



**CARTERSVILLE  
PLANNING COMMISSION**  
Council Chambers, Third Floor of City Hall  
Tuesday, April 11, 2023 at 5:30 PM

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**AGENDA**

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**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. March 7, 2023

**STAFF UPDATE ON PREVIOUS CASES**

**ANNEXATIONS**

2. AZ23-01. 226 W Felton Rd. Applicant: Christopher Huth

**SPECIAL USE PERMIT**

3. SU23-01. 401 & 403 N. Tennessee St. Applicant: Duncan Auto Sales, Inc.

**STAFF OR COMMITTEE COMMENTS**

**OTHER**

**\* City Council 1st Reading: April 20th. 7pm. Council Chambers. 3rd fl City Hall.**

**\*\* City Council 2nd Reading (Final Action): May 4th. 7pm. Council Chambers. 3rd fl City Hall.**

The next meeting of the Planning Commission will be May 9th. 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](http://www.cityofcartersville.org)**



## PLANNING COMMISSION ITEM SUMMARY

<b>MEETING DATE:</b>	April 11, 2023
<b>SUBCATEGORY:</b>	Minutes
<b>DEPARTMENT NAME:</b>	Planning and Development
<b>AGENDA ITEM TITLE:</b>	March 7, 2023
<b>DEPARTMENT SUMMARY RECOMMENDATION:</b>	The minutes from the March 7, 2023 Planning Commission Meeting have been uploaded for your review and approval
<b>LEGAL:</b>	N/A

## MINUTES OF THE CARTERSVILLE PLANNING COMMISSION

The Cartersville Planning Commission met in a regularly scheduled meeting on Tuesday, January 10, 2023 at 5:30 p.m. in the City Hall Council Chambers.

Present: Lamar Pendley, Travis Popham, Jeffery Ross, Greg Culverhouse, Steven Smith, Annisa Cooley, and Fritz Dent

Absent:

Staff Members: Randy Mannino, Julia Drake, David Hardegree, Zack Arnold,

### 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 March 16, 2023 and April 6, 2023 Council Meeting.

### APPROVAL OF MINUTES

#### 1. January 10, 2023 Meeting Minutes

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

### ZONINGS

#### 2. Z23-01 – 405-B Old Mill Rd

**Applicant: Berrey Properties, Inc.**

David Hardegree, Planning and Development Assistant Director, stated that all adjacent property owners had been properly notified and the property had been properly posted and advertised. Continuing, Mr. Hardegree gave an overview of the application stating the applicant is proposing the rezoning of a 0.86 acre property located at 405-B Old Mill Rd. Located east of the intersection of Old Mill Rd and Douthit Ferry Rd, the property was rezoned in 2002 from L-I to G-C for the construction of a carwash. Case No. Z02-10, approved 8-1-02. The carwash was constructed about 2005. This application proposes to return the zoning to L-I.

Z02-10, ORD 32-02, was approved with a condition that a 15ft. utility easement is required along the SW property line to access the existing power lines. This requirement will carry forward.

The applicant proposes to redevelop the site to allow Steel Materials, Inc. an existing metal fabrication business directly to the north, to expand its' operations onto the site.

Public hearing was opened.

Randy Berrey, 177 Joe Frank Harris Pkwy., came forward to answer any questions from the board.

With no one else to come forward to speak for or against the application, the public hearing was closed.

Board Member Culverhouse made a motion to approve Z23-01 with the 15’ easement to remain. Board Member Popham seconded the motion. Motion carried unanimously. Vote: 6-0

**3. Z23-02 – 8 Mimosa Terrace**

**Applicant: William Moore**

Mr. Hardegree stated that all adjacent property owners had been properly notified and the property had been properly posted and advertised. Continuing, Mr. Hardegree gave an overview of the application stating the applicant requests a change in zoning from R-15 (Single Family Residential) to G-C (General Commercial) for approximately 0.5 acres located at 8 Mimosa Terrace in Land Lot 241 of the 4th District, 3<sup>rd</sup> Section. Tax ID No. C030-0007-007. The applicant proposes to open a hair salon studio on the property. Hair salons are not allowed in the R-15 zoning district. Various home occupations have been allowed previously.

Staff does not oppose the rezoning if the following conditions are included with an approval:

1. A natural or planted landscape buffer remain in place along the adjacent residential use properties.
2. Hours of operation are limited to reasonable and customary hours.
3. All G-C uses except “Offices, General” and “Barber Shops and Beauty Salons” are prohibited.

Chairman Pendley opened the public hearing.

Jessica King, attorney with Tilley, Deems, and Trotter came forward to represent the applicant and stated they were good with the conditions.

With no one else to come forward to speak for or against the application, the public hearing was closed.

Board Member Smith made a motion to approve the application with the three (3) conditions suggested by staff. Board Member Dent seconded the motion. Motion carried unanimously. Vote: 6-0

Board Member Ross made a motion to adjourn.

The meeting adjourned at 5:50 PM.

Date Approved: April 11, 2023

/s/ \_\_\_\_\_  
Lamar Pendley, Chairman



## PLANNING COMMISSION ITEM SUMMARY

<b>MEETING DATE:</b>	April 11th, 2023
<b>SUBCATEGORY:</b>	Annexation
<b>DEPARTMENT NAME:</b>	Planning and Development
<b>AGENDA ITEM TITLE:</b>	AZ23-01. 226 W Felton Rd. Applicant: Christopher Huth
<b>DEPARTMENT SUMMARY RECOMMENDATION:</b>	Applicant requests annexation into the city. Recommended zoning is R-20.
<b>LEGAL:</b>	N/A

**ZONING & ANNEXATION SYNOPSIS**

Petition Number(s): AZ23-01

**APPLICANT INFORMATION AND PROPERTY DESCRIPTION**

**Applicant:** Christopher Huth  
**Representative:** Christopher Huth  
**Location:** 226 E. Felton Road (Tax ID No. 0078B-0006-011)  
**Total Acreage:** 0.46 +/- Acres

**LAND USE INFORMATION**

**Current Zoning:** County A-1 (Agriculture)  
**Proposed Zoning:** R-20 (Residential)  
**Proposed Use:** Single Family Residential

**Current Zoning of Adjacent Property:**

**North:** County A-1 Agriculture  
**South:** County A-1 Agriculture  
**East:** City R-20 Residential  
**West:** County A-1 Agriculture

**For All Tracts:**

**District:** 4<sup>th</sup>    **Section:** 3<sup>rd</sup>    **LL(S):** 119  
**Ward:** 6    **Council Member:** Taff Wren

**The Future Development Map designates adjacent properties as:** either Neighborhood Living or Suburban Living. Both are residential designations.

**The Future Land Use Map designates adjacent or nearby city properties as:** Low-Medium Density Residential

## **ANALYSIS**

### **City Departments Reviews**

**Electric:** The street is still county, and thus, the City does not provide street lighting in that area.

**Fibercom:** No Comments Received

**Fire:** Takes No Exception.

**Gas:** Takes No Exception.

**Planning and Development:** Takes No Exception.

**Public Works:** I do not oppose this request. However, it should be noted that the property owner will be required by ordinance to pay a stormwater utility fee for this location. It appears that this fee would be \$5.25/month.

**Water and Sewer:** Takes No Exception. Property is already serviced by City water and Sewer.

**Cartersville School District:** No comments received.

**Bartow County:** No objections. Please be advised that the adjacent address at 224 E Felton Road would not be eligible for future annexation as this would close off an unincorporated island.

**Public comments:** None documented as of 3-28-2023.

### **REQUEST SUMMARY:**

Applicant requests to annex 0.46 acres (+/-) located at 226 E. Felton Road (Tax ID 0078B-0006-011). The property that is proposed to be annexed is bordered by a residential zoned property to the east (City R-20) and by County zoned A-1 (Agricultural) on all other sides.

R-20 Residential zoning is requested for the parcel. The existing zoning is County A-1 (Agriculture).

City gas, electric, water, sewer and stormwater utilities are available in the area.



## **STANDARDS FOR EXERCISE OF ZONING POWERS.**

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

**RECOMMENDATION:** Staff does not oppose the annexation or R-20 zoning.



# BARTOW COUNTY

Steve Taylor, Sole Commissioner

March 23, 2023

Mr. David Hardegree  
City of Cartersville  
Planning and Development Department  
2<sup>nd</sup> Floor, City Hall  
10 N. Public Square  
Cartersville, GA 30120

RE: Request by Christopher Huth  
to annex approximately a .46 acre lot  
located at 226 E. Felton Road  
Tax Parcel # 0078B-0006-011

David:

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

Please be advised however that the adjacent address at 224 E. Felton Road would not be eligible for future annexation, as this would close off an unincorporated island. In addition, pursuant to O.C.G.A. §36-36-7, there may exist county water and/or sewer lines within the area proposed to be annexed.

Sincerely,

**STEVE TAYLOR**  
Bartow County Commissioner

CB/kg

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

## Sec. 6.1. R-20 Single-family dwelling district.

6.1.1. *R-20 district scope and intent.* Regulations set forth in this section are the R-20 district regulations. The R-20 district encompasses lands devoted to low density residential areas and closely related uses as further described in section 3.1.2 of this chapter.

6.1.2. *Use regulations.* Within the R-20 district, land and structures shall be used in accordance with standards herein. Any use not specifically designated as permitted shall be prohibited.

A. *Permitted uses.* Structures and land may be used for only the following purposes:

- Accessory buildings or uses.
- Accessory apartments (SU).\*
- Amateur radio transmitter.
- Amenities (as defined by this chapter).
- Bed and breakfast inn (SU).\*
- Clubs or lodges (noncommercial) (SU).\*
- College and universities.
- Day care facilities (SU).\*
- Family day care.
- Golf courses.
- Group homes (SU).\*
- Guest house.
- Home occupations.
- Parks, private.
- Personal care homes (SU).\*
- Places of assembly (SU).\*
- Public utility facilities.
- Religious institutions (SU).\*
- Schools, private (SU).\*
- Single-family detached dwellings.

\* Special use approval required.

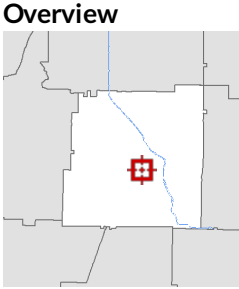
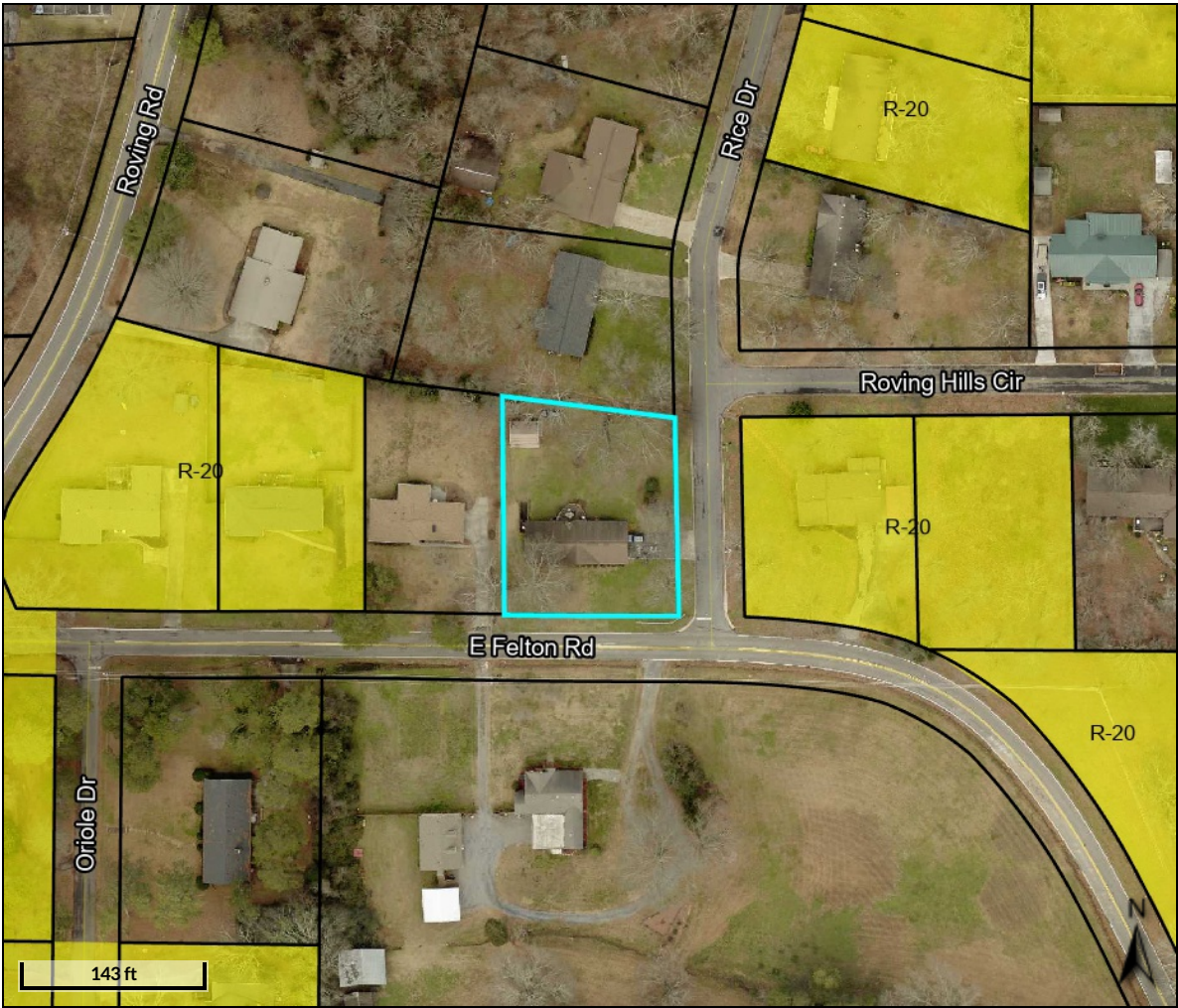
6.1.3. *Development standards.*

- A. *Height regulations.* Buildings shall not exceed a height of thirty-five (35) feet or two and one-half (2½) stories, whichever is higher.
- B. *Front yard setback:* Twenty (20) feet.
- C. *Side yard setback:* Ten (10) feet.
- D. *Rear yard setback:* Twenty (20) feet.
- E. *Minimum lot area:* Twenty thousand (20,000) square feet.

- F. *Minimum lot width at the building line on noncul-de-sac lots:* One hundred (100) feet.
- G. *Minimum lot frontage:* Thirty-five (35) feet adjoining a street.
- H. *Minimum heated floor area:* One thousand three hundred (1,300) square feet.
- I. *Metal building exterior finish materials.* A metal panel exterior finish product shall not be allowed on metal buildings exceeding one hundred fifty (150) square feet in gross floor area constructed or placed on lots within the R-20 district.
- J. *Accessory use, building, and structure requirements.* [See section 4.9 of this chapter.]
- K. *Optional density bonus.* Proposed developments may contain lots with minimum areas of seventeen thousand (17,000) square feet if one (1) of the following items is met:
1. Submittal of an affidavit certifying that all units will meet certification standards of the EarthCraft House certification program or will be LEED certified homes.
  2. Submittal of an affidavit certifying that all units will be clad with exterior finishes of brick, stone, or hard-coat stucco on sixty-seven (67) percent or more of wall surfaces and one hundred (100) percent architectural roofing shingles.
  3. A donation of land to the City of Cartersville for one (1) of the following: community greenway facility including surface trails if directly accessible from the development, or a neighborhood park with public access. In either case, the minimum total area to be donated shall be ten (10) percent of the total acreage of the property. All legally necessary documents, including, but not limited to, a property deed to convey land to the City of Cartersville, shall be completed at time of approval of any final plats.
- [L. *Reserved.*]
- M. *Guest house.* In addition to standards required in this chapter, the following standards shall be met for a guest house:
1. No more than one (1) guest house structure per lot.
  2. A minimum lot size of fifteen thousand (15,000) square feet shall be required.
  3. A guest house shall be occupied by relatives, employees that work on the property, or guests only.
  4. Heated floor area shall not exceed fifty (50) percent of the heated floor area of the principal building.
  5. A guest house structure shall comply with the principal setbacks of the district.
  6. A guest house shall not be allowed in the front yard.
  7. A guest house shall not exceed the height of the principal building on the lot.
  8. Requires owner-occupancy of the principal building on the lot.

6.1.4. *Other regulations.* The headings below contains additional, but not necessarily all, provisions applicable to uses allowed in the R-20 district.

- City of Cartersville Landscaping Ordinance.
- City of Cartersville Sign Ordinance.



- 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

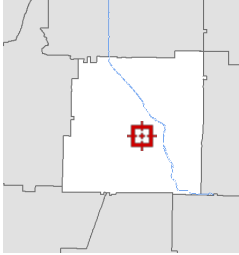
Parcel ID 0078B-0006-011  
 Sec/Twp/Rng n/a

Alternate ID 19617  
 Class Residential

Owner Address HUTH CHRISTOPHER ALLEN  
 HUTH BRITTA LANE



Overview











Legend

- Parcels
- Roads
- Bartow County Zoning**
- A-1
- A1 (wC)
- A1CU
- BPD
- BPD (wC)
- C-1
- C1 (wC)
- C1CU
- CN
- CN (wC)
- CNCU
- I-1
- I-2
- I1 (wC)
- I1CU
- I2 (wC)
- I2CU
- Incorporated
- M-1
- M1 (wC)
- M1CU
- O/I
- OI (wC)
- OICU
- PUD
- PUD (wC)
- PUDCU
- R-1
- R-2
- R-3
- R-4
- R-7
- R-8
- R-8 w/c
- B1 (w/c)

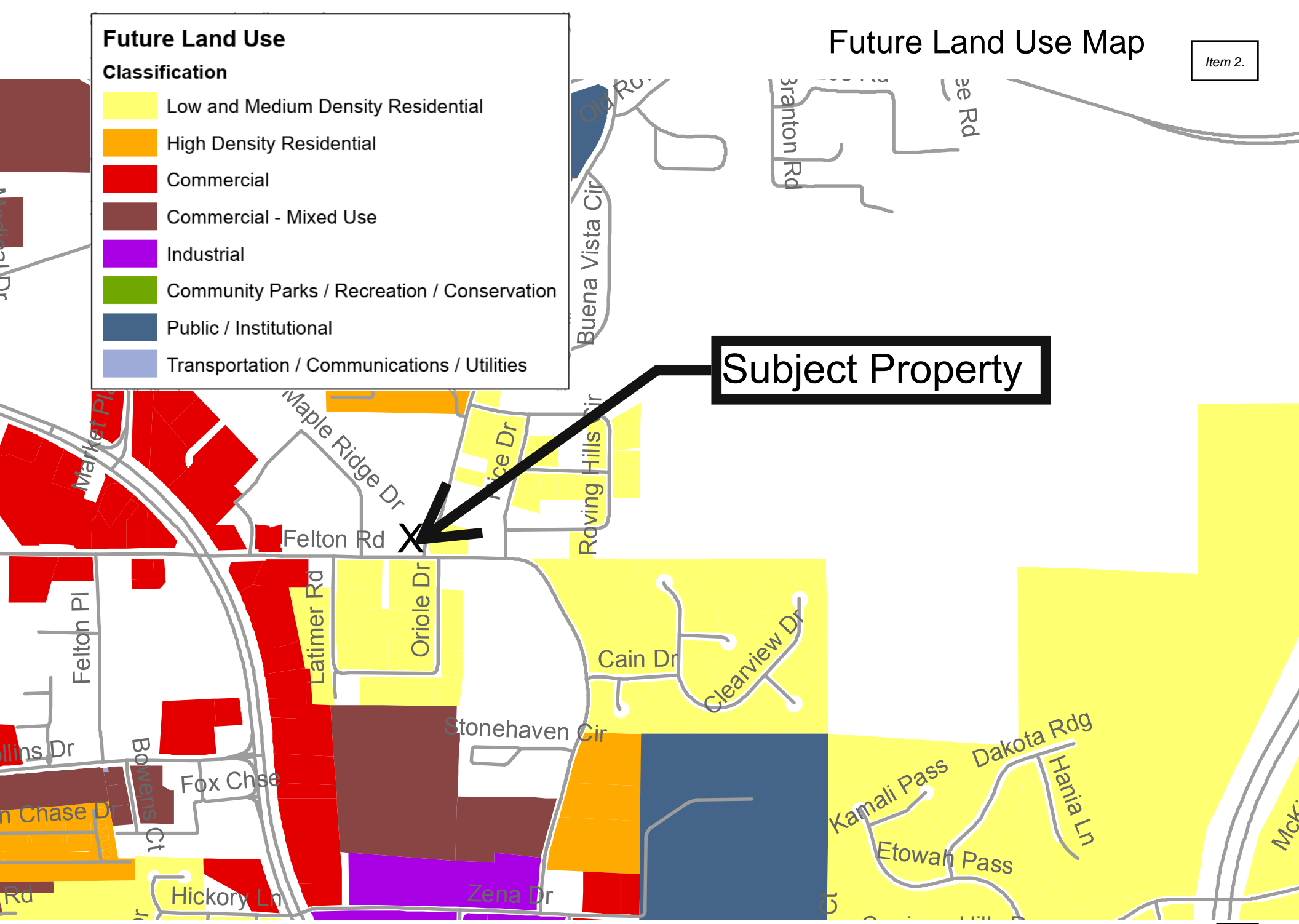
# Future Land Use Map

Item 2.

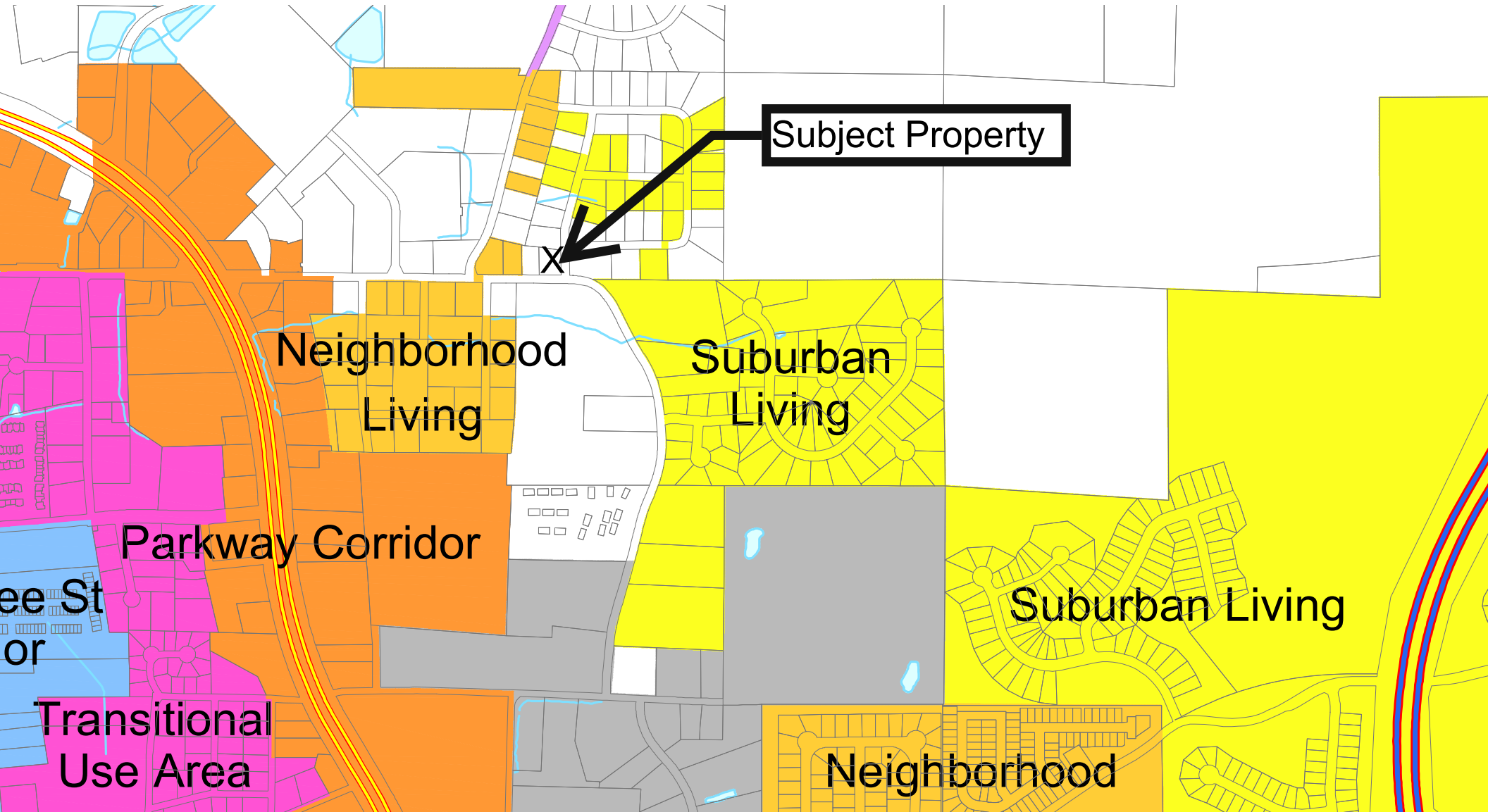
**Future Land Use Classification**

-  Low and Medium Density Residential
-  High Density Residential
-  Commercial
-  Commercial - Mixed Use
-  Industrial
-  Community Parks / Recreation / Conservation
-  Public / Institutional
-  Transportation / Communications / Utilities

**Subject Property**








**Application for Annexation/ Zoning**  
**City of Cartersville**

Case Number: A223-01  
Date Received: 2-16-2023

**Public Hearing Dates:**

Planning Commission 4-11-2023 5:30pm 1<sup>st</sup> City Council 4-20-2023 7:00pm 2<sup>nd</sup> City Council 5-4-2023 7:00pm

Applicant Christopher Huth Office Phone \_\_\_\_\_  
(printed name)  
 Address 226 E. Felton Rd Mobile/ Other Phone 678-918-6119  
 City Cartersville State GA Zip 30121 Email brittamae515@gmail.com  
 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: \_\_\_\_\_  
S. Fincher  1/23/23  
 Notary Public

\* Titleholder Christopher Huth Phone 678-918-6119  
(titleholder's printed name)  
 Address 226 E. Felton Rd Email brittamae515@gmail.com  
 Signature \_\_\_\_\_  
 Signed, sealed, delivered in presence of: \_\_\_\_\_ My commission expires: \_\_\_\_\_  
S. Fincher  1/23/23  
 Notary Public

Present Zoning District A1 Requested Zoning R-20  
 Acreage 0.46 Land Lot(s) 1119 District(s) 4 Section(s) 3  
 Location of Property: 226 E. Felton Rd Parcel ID No. \_\_\_\_\_  
(street address, nearest intersections, etc.)  
 Reason for Rezoning Request: Rezone for Cartersville City schools  
 \_\_\_\_\_  
(attach additional statement as necessary)

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

### Zoning Analysis for Annexation/ Zoning

#### Specifics of Proposed Use

Case Number: \_\_\_\_\_

Tax Map Parcel(s) # 0078B - 0006 - 01 Voting Ward(s) 6

Current Land Use \_\_\_\_\_ Current Zoning A-1

Proposed Land Use \_\_\_\_\_ Proposed Zoning R-20

Number of Dwelling Units 1 Number of Occupants 3

Owner Occupied? Yes  No \_\_\_\_\_

Number of School-aged Children 1 Grade Level(s) of School-aged Children 6<sup>th</sup>

School(s) to be attended: Cartersville City Schools

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

**Water:**  City \_\_\_\_\_ County \_\_\_\_\_ Well/ Other \_\_\_\_\_

**Sewer:** \_\_\_\_\_ City \_\_\_\_\_ County  Septic/ Other \_\_\_\_\_

**Natural Gas:**  City \_\_\_\_\_ Other (List) \_\_\_\_\_

**Electricity:** \_\_\_\_\_ City  GA Power \_\_\_\_\_ Greystone \_\_\_\_\_

\_\_\_\_\_ Other (List) \_\_\_\_\_

**CAMPAIGN DISCLOSURE REPORT**  
**FOR ZONING ACTIONS**

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

Date of Application: \_\_\_\_\_

Date Two Years Prior to Application: \_\_\_\_\_

Date Five Years Prior to Application: \_\_\_\_\_

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	_____	_____
Council Member:		
Ward 1- Kari Hodge	_____	_____
Ward 2- Jayce Stepp	_____	_____
Ward 3- Cary Roth	_____	_____
Ward 4- Calvin Cooley	_____	_____
Ward 5- Gary Fox	_____	_____
Ward 6- Taff Wren	_____	_____
Planning Commission		
Lamar Pendley, Chair	_____	_____
Anissa Cooley	_____	_____
Fritz Dent	_____	_____
Greg Culverhouse	_____	_____
Jeffery Ross	_____	_____
Stephen Smith	_____	_____
Travis Popham	_____	_____

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

\_\_\_\_\_

\_\_\_\_\_  
Signature    Date

\_\_\_\_\_  
Print Name

**BK:3501 PG:632-633**

**D2022015526**

FILED IN OFFICE  
CLERK OF COURT  
09/29/2022 11:54 AM  
MELBA SCOGGINS, CLERK  
SUPERIOR COURT  
BARTOW COUNTY, GA

5145157442  
7067927936  
PARTICIPANT ID



Return Recorded Document to:  
Christina R. Jenkins, LLC  
10 South Erwin Street  
Cartersville, GA 30120  
File No: 22920crj

REAL ESTATE  
TRANSFER TAX  
PAID: \$192.00

**PT-61 008-2022-005031**

**JOINT TENANCY WITH SURVIVORSHIP  
WARRANTY DEED**

**STATE OF GEORGIA,**

**COUNTY OF BARTOW**

**This Indenture** made this 29th day of September, 2022, between Lisa M Strain, of the County of Bartow, State of Georgia, as party of the first part, hereinafter called Grantor, and Christopher Allen Huth and Britta Lane Huth, as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH that:** Grantor, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 119 OF THE 4TH DISTRICT AND 3RD SECTION OF BARTOW COUNTY, GEORGIA, AND BEING LOT 13, SECTION C, OF THE WILLIAM H. FELTON SUBDIVISION, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT AN IRON PIN LOCATED AT THE INTERSECTION OF THE WESTERN RIGHT-OF-WAY OF RICE ROAD WITH THE NORTHERN RIGHT-OF-WAY OF FELTON ROAD; THENCE SOUTH 89 DEGREES 1 MINUTES WEST ALONG THE NORTHERN RIGHT-OF-WAY OF FELTON ROAD AND PARALLEL TO THE SOUTHERN LAND LOT LINE OF LAND LOT 119 A DISTANCE OF 130 FEET TO THE SOUTHEASTERN CORNER OF SUBDIVISION LOT 12; THENCE NORTH 0 DEGREES 59 MINUTES WEST ALONG SAID SUBDIVISION LOT 12 A DISTANCE OF 165.9 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTH 83 DEGREES 59 MINUTES EAST 130.98 FEET TO THE WESTERN RIGHT-OF-WAY OF SAID RICE ROAD; THENCE SOUTH 0 DEGREES 59 MINUTES EAST 150 FEET ALONG THE WESTERN RIGHT-OF-WAY OF RICE ROAD TO AN IRON PIN AND THE POINT OF BEGINNING.**

**A PLAT OF SAID SUBDIVISION BEING RECORDED IN PLAT BOOK 5, PAGE 53, OF THE BARTOW COUNTY, GEORGIA, RECORDS, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE DEFINITE AND COMPLETE DESCRIPTION OF THE HEREIN PROPERTY.**

**BK:3501 PG:633**

\*\*\*THE INTEREST OF Dean McMillan HAVING BEEN TRANSFERRED BY OPERATION OF LAW UPON THE PASSING OF Dean McMillan ON 9-29-22 DATE, AS EVIDENCED BY THE ATTACHED DEATH CERTIFICATE ATTACHED HERETO AS EXHIBIT "\_\_\_".

**TO HAVE AND TO HOLD** the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

**THIS CONVEYANCE** is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

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

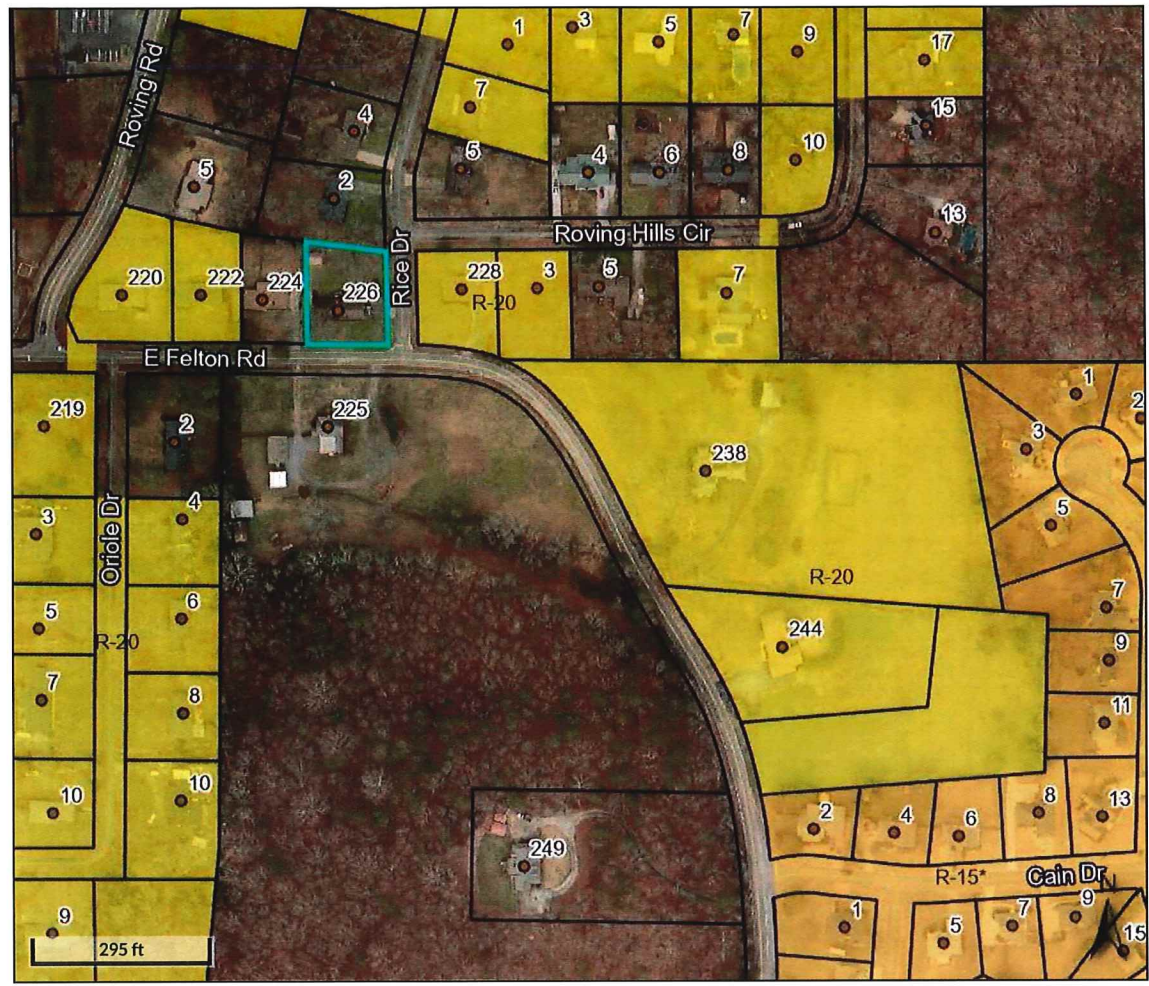
**IN WITNESS WHEREOF**, the Grantor has hereto set grantor's hand and seal this day and year first above written.

Lisa M. Strain (Seal)  
Lisa M Strain

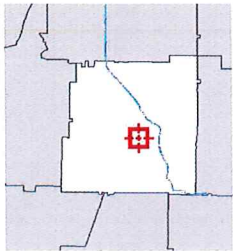
Signed, sealed and delivered in the presence of

Kept 10/2  
Unofficial Witness  
Deej  
Notary Public





Overview



**Legend**

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

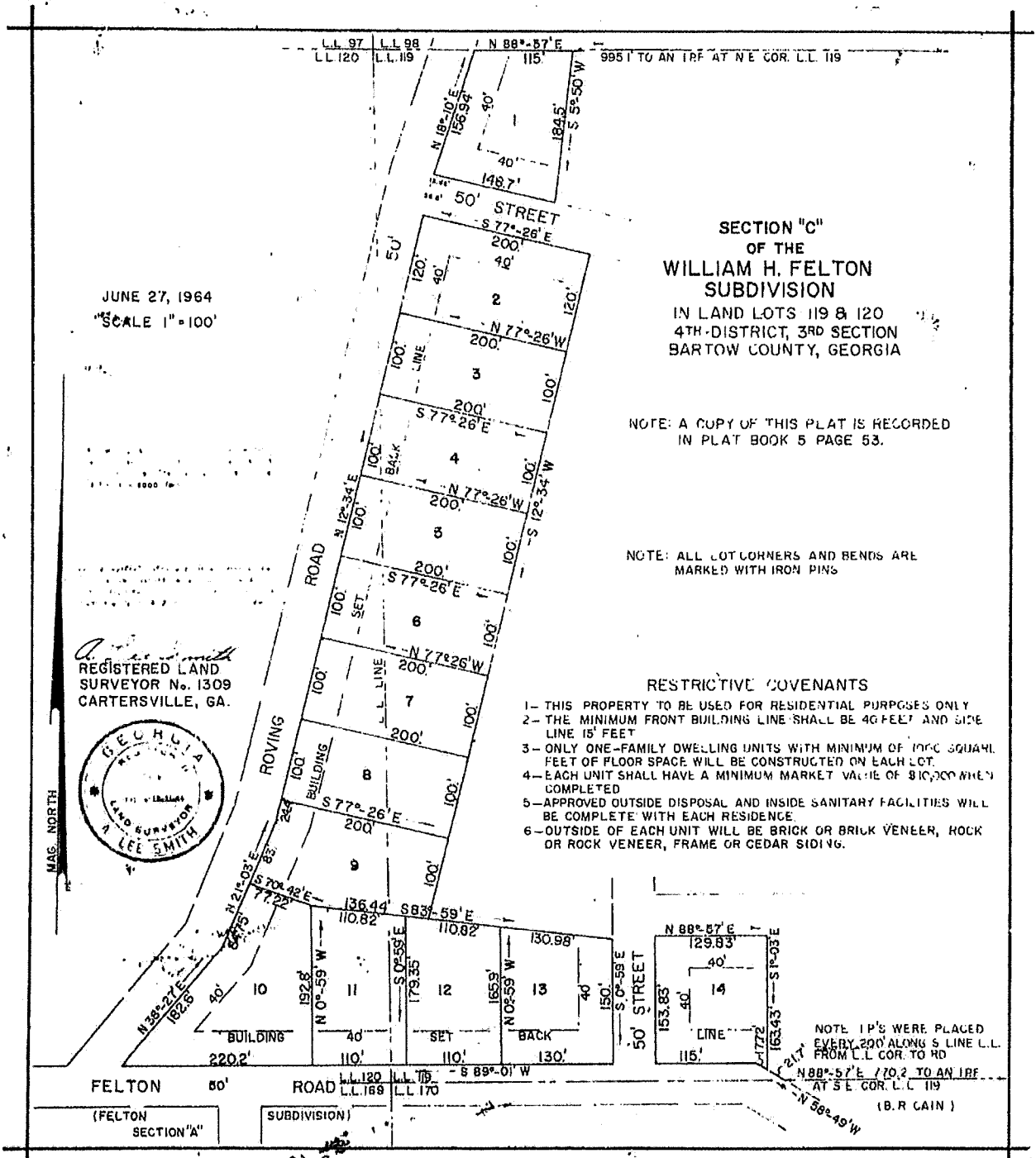
Parcel ID 0078B-0006-011 Alternate ID 19617  
 Sec/Twp/Rng n/a Class Residential  
 Property Address 226 W FELTON RD Acreage 0.46

Owner Address HUTH CHRISTOPHER ALLEN  
 HUTH BRITTA LANE  
 226 W FELTON RD  
 CARTERSVILLE, GA 30120

District Bartow County  
 Brief Tax Description LL 119 D 4 LL 13 WILLIAM  
 (Note: Not to be used on legal documents)







JUNE 27, 1964  
SCALE 1" = 100'

**SECTION "C"**  
**OF THE**  
**WILLIAM H. FELTON**  
**SUBDIVISION**  
IN LAND LOTS 119 & 120  
4TH DISTRICT, 3RD SECTION  
BARTOW COUNTY, GEORGIA

NOTE: A COPY OF THIS PLAT IS RECORDED  
IN PLAT BOOK 5 PAGE 53.

NOTE: ALL LOT CORNERS AND BENDS ARE  
MARKED WITH IRON PINS

*Lee Smith*  
REGISTERED LAND  
SURVEYOR No. 1309  
CARTERSVILLE, GA.



**RESTRICTIVE COVENANTS**

- 1- THIS PROPERTY TO BE USED FOR RESIDENTIAL PURPOSES ONLY
- 2- THE MINIMUM FRONT BUILDING LINE SHALL BE 40 FEET AND SIDE LINE 15 FEET
- 3- ONLY ONE-FAMILY DWELLING UNITS WITH MINIMUM OF 1000 SQUARE FEET OF FLOOR SPACE WILL BE CONSTRUCTED ON EACH LOT.
- 4- EACH UNIT SHALL HAVE A MINIMUM MARKET VALUE OF \$10,000 WHEN COMPLETED
- 5- APPROVED OUTSIDE DISPOSAL AND INSIDE SANITARY FACILITIES WILL BE COMPLETE WITH EACH RESIDENCE
- 6- OUTSIDE OF EACH UNIT WILL BE BRICK OR BRICK VENEER, ROCK OR ROCK VENEER, FRAME OR CEDAR SIDING.

NOTE: IRONS WERE PLACED  
EVERY 200' ALONG S. LINE L.L.  
FROM L.L. COR. TO RD

RECORDED July 5, 1964 - W. H. B. [Signature]





## PLANNING COMMISSION ITEM SUMMARY

<b>MEETING DATE:</b>	April 11th, 2023
<b>SUBCATEGORY:</b>	Special Use Permit
<b>DEPARTMENT NAME:</b>	Planning and Development
<b>AGENDA ITEM TITLE:</b>	SU23-01. 401 & 403 N. Tennessee St.    Applicant: Duncan Auto Sales, Inc.
<b>DEPARTMENT SUMMARY RECOMMENDATION:</b>	<p>Applicant requests the continuation of a non-confirming use. The applicant is the owner of a used car business (401) and wishes to expand the business onto the adjacent property (403). The expansion will include additional parking and use of a private garage for repairing cars to be sold at the 401 N. Tennessee St. location.</p> <p>Staff is not opposed to the request.</p>
<b>LEGAL:</b>	N/A

**SPECIAL USE APPLICATION SYNOPSIS**

Petition Number(s): **SU23-01**

**APPLICANT INFORMATION AND PROPERTY DESCRIPTION**

Applicant: **Duncan Auto Sales**

Representative: **Robert Walker, Esq.**

Property Owner: **Sherrie Cline**

Property Location: **Tax ID C004-0001-012**

Access to the Property: **From Tennessee St.**

**Site Characteristics:**

Tract Size: **0.14 +/- ac.** District: **4<sup>th</sup>** Section: **3<sup>rd</sup>** LL(S): **384**

Ward:**4** Council Member: **Calvin Cooley**

**LAND USE INFORMATION**

Current Zoning: **M-U (Multiple Use District)**

Proposed Zoning: **No change**

Proposed Use: **Auto Sales/Private Garage**

Current Zoning of Adjacent Property:

North: **M-U (Multiple Use District)**

South: **M-U (Multiple Use District)**

East: **M-U (Multiple Use District)**

West: **M-U (Multiple Use District)**

The Future Development Map designates the subject property as: **Tennessee St. Corridor**

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

## **2. City Department Comments:**

**Electric:** Takes no exception.

**Fibercom:** No comment received.

**Fire:** Cartersville Fire takes no exceptions to the special use request at 403 N. Tenn. St. provided that all city adopted codes and ordinances are followed.

**Gas:** Takes no exception.

**Public Works:** No comment received.

**Water and Sewer:** Project will not affect water or sewer service.

## **3. Public Comments:**

No comments as of 3-30-2023

## **4. Special Use Review**

Duncan Auto Sales operates an automotive sales business at 401 N. Tennessee St., zoned Multiple-Use (M-U). Property is identified as Tax ID C004-0001-013. Total property area is approximately 0.14 acres. Automotive sales lot are not allowed on Tennessee St; however, this business is considered a non-conforming use that has been at this location for many years. This special use permit request is for the expansion of a non-conforming use.

Duncan Auto Sales wishes to expand their business to the adjacent property at 403 N. Tennessee St. This parcel is also zoned Multiple-Use (M-U), identified as Tax ID C0004-0001-012. This lot would contain vehicle overflow parking and a private garage for the business. The applicant is not proposing to sell vehicles from this lot.

The 403 N. Tennessee St. lot has been used as a specialty automotive shop or for warehousing for many years. The garage is a 3-bay garage that fronts N. Tennessee St. with a parking area between the building and N. Tennessee St.

In 2018, per SU18-06, the applicant received a special use permit to allow the expansion of a non-conforming use onto the adjacent, eastern property at 306 Johnson St., a 0.12ac. lot (5,227 sf). A house was demolished and the 306 lot was subdivided to accommodate this expansion. The special use permit was approved by City Council on 12/6/18 with a favorable recommendation from the Planning Commission.

Of note, at the planning commission meeting, the owner of 403 N. Tennessee St., Cliff Cline, expressed concerns about stormwater runoff from adjacent properties citing existing drainage issues on his property.

In addition to SU18-06, a similar special use permit was approved for the expansion of a used car lot for 414 N. Tennessee St onto lot 416/ 420 N. Tennessee St. Applicant was Randy Wimpy. The special use permit was approved by City Council on 9/5/13 with a favorable recommendation from the Planning Commission.

## **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 Tennessee St. is anticipated.

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

**How Standard #2 has / will be met:** No parking plan has been included with the application. No off-street parking is proposed for customers per the application. The parking area is to be used to park, repair and service vehicles to be sold by Duncan Auto Sales. The parking area likely cannot hold more than 10-12 automobiles based on the approx. 45ft x 70ft dimensions. The applicant responded to this standard with 5-10 automobiles maximum on this site.

***Standard #3: Protective screening.***

**How Standard #3 has / will be met:** Not required since redevelopment of the site is not proposed. No residential land uses are adjacent site, currently.



**Standard #4: Hours and manner of operation:**

**How Standard #4 has / will be met:** Information provided by applicant for this standard shows hours of operation will be M-F, 9:30-5:30. Saturday and Sunday will be by appointment only. If the garage is to service only automobiles for Duncan Auto Sales, why are weekend appointments an option?

**Standard #5: Outdoor lighting**

**How Standard #5 has / will be met:** It is presumed that existing street lights or building lights are the primary light sources. Applicant states that there are lights on the building.

**Standard #6: Ingress and egress to the property.**

**How Standard #6 has / will be met:** Access is provided off of Tennessee St.

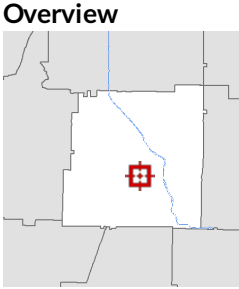
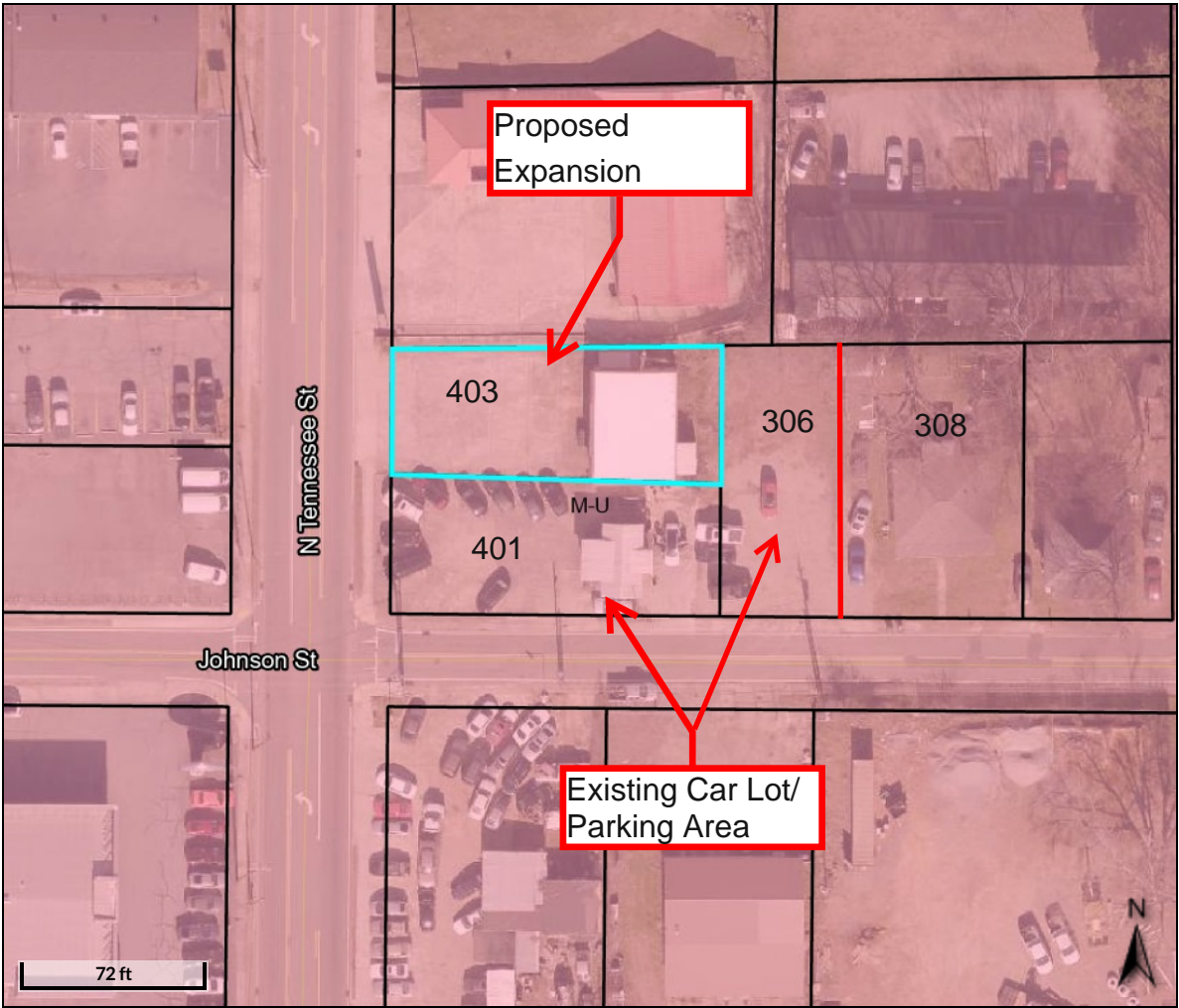
**Standard #7: Compatibility with surrounding land use.**

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

**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.



- 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 C004-0001-012  
 Sec/Twp/Rng n/a

Alternate ID 32600  
 Class Commercial

Owner Address CLINE SHERRIE C  
 142 OLD RUDY YORK RD



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

December 6<sup>th</sup>, 2018

J.C. Waters  
P.O. Box 1672  
Cartersville, GA 30120

**RE: SU18-06:** 306 Johnson Street Special Use Permit Approval Letter

Mr. Waters,

This letter serves as verification of the outcome of your Special-Use Permit application, SU18-06, to the City Council to:

*Extend a nonconforming use (car lot) onto Johnson Street*

The application was **APPROVED** by City Council on December 6<sup>th</sup>, 2018:

No further action is required regarding this Special Use application.

The next steps in the project approval process require building and site plans to be reviewed and approved by the City of Cartersville. Connor Hooper, 770-607-3947 and [chooper@cityofcartersville.org](mailto:chooper@cityofcartersville.org), will be the point of contact for the site plan approval process. David Dye, Building Official, will be the point of contact for the building plan review.

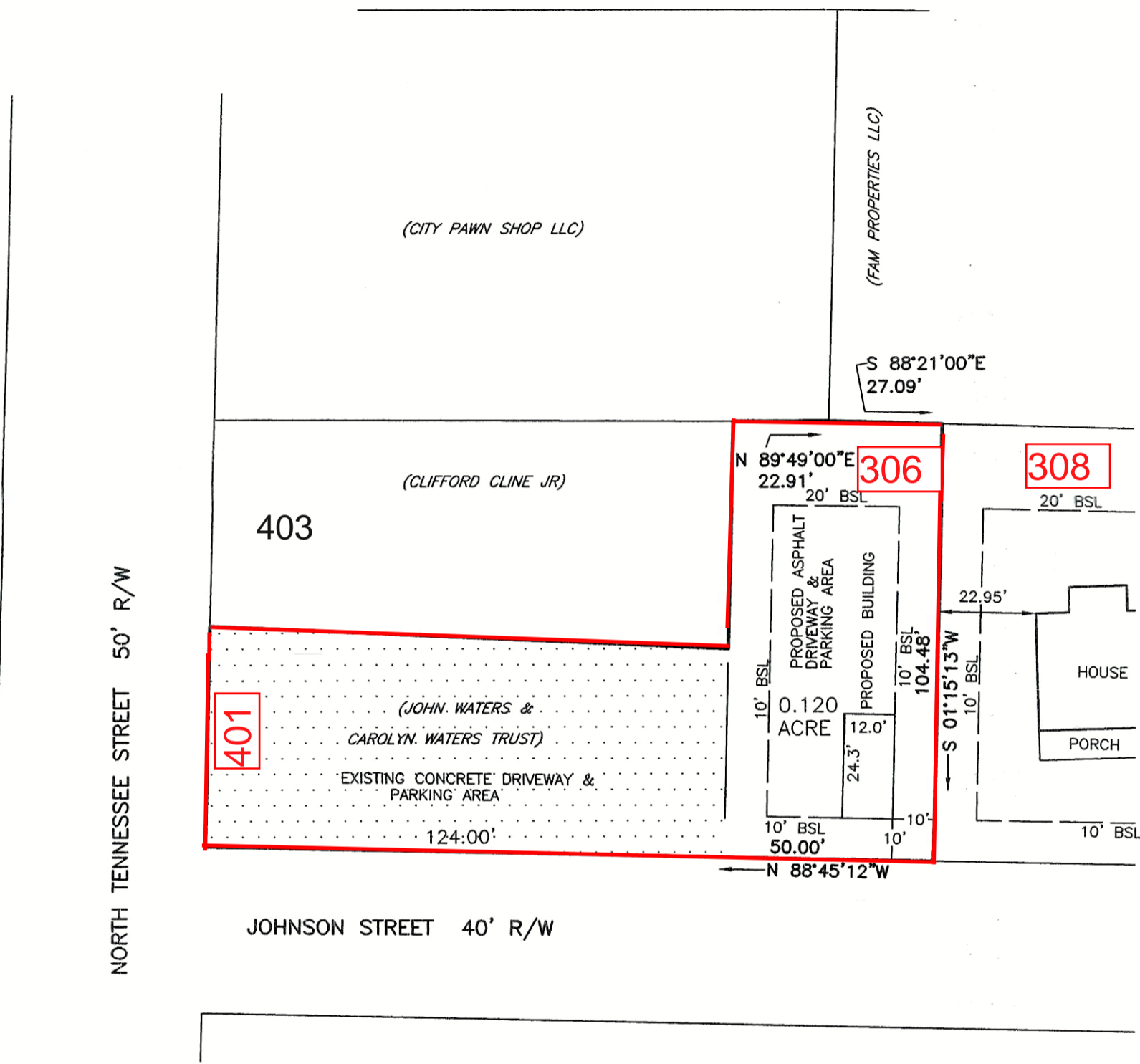
Please contact me with any questions.

Sincerely,

David Hardegree, AICP  
City Planner  
O. 770-387-5614  
[dhardegree@cityofcartersville.org](mailto:dhardegree@cityofcartersville.org)

**ZONING NOTE**

THIS PROPERTY IS ZONED "M-U"  
 MULTIPLE USE DISTRICT  
 SET BACKS ARE AS FOLLOWS  
 FRONT 10 FEET  
 SIDE 10 FEET  
 REAR 20 FEET



SURVEY FOR  
 PROPOSED SITE LAYOUT FOR  
**JOHN WATERS &  
 CAROLYN WATERS**  
 PROPERTY IN THE CITY OF CARTERSVILLE  
 IN LAND LOT 384  
 4th DISTRICT, 3rd SECTION  
 BARTOW COUNTY, GEORGIA

FIELD TRAVERSE:  
 CLOSURE; ONE FOOT IN 20,000 FEET  
 USING A LIETZ SET 3.  
 ANGULAR ERROR; 0'00'06" PER ANGLE  
 POINT USING A LIETZ SET 3.  
 ADJUSTED; USING THE COMPASS RULE.

1025.CRD 1025-6.DWG  
 FLOOD INSURANCE RATE MAP 13015C0266 G  
 DATED SEPT.28, 2007 SHOWS THIS PROPERTY  
 IS NOT IN THE 100 YEAR FLOOD ZONE.

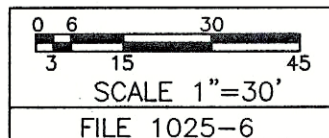
NOTE: IRON PINS ARE (1/2"RE-BAR)  
 EXCEPT AS SHOWN.

SMITH & SMITH LAND SURVEYORS, P.C.  
 LAND SURVEYOR FIRM No. LSF1000133  
 2 SOUTH AVENUE, CARTERSVILLE, GA. 30120  
 PHONE 770-382-0457  
 REGISTERED LAND SURVEYOR No. 1803



PLAT CLOSURE;  
 ONE FOOT IN  
 288,000 FEET.  
 SEPTEMBER 28, 2018

R/W — RIGHT OF WAY	R — RADIUS LP — LIGHT POLE
IPP — IRON PIN PLACED	-X-X- FENCE
IPF — IRON PIN FOUND	— LAND LOT LINE
CM — CONCRETE MARKER	⊙ — CENTER LINE
CH — CHORD	— POWER LINE
L OR A — LENGTH OF CURVE	PP — POWER POLE



MAG. NORTH



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

September 18, 2013

Randy Wimpy  
414 N. Tennessee St  
Cartersville, GA 30120

Dear Mr. Wimpy,

This letter serves as verification of the outcome of your special use application to the City Council regarding property at 416 and 420 N. Tennessee Street in Cartersville, Georgia. The result was the following:

**File #SU13-04:** Special Use application by Randy Wimpy for property located at 416 and 420 N. Tennessee Street (approximately 0.38 acres) to allow expansion of the adjacent existing auto lot onto this property in the M-U zoning district.

**APPROVED**

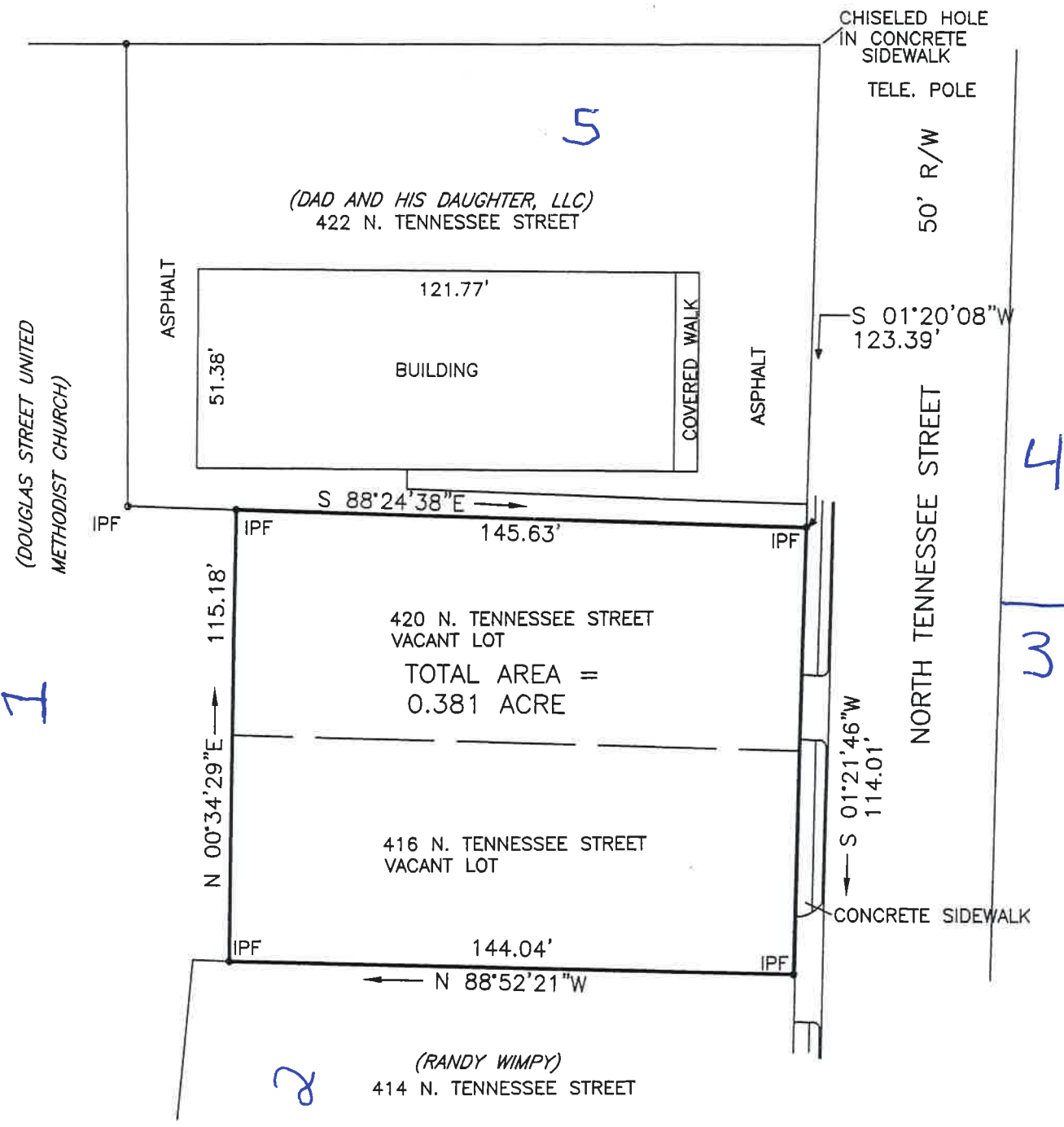
Thank you for your time, and let me know if you have any questions.

Sincerely,

Richard Osborne, AICP  
City Planner

SURVEY FOR  
**DAD AND HIS DAUGHTER, LLC**  
 PROPERTY IN THE CITY OF CARTERSVILLE,  
 IN LAND LOT 383, 4th DISTRICT,  
 3rd SECTION, BARTOW COUNTY, GEORGIA

MARTIN LUTHER KING, JR. DRIVE      35' R/W



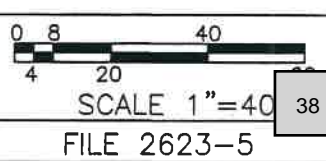
FIELD TRAVERSE:  
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 USING A LIETZ SET 3.  
 ANGULAR ERROR; 0°00'06" PER ANGLE  
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 ADJUSTED; USING THE COMPASS RULE.

2623-1.CRD 2623-5.DWG  
 FLOOD INSURANCE RATE MAP 13015C0266 G  
 DATED SEPT. 28, 2007 SHOWS THIS PROPERTY  
 IS NOT IN THE 100 YEAR FLOOD ZONE.

NOTE: IRON PINS ARE (1/2" RE-BAR)  
 EXCEPT AS SHOWN.

SMITH & SMITH LAND SURVEYORS, P.C.  
 2 SOUTH AVENUE, CARTERSVILLE, GA. 30120  
 PHONE 770-382-0457  
 REGISTERED LAND SURVEYOR No. 1803

PLAT CLOSURE;  
 ONE FOOT IN  
 50,000 FEET.  
 MAY 30, 2013



R/W — RIGHT OF WAY	R — RADIUS LP — LIGHT POLE
IPP — IRON PIN PLACED	-X-X- FENCE
IPF — IRON PIN FOUND	— LAND LOT LINE
CM — CONCRETE MARKER	⊙ — CENTER LINE
CH. — CHORD	— POWER LINE
L OR A — LENGTH OF CURVE	PP — POWER POLE

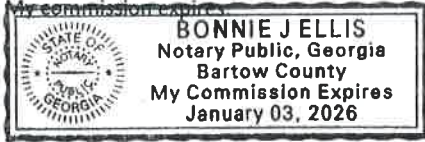
MAG. NORTH

Application for Special Use  
City of Cartersville

Case Number: 5023-01  
Date Received: 2-16-2023

Public Hearing Dates:

Planning Commission 4-11-2023 5:30pm 1<sup>st</sup> City Council 4-20-2023 7:00pm 2<sup>nd</sup> City Council 5-4-2023 7:00pm

Applicant Duncan Auto Sales, Inc. (printed name) Office Phone (770) 334-8026  
 Address 401 N. Tennessee St. Mobile/ Other Phone \_\_\_\_\_  
 City Cartersville State GA Zip 30120 Email duncanautosalesteam@gmail.com  
 Representative's printed name (if other than applicant) Robert L. Walker, Esq. Phone (Rep) (770) 387-1373  
 Representative Signature [Signature] Email (Rep) rwalker@jbwpc.com  
 Applicant Signature \_\_\_\_\_  
 Signed, sealed and delivered in presence of:  
[Signature] Notary Public 

\* Titleholder Sherric C. Cline (titleholder's printed name) Phone \_\_\_\_\_  
 Address 142 Old Rudy York Rd. Email \_\_\_\_\_  
 Signature [Signature]  
 Signed, sealed, delivered in presence of:  
[Signature] Notary Public 

Present Zoning District M-4 Parcel ID No. \_\_\_\_\_  
 Acreage .14 Land Lot(s) 384 District(s) 4 Section(s) 3  
 Location of Property: 403 N. Tennessee Street, Cartersville, GA 30120  
 (street address, nearest intersections, etc.)  
 Reason for Special Use Request: Applicant desires to use the property to park, repair and service vehicles to be sold by Duncan Auto Sales, Inc.  
 (attach additional statement as necessary)

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

# SPECIAL USE JUSTIFICATION

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

Zoning Ordinance section 16.3.A

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

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

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

**Use applied for:**

Parking, Repairing and Servicing vehicles to be sold by Durcan Auto Sales, Inc.

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

**How Standard #1 has / will be met:**

Traffic flow will not be adversely effected as virtually all operations involving ingress/egress by the public will remain at adjacent property at 401 N. Tennessee St.

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

**How Standard #2 has / will be met:**

There is adequate parking for 5 to 10 vehicles between the building located on the property and N. Tennessee St.

**Standard #3:** Protective screening.

**How Standard #3 has / will be met:**

There is no protective screening on the property. However, the building located on the property has 2 service bays with doors that would allow for vehicles to be pulled in and hidden from view while repairs are being performed.



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

How Standard #4 has / will be met:

The manner of operation is the parking, repairing and servicing of vehicles to be sold by Doreen Auto Sales, Inc. Hours are M-F, 9:30 am to 5:30 pm, and Saturdays and Sundays by appointment only.

Standard #5: Outdoor lighting.

How Standard #5 has / will be met:

The only outdoor lighting is located on the exterior of the building.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met:

There is adequate ingress/egress from N. Tennessee St. Additionally, much of the time the property will be accessed internally from the adjacent property at 401 N. Tennessee St.

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met:

The use is compatible with surrounding land uses. In fact, there are identical, larger establishments in the immediate vicinity being used in the same fashion.

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

Not applicable

Signed,

Robert L. Ward  
Applicant or Representative

Feb. 16, 2023  
Date

**CAMPAIGN DISCLOSURE REPORT**  
**FOR ZONING ACTIONS**

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

Date of Application: Feb. 16, 2023

Date Two Years Prior to Application: Feb. 16, 2021

Date Five Years Prior to Application: Feb. 16, 2018

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

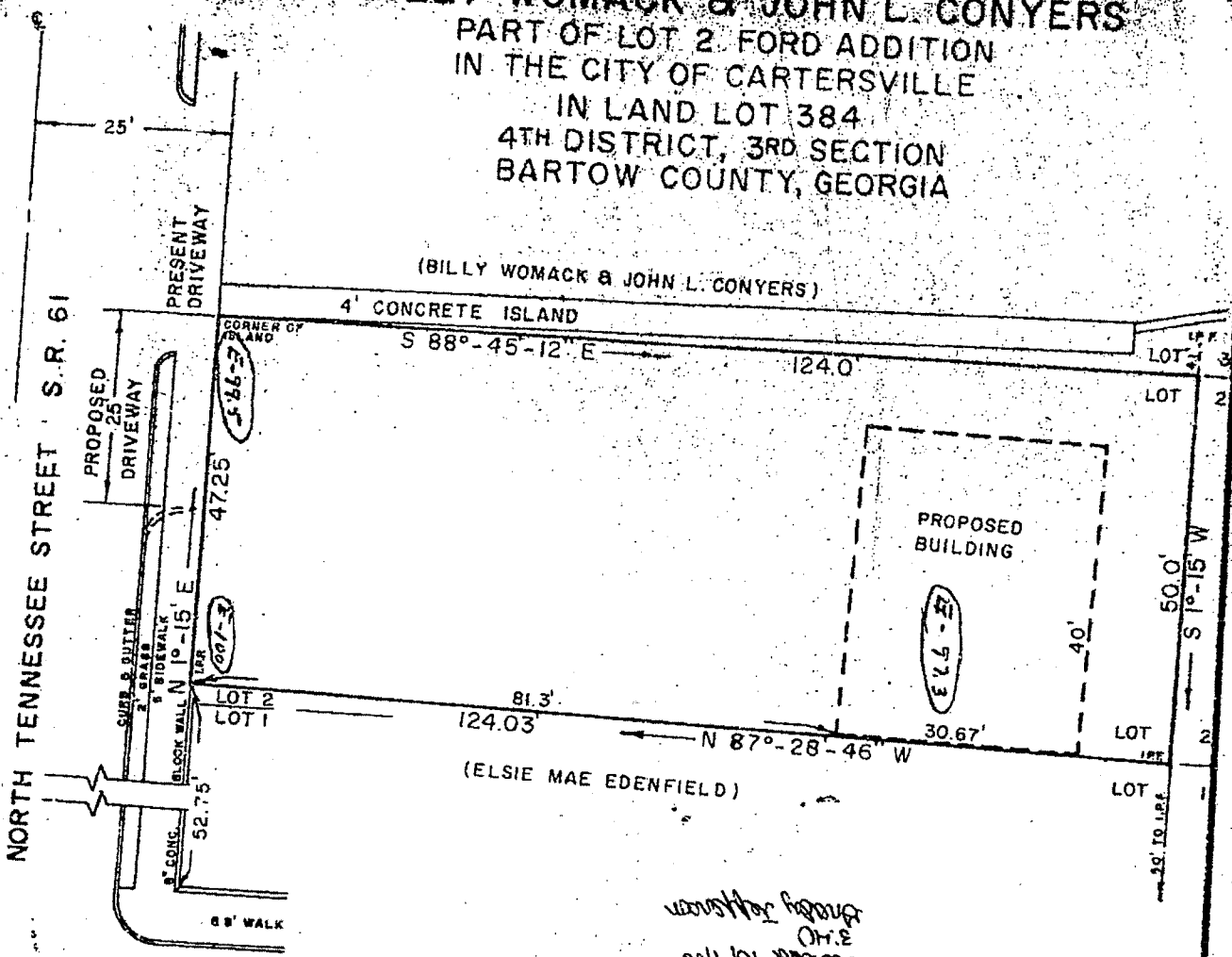
	YES	NO
Mayor: Matt Santini	<u>          </u>	<u>  Ø  </u>
Council Member:		
Ward 1- Kari Hodge	<u>          </u>	<u>  Ø  </u>
Ward 2- Jayce Stepp	<u>          </u>	<u>  Ø  </u>
Ward 3- Cary Roth	<u>          </u>	<u>  Ø  </u>
Ward 4- Calvin Cooley	<u>          </u>	<u>  Ø  </u>
Ward 5- Gary Fox	<u> 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

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.

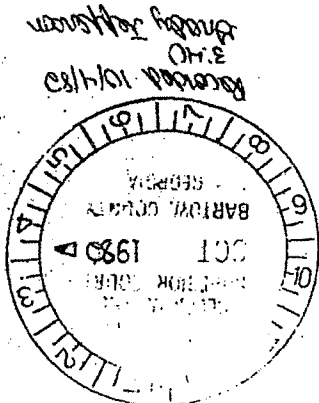

2/16/23  
 \_\_\_\_\_  
 Signature Date

\_\_\_\_\_  
 Robert L. Walker  
 Print Name

SURVEYED FOR  
**BILLY WOMACK & JOHN L. CONYERS**  
 PART OF LOT 2, FORD ADDITION  
 IN THE CITY OF CARTERSVILLE  
 IN LAND LOT 384  
 4TH DISTRICT, 3RD SECTION  
 BARTOW COUNTY, GEORGIA



JOHNSON ST.



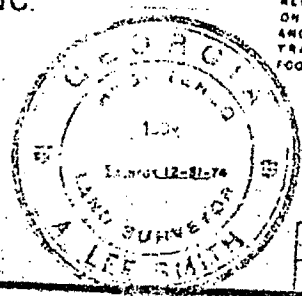
**SMITH & SMITH LAND SURVEYORS, INC.**  
 CARTERSVILLE, GEORGIA

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

*A. Lee Smith*

REGISTERED LAND SURVEYOR No. 1309

ALL BEARINGS ARE COMPUTED FROM ONE MAGNETIC BEARING AND THE ANGLES OF THE TRAVERSE. THE TRAVERSE HAS A CLOSURE OF 1 FOOT IN 10,000 FEET.

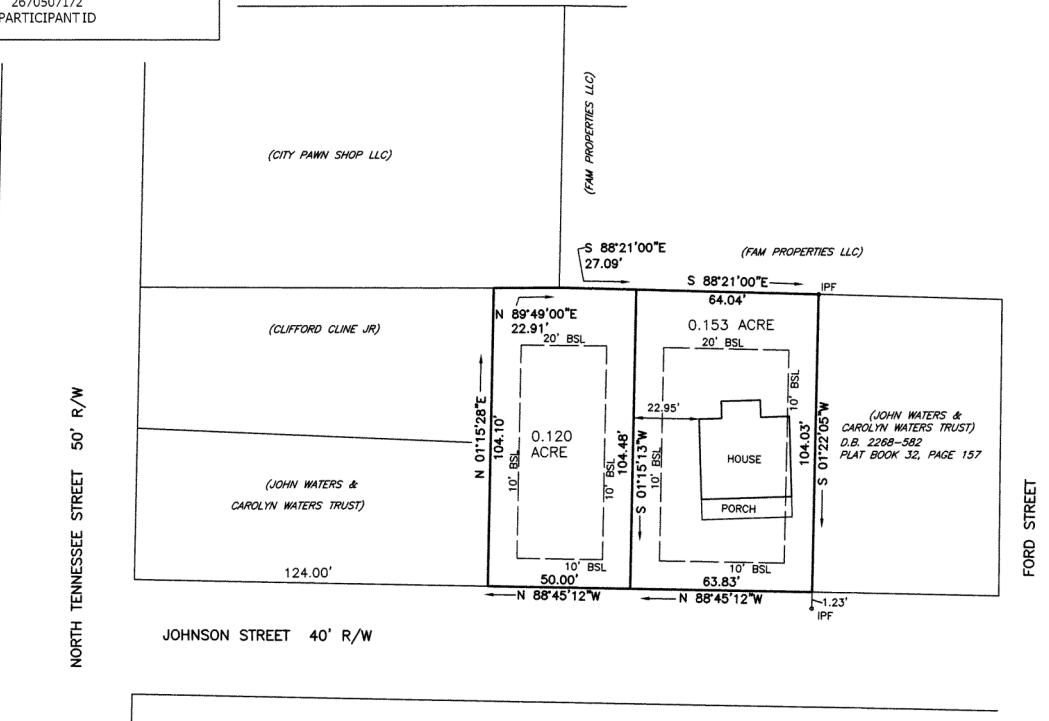


AUGUST 14, 1974

SCALE 1" = 20'  
 FILE 1035

MAG. NORTH

SPACE FOR CLERK OF SUPERIOR COURT  
**BK:2018 PG:254-254**  
**P2018000250**  
 FILED IN OFFICE  
 CLERK OF COURT  
 08/23/2018 06:55 AM  
 MELBA SCOGGINS, CLERK  
 SUPERIOR COURT  
 BARTOW COUNTY, GA  
*Melba Scoggins*  
 2670507172  
 PARTICIPANT ID



**OWNER'S CERTIFICATE**  
 The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state, city and county taxes or other assessments now due on this land have been paid, that all streets, water systems, drains and drainage easements, and public places shown are dedicated to the use of the public forever.  
*John C. Waters* 08-15-2018  
 Owner Date

**SURVEYOR'S CERTIFICATE**  
 It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all monuments shown hereon actually exist and their location, size, type and material are correctly shown, and that all requirements of the development and zoning regulations have been fully complied with.  
*William C. Smith* AUGUST 13, 2018  
 Surveyor Date

**CITY OF CARTERSVILLE CERTIFICATE:**  
 In accordance to the City of Cartersville Development Regulations and the City's Zoning Ordinance, all requirements of approval having been fulfilled, this plat was given final approval by the following City personnel on behalf of the City of Cartersville:  
 1. *D. H. Hahn* 8-13-18  
 Zoning Administrator Date  
*W. C. Smith* 8-22-18  
 Water Superintendent Date  
 City Engineer Date?

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. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENT BODIES BY ANY PURCHASER OR USER APPROVAL IS OF THIS PLAT AS TO INTENDED USE OF THE PARCEL.

SPACE FOR GOVERNMENT BODY APPROVAL

SURVEY FOR  
 PROPOSED LOT SPLIT FOR  
**JOHN WATERS &  
 CAROLYN WATERS**  
 PROPERTY IN THE CITY OF CARTERSVILLE  
 IN LAND LOT 384  
 4th DISTRICT, 3rd SECTION  
 BARTOW COUNTY, GEORGIA

**FIELD TRAVERSE:**  
 CLOSURE: ONE FOOT IN 20,000 FEET  
 USING A LIETZ SET 3.  
 ANGULAR ERROR: 0'00'06" PER ANGLE  
 POINT USING A LIETZ SET 3.  
 ADJUSTED; USING THE COMPASS RULE.

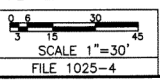
**ZONING NOTE**  
 THIS PROPERTY IS ZONED "M-U"  
 MULTIPLE USE DISTRICT  
 SET BACKS ARE AS FOLLOWS  
 FRONT 10 FEET  
 SIDE 10 FEET  
 REAR 20 FEET

1025.CRD 1025-4.DWG  
 FLOOD INSURANCE RATE MAP 13015C0266 G  
 DATED SEPT.28, 2007 SHOWS THIS PROPERTY  
 IS NOT IN THE 100 YEAR FLOOD ZONE.  
 NOTE: IRON PINS ARE (1/2"RE-BAR)  
 EXCEPT AS SHOWN.

SMITH & SMITH LAND SURVEYORS, P.C.  
 LAND SURVEYOR FIRM No. LSF1000133  
 2 SOUTH AVENUE, CARTERSVILLE, GA. 30120  
 PHONE 770-382-0457  
 REGISTERED LAND SURVEYOR No. 1803



PLAT CLOSURE;  
 ONE FOOT IN  
 288,000 FEET.  
 JULY 20, 2018  
 REVISED 08-13-2018



R/W — RIGHT OF WAY  
 I/P — IRON PIN PLACED  
 I/PF — IRON PIN FOUND  
 CM — CONCRETE MARKER  
 CH — CHORD  
 L OR A — LENGTH OF CURVE  
 R — RADIUS LP — LIGHT POLE  
 — X — FENCE  
 — — LAND LOT LINE  
 — — CENTER LINE  
 — W — POWER LINE  
 PP — POWER POLE

FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.  
 TO BE PROPERLY  
*William C. Smith* DATE: 8-13-2018  
 WILLIAM C SMITH, GEORGIA REGISTERED LAND SURVEYOR No. 1803  
 DATE OF LAST FIELD SURVEY WORK: 8-11-2018







306 Johnson St



306 Johnson St



401 N. Tennessee St



401 N. Tennessee St



403 N. Tennessee St