

## ***SPECIAL USE APPLICATION SYNOPSIS***

Petition Number(s): **SU21-02**

### ***APPLICANT INFORMATION AND PROPERTY DESCRIPTION***

Applicant: **Kevin Donovan Paulk**  
Representative: **Boyd Morris**  
Property Owner: **Kevin Donovan Paulk**  
Property Location: **215 West Ave C016-0006-007**  
Access to the Property: **West Ave**

#### ***Site Characteristics:***

Tract Size: Acres: **0.64** District: **4<sup>th</sup>** Section: **3rd** LL: 527

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

### **1. LAND USE INFORMATION**

Current Zoning: **R7: Residential**

Proposed Zoning: **R7: Residential**

Proposed Use: **Residential**

Current Zoning of Adjacent Property:

North: **R7: Residential**

South: **R7: Residential**

East: **R7: Residential**

West: **R7: Residential**

The Future Development Map designates the subject property as: **Historic Neighborhood-Olde Town**

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

## 2. 2. City Department Comments:

**Electric:** We have no comments if they plan to reuse an existing power feed from the main house, or install a new feed from the house. If they desire a separate electric service, and there is no way to run an overhead service (or they don't want an underground service), then they will have to install a minimum 2.5" electrical conduit to a new pole near the street. The addition must have conditioned space for a separate service. There is also a \$500 fee for new underground services up to 200 amps. If the service is longer than 100-feet, there is a \$5/ft fee for wire length over 100-feet.

**Fibercom:** Takes no exception.

**Fire:** Takes no exception.

**Gas:** Takes no exception.

**Public Works:** Takes no exception.

**Water and Sewer:** Takes no exception.

## 3. Public Comments:

No public comments received by Planning and Development as of 3.1.21.

## 4. 4. Special Use Review

The applicant wishes to remodel an existing garage to be an accessory apartment. The applicant intends to live in the accessory apartment until the remodeling is complete for the primary structure, which is his house. This project will also be reviewed by the Historic Preservation Commission on March 16th. The garage is 40 x 24, and was built in 1985. The interior remodel of the garage will include 1 bedroom, 1 living space/office, 1 kitchen and 1 bathroom. The exterior scope will be to remove 1 garage door, and add 1 single residential door, and 3 windows. The single residential door, and 3 widows will be added to the front of the garage. Siding will be added to match existing.

## 5. 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).*

## 6. 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.

**7. 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 impact.

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

**How Standard #2 has / will be met:** No impact. Parking is existing.

**Standard #3:** Protective screening.

**How Standard #3 has / will be met:** Vegetation is already in place at the rear between the garage and the apartments.

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

**How Standard #4 has / will be met:** Does not apply. This is a residence.

**Standard #5:** Outdoor lighting

**How Standard #5 has / will be met:** Standard residential lighting.

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

**How Standard #6 has / will be met:** Existing shared driveway.

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

**How Standard #7 has / will be met:** All surrounding land uses are residential.

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

Sec. 16.4.3 Accessory Apartments:

A. Allowable districts: R-20, R-15, R-10, R-7, P-D, P-S, and M-U.

**B. Standards:**

**1. No more than one (1) accessory apartment per lot shall be allowed.**

\* This is the first accessory apartment.

**2. A minimum lot size of ten thousand (10,000) square feet shall be required.**

\* Current lot size is more than 26,000sf.

**3. An accessory apartment shall not exceed six hundred fifty (650) square feet in gross floor area.**

\* The accessory apartment will be approx. 600sf. (24ft x 25ft).

**4. Kitchen facilities shall be allowed.**

\* Included with plans.

**5. The detached garage structure accommodating such apartment shall not exceed the height of the principal building on the lot.**

\* Existing garage does not exceed height of house.

**6. The detached garage structure accommodating such apartment shall meet the principal setbacks of the district.**

\* The garage met the setback requirements at the time it was constructed in 1985.

**7. All parking areas shall be surfaced with an all-weather surface material.**

\* The existing driveway is asphalt.

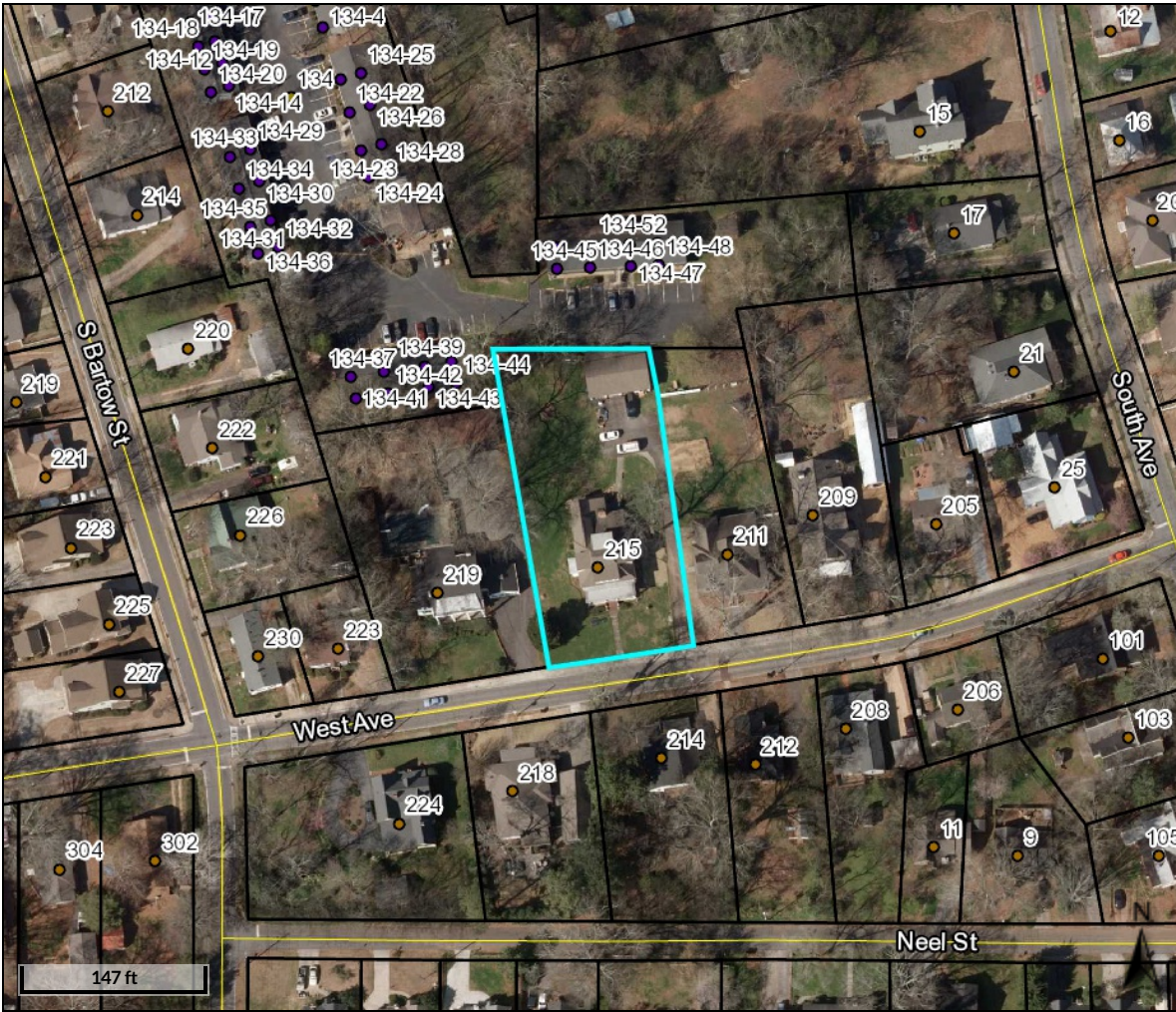
**8. Requires owner-occupancy of the principal building on the lot.**

\* The owner will live in the house once the house renovations are complete.

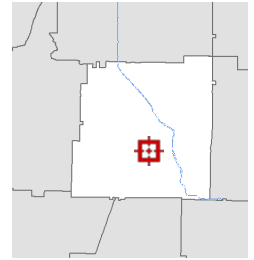
**8. Staff Recommendation:** No objection to special use request. HPC approval will be required. Building and Subcontractor permits will also be required.

**9. Planning Commission Recommendation:**

Recommends Approval, 4-0.



Overview



Legend

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

Parcel ID	C016-0006-007	Alternate ID	33993	Owner Address	PAULK KEVIN
Sec/Twp/Rng	n/a	Class	Residential		215 WEST AVE
Property Address	215 WEST AVE	Acreeage	0.64		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL 527 DIST 4				

(Note: Not to be used on legal documents)

Date created: 3/2/2021  
 Last Data Uploaded: 3/1/2021 10:35:15 PM

Developed by Schneider  
 GEOSPATIAL




**Application for Special Use**  
City of Cartersville

Case Number: SU21-02  
Date Received: 2/2/2021

Public Hearing Dates:  
Planning Commission 3/9/21 5:30pm 1<sup>st</sup> City Council 3/19/21 7:00pm 2<sup>nd</sup> City Council 4/1/21 7:00pm

Applicant Kevin Donovan Paulk Office Phone \_\_\_\_\_  
(printed name)  
Address 215 West Avenue Mobile/ Other Phone 503 396 2775  
City Cartersville State GA Zip 30120 Email coachkpaulk@gmail.com  
BOYD MORRIS Phone (Rep) 770 815 3865  
Representative's printed name (if other than applicant) Email (Rep) boyd@copemorris.com  
Representative Signature \_\_\_\_\_ Applicant Signature [Signature]  
Signed, sealed and delivered in presence of: My commission expires: \_\_\_\_\_  
[Signature] Notary Public



\* Titleholder Kevin Paulk Phone 503-396-2775  
(titleholder's printed name)  
Address 215 West Ave Email Coachpaulk@gmail.com  
Signature \_\_\_\_\_  
Signed, sealed, delivered in presence of: My commission expires: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

Present Zoning District R-7  
Acreage .636 Land Lot(s) 526 527 District(s) 4th Section(s) 3rd  
Location of Property: 215 West Avenue  
(street address, nearest intersections, etc.)  
Reason for Special Use Request: Finish out Garage, Add (1) Bath & Office  
\_\_\_\_\_  
(attach additional statement as necessary)

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

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

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

	<u>NAME</u>	<u>ADDRESS</u>
1.	Annette A. Cook	211 West Ave
2.	Mathew L. & Amber Kennison	219 West Ave
3.	RDMF Management LLC	134 Leake St.
4.	Elise Morrow	214 West Ave
5.	David Holt	218 West Ave
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Attach additional names if necessary.

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



**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: 2/2/2021

Date Two Years Prior to Application: 2/2/2019

Date Five Years Prior to Application: 2/2/2016

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	_____	_____ <input checked="" type="checkbox"/>
Council Member:		
Ward 1- Kari Hodge	_____	_____ <input checked="" type="checkbox"/>
Ward 2- Jayce Stepp	_____	_____ <input checked="" type="checkbox"/>
Ward 3- Cary Roth	_____	_____ <input checked="" type="checkbox"/>
Ward 4- Calvin Cooley	_____	_____ <input checked="" type="checkbox"/>
Ward 5- Gary Fox	_____	_____ <input checked="" type="checkbox"/>
Ward 6- Taff Wren	_____	_____ <input checked="" type="checkbox"/>
Planning Commission		
Greg Culverhouse	_____	_____ <input checked="" type="checkbox"/>
Harrison Dean	_____	_____ <input checked="" type="checkbox"/>
Lamar Pendley	_____	_____ <input checked="" type="checkbox"/>
Lamar Pinson	_____	_____ <input checked="" type="checkbox"/>
Travis Popham	_____	_____ <input checked="" type="checkbox"/>
Jeffery Ross	_____	_____ <input checked="" type="checkbox"/>
Stephen Smith	_____	_____ <input checked="" type="checkbox"/>

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

# 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:**

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

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

No Impact

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

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

No Impact, Parking is existing

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**Standard #3:** Protective screening.

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

This is @ Rear of the Property. Vegetation exists on Rear of Property Between Garage + Apartments

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

How Standard #4 has / will be met:

No special Request. This is a residential application

Standard #5: Outdoor lighting.

How Standard #5 has / will be met:

Standard Residential lighting

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met:

Existing

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met:

Not requesting a different land use

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

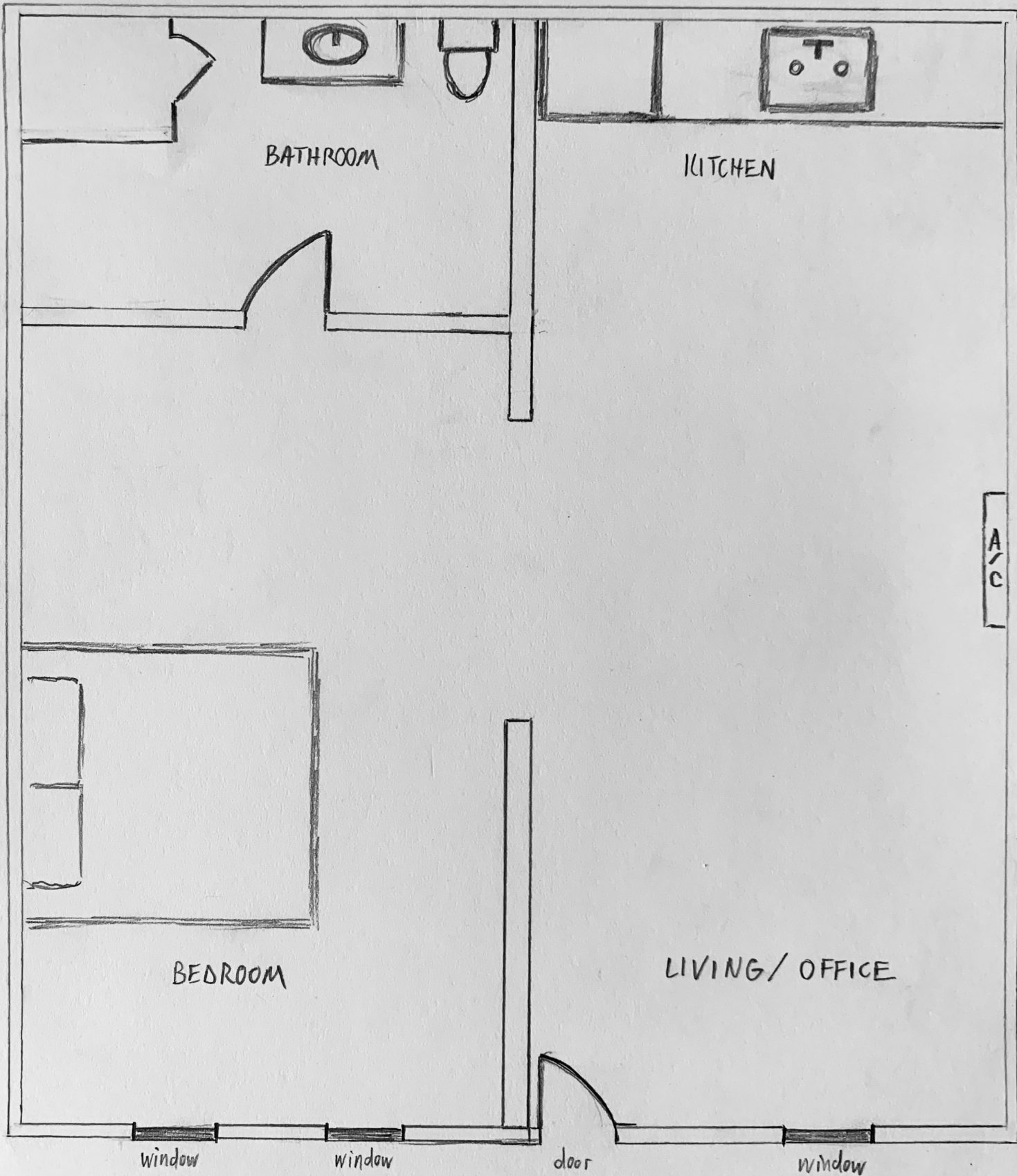
Signed, [Signature]  
\_\_\_\_\_  
Applicant or Representative

2/2/2021  
\_\_\_\_\_  
Date





25



BATHROOM

KITCHEN

BEDROOM

LIVING/OFFICE

window

window

door

window

A/C

24



