



## PLANNING COMMISSION ITEM SUMMARY

<b>MEETING DATE:</b>	May 6, 2025
<b>SUBCATEGORY:</b>	Zoning
<b>DEPARTMENT NAME:</b>	Planning and Development
<b>AGENDA ITEM TITLE:</b>	Z24-08. Center Rd. Parcel Id C108-0002-003. Applicant: Starlight Homes Georgia, LLC.
<b>DEPARTMENT SUMMARY RECOMMENDATION:</b>	<p>Applicant requests a change in zoning of on 78.8 acres from R-20 (Residential) to P-D (Planned Development) for the construction of (70) Single family detached homes with access only from Center Road and (113) townhomes with access only from Overlook Pkwy.</p> <p>Staff is not opposed to the proposed zoning.</p>
<b>LEGAL:</b>	N/A



**ZONING SYNOPSIS**  
**Petition Number(s): Z24-08**

**REQUEST SUMMARY:**

Applicant requests a change in zoning of 78.8 acres from R-20 (Residential) to P-D (Planned Development) for the construction of (70) Single family detached homes and (113) townhomes.

**APPLICANT INFORMATION AND PROPERTY DESCRIPTION**

Applicant: **Starlight Homes Geogia, LLC.**  
Representative: **Bryan Muddiman**  
Property Owner: **Robert Jordan Properties, LLC**  
Property Location: **Center Rd. (C108-0002-003)**  
Access to the Property: **Overlook Pkwy and Center Rd**

***Site Characteristics:***

Tract Size: Acres: **78.8 ac** District: **4<sup>th</sup>** Section: **3<sup>rd</sup>** LL(S): **258, 319,320**  
Ward: **1** Council Member: **Kary Hodge**

**LAND USE INFORMATION**

Current Zoning: **R-20 (Residential 20,000sf. min. lot size.)**  
Proposed Zoning: **P-D (Planned Development) on 78.8 acres.**  
Proposed Use: **Single family detached homes and townhomes.**

Current Zoning of Adjacent Property:

North: **R-10 (Ponders Mountain Subdiv)**  
South: **MF-14 (Prose Apartments)**  
East: **R-20 (Remainder of Rob Jordan Property; I-2, County Industrial)**  
West: **R-10 (Autumn Canyon Subdiv) and MN (Mining)**

The Future Development Plan designates the subject property as: **Suburban Living**

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

# **ZONING ANALYSIS**

## **Zoning History**

In 2021, a 50- acre tract of the Rob Jordan Properties, LLC property (RJP) was rezoned from R-20 to MF-14 with a condition limiting the apartments to 1 and 2 bedrooms, Z20-04. Construction on this project, known as Prose Apartments, was completed earlier this year. Prose Apartments is located directly south of the proposed townhomes at the end of Overlook Pkwy. Overlook Pkwy would be extended as a private street to serve the townhome development.

## **Proposed Zoning**

The current zoning application is to rezone 78.8 acres of the 289 +/- acres RJP property from R-20 to P-D (Planned Development) for the construction of (70) single-family detached homes (SFH) and (113) townhome units (TH). The SFH will be part of a subdivision on the northern boundary of the project across from Ponders Mountain Subdivision on Center Rd. Lots will be a minimum of 5,000sf.

One hundred thirteen (113) townhomes units are planned for the southern end of the property adjacent to the Prose Apartments. The minimum heated floor area is planned at 1,000 sf. Access to the townhomes will require an extension of Overlook Pkwy.

No active use amenities are planned. Trail and greenspace connectivity between the developments are planned.

No development activities are currently planned for the remaining 204 +/- acres due to water service issues above the 1050 elevation.

No commercial-office elements are currently planned.

See concept plan and elevations included with the application.

The Future Land Use Map identifies this area as Low & Medium Density Residential. The proposed development achieves this metric. Refer to the table below for a comparison of development densities for past and current proposals and nearby developments.

<b>Zoning Case/ Name of Development</b>	<b>Lots or Units (P=Proposed; UC= Under Construction; C= Constructed)</b>	<b>Acreage (+/-)</b>	<b>Density (Lots or Units/ Acre)</b>	<b>Allowed Density by Zoning Cat. (Units or Lots/Acre)</b>
<b>Z24-08. RJP, LLC</b>	<b>183 (P)</b>	<b>78.8</b>	<b>2.3</b>	<b>SFH- 8.7. TH- 12</b>
Z23-06, Merrill Townhomes, RA-12 (Townhomes), Zoning Approved	Max. 199 (P)	*103.85	1.9	12
Z18-03, Everton Estates. RA-12 (Townhomes)	183 (C)	58	3.3	12
Autumn Canyon Subd. (Z04-14)	79 (C)	37	2.1	4.3
Hamilton Township Subd.	87 (C)	38	2.3	4.3
Estates at Ponders Mountain Subd. Phase 1 (Max. allowed all phases= 315)	75 (C)	29	2.6	4.3
Estates at Ponders Mountain Subd.- Phase 2	118 (P) Phase 2 plans approved 7-11-23.	187	1.7 (based on 315 lots)	1.7
Estates at Ponders Mountain Subd.- Phase 3	122 (P) Lots remaining.	187	1.7 (based on 315 lots)	1.7

\* Approximately (7) seven acres were removed from the Phase 2 tract and added to the Everton Estates tract thereby reducing the original 111 acres to the 103.85 acres.

## Proposed development and zoning regulations for the project:

Proposed Zoning Development Standards per Site Plan

SITE ANALYSIS			
TOTAL SITE AREA TO BE REZONED		78.8 ACRES±	
PROPOSED DETACHED LOTS		70 UNITS	
PROPOSED TOWNHOUSE UNITS (20' WIDE X 40' + 10' PATIO)		113 UNITS	
TOTAL		183 UNITS	
PROPOSED DENSITY		2.32 UNITS/AC	
PROPOSED P-D ZONING CRITERIA		DETACHED	TOWNHOUSES
MINIMUM UNIT WIDTH		N/A	20 FEET
MINIMUM LOT WIDTH (AT FRONT BUILDING SETBACK)		50 FEET	N/A
MINIMUM LOT AREA		5,000 S.F.	N/A
MINIMUM HEATED FLOOR AREA PER UNIT		1,000 S.F.	1,000 S.F.
MINIMUM INTERNAL BUILDING SETBACKS	FRONT	15 FEET	N/A
	SIDE	5 FEET	N/A
	REAR	20 FEET	N/A
MINIMUM EXTERNAL SETBACK	TYPICAL	50 FEET	50 FEET
	AGAINST MF-14 ZONED PARCEL	20 FEET	N/A
MINIMUM BUILDING SEPARATION (FOUNDATION SEPARATION)		10 FEET	10 FEET
MAXIMUM BUILDING HEIGHT		35 FEET	35 FEET
MINIMUM DRIVEWAY LENGTH (CLEAR OF SIDEWALK IF APPLICABLE)		20 FEET	20 FEET
MINIMUM OPEN SPACE		20% OF AREA TO BE REZONED (15.76 AC±)	
OPEN SPACE PROVIDED		68.5% (54 AC±)	

### Proposed Internal Roadways:

SFH. 60ft Public ROW. (24ft. Back of Curb)

TH. 60ft. Private access/ utility easement. (24ft. Back of Curb)

### Sidewalk:

5ft. wide sidewalk to be provided on (1) side of all roadways (public and private). Located 2ft. Back of Curb.

### Bedroom Counts

Bedroom counts have become a point of interest for reviewers as high bedroom counts suggest the potential for families with children. The school district reviews these proposals to identify needs for school capacity and transportation operations.

The developer will provide 2 and 3 bedroom floor plans. No tally for 2 or 3 bedroom configurations has been provided.

## **City Department Comments**

**Electric:** Takes No Exception.

**Fibercom:** Takes No Exception.

**Fire:** No comments received.

**Gas:** Takes No Exception.

**Public Works:** Please see PW comments below:

1. Streets in development will be required to be constructed to all standards for public streets.
2. Streets will be required to be private since a gated entry is proposed.
3. The geometric design of all internal streets shall accommodate an AASHTO WB-40 design vehicle to accommodate City of Cartersville fire trucks. Turning template tracks need to be shown on plans before final approval.
4. Utility easement required to extend 30 feet from centerline of proposed roadway.
5. Access/maintenance easements will be required for all proposed stormwater conveyances and detention facilities associated with proposed development.
6. A stormwater maintenance agreement will be required for all proposed stormwater conveyances and detention facilities associated with proposed development.
7. Hammer head turnarounds not allowed. Turn around must be shown as a permanent cul-de-sac.
8. Driveways should be able to accommodate vehicles behind the back of sidewalk so that pedestrians and trash service will not be inhibited by vehicles parking close to the road.

## **Water and Sewer:**

Takes No Exception.

## **Cartersville School District:**

Thanks, David. We take no exception but would appreciate knowing the bedroom size count when you have them. Respectfully, Marc Feuerbach, Ed.D. Superintendent - Cartersville City Schools

## **Public Comments:**

11-4-24: Email request for information received from Autumn Canyon HOA. Zoning application provided.

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

1. ***The existing land uses and zoning of nearby property.***  
Existing land uses to the north, south and east are primarily single family detached residential and multi-family. The multi-family site to the south was subdivided from the RJP, LLC property. There is an industrial property in the County jurisdiction to the east that is undeveloped, but is used to store old automobiles and construction equipment.  
  
Land uses to the west across the I-75 corridor include single family detached and mining. All zoning for these areas accurately reflects the land use.
2. ***The suitability of the subject property for the zoned purposes.***  
The subject property is suitable for the P-D zoning.
3. ***The relative gain to the public, as compared to the hardship imposed upon the individual property owner.***  
The proposed gain to the public would be minimal. Additional housing products will be available. No true hardship has been identified except for the elevation restriction for municipal water service.
4. ***Whether the subject property has a reasonable economic use as currently zoned.***  
The property may have a reasonable economic use as currently zoned (R-20); however, water pressure limitations for development above the 1050 elevation may be restrictive for large lot development.
5. ***Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.***  
The zoning proposal may permit a use that is suitable in view of the use of the adjacent residential properties with low to medium unit density. The proposed density of 2.32 is aligned with the density of existing, adjacent residential developments.
6. ***Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.***  
The zoning proposal should not have an adverse effect on adjacent property owners. Concerns regarding traffic increases may be raised.
7. ***Whether the zoning proposal is in conformity with the current future development plan and community agenda of the comprehensive land use plan as currently adopted or amended in the future.***  
The zoning proposal generally conforms with the Future Development Plan and Comprehensive Land Use Plan for Neighborhood Living and Low to Medium density requirements.
8. ***Whether the zoning proposal will result in a use which will or could adversely affect the environment, including but not limited to drainage, wetlands, groundwater recharge areas, endangered wildlife habitats, soil***

***erosion and sedimentation, floodplain, air quality, and water quality and quantity.***

Development resulting from an approved zoning proposal would be required to meet all local, state, and federal environmental regulations.

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

The proposed use is not expected to cause an excessive or burdensome use on local streets. Center Rd. traffic will increase slightly. No burden is expected on city utilities or schools.

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

There are no known conditions.

### **STAFF RECOMMENDATION:**

Staff does not oppose the zoning change as long as all development regulations are met.

## David Hardegree

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**From:** Bryan Muddiman <bryan.muddiman@ashtonwoods.com>  
**Sent:** Thursday, November 7, 2024 8:27 AM  
**To:** David Hardegree; Robert Jordan  
**Subject:** [EXTERNAL] RE: Z24-08. Rob Jordan property. Center Rd east of I-75. PW comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



David,

I apologize for the delayed response, but I was confirming a few things with our engineer. He mislabeled the ROW on the plans. It is designed at 60' and scales out to that measurement. We'll update the plans before our hearing. Thanks.

-Bryan

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**From:** David Hardegree <dhardegree@cityofcartersville.org>  
**Sent:** Tuesday, November 5, 2024 5:21 PM  
**To:** Bryan Muddiman <bryan.muddiman@ashtonwoods.com>; Robert Jordan <rjordan@rjordancompany.com>  
**Subject:** FW: Z24-08. Rob Jordan property. Center Rd east of I-75. PW comments

Bryan and Rob,

See Public Works comments below. Most of these can be addressed during plan review. The primary one that should be addressed during zoning is Item 1. The development regs require all streets, public or private, to be a min. 60ft in width. This does conflict with the proposed 50ft width noted on the concept site plan. This primarily affects the detached product since it is proposed with a public ROW. The private street for the townhomes could be addressed with an additional 5ft utility easement on either side of the 50ft. access/utility easement. Just my thoughts.

David

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**From:** Steven Foy <[sfoy@cityofcartersville.org](mailto:sfoy@cityofcartersville.org)>  
**Sent:** Tuesday, November 5, 2024 4:48 PM  
**To:** David Hardegree <[dhardegree@cityofcartersville.org](mailto:dhardegree@cityofcartersville.org)>; Lynn Gayton <[lgayton@cityofcartersville.org](mailto:lgayton@cityofcartersville.org)>; Tommy Rozier <[trozier@cityofcartersville.org](mailto:trozier@cityofcartersville.org)>  
**Subject:** RE: Z24-08. Rob Jordan property. Center Rd east of I-75

David,

Please see PW comments below:

1. Streets in development will be required to be constructed to all standards for public streets.
2. Streets will be required to be private since a gated entry is proposed.

## David Hardegree

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**From:** Bryan Muddiman <bryan.muddiman@ashtonwoods.com>  
**Sent:** Wednesday, November 6, 2024 8:48 AM  
**To:** David Hardegree  
**Cc:** Robert Jordan  
**Subject:** [EXTERNAL] RE: Center Road rezoning presentation  
**Attachments:** Starlight Streetscape Perspective - Townhomes.jpg; Starlight Streetscape Perspective - Detached.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



Good morning David. Answers are below in [blue](#).

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**From:** David Hardegree <dhardegree@cityofcartersville.org>  
**Sent:** Tuesday, November 5, 2024 5:11 PM  
**To:** Bryan Muddiman <bryan.muddiman@ashtonwoods.com>  
**Cc:** Robert Jordan <rjordan@rjordancompany.com>  
**Subject:** RE: Center Road rezoning presentation

Bryan,

Just a couple of questions.

- 1) Do you have information on floor plan configurations? I'm expecting all units to be 3 bedroom. The school district has asked about this. [We plan to offer both 2 and 3 bedroom floor plans.](#)
- 2) Do you have any elevations or other graphics that depict the type of product you want to provide for both the townhomes and detached units? [Please see attached for renderings of the townhome and detached product. Let me know if you need anything else. Thank you.](#)

David

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**From:** Bryan Muddiman <[bryan.muddiman@ashtonwoods.com](mailto:bryan.muddiman@ashtonwoods.com)>  
**Sent:** Tuesday, November 5, 2024 10:31 AM  
**To:** David Hardegree <[dhardegree@cityofcartersville.org](mailto:dhardegree@cityofcartersville.org)>  
**Cc:** Robert Jordan <[rjordan@rjordancompany.com](mailto:rjordan@rjordancompany.com)>  
**Subject:** [EXTERNAL] Center Road rezoning presentation

Good morning David. I hope you have been well. In anticipation of our rezoning hearing next Tuesday, I wanted to check on the status of the staff report. Should we expect it soon?

Also, for the night of the hearing, should we have printed presentation materials or will there be projection screens? If we need to bring printed materials is there an easel we can use? If we will be using projection screens who should we email with our presentation materials?

Thanks for your help and I look forward to hearing from you.

Sec. 8.1. - P-D Planned development district.

- 8.1.1. *P-D district scope and intent.* Regulations in this section are the P-D district regulations. The P-D district identifies land areas for a variety of housing types in a multiple use district of offices and commercial services within a planned community setting as further described in section 3.1.11 of this chapter. The P-D district is intended to:
- A. Encourage the development of large tracts of land as planned communities;
  - B. Encourage flexible and creative concepts in site planning;
  - C. Preserve the natural amenities of the land by encouraging scenic and functional open space areas;
  - D. Provide for an efficient use of land; and
  - E. Provide a stable residential environment compatible with surrounding residential areas.
- 8.1.2. *Master plan.* A preliminary master plan of the planned development shall be submitted to the zoning administrator at the time of filing for rezoning to the P-D zoning district. The preliminary master plan shall contain a list of the proposed uses. Any use not specifically designated as a permitted use shall be prohibited. The plan shall represent an overall land use concept which is in keeping with the spirit and intent of the P-D district as described in subsection 8.1.1 of this article. Said plan shall be prepared by an architect, landscape architect, engineer, or land surveyor whose state registration is current and valid and the plan shall exhibit such seal or other to validate such. The plan shall become a condition of the rezoning and any variations to said plan after rezoning approval that would increase the area of a specific land use proposed in the development shall require approval of the planning commission and city council.
- 8.1.3. *Use regulations.* Within the P-D district, land and structures shall be used in accordance with the list of proposed uses as submitted in the master plan (see section 8.1.2). Any use not specifically designated as a permitted use shall be prohibited.
- 8.1.4. *Development standards.*
- A. *Height regulations.* Single-family residential buildings shall not exceed a height of thirty-five (35) feet or two and one-half (2½) stories, whichever is higher; multifamily and nonresidential use buildings shall not exceed a height of forty-five (45) feet or three and one-half (3½) stories, whichever is higher.
  - B. *Minimum lot area per dwelling unit.*
    - *Single-family detached:* As specified in conditions of zoning.
    - *Townhouse/attached:* Two thousand (2,000) square feet.
  - C. *Maximum density.*
    - *Multifamily:* Fourteen (14) units per gross acre.
    - *Townhouse/attached:* Twelve (12) units per gross acre.

D. *Minimum heated floor area per unit.*

- *Multifamily:*

- ▲ *3-bedroom:* Nine hundred (900) square feet.
- ▲ *2-bedroom:* Seven hundred fifty (750) square feet.
- ▲ *1-bedroom:* Six hundred (600) square feet.
- ▲ *Studio/loft (in existing buildings):* Four hundred fifty (450) square feet.

- *Townhouse/attached:*

- ▲ One thousand (1,000) square feet.

E. *Minimum lot width:* As specified in conditions of zoning.

F. *Minimum P-D development frontage:* Sixty (60) feet.

G. *Minimum lot frontage:* As specified in conditions of zoning.

H. *[Metal panels, metal sheathing, standard gray concrete block.]* The use of metal panels or metal sheathing and/or standard gray concrete block on the exterior walls of any building or structure shall be prohibited with the exception that such materials may be used if finished with a product consisting of brick, stone, hard-coat stucco, or fiber cement siding.

I. *[Gable or hip roofs.]* Gable or hip roofs shall have a minimum roof pitch of 6/12. Both gable and hip roofs shall provide overhanging eaves on all sides that extend a minimum of one (1) foot beyond the building wall.

J. *Perimeter setback entire P-D development.* As specified in conditions of zoning.

K. *Interior setbacks.* As specified in conditions of zoning.

L. *Accessory structure requirements.* See section 4.9 of this chapter.

M. *Minimum building separation multifamily.*

1. *Front to front:* Fifty (50) feet.
2. *Front or rear to side:* Fifty (50) feet.
3. *Side to side:* Twenty (20) feet.

N. *Minimum buffer requirements.* As specified in conditions of zoning.

O. *Minimum open space requirements.* As specified in conditions of zoning.

P. *[Air conditioning units and HVAC systems.]* Air conditioning units and HVAC systems shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements, or landscaping on multifamily and nonresidential properties.

Q. *[Front building facade.]* The front building facade of all principal nonresidential buildings shall be oriented toward street fronts or adjacent arterial street fronts.

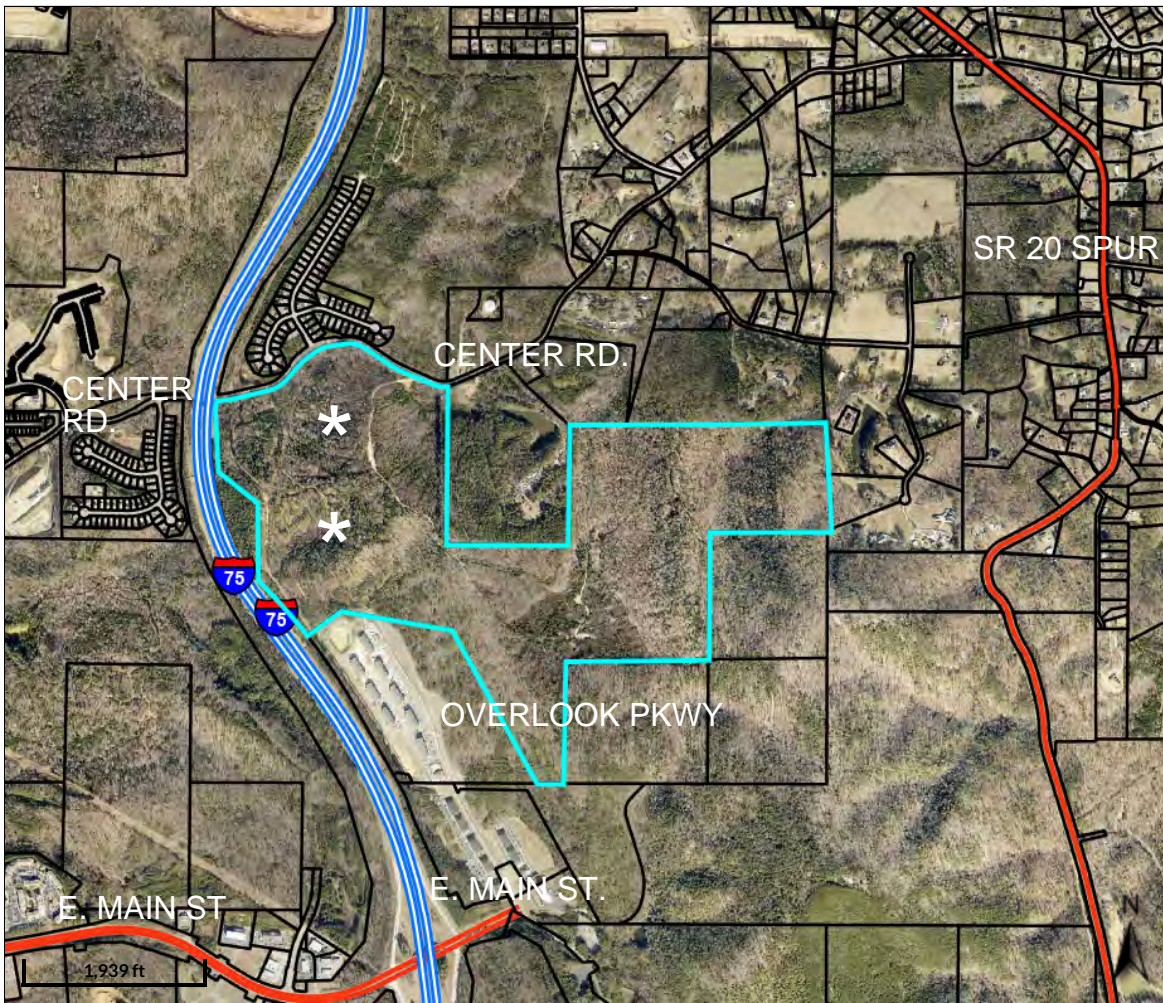
R.

*[Refuse areas.]* Refuse areas (dumpsters) shall be placed in the least visible location from public streets, and shall be enclosed on three (3) sides with opaque walls, with the fourth side being an opaque closing gate. Height of an opaque wall shall be at least twelve (12) inches higher than the receptacle.

- S. *[Light fixture poles.]* Light fixture poles cannot exceed forty (40) feet in height. All site lighting shall be directed onto the site.
- T. *[Chain link fences.]* Chain link fences are not allowed in the front yards. Where allowed, all chain link fences shall not be taller than five (5) feet in height and shall be vinyl coated, with one (1) of the following colors: hunter green or black.
- U. *Building massing.* Street fronting building facades greater than one hundred fifty (150) feet in length shall be modulated with breaks in wall surfaces and materials at intervals not to exceed one hundred fifty (150) feet, measured parallel to the street. For buildings that are three (3) stories or less in height, each floor shall be delineated through windows, belt courses, cornices lines, or similar architectural detailing.
- V. *Color.* Fluorescent colors shall not be employed except as accent colors.
- W. *Other required standards.*
  - 1. The number of multifamily units shall not exceed twenty-five (25) percent of the total number of dwelling units in a P-D.
  - 2. All multifamily units shall have a minimum of fifty (50) percent finish product on the exterior walls of the buildings consisting of brick, stone, hard-coat stucco, or fiber cement siding.
  - 3. The number of single-family detached residential lots consisting of less than ten thousand (10,000) square feet in lot area shall be as specified in conditions of zoning.

8.1.5. *Other regulations.* The headings below contain additional, but not necessarily all, provisions applicable to the P-D district.



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



Overview



Legend

-  Parcels
-  Roads

**Parcel ID** C108-0002-003  
**Sec/Twp/Rng** n/a  
**Property Address** 100 OVERLOOK PKWY

**Alternate ID** 38134  
**Class** Residential  
**Acreage** 289.23

**Owner Address** CHARLES BARTENFELD PROP LLC  
 ROBERT JORDAN PROP LLC & ETAL  
 4200 NORTHSIDE PKWY BLDG 3  
 ATLANTA, GA 30327

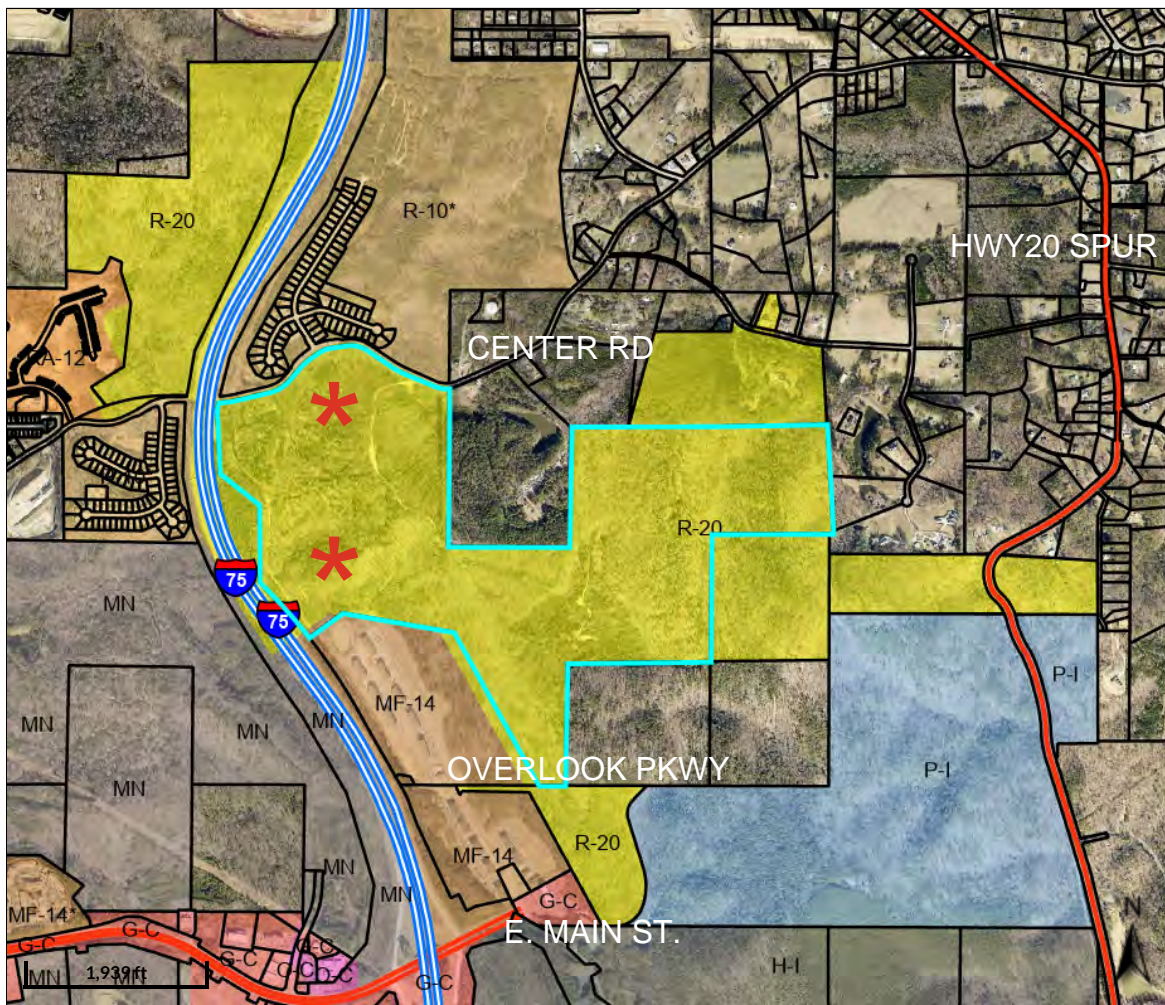
**District** Cartersville  
**Brief Tax Description** LL 247 DIST 4

(Note: Not to be used on legal documents)

Date created: 9/25/2024  
 Last Data Uploaded: 9/24/2024 10:35:13 PM

Developed by  SCHNEIDER  
 GEOSPATIAL

\* Project Location



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\*

\* Project Location

Parcel ID C108-0002-003  
 Sec/Twp/Rng n/a  
 Property Address 100 OVERLOOK PKWY

Alternate ID 38134  
 Class Residential  
 Acreage 289.23

Owner Address CHARLES BARTENFELD PROP LLC  
 ROBERT JORDAN PROP LLC & ETAL  
 4200 NORTHSIDE PKWY BLDG 3  
 ATLANTA, GA 30327

**District**  
**Brief Tax Description**

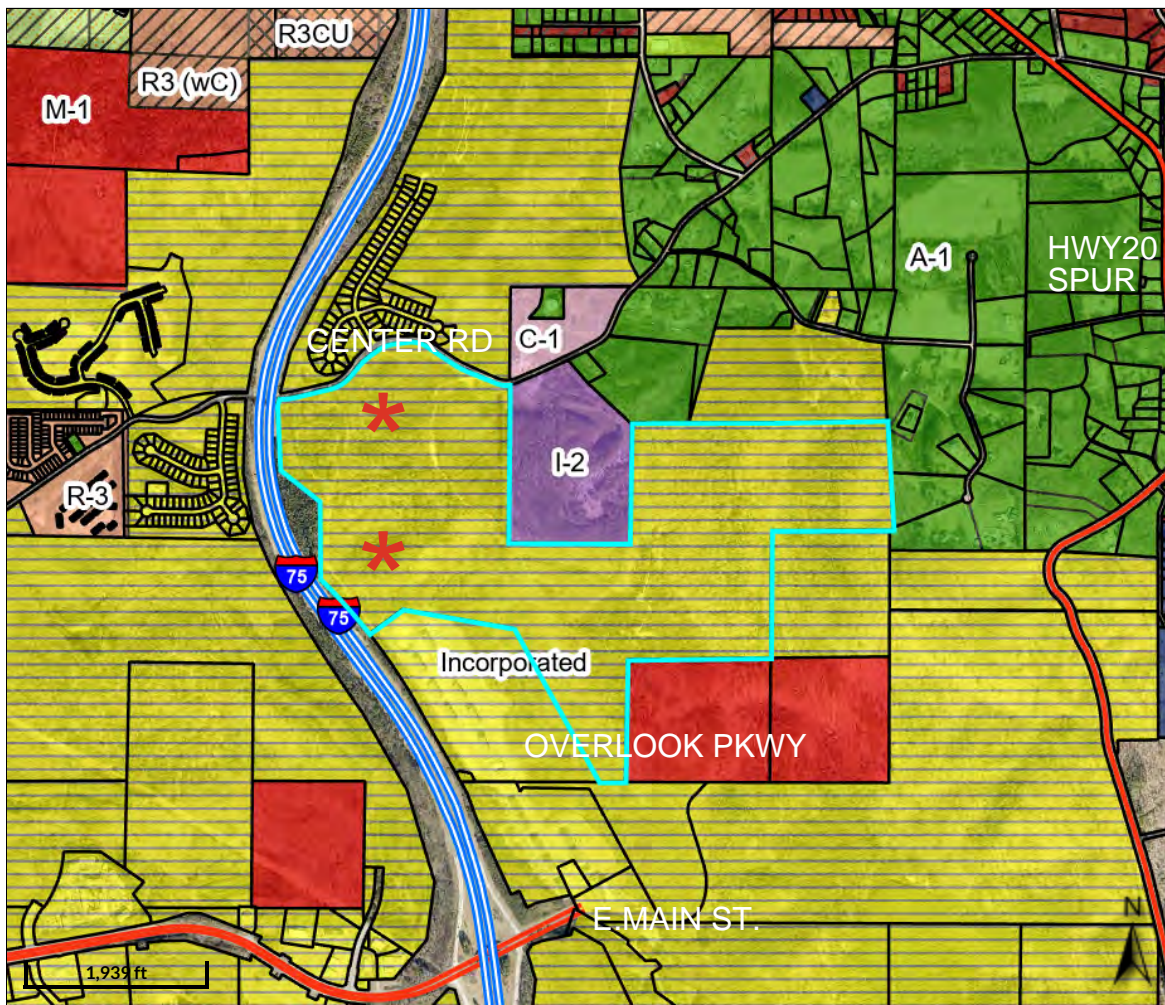
Cartersville  
LL 247 DIST 4

(Note: Not to be used on legal documents)

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Developed by  **SCHNEIDER**  
GEOSPATIAL



#### 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
-  R1 (wC)

\* Project Location

-  R1CU
-  R2 (wC)
-  R2CU
-  R3 (wC)
-  R3CU
-  R4 (wC)
-  R4CU
-  R7 (wC)
-  RE-1
-  RE-2
-  RE1 (wC)
-  RE1CU
-  RE2 (wC)
-  RE2CU
-  Unknown
-  Zoning with Conditions

Parcel ID
C108-0002-003

Alternate ID
38134

Sec/Twp/Rng
n/a

Class
Residential

Property Address
100 OVERLOOK PKWY

Acreage
289.23

Owner Address

CHARLES BARTENFELD PROP LLC  
ROBERT JORDAN PROP LLC & ETAL  
4200 NORTHSIDE PKWY BLDG 3  
ATLANTA, GA 30327

District

Cartersville

Brief Tax Description

LL 247 DIST 4  
(Note: Not to be used on legal documents)

Date created: 11/6/2024

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TO THE CITY OF CARTERSVILLE COUNCIL  
BARTOW COUNTY, GEORGIA

**CONSTITUTIONAL CHALLENGE**

COME NOW, Starlight Homes Georgia, LLC hereinafter collectively referred to as the "Applicant", and asserts the following, to wit:

1.

By application to which this exhibit relates, Applicant has applied to rezone 78.8 acres on Center Road (C108-002-003) from R-20 to P-D (Planned Development) for a residential development in the city of Cartersville, Georgia, a more particular description and delineation of the subject property hereinafter referred to as the "Property", being set forth in said Application known as Z24-08.

2.

The current R-20 and all intervening classifications are unconstitutional in that it deprives the Applicant under and pursuant to Article 1, Section I, Paragraphs I and II of the Georgia Constitution of 1983 and the Equal Protection and Due Process clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States. This deprivation of property without due process violates constitutional prohibitions against the taking of private property without just compensation.

3.

The zoning classification of R-20 violates the Applicant's right to the unfettered use of the property in that the existing zoning classification does not bear a substantial relation to the public health, safety, morality or general welfare and is, therefore, confiscatory and void. Further, said classifications are unconstitutional in that they are arbitrary and unreasonable, resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant.

5.

Denying the proposed zoning would violate the Equal Protection clause of the US and Georgia Constitutions because the application is in conformance with the Cartersville Future Development Plan and the proposed detached single family homes accessed via Center Road is 2.32 units per acres which is lower density than Ponders Mountain Phase 1, which is 2.6 units per acre. Likewise the townhome component is accessed via Main Street and Overlook Parkway past apartment buildings built at a much higher densities than the application at 2.3 units per acre. To deny this request, would be to arbitrarily deny densities and products that are already in the immediate area and such denial would violate the equal protection clause.

Respectfully submitted, this the 2nd day of April, 2025.

SAMS, LARKIN & HUFF, LLP



By: \_\_\_\_\_

PARKS F. HUFF  
Attorney for Applicant  
Ga. Bar No. 375010


# Application for Rezoning

City of Cartersville

Case Number: Z24-08  
Date Received: 9-20-24

## Public Hearing Dates:

Planning Commission 11-12-24 1<sup>st</sup> City Council 11-21-24 2<sup>nd</sup> City Council 12-5-24  
5:30pm 7:00pm ~~7:00pm~~ 9am

Applicant <u>Starlight Homes Georgia, LLC</u> (printed name)		Office Phone <u>404-308-1861</u>	
Address <u>3820 Mansell Road, Suite 100</u>		Mobile/ Other Phone <u>404-308-1861</u>	
City <u>Alpharetta</u>	State <u>GA</u>	Zip <u>30022</u>	Email <u>bryan.muddiman@ashtonwoods.com</u>
Representative's printed name (if other than applicant) <u>Bryan Muddiman</u>		Phone (Rep) <u>404-308-1861</u>	
Representative Signature 		Email (Rep) <u>bryan.muddiman@ashtonwoods.com</u>	
Signed, sealed and delivered in presence of:  Notary Public		My commission expires: <u>03-26-2028</u> 	

* Titleholder <u>Robert Jordan Properties, LLC</u> (titleholder's printed name)		Phone <u>404-237-2900</u>	
Address <u>4200 Northside Parkway, Bldg 3</u> <u>Atlanta, GA 30327</u>		Email <u>rjordan@rjordanccompany.com</u>	
Signature 		My commission expires: <u>12/5/2026</u> 	
Signed, sealed, delivered in presence of:  Notary Public			

Present Zoning District <u>R-20</u>		Requested Zoning <u>P-D</u>	
Acreage <u>78.8</u>	Land Lot(s) <u>258, 319, 320</u>	District(s) <u>4th</u>	Section(s) <u>3rd</u>
Location of Property: <u>Overlook Parkway, Cartersville, GA 30121</u> (street address, nearest intersections, etc.)		Parcel ID No. <u>Portion of C108-0002-003</u>	
Reason for Rezoning Request: <u>Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.</u> (attach additional statement as necessary)			

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

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City of Cartersville

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City <u>Alpharetta</u>	State <u>GA</u>	Zip <u>30022</u>	Email <u>bryan.muddiman@ashtonwoods.com</u>
Representative's printed name (if other than applicant) <u>Bryan Muddiman</u>		Phone (Rep) <u>404-308-1861</u>	
Representative Signature 		Email (Rep) <u>bryan.muddiman@ashtonwoods.com</u>	
Signed, sealed and delivered in presence of: <u>Keyauna Woods</u> Notary Public		My commission expires: <u>03-26-2028</u>	



* Titleholder <u>Charles Bartenfeld Properties, LLC</u> (titleholder's printed name)		Phone <u>404-237-2900</u>	
Address <u>4200 Northside Parkway, Bldg 3</u> <u>Atlanta, GA 30327</u>		Email <u>rjordan@rjordancompany.com</u>	
Signature <u>Robert Jordan</u> Signed, sealed, delivered in presence of: <u>Ann Gordon</u> Notary Public		My commission expires: <u>12/5/2026</u>	



Present Zoning District <u>R-20</u>		Requested Zoning <u>P-D</u>	
Acreage <u>78.8</u>	Land Lot(s) <u>258, 319, 320</u>	District(s) <u>4th</u>	Section(s) <u>3rd</u>
Location of Property: <u>Overlook Parkway, Cartersville, GA 30121</u> (street address, nearest intersections, etc.)		Parcel ID No. <u>Portion of C108-0002-003</u>	
Reason for Rezoning Request: <u>Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.</u> (attach additional statement as necessary)			

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

# Application for Rezoning

City of Cartersville

Case Number: Z24-08

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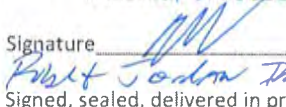

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Representative Signature 		Email (Rep) <u>bryan.muddiman@ashtonwoods.com</u> Applicant Signature 	
Signed, sealed and delivered in presence of: <u>Keythun Wack</u>		My commission expires: <u>03-26-2028</u>	
Notary Public			

* Titleholder <u>OJK, LLC</u> (titleholder's printed name)		Phone <u>404-237-2900</u>	
Address <u>4200 Northside Parkway, Bldg 3</u> <u>Atlanta, GA 30327</u>		Email <u>rjordan@rjordancompany.com</u>	
Signature 		My commission expires: <u>12/5/2024</u>	
Signed, sealed, delivered in presence of: <u>Ann Gordon</u>			
Notary Public			

Present Zoning District <u>R-20</u>		Requested Zoning <u>P-D</u>	
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**Application for Rezoning**

City of Cartersville

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City <u>Alpharetta</u>	State <u>GA</u>	Zip <u>30022</u>	Email <u>bryan.muddiman@ashtonwoods.com</u>
Representative's printed name (if other than applicant) <u>Bryan Muddiman</u>		Phone (Rep) <u>404-308-1861</u>	
Representative Signature 		Email (Rep) <u>bryan.muddiman@ashtonwoods.com</u>	
Signed, sealed and delivered in presence of:  Notary Public		My commission expires: <u>03-26-2028</u>	



* Titleholder <u>3 Knoxes, LLC</u> (titleholder's printed name)		Phone <u>404-237-2900</u>	
Address <u>4200 Northside Parkway, Bldg 3</u> <u>Atlanta, GA 30327</u>		Email <u>rjordan@rjordancompany.com</u>	
Signature 		My commission expires: <u>12/5/2026</u>	
Signed, sealed, delivered in presence of:  Notary Public			

Present Zoning District <u>R-20</u>	Requested Zoning <u>P-D</u>		
Acreage <u>78.8</u>	Land Lot(s) <u>258, 319, 320</u>	District(s) <u>4th</u>	Section(s) <u>3rd</u>
Location of Property: <u>Overlook Parkway, Cartersville, GA 30121</u> (street address, nearest intersections, etc.)		Parcel ID No. <u>Portion of C108-0002-003</u>	
Reason for Rezoning Request: <u>Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.</u>			
(attach additional statement as necessary)			

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

# Application for Rezoning

City of Cartersville

Case Number: Z24-08

Date Received: 9-20-24

## Public Hearing Dates:

Planning Commission 11-12-24

5:30pm  
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1<sup>st</sup> City Council 11-21-24

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~~7:00pm~~ 9am  
7:00pm

Applicant Starlight Homes Georgia, LLC  
(printed name)

Office Phone 404-308-1861

Address 3820 Mansell Road, Suite 100

Mobile/ Other Phone 404-308-1861

City Alpharetta

State GA

Zip 30022

Email bryan.muddiman@ashtonwoods.com

Bryan Muddiman

Phone (Rep) 404-308-1861

Representative's printed name (if other than applicant)

Email (Rep) bryan.muddiman@ashtonwoods.com

Representative Signature

Applicant Signature

Signed, sealed and delivered in presence of:

My commission expires:

Keylana Woods  
Notary Public

03-26-2028



\* Titleholder Marian S. McCamy Houk  
(titleholder's printed name)

Phone 404-237-2900

Address 4200 Northside Parkway, Bldg 3  
Atlanta, GA 30327

Email rjordan@rjordanccompany.com

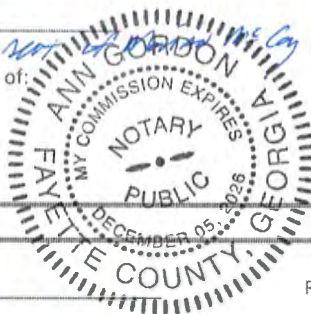
Signature

Signed, sealed, delivered in presence of:

My commission expires:

Ana Jordan  
Notary Public

12/5/2026



Present Zoning District R-20

Requested Zoning P-D

Acreage 78.8

Land Lot(s) 258, 319, 320

District(s) 4th

Section(s) 3rd

Location of Property: Overlook Parkway, Cartersville, GA 30121  
(street address, nearest intersections, etc.)

Parcel ID No. Portion of C108-0002-003

Reason for Rezoning Request: Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.

(attach additional statement as necessary)

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**Application for Rezoning**

City of Cartersville

Case Number: Z24-08Date Received: 9-20-24**Public Hearing Dates:**

Planning Commission 11-12-24 5:30pm  
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Applicant Starlight Homes Georgia, LLC Office Phone 404-308-1861  
(printed name)  
Address 3820 Mansell Road, Suite 100 Mobile/ Other Phone 404-308-1861  
City Alpharetta State GA Zip 30022 Email bryan.muddiman@ashtonwoods.com  
Bryan Muddiman Phone (Rep) 404-308-1861  
Representative's printed name (if other than applicant) Email (Rep) bryan.muddiman@ashtonwoods.com  
 Representative Signature  Applicant Signature  
Signed, sealed and delivered in presence of: My commission expires: 03-26-2028  
 Notary Public  


\* Titleholder Robert J. McCamy, Jr. and Marian S. McCamy Houk Phone 404-237-2900  
(titleholder's printed name)  
Address 4200 Northside Parkway, Bldg 3 Atlanta, GA 30327 Email riordan@riordanccompany.com  
Signature   
Signed, sealed, delivered in presence of: My commission expires: 12/5/2026  
 Notary Public

Present Zoning District R-20 Requested Zoning P-D  
Acreage 78.8 Land Lot(s) 258, 319, 320 District(s) 4th Section(s) 3rd  
Location of Property: Overlook Parkway, Cartersville, GA 30121 Parcel ID No. Portion of C108-0002-003  
(street address, nearest intersections, etc.)  
Reason for Rezoning Request: Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.  
(attach additional statement as necessary)

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

**Application for Rezoning**

City of Cartersville

Case Number: 224-08Date Received: 9-20-24**Public Hearing Dates:**Planning Commission 11-12-24

5:30pm

1<sup>st</sup> City Council 11-21-24

7:00pm

2<sup>nd</sup> City Council 12-5-24~~7:00pm~~ 9amApplicant Starlight Homes Georgia, LLC  
(printed name)Office Phone 404-308-1861Address 3820 Mansell Road, Suite 100Mobile/ Other Phone 404-308-1861City AlpharettaState GAZip 30022Email bryan.muddiman@ashtonwoods.comBryan MuddimanPhone (Rep) 404-308-1861

Representative's printed name (if other than applicant)

Email (Rep) bryan.muddiman@ashtonwoods.com

Representative Signature

Applicant Signature

Signed, sealed and delivered in presence of:

My commission expires:

Keyanna Woodh  
Notary Public03-26-2028\* Titleholder Clare S. McCamyPhone 404-237-2900

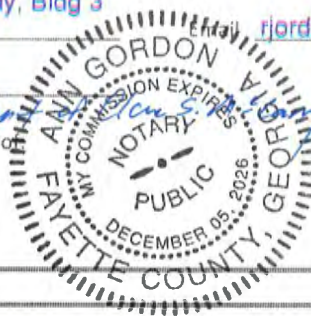
(titleholder's printed name)

Address 4200 Northside Parkway, Bldg 3  
Atlanta, GA 30327Email rjordan@rjordancompany.com

Signature

Signed, sealed, delivered in presence of

My commission expires:

Ann Gordon  
Notary Public12/5/2026Present Zoning District R-20Requested Zoning P-DAcreage 78.8Land Lot(s) 258, 319, 320District(s) 4thSection(s) 3rdLocation of Property: Overlook Parkway, Cartersville, GA 30121Parcel ID No. Portion of C108-0002-003

(street address, nearest intersections, etc.)

Reason for Rezoning Request: Rezone the property from R-20 to P-D for development of a community containing single-family detached and townhome lots.

(attach additional statement as necessary)

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

**Application for Rezoning**

City of Cartersville


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Applicant Starlight Homes Georgia, LLC Office Phone 404-308-1861  
 (printed name)  
 Address 3820 Mansell Road, Suite 100 Mobile/ Other Phone 404-308-1861  
 City Alpharetta State GA Zip 30022 Email bryan.muddiman@ashtonwoods.com  
Bryan Muddiman Phone (Rep) 404-308-1861  
 Representative's printed name (if other than applicant) Email (Rep) bryan.muddiman@ashtonwoods.com  
 Representative Signature Applicant Signature  
 Signed, sealed and delivered in presence of: My commission expires:  
Keyauna Woods 03-26-2028  
 Notary Public



\* Titleholder Robert J. McCamy, Jr. Phone 404-237-2900  
 (titleholder's printed name)  
 Address 4200 Northside Parkway, Bldg 3 Email rjordan@rjordancompany.com  
Atlanta, GA 30327  
 Signature  
 Signed, sealed, delivered in presence of  
Ann Jordan My commission expires:  
 Notary Public 12/5/2026



Present Zoning District R-20 Requested Zoning P-D  
 Acreage 78.8 Land Lot(s) 258, 319, 320 District(s) 4th Section(s) 3rd  
 Location of Property: Overlook Parkway, Cartersville, GA 30121 Parcel ID No. Portion of C108-0002-003  
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**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: September 20, 2024

Date Two Years Prior to Application: September 20, 2022

Date Five Years Prior to Application: September 20, 2019


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>X</u>
Council Member:		
Ward 1- Kari Hodge	<u>                    </u>	<u>X</u>
Ward 2- Jayce Stepp	<u>                    </u>	<u>X</u>
Ward 3- Cary Roth	<u>                    </u>	<u>X</u>
Ward 4- Calvin Cooley	<u>                    </u>	<u>X</u>
Ward 5- Gary Fox	<u>                    </u>	<u>X</u>
Ward 6- Alyssa Cordell	<u>                    </u>	<u>X</u>
Planning Commission		
Lamar Pendley, Chair	<u>                    </u>	<u>X</u>
Greg Culverhouse	<u>                    </u>	<u>X</u>
Anissa Cooley	<u>                    </u>	<u>X</u>
John Clayton	<u>                    </u>	<u>X</u>
Jay Milam	<u>                    </u>	<u>X</u>
Fritz Dent	<u>                    </u>	<u>X</u>
Matt Womack	<u>                    </u>	<u>X</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.

\_\_\_\_\_

DocuSigned by:

  
Signature

9/20/2024

Date

Rob Jordan under consent

Robert Jordan Properties, LLC

Print Name

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
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Ward 5- Gary Fox	<u>                    </u>	<u>X</u>
Ward 6- Alyssa Cordell	<u>                    </u>	<u>X</u>
Planning Commission		
Lamar Pendley, Chair	<u>                    </u>	<u>X</u>
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Signature

Rob Jordan under consent

9/20/2024

Date

Charles Bartenfeld Properties, LLC

Print Name

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
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Lamar Pendley, Chair	<u>                    </u>	<u>X</u>
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DocuSigned by:  
  
Signature 9/20/2024  
Rob Jordan under consent Date  
OJK, LLC  
 Print Name



**CAMPAIGN DISCLOSURE REPORT**  
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
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Ward 6- Alyssa Cordell	<u>                    </u>	<u>X</u>
Planning Commission		
Lamar Pendley, Chair	<u>                    </u>	<u>X</u>
Greg Culverhouse	<u>                    </u>	<u>X</u>
Anissa Cooley	<u>                    </u>	<u>X</u>
John Clayton	<u>                    </u>	<u>X</u>
Jay Milam	<u>                    </u>	<u>X</u>
Fritz Dent	<u>                    </u>	<u>X</u>
Matt Womack	<u>                    </u>	<u>X</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.

\_\_\_\_\_

DocuSigned by:  
  
Signature 9/20/2024  
Rob Jordan under consent Date  
Marian S. McCamy Houk  
 Print Name

**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: September 20, 2024

Date Two Years Prior to Application: September 20, 2022

Date Five Years Prior to Application: September 20, 2019

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>  X  </u>
Council Member:		
Ward 1- Kari Hodge	<u>                    </u>	<u>  X  </u>
Ward 2- Jayce Stepp	<u>                    </u>	<u>  X  </u>
Ward 3- Cary Roth	<u>                    </u>	<u>  X  </u>
Ward 4- Calvin Cooley	<u>                    </u>	<u>  X  </u>
Ward 5- Gary Fox	<u>                    </u>	<u>  X  </u>
Ward 6- Alyssa Cordell	<u>                    </u>	<u>  X  </u>
Planning Commission		
Lamar Pendley, Chair	<u>                    </u>	<u>  X  </u>
Greg Culverhouse	<u>                    </u>	<u>  X  </u>
Anissa Cooley	<u>                    </u>	<u>  X  </u>
John Clayton	<u>                    </u>	<u>  X  </u>
Jay Milam	<u>                    </u>	<u>  X  </u>
Fritz Dent	<u>                    </u>	<u>  X  </u>
Matt Womack	<u>                    </u>	<u>  X  </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.

\_\_\_\_\_

DocuSigned by:

  
Signature

Rob Jordan under consent

9/20/2024

Date

Robert J. McCamy, Jr. & Marian S. McCamy Houk  
Print Name

**CAMPAIGN DISCLOSURE REPORT**  
**FOR REZONING ACTIONS**

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Date of Application: September 20, 2024

Date Two Years Prior to Application: September 20, 2022

Date Five Years Prior to Application: September 20, 2019

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>X</u>
Council Member:		
Ward 1- Kari Hodge	<u>                    </u>	<u>X</u>
Ward 2- Jayce Stepp	<u>                    </u>	<u>X</u>
Ward 3- Cary Roth	<u>                    </u>	<u>X</u>
Ward 4- Calvin Cooley	<u>                    </u>	<u>X</u>
Ward 5- Gary Fox	<u>                    </u>	<u>X</u>
Ward 6- Alyssa Cordell	<u>                    </u>	<u>X</u>
Planning Commission		
Lamar Pendley, Chair	<u>                    </u>	<u>X</u>
Greg Culverhouse	<u>                    </u>	<u>X</u>
Anissa Cooley	<u>                    </u>	<u>X</u>
John Clayton	<u>                    </u>	<u>X</u>
Jay Milam	<u>                    </u>	<u>X</u>
Fritz Dent	<u>                    </u>	<u>X</u>
Matt Womack	<u>                    </u>	<u>X</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.

\_\_\_\_\_

DocuSigned by:



Signature

Robn Jordan under consent

9/20/2024

Date

Clare S. McCamy

Print Name

**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: September 20, 2024

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Date Five Years Prior to Application: September 20, 2019


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:

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Council Member:		
Ward 1- Kari Hodge	<u>                    </u>	<u>X</u>
Ward 2- Jayce Stepp	<u>                    </u>	<u>X</u>
Ward 3- Cary Roth	<u>                    </u>	<u>X</u>
Ward 4- Calvin Cooley	<u>                    </u>	<u>X</u>
Ward 5- Gary Fox	<u>                    </u>	<u>X</u>
Ward 6- Alyssa Cordell	<u>                    </u>	<u>X</u>
Planning Commission		
Lamar Pendley, Chair	<u>                    </u>	<u>X</u>
Greg Culverhouse	<u>                    </u>	<u>X</u>
Anissa Cooley	<u>                    </u>	<u>X</u>
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Jay Milam	<u>                    </u>	<u>X</u>
Fritz Dent	<u>                    </u>	<u>X</u>
Matt Womack	<u>                    </u>	<u>X</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.

\_\_\_\_\_

DocuSigned by:

  
Signature

Rob Jordan under consent

9/20/2024

Date

Robert J. McCamy, Jr.

Print Name



# City of Cartersville

---

G A S D E P A R T M E N T

May 20, 2022

Sherry Lancaster, Land Entitlement Manager  
Ashton Woods - Corporate HQ  
3820 Mansell Rd, Suite 300  
Alpharetta, Georgia 30022

RE: Natural Gas Availability  
Center Road  
Bartow County Parcel #C108-0002-003

Dear Ms. Lancaster:

In response to your request, natural gas service is available for the above referenced site location from an existing 6" HP steel natural gas main located at the intersection of Center Road and I-75 as well as adjacent to the parcel's western property line. The City of Cartersville Gas System will install and construct the proposed natural gas main infrastructure within the proposed development at no cost provided the developer and property owner or developer, if one in the same, enters into a Development Agreement with the City of Cartersville. The Development Agreement requires that each home must have a natural gas furnace for the main living area of the home, natural gas water heater and a third natural gas appliance installed or natural gas piping for a third appliance. Each homebuilder will receive incentives under the Gas Advantage Home Program as long as the terms of the Agreement are adhered to. The costs associated with the installation of each service line will be dependent on the number of natural gas appliances installed in the prospective home and, in most cases, these costs are offset by the rebates available from the City's Gas Advantage Program at the time of construction. To obtain the current rebate amounts, please contact the Gas Advantage Program Administer at this office.

Please note that the existing natural gas facilities operate at high-pressure, therefore, an easement will be required to construct a regulating station to serve natural gas to this development. The Gas System will work with your civil design team to locate the proposed regulating station to ensure maximum aesthetics. Additionally, it is our understanding that a portion of this development will include townhomes. It shall also be noted that townhomes are typically served natural gas by installing a natural gas meter header on one end of each building and the townhomes shall typically be accessed by a 60' public road right-of-way or 60' private ingress/egress/utility easement to prevent comingling of utilities.

If you have any questions or require additional information, please do not hesitate to contact this office.

Sincerely,

**CITY OF CARTERSVILLE, GEORGIA**

Brian S. Friery, Assistant Gas System Director

cc: Mr. Michael Dickson, Gas System Director *via email*



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

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P.O. Box 1390 • 155 Old Mill Road • Cartersville, Georgia 30120  
Telephone: 770-387-5642 • Fax: 770-387-5638 • [www.cityofcartersville.org](http://www.cityofcartersville.org)





# City of Cartersville

W A T E R D E P A R T M E N T

March 5, 2024

Barton Pierce  
Ashton Woods – Atlanta Division  
3820 Mansell Road, Suite 300  
Alpharetta, GA 30022

RE: Water and Sewer Availability- Center Road Starlight Homes (241 residential units)

Mr. Pierce,

This letter provides confirmation that water and sewer service is available for the proposed 168-unit subdivision development located at Center Road and 73-unit townhomes development adjacent to the I-75 Highway. Adequate capacity based on anticipated design flows from the development must be confirmed and approved at the time of plan submission.

An existing 16-inch diameter water main along Center Road and along the west side of the property is available for both developments. The maximum water service elevation allowed for this area is 1050 feet MSL. Each development will require dual water feed points for redundancy and reliability.

An existing 18-inch diameter sewer main along Center Road is available for both developments. The developer will be responsible for the design and construction of the sewer main extension required for the townhomes development (south of the site) and for obtaining the required easements in order to connect to the future pump station serving other adjacent developments. The sewer main extension must be in accordance with City of Cartersville Water Department specifications and requirements. The developer will be responsible for verifying elevations for gravity sewer service and contacting design locate (811) to obtain the correct location of the water line, sewer line, and other utilities in the area.

The City of Cartersville will not be responsible for financial losses or delays if the future pump station is not complete at the time the townhomes development needs sewer service. If the future pump station is not complete at the time townhomes service is needed or if the sewer extension is determined to be infeasible (requires concurrence from the City), the developer will be responsible for the design and construction of a new pump station at the site and the sewer force main required. The pump station and sewer force main must be designed by the City's engineering consultant.

The developer of the property will be responsible for all service capacity fees in effect at the time of service application. Fire protection flow rates for hydrants and fire suppression sprinkler systems are determined by the governing fire department. The developer will be responsible for coordinating with the fire department to determine fire flow requirements.

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P.O. Box 1390 • 148 Walnut Grove Road • Cartersville, Georgia 30120  
Telephone: 770-387-5653 • Fax: 770-606-2386 • [www.cityofcartersville.org](http://www.cityofcartersville.org)





# City of Cartersville

---

W A T E R D E P A R T M E N T

---

This determination is valid for a period of one year beginning on the date of this letter. You are encouraged to develop approved plans for this development within this one year time frame. An extension of this availability approval may not be possible due to other developments in this area.

Sincerely,

**Michael De Leon, P.E.**

Water System Engineer – Cartersville Water Dept.



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

---

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Telephone: 770-387-5653 • Fax: 770-606-2386 • [www.cityofcartersville.org](http://www.cityofcartersville.org)



Georgia Power Company  
Jeff Gilbert  
41 Massell Drive  
Cartersville, GA 30120  
770-634-8880



5/18/2022

**Sherry Lancaster**

Land Entitlement Manager  
Ashton Woods - Corporate HQ

3820 Mansell Rd, Suite 300 | Alpharetta, GA 30022

c 678-543-8898

[sherry.lancaster@ashtonwoods.com](mailto:sherry.lancaster@ashtonwoods.com) | [ashtonwoods.com](http://ashtonwoods.com) [[ashtonwoods.com](http://ashtonwoods.com)]

**RE: Electric Service Availability**

This letter is to confirm the availability of electric service for **Parcel Number C108-0002-003** which will be located **South of Center Rd, North of Main St and east of I-75, in Cartersville, GA 30121**

This property is further described as **339 acres** being in **Land Lot 247 DIST 4 of the Cartersville (District 01) District, Bartow, County, Georgia, 30121 Zip Code.**

Details of the type of voltage characteristics and location of facilities will be in accordance with Company standard procedures and policies. Please reference the NEC and Georgia Power Company's current Electric Service and Metering Installation Blue Book to determine all rules and regulations.

We look forward to working with you on this project. Please call me at **(770-634-8880)** if you have any questions or need further assistance.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeff Gilbert", with a stylized flourish at the end.

Jeff Gilbert  
Senior Distribution Engineer  
Georgia Power

ORIGINAL CONCEPT PLAN- FULL R-20 BUILDOUT. 315 LOTS

CP&E

CHRISTOPHER PLANNING  
& ENGINEERING

GSWCC LEVEL II CERTIFIED  
DESIGN PROFESSIONAL #05744  
(EXP. 02.17.2024)  
12460 CRABAPPLE ROAD, SUITE 202-612  
ALPHARETTA, GA 30004  
PHONE: 770.331.7303  
christopher@christopherplanning.com

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CONCEPT PLAN  
FOR:

CENTER ROAD  
TRACT

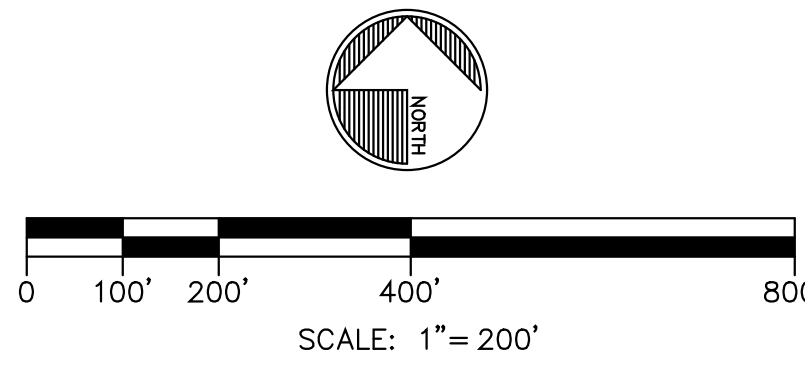
LAND LOTS 258, 319 & 320  
4TH DISTRICT, 3RD SECTION  
CITY OF CARTERSVILLE  
BARTOW COUNTY, GEORGIA  
PIN: C108-0002-003

REVISIONS

VICINITY MAP  
SCALE 1" = 2,000'

SITE ANALYSIS	
TOTAL SITE AREA	290.3 ACRES±
PROPOSED LOTS	315 UNITS
PROPOSED DENSITY	1.08 UNITS/AC
R-20 ZONING CRITERIA	
MINIMUM LOT WIDTH (AT FRONT BUILDING SETBACK)	100 FEET
MINIMUM LOT AREA	20,000 S.F.
MINIMUM HEATED FLOOR AREA PER UNIT	1,300 S.F.
MINIMUM INTERNAL BUILDING SETBACKS	FRONT 20 FEET
SIDE	10 FEET
REAR	30 FEET
MINIMUM LOT FRONTAGE	35 FEET
MAXIMUM BUILDING HEIGHT	35 FEET OR 2.5 STORIES (WHICHEVER IS HIGHER)

- PLAN NOTES:
- SURVEY INFORMATION TAKEN FROM ALTA SURVEY FOR JORDAN COMPANY BY WATTS & BROWNING ENGINEERS, INC. DATED 06.18.2005. TOPOGRAPHY INFORMATION TAKEN FROM CITY OF CARTERSVILLE GIS.
  - PROPERTY IS LOCATED NEAR OVERLOOK PARKWAY IN LAND LOTS 258, 319 & 320, 4TH DISTRICT, 3RD SECTION, CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA. ACCESS TO WILL BE THRU THE PROPOSED EXTENSION OF OVERLOOK PARKWAY BY ADJACENT MULTIFAMILY DEVELOPMENT TO THE SOUTH (PROPOSED ZONING PLAN OVERLAY SHOWN) & OFF CENTER ROAD.
  - THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA PER FIRM PANEL 13015C0267H EFFECTIVE DATE 10.05.2018.
  - EXISTING ZONING: R-20
  - TOTAL SITE AREA = 290.3 AC± (PARCEL C108-0002-003).
  - WATER & SEWER SERVICE TO BE PROVIDED BY CITY OF CARTERSVILLE WATER DEPARTMENT.
  - PROPOSED INTERNAL ROADWAYS TO BE 50' PUBLIC R/W (24' BC).
  - 5' SIDEWALK TO BE PROVIDED ON 1 SIDE OF ALL ROADWAYS (PUBLIC) LOCATED 2' OFF BOC.



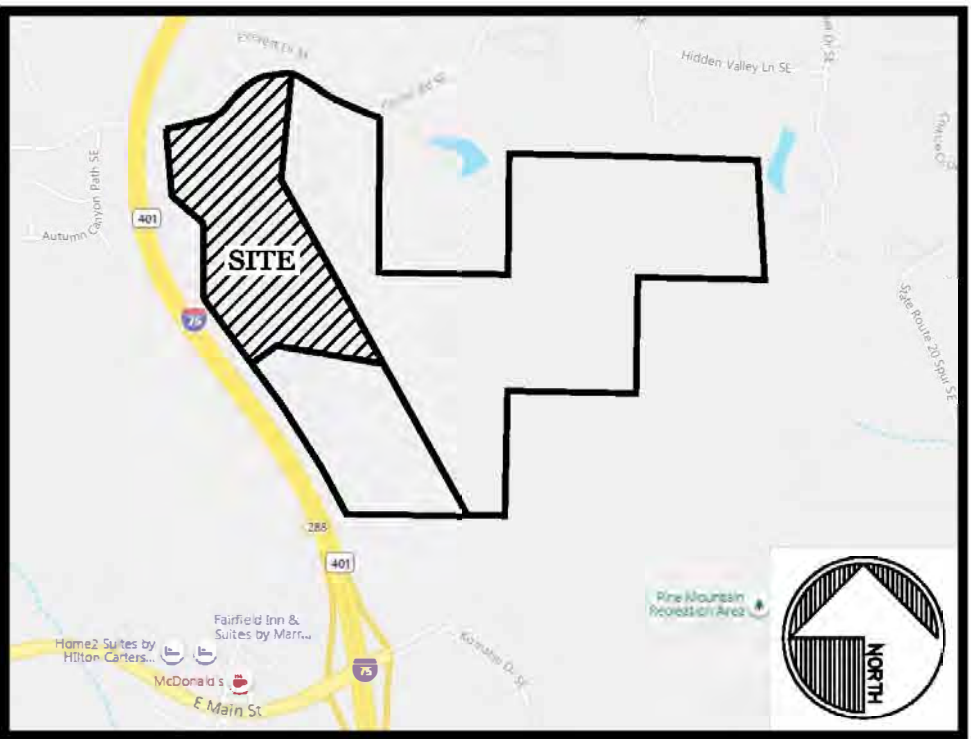
DATE: SEPTEMBER 14, 2022 CP&E DRAWING NO: 2020159cp4.dwg

CONCEPT  
SITE PLAN

SHEET NO.

CP.1

PROPOSED PLANNED DEVELOPMENT CONCEPT.  
(70) SINGLE FAMILY DETACHED HOMES  
(113) TOWNHOMES



VICINITY MAP  
SCALE 1" = 2,000'

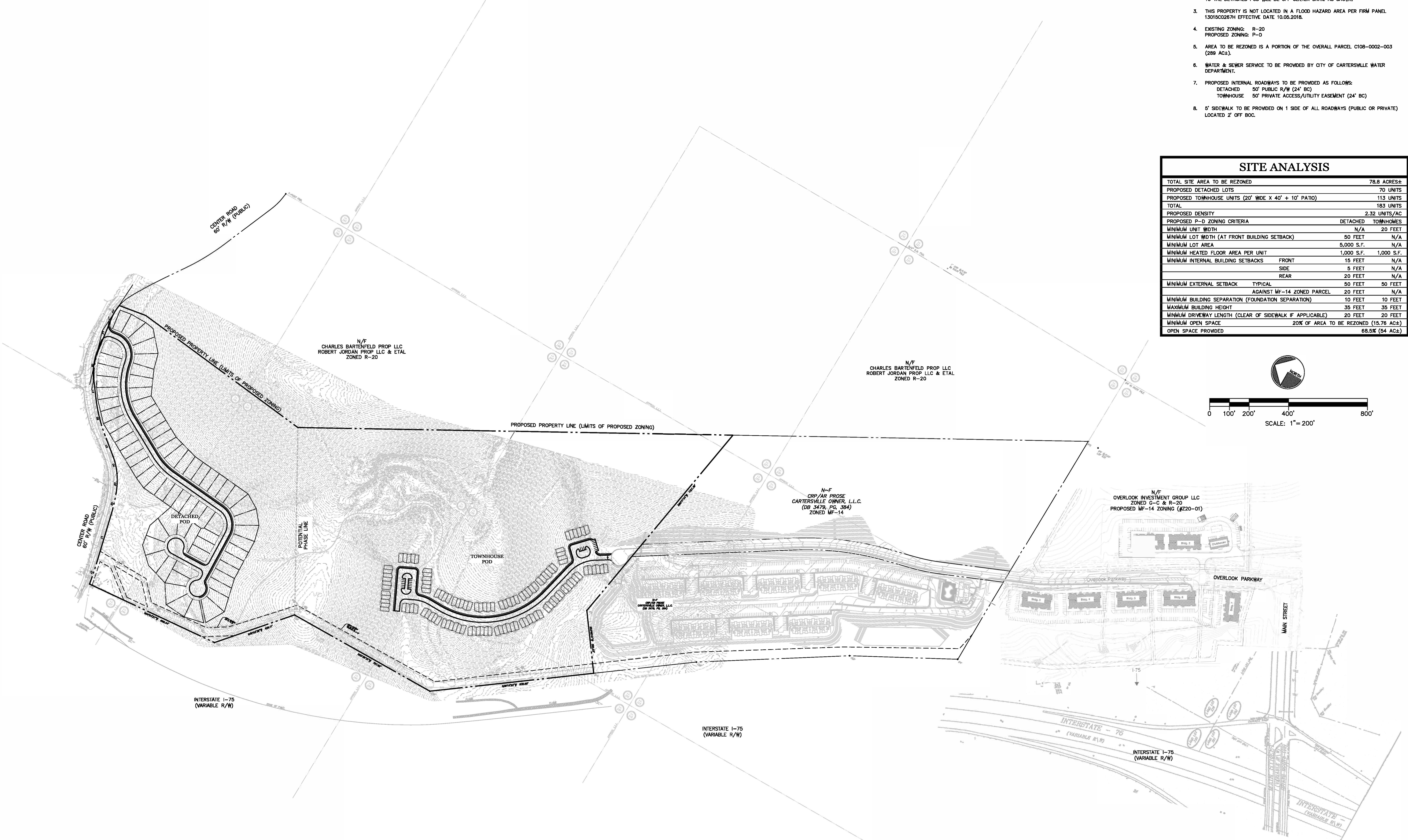
- PLAN NOTES:
- SURVEY INFORMATION TAKEN FROM ALTA SURVEY FOR JORDAN COMPANY BY MATTS & BROWNING ENGINEERS, INC. DATED 08.18.2005. TOPOGRAPHY INFORMATION TAKEN FROM CITY OF CARTERSVILLE GIS.
  - PROPERTY IS LOCATED NEAR OVERLOOK PARKWAY IN LAND LOTS 258, 319 & 320, 4TH DISTRICT, 3RD SECTION, CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA. ACCESS TO THE TOWNHOUSE POD WILL BE THRU OVERLOOK PARKWAY & ACCESS TO THE DETACHED POD WILL BE OFF CENTER DRIVE AS SHOWN.
  - THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA PER FIRM PANEL 1301050007H EFFECTIVE DATE 10.05.2016.
  - EXISTING ZONING: R-20  
PROPOSED ZONING: P-D
  - AREA TO BE REZONED IS A PORTION OF THE OVERALL PARCEL C108-0002-003 (288 AC±).
  - WATER & SEWER SERVICE TO BE PROVIDED BY CITY OF CARTERSVILLE WATER DEPARTMENT.
  - PROPOSED INTERNAL ROADWAYS TO BE PROVIDED AS FOLLOWS:  
DETACHED 50' PUBLIC R/W (24' BOC)  
TOWNHOUSE 50' PRIVATE ACCESS/UTILITY EASEMENT (24' BOC)
  - 5' SIDEWALK TO BE PROVIDED ON 1 SIDE OF ALL ROADWAYS (PUBLIC OR PRIVATE) LOCATED 2' OFF BOC.

SITE ANALYSIS

TOTAL SITE AREA TO BE REZONED	78.8 ACRES±
PROPOSED DETACHED LOTS	70 UNITS
PROPOSED TOWNHOUSE UNITS (20' WIDE X 40' + 10' PATIO)	113 UNITS
TOTAL	183 UNITS
PROPOSED DENSITY	2.32 UNITS/AC
PROPOSED P-D ZONING CRITERIA	DETACHED TOWNHOMES
MINIMUM UNIT WIDTH	N/A 20 FEET
MINIMUM LOT WIDTH (AT FRONT BUILDING SETBACK)	50 FEET N/A
MINIMUM LOT AREA	5,000 S.F. N/A
MINIMUM HEATED FLOOR AREA PER UNIT	1,000 S.F. 1,000 S.F.
MINIMUM INTERNAL BUILDING SETBACKS	FRONT 15 FEET N/A
	SIDE 5 FEET N/A
	REAR 20 FEET N/A
MINIMUM EXTERNAL SETBACK	TYPICAL 50 FEET 50 FEET
	AGAINST MF-14 ZONED PARCEL 20 FEET N/A
MINIMUM BUILDING SEPARATION (FOUNDATION SEPARATION)	10 FEET 10 FEET
MAXIMUM BUILDING HEIGHT	35 FEET 35 FEET
MINIMUM DRIVEWAY LENGTH (CLEAR OF SIDEWALK IF APPLICABLE)	20 FEET 20 FEET
MINIMUM OPEN SPACE	20% OF AREA TO BE REZONED (15.76 AC±)
OPEN SPACE PROVIDED	68.5% (54 AC±)



0 100' 200' 400' 600'  
SCALE: 1"=200'



ZONING PLAN

FOR:

CENTER ROAD TRACT

LAND LOTS 258, 319 & 320  
4TH DISTRICT, 3RD SECTION  
CITY OF CARTERSVILLE  
BARTOW COUNTY, GEORGIA

PIN: C108-0002-003

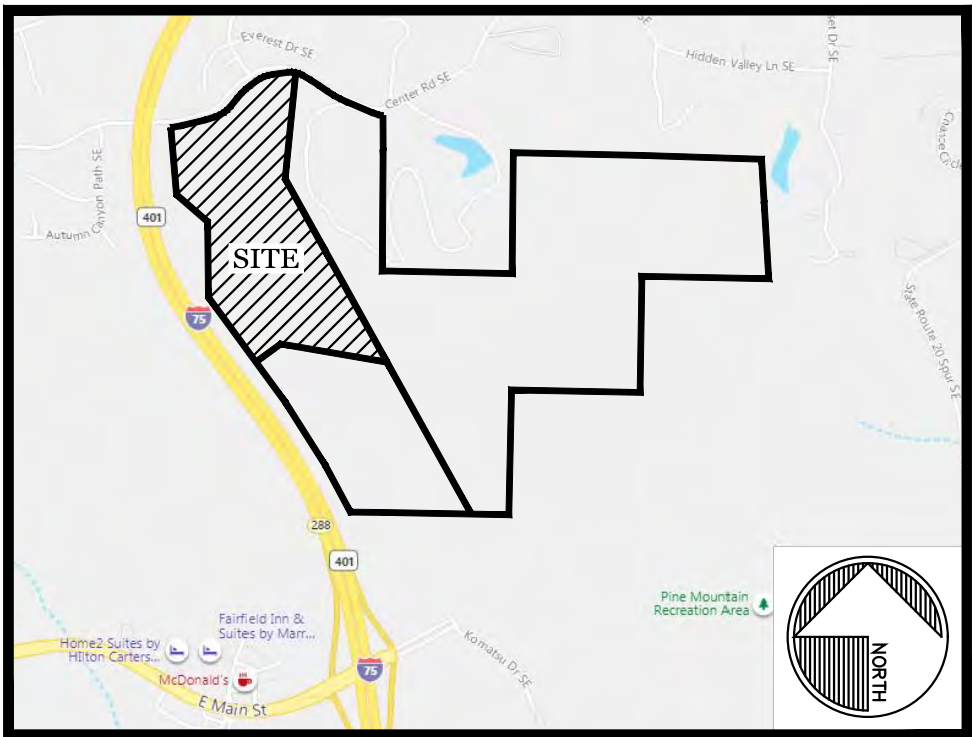
REVISIONS

△ 06.13.2022	CLIENT COMMENTS
△ 07.14.2022	CLIENT COMMENTS
△ 03.24.2023	CLIENT COMMENTS
△ 06.06.2023	CITY COMMENTS
△ 07.30.2024	CLIENT COMMENTS
△ 08.19.2024	CLIENT COMMENTS
△ 09.12.2024	CITY COMMENTS
△ 09.12.2024	CLIENT COMMENTS

DATE: MAY 24, 2022 CP&E DRAWING NO: 202015921.dwg

OVERALL SITE PLAN

SHEET NO.



VICINITY MAP

SCALE 1" = 2,000'

PLAN NOTES:

1. SURVEY INFORMATION TAKEN FROM ALTA SURVEY FOR JORDAN COMPANY BY WATTS & BROWNING ENGINEERS, INC. DATED 06.18.2005. TOPOGRAPHY INFORMATION TAKEN FROM CITY OF CARTERSVILLE GIS.
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PROPOSED ZONING: P-D
5. AREA TO BE REZONED IS A PORTION OF THE OVERALL PARCEL C108-0002-003 (289 AC±).
6. WATER & SEWER SERVICE TO BE PROVIDED BY CITY OF CARTERSVILLE WATER DEPARTMENT.
7. PROPOSED INTERNAL ROADWAYS TO BE PROVIDED AS FOLLOWS:  
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TOWNHOUSE 50' PRIVATE ACCESS/UTILITY EASEMENT (24' BC)
8. 5' SIDEWALK TO BE PROVIDED ON 1 SIDE OF ALL ROADWAYS (PUBLIC OR PRIVATE) LOCATED 2' OFF BOC.

60ft. - to be corrected

SITE ANALYSIS

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PROPOSED P-D ZONING CRITERIA		DETACHED TOWNHOMES
MINIMUM UNIT WIDTH		N/A 20 FEET
MINIMUM LOT WIDTH (AT FRONT BUILDING SETBACK)		50 FEET N/A
MINIMUM LOT AREA		5,000 S.F. N/A
MINIMUM HEATED FLOOR AREA PER UNIT		1,000 S.F. 1,000 S.F.
MINIMUM INTERNAL BUILDING SETBACKS	FRONT	15 FEET N/A
	SIDE	5 FEET N/A
	REAR	20 FEET N/A
MINIMUM EXTERNAL SETBACK	TYPICAL	50 FEET 50 FEET
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OPEN SPACE PROVIDED		68.5% (54 AC±)

CP & E

CHRISTOPHER PLANNING  
& ENGINEERING



8/19/2024

GSWCC LEVEL II CERTIFIED  
DESIGN PROFESSIONAL #05744  
(EXP. 03.21.2027)

12460 CRABAPPLE ROAD, SUITE 202-612  
ALPHARETTA, GA 30004  
PHONE 770.331.7303  
schristopher@christopherplanning.com

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ZONING PLAN

FOR:

CENTER ROAD  
TRACT

LAND LOTS 258, 319 & 320  
4<sup>TH</sup> DISTRICT, 3RD SECTION  
CITY OF CARTERSVILLE  
BARTOW COUNTY, GEORGIA

PIN: C108-0002-003



8/19/2024

GSWCC LEVEL II CERTIFIED  
DESIGN PROFESSIONAL #05744  
(EXP. 03.21.2027)12460 CRABAPPLE ROAD, SUITE 202-612  
ALPHARETTA, GA 30004  
PHONE: 770.331.7303  
christopher@christopherplanning.com

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ZONING PLAN

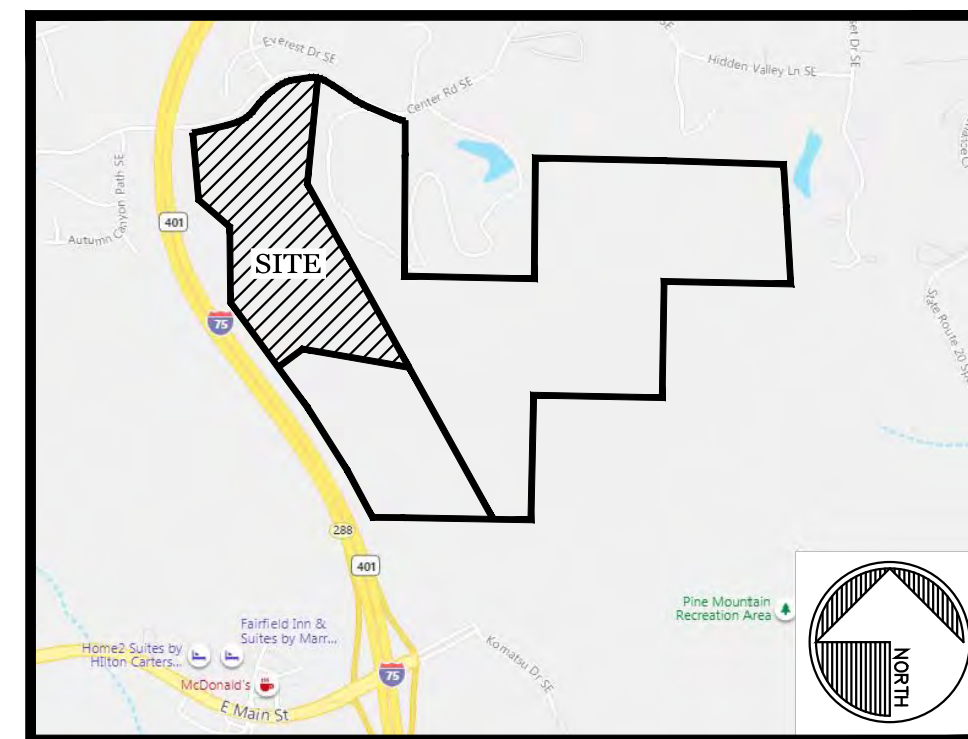
FOR:

CENTER ROAD  
TRACTLAND LOTS 258, 319 & 320  
4<sup>TH</sup> DISTRICT, 3RD SECTION  
CITY OF CARTERSVILLE  
BARTOW COUNTY, GEORGIA

PIN: C108-0002-003

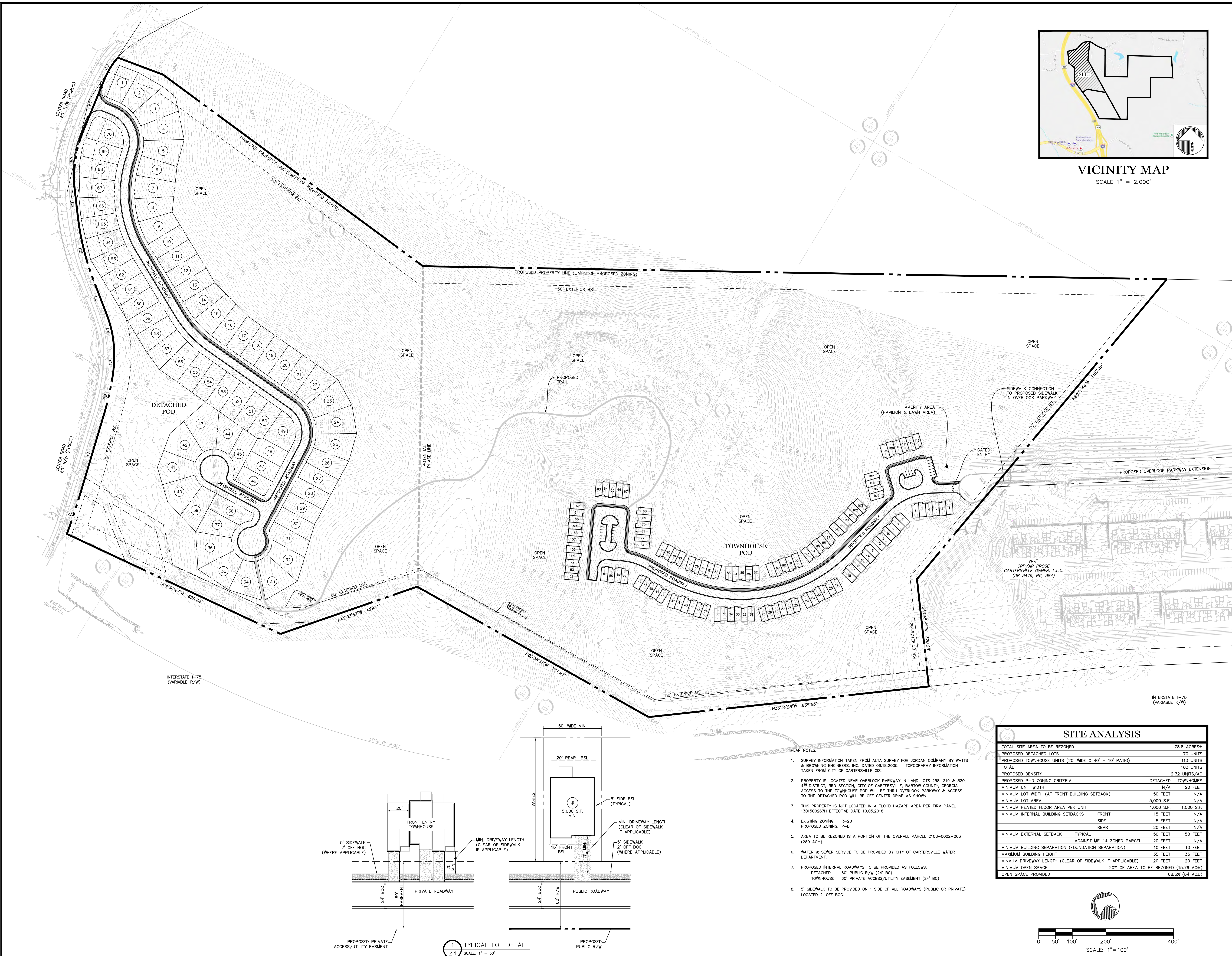
## REVISIONS

△	06.13.2022	CLIENT COMMENTS
△	07.14.2022	CLIENT COMMENTS
△	03.24.2023	CLIENT COMMENTS
△	06.06.2023	CITY COMMENTS
△	07.30.2024	CLIENT COMMENTS
△	08.19.2024	CLIENT COMMENTS
△	09.12.2024	CITY COMMENTS
△	09.12.2024	CLIENT COMMENTS
△	11.22.2024	CITY COMMENTS



## VICINITY MAP

SCALE 1" = 2,000'



## SITE ANALYSIS

TOTAL SITE AREA TO BE REZONED	78.8 ACRES±
PROPOSED DETACHED LOTS	70 UNITS
PROPOSED TOWNHOUSE UNITS (20' WIDE X 40' + 10' PATIO)	113 UNITS
TOTAL	183 UNITS
PROPOSED DENSITY	2.32 UNITS/AC
PROPOSED P-D ZONING CRITERIA	DETACHED TOWNHOMES
MINIMUM UNIT WIDTH	N/A 20 FEET
MINIMUM LOT WIDTH (AT FRONT BUILDING SETBACK)	50 FEET N/A
MINIMUM LOT AREA	5,000 S.F. N/A
MINIMUM HEATED FLOOR AREA PER UNIT	1,000 S.F. 1,000 S.F.
MINIMUM INTERNAL BUILDING SETBACKS	FRONT 15 FEET N/A SIDE 5 FEET N/A REAR 20 FEET N/A
MINIMUM EXTERNAL SETBACK	TYPICAL 50 FEET 50 FEET AGAINST MF-14 ZONED PARCEL 20 FEET N/A
MINIMUM BUILDING SEPARATION (FOUNDATION SEPARATION)	10 FEET 10 FEET
MINIMUM BUILDING HEIGHT	35 FEET 35 FEET
MINIMUM DRIVEWAY LENGTH (CLEAR OF SIDEWALK IF APPLICABLE)	20 FEET 20 FEET
MINIMUM OPEN SPACE	20% OF AREA TO BE REZONED (15.76 AC±)
OPEN SPACE PROVIDED	68.5% (54 AC±)

0 50' 100' 200' 400'  
SCALE: 1" = 100'DATE: MAY 24, 2022  
CP&E DRAWING NO: 202015921.dwgZONING  
SITE PLAN

SHEET NO.

2 OF 2



Single Family Detached



[illegible]

LAST REVISION	







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FLOOR PLAN 'A'

# GA 1.1



# WALL LEGEND

	
FULL HEIGHT 2X4 WOOD STUD PARTITION	FULL HEIGHT 2X6 WOOD STUD PARTITION
	
STONE VENEER	DRYWALL OPENING HEIGHT AS NOTED ON PLAN
	
BRICK VENEER	
	
STUD WALL BELOW HEIGHT AND STUD SIZE AS NOTED	

Townhomes



FULL HEIGHT 2X4 WOOD STUD PARTITION	FULL HEIGHT 2X6 WOOD STUD PARTITION
STONE VENEER	DRYWALL OPENING HEIGHT AS NOTED ON PLAN
BRICK VENEER	
STUD WALL BELOW HEIGHT AND STUD SIZE AS NOTED	

1	HOUSE TO GARAGE FIRE SEPARATION. GARAGE/HOUSE SEPARATION AT VERTICAL SURFACES SHALL BE PROTECTED WITH ONE (1) LAYER 1/2" GYPSUM BOARD. GARAGE/HOUSE SEPARATION AT HORIZONTAL SURFACES SHALL BE PROTECTED WITH ONE (1) LAYER 5/8" TYPE "X" GYPSUM BOARD
2	HOUSE TO GARAGE DOOR SEPARATION. PROVIDE 1 3/8" SOLID CORE DOOR OR APPROVED 20 MINUTE RATED DOOR
3	BENEATH STAIRS AND LANDINGS. 1/2" GYPSUM BOARD ON WALLS AND CEILING OF ENCLOSED ACCESSIBLE AREAS
8	ATTIC ACCESS LARGE ENOUGH TO REMOVE LARGEST PIECE OF EQUIPMENT BUT NOT LESS THAN 30"x22". FIRE RATED ACCESS AS NOTED. ATTIC ACCESS LADDER, VERIFY LOCATION AND SIZE WITH TRUSSES (25 1/2"x54" SIZE)
9	TEMPERED SAFETY GLASS
11	HALF WALL, HEIGHT AS NOTED
13	SHOWER, TEMPERED GLASS ENCLOSURE. WRAPPED WITH DRYWALL ALL 4 SIDES.
14	TUB-SHOWER COMBO
16	SLIDE-IN ELECTRICAL RANGE W/ HOOD AND MICRO ABV. VENT PER MANUFACTURER'S WRITTEN INSTRUCTIONS



1/4" = 1'-0" AT 22"X34" LAYOUT      1/8" = 1'-0" AT 11" X 17" LAYOUT



1/4" = 1'-0" AT 22"X34" LAYOUT      1/8" = 1'-0" AT 11" X 17" LAYOUT

Z24-08. Overlook Pkwy. Townhome entrance



Mar 26, 2025 at 9:56:16 AM  
64-100 Overlook Pkwy  
Cartersville GA 30121



Mar 26, 2025 at 9:57:24 AM  
64-100 Overlook Pkwy  
Cartersville GA 30121



Z24-08. Center Rd.  
Single Family detached  
approximate location

