ZONING & DE-ANNEXATION SYNOPSIS

Petition Number(s): AZ21-06

APPLICANT INFORMATION AND PROPERTY DESCRIPTION

Property #1 Address: 1405 Hwy 113

Applicant: Benedikt and Ashlee Quosigk

Representative: Same
Total Acreage: 1.89 acres

Property #2 Address: 1413 Hwy 113
Applicant: Robert Milam

Representative: Same
Total Acreage: 1.712 acres

LAND USE INFORMATION

Current Zoning: R-20 (Single Family Residential)

Proposed Zoning: County A-1

Proposed Use: Single Family Residential

Current Zoning of Adjacent Property:

North: County A-1 (Agriculture); County R-1 wC (Residential); City H-I (Heavy Industrial)

South: County A-1; County R-1 wC

East: County R-1 wC
West: County A-1; City H-I

For All Tracts:

District: 4th Section: 3rd Land Lots: 873 and 874

Ward: 3 Council Member: Cary Roth

The Future Development Plan designates the subject properties as: Workplace Center

The Future Land Use Map designates adjacent or nearby city properties as: <u>Low and Medium</u> Density Residential

ANALYSIS

City Departments Reviews

Electric: Not In Service Area

Fibercom: Takes no exception

Fire: No comments received

Gas: Takes no exception

Public Works: No comments received.

Water and Sewer: Takes no exception.

This property is located in the Bartow County Water Department's water service area. Contact Bartow County Water Department on comments regarding impact of de-annexation on water service. This property is currently served by septic tank.

Cartersville School District: Takes No Exception

Bartow County Water Dept.: No comments received

Bartow County Administrator: No Objections

Bartow County Planning and Development: No Objections

Public comments:

None received as of 8-2-21.

REQUEST SUMMARY:

This is a joint application for two properties located at 1405 and 1413 Hwy 113 west/ southwest of the Cartersville-Bartow County airport. The applicants are requesting that their properties, be de-annexed into Bartow County. The properties are 1.89 and 1.71 acres, respectively.

The properties were originally annexed into the city in 1990 and 1991 in what appears to be for purposes of attending City schools without the added non-resident fees. School age children resided at both properties at the time of annexation and the children at the 1413 property attended city schools.

STANDARDS FOR EXERCISE OF ZONING POWERS.

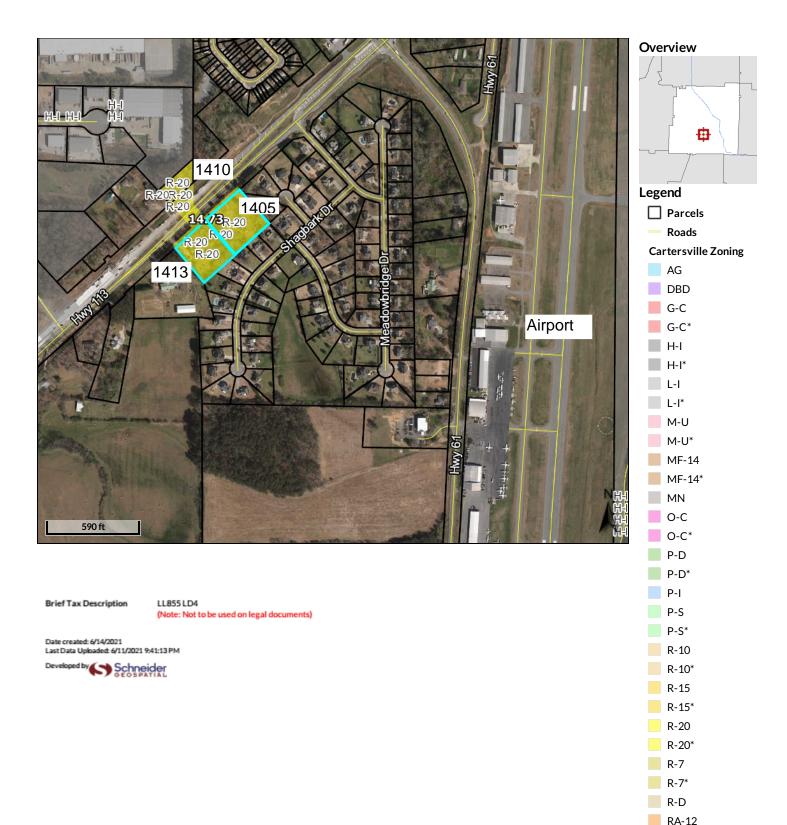
- A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
 - The request is not expected to change the residential use of the properties.
- B. Whether the zoning proposal will create an isolated district unrelated to adjacent and nearby districts.
 - The proposed application will not create an isolated district. An undeveloped R-20 lot will remain at 1410 Hwy 113. This lot was annexed when 1413 was annexed in 1990. This R-20 lot is zoning compatible with the County A-1 lots that border the 1410 lot.
- C. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
 - The proposed county zoning should not adversely affect the existing use of the properties.
- D. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
 - The properties have a reasonable economic use as zoned.
- 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.
 - No change in use or burden to the infrastructure is expected.
- F. Whether the zoning proposal is in conformity with the adopted local Comprehensive Land Use Plan.
 - The de-annexation and county zoning should conform to the land use plan for the area.
- 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.
 - The zoning proposal should not have an adverse environmental effect.
- 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 has no objection to the de-annexation requests.

PLANNING COMMISSION RECOMMENDATION:

qPublic.net Bartow County, GA

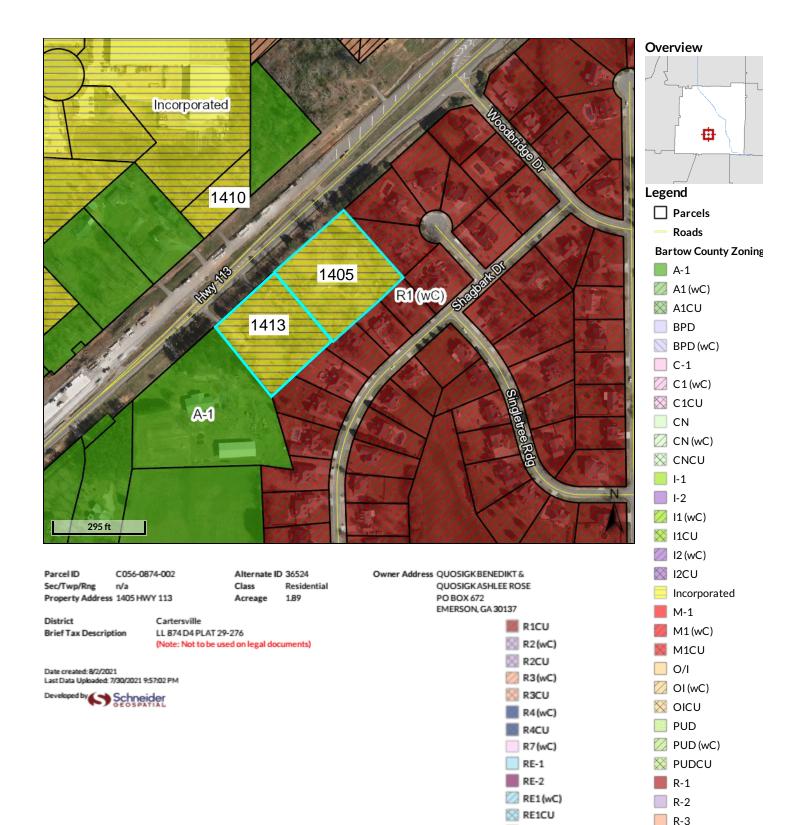


Parcel ID C056-0874-001
Sec/Twp/Rng n/a
Property Address 1413 HWY 113
District Cartersville

Alternate ID 36523
Class Residential
Acreage 1.58

Owner Address MILAM ROBERT 1413 HWY 113 SW CARTERSVILLE, GA 30120

RA-12*



RE2(wC)

Unknown

Zoning with Conditions

RE2CU

R-4

R-7

R-8

R-8 w/c

City of Cartersville Date Received: **Public Hearing Dates:** Planning Commission 1st City Council 8/6/21 2nd City Council _ Applicant Benedikt Quosigk Office Phone_ (printed name) Mobile/ Other Phone 404-382-0714 Address 1405 Highway 113 SW City Carterville State GA Zip 30120 Email b.quosigk@gmail.com Phone (Rep) Representative's printed name (if other than applicant) Email (Repl Representative Signature Signed, sealed and delivered in presence of: My commission expires: TD3/23 **Notary Public** * Titleholder Benedikt Quosigk 404-382-0714 (titleholder's printed name) Address 1405 Highway 113 SW b.quosigk@gmail.com Signed, sealed, delivered in presence of: My commission expires: 1/23/23 **Notary Public** Present Zoning District R-20 500 Requested Zoning A-1 _ Land Lot(s)_874 Acreage 1.89 ______District(s)_4th Section(s) Location of Property: _1405 Hwy 113, south of Woodbridge Dr. (street address, nearest intersections, etc.) Reason for Rezoning Request: It would benefit me by putting me in the county service/school/tax

Case Number:

Application for Annexation/Zoning

district and it would benefit the city by not having to provide services this far out of city limits.

(attach additional statement as necessary)

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

Public Hearing Dates:	
1 .	
	ty Council 3/2/21 2nd City Council 7/2/21
5:30pm	7:00pm 7:00pm
Applicant Ashlee Quosigk	Office Phone
(printed name) Address 1405 Highway 113 SW	Mobile/ Other Phone
City Carterville State GA	
State	
Representative's printed name (if other than applicant)	_ Phone (Rep)
	Email (Reg)
Representative Signature	HA FINCE
,	Applicant Signature
Signed, sealed and delivered in presence of:	My commission expires:
Stinnes	1/23/23 B PUBLIC TO TO
Notary Public	PACTORES ON
	COUNTY
* Titleholder Ashlee Quosigk	Phone 770-546-4527
(titleholder's printed name)	Phone 770 040 4027
Address 1405 Highway 113 SW	Email ashlee.quosigk@gmail.com
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Signature / Struct (1005)	ARY ARY
Signed, sealed, delivered in presence of:	My commission expires:
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Notary Public	OW COUNTY
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Present Zoning District R-20	Requested Zoning A-1 (C, 056 - 0874 - 002)
Acreage 1.89 Land Lot(s) 874	District(s) 4th Section(s)
Location of Property: 1405 Hwy 113, south of V	
(street address, nearest inter	
Reason for Rezoning Request: It would benefit m	ne by putting me in the county service/school/tax
district and it would benefit the city by not	having to provide services this far out of city limits.

Application for Annexation/Zoning

City of Cartersville

Case Number: AZZLO

Date Received: ___

(attach additional statement as necessary)

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

Zoning Analysis for Annexation/ Zoning

Specifics of Proposed Use Case Number: _____

Tax Map Parcel(s) # C056-0874-002	Voting Ward(s) 3 (Roth)
Current Land Use Residential Proposed Land Use Residential	Current Zoning R-20 Proposed Zoning A-1
Number of Dwelling Units 2	Number of Occupants 6
Owner Occupied? Yes X No Number of School-aged Children 3 School(s) to be attended: Homeschool	Grade Level(s) of School-aged Children K, 1, 2
<u>Current</u> Utility Service	Providers (Check Service provider or list if Other)
Water: City County	X Well/ Other
Sewer: City County	
Natural Gas: City C	
Electricity: City X C	GA Power Greystone Other (List)

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: 04/16/2021

Date Two Years Prior to Application: 04/16/2019

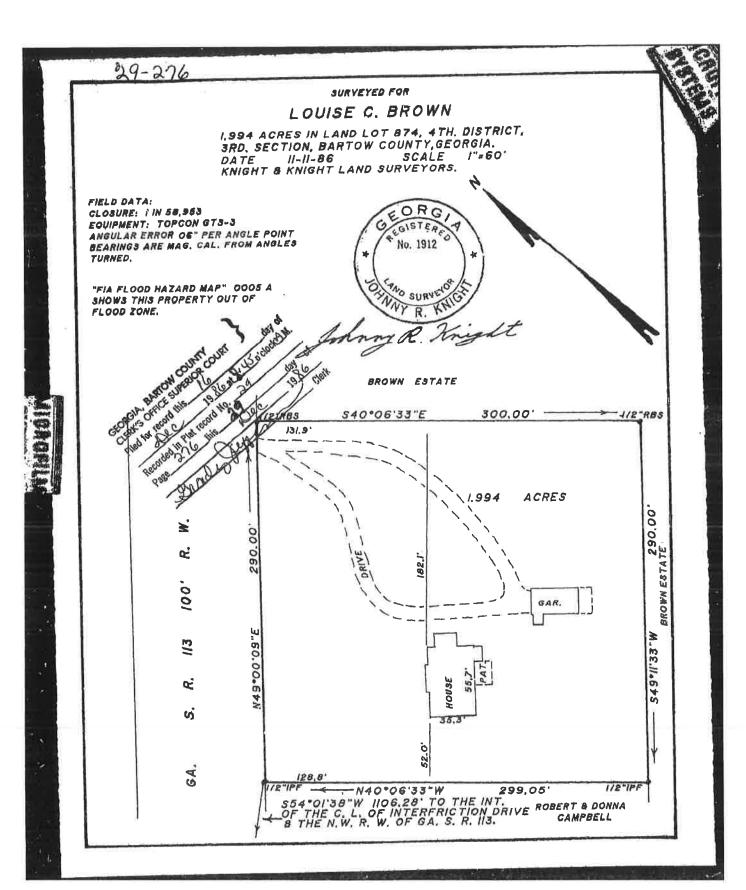
Stephen Smith If the answer to any of the above is Yes , please indicate below to whom, the dollar amount, date, and description of each campaign contribution, during the past fix years.
If the answer to any of the above is <u>Yes</u> , please indicate below to whom, the dollar amount, date, and description of each campaign contribution, during the past five
Stephen Smith X
Jeffery Ross X
Travis Popham X
Lamar Pendley Lamar Pinson X X
Harrison Dean X
Greg Culverhouse X
Planning Commission
Ward 6- Taff Wren
Ward 5- Gary Fox X
Ward 4- Calvin Cooley X
Ward 3- Cary Roth X
Ward 2- Jayce Stepp X
Ward 1- Kari Hodge X
Council Member:
Mayor: Matt Santini X
YES NO

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.

	Date
ZONIN	Georgia Registered Land Surveyor IG ADMINISTRATOR:
1.	Case Number: AZ 21-06
2.	Yes No
	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. Date	Survey attached? 12–16–86 Zoning Administrator



004721 DOC# 004721
FILED IN DFFICE
5/7/2015 11:49 AI
BK:275B PG:827-8:
MELBA BCDGGINS
CLERK OF SUPERIOR
BARTOW COUNTY Ulapa Geogram

ESTATE TRANSFER T

PT-61 008-2015-001508

Return Recorded Document to: BENEDIKT QUOSIGK **1405 HIGHWAY 113 SW** CARTERSVILLE GA 30120

LIMITED WARRANTY DEED

STATE OF GEORGIA.

RECEIVED MAY 0 7 2015 Pile #: 48538Ll A 31 H 01 6

9 10 11 P.44

COUNTY OF BARTOW

This Indenture made this 30th day of April, 2015 between MABEL E. BALDES , as party or parties of the first part, hereinafter called Grantor, and BENEDIKT QUOSIGK, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, allen, convey and confirm unto the said Grantee, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 874 OF THE 4TH DISTRICT, 3RD SECTION, BARTOW COUNTY, GEORGIA, CONTAINING 1.994 ACRES, MORE OR LESS, AS SHOWN ON THAT SURVEY RECORDED IN PLAT BOOK 29, PAGE 276, BARTOW COUNTY, GEORGIA RECORDS. LESS AND EXCEPT THAT PORTION OF LAND CONTAINED IN THAT CERTAIN RIGHT OF WAY DEED DATED 10/4/2004 AND RECORDED IN DEED BOOK 1849, PAGES 721-725, AFORESAID RECORDS. BEING MORE COMMONLY KNOWN AS 1405 HIGHWAY 113 SW, CARTERSVILLE, GA 30120

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said tract or percel 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 in FEE SIMPLE, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

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 srising under Grantor only.

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

WHYANA BUCOM ANA BUCC

Signed, scaled and delivered in the presence of:

Malul Z. Baldes (Seal)

DOC# 021526 FILED IN OFFICE 10/14/2004 12:29 PM BK:1849 PG:721-725 GARY BELL CLERK OF SUPERIOR COURT BARTOW COUNTY

Return to: Robert M. Dyer 291 E. Moin St. Canton 16430114

GEORGIA DEPARTMENT OF TRANSPORTATION P.O. BOX 10, CARTERSVILLE, GA. 30120 RIGHT OF WAY DEED

GEORGIA, BARTOW COUNTY	P. I. NO. 621255
THIS CONVEYANCE made and executed the 4th day of	October 20 04.
WITNESSETH that John Douglas Baldes and Mabel "Grantor"), is the owner of a tract of land in BARTOW COUN from CR 533 to CS 866 known as Project No. STP-018-1(56) being more particularly described in a map and drawing of said No. 2 Capitol Square, Atlanta, Georgia, to which reference is her	has been laid out by the Department of Transportation I road in the office of the Department of Transportation,
NOW THEREFORE, in consideration of the benefit to said pro and in consideration of ONE DOLLAR (\$1.00), in band paid, the hereby grant, sell and convey to said Department of Transport make a right of way for said road as surveyed, being more particular.	he receipt whereof is hereby acknowledged, Grantor does tation, and their successors in office so much land as to
All that tract or parcel of land lying and being in the Land Lot	855 & 874 of the 4th Land District, 3rd arly described on Exhibit "A" attached hereto and made a
Said right of way is hereby conveyed, consisting of0.100 of the property prepared by the Department of Transportation, attached hereto and made a part of this deed as Exhibit "B".	acres, more or less, as shown colored yellow on the plat dated April 15, 2003 revised August 6, 2004 said plan

For the same consideration Grantor hereby conveys and relinquishes to the Department of Transportation all rights of access between the limited access highway and approaches thereto on the above numbered highway project and Grantor's remaining real property from which said right of way is taken except at such points as designated and shown on the attached plat prepared by the Department of Transportation.

TO HAVE AND TO HOLD the said conveyed premises in fee simple and any rights Grantor has or may have in and to existing public rights of way are hereby quitelaimed and conveyed unto the Department of Transportation.

Grantor hereby warrants that Grantor has the right to sell and convey said land and bind himself, his heirs, executors and administrators forever to defend by virtue of these presents.

Parcel No. 11

BK:1849 PG:722

Since Sealed and Delivered this

John Douglas Baldes

(L.S.)

Mabel E. Baldes

Notary Public

Motory Public, Cheroline County, Georgia

Parcel No. 11

DOT 118 Revised 01/00 PARCEL

PROJECT STP-018-1(56)

AREA REQUIRED BK:18480 ARS:723

All that tract or parcel of land lying and being in Land Lot 855 & 874 of the 4th Land District, 3rd Section in Bartow County being more particularly described as follows:

BEGINNING at a point 85.10 feet right of and opposite centerline station 10 + 194.40 on Georgia Highway Project Number STP-018-1(56).

From the POINT OF BEGINNING.

Thence N 47-58'04"E for a distance of 289.90 feet to a point. Thence S 41-10'19" E for a distance of 13.37 feet to a point. Thence S 47-58'35" W for a distance of 205.71 feet to a point. Thence S 39-26'44" W for a distance of 66.35 feet to a point. Thence S 47-58'35" W for a distance of 18.75 feet to a point. Thence N 41-06'40" W for a distance of 23.17 feet to the POINT OF BEGINNING. Containing 0.100 acres more or less.

Also granted is the right to construct a driveway within the easement area shown colored pink on the attached plat. This driveway easement becomes effective at the beginning of construction of the above numbered project and will expire upon completion and final acceptance of said project by the Department of Transportation.

EXHIBIT "A"

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C056-0874-002 n/a Sec/Twp/Rng n/a Property Address 1405 HWY 113 Parcel ID

District Brief Tax Description

Cartersville
LL 874 D4 PLAT 29-276
(Note: Not to be used on legal documents)

Alternate ID36524
Class Residential
Acreage 1.89

Owner AddressQUOSIGK BENEDIKT & QUOSIGK ASHLEE ROSE PO BOX 672 EMERSON, GA 30137

Case Number: A 2 2 1 Date Received: 5 (0 12) City of Cartersville

Application for Annexation/Zoning

Public Hearing Dates: Planning Commission 7/6/21 1st City 5:30pm	Council $\frac{7/5/21}{7:00pm}$ 2 nd City Council $\frac{8/5/21}{7:00pm}$
Applicant Robert R. Milarn (printed name) Address 1413 Highway 113 SW City Cartersville State GA Representative's printed name (if other than applicant)	Office Phone N/A Mobile/ Other Phone 770-875-9661 Zip 30120 Email rmilam4@yahoo.com Phone (Rep) Email (Rep)
Representative Signature Signed, sealed and delivered in presence of NOTARY PUBLIC NOTARY PUBLIC COUNTY NOTARY PU	Applicant Signature My commission expires: $10/6/2021$
* Titleholder Robert R. Milam (titleholder's printed name) Address 1413 Highway 113 SW, Carlersville, GA 30120 Signature Signed, sealed, delivered in presence of:	Phone 770-875-9661 Email rmilam4@yahoo.com NOTARY PUBLIC My commission expires: 10/10/2021 Commission Expired Colorer 6, 202
Present Zoning District Cartersville District 1, Zoned as R-20 Acreage Land Lot(s) 873 & 874 Location of Property: 1413 Highway 113 SW, 6	Requested Zoning Bartow County District 6, Zoned as A-1 or R-1 District(s) 4th Section(s) 3rd C056-0874-00 Cartersville, GA 30120

(street address, nearest intersections, etc.) with not having to provide services this far outside of the city and will put me in a county school/service/tax district. (attach additional statement as necessary)

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

Zoning Analysis for Annexation/ Zoning

Specifics of Proposed Use Case Number: _____

Tax Map Parcel(s) # C056-0874-	
Current Land Use Residental Proposed Land Use	
Number of Dwelling Units 1	Number of Occupants
Owner Occupied? Yes X No Number of School-aged Children 0 School(s) to be attended: N/A Current C	****
74000	_ County X Well/ Other
	County X Septic/ Other
Natural Gas:City	Other (List) Propane Tank
Electricity: City	X GA Power Greystone
	Other (List)

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:

made

2.

	Date of Application: 05/05/2021			
	Date Two Years Prior to Applicati	ion: 05/05/2019		
	Date Five Years Prior to Applicati	on: 05/05/2016	= - =	
1. cam	Has the applicant within the five paign contributions aggregating \$25			ing action
		YES	6	NO
	Mayor: Matt Santini		>	(
	Council Member:	ā-		=======================================
	Ward 1- Kari Hodge		>	(
	Ward 2- Jayce Stepp		>	(
	Ward 3- Cary Roth			(
	Ward 4- Calvin Cooley	·	>	(
	Ward 5- Gary Fox			(
	Ward 6- Taff Wren	<u>=</u>	<u>></u>	
	Planning Commission			
	Greg Culverhouse			(
	Harrison Dean			(
	Lamar Pendley			(
	Lamar Pinson	-	<u>></u>	
	Travis Popham			(
	Jeffery Ross	<u></u>	>	
	Stephen Smith		X	
2.	If the answer to any of the above amount, date, and description of			
	years. 			
		Ka-Jush-	05-05-21)
		Signature	Date	
		Robert mi	lam	
		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.

	•	et or street right of way; any creek or river; any right o corporation, which divides the municipal boundary fro
		(Seal)
		Georgia Registered Land Surveyor
ZONIN	IG ADMINISTRATOR:	
1,	Case Number: AZZI-O6	
2.	Yes No	
	The above property complies with	the City of Cartersville minimum size requirements to
	construct a building or structure or ordinance, or regulations of the Cit	ccupiable by persons or property under the policies, y of Cartersville.
3.	Survey attached? Ves. 414	6/3/86
Date	5/6/24 Zonin	ag Administrator

CARL PINSON

555°33'35"W 858,32' 10 THE INT. OF THE C. L. OF INTERFRICTION DRIVE 8

THE N. W. R. W. OF GA. S. R. 1/3







