



Cherokee County Planning Commission Public Hearing AGENDA

March 1, 2016
Cherokee Hall 7:00 PM

CALL TO ORDER

ZONING CASES

- 1. Case #16-03-007 Jonatan Gonzalez (BOC District 1)**
Applicant is requesting to rezone 2.4 +/- acres on Ball Ground Highway from GC to LI for construction and landscape supplies.
- 2. Case #16-03-008 BLK Property Solutions, LLC (BOC District 1)**
Applicant is requesting to rezone 5.84 +/- acres at the intersection of Arch Drive and Ball Ground Highway from GC to RZL for a residential subdivision.
- 3. Case #16-03-009 Quinton and Sandra Vaughn (BOC District 1)**
Applicant is requesting to rezone 2.0 acres at 225 Key Drive from R-40 to GC for commercial uses.

OTHER BUSINESS

APPROVAL OF MINUTES

- 1. January 5, 2016 Minutes**
- 2. February 7, 2016 Minutes**

ADJOURN



Cherokee County, Georgia Agenda Request

SUBJECT:
Case #16-03-007 Jonatan Gonzalez (BOC
District 1)

MEETING DATE:
3/1/2016

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 2.4 +/- acres on Ball Ground Highway from GC to LI for construction and landscape supplies.

FACTS AND ISSUES:

Commission District: 1
Zoning Change: GC to LI
Location: Ball Ground Hwy
Tax Map and Parcel No: 04N03, 007
Acres: 2.4 +/-
Proposed Development: Construction and Landscape Supplies
Future Development Map: Workplace Center

BUDGET:

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

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Notice Sign	Exhibit
<input type="checkbox"/> PP Report	Exhibit



CHEROKEE COUNTY
Application for Public Hearing

Important Notes:

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

SECTION I

Contact Person: Jonatan Gonzalez Phone: 678 300 1369
 Email: fullservice.masonry@gmail.com

Applicant's Information:

Name: Jonatan Gonzalez
 Address: 5201 Tudor Hills Ln Phone: 678 300 1369
 City, State, Zip: Cumming GA 30040

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

Name: _____
 Address: _____ Phone: _____
 City, State, Zip: _____

Requested Public Hearing (check all that apply):

- Rezoning Amendment / Modification of Zoning
 Variance / Appeal Other: _____

STAFF USE ONLY:	PUBLIC HEARING SCHEDULE:
Commission District: <u>1</u>	Public Participation Meeting: <u>11-19-15</u>
Case: <u>16-03-007</u>	PC Work Session Date: <u>2-15-16</u>
CityView # <u>PL 2016-081</u>	Planning Commission Hearing: <u>3-3-16</u>
Received by: <u>wcl</u>	Board of Commissioners: <u>3-17-16</u>
Fee Paid: \$ _____	Zoning Board of Appeals: <u>N/A</u>
Date: <u>10.7.15</u>	Other: <u>N/A</u>
<u>SIGN</u>	

SECTION II

Property Information:

Location: Ball Ground Hwy
Current Zoning: GC Proposed Zoning: LI Total Acreage: 2.4 +/-
Tax Map #: D4 N 03 Parcel #: 007 Land Lot(s): 271 District: 4th
Future Development Map Designation: Workplace Center
Adjacent Zonings: North GC South GC East R-40 West R-30

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

* To change zoning from GC = Commercial to zoning LI = light Industrial so to sell ~~building~~ construction and landscaping supplies.

Proposed Use(s) of Property:

* Construction Supply and Landscape supplies

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, Jonatan Gonzalez, 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 6th day of October, 20 15.

Print Name Jonatan Gonzalez

Applicant Signature 

SECTION III

Infrastructure Information:

Is water available to this site? Yes No

Jurisdiction: Cherokee County

How is sewage from this site to be managed?

Septic System

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

If yes, what is the projected increase? 0 students

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

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: 10/06/2015

Print Name: Jonatan Gonzalez

Sworn to and Subscribed before me this: 6th day of October, 2015.

Notary Signature: _____

ADILKA VERAS
Notary Public, Gwinnett County, GA
My Commission Expires March 16th 2018



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.

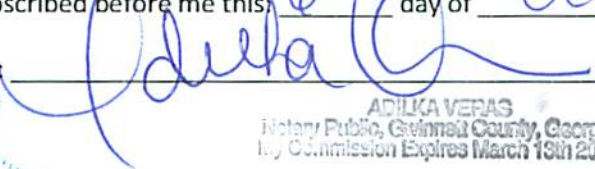
Signature of Applicant: _____ Date: 10/6/2015

Print Name: Jonatan Gonzalez

Signature of Applicant's Attorney: _____ Date: _____

Print Name: _____ Title: _____

Sworn to and Subscribed before me this 6th day of October, 2015.

Notary Signature: 

ADILKA VERAS
Notary Public, Gwinnett County, Georgia
My Commission Expires March 13th 2018



Zone Change Application

0 Ball Ground Hwy
Ball Ground, GA 30107
October 20, 2015

Vicki Taylor Lee
1130 Bluffs Parkway
Canton, GA 30114

Dear Vicki Taylor Lee,

My name is Jonatan Gonzalez. I recently purchased the Parcel Number 04N03-00000-007-00-0000 – address: 0 Ball Ground Hwy, Ball Ground GA. I have filed an application to have the zoning of this property changed from GC to LI - Commercial to Light Industrial. I intent to use this property to sell landscaping and building materials like pine straws, mulch, stones...etc. I will clean this property and build a small building to house an office. The changes will be beneficial because it will bring funds to the community thru sales tax collected and job opportunity.

I hope you agree and support this changes.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Jonatan Gonzalez', with a stylized flourish extending to the right.

Jonatan Gonzalez, Owner

October 6, 2015

Re: 0 Ball Ground Hwy, Ball Ground GA 30107
Parcel: 04N03-00000-007-00-0000
Rezoning from GC to LI

Cherokee County

Dear Cherokee County Tax Commissioner:

I, Jonatan Gonzalez respectfully request a change of zoning for the above referenced property from a General Commercial to Light Industrial. I am planning on using this property mainly to sell construction materials and landscape supplies. Specifically bricks, sand, stone, landscape supplies such as mulch, pine straws...etc.

I will maintain the property clean and I believe that this business will generate positive benefits to Cherokee county including job opportunity and collection of sales tax.

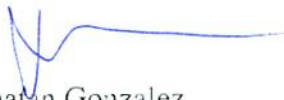
This zoning change from GC to LI will not constitute to a burdensome use of existing streets, utilities, schools or transportation. The proposed zone is in conformity with the use of the land plan. Upon approval of the zoning change requested, I will quickly fence property, clean it, install septic tank and build a small office.

I pray that you approve my petition so I can continue with my future business plan for this land/lot.

Thank you for your consideration and time.

Should you have any questions please contact me at 678-300-1369

Cordially,



Jonatan Gonzalez

Return to:
O'Kelley & Sorohan, Attorneys at Law, LLC
2170 Satellite Blvd, Suite 375
Duluth, GA 30097
File No.: 01-048047-REG

STATE OF GEORGIA
COUNTY OF GWINNETT

LIMITED WARRANTY DEED

THIS INDENTURE, made on 2nd day of October, 2015, between

Scott Merritt

(hereinafter referred to as "Grantor") and

Jonatan Gonzalez

(hereinafter referred to as "Grantee"), the words "Grantor" and "Grantee" to include the heirs, executors, legal representatives, successors and assigns of said parties where the context requires or permits; WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee.

All that tract or parcel of land lying and being in Land Lot 271, 4th District, 2nd Section, Cherokee County, Georgia, and being more particularly described as follows: To find the Point of Beginning, commence at the intersection of the Southern right of way of Duckett Road and the Western Land Lot line of Land Lot 262; thence South 57 degrees 21 minutes 28 seconds East 2200.64 feet to a 4x4 marble monument which is the Point of Beginning; running thence South 52 degrees 27 minutes 19 seconds East 323.01 feet to a 5/8-inch rebar on the Northwest right of way of Ball Ground Highway (variable right of way); thence, following said right of way, South 36 degrees 59 minutes 38 seconds West 207.40 feet to a right of way monument; thence South 36 degrees 32 minutes 07 seconds West 120.88 feet to an iron pin; thence, leaving said right of way and following the boundary line of property now or formerly of The First Interdenominational Church, North 58 degrees 00 minutes 37 seconds West 309.87 feet to a 1-inch open top pin at property now or formerly of Heritage Oaks Conservation Subdivision; thence, following said subdivision line, North 34 degrees 36 minutes 05 seconds East 347.92 feet to a 4x4 marble monument, which is the point of beginning.

TOGETHER WITH all and singular the rights, members and appurtenances thereto, to the same being, belonging, or in anywise appertaining (hereinafter collectively referred to as the "Premises").

TO HAVE AND TO HOLD the Premises, subject to the Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all persons claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has executed this instrument under seal, as of the date first above written.

Signed this 2nd day of October, 2015 in the presence of:

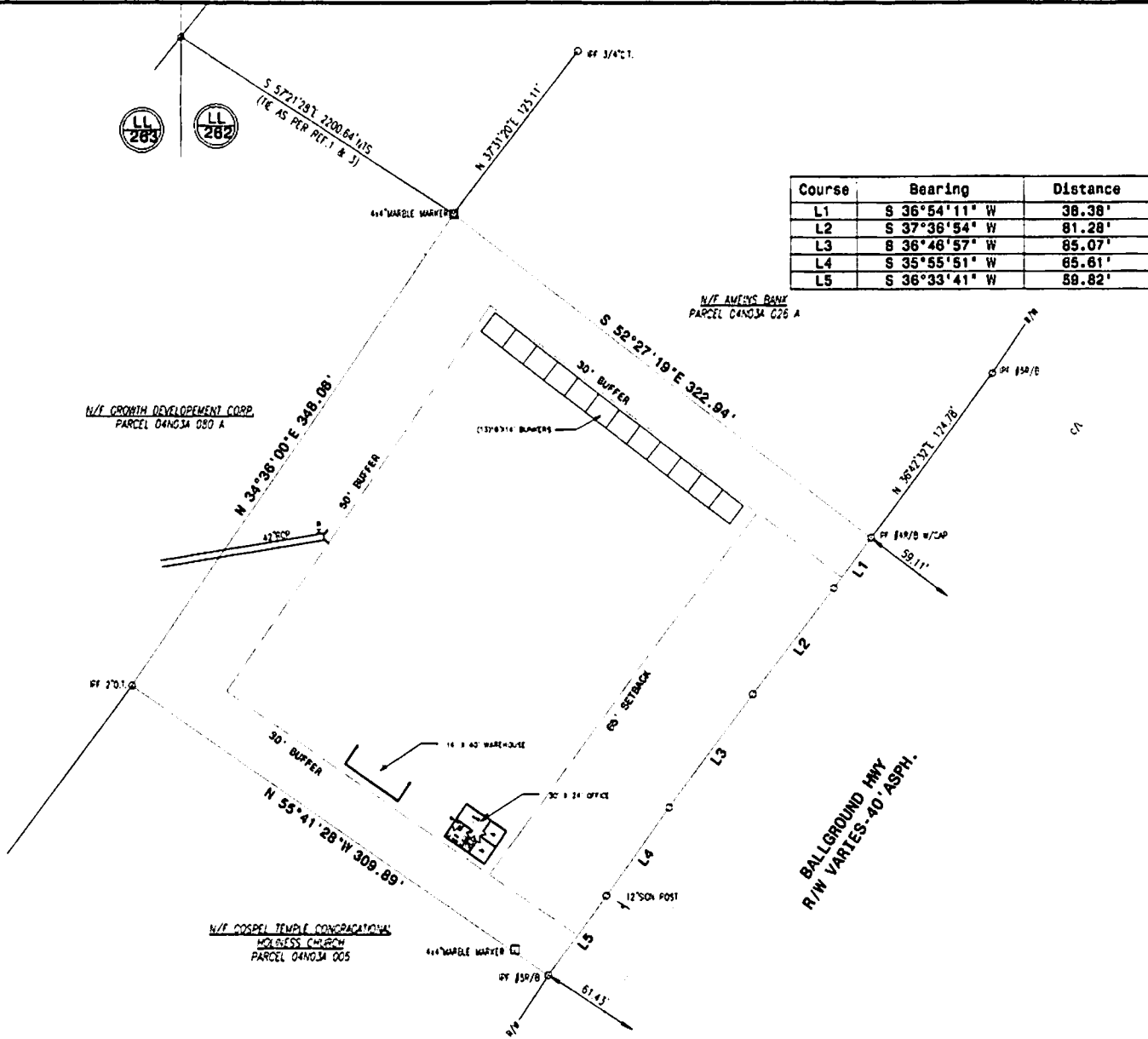
Christina A. Mitchell
Official Witness

[Signature]
Notary Public
Commission expires: 02-26-2016

Scott Merritt by Larry McLaughlin, as His A-F-F
Scott Merritt, by Larry McLaughlin, as His Attorney-In-Fact

POA BK/PG
13536/231

Victoria Lynn
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires 02-26-2016



REVISIONS

#	DATE

A
NEW
BUSINESS
FOR:

**JONATHAN
GONZALEZ**

CHEROKEE
COUNTY,
GA



AMERICAN
INSTITUTE
OF ARCHITECTS
1438 KENNEDY MILL ROAD
WATKINSVILLE, GA
30677
(404) 258-8446

TITLE: SCHEMATIC SITE
PLAN

JOB #: 1131
DATE: 01.18.16

SHEET #
SP1

S 1
SP1
SCHEMATIC SITE PLAN

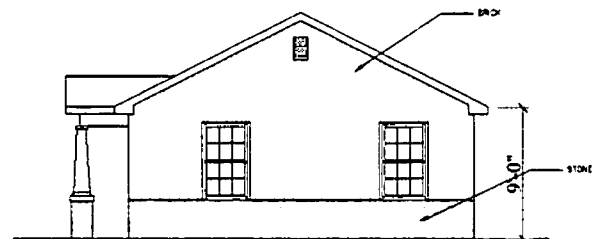
SCALE: 1" = 30'-0"
SURVEY DATA BY:
RICHARD WEBB & ASSOCIATES

PRELIMINARY - NOT FOR CONSTRUCTION



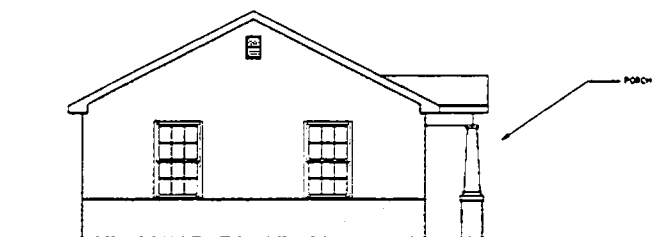
1 FRONT ELEVATION
A1

SCALE: 1/4" = 1'-0"



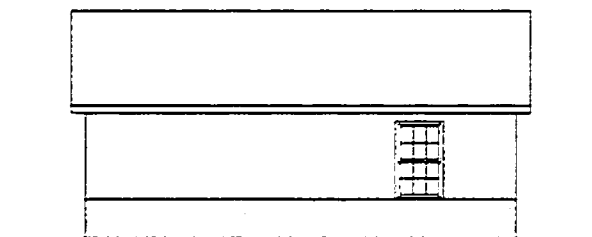
2 RIGHT SIDE ELEVATION
A1

SCALE: 1/4" = 1'-0"



3 LEFT SIDE ELEVATION
A1

SCALE: 1/4" = 1'-0"



4 REAR ELEVATION
A1

SCALE: 1/4" = 1'-0"

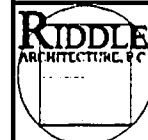
REVISIONS

#	DATE

A
NEW
BUSINESS
FOR:

JONATHON
GONZALEZ

CHEROKEE
COUNTY,
GA



AMERICAN
INSTITUTE
OF ARCHITECTS
1841 HUNTERS HALL BLVD
WATKINSVILLE, GA
30677
(864) 285-8866

TITLE: ELEVATIONS

JOB # 1125
DATE: 01/01/18

SHEET #

A1

ZONING NOTICE

Case # 16-03-007

Public Hearing Date 3-1-2016

Present Zone GC

Change To LI

7:00 P.M.

CHEROKEE HALL
CHEROKEE COUNTY
ADMINISTRATION BUILDING
1130 BLUFFS PARKWAY, CANTON

678-493-6101

www.cherokeega.com

ZONING NOTICE
Case # 6-03-007
Public Hearing Date 2/20/16
Parcel ID# GC
Zone # LE
7:00 P.M.
CITY OF CHARLOTTE
PLANNING DEPARTMENT
1500 SOUTH COLLETT AVENUE
CHARLOTTE, NC 28203
678-493-6101
www.charlottenc.gov



Jonatan Gonzalez
5201 Tudor Hills Ln
Cumming GA 30040

November 5, 2015

**RE: Notice of Public Participation Meeting Regarding the Rezoning Request of
2.45 Acres Located at 0 Ball Ground Hwy, Ball Ground, GA 30107**

Vicki Taylor Lee
Planning & Land Use
1130 Bluffs Parkway
Canton, GA 30114

Dear Neighbor:

This letter is to inform you of the Public Participation Meeting being held on November 19, 2015 at 7:30 PM at the Bridgmill Community Room (Station # 22), which is located at 9550 Bells Ferry Road Canton 30114.

Meeting will begin at 7:30 PM and will last approximately one hour. Although attendance at this meetings are not mandatory, I would like to hear your comments and concerns regarding the proposed rezoning application.

Sincerely,



Jonatan Gonzalez
Applicant
678-300-1369

Vicki Taylor Lee

From: Adilka Veras <adilka@averaservices.com >
Sent: Tuesday, November 24, 2015 4:54 PM
To: Vicki Taylor Lee
Subject: 0 Ball Ground Hwy

Hi Vicky,
Jonatan held the meeting was held on 11/19/15. However nobody showed up. Please let me know how to proceed with the rezoning application.

Thank you

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



Cherokee County, Georgia Agenda Request

SUBJECT: **Case #16-03-008 BLK Property Solutions, LLC (BOC District 1)**
MEETING DATE: 3/1/2016

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 5.84 +/- acres at the intersection of Arch Drive and Ball Ground Highway from GC to RZL for a residential subdivision.

FACTS AND ISSUES:

Commission District: 1
Zoning Change: GC to RZL
Location: Arch Drive and Ball Ground Highway
Tax Map and Parcel No: 14N27, 071
Acres: 5.84 +/-
Proposed Development: Residential Subdivision
Future Development Map: Workplace Center

BUDGET:

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

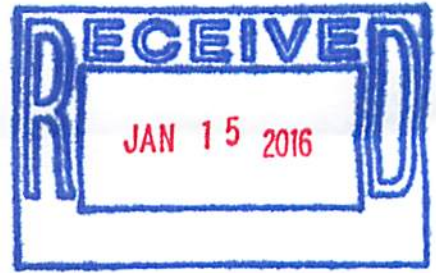
ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Exhibit Site Resources	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"/> Revised Application	Exhibit
<input type="checkbox"/> Revised Legal Description	Exhibit



CHEROKEE COUNTY
Application for Public Hearing



Important Notes:

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

SECTION I

Contact Person: BEN KEY Phone: 404.644.8909
Email: key.benjamin@gmail.com

Applicant's Information:

Name: BLK PROPERTY SOLUTIONS, LLC
Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909
City, State, Zip: CANTON, GA 30114

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

Name: MARK T. MOORE, ASHLEY R. HOLCOMB, ABF HORIZON, LLC, DR. RUSSELL FLINT, LISA FLINT, & BLK PROPERTY SOLUTIONS, LLC
Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909
City, State, Zip: CANTON, GA 30114

Requested Public Hearing (check all that apply):

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

STAFF USE ONLY: Commission District: 1 Case: 16-03-008 CityView # PL2016-082 Received by: Fee Paid: \$ Date: 1-15-16 PUBLIC HEARING SCHEDULE: Public Participation Meeting: PC Work Session Date: Planning Commission Hearing: Board of Commissioners: Zoning Board of Appeals: Other: 2 SIGNS

SECTION II

Property Information:

Location: NE INTERSECTION OF ARCH DRIVE & BALL GROUND HWY

Current Zoning: GC-RZL Proposed Zoning: RZL Total Acreage: 10.79

Tax Map #: 14 N 27 Parcel #: 071 Land Lot(s): 296 District: 14

Future Development Map Designation: WORKPLACE CENTER

Adjacent Zonings: North RZL South LI East RZL West R80

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

APPLICANT SEEKS TO REZONE THE PORTION OF THE PROPERTY THAT IS CURRENTLY ZONED GC TO RZL FOR A RESIDENTIAL SUBDIVISION.

Proposed Use(s) of Property:

A RESIDENTIAL SUBDIVISION.

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, BENJAMIN KEY, MGR OF BLK PROPERTY SOLUTIONS, LLC, 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 14th day of JANUARY, 20 16.

Print Name BENJAMIN KEY.

Applicant Signature .

SECTION III

Infrastructure Information:

Is water available to this site? Yes No

Jurisdiction: CCWSA

How is sewage from this site to be managed?

GRAVITY FLOW SEWER SYSTEM.

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

If yes, what is the projected increase? 51 students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home	70	0.725	50.75
Multi Family (Attached) Home	0	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? 669.9 trips

Code	Land Use(s)	# of units or sqft*	Daily Trip Ends ⁺	Number of Trips
210	Single Family Home/ Townhome	70	9.57	669.9
220	Apartment	0	6.63	0

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.

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: BjK Date: 1-14-16

Print Name: BENJAMIN KEY

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: [Signature]



(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.

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Value of Contribution: _____

Date of Contribution: _____

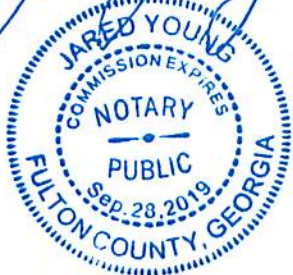
Signature of Applicant: Mark T. Moore Date: 1/14/2016

Print Name: Mark T. Moore

Sworn to and Subscribed before me this: 14th day of January, 2016.

Notary Signature: Jared Young

(Notary Seal)



CAMPAIGN DISCLOSURE STATEMENT

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___ 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: *Ashley R. Holcomb* Date: 01/14/16

Print Name: ASHLEY R. HOLCOMB

Sworn to and Subscribed before me this: 14 day of January, 20 16.

Notary Signature: *Tommy Reeves*



(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.

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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: *L. Austin Flint* Date: 1-14-2016

Print Name: L. AUSTIN FLINT, MGR., ABF HORIZON, LLC

Sworn to and Subscribed before me this: 14 day of January, 20 16.

Notary Signature: *Jammy Rees*



(Notary Seal)

CAMPAIGN DISCLOSURE STATEMENT

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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: _____

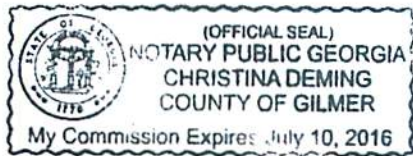
Date of Contribution: _____

Signature of Applicant: *Russell A. Flint* Date: 1/14/2016
Print Name: Russell A. Flint

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: *Christina Deming*

(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.

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: _____

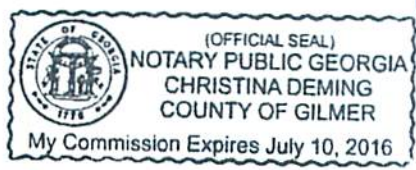
Signature of Applicant: Lisa A. Flint Date: 1/14/16

Print Name: LISA A. FLINT

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: Christina Deming

(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: *Bjts* Date: 1-14-16
Print Name: BENJAMIN KEY

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

Sworn to and Subscribed before me this: 14 day of January, 20 16.

Notary Signature: *Tammy Reeves*

(Notary Seal)



AUTHORIZATION OF PROPERTY OWNER

I, BENJAMIN KEY - BLK PROPERTY SOLUTIONS LLC, 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: BLK PROPERTY SOLUTIONS, LLC

Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909

City, State, Zip: CANTON, GA 30114

Property Owner's Information:

Name: BLK PROPERTY SOLUTIONS, LLC

Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909

City, State, Zip: CANTON, GA 30114

Signature of Owner: [Signature] Date: 1-14-16

Print Name: BENJAMIN KEY, MANAGER, BLK PROPERTY SOLUTIONS, LLC

Sworn to and Subscribed before me this 14 day of January, 2016.

Notary Signature: [Signature]



(Notary Seal)

AUTHORIZATION OF PROPERTY OWNER

I, MARK T. MOORE, 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:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Amendment / Modification of Zoning Conditions |
| <input type="checkbox"/> Variance / Appeal | <input type="checkbox"/> 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: BLK PROPERTY SOLUTIONS, LLC
Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909
City, State, Zip: CANTON, GA 30114

Property Owner's Information:

Name: MARK T. MOORE
Address: 5156 MEADOWLAKE DR. Phone: 404.886.0552
City, State, Zip: DUNWOODY, GA 30092

Signature of Owner: Mark T. Moore Date: 1/14/2016
Print Name: Mark T. Moore

Sworn to and Subscribed before me this: 14th day of January, 2016.

Notary Signature: Jared Young

(Notary Seal)



AUTHORIZATION OF PROPERTY OWNER

I, ASHLEY R. HOLCOMB, 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: _____

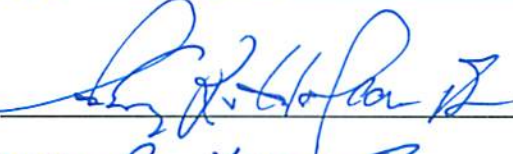
I hereby authorize the staff of the Cherokee County, Department of Planning and Land Use to inspect the premises which are subject of the application.

Applicant's Information:

Name: BLK PROPERTY SOLUTIONS, LLC
Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909
City, State, Zip: CANTON, GA 30114

Property Owner's Information:

Name: ASHLEY R. HOLCOMB
Address: 1100 HOWELL BRIDGE RD Phone: 770.735.1100
City, State, Zip: BALL GROUNO, GA 30107

Signature of Owner:  Date: 01/14/16
Print Name: ASHLEY R. HOLCOMB

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: 

(Notary Seal)



AUTHORIZATION OF PROPERTY OWNER

I, L. AUSTIN FLINT, MGR ABF HORIZON, LLC, 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: BLK PROPERTY SOLUTIONS, LLC

Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909

City, State, Zip: CANTON, GA 30114

Property Owner's Information:

Name: ABF HORIZON, LLC

Address: PO BOX 43 Phone: 404.731.5577

City, State, Zip: CANTON, GA 30169

Signature of Owner: [Signature] Date: 1-14-2016

Print Name: L. AUSTIN FLINT, MGR, ABF HORIZON, LLC

Sworn to and Subscribed before me this: 14 day of January, 2016

Notary Signature: [Signature]

(Notary Seal)



AUTHORIZATION OF PROPERTY OWNER

I, RUSSELL FLINT, 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:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Amendment / Modification of Zoning Conditions |
| <input type="checkbox"/> Variance / Appeal | <input type="checkbox"/> 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: BLIK PROPERTY SOLUTIONS, LLC
Address: 121 E. MAIN ST. SUITE 201 Phone: 404.644.8909
City, State, Zip: CANTON, GA 30114

Property Owner's Information:

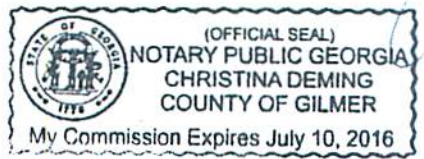
Name: RUSSELL FLINT
Address: 220 TERRACE WAY Phone: 828.467.7577
City, State, Zip: JASPER, GA 30143

Signature of Owner: *Russell Flint* Date: 1/14/2016
Print Name: Russell A. Flint

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: *Christina Deming*

(Notary Seal)



AUTHORIZATION OF PROPERTY OWNER

I, LISA FLINT, 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:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Amendment / Modification of Zoning Conditions |
| <input type="checkbox"/> Variance / Appeal | <input type="checkbox"/> 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: BLK PROPERTY SOLUTIONS, LLC
Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909
City, State, Zip: CANTON, GA 30114

Property Owner's Information:

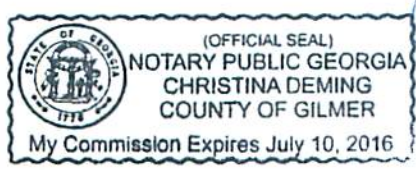
Name: LISA FLINT
Address: 220 TERRACE WAY Phone: 828.467.7577
City, State, Zip: JASPER, GA 30143

Signature of Owner: Lisa A. Flint Date: 1/14/16
Print Name: LISA A. FLINT

Sworn to and Subscribed before me this: 14 day of January, 20 16.

Notary Signature: [Signature]

(Notary Seal)



BLK PROPERTY SOLUTIONS, LLC

121 E. MAIN ST., SUITE 201, CANTON, GA 30114

January 15, 2015

Cherokee County Planning and Zoning
1130 Bluffs Parkway
Canton, GA 30114

RE: APPLICANT RESPONSE STATEMENT - REZONING

Dear Planning and Zoning Department,

Please allow this letter to serve as our "Applicant Response Statement" and letter of intent to seek a rezoning of the 10.57 acre tract known as Map/Parcel 14N27-071 from General Commercial and RZL to RZL.

This 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 not adversely affect the existing use or usability of the adjacent and nearby property. The property does not have a reasonable economic use as currently zoned and developed, as there is very little demand and an over-supply of commercial property, and an undersupply of land available for new residential development along this corridor. The proposed zoning will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This proposal is in conformity with the policy and interest of the land use plan.

The area along Ball Ground Highway is becoming an area where there is high demand for "work-force" housing. This can be seen by the recent success of River Brooke and Sage Hill subdivisions. There are an increasing number of jobs within a 3-5 mile radius of this property, and this property will allow those workers to realize a true live, work, play scenario.

Thank you for your consideration.

Best regards,

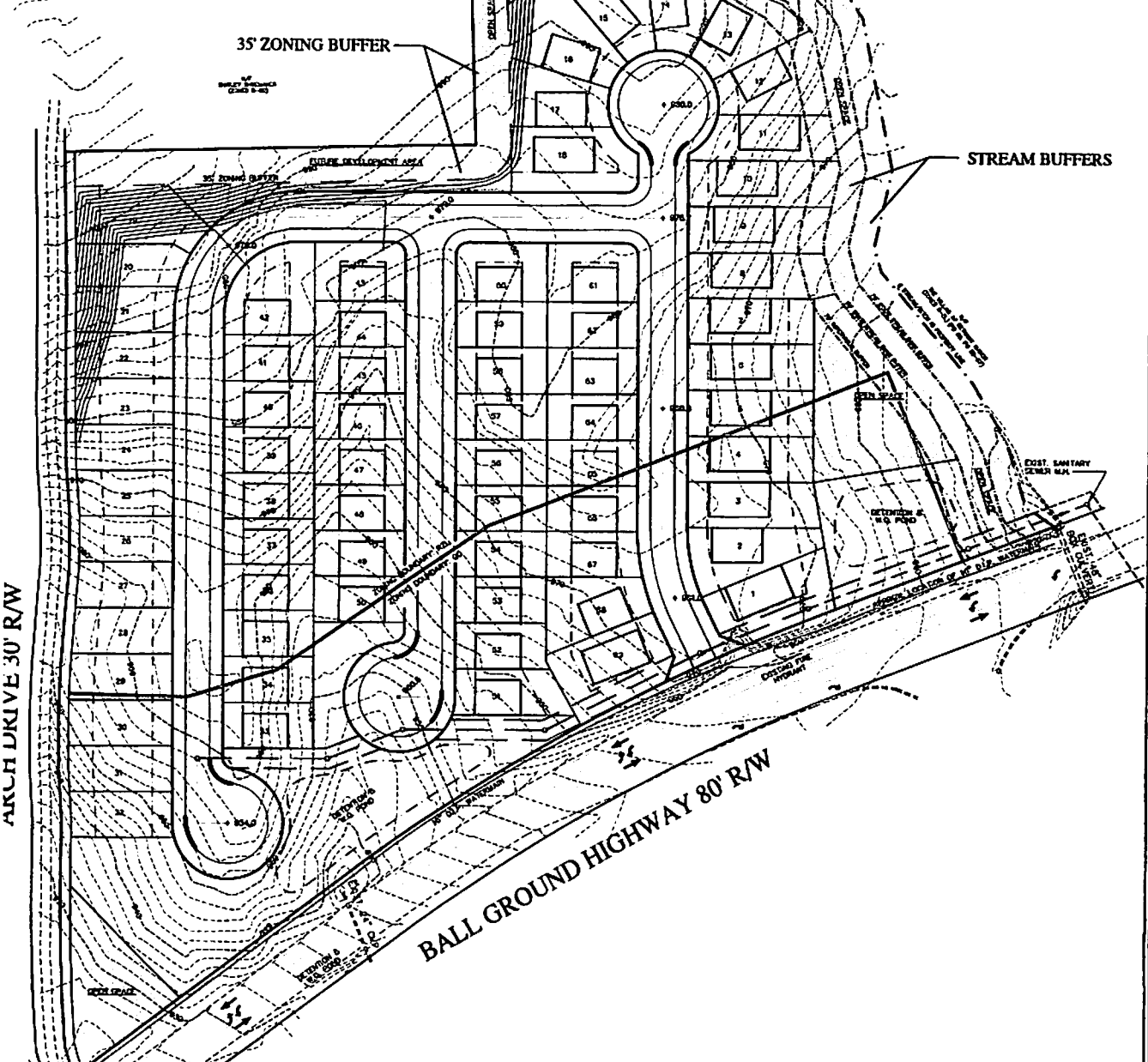
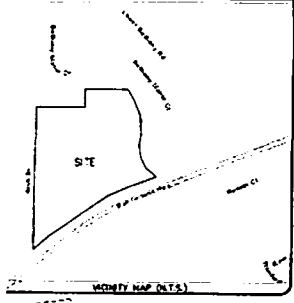


Benjamin Key

BLK Property Solutions, LLC

404.644.8909

key.benjamin@gmail.com



ARCH DRIVE 30' R/W

BALL GROUND HIGHWAY 80' R/W

SITE DATA:
 1. EXISTING ZONING R-20, AND OC (OPERANCE CASE NO. 07-04-015)
 2. PROPOSED ZONING R-20
 3. PROPOSED AVERAGE LOT SIZE: 4,300 SF
 4. MAXIMUM ALLOWABLE DENSITY: 14.84 AC ± 8 DRUG ± 89 UNITS
 5. PROPOSED LOTS: 70
 6. PROPOSED DENSITY: 4.75 DRUG
 7. SECONDARY INFORMATION IS COMPILED FROM PLATS FOR RICHARD DUNCAN BY SCOTTISH SUBURBS AND MAPPING, INC.
 8. WETLAND, STREAM BUFFER AND FLOODPLAIN ZONING IS APPROXIMATE.
 9. THE PROPOSED ZONING SHALL NOT BE "LITE PLAN SPECIFIC" TO THIS LAYOUT.
 10. TOTAL ACRES ± 14.84 AC.
 11. REQUIRED OPEN SPACE (COS) ± 0.10 ± 14.84 ± 1.48 AC.
 12. PROPOSED OPEN SPACE ± 1.48 AC.
 13. CONSTRUCTION PLANS HAVE BEEN APPROVED BY CHEROKEE COUNTY TO DEVELOP THIS SITE ACCORDING TO CURRENT ZONING CLASSES. SEE THE PLANS FOR ARCH POINT S/D APPROVED 1/16/09.

14.84 AC.



Table 1.04. Wetland/Stream Development Standards

Wetland/Stream Type	Minimum Width	Minimum Depth	Minimum Slope	Minimum Bank Height	Minimum Bank Footing	Minimum Bank Slope	Minimum Bank Protection	Minimum Bank Material	Minimum Bank Erosion Control	Minimum Bank Vegetation	Minimum Bank Maintenance
Wetland	10'	2'	1:1	1.5'	1.5'	1:1	1.5'	1.5'	1.5'	1.5'	1.5'
Stream	10'	2'	1:1	1.5'	1.5'	1:1	1.5'	1.5'	1.5'	1.5'	1.5'

EXISTING UTILITIES:
 1. WATER SERVICE: THIS SITE WILL BE SERVED BY A CONNECTION TO THE EXISTING 18" DIAMETER RIVER WATERMAIN LOCATED IN THE ADJACENT S/W CORNER OF BALL GROUND HIGHWAY.
 2. SANITARY SEWER SERVICE: THIS SITE WILL BE SERVED BY A CONNECTION TO THE EXISTING 18" DIAMETER RIVER SANITARY SEWER MAIN LOCATED IN THE ADJACENT S/W CORNER OF BALL GROUND HIGHWAY. THE 18" DIAMETER RIVER SANITARY SEWER MAIN IS LOCATED APPROXIMATELY 50 FEET EAST OF THE PROPERTY LINE NEAR THE S/W CORNER OF BALL GROUND HIGHWAY.

ADJACENT LAND USE
 WEST: THE LANDS TO THE WEST OF THIS SITE, ACROSS ARCH DRIVE, ARE CURRENTLY USED FOR 1.5 ACRES TRACTS USED FOR RESIDENTIAL PURPOSES. NORTH: THIS AREA IS DEVELOPED INTO A SUBDIVISION CALLED THE VILLAGE AT RICHARD DUNCAN AND BORDERS THE DUNCAN PROPERTY WHICH IS CURRENTLY ZONED R-20. EAST: THIS AREA IS DEVELOPED INTO A SUBDIVISION CALLED THE VILLAGE AT RICHARD DUNCAN AND BORDERS THE DUNCAN PROPERTY. SOUTH: THE LANDS TO THE SOUTH ACROSS BALL GROUND HIGHWAY ARE CURRENTLY USED FOR LIGHT INDUSTRIAL PURPOSES.

CONCEPTUAL LAND PLAN
ARCH POINT S/D
 LAND 1.01(5) - 290
 DISTRICT - 1404, SECTION - 2nd
 CITY: CHEROKEE COUNTY, GA
 PREPARED BY: JLS, 2015 [SCALE: 1" = 50 FT]
 DRAWN BY: JLS
 CNO FILE: ARCH POINT LAYOUT R-20
 CNO NO. 4452



AFTER RECORDING, PLEASE RETURN TO:
Law Office of Marvin Rice, LLC
Suite 355
8302 Dunwoody Place
Atlanta, Georgia 30350

Deed Book **13558** Pg **358**
Filed 10/28/2015 12:15 PM
28-2015-036965
Transfer Tax 275.00
Patty Baker
Clerk of Superior Court Cherokee Cty, GA

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FULTON

THIS INDENTURE, made this 23rd day of October, 2015, between **MICHAEL S. CALTON**, an individual resident of the State of Georgia (hereafter in this Indenture known as "Grantor"), and **MARK T. MOORE**, an individual resident of the State of Georgia (as to a 24.9975% undivided interest); **ASHLEY R HOLCOMB**, an individual resident of the State of Georgia (as to a 24.9975% undivided interest); **ABF HORIZON, LLC**, a Georgia limited liability company (as to a 24.9975% undivided interest); **DR. RUSSELL FLINT** and **LISA FLINT**, as joint tenants with right of survivorship, of the State of Georgia (as to a 24.9975% undivided interest); and **BLK PROPERTY SOLUTIONS, LLC**, a Georgia limited liability company (as to a 0.01% undivided interest) (hereafter in this Indenture collectively known and designated as "Grantee").

WITNESSETH: That Grantor, for and in consideration of the sum of Ten Dollars and other valuable consideration to Grantor in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and does by these presents grant, bargain, sell and convey to Grantee, and Grantee's respective heirs, successors and assigns, all of the following described land and interests in land, estates, easements, rights, improvements, property, fixtures, equipment, furniture, furnishings, appliances and appurtenances, (hereinafter collectively referred to as the "Premises):

- (a) ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 296 of the 14th Land District, 2nd Section, Cherokee County, Georgia, being more particularly described in Exhibit "A" attached hereto and made a part by reference hereof.

- (b) All buildings, structures and other improvements now located on the Land, with the exception of trailer on the land; and
- (c) All easements, rights-of-way, strips and gores of land, vaults, streets, ways, alleys, passages, sewer rights, water, water courses, water rights and powers, minerals, flowers, shrubs, crops, trees, timber and other emblements now located on the Land or under or above the same or any part or parcel thereof, and all estates, rights, titles, interests, privileges, liberties, tenements, hereditaments and appurtenances, reversion and reversions, remainder and remainders, whatsoever, in any way belonging, relating, or appertaining to the Premises or any part thereof, or which hereafter shall in any way belong, relate or be appurtenant thereto, now owned by Grantor.

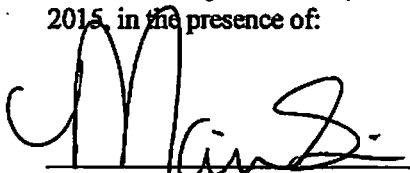
TO HAVE AND TO HOLD the Premises and all parts, rights, members and appurtenances thereof, to the use, benefit and behoof of Grantee and the successors and assigns of Grantee, IN FEE SIMPLE, forever, and Grantor covenants that Grantor is lawfully seized and possessed of the Premises, as aforesaid, and has good right to convey the same, that the same is unencumbered, except for those matters expressly set forth in Exhibit "B" attached hereto and by this reference made a part hereof, and that Grantor does warrant and will forever defend the title thereto against the claims of all persons claiming by or through Grantor, except as to those matters set forth in said Exhibit "B" attached hereto and by this reference made a part hereof.

The conveyance of the undivided interest to ~~DR. RUSSELL FLINT~~ and LISA FLINT in this deed is a conveyance to them with right of survivorship, and the conveyance made hereby is to ~~DR. RUSSELL FLINT~~ and LISA FLINT as joint tenants, for and during their joint lives, and, upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

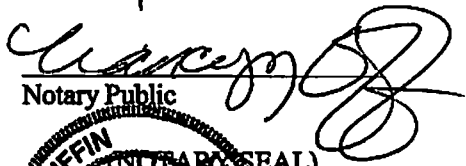
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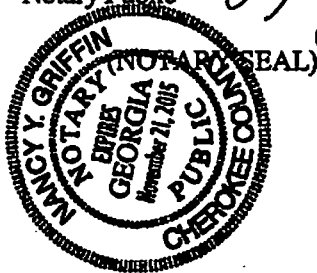
IN TESTIMONY WHEREOF, Grantor has hereunto set Grantor's hand and affixed Grantor's seal the day and year first above written.

Signed, sealed and delivered
on the 23rd day of October,
2015, in the presence of:


Unofficial Witness


MICHAEL S. CALTON (SEAL)


Notary Public



COPY

Exhibit "A"

Legal Description

TRACT 1:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 296 of the 14th Land District, 2nd Section, Cherokee County, Georgia, being a 2.02 acre tract of land as shown on plat of survey for Richard Duncan, dated August 24, 2006, prepared by Southern Surveying & Mapping Co., Inc., Registered Land Surveyors, and more fully described as follows:

BEGINNING at a point on the easterly right-of-way of Arch Drive (30' R/W) at a point located southeast 206.90 feet from the northwest corner of Land Lot 296, said point also being located on or near the line between Land Lot 296 and Land Lot 281, from said point running along the line between the property and land now or formerly of Shirley Shoemaker North 88-31-03 East 414.42 feet to an iron pin found; thence running South 02-10-19 East 211.27 feet to an iron pin found; thence running South 88-33-21 West 419.59 feet to a monument found on the easterly right-of-way of Arch Drive; thence running along Arch Drive North 00-46-13 West 210.99 feet to the POINT OF BEGINNING.

TRACT 2:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 196 of the 14th Land District, 2nd Section, Cherokee County, Georgia being a 2.03 acre tract of land as shown on plat of survey for Richard Duncan, dated August 24, 2006, prepared by Southern Surveying & Mapping Co., Inc., Registered Land Surveyors, and more fully described as follows:

BEGINNING at a point on the easterly right-of-way of Arch Drive (30' R/W) at a point located southeast 417.89 feet from the northwest corner of Land Lot 296, said point also being located on or near the line between Land Lot 296 and Land Lot 281, from said point running along the line between this property and land now or formerly of Marvin W. McArthur North 88-31-21 East 419.59 feet to an iron pin found; thence running South 02-10-19 East 210.00 feet to an iron pin; thence running South 88-15-02 West 419.63 feet to an iron pin found on the easterly right-of-way of Arch Drive; thence running along Arch Drive North 02-09-19 West 212.23 feet to the POINT OF BEGINNING.

TRACT 3:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 296 of the 14th Land District, 2nd Section, Cherokee County, Georgia, being a 10.79 acre tract of land as shown on plat of survey for Richard Duncan, dated May 19, 2006, prepared by Southern Survey & Mapping Co., Inc., Registered Land Surveyors, and more fully described as follows:

BEGINNING at a point on the easterly right-of-way of Arch Drive (30" R/W) at a point located southeast 630.12 feet from the northwest corner of Land Lot 296; from said point running South 88-15-02 West 419.63 feet to an iron pin found; thence running North 02-10-19 West 421.27 feet and North 01-55-58 East 197.53 feet to an iron pin found; thence along property now or former of The Villas at Bethany Manor; North 89-50-11 East 310.89 feet to a 1/2" open top pin found, South 59-27-31 East 36.81 feet, South 20-02-17 East 13.50 feet, South 45-06-23 East 19.76 feet, South 33-03-54 East 27.22 feet, South 11-10-40 East 155.52 feet, South 12-32-52 West 77.51 feet, South 14-37-20 East 26.40 feet, South 39-10-52 East 143.61 feet, South 30-32-44 East 54.09 feet, South 24-01-23 East 18.43 feet, South 16-28-10 East 44.59 feet, South 17-14-15 East 19.34 feet, South 60-27-39 East 9.90 feet, South 54-44-05 East 31.20 feet to a point on the northwest right of way of Ball Ground Highway (80' R/W); thence along the right of way South 68-06-49 West 249.30 feet; thence along a curve an arc distance of 541.98 feet with a radius of 2061.48 feet and a chord distance of 541.98 feet with a radius of 2061.48 feet and a chord distance of 540.41 feet to a point, thence continuing along the right of way South 53-03-00 West 327.39 feet to the easterly right-of-way of Arch Drive; thence running along Arch Drive the following courses and distances: North 16-13-24 West 35.35 feet, North 03-41-35 West 56.85 feet, North 01-14-38 West 74.86 feet, North 00-11-52 East 90.53 feet, North 03-26-14 51.66 feet, North 00-38-32 West 56.11 feet, North 01-50-00 East 46.79 feet, North 04-36-00 East 52.36 feet and North 04-48-38 East 41.69 feet to the iron pin fund at the POINT OF BEGINNING.

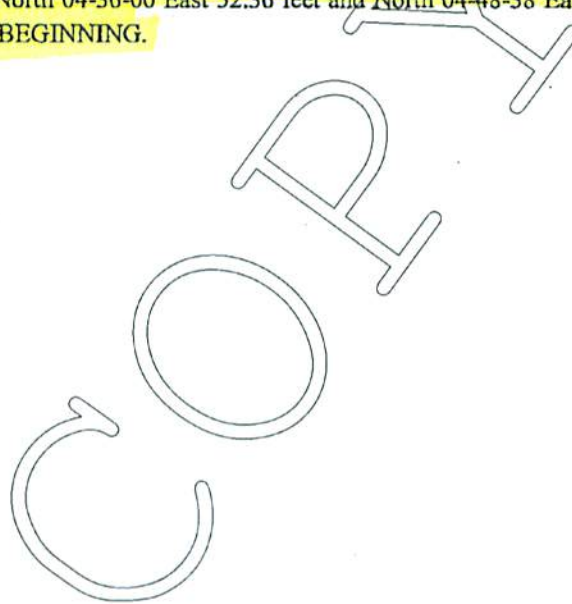


Exhibit "B"

1. 2016 state and county taxes, and subsequent years, not yet due and payable.
2. Right-of-Way Deed to Department of Transportation filed May 30, 1974, in Deed Book 164, Page 188, Cherokee County, Georgia Records.
3. Boundary Line Agreement between Charles Brigham and Mattie Ross Dowd filed June 6, 1986, in Deed Book 536, Page 690, aforesaid Records.
4. Those matters as shown on plats of survey recorded in Deed Book 9072, Pages 329, 330, and 331, aforesaid Records.

COPY





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

RECEIVED

12/14/15

S&K PROPERTY ADVISORS, LLC
270 E. MAIN STREET, SUITE H
CANTON, GA 30114

December 12, 2015

RE: Notice of Public Participation Meeting Regarding the Proposed Rezoning Request of 10.79 acres located at Ball Ground Hwy & Arch Drive (Tax Parcel 14N27-071)

Dear Neighbor,

This letter is to inform you of the Public Participation Meetings being held on December 21, 2015 at the Cherokee County Community Services Center located at 1190 Evenflo Drive Canton, GA 30114.

The meeting will begin at 6:30 PM and will last approximately one hour. Although your attendance at this meeting is not mandatory by any means, we would like to hear your comments and concerns regarding our proposed rezoning application.

Best regards,



Benjamin Key
Representative for the Applicants
S&K Property Advisors, LLC
404.644.8909

Received
1/8/16 MHS

S&K PROPERTY ADVISORS, LLC

121 E. MAIN STREET, SUITE 201, CANTON, GA 30114

January 7, 2016

Cherokee County Planning and Zoning Department
1130 Bluffs Parkway
Canton, GA 30114

RE: Public Participation Meeting Regarding Upcoming Rezoning Application of
10.79 Acres at Ball Ground Hwy and Arch Dr., Map/Parcel 14N27-071

Dear Planning and Zoning Staff Members,

In accordance with the requirements set forth in the upcoming rezoning application, this letter is meant to serve as a summary of the Public Participation Meeting that was held on December 21, 2015 at the Airport Industrial Park Community Services Center in Ball Ground. The meeting was held in the community room beginning at 6:30 PM, and lasted approximately 45 minutes. This meeting was advertised to all property owners within 750 feet of the subject property, all of the "interested parties," and the HOAs of River Brooke and The Villas at Bethany Manor subdivisions. The meeting had three (3) attendees (see attached sign-in sheet). None of the attendees were against the proposed rezoning, and were encouraged that the commercial zoning would be replaced with residential.

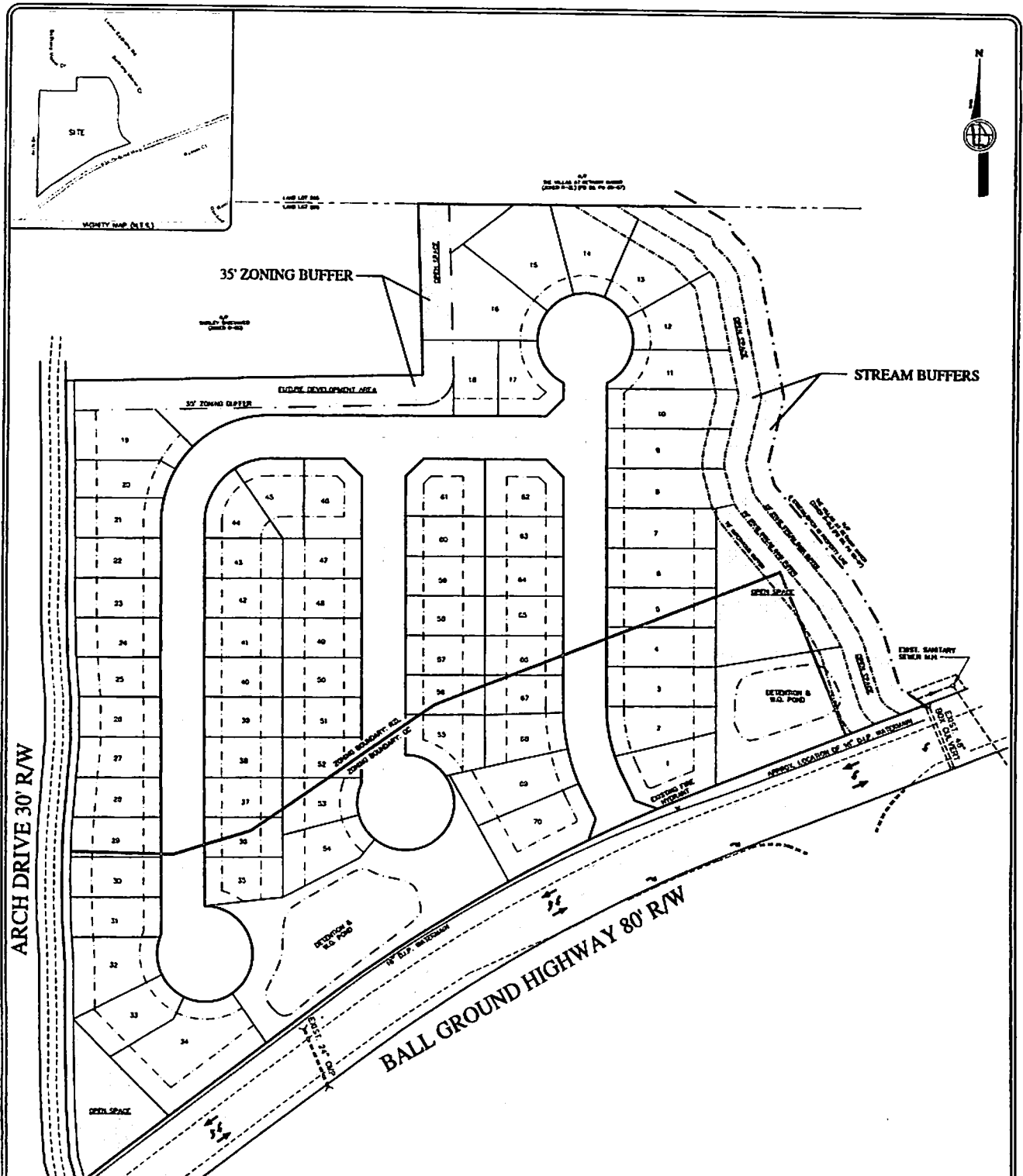
The main concern of the applicants was the possibility of future homeowners using Arch Drive as a secondary entrance to access the rear of the homes. We relayed to the attendees that we do not intend to utilize Arch Drive for any entrance(s) to the subdivision or any of the lots, as it is not improved to current county standards.

The proposed site plan, site resource, current zoning, and future land use maps were all available for review at the meeting.

Best regards,

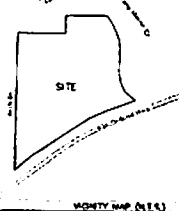


Benjamin Key
S&K Property Advisors, LLC
Representative for the Applicants, Quinton & Sandra Vaughn
404.644.8909



ARCH DRIVE 30' R/W

BALL GROUND HIGHWAY 80' R/W



Lot No.	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)
1
2
3
4
5
6
7
8
9
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11
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61
62
63
64
65
66
67
68
69
70

SITE DATA:

- EXISTING ZONING B.D. AND O.C. REFERENCE CASE NO. 63-04-019
- PROPOSED ZONING B.D.
- PROPOSED AVERAGE LOT SIZE: 4,500 SF
- MAXIMUM ALLOWABLES UNITS: 14.84 AC'S DUAC - 81 UNITS
- PROPOSED LOTS: 70
- PROPOSED DENSITY: 4.78 DU/AC
- PROPOSED SUBDIVISION IS COMPRISED FROM PLATS FOR RECALLED DEMON BY SOUTHERN SURVEYING AND MAPPING, INC.
- WELL AND STREAM BUFFER AND FLOODPLAIN DESIGN IS APPROXIMATE
- THE PROPOSED ZONING SHALL NOT BE "SITE PLAN SPECIFIC" TO THIS LAYOUT.
- TOTAL ACRES: 14.84 AC
- REGISTERED OPEN SPACE (15%) = 0.10 x 14.84 = 1.48 AC
- PROPOSED OPEN SPACE = 1.48 AC
- CONSTRUCTION PLANS HAVE BEEN APPROVED BY CHEROKEE COUNTY TO DEVELOP THIS SITE INCLUDING THE CURRENT ZONING CLASS. SEE THE PLANS FOR ARCH POINTS AND APPROVED LOTION.

EXISTING UTILITIES:

- WATER SERVICE: THE SITE WILL BE SERVED BY A CONNECTION TO THE EXISTING 14" DUCTILE IRON WATERMAIN LOCATED IN THE ADJACENT R/W OF BALL GROUND HIGHWAY
- SEWER SERVICE: THE SITE WILL BE SERVED BY A CONNECTION TO THE EXISTING 16" DIAMETER SANITARY MANHOLE LOCATED APPROXIMATELY 30 FEET EAST OF THE PROPERTY LINE NEAR THE R/W OF BALL GROUND HWY.

ADJACENT LAND USE

WEST: THE LANDS TO THE WEST OF THIS SITE, ACROSS ARCH DRIVE, ARE PRELIMINARILY 0.85 TO 11.3 ACRES TRACTS USED FOR RESIDENTIAL PURPOSES.

NORTH: THIS AREA IS DEVELOPED INTO A SUBDIVISION CALLED THE VILLAGE AT BATHURST MANOR AND BORDERS THE FOREMANOR PROPERTY WHICH IS CURRENTLY ZONED B-62.

EAST: THIS AREA IS DEVELOPED INTO A SUBDIVISION CALLED THE VILLAGE AT BATHURST MANOR AND BORDERS THE FOREMANOR PROPERTY.

SOUTH: THE LANDS TO THE SOUTH ACROSS BALL GROUND HIGHWAY ARE CURRENTLY USED FOR LIGHT INDUSTRIAL PURPOSES.

14.84 AC.



CONCEPTUAL LAND PLAN

ARCH POINT S/D

LAND LOTS - 70

SECTION - 14th SECTION - 2nd

CITY: CHEROKEE COUNTY, GA

PREPARED BY: JLS, 2023 SCALE: 1" = 20 FT.

DESIGNED BY: JLS

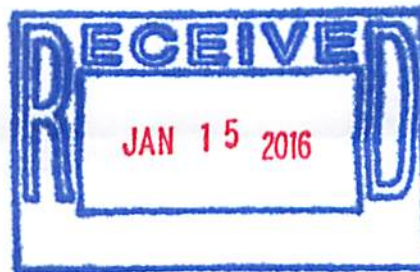
DWG. FILE: ARCH POINT LAYOUT B-D

JOB NO. ARCH

1118 HOLLA GROVE ROAD / P.O. BOX 149
 BALL GROUND, GEORGIA 30108
 PHONE: (770) 732-0888 / FAX: (770) 732-0888
 WWW.LANDMARKSURVEYING.COM



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: BEN KEY Phone: 404.644.8909
 Email: key.benjamin@gmail.com

Applicant's Information:

Name: BLK PROPERTY SOLUTIONS, LLC
 Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909
 City, State, Zip: CANTON, GA 30114

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

Name: MARK T. MOORE, ASHLEY R. HOLCOMB, ABF HORIZON, LLC, DR. RUSSELL FLINT, LISA FLINT, & BLK PROPERTY SOLUTIONS, LLC
 Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909
 City, State, Zip: CANTON, GA 30114

Requested Public Hearing (check all that apply):

- Rezoning Amendment / Modification of Zoning
 Variance / Appeal Other: _____

STAFF USE ONLY:	PUBLIC HEARING SCHEDULE:
Commission District: <u>1</u>	Public Participation Meeting: <u>12.21.2015</u>
Case: <u>16-03-008</u>	PC Work Session Date: <u>2.15.16</u>
CityView # <u>PL2016-082</u>	Planning Commission Hearing: <u>3.1.16</u>
Received by: _____	Board of Commissioners: <u>3.15.16</u>
Fee Paid: \$ <u>250⁰⁰ 1/26/16</u>	Zoning Board of Appeals: <u>N/A</u>
Date: <u>1-15-16</u>	Other: <u>N/A</u>
<u>2 SIGNS</u>	

SECTION II

Property Information:

Location: NE INTERSECTION OF ARCH DRIVE + BALL GROUND HWY
 Current Zoning: GC-~~RZ~~ Proposed Zoning: RZL Total Acreage: 10.79 5.84+-
 Tax Map #: 14 N 27 Parcel #: 071 Land Lot(s): 296 District: 14
 Future Development Map Designation: WORKPLACE CENTER
 Adjacent Zonings: North RZL South LI East RZL West R80

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

APPLICANT SEEKS TO REZONE THE PORTION OF THE PROPERTY THAT IS CURRENTLY ZONED GC TO RZL FOR A RESIDENTIAL SUBDIVISION.

Proposed Use(s) of Property:

A RESIDENTIAL SUBDIVISION.

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, BENJAMIN KEY, MGR OF BLK PROPERTY SOLUTIONS, LLC, 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 14th day of JANUARY, 20 16.

Print Name BENJAMIN KEY.

Applicant Signature .

SECTION III

Infrastructure Information:

Is water available to this site? Yes No

Jurisdiction: CCWSA

How is sewage from this site to be managed?

GRAVITY FLOW SEWER SYSTEM.

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

If yes, what is the projected increase? 51 students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home	70	0.725	50.75
Multi Family (Attached) Home	0	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? 669.9 trips

Code	Land Use(s)	# of units or sqft*	Daily Trip Ends*	Number of Trips
210	Single Family Home/ Townhome	70	9.57	669.9
220	Apartment	0	6.63	0

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.

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: BjK Date: 1-14-16

Print Name: BENJAMIN KEY

Sworn to and Subscribed before me this 14 day of January, 2016.

Notary Signature: [Signature]



(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.

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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: Mark T. Moore Date: 1/14/2016

Print Name: Mark T. Moore

Sworn to and Subscribed before me this: 14th day of January, 2016.

Notary Signature: Jared Young

(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.

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___ 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: *Ashley R. Holcomb* Date: 01/14/16

Print Name: ASHLEY R. HOLCOMB

Sworn to and Subscribed before me this: 14 day of January, 20 16.

Notary Signature: *Tammy Reeves*



(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.

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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: *L. Austin Flint* Date: 1-14-2016
Print Name: L. Austin Flint, Mgr., ABF Horizon, LLC

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: *Jammy Rees*



(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.

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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: _____

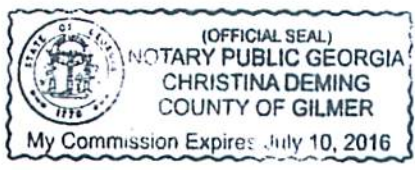
Signature of Applicant: *Russell A. Flint* Date: 1/14/2016

Print Name: Russell A. Flint

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: *Christina Deming*

(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.

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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: _____

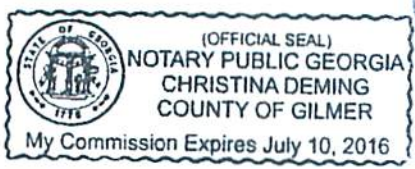
Signature of Applicant: Lisa A. Flint Date: 1/14/16

Print Name: LISA A. FLINT

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: Christina Deming

(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: *Bjts* Date: 1-14-16
Print Name: BENJAMIN KEY

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

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: *Tammy Reeves*

(Notary Seal)



AUTHORIZATION OF PROPERTY OWNER

I, BENJAMIN KEY - BLK PROPERTY SOLUTIONS LLC, 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: BLK PROPERTY SOLUTIONS, LLC

Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909

City, State, Zip: CANTON, GA 30114

Property Owner's Information:

Name: BLK PROPERTY SOLUTIONS, LLC

Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909

City, State, Zip: CANTON, GA 30114

Signature of Owner:  Date: 1-14-16

Print Name: BENJAMIN KEY, MANAGER, BLK PROPERTY SOLUTIONS, LLC

Sworn to and Subscribed before me this 14 day of January, 2016.

Notary Signature: 



(Notary Seal)

AUTHORIZATION OF PROPERTY OWNER

I, MARK T. MOORE, 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: BLK PROPERTY SOLUTIONS, LLC

Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909

City, State, Zip: CANTON, GA 30114

Property Owner's Information:

Name: MARK T. MOORE

Address: 5156 MEADOWLAKE DR. Phone: 404.886.0552

City, State, Zip: DUNWOODY, GA 30092

Signature of Owner: Mark T. Moore Date: 1/14/2016

Print Name: Mark T. Moore

Sworn to and Subscribed before me this: 14th day of January, 2016.

Notary Signature: Jared Young

(Notary Seal)



AUTHORIZATION OF PROPERTY OWNER

I, ASHLEY R. HOLCOMB, 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: BLK PROPERTY SOLUTIONS, LLC

Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909

City, State, Zip: CANTON, GA 30114

Property Owner's Information:

Name: ASHLEY R. HOLCOMB

Address: 1100 HOWELL BRIDGE RD Phone: 770-735-1100

City, State, Zip: BALL GROUNO, GA 30107

Signature of Owner:  Date: 01/14/16

Print Name: ASHLEY R. HOLCOMB

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: 

(Notary Seal)



AUTHORIZATION OF PROPERTY OWNER

I, L. AUSTIN FLINT, MGR ABF HORIZON, LLC, 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: BLK PROPERTY SOLUTIONS, LLC

Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909

City, State, Zip: CANTON, GA 30114

Property Owner's Information:

Name: ABF HORIZON, LLC

Address: PO Box 43 Phone: 404.731.5577

City, State, Zip: CANTON, GA 30169

Signature of Owner: *[Signature]* Date: 1-14-2016

Print Name: L. AUSTIN FLINT, MGR, ABF HORIZON, LLC

Sworn to and Subscribed before me this: 14 day of January, 20 16

Notary Signature: *[Signature]*

(Notary Seal)



AUTHORIZATION OF PROPERTY OWNER

I, RUSSELL FLINT, 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: BLIK PROPERTY SOLUTIONS, LLC

Address: 121 E. MAIN ST. SUITE 201 Phone: 404.644.8909

City, State, Zip: CANTON, GA 30114

Property Owner's Information:

Name: RUSSELL FLINT

Address: 220 TERRACE WAY Phone: 828.467.7577

City, State, Zip: JASPER, GA 30143

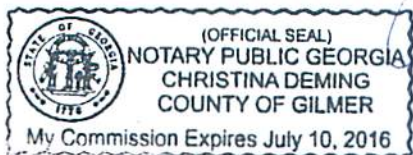
Signature of Owner: *Russell Flint* Date: 1/14/2016

Print Name: Russell A. Flint

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: *Christina Deming*

(Notary Seal)



AUTHORIZATON OF PROPERTY OWNER

I, LISA FLINT, 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:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Amendment / Modification of Zoning Conditions |
| <input type="checkbox"/> Variance / Appeal | <input type="checkbox"/> 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: BLK PROPERTY SOLUTIONS, LLC
Address: 121 E. MAIN ST., SUITE 201 Phone: 404.644.8909
City, State, Zip: CANTON, GA 30114

Property Owner's Information:

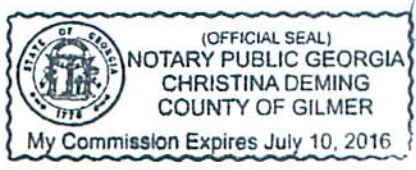
Name: LISA FLINT
Address: 220 TERRACE WAY Phone: 828.467.7577
City, State, Zip: JASPER, GA 30143

Signature of Owner: Lisa A. Flint Date: 1/14/16
Print Name: LISA A. FLINT

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: [Signature]

(Notary Seal)



Revised letter

BLK PROPERTY SOLUTIONS, LLC
121 E. MAIN ST., SUITE 201, CANTON, GA 30114

January 15, 2016

Cherokee County Planning and Zoning
1130 Bluffs Parkway
Canton, GA 30114

RE: APPLICANT RESPONSE STATEMENT – REZONING REQUEST - GENERAL
COMMERCIAL TO RZL

Dear Planning and Zoning Department,

Please allow this letter to serve as our “Applicant Response Statement” and letter of intent to seek a rezoning of **approximately 5.29 acres** of the 10.57 acre tract known as Map/Parcel 14N27-071 from General Commercial to RZL.

This 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 not adversely affect the existing use or usability of the adjacent and nearby property. The property does not have a reasonable economic use as currently zoned and developed, as there is very little demand and an over-supply of commercial property, and an undersupply of land available for new residential development along this corridor. The proposed zoning will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This proposal is in conformity with the policy and interest of the land use plan.

The area along Ball Ground Highway is becoming an area where there is high demand for “work-force” housing. This can be seen by the recent success of River Brooke and Sage Hill subdivisions. There are an increasing number of jobs within a 3-5 mile radius of this property, and this property will allow those workers to realize a true live, work, play scenario.

Thank you for your consideration.

Best regards,

Benjamin Key
BLK Property Solutions, LLC
404.644.8909
key.benjamin@gmail.com

LEGAL DESCRIPTION: ARCH DRIVE TRACT – GC AREA

All that tract or parcel of land lying and being in land lot 296 of the 14th district and 2 section of Cherokee County Georgia, containing 5.29± acres.

BEGINNING at a point formed by the intersection of the Northern right-of-way of Ball Ground Highway having an 80' R/W and a line offset 25' in an easterly direction from the centerline of Arch Drive, thence N16°13'24"W a distance of 28.32' to a point, thence N03°41'35"W a distance of 56.85' to a point, thence N01°14'38"W a distance of 74.86' to a point, thence N00°11'52"E a distance of 90.53' to a point, thence N03°26'14"W a distance of 51.66' to a point, thence N00°38'32"W a distance of 56.11' to a point, thence N01°50'00"E a distance 19.15' to a point, thence N88°58'25"E a distance of 125.39' to a point, thence N68°30'30"E a distance of 94.58' to a point, thence N57°44'04"E a distance of 191.28' to a point, thence N56°23'26"E a distance of 52.23' to a point, thence N67°36'38"E a distance of 485.36' to a point in the centerline of a branch, then along said branch the following courses: S39°10'52"E a distance of 42.49' to a point, thence S30°32'44"E a distance of 54.09' to a point, thence S24°01'23"E a distance of 18.43' to a point, thence S16°28'10"E a distance of 44.59' to a point, thence S17°14'15"E a distance of 19.34' to a point, thence S60°27'39"E a distance of 9.90' to a point, thence S54°44'05"E a distance of 23.22' to a point on the northern right-of-way of Ball Ground Highway (80' R/W), thence westerly along said R/W the following courses: S68°15'15"W a distance of 254.54' to a point, thence following a curve to the left a distance of 526.91' (having a bearing of S60°34'21"W and a chord distance of 525.33'), thence S52°53'23"W a distance of 332.52' to the point of beginning.



Cherokee County, Georgia Agenda Request

SUBJECT:

Case #16-03-009 Quinton and Sandra Vaughn
(BOC District 1)

MEETING DATE:

3/1/2016

SUBMITTED BY:

Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 2.0 acres at 225 Key Drive from R-40 to GC for commercial uses.

FACTS AND ISSUES:

Commission District: 1
Zoning Change: R-40 to GC
Location: 225 Key Drive
Tax Map and Parcel No: 14N23C, 029B
Acres: 2.0
Proposed Development: Commercial Uses
Future Development Map: Neighborhood Village over 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"/> Application	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> PP Report	Exhibit
<input type="checkbox"/> Notice Sign	Exhibit
<input type="checkbox"/> Existing Site Resources	Exhibit



CHEROKEE COUNTY
Application for Public Hearing

Important Notes:

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

SECTION I

Contact Person: BEN KEY Phone: 404.644.8909
 Email: Key.benjamin@gmail.com

Applicant's Information:

Name: QUINTON + SANDRA VAUGHN
 Address: 225 KEY DR. Phone: 770.891.9730
 City, State, Zip: CANTON, GA 30115

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

Name: _____
 Address: _____ Phone: _____
 City, State, Zip: _____

Requested Public Hearing (check all that apply):

- Rezoning Amendment / Modification of Zoning
 Variance / Appeal Other: _____

STAFF USE ONLY:

Commission District: 1
 Case: 16-03-009
 CityView # PL 2016-083
 Received by: _____
 Fee Paid: \$ _____
 Date: 1-15-16
1 SIGN

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: 225 KEY DRIVE CANTON, GA 30115

Current Zoning: R40 Proposed Zoning: GC Total Acreage: 2.0

Tax Map #: 14 N 23C Parcel #: 029B Land Lot(s): 267 District: 14

Future Development Map Designation: NEIGHBORHOOD VILLAGE

Adjacent Zonings: North GC South R40 East GC West R40

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

APPLICANT SEEKS TO REZONE THE PROPERTY TO GENERAL COMMERCIAL IN ORDER TO MEET THE CURRENT MARKET DEMAND FOR COMMERCIAL ZONED LAND FOR DEVELOPMENT.

Proposed Use(s) of Property:

COMMERCIAL DEVELOPMENT

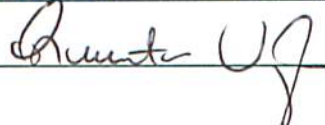
Applicant Affidavit:

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, QUINTON VAUGHN, 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 14th day of JANUARY, 20 16.

Print Name QUINTON VAUGHN

Applicant Signature 

SECTION III

Infrastructure Information:

Is water available to this site? Yes No

Jurisdiction: CITY OF CANTON

How is sewage from this site to be managed?

THERE IS AN APPROVED SEWER LINE ALONG COMMING HWY THAT UPON COMPLETION WILL SERVE THIS SITE.

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

If yes, what is the projected increase? N/A students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home	0	0.725	0
Multi Family (Attached) Home	0	0.287	0

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	0	9.57	0
220	Apartment	0	6.63	0
820	SHOPPING CENTER	5,000 SF		

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: _____

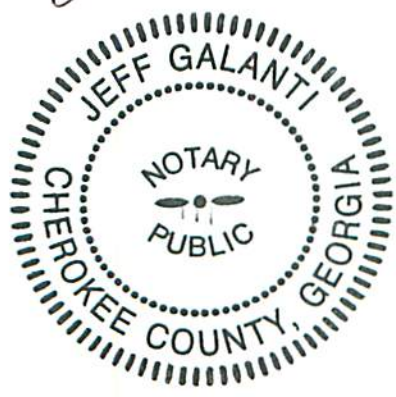
Date of Contribution: _____

Signature of Applicant: *Quinton J* Date: 1/14/16
Print Name: QUINTON VAUGHN

Sworn to and Subscribed before me this: 14th day of January , 20 16 .

Notary Signature: *Jeff Galanti*

(Notary Seal)



**My commission expires
June 21, 2017**

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.

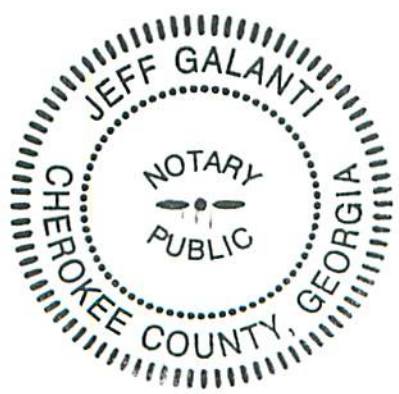
Signature of Applicant: Quintera Vaughn Date: 1/14/16
Print Name: Quintera Vaughn

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

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: Jeff Galanti

(Notary Seal)



My commission expires
June 21, 2017

AUTHORIZATION OF PROPERTY OWNER

I, QUINTON VAUGHN, 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: QUINTON VAUGHN

Address: 225 KEY DRIVE Phone: 770.891.9730

City, State, Zip: CANTON, GA 30115

Property Owner's Information:

Name: QUINTON VAUGHN

Address: 225 KEY DRIVE Phone: 770.891.9730

City, State, Zip: CANTON, GA 30115

Signature of Owner: *Quinton Vaughn* Date: 1-14-16

Print Name: QUINTON VAUGHN

Sworn to and Subscribed before me this: 14 day of January, 2016.

Notary Signature: *Jeff Galanti*

(Notary Seal)



My commission expires June 21, 2017

APPLICANT RESPONSE STATEMENT – REZONING

1. The applicant seeks to rezone 2.0 acres located at 225 Key Drive Canton, GA 30115 from R-40 to General Commercial.
2. This zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
3. This zoning proposal will not adversely affect the existing use or usability of the adjacent and nearby property.
4. The property does not have a reasonable economic use as currently zoned and developed.
5. The proposed zoning will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The property will utilize a new signalized entrance from Cumming Hwy (GA SR 20) once the eminent GDOT widening project is complete.
6. This proposal is in conformity with the policy and interest of the land use plan.
7. The area along Cumming Hwy between I-575 and Scott Road is experiencing a rapid transformation from a residential area to a regional commercial and medical center. This proposal will meet the current demand for additional land zoned for commercial uses.

02577
0269

96EB5781
WARRANTY DEED

BK PG

1/2 SELLERS & WARREN 2577 269
8681 Highway 92, Suite 200
#12 Woodstock, GA 30189

STATE OF GEORGIA
COUNTY OF CHEROKEE

THIS INDENTURE, made this 12th day of December in the
year of our Lord One Thousand Nine Hundred and NINETY SIX between
LEANNE HARRINGTON

of the State of Georgia and County of Cherokee, hereinafter
referred to as GRANTOR, and
QUINTON VAUGHN AND SANDRA VAUGHN

of the State of Georgia and County of Cherokee, hereinafter
referred to as GRANTEE.

WITNESSETH: That the said GRANTOR, for and in consideration of the sum of TEN AND OTHER

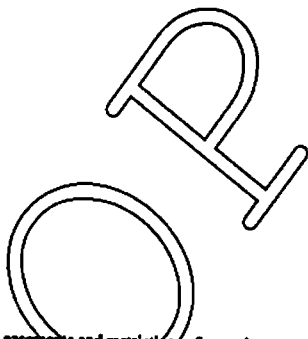
GOOD AND VALUABLE CONSIDERATION----- (\$10.00--)DOLLARS
and other good and valuable consideration in hand paid, at and before the sealing and delivery of these presents, the
receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant,
bargain, sell and convey unto the said GRANTEE (the terms "GRANTOR" and "GRANTEE" include the respective heirs,
successors and assigns of each where the context requires or permits), the following described real property, to wit:
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE
THERETO.

SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND PROTECTIVE COVENANTS OF RECORD.

Georgia, Cherokee County
Filed in office this 12 day of Dec 1996
at 1:30 PM. Recorded in Book 2577 Page 269
this 12 day of Dec 1996
James M. Brown
Clerk Superior Court

CHEROKEE COUNTY, GA.
REAL ESTATE TRANSFER TAX
PAID \$75.00
DATE 12-17-96
James M. Brown
CLERK OF SUPERIOR COURT

#12
48569



Subject to easements and restrictions 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 only proper use, benefit and behoof of the said
GRANTEE, forever, in FREE 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 signed and sealed this deed the day and year above written.

Signed, sealed and delivered
in the presence of:

Kim Seale UNOFFICIAL WITNESS
Leanne Harrington (SEAL)
LEANNE HARRINGTON

Shirley A. Allard NOTARY PUBLIC (SEAL)
NOTARY PUBLIC

BK PG
2577 270

EXHIBIT " A "

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 287 OF THE 14TH DISTRICT, 2ND SECTION OF CHEROKEE COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

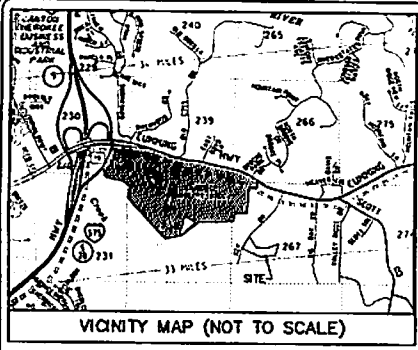
BEGINNING AT AN IRON PIN FOUND ON THE SOUTHEASTERLY RIGHT OF WAY OF KEY ROAD (HAVING A 24 FOOT RIGHT OF WAY) 576.83 SOUTHWESTERLY, AS MEASURED ALONG THE SOUTHEASTERLY RIGHT OF WAY OF KEY ROAD, FROM THE SOUTHEASTERLY RIGHT OF WAY OF KEY ROAD WITH THE SOUTHERLY RIGHT OF WAY OF STATE ROUTE NO. 20; THENCE SOUTHWESTERLY RIGHT OF WAY OF KEY ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTH 44 DEGREES 24' 10" WEST, 79.44 FEET TO A POINT; SOUTH 45 DEGREES 49' 00" WEST, 92.04 FEET TO A POINT; THENCE SOUTH 44 DEGREES 03' 50" WEST, 28.52 FEET TO A POINT; THENCE LEAVING THE RIGHT OF WAY OF KEY ROAD, SOUTH 68 DEGREES 17' 17" EAST, 330.00 FEET TO A POINT; THENCE SOUTH 86 DEGREES 05' 43" EAST, 289.59 FEET TO A POINT; THENCE NORTH 02 DEGREES 03' 37" WEST, 255.50 FEET TO AN IRON PIN FOUND; THENCE SOUTH 53 DEGREES 15' 12" WEST, 173.94 FEET TO AN IRON PIN FOUND; THENCE NORTH 88 DEGREES 12' 36" WEST, 135.45 FEET TO AN IRON PIN FOUND; THENCE NORTH 49 DEGREES 59' 03" WEST, 196.17 FEET TO AN IRON PIN FOUND ON THE SOUTHEASTERLY RIGHT OF WAY OF KEY ROAD AND THE POINT OF BEGINNING; CONTAINING 2.0 ACRES ACCORDING TO THAT CERTAIN PLAT OF SURVEY DATED 9/22/95, PREPARED BY A. O. CARLILE, LAND SURVEYOR, FOR DONNIE AND LEANNE HARRINGTON, WHICH SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF.

This Deed is given subject to all easements and restrictions of record, if any. Subject to all state and county ad valorem taxes not yet due and payable.

COPIES

ANNE M. REBEAU
CLERK, SUPERIOR COURT OF CHEROKEE COUNTY

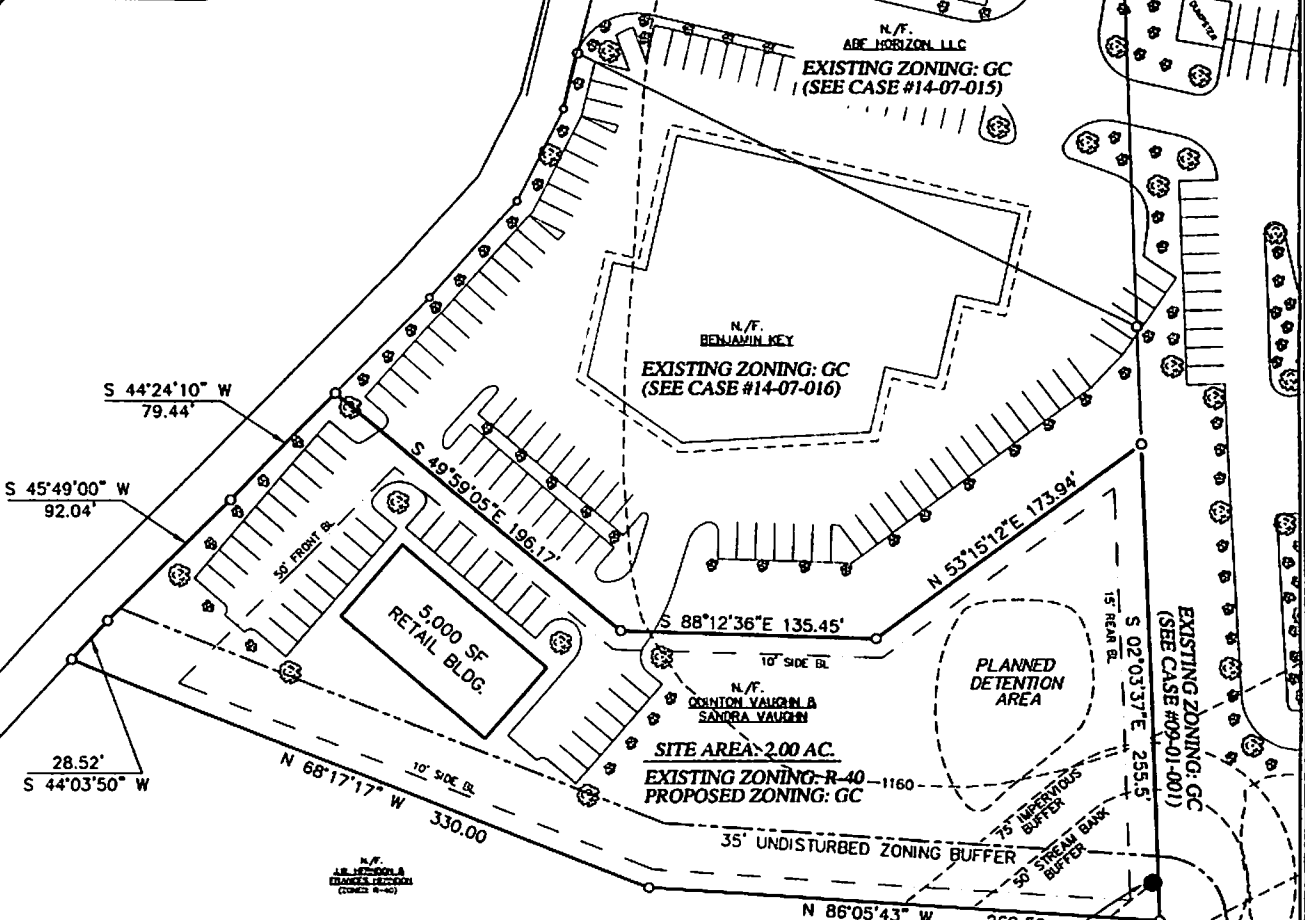
Rep. 12-18-96



FIELD BOOK: N/A, PAGE: N/A, PLOT: N/A

LEGEND

- 1) U.S. - 1/8" PER 1/4" (1/4")
- 2) U.P. - 1/8" PER FOOT
- 3) A. - CONFORMING AS
- 4) - AC
- 5) R.C. - RADIAL
- 6) P. - PAVEMENT
- 7) H.O. - HOT OIL
- 8) M.A. - MANHOLE
- 9) S. - DRIVE
- 10) S.L. - SLOPE
- 11) R/W - RIGHT OF WAY
- 12) J.A. - JUNCTION BOX
- 13) F.A. - FIRE ALARM
- 14) L.L. - LAND LOT LINE
- 15) C.A. - CHAIN
- 16) C.D. - CHAIN DISTANCE
- 17) S.P. - SIGN ON FORMERLY
- 18) S.P. - SIGN ON FORMERLY
- 19) S.S. - SURVEY SEWER
- 20) S.S. - SURVEY SEWER EASEMENT
- 21) P.P. - POWER & TELEPHONE POLE
- 22) O.E. - ORANGE EASEMENT
- 23) E. - EASEMENT
- 24) P.L. - PROPERTY LINE
- 25) O.P.L. - OVERHEAD POWER LINE
- 26) O.F.L. - OVERHEAD PHONE LINE
- 27) F.A.L. - FENCE (APPROX. LOC.)
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- 98) S.L. - STREAM (APPROX. LOC.)
- 99) S.L. - STREAM (APPROX. LOC.)
- 100) S.L. - STREAM (APPROX. LOC.)



"F.E.M.A. OFFICIAL FLOOD HAZARD MAP" COMMUNITY NO. 130423, PAGE 252D, DATED 9-20-09, SHOWS THIS PROPERTY NOT TO BE IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

APPLICANT
 QUINTON AND SANDRA VAUGHN
 CONTACT: BEN KEY AT
 404-844-8902

PROJECT SUMMARY
 PLANNED RETAIL SPACE:
 5,000 SQUARE FEET
 TOTAL NUMBER OF PARKING SPACES: 38

PRESENT ZONING: R-40
 PROPOSED ZONING: GC

NOTES
 1) UNDERGROUND UTILITIES, IF ANY, ARE NOT SHOWN.
 2) SOME FENCE LINES ARE NOT SHOWN.

DEVELOPMENT ENTRANCE WILL BE SHOWN IN DETAIL ON CONSTRUCTION PLANS AND WILL BE PERMITTED THROUGH THE GEORGIA DEPARTMENT OF TRANSPORTATION.

ALL ZONING AND STREAM BUFFERS WILL BE SHOWN ON CONSTRUCTION PLANS.

THIS PLAN IS SUBJECT TO ALL LOCAL, STATE AND FEDERAL LAWS, ORDINANCES, REGULATIONS, AND RULES, AND TO ALL ORDINANCES, REGULATIONS, AND RULES OF THE COUNTY AND STATE OF GEORGIA.

ALL CONSTRUCTION IS SUBJECT TO CHerokee COUNTY TREE ORDINANCE.

TOPOGRAPHICAL INFORMATION SHOWN WAS TAKEN FROM THE U.S.G.S. QUADRANGLE.

ALL LOT, STREET, DRIVE, UTILITY, EASEMENT, AND RIGHT OF WAY, ETC. WILL BE DESIGNED PER COUNTY STANDARDS ON CONSTRUCTION PLANS.

THIS PROJECT WILL UTILIZE PUBLIC SANITARY SEWER.



ZONING PLAN FOR
 QUINTON AND SANDRA VAUGHN

LAND LOTS - 887
 DISTRICT - 14, SECTION - 2
 CITY - Cherokee County, Georgia
 PROJECT: QUANTON AND SANDRA VAUGHN
 DRAWN BY: JAMES
 DATE FILE: VAUGHN ZONING PLAN
 2013 JUL 25 10:50

DO NOT RECORD

RECEIVED

12/14/15

S&K PROPERTY ADVISORS, LLC
270 E. MAIN STREET, SUITE H
CANTON, GA 30114

December 12, 2015

RE: Notice of Public Participation Meeting Regarding the Proposed Rezoning
Request of 2.0 Acres Located at 225 Key Drive Canton, GA 30115

Dear Neighbor,

This letter is to inform you of the Public Participation Meetings being held on December 18, 2015 at the Trammel Carmichael Community Services Center in Hickory Flat, which is located at 7675 Vaughn Road Canton, GA 30114.

The meeting will begin at 6:30 PM and will last approximately one hour. Although your attendance at this meeting is not mandatory by any means, we would like to hear your comments and concerns regarding our proposed rezoning application.

Best regards,



Benjamin Key
Representative for the Applicants, Quinton & Sandra Vaughn
S&K Property Advisors, LLC
404.644.8909

received
1/8/16/ MHS

S&K PROPERTY ADVISORS, LLC

121 E. MAIN STREET, SUITE 201, CANTON, GA 30114

January 7, 2016

Cherokee County Planning and Zoning Department
1130 Bluffs Parkway
Canton, GA 30114

RE: Public Participation Meeting Regarding Upcoming Rezoning Application of
225 Key Drive Canton, GA 30115, Map/Parcel 14N23C-029B

Dear Planning and Zoning Staff Members,

In accordance with the requirements set forth in the upcoming rezoning application, this letter is meant to serve as a summary of the Public Participation Meeting that was held on December 18, 2015 at the Trammel Carmichael Community Services Center in Hickory Flat. The meeting was held in the community room beginning at 6:30 PM, and lasted approximately 45 minutes. This meeting was advertised to all property owners within 750 feet of the subject property, as well as all of the "interested parties." The meeting had three (3) attendees (see attached sign-in sheet). None of the attendees were against the proposed rezoning, and all were encouraged about the potential to gain access to a traffic signal.

The proposed site plan, site resource, current zoning, and future land use maps were all available for review at the meeting.

Best regards,

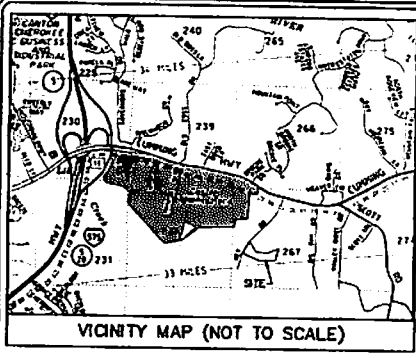


Benjamin Key
S&K Property Advisors, LLC
Representative for the Applicants, Quinton & Sandra Vaughn
404.644.8909

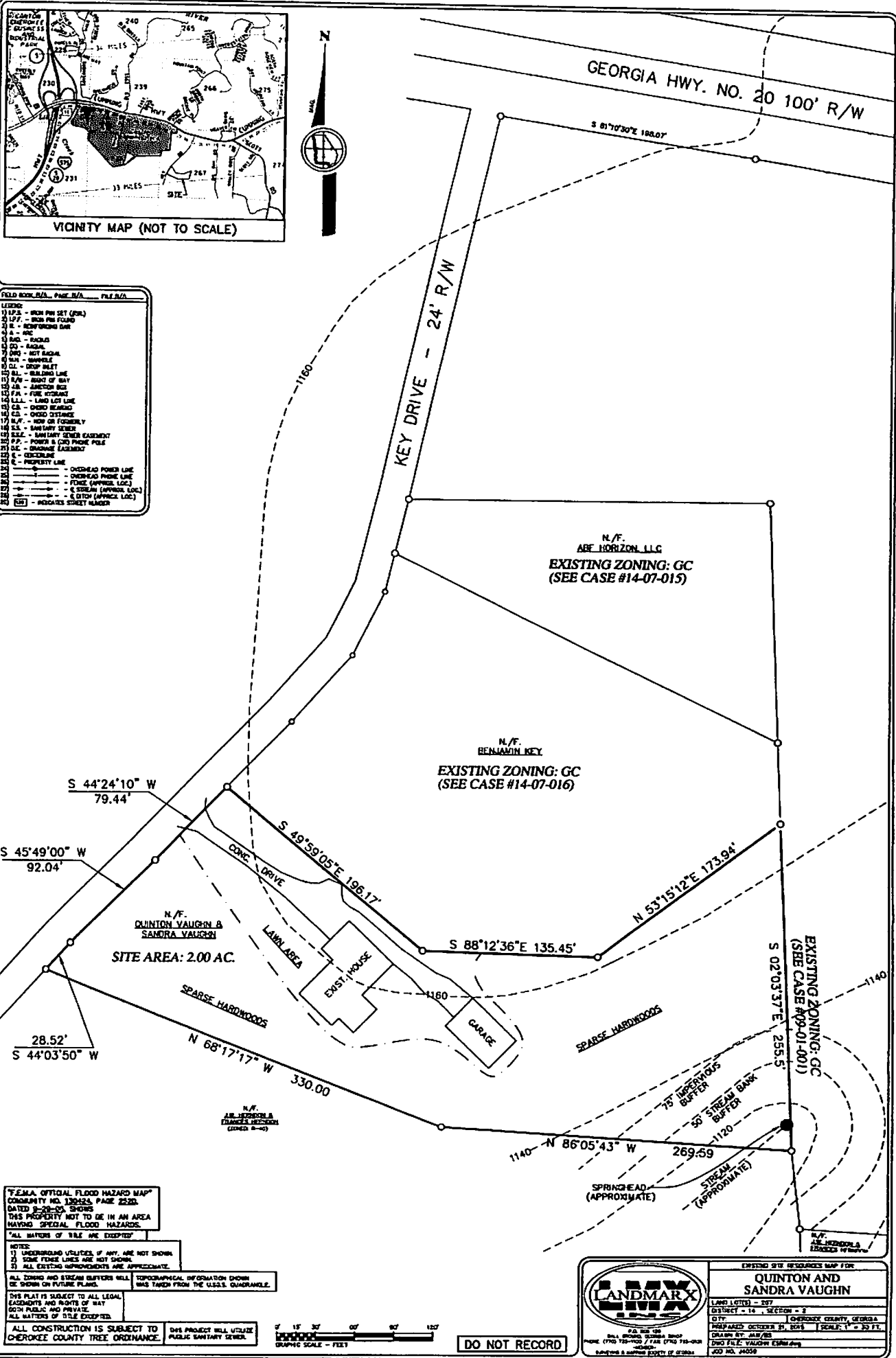


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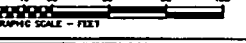
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FEMA OFFICIAL FLOOD HAZARD MAP
COMMUNITY NO. 130625A, PAGE 222D
DATED 8-28-03 SHOWS
THIS PROPERTY NOT TO BE IN AN AREA
HAVING SPECIAL FLOOD HAZARDS
"ALL MATTERS OF TITLE ARE EXCEPTED"

NOTES:
1) UNDERGROUND UTILITIES, IF ANY, ARE NOT SHOWN
2) SOME FENCE LINES ARE NOT SHOWN
3) ALL EXISTING IMPROVEMENTS ARE APPROXIMATE
ALL TOWNSHIP AND STREAM BUFFERS WILL BE SHOWN ON FUTURE PLANS. TOPOGRAPHICAL INFORMATION SHOWN WAS TAKEN FROM THE U.S.G.S. QUADRANGLE.
THIS PLAN IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAY BOTH PUBLIC AND PRIVATE
ALL MATTERS OF TITLE EXCEPTED

ALL CONSTRUCTION IS SUBJECT TO CHEROKEE COUNTY TREE ORDINANCE.
THIS PROJECT WILL UTILIZE PUBLIC SANITARY SEWER.



DO NOT RECORD

LANDMARX

EXISTING SITE DESIGNER'S MAP FOR	
QUINTON AND SANDRA VAUGHN	
LAND LOTS - 207	SECTION - 3
TRACT - 10	CHEROKEE COUNTY, GEORGIA
CITY	SCALE: 1" = 30 FT.
PREPARED OCTOBER 17, 2014	DRAWN BY: JAV/BS
CADD FILE: VAUGHN_CADD.dwg	2014.10.17
JED NO. 24058	



Cherokee County, Georgia Agenda Request

SUBJECT:
January 5, 2016 Minutes

MEETING DATE:
3/1/2016

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:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Minutes	Exhibit

Cherokee County Planning Commission
January 5, 2016 Minutes
7:00 p.m.

The Cherokee County Planning Commission held its regularly scheduled meeting on Tuesday, January 5, 2016 in Cherokee Hall at the Cherokee County Administration Building. In attendance for the Planning Commission were Richard Weatherby, Bill Dewrell, Bob Whitaker, Rick Whiteside, Scott Barnes, Thais Escondo, Ken Smith, Tom Ware and Jerald Hill. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator and Tamala Davis, Planning Technician.

The meeting was called to order at 7:25 p.m.

Zoning Cases

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. If rezoned, the property will be utilized for a residential subdivision. The 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.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is not in compliance with the Future Development Map and Comprehensive Plan. She discussed the specific variances the applicant is requesting.

Benson Chambers represented this case. Mr. Chambers stated they are proposing a maximum of 33 lots and this property adjoins neighborhoods zoned R-15, RD-3 and PUD. He stated they are proposing 1.65 units per acre and that the R-20 zoning would allow a better design with more uniform lots located in the subdivision. He stated they are requesting 3 variances due to the property characteristics. Mr. Chambers stated the homes would be built by DR Horton and would be 3,000 to 4,200 square feet home sizes with prices ranging from \$300,000 to high \$400,000.

Mr. Whitaker asked if there was anyone to speak in favor of or in opposition to this application. There being none, he closed public comment.

Dr. Whiteside made a motion to recommend approval of the rezone request with no variances. Seconded by Ms. Escondo.

Mr. Whitaker stated he feels the most of the variance requests are premature at this time however would like to leave the variance for entrance to the subdivision.

Dr. Whiteside stated yes and amended his motion to include the one (1) variance for the reduction in the buffer to accommodate the entrance to the subdivision. Seconded by Ms. Escondo.

Mr. Ware stated R-30 zoning is adequate for this property and this proposal is not consistent with the Future Development Map. He stated he cannot support this request.

Seven (7) in favor of this motion, two (2) opposed. Mr. Weatherby and Mr. Ware were in opposition.

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

Applicant is requesting to rezone 1.063 acres at East Cherokee Drive from R-30 to NC. If rezoned, the property will be utilized for commercial uses.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is in compliance with the Future Development Map and Comprehensive Plan.

Mr. Chambers represented this case. Mr. Chambers stated they are requesting this zoning to cut out the 1.06 acres that currently has the septic for the adjoining commercial building and combine in with this current NC property.

Mr. Whitaker asked if there was anyone in support of or in opposition to this application. There being none, he closed public comment.

Dr. Whiteside asked if the commercial center will be brought onto the sewer system or keep on the septic system. Mr. Chambers stated the owner is not sure at this time.

Mr. Dewrell made a motion to approve. Seconded by Mr. Ware. Unanimous approval.

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.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is in compliance with the Future Development Map and Comprehensive Plan. She stated a Public Participation meeting was held with one (1) attendee.

Mr. Weatherby recused himself from this case.

Hugh Patterson represented this case. Mr. Patterson stated they have used the building for the church offices for about 10 years and are looking to consolidate the Church operations. He stated they feel it is in their best interest to sell this property and put the business offices back on the main campuses of the Church. He stated currently they have an insurance agency office and veterinarian office interested in the property.

Mr. Whitaker asked if there was anyone in support or in opposition to this application. There being none, he closed public comment.

Ms. Escondo made a motion to recommend approval. Seconded by Mr. Barnes. Unanimous approval.

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.

Vicki Lee presented this case with a power point presentation. She discussed staff comments, location, surrounding zoning and uses. She stated this application is not in compliance with the Future Development Map and Comprehensive Plan. She stated a Public Participation meeting was held with eight (8) attendees.

Musah Lotallah represented this case. He stated they feel the development they are proposing will have a good impact to the area and Darnell Road. Mr. Lotallah stated they are proposing to build craftsman style house at about 2,500 square feet. He stated the R-15 zoning will give them a little more flexibility with the location of the homes, concept and design. He discussed the concerns from the citizens who attended the public participation meeting relating traffic, safety and drainage. He stated they are proposing a turn-around pad and detention pond to help with these concerns.

Mr. Whitaker asked if there was anyone in support of or in opposition to this application.

Charles Vermillion spoke in opposition. He discussed his concerns with no lighting and the location of the nine (9) driveways. He discussed his safety and traffic concerns.

Mark Schneider spoke in opposition. Mr. Schneider stated he is not against this development but would like to note there are a lot of drainage issues currently and would like for them to catch as much as possible to help with these issues.

Musah Lotallah spoke in rebuttal. Mr. Lotallah stated the proposed detention pond should help with the drainage and the turn-around pads should help with the traffic and safety of the public.

Mr. Whitaker closed public comment.

Ms. Escondo asked the applicant are they proposing to have sidewalks, street lights, walking community, etc.

Mr. Lotallah stated he knows they will have to do curb and gutter, the street lights they would have to get with the power company and the rest would be up to the Engineer.

Mr. Ware asked the applicant if he was sure he had enough room on the first 4 lots to provide these back out pads. Mr. Lotallah stated they have not designed the homes yet but feels they can position the homes to provide this.

Dr. Whiteside asked the applicant will they be grading to lessen the hills. Mr. Lotallah stated they will have to do a pipe system from the curb and gutters to the detention pond, so some areas will be graded.

Mr. Barnes discussed sight distance and safety issues and feels the turn-around pads would need to be included for all lots.

Ms. Escondo stated with the location of the hill, this only affects the first few lots.

Mr. Whitaker stated he noticed Engineering did not address these issues in their report, he asked staff did Engineering take a look at the driveway locations. Ms. Lee stated they did not address this however the County has a driveway inspector that will take a look at the proposed driveway locations and will adjust if necessary.

Mr. Whitaker stated the only impact of this rezone is adding one (1) lot.

Mr. Barnes made a motion to recommend approval of this application with the condition to have some accommodation for driveway safety as determined by staff so owners do not have to back out onto Darnell Drive. Seconded by Mr. Weatherby. Unanimous approval.

Approval of Minutes

Mr. Ware made a motion to approve the November 3, 2015 Minutes. Seconded by Mr. Barnes. Unanimous approval.

Mr. Barnes made a motion to approve the December 1, 2015 Minutes. Seconded by Mr. Ware. Unanimous approval.

Mr. Dewrell made a motion to adjourn. Seconded by Mr. Smith. Unanimous approval. The meeting adjourned at 8:25 p.m.



Cherokee County, Georgia Agenda Request

SUBJECT:
February 7, 2016 Minutes

MEETING DATE:
3/1/2016

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:
