

ZONING SYNOPSIS (Revised)

Information in the original synopsis has been stricken and/ or revised where appropriate.

Petition Number(s): Z22-02

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: Jenny Smith

Representative: Same

Property Owner: Jenny Smith

Property Location: ~~6 Smith Rd.~~ 7 Smith Rd

Access to the Property: N. Tennessee St.

Site Characteristics:

Tract Size: Acres: ~~5.53~~ 1.145 District: 4th Section: 3rd LL(S): 194

Ward: 1 Council Member: Kari Hodge

LAND USE INFORMATION (Revised)

Current Zoning: ~~R-7 &~~ R-15 (Single Family Residential)

Proposed Zoning: M-U (Multiple Use)

Proposed Use: Primary use to remain residential. Subdivide and use one structure as an office/retail space.

Current Zoning of Adjacent Property:

North: ~~M-U and~~ R-15

South: ~~R-15 and~~ O-C (Office Commercial)

East: ~~R-7 and~~ R-15

West: ~~O-C and P-S (Professional Services)~~

The Future Development Plan designates the subject property as: Tennessee Street Corridor and Transitional Use.

The Future Land Use Map designates the subject property as: Commercial Mixed-Use and Low/Medium Density Residential

ZONING ANALYSIS

Project Summary:

Revision: At Planning Commissions' request at the July 12th meeting, the applicant has reduced the zoning request to 1.145 acres to include only the lot that requires a change in land use, known as 7 Smith Rd. A plat that was recorded in 2020 demonstrates that the lot has been subdivided. The tax records have not been updated.

All zoning development requirements including setbacks and street frontage distances for the subdivided lot have been met.

The revised request is to rezone the 1.145 acre tract from R-15 to M-U.

The applicant is requesting the rezoning of property located at ~~6 Smith Rd.~~ **7 Smith Rd** from ~~R-7 and~~ R-15 (Single Family Residential) to M-U (Multiple-Use) in order to provide a professional office space.

~~There are two residential structures on site identified as 6 and 7 Smith Rd. The structure at 6 Smith Rd will continue to serve as a residence.~~ The structure at 7 Smith Rd will be renovated and converted to a professional office space. A floor plan, scope of work and cost estimate are included with the application.

Smith Rd. is a private street on an access and utility easement providing access to the property from Tennessee St.

~~The professional office lot will likely need to be subdivided from the residential lot per zoning ordinance requirements. (Sec. 4.3). Variances could be needed for the subdivision.~~

~~Sec. 4.3. Every use must be upon a lot.~~

~~No building or structure may be erected or use established unless upon a lot as defined by this chapter unless otherwise noted.~~

City Department Comments

Electric: The Electric System takes no exception to this rezoning case #Z22-02. Any requested upgrades to the electrical service can be address with the contractor during construction. If a meter base location change is desired, we would need to determine the new location ASAP.

Fibercom: Takes no exception.

Fire: CFD takes no exceptions to the rezoning request for 6 Smith Rd. to MU zoning provided all city adopted codes and ordinances are followed.

Gas: Takes no exception.

Public Works: No comments for rezoning purposes. However, they may have some issues when they have to permit it in regards to access.

Water and Sewer: See attachment dated 6-2-22

Public Comments:

6/22: Michael Willerson. Adjacent property owner at 216 Wildwood Dr. General Inquiry. Concerns about future development. Invited to attend meeting.

6/24: Jessica Withrow with the law office of Ms. Leslie Simmons requested a copy of the zoning application. It was forwarded via email. Ms. Simmons is the adjacent property owner at 1103 N. Tennessee St.

STANDARDS FOR EXERCISE OF ZONING POWERS.

1. *The existing land uses and zoning of nearby property.*
~~Due to the unusual shape of the subject property, the~~ **The property abuts other properties ranging from residential to office/ commercial. ~~to commercial.~~ The office/ commercial properties and uses front Tennessee St. Any new office use on the subject property may require planted buffers adjacent to residential properties or uses. A natural buffer currently exists along the east property line.**
2. *The suitability of the subject property for the zoned purposes.*
The property is suitable for the zoned purposes.
3. *The relative gain to the public, as compared to the hardship imposed upon the individual property owner.*
The public gain would be minimal. Rezoning provides land use options for the owner.
4. *Whether the subject property has a reasonable economic use as currently zoned.*
The property has a reasonable economic use as currently zoned.
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 would permit a use that is suitable in view of the use of the adjacent office/commercial use properties as long as the proposed use does not generate a burdensome number of vehicular trips or increase the residential unit density.

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 or property use. The narrow access easement for Smith Rd may complicate access to an office use if a high traffic count is generated by the office use.

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 does conform to the Future Development Map and Future Land Use Map.

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 and development regulations. A subdivision plat and site plan approval may be required for an office and/ or retail use.

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 should not burden existing streets, transportation facilities or, utilities.

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 rezoning. The following zoning conditions should be considered:

- Land uses ~~should be~~ **are** limited to single family residential, office or retail.
- **Future redevelopment of the site ~~should be~~ is limited to a single structure not to exceed the approximate area and height of the existing structure. ~~Office and/ or~~**

~~retail uses should be limited to 7 Smith Rd or a new building not to exceed the area or height of the existing structure building at 7 Smith Rd.~~

- The rezoning may be conditioned to the proposed floor plan, scope of work and associated cost estimate for 7 Smith Rd. included with the application.

Date: June 2, 2022

WATER DEPARTMENT ANNEXATION/ZONING REVIEW COMMENTS

Zoning Petition Number: Z22-02 Applicant: Jenny Smith

Location: 6 Smith Road

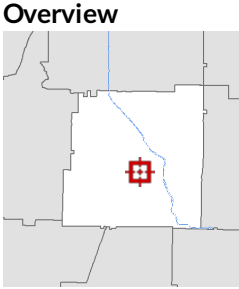
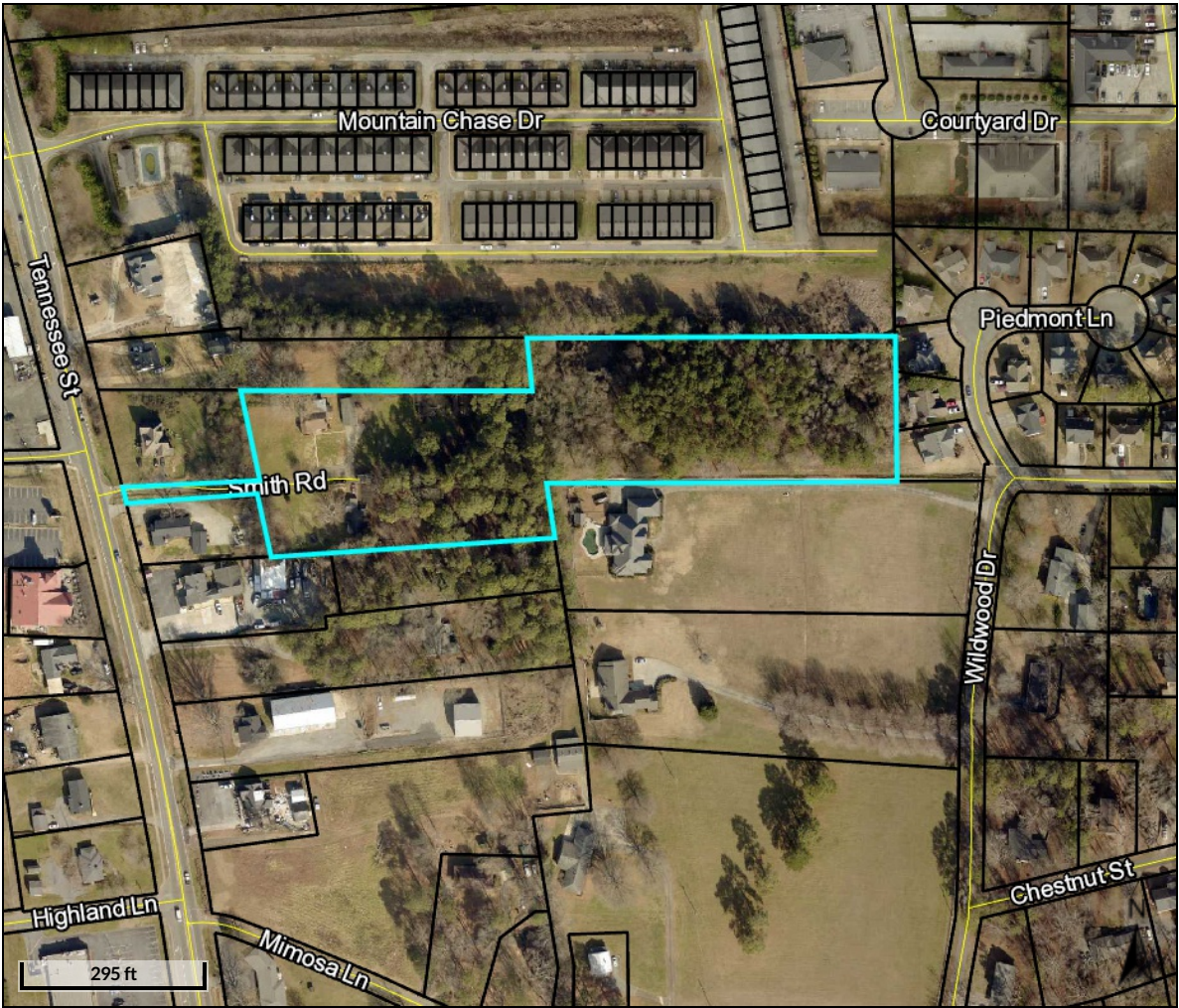
Acreage: 5.53

WATER SERVICE COMMENTS:

This property is located in the City of Cartersville Water Department's water service area. Any additional meters for service to any new structures on the site will require a water line extension. If existing builds are to be subdivided, any new units created will require a separate water meter. The Owner/Developer will be responsible for all costs for water system improvements and water line extensions necessary to serve the proposed development.

SEWER SERVICE COMMENTS:

This property is located in the City of Cartersville Water Department's sewer service area. Currently sewer service to the lot does not exist. If the owner desires sewer service they will be responsible for determining if gravity sewer can be extended to the site from the nearest sewer. Gravity sewer service may not be available. The Owner/Developer will be responsible for all costs for extending sewer to the site if it is desired. They will also be responsible for obtaining any necessary easements.



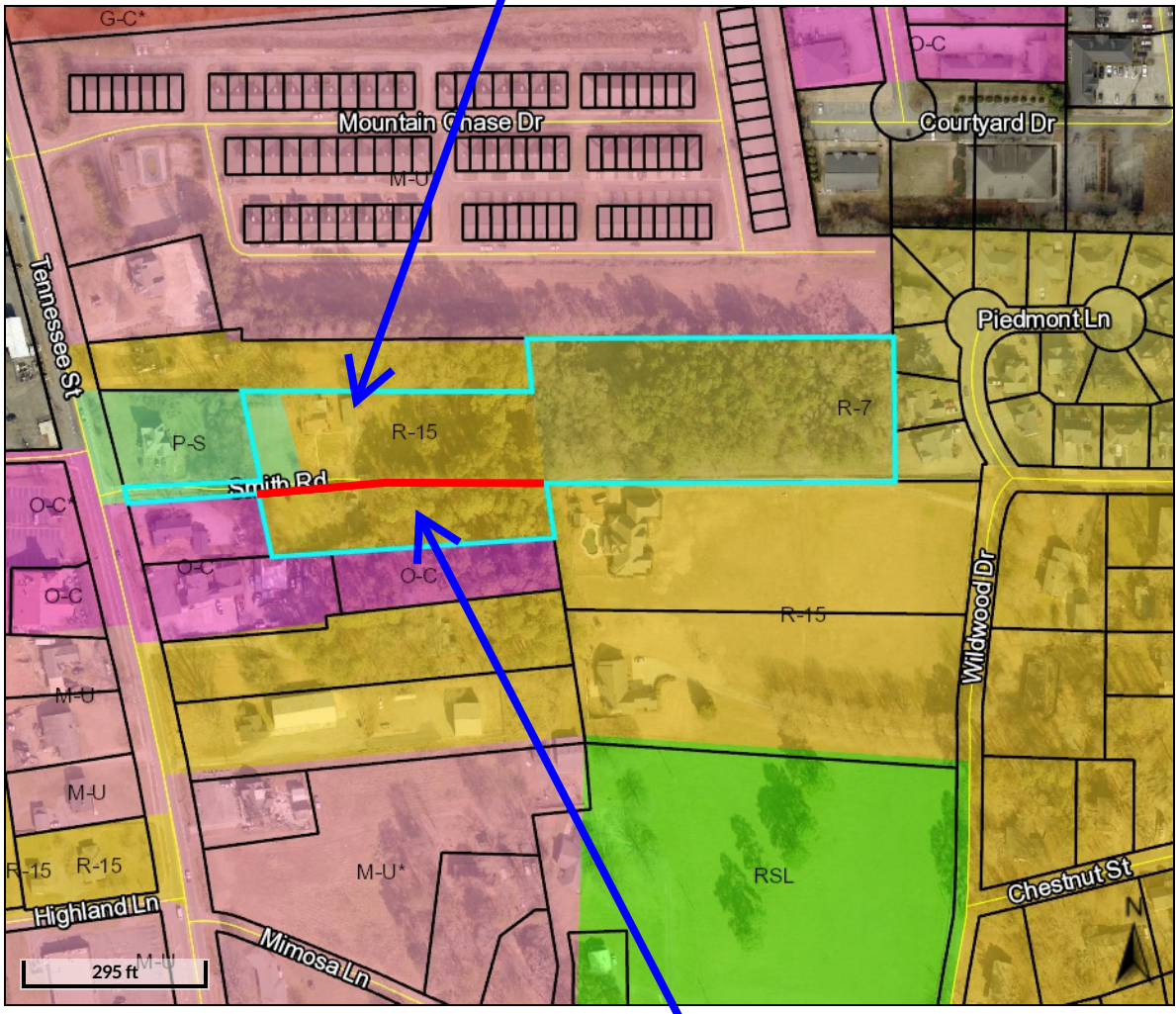
- Legend**
- Parcels
 - Roads
- Cartersville Overlay Districts**
- Business Park Overlay District
 - Cherokee-Cassvill Historic District
 - DBD Historic Distr
 - Granger Hill Histor District
 - Main Street Overla District
 - Olde Town Historic District
 - West End Historic District

Parcel ID	C029-0011-002	Alternate ID	35588	Owner Address	SMITH WEBB ALEXANDER
Sec/Twp/Rng	n/a	Class	Residential		6 SMITH RD
Property Address	6 SMITH RD	Acreage	5.47		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL194,239 LD4				
	(Note: Not to be used on legal documents)				

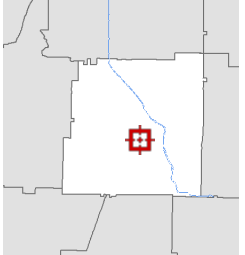
Date created: 5/25/2022
 Last Data Uploaded: 5/24/2022 9:38:30 PM

Developed by **Schneider**
 GEOSPATIAL

6 Smith Rd.



Overview



7 Smith Rd

Application for Rezoning

City of Cartersville

Case Number: 722-02
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 Jenny Smith Office Phone _____
(printed name)
 Address 6 Smith Rd. Mobile/ Other Phone 770-402-7984
 City Cartersville State GA Zip 30120 Email genericjenny@gmail.com
 Phone (Rep) _____
 Representative's printed name (if other than applicant) _____
 Email (Rep) _____
 Representative Signature _____ Applicant Signature Jenny Smith
 Signed, sealed and delivered in presence of: _____ My commission expires: 1/23/23
Stinner Notary Public



* Titleholder Jenny Smith Phone 770-402-7984
(titleholder's printed name)
 Address 6 Smith Rd. Email genericjenny@gmail.com
 Signature Jenny Smith
 Signed, sealed, delivered in presence of: _____ My commission expires: 1/23/23
Stinner Notary Public



Present Zoning District R15 + R7 Requested Zoning MU
 Acreage 5.53 Land Lot(s) 194 District(s) 4 Section(s) 3
 Location of Property: Intersection of Smith Rd. + Tennessee St.
(street address, nearest intersections, etc.)
 Reason for Rezoning Request: We have such a convenient location - we'd love to offer a small house on our property
(attach additional statement as necessary)

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

following disclosures:

Date of Application: 5/20/22

Date Two Years Prior to Application: 5/20/20

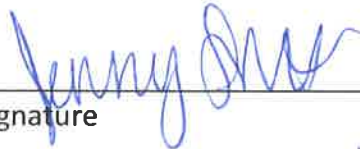
Date Five Years Prior to Application: 5/20/17

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>X</u>
Council Member:		
Ward 1- Kari Hodge	_____	<u>Y</u>
Ward 2- Jayce Stepp	_____	<u>X</u>
Ward 3- Cary Roth	_____	<u>X</u>
Ward 4- Calvin Cooley	_____	<u>X</u>
Ward 5- Gary Fox	_____	<u>X</u>
Ward 6- Taff Wren	_____	<u>X</u>
Planning Commission		
Greg Culverhouse	_____	<u>Y</u>
Harrison Dean	_____	<u>Y</u>
Lamar Pendley	_____	<u>X</u>
Open		
Travis Popham	_____	<u>Y</u>
Jeffery Ross	_____	<u>Y</u>
Stephen Smith	_____	<u>Y</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.

NA

 5/20/22
Signature Date

Jenny Smith
Print Name



Overview



Legend

-  Parcels
-  Roads

Parcel ID	C029-0011-002	Alternate ID	35588	Owner Address	SMITH WEBB ALEXANDER
Sec/Twp/Rng	n/a	Class	Residential		6 SMITH RD
Property Address	6 SMITH RD	Acreage	5.47		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL194,239 LD4				

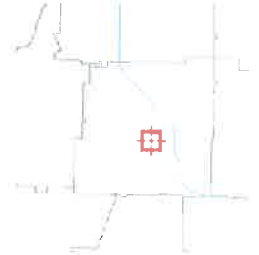
(Note: Not to be used on legal documents)

Date created: 5/16/2022
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Developed by 



Overview



Legend

-  Parcels
-  Roads

Parcel ID	C029-0011-002	Alternate ID	35588	Owner Address	SMITH WEBB ALEXANDER
Sec/Twp/Rng	n/a	Class	Residential		6 SMITH RD
Property Address	6 SMITH RD	Acreage	5.47		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL194,239 LD4				

(Note: Not to be used on legal documents)

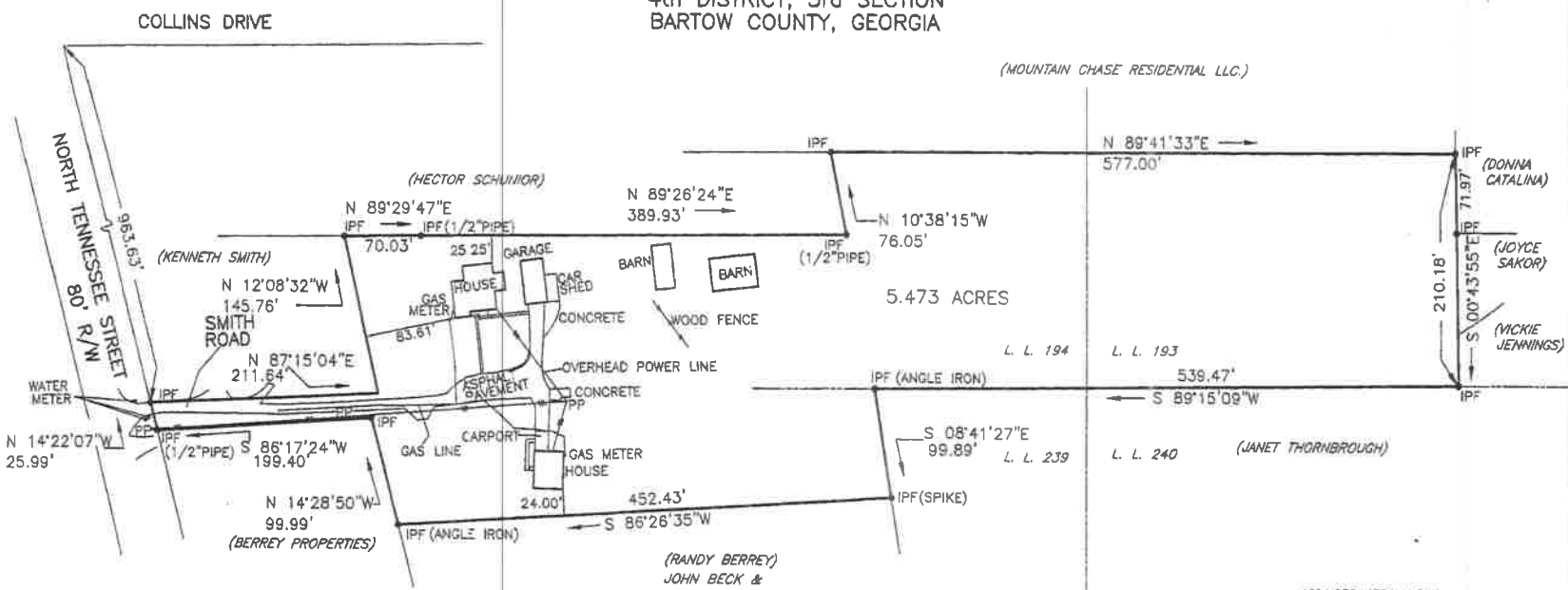
Date created: 5/16/2022
 Last Data Uploaded: 5/13/2022 9:52:46 PM

Developed by 

DEED Book 2330 Page 761
On 11/20/2008

SURVEY FOR
THE ESTATE OF
MARGARET B. SMITH
PROPERTY IN THE CITY OF CARTERSVILLE
PROPERTY IN LAND LOTS 193, 194 & 239
4th DISTRICT, 3rd SECTION
BARTOW COUNTY, GEORGIA

(MOUNTAIN CHASE RESIDENTIAL LLC.)



FIELD TRAVERSE:
CLOSURE; ONE FOOT IN 34,460 FEET
USING A LIETZ SET 3.
ANGULAR ERROR; 0'00'03" PER ANGLE
POINT USING A LIETZ SET 3.
ADJUSTED; USING THE COMPASS RULE.

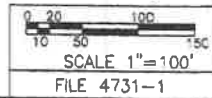
SMITH & SMITH LAND SURVEYORS, P.C.
2 SOUTH AVENUE, CARTERSVILLE, GA. 30120
PHONE 770-382-0457
REGISTERED LAND SURVEYOR No. 1803

GEORGIA, BARTOW COUNTY
CLERK'S OFFICE SUPERIOR COURT
Filed for record this 20 day of
NOV. 20 2008 at 3:23 o'clock P.M.
Platting in that record No. 109
Page 170 this 20 day of
November 20 2008
GARY BELL, Clerk

4894.CRD 4731-1.DWG
FLOOD INSURANCE RATE MAP 13015C0258 G
DATED SEPT. 28, 2007 SHOWS THIS PROPERTY
IS NOT IN THE 100 YEAR FLOOD ZONE.

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

PLAT CLOSURE;
ONE FOOT IN
240,000 FEET.
SEPTEMBER 18, 2008



MAG. NORTH

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

SPACE FOR CLERK OF SUPERIOR COURT

BK:2020 PG:332-332

P2020000303

FILED IN OFFICE
CLERK OF COURT
11/10/2020 04:19 PM
MELBA SCOGGINS, CLERK
SUPERIOR COURT
BARTOW COUNTY, GA

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-8-87, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENT BODIES BY ANY PURCHASER OR USER. APPROVAL IS OF THIS PLAT AS TO INTENDED USE OF THE PARCEL.

SPACE FOR GOVERNMENT BODY APPROVAL

Melba Scoggins

2670507172
PARTICIPANT ID

FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-8-87. SIGNATURES ABOVE WERE NOT IN PLACE WHEN THIS SURVEY WAS ISSUED, AND ARE TO BE OBTAINED PRIOR TO RECORDING.



William C. Smith
DATE: 11-20-2020
WILLIAM C. SMITH, GEORGIA REGISTERED LAND SURVEYOR No. 1803
DATE OF LAST FIELD SURVEY WORK: 10-23-2020

OWNER'S CERTIFICATE

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

Owner _____ Date _____

SURVEYOR'S CERTIFICATE

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision, that all monuments shown hereon actually exist and their location, size, type and material are correctly shown, and that all requirements of the development and zoning regulations have been fully complied with.

William C. Smith
Surveyor _____ Date 11-20-2020

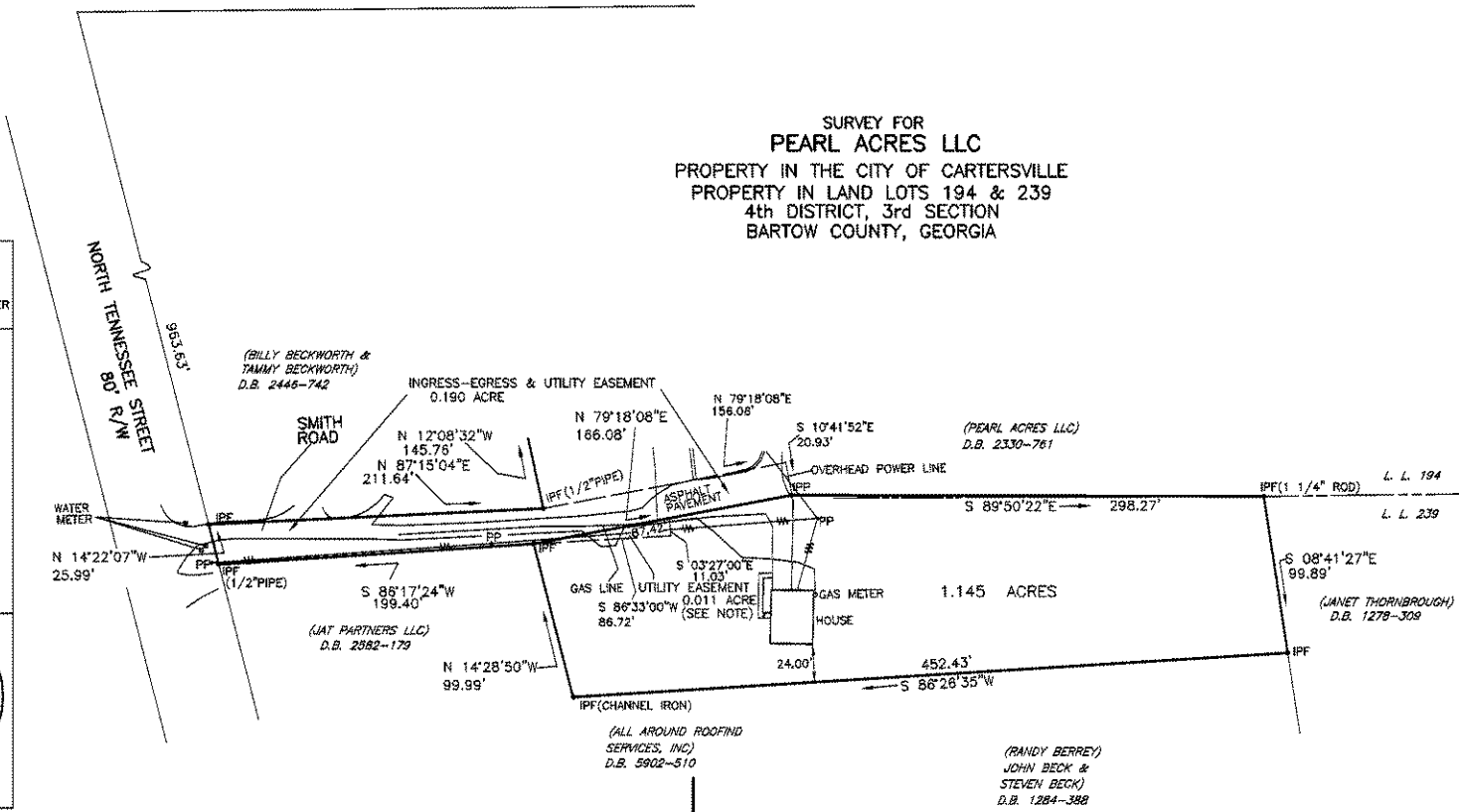
CITY OF CARTERSVILLE CERTIFICATE:

In accordance to the City of Cartersville Development Regulations and the City's Zoning Ordinance, all requirements of approval having been fulfilled, this plat was given final approval by the following City personnel on behalf of the City of Cartersville:

David Henderson
Zoning Administrator _____ Date 11-10-2020

COLLINS DRIVE

SURVEY FOR
PEARL ACRES LLC
PROPERTY IN THE CITY OF CARTERSVILLE
PROPERTY IN LAND LOTS 194 & 239
4th DISTRICT, 3rd SECTION
BARTOW COUNTY, GEORGIA



NOTE: THE SOUTH AND EAST LINES OF THE 0.011 ACRE UTILITY EASEMENT ARE 8.00 FEET OFF THE GAS TAP.

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

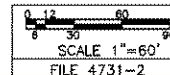
4694.CRD 4731-2.DWG
FLOOD INSURANCE RATE MAP 13015C0238 H DATED OCT. 5, 2018 SHOWS THIS PROPERTY IS NOT IN THE 100 YEAR FLOOD ZONE.

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

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

PLAT CLOSURE:
ONE FOOT IN 154,000 FEET.
OCTOBER 10, 2020
REVISED 11-06-2020

Legend table with symbols for R/W, IRON PIN PLACED, IRON PIN FOUND, CONCRETE MARKER, CHORD, LENGTH OF CURVE, RADIUS, FENCE, LAND LOT LINE, CENTER LINE, POWER LINE, POWER POLE.





View of 7 Smith Rd. on Aug. 31st, 2021

- newly vacant after tenants left
- photo taken after start of demo (1 week in)



7 Smith Rd.

photo taken: 4/28/22

Garbage removed, a few trees cleared,
ground leveled — ready for reno!!

CONSTRUCTION CONTRACT

THIS CONSTRUCTION CONTRACT (the "Contract") is dated this 27th day of April, 2022.

CLIENT

Jenny Smith
6 Smith Rd. Cartersville, GA 30120

(the "Client")

CONTRACTOR

WSM Renovations
1490 Hwy.411 Cartersville, GA 30120

(the "Contractor")

BACKGROUND

- A. The Client is of the opinion that the Contractor has the necessary qualifications, experience and abilities to provide services to the Client.
- B. The Contractor is agreeable to providing such services to the Client on the terms and conditions set out in this Contract.

IN CONSIDERATION OF the matters described above and of the mutual benefits and obligations set forth in this Contract, the receipt and sufficiency of which consideration is hereby acknowledged, the Client and the Contractor (individually the "Party" and collectively the "Parties" to this Contract) agree as follows:

* SERVICES PROVIDED

1. The Client hereby agrees to engage the Contractor to provide the Client with the following services (the "Services"):
 - Renovate existing structure located at 6 Smith Rd. Cartersville, GA 30120.
2. The Services will also include any other tasks which the Parties may agree on. The Contractor hereby agrees to provide such Services to the Client.

* TERM OF CONTRACT

3. The term of this Contract (the "Term") will begin on the date of this Contract and will remain in full force and effect until the completion of the Services, subject to earlier termination as provided in this Contract. The Term may be extended with the written consent of the Parties.

* PERFORMANCE

4. The Parties agree to do everything necessary to ensure that the terms of this Contract take effect.

ESTIMATE

WSM Renovations, LLC

11 Briar Chase Ct
White, GA 30184

wsm.renovations@gmail.com

+1 4705121018

Smith, Jenny

Bill to

Smith, Jenny
6 Smith Rd
Cartersville, Georgia 30120

Ship to

Jenny Smith
6 Smith Rd
Cartersville, Georgia 30120

Estimate details

Estimate no. : 1021
Estimate date : 04/18/2022
Expiration date : 04/30/2022

1. Office Renovations

\$54,789.28

The following estimate will be for a turn key project. The following breakdown will be a scope of work to be performed:

1. Install a petition wall in the center of big room seperating into 2 units. Opening a 5 foot door from front to rear area.
2. Opening a center walk and mud room with a rear entrance.
- 3 Remove existing bathroom and installing 2 individual baths, one for each unit. Each bath will meet all handicap codes.
4. Removing existing hot water heater and replacing with a tankless water heater.
5. Install all new windows with all necessary modifications as needed.
6. Install new exterior doors.
7. Install a large insulated glass window for each unit. Each window will be retrofit to approximately 4x5. These openings could be adjusted with both parties agreeing on exact size.
8. Upgrading existing electrical to a 200 Amp Service or 2 150 Amp services per code. This would include new fixtures to enhance lighting.
9. A new HVAC system will be installed with all trunk lines inspected and upgraded as needed.
10. Rear gravel parking area for employees with a gravel drive from existing paved road. Also, handicap parking spaces to meet code. Demo existing covered carport.
11. Spread existing dirt at property to create a proper drainage away from structure.
12. All efforts to preserve the existing hardwood floors will be performed. If any areas need replacing, LVP or a form of tile will be installed with agreement from both parties.
13. Build a covered porch 4x4 for all 3 entrance doors.
14. A small break area with cabinet space, countertop and sink in both units.
15. All plumbing for one unit to be used for hair salon. Maximum of three drainage and water supplies.
16. Paint interior with customer supplied colors.
17. Paint exterior brick and trim with customer supplied colors.

The total estimate for all above work \$54,789.28

Please be aware any structural damage not visible could lead to additional cost.

A deposit will be required on the start date of project. This will be discussed upon approval of quote.

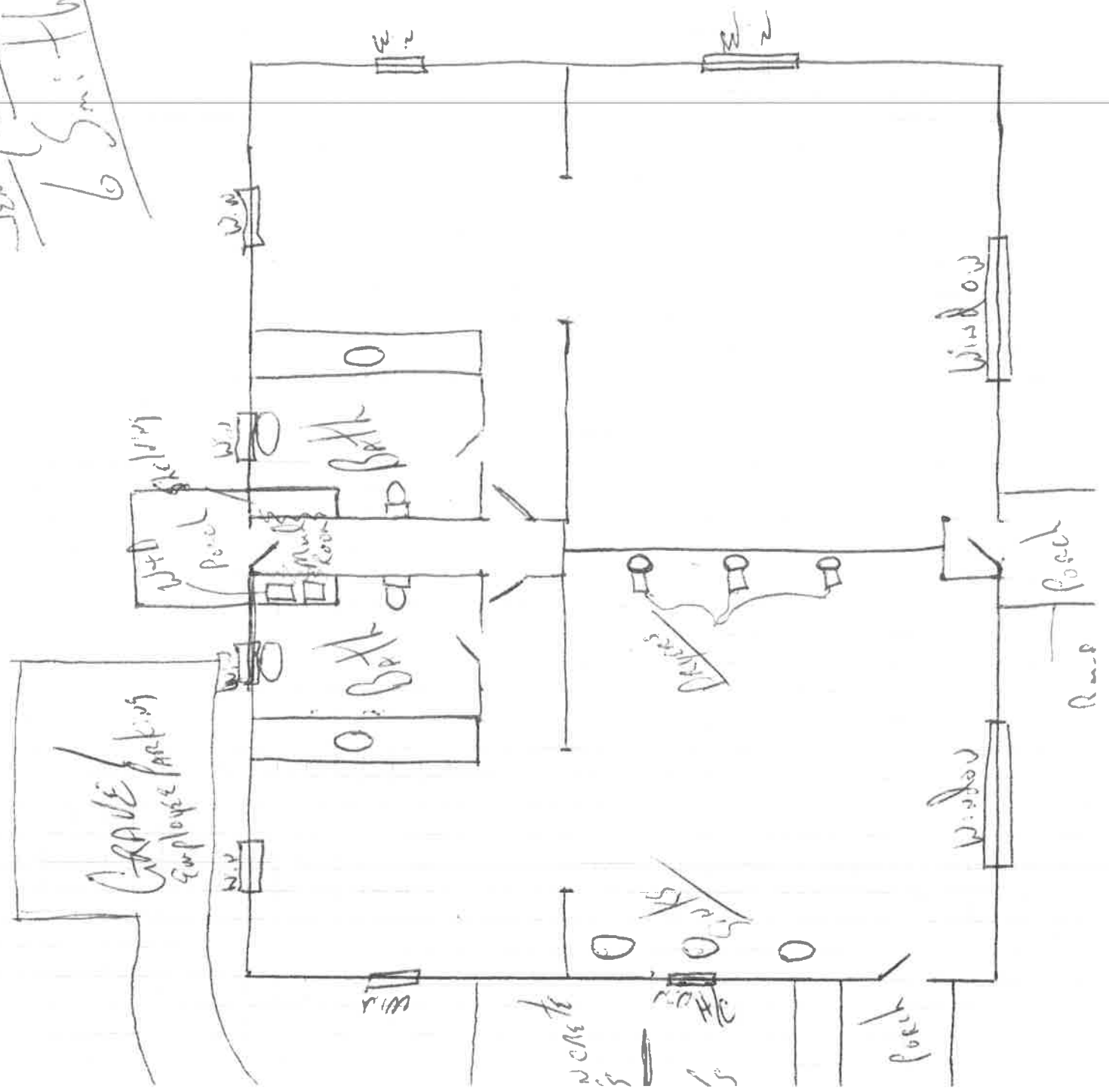
Total

\$54,789.28

Expiry date

04/30/2022

Jenny Smith
6 Smith Rd



IMAGES TAKEN 6-22-22



IMAGES TAKEN 7-5-22



View East from midpoint of driveway. 6 Smith Rd is on the left. 7 Smith Rd is on the right (Under renovation)



House at 6 Smith Rd. Applicant intends to use house as primary residence.



7 Smith Rd.
Applicant proposes
use as a
commercial office.



7 Smith Rd.
Applicant proposes
use as a
commercial office.



View West from
midpoint of Smith Rd.
towards Tennessee
St.



Intersection of Smith
Rd at Tennessee St.

IMAGES TAKEN 8-2-22

