



Carroll County Department of Community Development

423 College Street
P.O. Box 338

Carrollton, GA 30117
(770) 830-5861

APPLICATION FOR REZONING

Application must be filed by noon on the 3rd Tuesday of the month to go on the next month's agenda. A pre-application conference with staff is required before the application can be submitted. Please complete the blanks with the requested information. If any of the information or required materials is missing or incomplete, the application will not be processed.

APPLICANT

Applicant Name: William Joe Berry Jr & Mary Catherine Berry
Address: 980 Bear Creek Rd City: Carrollton State: GA Zip: 30117
Phone: (706) 838-1857 Fax: () - - Email: mcberry44@gmail.com

Agent Name: _____
Address: _____ City: _____ State: _____ Zip: _____
Phone: () - - Fax: () - - Email: _____

Owner Name (If different from applicant): _____
Address: _____
Phone: () - - Fax: () - -

(Note: A notarized statement signed by the property owner(s) authorizing the applicant to make this request shall be attached to the application.)

REZONING

Project Name: _____
Rezoning Location (attach location map): Bear Creek Rd
Current Zoning: A Residential 1
Proposed Zoning: 2 acres to be rezoned to agriculture
Proposed Use: _____
(If residential, the residence must be at least 1,230 square feet, or as expressly approved by the Board of Commissioners)
Total acreage: 5 acres
Describe Proposed Rezoning: (attach additional sheets if necessary)
would like to sell 2 ~~acres~~ acres to 2 neighbors

STAFF USE ONLY

Land Lot 218 of the 10th District, Carroll County Tax.Map 073 Parcel 0091
Date Application Filed: 5-19-21 County Recipient: jei
Advertisement Date: _____ Sign Posting to before this date: _____
Planning Commission First Reading Date: _____
Planning Commission Hearing Date Scheduled: 7-27-21 at 6:30 p.m.
County Commissioners Hearing Date Scheduled: 8-3-21 at 6:30 p.m.
Rescheduled Hearing Date, if required: _____ Application No: 2-21-07-01
Application Withdrawn with/without Prejudice: (please circle)
Zoning Personnel: jei Letter Sent to Applicant: _____



Carroll County Department of Community Development

423 College Street
P.O. Box 338

Carrollton, GA 30117
(770) 830-5861

COMPREHENSIVE PLAN

Describe how the proposed Rezoning will affect:

Traffic: _____ N/A

Parking: _____

Availability of Public Facilities/Utilities: _____

Other relevant Impacts of the Proposal: _____

Describe how the proposed Rezoning will be a benefit to the public. _____

Please answer the following questions as completely and accurately as possible. This zoning application will be submitted for review to various departments; therefore, any incomplete answers may delay the review process. – Attach additional sheets as necessary. –

REZONING QUESTIONS

1. Has the landowner or any person undertaken or initiated any efforts to develop the property in its existing zoning classification? Please provide a complete statement of the efforts for such development?

_____ N/A

2. Is development under the present zoning classification infeasible? If yes, please provide a complete statement describing why development is infeasible?

3. Does the applicant know of similarly situated properties, within ½ to 1 mile, that have been developed in a manner as proposed? If so, please list the location of the similar property with respect to the subject property.

4. Is the subject property a portion of a larger tract? Yes No If yes, please describe the original tract size, and what portion you are requesting to rezone:



Carroll County Department of Community Development

423 College Street
P.O. Box 338

Carrollton, GA 30117
(770) 830-5861

REZONING QUESTIONS CONTINUED

5. Are there any houses, barns, mobile homes, commercial buildings, or structures presently located on the subject property? If so, please identify the number of structures and their type:

N/A

6. List the type of structures you propose to construct if the subject property is re-zoned. If proposing the development of a subdivision, please describe the style, minimum square footage, proposed number of homes, number of phases, and price range of the homes:

7. Please state any pertinent facts, circumstances, events, and or documents that should be considered to support a decision to rezone the property to the proposed zoning classification and use.

8. Will your proposed use add additional residents to the property? If so, how many new residents do you anticipate will eventually move onto the property? _____ How many households during the first year? _____

9. Has the applicant conducted any studies in connection with the proposed rezoning? If yes, please provide.

10. Please identify any public utility (including water, sewer, gas, electricity, and other public utilities) which would be required for the proposed development of the property and are not available at the time of this application.

11. Disclosure Requirements per O.C.G.A. Section 36-67A . Has the owner and/or the applicant (or any person or attorney representing such in the re-zoning process) made _____ campaign contributions totaling more than \$250 to any local government official who will consider this application? Yes No If yes, please state the name of the official(s) and the position held by each official, and the dollar amount and description of each campaign contribution made to each official within two years preceding the filing of this application.



Carroll County Department of Community Development

423 College Street
P.O. Box 338

Carrollton, GA 30117
(770) 830-5861

STATE OF GEORGIA
COUNTY OF CARROLL



AFFIDAVIT FOR A REZONING APPLICATION

Mary Catherine Berny personally appeared before me, the undersigned officer, duly authorized to administer oaths in the State of Georgia and, having been duly sworn, sets forth the following statements for the purpose of being granted approval for a **REZONING APPLICATION** under the Ordinances of Carroll County:

The information contained within the application attached hereto and filed in the Department of Community Development consists of facts within my personal knowledge that I know are true and correct, and will be relied upon by officials of Carroll County in making a decision whether to issue this Application, License, Permit, or other Department approval.

On behalf of the Applicant, I declare that the Applicant, regardless if a partnership, corporation, or other organization or entity that is receiving a benefit under this Application, License, Permit, or other Department approval (whichever is applicable) is not delinquent in the payment of any taxes or fees due Carroll County.

FURTHER AFFIANT SAYETH NOT.

I declare under penalty of false swearing that the above is true and correct.

This 19th day of May, 2021.

AFFIANT (signature)

Address: _____

Sworn to and subscribed
before me this _____
of _____



My Commission Expires: _____

If Affiant is authorized to sign on behalf of a partnership, corporation, or other organization or entity, please set forth the entity and address

Entity: _____
Address: _____



Carroll County Department of Community Development

423 College Street
P.O. Box 338

Carrollton, GA 30117
(770) 830-5861

SKETCH OF PROPERTY

Please check: COMMERCIAL OTHER: _____

- Provide a sketch of the proposed building location, driveway, septic tank location, and all other structures.
- Show the **dimensions** of the lot and all setbacks from the house and other structures to all property lines.
- The front setback shall always be measured from the centerline of the frontage road(s).
- Show location of any wells, trash pits, and all easements (drainage or utility) located on the property.
- Show distance to nearest stream or lake on property. If not within 200 feet of a stream or lake, please note.

Provide a complete listing of all existing structures that are now on the property: None

Describe the type of structure that you plan to build: *(A residence must be at least 1,230 square feet unless expressly approved by the Board of Commissioners)* _____

Is this a multiple road frontage lot? _____

See attached

I hereby certify that this is a true and correct copy of the original



Prepared By and Return To:
MCMAHAN, PERRY & PHILLIPS, LLC
Attorneys at Law
318 Westview Drive
Villa Rica, Georgia 30180
Attn: Betty Maddox
File No. R6352-21

WARRANTY DEED - JTROS

STATE OF GEORGIA,
COUNTY OF CARROLL

THIS INDENTURE, Made this 14th day of May, in the year **Two Thousand Twenty-One (2021)** between,

D'Ann Crook Edwards F/K/A D'Ann Nichols,

as party or parties of the first part, hereinafter called "Grantor", and

**William Joe Berry, Jr. and Mary Catherine Berry,
as Joint Tenants with Right of Survivorship**

as party or parties of the second part, hereinafter called "Grantee" (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns and to include the masculine, feminine or neuter gender where the context requires or permits).

WITNESSETH, that: Grantor, for and in consideration of the sum of Ten Dollars and Other Valuable Considerations (\$10.00 & OVC) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN

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

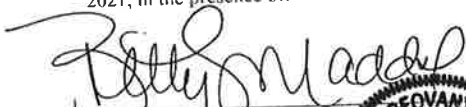
In accordance with O.C.G.A. § 44-6-190, this deed is made to the grantees as joint tenants with the right of survivorship for and during their joint lives, and upon the death of either of them, the caption property shall pass then to the survivor of them in fee simple, together with every contingent remainder and right of reversion and to the heirs and assigns of said survivor.


TO HAVE AND TO HOLD the said tract or parcel 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 behoof of the said Grantee forever in **FEE SIMPLE**.

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 whomsoever.

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this General Warranty Deed, the day and year above written.

Signed this 14th day of May, 2021, in the presence of:

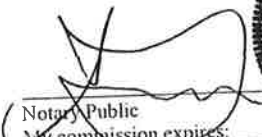

Unofficial Witness

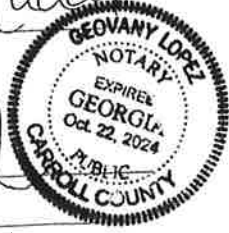

D'Ann Crook Edwards F/K/A D'Ann Nichols
F/K/A D'Ann Nichols

_____ (seal)

_____ (seal)

_____ (seal)


Notary Public
My commission expires: _____
(Notary Public Seal Affixed)





Overview



Legend

-  Parcels
-  Roads

Parcel ID 0730091
 Class Code Residential
 Taxing District COUNTY
 Acres 5

Owner NICHOLS D'ANN
 2540 WHWY 166
 CARROLLTON, GA 30117
 Physical Address BEAR CREEK RD
 Assessed Value Value \$12577

Last 2 Sales			
Date	Price	Reason	Qual
4/21/2004	0	QC	U
5/10/1999	\$30000	LM	Q

(Note: Not to be used on legal documents)

Date created: 5/19/2021
 Last Data Uploaded: 5/18/2021 6:18:00 PM

Developed by  Schneider
 GEOSPATIAL



Carroll County GIS

Application: Z-21-07-01

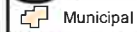
William Joe Berry, Jr., and Mary Catherine Berry

147-0149

Rezoning from R1 to A



1.5 Mile Radius



Municipal

A - Agriculture (4 ac min.)

C - Commercial

I - Industrial

TP - Technology Park

OI - Office and Institutional

HDDR - High Density Detached Residential

MFR - Multi-Family Residential

MHS - Manufactured Home Subdivision

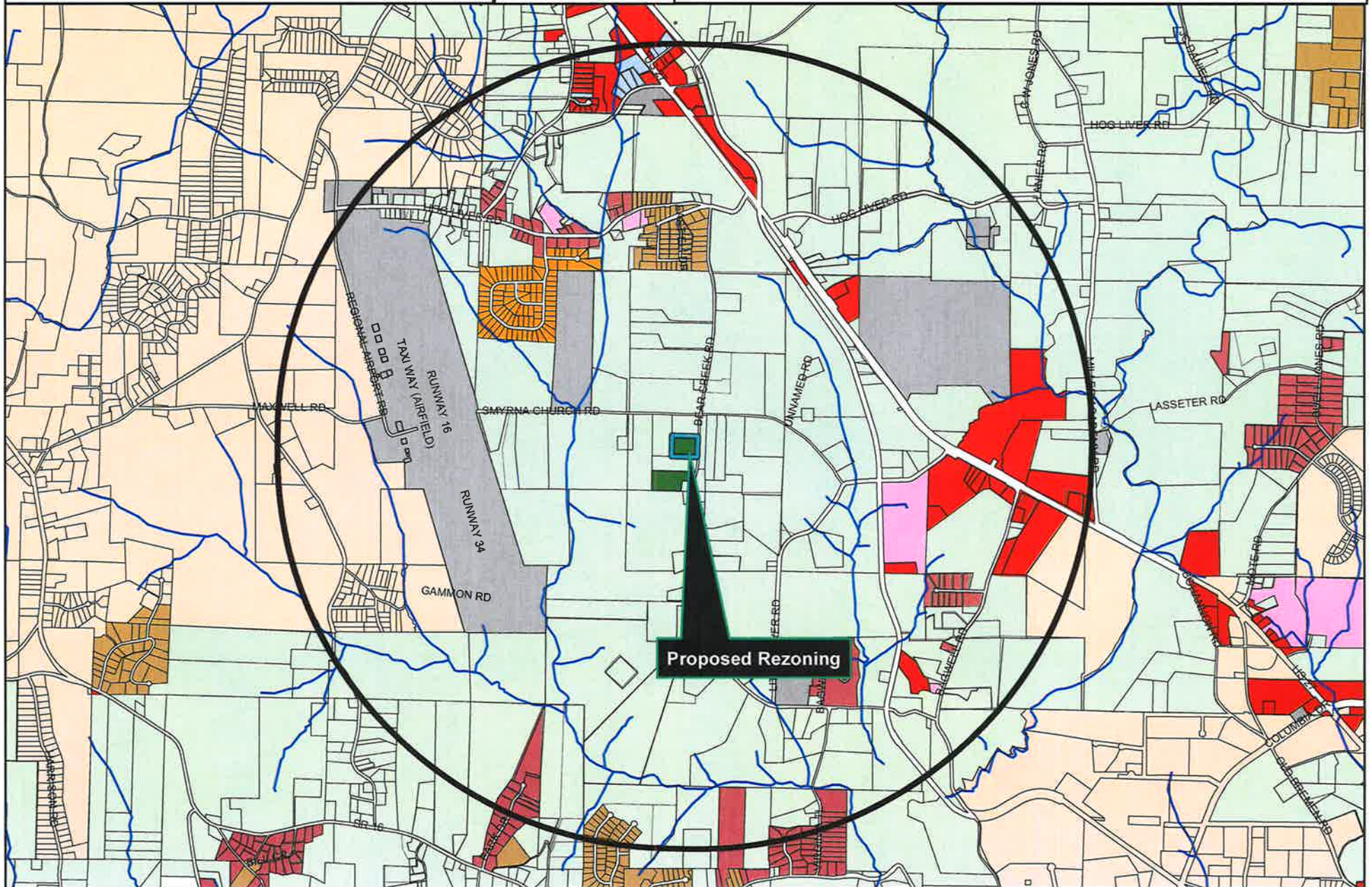
PUD - Planned Unit Development

R1 - Single Family Home (3 ac min.)

R2 - Single Family Home (1 ac min.)

R3 - Single Family Home (0.5 ac min.)

R30 - Single Family Home (0.75 ac min.)





Carroll County GIS

Z-21-07-01

Future Land Use : Agriculture
CDP: No



1.5 Mile Radius



Industrial



Residential



Agriculture



Park/Rec/Con



Trans/Comm/Util



Commercial



Public/instituti

