



City of Cartersville

PLANNING AND DEVELOPMENT

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

MEMO

To: BZA
From: Randy Mannino/David Hardegree/Zack Arnold
CC: Keith Lovell
Date: March 26, 2024
Re: File # V24-13

Summary: To allow an accessory structure to exceed 50% of the principal structure

Section 1: Project Summary

Variance application by Leonard Mathias for property located at 10 Bob White Trail, zoned R-20, Single-family Residential. Said property contains approximately 0.99 acres. Setbacks are Front/Rear- 20ft and Side- 10ft.

Mr. Mathias requests to add on to an existing auto garage. The existing garage is approximately 2,496 square feet which exceeds 50% of the size of the primary structure that is allotted by ordinance. Since the existing garage was constructed before the Zoning Ordinance was adopted, a variance was not necessary for the initial construction. The new addition Mr. Mathias is proposing would add 1,280 square feet to the structure, making the garage a total of 3,776 square feet.

The Zoning Ordinance referring to accessory structure (Sec. 4.9.) states that accessory building floor area shall be no larger than 50% of the principal structure area. According to tax records, Mr. Mathias' primary structure is 2,828 square feet. If approved, the request would increase the allotted accessory structure size to approximately 134% of the primary structure. These numbers were compiled using County tax records and the provided survey. Mr. Mathias provided some notes that contradict these measurements by 192 square feet, as well as a shop drawing that contradicts these measurements by 512 square feet. Both documents are included.

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

1. To increase the allowed floor area of an accessory structure from 50% to approx. 134% of the principal structures' floor area (Sec. 4.9, parag. 3).

Section 2. Department Comments

Electric Department: Takes No exception.

Fibercom: Takes No exception.

Fire Department: Takes No exception.

Gas Department: Takes No exception.

Public Works Department: Takes No exception.

Water Department: Takes No exception.

Section 3. Public Comments Received by Staff

3/24: Rhonda Gaffoglio. Property owner, 23 Bob White Trail. Letter Attached.

Section 4. Variance Justification:

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

Sec. 4.9. Accessory uses, buildings or structures.

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

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

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

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

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

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

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

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

21.3.1. *Appeals.* To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this chapter. Appeals to the board of appeals may be taken by any person aggrieved or by any officer, department, board, or agency of the City of Cartersville affected by any decision of the zoning administrator. Such appeal shall be taken within thirty (30) days of said decision by filing with the zoning administrator a written notice of appeal specifying the grounds thereof. Decisions on appeals shall be issued in writing within ten (10) business days of the hearing on the appeal.

21.3.2. *Continuance of a nonconforming use.* The board of zoning appeals may allow a nonconforming use to be reestablished after discontinuance for twelve (12) consecutive months. The procedure for the request shall be the same as if it was a variance. If it is deemed by the board of zoning appeals that one (1) or more of the following apply, the board may grant said request.

- A. The design, construction, and character of the building is not suitable for uses permitted in the district in which the nonconforming use is situated; and
- B. Undue hardships to the property owner would result in not allowing the building to be reopened for a nonconforming use; and
- C. Adjacent property would not be unduly damaged by such use of the building; and
- D. The use is to be identical or similar to the prior nonconforming use of the building.

21.3.3. *Variances.* The board of appeals has the power to hear requests for variances from the provisions of this chapter. Variance may be granted only if the board finds all of the following to exist:

- A. That one (1) of the following is true, through no action or fault of the property owner or predecessor:
 - 1. The property is exceptionally narrow, shallow or unusually shaped;
 - 2. The property contains exceptional topographic conditions;
 - 3. The property contains other extraordinary or exceptional conditions; or
 - 4. There are existing other extraordinary or exceptional circumstances; and

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

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

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

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

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

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

City of Cartersville
Application for Variance
Board of Zoning Appeals

Hearing Date: 4-11-2024 5:30pm

Application Number: V24-13

Date Received: 2-20-2024

Applicant LEONARD P. MATHIAS Office Phone —
(printed name)
Address 10 BOB WHITE TRAIL Mobile/ Other Phone 678 986-1656
City CARTERSVILLE State GA Zip 30120 Email shelbysailor@yahoo.com
Phone (Rep) _____
Representative's printed name (if other than applicant) _____
Email (Rep) _____
Representative Signature _____
Applicant Signature 
Signed, sealed and delivered in presence of: _____ My commission expires: _____
Notary Public _____

* Titleholder LEONARD P MATHIAS JR Phone 678 986 1656
(titleholder's printed name)
Address 10 BOB WHITE TR CARTERSVILLE Email shelbysailor@yahoo.com
Signature 
Signed, sealed, delivered in presence of: _____ My commission expires: _____
Notary Public _____

Present Zoning District R20 Parcel ID No. C020-0005-005
Acreage .99 Land Lot(s) 627 District(s) 4 Section(s) 3
Location of Property: 10 BOB WHITE TRAIL
(street address, nearest intersections, etc.)
Zoning Section(s) for which a variance is being requested: SEC - 4.9
Summary Description of Variance Request: INCREASE ALLOWED SIZE OF ACCESSORY
STRUCTURE
(Additional detail can be provided on Justification Letter)

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

CONDITIONS VERIFICATION

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

Article IV Section 4.9 Subsection _____
Article _____ Section _____ Subsection _____
Article _____ Section _____ Subsection _____

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

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

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

Additional Comments by Applicant: _____

HOUSE

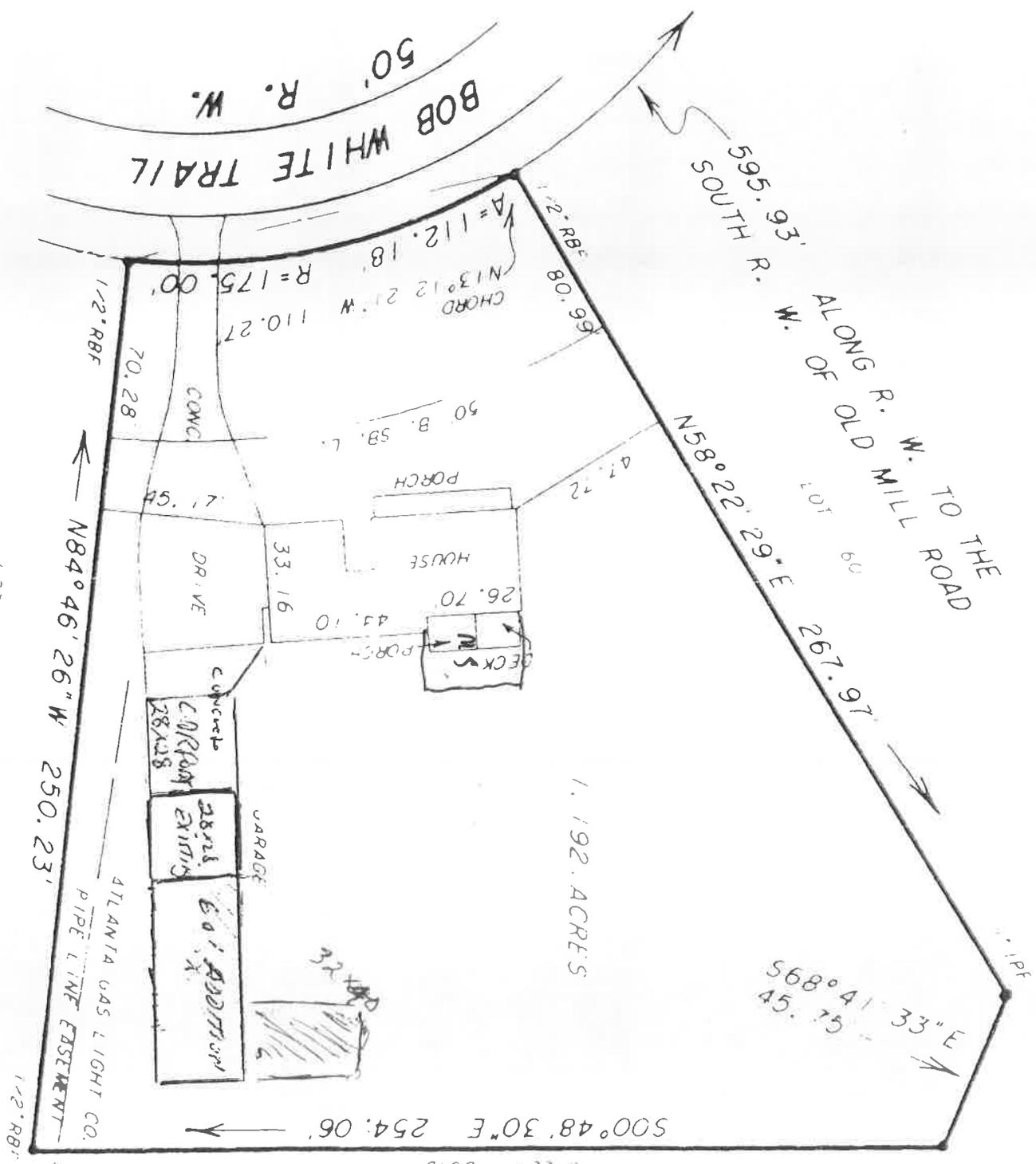
DOWNSTAIRS	1320	
MASTER SUITE	784	3384 sq ft
UPSTAIRS	1280	

EXISTING SHOP/GARAGE 1728 SQ FT + CARPORT 576 SQ FT

PROPOSED ADDITION 1280 SQ FT

These numbers
contradict the
county records by
192 square feet.

FIELD NOTES



27.48

BOYD

Bartow County, GA

Summary

Parcel Number C020-0005-005
 Location Address 10 BOB WHITE TR
 Legal Description LL 627 D 4 LOT 59 CONYERS EST SEC 2
(Note: Not to be used on legal documents)
 Class R3-Residential
(Note: This is for tax purposes only. Not to be used for zoning.)
 Tax District Cartersville (District 01)
 Millage Rate 29.65
 Acres 0.99
 Neighborhood 008K-South Cville, Etowah- Old Mill (00008K)
 Account Number 34680
 Homestead Exemption Yes (L6)
 Landlot/District N/A

[View Map](#)



Owner

MATHIAS LEONARD P &
 MATHIAS DONNA L
 10 BOBWHITE TR
 CARTERSVILLE, GA 30120

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	South Cville 8k-LT	Lot	43,089	159	271	0.99	1

Residential Improvement Information

Style Single Family
 Heated Square Feet 2828
 Interior Walls Drywall
 Exterior Walls Aluminum/Vinyl Siding
 Foundation Continuous Ft
 Attic Square Feet 0
 Basement Square Feet 0
 Year Built 1987
 Roof Type Asphalt Comp Shg
 Flooring Type Carpet
 Heating Type Central heat & air
 Number Of Rooms 0
 Number Of Bedrooms 3
 Number Of Full Bathrooms 2
 Number Of Half Bathrooms 1
 Number Of Plumbing Extras 5
 Value \$359,215
 Condition Average
 Fireplaces/Appliances BATH - FULL 2
 BATH - HALF 1
 Prefab Metal Fireplace 1
 House Address 10 BOB WHITE TR

R-20

IV

Sec. 4.9

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Carport	1994	24x20 / 0	1	\$1,944
Garage	1988	84x24 / 0	1	\$34,373

Valuation

2023 Values are Preliminary and subject to change until Certified.

	2023	2022	2021	2020
Fair Market Land Value	\$85,000	\$75,000	\$75,000	\$75,000
+ Fair Market Improvement Value	\$359,215	\$292,694	\$199,672	\$182,309
+ Fair Market Accessory Value	\$36,317	\$21,442	\$21,442	\$21,442
= Fair Market Value	\$480,532	\$389,136	\$296,114	\$278,751
Assessed Land Value	\$34,000	\$30,000	\$30,000	\$30,000
+ Assessed Improvement Value	\$143,686	\$117,078	\$79,869	\$72,924
+ Assessed Accessory Value	\$14,527	\$8,577	\$8,577	\$8,577
= Assessed Value (40% FMV)	\$192,213	\$155,654	\$118,446	\$111,500

Assessment Notice 2023

[2023 Assessment Notice \(PDF\)](#)

Assessment Notice 2022

[2022 Assessment Notice \(PDF\)](#)

Assessment Notice 2021

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

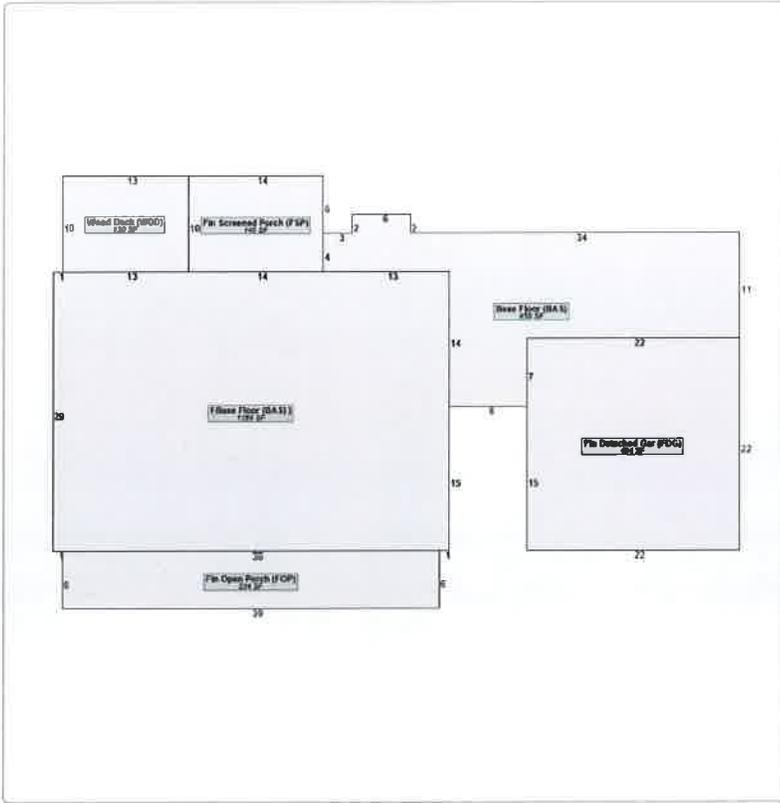
Assessment Notice 2020

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

Assessment Notice 2019

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

Sketches



Photos



Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
5/1/1994	8349 225	NULL NULL	\$1,000	Deed Shows \$3 or less in revenue stamps	NULL	NULL
5/1/1994	829 223		\$149,500	Qualified Sale	NULL	NULL
7/1/1987	547 290		\$0	Other, Unknown, Please add notes	NULL	NULL

Comp Search (Residential)

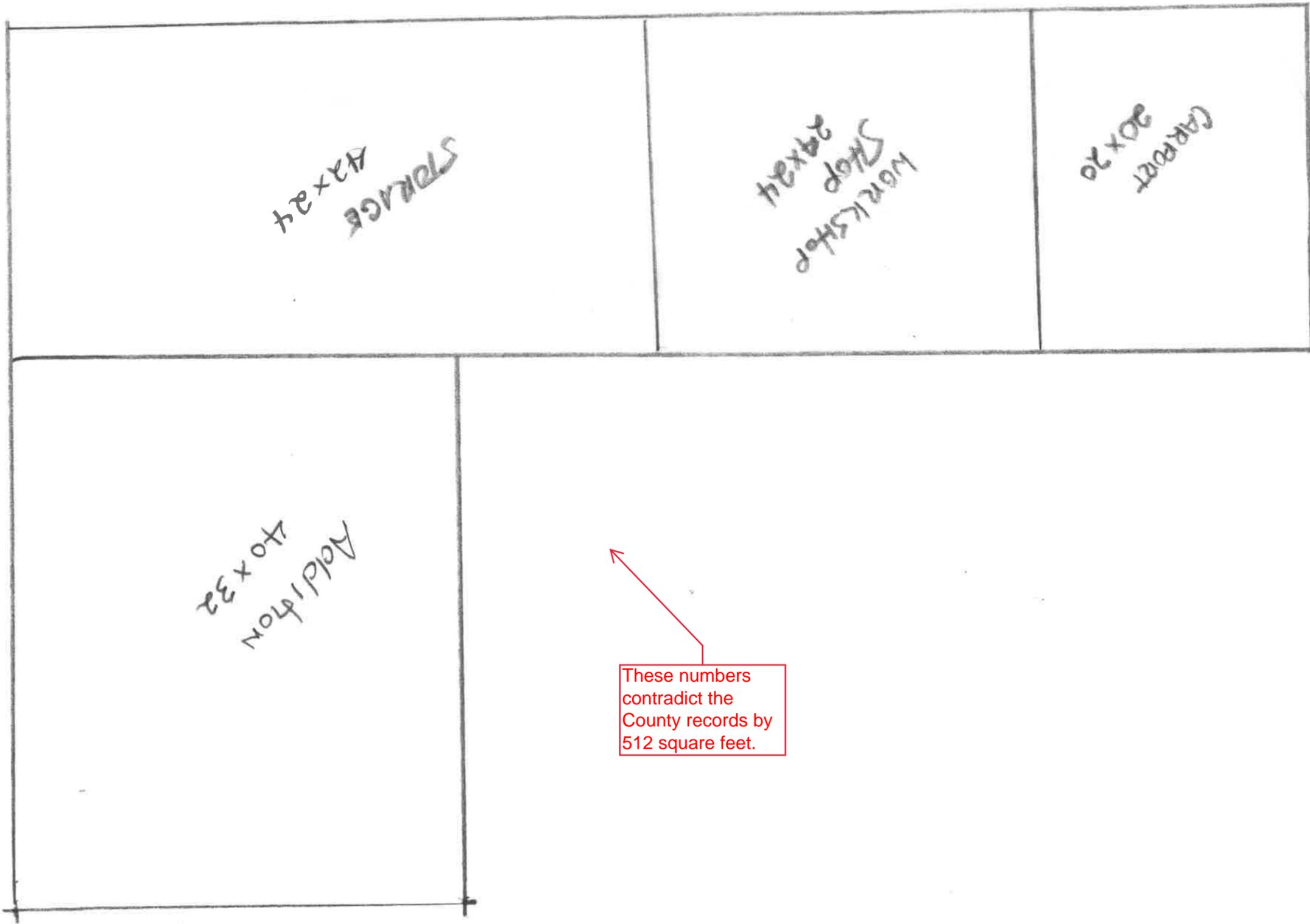
Start Comp Search

No data available for the following modules: Online Appeal, Comp Search (Vacant), Rural Land, Conservation Use Rural Land, Commercial Improvement Information, Mobile Homes, Prebill Mobile Homes, Permits, Comp Search (Commercial)

The Bartow 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.
[User Privacy Policy](#) | [GDPR Privacy Notice](#)
 Last Data Upload: 2/19/2024, 10:40:50 PM

Contact Us

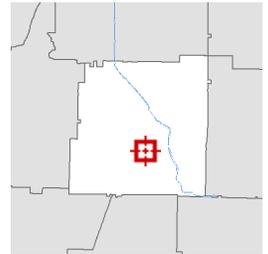




These numbers
contradict the
County records by
512 square feet.



Overview



Legend

-  Parcels
-  Roads

Parcel ID C020-0005-005
Sec/Twp/Rng n/a
Property Address 10 BOB WHITE TR

Alternate ID 34680
Class Residential
Acreage 0.99

Owner Address MATHIAS LEONARD P &
 MATHIAS DONNA L
 10 BOBWHITE TR
 CARTERSVILLE, GA 30120

District Cartersville
Brief Tax Description LL 627 D 4 LOT 59 CONYERS EST SEC 2
 (Note: Not to be used on legal documents)

Date created: 3/26/2024
 Last Data Uploaded: 3/25/2024 10:50:04 PM

Developed by  **Schneider**
 GEOSPATIAL

TO: City of Cartersville Zoning Board

FROM: Rhonda Gaffoglio

23 Bob White Trail

RE: Variance 24-13

March 24, 2024

Regarding the variance 24-13 for the enlarging of a garage at 10 Bob White Trail, I would like to oppose this variance and support my opposition with the following information the Board needs to consider.

- There is currently a business, named Mustang Farm Renovation, housed in the current garage.
- The business can be found on Google or Facebook with the address 10 Bob White Trail.
- According to the site the business has been operating since 2019.
- As I understand the city code, there cannot be an automobile business at a house in the city of Cartersville.

I have been a resident on Bob White Trail for 42 years and desire to keep the street and the neighborhood free of a business establishment.

At times there are multiple cars parked in the driveway. I have witnessed trailers bringing in mustang cars to be worked on. This is not a normal neighborhood activity.

I regret that I will be out of town on April 11th and unable to attend the hearing in person but am hopeful the Board will consider the intent of the variance and I strongly recommend the variance be denied.

Thank you for your time and consideration of my position.

Mar 7, 2024 at 16:00:29
10 Bob White Trail
Cartersville GA 30120
United States



Mar 7, 2024 at 16:00:42
10 Bob White Trail
Cartersville GA 30120
United States



Mar 7, 2024 at 16:01:51
12 Bob White Trail
Cartersville GA 30120
United States

