

May 19

PUBLIC NOTICE – LAND USE MAP AND REZONING

The Bartow County Planning Commission will hold a public meeting on Monday, June 6, 2016 at 6:00 p.m. in the Zoning Hearing Room at the Frank Moore Administration and Judicial Center at 135 West Cherokee Avenue, Cartersville, Georgia. The Planning Commission will review an application by H.F. Johnson Jr LLC requesting a change in the future land use map and a rezoning of the property located at West Avenue in Land Lot(s) 633, 4th District, 3rd Section of Bartow County, Georgia. The request is to change the land use classification from City Limits (current land use classification) to Commercial (requested land use classification). A further request is to rezone the property from A-1 (current zoning) to C-1 (requested zoning). Said property contains 1.661 acres.

The Bartow County Commissioner will hold a final public hearing on the proposed action on Wednesday, June 8, 2016 at 10:00 a.m. in his office in the Frank Moore Administration and Judicial Center in Suite 251 to consider and take action on the recommendation of the Planning Commission of the above mentioned application. Notice is hereby given that the Commissioner has the power to impose a different zoning classification from the classification requested, and impose or delete zoning conditions that may change the application considerably.

Pursuant to the Conflict of Interest in Zoning Act, O.C.G.A. § 36-67A-1 et seq., any opponent of this rezoning who has made, within two years immediately preceding the filing of the application, campaign contributions aggregating \$250.00 or more to the Commissioner or any Planning Commission member, should file an OPPONENT OF REZONING ACTION CAMPAIGN DISCLOSURE REPORT, showing the contribution amount(s) and date(s). Such disclosure should be filed at least five calendar days prior to the Planning Commission's hearing. Violation of this Act shall not affect the validity of the rezoning, but such action may be a misdemeanor under O.C.G.A. § 36-67A-4.

Please contact the Bartow County Zoning Office at 135 West Cherokee Avenue, Cartersville, Georgia 30120 or (770) 387-5007 to receive the application and information on the filing thereof. If you have an interest in the proposed request, you are encouraged to attend the meetings. If you will require reasonable accommodation in order to participate in this hearing, please contact Marla Coggins at Suite 217B, Frank Moore Administration and Judicial Center, 135 West Cherokee Avenue, Cartersville, Georgia 30120, telephone number (770) 387-5020 or TDD (770) 387-5034, at least 72 hours prior to the scheduled time of the hearing.

Bartow County

ARZ-2069

Please email tear sheet on day of publication to Brooke Whorton, Bartow County Community Development Dept, whortonb@bartowga.org.



Community Development Department

Zoning Division

135 West Cherokee Avenue, Suite 124 Cartersville, GA 30120
Phone: 770-387-5007 Fax: 770-387-5644

APPLICATION TO ZONING DIVISION

BARTOW COUNTY

(Completed by Zoning Division)

Application Number: ARZ-2069-16 Date Submitted: 5/9/16

Fee Amount: \$150 Application & Fee Received By: [Signature]

IMPORTANT: A Plat or Survey of the subject property must be submitted with application.

SECTION I. GENERAL INFORMATION

This application is made for the following reason(s):

Check ALL APPLICABLE requests:

- Land Use Map Amendment (Complete subsection A below.)
- Rezoning / Zoning Map Amendment (Complete subsection B below.)
- Alteration of Zoning Conditions (Complete subsection C below.)
- Zoning Ordinance Text Amendment (Complete subsection D below.)
- Conditional Use Permit request (Complete subsection E below.)
- Appeal to Board of Zoning Appeals (Complete subsection F below.)
- Appeal to County Commissioner (Complete subsection F below.)

All applicants are to complete the following:

Name of Subject Property Owner: H.F. JOHNSON JR LLC

Name of Applicant if different from Property Owner: _____

(If applicant different from owner, notarized written permission of owner must be attached hereto.)

Address of Applicant: 1261 WEST AVE
CARTERSVILLE, GA 30120

Telephone: Home: 7-383-9757 Work: 7-382-1890

Subject Property Description:

Land Lot(s): 633 District: 4TH Section: 3RD

Frontage (feet): 405 Depth (feet): 507.39 Area: 1.661 (acres/square feet)

Street Address/ Road Name: WEST AVE

Tax Property Record Card ID # (obtained from Tax Assessor's Office): ~~3068~~ Part of C068-0001-001

The subject property deed is recorded in Book 2810, Page 432, in the office of the Clerk of Superior Court, Bartow County.

A. LAND USE MAP AMENDMENT

1. Applicants for Land Use Map Amendments shall complete and provide the following minimum information. Additional information may also be required by the Zoning Administrator:

It is desired and requested that land use designation of the subject property be changed from:

City of Cartersville (current) to Commercial (proposed)

Reason for requested land use change: (Be Specific)

EXPANSION OF AUTO REPAIR FACILITY

Any prior land use amendment requests on this property? Yes _____ No

If yes: Name of Applicant: _____
Application # _____
Date of Public Hearing: _____

2. Notice requirements of Section II shall be followed.
3. The following shall be submitted with the application:
- a. **One (1) copy of a map**, drawn to scale, showing north arrow, land lot and district, the dimensions, acreage and location of the tract, and the surrounding land use categories. The map shall also indicate the neighboring property owners by number, as listed below (See Section II).
 - b. **Copy of recorded covenants or restrictions, if applicable.**
 - c. **A copy of the Tax Property Record Card** for the parcel from the Tax Assessor's Office. (For office use only.)

B. REZONING (ZONING MAP AMENDMENT)

1. Applicants for Rezoning (Zoning Map Amendments) shall complete and provide the following minimum information. Additional information may also be required by the Zoning Administrator:

It is requested that the subject property be rezoned from: A-1 Zone to C-1 Zone
(current) (proposed)

Reason for requested zoning change: (Be Specific)

EXPANSION OF AUTO REPAIR FACILITY

Any prior zoning request on this property? Yes _____ No

If yes: Name of Applicant: _____

Application # _____

Date of Public Hearing: _____

2. Notice requirements of Section II shall be followed.
3. Disclosures form in Section III shall be completed by owner, applicant, and all representatives.
4. The following shall be completed:
- Submit One (1) copy of a plat, drawn to scale, showing north arrow, land lot and district, the dimensions, acreage and location of the tract, and existing and intermediate regional floodplains and structures, as shown on the Federal Emergency Management Agency FIRM rate maps for Bartow County, if any; and the Bartow County Regulatory Floodmaps; prepared by an architect, engineer, landscape architect or land surveyor whose state registration is current and valid. The preparer's seal shall be affixed to the plat. If a new plat is prepared, the plat must be prepared in compliance with the County's GPS Control Network and Digital Enterprise GIS system (consult the Engineering Department for details). For subdivision or non-residential developments, an additional electronic copy of the plat shall be submitted by the applicant, owner or developer to the Engineering Department. The plat shall also indicate the neighboring property owners by number, as listed below (See Section II).
 - If request is for a PUD (Planned Unit Development), a Site Plan is required with application. See the PUD District Section of the *Bartow County Zoning Ordinance* for Site Plan requirements.
 - Submit a copy of recorded covenants or restrictions, if applicable.
 - Submit a copy of the Tax Property Record Card for the parcel from the Tax Assessor's Office. (For office use only.)

- e. **To the Health Department**, provide a Soil Survey prepared by a Soil Scientist, registered in the State of Georgia, prior to submitting zoning application, unless the property is served by sewer, or unless all lots in the subdivision are three acres or larger in size.
- f. Submit a letter from the local water department with the application stating public water supply is available to the property.
- g. A list of any zoning conditions proposed by the applicant.
- h. Applicants submitting an application to rezone property for residential development, or multifamily, commercial, mining or industrial zonings, are required to include a professional type rendering of structures to be placed on the site. The rendering shall depict the project in detail sufficient for the public and the commission to understand the dimensions, location, nature and scope of the proposed development. There is no requirement that the rendering be in color or be drawn to exact scale.

A conceptual site plan depicting the proposed use of the property including:

- (1) A drawing of the subject district and immediate surrounding area, drawn to a scale of one inch equals 100 feet. The Zoning Administrator may allow a smaller scale if deemed to be legible.
- (2) A correct scale and north arrow.
- (3) The proposed land use, zoning, and building outline as it would appear should the zoning map amendment application be approved.
- (4) The present zoning classification of all adjacent parcels.
- (5) The building outline, and maximum proposed height of all buildings, and/or structures.
- (6) The proposed location of all drives, streets, off-street parking and loading areas, and entry/exit points for vehicular traffic, using arrows to depict direction of movement.
- (7) Required yard setbacks appropriately dimensioned.
- (8) The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation if required.
- (9) A location map showing all arterial and collector streets, and other significant landmarks, within two miles of the proposed district (no scale is required).
- (10) Topography at 2-foot contour intervals including source of datum.
- (11) Location and elevation of the 100-year floodplain and the Bartow County Regulatory Floodplain on the property subject of the proposed zoning.
- (12) Location and acreage of all major utility easements greater than 20 feet in width, if applicable.
- (13) Acreage of property and proposed number of residential lots or dwelling units, if applicable.
- (14) Approximate location of septic and drain-field lines, replacement areas for septic system, stormwater detention structures, lakes, ponds, and any other improvements as required by the Zoning Department.

Conceptual site plans shall be required with any rezoning application in which the application is to establish or expand any zoning district. Within ten (10) working days of the receipt of such site plan, the Zoning Administrator shall determine its compliance with this ordinance, and shall either accept it as being "sufficient" or reject as being "insufficient." If it is so rejected, a sufficient plan must be submitted at least 5 working days prior to the Planning Commission hearing for the application to proceed.

CITY OF CARTERSVILLE

PO BOX 1390

CARTERSVILLE, GA 30120

JACKSON CLYDE W ESTATE

478 MISSION RD

CARTERSVILLE, GA 30120

SPIRIT MASTER FUNDING III LLC

16767 N PERIMETER DR

SUITE 210

SCOTTSDALE, AZ 85260-1062

WOFF LLC

PO BOX 1312

CARTERSVILLE, GA 30120

SECTION IV. OATH AND FEES

All applicants are to complete the following:



I hereby swear that all above information is true and correct to the best of my knowledge.

Sworn to and subscribed before me,
this 9 day of May, 2016.

Shannon Crutcher
Notary Public

My commission expires: 11/4/2018

H. F. Johnson Jr
PRINTED Name of Applicant

H. F. Johnson Jr
SIGNATURE of Applicant

5/9/2016
Date

Applicants shall be present at both the Planning Commission Hearing and the Commissioner's Hearing.

This application and the accompanying fee must be submitted to the Zoning Administrator no later than three (3) weeks prior to the date that the request is to be considered. Applications shall not be accepted without the fee. See Zoning Schedule.

The following is a list of fees that shall accompany an application.

<u>If the request is for:</u>	<u>FEE</u>
Land Use Map Amendment (if separate from rezoning)	\$ 100.00
Land Use Map Amendment (combined with rezoning)	\$ 50.00 plus rezoning fee
Rezoning Existing Single Lot for a Single Family Dwelling	\$ 50.00
Rezoning for Residential Development	\$ 200.00
Rezoning Existing Single Lot to Commercial, Office	\$ 100.00
Rezoning for Commercial, Office Development	\$ 200.00
Rezoning to I-1 (Light Industrial) or I-2 (Heavy Industrial)	\$ 400.00
Rezoning to PUD (Planned Unit Development) or M-1 (Mining)	\$ 500.00
Rezoning to BPD (Business Park District)	\$400.00
Appeals	\$ 100.00
Conditional Use Permit	\$ 300.00
Ordinance Text Amendment	\$ 100.00
Alteration of Zoning Conditions	\$ 100.00



SECTION III. DISCLOSURES

1. DISCLOSURES REQUIRED OF OWNER, APPLICANT, AND REPRESENTATIVES (each person to file separate form)

The following disclosures are required from each of the following persons: the owner; the applicant if the applicant is different from the owner; and any representative of the owner or applicant.

Pursuant to the Conflict of Interest in Zoning Act, O.C.G.A. § 36-67A-1 et seq., any applicant of this rezoning who has made, within two years immediately preceding the filing of the application, campaign contributions aggregating \$250.00 or more to the Commissioner or any Planning Commission member, should file an OPPONENT OF REZONING ACTION CAMPAIGN DISCLOSURE REPORT, showing the contribution amount(s) and date(s). Such disclosure should be filed at least five calendar days prior to the Planning Commission's hearing. **Violation of this Act shall not affect the validity of the rezoning, but such action may be a misdemeanor under O.C.G.A. § 36-67A-4.**

Have you, as owner, applicant, or representative of owner or applicant, made a campaign contribution to the Commissioner of Bartow County or any member of the Planning Commission within two years immediately preceding the filing of this application aggregating \$ 250.00 or more or made a gift to any of the above having an aggregate value of \$ 250.00?

Yes _____

No _____

If yes: (1) The name of the official _____

(2) The dollar amount and date of each campaign contribution made by the applicant to the local government official named above during the two years immediately preceding the filing of the application.

(3) The value and description of each gift having a value of \$ 250.00 or more during the two years immediately preceding the filing of this application.

Sworn to and subscribed before me,
this 9 day of May, 2016.

Shannon Crutcher
Notary Public

My commission expires: 11/4/2018



H.E. JOHNSON JR
PRINTED Name of Applicant

[Signature]
SIGNATURE of Applicant

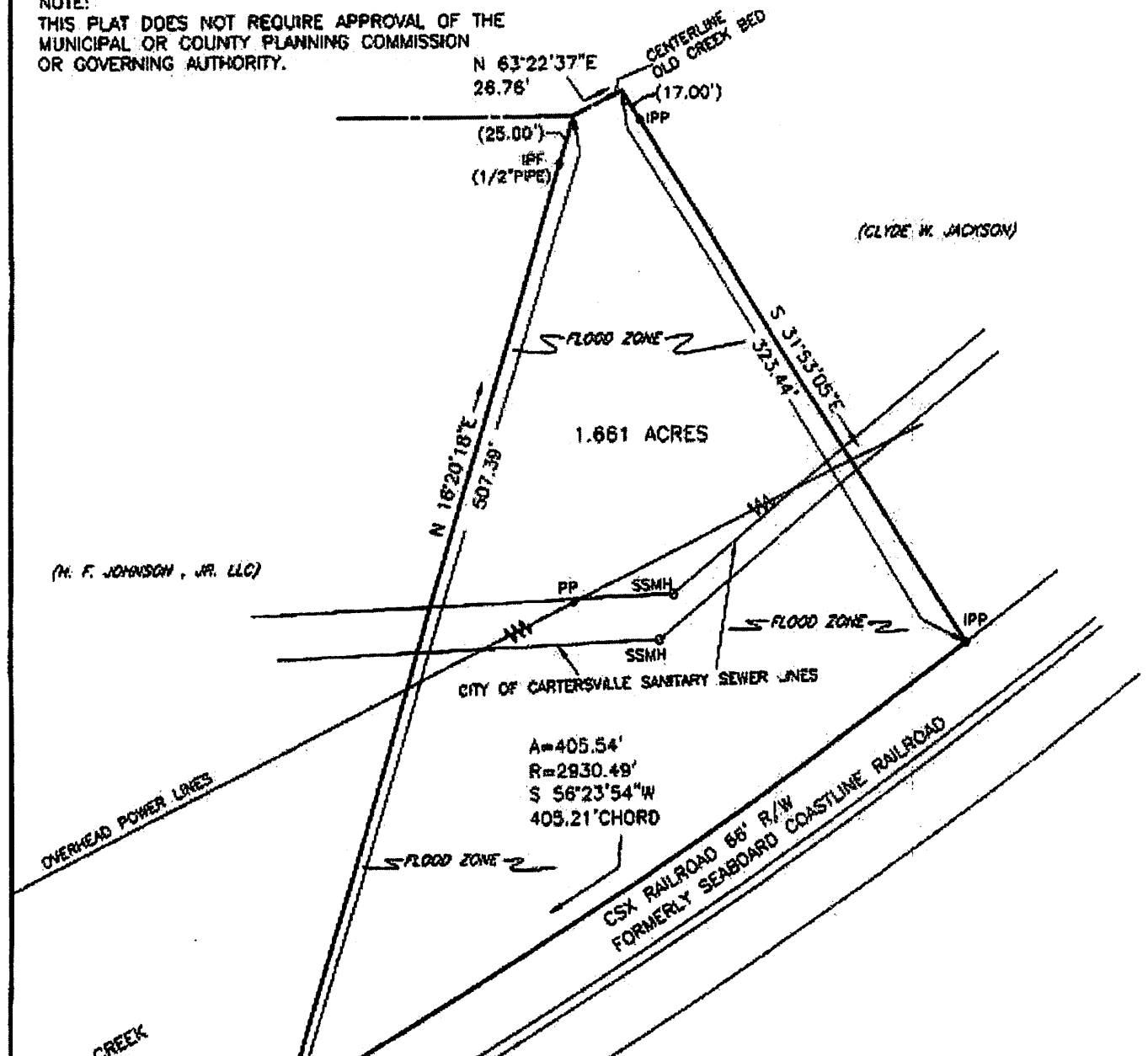
5/9/2016
Date



PROPERTY IN THE CITY OF CARTERSVILLE
 IN LAND LOT 633
 4th DISTRICT, 3rd SECTION
 BARTOW COUNTY, GEORGIA

(CLYDE W. JACKSON)

NOTE:
 THIS PLAT DOES NOT REQUIRE APPROVAL OF THE
 MUNICIPAL OR COUNTY PLANNING COMMISSION
 OR GOVERNING AUTHORITY.



A=405.54'
 R=2930.49'
 S 56°23'54\"/>

THIS SURVEY WAS PREPARED IN CONFORMITY WITH
 THE TECHNICAL STANDARDS FOR PROPERTY
 SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER
 180-7 OF THE RULES OF THE GEORGIA BOARD OF
 REGISTRATION FOR PROFESSIONAL ENGINEERS AND
 LAND SURVEYORS AND AS SET FORTH IN THE
 GEORGIA PLAT ACT O.C.G.A. 15-6-87. AUTHORITY
 O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6,
 43-15-19, 43-15-22.

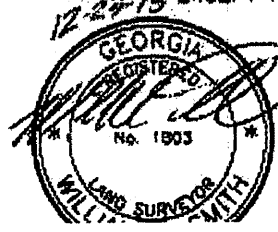
DATE OF LAST FIELD SURVEY WORK: 12-23-2015

FIELD TRAVERSE:
 CLOSURE: ONE FOOT IN 20,000 FEET
 USING A LIETZ SET 3.
 ANGULAR ERROR: 0'00'06\"/>

0401-1.CRD 0401-3.DWG
 FLOOD INSURANCE RATE MAP 13015C0262 G
 AND 13015C264 G
 DATED SEPT.28,2007 SHOWS THIS PROPERTY
 IS IN THE 100 YEAR FLOOD ZONE.

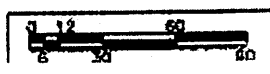
NOTE: IRON PINS ARE (1/2\"/>

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
 236,000 FEET.
 DECEMBER 23, 2015

R/W — RIGHT OF WAY
 PP — IRON PIN PLACED
 IPF — IRON PIN FOUND
 R — RADIUS LP — LIGHT POLE
 -X-X- FENCE
 LAND LOT LINE



MAG. NORTH

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in The City of Cartersville in Land Lot 633 of the 4th District and 3rd Section of Bartow County, Georgia containing 1.661 acres and being more particularly described as follows:

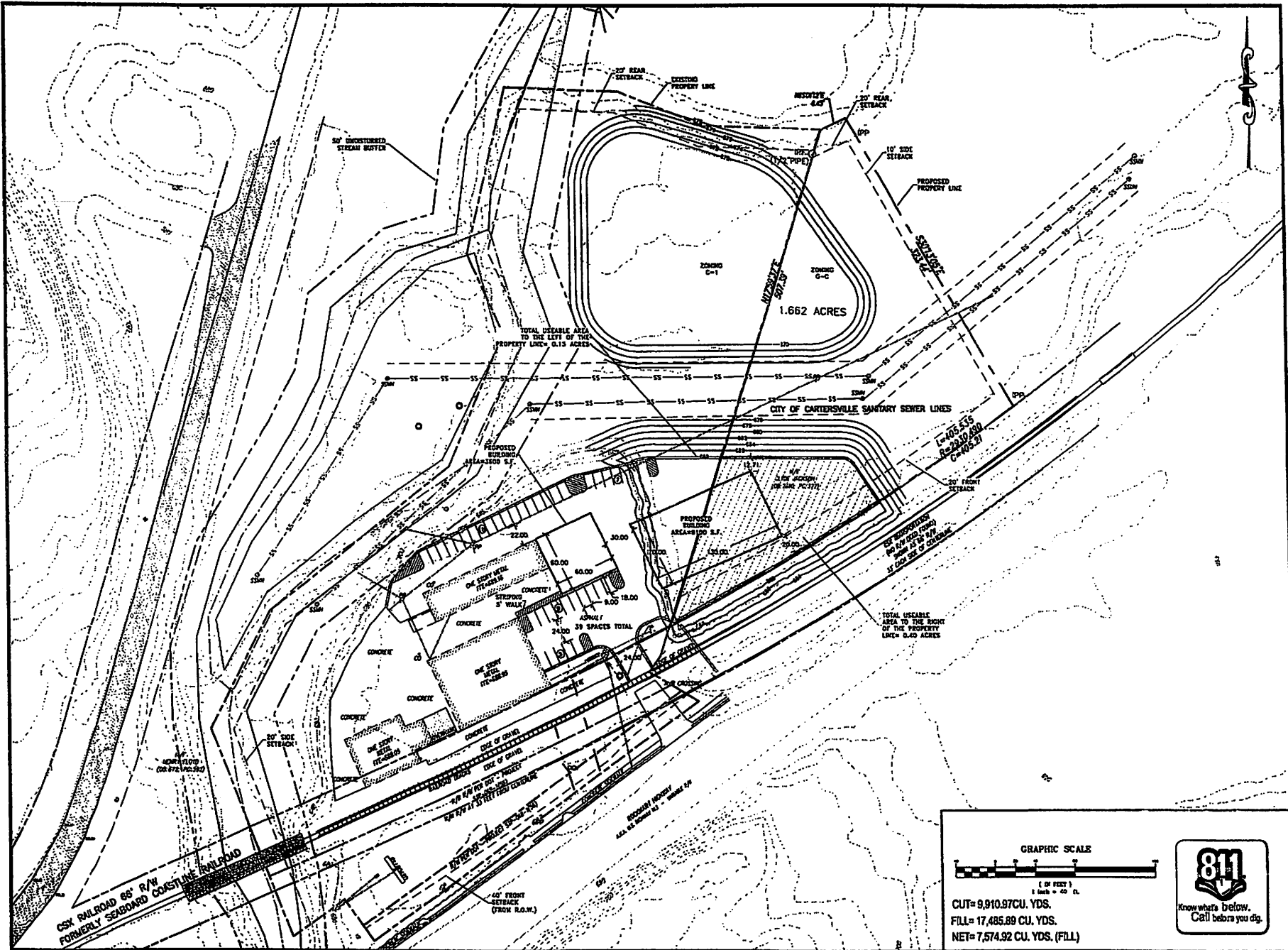
BEGINNING at a point on the Northwestern right-of-way of The CSX Railroad formerly The Seaboard Coastline Railroad (66 foot R/W), which point is 461.88 feet Northeast from the intersection of the Northwestern right-of-way of said railroad with the Centerline of Pettit Creek as measured along the Northwest right-of-way of said railroad;

THENCE North 16 degrees 20 minutes 18 seconds East for a distance of 507.39 feet to a point in the center of an Old Creek Bed, which point is North 16 degrees 20 minutes 18 seconds East a distance of 25.00 feet from an iron pin found;

THENCE North 63 degrees 22 minutes 37 seconds East for a distance of 26.76 feet along the centerline of said Old Creek Bed to a point, which point is North 31 degrees 53 minutes 05 seconds West a distance of 17.00 feet from an iron pin placed;

THENCE South 31 degrees 53 minutes 05 seconds East for a distance of 323.44 feet leaving said Old Creek Bed to an iron pin placed on the Northwestern right-of-way of The CSX Railroad;

THENCE along a curve to the right having a radius of 2930.49 feet and an arc length of 405.54 feet, being subtended by a chord of South 56 degrees 23 minutes 54 seconds West for a distance of 405.21 feet along the Northwestern right-of-way of said railroad to a point and The Point of Beginning.



PROJECT NO.: 15057
 DATE: 02/24/16

NO.	DATE	REVISIONS
1		
2		
3		
4		
5		

G SOUTHLAND
 ENGINEERING
 CIVIL ENGINEERS - LAND SURVEYORS - LAND PLANNERS
 114 OLD HELL ROAD, CARTERSVILLE, GA 30130
 PH: 770.381.9440 FAX: 770.487.5151

STYLES BODY SHOP
 BARTOW COUNTY, GEORGIA



SHEET TITLE:

CONCEPT

SHEET NO.:

C101



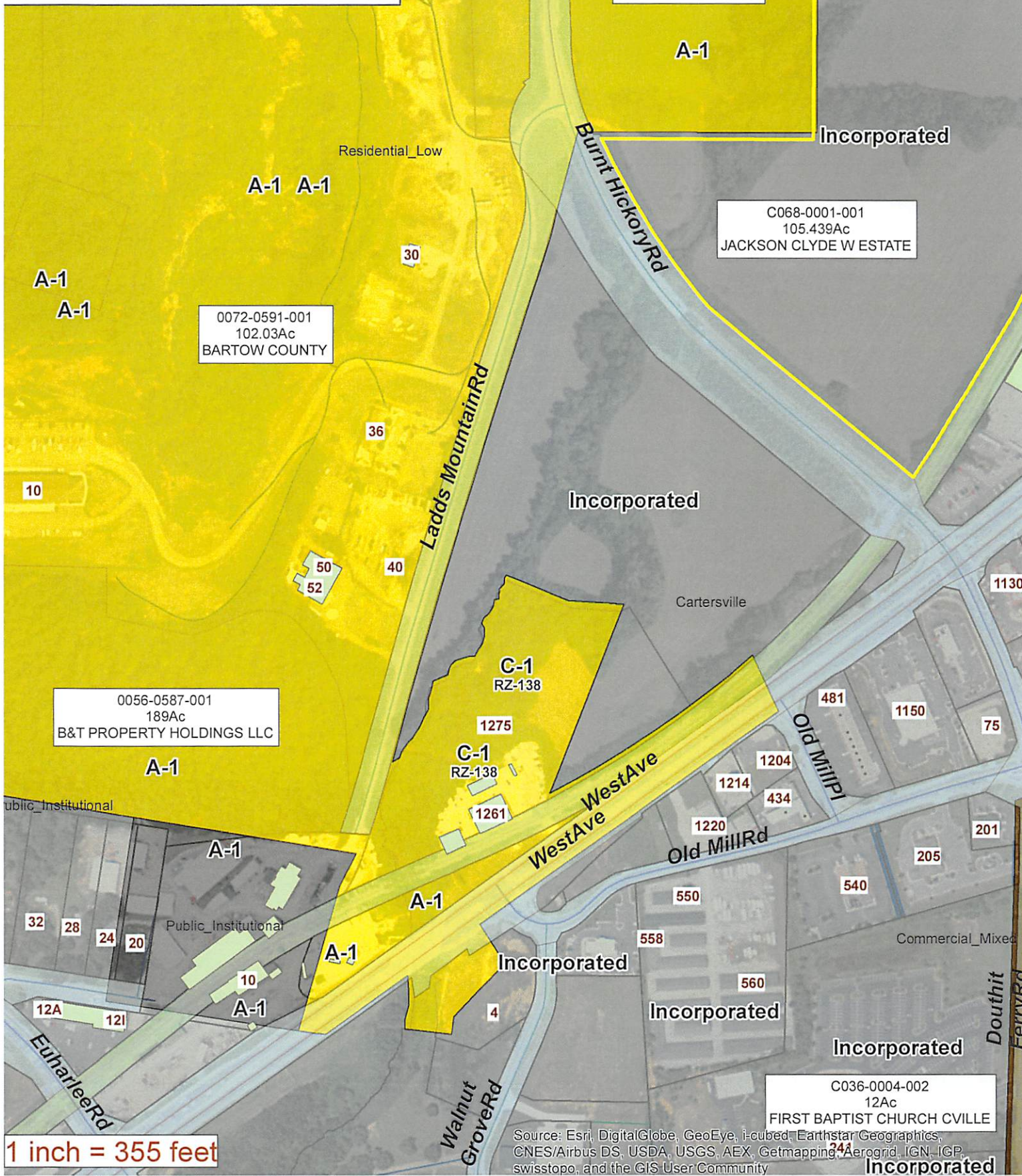
CUT= 9,910.97 CU. YDS.
 FILL= 17,485.89 CU. YDS.
 NET= 7,574.92 CU. YDS. (FILL)



ARZ-2069-16



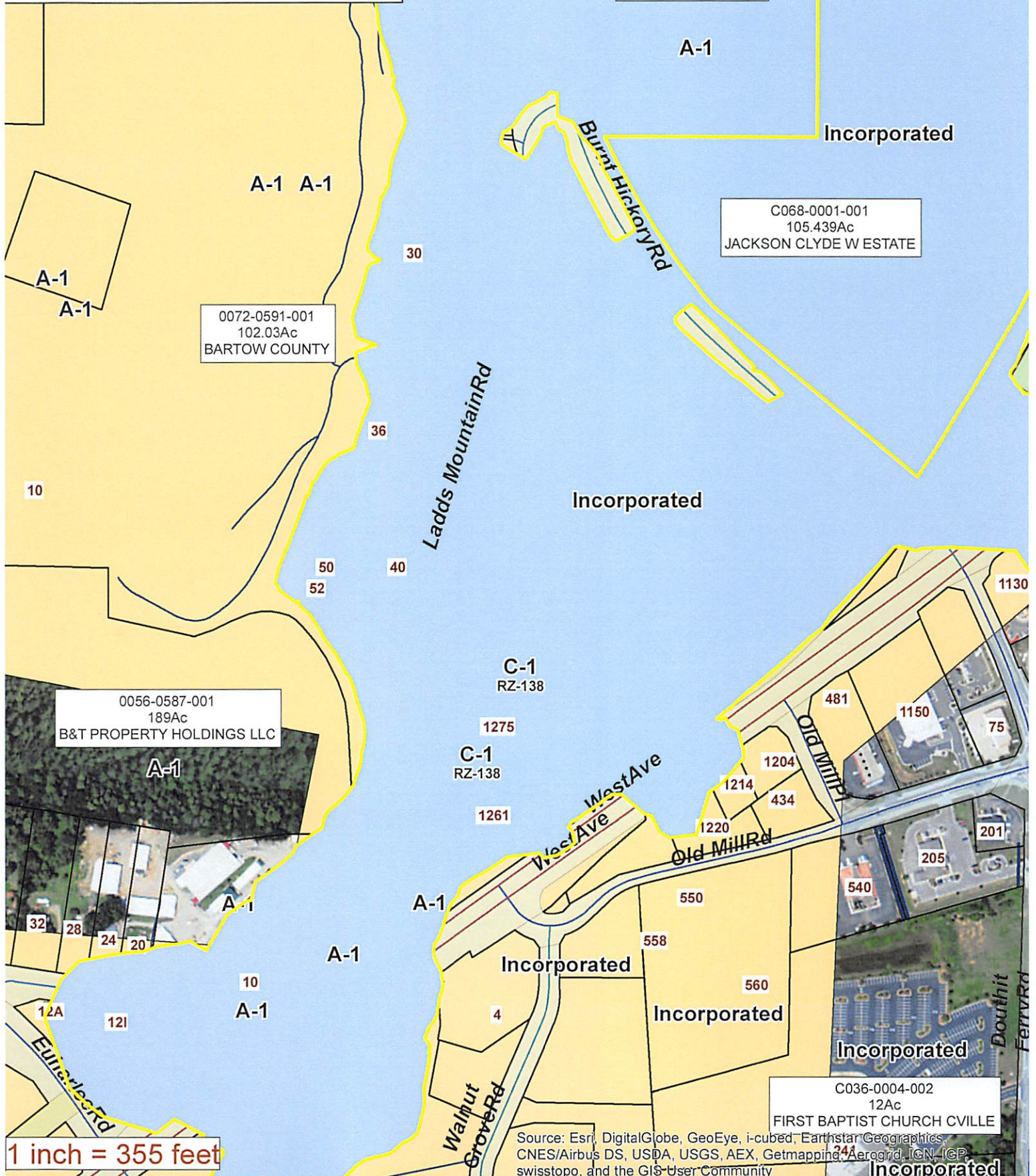
ARZ-2069-16
H.F. Johnson, Jr. LLC
West Ave.
Part of C068-0001-001



1 inch = 355 feet

Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

ARZ-2069-16
H.F. Johnson, Jr. LLC
West Ave.
Part of C068-0001-001



1 inch = 355 feet

Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community