOCK, UNIT, PHASE, LOT, SUBDIVISION, LOT, BLOCK, UNIT, PHASE, LOT, SUBDIVISION. Includes date 07/15/22 and scale 1" = 100'.

Professional Surveyor Seal for Thomas Edward Peay, Jr., No. 2402, State of Georgia. Includes date 10-14-21.



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

July 10, 2020

Mr. Albert Meek
412 Bates Rd.
Cartersville, GA 30120

Mr. Meek,

This letter serves as verification of the outcome of the de-annexation application for 55.23 +/- acres of a total of 101.85 acre tract identified as Tax Parcel C120-0001-002 located along Bates Rd. The de-annexation application, AZ20-02, was **APPROVED** by City Council on July 2nd, 2020.

See attached Ordinance No. 17-20 for language specific to the de-annexation case. No further action is required regarding this application.

If you have any questions, please do not hesitate to contact me.

Sincerely,

David Hardegree, AICP
City Planner
O: 770-387-5614
dhardegree@cityofcartersville.org

Cc: RTerrell

**Ordinance
of the
City of Cartersville, Georgia**

Ordinance No. 17-20

Petition No. AZ20-02

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Albert E Meeks. Property is located on Bates Road. Said property contains 55.23 acres located in the 4th District, 3rd Section, Land Lot(s) 1180,1181,1196 as shown on the attached plat Exhibit "A". De-annexation will be duly noted on the official zoning map of the City of Cartersville, Georgia.

BE IT AND IT IS HEREBY ORDAINED.

**First Reading 18th day of June 2020
ADOPTED 2nd day of July 2020 Second Reading.**

/s/ Matthew J. Santini

Matthew J. Santini
Mayor

ATTEST:

/s/ Samantha Fincher

Samantha Fincher
Deputy City Clerk

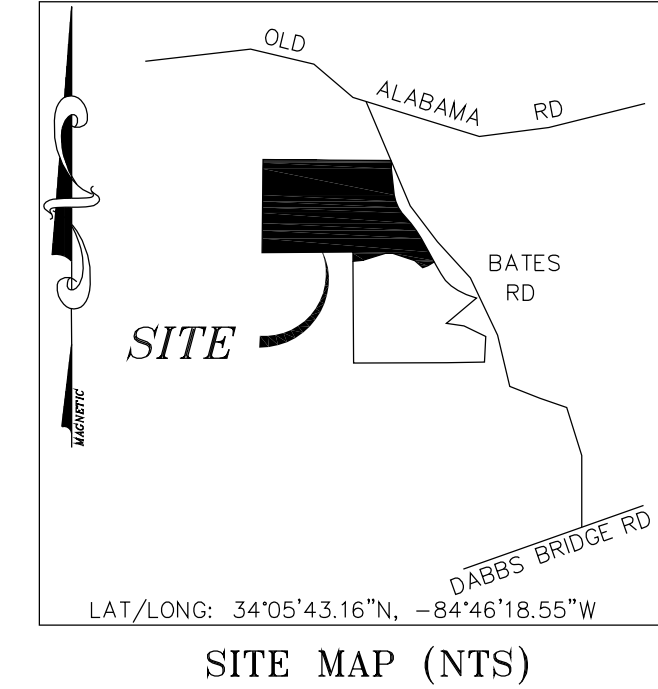


DE-ANNEXATION PLAT FOR: ALBERT E. MEEK 0 BATES ROAD LAND LOT 1180, 1181, & 1196 4th DISTRICT - 3rd SECTION BARTOW COUNTY, GEORGIA CITY OF CARTERSVILLE EXISTING ZONING: P-D PIN: C120-0001-002

THE PURPOSE OF THIS PLAN IS TO SHOW THE AREA FOR DE-ANNEXATION FROM THE INCORPORATED CITY OF CARTERSVILLE TO UNINCORPORATED BARTOW COUNTY.

EXISTING ZONING: P-D PROPOSED ZONING: A-1

CURVE TABLE with columns: CURVE, RADIUS, ARC, CHORD, BEARING. Rows C1-C4.

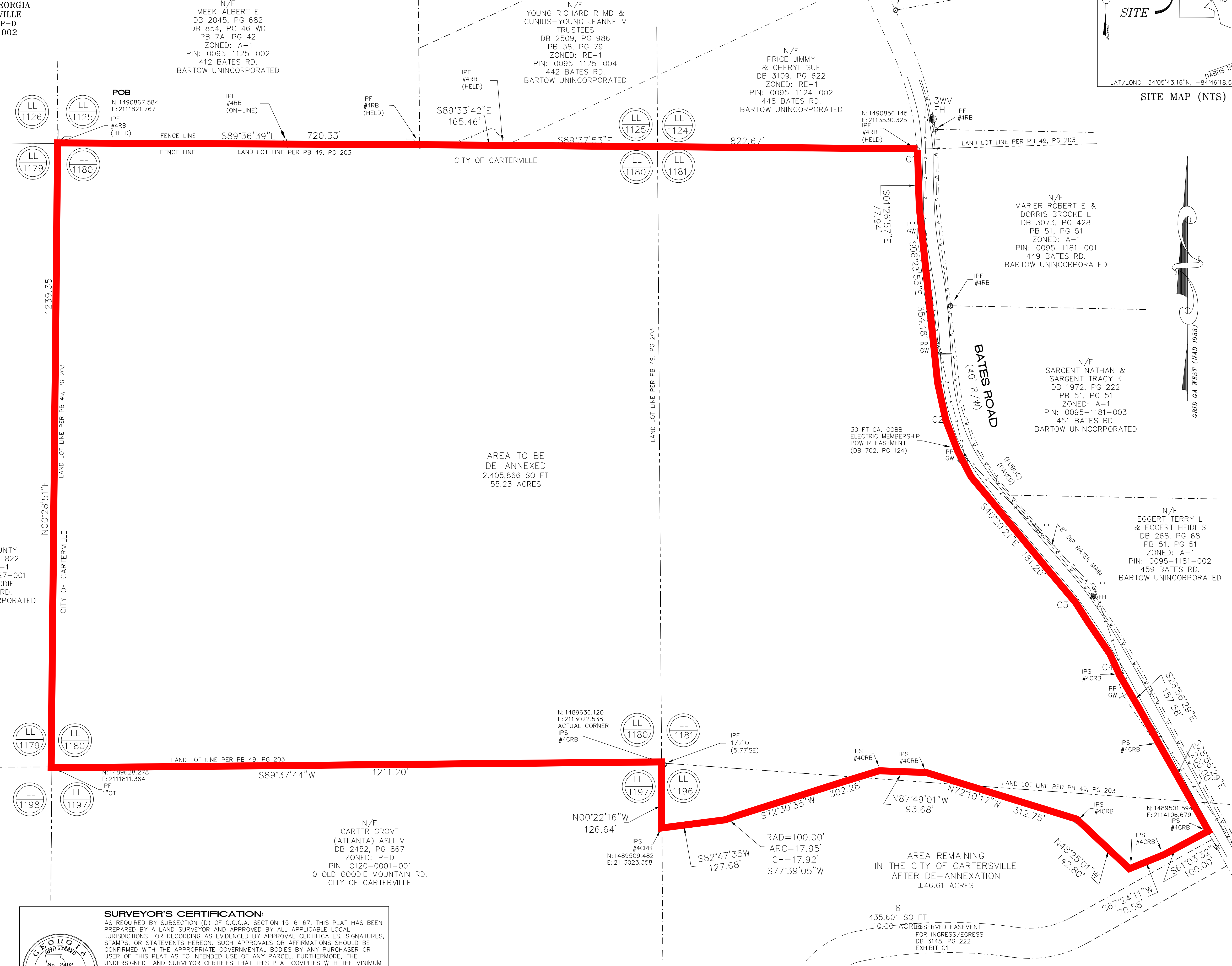


THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT.

LEGEND table listing symbols for various features like IRON PIN SET, REINFORCING BAR, CONCRETE, CURVE, etc.

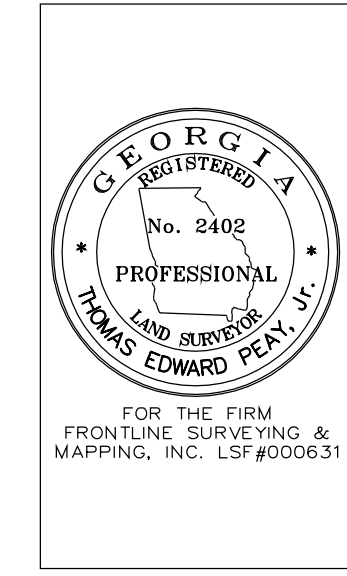
SURVEY NOTES:

- 1) HORIZONTAL DATUM IS GEORGIA STATE PLANE WEST ZONE COORDINATE SYSTEM... 2) VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM OF 1988... 3) ALL DEED BOOK REFERENCES SHOWN HEREON ARE RECORDED IN THE CLERK OF SUPERIOR COURT'S OFFICE OF BARTOW COUNTY, GEORGIA...

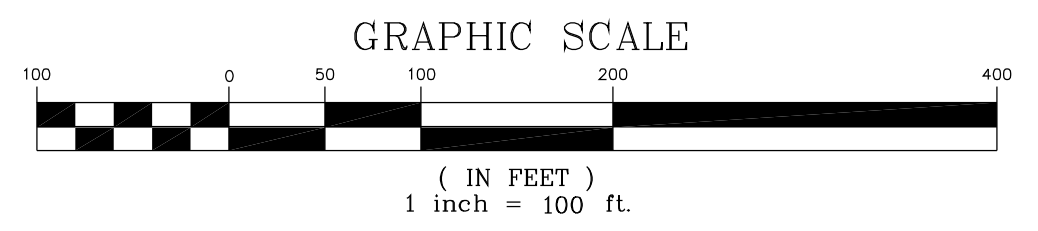


AREA TO BE DE-ANNEXED 2,405,866 SQ FT 55.23 ACRES

AREA REMAINING IN THE CITY OF CARTERSVILLE AFTER DE-ANNEXATION ±46.61 ACRES



SURVEYOR'S CERTIFICATION: AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAN HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON...

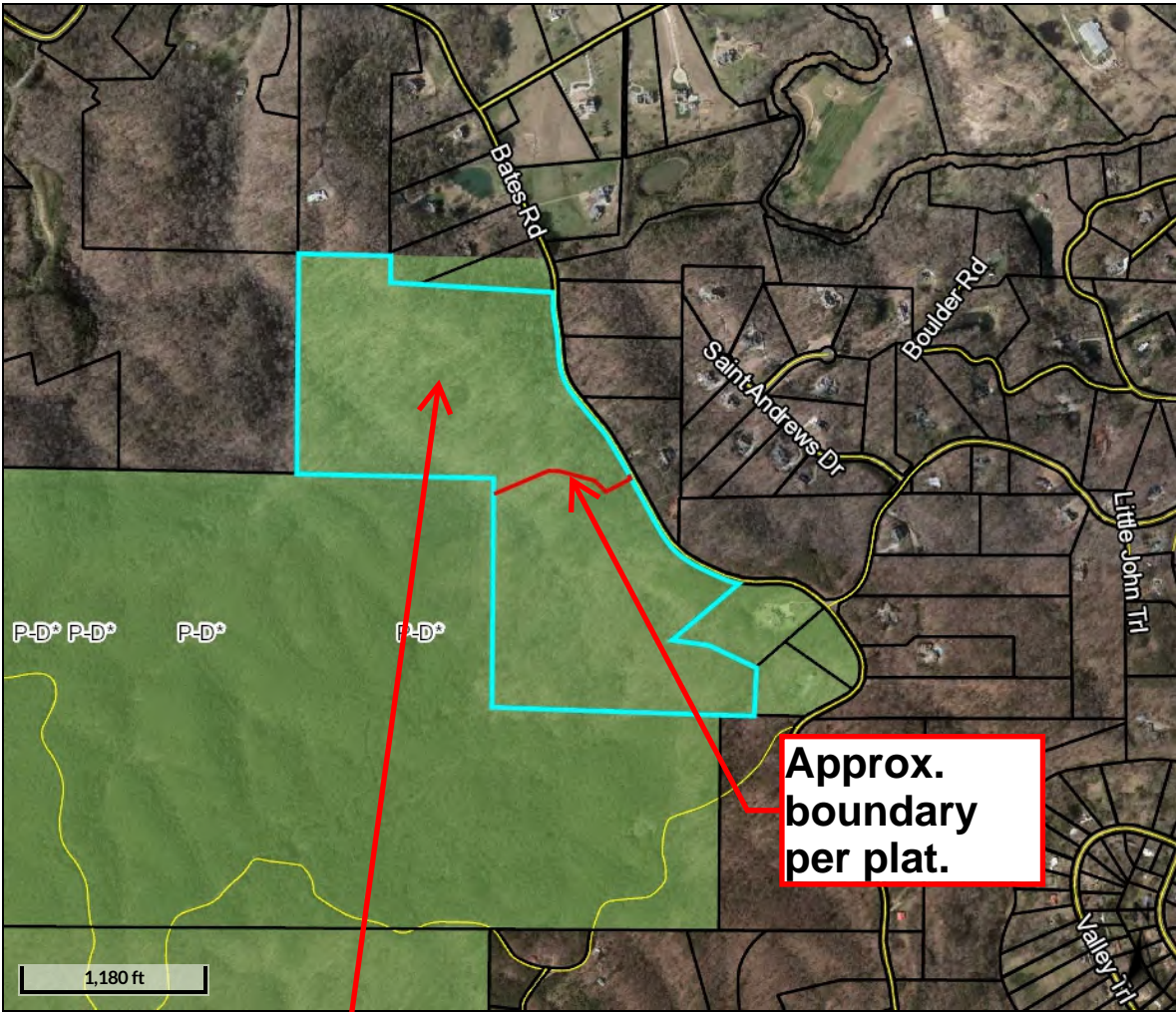


OWNER'S CERTIFICATE: THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, CERTIFIES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, THAT ALL STATE, CITY AND COUNTY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID...

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,927... AN ANGULAR ERROR OF 3.3 SECONDS PER ANGLE POINT AND 3.3 SECONDS PER SIDE... THIS PLAT HAS BEEN PREPARED BY THE SURVEYOR USING THE FOLLOWING INSTRUMENTS...

FRONTLINE SURVEYING & MAPPING, INC. 3595 Canton Road, Suite 116, Marietta, GA 30066. Phone: (678) 355-9905. Website: www.frontlinesurveying.com

DE-ANNEXATION PLAT FOR: ALBERT E. MEEK. Includes recording information: DATE 01/25/20, SCALE 1" = 100', BARTOW COUNTY, GEORGIA, 4th DISTRICT, 3rd SECTION, LAND LOT 1180, 1181, & 1196. Includes a second professional seal for Thomas E. Peay, Jr.



**Approx.
boundary
per plat.**

**LOT TO BE
DE-ANNEXED**

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*

Parcel ID C120-0001-002
 Sec/Twp/Rng n/a
 Property Address BATES RD
 Cartersville

Alternate ID 38636
 Class Agricultural
 Acreage 101.85

Owner Address CARTER GROVE (ATLANTA) ASLI VI
 923 N PENNSYLVANIA AVE
 WINTER PARK FL 32789



BARTOW COUNTY

Steve Taylor, Sole Commissioner

CERTIFIED MAIL # 7006 3450 0001 5974 6687

June 2, 2020

Mr. David Hardegree
Planning Department
City of Cartersville
P.O. Box 1390
Cartersville, GA 30120

RE: Request to de-annex approximately 55.236 acres
located on Bates Road (Tax Parcel # C120-0001-002)

David:

This office has reviewed the above referenced de-annexation request and finds no objection to the application. This tract is adjacent to county property that is currently zoned A-1 (Agriculture) and identified on the County's Future Land Use Map as Agricultural.

Sincerely,

A handwritten signature in black ink that reads "Steve Taylor".

STEVE TAYLOR
Sole Commissioner
Bartow County

CB/kg

- c. Brandon Johnson, Zoning Department
- Joe Sutton, Bartow County Road Department
- Cheryl Billard, Voter Registration
- Jarrold Roberts, Tax Assessor
- Melissa Lasebikan, GIS Department



BARTOW COUNTY

Steve Taylor, Sole Commissioner

October 14, 2019

Mr. Randy Mannino, AICP
P.O. Box 13904
10 N. Public Square
Cartersville, GA 30120

Dear Randy,

Bartow County will allow a development fronting on Bates Road in Land Lots 1180, 1181, 1196 and 1195. Under the following conditions:

1. Only one public or private street into a residential development.
2. Public water to be serviced by Bartow County Water System and will be installed at developer's expense.
3. A total maximum of 7 individual curb cuts in addition to the one street.
4. Minimum lot size of 2 acre with an average lot size of 3 acres.
5. Minimum house size for a single-story house will be 3,000 square feet livable area, plus garage area. Minimum house size for a 2-story house will be 4,500 square feet livable area with a minimum of 2,000 square feet footprint plus garage.
6. Architectural plans to be approved by the developer.
7. Restrictive Covenants to be developed by a committee consisting of Bobby L. Terrell, the City of Cartersville Planning Department and a representative chosen by the neighbors along Bates Road.
8. A restrictive Covenant providing that there will be no road access connection to the present or extended Carter Grove Subdivision so that there can be no future connection between the large lot development and the Carter Grove development which is accessed from Dothit Ferry Road.

Sincerely,

A handwritten signature in blue ink that reads "Steve Taylor".

Steve Taylor
Sole Bartow County Commissioner

Cc: Albert Meek
Cc: Bobby L. Terrell

