

SPECIAL USE APPLICATION SYNOPSIS

Petition Number(s): **SU21-01**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Glenda Brazile**

Representative: **Glenda Brazile**

Property Owner: **Nayosha, Inc.**

Property Location: **807 West Ave Suite: D C015-0003-001**

Access to the Property: **West Ave**

Site Characteristics:

Tract Size: Acres: **0.9** District: **4th** Section: **3rd** LL(S): 558

Ward: **5** Council Member: **Gary Fox**

1. LAND USE INFORMATION

Current Zoning: **OC | Office Commercial**

Proposed Zoning: **OC | Office Commercial**

Proposed Use: **Church/(Religious Institution)**

Current Zoning of Adjacent Property:

North: **OC | Office Commercial**

South: **OC | Office Commercial & GC | General Commercial**

East: **OC | Office Commercial**

West: **OC | Office Commercial**

The Future Development Map designates the subject property as: Highway Commercial

The Future Land Use Map designates the subject property as: **Commercial.**

2. 2. City Department Comments:

Building: Depending on the occupancy of adjoining units they may be required to have a fire barrier separation of one hour if sprinklered or two hours if not.

Electric: No comments received.

Fibercom: Takes no exception.

Fire: SU21-01- Cartersville Fire Department takes no exceptions to the Special Use application to allow the proposed church provided that it meets all applicable codes and ordinances of the city of Cartersville. The granting of a special use permit does not guarantee the space is suitable for its intended use.

Some very important items to consider before proceeding:

- Architectural plans will be required since it is a change of occupancy from Mercantile to Assembly.
- Will need fire rated separation based on the requirements of 2018 IBC Table 508.4 (2 hrs. on each side if non-sprinklered - Suite C to D and Suite D to E). This can be costly and disruptive to existing tenants.
- Occupancy load will determine if fire sprinkler system is required (greater than 300 occupant load). I could not read the square footage of the suite on the application. (probably not an issue)
- If fire sprinklers are required, a fire alarm system will be also. (again, probably not an issue)
- ADA access shall meet the adopted ADA code
- All exiting features shall be in accordance with 2018 NFPA 101 and shown on the submitted plans.

This list is not all inclusive. It is meant to give an idea of some obstacles that may be encountered.

Gas: Takes no exception.

Public Works: No comments received.

Water and Sewer: No comments received.

3. Public Comments:

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

4. Special Use Review

The applicant wishes to operate a church. Hours of operation will be Sundays only at 11:30am. The City allows this use, Religious Institution, with a Special Use Permit approval in the OC (Office-Commercial) zoning district. Comments have been provided by the Building and Fire Departments that different Building and Fire Codes will have to be met for the suite due to the suite converting from a commercial to an assembly use.

5. 5. Zoning Ordinance Findings

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

6. Article XVI. Special Uses

Sec. 16.1. Scope and intent.

- A. This article specifies uses which are not classified as permitted uses as a matter of right in zoning districts, and are therefore only allowed through the approval of a Special use. The standards which apply to each use are enumerated and must be met in order for an application to be granted.
- B. In granting a Special use, conditions may be attached as are deemed necessary in the particular case for the protection or benefit of neighbors in order to assimilate the proposed development or use into the neighborhood with minimal impact.

Sec. 16.2. Application of regulations and approval.

Uses allowable with a Special use and the minimum standards for such uses are listed in section 16.4 of this article.

Uses in the districts enumerated herein may be authorized by Special use only. The regulations contained in this article shall not apply to any permitted use as a matter of right in any zoning district.

Any use which may be authorized by Special use shall be approved by the Mayor and Council in accordance with section 16.1, scope and intent, provided:

- A. The standards for the Special use as specified herein can be met;
- B. Recommendations have been received from the planning and development staff and other appropriate City departments.
- C. A public hearing has been held in relation to the Special use before the Planning Commission in conformance with the advertising standards outlined in article XXIV of this chapter. The Planning Commission shall make recommendations to the Mayor and Council regarding the application for a Special use; and
- D. A public hearing has been held in relation to the Special use before the Mayor and Council in conformance with the advertising standards outlined in article XXIV of this chapter.

Sec. 16.3. Additional restrictions.

- A. In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site proposed for a use which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special Use permit:

1. The effect of the proposed activity on traffic flow along adjoining streets;
2. The availability, number and location of off-street parking;
3. Protective screening;
4. Hours and manner of operation of the proposed use;
5. Outdoor lighting;
6. Ingress and egress to the property; and
7. Compatibility with surrounding land use.

B.A ny use which may be authorized by special use shall comply with all other City regulations, zoning district regulations and other regulations contained herein, and conditions of zoning approval if applicable. Whenever a standard contained in this section is in conflict with another provision of this chapter, the more restrictive provision shall prevail.

7. How General Standards Are Met

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

How Standard #1 has / will be met: No negative effect to traffic is anticipated. Services are only planned on Sundays at 11:30am.

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

How Standard #2 has / will be met: There are approximately 10 adult members. Suite D is a 1,500 sq ft space. Per ordinance Sec. 17.6.2, assuming all of the 1,500 sq ft of the space is used for assembly space, 30 parking spaces are required. With 10 adult members, approximately 8-10 spaces would be needed but only 4 spaces are provided for the tenant space. When additional parking is needed church members anticipate using spaces located on the Westside Village Condominium Association Inc. property to the north where many tenant spaces are vacant. There is currently no shared parking agreement in place. Per the Fire Marshall, a maximum occupancy for this space is 100 people if all 1,500 sq ft is used for assembly. Future parking needs may need to be addressed if the church grows its membership.

	Sunday Hours of Operation	
Suite	Business	Hours
A	Subway	10am-9pm
B	TCBY	12pm-9pm
C	KayDee Bugs Upscale Resale	Closed
D	Proposed Church	11:30 service
E	Dynasty	Closed
F	Trish Nails	12pm-6pm

Zoning Ordinance Sec. 17.6.2.

*Auditorium, stadium, assembly hall, gymnasium, theater, community recreation center, **religious institution.*** One (1) space per four (4) fixed seats in largest assembly room or area, or one (1) space

for each fifty (50) square feet of floor area available for the accommodation of movable seats in the largest assembly room.

Standard #3: Protective screening.

How Standard #3 has / will be met: Not required.

Standard #4: Hours and manner of operation:

How Standard #4 has / will be met: The applicant has noted hours of operation will be every Sunday at 11:30am.

Standard #5: Outdoor lighting

How Standard #5 has / will be met: Adequate lighting is already provided at this shopping center.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met: Ingress/ Egress will be from West Avenue.

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met: The area is predominantly OC, Office Commercial, and meets land use requirements pending approval of Special Use Permit. There are other churches in proximity to this location.

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

Ordinance Sec. 16.4.12. Items 1 and 2 are not applicable to existing structures. Item 3 could be applicable.

16.4.12 Religious institution.

A. Allowable districts: AG, R-20, R-15, R-10, R-7, R-D, RA-12, P-S, M-U, N-C, DBD, O-C, G-C, L-I.

B. Standards:

1. In addition to required setbacks, a minimum fifteen-foot wide buffer shall be required along all property lines adjoining a residential district or use to provide a visual screen in accordance with [section 4.17](#) of this chapter.

2. A cemetery use in conjunction with a religious institution in a residential district shall not be allowed.

3. Noise levels in decibels measured at the property line adjacent to single-family residential uses shall not exceed seventy (70) decibels. Noise levels are measured as constant, consistent sounds and not intermittent noise. All measurements shall be taken at property lines. It is the intent of this section

to regulate noise in a manner to prohibit it from exceeding levels of sound that could become a nuisance to adjacent property under Georgia law.

9. Staff Recommendation:

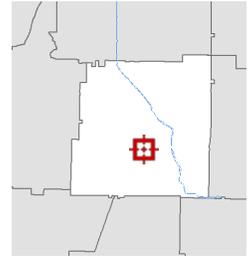
No objection to special use request. All fire and building code requirements need to be met per Fire Marshal's and Building Official's comments prior to issuance of business license.

10. Planning Commission Recommendation:

Recommends Approval, 4-0



Overview



Legend

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

Parcel ID	C015-0003-001	Alternate ID	33786	Owner Address	NAYOSHA INC
Sec/Twp/Rng	n/a	Class	Commercial		298 NELSON ST
Property Address	807 WEST AVE	Acreage	0.9		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LLM 558 D4 Tract 3 Plat 59-224 West End				
	(Note: Not to be used on legal documents)				

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

Developed by 

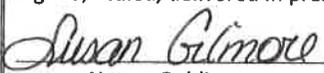
Application for Special Use
City of Cartersville

Case Number: 5421-01
Date Received: 12-16-2020

Public Hearing Dates: 3/9/21 3/18/21 4/1/21
Planning Commission 5:30pm 1st City Council 7:00pm 2nd City Council 7:00pm

Applicant Glenda Brazile (printed name) Cell Office Phone 678-520-8508
Address 30 Saddle Lane NW Mobile/ Other Phone 706-409-4749
City Cartersville State Ga Zip 30121 Email powerofgodfellowship@gmail.com
Representative's printed name (if other than applicant) Power of God Fellowship, Inc Phone (Rep) _____
Email (Rep) powerofgodfellowship@gmail.com
Representative Signature _____ Applicant Signature Glenda Brazile
Signed, sealed and delivered in presence of: _____ My commission expires: 03-09-2022

Notary Public 

* Titleholder Nayasha, Inc. (titleholder's printed name) Phone 678-699-7131
Address 807-D, WEST AVE Email janudesai@bellsouth.net
Signature Janis
Signed, sealed, delivered in presence of: _____ My commission expires: 4-15-2022
Notary Public 

Present Zoning District Office-Commercial
Acreage 0.9 Land Lot(s) 559 District(s) 4th Section(s) 3rd
Location of Property: 807 West Ave. Suite D Cartersville, Ga. 30120
(street address, nearest intersections, etc.)
Reason for Special Use Request: Church Services

(attach additional statement as necessary)

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

SPECIAL USE JUSTIFICATION

The Mayor and City Council, upon review, may authorize a Special Use which is not classified as a permitted use by right in a zoning district.

Zoning Ordinance section 16.3.A

In the interest of the public health, safety and welfare, the Mayor and Council may exercise limited discretion in evaluating the site which requires a Special use. In exercising such discretion pertaining to the subject use, the Mayor and Council may consider the following, which shall be stated in writing by the applicant and submitted to the department of planning and development to initiate an application for a Special use:

1. *The effect of the proposed activity on traffic flow along adjoining streets;*
2. *The availability, number and location of off-street parking;*
3. *Protective screening;*
4. *Hours and manner of operation of the proposed use;*
5. *Outdoor lighting;*
6. *Ingress and egress to the property; and*
7. *Compatibility with surrounding land use.*

Zoning Ordinance section 16.4 states standards for specific uses – if the use you are applying for has additional standards, these must also be addressed below.

Use applied for:

Church Services

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

How Standard #1 has / will be met:

Church Services on Sunday, other businesses are closed during this time. Adequate parking is already there.

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

How Standard #2 has / will be met:

Another complex that is adjoined to this complex. Many of those spaces do not have tenants.

Standard #3: Protective screening.

How Standard #3 has / will be met:

Temperature checks & mask will be required.

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

How Standard #4 has / will be met:

Every Sunday at 11:30am.

Standard #5: Outdoor lighting.

How Standard #5 has / will be met:

Outdoor lighting is present & maintained by the landlord.

Standard #6: Ingress and egress to the property.

How Standard #6 has / will be met:

Existing building already there, Ingress & egress is already established for other businesses.

Standard #7: Compatibility with surrounding land use.

How Standard #7 has / will be met:

In strip mall, there is a subway, Tcbby yogurt, used clothing store, mini mart, & nail salon.

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

Currently a church across the street & additional church behind the building.

Signed,

Shelene Brazile

Applicant or Representative

12-16-2020

Date

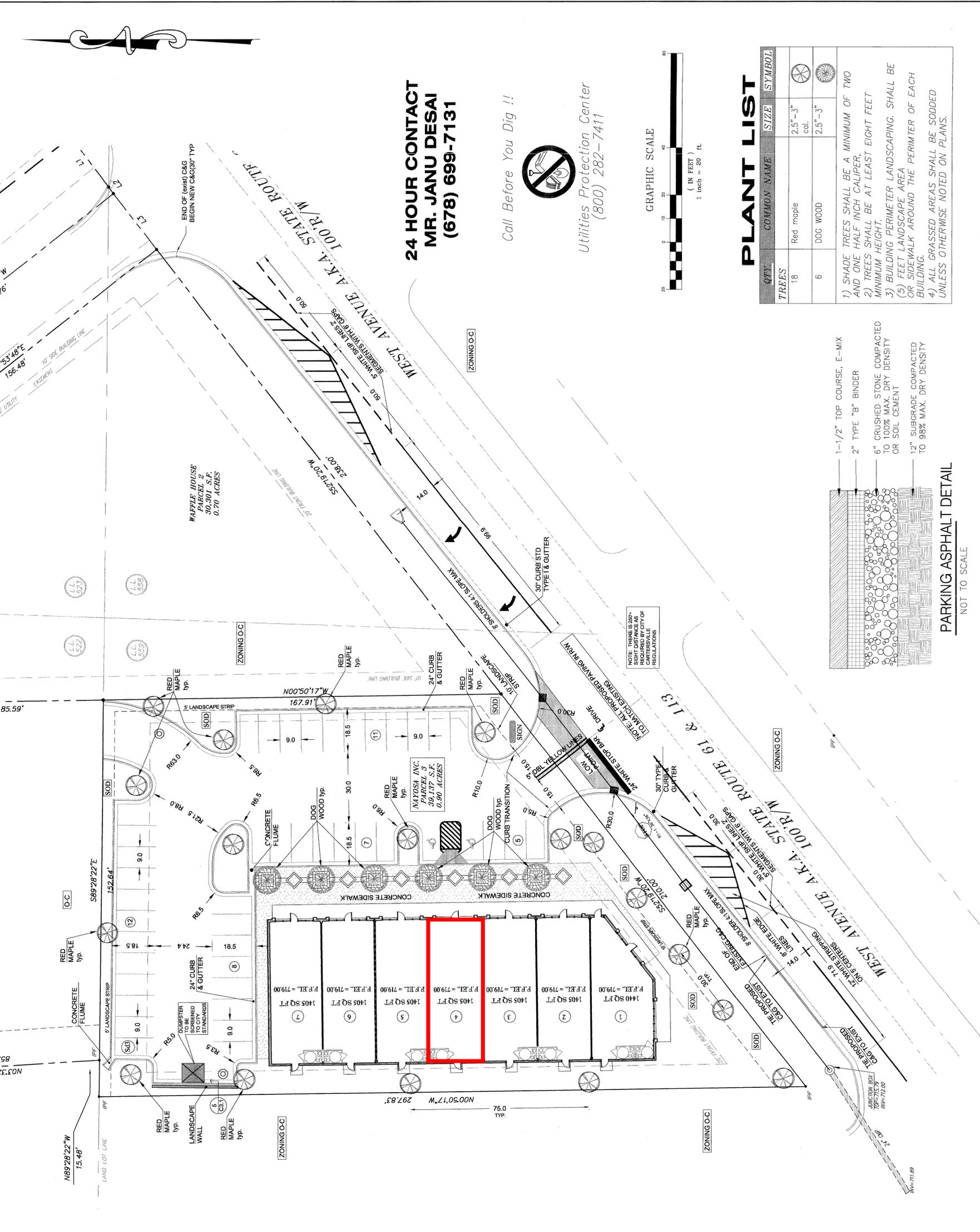
SITE PLAN NOTES:

PROPOSED USAGE: PRIVATE, COMMERCIAL
 ACREAGE OF SITE: .90 ACRES
 AREA OF LAND DISTURBANCE: .85 ACRES
 ALL CONSTRUCTION MUST CONFORM TO THE CITY STANDARDS AND SPECIFICATIONS, WHETHER OR NOT REVIEW COMMENTS WERE MADE. NOTIFY INSPECTOR 24 HOURS PRIOR TO CONSTRUCTION.
 THE SITE IS NOT LOCATED WITHIN THE FLOOD PLAIN PER BARTOW COUNTY COMMUNITY F.I.R.M. PANEL NUMBER: 1301500088 F DATED SEPTEMBER 28, 1988.

CURRENT ZONING O.C.
 DEVELOPMENT STANDARDS:
 HEIGHT MAX. 45 FT.
 FRONT YARD SETBACK: 20 FT.
 SIDE YARD SETBACK: 10 FT.
 REAR YARD SETBACK: 20 FT.
 LOT AT STREET: 110 FT.
 LOT AT BUILDING LINE: 100 FT.
 MAX LOT COVERAGE: 40%
 SIGNING AND STRIPING TO BE PROVIDED BY THE DEVELOPER ACCORDING TO THE CITY SPECIFICATIONS.
 ON-SITE PARKING SHALL BE PROVIDED AND MAINTAINED THROUGHOUT CONSTRUCTION.
 THERE ARE NO STATE WATERS ON SITE.
 THERE ARE NO WETLANDS ON SITE.
 DOMESTIC WATER PROVIDED BY CITY OF CARTERSVILLE.
 SANITARY SEWER PROVIDED BY CITY OF CARTERSVILLE.
 BOUNDARY AND TOPOGRAPHIC INFORMATION TAKEN FROM A SURVEY BY SOUTHLAND ENGINEERING, INC (770) 387-0440

EXISTING UTILITY LOCATIONS ARE SHOWN FOR INFORMATION PURPOSES ONLY. CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATIONS OF ALL UTILITIES AND FOR COORDINATING HIS OPERATIONS WITH ALL UTILITIES WHICH CONFLICT WITH HIS WORK.
 STORM DRAIN LOCATIONS AND INVERTS ARE TO BE FIELD VERIFIED. DISCREPANCIES ARE TO BE ADDRESSED TO THE ENGINEER. STORM DRAIN GRADES ARE TO MATCH EXISTING WATERCOURSE GRADES UNLESS NOTED OTHERWISE.
 CHARLIE BROWN, CARTERSVILLE WATER DEPARTMENT BACKFLOW PREVENTION COORDINATOR (770) 807-6681, IS TO BE CONTACTED FOR COORDINATION OF BACKFLOW PREVENTION REQUIREMENTS.
 TAP TO BE CONSTRUCTED BY THE CITY OF CARTERSVILLE WATER DEPARTMENT AT THE DEVELOPERS EXPENSE.

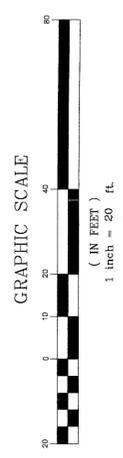
THE SPEED LIMIT IS 35 MPH ON WEST AV. AND THERE IS 250'± SIGHT DISTANCE AS REQUIRED BY CITY OF CARTERSVILLE.
 PARKING CALCULATION:
 O.C.: 1 SPACE FOR EACH 300 SF FLOOR SPACE
 10,000 SF/300 SF = 34 SPACES
 TOTAL REQUIRED = 34 SPACES
 TOTAL PARKING PROVIDED = 48 SPACES



**24 HOUR CONTACT
 MR. JANU DESAI
 (678) 699-7131**

Call Before You Dig !!

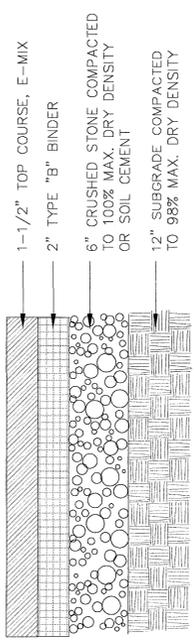
 Utilities Protection Center
 (800) 282-7411



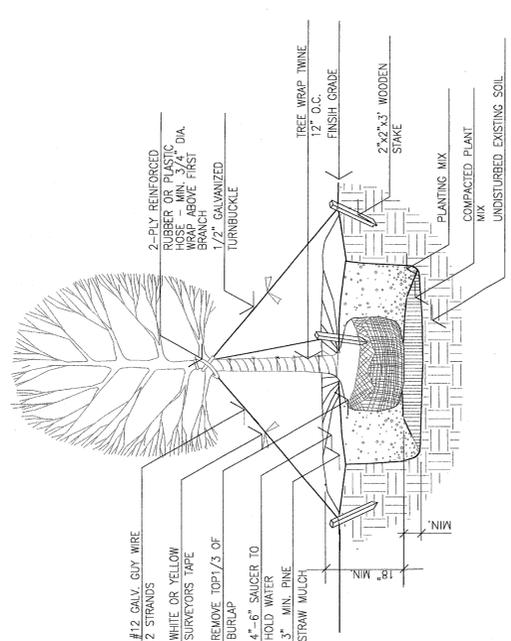
PLANT LIST

QTY.	COMMON NAME	SIZE	SYMBOL
18	Red maple	2.5"-3" col.	
6	DOG WOOD	2.5"-3"	

1) SHADE TREES SHALL BE A MINIMUM OF TWO AND ONE HALF INCH CALIPER,
 2) TREES SHALL BE AT LEAST EIGHT FEET MINIMUM HEIGHT.
 3) BUILDING PERIMETER LANDSCAPING. SHALL BE (5) FEET LANDSCAPE AREA OR SIDEWALK AROUND THE PERIMETER OF EACH BUILDING.
 4) ALL GRASSED AREAS SHALL BE SODDED UNLESS OTHERWISE NOTED ON PLANS.



PARKING ASPHALT DETAIL
 NOT TO SCALE



1 TREE PLANTING DETAIL
 NTS

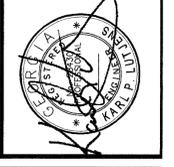
PROJ. NO. : 5021
 DATE : 1/10/2006
 SCALE : 1"=20'
 DWG. NO. : C2.1

**SITE/LANDSCAPE
 PLAN**

SOUTHLAND ENGINEERING
 LAND LOT 559, 4th DISTRICT, 3rd SECTION
 BARTOW COUNTY, GEORGIA

SouthLand Engineering Inc.
 925 NORTH TENNESSEE STREET
 CARTERSVILLE, GA 30120
 PHONE : (770)-387-0440
 FAX : (770)-607-5151

DESIGNED :
 DRAWN :
 CHECKED :
 APPROVED :



NO.	DATE	DESCRIPTION	REVISIONS
1/10/06	4	CORRECTIONS PER GOOD	
1/10/06	3	3rd SUBMITTAL CITY OF CARTERSVILLE	
1/10/06	2	2nd SUBMITTAL CITY OF CARTERSVILLE	
1/10/06	1	DATE	



STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

RECEIPT

Filer Information

Megan Hightower
164 Davis Mill Way
Dallas, GA 30157

Transaction Details

Product Description	Business Name	Control No.	Shipped	Order Date	Item Cost	Expedite Fee	Service Charge	Total
Business Amendment	POWER OF GOD FELLOWSHIP INCORPORATED	09026556	Online	12/04/2020	20.00	0.00	0.00	20.00

Invoice Total: \$20.00

Payment Details

Payment Type	Check/Reference No.	Amount
Credit Card - VISA	#####1615	20.00

Payment Total: \$20.00

Requested Business Name(s)

Requested Business Name	New Revelation Ministries Incorporated
2nd Choice of Business Name	
3rd Choice of Business Name	

Date of this notice: 09-22-2009

Employer Identification Number:
27 0971719

Form: SS 4

Number of this notice: CP 575 E

POWER OF GOD FELLOWSHIP
INCORPORATED
% HOWARD BRAZILE
611 GRASSDALE RD STE B
CARTERSVILLE, GA 30121

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 27-0971719. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Assigning an EIN does not grant tax-exempt status to non-profit organizations. Publication 557, *Tax Exempt Status for Your Organization*, has details on the application process, as well as information on returns you may need to file. To apply for formal recognition of tax-exempt status, most organizations will need to complete either Form 1023, *Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code*, or Form 1024, *Application for Recognition of Exemption Under Section 501(a)*. Submit the completed form, all applicable attachments, and the required user fee to:

Internal Revenue Service
PO Box 192
Covington, KY 41012-0192

The Pension Protection Act of 2006 contains numerous changes to the tax law provisions affecting tax-exempt organizations, including an annual electronic notification requirement (Form 990-N) for organizations not required to file an annual information return (Form 990 or Form 990-EZ). Additionally, if you are required to file an annual information return, you may be required to file it electronically. Please refer to the Charities & Non-Profits page at www.irs.gov for the most current information on your filing requirements and on provisions of the Pension Protection Act of 2006 that may affect you.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

