



Cherokee County Planning Commission Public Hearing AGENDA

January 5, 2016
Cherokee Hall 7:00 PM

CALL TO ORDER

ZONING CASES

1. Case #16-01-001 Gates Construction, LLC (BOC Dist. 1)

Applicant is requesting to rezone 20.0276 acres at Owens Store Road from R-30 to R-20 for a residential subdivision. Applicant is also requesting a variance to reduce the 30 foot undisturbed zoning buffer to 0 feet along the West boundary line adjacent to the Neighborhood Commercial property for a distance of 407 linear feet, a variance to eliminate the 25 foot impervious stream bank buffer for Lot 12 only and a variance to reduce the 15 foot undisturbed zoning buffer to 10 feet on Lots 1 through 11 and Lots 16 through 20 including the proposed detention pond.

2. Case #16-01-002 M. Paul Akbarzadeh (BOC Dist. 1)

Applicant is requesting to rezone 1.068 acres at East Cherokee Drive from R-30 to NC for neighborhood commercial uses.

3. Case #16-01-003 Hickory Flat United Methodist Church (BOC Dist. 2)

Applicant is requesting to rezone 1.3 acres on Hickory Flat Highway from R-80 to OI for office institutional uses.

4. Case #16-01-004 Mutual Home Solutions (BOC Dist. 2)

Applicant is requesting to rezone 5 acres on Darnell Road from R-20 to R-15 for a residential subdivision.

OTHER BUSINESS

1. Election of 2016 Officers

APPROVAL OF MINUTES

1. November 3, 2015 Minutes

2. December 1, 2015 Minutes

ADJOURN



Cherokee County, Georgia Agenda Request

SUBJECT:
Case #16-01-001 Gates Construction, LLC
(BOC Dist. 1)

MEETING DATE:
1/5/2016

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 20.0276 acres at Owens Store Road from R-30 to R-20 for a residential subdivision. Applicant is also requesting a variance to reduce the 30 foot undisturbed zoning buffer to 0 feet along the West boundary line adjacent to the Neighborhood Commercial property for a distance of 407 linear feet, a variance to eliminate the 25 foot impervious stream bank buffer for Lot 12 only and a variance to reduce the 15 foot undisturbed zoning buffer to 10 feet on Lots 1 through 11 and Lots 16 through 20 including the proposed detention pond.

FACTS AND ISSUES:

Commission District:	1
Zoning Change:	R-30 to R-20
Location:	Owens Store Road
Tax Map and Parcel No:	03N11, 220 and part of 223
Acres:	20.0276
Proposed Development:	Residential Subdivision
Future Development Map:	Suburban Growth

BUDGET:

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

ADMINISTRATIVE RECOMMENDATION:

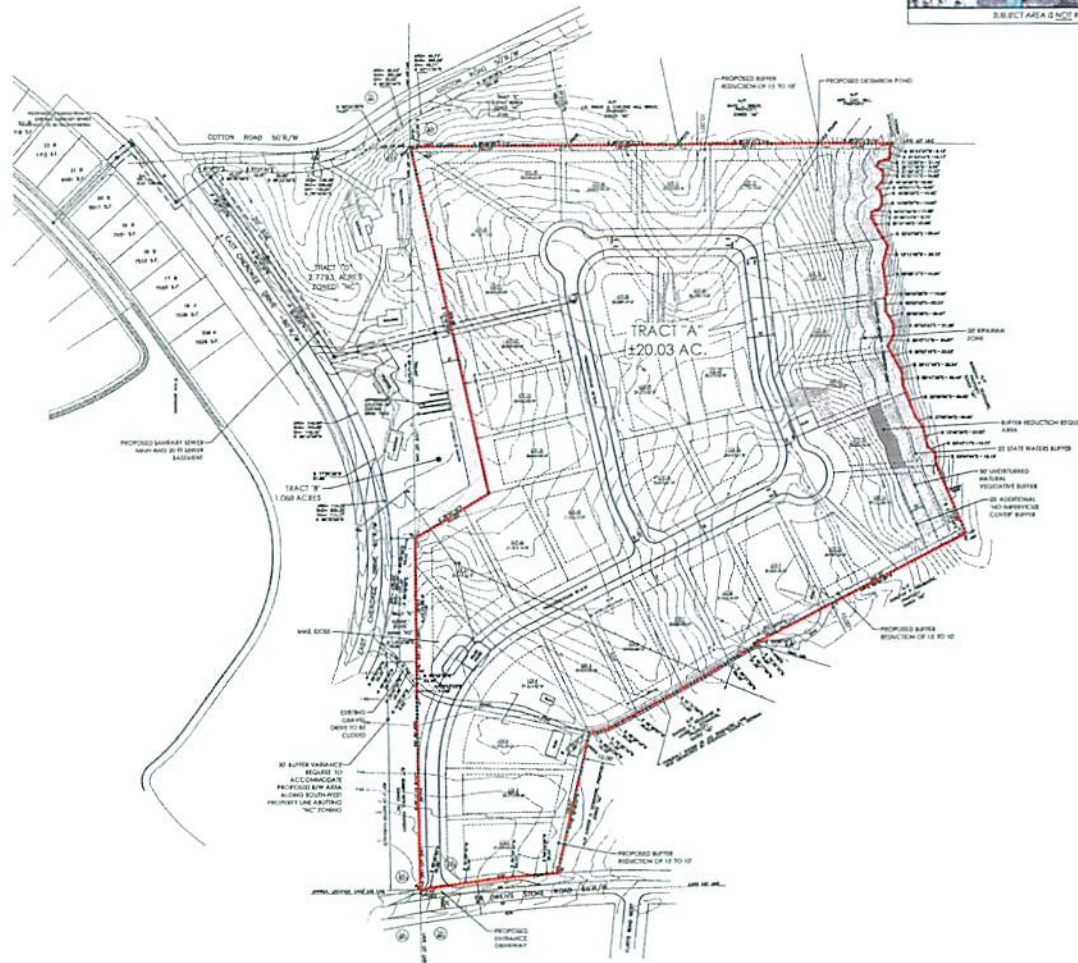
ATTACHMENTS:

Description	Type
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Public Participation Report	Exhibit
<input type="checkbox"/> Notice Signs	Exhibit
<input type="checkbox"/> Existing Site Resource Map	Exhibit
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit

[illegible]

SITE VICINITY MAP

The map shows the location of the site within Cook County, Illinois. The site is located in the City of Chicago, near the intersection of the Chicago River and the city limits. The map includes labels for 'CHICAGO', 'COOK COUNTY', 'CITY OF CHICAGO', and 'SITE'. A north arrow is also present in the top right corner.





MAXWELL-REDDICK
AND ASSOCIATES

**ENGINEERING &
LAND SURVEYING**

1021 ADDICOMB WAY
SUITE 204
DALLAS, TX 75206
(214) 464-7112 OFFICE
(214) 464-7128 FAX

FIVE CONCRETE PLANT
SUITE 300
ATLANTA, GA 30308
(404) 525-1408 OFFICE

[illegible][illegible]

PROPOSED R-20 SUBDIVISION
OWEN STORE RD
CHEROKEE COUNTY, GA
REZONE EXHIBIT TRACT "A"

DATE: NOV. 11, 2015
JOB NO.: 2015-042
SCALE: AS SHOWN

DRAWING NUMBER
C1.0
1 OF 2 SHEETS



E B CHAMBERS LAW

E. Benson Chambers
Attorney at Law

November 6th, 2015

Cherokee County Board of Commissioners
Cherokee County Planning Commission
1130 Bluffs Parkway
Canton, GA 30114

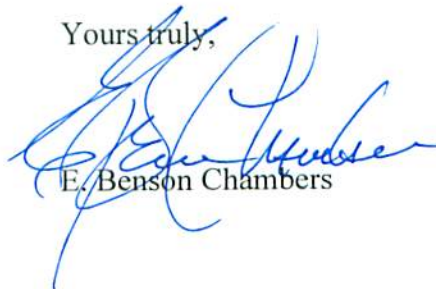
RE: Zoning Application of Gates Construction
Public Participation Report

Greetings:

The public participation meeting for the above applicant was held on November 5th, 2015. The meeting was held at the Hickory Flat Fire Department at 6:30 p.m. Ninety Eight notices were sent to area property owners and interested parties. The meeting was attended by four area residents. At the meeting the attendees were shown a map of the area zoning; a proposed site plan and elevations of proposed homes. All questions as to zoning, house size and price points were answered by representative of the applicant. No negative comments or issues were raised during the meeting. The meeting concluded at 7:08 p.m.

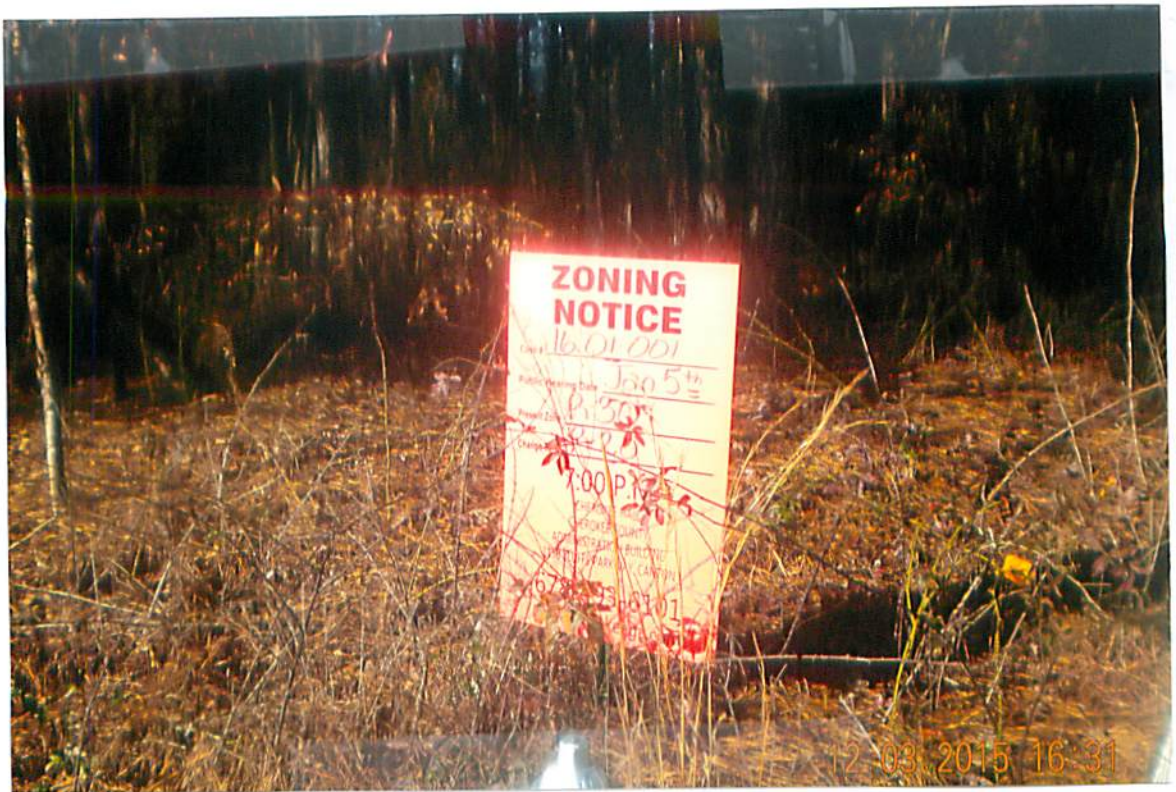
With this letter you will find a copy of the attendee sign in sheet. A comment sheet was provided at the meeting but no written comments were made. Also with this letter you find copies of the United States Postal Service certificate of mailing. Thank you for your consideration of this information.

Yours truly,



E. Benson Chambers

[illegible]







CHEROKEE COUNTY
Application for Public Hearing

 **ORIGINAL**

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.

Contact Person: Steven Bowling Phone: 678-205-1330
Email: gatesconstruction@earthlink.net

SECTION I

Applicant's Information:

Name: Gates Construction, LLC
Address: 3180 North Point Parkway, Suite 107 Phone: 678-205-1330
City, State, Zip: Alpharetta, GA 30005 Fax: 678-339-3801

Property Owner's Information:

same as above

Name: M. Paul Akbarzadeh
Address: 231 Granmar Chase Phone: 770-480-9146
City, State, Zip: Canton, GA 30115 Fax: 770-550-9999



Requested Public Hearing (check all that apply):

☒ Rezoning

☐ Amendment / Modification of Zoning

☒ Variance

☐ Other: _____

STAFF USE ONLY: PL2015-05418

PUBLIC HEARING SCHEDULE:

Commission District: 1
Case: 16-01-001
Received by: WTF
Fee Paid: \$ 500.00
Date: 11-20-15

Public Participation Meeting: 11-5-2015
PC Work Session Date: 12-21-2015
Planning Commission Hearing: 1-5-2016
Board of Commissioners: 1-19-2016
Other: _____

SECTION II

Property Information:

Location: LL 952 - 20.0276 acres off Owens Store Road

Current Zoning: R30

Proposed Zoning: R-20

Total Acreage: 20.0276

Tax Map #: 03 N 11 Parcel #: 220 & 223 ^(Part of) Land Lot(s): 03

District: 0952

Future Development Map Designation: Suburban Growth

Adjacent Zonings: North AG

South R 15 and AG

East AG

West NC

Applicant's Request (Itemize the Proposal, including code sections for Variance requests): Property currently zoned R-30 requesting R-20 due to irregular shape of property and creek bed on one side of property. Requesting variance from required 30 foot buffer between R-20 and N/C to be eliminated only along entrance road where road is adjacent to property line. We are requesting a reduction of the 75' non-impervious buffer on lot 12 to 50'. Lastly requesting the 15 foot undisturbed buffer between AG and R-20 be reduced to 10 feet.

Proposed Use(s) of Property: Property will be used to build 33 HIGH QUALITY RESIDENTIAL HOMES.

SECTION III

Infrastructure Information:

Is water available to this site? ☒ Yes ☐ No Jurisdiction: _____

How is sewage from this site to be managed? Sewer on East Cherokee with easement

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

If yes, what is the projected increase? 3 students from existing zoning.

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home	33	0.725	24
Multi Family (Attached) Home		0.287	

*Property currently zoned R-30 which is allowed 29 lots. $(43,560 \text{ sq. ft.} \times 20.0276 \text{ acres} = 872,402 \text{ sq. ft.} \div 30,000 \text{ sq. ft. lots} = 29)$.

Only requesting 4 more lots than existing. Therefore $4 \times .725 = 3$ more students than existing zoning.

Traffic Generation:

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? 38 trips

Code	Land Use(s)	# of units*	Daily Trip Ends	Number of Trips
210	Single Family Home/ Townhome	33	9.57	316
220	Apartment		6.63	
R-30 vs. R20 zoning only generate 4 more homes.		4	4 x 9.57	38

- A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.

SECTION IV**Authorization:**

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, William C. Schroeder, 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 19th day of November, 20 15.

Print Name William C. Schroeder.

Applicant Signature W.C. Schroeder.

APPLICANT RESPONSE STATEMENT

REZONINGS AND AMENDMENTS / MODIFICATIONS TO ZONING CONDITIONS

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to an annexation and/or rezoning, please respond to the following standards in the form of a written narrative:

1. Explain the intent of the requested zoning.

The intent is to provide 33 high quality custom homes on large (20,000 sq. ft.) lots.

2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The R-20 zoning is definitely compatible to the area. See attached map, you will see numerous R-20 zoning areas. Across from this property, East Cherokee Drive, has RD-3 zoning, 7,500 sq. ft. lots. So proposed 20,000 sq. ft. lots are compatible to the area and will deliver less density impact than RD3 across the street.

3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

I do not believe this zoning proposal will adversely affect the existing use or usability of adjacent or nearby property. 20,000 sq. ft. lots are large lots and will generate high quality homes which will help the area.

4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.

With the R-30 zoning we cannot get the number of lots you would anticipate because of challenging topography along one side and the unique configuration of the property.

Without increasing the density the economic value is diminished considerable. In fact, when you take $43,560 \text{ sq. ft.} \times 20.0276 \text{ acres} = 872,402.25 \text{ sq. ft.} \div 20,000 \text{ sq. ft.} = 43$ lots under proposed R-20 zoning. We are only proposing 33 lots due to limiting factors named above.

5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

With the existing zoning at R-30 if you take the $872,402 \text{ sq. ft.} \div 30,000 \text{ sq. ft.}$ allows for 29 lots. We are only proposing 4 more lots (33 total) so it will not cause excessive or burdensome use of street, transportation, utilities or schools.

6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan.

The Cherokee County Future Development Map indicates that this property and surrounding area is designated as Suburban Growth which recommends a classification of R-40 or larger. Section 18.6-1 (e) of the Ordinance requires evaluation of a zoning change based upon the compatibility of the requested change with the policy and intent of the Cherokee County Future Land Use Plan. This policy and intent is represented by the classifications of surrounding properties which include PUD, RD3, R-15, R-20 and NC thereby making this request compatible.

7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning.

We believe high quality residential homes are needed in Cherokee County and this project will provide these homes. With 20,000 sq. ft. lots, almost half an acre, these lots will preserve the "rural feel" due to the large size and will be an asset to Cherokee County.

AMENDMENT TO APPLICATION FOR PUBLIC HEARING OF
GATES CONSTRUCTION, LLC (APPLICANT) CASE NO. 16-01-001

The above referenced applicant hereby amends Applicant Response Statement-Variations as follows:

1. Explain requested variance.


Applicant is requesting a variance to reduce the 30 foot zoning buffer to 0 feet along the West boundary line adjacent to the Neighborhood Commercial property for a distance of 407 linear feet extending North from the right of way of Owens Store Road to allow for placement and location of the entrance due the narrow width of the road frontage on Owens Store Road.

Applicant is requesting a variance reduction to the combined stream bank buffer and impervious surface buffer of 75 feet to allow for the elimination of the 25 foot impervious surface buffer while maintaining the 50 foot stream bank buffer to allow for the homeowner to have a small by functional deck.

Applicant is requesting a reduction of the 15 foot undisturbed buffer between R-20 and AG zoned properties to a 10 foot undisturbed buffer on lots 1 through 11 along the South East boundary of the property and lots 15 through 20 (including the proposed detention pond) along the North boundary of the property to allow the property owner an additional 5 feet of useable back yard area.

The above requests being further illustrated on Applicant's revised Site Plan filed in this case.

This 10th, day of December, 2016.


E. Benson Chambers
Attorney for Applicant

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: W.C. Schroeder Date: 11-19-2015

Print Name: William C. Schroeder

Signature of Applicant's Attorney: E. Benson Chambers Date: 11-20-15

Print Name: E. Benson Chambers Title: Attorney

Sworn to and Subscribed before me this: 19 day of November, 2015.

Notary Signature: Deborah E. Kelley

(Notary Seal)



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: W. Schroeder Date: 11-19-2015

Print Name: William C. Schroeder

Sworn to and Subscribed before me this: 19th day of November, 20 15.

Notary Signature: Deborah E. Kelley

(Notary Seal)



AUTHORIZATON OF PROPERTY OWNER

I, Paul Akbarzadeh, 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

___ 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: Gates Construction, LLC

Address: 3180 North Point Pkwy. Ste 107 Phone: 770-318-8163

City, State, Zip: Alpharetta, GA 30005 Fax: 678-339-3801

Signature of Owner: [Signature] Date: 11-19-15

Print Name: M. PAUL AKBARZADEH

Sworn to and Subscribed before me this: 19th day of November, 2015.

Notary Signature: [Signature]

(Notary Seal)





E B CHAMBERS LAW
E. Benson Chambers
Attorney at Law

November 20th, 2015

Cherokee County Board of Commissioners
1130 Bluffs Parkway
Canton, GA 30114

RE: Letter of Intent
Gates Construction, LLC Zoning Application

Dear Commissioners:

The above referenced applicant seeks to rezone 20.0276 acres from R-30 to Residential R-20. While the proposed zoning of R-20 will yield an expected 33 lots this total yield is only 4 more lots than allowed on the current R-20 zoning. Due to buffers, setbacks and topography of the property the R-20 zoning classification is expected to reduce the number of individual lot variances during development and home construction allowing the development regulations for the property to be adhered to in a more appropriate manner. The property will have road frontage and access on Owens Store Road near its intersection with East Cherokee Drive and will have access to county water and sewer.

Thank you for your consideration of this information.

Yours truly,



E. Benson Chambers
Attorney for Applicant

NOTICE OF CONSTITUTIONAL CHALLENGE

-1-

In accordance with the instructions attached to the zoning application, and in order to protect our rights for using our property at the highest and best use, and in a constitutional manner, we therefore submit that we have a constitutional issue to present in this case.

-2-

The classification of the subject property within the R-30 Zoning Classification within which the owners proposed use is prohibited as not being a permitted use by the Cherokee County Zoning Ordinances is unconstitutional, null and void in that such restriction effectively prohibits the owners to a use which is unreasonable and uneconomically suited; and, is thereby the equivalent of a substantial destruction of valuable rights of the owners without payment of just and adequate compensation in violation of the Compensation Clause of the 5th Amendment to the United States Constitution, Article 1, Section 3, Paragraph 1 of the Constitution of the State of Georgia, 1983, and the provisions of O.C.G.A. § 22-1-5.

-3-

A refusal by Cherokee County to rezone our property as requested so as to permit a reasonable economic return on investment and a highest and best use or reasonable use of the property, would therefore be unconstitutional null and void and that this refusal is arbitrary capricious without a rational basis and thus constitutes an abuse of discretion which would affect the restricted property to a use to which it is unsuited. This action by the governing authority would effectually prohibit the owners from using their property for a use which is best suited and would constitute a taking of the owner's property in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia 1983, and the due process clause of the 14th Amendment to the Constitution of the United States.

-4-

Please be advised that the continued application of the R-30 zoning classification to the owner's property results in little or no gain to the public in general and fails to promote the health, safety or morals of general welfare of the public and further does not bear fair and substantial relation to the objectives of the zoning ordinance, and would constitute a substantial construction of the property value of owners, and is confiscatory and void.

Respectfully submitted on behalf of Applicant


E. BENSON CHAMBERS
Attorney for Applicant

LEGAL DESCRIPTION
GATES CONSTRUCTION, LLC

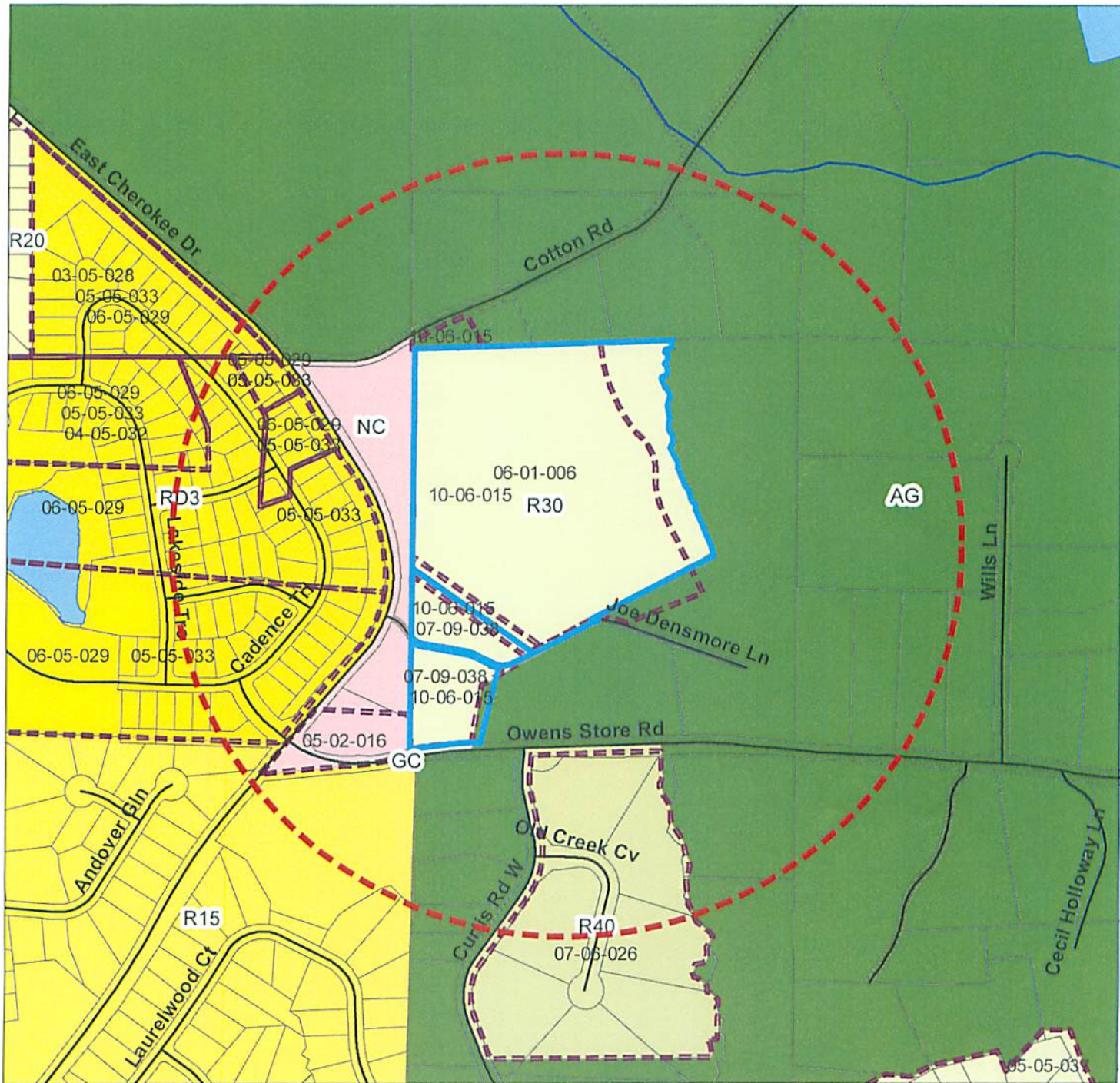
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING LOCATED IN
LAND LOT 952 OF THE 3RD DISTRICT, 2ND SECTION CHEROKEE COUNTY GEORGIA
AND BEING BETTER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LAND LOT 952 AT AN IRON
PIN FOUND, THENCE EAST ALONG THE NORTH LAND LOT LINE OF LAND LOT 952
THE FOLLOWING COURSES AND DISTANCES; NORTH 89 DEGREES, 39 MINUTES, 55
SECONDS EAST A DISTANCE OF 283.00 FEET TO AN IRON PIN FOUND; THENCE
NORTH 89 DEGREES, 42 MINUTES, 35 SECONDS EAST A DISTANCE OF 199.87 FEET
TO AN IRON PIN FOUND; THENCE NORTH 89 DEGREES, 39 MINUTES, 37 SECONDS
EAST A DISTANCE OF 254.91 FEET TO AN AXLE FOUND, THENCE SOUTH 89
DEGREES, 37 MINUTES, 11 SECONDS EAST A DISTANCE OF 132.48 FEET TO A POINT
LOCATED AT THE INTERSECTION OF THE NORTH LAND LOT LINE OF LAND LOT
952 AND THE CENTERLINE OF A BRANCH (THE CENTERLINE OF SAID BRANCH
BEING THE PROPERTY LINE); THENCE SOUTHERLY ALONG THE CENTERLINE OF
SAID BRANCH A DISTANCE OF 654.11 FEET TO A POINT, THENCE LEAVING SAID
CENTERLINE SOUTH 23 DEGREES, 45 MINUTES, 00 SECONDS EAST A DISTANCE OF
135.00 FEET TO AN IRON PIN SET; THENCE SOUTH 63 DEGREES, 04 MINUTES, 00
SECONDS WEST A DISTANCE OF 360.70 FEET TO AN IRON PIN FOUND; THENCE
SOUTH 63 DEGREES, 21 MINUTES, 00 SECONDS WEST A DISTANCE OF 69.24 FEET
TO A POINT; THENCE SOUTH 73 DEGREES, 20 MINUTES, 45 SECONDS EAST A
DISTANCE OF 9.29 FEET TO A POINT; THENCE SOUTH 76 DEGREES, 32 MINUTES, 12
SECONDS WEST A DISTANCE OF 6.29 FEET TO A POINT; THENCE SOUTH 62
DEGREES, 17 MINUTES, 56 SECONDS WEST A DISTANCE OF 27.36 FEET TO A POINT;
THENCE SOUTH 59 DEGREES, 21 MINUTES, 20 SECONDS WEST A DISTANCE OF
86.29 FEET TO A POINT; SOUTH 61 DEGREES, 31 MINUTES, 06 SECONDS WEST A
DISTANCE OF 111.02 FEET TO A POINT; THENCE SOUTH 62 DEGREES, 29 MINUTES,
07 SECONDS WEST A DISTANCE OF 45.61 FEET TO A POINT; THENCE SOUTH 62
DEGREES, 59 MINUTES, 43 SECONDS WEST A DISTANCE OF 30.38 FEET TO A POINT;
THENCE SOUTH 72 DEGREES, 30 MINUTES, 10 SECONDS WEST A DISTANCE OF
21.46 FEET TO A POINT; THENCE SOUTH 85 DEGREES, 53 MINUTES, 58 SECONDS
WEST A DISTANCE OF 15.10 FEET TO A POINT, THENCE SOUTH 12 DEGREES, 43
MINUTES, 27 SECONDS WEST A DISTANCE OF 21.60 FEET TO AN IRON PIN FOUND;
THENCE SOUTH 12 DEGREES, 43 MINUTES, 27 SECONDS WEST A DISTANCE OF
235.91 FEET TO AN IRON PIN FOUND ON THE NORTHERLY RIGHT OF WAY OF
OWENS STORE ROAD (HAVING A 60 FOOT RIGHT OF WAY); THENCE WESTERLY
ALONG SAID RIGHT OF WAY, SOUTH 85 DEGREES, 29 MINUTES, 55 SECONDS WEST
A DISTANCE OF 38.54 FEET TO A POINT; THENCE SOUTH 84 DEGREES, 16 MINUTES,
17 SECONDS WEST A DISTANCE OF 85.54 FEET TO A POINT; THENCE SOUTH 81
DEGREES, 56 MINUTES, 43 SECONDS WEST A DISTANCE OF 84.49 FEET TO A POINT;

THENCE SOUTH 80 DEGREES, 40 MINUTES, 56 SECONDS WEST A DISTANCE OF 39.65 FEET TO AN IRON PIN LOCATED AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF OWENS STORE ROAD AND THE WEST LAND LOT LINE OF LAND LOT 952, THENCE NORTH ALONG THE WEST LAND LOT LINE OF LAND LOT 952 NORTH 01 DEGREES, 11 MINUTES, 20 SECONDS WEST A DISTANCE OF 343.95 FEET TO A POINT, THENCE NORTH 00 DEGREES, 13 MINUTES, 13 SECONDS EAST A DISTANCE OF 21.48 FEET TO A POINT; THENCE NORTH 00 DEGREES, 13 MINUTES, 13 SECONDS EAST A DISTANCE OF 23.34 FEET TO AN IRON PIN FOUND; THENCE NORTH 00 DEGREES, 43 MINUTES, 54 SECONDS WEST A DISTANCE OF 235.82 FEET TO AN IRON PIN FOUND, THENCE LEAVING SAID LAND LOT LINE NORTH 59 DEGREES, 02 MINUTES, 45 SECONDS EAST A DISTANCE OF 153.82 FEET TO A POINT; THENCE NORTH 12 DEGREES, 46 MINUTES, 59 SECONDS WEST A DISTANCE OF 636.60 FEET TO AN IRON PIN AND THE POINT OF BEGINNING.

Case # 16-01-001 - Gates Construction, LLC

Current Cherokee County Zoning Map



Legend

- Rezoning Parcels
- Streets
- 1/4 mile radius
- Recent Zoning Cases
- 100 Year Flood Zone
- Woodstock

Cherokee Zoning

- AG
- R80
- R60
- R40
- R30
- R20
- R15
- RD3
- R10
- RZL
- RA

- RTH
- RM10
- RM16
- TND
- PUD
- OI
- NC
- GC
- LI
- HI

- Belts Ferry Overlay
- Hwy 92 Overlay

0 0.05 0.1 0.2 Miles

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.

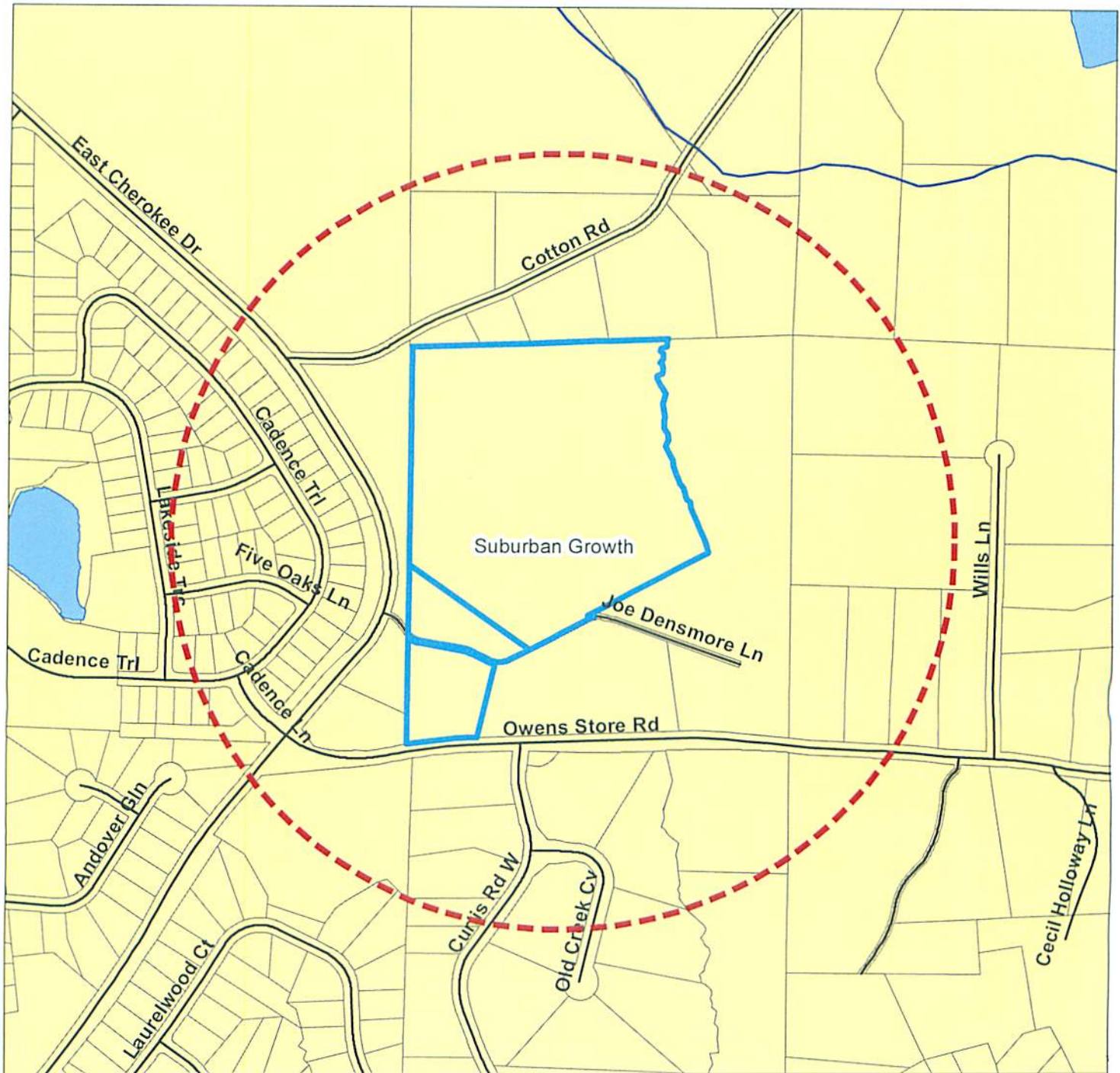


Prepared by:
Cherokee County
Planning & Land Use
Canton, Georgia
December 3, 2015



Case # 16-01-001 - Gates Construction, LLC

Future Development Map from the Comprehensive Plan



Legend

- Rezoning Parcels
- Streets
- 1/4 mile radius
- 100 Year Flood Zone
- Woodstock

Character Areas

- Natural Preserve
- Rural Places
- Country Estates
- Suburban Growth
- Suburban Living
- Neighborhood Living
- Bells Ferry LCI
- Urban Core
- Workplace Center
- Regional Center
- Waste Management

Development Nodes

- County Crossroads
- Hamlet
- Neighborhood Village
- Community Village

Corridors

- Scenic Corridor
- Transitional Corridor
- Development Corridor

0 0.05 0.1 0.2 Miles

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Prepared by:
Cherokee County
Planning & Land Use
Canton, Georgia
December 3, 2015





Cherokee County, Georgia Agenda Request

SUBJECT:

**CAsE #16-01-002 M. Paul Akbarzadeh (BOC
Dist. 1)**

MEETING DATE:

1/5/2016

SUBMITTED BY:

Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 1.068 acres at East Cherokee Drive from R-30 to NC for neighborhood commercial uses.

FACTS AND ISSUES:

Commission District: 1
Zoning Change: R-30 to NC
Location: East Cherokee Drive
Tax Map and Parcel No: 03N11, Part of parcels 220 and 223
Acres: 1.0680
Proposed Development: Commercial Uses
Future Development Map: Suburban Growth

BUDGET:

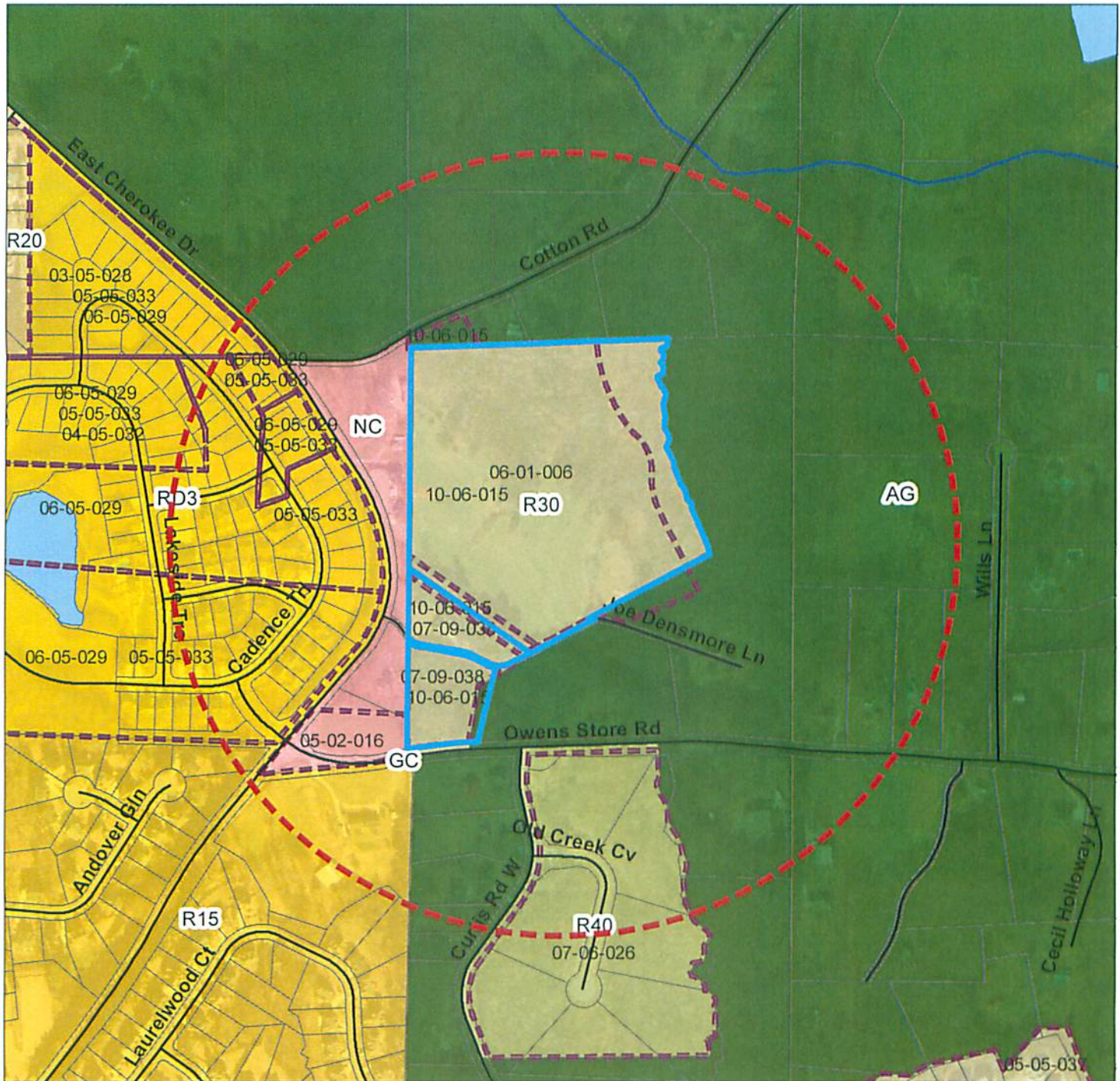
Budgeted Amount:	Account Name:
Amount Encumbered:	Account #:
Amount Spent to Date:	Remaining Budget:
Amount Requested:	

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Public Participation Report	Exhibit
<input type="checkbox"/> Notice Sign	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> Existing Site Resource Map	Exhibit
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Site Plan	Exhibit

Current Cherokee County Zoning Map



Legend

-
- Rezoning Parcels**
- Streets
 - 1/4 mile radius
 - Recent Zoning Cases
 - 100 Year Flood Zone
 - Woodstock
- Cherokee Zoning**
- AG
 - R80
 - R60
 - R40
 - R30
 - R20
 - R15
 - RD3
 - R10
 - RZL
 - RA
 - RTH
 - RM10
 - RM16
 - TND
 - PUD
 - OI
 - NC
 - GC
 - LI
 - HI
 - Bells Ferry Overlay
 - Hwy 92 Overlay

0 0.05 0.1 0.2 Miles

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
December 3, 2015





E B CHAMBERS LAW
E. Benson Chambers
Attorney at Law

November 6th, 2015

Cherokee County Board of Commissioners
Cherokee County Planning Commission
1130 Bluffs Parkway
Canton, GA 30114


RE: Zoning Application of M. Paul Akbarzadeh
Public Participation Report

Greetings:

The public participation meeting for the above applicant was held on November 5th, 2015. The meeting was held at the Hickory Flat Fire Department at 6:30 p.m. Ninety Eight notices were sent to area property owners and interested parties. The meeting was attended by four area residents. At the meeting the attendees were shown a map of the area zoning; a proposed site plan and elevations of proposed homes. All questions as to zoning, house size and price points were answered by representative of the applicant. No negative comments or issues were raised during the meeting. The meeting concluded at 7:08 p.m.

With this letter you will find a copy of the attendee sign in sheet. A comment sheet was provided at the meeting but no written comments were made. Also with this letter you find copies of the United States Postal Service certificate of mailing. Thank you for your consideration of this information.

Yours truly,



E. Benson Chambers

[illegible]

CASE # 16-01-002
Paul Akbarzadeh



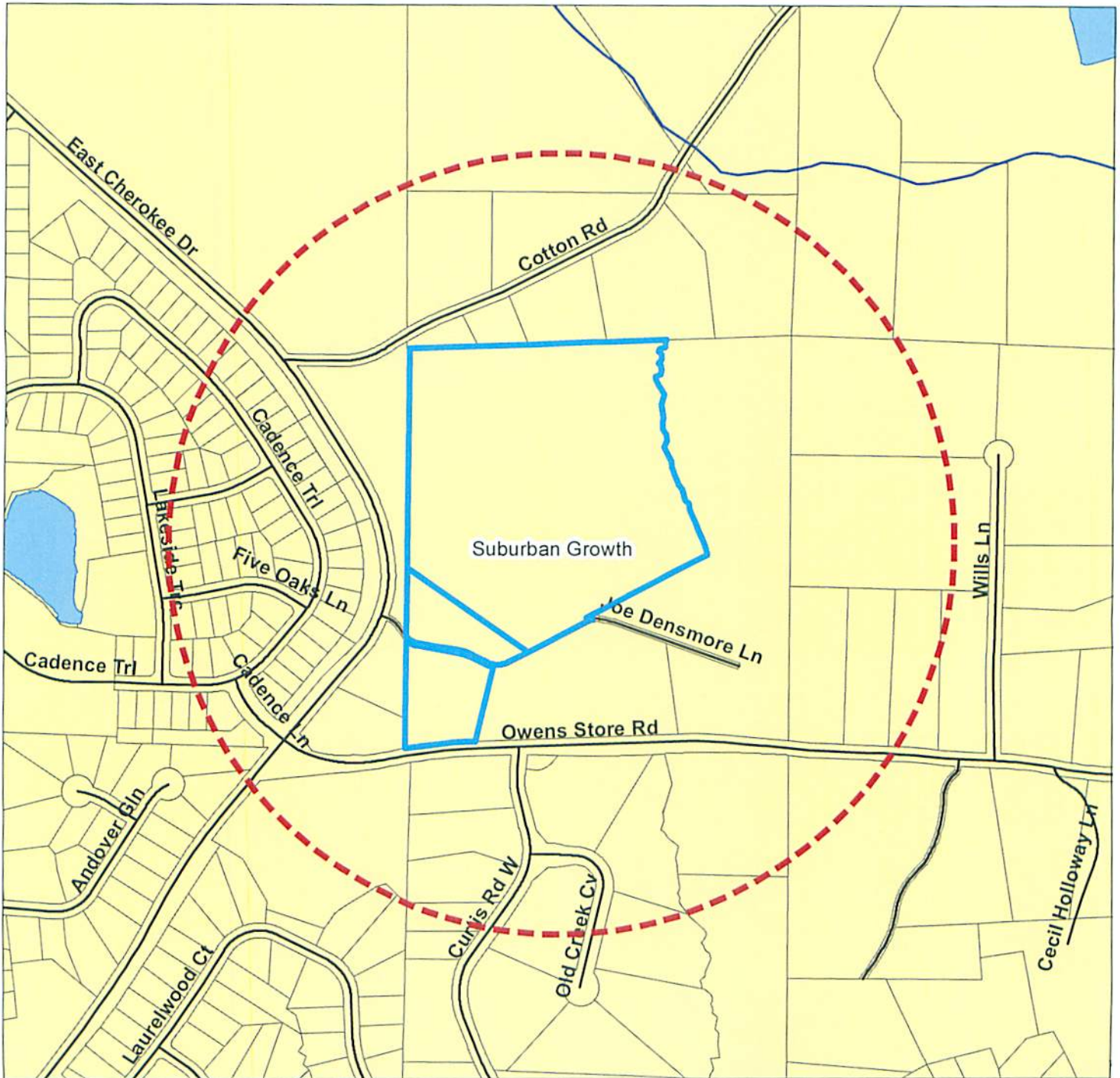
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING LOCATED IN LAND LOT 952 OF THE 3RD DISTRICT, 2ND SECTION CHEROKEE COUNTY GEORGIA AND BEING BETTER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LAND LOT 952 AT AN IRON PIN FOUND; THENCE SOUTH 12 DEGREES, 46 MINUTES, 59 SECONDS EAST A DISTANCE OF 636.60 FEET TO A POINT; THENCE SOUTH 59 DEGREES, 02 MINUTES, 45 SECONDS WEST A DISTANCE OF 153.82 FEET TO AN IRON PIN LOCATED ON THE WEST LAND LOT LINE OF LAND LOT 952; THENCE NORTH 00 DEGREES, 43 MINUTES, 54 SECONDS WEST A DISTANCE OF 700 FEET TO AN IRON PIN AND THE POINT OF BEGINNING.

Case # 16-01-002 - M. Paul Akbarzadeh

Future Development Map from the Comprehensive Plan



Legend

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

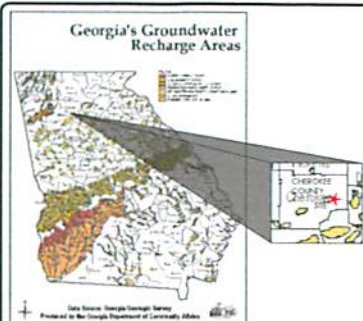
0 0.05 0.1 0.2 Miles

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.



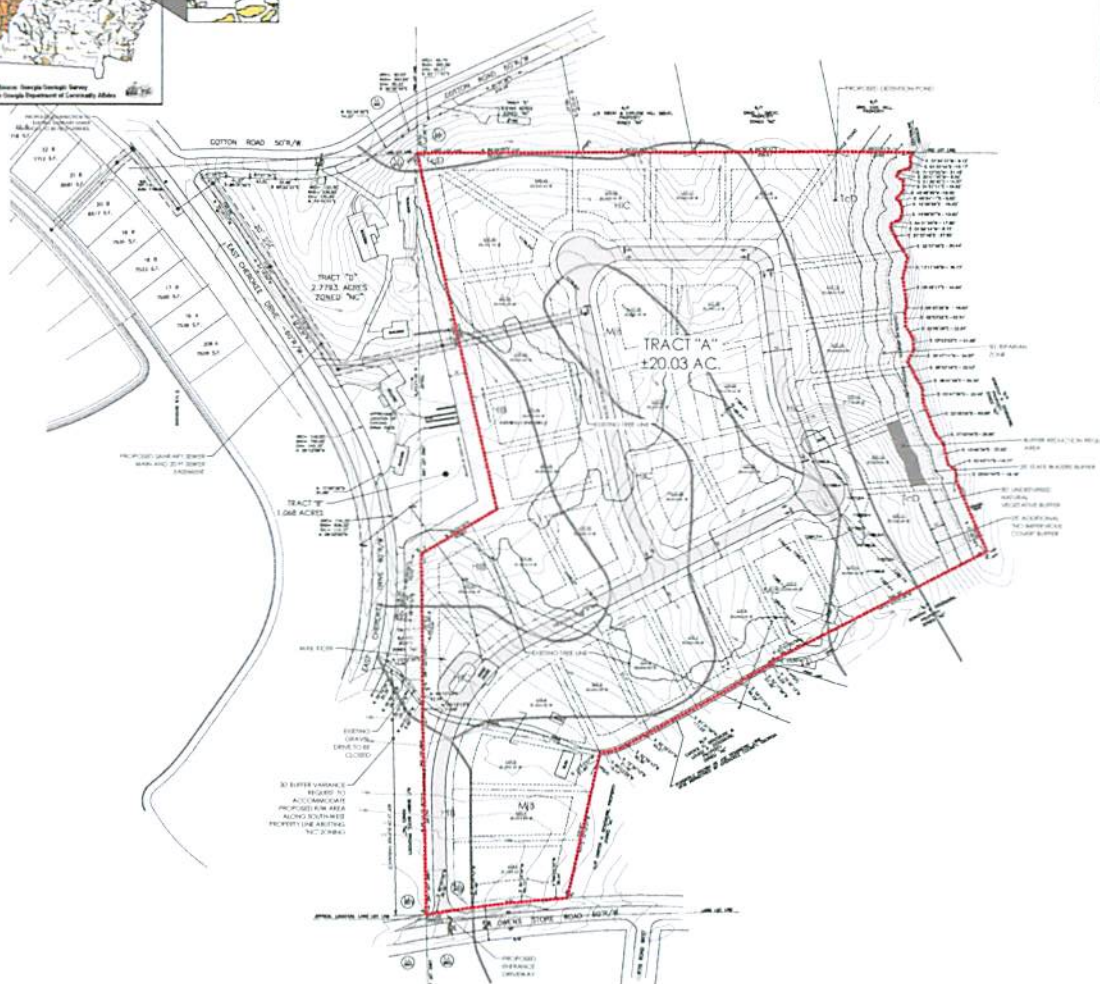
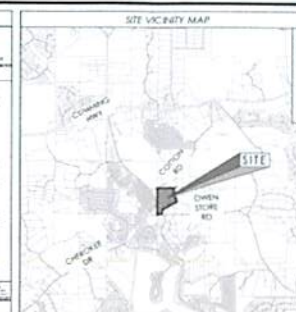
Prepared by:
Cherokee County
Planning & Land Use
Canton, Georgia
December 3, 2015





SOILS DATA	
1cD	Tolpines fine sandy loam, 8 to 15 percent slopes
H8C	Hawesville fine sandy loam, 8 to 10 percent slopes
M8	Madiam fine sandy loam, 2 to 8 percent slopes
H8	Hawesville fine sandy loam, 2 to 8 percent slopes

FLOOD NOTE:
FLOODING POTENTIAL (AS SHOWN BY SHADING)
BASED ON FLOODING IN 2011 AND 2012
WITH 100-YEAR FLOOD (2% ACF) AND 500-YEAR FLOOD (0.2% ACF)



TRACT "A" NOTES:

1. SEE ALSO: 100% AREA - 100% ACRES

2. SEE ALSO: 100% AREA - 100% ACRES

3. SEE ALSO: 100% AREA - 100% ACRES

4. SEE ALSO: 100% AREA - 100% ACRES

5. SEE ALSO: 100% AREA - 100% ACRES

6. SEE ALSO: 100% AREA - 100% ACRES

7. SEE ALSO: 100% AREA - 100% ACRES

8. SEE ALSO: 100% AREA - 100% ACRES

9. SEE ALSO: 100% AREA - 100% ACRES

10. SEE ALSO: 100% AREA - 100% ACRES

SIGNIFICANT VISUAL HABITAT

1. BASED ON OUR OWN OBSERVATION AND VISUAL OBSERVATION, NO POPULATIONS OF THREATENED OR ENDANGERED SPECIES OR HABITAT FOR SUCH WERE OBSERVED ON THE SUBJECT PROPERTY DURING A VISUAL INSPECTION CONDUCTED ON JULY 2015.

HERITAGE, ARCHAEOLOGICAL AND CULTURAL RESOURCES

1. BASED ON VISUAL OBSERVATION AND BEST AVAILABLE DATA, IT IS OUR OPINION THAT NO ARCHAEOLOGICAL SITE, CEMETERIES AND BURIAL GROUNDS ARE PRESENT ON THE SUBJECT PROPERTIES.

2. TO THE BEST OF OUR KNOWLEDGE, THE SUBJECT PROPERTIES ARE NOT ENCLOSED IN ANY STATE OR LOCAL HISTORIC SITE SURVEY.

3. NO U.S. GEOLOGICAL SURVEY SURVEY CORRELATION MONUMENTS ARE PRESENT ON THE PROPERTY.

TREE NOTE

1. A TREE SURVEY HAS NOT YET BEEN PERFORMED FOR THIS SITE. THEREFORE, MINORAL ENDING TREES LARGER THAN 14 INCHES CALIPER HAVE NOT BEEN IDENTIFIED.

NOTE:

STREAM, LAKE, AND OTHER TOPOGRAPHICAL INFORMATION IS BASED ON CHEROKEE COUNTY GIS AND BEST AVAILABLE DATA.

PROJECT DIRECTORY	
DEVELOPER:	STEVEN BOWLING GATES CONSTRUCTION, LLC 3180 NORTH FORK HWY., SUITE 107 ALPHARETTA, GA 30009 PHONE: 478.203.1330
ENGINEER:	CHARLES J. MAXWELL, P.E. MAXWELL-REDDICK AND ASSOCIATES, INC. FIVE CONCORDE PARKWAY, SUITE 3000 ATLANTA, GA 30328 PHONE: 912.489.7112



PROPOSED R-20 SUBDIVISION
OWEN STORE RD
CHEROKEE COUNTY, GA
PROPOSED RESOURCE PLAN TRACT "A"

DATE: NOV. 11, 2015
JOB NO.: 2015-042
SCALE: AS SHOWN
DRAWING NUMBER
C0.0
1 OF 1 SHEETS



CHEROKEE COUNTY
Application for Public Hearing

 **ORIGINAL**

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.

Contact Person: Steven Bowling

Phone: 678-205-1330

Email: gatesconstruction@earthlink.net

SECTION I

Applicant's Information:

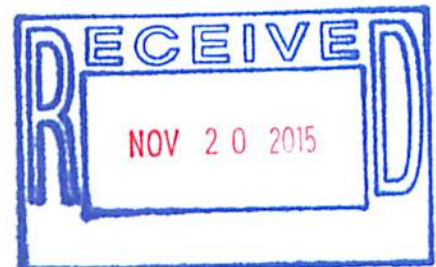
Name: M. Paul Akbarzadeh

Address: 231 Granmar Chase

Phone: 770-480-9146

City, State, Zip: Canton, GA 30115

Fax: 770-550-9999



Property Owner's Information:

☒ same as above

Name: M Paul Akbarzadeh

Address: 231 Granmar Chase Phone: 770-480-9146

City, State, Zip: Canton, GA 30115 Fax: 770-550-9999

Requested Public Hearing (check all that apply):

☒ Rezoning

☐ Amendment / Modification of Zoning

☐ Variance

☐ Other: _____

STAFF USE ONLY: PL20150000550

Commission District: 1

Case: 116 - 01 - 002

Received by: WCF

Fee Paid: \$ _____

Date: 11.20.15

PUBLIC HEARING SCHEDULE:

Public Participation Meeting: _____

PC Work Session Date: _____

Planning Commission Hearing: _____

Board of Commissioners: _____

Other: _____

SECTION II

Property Information:

Location: LL 952 - 1.0680 Acres off East Cherokee Drive

Current Zoning: R 30 Proposed Zoning: NC Total Acreage: 1.0680

Tax Map #: 03 N 11 Parcel #: Part of 220 & 223 Land Lot(s): 03 District: 0952

Future Development Map Designation: Suburban Growth

Adjacent Zonings: North R 30 South R 30 East R 30 West NC

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

Requesting additional property be added to existing N/C to square off property so all will be useable.

Requesting subject property be rezoned to NC to allow same use of property as adjacent properties owned by same owner. The 1.068 acre property is being used for the septic tank and drain fill for the commercial business. The reason for combing the two properties is to have the commercial businesses and drain fill for the businesses all on one piece of property.

Proposed Use(s) of Property:

Retail allowed under NC zoning

SECTION III

Infrastructure Information:

Is water available to this site? ☒ Yes ☐ No Jurisdiction: _____

How is sewage from this site to be managed?

Upon rezoning of rear property (20.0276 acres) from R 30 to R 20 gravity sewer will be available to subject property.

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:

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.

No additional trips planned due to existing retail use on property.

What is the estimated number of trips generated? _____ trips

Code	Land Use(s)	# of units*	Daily Trip Ends	Number of Trips
210	Single Family Home/ Townhome		9.57	
220	Apartment		6.63	
<ul style="list-style-type: none">A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.				

SECTION IV

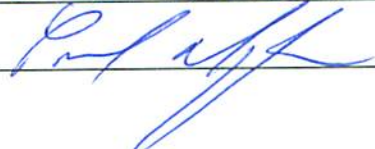
Authorization:

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, M. Paul Akbarzadeh, 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 19th day of November, 20 15.

Print Name M. PAUL AKBARZADEH.

Applicant Signature .

APPLICANT RESPONSE STATEMENT

REZONINGS AND AMENDMENTS / MODIFICATIONS TO ZONING CONDITIONS

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to an annexation and/or rezoning, please respond to the following standards in the form of a written narrative:

1. Explain the intent of the requested zoning.

Adding this additional 1.068 acres would allow the existing septic system associated with the commercial establishment to be contiguous. Some of the NC property is not useable due to limited width this would

Square off the NC allowing future improvements to existing buildings.

2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

This zoning proposal will permit a use that is suitable to adjacent property because it is consistent with adjacent NC zoning.

3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

This property is on East Cherokee Drive and being combined with adjacent NC property owned by same owner so will not affect the usability of adjacent property.

4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.

Currently zoned R 30 and the property east of this property is being proposed as R 20 zoning due to its extremely limited size and shape does not have reasonable economic use as currently zoned.

5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

This 1.068 acres is being combined with adjacent NC parcel with existing retail so no additional increase in traffic, schools, streets, etc.

6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan.

Cherokee County future development map identifies this parcel as suburban growth but surrounding parcels have been rezoned with zonings inconsistent with future development map.

7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning.

The existing septic system extends beyond property to which it serves and combining these parcels with same zoning and use would correct this issue.

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: [Signature] Date: 11-19-15

Print Name: M. PAUL AMBARZADEH

Signature of Applicant's Attorney: [Signature] Date: 11/20/15

Print Name: E. Benson Chambers Title: Attorney

Sworn to and Subscribed before me this: 19 day of November, 20 15.

Notary Signature: [Signature]

(Notary Seal)



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.

X 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: [Signature] Date: 11-19-15

Print Name: M. Paul Akbarzadeh

Sworn to and Subscribed before me this: 19th day of November, 2015.

Notary Signature: [Signature]

(Notary Seal)



AUTHORIZATION OF PROPERTY OWNER

I, Paul Akbarzadeh, 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
☐ Variance

☐ Amendment / Modification of Zoning Conditions
☐ 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: Paul Akbarzadeh
Address: 231 Grandmar chase Phone: 770-480-9146
City, State, Zip: CANTON, GA 30115 Fax: 678-550-9999

Signature of Owner: [Signature] Date: 11-19-15
Print Name: Paul Akbarzadeh

Sworn to and Subscribed before me this: 19th day of November, 2015.

Notary Signature: Deborah E. Kelley

(Notary Seal)



IN RE: M. Paul Akbarzadeh

NOTICE OF CONSTITUTIONAL CHALLENGE

-1-

In accordance with the instructions attached to the zoning application, and in order to protect our rights for using our property at the highest and best use, and in a constitutional manner, we therefore submit that we have a constitutional issue to present in this case.

-2-

The classification of the subject property within the R-30 Zoning Classification within which the owners proposed use is prohibited as not being a permitted use by the Cherokee County Zoning Ordinances is unconstitutional, null and void in that such restriction effectively prohibits the owners to a use which is unreasonable and uneconomically suited; and, is thereby the equivalent of a substantial destruction of valuable rights of the owners without payment of just and adequate compensation in violation of the Compensation Clause of the 5th Amendment to the United States Constitution, Article 1, Section 3, Paragraph 1 of the Constitution of the State of Georgia, 1983, and the provisions of O.C.G.A. § 22-1-5.

-3-

A refusal by Cherokee County to rezone our property as requested so as to permit a reasonable economic return on investment and a highest and best use or reasonable use of the property, would therefore be unconstitutional null and void and that this refusal is arbitrary capricious without a rational basis and thus constitutes an abuse of discretion which would affect the restricted property to a use to which it is unsuited. This action by the governing authority would effectually prohibit the owners from using their property for a use which is best suited and would constitute a taking of the owner's property in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia 1983, and the due process clause of the 14th Amendment to the Constitution of the United States.

-4-

Please be advised that the continued application of the R-30 zoning classification to the owner's property results in little or no gain to the public in general and fails to promote the health, safety or morals of general welfare of the public and further does not bear fair and substantial relation to the objectives of the zoning ordinance, and would constitute a substantial construction of the property value of owners, and is confiscatory and void.

Respectfully submitted on behalf of Applicant


E. BENSON CHAMBERS
Attorney for Applicant



E B CHAMBERS LAW

E. Benson Chambers
Attorney at Law

November 20th, 2015

Cherokee County Board of Commissioners
1130 Bluffs Parkway
Canton, GA 30114

RE: Letter of Intent
M. Paul Akbarzadeh Zoning Application

Dear Commissioners:

The above referenced applicant seeks to rezone 1.0680 acres from R-30 to Neighborhood Commercial (NC). The applicant owns property fronting on East Cherokee Drive which is currently zoned NC. The subject property will be added to the current NC property on the back side and will have no additional road frontage. Currently the septic system drain field for the buildings currently located on the Applicant's NC property is located on the R-20 property and upon rezoning will give the Applicant better use of his property due to size and setback requirements.

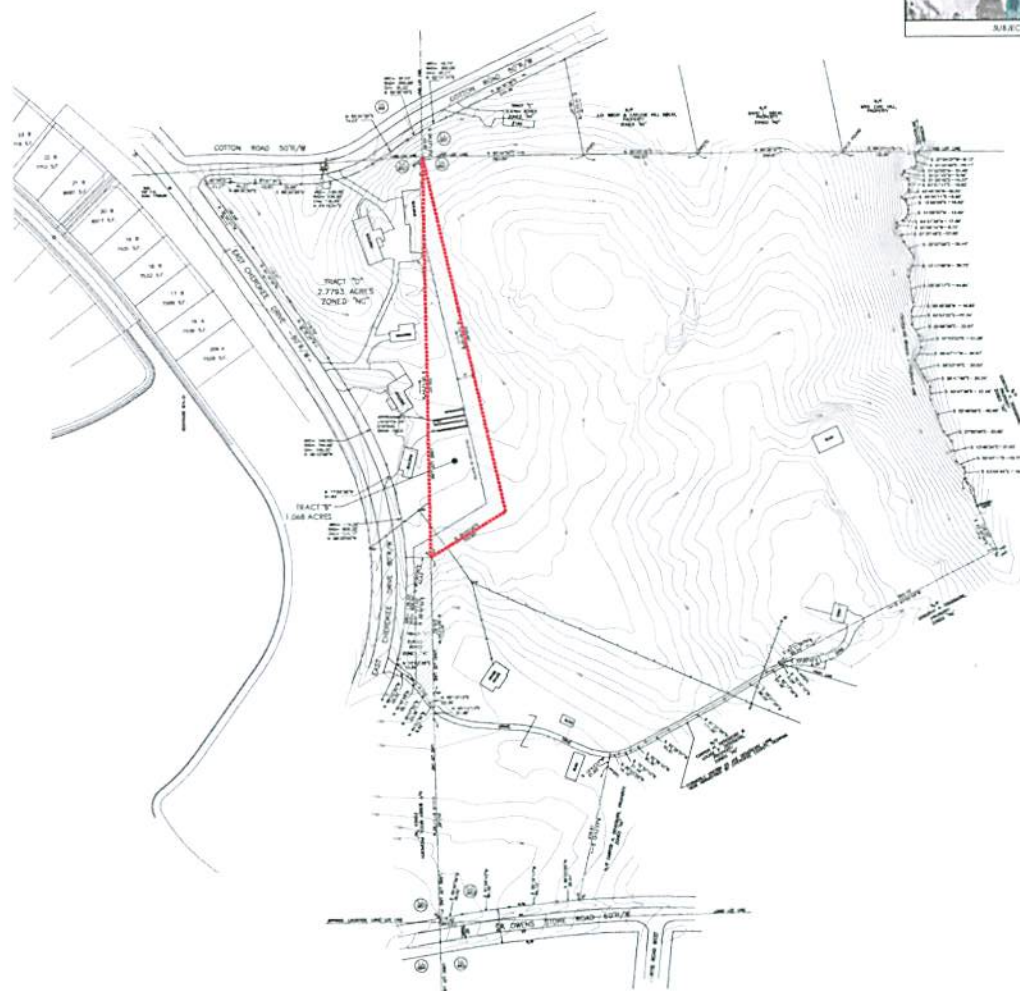
Thank you for your consideration of this information.

Yours truly,

E. Benson Chambers
Attorney for Applicant

[illegible]

A site vicinity map showing the location of the site relative to Columbus, Ohio. The map includes labels for Columbus, OH, and surrounding roads such as Columbus Rd, Chatham Square Rd, and Chatham Rd. A shaded area indicates the site location, with a callout pointing to it labeled 'SITE'.



FACTSHEET
ISSUE:
 7.4 M. AFTER 87 DDB ACRES
BY JUDGE:
 DISTRICT JUDGE, N.J.
 PH. 973.662.2700 (N.J.)

PROJECT DIRECTORY	
DEVELOPER	STEVEN POWERS GATES CONSTRUCTION, LLC 3180 NORTH POISE PKWY., SUITE 107 ALPHARETTA, GA 30005 PHONE: 678.265.1330
ENGINEER	CHARLES J. MAXWELL, P.E. MAXWELL, EYDICK AND ASSOCIATES, P.C. 516 COMMERCE PARKWAY, SUITE 3000 ATLANTA, GA 30328 PHONE: 404.489.7117

[illegible]

MAXWELL-REDDICK
AND ASSOCIATES

**ENGINEERING &
LAND SURVEYING**
1101 Jefferson Ave.
Suite 201
Oak Brook, IL 60450
(708) 584-7100 FAX
(708) 584-7101

DRY COMPOUND PAPER
L&L 800
Aurora, IL 60009
(800) 441-1111

[illegible]

姓名: _____
 学号: _____
 日期: _____

PROPOSED R-20 SUBDIVISION
OWEN STORE RD
CHEROKEE COUNTY, GA
REZONE EXHIBIT TRACT "B"

Approved:	Reviewed:	Initiated:
CJM	THE	CJM
DATE: NOV. 11, 2015		
JOB NO.: 2015-042		
SCALE: AS SHOWN		

DRAWING NUMBER
C2.0
2 OF 2 SHEETS



Cherokee County, Georgia Agenda Request

SUBJECT:

Case #16-01-003 Hickory Flat United Methodist Church (BOC Dist. 2)

MEETING DATE:

1/5/2016

SUBMITTED BY:

Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 1.3 acres on Hickory Flat Highway from R-80 to OI for office institutional uses.

FACTS AND ISSUES:

Commission District:	2
Zoning Change:	R-80 to OI
Location:	Hickory Flat Highway
Tax Map and Parcel No:	02N02, 072
Acres:	1.3
Proposed Development:	Office Institutional Uses
Future Development:	Suburban Growth w/Transitional Corridor

BUDGET:

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

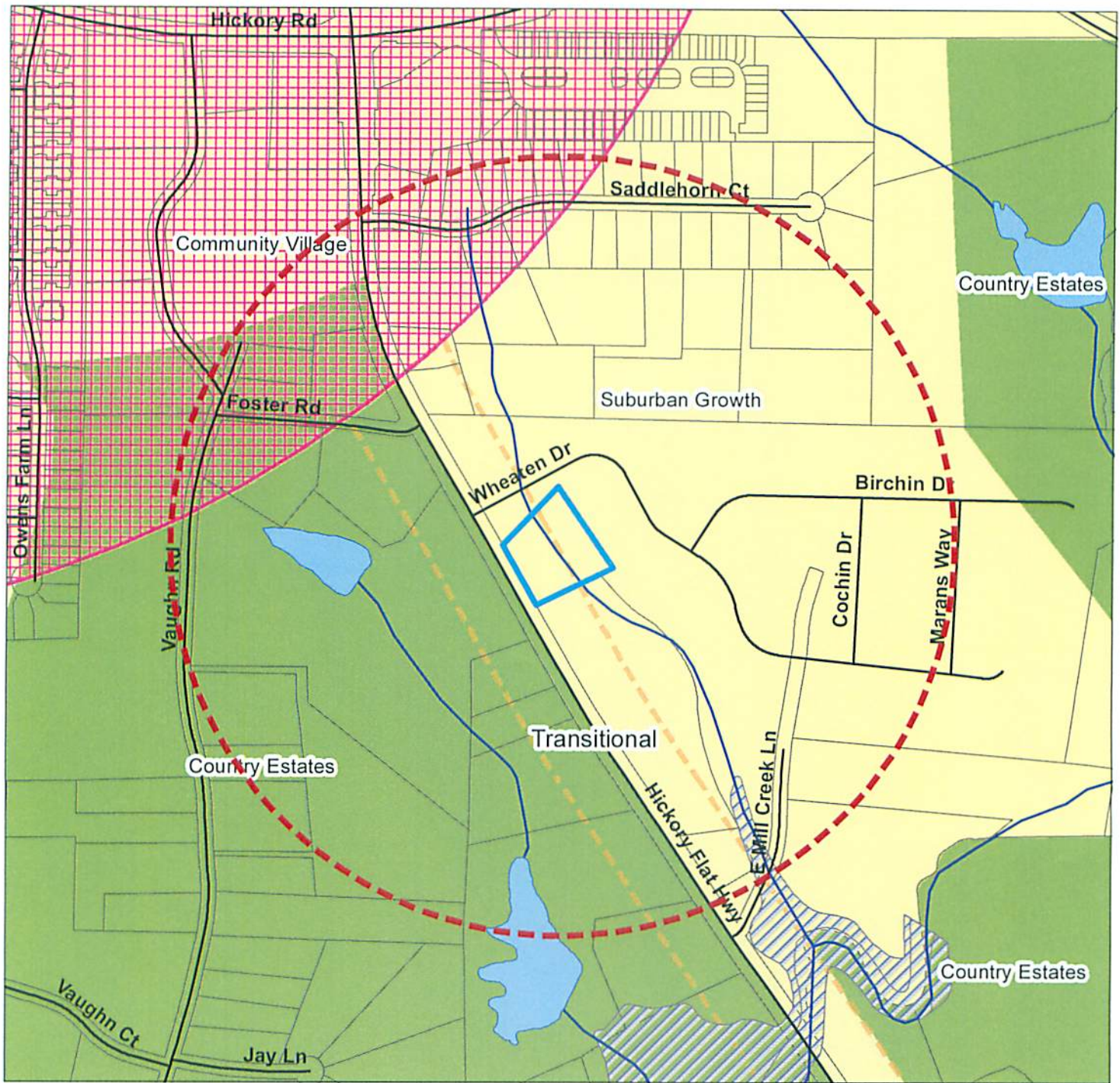
ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> PP Report	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Notice Signs	Exhibit

Case # 16-01-003 - Hickory Flat United Methodist Church

Future Development Map from the Comprehensive Plan



Legend

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

Miles
0 0.05 0.1 0.2

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
December 3, 2015



BK PG
5866 245
FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
03 FEB -6 PM 12:45
BOOK 5866 PAGE 245
Anne M. Peneau

5/8
120
KANE, THOMAS & BROWN, LLC
241 HERITAGE WALK
WOODSTOCK, GA 30188
6374

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF CHEROKEE

CHEROKEE COUNTY, GA.
REAL ESTATE TRANSFER TAX
PAID 189.50 ✓
DATE 2/16/03
Anne M. Peneau
CLERK OF SUPERIOR COURT

This indenture made this 21st day of January, in the year Two Thousand Two, between LINDA W. ROBERSON, of the County of CHEROKEE, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and HICKORY FLAT UNITED METHODIST CHURCH, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits). **BY: HARDY SAXON, CHAIRMAN OF PROPERTY MANAGEMENT COMMITTEE, AS TRUSTEE AND BY: M.R. OGLESBY, JR. CHAIRMAN OF BUILDING EXPANSION COMMITTEE, AS TRUSTEE

WITNESSETH that Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof to 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,

See Exhibit "A" attached hereto and incorporated herein by reference.

Subject to restrictive covenants and easements of record.

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 said proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

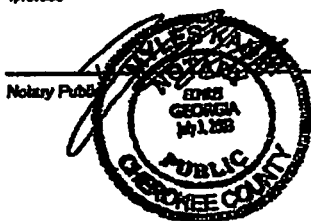
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:


LINDA W. ROBERSON (Seal)

Witness



(Seal)

BK

PG

5866 246

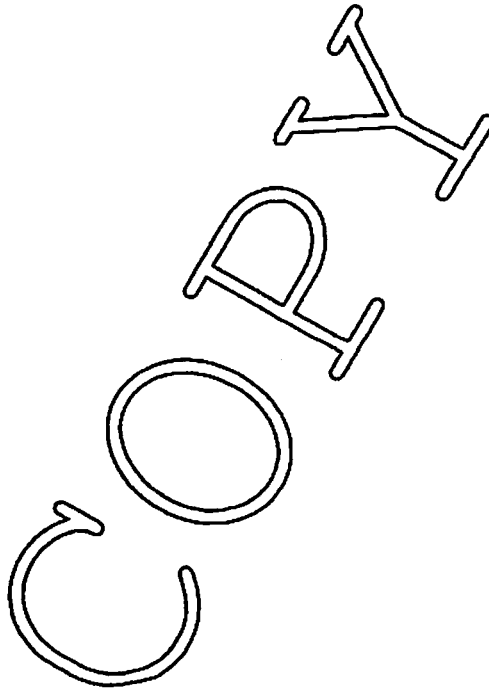
EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE SECOND DISTRICT AND 2ND SECTION, CHEROKEE COUNTY, GEORGIA, AND BEING A PORTION OF LAND LOT NO. 431 AND BEING 1.34 ACRES AS SHOWN ON A PLAT OF SURVEY PREPARED FOR JAMES T. ROBERSON AND LINDA W. ROBERSON BY JERRY THACKER AND ASSOCIATES DATED 08-30-80 AND RECORDED IN PLAT BOOK 17, PAGE 169 OF CHEROKEE COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO ASCERTAIN THE TRUE POINT OF BEGINNING BEGIN AT A POINT FORMED BY THE INTERSECTION OF THE NORTHEAST RIGHT OF WAY OF GEORGIA HIGHWAY NO. 140 WITH THE WEST LAND LOT LINE OF LAND LOT NO. 431; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE NORTHEAST RIGHT OF WAY OF GEORGIA HIGHWAY NO. 140 AND FOLLOWING THE CURVATURE THEREOF A DISTANCE OF 216.6 FEET TO AN IRON PIN, THE SAME BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 5 MINUTES 00 SECONDS A DISTANCE OF 255.0 FEET TO AN IRON PIN THAT IS SOUTH 31 DEGREES 22 MINUTES 00 SECONDS EAST A DISTANCE OF 268.0 FEET TO AND IRON PIN THAT IS SOUTH 45 DEGREES 05 MINUTES 00 SECONDS WEST A DISTANCE OF 255.0 FEET TO AN IRON PIN LOCATED ON THE NORTHEAST RIGHT OF WAY OF GEORGIA HIGHWAY NO. 140; THENCE NORTH 31 DEGREES 22 MINUTES 00 SECONDS WEST ALONG THE NORTHEAST RIGHT OF WAY OF GEORGIA HIGHWAY NO. 140 A DISTANCE OF 288.0 FEET TO AN IRON PIN, THE SAME BEING THE POINT OF BEGINNING, AND CONTAINING 1.34 ACRES.

XP

Rec 4-3-03



Vicki Taylor Lee

From: awardhjp <awardhjp@bellsouth.net>
Sent: Friday, December 11, 2015 10:46 AM
To: Vicki Taylor Lee
Subject: Re: PPR

Ms Lee,

I thought i had include a brief letter re guarding the public participation meeting. One person attended the meeting Dec 1, 2015 @ 7 PM. She was curious about what type of business would be their and had no objection to the re-zoning.

Need any thing else let me know

Thank You

Hugh Patterson

On Friday, December 11, 2015 9:30 AM, Vicki Taylor Lee <vtaylor@cherokeega.com> wrote:

Mr. Patterson,

You haven't told us the results of your public participation meeting. How many people came? What were they most concerned about?

*Vicki Taylor Lee, AICP
Zoning Administrator
Land Use Management*

This message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, confidential, and exempt from disclosure under applicable law or may constitute as attorney work product. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by telephone and (i) destroy this message if a facsimile or (ii) delete this message immediately if this is an electronic communication. Thank you.

--

This email was Anti Virus checked by Sophos Security Gateway. <http://www.sophos.com>

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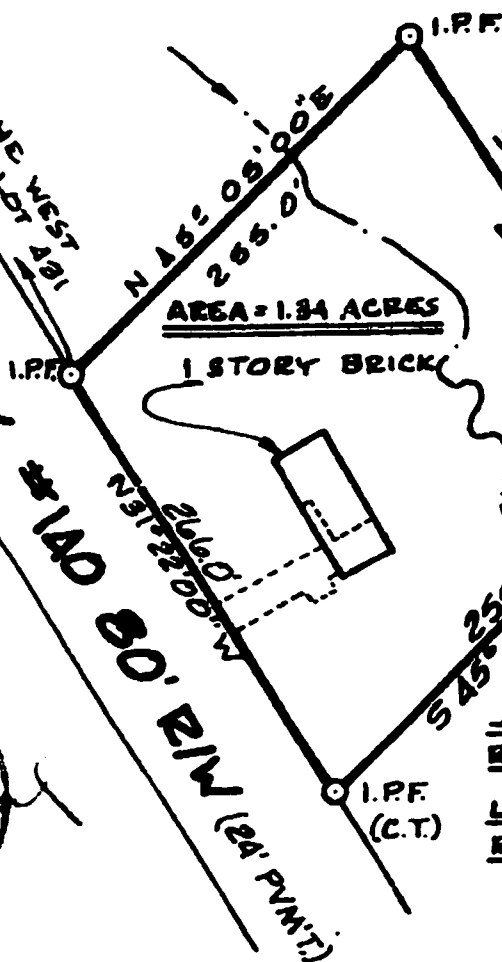
This email was Anti Virus checked by Sophos Security Gateway. <http://www.sophos.com>

GA. FILED
 GEORGIA CHEROKEE CO.
 PLAT FILED FOR RECORD
 10-6-80 AT 12:30 PM
 RECORDED IN PLAT
 BOOK 17 PAGE 159
 ANNETTE FLEMING
 CLERK SUPERIOR COURT



FRANKLIN L. WATERS

215.6' TO THE WEST
 LINE OF LAND LOT 431



AREA = 1.84 ACRES

1 STORY BRICK

JAMES T.
 ROBERSON
 &
 LINDA W.
 ROBERSON

FRANKLIN L.
 WATERS.

NOTES:

- 1) REFERENCE PLAT OF A BOUNDARY SURVEY FOR JAMES T. ROBERSON & LINDA W. ROBERSON DATED 8-14-78, BY JERRY THACKER & ASSOCS. JOB NO. 78-142-788
- 2) REFERENCE PLAT FOR FRANKLIN L. WATERS DATED 8-3-78, BY BATES-LONG & ASSOCS. JOB NO. 8 142
- 3) ROAD & SOUTH BOUNDARY SURVEYED BY JERRY THACKER & ASSOCS., REMAINDER SURVEYED BY BATES-LONG & ASSOCS. (SEE NOTE 2)



LEGEND

1. IPP - IRON PIN PLACED (1/2" REINFORCING BAR)
- 2 I.P.F. - IRON PIN FOUND
- 3 CT. - CRIMP TOP PIN
- 4 OT - OPEN TOP PIN
- 5 LLL - LAND LOT LINE
- 6 R/W - RIGHT OF WAY
- 7 R. - PROPERTY LINE
- 8 C - CENTERLINE
- 9 -X- - FENCE LINE
- 10 -●- - PINS PLACED ON LINE
- 11
- 12
- 13

FIELD WORK BY
 DRAWN BY R.E. CHK. BY B.V.I.
 JOB NO. 80-2645-20A

COMPOSITE PLAT

SUBDIVISION:

SURVEY FOR:

JAMES T. ROBERSON &
 LINDA W. ROBERSON

MORTGAGEE:

LAND LOT(S) 431

DISTRICT 2, SECTION 2

CITY:

CHEROKEE CO., GEORGIA

SCALE: 1 IN. = 100 FT.

REVISION DATES:

PREPARED 6-30-80 BY

JERRY THACKER & ASSOCIATES

CONSULTING CIVIL ENGINEERING
 LAND SURVEYING COMPUTER SERVICES

221 E. MAIN STREET
 CANTON, GEORGIA 30114

404-473-4911 CANTON
 404-522-7268 (ATL. NO.)
 404-992-0270 ROSWELL



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: HUGH J. PATTERSON Phone: 678-756-6726
Email: EDWARDJP@BELLSOUTH.NET

Applicant's Information:

Name: (HUGH PATTERSON) HICKORY FLAT UNITED METHODIST Church

Address: 7211 HICKORY FLAT HWY Phone: 678-756-6726

City, State, Zip: WOODSTOCK, GA 30188

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

Name: HICKORY FLAT UNITED METHODIST Church

Address: 7211 HICKORY FLAT HWY Phone: 678-756-6726

City, State, Zip: WOODSTOCK, GA 30188

Requested Public Hearing (check all that apply):

☒ Rezoning

☐ Amendment / Modification of Zoning

☐ Variance / Appeal

☐ Other: _____

STAFF USE ONLY:

Commission District: 2

Case: 16-01-003

CityView # PL2015-0553

Received by: _____

Fee Paid: \$ 150.00

Date: 11.20.15

PUBLIC HEARING SCHEDULE:

Public Participation Meeting: _____

PC Work Session Date: _____

Planning Commission Hearing: _____

Board of Commissioners: _____

Zoning Board of Appeals: _____

Other: _____

SECTION II

Property Information:

Location: 7211 HICKORY FLAT HWY, WOODSTOCK, GA 30188

Current Zoning: R-80 Proposed Zoning: O.I Total Acreage: 1.3ac

Tax Map #: 02 N 02 Parcel #: 072 Land Lot(s): 431 District: 2

Future Development Map Designation: Suburban Growth w/Transitional Corridor

Adjacent Zonings: North R-20 South NC East R-20 West R-80

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

REZONING FROM R-80 TO O/I

CURRENTLY BEING USED AS CHURCH OFFICES

Proposed Use(s) of Property:

FUTURE USE AS O/I


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, HUGH J. PATTERSON, 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 19 day of NOVEMBER, 2015.

Print Name HUGH J. PATTERSON

Applicant Signature 

SECTION III

Infrastructure Information:

Is water available to this site? ☒ Yes ☐ No

Jurisdiction: CLWSA

How is sewage from this site to be managed?

Septic

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.

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.

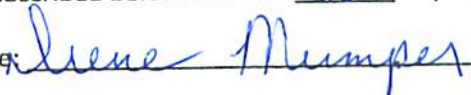
To Whom: _____

Value of Contribution: _____

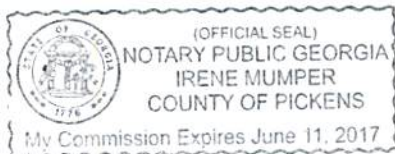
Date of Contribution: _____

Signature of Applicant:  Date: 11-20-15
Print Name: Hugh J. PATTERSON

Sworn to and Subscribed before me this: 20 day of Nov., 20 15.

Notary Signature: 

(Notary Seal)



SECTION IV

CONFLICT OF INTEREST CERTIFICATION

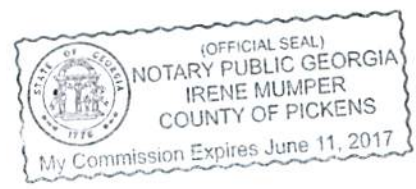
The undersigned below, making application for a zone change has complied with the O.C.G.A. § 36-67A, et. Seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided. Title 36 relates to disclosure of financial interests, campaign contributions,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

Signature of Applicant: *Hugh J. Patterson* Date: 11-20-15
Print Name: HUGH J. PATTERSON

Signature of Applicant's Attorney: _____ Date: _____
Print Name: _____ Title: _____

Sworn to and Subscribed before me this: 20 day of Nov., 2015.
Notary Signature: *Irene Mumper*

(Notary Seal)



SECTION V.

Applicant Response Statement-Rezoning and amendments to zoning conditions

- 1. Explain the intent of the requested zoning**

Currently the building is being used as the business offices for Hickory Flat United Methodist Church. The intent of rezoning to O/I is to facilitate the sale of the property. Church wishes to consolidate its business offices to the main campus of the church. Property must be sold to accomplish this.

- 2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property**

Building is currently used as O/I. Some of the property adjacent to this site is currently being used as O/I

- 3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**

Rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

- 4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned**

Property does not have a reasonable economic use as currently zoned

- 5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools**

Rezoning will have no effect on existing streets, transportation facilities, utilities, or schools

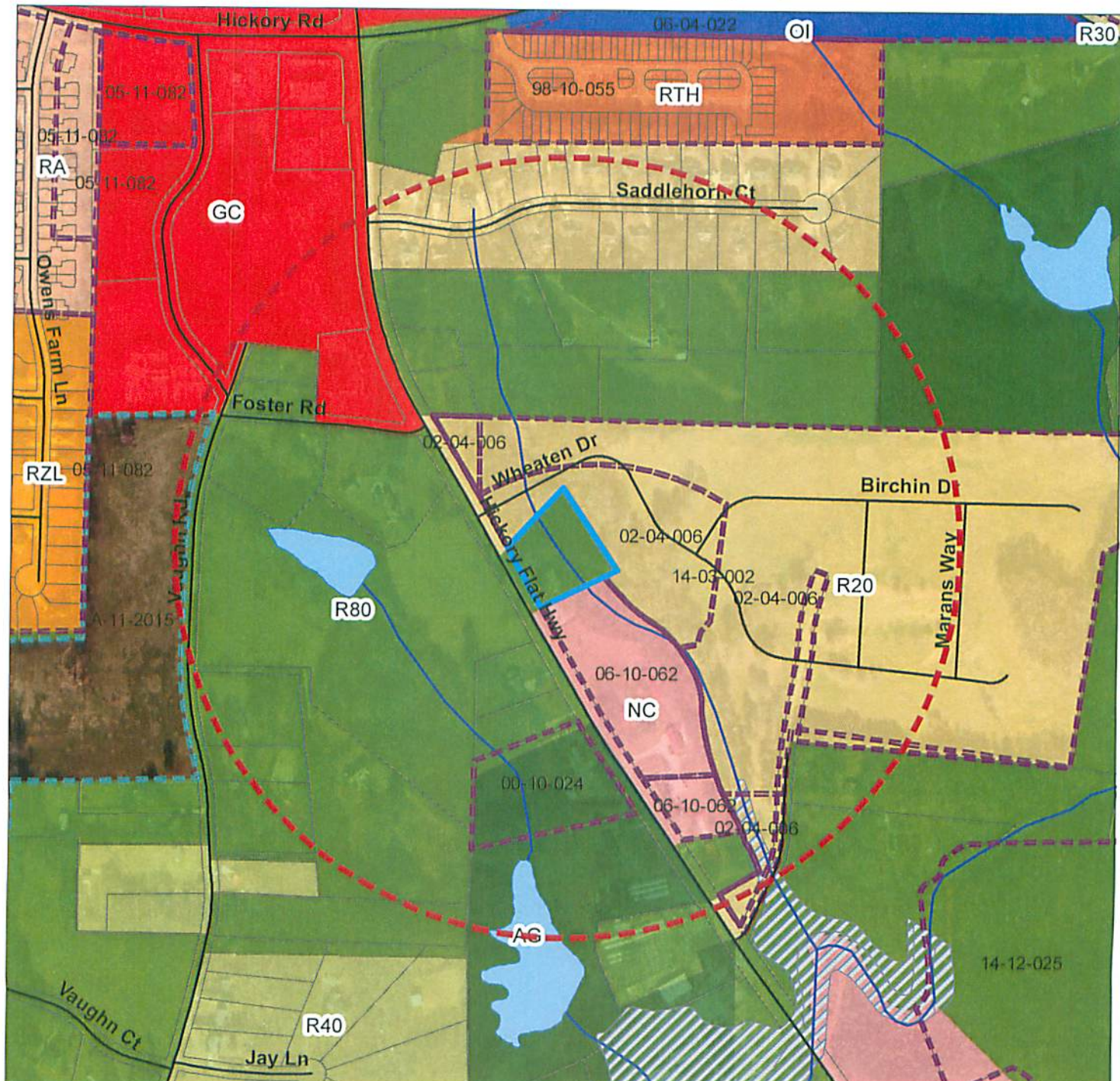
- 6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan**

Property is in conformity with land use plan. Property is located in Suburban Growth W/ Transitional Corridor

- 7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning**

Property is currently used as O/I status. Other property located within 750 feet is zoned as O/I.

Current Cherokee County Zoning Map



Legend

-
- Cherokee Zoning**
- Legend:**
- Rezoning Parcels
 - Streets
 - 1/4 mile radius
 - Recent Zoning Cases
 - City Annexations
 - 100 Year Flood Zone
 - Woodstock
 - AG
 - R80
 - R60
 - R40
 - R30
 - R20
 - R15
 - RD3
 - R10
 - RZL
 - RA
 - RTH
 - RM10
 - RM16
 - TND
 - PUD
 - OI
 - NC
 - GC
 - LI
 - HI
 - Bells Ferry Overlay
 - Hwy 92 Overlay

0 0.05 0.1 0.2 Miles

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
December 3, 2015





**ZONING
NOTICE**

200-0000

200-0000

200-0000

200-0000

200-0000

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Cherokee County, Georgia Agenda Request

SUBJECT:

**Case #16-01-004 Mutual Home Solutions (BOC
Dist. 2)**

MEETING DATE:

1/5/2016

SUBMITTED BY:

Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 5 acres on Darnell Road from R-20 to R-15 for a residential subdivision.

FACTS AND ISSUES:

Commission District: 2
Zoning Change: R-20 to R-15
Location: Darnell Road
Tax Map and Parcel No: 15N26, 016A
Acres: 5.0
Proposed Development: Residential Subdivision
Future Development Map: Suburban Growth

BUDGET:

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

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Existing Site Resources Map	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Notice Sign	Exhibit
<input type="checkbox"/> PP Report	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Survey	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit

FIELD BOOK 100, PAGE 1, FILE 1000A

- LEGEND
- 1) 1/4" S - IRON PIN SET (G.R.)
 - 2) 1/4" F - IRON PIN FOUND
 - 3) 1/4" B - REINFORCING BAR
 - 4) 1/4" A - ARC
 - 5) 1/4" R - RADUS
 - 6) 1/4" D - DITCH
 - 7) 1/4" N - NOT BOUND
 - 8) 1/4" M - MOUND
 - 9) 1/4" S - DROP SILET
 - 10) 1/4" L - BUILDING LINE
 - 11) 1/4" R - RIGHT OF WAY
 - 12) 1/4" J - JUNCTION BOX
 - 13) 1/4" F - FIRE HYDRANT
 - 14) 1/4" L - LAND USE LINE
 - 15) 1/4" C - CHORD CURVING
 - 16) 1/4" O - CHORD DISTANCE
 - 17) 1/4" F - FLOW OR FORMULAY
 - 18) 1/4" S - SANITARY SEWER
 - 19) 1/4" S - SANITARY SEWER EJECTMENT
 - 20) 1/4" P - POWER & (G) PHONE POLE
 - 21) 1/4" C - CLOSURE EJECTMENT
 - 22) 1/4" E - CENTERLINE
 - 23) 1/4" P - PROPERTY LINE
 - 24) 1/4" O - OVERHEAD POWER LINE
 - 25) 1/4" O - OVERHEAD PHONE LINE
 - 26) 1/4" F - FENCE (APPROX LOC.)
 - 27) 1/4" S - STREAM (APPROX LOC.)
 - 28) 1/4" S - CROWN (APPROX LOC.)

NOTES

- A) USON PINS AT ALL CORNERS
- B) EXISTING ZONING - P-20
- C) MEASURE EXTENDS:
- FRONT - AS SHOWN
- SIZE - 10 FEET
- REAR - 30 FEET
- D)

1) N.A. NATIONAL FLOOD INSURANCE PROGRAM (N.F.I.P.), OFFICIAL FLOOD INSURANCE RATE MAP, MAP NO. 1305700020, REVISED 02-28-00, SHOWS THIS PROPERTY NOT TO BE IN AN ARE & HAVING SPECIAL FLOOD HAZARDS.

THIS SURVEY ONLY INCLUDES OBJECTS THAT ARE VISIBLE ON THE SURFACE. THIS FIRM IS NOT RESPONSIBLE FOR UNDERGROUND UTILITIES OR OTHER OBJECTS THAT ARE NOT APPARENT BY VISUAL OBSERVATION.

REFERENCE PLATS

- 1) FINAL SUBDIVISION PLAT OF: MIDDLEBROOK, PHASE - 2, DATED MAY 12, 2000, REVISED LAST NOV. 22, 2004 BY: BATES & LONG & ASSOCIATES, RECORDED IN PLAT BOOK 82, PAGE 54.
- 2) SURVEY FOR DARNELL ESTATE, DATED DEC. 12, 1901, REVISED LAST NOV. 20, 1905, BY: BATES & LONG & ASSOCIATES, FILE # 91125.
- 3) FINAL SUBDIVISION PLAT FOR DARNELL ESTATE, DATED APRIL 08, 2015, BY: MARTIN LAND SURVEYING, P.C., RECORDED IN PLAT BOOK 114, PAGE 108.

REFERENCE DEEDS

- 1) DEED BOOK 6300, PAGE 880
- 2) DEED BOOK 1600, PAGE 112
- 3)

DARNELL ROAD 50' R/W (PUBLIC)

AREA = 5.00 ACRES



GEORGIA

Surveying Professional Seal and Stamp

Scale: 1" = 30' FT

GRAPHIC SCALE - FEET

0' 15' 30' 60' 90' 120'

MARTIN LAND SURVEYING, P.C.
MARTIN, C. MARTIN, B.L.S.
LICENSE NO. 137400078
204 HAWKWOOD DRIVE
WOODSTOCK, GEORGIA 30189
PHONE (770) 928-0020
MCM
LAND SURVEYING
UNINCORPORATED
LAND SURVEYING

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 30,000 FEET AND AN ANGULAR ERROR OF 1" PER ANGLE POINT, AND WAS MEASURED USING COMPARISABLE MEASUREMENTS.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 25,000 FEET.

EQUIPMENT USED FOR MEASUREMENTS:
LEICA TS10
LEICA TS10

ALL MATTERS OF TITLE ARE EXCEPTED

TOPOGRAPHICAL MAP FOR -

27TH GROUP HOMES LLC

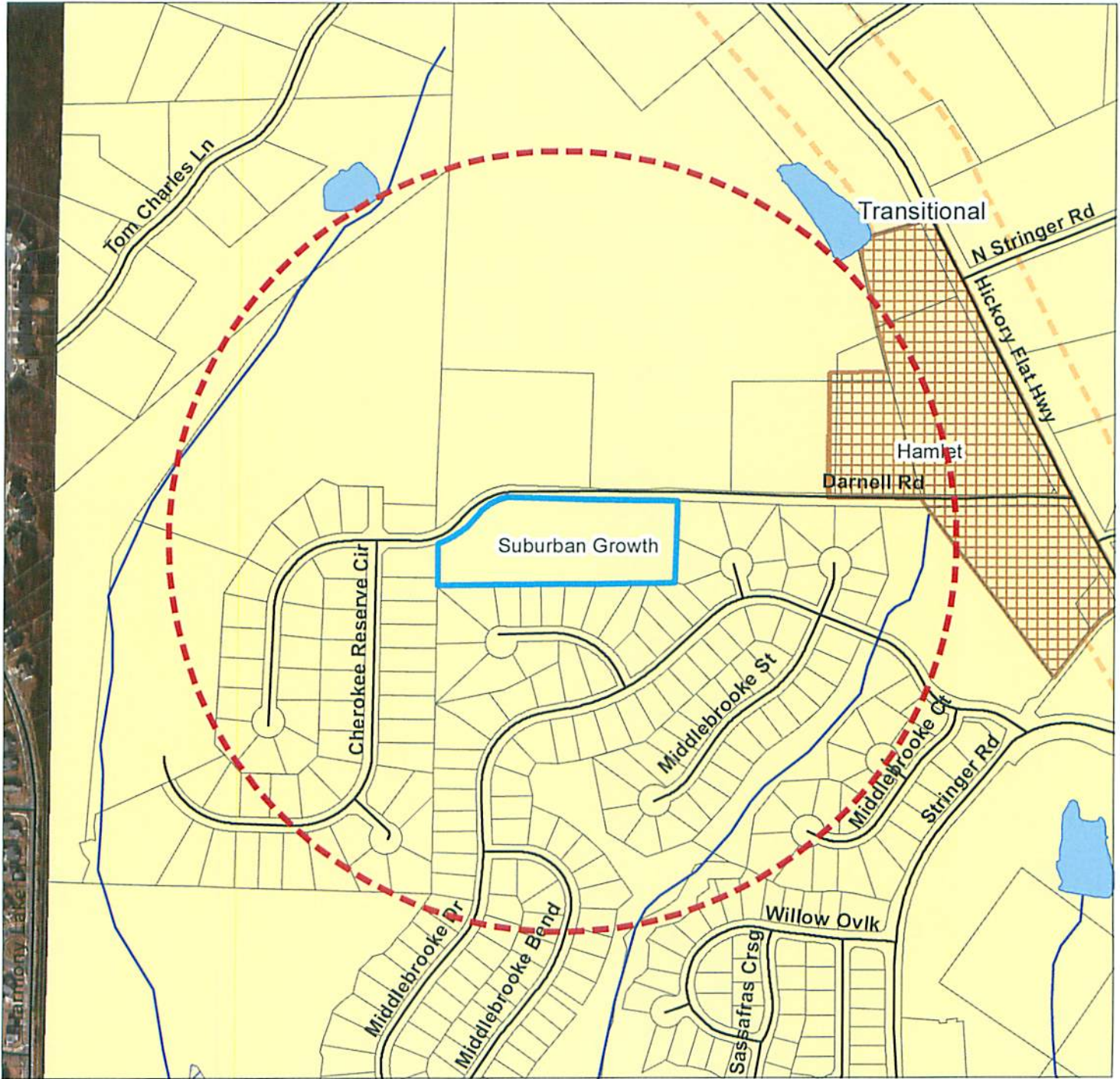
LAND (LOC) - 27, DISTRICT - 15, SECTION - 2
CITY - [CHEROKEE COUNTY, GEORGIA]
FIELD WORK - NOVEMBER 10, 2015
PLAT PREPARED - NOVEMBER 11, 2015
DRAWN BY - [NAME]
DATE FILE - 11-11-2015
JOB NO - 15-1008-1000

SCALE 1" = 30' FT

115 ADDRESS
325-327 DARNELL ROAD
CANTON, GEORGIA 30115

Case # 16-01-004 - Mutual Home Solutions

Future Development Map from the Comprehensive Plan



Legend

- Rezoning Parcels
- Streets
- 1/4 mile radius
- 100 Year Flood Zone
- Woodstock

Character Areas

- Natural Preserve
- Rural Places
- Country Estates
- Suburban Growth
- Suburban Living
- Neighborhood Living
- Bells Ferry LCI
- Urban Core
- Workplace Center
- Regional Center
- Waste Management

Development Nodes

- County Crossroads
- Hamlet
- Neighborhood Village
- Community Village

Corridors

- Scenic Corridor
- Transitional Corridor
- Development Corridor

Miles
0 0.05 0.1 0.2

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
December 3, 2015



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 247, OF THE 15TH DISTRICT 2ND SECTION OF CHEROKEE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT A POINT WHICH IS LOCATED AT THE NORTHWEST CORNER OF LAND LOT 247 (SAID POINT BEING LOCATED AT THE COMMON LAND LOT CORNERS OF LAND LOTS 246, 247, 186 AND 187); THENCE TRAVELING ALONG THE COMMON LAND LOT LINE OF LAND LOTS 246 AND 247 THE FOLLOWING COURSE AND DISTANCE: SOUTH 00 DEGREES 04 MINUTES 33 SECONDS WEST A DISTANCE OF 222.78 FEET TO AN IRON PIN FOUND (NO. 5 REBAR) WHICH IS LOCATED ON THE SOUTHERLY RIGHT OF WAY (50 FOOT RIGHT OF WAY) OF DARNELL ROAD AND THE TRUE POINT OF BEGINNING; THENCE TRAVELING ALONG THE SOUTHERLY RIGHT OF WAY OF DARNELL ROAD THE FOLLOWING COURSES AND DISTANCES: THENCE NORTH 29 DEGREES 09 MINUTES 59 SECONDS EAST A DISTANCE OF 110.50 FEET TO A POINT; THENCE NORTH 42 DEGREES 12 MINUTES 57 SECONDS EAST A DISTANCE OF 78.93 FEET TO A POINT; THENCE NORTH 50 DEGREES 28 MINUTES 44 SECONDS EAST A DISTANCE OF 38.43 FEET TO A POINT; THENCE NORTH 56 DEGREES 49 MINUTES 33 SECONDS EAST A DISTANCE OF 37.24 FEET TO A POINT; THENCE NORTH 69 DEGREES 33 MINUTES 26 SECONDS EAST A DISTANCE OF 37.15 FEET TO A POINT; THENCE NORTH 79 DEGREES 35 MINUTES 46 SECONDS EAST A DISTANCE OF 38.33 FEET TO A POINT; THENCE NORTH 88 DEGREES 09 MINUTES 24 SECONDS EAST A DISTANCE OF 49.86 FEET TO A POINT; THENCE SOUTH 89 DEGREES 27 MINUTES 01 SECONDS EAST A DISTANCE OF 153.77 FEET TO A POINT; THENCE SOUTH 89 DEGREES 52 MINUTES 24 SECONDS EAST A DISTANCE OF 181.33 FEET TO A POINT; THENCE NORTH 88 DEGREES 25 MINUTES 50 SECONDS EAST A DISTANCE OF 136.01 FEET TO A POINT; THENCE SOUTH 89 DEGREES 19 MINUTES 30 SECONDS EAST A DISTANCE OF 39.99 FEET TO AN IRON PIN FOUND (NO. 4 REBAR); THENCE LEAVING THE SOUTHERLY RIGHT OF WAY OF DARNELL ROAD AND TRAVELING SOUTH 00 DEGREES 40 MINUTES 00 SECONDS WEST A DISTANCE OF 285.30 FEET TO AN IRON PIN FOUND (NO. 4 REBAR); THENCE TRAVELING SOUTH 88 DEGREES 23 MINUTES 39 SECONDS WEST A DISTANCE OF 798.19 FEET TO AN IRON PIN FOUND (NO. 4 REBAR) WHICH IS LOCATED ON THE COMMON LAND LOT LINE OF LAND LOTS 246 AND 247; THENCE TRAVELING ALONG THE COMMON LAND LOT LINE OF LAND LOTS 246 AND 247, NORTH 00 DEGREES 04 MINUTES 33 SECONDS EAST A DISTANCE OF 85.00 FEET TO AN IRON PIN FOUND (NO. 5 REBAR) LOCATED ON THE SOUTHERLY RIGHT OF WAY OF DARNELL ROAD WHICH IS THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINING 5.00 ACRES ACCORDING TO A BOUNDARY SURVEY FOR 27TH GROUP HOMES LLC & STEWART TITLE GUARANTY COMPANY, DATED: NOVEMBER 02, 2015, PREPARED BY: MICHAEL C. MARTIN, GEORGIA R.L.S. NO. 2149, OF MARTIN LAND SURVEYING, P.C., JOB NO. 15-5556-15D.

Tamala Davis

From:
Sent:
To:
Subject:

Musah Lotallah <musah.mhs@gmail.com>
Friday, December 04, 2015 4:38 PM
Tamala Davis
Re: Rezone Application





Mutual Home Solutions LLC
515 Spring Gate Lane
Alpharetta, GA 30009

December 06, 2015

Re: Darnell St, Cherokee County

To Whom it May Concern:

On November 30th we had our public participation meeting for the rezoning of a 5 acre parcel on Darnell Rd. Several of the neighborhood members showed up. We displayed our concept plan for everyone to review. Upon reviewing the public concept plan the neighbors began to voice their opinions.

Here are a list of the concerns that the neighbors made us aware of:

- 1) There is a hill with a blind spot on Darnell Rd where if someone in lots 1, 2, or 3 were to back out of their driveway they may not see a car coming over the hill. MHS proposed that we can either have turn around pads or shared driveways for those lots so that cars can come out of their driveways in a forward facing manner.
- 2) Darnell road is really dark and they asked about street lights. MHS stated that we will look into installing street lights with the power company.
- 3) Neighbors asked about our tree save options and the trees to the rear of the lots. MHS stated that the lots are approximately 300' deep and we will not clear all trees. We are keeping the rear portion of the lots as close to their natural condition as possible. Regarding the large specimen trees in particular, we will save them by strategic placement of our proposed homes and driveways. As we are not developing any roads the only clearing will be for where our proposed homes will sit.
- 4) One neighbor was very concerned about the water drainage. In the current condition the storm water is draining through their back yard and through a neighbor's yard. This was a huge concern because of the topography of the lot. MHS proposed that with the new development we would install a detention pond to handle and guide all of the storm water. This will eliminate the drainage problem and runoff onto the adjacent properties.

Overall, the meeting was a success and we were happy to get the input from community members on our proposed development.

Thank you,

Musah Lotallah
Phone 678-861-4061
Fax 770-687-2044
musah@mutualhomesolutionsllc.com
www.mutualhomesolutionsllc.com

Sign-Up Sheet

Darnell Rd Rezoning Meeting

[12/30/2015]

Please record your name and contact information so that we can get back to you with more information.

	PRINT NAME	ADDRESS	PHONE #	EMAIL ADDRESS
1	James Somerville	146 (North) Street	7-422-0722	Somerville, MA 02148
2	CHARLES VERMILION	128 CHESTER CIRCLE RESERVE	770-337-6251	CHARLESVERMILION@AOL.NET
3	JOHN KERNS	129 CHEROKEE CIRCLE RESERVE	533-3687081	JohnKerns101@gmail.com
4	Kim Mattox	604 Middlebrooke TR	712-605-0045	
5	Mrs. Snyder	1022 Middlebrooke Dr	912-931-0868	mattox30458@yahoo.com
6	Tim & Vanessa Jacobs	708 Middlebrooke Chase	678-333-8843	butlermmd@yahoo.com
7	Elizabeth Kelly	1030 Redwood	678-959-4096	Abby@Helm.com
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

water
issue

Aplus Surveying - 404-502-4040
Tim Jacobs

*Mutual Home Solutions, LLC
515 Spring Gate Lane
Alpharetta, GA 30009
Email: info@mutualhomesolutionsllc.com*

November 18, 2015

Re: Zoning Proposal for Darnell Rd

Dear Property Owner:

This letter is to notify you of a community meeting for a zoning proposal regarding property located at Darnell Rd. Neighbors and other community organizations are invited to join the applicant to discuss the proposal at the following date, time and location:

Community Meeting Date: 11/30/2015
Community Meeting Time: 6:30-7:30 pm
Location: RT Jones Memorial Library
116 Brown Industrial Pkwy,
Canton, GA 30114

Property Description:

The subject property is located at the west corner of Cherokee Reserve and the south east of Middlebrooke Subdivision The site is currently vacant.

Project Description:

The purpose of this rezoning request is to rezone 5 acre property located at Darnell Rd (Tax Parcel15-0247-0006) from R-20 to R-15 to allow for 9 single-family lots.

Public Participation Map



Example of Craftsman Style Homes



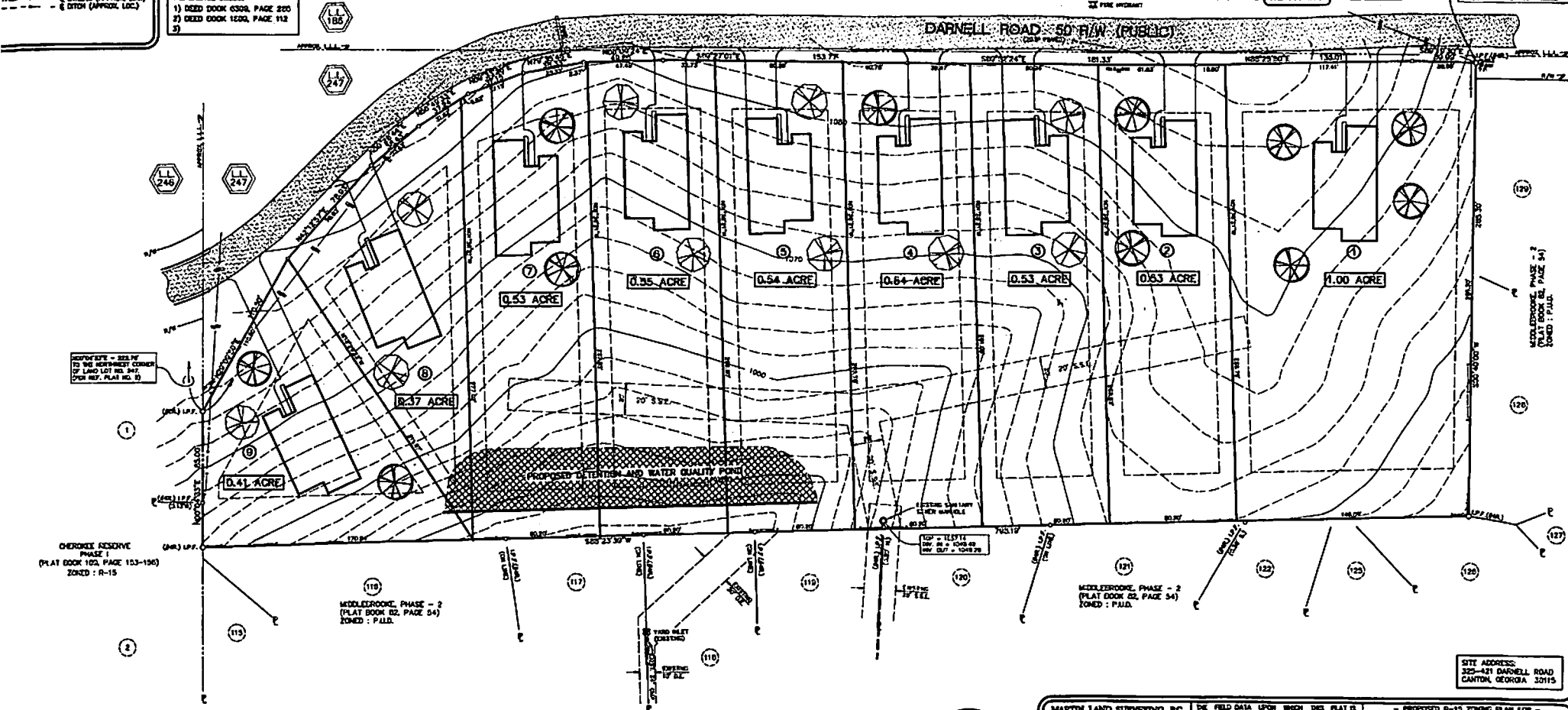
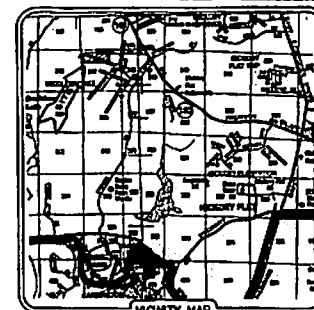
THIS SURVEY ONLY INCLUDES OBJECTS THAT ARE VISIBLE ON THE SURFACE. THIS FIRM IS NOT RESPONSIBLE FOR UNDERGROUND UTILITIES OR OTHER OBJECTS THAT ARE NOT APPARENT BY VISUAL OBSERVATION.

3) FINAL SUBDIVISION PLAT FOR:
DARNELL ESTATES,
DATED: APRIL 08, 2013,
BY: MARTIN LAND SURVEYING, P.C.
RECORDED IN PLAT BOOK 114, PAGE 108.

1) DEED BOOK 6509, PAGE 270
2) DEED BOOK 1200, PAGE 112
3)



FRONT: 30 FEET
SIDE: 10 FEET
REAR: 30 FEET



SITE ADDRESS:
325-421 DARNELL ROAD
CANTON, GEORGIA 30115

27TH GROUP HOMES LLC

THE FIELD DATA UPON WHICH THIS PLAT
BASED WAS A CLOSEST APPROXIMATION OF ONE FOOT
IN 32,824 FEET AND AN ANGLE
ERROR OF 14 PER ANGLE POINT, A
WAS ADJUSTED USING COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FROM CLOSURE
AND FORM TO BE A CLOSEST APPROXIMATION OF ONE FOOT

MARTIN LAND SURVEYING, P.C.
MICHAEL C. MARTIN, R.L.S.
 LICENSE NO. LS7000228
 104 MAYWOOD DRIVE
 WOODSTOCK, GEORGIA 30188
 PHONE: (770) 928-0700

CONCEPT PLAN - DO NOT RECORD



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: MUSAH Lotallaz Phone: 404-643-4606
Email: MUSAH.MHS@gmail.com

Applicant's Information:

Name: Mutual Home Solutions

Address: 515 Spring Gate Ln Phone: 404-643-4606

City, State, Zip: Alpharetta Ga 30009

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

Name: 27th Group Homes LLC

Address: 5675 Jimmy Carter Blvd Phone: _____

City, State, Zip: Norcross Ga 30071

Requested Public Hearing (check all that apply):

☒ Rezoning

☐ Amendment / Modification of Zoning

☐ Variance / Appeal

☐ Other: _____

STAFF USE ONLY:

Commission District: 2

Case: 16-01-004

CityView # PL2015-10554

Received by: _____

Fee Paid: \$ 250.00

Date: 12-4-15

PUBLIC HEARING SCHEDULE:

Public Participation Meeting: _____

PC Work Session Date: _____

Planning Commission Hearing: _____

Board of Commissioners: _____

Zoning Board of Appeals: _____

Other: _____

SECTION II

Property Information:

Location: Darwell Rd

Current Zoning: R-20 Proposed Zoning: R-15 Total Acreage: 5

Tax Map #: 15 N 26 Parcel #: 016A ~~15-0247-0006~~ Land Lot(s): 247 District: 15th

Future Development Map Designation: _____

Adjacent Zonings: North AG South PUD East PUD West R15

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

Proposed Use(s) of Property:

9 Residential Homes

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, Much Cottrell, 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 18th day of November, 2015.

Print Name Fahmuzzah Cottrell

Applicant Signature Fahm Cottrell

SECTION III

Infrastructure Information:

Is water available to this site? ☒ Yes ☐ No

Jurisdiction: CCWSA

How is sewage from this site to be managed?

Under Ground Sewer system public

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

If yes, what is the projected increase? 7 students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home	9	0.725	6.5
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, Anil Damani, 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: Mutual Home Solutions LLC

Address: 515 Spring Gate Lane Phone: 404-643-4606

City, State, Zip: Alpharetta GA 30009

Property Owner's Information:

Name: Anil Damani

Address: 5675 Jimmy Carter Blvd Phone: 404-9847790

City, State, Zip: Norcross GA 30071

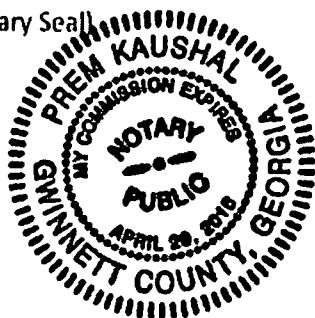
Signature of Owner: [Signature] Date: 11-18-15

Print Name: Anil Damani

Sworn to and Subscribed before me this: 18th day of November, 2015.

Notary Signature: Prem Kaushal

(Notary Seal)



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: _____

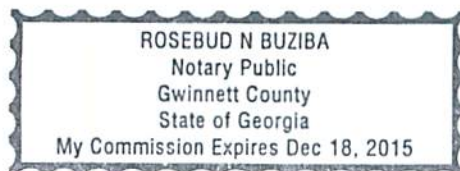
Signature of Applicant: *Fahimullah* Date: 11-18-15

Print Name: Fahimullah Coltrina

Sworn to and Subscribed before me this: 18th day of November, 20 15.

Notary Signature: *Rosebud N. Buziba*

(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: Fahmud Lottish Date: 11-19-20

Print Name: Fahmud Lottish

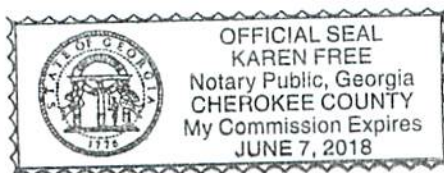
Signature of Applicant's Attorney: NA Date: 11-19-20

Print Name: NA Title:

Sworn to and Subscribed before me this: 19 day of November, 20 15.

Notary Signature: Karen Free

(Notary Seal)



Letter of Intent

The purpose of this rezoning request is to rezone a 5 acre parcel of Land located at Darnell Rd (tax parcel 15-0247-0006) from R-20 to R-15 to allow for nine single-family lots.

The subject property is currently zoned R-20, encompasses approximately 5 acres (217,800 sqft), and includes 800+ LF of frontage on Darnell Rd. The site does not lie within the floodplain and is not subject to steep slopes or any other significant site constraints. In addition, the site is either served by or is in close proximity to existing infrastructure. Public utilities were just added to the site which can help the R-15 zoning.

The subject property is located at the west corner of Cherokee Reserve which is also Zoned R-15. The site is currently vacant. Surrounding zoning includes R-15, PUD. The area is characterized by single-family residential development.

The applicant requests to rezone the subject property from R-20 to R-15 in order to create a small subdivision of craftsman style single-family homes. As proposed, all lots include all requirements of R-15 including 80' road frontage and 15,000 sqft per lot.

Zoning Analysis

1. Explain the intent of the requested zoning.

R-15 is the requested zoning that will allow the development of 9 single-family homes. Public utilities have just been added to this site enhancing the usability.

2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

As the surrounding area is predominantly residential and includes properties zoned both R-15 and PUD, the R-15 zoning proposal is consistent with the character of the neighborhood.

3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Our proposed construction will be consistent with the character of the neighborhood and nearby properties.

4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.

The proposed zoning will increase the economic use as currently zoned by developing the 5 acre parcel with nine 2500 sq feet homes.

5. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

None noted

6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan.

The subject property is identified as Suburban Growth on the Future Development Map in the Comprehensive Plan. The suburban growth policy is for development if the parcels of land has Public water available, public sewerage available. Which our parcel of land has all public utilities. The zoning proposal would yield about 1.8 dwelling units per acre. In addition, the policy emphasizes goals including appropriately planned infill development.

7. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning

None known at this time

- LEGEND:
- 1) L.P.S. - LOW P.W. SET (S.W.)
 - 2) L.P.S. - LOW P.W. FOUND
 - 3) R. - RECONSTRUCTED BAR
 - 4) A. - ARC
 - 5) R.W. - RIGHT OF WAY
 - 6) D. - DITCH
 - 7) M. - MIDDLE
 - 8) S. - SIDE
 - 9) B. - BOUNDARY
 - 10) S.L. - BUILDING LINE
 - 11) S.W. - SOUTH OF WAY
 - 12) J.R. - JUNCTION ROAD
 - 13) F.R. - FIRE HYDRANT
 - 14) L.L. - LAND LOT LINE
 - 15) C.R. - CHORD RADIUS
 - 16) C.D. - CHORD DISTANCE
 - 17) R.F. - RAIL FENCE
 - 18) S.S. - SANITARY SEWER
 - 19) P.P. - POWER & (OR) PHONE POLE
 - 20) D.E. - DRAINAGE EASEMENT
 - 21) C. - CORNER
 - 22) P. - PROPERTY LINE
 - 23) O.P. - OVERHEAD POWER LINE
 - 24) F. - FENCE (APPROX. LOC.)
 - 25) S. - STREAM (APPROX. LOC.)
 - 26) D. - DITCH (APPROX. LOC.)

- NOTES:
- A) CORNERS AT ALL CORNERS UNLESS OTHERWISE SHOWN
 - B) EXISTING ZONING R-20
 - C) MINIMUM SETBACKS: FRONT - AS SHOWN SIDE - 10 FEET REAR - 30 FEET

F.E.M.A. NATIONAL FLOOD INSURANCE PROGRAM (N.F.I.P.), OFFICIAL FLOOD INSURANCE RATE MAP, MAP NO. 15007000200, REVISED 02-25-02, SHOWS THIS PROPERTY NOT TO BE IN AN AREA HAVING SPECIAL FLOOD HAZARDS

REFERENCE PLAT:

- 1) FINAL SUBDIVISION PLAT OF: MIDDLEBROOK, PHASE - 2, DATED MAY 12, 2000, REVISED LAST: NOV. 22, 2004, BY: DATES - LONG & ASSOCIATES, RECORDED IN PLAT BOOK 82, PAGE 54.
- 2) SURVEY FOR DANIELA ESTATE, DATED DEC. 15, 1991, REVISED LAST: NOV. 30, 1995, BY: DATES - LONG & ASSOCIATES, FILE # 9109.
- 3) FINAL SUBDIVISION PLAT FOR DANIELA ESTATE, DATED APRIL 03, 2013, BY: MARTIN LAND SURVEYING, P.C., RECORDED IN PLAT BOOK 114, PAGE 105.

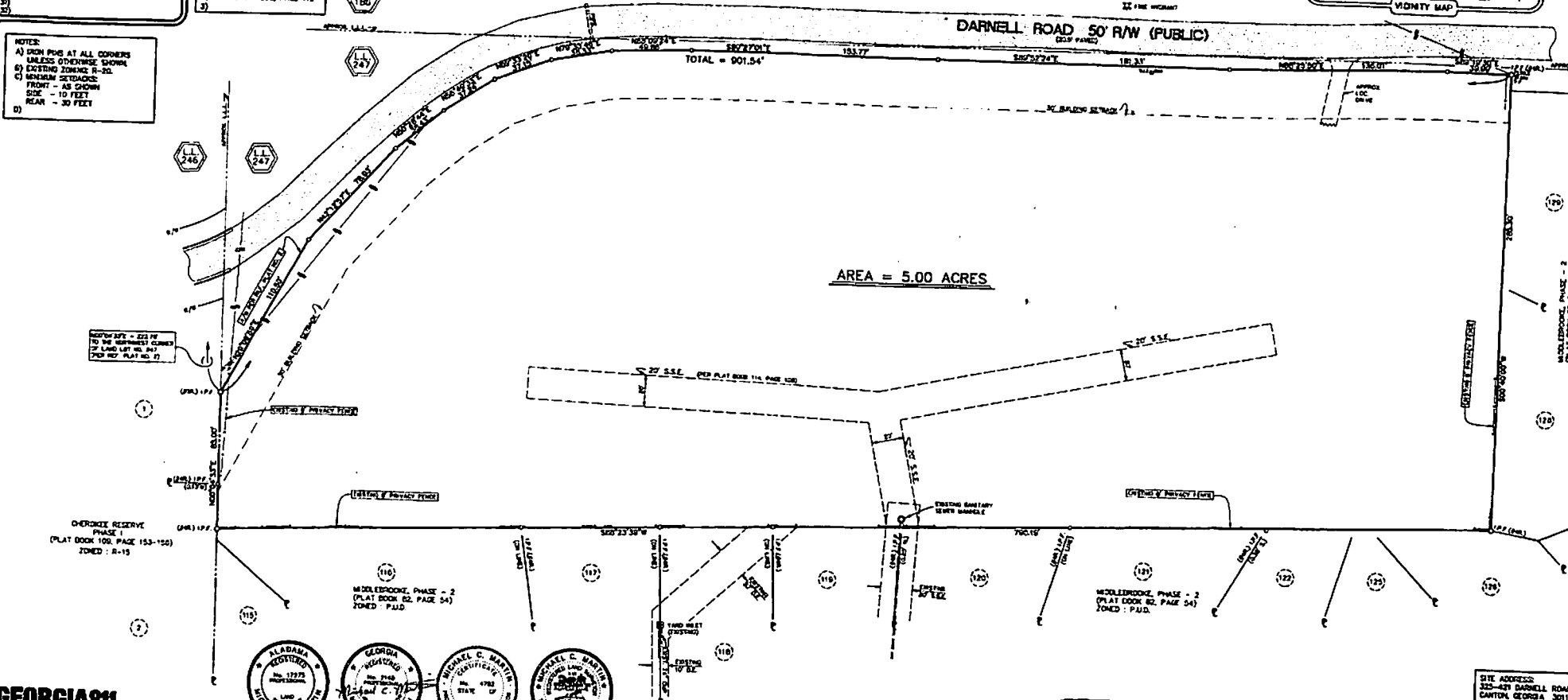
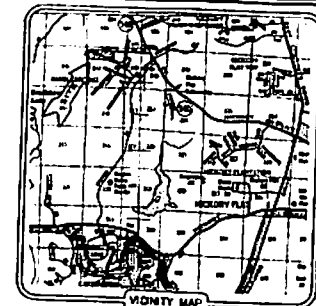
REFERENCE DEEDS:

- 1) DEED BOOK 6308, PAGE 200
- 2) DEED BOOK 1500, PAGE 112
- 3)

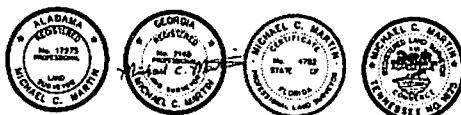
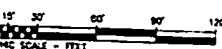
SURVEYOR'S COMMENTS / TITLE EXCEPTIONS

- REFERENCE IS MADE HEREIN TO THAT CERTAIN STEWART TITLE GUARANTY COMPANY COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. 21810-0, EFFECTIVE DATE OF COMMITMENT: OCTOBER 10, 2015, USED IN PREPARATION OF THIS SURVEY. THE FOLLOWING ADDRESSES THE SPECIAL EXCEPTIONS SECTION OF SCHEDULE B, SECTION 2:
- 8) RIGHT OF WAY EASEMENT FROM SCOTT DANIELL TO SANNIE ELECTRIC MEMBERSHIP CORPORATION, DATED MARCH 23, 1996, RECORDED AT DEED BOOK 3178, PAGE 70, RECORDS OF THE CLERK OF THE SUPERIOR COURT OF CHOCOMA COUNTY, (NOT PLOTTABLE)
 - 9) RIGHT OF WAY EASEMENT FROM SCOTT DANIELL TO SANNIE ELECTRIC MEMBERSHIP CORPORATION, DATED AUGUST 7, 2000, RECORDED AT DEED BOOK 9070, PAGE 93, AFORESAID RECORDS (NOT PLOTTABLE)
 - 10) ALL MATTERS SHOWN ON PLAT BOOK 114, PAGE 105, AFORESAID RECORDS. (AFFECTS SUBJECT PROPERTY AS SHOWN)

THIS SURVEY ONLY INCLUDES OBJECTS THAT ARE VISIBLE ON THE SURFACE. THIS FIRM IS NOT RESPONSIBLE FOR UNDERGROUND UTILITIES OR OTHER OBJECTS THAT ARE NOT APPARENT BY VISUAL OBSERVATION.



GEORGIA811
Utility Protection Service, Inc.
800-4-A-DAVE
Call before you dig.



THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYING IN GEORGIA AS SET FORTH IN CHAPTER 160-7 OF THE RULES OF THE GEORGIA BOARD OF SURVEYING AND MAPPING, AND AS SET FORTH IN THE GEORGIA PRACTICE ACT.

MARTIN LAND SURVEYING, P.C.
MICHAEL C. MARTIN, R.L.S.
LICENSE NO. 17975
104 HAYWOOD DRIVE
ROCKDALE, GEORGIA 30158
PHONE: (770) 625-0200

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 33,000 FEET AND AN ANGULAR ERROR OF 15" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 33,000 FEET.

BOUNDARY SURVEY FOR -
27TH GROUP HOMES LLC & STEWART TITLE GUARANTY COMPANY
LAND LOTS - 247, DISTRICT - 15, SECTION - 2
CITY - TOWERBERRY, GEORGIA

Case # 16-01-004 - Mutual Home Solutions

Current Cherokee County Zoning Map



Legend

Rezoning Parcels

Streets

1/4 mile radius

Recent Zoning Cases

100 Year Flood Zone

Woodstock

Cherokee Zoning

AG

R80

R60

R40

R30

R20

R15

RD3

R10

RZL

RA

RTH

RM10

RM16

TND

PUD

OI

NC

GC

LI

HI

Bells Ferry Overlay

Hwy 92 Overlay

0 0.05 0.1 0.2 Miles

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
December 3, 2015





Cherokee County, Georgia Agenda Request

SUBJECT:
Election of 2016 Officers

MEETING DATE:
1/5/2016

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

FACTS AND ISSUES:

BUDGET:

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:



Cherokee County, Georgia Agenda Request

SUBJECT:
November 3, 2015 Minutes

MEETING DATE:
1/5/2016

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

FACTS AND ISSUES:

BUDGET:

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:



Cherokee County, Georgia Agenda Request

SUBJECT:
December 1, 2015 Minutes

MEETING DATE:
1/5/2016

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

FACTS AND ISSUES:

BUDGET:

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:
