

ZONING SYNOPSIS

Petition Number(s): **Z23-01**

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: **Berrey Properties, Inc.**

Representative: **Randy Berrey**

Property Owner: **Berrey Properties, Inc.**

Property Location: **405-B Old Mill Rd. Tax ID C022-0004-027**

Access to the Property: **Old Mill Rd**

Site Characteristics:

Tract Size: Acres: **0.86** District: **4th** Section: **3rd** LL(S): **632**
Ward: **2** Council Member: **Jayce Stepp**

LAND USE INFORMATION

Current Zoning: **G-C (General Commercial)**

Proposed Zoning: **L-I (Light Industrial)**

Proposed Use: **Warehouse/ manufacturing for expansion of Steel Materials, Inc.**

Current Zoning of Adjacent Property:

North: **L-I**

South: **O-C (Office Commercial)**

East: **L-I**

West: **O-C (Office Commercial)**

The Future Development Plan designates the subject property as: **Highway Commercial**

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

ZONING ANALYSIS

Project Summary:

The applicant is proposing the rezoning of a 0.86 acre property located at 405-B Old Mill Rd. Located east of the intersection of Old Mill Rd and Douthit Ferry Rd, the property was rezoned in 2002 from L-I to G-C for the construction of a carwash. Case No. Z02-10, approved 8-1-02. The carwash was constructed about 2005. This application proposes to return the zoning to L-I.

Z02-10, ORD 32-02, was approved with a condition that a 15ft. utility easement is required along the SW property line to access the existing power lines. This requirement should carry forward.

The applicant proposes to redevelop the site to allow Steel Materials, Inc. an existing metal fabrication business directly to the north, to expand its' operations onto the site.

City Department Comments

Electric: Takes no exception.

Fibercom: Takes no exception.

Fire: Z23-01- CFD takes no exceptions to the rezoning request for 405 B Old Mill Rd to change from G-C to L-I provided all city adopted codes and ordinances are followed

Gas: Takes no exception.

Public Works: Takes no exception.

Water and Sewer: No comments received.

City of Cartersville School District: N/A.

Public Comments:

None received as of 3-1-23

STANDARDS FOR EXERCISE OF ZONING POWERS.

1. *The existing land uses and zoning of nearby property.*
The surrounding properties are zoned for office-commercial or light industrial uses. Adjacent properties are warehouse uses except for the Shaw medical office southwest of this location.
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 would allow an existing business to expand.
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 residential use properties. The surrounding properties are generally warehouse properties with uses allowed under the L-I zoning category.
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. The expansion of Steel Materials, Inc. should not affect the usability of adjacent properties.
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 Land Use Map. No description is available for the Highway Commercial character area shown on the Future Development 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.*

No adverse environmental impact is anticipated with rezoning or redevelopment of the site.

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 zoning should not increase the burden to streets, transportation, 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 recommends approval with the existing condition to remain:

A 15-foot utility easement is required along the S.W. property line to access the existing power line.

Ordinance

of the

City of Cartersville, Georgia

Ordinance No. 32-02

NOW BE IT AND IT IS HEREBY ORDAINED by the Mayor and City Council of the City of Cartersville, Georgia, that all that certain tract of land owned by Danny R. Heilman. Property is located at 405 Old Mill Road. Said property contains 0.861 acres located in the 4th District, 3rd Section, Land Lot 632 as shown on the attached plat Exhibit "A". Property is hereby rezoned from L-I (Light Industrial) to G-C (General Commercial) with the following conditions. Zoning will be duly noted on the official zoning map of the City of Cartersville, Georgia.

1. A 15-foot utility easement is required along the S.W. property line to access existing power line.

BE IT AND IT IS HEREBY ORDAINED.

ADOPTED this the 18th day of July 2002. First Reading
ADOPTED this the 1st day of August 2002. Second Reading.

/s/ _____
Michael G. Fields
Mayor

ATTEST:

/s/ _____
Sandra E. Cline
City Clerk



N/2
PARTIAL 500 FEETES
PLAT BOOK 55, PAGE 123

1/2 SECTION ALONG THE NORTHERN BOUNDARY OF 80' OLD MILL ROAD FROM THE WESTERN RIGHT OF WAY OF HENDERSON ROAD. PER REFERENCED DEED BOOK 1896, PAGE 896.

15ft. utility easement

MASSEY SURVEYING INCORPORATED
 P.O. Box 8822
 Callahan, Georgia 30703
 Phone/Fax: 706-699-0545
 PROFESSIONAL LAND SURVEYING SERVICES



- GENERAL NOTES:**
1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1" IN 20,250 FEET AND AN ANGULAR ERROR OF 03" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
 2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1" IN 325,590 FEET.
 3. EQUIPMENT USED: SOKKIA TOTAL STATION WITH DATA COLLECTOR.
 4. RIGHTS OF WAY ARE BASED UPON PINS FOUND AND/OR CENTERLINES OF PATH OF TRAVEL.
 5. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, OR RESULTS OF A TITLE SEARCH WERE FURNISHED TO THE SURVEYOR, ALL DOCUMENTS OF RECORD REVIEWED ARE NOTED HEREON. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THIS SURVEYED PARCEL.
 6. THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDANT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 7. ALL PROPERTY CORNERS ARE CAPPED 1/2" REBARS, EXCEPT AS SHOWN.
 8. DATE(S) OF FIELD WORK: APRIL 15, 2013
 9. DATE OF PLAT: APRIL 15, 2013
 10. JOB NO: 1240

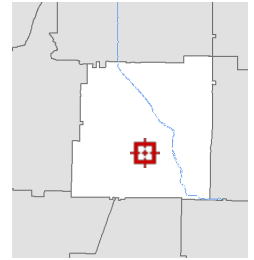
MAGNETIC NORTH
 REF. PLAT BOOK 56, PAGE 123

LEGEND			
RSF	= REBAR FOUND	R/W	= RIGHT OF WAY
RS	= REBAR SET	PL	= PROPERTY LINE
OTF	= OPEN TOP	CL	= CENTER LINE
CTP	= CRAMPED TOP	BL	= BUILDING LINE
DB	= DEED BOOK	L.L.	= LAND LOT
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CHD	= CHORD LENGTH	DI	= DROP INLET
ARC	= ARC LENGTH	JB	= JUNCTION BOX


RETRACEMENT SURVEY FOR:
BERREY PROPERTIES, INC.
 LOCATED IN LAND LOT 632
 4th DISTRICT, 3rd SECTION
 CITY OF CARETERSVILLE
 BARTOW COUNTY, GEORGIA



Overview



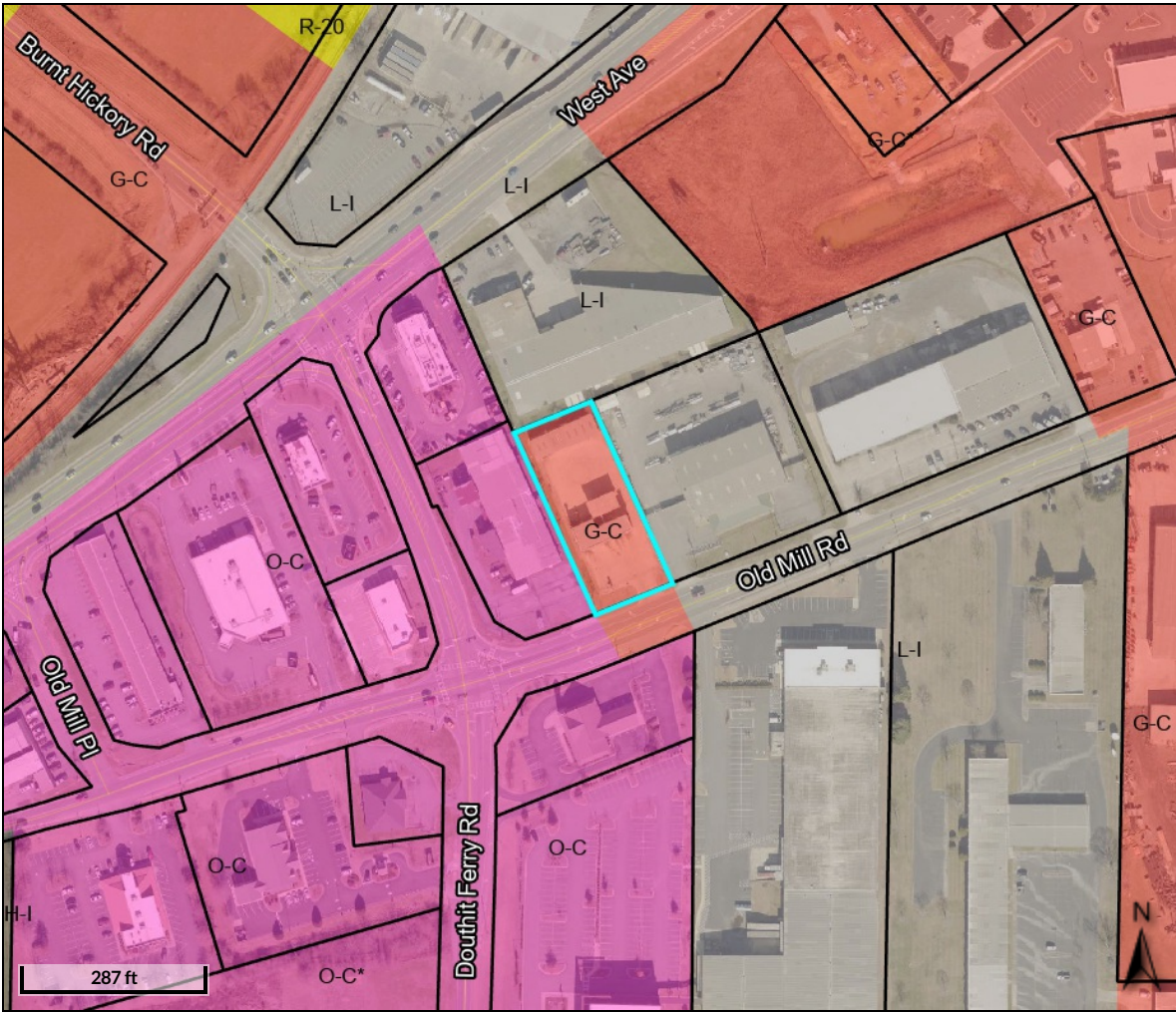
Legend

-  Parcels
-  Roads

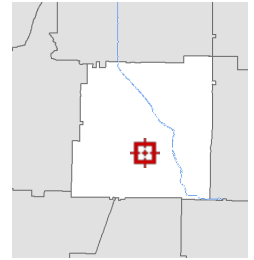
Parcel ID	C022-0004-027	Alternate ID	34904	Owner Address	BERREY PROPERTIES INC
Sec/Twp/Rng	n/a	Class	Commercial		650 HENDERSON DR PMB 450
Property Address	405 OLD MILL RD	Acreage	0.86		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL 632 D 4 TR 1 carwash and selfstorage				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 1/18/2023
 Last Data Uploaded: 1/17/2023 10:40:18 PM



































Developed by  **Schneider**
 GEOSPATIAL



Overview



Legend

-  Parcels
-  Roads
- Cartersville Zoning**
-  AG
-  DBD
-  G-C
-  G-C*
-  H-I
-  H-I*
-  L-I
-  L-I*
-  M-U
-  M-U*
-  MF-14
-  MF-14*
-  MN
-  O-C
-  O-C*
-  P-D
-  P-D*
-  P-I
-  P-S
-  P-S*
-  R-10
-  R-10*
-  R-15
-  R-15*
-  R-20
-  R-20*
-  R-7
-  R-7*
-  R-D
-  RA-12
-  RA-12*
-  RSL

Property Address 405 OLD MILL RD Acreage 0.86
 District Cartersville
 Brief Tax Description LL 632 D 4 TR 1 carwash and selfstorage
 (Note: Not to be used on legal documents)

CARTERSVILLE, GA 30120

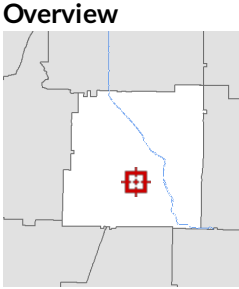
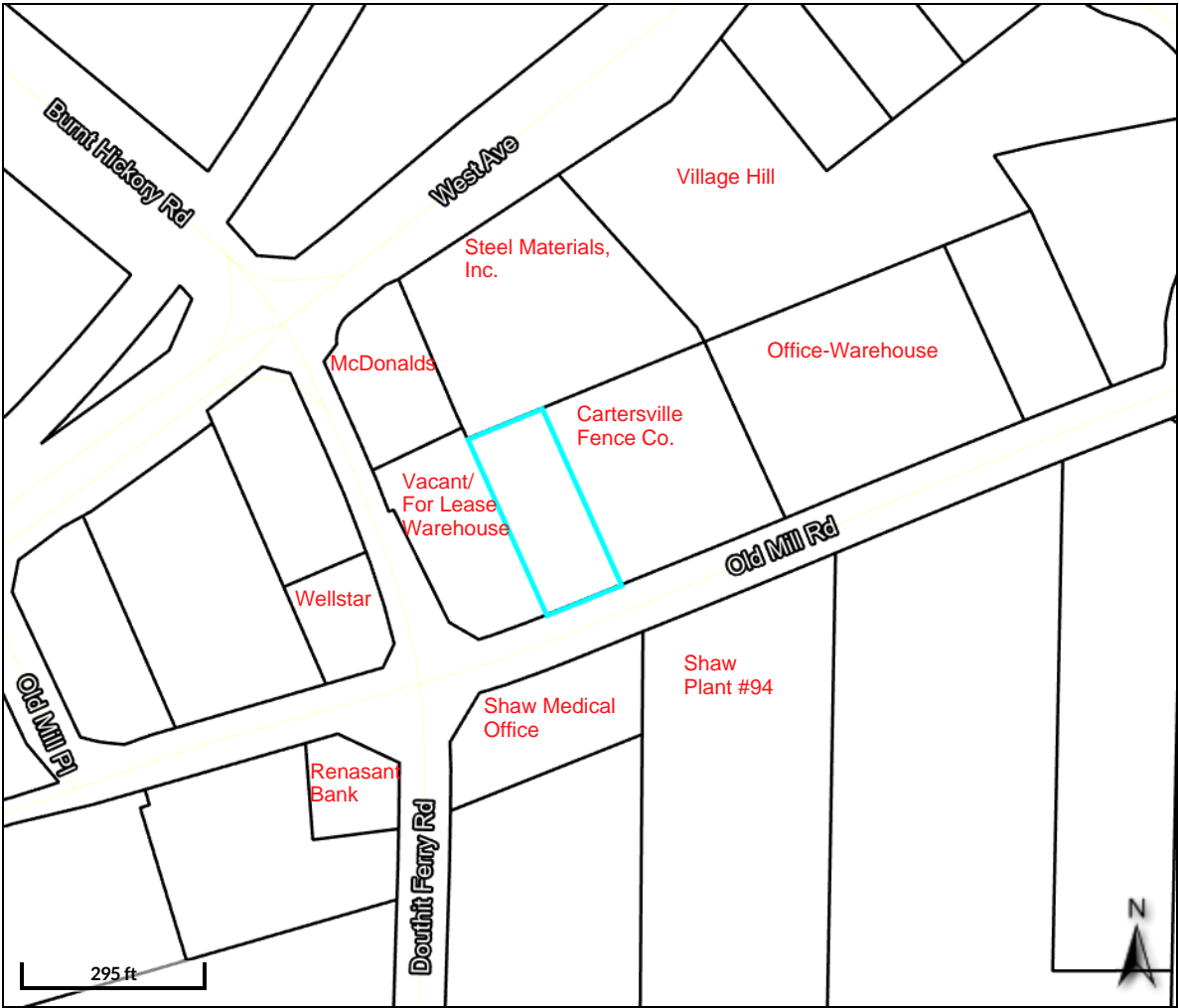
Date created: 1/18/2023
 Last Data Uploaded: 1/17/2023 10:40:18 PM

Developed by  Schneider
 GEOSPATIAL

Parcel ID C022-0004-027
 Sec/Twp/Rng n/a

Alternate ID 34904
 Class Commercial

Owner Address BERREY PROPERTIES INC
 650 HENDERSON DR PMB 450



Legend
 Parcels
 Roads

Parcel ID	C022-0004-027	Alternate ID	34904	Owner Address	BERREY PROPERTIES INC
Sec/Twp/Rng	n/a	Class	Commercial		650 HENDERSON DR PMB 450
Property Address	405 OLD MILL RD	Acreage	0.86		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL 632 D 4 TR 1 Diamond Carwash				
	(Note: Not to be used on legal documents)				

Date created: 2/20/2023
 Last Data Uploaded: 2/17/2023 10:36:25 PM

Developed by  **Schneider**
 GEOSPATIAL

Application for Rezoning

City of Cartersville

Case Number: Z23-01

Date Received: 1-13-2023

Public Hearing Dates:

Planning Commission 3-7-2023 5:30pm 1st City Council 3-16-2023 7:00pm 2nd City Council 4-2-2023 7:00pm

Applicant Berry Properties Inc. Office Phone 770-542-9982
(printed name)
 Address 650 Henderson Dr Ste 40 Mobile/ Other Phone Same
 City Cartersville State GA Zip 30120 Email Randy@berryproperties.biz
Randy Berry Phone (Rep) _____
 Representative's printed name (if other than applicant) Email (Rep) _____

 Representative Signature _____
 Signed, sealed and delivered in presence of _____ My commission expires: 1/23/23
[Signature]
 Notary Public



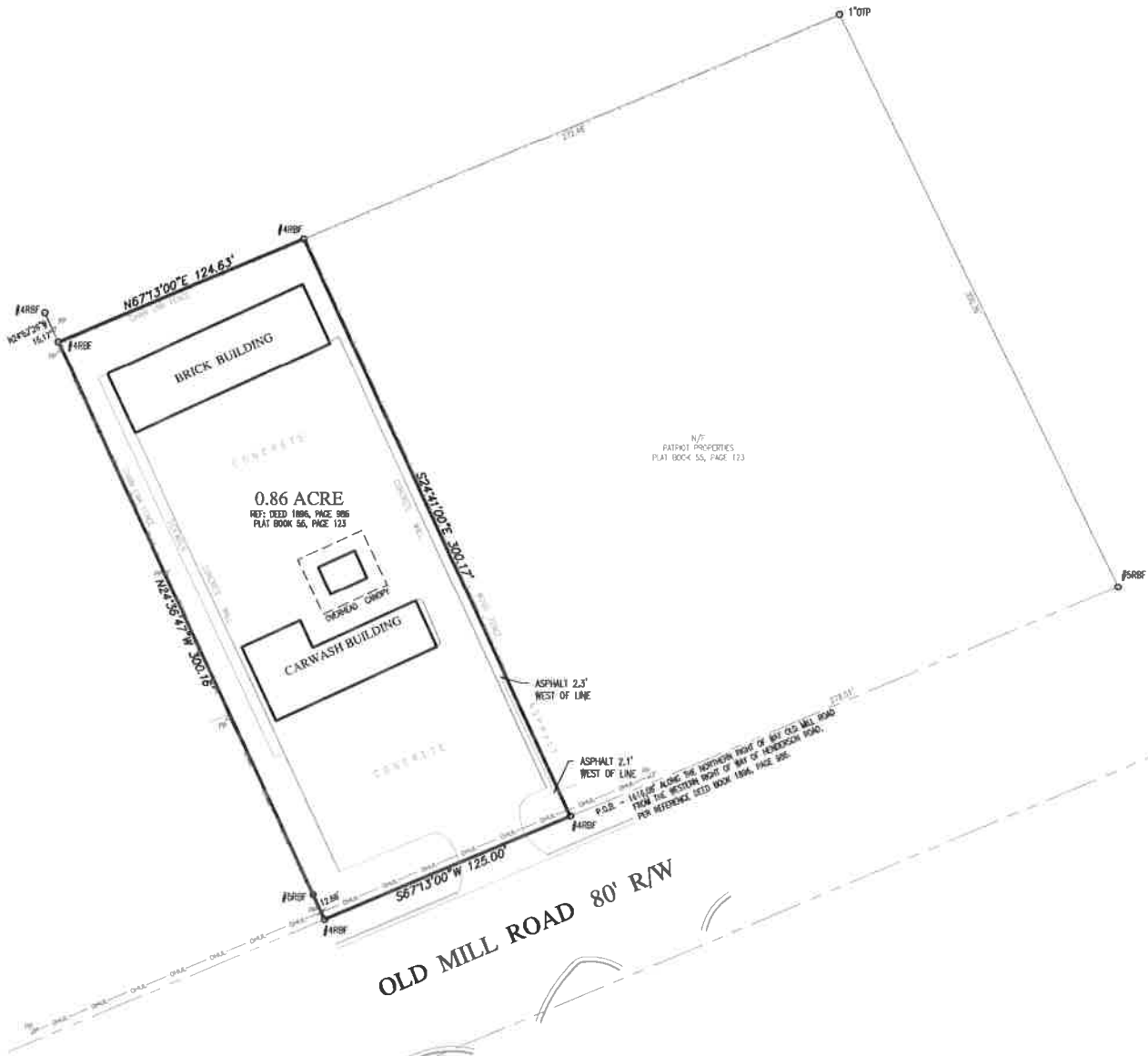
* Titleholder Berry Properties Inc Phone 770-542-9982
(titleholder's printed name)
 Address 405 B Old Mill Rd Email randy@berryproperties.biz
 Signature _____
 Signed, sealed, delivered in presence of: _____ My commission expires: 1/23/23
[Signature]
 Notary Public



Present Zoning District G-C Requested Zoning LI
 Acreage .86 Land Lot(s) 632 District(s) _____ Section(s) _____
 Location of Property: 405 B Old Mill Rd Parcel ID No. C022-0004-027
(street address, nearest intersections, etc.)
 Reason for Rezoning Request: Match Adj Properties

 (attach additional statement as necessary)

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



N/F
PATRIOT PROPERTIES
PLAT BOOK 55, PAGE 123

0.86 ACRE
REF: DEED BOOK, PAGE 985
PLAT BOOK 55, PAGE 123

OLD MILL ROAD 80' R/W

MASSEY SURVEYING INCORPORATED
P.O. Box 8821
Columbus, Georgia 31903
Phone/Fax: 706-409-0545
PROFESSIONAL LAND SURVEYING SERVICES



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RETRACEMENT SURVEY FOR:
BERREY PROPERTIES, INC.
LOCATED IN LAND LOT 632
4th DISTRICT, 3rd SECTION
CITY OF CARETERSVILLE
BARTOW COUNTY, GEORGIA

CAMPAIGN DISCLOSURE REPORT
FOR ZONING 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: 1-12-23


Date Two Years Prior to Application: 1-12-21

Date Five Years Prior to Application: 1-12-18

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	_____	_____ ✓
Council Member:		
Ward 1- Kari Hodge	_____	_____ ✓
Ward 2- Jayce Stepp	_____	_____ ✓
Ward 3- Cary Roth	_____	_____ ✓
Ward 4- Calvin Cooley	_____	_____ ✓
Ward 5- Gary Fox	_____	_____ ✓
Ward 6- Taff Wren	_____	_____ ✓
Planning Commission		
Lamar Pendley, Chair	_____	_____ ✓
Anissa Cooley	_____	_____ ✓
Fritz Dent	_____	_____ ✓
Greg Culverhouse	_____	_____ ✓
Jeffery Ross	_____	_____ ✓
Stephen Smith	_____	_____ ✓
Travis Popham	_____	_____ ✓

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.


 Signature _____ Date 1-12-23
 Randy Boney
 Print Name _____

Images Taken Feb. 20th.

* Meeting Change. The City Council second reading on April 6th at 7pm will be held at the Public Safety Office. 195 Cassville Rd. 30120.

