



# Cherokee County Planning Commission Public Hearing AGENDA

**August 4, 2015**

**1130 Bluffs Parkway, Canton GA 30114 7:00 PM  
PLANNING COMMISSION PUBLIC HEARING**

## **CALL TO ORDER**

## **ZONING CASES**

1. Case #15-08-015 Jonathan Grigg (BOC Dist. 1)

Applicant is requesting to rezone 2.64 acres at 2024 Lower Burris Road from R-40 (Single Family Residential) to AG (Agricultural) for a tilapia hatchery and aquaponics farm.

## **OTHER BUSINESS**

## **APPROVAL OF MINUTES**

1. Approval of May 5, 2015 Planning Commission Minutes
2. Approval of July 7, 2015 Planning Commission Minutes

## **ADJOURN**



## Cherokee County, Georgia Agenda Request

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**SUBJECT:** Case #15-08-015 Jonathan Grigg (BOC Dist. 1)      **MEETING DATE:** 8/4/2015

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

Applicant is requesting to rezone 2.64 acres at 2024 Lower Burris Road from R-40 (Single Family Residential) to AG (Agricultural) for a tilapia hatchery and aquaponics farm.

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**FACTS AND ISSUES:**

Commission District:	1
Zoning Change:	R-40 to AG
Location:	2024 Lower Burris Road
Tax Map and Parcel No:	14N14, 095
Acres:	2.64
Proposed Development:	Aquaponics Farm and Tilapia Hatchery
Future Development Map:	Country Estates

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**BUDGET:**

Budgeted Amount:	Account Name:
Amount Encumbered:	Account #:
Amount Spent to Date:	Remaining Budget:
Amount Requested:	

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**ADMINISTRATIVE RECOMMENDATION:**

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**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> Notice Sign	Exhibit
<input type="checkbox"/> CA Analysis	Exhibit
<input type="checkbox"/> Staff Report	Exhibit
<input type="checkbox"/> County Engineer Report	Exhibit



CHEROKEE COUNTY
Application for Public Hearing

Important Notes:

- 1. Please check all information supplied on the following pages to ensure your response is complete and accurate before signing this form. This page should be the first page of your completed application package.
2. All required documents for this application shall be submitted at the same time as the application. An application for a Public Hearing will not be scheduled unless and until it is complete.
3. Please contact the Planning and Land Use Department at 678-493-6101 if you have questions regarding your application package or the public hearing process for your application.

SECTION I

Contact Person: Jonathan Grigg Phone: 770-655-1612
Email: JAGAgardens@gmail.com

Applicant's Information:

Name: Jonathan Grigg
Address: 2024 Lower Burris Rd
City, State, Zip: Canton GA 30114

Property Owner's Information: [X] same as above [ ] see attached authorization forms (multiple properties)

Name: Karen Grigg
Address: 2024 Lower burris Rd
City, State, Zip: Canton GA 30114
Phone: 770-633-0417

Requested Public Hearing (check all that apply):

- [X] Rezoning [ ] Amendment / Modification of Zoning
[ ] Variance / Appeal [ ] Other:

STAFF USE ONLY: Commission District: 1 Case: 15-08-015 CityView #: PL2015-266 Received by: J. Collier Fee Paid: \$ Date: 6/17/15
PUBLIC HEARING SCHEDULE: Public Participation Meeting: NA PC Work Session Date: 7-20-15 Planning Commission Hearing: 8-4-15 Board of Commissioners: 8-18-15 Zoning Board of Appeals: NA Other:

SECTION II

Property Information:

Location: - 2024 Lower Burriss Rd Auth 30114

Current Zoning: R-40 Proposed Zoning: AG Total Acreage: 2.64 ac

Tax Map #: 14 N14 Parcel #: 095 Land Lot(s): 175 District: 14H

Future Development Map Designation: Country Estates

Adjacent Zonings: North R-40 South R-40 East R-40 West R-40

Applicant's Request (Itemize the Proposal, including code sections for Variance requests):

To change R-40 zoning to AG. To be used for aquaponic garden, to spawn Tilapia fry. Also to raise the Tilapia to full growth for sales. Adjacent properties will not be effected by development or be adversely affected by operation of Jag aqua gardens,

Proposed Use(s) of Property:

To be used for Tilapia Hatchery and farm aquaponics

Applicant Affidavit:

Upon receipt of the completed application package, the Planning and Land Use Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, Jonathan Grigg, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 16<sup>th</sup> day of June, 20 15.

Print Name Jonathan Grigg

Applicant Signature Jonathan Grigg

**SECTION III**

**Infrastructure Information:**

Is water available to this site?  Yes  No

Jurisdiction: Waleska Wahu

How is sewage from this site to be managed?

septic system

Will this proposal result in an increase in school enrollment?  Yes  No

If yes, what is the projected increase? \_\_\_\_\_ students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home		0.725	
Multi Family (Attached) Home		0.287	

**Traffic Generation:**

A traffic impact study prepared by a registered engineer will be required if the proposed subdivision exceeds 250 dwelling units; the non-residential development contains more than 25,000 square feet of floor area; or at the discretion of the County Engineer. If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

What is the estimated number of trips generated? \_\_\_\_\_ trips

Code	Land Use(s)	# of units or sqft*	Daily Trip Ends*	Number of Trips
210	Single Family Home/ Townhome		9.57	
220	Apartment		6.63	

**Notes:**

\* Residential land uses are calculated based on the number of residential units. Commercial and industrial land uses are typically calculated based on square feet (sqft) of floor area for the use.

+ Residential daily trip ends per unit are shown. Contact Planning and Land Use staff about rates for other land uses.

**AUTHORIZATION OF PROPERTY OWNER**

I, Karen Grigg, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Cherokee County/Cherokee County, Georgia.

He/She authorizes the person named below to act as applicant in the pursuit of a request for:

Rezoning

Amendment / Modification of Zoning Conditions

Variance / Appeal

Other: \_\_\_\_\_

I hereby authorize the staff of the Cherokee County, Department of Planning and Land Use to inspect the premises which are subject of the application.

**Applicant's Information:**

Name: Jonathan Grigg

Address: 2024 Lower Burris Rd Phone: 770-655-1612

City, State, Zip: Canton GA 30114

**Property Owner's Information:**

Name: Karen Grigg

Address: 2024 Lower Burris Rd Phone: 770-633-0417

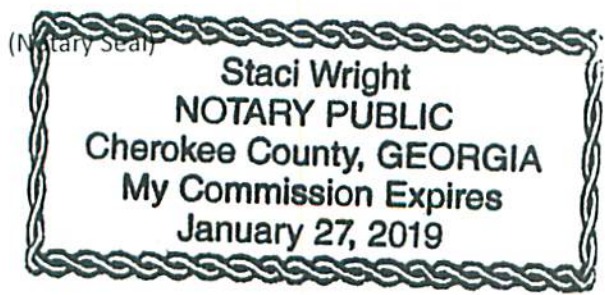
City, State, Zip: Canton, GA, 30114

Signature of Owner: Karen Grigg Date: 6-16-2015

Print Name: Karen Grigg

Sworn to and Subscribed before me this: 14th day of June, 2015.

Notary Signature: Staci Wright



**CAMPAIGN DISCLOSURE STATEMENT**

Nothing in Chapter 36 of OCGA shall be construed to prohibit a local government official from voting on a zoning decision when the local government is adopting a zoning ordinance for the first time or when a local government is voting upon a revision of the zoning ordinance initiated by the local government pursuant to a comprehensive plan as defined in Chapter 70 of this title.

No, I have not made any campaign contribution to County Officials voting on this application exceeding \$250 in the past two years.

Yes, I have made campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

To Whom: \_\_\_\_\_

Value of Contribution: \_\_\_\_\_

Date of Contribution: \_\_\_\_\_

Signature of Applicant: Jonathan Greg Date: 6-16-2015  
Print Name: Jonathan Greg

Sworn to and Subscribed before me this: \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Signature: \_\_\_\_\_

(Notary Seal)

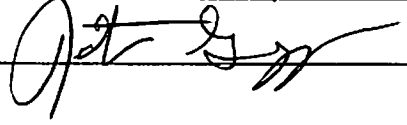


**SECTION IV**

**CONFLICT OF INTEREST CERTIFICATION**

The undersigned below, making application for a zone change has complied with the O.C.G.A. § 36-67A, et. Seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided. Title 36 relates to disclosure of financial interests, campaign contributions, and penalties for violating O.C.G.A.

Signature of Applicant: Jonathan Grigg Date: 6-16-2015

Print Name: 

Signature of Applicant's Attorney: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Sworn to and Subscribed before me this: \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Signature: \_\_\_\_\_

(Notary Seal)



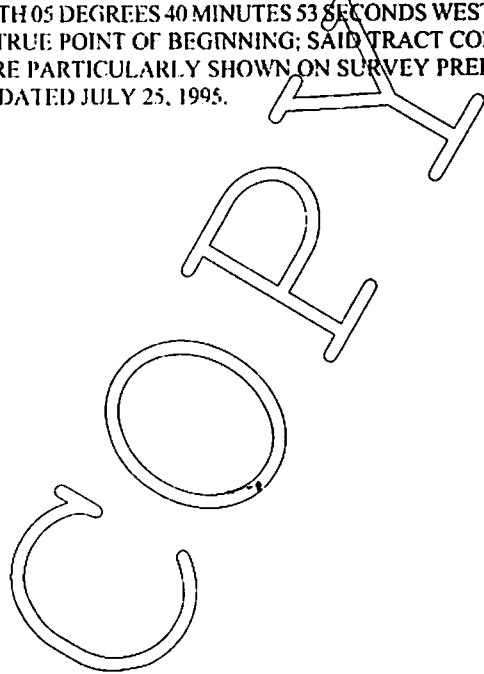
EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 175, 14TH DISTRICT, 2ND SECTION, CHEROKEE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT THE COMMON CORNER OF LAND LOTS 175, 150, 149 AND 176: RUN THENCE SOUTH 56 DEGREES 43 MINUTES 17 SECONDS EAST 364.78 FEET TO A COMPUTED POINT LOCATED ON THE EASTERLY RIGHT-OF-WAY OF LOWER BURRIS ROAD (HAVING A 50-FOOT RIGHT-OF-WAY) AND THE TRUE POINT OF BEGINNING; RUNNING THENCE NORTH 88 DEGREES 25 MINUTES 45 SECONDS EAST A DISTANCE OF 516.26 FEET TO A CAR AXLE LOCATED AT THE CENTERLINE OF A HOLLOW; RUNNING THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF SAID HOLLOW THE FOLLOWING COURSES AND DISTANCES: SOUTH 44 DEGREES 03 MINUTES 23 SECONDS EAST 41.01 FEET TO A COMPUTED POINT; SOUTH 43 DEGREES 09 MINUTES 58 SECONDS EAST 157.80 FEET TO A COMPUTED POINT; SOUTH 41 DEGREES 30 MINUTES 28 SECONDS EAST OF 42.38 FEET TO A COMPUTED POINT; RUNNING THENCE SOUTH 86 DEGREES 17 MINUTES 07 SECONDS WEST A DISTANCE OF 562.88 FEET TO AN IRON PIN LOCATED ON THE EASTERLY RIGHT-OF-WAY OF LOWER BURRIS ROAD; RUNNING THENCE NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY OF LOWER BURRIS ROAD THE FOLLOWING COURSES AND DISTANCES: NORTH 06 DEGREES 48 MINUTES 45 SECONDS WEST 20.00 FEET TO A COMPUTED POINT; NORTH 04 DEGREES 37 MINUTES 47 SECONDS WEST 47.75 FEET TO A COMPUTED POINT; NORTH 04 DEGREES 56 MINUTES 38 SECONDS WEST 243RD TO A COMPUTED POINT; NORTH 05 DEGREES 40 MINUTES 53 SECONDS WEST 77.14 FEET TO AN IRON PIN AND THE TRUE POINT OF BEGINNING; SAID TRACT CONTAINING 2.64 ACRES AND BEING MORE PARTICULARLY SHOWN ON SURVEY PREPARED BY LEE AND CHADWICK, INC., DATED JULY 25, 1995.

TAX ID: 14N 14 095









1414  
063 D  
AG

1414 099

Land District  
14 Land  
Lot 176

1414 098

2106 Lower  
Burris Rd

1414  
062 A  
2141 Lower  
Burris Rd

2111 Lower  
Burris Rd

1414 062

2027 Lower  
Burris Rd

1414 097

2068 Lower  
Burris Rd

1414 096

2052 Lower  
Burris Rd

R40

1414 095

2024 Lower  
Burris Rd

1414  
085A

1414  
095 A

1971 Lower  
Burris Rd

1414  
095 B

2020 Lower  
Burris Rd

443  
Worley Rd

Land District  
14 Land  
Lot 175

1414 045

1414  
094 A

1936 Lower  
Burris Rd

1414 094

1950 Lower  
Burris Rd

1414 044

1911 Lower  
Burris Rd

1414  
094 B

1934 Lower  
Burris Rd

1414  
090 A

1414 043

1414 093

1878 Lower  
Burris Rd

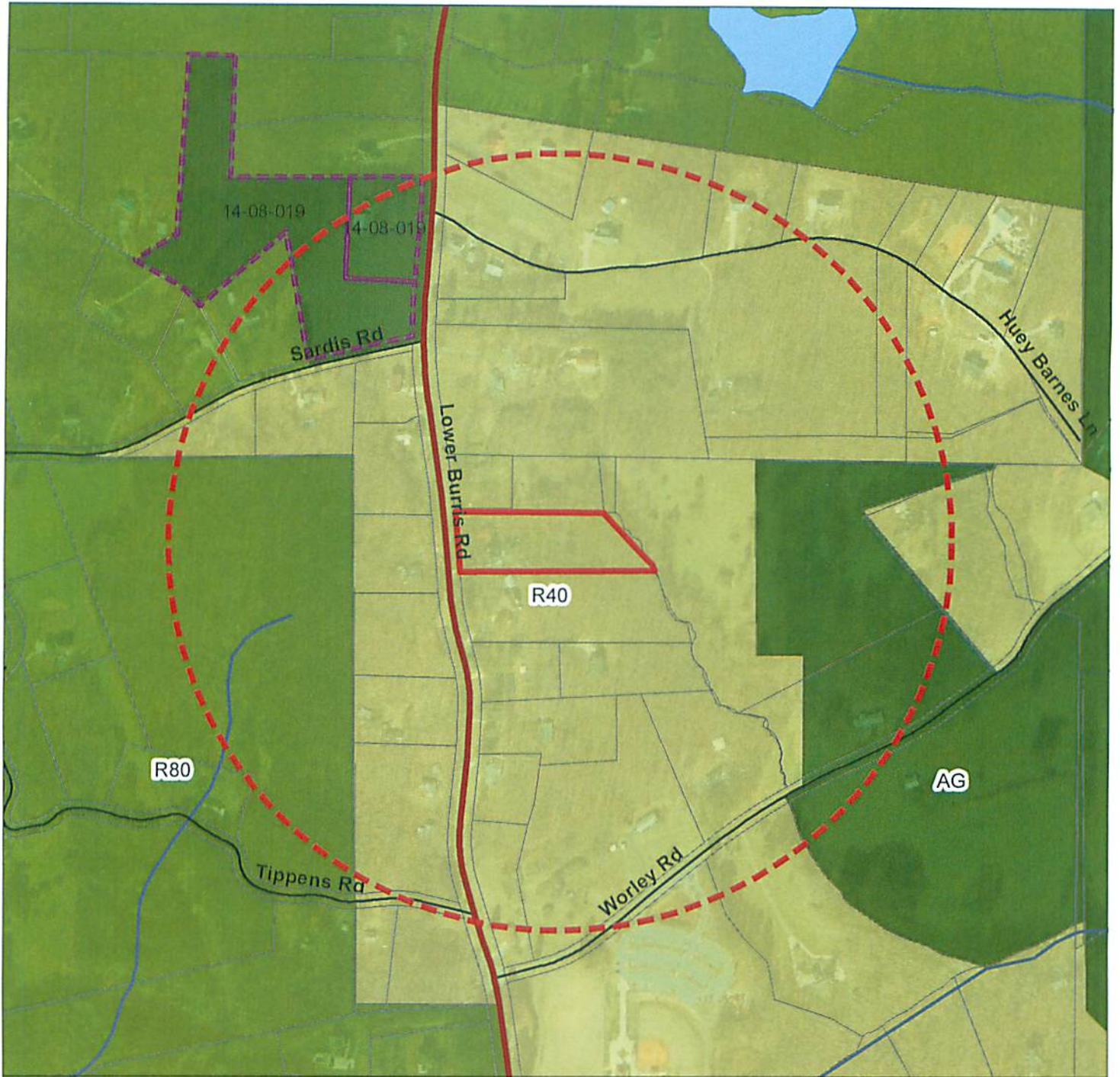
1414 090

Lower-Burris-Rd



# Case# 15-08-015 - Jonathan Grigg

## Zoning Map



### Legend

- |                     |                        |                     |
|---------------------|------------------------|---------------------|
| Rezoning Parcels    | <b>Cherokee Zoning</b> | RTH                 |
| Major Roads         | AG                     | RM10                |
| Streets             | R80                    | RM16                |
| 1/4 mile radius     | R60                    | TND                 |
| Recent Zoning Cases | R40                    | PUD                 |
|                     | R30                    | OI                  |
|                     | R20                    | NC                  |
|                     | R15                    | GC                  |
|                     | RD3                    | LI                  |
|                     | R10                    | HI                  |
|                     | RZL                    | Bells Ferry Overlay |
|                     | RA                     | Hwy 92 Overlay      |



This map has been compiled from the most up to date and reliable sources available. Cherokee County is not responsible for errors and omissions contained in this map. No warranties or representations are expressed or implied in fact or in law.



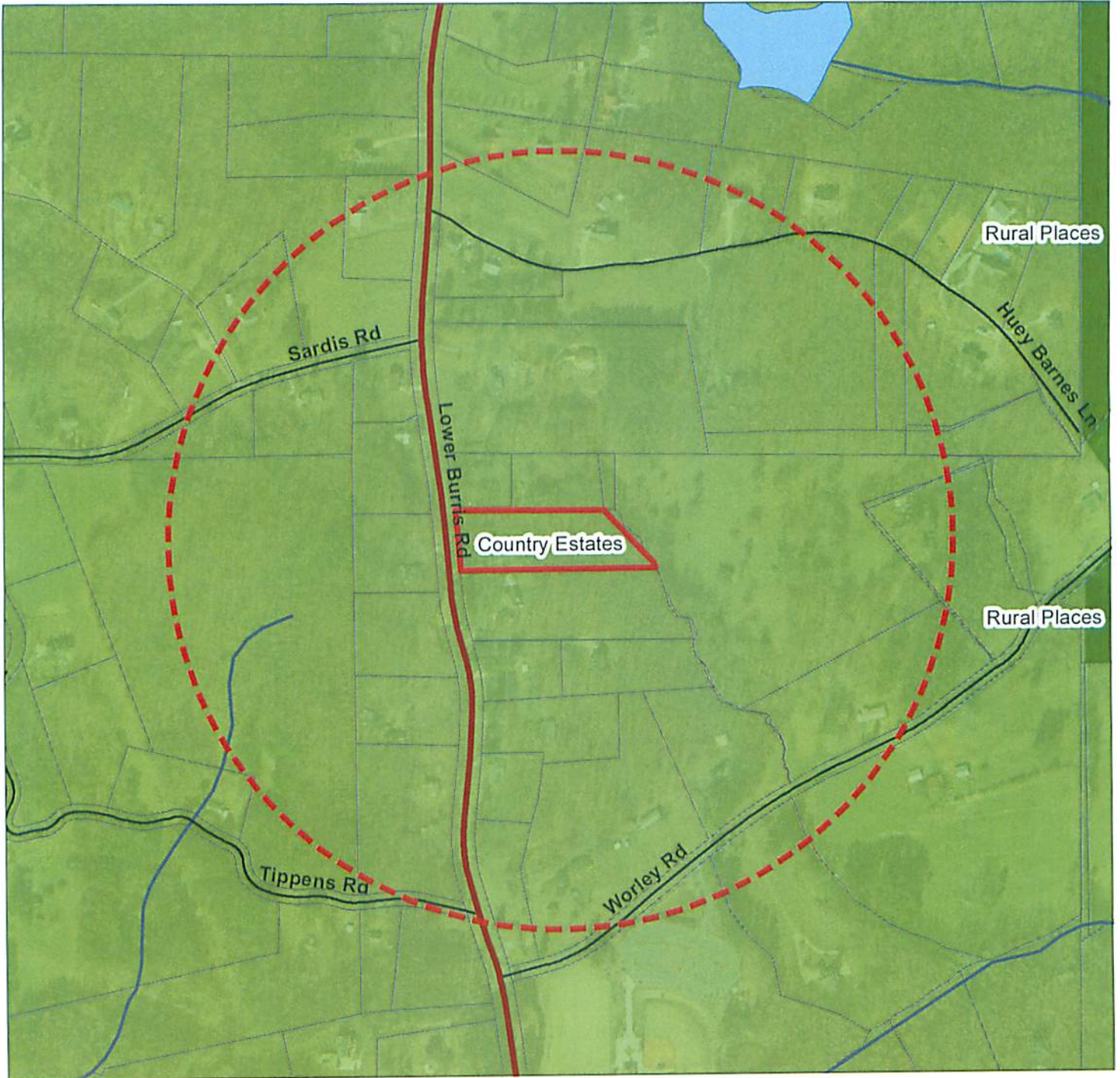
Prepared by:  
Cherokee County  
Planning & Land Use  
Canton, Georgia  
July 6, 2015





# Case# 15-08-015 - Jonathan Grigg

## Future Development Map



### Legend

- |                     |                        |                          |
|---------------------|------------------------|--------------------------|
| Rezoning Parcels    | <b>Character Areas</b> | <b>Development Nodes</b> |
| Major Roads         | Natural Preserve       | County Crossroads        |
| Streets             | Rural Places           | Hamlet                   |
| 1/4 mile radius     | Country Estates        | Neighborhood Village     |
| 100 Year Flood Zone | Suburban Growth        | Community Village        |
|                     | Suburban Living        | <b>Corridors</b>         |
|                     | Neighborhood Living    | Scenic Corridor          |
|                     | Bells Ferry LCI        | Transitional Corridor    |
|                     | Urban Core             | Development Corridor     |
|                     | Workplace Center       |                          |
|                     | Regional Center        |                          |
|                     | Waste Management       |                          |



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Prepared by:  
Cherokee County  
Planning & Land Use  
Canton, Georgia  
July 6, 2015





**ZONING  
NOTICE**  
Lot 1512, 015  
Date: Aug 11<sup>th</sup>  
Project: P.O.  
Owner: H. Chandra  
7:00 P.M.  
678-498-5101  
[www.kyleandson.com](http://www.kyleandson.com)



**ZONING**  
**NOTICE**  
**11/20/18**  
**11/20/18**  
**11/20/18**  
**7:00 P.M.**  
**678-955-4101**



# ZONING NOTICE

Case # 15-08-015

Public Hearing Date Aug. 4<sup>th</sup>

Present Zone P-40

Change To AG (Agricultural)

7:00 P.M.

CHEROKEE HALL  
CHEROKEE COUNTY  
ADMINISTRATION BUILDING  
1130 BLUFFS PARKWAY, CANTON

678-493-6101

[www.cherokeega.com](http://www.cherokeega.com)

<b>Case #15-08-015- Community Agenda Analysis</b>	
<b>Section 1 – Community Vision</b>	
Community	Clayton Community – Lower Burris Road
Vision: <ul style="list-style-type: none"> <li>– Natural beauty and diversity make Cherokee County a desirable and sustainable community.</li> <li>– Commitment to grow responsibly from a rich agricultural foundation through careful community design.</li> <li>– Responsible stewardship of Lake Allatoona and Etowah River for water supply and recreational opportunities.</li> <li>– Balance needed between housing, employment, education, recreation, infrastructure and community services.</li> </ul>	
<b><i>This rezoning would permit a new agricultural use and business in this area.</i></b>	
<b>Section 2 - Core Issues</b>	
<b><i>Project Supports</i></b>	
Planning for Sustainable Growth	This property is located along Lower Burris Road, which is a rural major collector. There is water also available here.
Preserve and Enhance Sense of Place	The property is currently in residential use. The proposed use would be accommodated in an existing detached building.
Designing with the Environment	No additional land disturbance is required so most of the property will remain wooded.
Diverse Economic Opportunities	This rezoning will allow a local entrepreneur to start a business in the community.
<b><i>Project is Neutral</i></b>	
Land Use Patterns that Promote Connectivity and Mobility	No evidence of impact.
Designing with the Environment	No evidence of impact.
Aging in Place	No evidence of impact.
Housing Choice	No evidence of impact.
<b><i>Project Neglects</i></b>	
<b>Section 3 – Character Area Description</b>	
Character Area	Country Estates
<b><i>Country Estates is intended as a mixture of established agricultural operations and large-lot residential subdivisions. The requested AG zoning is one of the suggested zoning districts for the character area.</i></b>	
Node or Corridor	NA





## Staff Report

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**Case No:** 15-08-015  
**Applicant Name:** Jonathan Grigg  
**Location:** 2024 Lower Burris Road  
(14N14, 095)  
**From/To:** R-40 to AG  
**Proposed Use:** Aquaponics Farm and Tilapia Hatchery  
**Commission Post:** 1

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### Existing Conditions

	Existing Zoning	Existing Land Use
North	R-40	Rural Residential
South	R-40	Rural Residential
East	R-40	Rural Residential
West	R-40	Rural Residential

### Future Development Map

Character Area/Node/Corridor	Description
Country Estates	Area of low intensity land use with a mixture of single-family housing on large lots and farms. Local-serving roads, potentially with public water, typically lacks sewer. Suggested zonings of AG and R-80.

## **Analysis and Comment**

The subject parcel totals 2.64 acres and lies on the east side of Lower Burriss Road approximately 600 feet south of its intersection with Sardis Road. A Public Participation Meeting and an Existing Site Resource Map were not required. This application is consistent with the Future Development Map. Staff noted that a 15 foot zoning buffer will be required along the north, south, and west property lines.

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## **Findings**

### **1.1 Engineering Department**

- Lower Burriss Road is the primary public access point for this application and is a full width two lane rural major collector. The geometry of the roads at the location of this application is generally good. There are no planned improvements at this time. Given that the application mentions sales on the property, the residential entrance might need to be upgraded. That can be reviewed as the property goes through the development process. It is the opinion of the Cherokee County Engineering Department that Lower Burriss Road should be able to handle the traffic generated by this application.

### **1.2 Cherokee County Water and Sewerage Authority**

- Waleska Water

### **1.3 Cherokee County Board of Education**

- Stated the rezone would not impact the School Board.

### **1.4 Fire Marshal's Office**

- No report received.

### **1.5 Sheriff's Office**

- No report received.

**Zoning Standards.** Exercise of the zoning power of Cherokee County shall constitute an effort to balance the interest of the community in promoting the public health, safety, morality or general welfare against the right of property owners to the unrestricted use of their property. The following factors taken from the Steinberg criteria, are determined to be relevant in balancing these interests:

	<b><u>Factors Determining a Zoning Decision</u></b>	<b>YES</b>	<b>NO</b>
1	Does the proposed amendment allow a use that is generally suitable for the site compared to other possible uses and zoning as well as the current uses and zoning of adjacent and nearby properties?	✓	
2	Does the proposed amendment adversely affect the economic value or the uses of adjacent and nearby properties?		✓
3	Does the property to be affected by the proposed amendment have a reasonable economic use as currently zoned?	✓	
4	Does the proposed amendment, if adopted, result in a use which could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities?		✓
5	Are there other conditions or transitional patterns affecting the use and development of the property sought to be rezoned, which give ground for either approval or disapproval of the proposed amendment?		✓
6	Is the proposed amendment, if adopted, in conformity with the policy and intent of the Cherokee County Land Use Plan?	✓	

**COUNTY ENGINEER**

**CASE NUMBER:** 15-08-015  
**APPLICANT:** Jonathan Grigg  
**PRESENT ZONING:** Residential (R-40)  
**PROPOSED ZONING:** Agricultural (AG)

**What is the primary public access to this application and is it adequate?**  
Lower Burris Road is the primary public access point for this application.

**What is the current condition of the primary access road to this application? (ie: traffic volumes, geometry, accident history, etc.)**  
Lower Burris Road is a full width two lane rural major collector. The geometry of the roads at the location of this application is generally good.

**List any specific improvements planned for the primary access road and the estimated date scheduled.**  
There are no planned improvements.

**Should the application be approved to proceed, what specific transportation improvements, if any, will be required to be in place by the time the project is in operation in order to maintain an acceptable level of service?**  
Given that the application mentions sales on the property, the residential entrance might need to be upgraded. That can be reviewed as the property goes through the development process.

**Is the property in the 100-year floodplain or a probable wetland?**  
No.

**Percentage?**  
Not applicable.

**What tributary or stream will the surface runoff eventually enter?**  
Unnamed tributary of Hickory Log Creek.

**In what basin is the project located?**  
Alatoona Basin

**General remarks/comments:**  
None.

**Conclusion:**  
It is the opinion of the Cherokee County Engineering Department that Lower Burris Road should be able to handle the traffic generated by this application.



## Cherokee County, Georgia Agenda Request

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**SUBJECT:** **Approval of May 5, 2015 Planning Commission Minutes**  
**MEETING DATE:** 8/4/2015

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

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**FACTS AND ISSUES:**

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**BUDGET:**

Budgeted Amount:	Account Name:
Amount Encumbered:	Account #:
Amount Spent to Date:	Remaining Budget:
Amount Requested:	

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**ADMINISTRATIVE RECOMMENDATION:**

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## Cherokee County, Georgia Agenda Request

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**SUBJECT:** **Approval of July 7, 2015 Planning Commission Minutes**      **MEETING DATE:** 8/4/2015  
**SUBMITTED BY:**

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**COMMISSION ACTION REQUESTED:**

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**FACTS AND ISSUES:**

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**BUDGET:**

Budgeted Amount:	Account Name:
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**ADMINISTRATIVE RECOMMENDATION:**

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