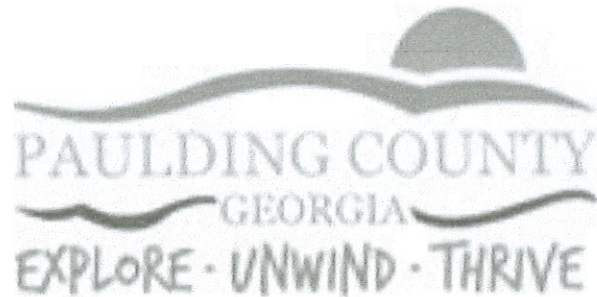


# **SPECIAL USE PERMIT APPLICATION**



## **Paulding County Community Development Department Planning & Zoning Division**

**Watson Government Complex  
Administration Building – 2<sup>nd</sup> Floor  
240 Constitution Blvd  
Dallas, GA 30157  
770-443-7601**

**ONLY COMPLETE APPLICATIONS ACCEPTED**

Pre-Application meetings will be required prior to the submittal for **ALL** special use permit applications:

A pre-application meeting may be scheduled by emailing a site plan of the project to [zoning@paulding.gov](mailto:zoning@paulding.gov). Meetings should be scheduled no later than the first Friday of each month in order to be submitted by the last filing day of that month.

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## REQUIREMENTS FOR COMPLETING SPECIAL USE PERMIT APPLICATIONS

Applications and related material shall be submitted and **typewritten** on supplied forms to the Community Development Department, Planning & Zoning Division, located at the Watson Government Complex, Administration Building, 2<sup>nd</sup> Floor, 240 Constitution Blvd, Dallas, Georgia. Applications are accepted Monday through Friday from 8:30 AM until 3:30 PM. Applications will not be accepted after 10:00 AM on the last filing day established by the Division.

- A completed **application form** signed by the owner and the applicant (if applicable)
- If the **titleholder(s)** is a domestic or foreign corporation, then the following documentation shall also be required:

Written authentication with the presence of the corporate seal, or a facsimile thereof, attested by the secretary or assistant secretary of the corporation, or other officer to whom the bylaws or the directors have delegated the responsibility for authenticating records of the corporation, shall attest:

- a) That the corporate seal or facsimile thereof affixed to the document is in fact the seal of the corporation or true facsimile thereof, as the case may be;
- b) That any officer of the corporation executing the document does in fact occupy the official position indicated, that one in such position is duly authorized to execute such document on behalf of the corporation, and that the signature of such officer subscribed thereto is genuine; and
- c) That the execution of the document on behalf of the corporation has been duly authorized.

- A copy of the **recorded warranty deed** that reflects the current owner(s) of the property.
- A **current legal description**, including acreage, of the subject property. If the application consists of several tracts, a legal description of each tract is required. A separate legal description of each zoning classification is also required, as well as an overall description of all tracts and/or classifications combined. No legal description should include more property than what has been requested for the Rezoning.
- One copy, including an electronic copy, of a **boundary survey** prepared by a Registered Surveyor, drawn to scale, showing north arrow, land lot and district/section, dimensions, acreage and location of the tract. The preparer's seal shall be affixed to the plat signed and dated. **Boundary survey acreage shall match application and legal description acreage exactly.**
- Documentation from the **Tax Commissioner** that the tax levied against the property has been paid and are current.
- Three paper copies, including an electronic copy of **site development plan** prepared by a Registered Surveyor, Professional Engineer, land planner, or architect (with preparer's seal affixed) drawn to scale of the subject property, including proposed building locations, proposed use of the property within the requested zoning district, parking areas, access points, creeks, streams, floodplain, etc... and any buffers that may be required. The applicant may also furnish additional material which may aid in the understanding of the request. (See attached)
- If the request is for a lot within a subdivision, include a copy of the **signed and recorded final plat**



- If the request is for MPR, R-55, or any residential zoning request within the Sweetwater Overlay District, **color elevations** of front, sides and rear of all typical units, including proposed exterior building materials, building heights and any other structures.
  
- If the request is located within the Community Residential Character Area of the 2017 Comprehensive Plan, as may be amended, a copy of a signed and dated **Statement of Gravity Sewer Infrastructure Accessibility** provided by Paulding County Water System or City of Dallas Public Works (Copy of PCWS Statement is attached). Information on sewer service areas can be found at <http://www.paulding.gov/DocumentCenter/View/149/Paulding-County-Sewer-Master-Plan?bidId>
  
- The names, mailing addresses and tax parcel ID number of all **adjoining property owners**, including the owners across the road, railroad, and to the rear, or any persons located along a joint access easement.
  
- Notarized** Campaign Contribution forms and Property/Financial Disclosure Report for each applicant and each authorized agent (See attached).
  
- Letter of Intent** which shall include the following applicable information.
  - a) Residential Rezoning:
    - i. Proposed number of units
    - ii. Proposed unit square-footage(s)
    - iii. Proposed building architecture
  
  - b) Non-Residential Rezoning/Special Use Permit/Land Use Permit:
    - i. Proposed use(s)
    - ii. Proposed building architecture
    - iii. Proposed hours/days of operation
  
  - c) Requested Variances
  
  - d) A schedule for the proposed project identifying the dates for commencement and substantial completion
  
  - e) How the project meets the special use permit standards in Section 230-40.03.B (See attached)
  
  - f) Other pertinent information
  
- The filing fee is an amount set by the Paulding County Board of Commissioners and shall be paid at the time of filing. **This fee is non-refundable after the commencement of legal advertising** (See attached).
  
- Such other additional information as may be requested by the Planning & Zoning Division, Planning Commission, or Board of Commissioners.

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**\*\*Staff Use Only\*\***

Case # \_\_\_\_\_

Hearing Date \_\_\_\_\_

**Planning Commission Recommendation:**

**Board of Commissioners Decision:**

Approved \_\_\_\_\_ Stipulations \_\_\_\_\_

Approved \_\_\_\_\_ Date \_\_\_\_\_

Disapproved \_\_\_\_\_ Reason \_\_\_\_\_

Disapproved \_\_\_\_\_ Date \_\_\_\_\_

Tabled \_\_\_\_\_ Reason \_\_\_\_\_

Tabled \_\_\_\_\_ Date \_\_\_\_\_

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## SITE PLAN REQUIREMENTS

- Site Development Plan prepared by a Registered Surveyor, Engineer, Land Planner, or Architect (with professional seal affixed and signed) drawn to scale of the subject property
- Scale (graphic and verbal)
- Exact size and location of all buildings (showing intended use), including out lots, for commercial and multi-family projects
- Name, address and phone number of the Applicant and/or Developer
- State proposed use of property(s) within the requested zoning classification
- Required and proposed setbacks and buffers
- Parking areas, number of spaces, including access points and ADA requirements
- Show distance from the access point(s) in both directions to all curb cuts, driveways, easements and all points of ingress/egress on **both** sides of the road within 500 feet of property lines
- Current Location/Vicinity map
- North arrow
- Land Lots/District/Section depicted on plan and in description box
- City and/or County boundary lines depicted on plan; if applicable
- Bearings and distances
- Adjoining and **proposed** streets (paving **and** right-of-way widths)
- Total acreage (must match application, legal description and survey)
- Topography depicted at a minimum two-foot contour intervals clearly marked and labeled with source provided
- Show creeks, streams, lakes etc. with required bank buffers (50 foot undisturbed buffer and an additional 25 foot impervious buffer (total of 75 feet) on each side of stream banks) or note if not applicable.
- Identify flood plain and floodway area and note flood plain elevation
- Must reference most current FIRM panel numbers (<https://www.georgiadfirm.com> or <https://msc.fema.gov/portal/home>) and show limits of the 100-year flood plain and floodway and acreage of flood plain or floodway within property limits or note if not applicable
- Detention/Retention/Water Quality areas or note if not applicable
- Easements of any type; or note if not applicable
- Utility easements or note if not applicable.
- Cemeteries, Architectural, or Archeological landmarks, or note if not applicable
- Names and addresses of adjacent property owners (all adjoining property owners, including the owners across the road and to the rear, or any persons located along a joint access easement)
- Zoning category of adjacent properties depicted on site plan
- Date of the site plan and any revision dates
- A statement as to the source of water supply and sanity sewer facilities
- Applicant may also be required to furnish additional material that may aid in the understanding of the request.



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**SPECIAL USE PERMIT REVIEW STANDARDS**

Any proposed zoning will be evaluated using the following zoning review standards. Applicants should include a response to how the proposed project meets the following standards in the Letter of Intent.

1. Whether or not there will be a significant adverse effect on the neighborhood or an area in which the proposed use will be located.
2. Whether or not the use is otherwise compatible with the area.
3. Whether or not the use proposed will result in a nuisance pursuant to O.C.G.A. § 41-1-2.
4. Whether or not quiet enjoyment of surrounding property will be adversely affected.
5. Whether or not adequate provisions are made for parking and traffic considerations.
6. Whether or not the site or intensity of the use is appropriate.
7. Whether or not special or unique conditions overcome the governing authority's general presumption that residential neighborhoods should not allow non-compatible business uses.
8. Whether or not adequate provisions are made regarding hours of operation.
9. Whether or not adequate controls and limits are placed on commercial and business deliveries.
10. Whether or not adequate landscape plans are incorporated to insure appropriate transition.
11. Whether or not the public health, safety, welfare, or moral concerns of the surrounding area will be adversely affected.
12. Whether or not the use shall be consistent with the comprehensive plan for the area.
13. Whether or not the proposed use is able to be served by adequate public utilities.
14. Whether or not adequate traffic routes and entrances must be established, including consideration of the deterioration of the existing roadway, expenditure of public funds to maintain roadways, adequacy and safety of road intersections, road widths on roads within and leading to the property, pavement conditions (material, thickness, age, etc.) width and length of property boundaries at road access areas and type of vehicles that may be used at the property.

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**SPECIAL USE PERMIT FEE SCHEDULE**

Special Use Permit	\$350
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**APPLICATION FORM**

Name of Applicant / Authorized Agent NW Georgia Land Holdings, LLC/Adam Baker

Address 54 Brown Farm Road/475 E Main St., Ste 132

City Cartersville/Cartersville State GA/GA Zip 30120/30121

Email mbrown@tpmland.us/abaker@evergreendres.com Phone 648-410-2763/678-662-3398

Signature of Applicant / Authorized Agent [Signature] (Agent)

Signed, sealed and delivered in the presence of: \_\_\_\_\_

Lindsey Wilson Lindsey My Commission Expires 10/15/2024  
Notary Public



Name(s) of Titleholder(s) NW Georgia Land Holdings, LLC

Address 54 Brown Farm Road

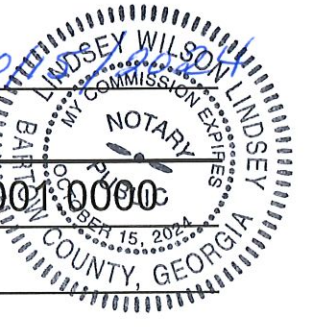
City Cartersville State GA Zip 30120

Email mbrown@tpmland.us Phone 678-410-2763

Signature of Titleholder(s) [Signature]

Signed, sealed and delivered in the presence of: \_\_\_\_\_

Lindsey Wilson Lindsey My Commission Expires 10/15/2024  
Notary Public



Present Zoning District(s) R-2 Tax Parcel I.D. Number(s) 258.1.3.0010000

Total Acreage of Application 201.146 Total Acreage of Titleholder(s) 214.21

Land Lot(s) <sup>301, 302, 303, 404, 405, 406, 407 & 411</sup> District(s) 1st Section(s) 3rd

Location of property Southern portion of Paulding County, GA on the New Georgia 7.5 quadrangle map bordered by Hwy 101 to the west and a transmission line to the South; Hwy 101 South  
*Nearest intersections, ( i.e. east/ west side of given road, and south/north of given road) and address if available*

Description of Special Use See attached Letter of Intent.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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**SIGN DEPOSIT**

Separate check for **sign deposit** of \$50.00 for sign(s), which may be refunded when signs are returned to the Planning & Zoning office within 15 days after the public hearing. If signs are not returned by the 15<sup>th</sup> day, the deposit check will be forfeited and Paulding County (or their representative) has permission to remove the signs. It is the Applicant's responsibility to pickup and post signs provided by the Planning & Zoning Division. Signs must be posted in clear view along **each** road frontage with no obstacles blocking the view of the petitioned property as required by State law.

Applicants should not attach the notice signs to any natural vegetation, existing signage or utility structures and signs may not be posted in the right-of-way. Failure to post and maintain signs continuously will prohibit consideration of the application at any scheduled public hearing. It is the responsibility of the applicant to ensure that signs remain posted throughout the advertising period, **including the day of the public hearings.**

Signs must be posted on the property by 8:00 AM 15 days prior to the date of the public hearing and remain posted throughout the advertising period, including the day of the public hearings. **FAILURE TO MEET THIS REQUIREMENT WILL RESULT IN THE APPLICATION BEING FORWARDED AND WILL REQUIRE A FULL ORIGINAL APPLICATION FEE.**

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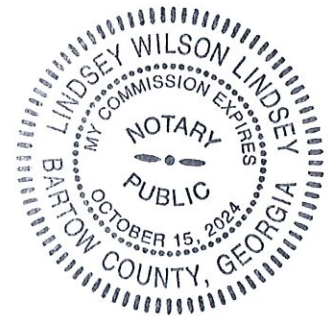
I have read and understand each of the requirements and notes.

 /   
\_\_\_\_\_  
Signature of Applicant / Authorized Agent

November 9, 2023  
\_\_\_\_\_  
Date

Signed, sealed and delivered in the presence of:

Lindsey Wilson Lindsey My Commission Expires 10/15/2024  
\_\_\_\_\_  
Notary Public



**MAKE CHECKS PAYABLE TO THE PAULDING COUNTY BOARD OF COMMISSIONERS**

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS  
BY APPLICANT AND/OR AUTHORIZED**

Applicant(s) Name<sup>1</sup>: NW Georgia Land Holdings, LLC

Reference: Application filed on November 9, 2023

to rezone real property described as follows: 258.1.3.001.0000 located in land lots  
301, 302, 303, 404, 405, 406, 407 & 411 1st District, 3rd Section from R-2 to I-2

All Individuals and business entities<sup>2</sup> have a property interest<sup>3</sup> in said properties are as follows: \_\_\_\_\_  
NW Georgia Land Holdings, LLC (Applicant); Adam Baker (Authorized Agent)

Has the applicant made, within two years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the Board of Commissioners, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this applications?  No  Yes

If "Yes" to the above, O.C.G.A. § 36-67A-3 requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made: Not applicable.

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution: Not applicable.

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application: \_\_\_\_\_  
Not applicable.

*Please attach additional sheet if necessary.*

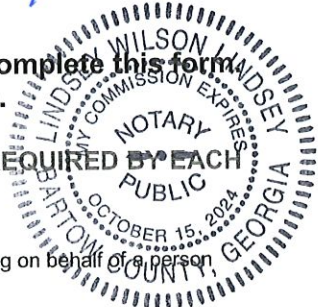
I certify that the foregoing information is true and correct, 9<sup>th</sup> this day of November, 2023.

Applicant's Signature [Signature] [Signature]

Signed, sealed and delivered in the presence of:  
Lindsey Lilsox Lindsey My Commission Expires 10/15/2024  
Notary Public

**Paulding County Community Development cannot advise anyone on how to complete this form  
Applicants may want to confer with an attorney for guidance.**

**\*A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT AND/OR AUTHORIZED AGENT\***



<sup>1</sup>Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.  
<sup>2</sup>Business entity – Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.  
<sup>3</sup>Property interest – Direct or indirect ownership, including any percentage of ownership less than total ownership.



**PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT<sup>1</sup> AND/OR AUTHORIZED AGENT**

Does any member of the Board of Commissioners or Planning Commission have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property?  No  Yes

If yes, describe the nature and extent of such interest: \_\_\_\_\_

Does any member of the Board of Commissioners or Planning Commission have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?  No  Yes

If yes, describe the nature and extent of such interest: \_\_\_\_\_

Does any member of the Board of Commissioners or Planning Commission have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above?  No  Yes

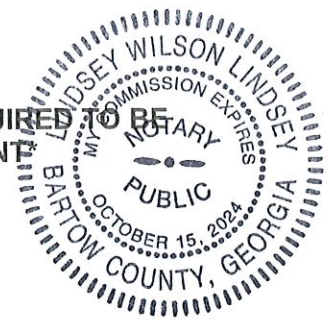
If yes, describe the relationship and the nature and extent of such interest: \_\_\_\_\_

If the answer to any of the above is "Yes", as required by O.C.G.A §36-67A-2, the member of the Board of Commissioners or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the Board of Commissioners of Paulding County, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

I certify that the foregoing information is true and correct, 9<sup>th</sup> this day of November, 2023.  
Applicant's Signature [Signature] [Signature]

Signed, sealed and delivered in the presence of:  
Lindsey Wilson Lindsey My Commission Expires 10/15/2024  
Notary Public

**\*A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE COMPLETED BY EACH APPLICANT AND AUTHORIZED AGENT\***



<sup>1</sup> Applicant means any person who applies for any application and any attorney or other person representing or acting on behalf of a person who applies for any application.