

CITY OF WHITE

Application for Ordinance Amendment/Rezoning Variance
City of White, Georgia

(Please type or print)

Application No. 1 Date Submitted 2-10-05

Application is hereby made to the City of White Planning Commission and/or the City of White Zoning Appeals Board for the purpose of Ordinance Amendment/Rezoning and/or the granting of a variance.

(A) Ordinance Amendment _____ (B) Rezoning (C) Variance

A. Amendment to Ordinance

Change Article _____, Section _____ to read as follows: _____

Reasons for requesting Amendment: _____

Complete for Sections B & C

Name of Subject Property Owner: Old Tennessee Development LLC

Name of Applicant if different from Property Owner: _____

Address: 12 Forest Hill Dr. SW

Cartersville, GA 30120

Telephone: Home (770) 386-2479 Work (770) 480-1652

Subject Property Description: Frontage: _____
 Depth: _____
 Area: _____ Sq. ft.
 24.16³ Acres

A copy of the recorded plat shall be attached.

The subject property deed is recorded in Book 1796, Page 642,
 in the Office of Clerk of Superior Court, ~~City of White~~ Bartow County. A copy of
 the deed shall be attached.

List all individuals, firms and/or corporations owning and/or
 leasing property adjacent to the subject property on all sides,
 including across roadway.
 (Reliance on the tax assessor's records may not provide the
 applicant with the most recent record owners.)

<u>Name</u>	<u>Address</u>
1) T. Ellis Richards	1127 Richards Rd. NE Rydal GA 30171
2) Robert M. Kinney	805 Arbor Hill Rd. Canton, GA 30115
3) Leonard + Elizabeth Noland	P.O. Box 127 White, GA 30184
4) Paul Bennett Sr.	P.O. Box 501 White, GA 30184
5) Eric H. Powell	1381 Cass - White Rd. White, GA 30184
6) Clara B. + Waymond D. Brown	394 Old Tennessee Hwy White, GA 30184
7) Corinne S. Alexander	75 Richards Rd. NE White, GA 30184
8) CSX Railroad - Do not send notice.	
9)	

Indicate property owned by above on copy of plat attached to
 application.

B. Request for Rezoning

Reason for requested zoning change: (Be specific) Currently zoned
General Ind - we desire to develop as single family residential.

It is desired and requested that the subject property be zoned from District IND-G to District R-1B

Any prior zoning request of this property? Yes No

If yes: Name of applicant Koteswar Kristen

Date 2001

C. Request for Variance

Reason for requesting variance: Eliminate buffer requirement

This development improves the area and will not detract from surrounding property if the buffer is eliminated and residential should be much preferred to the current
This completed application and fee must be submitted to the City Board of Hall no later than 3 weeks prior to the date that the request is to general be considered. End.

Application and fee received by: Jane Reynolds

Date: 2-11-05

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

Jerry Springfield
Printed Name of Applicant

Jerry Springfield
Signature of Applicant

Jane Reynolds
NOTARY PUBLIC
1-1-07

COMMISSION EXPIRES

Copy of restrictions or covenants must be attached.

Applicants shall be present at hearing.

The application shall be accompanied by a fee of \$50.00. Pd. 2-11-05

Have you made a campaign contribution to the Mayor, Council 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:

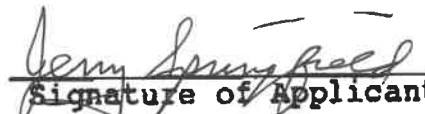
This disclosure is required to be filed within ten days after this application for rezoning is first filed.

Any applicant for rezoning action knowingly failing to make any disclosure as required by OCGA 36-85-3 shall be guilty of a misdemeanor.



NOTARY PUBLIC
1-1-07

COMMISSION EXPIRES



Signature of Applicant
2/11/05

DATE

**City of White
P.O. Box 116
White, Ga. 30184**

PUBLIC NOTICE

February 24, 2005

The City of White will hold a Planning Commission meeting March 17, 2005, at 6:00 p.m. at White City Hall, located at 19 W. Rocky St. in White.

Pursuant to Municipal Code Section 13.4, Procedures for Public Hearing, the City of White Planning Commission will hold a Public Hearing on March 17, 2005. Location will be White City Hall at 19 W. Rocky St., at 6:30 p.m. the purpose of this hearing will be to get public opinion on a re-zoning and variance request from Old Tennessee Development LLC for 24.163 acres located between 358 and 394 Old Tenn. Hwy. in Land Lot 297 of the 5th District, 3rd Section of Bartow County. The request is to re-zone property from General Industrial to R-1B, Residential. Also, a Public Hearing will be held on a variance request from John Nutter to place a billboard on his property at 3383 Hwy. 411. A Public Hearing will be held before the City of White Council at 7:00 p.m. on April 4, 2005 concerning this re-zoning and variance requests.

For more information please contact White City Hall at 770-382-5466.

City Clerk

Recommends the rezoning and

~~also~~ property owned by Old
Mr. Dev. LLC, located ~~at~~
between 358 and 354 Old R. Hwy,
From 6-I to R-1B

~~at~~ 24.163 Acres

with the following ^{provisions:} ~~restrictions:~~

~~1~~ ~~2~~ ~~3~~ ~~4~~ ~~5~~ ~~6~~ ~~7~~ ~~8~~ ~~9~~ ~~10~~ ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~32~~ ~~33~~ ~~34~~ ~~35~~ ~~36~~ ~~37~~ ~~38~~ ~~39~~ ~~40~~ ~~41~~ ~~42~~ ~~43~~ ~~44~~ ~~45~~ ~~46~~ ~~47~~ ~~48~~ ~~49~~ ~~50~~ ~~51~~ ~~52~~ ~~53~~ ~~54~~ ~~55~~ ~~56~~ ~~57~~ ~~58~~ ~~59~~ ~~60~~ ~~61~~ ~~62~~ ~~63~~ ~~64~~ ~~65~~ ~~66~~ ~~67~~ ~~68~~ ~~69~~ ~~70~~ ~~71~~ ~~72~~ ~~73~~ ~~74~~ ~~75~~ ~~76~~ ~~77~~ ~~78~~ ~~79~~ ~~80~~ ~~81~~ ~~82~~ ~~83~~ ~~84~~ ~~85~~ ~~86~~ ~~87~~ ~~88~~ ~~89~~ ~~90~~ ~~91~~ ~~92~~ ~~93~~ ~~94~~ ~~95~~ ~~96~~ ~~97~~ ~~98~~ ~~99~~ ~~100~~ ~~101~~ ~~102~~ ~~103~~ ~~104~~ ~~105~~ ~~106~~ ~~107~~ ~~108~~ ~~109~~ ~~110~~ ~~111~~ ~~112~~ ~~113~~ ~~114~~ ~~115~~ ~~116~~ ~~117~~ ~~118~~ ~~119~~ ~~120~~ ~~121~~ ~~122~~ ~~123~~ ~~124~~ ~~125~~ ~~126~~ ~~127~~ ~~128~~ ~~129~~ ~~130~~ ~~131~~ ~~132~~ ~~133~~ ~~134~~ ~~135~~ ~~136~~ ~~137~~ ~~138~~ 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must construct a fence
on the south side ~~between~~

the 6-I property and the
residents of property. ^{the fence will} ^{be constructed}

~~1~~ ~~2~~ ~~3~~ ~~4~~ ~~5~~ ~~6~~ ~~7~~ ~~8~~ ~~9~~ ~~10~~ ~~11~~ ~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~ ~~19~~ ~~20~~ ~~21~~ ~~22~~ ~~23~~ ~~24~~ ~~25~~ ~~26~~ ~~27~~ ~~28~~ ~~29~~ ~~30~~ ~~31~~ ~~32~~ ~~33~~ ~~34~~ ~~35~~ ~~36~~ ~~37~~ ~~38~~ ~~39~~ ~~40~~ ~~41~~ ~~42~~ ~~43~~ ~~44~~ ~~45~~ ~~46~~ ~~47~~ ~~48~~ ~~49~~ ~~50~~ ~~51~~ ~~52~~ ~~53~~ ~~54~~ ~~55~~ ~~56~~ ~~57~~ ~~58~~ ~~59~~ ~~60~~ ~~61~~ ~~62~~ ~~63~~ ~~64~~ ~~65~~ ~~66~~ ~~67~~ ~~68~~ ~~69~~ ~~70~~ ~~71~~ ~~72~~ ~~73~~ ~~74~~ ~~75~~ ~~76~~ ~~77~~ ~~78~~ ~~79~~ ~~80~~ ~~81~~ ~~82~~ ~~83~~ ~~84~~ ~~85~~ ~~86~~ ~~87~~ ~~88~~ ~~89~~ ~~90~~ ~~91~~ ~~92~~ ~~93~~ ~~94~~ ~~95~~ ~~96~~ ~~97~~ ~~98~~ ~~99~~ ~~100~~ ~~101~~ ~~102~~ ~~103~~ ~~104~~ ~~105~~ ~~106~~ ~~107~~ ~~108~~ ~~109~~ ~~110~~ ~~111~~ ~~112~~ ~~113~~ ~~114~~ ~~115~~ ~~116~~ ~~117~~ ~~118~~ ~~119~~ ~~120~~ ~~121~~ ~~122~~ ~~123~~ ~~124~~ ~~125~~ ~~126~~ ~~127~~ ~~128~~ ~~129~~ ~~130~~ ~~131~~ ~~132~~ ~~133~~ ~~134~~ ~~135~~ ~~136~~ ~~137~~ ~~138~~ ~~139~~ ~~140~~ ~~141~~ ~~142~~ ~~143~~ ~~144~~ ~~145~~ ~~146~~ ~~147~~ ~~148~~ ~~149~~ ~~150~~ ~~151~~ ~~152~~ ~~153~~ ~~154~~ ~~155~~ ~~156~~ ~~157~~ ~~158~~ ~~159~~ ~~160~~ ~~161~~ ~~162~~ ~~163~~ ~~164~~ ~~165~~ ~~166~~ ~~167~~ ~~168~~ ~~169~~ ~~170~~ ~~171~~ ~~172~~ ~~173~~ ~~174~~ ~~175~~ ~~176~~ ~~177~~ ~~178~~ ~~179~~ ~~180~~ ~~181~~ ~~182~~ ~~183~~ ~~184~~ ~~185~~ ~~186~~ ~~187~~ ~~188~~ ~~189~~ ~~190~~ ~~191~~ ~~192~~ ~~193~~ ~~194~~ ~~195~~ ~~196~~ ~~197~~ ~~198~~ ~~199~~ ~~200~~ ~~201~~ ~~202~~ ~~203~~ ~~204~~ ~~205~~ ~~206~~ ~~207~~ ~~208~~ ~~209~~ ~~210~~ ~~211~~ ~~212~~ ~~213~~ ~~214~~ ~~215~~ ~~216~~ ~~217~~ ~~218~~ ~~219~~ ~~220~~ ~~221~~ ~~222~~ ~~223~~ ~~224~~ ~~225~~ ~~226~~ ~~227~~ ~~228~~ ~~229~~ ~~230~~ ~~231~~ ~~232~~ ~~233~~ ~~234~~ ~~235~~ ~~236~~ ~~237~~ ~~238~~ ~~239~~ ~~240~~ ~~241~~ ~~242~~ ~~243~~ ~~244~~ ~~245~~ ~~246~~ ~~247~~ ~~248~~ ~~249~~ ~~250~~ ~~251~~ ~~252~~ ~~253~~ ~~254~~ ~~255~~ ~~256~~ ~~257~~ ~~258~~ ~~259~~ ~~260~~ ~~261~~ ~~262~~ ~~263~~ ~~264~~ ~~265~~ ~~266~~ ~~267~~ ~~268~~ ~~269~~ ~~270~~ ~~271~~ ~~272~~ ~~273~~ ~~274~~ ~~275~~ ~~276~~ ~~277~~ ~~278~~ ~~279~~ ~~280~~ ~~281~~ ~~282~~ ~~283~~ ~~284~~ ~~285~~ ~~286~~ ~~287~~ ~~288~~ ~~289~~ ~~290~~ ~~291~~ ~~292~~ ~~293~~ ~~294~~ ~~295~~ ~~296~~ ~~297~~ ~~298~~ ~~299~~ ~~300~~ ~~301~~ ~~302~~ ~~303~~ ~~304~~ ~~305~~ ~~306~~ ~~307~~ ~~308~~ ~~309~~ ~~310~~ ~~311~~ ~~312~~ ~~313~~ ~~314~~ ~~315~~ ~~316~~ ~~317~~ ~~318~~ ~~319~~ ~~320~~ ~~321~~ ~~322~~ ~~323~~ ~~324~~ ~~325~~ ~~326~~ ~~327~~ ~~328~~ ~~329~~ ~~330~~ ~~331~~ ~~332~~ ~~333~~ ~~334~~ ~~335~~ ~~336~~ ~~337~~ ~~338~~ ~~339~~ ~~340~~ ~~341~~ ~~342~~ ~~343~~ ~~344~~ ~~345~~ ~~346~~ ~~347~~ ~~348~~ ~~349~~ ~~350~~ ~~351~~ ~~352~~ ~~353~~ ~~354~~ ~~355~~ ~~356~~ ~~35~~

White City Council Minutes April 4, 2005

White City Council met in regular session April 4, 2005 at city hall. The minutes of the previous meeting were read. Lavonda made a motion to approve the minutes as read. Second by Dennis. Mayor and council approved.

A brief report was given about the USDA portion of the Sewer Project: The project has been advertised for bids, around 7 or 8 contractors have taken out copies of the plans, and a bid opening date has been set for April 21st.

Lavonda made a motion to approve a Temporary Emergency Moratorium on the acceptance of applications for permits for subdivisions and land development for a 60 day period, until an ordinance can be adopted. Second by Dennis. Mayor and council approved.

Lavonda made a motion to approve a Resolution for Adopting Guidelines for Indigent Defense for Municipal Court, this is pursuant to O.C.G.A. section 17-12-1 and 36-31-1 and in accordance with recent Georgia and U.S. Supreme Court decisions, which requires the city to provide a system of indigent defense that accords with the Standards of the Georgia Public Defender Standards Council. Second by Chris. Mayor and council approved.

Lavonda made a motion to approve an agreement between Bartow County Water Department and the City of White to allow the county to bill our sewer customers who have county water. Second by Dennis. Mayor and council approved.

A re-zoning and variance request had been submitted from Old Tenn. Development LLC, Jerry and Barry Springfield, to re-zone 24.163 acres from Industrial G to R-1B residential and a variance request to eliminate buffers. A Public Hearing was opened up at 7:25p.m. William Darby and Jerry Springfield signed up to speak. Mr. Darby stated that his only concern was with the variance to eliminate the buffers, that he felt an adequate buffer should be between the railroad and any new houses build. Mr. Springfield explained about why he requested the variance, he has twenty four acres but will only be able to develop around seventeen due to the flood area near the creek. He will have a large green space on the creek side, Old Tenn. Hwy. will be on the West side, the railroad will be on the East side and Industrial Property will be to the south. He wants to build up a berm that already exists on the railroad side. He explained about the flood area and how the water would be retained to keep it off other property owners. The public hearing was closed at 7:35p.m. The Planning Commission recommended to re-zone this property from G-I to R-1B with a provision that the residential property owners must construct a fence on the South Side between the residential property and the industrial property and be in accordance with the ordinance fence requirements.

Also, to approve the variance requests with no buffers on any side except the South side and it be reduced from 50ft. To 25ft. with vegetation to remain a requirement. A discussion was held about the flood area. Lavonda wanted to table this until she could speak to Peter Olson about it. She made a motion to table. This motion died for a lack of a second. David made a motion to re-zone the property to R-1B and grant the variance request as recommended by the Planning Commission. Second by Dennis. Chris voted in favor of the motion. Lavonda opposed. Motion carried with a 3 to 1 vote.

David made a motion to adjourn. Second by Chris. Mayor and council approved.

CITY OF WHITE

**Application for Ordinance Amendment/Re-zoning/Annexation/Variance
City of White, Georgia**

(Please type or print)

Application No. 2 Date Submitted 2-15-06

Application is hereby made to the City of White Planning Commission and/or the City of White Zoning Appeals Board for the purpose of Ordinance Amendment/Re-zoning / Annexation/ or the granting of a Variance.

(A) Ordinance Amendment ___ (B) Re-Zoning (C) Annexation ___ (D) Variance ___

A. Amendment to Ordinance:

Change Article _____, Section _____ to read as follows: _____

Reasons for requesting Amendment: _____

Complete for Sections B, C and D

Name of Subject Property Owner: Old Tennessee Development LLC

Name of Applicant if different from Property Owner: _____

Address: 12 Forest Hill Drive, SW
Cartersville, GA 30120

Telephone: Home (770) 480-1652 Work (770) 480-1652

Subject Property Description: Frontage: _____ Depth: _____

Area: _____ Sq. ft. _____ Acres 24.163

A copy of the recorded plat shall be attached.

The subject property deed is recorded in Book 1796, Page 642, in the Office of Clerk of Superior Court, of Bartow County. A copy of the deed shall be attached.

List all individuals, firms and /or corporations owning and/or leasing property adjacent to the subject property on all sides, including across roadway.
(Reliance on the tax assessor's records may not provide the applicant with the most recent record owners.)

<u>Name</u>	<u>Address</u>
1) Richards Family Charitable Trust	1127 Richards Rd. Rydal, GA 30171
2) Goldrush LLLP	1127 Richards Rd. Rydal, GA 30171
3) Robert McKinney	805 Arbor Hill Rd. Canton, GA 30115
4) Leonard + Elizabeth Noland	P.O. Box 127 White, GA 30184
5) Paul Bennett Sr.	P.O. Box 501 White, GA 30184
6) Joe Jones	100 Grogan Rd. NE White, GA 30184
7) Clara B. Brown	394 Old Tennessee Hwy White, GA 30184
8) Corinne S. Alexander	75 Richards Rd. NE White, GA 30184
9) CSX Railroad	

Indicate property owned by above on copy of plat attached to application.

B&C Request for Re-Zoning/Annexation:

Reason for requested zoning change and/or Annexation Develop as a
Town home community

It is desired and requested that the subject property be zoned from District R-1B to District R-4.

Any prior zoning request of this property? Yes No
If yes: Name of Applicant Old Tennessee Dev. LLC Date 2005

B. Request for Variance:

Section 6.3.6, 6.6 Variances - Where the mayor and council find that strict compliance with the provisions of this ordinance would result in practical difficulty or unnecessary hardship, the mayor and council may, upon application from the property owner, grant a variance from the terms of this ordinance so that the spirit and intent of this ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship upon a finding by the mayor and council that all of the following conditions exist:

1. There are no extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
2. The application of this section to this particular piece of property would create an unnecessary hardship.
3. Such conditions are peculiar to the particular piece of property involved.
4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this section.

Reason for requesting Variance: _____

The following topographic conditions or other exceptional circumstances create a hardship justifying the variance: _____

Is the Variance for a Place of Worship (___), or a Group Home for Persons with a Disability (___)? (Indicate which, if applicable) Yes _____ No _____

This completed application and fee must be submitted to the City Hall no later than 3 weeks prior to the date that the request is to be considered.

Application and fee received by: _____ Date: _____

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

Jerry Springfield
Printed Name of Applicant

Jerry Springfield
Signature of Applicant

James D. Roberts
Notary Public
1-1-07
Commission Expires

Copy of restrictions or covenants must be attached.

Applicants shall be present at hearing.

All applications shall be accompanied by a fee of \$100.00.

Have you made a campaign contribution to the Mayor, Council 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:

This disclosure is required to be filed within ten days after this application for re-zoning is first filed.

Any applicant for re-zoning action knowingly failing to make any disclosure as required by OCGA 36-85-3 shall be guilty of a misdemeanor.



Notary Public



Signature of Applicant

1-1-07

Commission Expires

2/15/06

Date

**City of White
P.O. Box 116
White, Ga. 30184**

PUBLIC NOTICE

February 21, 2006

The City of White will hold a Planning Commission Meeting and Public Hearing March 16, 2006, at 6:00 p.m. at White City Hall, located at 19 W. Rocky St. in White. The purpose of this hearing will be to get public opinion on a re-zoning request from Old Tennessee Development LLC for 24.163 acres located between 358 and 394 Old Tenn. Hwy. in Land Lot 297 of the 5th District, 3rd Section of Bartow County. The request is to re-zone property from R-1B, Residential to R-4, Residential (Town Homes). Also, a Public Hearing will be held before the City of White Council at 7:00 p.m. on April 3, 2006 concerning this re-zoning request.

For more information please contact White City Hall at 770-382-5466.

City Clerk

Open Public Meeting at 6:10
Terry Springs field spot

Robert McStimping speaks
Concerned about fence & buffer zone
Requesting the fence be installed by
Developer and Betty zone across
20 to 25 ft. and trees planted.

Sony
Open to have a public event before
and trees and fence

Local public hearing
at 6:30

* Notice by Sony to recommend
to rezoning to R-1 strip, buffer
on east side, fence with trees
to meet 6.3-24.
Secured by Betty

Sign in sheet
Terry Springs
Robert McStimping

Public Hearing 3-16-06

Summi Stecker

Mos talked about coming
Apr 4/11

Mos to sign by David
Searby Betty

Come today RDE about
black maps

**City of White
Planning Commission Meeting
March 16, 2006**

The City of White Planning Commission met March 16, 2006 to review and hold a public hearing on an application for re-zoning from Old Tenn. Development LLC, Jerry and Barry Springfield. The property is located between 358 and 394 Old Tenn. Hwy. and consist of approximately 24.163 acres. The request is to re-zone from R-1B, Residential to R-4, Residential (Town Homes).

The public hearing opened up at 6:10p.m. Two people had signed up to speak. The property owner, Jerry Springfield, spoke first. He explained that the reason he wanted to re-zone was because at the time he first re-zoned from Industrial to Residential we did not have a district for Town Homes, which the city has now added.

Adjoining property owner, Robert McKinney, spoke next. He stated that he was concerned about the buffer and fence. When it was re-zoned last year the council required them to place a fence with vegetation and a buffer. He wanted to make sure that he would not be required to have a buffer but that it would be up to the Springfield's to have a buffer. He was assured that he would not be required to maintain a buffer.

Mr. Springfield stated that he did not have a problem with the buffer with vegetation and the fence.

The public hearing was closed at 6:30p.m.

Gary made a motion to recommend the re-zoning to the mayor and council with the stipulations that a 20 ft. buffer and a fence with trees be installed and maintained by the Springfield's, second by Betty. Motion carried.

Councilman, Dennis Huskins, was present to speak to the planning commission about future zoning on Hwy. 411. The commission will review and update the future land use map.

David made a motion to adjourn, second by Betty. Motion approved.

In Attendance: Attorney Peter Olson, Planning Commission members Gary Crisp, Betty Mathews, David Richards, and Jane Reynolds (not present William Darby), Applicants Jerry and Barry Springfield, and Speaker Robert McKinney.

**City of White
P.O. Box 116
White, Ga. 30184**

White City Council met in regular session April 3, 2006 at city hall. The minutes of the previous meeting were read. Lavonda made a motion to approve the minutes as read, second by Chris. Mayor and council approved.

Lavonda made a motion to give Mayor Allen the authorization to sign a contract with the Dept. of Transportation to re-pave Richards Rd. on the L.A.R.P. program, second by Dennis. Mayor and council approved.

A discussion was held about what type of basketball goal, net and board would be purchased and where we would place it. (approved at the March council meeting).

Lavonda made a motion to approve a change order on the sewer project for M&M Contracting as follows: 1. Add Division 1C, Gravity Sewer Line-GM2, on basis of unit prices on attached proposal form Section C, page 9, for the Total Base Bid {items (1) through (19)} for \$72,291.00. 2. Add Division 1D, Gravity Sewer Line-GM3, on basis of unit prices on attached proposal form section C, pages 10, 11 and 12, for the total base bid {items (1) through (26)} for \$180,933.00., second by Chris. Mayor and council approved.

A re-zoning request had been received from Old Tenn. Dev. LLC, Jerry and Barry Springfield. The request was to re-zone 24.163 acres located between 358 and 394 Old Tenn. Hwy. from R1B to R4, Town Homes. Only one person signed up to speak, Jerry Springfield. He stated that the town home district allowed for about the same lot size as in the R1B district. The public hearing closed at 7:18. City Clerk explained that the reason for the request was because when it was re-zoned last year to R1B the city did not have a Town Home district but since has adopted one. The Planning Commission recommended the re-zoning. Lavonda made a motion to approve the re-zoning from R1B to R4 with the stipulations that a 20 ft. buffer and a fence with trees be installed and maintained along the property line of the General Industrial property to the South and this property, second by Chris. Mayor and council approved.

Chris made a motion to table the raising of water and sewer tap fees, second by Lavonda. Mayor and council approved.

Lavonda made a motion to amend Section 8.2.9, truck traffic, to include Whispering Pine Lane, Whispering Pine Circle and Little Street. Second by Chris. Mayor and council approved.

Chris made a motion to adjourn, second by Lavonda. Mayor and council approved.

David Richard
Don
Chris Allen

A.W. Allen
Lavonda

conducted within the principal building and that not more than 30% of the floor area of the principal building shall be used for such purpose. There shall be no external evidence of such use except that one non-illuminated sign not exceeding two square feet in area shall be permitted.

§6.3.41 R-4 Residential District, Townhomes

Within an R-4 residential district, the following uses shall be permitted:

(a) Fee simple townhomes that comply with the following regulations:

1. Total ground floor area of the building(s) is limited to thirty (30) percent of site area. Two off-street parking spaces shall be provided on site for each dwelling unit, except in the case of low income public housing which shall provide one and one-half parking spaces per dwelling unit. Each dwelling unit shall have separate bath/toilet and kitchen/dining areas;
2. Each dwelling unit shall contain a minimum of:
 - 360 square feet - efficiency units
 - 500 square feet - one bedroom units
 - 750 square feet - two bedroom units
 - 1,000 square feet - three bedroom units
 - 1,200 square feet - four bedroom units;
3. Buildings shall be spaced at least twenty (20) feet apart. The front of one building shall not face the rear of another building on the site;
4. No fee simple townhouses shall be constructed on a lot or tract of land unless connected to public sewer;
5. A minimum of ten percent of the total usable area shall be set aside and designated for recreational purposes;
6. At least one refuse collection station shall be provided for each thirty (30) families or fraction thereof which shall be located not more than fifty (50) feet from any dwelling unit;
7. Each development shall be landscaped with trees and fast growing screen planting (such as to be six feet high within one year of planting) so as to compliment the development and surrounding areas; and
8. Said dwellings may be either conventional or industrialized housing structures.
9. In a townhouse development only, a portion of the development may contain single family detached dwellings meeting the following standards:

- (A) No more than 50% of the units in the entire development may be detached, and total ground floor area of all single family dwellings and townhouses together is limited to thirty (30) percent of site area;
- (B) Minimum detached house size is 1,000 square feet and all detached homes shall be attached to public sewer;
- (C) Setbacks shall be as follows for the detached homes: 5 feet side, 25 feet rear, 20 feet front (from right of way of street). Detached homes must be setback at least 20 feet from any adjacent townhome structure.
- (D) Two off-street parking spaces shall be provided on site for each dwelling unit.

§6.3.42 PUD Planned Unit Development District

(a) A planned unit development district shall be located only in an area where public utilities and public sewer are available on not less than ten (10) acres. Said District may consist of various residential dwellings, offices, commercial or industrial sites or combinations thereof on lots of not less than 7,500 square feet developed as a unit.

(b) The following shall be filed with the application for rezoning, in addition to any information otherwise required of all rezoning applications:

1. the proposed name of the PUD;
2. an aerial photograph of the area and vicinity;
3. a complete and accurate legal description of the proposed PUD property;
4. a tabulation of total acreage of the site designated for various uses, i.e., parking, structures, streets, parks, playgrounds and utilities;
5. location of all structures in the PUD and proposed building densities (units per acre);
6. proposed circulation pattern of the public streets and private driveways;
7. parking layout which complies with the provisions of this Ordinance concerning off-street parking;
8. all access points to the same arterial streets to be located and which shall have been approved by the Zoning Administrator and/or the Georgia Department of Transportation;