

ZONING & DE-ANNEXATION SYNOPSIS

Petition Number(s): AZ24-04

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Applicant: Manor Restorations LLC
Representative: Karl Lutjens, PE. Southland Engineering
Location: Walnut Grove Rd at Cummings Rd. (Tax ID No. C074-0002-001)
Total Acreage: Subdivided tract is 0.29 acres. Parent tract was 1.00 acres.

LAND USE INFORMATION

Current Zoning: P-I (Public Institutional)
Proposed Zoning: N/A
Proposed Use: Residential Development in County
Current Zoning of Adjacent Property:

North: P-I and County A-1 (Agriculture)
South: County PUD wC (Planned Unit Development with Conditions)
East: County A-1
West: County PUD wC

For All Tracts:

District: 4th **Section:** 3rd **LL(S):** 735
Ward: 2 **Council Member:** Jayce Stepp

The Future Development Map designates adjacent properties as: N/A

The Future Land Use Map designates adjacent or nearby city properties as: N/A

ANALYSIS

City Departments Reviews

Electric: Takes no exception

Fibercom: Takes no exception.

Fire: No comments received.

Gas: Takes no exception.

Planning and Development: Takes no exception.

Public Works: Takes no exception.

Cartersville Water and Sewer: Takes no exception

Cartersville School District: Takes no exception.

Bartow County: Takes no exception.

Bartow County School District: Takes no exception.

Public comments: None received as of 6-3-24.

REQUEST SUMMARY:

Applicant requests the de-annexation of a portion of the property on Walnut Grove Road at Cummings Road identified as Tax Parcel C074-0002-001 containing a total of 1.00 +/- acres. The subdivided tract to be de-annexed contains 0.29 acres +/- . This parcel is located in Land Lot 735 of the 4th District, 3rd Section and is zoned P-I, Public Institutional.

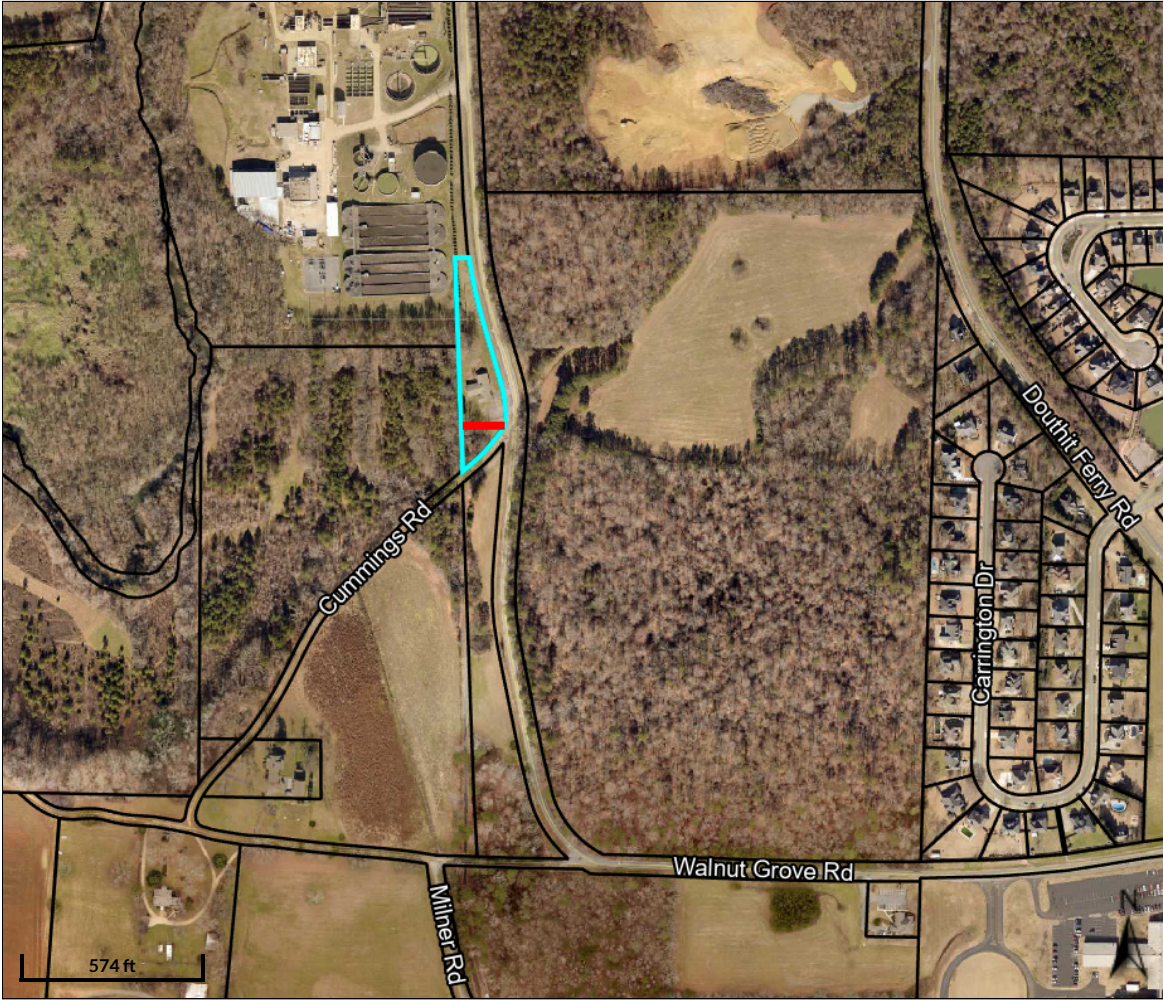
If approved, the de-annexed tract will be combined with the larger development tract, Parcel ID 0073-0735-001.

The subdivision and sale of the tract to be de-annexed occurred in February of this year. De-annexing this tract will allow the developer to design a safe intersection at Walnut Grove Rd.

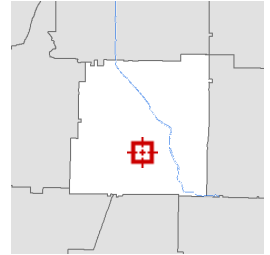
STANDARDS FOR EXERCISE OF ZONING POWERS.

- A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
Not applicable to the de-annexed tract. The remaining portion of the parent tract does permit a use that is suitable in view of the use and development of adjacent and nearby property.
- B. *Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.*
The proposed application will not create an isolated district.
- C. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The proposed zoning should not adversely affect the existing use or usability of adjacent property.
- D. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*
The P-I zoning of the 0.29 acre tract is not an appropriate zoning for the County development.
- E. *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 proposal should not result in a use that will have an excessive or burdensome use of streets, transportation facilities, utilities or schools. This element should be studied by the developer or County.
- F. *Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.*
The remaining portion of the parent tract does conform to the city's land use plan for the area. (Transportation/Communication/Utilities)
- G. *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 impact is anticipated.
- H. *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.*
No additional conditions are known.

RECOMMENDATION: Staff is not opposed to the de-annexation.



Overview



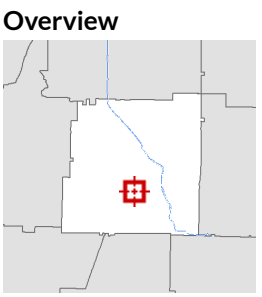
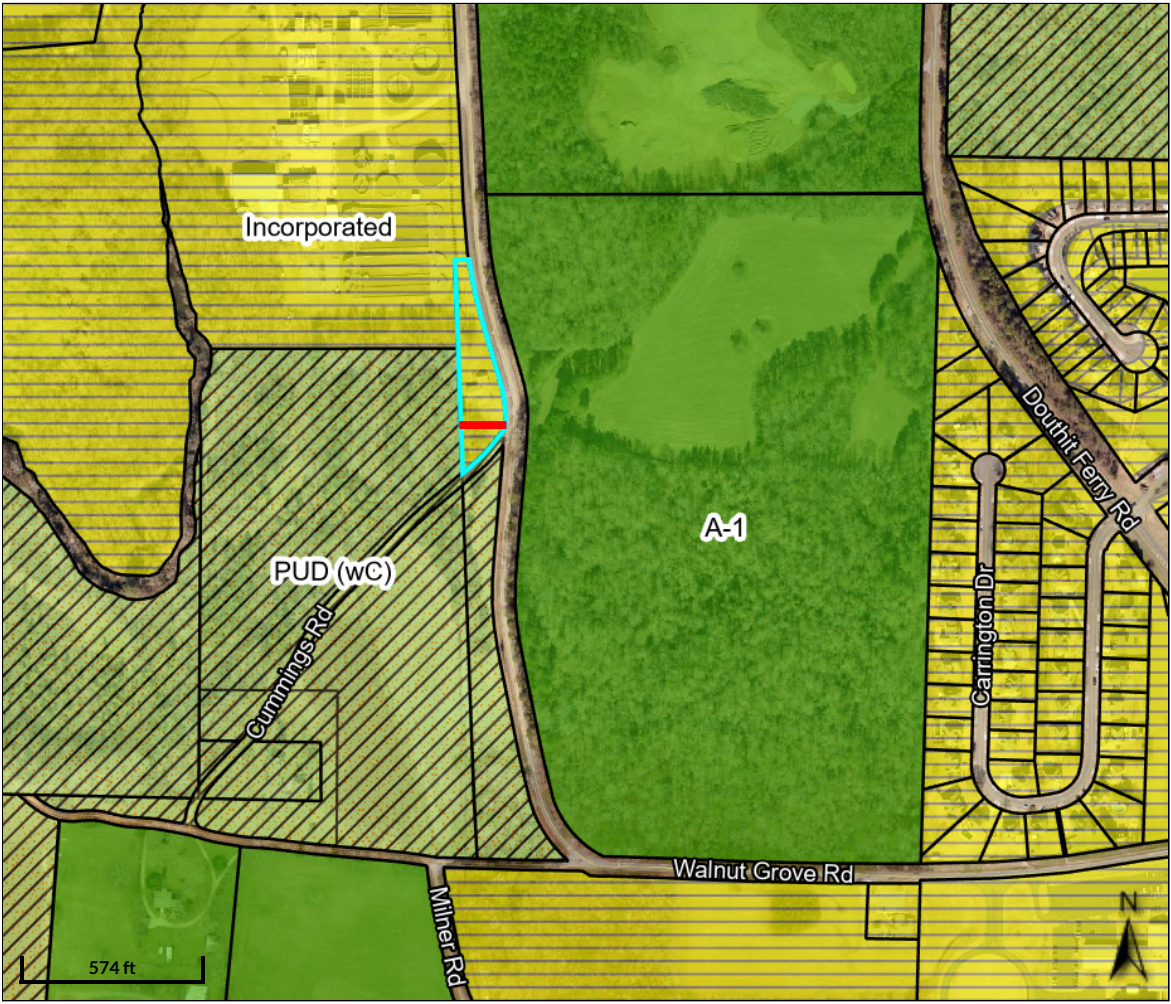
Legend

- Parcels
- Roads

Parcel ID	C074-0002-001	Alternate ID	37156	Owner Address	CITY OF CARTERSVILLE
Sec/Twp/Rng	n/a	Class	Exempt		P O BOX 1390
Property Address	WALNUT GROVE RD	Acreage	1.0		CARTERSVILLE, GA 30120
District	Cartersville				
Brief Tax Description	LL735,706 LD4				
	(Note: Not to be used on legal documents)				

Date created: 5/2/2024
 Last Data Uploaded: 5/1/2024 9:04:28 PM

Developed by **Schneider**
 GEOSPATIAL



- 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
 - O1 (wC)
 - O1CU
 - PUD
 - PUD (wC)
 - PUDCU
 - R-1
 - R-2
 - R-3
 - R-4
 - R-7
 - R-8
 - R-8 w/c
 - R1 (wC)

-  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

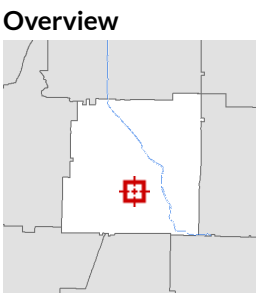
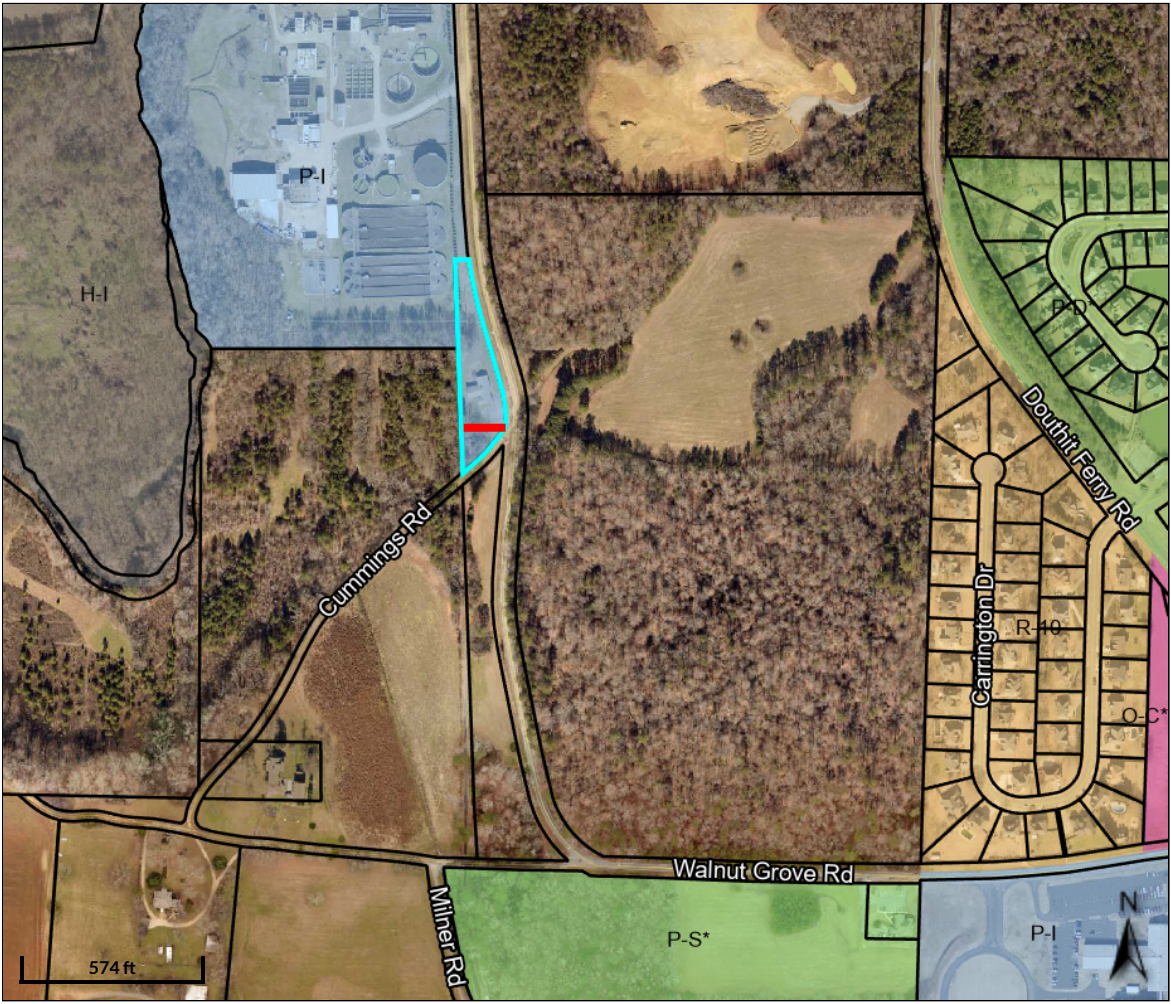
Parcel ID C074-0002-001
Sec/Twp/Rng n/a
Property Address WALNUT GROVE RD
District Cartersville
Brief Tax Description LL735,706 LD4
(Note: Not to be used on legal documents)

Alternate ID 37156
Class Exempt
Acreage 1.0

Owner Address CITY OF CARTERSVILLE
 P O BOX 1390
 CARTERSVILLE, GA 30120

Date created: 5/2/2024
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Developed by 



- 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*

Parcel ID C074-0002-001
 Sec/Twp/Rng n/a
 Property Address WALNUT GROVE RD

Alternate ID 37156
 Class Exempt
 Acreage 1.0

Owner Address CITY OF CARTERSVILLE
 P O BOX 1390
 CARTERSVILLE, GA 30120

District
Brief Tax Description

Cartersville
LL735,706 LD4
(Note: Not to be used on legal documents)

Date created: 5/2/2024
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Developed by  **Schneider**
GEOSPATIAL

Application for Annexation/ Zoning
City of Cartersville

DE-Annexation

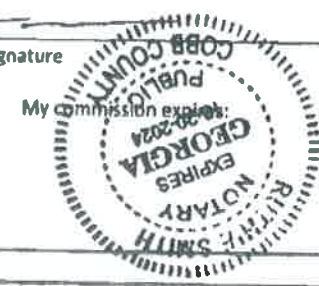
Case Number: AZ24-04
Date Received: 4/25/24

Public Hearing Dates:

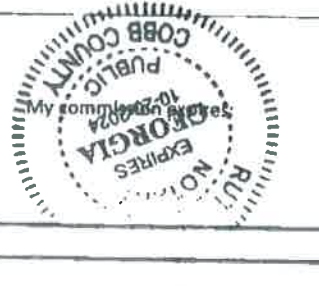
Planning Commission 6/11/24 5:30pm 1st City Council 6/20 7:00pm 2nd City Council Tues 7/2/24 7:00pm



Applicant Manor Restorations, LLC Office Phone 770-652-0044
 (printed name)
 Address 4670 Jefferson Township Lane Mobile/ Other Phone N/A
Marietta State GA Zip 30066 Email bsmith@masterworksatlanta.com
 Representative's printed name (if other than applicant) Phone (Rep) 770-387-0440
 Email (Rep) _____
 Representative Signature _____ Applicant Signature _____
 Signed, sealed and delivered in presence of: My commission expires: _____
 Notary Public _____



Titleholder Manor Restorations, LLC Phone 770-652-0044
 (titleholder's printed name)
 Address 4670 Jefferson Township Lane Marietta, GA 30066 Email bsmith@masterworksatlanta.com
 Signature _____
 Signed, sealed, delivered in presence of: My commission expires: _____
 Notary Public _____



Present Zoning District P-1 Requested Zoning PUD(wC) - In Bartow County
 Acreage 0.290 Land Lot(s) 735 District(s) 4 Section(s) 3
 Location of Property: Walnut Grove Road Parcel ID No. C074-0002-001
 (street address, nearest intersections, etc.)
 Reason for Rezoning Request: This small acreage was purchased by the developer of the neighboring property on Cumming Road
We are requesting that it be de-annexed from the City of Cartersville so it can be combined with the 22.17 acre property to the
west in Bartow County.
 (attach additional statement as necessary)

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

CAMPAIGN DISCLOSURE REPORT
FOR ZONING ACTIONS

Pursuant to O.C.G.A. 36-67A-3 any and all applicants to a zoning action must make the following disclosures:

Date of Application: N/A

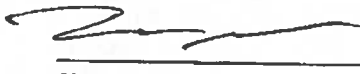
Date Two Years Prior to Application: N/A

Date Five Years Prior to Application: N/A

1. Has the applicant within the five (5) years preceding the filing of the zoning action made campaign contributions aggregating \$250.00 or more to any of the following:

	YES	NO
Mayor: Matt Santini	<u> </u>	<u> </u> ✓
Council Member:		
Ward 1- Kari Hodge	<u> </u>	<u> </u> ✓
Ward 2- Jayce Stepp	<u> </u>	<u> </u> ✓
Ward 3- Cary Roth	<u> </u>	<u> </u> ✓
Ward 4- Calvin Cooley	<u> </u>	<u> </u> ✓
Ward 5- Gary Fox	<u> </u>	<u> </u> ✓
Ward 6- Taff Wren	<u> </u>	<u> </u> ✓
Planning Commission		
Lamar Pendley, Chair	<u> </u>	<u> </u> ✓
Anissa Cooley	<u> </u>	<u> </u> ✓
Fritz Dent	<u> </u>	<u> </u> ✓
Greg Culverhouse	<u> </u>	<u> </u> ✓
Jeffery Ross	<u> </u>	<u> </u> ✓
Stephen Smith	<u> </u>	<u> </u> ✓
Travis Popham	<u> </u>	<u> </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.


4/25/2024

 Signature Date
BERNIE SMITH

 Print Name

SURVEYOR'S CERTIFICATE

That the undersigned, a Georgia Registered Land Surveyor, on behalf of the above Annexation/ zoning applicant do certify the following:

- 1) That the attached survey contains no fewer than four surveyed map regulation points and recorded with the Georgia Coordinate System of 1985.
- 2) That the attached survey shows the boundaries of the area being annexed and the existing boundaries of the area being annexed and the existing boundaries of the annexing municipality between the points at which these boundaries close, if applicable.
- 3) That the attached survey meets the requirements of O.C.G.A. 15-6-67 and Section 180-7-01 Technical Standards for Property Survey, Rules and Regulations of the State of Georgia.
- 4) That the map demarcation of the map registration points are well distributed along, within, or near the boundary of the annexed area.
- 5) That at least one-eighth of the aggregate external boundary or fifty (50) feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary if it were not otherwise separated from the municipal boundary by other lands owned by the municipal corporation, by lands owned by this State, or by the definite width of any street or street right of way; any creek or river; any right of way of a railroad or other public service corporation, which divides the municipal boundary from any area proposed to be annexed.

04.25.24
Date



Georgia Registered Land Surveyor




ZONING ADMINISTRATOR:

1. Case Number: AZ24-04
2. Yes No To be combined with an existing 22acre tract,

The above property complies with the City of Cartersville minimum size requirements to construct a building or structure occupiable by persons or property under the policies, ordinance, or regulations of the City of Cartersville.

3. Survey attached? Yes.

4-29-24
Date



Zoning Administrator

BENCHMARK

BENCHMARK SET TO THE NAIL IN PAVEMENT NEAR EXISTING SANITARY SEWER RUN ALONG CUMMINGS ROAD, WEST OF WALNUT GROVE ROAD.
NAIL ELEVATION = 684.86

LEGAL DESCRIPTION OF HATCHED AREA

All that tract or parcel of land lying and being in Land Lots 735 and 736 of the 4th District, 3rd Section in Bartow County, Georgia, and being more particularly described as follows:

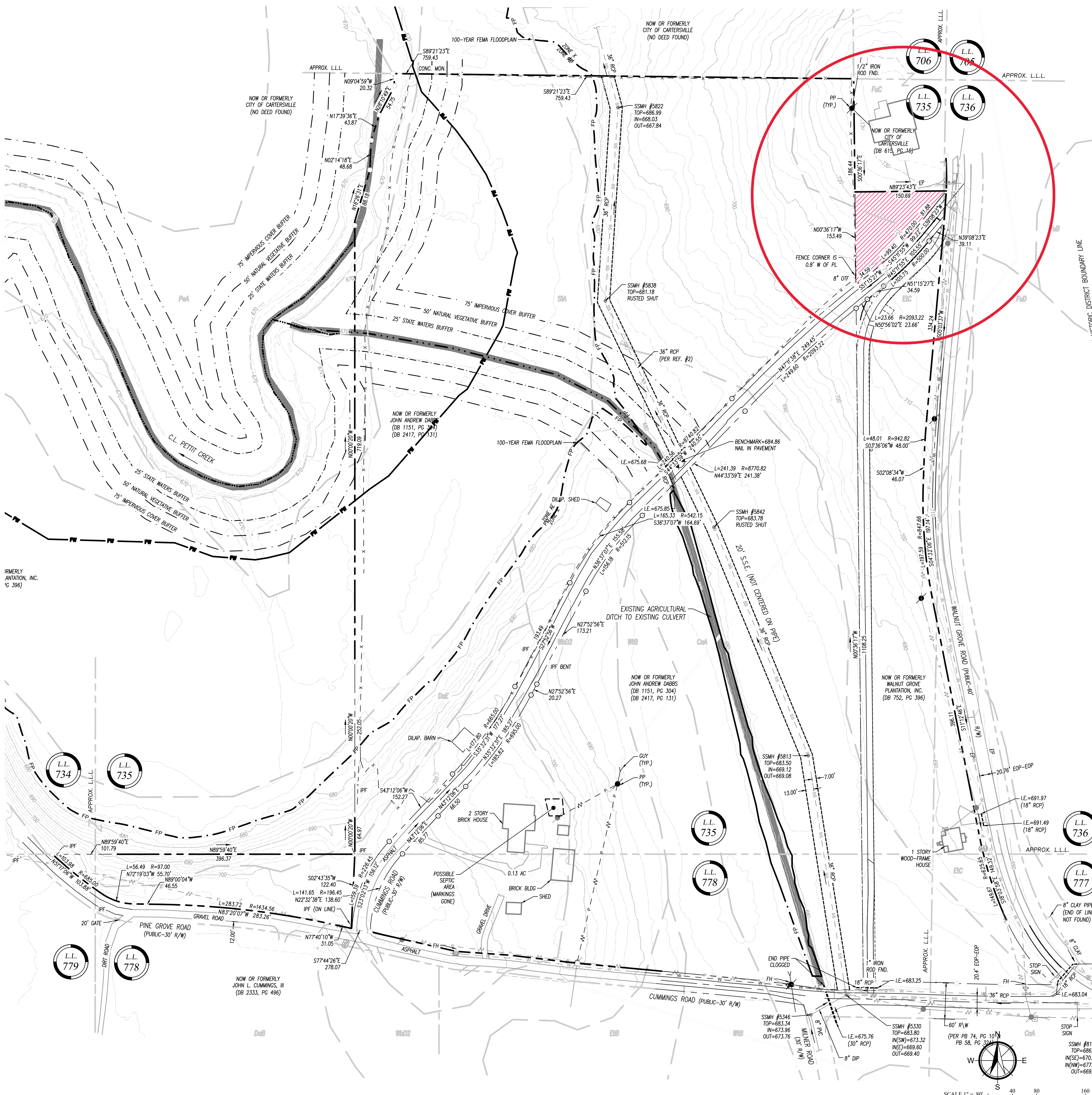
TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT a point at the intersection of the westerly right of way of Walnut Grove Road (60' right of way) and the northerly right of way of Cummings Road (30' right of way), said point being the TRUE POINT OF BEGINNING.
FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED; thence leaving said westerly right of way and along said northerly right of way the following courses and distances: S39°08'23"W for a distance of 61.68 feet to a point; 99.40 feet along the arc of a curve to the right, said curve having a radius of 470.00 feet and being subtended by a chord of S45°11'55"W, 99.22 feet to a point; S51°15'27"W for a distance of 34.59 feet to a point; thence leaving said northerly right of way N00°36'17"W for a distance of 153.49 feet to a point; thence N89°23'43"E for a distance of 150.69 feet to a point, said point being the TRUE POINT OF BEGINNING.
Said tract or parcel of land containing 0.290 acres.

LEGEND

- PROJECT PROPERTY LINE
- ADJACENT PROPERTY LINE
- PR. LOT LINE
- FUTURE R/W LINE
- EASEMENT
- BUFFER OR SETBACK LINE
- LAKE
- FLOODPLAIN
- FLOODWAY
- BUILDING
- FENCE
- MAJOR CONTOUR LINE
- MINOR CONTOUR LINE
- OVERHEAD UTILITY LINE
- OVERHEAD POWER LINE
- UNDERGROUND POWER LINE
- SEWER LINE
- WATER LINE

SYMBOL LEGEND

- SANITARY SEWER MANHOLE
- FIRE HYDRANT ASSEMBLY
- WATER METER
- WATER VALVE
- POWER POLE
- STORM CATCH BASIN
- STORM MANHOLE (JUNCTION BOX)
- PROPERTY LINE PIN
- SIGN



W&A ENGINEERING
 CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE
 LAND SURVEYING | TRAFFIC ENGINEERING
 ECONOMIC DEVELOPMENT

2300 Windy Ridge Pkwy SE, Suite
 560S, Atlanta, GA 30339
 P: (706) 310-0400
 waengineering.com

ALL DRAWINGS SHALL REMAIN THE PROPERTY OF W&A ENGINEERING. THESE INSTRUMENTS OF SERVICE ARE TO BE USED ONLY FOR THIS SPECIFIC PROJECT. W&A ENGINEERING SHALL RETAIN ALL LEGAL RIGHTS TO THE USE OF THE INSTRUMENTS OF SERVICE AND SHALL RETAIN FULL PROTECTION UNDER UNITED STATES COPYRIGHT LAW.

WALNUT GROVE
 BARTOW COUNTY, GEORGIA
 WALNUT GROVE ROAD - 43.42 ACRES

Know what's below.
 Call before you dig.

REVISIONS

DATE	COMMENT

FOR REVIEW

INITIAL SUB. DATE: ---

ISSUANCE DATE: ---

W&A PROJECT #: 220640

EXISTING CONDITIONS

C101

Written Description- Cummings Road, Swap 5

All that tract or parcel of land lying and being in Land Lots 735 and 736 of the 4th District, 3rd Section in Bartow County, Georgia, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a point at the intersection of the westerly right of way of Walnut Grove Road (60' right of way) and the northerly right of way of Cummings Road (30' right of way), said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence leaving said westerly right of way and along said northerly right of way the following courses and distances: S39°08'23"W for a distance of 81.88 feet to a point; 99.40 feet along the arc of a curve to the right, said curve having a radius of 470.00 feet and being subtended by a chord of S45°11'55"W, 99.22 feet to a point; S51°15'27"W for a distance of 34.59 feet to a point; thence leaving said northerly right of way N00°36'17"W for a distance of 153.49 feet to a point; thence N89°23'43"E for a distance of 150.69 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land containing 0.290 acres.

After Recording Return To:
Leslie Vaughan Simmons, PC
1105 North Tennessee Street
Cartersville, GA 30120

File Number: 24-115
Parcel ID: c074-0002-001

Warranty Deed

This indenture made this 20th day of February, 2024 between, **City Of Cartersville**, as party or parties of the first part, (henceforth referred to as "Grantor"), and **Manor Restorations, LLC, a Georgia Limited Liability Company**, as part or parties of the second part, (henceforth referred to as "Grantee").

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100 (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee:

All that tract or parcel of land lying and being in Land Lots 735 and 736 of the 4th District, 3rd Section in Bartow County, Georgia, and being more particularly described as follows: TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a point at the intersection of the westerly right of way of Walnut Grove Road (60' right of way) and the northerly right of way of Cummings Road (30' right of way), said point being the TRUE POINT OF BEGINNING, FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED: thence leaving said westerly right of way of Walnut Grove Road and along said northerly right of way of Cummings Road the following courses and distances: S39°08'23"W a distance of 81.88 feet to a point; thence 99.22 feet along the arc of a curve to the right, said curve having a radius of 470.00 feet and being subtended by a chord of S45°11'55"W 99.40 feet to a point; thence S51°15'27"W a distance of 34.59 feet to a point; thence leaving said northerly right of way N00°36'17"W for a distance of 153.49 feet to a point; thence N89°23'43"E for a distance of 150.69 feet to a point, said point being the TRUE POINT OF BEGINNING. Said tract or parcel of land containing 0.290 acres.

This Deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered on
20th day of February, 2024 in the
presence of:

Red Lovell

Witness

Stacy Forristall

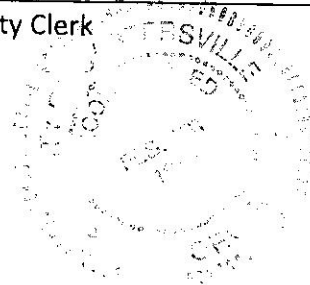
Notary



City Of Cartersville

By: Matthew J. Santirji (SEAL)
Matthew J. Santirji, Mayor

Attest: Julia Drake (SEAL)
Julia Drake, City Clerk



May 24, 2024 at 15:51:22
135-199 Walnut Grove Rd SE
Cartersville GA 30120
United States

