

SPECIAL USE APPLICATION SYNOPSIS

Petition Number(s): **SU22-02**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Andrew Schultz**
Representative: **Same**
Property Owner: **Timm Development**
Property Location: **40 Curtis Ct. (C046-0001-029)**
Access to the Property: **Curtis Ct**

Site Characteristics:

Tract Size: Acres: **1.02** District: **4th** Section: **3rd** LL(S): **660**
Ward: **2** Council Member: **Jayce Stepp**

1. LAND USE INFORMATION

Current Zoning: **H-I (Heavy Industrial)**
Proposed Zoning: **H-I w/ SU**
Proposed Use: **Cheerleading/gymnastics facilities and indoor athletic training facilities**

Current Zoning of Adjacent Property:
North: **H-I (Heavy Industrial)**
South: **H-I (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. Not in service area.

Fibercom: Cartersville FiberCom has no comment regarding the Special Use Permit request for 40 Curtis Court.

Fire: CFD takes no exceptions to the special use request for 40 Curtis Ct. to allow a gymnastics gym provided all city adopted codes and ordinances are met.

Gas: Takes no exception.

Public Works: No comments received.

Water and Sewer: This property is located in the Bartow County Water Department's water service area. Sewer service is provided by septic tank.

3. Public Comments: No comments received by Planning and Development as of 6-30-22

4. Special Use Review

The applicant wishes to operate a gymnastics and indoor athletic facility within an existing warehouse building at 40 Curtis Ct. Because of the indoor space requirements, re-use of old industrial/warehouse space can be an ideal conversion for athletic training types of uses that require large, open areas. Similar applications for a pole vault and baseball training facility at 55 Zena Dr, SU 20-03 and SU20-04, were approved 1-7-21. The City allows this use by right in the Light Industrial (L-I) district.

Hours of operation will generally be 4pm-8pm with occasional classes 10am-12pm per the application. Minimal conflicts with hours of operations with adjacent businesses is anticipated.

Parking analysis

Parking will be on site and per shared parking agreements with adjacent businesses. Per off-street parking requirement Sec. 17.6.17 :

Indoor and outdoor recreational areas (commercial) YMCA, and similar uses. One (1) space for each one hundred fifty (150) square feet of gross floor, building, ground area, or combination devoted to such use.

Parking requirements for a warehouse operation are 1 space/ 1000sf. per Sec. 17.6.18. Ten (10) spaces were required. Eleven (11) spaces were provided per the 2016 Phase IIB Timm Development site plans.

Existing warehouse sf= 10,000sf. Parking spaces required by Sec 17.6.17: 1/150sf or 67 spaces. Spaces identified on site:

30 Curtis Ct: 33
 40 Curtis Ct: 11
 44 Curtis Ct: 12
 Total: 57.

Remaining required parking can be at loading dock spaces or along curbs. The applicant notes that twenty-four (24) spaces are available at the 40 Curtis Ct. loading dock.

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 (Staff Comments below).

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 adjoining streets is expected due to hours of operation. Access will be from Curtis Ct.

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

How Standard #2 has / will be met: Off-street parking is provided. Shared parking agreements are needed.

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 applicant has noted they only operate 10am-12pm and 4:00-8:00pm.

Standard #5: Outdoor lighting

How Standard #5 has / will be met: None required.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met: Via Curtis Ct.

Standard #7: Compatibility with surrounding land use.

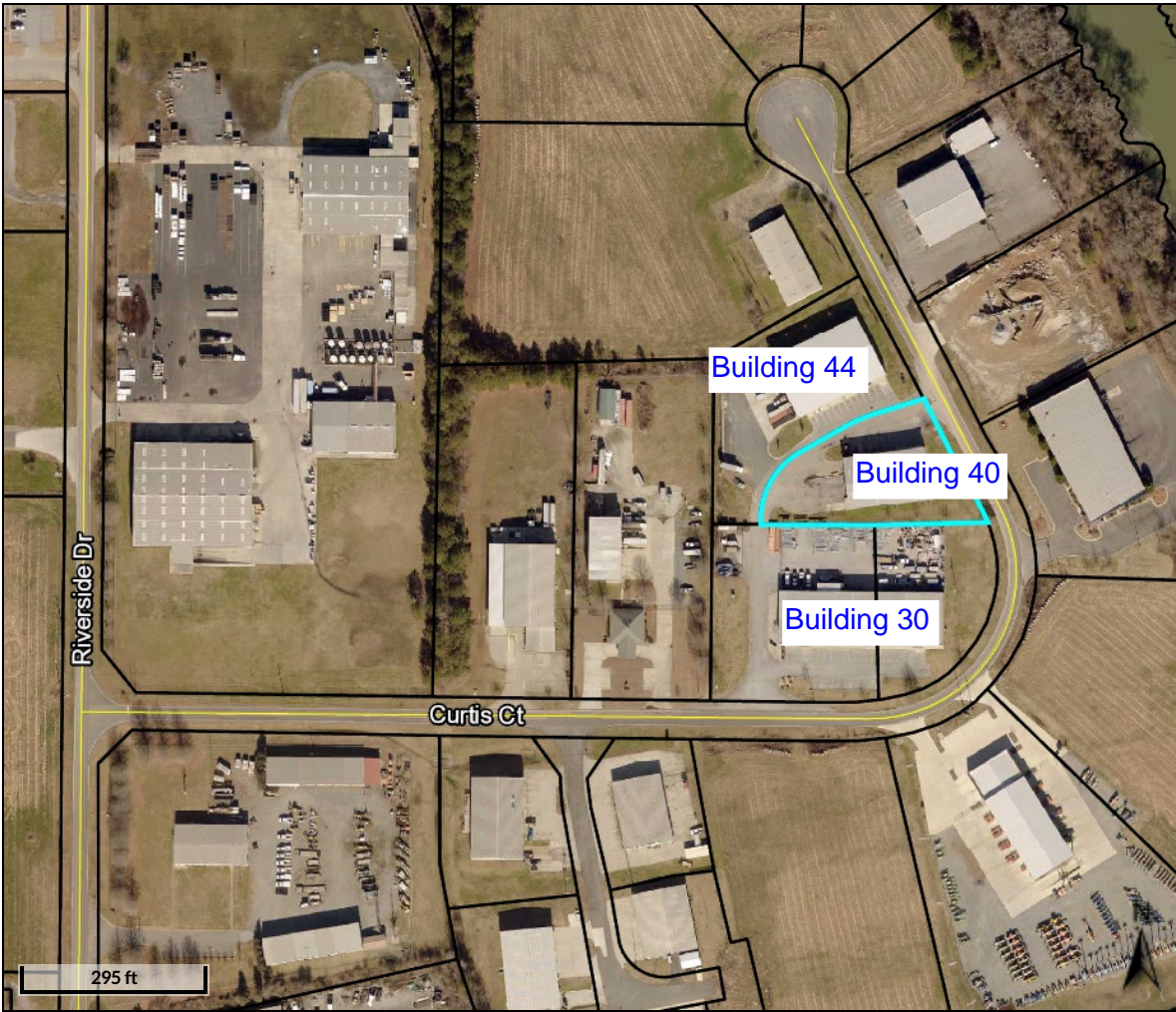
How Standard #7 has / will be met: There is no indication that this will be a shared occupancy scenario within the building footprint unlike the special use cases at 55 Zena Dr. Adjacent uses currently appear to be office and warehouse type operations. Manufacturing operations involving hazardous materials adjacent to the subject property was not identified by the Fire Dept.

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

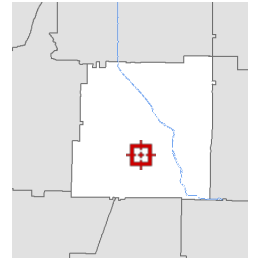
N/A

8. Staff Recommendation: No objection to the special use request. All fire and building code requirements need to be met.

9. Planning Commission Recommendation:



Overview



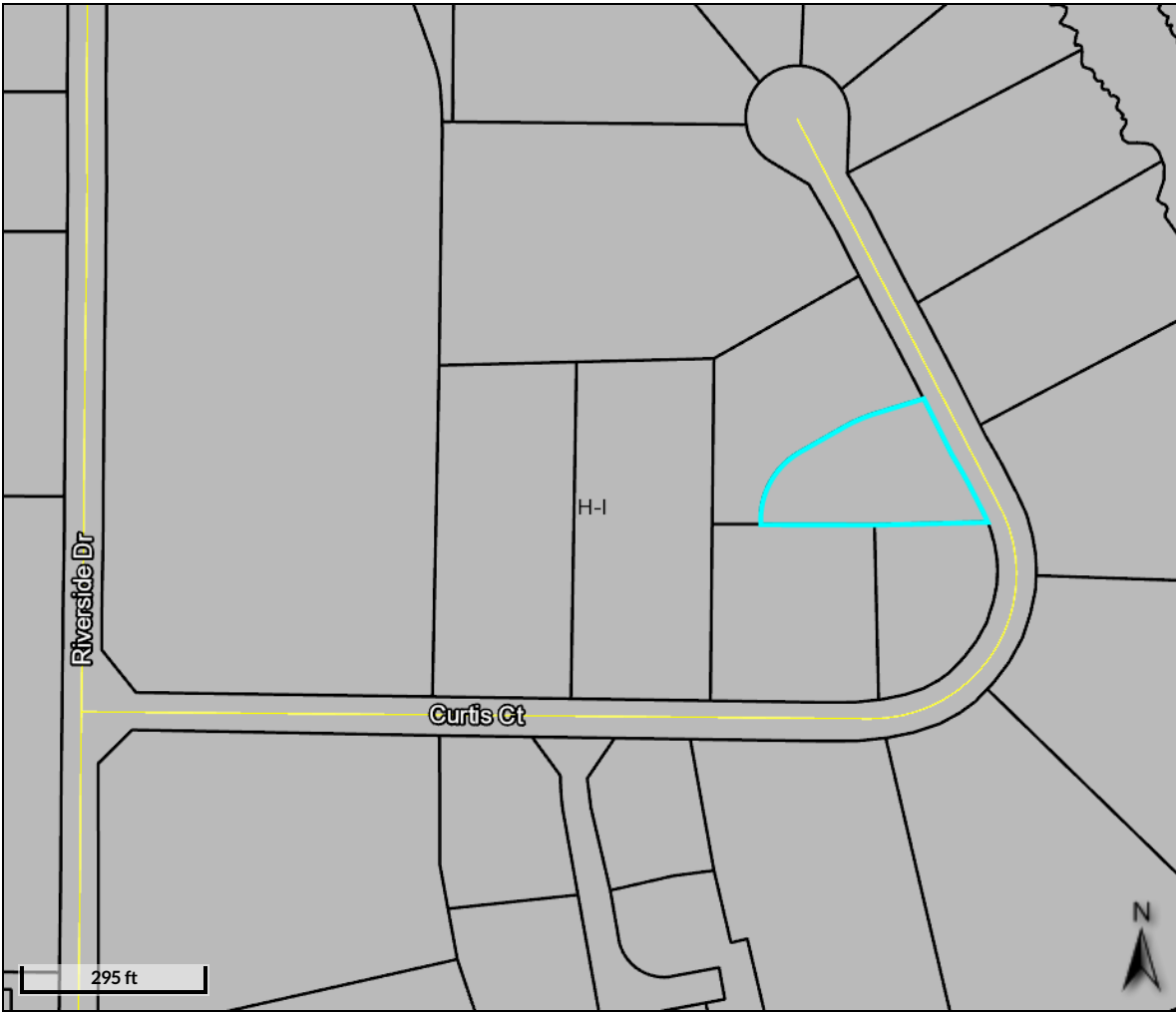
Legend

- Parcels
- Roads

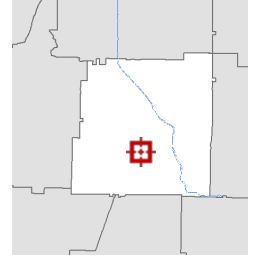
| | | | | | |
|------------------------------|---|---------------------|------------|----------------------|------------------------|
| Parcel ID | C046-0001-029 | Alternate ID | 44344 | Owner Address | TIMM DEVELOPMENT LLC |
| Sec/Twp/Rng | n/a | Class | Industrial | | PO BOX 200455 |
| Property Address | 40 CURTIS CT | Acreage | 1.02 | | CARTERSVILLE, GA 30120 |
| District | Cartersville | | | | |
| Brief Tax Description | LL 660 661 708 709 D 4 TRACT 2 | | | | |
| | (Note: Not to be used on legal documents) | | | | |

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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 C046-0001-029
 Sec/Twp/Rng n/a

Alternate ID 44344
 Class Industrial

Owner Address TIMM DEVELOPMENT LLC
 PO BOX 200455

Property Address 40 CURTIS CT

Acreage 1.02

CARTERSVILLE, GA 30120

District Cartersville

Brief Tax Description LL 660 661 708 709 D 4 TRACT 2

(Note: Not to be used on legal documents)

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Application for Special Use
City of Cartersville

Case Number: SU22-02
Date Received: 5-13-2022

Public Hearing Dates:

Planning Commission 7-12-2022 5:30pm 1st City Council 7-21-2022 7:00pm 2nd City Council 8-4-2022 7:00pm


Applicant Andrew Schultz Office Phone 770-607-0750
(printed name)
 Address 199 Hickory LN Mobile/ Other Phone 404-414-6800
 City Cartersville State GA Zip 30120 Email andy@stingrayallstars.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: 1-27-25

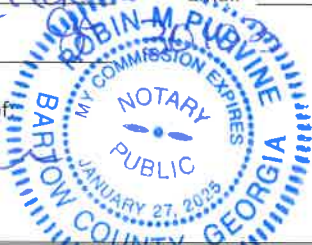
Notary Public _____



* Titleholder Timn Development Phone 404-392-3684
(titleholder's printed name)
 Address 70 Justice Rd. Adairsville Email Kevin@premcusa.com
 Signature _____

Signed, sealed, delivered in presence of: _____ My commission expires: 1-27-25

Notary Public _____



Present Zoning District HF Parcel C0460001029
 Acreage 1.02 Land Lot(s) 660 District(s) 4 Section(s) 3
 Location of Property: 40 Curtis Ct. Cartersville, GA 30120
(street address, nearest intersections, etc.)

Reason for Special Use Request: cheerleading/gymnastics facility and indoor athletic training.

(attach additional statement as necessary)

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

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: 5-13-22

Date Two Years Prior to Application: 5-13-20

Date Five Years Prior to Application: 5-13-17

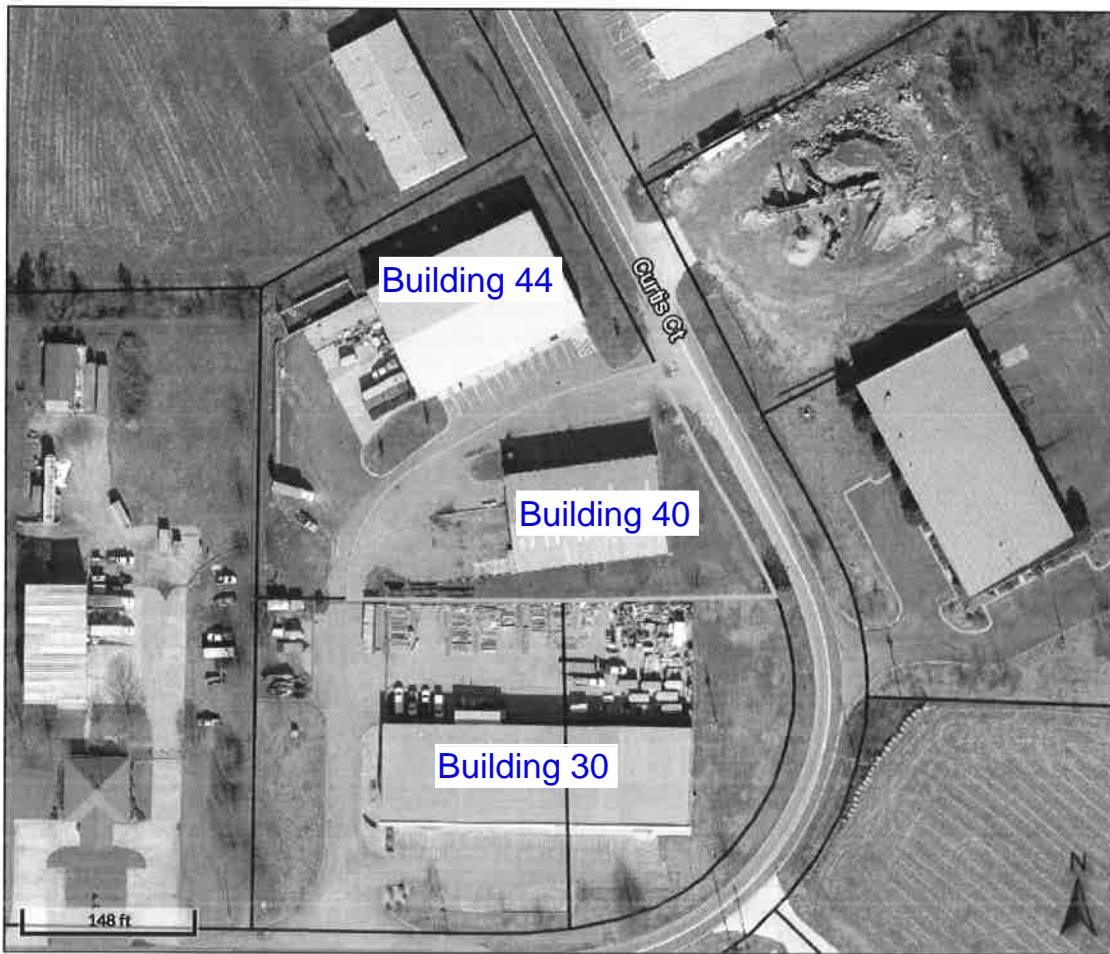
1. Has the applicant within the five (5) years preceding the filing of the rezoning action made campaign contributions aggregating \$250.00 or more to any of the following:

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

AS 5-12-22
Signature Date

Andrew Schultz
Print Name



Overview



Legend

-  Parcels
-  Roads

| | | | | | |
|------------------------------|---|---------------------|------------|----------------------|------------------------|
| Parcel ID | C046-0001-029 | Alternate ID | 44344 | Owner Address | TIMM DEVELOPMENT LLC |
| Sec/Twp/Rng | n/a | Class | Industrial | | PO BOX 200455 |
| Property Address | 40 CURTIS CT | Acreage | 1.02 | | CARTERSVILLE, GA 30120 |
| District | Cartersville | | | | |
| Brief Tax Description | LL 660 661 708 709 D 4 TRACT 2 (Note: Not to be used on legal documents) | | | | |

Date created: 5/11/2022
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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:

Gymnastics

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

How Standard #1 has / will be met:

Our main business hours are the opposite of "normal" business hours so our traffic flow should not effect adjoining streets.

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

How Standard #2 has / will be met:

We will not be using the dock/roll up doors on a regular basis so we will stripe those areas for parking which is 24 spots. There are 10 across the front and 44 Curtis Ct. we can use their 11/12 with handicap after 5:00 pm and the spots at 30 Ct. Ct. → 40 spaces.

Standard #3: Protective screening.

How Standard #3 has / will be met:

Not applicable

5/13/22

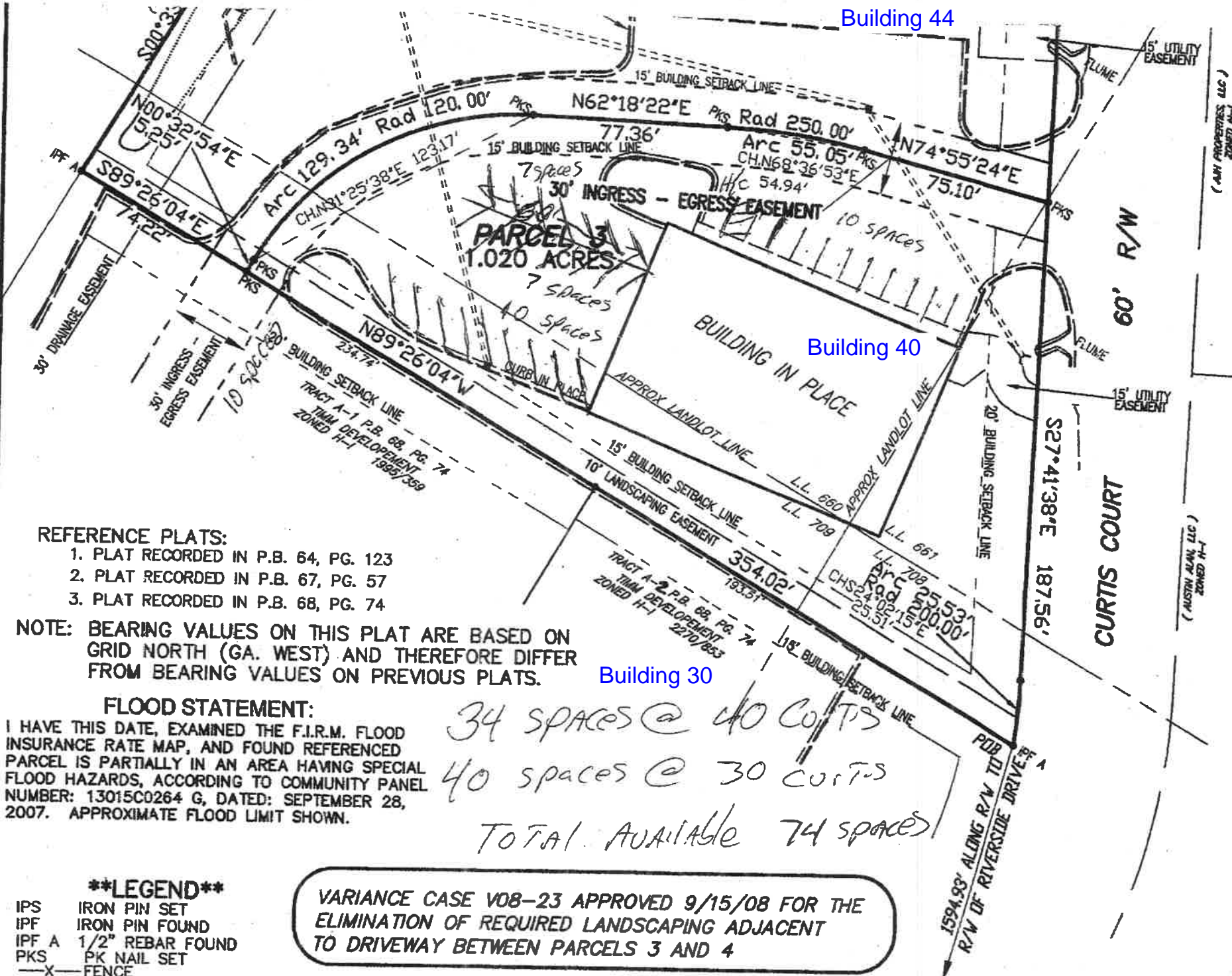
To whom it may concern,

Stingray Gymnastics is filing for an application for Special Use of 40 Curtis Ct. Cartersville, GA 30120. It is zoned for Heavy Industrial use and has been used as a warehouse in the past. Stingray Gymnastics would like to use it as a gymnastics and indoor athletic training facility as listed in section 10.2.2 under Heavy Industrial use regulations. Timm Development and Stingrays Gymnastics are working with the Cartersville City Fire Marshall to follow all City Permits and Regulations.

The building is already set up for all available public utilities. City gas, water and internet and Ga Power for power.

Andy Schultz
Stingray Gymnastics Owner

A handwritten signature in blue ink, appearing to be 'AS', with a long horizontal line extending to the right.



Building 44

Building 40

Building 30

- REFERENCE PLATS:**
1. PLAT RECORDED IN P.B. 64, PG. 123
 2. PLAT RECORDED IN P.B. 67, PG. 57
 3. PLAT RECORDED IN P.B. 68, PG. 74

NOTE: BEARING VALUES ON THIS PLAT ARE BASED ON GRID NORTH (GA. WEST) AND THEREFORE DIFFER FROM BEARING VALUES ON PREVIOUS PLATS.

FLOOD STATEMENT:
 I HAVE THIS DATE, EXAMINED THE F.I.R.M. FLOOD INSURANCE RATE MAP, AND FOUND REFERENCED PARCEL IS PARTIALLY IN AN AREA HAVING SPECIAL FLOOD HAZARDS, ACCORDING TO COMMUNITY PANEL NUMBER: 13015C0264 G, DATED: SEPTEMBER 28, 2007. APPROXIMATE FLOOD LIMIT SHOWN.

- **LEGEND****
- IPS IRON PIN SET
 - IPF IRON PIN FOUND
 - IPF A 1/2" REBAR FOUND
 - PKS PK NAIL SET
 - X- FENCE
 - LL LAND LCT
 - CL CENTERLINE

VARIANCE CASE V08-23 APPROVED 9/15/08 FOR THE ELIMINATION OF REQUIRED LANDSCAPING ADJACENT TO DRIVEWAY BETWEEN PARCELS 3 AND 4

FINAL PLAT OF

(ANY PROPERTIES, LLC)
 ZONED H-1

(AUSTIN ALAN, LLC)
 ZONED H-1

May 11, 2022

To Whom it May Concern:

Timm Development LLC., Owner of 30 and 44 Curtis Court will allow Stingrays Gymnastics to park on these properties at any time.

If you have any question, please call me.

Very truly yours,

Timm Development



Kevin Timm
Owner/CEO
404-392-3684

Assessment Notice 2021

[2021 Assessment Notice \(PDF\)](#)

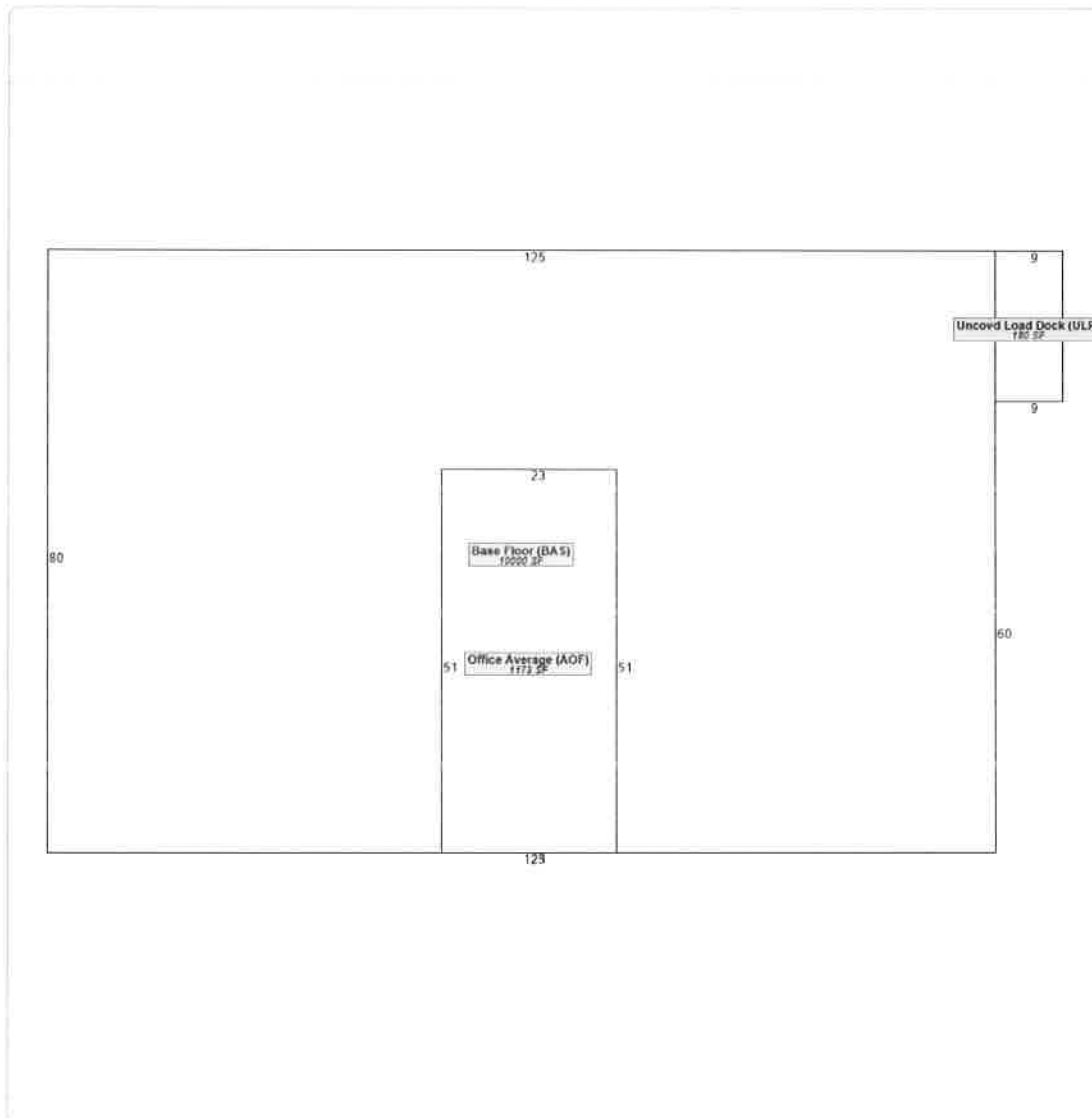
Assessment Notice 2020

[2020 Assessment Notice \(PDF\)](#)

Assessment Notice 2019

[Assessment Notice 2019 \(PDF\)](#)

Sketches



Photos

Summary

Parcel Number C046-0001-029
Location Address 40 CURTIS CT
Legal Description LL 660 661 708 709 D 4 TRACT 2
 (Note: Not to be used on legal documents)
Class I4-Industrial
 (Note: This is for tax purposes only. Not to be used for zoning.)
Tax District Cartersville (District 01)
Millage Rate 29.65
Acres 1.02
Neighborhood 4001 - Industrial A Market (004001)
Account Number 44344
Homestead Exemption No (S0)
Landlot/District 660 / 4

[View Map](#)



Owner

TIMM DEVELOPMENT LLC
 PO BOX 200455
 CARTERSVILLE, GA 30120

Land

| Type | Description | Calculation Method | Square Footage | Frontage | Depth | Acres | Lots |
|------------|-----------------------|--------------------|----------------|----------|-------|-------|------|
| Industrial | 4001 - Industrial Lot | Lot | 44,431 | 0 | 0 | 1.02 | 1 |

Commercial Improvement Information

Description WH- Office/Warehouse
Actual Year Built 2008
Effective Year Built
Square Feet 10000
Wall Height 12
Wall Frames
Exterior Wall Prefab Metal
Roof Cover Metal
Interior Walls Masonry or Minimum
Floor Construction
Floor Finish Concrete Finished
Ceiling Finish
Lighting
Heating Space Heaters
Number of Buildings 1

Accessory Information

| Description | Year Built | Dimensions/Units | Identical Units | Value |
|------------------|------------|------------------|-----------------|----------|
| Paving - asphalt | 2009 | 98x108 / 0 | 1 | \$8,996 |
| Paving - asphalt | 2009 | 133x113 / 0 | 1 | \$12,775 |

Permits

| Permit Date | Permit Number | Type | Description |
|-------------|---------------|----------------------|----------------------|
| 01/18/2017 | BP17-16 | New Commercial Const | NEW SPEC BUILDING |
| | BP09-79 | commercial tenant fi | CARD NO: 1 SEQ NO: 1 |

Valuation

| | 2021 | 2020 |
|---------------------------------|------------------|------------------|
| Fair Market Land Value | \$350,000 | \$350,000 |
| + Fair Market Improvement Value | \$225,922 | \$225,922 |
| + Fair Market Accessory Value | \$21,771 | \$21,771 |
| = Fair Market Value | \$597,693 | \$597,693 |
| Assessed Land Value | \$140,000 | \$140,000 |
| + Assessed Improvement Value | \$90,369 | \$90,369 |
| + Assessed Accessory Value | \$8,708 | \$8,708 |
| = Assessed Value (40% FMV) | \$239,077 | \$239,077 |



Comp Search (Commercial)

Start Comp Search

No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Mobile Homes, Prebill Mobile Homes, Sales, Comp Search (Residential), Comp Search (Vacant).

The Barlow County Board of Assessors makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.

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IMAGES TAKEN 6-22-22



IMAGES TAKEN 7-5-22



View from
Curtis Ct to
Building 40
parking lot.
Building 44
on right
side.



View to rear of
Building 40.
Parking spaces
can be added to
loading dock
area.



View from Building 40 parking lot/ drive to rear of Building 44.



View from Curtis Ct along left side of Building 30. Building 44 is in the distance.



View from Curtis Ct into Building 30 parking lot.