

ORDINANCE NO. 33-00

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES, CHAPTER 26, ZONING, is hereby amended by creating a new article as follows:

I.

CHAPTER 26. ZONING. ARTICLE XXVII. CHEROKEE-CASSVILLE AND WEST END INFILL OVERLAY DISTRICTS are hereby created as follows:

**Sec. 27.1. - Purpose.**

The purpose of the Cherokee-Cassville and West End Infill Overlay Districts is to promote compatible infill construction or reconstruction of residential structures that protects and preserves the historic development patterns and character of the neighborhoods in the districts.

The Cherokee-Cassville and West End Infill Overlay District minimum requirements shall control over existing regulations or ordinances, whether the requirements are stricter or less strict than any existing provisions in the Code of Ordinances as currently adopted or as may be modified in the future.

**Sec. 27.2. – Infill Overlay District Map.**

The infill overlay district map shall be made a part of the Official Zoning Map for the City of Cartersville and is included and made a part of the Zoning Ordinance as Exhibit “D” Cherokee-Cassville and West End Infill Overlay District Maps to Article XXV. District Map of Chapter 26 of the City of Cartersville Zoning Ordinance.

**Sec. 27.3. – Boundaries.**

The boundaries of the infill overlay maps are as follows:

A. West End Infill Overlay District. The West End District encompasses an area commencing with the property at the NW corner of the intersection of West Main Street and Bartow Street. The district continues SW on Etowah Drive to the intersection with Lee Street then west to include the properties on the north side on Lee Street (approximately eight (8) properties). The boundary then extends west to the intersection of Woodland Drive and Terrell Drive (includes the properties on the south side of West Avenue (SR 61/113). The district turns north and west for approximately four (4) properties to West Avenue (Highway 113). The district boundary turns west onto West Avenue (SR 61/113) past Attaway Drive. The boundary to Elm Street then east to Knight Way and Knight Street the intersection with Lee Street. The boundary extends north on Lee Street to West

Cherokee Avenue. The boundary extends east on West Cherokee Avenue to School Street then south on School Street to Tabernacle Street. The boundary then follows east on Tabernacle Street to Bartow Street then south on Bartow Street to the intersection with West Main Street.

B. Cherokee-Cassville Infill Overlay District. The Cherokee-Cassville District encompasses an area beginning at Bartow Street on the east; the proposed district extends to the west, centered along West Cherokee Avenue, to School Street. It then extends to the west and northwest, lying between West Cherokee Avenue, west to Jackson Street, and Wofford Street, northwest to Saint Francis Street. From approximately Saint Francis Street, the district continues to the northwest along both sides of Cassville Road to the Seaboard Railroad track. The proposed district is an area of predominantly historic residential development that lies along and in the vicinity of the West Cherokee Avenue - Cassville Road corridor. It lies west of the previously designated Downtown Business Historic District and north of the previously designated West End Historic District.

#### **Sec. 27.4. - Definitions.**

- A. For the purposes of this Article, the term "Infill" shall apply to all residential zoning categories excluding Townhomes, Condominiums, Multi-Family and Apartment Complexes.
- B. For the purposes of this Article, Accessory Structure shall mean- detached garages, carports, storage sheds, guest houses, etc. and shall meet the minimum setback requirements prescribed by the applicable zoning district. Said structures shall be constructed of similar building materials.
- C. For the purposes of this Article, the term "Infill Development" shall mean the construction or reconstruction of a residential home or homes adjacent to an existing home or between existing homes on the same side of a street. Infill Development requirements shall be followed for all residential homes constructed or reconstructed in an Infill Overlay District regardless if a subdivision of property occurs.
- D. For purposes of this Article, the term "Survey Area" shall mean:
  - 1. The three nearest homes on both sides of the lot to be developed or both sides of a newly created lot or lots to be developed
  - 2. Any home directly to the rear of the lot to be developed; and
  - 3. The six homes directly across the public right-of-way from the front of the lot to be developed.

In the event that topography, zoning district boundaries, city limits, or other logistical matters render strict compliance with 4a and/or 4b above impossible, the Director of Planning and Development shall determine the Survey Area as strictly as possible in compliance with D1 and D2 as stated above.

- (a) In order to establish and maintain compatibility among residential developments and to preserve the aesthetic qualities of neighborhoods, which serves to preserve the property values of all residential land owners and developers, promote the health, welfare and safety of neighborhoods, and preserve the tax base of the City of Cartersville, the following design requirements are hereby mandated for all

residential infill developments, in addition to all other construction standards contained in this Code.

- (b) The developer of a proposed Infill Development shall submit to the Planning and Development Department, an Infill Compatibility Survey, on the form provided by the Planning and Development Department, that illustrates the size, scale, and overall visual character of the structure including setbacks, height and basic architectural features of homes in the survey area. The developer may use data provided by the Bartow County Tax Assessor for homes and property in the survey area. The developer shall also submit labeled pictures of the homes in the survey area.
- (c) Homes included in the survey area but not included in the Cherokee-Cassville and West End Infill Overlay Districts are not to be considered for the survey purposes.

### **Sec. 27.5. – Minimum Requirements.**

The minimum requirements for residential Infill Development, to be shown on the Infill Compatibility Survey, shall be as follows:

- A. *Orientation of the house.* The Infill home shall have the same orientation to the streets as the majority fifty-one (51%) percent of the existing homes within the survey area. Where the dimensions of the lot, or other site-specific obstacles, do not permit the same orientation as a majority of existing structures in the survey area, the property owner, or his or her representatives, may file for a variance with the Board of Zoning Appeals, which variance shall be considered in conformance with the procedures and standards contained in Article XXI, Appeals of the City of Cartersville Zoning Ordinance.
- B. *Location of the front door.* The home shall have its front door facing the street used to determine house orientation in item (A) and shall have no less than 25 square feet of framed windows facing said street.
- C. *Heated floor square footage requirements:* The total heated floor square footage of an Infill home shall be equal to or greater than the average heated floor square footage for all homes in the survey area.
- D. *Minimum Lot Frontage.* Lot frontage for Infill homes shall be equal to or greater than the Lot Width at Building Line described in item (F).
- E. *Building Setback Line.* The Building Setback Line for Infill homes shall not vary more than ten (10%) percent from the average distance between the front property lines and the existing homes on the same side of the street in the survey area.
- F. *Lot Width at Building Line.* Lot width at building lines for Infill lots shall not vary more than twenty (20%) percent from the average lot width at building line as homes on the same side of the street in the survey area.
- G. *Minimum Lot Area.* Minimum lot area for newly created infill lots shall not be less than eighty (80%) percent of the average lot area as homes on the same side of the street in the survey area. If the minimum lot area is less than the minimum lot area for the zoning district, the zoning district standard shall govern.

- H. Sidewalks. Sidewalks on right-of-way must be installed for Infill development if sidewalks are existing in the survey area or on the adjacent property.
- I. Shared Driveways. Shared Driveways for Infill developments are allowed only if one of the following conditions exist:
  - 1. hazardous sight and turning distances effecting public safety as determined by city engineer, or other designated engineer or agency.
  - 2. existence of utilities that cannot be crossed; or
  - 3. topographical challenges or issues which make it impossible to place separate driveways on adjoining properties.

**Sec. 27.6. - Relief.**

To apply for relief from any of these requirements, the property owner, or his or her representatives, may file for a variance with the Board of Zoning Appeals. That variance shall be considered in conformance with the procedures and standards contained in Article XXI. Appeals of the City of Cartersville Zoning Ordinance.

II.

CHAPTER 26. ARTICLE III. ESTABLISHMENT OF ZONING DISTRICTS. SEC. 3.1. – ZONING DISTRICTS is hereby amended by adding the following subsections.

3.1.25. – Cherokee-Cassville and West End Infill Overlay Districts. The purpose of these districts is to protect the residential character of said districts.

3.1.26. – Main Street Overlay District. The purpose of this district is to provide uniform development standards for the Main Street gateway into downtown Cartersville.

3.1.27. – Business Park Overlay. The purpose of this district is to provide for uniform development standards for Bartow County and the City along the industrial corridor on Cass-White Road.

III.

CHAPTER 26. ZONING. ARTICLE XXV. DISTRICT MAPS. is hereby amended by adding an Exhibit "D" as follows:

Exhibit D – Cherokee-Cassville and West End Infill Overlay Districts

IV.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this Ordinance may be renumbered and/or alphabetized accordingly to accomplish such intention.

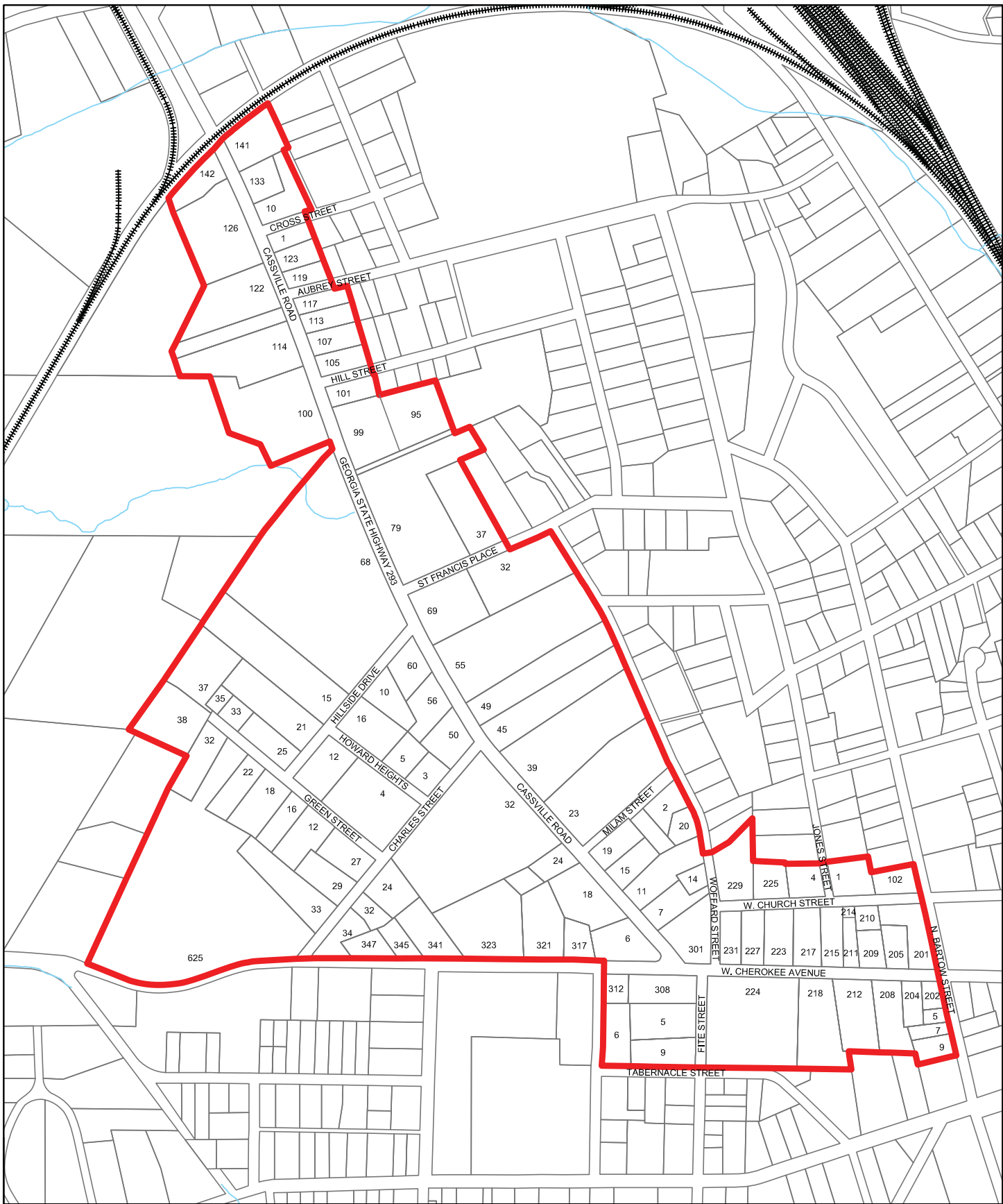
BE IT AND IT IS HEREBY ORDAINED

FIRST READING: JUNE 18<sup>th</sup>, 2020  
SECOND READING: JULY 2<sup>nd</sup>, 2020

  
MATTHEW J. SANTINI, MAYOR

ATTEST:   
MEREDITH ULMER, CITY CLERK

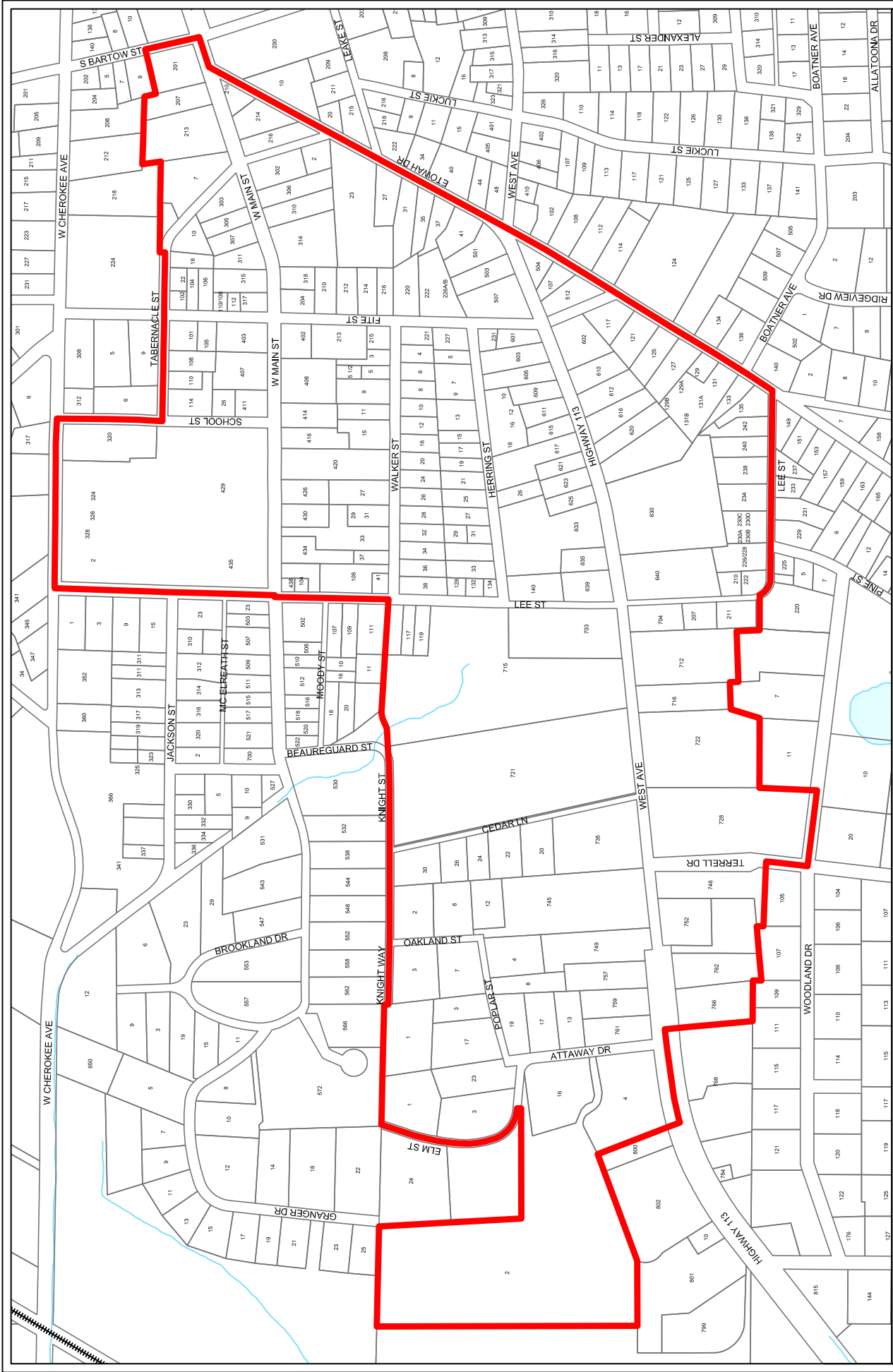




City of Cartersville

Exhibit D-1

# CHEROKEE-CASSVILLE INFILL OVERLAY DISTRICT



# WEST END INFILL OVERLAY DISTRICT