



Cherokee County Planning Commission Public Hearing AGENDA

October 4, 2016
1130 Bluffs Parkway, Canton, Georgia 30114 7:00 PM
Cherokee Hall

CALL TO ORDER

ZONING CASES

- 1. Case #16-09-026 Birchwood Properties, LLC (City of Ball Ground)**
Applicant is requesting to rezone 10.0 acres at Northridge Road from AG to RZL for a single family residential subdivision.
- 2. Case #16-10-031 FR-Peachtree, LLC (BOC Dist. 2)**
Applicant is requesting to rezone 86 acres at Hickory Flat Highway and Stringer Road from AG to RZL for a single family residential subdivision. Applicant is also requesting variances to reduce the front building setback for alley products to five (5) feet from twenty-five (25) feet and a variance to center the ten (10) foot building separation on the property line.
- 3. Case #16-10-032 Core5 Industrial Partners, LLC (BOC Dist. 4)**
Applicant is requesting to rezone 24.97 acres at 3331 Highway 92 from GC and R-40 to LI (Light Industrial) for a single or multi-tenant building for light industrial, manufacturing, and/or warehousing along with incorporated offices for such uses.
- 4. Case #16-10-033 Billy Kennedy (BOC Dist. 3)**
Applicant is requesting to rezone 0.98 acres at 6739 Bells Ferry Road from LI to GC for addition of automotive sales at existing automotive repair facility.
- 5. Case #16-10-034 Lehigh Development (BOC Dist. 2)**
Applicant is requesting to rezone 17.05 acres at 540, 568 and 678 Mountain Park Road from R-40, R-20 and RM-10 to R-20 for a single family residential subdivision.

OTHER BUSINESS

APPROVAL OF MINUTES

- 1. September 6, 2016 Minutes**
- 2. September 19, 2016 Work Session Minutes**

ADJOURN



Cherokee County, Georgia
Agenda Request

Item#: 1.

SUBJECT: **Case #16-09-026 Birchwood Properties, LLC**
(City of Ball Ground)

MEETING DATE: 10/4/2016

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 10.0 acres at Northridge Road from AG to RZL for a single family residential subdivision.

FACTS AND ISSUES:

Jurisdiction: City of Ball Ground
Zoning Change: AG to RZL
Location: Northridge Road
Tax Map and Parcel No: 03N07, 010
Acres: 10.0
Proposed Development: Single Family Residential Subdivision
Future Development: Neighborhood Living

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

16-09-026

PL20160000939

**CITY OF BALL GROUND
APPLICATION FOR ZONING CHANGE**

APPLICANT: Birchwood Properties LLC – James Turner and Taylor Weaver

ADDRESS: 1030 Holcomb Rd Ball Ground GA 30107

CELL PHONE: 404-375-8293 WORK PHONE: _____

PROPERTY OWNER: Birchwood Properties LLC

EXACT LOCATION OF PROPERTY: 312 Northridge Rd Ball Ground GA 30107

PRESENT ZONING: AG

PROPOSED ZONING: RZL

PROPOSED PROJECT: 25 lot subdivision with public water and sewer

REASON REQUESTED ZONING SHOULD BE GRANTED: Birchwood Properties, LLC wishes to protect the integrity and vision the City of Ball Ground is pursuing and we desire to be a part of the bright future that Ball Ground has with many years of prosperity to come.

LIST ADJOINING PROPERTY OWNERS AND ADDRESSES (Use additional pages if required)

See Exhibit attached

IF ADOPTED, WOULD THE PROPOSED ZONING MATERIALIZE IN AN EQUAL OR BETTER ZONING THAN THAT EXISTING? The proposed zoning would be a better use of the property and would change the density from a possible 5 lots to 25.

IF THE ZONING IS AMENDED AS REQUESTED, THE USES WHICH WE SPECIFICALLY DESIRE FOR THIS PROPERTY ARE AS FOLLOWS: To construct 25 quality built homes that represent a home-town craftsman style vision utilizing earth-tone colors following the vision of the City of Ball Ground

WILL THE PROPOSED REZONING PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY OR PROPERTIES? (Explain Fully) The zoning being requested will produce a quality product equal to or better than the adjacent neighboring properties.

WILL THE PROPOSED REZONING ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY? (Explain Fully) The proposed re-zoning will not adversely affect the neighboring property owners usability, but rather it will affect them in a positive manner. It will increase their property values as well as create a more aesthetically appealing neighbor.

DOES THE PROPERTY TO BE AFFECTED BY THE PROPOSED REZONING HAVE A REASONABLE ECONOMIC USE AS CURRENTLY ZONED? (Explain Fully) The current zoning is an Agricultural zoning located in un-incorporated Cherokee county which currently serves as no economic benefit to the City of Ball Ground. If annexation and zoning that is being proposed is approved then the City of Ball Ground would be able to acquire the revenue from 25 new property owners.

WILL THE PROPOSED REZONING RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS?

(Explain Fully) If the proposed zoning is granted then it will not have an excessive burden on the streets, transportation facilities, utilities or schools. The proposal is for 25 lots should have a minimal effect on these services provided by the City. Birchwood Properties intent is to install at its own expense a private onsite wastewater sewer pump system at the time of developing the property. In addition, we will be installing a sidewalk inside the development and along Northridge Rd to be connect with the existing sidewalk that is located on the other side of Cherokee Village. The city shall be able to take over the onsite sewage pump system from one year after the installation of the proposed system.

ARE THERE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING? The future development intent and pro-growth intent of the City of Ball Ground aligns with the requested zoning without negatively impacting the existing infrastructure within the City.

If your proposed use is more than one (1) single family residence, please answer the following questions:

Residential

Minimum house size: 1500 sf

Exterior façade: Hardi/stone – Craftsman Style

Maximum number of units in this project 25

Start Date Fall 2016 Completion Date: Spring 2017

Are there restrictive covenants: YES X NO

Commercial/Industrial

Number of buildings: Maximum square

footage in this Project: Total

Estimated number of employees:

Exterior façade:

Start Date: _____ Completion Date: _____

Are there restrictive covenants: YES _____ NO _____

State Law requires a disclosure report to be filed by applicant if within the past two years, applicant has given campaign contribution or made gifts of \$250 or more to the Mayor, a Council Member of the City of Ball ground, or member of the Planning Commission of Cherokee County who will consider the application. Indicate if applicant needs to file a disclosure report. YES _____ NO X

APPLICANT'S SIGNATURE: _____

DATE OF APPLICATION: March 4th 2016

Supporting Documents Required for Submission are:

- ✓ 1) Legal description of the tract(s) proposed to be rezoned.
- ✓ 2) Plat showing the dimensions, acreage and location of the tract(s) prepared by an architect, engineer, landscape architect or land surveyor whose state registration is current and valid (his seal shall be affixed to the plat);
- ✓ 3) A copy of the recorded warranty deed (or other instrument of title) which vested title to the property in the applicant.
- ✓ 4) A copy of the paid in full tax bill or letter from the Cherokee County Tax Department stating that all taxes have been paid, and;
- 5) A site plan showing any and all proposed improvements to be constructed if the application is approved.
- 6) If the applicant is not the owner, then a letter from the owner authorizing the applicant to pursue the requested zoning is required.

ADJACENT PROPERTY OWNERS

TIN# 94N05 044
Name Collen Shaw Parcel # 03-0081-0015
Address 275 Northridge Road City Ball Ground Zip 30107

TIN# 03N07 011
Name Carrol Nix Parcel # 03-0882-0023
Address Adjacent Property North of Property City Ball Ground Zip 30107

TIN# 03N07 010F
Name Michael Dwayne Covington Parcel # 03-0195-0022
Address 396 Northridge Road City Ball Ground Zip 30107
Adjacent Property South of Property

Name _____ Parcel # _____
Address _____ City _____ Zip _____

Name _____ Parcel # _____
Address _____ City _____ Zip _____

Name _____ Parcel # _____
Address _____ City _____ Zip _____

Name _____ Parcel # _____
Address _____ City _____ Zip _____

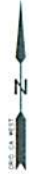
PLEASE SUBMIT APPLICATION WITH COPY OF DEED AND PLATT.

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lots 81, 135, and 136 of the 3rd District, 2nd Cherokee County, Georgia, containing 10 acres, as shown on plat of survey recorded at Plat Book 107, Page 85, Cherokee County Plat Records, said plat being incorporated herein by reference thereto for a more complete and accurate description of the subject property.



PLEASE NOTE
 THESE WORKING DRAFTS
 ARE FOR YOUR INFORMATION ONLY
 YOU DO NOT HOLD ANY RIGHTS
 IN THESE PROCEEDINGS
 CENTER, INC.
 7-800-222-7411
 OR BY
 FIELDWORK, OVERHEAD



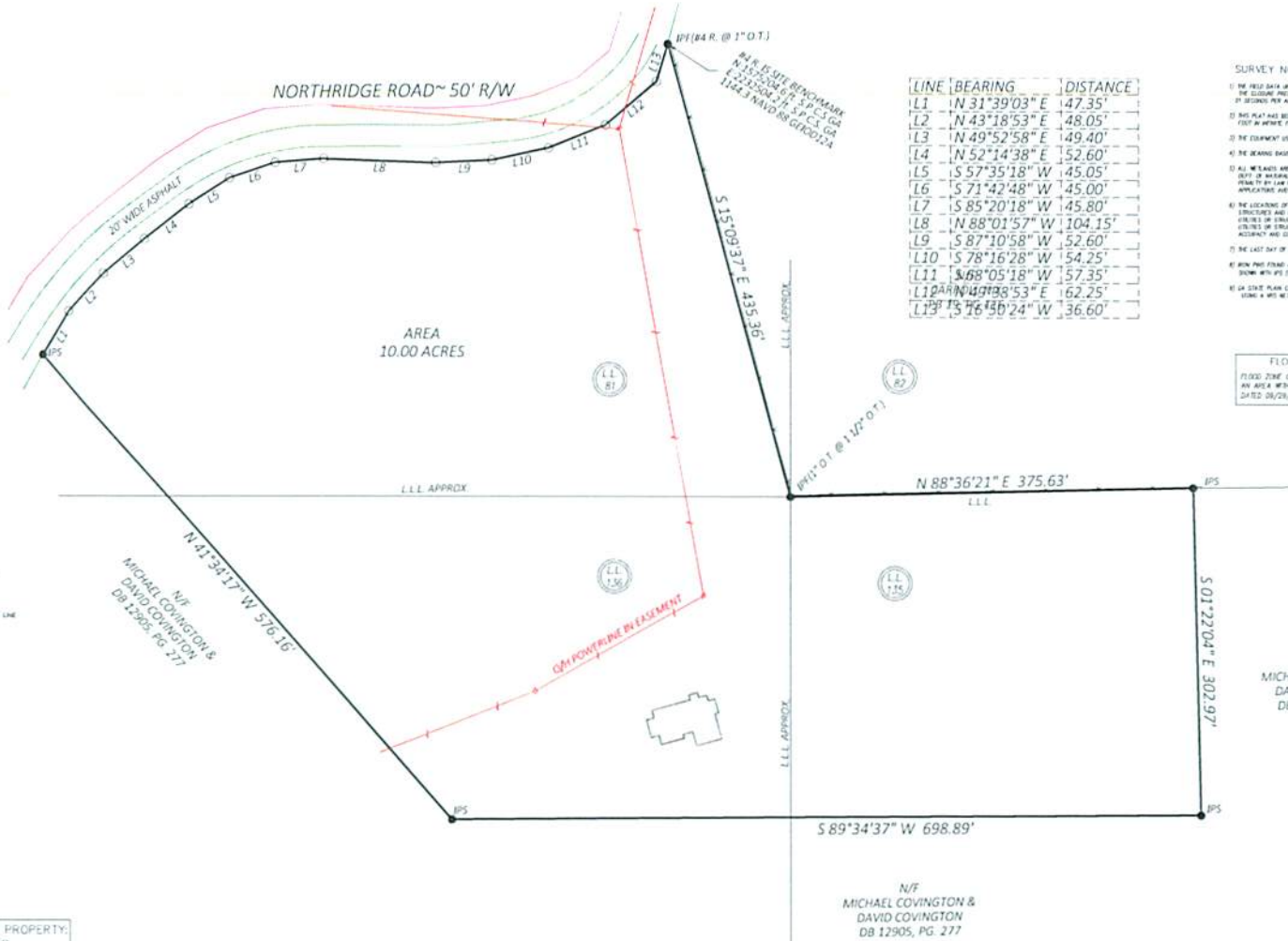
LEGEND

- SYMBOLS AND ABBREVIATIONS**
- PROPERTY CORNER WITHOUT MONUMENT
 - PROPERTY CORNER WITH MONUMENT
 - R/W RIGHT OF WAY
 - DB DEED BOOK
 - PL PLAT BOOK
 - PC PAGE OF CURB
 - PCB BACK OF CURB
 - UP OVERHEAD UTILITY POLE
 - UP UNDERGROUND UTILITY POLE
 - LL LAND LOT LINE
 - BPB BORN PIN SET
 - BPB BORN PIN FOUND
 - MPF MAN FOUND
 - LP LIGHT POLE
 - MP MONUMENT
 - SGP STEEL GRATE DRAIN INLET
 - WV WATER VALVE
 - WM WATER METER
 - WH WATER HYDRANT
 - P.S.B. POINT OF BEGINNING
 - S.S.L. SANITARY SEWER EASEMENT
 - S.P. PRESENT OR FORMER OWNER
 - TRAFIC DIRECTION ARROW
 - HTS HOT TAP SCALE
 - CMP CORRUGATED METAL PIPE
 - CONC CONCRETE
 - D-IP DUCTILE IRON PIPE
 - MC METAL WIRE CLOSER
 - UST UNDERGROUND TELEPHONE CABLE
 - P.C.D. POINT OF COMMERCIAL DELIVERY
 - W. WIRE ELEVATION
 - BLDNG BUILDING
 - W. WIRE
 - ED EASE OF EASEMENT
 - PC BACK OF CURB
 - JN JUNCTION BOX
 - SB SANITARY SEWER CLEANOUT

LEGEND

- ABBREVIATIONS**
- R/W RIGHT OF WAY
 - K/OWNER PROPERTY LINE
 - S/S SANITARY SEWER
 - OVERHEAD POWER LINE
 - WATER LINE
 - UNDERGROUND TELEPHONE LINE
 - GAS LINE

AREA OF SUBJECT PROPERTY:
 10.00 ACRES



SURVEY NOTES

- 1) THE FIELD DATA FROM WHICH THIS PLAN IS BASED WAS OBTAINED BY A CLOSED TRAVERSE. THE CLOSURE ERROR IS ONE PART IN 62,000 FEET. THE MOST ACURATE CORNER IS 6200 FEET PER ANGLE POINT. THE DATA WAS NOT ADJUSTED.
- 2) NO PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT AT ANY POINT.
- 3) NO PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT AT ANY POINT.
- 4) THE DEPARTMENT USED FOR FIELD MEASUREMENTS IS GEORGIA 2011 BY TITUS SYSTEM.
- 5) THE DEPARTMENT USED FOR THIS PLAN IS GEORGIA 2011 BY TITUS SYSTEM.
- 6) ALL METERS ARE UNDER THE JURISDICTION OF THE COMPTROLLER AND OFFICE OF THE DEPT. OF REVENUE. UNLESS LIST OWNERS AND THE DEVELOPER ARE SUBJECT TO FINES BY LAW FOR NONCOMPLIANCE TO THESE PROTECTED AREAS. METERS SHOULD BE APPROVED BY APPLICABLE AGENCIES AND APPROVALS.
- 7) THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON IS BASED ON AERIAL PHOTOGRAPHS AND INFORMATION SUPPLIED BY THE SUBJECT. LOCATIONS OF UNDERGROUND UTILITIES OR STRUCTURES NOT SHOWN FROM LOCATIONS SHOWN HEREON ARE NOT GUARANTEED. THE SURVEYOR HAS NO CONTROL AS TO THE ACCURACY AND COMPLETENESS OF THE LOCATIONS SHOWN HEREON.
- 8) THE LAST DAY OF FIELD WORK WAS 11/16/2015. FIELDWORK BEGAN & ENDED BY TIME.
- 9) NO PLAT FROM ANY LOT CHARTER RECORD UNLESS OTHERWISE NOTED. ALL PROPERTY CORNERS SHOWN WITH A BORN PIN SET OR LOT CORNER WITH PLASTIC CAP SHOULD BE RELOCATED PER 13-2-2015.
- 10) IN CASE OF A DISCREPANCY BETWEEN THE PLAT AND THE FIELDWORK, THE FIELDWORK SHALL CONTROL.

FLOOD NOTE

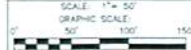
FLOOD ZONE CLASSIFICATION FOR THIS SITE IS ZONE X. THIS PARCEL OF LAND DOES NOT LIE IN AN AREA WITH SPECIAL FLOOD HAZARDS PER CHEROKEE COUNTY F.L.W. MAP# 1305/03100. DATED 06/29/2006.

The survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 14-6-67.



NO OTHER PLAT DOES NOT REQUIRE APPROVAL FOR RECORDING BY A GOVERNING AUTHORITY AND IS NOT SUBJECT TO GEORGIA CODE SECTION 14-6-67.

N/F
 MICHAEL COVINGTON &
 DAVID COVINGTON
 DB 12905, PG. 277



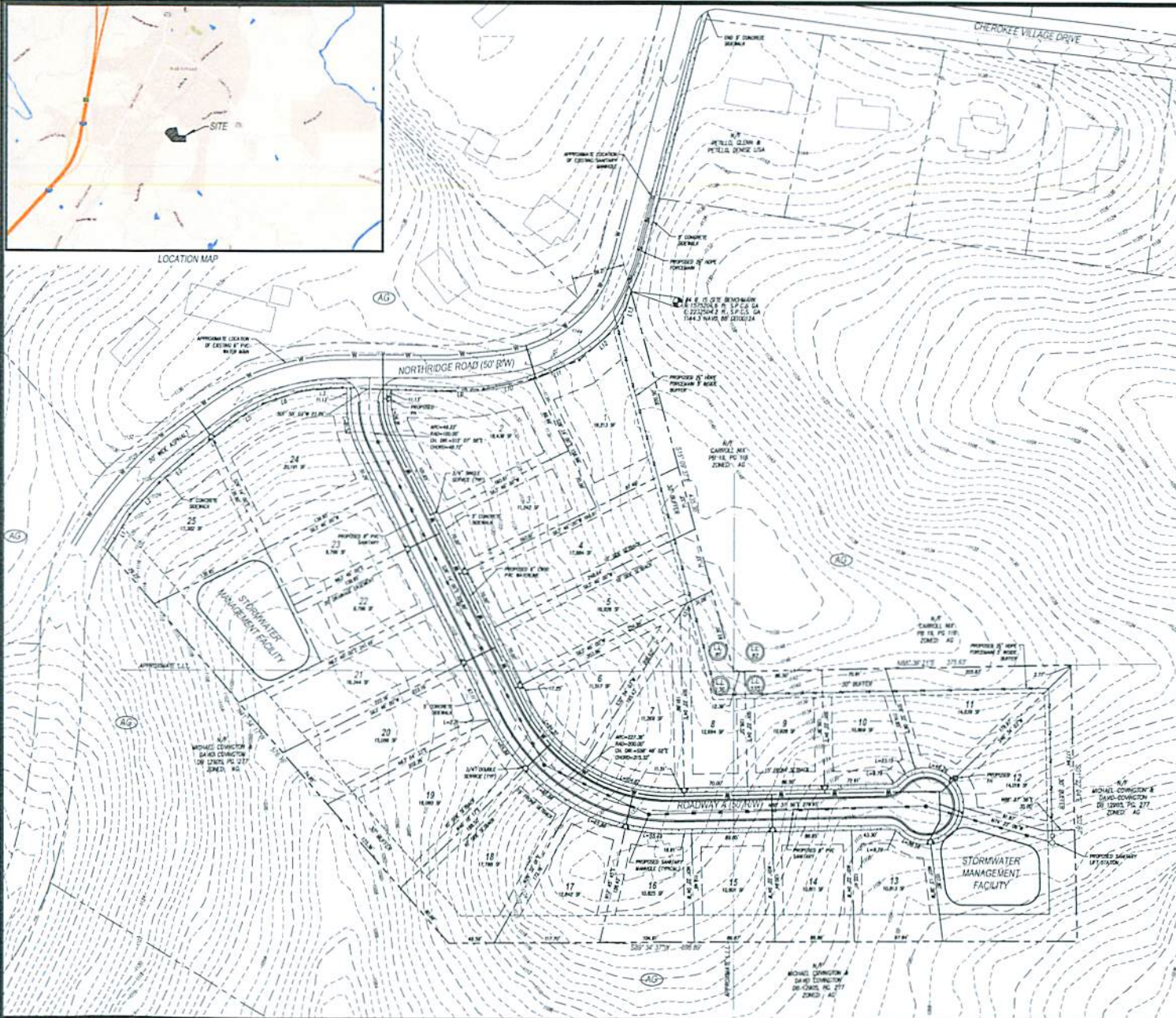
NO.	DATE	REVISIONS	DESCRIPTION
1	11-20-15	ISSUE	

MAP OF BOUNDARY SURVEY OF
 312 NORTHRIDGE ROAD
 FOR
 BIRCHWOOD PROPERTIES, LLC.
 FOR PROPERTY LOCATED IN
 LAND LOTS 135 & 136, 3rd DISTRICT, 2nd SECTION
 CHEROKEE COUNTY, GEORGIA

D&S LAND SURVEYING
 312 1/2 FOX DR., PO. BOX 1000, CANTON, GA 30114
 (770) 487-1111
 WWW.DANDSLS.COM



LOCATION MAP



DEVELOPMENT SUMMARY	
ZONING	EXISTING ZONING AG
ZONING	PROPOSED ZONING R1L
AREA	SITE AREA 10 ACRES
DENSITY	NUMBER OF UNITS 25 UNITS
DENSITY	PROPOSED DENSITY 2.5 UNITS/ACRE
DEPTH OF LOT	30'
MINIMUM LOT AREA	8,796 SQ'
MINIMUM LOT WIDTH	75 FEET
MAXIMUM BUILDING HEIGHT	25 FEET
SETTLE	30 FEET
FRONT (INTERNAL)	30 FEET
FRONT (EXTERNAL)	15 FEET
SIDE	10 FEET
REAR	25 FEET
WATER	30 FEET
CHEROKEE COUNTY PERMIT BUFFERS	30 FEET

NO.	REVISION	DATE
1	ISSUED FOR PERMITTING	07/20/2013
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	
11	REVISION	
12	REVISION	
13	REVISION	
14	REVISION	
15	REVISION	
16	REVISION	
17	REVISION	
18	REVISION	
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21	REVISION	
22	REVISION	
23	REVISION	
24	REVISION	
25	REVISION	
26	REVISION	



ZONING PLAN
SOUTH OF TOWN
LAND LOTS #1, 13 & 15
30C DISTRICT
BALL GROUND, GEORGIA

OWNER/DEVELOPER
BIRCHWOOD PROPERTIES, LLC
1629 HOLCOMB ROAD
BALL GROUND, GEORGIA 30117
PHONE: 770.831.7278

24 HOUR CONTACT:
JEFF SMITH
404.328.6280

Scale: 1 inch = 50 ft



THE UTILITIES SHOWN HEREIN ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE PROGRESS ASSUMES THE RESPONSIBILITY FOR THE EXISTING BURIED AND TO BE FOUND BY THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL CHANGES MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

SUBMITTAL CERTIFICATION NUMBER: 28220
EXPIRATION DATE: 07/20/2013

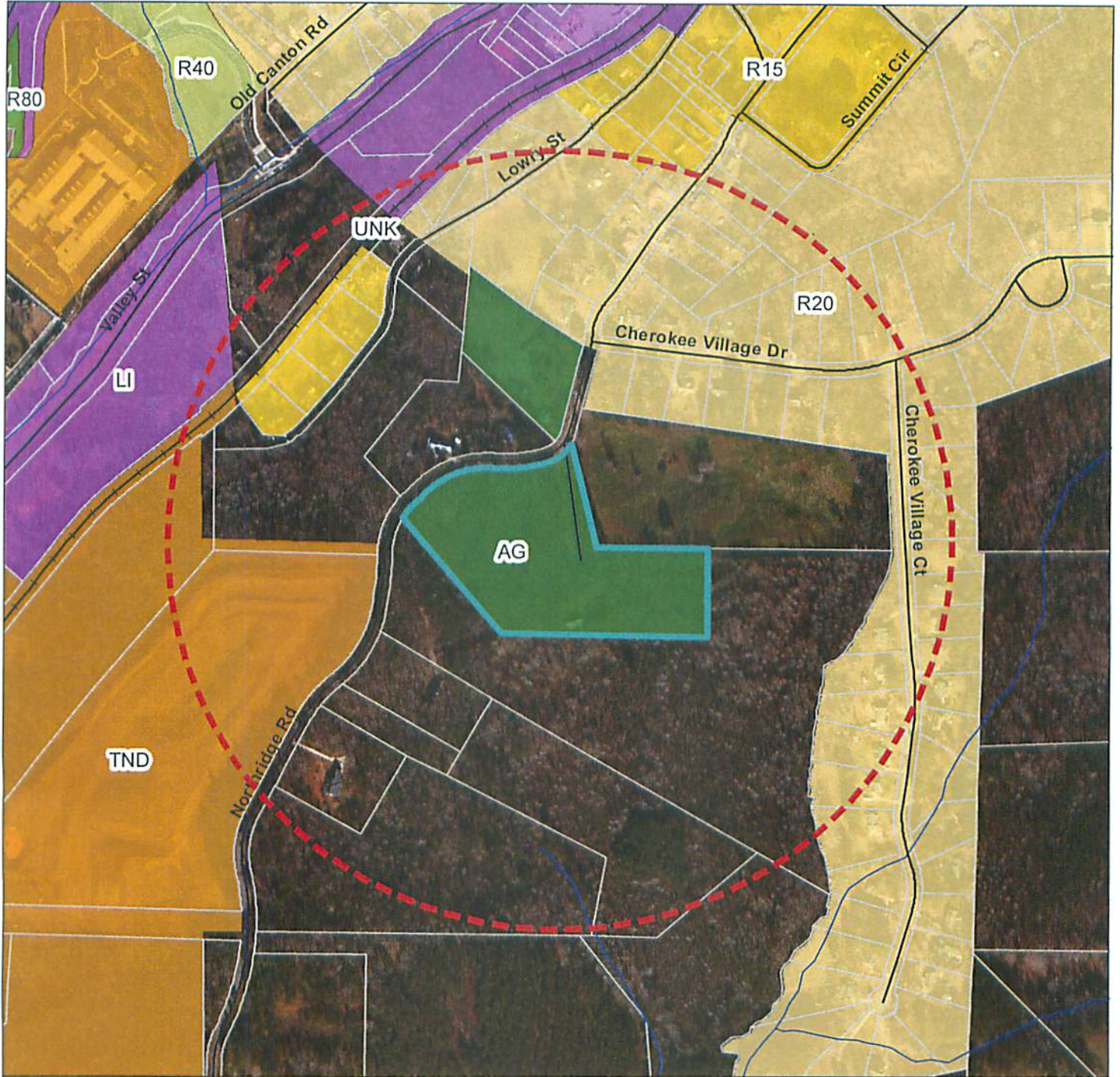


NO.	REVISION	DATE

ZONING PLAN
Z100

Case # 16-09-026 Birchwood Properties, LLC

Ball Ground Zoning Map



Legend

- | | |
|-----------------------------|-----|
| Rezoning Parcel | R15 |
| Street | RZL |
| 1/4 Mile Radius | RM4 |
| 100 Year Flood Zone | TND |
| Ball Ground - Zoning | |
| AG | OIT |
| RE | LRO |
| R80 | GC |
| R40 | HO |
| R30 | LI |
| R20 | |



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



Prepared by:
Cherokee County
Planning and Land Use
Canton, Georgia
27 July 2016





**Cherokee County, Georgia
Agenda Request**

Item#: 2.

SUBJECT:

**Case #16-10-031 FR-Peachtree, LLC (BOC
Dist. 2)**

MEETING DATE:

10/4/2016

SUBMITTED BY:

Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 86 acres at Hickory Flat Highway and Stringer Road from AG to RZL for a single family residential subdivision. Applicant is also requesting variances to reduce the front building setback for alley products to five (5) feet from twenty-five (25) feet and a variance to center the ten (10) foot building separation on the property line.

FACTS AND ISSUES:

Commission District: 2
Zoning Change: AG to RZL
Location: Hickory Flat Highway and Stringer Road
Tax Map and Parcel No: 15N26, 039, 039A, 039C, 040 and 031
Acres: 86
Proposed Development: Single Family Residential
Future Development Map: Suburban Growth with Transitional Corridor
and Community Village

BUDGET:

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

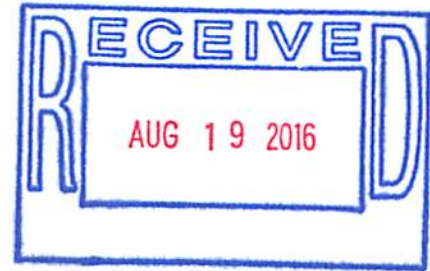
ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Existing Site Resources	Exhibit
<input type="checkbox"/> Site Plan	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: Parks E. Huff Phone: (770) 422-7016 Email: phuff@slhb-law.com

Applicant's Information:

Name: FR-Peachtree, LLC
Address: 5775 Glenridge Drive, Suite E-160 Phone:
City, State, Zip: Atlanta, Georgia 30328

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

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

Requested Public Hearing (check all that apply):

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

STAFF USE ONLY: Commission District: 2 Case: 16-10-031 CityView #: PL 2016-1136 Received by: Fee Paid: \$ 500.00 Date: PUBLIC HEARING SCHEDULE: Public Participation Meeting: 8-3-16 PC Work Session Date: 9-19-16 Planning Commission Hearing: 10-4-16 Board of Commissioners: 10-18-16 Zoning Board of Appeals: Other:



SECTION II

Property Information:

Location: South side of Highway 140, east of Stringer Road

Current Zoning: AG Proposed Zoning: RZL Total Acreage: 86.0

Tax Map #: 15 N 26 Parcel #: 039, 039A, 248, 249, 256, 257, 039C, 040 & 031 Land Lot(s): 320, 321 & 322 District: 15

Future Development Map Designation: Suburban Growth with a Transitional Corridor and a Community Village

Adjacent Zonings: North GC & R-80 South AG (County) East AG (Holly Springs) West AG (Holly Springs) RD3 and PUD

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

1) Rezone the property from AG to RZL

2) Reduce the front setback for alley products to five feet from 25 feet (Section 7.4-2(b)).

3) Center the ten foot building separation on the property line (Section 7.4-2(c)).

Proposed Use(s) of Property:

Single family residential.

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, Parks F. Huff, 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 29 day of August, 2016.

Print Name Parks F. Huff, Attorney for Applicant

Applicant Signature [Signature]

SECTION III

Infrastructure Information:

Is water available to this site? Yes No Jurisdiction: Cherokee

How is sewage from this site to be managed?

Cherokee Water and Sewer

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

If yes, what is the projected increase? 215 students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home	296	0.725	214.6
Multi Family (Attached) Home		0.287	

Traffic Generation:

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

What is the estimated number of trips generated? 2,833 trips

Code	Land Use(s)	# of units or sqft*	Daily Trip Ends*	Number of Trips
210	Single Family Home/ Townhome	296	9.57	2,832.72
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.

SECTION VI

APPLICANT RESPONSE STATEMENT- VARIANCES / APPEALS

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

If this application is in response to a variance, please respond to the following standards in the form of a written narrative. In the case of concurrent variances, a response to the standards below should be provided for each variance requested.

1. Explain requested variance.

- a. Reduce the front setback for homes with a rear alley garage from twenty-five (25) feet to five (5) feet (Section 7.4-2(b)); and
- b. Variance to allow the ten (10) foot building separation to be centered on the property lines (Section 7.4-2(c)).

2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.

The Providence Group builds a lot of alley fed or rear entry product which is not contemplated by the zoning ordinance. The front setback is to accommodate a front entry garage and parking. When the garage is moved to the rear the short front setback is needed to create the streetscape with the porch and front door being in close proximity to the sidewalk and manicured front yards. The RZL ordinance places the home on the property line but the development works better for everyone if the building separation can be centered on the property line. The homes keep the same separation but it eliminates issues if the house is exactly on the property line.

3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

The high end rear alley product creates the highest priced homes and the purpose of the larger front setback is not needed because the garage is in the back..

4. Such conditions are peculiar to the particular piece of property involved.

The topography and grading conditions are peculiar to the subject property as is the fact that Providence and their buyers want a rear entry home.

5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.

The Providence product is designed for many homes to be rear entry products which are designed to be close to the sidewalk to create a streetscape that encourages walking. There is no benefit to the community or Cherokee County to have the increased front setback.

- 6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.**

The ordinance is intended to create a proper separation between a home and the street. The Providence Group product uses a rear alley and garage for vehicular access and has a front streetscape with the home placed closer to the street.

- 7. Special circumstances or conditions applying to the building or land or building and land in question are peculiar to such premises and do not apply generally to other land or buildings in the vicinity.**

The most relevant circumstance related to the variance request is the Providence product and the fact that the community is a high end development that has rear entry garages.

- 8. Granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.**

The Providence Group proposes a setback that respects the goal of the ordinance while allowing reasonable development of the property. There is no public benefit for an increased front or side setback in this situation.

- 9. The condition from which relief or a variance is sought did not result from willful action by the applicant.**

The requested variance relates specifically to the Providence product and a community with alleys.

- 10. Authorizing the variance will not impair adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the County.**

The setback variances will reduce any potential impact on surrounding properties by increasing the separation of the homes from existing properties.

SECTION V

AMENDED APPLICANT RESPONSE STATEMENT - REZONINGS AND AMENDMENTS / MODIFICATIONS TO ZONING CONDITIONS

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

1. Explain the intent of the requested zoning.

FR-Peachtree LLC proposes to rezone the property to RZL for a Providence Group gated-community with private streets and common landscape maintenance by the homeowners association. Many of the homes will be accessed by an alley and a garage located to the back of the home. The Providence Group has developed multiple successful high end communities in Vinings and Alpharetta.

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

The Stringer family has owned the property for over 100 years. In the last several years, properties in this section of Hickory Flat have developed at densities of greater than 3.5 units per acre. The proposed use is suitable given the developed RD-3 and PUD's in the county and PRD's in Holly Springs.

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

The Providence community will be quieter and create less of an impact on adjacent properties than any other residential development would have. The gated community with common landscape maintenance will be quiet create less impact than a traditional single family neighborhood.

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

As zoned, the property does not have a reasonable economic use. The AG zoning on the subject property would not allow sufficient density to cover the cost associated with developing the land which would include extending public utilities.

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

The Providence neighborhood will have less of a burden on schools, roads and other public infrastructure than the development of the property for a traditional single

family neighborhood which would appeal to larger families with school aged children rather than empty nesters.

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

The RZL designation will create an intensity that is consistent with the various land use plan designations on the property which include a portion of the property in Community Village and the remainder being in Suburban Growth but with a Transitional Corridor overlay. The county analyzed this property for a previous annexation request and chose not to challenge the annexation if the property was developed at a density of 3.5 units per acre.

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

This section of Cherokee County has a demand for but a limited supply of homes designed for the empty nester and higher-end buyers that want to live in a gated community where lawn maintenance is included. The lawn and landscaping is all maintained by the HOA so the residents can enjoy a quiet a beautiful community that will have sidewalks throughout to encourage walking and social interaction. Many homes will have a rear garage accessed by an alley so the homes are moved closer to the street to create an attractive streetscape.

TO THE CHEROKEE COUNTY BOARD OF COMMISSIONERS
CHEROKEE COUNTY, GEORGIA

CONSTITUTIONAL CHALLENGE

COMES NOW, FR-PEACHTREE, LLC, hereinafter referred to as the "Applicant", and asserts the following, to wit:

1.

By application to which this exhibit relates, Applicant has applied for a rezoning of certain real property lying and being in Cherokee County, Georgia, a more particular description and delineation of the subject property hereinafter referred to as the "Property", being set forth in said Application.

2.

The Application for Public Hearing of the property seeks a rezoning from the existing category of AG, as established by the governing authority of Cherokee County, Georgia to the zoning category of RZL.

3.

The current AG zoning classification of the property and all intervening classifications between same and RZL are unconstitutional in that they deprive the Applicant under and pursuant to Article 1, Section I, Paragraphs I and II of the Georgia Constitution of 1983 and the Equal Protection and Due Process clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States. This deprivation of property without due process violates constitutional prohibitions against the taking of private property without just compensation.

4.

The zoning classification of AG as well as all intervening classifications between same and RZL as they presently exist violate the Applicant's right to the unfettered use of the property in that the existing zoning classification does not bear a substantial relation to the public health, safety, morality or general welfare and is, therefore, confiscatory and void. Further, said classifications are unconstitutional in that they are arbitrary and unreasonable, resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant.

5.

The Cherokee County Zoning Ordinance is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with zoning applications also violates the aforementioned constitutional provisions in that said procedures contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issues at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law.


6.

Pursuant to O.C.G.A. §§ 36-11-1 and 36-33-5, please consider this your notice that as of today's date the Owner/Applicant is contending that Cherokee County's unconstitutional zoning classifications of the property have caused damages to the Owner/Applicant. As a direct and proximate result of the unconstitutional zoning classifications, the Owner/Applicant has suffered and will continue to suffer monetary damages in the nature of attorneys' fees and costs, interest and other expenses on pending loans on the property, loss of income from the property and other related

damages. This amount cannot be calculated to an exact certainty; however, the Owner/Applicant will assist the County by providing whatever additional information, if any, the County feels is necessary to adequately investigate this claim. If the Owner/Applicant does not receive a timely request for additional information, it will be presumed that the County does not require any additional information and can make a determination within the allowed statutory period.

Respectfully submitted, this the 19 day of August, 2016.

SAMS, LARKIN, HUFF & BALLI, LLP

By: 
PARKS F. HUFF
Attorney for Applicant
FR-Peachtree, LLC

LAND DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 248, 249, 256, 257, 320, 321 & 322 of the 15th District, 2nd Section, Cherokee County, Georgia and being more particularly described as follows:

BEGINNING at the southeasterly end of the mitered intersection of the southwesterly R/W line of Hickory Flat Road with the southerly line of Stringer Road, THENCE running along said R/W line of Hickory Flat Road the following courses and distances: South 38 degrees 40 minutes 45 seconds East a distance of 241.74 feet to a point; THENCE South 43 degrees 26 minutes 57 seconds East a distance of 125.13 feet to a point; THENCE South 44 degrees 15 minutes 16 seconds East a distance of 128.52 feet to a point; THENCE South 47 degrees 18 minutes 32 seconds East a distance of 107.18 feet to a point; THENCE South 50 degrees 32 minutes 44 seconds East a distance of 106.74 feet to a point; THENCE South 51 degrees 59 minutes 37 seconds East a distance of 239.71 feet to a point; THENCE South 53 degrees 38 minutes 17 seconds East a distance of 583.26 feet to a point at the intersection of said R/W line of Hickory Flat Road with the centerline of a creek; THENCE leaving said R/W line and running along the centerline of said creek in a southerly direction a distance of 1085'± to the intersection of said creek with the centerline of a second creek; thence running along the centerline of said second creek in a westerly direction a distance of 1204'± to a point; THENCE leaving the centerline of said second creek North 04 degrees 28 minutes 31 seconds West a distance of 136.87 feet to a point; THENCE North 16 degrees 47 minutes 03 seconds West a distance of 109.11 feet to a point; THENCE North 23 degrees 46 minutes 51 seconds West a distance of 86.30 feet to a point; THENCE North 73 degrees 39 minutes 42 seconds West a distance of 56.66 feet to a point; THENCE North 43 degrees 56 minutes 15 seconds West a distance of 27.16 feet to a point; THENCE North 02 degrees 46 minutes 19 seconds West a distance of 44.97 feet to a point; THENCE North 18 degrees 58 minutes 54 seconds West a distance of 49.03 feet to a point; THENCE South 82 degrees 39 minutes 08 seconds West a distance of 22.66 feet to a point; THENCE South 31 degrees 26 minutes 45 seconds West a distance of 30.57 feet to a point; THENCE South 06 degrees 57 minutes 27 seconds West a distance of 27.04 feet to a point; THENCE South 08 degrees 19 minutes 56 seconds West a distance of 27.78 feet to a point; THENCE South 24 degrees 47 minutes 33 seconds West a distance of 32.72 feet to a point; THENCE South 59 degrees 36 minutes 38 seconds West a distance of 140.35 feet to a point; THENCE South 30 degrees 23 minutes 43 seconds West a distance of 73.07 feet to a point; THENCE South 02 degrees 33 minutes 55 seconds East a distance of 48.59 feet to a point; THENCE South 19 degrees 39 minutes 56 seconds West a distance of 21.54 feet to a point; THENCE South 50 degrees 12 minutes 45 seconds West a distance of 16.98 feet to a point; THENCE South 68 degrees 38 minutes 31 seconds West a distance of 17.90 feet to a point; THENCE South 45 degrees 01 minutes 06 seconds West a distance of 13.32 feet to a point; THENCE South 45 degrees 01 minutes 06 seconds West a distance of 11.27 feet to a point; THENCE North 89 degrees 41 minutes 38 seconds West a distance of 135.57 feet to a point; THENCE North 74 degrees 55 minutes 04 seconds West a distance of 66.82 feet to a point; THENCE North 60 degrees 23 minutes 32 seconds West a distance of 42.53 feet to a point; THENCE North 74 degrees 03 minutes 52 seconds West a distance of 42.22 feet to a point; THENCE North 83 degrees 25 minutes 20 seconds West a distance of 75.90 feet to a point; THENCE North 64 degrees 14 minutes 42 seconds West a distance of 44.50 feet to a point; THENCE North 72 degrees 50 minutes 04 seconds West a distance of 41.98 feet to a point; THENCE North 88 degrees 31 minutes 56 seconds West a distance of 28.45 feet to a point; THENCE North 62 degrees 27 minutes 47 seconds West a distance of 54.61 feet to a point; THENCE North 75 degrees 10 minutes 59 seconds West a distance of 72.50 feet to a point; THENCE North 69 degrees 05 minutes 37 seconds West a distance of 38.64 feet to a point on the easterly R/W line of Stringer Road; THENCE running along said R/W line of Stringer Road the following courses and distances: North 16 degrees 52 minutes 05 seconds East a distance of 116.80 feet to a point; THENCE North 14 degrees 28 minutes 09 seconds East a distance of 70.00 feet to a point; THENCE North 06 degrees 17 minutes 40 seconds East a distance of 70.00 feet to a point; THENCE North 00 degrees 36 minutes 05 seconds West a distance of 70.00 feet to a point; THENCE North 00 degrees 36 minutes 05

seconds West a distance of 100.00 feet to a point; THENCE North 02 degrees 40 minutes 42 seconds West a distance of 250.12 feet to a point; THENCE North 02 degrees 13 minutes 02 seconds West a distance of 379.54 feet to a point; THENCE North 01 degrees 03 minutes 57 seconds East a distance of 139.25 feet to a point; THENCE North 02 degrees 54 minutes 02 seconds East a distance of 117.95 feet to a point; THENCE North 08 degrees 56 minutes 11 seconds East a distance of 105.66 feet to a point; THENCE North 16 degrees 47 minutes 34 seconds East a distance of 98.13 feet to a point; THENCE North 25 degrees 27 minutes 22 seconds East a distance of 85.05 feet to a point; THENCE North 32 degrees 01 minutes 19 seconds East a distance of 84.42 feet to a point; THENCE North 38 degrees 41 minutes 47 seconds East a distance of 86.81 feet to a point; THENCE North 40 degrees 03 minutes 51 seconds East a distance of 252.17 feet to a point; THENCE South 53 degrees 08 minutes 52 seconds East a distance of 30.05 feet to a point; THENCE North 38 degrees 50 minutes 52 seconds East a distance of 39.53 feet to a point; THENCE North 49 degrees 46 minutes 54 seconds East a distance of 38.38 feet to a point; THENCE North 60 degrees 16 minutes 16 seconds East a distance of 36.34 feet to a point; THENCE North 69 degrees 47 minutes 14 seconds East a distance of 45.64 feet to a point; THENCE North 89 degrees 10 minutes 13 seconds East a distance of 51.85 feet to a point; THENCE South 83 degrees 45 minutes 43 seconds East a distance of 48.38 feet to a point; THENCE South 64 degrees 27 minutes 16 seconds East a distance of 38.31 feet to a point; THENCE South 62 degrees 57 minutes 52 seconds East a distance of 39.65 feet to a point; THENCE South 73 degrees 26 minutes 10 seconds East a distance of 65.85 feet to a point; THENCE South 85 degrees 17 minutes 18 seconds East a distance of 73.14 feet to a point; THENCE North 80 degrees 56 minutes 21 seconds East a distance of 71.53 feet to a point; THENCE North 68 degrees 01 minutes 18 seconds East a distance of 42.14 feet to a point; THENCE North 66 degrees 03 minutes 04 seconds East a distance of 44.40 feet to a point; THENCE South 79 degrees 29 minutes 32 seconds East a distance of 75.29 feet to a point; said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 86.0± acres.

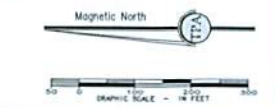


Site Notes:
 1. There are no endangered or threatened species or habitat for such located on the site.
 2. There are no archeological sites, cemeteries or burial grounds located on the site.
 3. No part of the site is identified in any state or local historic site survey.



OWNER/DEVELOPER
thePROVENCEgroup
 Warren Jolly
 11340 Lochford Drive
 Building 8, Suite 200
 Atlanta, Georgia 30347
 Tel: (770) 476-1800

4317 Park Drive, Suite 600
 Norcross, Georgia 30093
 Phone: (770) 416-7511
 Fax: (770) 416-6799
 www.travispruitt.com

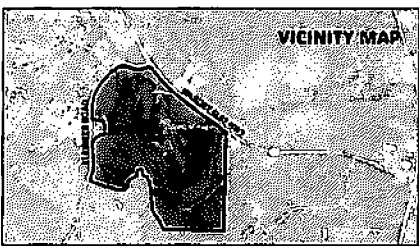


EXISTING SITE RESOURCES MAP
STRINGER MCDANIEL
PROPERTY

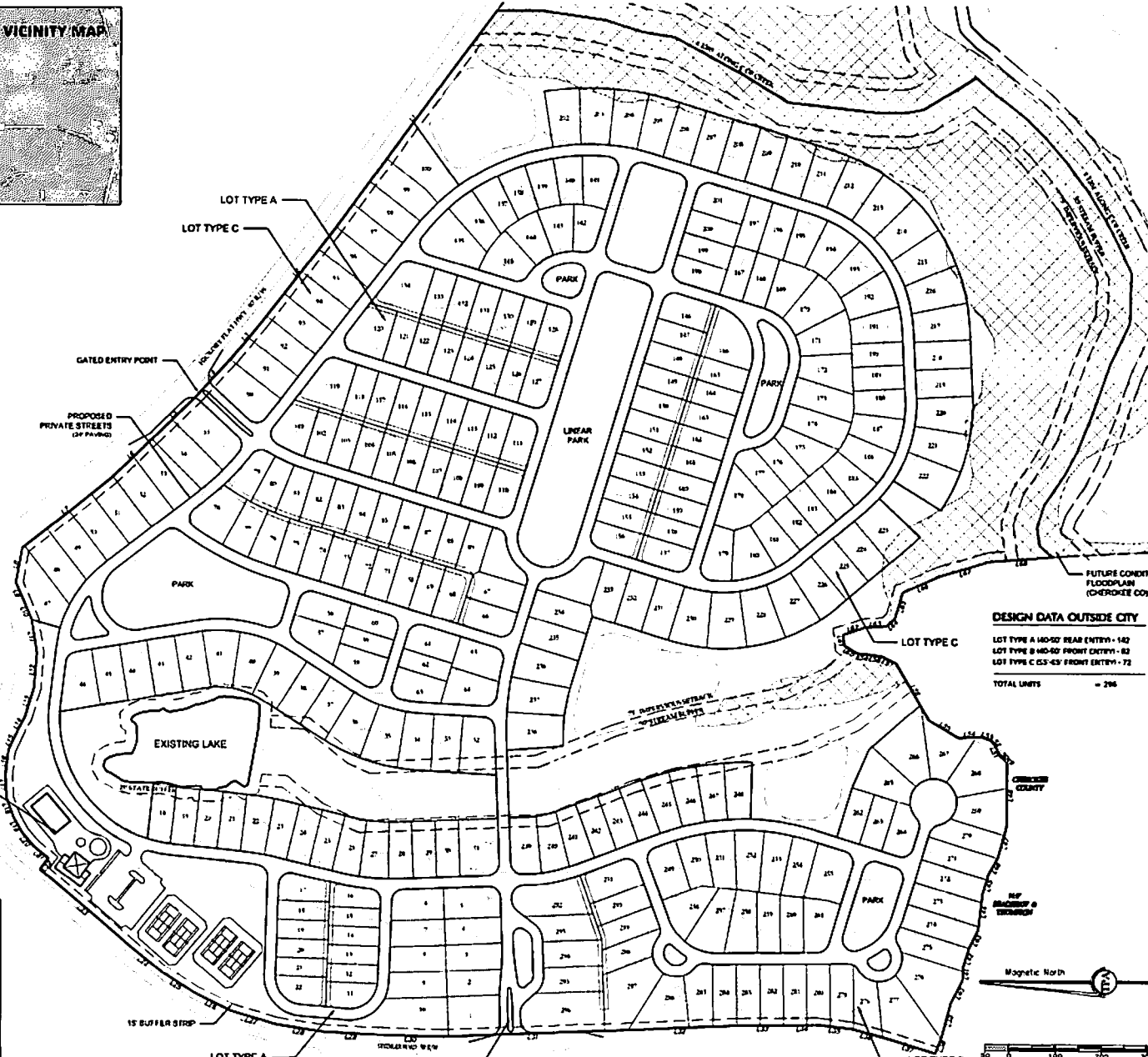
DISTRICT 15, SECTION 2
 LAND LOTS 248, 249, 256, 257, 332, 331, 332
 T8N, 15W26-03S, 15W26-03E4, 15W26-03E, 15W26-03E2, 15W26-03S15W26-03E



DATE	08-19-2018
SCALE	1" = 100'
CREATED BY	TJP
DATE	12-09-2015
FILE	



Line #	Description	Length	Line #	Description	Length
L1	05.781779	583.89'	L38	04.751079	70.00'
L2	05.781779	236.71'	L37	04.751079	70.00'
L3	04.751079	108.74'	L36	04.751079	72.00'
L4	04.751079	102.17'	L35	04.751079	72.00'
L5	04.751079	70.00'	L34	04.751079	72.00'
L6	04.751079	70.00'	L33	04.751079	72.00'
L7	04.751079	70.00'	L32	04.751079	72.00'
L8	04.751079	70.00'	L31	04.751079	72.00'
L9	04.751079	70.00'	L30	04.751079	72.00'
L10	04.751079	70.00'	L29	04.751079	72.00'
L11	04.751079	70.00'	L28	04.751079	72.00'
L12	04.751079	70.00'	L27	04.751079	72.00'
L13	04.751079	70.00'	L26	04.751079	72.00'
L14	04.751079	70.00'	L25	04.751079	72.00'
L15	04.751079	70.00'	L24	04.751079	72.00'
L16	04.751079	70.00'	L23	04.751079	72.00'
L17	04.751079	70.00'	L22	04.751079	72.00'
L18	04.751079	70.00'	L21	04.751079	72.00'
L19	04.751079	70.00'	L20	04.751079	72.00'
L20	04.751079	70.00'	L19	04.751079	72.00'
L21	04.751079	70.00'	L18	04.751079	72.00'
L22	04.751079	70.00'	L17	04.751079	72.00'
L23	04.751079	70.00'	L16	04.751079	72.00'
L24	04.751079	70.00'	L15	04.751079	72.00'
L25	04.751079	70.00'	L14	04.751079	72.00'
L26	04.751079	70.00'	L13	04.751079	72.00'
L27	04.751079	70.00'	L12	04.751079	72.00'
L28	04.751079	70.00'	L11	04.751079	72.00'
L29	04.751079	70.00'	L10	04.751079	72.00'
L30	04.751079	70.00'	L9	04.751079	72.00'
L31	04.751079	70.00'	L8	04.751079	72.00'
L32	04.751079	70.00'	L7	04.751079	72.00'
L33	04.751079	70.00'	L6	04.751079	72.00'
L34	04.751079	70.00'	L5	04.751079	72.00'
L35	04.751079	70.00'	L4	04.751079	72.00'
L36	04.751079	70.00'	L3	04.751079	72.00'
L37	04.751079	70.00'	L2	04.751079	72.00'
L38	04.751079	70.00'	L1	04.751079	72.00'



DESIGN DATA OUTSIDE CITY
 LOT TYPE A 140'-00" REAR ENTRY - 142'
 LOT TYPE B 140'-00" FRONT ENTRY - 82'
 LOT TYPE C 65'-45" FRONT ENTRY - 72'

ZONING INFORMATION
 TRACT ASSEMBLAGE TOTAL = 68.0 ACRES
 OUTSIDE CITY LIMITS = 08.0
 DISTRICT 15, SECTION 2
 LAND LOTS: 243,249,246,247,323,324,322
 TR: 1504-025, 1504-026, 1504-027, 1504-028, 1504-029, 1504-030, 1504-031
 TOTAL UNITS = 296

VARIANCES
 1. Side setback reduction to 5 feet with a minimum of 42 feet between buildings.
 2. Front setback reduction to 5 feet on lots with a rear garage with the front and back setbacks having a combined total of 30 feet.

OWNER'S REPRESENTATIVE
thePROVIDENCEgroup
 Warren Jolly
 11340 Lakeland Drive, Suite 200
 Atlanta, Georgia 30325
 Phone: (770) 416-7511
 Fax: (770) 416-6759
 www.theprovidencegroup.com

ZONING PLAN
STRINGER MCDANIEL PROPERTY
 DISTRICT 15, SECTION 2
 LAND LOTS: 243,249,246,247,323,324,322
 TR: 1504-025, 1504-026, 1504-027, 1504-028, 1504-029, 1504-030, 1504-031

DATE: 06/21/16
 SCALE: 1" = 50'
 C:\16028\16028.dwg
 1/2" = 1" TAD:CPG
 JPN
 1 of 1

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
JAMES A. BALLI

SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770•422•7016
TELEPHONE
770•426•6583
FACSIMILE

ADAM J. ROZEN

SLHB-LAW.COM

August 19, 2016

**VIA E-MAIL: vtaylor@cherokeega.com
AND REGULAR U.S. MAIL**

Ms. Vicki Taylor Lee, AICP, Zoning Administrator
Cherokee County Planning and Zoning Department
1130 Bluffs Parkway
Canton, GA 30114

Re: Rezoning Request for FR-Peachtree, LLC for approximately ±86.0 Acres on the South East corner of Hickory Flat Highway and Stringer Road, in Land Lots 248, 249, 256, 257, 320, 321 and 322 of the 15th District, Parcels 039, 039A, 039C, 040 and 031 of Tax Map 15N26 from AG to RZL, Cherokee County, Georgia.

Dear Vicki:

FR-Peachtree, LLC conducted a public participation meeting on August 3, 2016 at 6:30 p.m. at Hickory Flat Library. Attached is a list of those who attended the meeting. The Applicant explained the proposed development would be built by The Providence Group and that the product is homes priced from the mid \$300s to \$600s based upon similar projects in Alpharetta and Vinings. The gated community will include private roads with the Homeowners Association maintaining all the landscaping.

The property is at the signalized intersection of Stringer Road and Hickory Flat Highway with a portion of the property in a Community Village and the remaining property in Suburban Growth with a Transition Corridor overlay. Because of the increased intensity with the overlay and the Community Village, the County did not object to an earlier annexation request if the project was 3.5 units per acre. Therefore, the applicant proposes 3.5 units per acre which is consistent with similar developments in the area.

The neighbors all recognized that the proposal was better than the original request of 4.2 units per acre, but they remained concerned about traffic and the proposed density. The Applicant stated that they would work with the County Engineer with potential improvements to Stringer Road and the proposed intersection improvement at State Route 140. Overall the neighbors understood that the Stringer Family needs to sell their property and that the development of the property was inevitable. But they remained skeptical of the impact on traffic in the area and they will always want less density than what is proposed. The impact on traffic


SAMS, LARKIN & HUFF
A LIMITED LIABILITY PARTNERSHIP

Ms. Vicki Taylor Lee, AICP, Zoning Administrator
Cherokee County Planning and Zoning Department
August 19, 2016
Page 2

is arguably less than if the property was developed commercially consistent with the Community Village land use designation. Please let me know if you have any additional questions or concerns regarding this meeting.

Sincerely,

SAMS, LARKIN, HUFF & BALLI, LLP



Parks F. Huff
Attorney for Applicant
phuff@slhb-law.com

PFH/dvm
Attachments
cc: FR-Peachtree, LLC

SIGN-IN SHEET

Applicant: FR-Peachtree, LLC
Public Informational Meeting
August 3, 2016 beginning at 6:30 p.m.

NAME	MAILING ADDRESS	PHONE #	E-MAIL
Pat and JoAnn Barry	121 Willow Overlook	678-493-2382	pjbarry@hotmail.com
Lanbow Etheridge	251 S. Village Sq. H.S.	770-298-3329	l etheridge1@gmail.com
Steve Miller	210 Barrett Springs way	470-755-7605	steven.heather@gmail.com
Quincy EDWARDS	121 BROCKDALE PASS	404-272-8668	QDEEDWARDS@GMAIL.COM
Linda Hopkins	5606 Hickory Flat Hwy	770-853-6872	lindajohopkins@gmail.com
Philip Hopkins	"	770-853-2134	REALDEALPHIL@COMCAST.NET
Kelly Heeter	228 S. Village Sq.	678-493-2213	kkheeter@outlook.com
Sherry Garland	404 Woodchase way	770-591-1885	jbgarl@bellsouth.net
Mark Mascariolo	183 Brockdale Pass	678-974-9166	msmasc@yahoo.com
David Upchurch	505 Harbor Creek Dr.	251-680-6525	dupchurch@cci-delivery.net
R. Hasfell	279 Hickory Cove Dr		
S. Hasfell	229 Hickory Cove Dr		
B. Roberts	308 Hickory Cove Dr.	770-345-7431	
G. W. McCarty	107 ROYAL OAKS DR	770-224-8084	garywmccarty@gmail.com
M. Cole	730 S. Noble Xing	770-5493119	

SIGN-IN SHEET

Applicant: FR-Peachtree, LLC
Public Informational Meeting
August 3, 2016 beginning at 6:30 p.m.

NAME	MAILING ADDRESS	PHONE #	E-MAIL
HT Bradford	4021 Hickory Fairway Drive	W'stark 3088	770 517 7576 HT tatebradford@gmail.com
L. A. Paulk	4016 Hickory Fwy Dr.	" "	
Bill May	4019 " " "	" "	
Tom Pacific	310 Harmon Ln Dr		Paci590@yahoo.com
Dol Haezebrout	518 Cedarwood Dr.		
Joretta Howard	210 Hickory Nut Ln		
Stane Lupinski	305 Sassafras Crossing	842-427-9485	Fiddlers Lake GA
Mary Duff	117 Willow Overlook		
Sallie Fletcher	132 Willow Overlook		
Susan Jones	217 Hickory Nut Lane		
Ted Campbell	1024 Avery Creek Dr		
AL CLARY	208 Autumn Glen Trl.	770-345-1116	alclary@windstream.net
D. Semple	Township Rd		
TEB Hopkins	5721 H.F. Hwy		
Gary + Connie Phillips	124 Willow Overlook		gphillip@bellsouth.net

SIGN-IN SHEET

Applicant: FR-Peachtree, LLC
Public Informational Meeting
August 3, 2016 beginning at 6:30 p.m.

NAME	MAILING ADDRESS	PHONE #	E-MAIL
DICKEY FORRESTER	5575 HICKORY FLAT HOVY ³⁰¹¹⁵ CANTON, GA	770-345-1221	2407 PONTIAC@GMAIL.COM
Sue MORRIS	2376 E. CHEROKEE DR.	770-926-3000	
MARC DUCLOS	1071 MEADOW Brook DR	678-575-7714	
BOB McLEMENTS	262 South Village SQUARE	678-343-7348	
Bob GRAY	707 BERKELEY TERRACE	404-433-3023	
Maggie Laughlin	429 Deepstream Crossing	678-468-3335	
* Dewey Wolfard	136 Willow Overlook 30115	678-880-7895	
Bob Kovacs	1686 TOW-HH RD CANTON 30115	404-218-0713	
DENNIS JAWE	a1ajame-dennis@yahoo.com		
Xandra Brazell	120 Middlebrook Ct Canton 30115	678-493-7112	
TADD DUNLOP	1070 MIDDLEBROOK DR.	505-506-2996	
JEFF ZAK	5215 HICKORY FLAT HOVY	727-510-5442	
DAN ASPERSEN	368 PENINSULA PT.	770 633 1987	

PUBLIC PARTICIPATION PLAN

COMES NOW, FR-PEACHTREE, LLC (hereinafter "Applicant") to file this Public Participation Plan along with its Public Hearing Application for property located on the south side of Highway 140, east of Stringer Road. The Applicant has implemented the following plan in order to inform the community of the development proposal and to create a dialogue with the surrounding residents and the effected government entities.

1.

The Applicant mailed notices to all property owners within 750 feet of the subject property and persons on the Interested Parties List, and invited them to the Public Participation Meeting. Said letter was mailed prior to the Public Participation Meeting and was mailed to all property owners based upon the Cherokee County Tax Assessor records and all interested parties.

2.

The notice of the Public Participation Meeting included a summary of the Applicant's rezoning request and a plat of the proposed development.

3.

The Applicant submitted to the Planning and Zoning Office a copy of the notices and a list of the property owners so served.

4.

The Public Participation Meeting occurred prior to filing the Public Hearing Application and a summary of the results of this meeting has been sent to the Planning and Zoning Office.

5.


The Applicant will continue a dialogue with the respective County departments regarding transportation and other issues relating to the proposed zoning.

6.

The notice of the Public Participation Meeting as described above adequately notified those parties who are interested in the development. The Applicant will adjust its Public Participation Plan consistent with the feedback it receives during the rezoning process.

Respectfully submitted this 19 day of August, 2016.

SAMS, LARKIN, HUFF & BALLI, LLP

By: 

PARKS F. HUFF
Attorney for Applicant,
FR-Peachtree, LLC

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.
JOEL L. LARKIN
PARKS F. HUFF
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SUITE 100
376 POWDER SPRINGS STREET
MARIETTA, GEORGIA 30064-3448

770•422•7016
TELEPHONE
770•426•6583
FACSIMILE

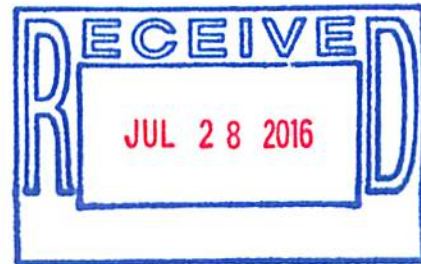
ADAM J. ROZEN

SLHB-LAW.COM

July 25, 2016

**VIA E-MAIL: vtaylor@cherokeega.com
AND REGULAR U.S. MAIL**

Ms. Vicki Taylor Lee, AICP, Zoning Administrator
Cherokee County Planning and Zoning Department
1130 Bluffs Parkway
Canton, GA 30114



Re: Rezoning Request for **FR-Peachtree, LLC** for approximately ±86.36 Acres on the South East corner of Hickory Flat Highway and Stringer Road, in Land Lots 248, 249, 256, 257, 320, 321 and 322 of the 15th District, Parcels 39, 39A, 39C and 31, and 40 of Tax Map 15N26 from AG to RZL, Cherokee County, Georgia.

Dear Vicki:

As you know, this firm represents the Applicant concerning the above-captioned application for rezoning being filed by the August 19, 2016 deadline. In accordance with the Cherokee County's **Public Participation Program**, enclosed please **find a copy of the notice sent** to all surrounding property owners within a 750 foot radius of the boundary lines of the subject property as shown on the most current tax records. We have also notified the individuals on the County's Interested Parties list. Enclosed please find the original Certificate of Mailing from the U. S. Post Office.

If you need further information concerning this matter, please do not hesitate to call.

Sincerely,

SAMS, LARKIN, HUFF & BALLI, LLP

Parks F. Huff
phuff@slhb-law.com

PFH/dvm
Attachments
cc: FR-Peachtree, LLC

SAMS, LARKIN, HUFF & BALLI

A LIMITED LIABILITY PARTNERSHIP

GARVIS L. SAMS, JR.

JOEL L. LARKIN

PARKS F. HUFF

JAMES A. BALLI

SUITE 100

376 POWDER SPRINGS STREET

MARIETTA, GEORGIA 30064-3448

770•422•7016

TELEPHONE

770•426•6583

FACSIMILE

ADAM J. ROZEN

WWW.SLHB-LAW.COM

July 22, 2016

TO: NEARBY PROPERTY OWNERS

Re: Rezoning Request for FR-Peachtree, LLC for approximately ±86.36 Acres on the South East corner of Hickory Flat Highway and Stringer Road, in Land Lots 248, 249, 256, 257, 320, 321 and 322 of the 15th District, Parcels 39, 39A, 39C and 31, and 40 of Tax Map 15N26 from AG to RZL, Cherokee County, Georgia.

I represent FR-Peachtree, LLC in relation to a proposed rezoning application for a new neighborhood on Hickory Flat Highway (State Route 140) at Stringer Road. FR-Peachtree proposes to rezone the property to RZL for a residential community with a mixture of housing types.


You are invited to a Public Participation Meeting to hear about the Applicant's proposal where you can learn more about the proposed new neighborhood. You are receiving this notice because you own property close to the proposed project. The meeting will be held on August 3, 2016 at 6:30 p.m. at the Hickory Flat Public Library located at 2740 East Cherokee Drive, Canton, GA 30115.

It is anticipated that the rezoning request will be heard by the Cherokee County Planning Commission on October 4, 2016 at 7:00 pm and by the Board of Commissioners on October 18, 2016 at 6:00 p.m. Both of these meetings will be held at the Cherokee County Administrative Complex at 1130 Bluffs Parkway, Canton, GA 30114 in Cherokee Hall.

If you are unable to attend the public participation meeting and would like additional information, please contact me at once. I look forward to seeing you at the public participation meeting.

Sincerely,

SAMS, LARKIN, HUFF & BALLI, LLP

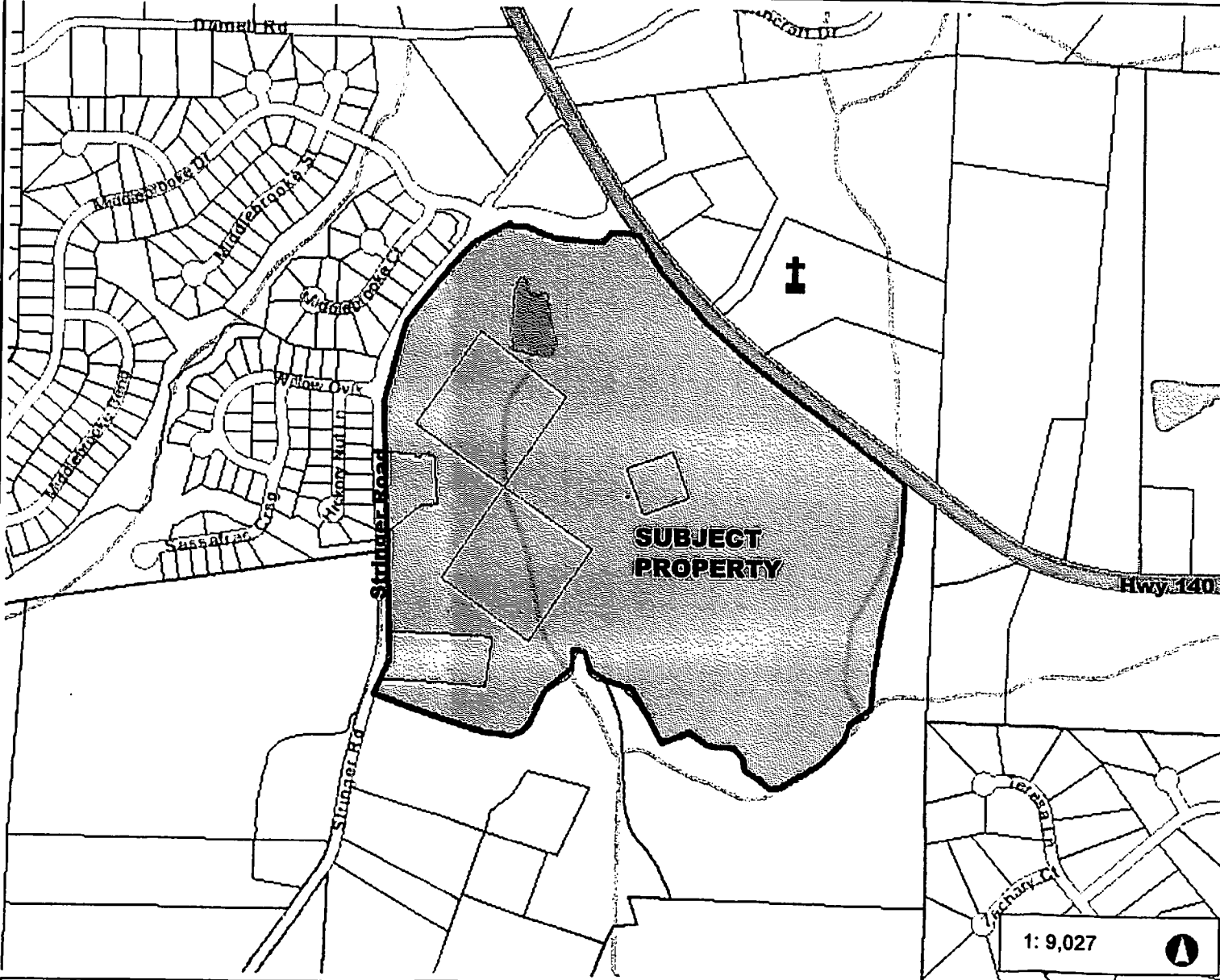
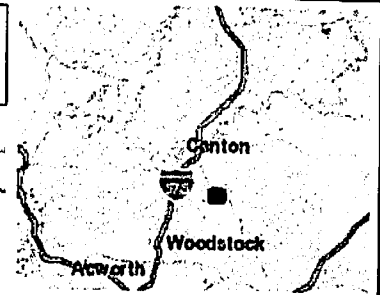

Parks F. Huff
Attorney for the Applicant
phuff@slhb-law.com

PFH/dvm
Enclosures

cc: FR-Peachtree, LLC
Ms. Vicki Taylor Lee, AICP, Zoning Administrator, Cherokee County



Cherokee County, GA

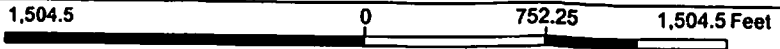


Legend

- Churches
- Schools
- Parcels

Notes

1: 9,027





Cherokee County, Georgia
Agenda Request

Item#: 3.

SUBJECT:
Case #16-10-032 Core5 Industrial Partners,
LLC (BOC Dist. 4)

MEETING DATE:
10/4/2016

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 24.97 acres at 3331 Highway 92 from GC and R-40 to LI (Light Industrial) for a single or multi-tenant building for light industrial, manufacturing, and/or warehousing along with incorporated offices for such uses.

FACTS AND ISSUES:

Commission District: 4
Zoning Change: GC and R-40 to LI (Light Industrial)
Location: 3331 Highway 92
Tax Map and Parcel No: 21N06, 244, part of 245, part of 284
Acres: 24.97
Proposed Development: Industrial Uses
Future Development Map: Suburban Growth Development

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"/> Existing Site Resource Map	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> PP Report	Exhibit
<input type="checkbox"/> 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: S. Jeffrey Rusbridge Phone: 770-479-7418
Email: sjr@dyruslaw.com

Applicant's Information:

Name: Core5 Industrial Partners, LLC

Address: 1230 Peachtree St., NE, Suite 3560 Phone: 770-479-7418

City, State, Zip: Atlanta, GA 30309

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

Name: Dianne Murphy and Danny Owens

Address: 2205 Riverstone Blvd., Suite 105 Phone: 770-479-1667

City, State, Zip: Canton, GA 30114

Requested Public Hearing (check all that apply):

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

STAFF USE ONLY: Commission District: 4 Case: 16-10-032 CityView #: PL2016-1130 Received by: DSC Fee Paid: \$ Date: PUBLIC HEARING SCHEDULE: Public Participation Meeting: PC Work Session Date: 9.19.16 Planning Commission Hearing: 10.4.16 Board of Commissioners: 10.18.16 Zoning Board of Appeals: Other:



SECTION II

Property Information:

Location: 3331 Highway 92, Acworth, GA 30102

Current Zoning: GC/R-40 Proposed Zoning: LI Total Acreage: ~~25.03~~ 24.97

Tax Map #: 21 N 06 Parcel #: 244/245 (part) 284 (part) Land Lot(s): 104/1105 District: 21

Future Development Map Designation: Suburban Growth/Development

Adjacent Zonings: North LI South GC/R-40 East LI West R-40

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

Applicant wishes to rezone the property to a Light Industrial use, in order to construct a single or multi-tenant building for light industrial, manufacturing, or warehousing uses, in keeping with the uses established in the adjacent Cherokee 75 Corporate Park.

Proposed Use(s) of Property:

Light industrial, manufacturing, and/or warehousing, along with incorporated offices for such uses.

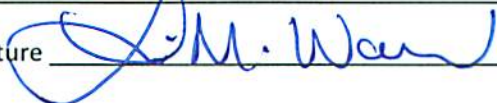
Applicant Affidavit:

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, Lisa M. Ward, 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 1st day of August, 20 16.

Print Name Lisa M. Ward.

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?

Public sewer from adjacent parcel.

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

If yes, what is the projected increase? _____ students

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

Traffic Generation:

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

What is the estimated number of trips generated? 500 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.

APPLICANT RESPONSE STATEMENT

REZONING APPLICATION OF CORE5 INDUSTRIAL PARTNERS, LLC

TAX PARCEL 21N06-244/245/284

Applicant Core5 Industrial Partners, LLC is requesting that 24.97 acres of land on Georgia Highway 92 be rezoned from a General Commercial (GC) and Residential designation (R-40) to a zone of Light Industrial (LI), in order to construct a single or multi-tenant building for light industrial, manufacturing and/or warehousing uses.

This zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. The adjacent Cherokee 75 Corporate Park, also zoned Light Industrial, has been extraordinarily successful in bringing business and industrial investment into Cherokee County. A State-sanctioned Opportunity Zone has been created for the western Highway 92 corridor, offering certain tax credits to encourage this type of job-creating growth in this area.

The properties located along Georgia Highway 92 are rapidly transforming from vacant uses to business and industrial uses, due to the Opportunity Zone and the volume and intensity of traffic traversing the highway between Interstates 75 and 575. A variety of commercial and industrial uses have been implemented between Interstate 75 and the Cherokee 75 Corporate Park. The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property, as the property will be utilized for similar uses as have already been established.

The property as currently zoned does not have a reasonable economic use. Given the successful growth of the adjacent industrial park to the north, this property has become undesirable for residential use. This rezoning will not cause an excessive, burdensome, or

RECEIVED
8/29/16

REVISÉ
8/29/16

increased use of existing streets, transportation facilities, or utilities. Highway 92 was recently straightened and widened to support this type of use near Interstate 75.

The County's land use plan does not yet accurately reflect the new opportunities for business and industrial growth in this area, as it was approved before the Opportunity Zone designation, and before the development of the Cherokee 75 Corporate Park. The areas along Highway 92 are slated for Development in the Future Land Use Plan. As noted above, Georgia Highway 92 is rapidly changing, given its recent widening and the development activity in the corridor.



PROJECT:
**CHEROKEE 75
BUSINESS CENTER**
58, 92 AND CHEROKEE 75
CORPORATE PARK
LANOON, CHEROKEE COUNTY, GA

OWNER:
**PAULSON MITCHELL
INCORPORATED**
85-A Hill Street
Suite 200
Kennesaw, Georgia 30145
770.426.7344
www.paulsonmitchell.com

DESIGNER:
CORES
1220 Peachtree Street NE
Suite 2500
Atlanta, GA 30309

DATE:
08.12.15

REVISIONS:

DATE: 08.12.15

DATE: 08.12.15

DATE: 08.12.15

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NOTES:
1. ALL STREAMS, RIVERS, LAKES, WETLANDS, AND OTHER HYDROLOGIC FEATURES WERE OBSERVED ON THE SITE.
2. NO HISTORICAL, ARCHAEOLOGICAL, AND CULTURAL FEATURES WERE OBSERVED ON THE SITE.
3. A PORTION OF THIS TRACT OF LAND DOES NOT LIE WITHIN THE 100-YEAR FLOODPLAIN REGION, FLOOD ZONE AS PER THE FLOODPLAIN MAPS, 1:50,000 SCALE, DATED SEPTEMBER 24, 2008.

SCALE: 1" = 40'
0 20 40 60 80 100 120 140

EXISTING RESOURCES MAP

2015146641.dwg 08.12.15
EXISTING RESOURCES MAP
SHEET EX-1

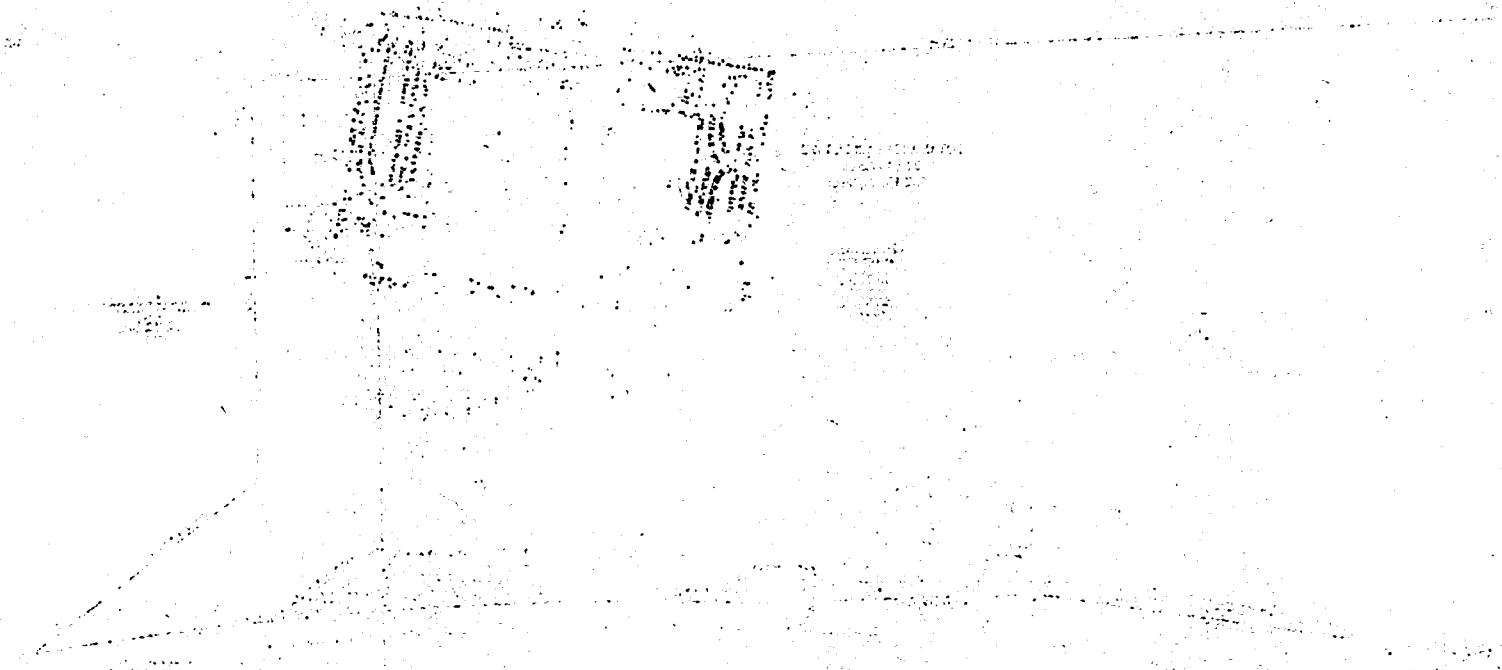
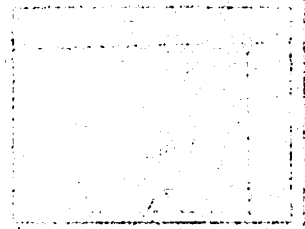
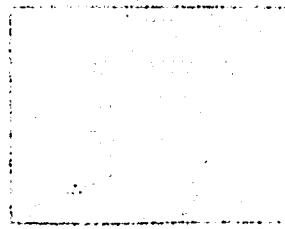
DATE: 10/10/50

BY: [Signature]

NO. 100

CLASS: [Illegible]

UNITED STATES GOVERNMENT



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June 23, 2016



Interested Party in Rezoning – Commission District 4

Re: Rezoning Application of **Core5 Industrial Partners, LLC**
Cherokee County Tax Map Nos. 21N06-244/245(part)

To Whom It May Concern:

An Application for a Zoning Amendment is in the process of being filed on behalf of Core5 Industrial Partners, LLC, regarding property located at 3331 Highway 92, Acworth, Georgia, in the 2nd Section, 21st District, Land Lots 1104 and 1105, being approximately 25 acres of land. This property is located approximately one mile west of the intersection of Highway 92 and Woodstock Road.

The applicant is requesting that this property be rezoned from General Commercial (GC) and Single-Family Residential (R-40) designations to a Light Industrial (LI) classification to construct a building for industrial, manufacturing, or warehousing uses. Uses in this zone are required to be conducted wholly indoors, and are not allowed to emit smoke, dust, fumes, gas, noise, vibrations, or other nuisances that would affect nearby properties.

You, as either a nearby property owner or an interested party in Cherokee County rezoning cases, are invited to a **Public Participation Meeting** regarding this application, to be held in the community room of the Oak Grove Fire Station, located at 100 Ridge Mill Court, Acworth, Georgia 30102, on Monday, **August 1, 2016, at 6:30 p.m.**

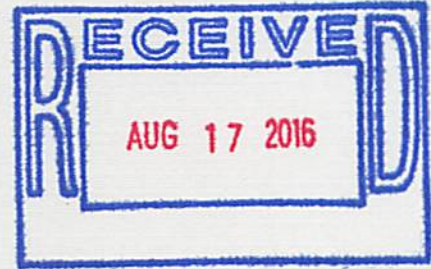
If you have questions regarding this matter, please do not hesitate to contact my office.

Sincerely,

S. Jeffrey Rusbridge
Attorney at Law



August 14, 2016



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

Re: Rezoning Application of Core5 Industrial Partners, LLC
Cherokee County Tax Map Nos. 21N06-244/245(part)

The public participation meeting regarding the above rezoning application was held in the community meeting room of the Oak Grove Fire Station on Monday, August 1, 2016, at 6:30 p.m. The meeting concluded at approximately 7:30 p.m.

The applicant, through its legal counsel, on July 22, 2016, notified by mail all property owners deemed to be located within 750 feet of the subject property, along with all persons on the Interested Parties List provided by your office. A sample of the notice that was sent to each person is attached hereto as Exhibit "A". The Certificates of Mailing to each person required to be notified are attached hereto as Exhibit "B". The applicant had the following available for review at the meeting: a site plan of the property; the Future Development Map; the Cherokee County Zoning Map; copies of the rezoning application; and renderings of the applicant's proposed building.

Ten people attended the meeting. The concerns expressed focused on: traffic and truck noise on Highway 92; a desire for commercial development in the area; and the potential for increased property taxes.

Sincerely,

S. Jeffrey Rusbridge
Attorney at Law



July 22, 2016

Interested Party in Rezoning – Commission District 4

Re: Rezoning Application of Core5 Industrial Partners, LLC
Cherokee County Tax Map Nos. 21N06-244/245(part)

To Whom It May Concern:

An Application for a Zoning Amendment is in the process of being filed on behalf of Core5 Industrial Partners, LLC, regarding property located at 3331 Highway 92, Acworth, Georgia, in the 2nd Section, 21st District, Land Lots 1104 and 1105, being approximately 25 acres of land. This property is located approximately one mile west of the intersection of Highway 92 and Woodstock Road.

The applicant is requesting that this property be rezoned from General Commercial (GC) and Single-Family Residential (R-40) designations to a Light Industrial (LI) classification to construct a building for industrial, manufacturing, or warehousing uses. Uses in this zone are required to be conducted wholly indoors, and are not allowed to emit smoke, dust, fumes, gas, noise, vibrations, or other nuisances that would affect nearby properties.

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If you have questions regarding this matter, please do not hesitate to contact my office.

Sincerely,

S. Jeffrey Rusbridge
Attorney at Law



Name and Address of Sender
 Dyer + Rusbridge, P.C.
 241 E. Main St.
 Canton, GA 30114

Check type of mail or service:

- Certified
- Registered
- Return Receipt for Merchandise
- Signature Confirmation
- Express Mail
- Insured
- Recorded Delivery (International)
- Registered
- Return Receipt for Merchandise
- Signature Confirmation

Article Number	Address (Name, Street, City, State, & ZIP Code)	Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.	Cherokee County Development Authority 3605 Marietta Hwy Canton, GA 30114 Thomas A. Kemp Estate c/o Larry White 395 Suzie Creek Dr. Ball Ground, GA 30107 P.J. & Helma E. Kimmens 5916 Old Alabama Rd. Acworth, GA 30102 Marvin Dover 3039 Hwy. 92 Acworth, GA 30102	.465										
2.	Atricia C. Ward 3037 Hwy. 92 Acworth, GA 30102	.465										
3.	Brenda Faye Rakestraw 3387 Hwy. 92 Acworth, GA 30102	.465										
4.	White Oaks Land Co., LLC 150 Chardonnay Oaks Dr. McDonough, GA 30252	.465										
5.	Steve Kim MI Hyang Kim 125 Arden Pl. Alpharetta, GA 30022	.465										
6.												
7.												
8.												

Total Number of Pieces Listed by Sender: 8
 Total Number of Pieces Received at Post Office: 8

PS Form 3877, February 2002 (Page 1 of 2)

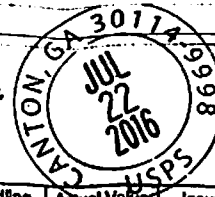
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Name and Address of Sender
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- Check type of mail or service:
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1.	W.M. Whitlock, Jr. 103 Lucas Dr. Acworth, GA 30102	.465										
2.	Cherokee County Development Authority c/o John Rooker P.O. Box 450233	.465										
3.	Atlanta, GA 31145 LWTR Cherokee 75 Owner LLC 445 Bishop St., Ste. 200	.465										
4.	Atlanta, GA 30318 Cherokee County Government 1130 Bluffs Pkwy. Canton, GA 30114	.465										
5.	Kathy Mauldin J.R. Durn, Jr. 5875 Old Alabama Rd Acworth, GA 30102	.465						Delivery Confirmation	Signature Confirmation	Special Handling	Restricted Delivery	Return Receipt
6.	Jimmy Dunn 3000 Hunt Rd. Acworth, GA 30102	.465										
7.	Kenneth D. Buford 5910 Old Alabama Rd. Acworth, GA 30102	.465										
8.	Simon Yoon 11585 Jones Bridge Rd., Ste. 420-187 Alpharetta, GA 30022	.465										

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Wendy W. Crastain

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 Canton, GA 30114

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 - Signature Confirmation

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 or for additional
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Article Number	Address (Name, Street, City, State, & ZIP Code)	Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.	Edward L. Ives 3293 Hwy. 92 Acworth, GA 30102	.465										
2.	Benjamin D. & Patricia L. Fisher 3045 Hwy. 92 Acworth, GA 30102	.465										
3.	Judy Ann Dover 3353 Hunt Rd. Acworth, GA 30102	.465										
4.	Ann D. Poteet 2448 Jewell Dr. Marietta, GA 30066	.465										
5.	Carman Vinyard 3528 Hwy. 92 Acworth, GA 30102	.465										
6.	Infra, Inc. 4170 JVL Industrial Park Dr. Marietta, GA 30066	.465										
7.	RP Cherokee Oaks I LLC 445 Bishop St., Ste. 200 Atlanta, GA 30318	.465										
8.	Benjamin L. Turner 3326 Hwy. 92 Acworth, GA 30102	.465										

Total Number of Pieces Listed by Sender: 8
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 Nadorah W. Chastain

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 291 E. MAIN St
 Canton, GA 30114

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Recorded Delivery (International)
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 Return Receipt for Merchandise
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 (If issued as a
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 or for additional
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 Date of Receipt



Article Number	Address (Name, Street, City, State, & ZIP Code)	Postage	Fee	Handling Charge	Actual Value If Registered	Insured Value	Due Sender If COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.	Danny L. & Debbie S. Crane 3318 Hwy. 92 Acworth, GA 30102	.465										
2.	H. Kenneth Smith, Jr. 300 Hillside Drive #1360 Waleska, Ga. 30183	.465										
3.	Scott Barnes 147 Preserve Pkwy Ball Ground, GA 30107	.465										
4.	Bob Whitaker 751 Iron Mountain Road Canton, Ga. 30115	.465										
5.	Thais Escondo 5206 Willow Creek Overlook Woodstock, GA 30188	.465										
6.	Bill Dewrell 106 Rusk Street Woodstock, GA 30188	.465										
7.	Richard Weatherby 1887 Lower Birmingham Road Canton, GA 30115	.465										
8.	Jerald Hill 109 Bridlewood Pass Ball Ground, GA 30107	.465										

Total Number of Pieces Listed by Sender
8

Total Number of Pieces Received at Post Office
8

Postmaster, Per (Name of receiving employee)
 Deborah W. Chastain

See Privacy Act Statement on Reverse

Name and Address of Sender
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 291 E. Main St.
 Canton, GA, 30114

Check type of mail or service:

- Certified
- COD
- Delivery Confirmation
- Express Mail
- Insured

- Recorded Delivery (International)
- Registered
- Return Receipt for Merchandise
- Signature Confirmation

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Article Number

Address (Name, Street, City, State, & ZIP Code)

Postage

Fee

Handling Charge

Due Sender if COD

DC Fee

SC Fee

SH Fee

RD Fee

RR Fee

Article Number	Address (Name, Street, City, State, & ZIP Code)	Postage	Fee	Handling Charge	Due Sender if COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1.	Tom Ware 440 Beavers Road Canton, GA 30114	.465								
2.	Rick Whiteside 3225 South Cherokee Lane Building 800 Weddesteek, GA 30188 Vicki Taylor Leg	.465								
3.	Planning & Land Use 1130 Bluffs Parkway Canton, GA 30114	.465								
4.	Debbie Jefferson 2911 Emerald Lane Acworth, GA 30102	.465								
5.	Jeri & Scott Beach 2876 Emerald Lane Acworth, GA 30102	.465								
6.	Richard Taylor 5711 Priest Road Acworth, GA 30102	.465								
7.	Juanita Granger 6805 Victory Drive Acworth, GA 30102	.465								
8.	Melvin Wilbur 5929 Priest Road Acworth, GA 30102	.465								

Total Number of Pieces Listed by Sender: 8

Total Number of Pieces Received at Post Office: 8

Postmaster, Per (Name of receiving employee)

Robert W. Crasfani

Complete by Typewriter, Ink, or Ball Point Pen

See Privacy Act Statement on Reverse

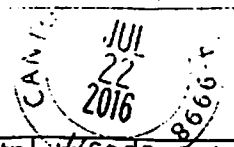
Name and Address of Sender
 Dyer + Rusbridge, P.C.
 247 E. Main St.
 Canton, GA 30114

Check type of mail or service:

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1.	Cynthia Castello 6483 Kellogg Creek Drive Acworth, GA 30102	465											
2.	Kirby Jones 2502 Macy Drive Roswell, GA 30076	465											
3.	Rusty Smith 675 North Marietta Pkwy Marietta, GA 30060	465											
4.	Don Hammett 1201 Shiloh Road, Suite 140 Kennesaw, GA 30144	465											
5.	Jeff Kastle P. O. Box 305 Gillsville, GA 30543	465											
6.	Alessandrina Miller 310 N Briar Ridge Woodstock, GA 30189	465											
7.													
8.													

Total Number of Pieces Listed by Sender: 6
 Total Number of Pieces Received at Post Office: 6
 Postmaster, Per (Name of receiving employee): *Victoria W. Chapman*

See Privacy Act Statement on Reverse

All that tract or parcel of land lying and being in Land Lot 1104 and Land Lot 1105 of the 21st District, 2nd Section of Cherokee County, Georgia, and being more particularly described as follows:

Beginning at a $\frac{3}{4}$ inch open top pipe found the intersection of Land Lot 1057, Land Lot 1058, land Lot 1103, and Land Lot 1104; thence along the north line of Land Lot 1104 south 87 degrees 12 minutes 48 seconds east a distance of 1391.68 feet to a 1 inch open top pipe found at the intersection of Land Lot 1056, Land Lot 1057, Land Lot 1104, and Land Lot 1105; thence along the north line of Land Lot 1105 south 88 degrees 35 minutes 29 seconds east a distance of 150.04 feet to a $\frac{1}{2}$ inch iron pin found; thence leaving said Land Lot line south 00 degrees 56 minutes 22 seconds west a distance of 490.32 feet to a $\frac{1}{2}$ inch iron pin found; thence south 52 degrees 36 minutes 33 seconds east a distance of 347.44 feet to a $\frac{1}{2}$ inch iron pin set on the northerly right of way of Highway 92; thence along said right of way with a curve turning to the left with an arc length of 289.48 feet, with a radius of 4343.87 feet, with a chord bearing of north 82 degrees 19 minutes 53 seconds west, with a chord length of 289.43 feet to a $\frac{1}{2}$ inch iron pin set; thence along said right of way with a curve turning to the left with an arc length of 142.75 feet, with a radius of 4343.77 feet, with a chord bearing of north 85 degrees 10 minutes 52 seconds west, with a chord length of 142.75 feet to an iron pin; thence along said right of way with a curve turning to the left with an arc length of 535.20 feet, with a radius of 4343.82 feet, with a chord bearing of north 89 degrees 39 minutes 11 seconds west, with a chord length of 534.86 feet to a concrete monument found; thence continuing along said right of way north 03 degrees 10 minutes 58 seconds west a distance of 6.56 feet to a concrete monument found; thence continuing along said right of way north 88 degrees 40 minutes 29 seconds west a distance of 270.72 feet to a concrete monument found; thence continuing along said right of way south 81 degrees 52 minutes 20 seconds west a distance of 539.75 feet to a $\frac{1}{2}$ inch iron pin set; thence continuing along said right of way north 69 degrees 12 minutes 43 seconds west a distance of 57.18 feet to a concrete monument found; thence leaving said right of way and along the west line of Land Lot 1104 north 01 degrees 06 minutes 16 seconds east a distance of 762.08 feet to a $\frac{3}{4}$ inch open top pipe found at the point of beginning.

 **REVISED**
8/25/16

RECEIVED
8/25/16



Cherokee County, Georgia
Agenda Request

Item#: 4.

SUBJECT: **Case #16-10-033 Billy Kennedy (BOC Dist. 3)** **MEETING DATE:** 10/4/2016
SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 0.98 acres at 6739 Bells Ferry Road from LI to GC for addition of automotive sales at existing automotive repair facility.

FACTS AND ISSUES:

Commission District: 3
Zoning Change: LI to GC
Location: 6739 Bells Ferry Road
Tax Map and Parcel No: 21N09, 566
Acres: 0.98
Proposed Development: Addition of automotive sales
Future Development Map: Neighborhood Village over Suburban

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"/> PP Report	Exhibit
<input type="checkbox"/> Survey	Exhibit



CHEROKEE COUNTY
Application for Public Hearing

REVISED
8/25/16

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: Billy Kennedy Phone: 678-538-8165
 Email: danlonik@Bellsouth.net

Applicant's Information:

Name: Billy Kennedy

Address: 460 English Ivy Way Phone: 678-538-8165

City, State, Zip: Woodstock, Ga. 30188

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

Name: Kennedy Holdings, LLC

Address: 460 English Ivy Way Phone: 678-538-8165

City, State, Zip: Woodstock, Ga.

Requested Public Hearing (check all that apply):

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

STAFF USE ONLY:

Commission District: 3
 Case: 16-10-033
 CityView # PL2016-1135
 Received by: _____
 Fee Paid: \$ 750.00
 Date: _____

PUBLIC HEARING SCHEDULE:

Public Participation Meeting: 7/26/16
 PC Work Session Date: 9/19/16
 Planning Commission Hearing: 10/4/16
 Board of Commissioners: 10/18/16
 Zoning Board of Appeals: N/A
 Other: Prefile 7-6-16

REVISED
[Redacted]

THE STATE OF TEXAS
COUNTY OF [Redacted]



[Faint, illegible text, likely a contract or legal document]

SECTION II

Property Information:

Location: 6739 Bells Ferry Rd
Current Zoning: U Proposed Zoning: GC Total Acreage: 0.98
Tax Map #: 21 N 09 Parcel #: 566 Land Lot(s): 0610 District: 21
Future Development Map Designation: Neighborhood Village over Suburban
Adjacent Zonings: North GC South GC East GC+U West U Living

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

Rezone to GC to add automotive sales to business

Proposed Use(s) of Property:

same Automotive Sales and Service

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, Billy Kennedy, 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 July, 2016.

Print Name Billy Kennedy

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?

Sewer

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

If yes, what is the projected increase? _____ students

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

Traffic Generation:

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

What is the estimated number of trips generated? _____ trips

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

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.

July 27, 2016

To Whom It May Concern:

This letter is in reference to the rezoning request for 6739 Bells Ferry Road in Woodstock, GA.

1. The intent of the requested zoning is for the opportunity to buy and sell vehicles that we come across during our regular operation. Nothing will change in reference to the property or the structure on the property outside of the changing of signage to reflect the sales.
2. The zoning requested is similar to what is already located at adjacent and nearby properties.
3. This zoning request will not adversely affect the existing use or usability of adjacent or nearby property.
4. This property is currently being utilized as an automotive repair facility. We are looking to add the ability to buy and sell vehicles.
5. The changes we are requesting should have no affect on the use of existing streets, transportation facilities, utilities, or schools.
6. The requested zoning is in conformity with the policy and interest of the land use plan.
7. I am not aware of any other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning.

Sincerely,

Billy Kennedy
Kennedy Holdings

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 610 of the 21st District, 2nd Section of Cherokee County, Georgia, containing 0.98 acres as per survey for John R. Vaughn dated December 5, 1991, prepared by Adams-Sims Associates, Inc., GRLS, and being recorded in Plat Book 41, Page 155, Cherokee County, Georgia Records, which plat by reference is incorporated herein for a more complete description.

This conveyance is made together with and subject to (1) a pole line easement of record in Deed Book 2953, Page 100, and (2) that certain Billboard Lease Agreement of record in Deed Book 9888, Page 130 (and as assigned thereafter in Deed Book 9952, Page 144); and (3) any and all other easements and rights of way of record.

The above-described property is known as 6739 Bells Ferry Road and bears a tax parcel ID# 21N09 566.

COPY

August 2, 2016

To Whom It May Concern:

Report on informational meeting for 6739 Bells Ferry Road.

The meeting was held at Rose Creek Public Library at 4476 Towne Lake Pkwy in Woodstock at 6:30pm on July 26th, 2016.

Two people attended. They were residents of Sunset Pointe Subdivision. They had no objections to the proposed changes.

Jeff Wilson

Lisa Erps

Please feel free to contact me with any questions or concerns.

Sincerely,

Billy Kennedy
678-538-8165

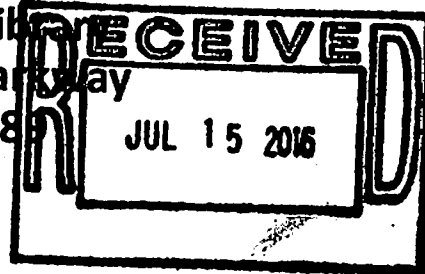
**You are invited to an informational
meeting regarding the proposed
rezoning of 6739 Bells Ferry Road
from Light Industrial
to General Commercial.**

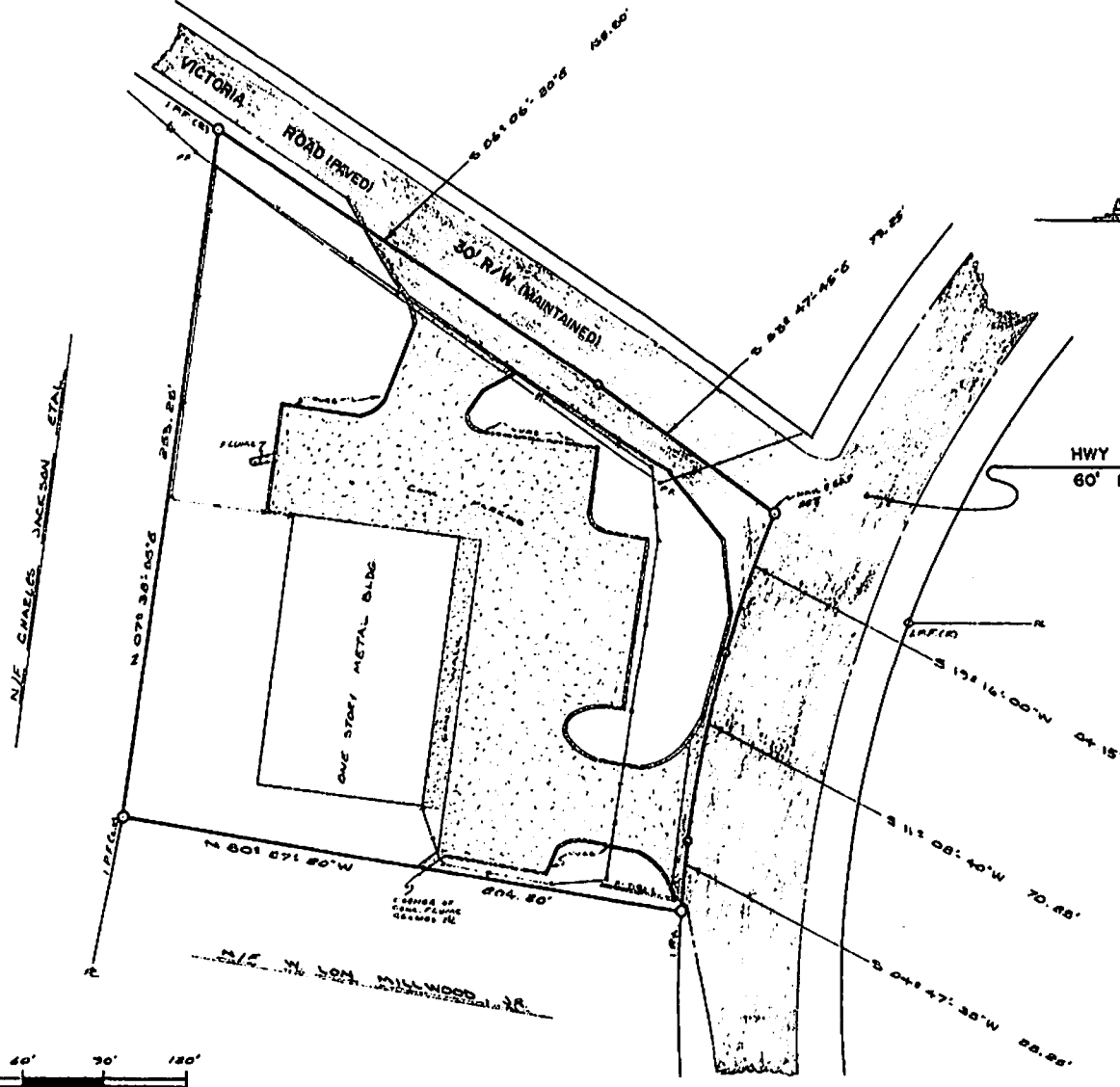
Date: Tuesday, July 26th, 2016

**Place: Rose Creek Public Library
4476 Towne Lake Parkway
Woodstock, GA 30189
770-591-1491**

Time: 6:30 PM

Phone: 678-483-5995



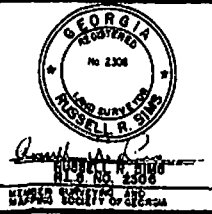


AREA = 0.98 ACRE

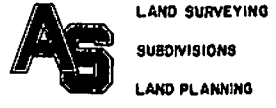
GA., CHEROKEE COUNTY
 PLAT FILED FOR RECORD
 12-17-91 2:30p.M.
 RECORDED AT
 BOOK 41 PAGE 155
 ANNETTE FLEMING
 CLERK SUPERIOR COURT

HWY 205 - A.K.A. BELLS FERRY ROAD
 60' R/W (PER NOTES 1 & 2) (PAVED)

- NOTES:
- 1) REF BOUNDARY SURVEY FOR PAUL KEOWN, BY: JERRY THACKER & ASSOC'S. DATED: JULY 8, 1977. REV'D: 7-22-78. JOB NO. 77-670-88 B.
 - 2) REF. SURVEY FOR: SPIKE E. WILLIAMS, BY: WELKER & ASSOC'S. INC. DATED: JUNE 6, 1984. DRAWING NO. E886-A. RECORDED IN PLAT BOOK 86, PAGE 9.
 - 3) REF. SURVEY FOR: RICK WARREN & CYNTHIA WARREN DOING BUSINESS AS VICTORIA TRUE VALUE HARDWARE, BY: NORTH GEORGIA ENGINEERS, INC. DATED: 8-29-86. JOB NO. 861547.
 - 4) THIS PLAT IS SUBJECT TO ALL R/W'S & EASEMENTS, BOTH PUBLIC & PRIVATE.



ADAMS-SIMS & ASSOCIATES, INC.
 P.O. BOX 1488
 CANTON, GEORGIA 30114
 PHONE: (404) 479-5858



LAND SURVEYING
 SUBDIVISIONS
 LAND PLANNING

TYPE OF SURVEY: LOCATION			
SUBDIVISION:	PHASE:	UNIT:	BLOCK:
LOT:			
SURVEY FOR:			
JOHN R. VAUGHN			
LAND LOT(S): 670			
DISTRICT: #1, SECTION: 8			
CITY:		DRAWN BY: J.A.	
CHEROKEE COUNTY, GEORGIA		CHECKED BY: R.S.	
PREPARED: 12-8-91		SCALE: 1" = 50 FEET	

- LEGEND:
- 1) I.P.S. - IRON PIN SET (1/2" REINFORCING BAR)
 - 2) I.P.F. - IRON PIN FOUND
 - 3) L.L.L. - LAND LOT LINE
 - 4) R/W - RIGHT OF WAY
 - 5) P - PROPERTY LINE
 - 6) C - CENTERLINE
 - 7) - - - - - FENCE (APPROX. LOC.)
 - 8) - - - - - STREAM (APPROX. LOC.)
 - 9) - - - - - DITCH (APPROX. LOC.)
 - 10) P.P. - POWER & (OR) PHONE POLE
 - 11)
 - 12)
 - 13)
 - 14)
 - 15)

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 25,000 FEET AND AN ANGULAR ERROR OF 2" PER ANGLE POINT, AND WAS ADJUSTED USING COCHRAN'S RULE.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 15,000 FEET.

EQUIPMENT USED: TOPCON GTS-88, E.D.M.

FLOOD INSURANCE RATE MAP, COMMUNITY NO. 7307-84, MAP 130875000E, DATED JULY 13, 1988, SHOWS THIS PROPERTY NOT TO BE IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

UNDERGROUND UTILITIES, IF ANY, ARE NOT SHOWN.

"ALL MATTERS OF TITLE ARE EXCEPTED."

JOB NO. 91-8879-147 C.



Cherokee County, Georgia
Agenda Request

Item#: 5.

SUBJECT:
Case #16-10-034 Lehigh Development (BOC
Dist. 2)

MEETING DATE:
10/4/2016

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 17.05 acres at 540, 568 and 678 Mountain Park Road from R-40, R-20 and RM-10 to R-20 for a single family residential subdivision.

FACTS AND ISSUES:

Commission District: 2
Zoning Change: R-40, R-20 and RM-10 to R-20
Location: 540, 568 and 678 Mountain Park Road
Tax Map and Parcel No: 15N30, 234, 236 and 237
Acres: 17.05
Proposed Development: Single Family Residential
Future Development Map: Suburban Living

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"/> Existing Site Resources	Exhibit
<input type="checkbox"/> PP Report	Exhibit
<input type="checkbox"/> Site Plan	Exhibit



CHEROKEE COUNTY
Application for Public Hearing

REVISED
8/26/16

RECEIVED
AUG 19 2016

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: Brendan Walsh Phone: 704-609-2827
 Email: bwalsh@lehighinc.com

Applicant's Information:

Name: Lehigh Development
 Address: 43 Woodstock St Phone: 704-609-2827
 City, State, Zip: Roswell, GA 30075

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

Name: The James Burrell and Ruby Barfield Burrell Estates
 Address: 678 Mountain Park Road Phone: 404-394-6738
 City, State, Zip: Woodstock, GA 30188

Requested Public Hearing (check all that apply):

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

<p>STAFF USE ONLY:</p> <p>Commission District: <u>2</u></p> <p>Case: <u>16-10-034</u></p> <p>CityView # <u>PL2016-11137</u></p> <p>Received by: <u>RH</u></p> <p>Fee Paid: \$ <u>250.00</u></p> <p>Date: _____</p>	<p>PUBLIC HEARING SCHEDULE:</p> <p>Public Participation Meeting: <u>8/4/16</u></p> <p>PC Work Session Date: <u>9/19/16</u></p> <p>Planning Commission Hearing: <u>10/4/16</u></p> <p>Board of Commissioners: <u>10/18/16</u></p> <p>Zoning Board of Appeals: _____</p> <p>Other: _____</p>
---	---

SECTION II

Property Information:

Location: 540, 568, 678 Mountain Park Road, Woodstock, GA 30188

Current Zoning: R-40, R-20, RM-10 Proposed Zoning: R-20 Total Acreage: 17.05

Tax Map #: 15 N 30 Parcel #: 234,236,237 Land Lot(s): 1188&1189 District: 15th

Future Development Map Designation: Suburban Living

Adjacent Zonings: North R-40 South R-20 East RM-10, R-20 West R-40

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

Request to change current zoning from R-40, R-20, RM-10 to R-20.

Proposed Use(s) of Property:

Single Family Deattached Residents

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, Brendan Walsh, 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 25 day of August, 20 16.

Print Name Brendan Walsh

Applicant Signature [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?

The site will use sanitary sewer and has 32 sewer taps in the Little River Basin. The outfall will be reached in the ROW of Mountain Park Road.

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

If yes, what is the projected increase? 23.2 students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home	32	0.725	23.2
Multi Family (Attached) Home		0.287	

Traffic Generation:

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

What is the estimated number of trips generated? 306.24 trips

Code	Land Use(s)	# of units or sqft*	Daily Trip Ends*	Number of Trips
210	Single Family Home/ Townhome	32	9.57	306.24
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.

Section V

1. Our request is to change the current zoning of R-40, R-20, and RM-10 to a single family zoning of R-20. Within the R-20 zoning we intend to build all single-family residences of fee simple lots.
2. Our proposal creates use that is suitable to adjacent property owners, as all adjacent owners own single-family homes. Our proposal is for all single-family homes, which is the same use.
3. The zoning proposal will have no effect on the use of adjacent property owners, as we are not asking for any changes in setbacks or distances.
4. The property may have some use as currently zoned because the current zoning allows for multi-family dwellings (apartments). I do not focus on apartment developments, so I am not as familiar with the economics of an apartment deal. That being said I feel like apartments are a bad fit for this area as it is predominantly single-family homes.
5. The current site is already entitled to 32 units, so we are not increasing density from the current use. Therefore this should have no effect on existing infrastructure in the area.
6. The future land use plan of Suburban Living allows for R-20 zoning, which is what we are proposing.
7. The site is currently assigned 32 sewer taps in the Little River Basin, which is under a moratorium. Our plan does not exceed the amount of sewer taps assigned to this property, nor does it exceed the density that is currently allowed for this property. The request is based on the ability to design the community more efficiently with single-family homes without changing the character of the area.

LEGAL DESCRIPTION
678 MOUNTAIN PARK ROAD

BEGINNING AT THE IRON PIN IN THE SOUTHWEST CORNER OF LAND LOT 1188, WHICH POINT ALSO MARKS THE COMMON CORNER OF LAND LOTS 1187, 1188, 1189, AND 1190 OF THE 15TH DISTRICT OF CHEROKEE COUNTY, GEORGIA, AND RUNNING THENCE NORTH 77 DEGREES 36 MINUTES EAST A DISTANCE OF 46.4 FEET TO A POINT; RUNNING THENCE NORTH 53 DEGREES 11 MINUTES EAST 50 FEET TO A POINT; RUNNING THENCE NORTH 24 DEGREES 08 MINUTES EAST 140 FEET TO A POINT; RUNNING THENCE NORTH 24 DEGREES 16 MINUTES EAST 110 FEET TO A POINT; RUNNING THENCE NORTH 36 DEGREES 3 MINUTES EAST 50 FEET TO A POINT; RUNNING THENCE NORTH 44 DEGREES 43.44 MINUTES EAST 38.91 FEET TO A POINT; RUNNING THENCE NORTH 84 DEGREES 40 MINUTES EAST 90 FEET TO A POINT; RUNNING THENCE SOUTH 89 DEGREES 19 MINUTES EAST 100 FEET TO A POINT; RUNNING THENCE SOUTH 85 DEGREES 33.36 MINUTES EAST 57.42 FEET TO A POINT; RUNNING THENCE SOUTH 84 DEGREES 35 MINUTES EAST 214.55 FEET TO A POINT; RUNNING THENCE SOUTH 87 DEGREES 49 MINUTES EAST 100.81 FEET TO A POINT; RUNNING THENCE SOUTH 89 DEGREES 14 MINUTES EAST 158.72 FEET TO A POINT; RUNNING THENCE SOUTH 80 DEGREES 24.40 MINUTES EAST 196.31 FEET TO A POINT; RUNNING THENCE SOUTH 14 DEGREES 44 MINUTES WEST 232.81 FEET TO A POINT; RUNNING THENCE NORTH 84 DEGREES 28 MINUTES EAST 28 FEET TO A POINT; RUNNING THENCE SOUTH 7 DEGREES 54.35 MINUTES WEST 75.97 FEET TO A POINT; RUNNING THENCE SOUTH 40 DEGREES 53.09 MINUTES WEST 17.31 FEET TO A POINT; RUNNING THENCE SOUTH 53 DEGREES 20.05 MINUTES WEST 84.61 FEET TO A POINT; RUNNING THENCE SOUTH 59 DEGREES 23.38 MINUTES WEST 71.2 FEET TO A POINT; RUNNING THENCE SOUTH 44 DEGREES 59.46 MINUTES WEST 56 FEET TO A POINT; RUNNING THENCE SOUTH 77 DEGREES 13.19 MINUTES WEST 44.05 FEET TO A POINT; RUNNING THENCE SOUTH 54 DEGREES 10.06 MINUTES WEST 59.57 FEET TO A POINT; RUNNING THENCE SOUTH 62 DEGREES 08.47 MINUTES WEST 45.01 FEET TO A POINT; RUNNING THENCE SOUTH 64 DEGREES 09.09 MINUTES WEST 68.42 FEET TO A POINT; RUNNING THENCE SOUTH 83 DEGREES 45.47 MINUTES WEST 9.83 FEET TO A POINT; RUNNING THENCE SOUTH 19 DEGREES 37.33 MINUTES WEST 9.04 FEET TO A POINT; RUNNING THENCE SOUTH 12 DEGREES 28.06 MINUTES WEST 23.06 FEET TO A POINT; RUNNING THENCE SOUTH 50 DEGREES 28.26 MINUTES WEST 11.02 FEET TO A POINT; RUNNING THENCE SOUTH 57 DEGREES 07.58 MINUTES WEST 44.17 FEET TO A POINT; RUNNING THENCE SOUTH 22 DEGREES 11.59 MINUTES WEST 53.05 FEET TO A POINT; RUNNING THENCE SOUTH 24 DEGREES 57 MINUTES EAST 15.18 FEET TO A POINT; RUNNING THENCE SOUTH 78 DEGREES 42.32 MINUTES EAST 36.96 FEET TO A POINT; RUNNING THENCE SOUTH 71 DEGREES 10.31 MINUTES EAST 14.61 FEET TO A POINT; RUNNING THENCE SOUTH 43 DEGREES 43.32 MINUTES WEST 10.71 FEET TO A POINT; RUNNING THENCE SOUTH 62 DEGREES 51.46 MINUTES WEST 20.02 FEET TO A POINT; RUNNING THENCE SOUTH 46 DEGREES 35.05 MINUTES WEST 30.17 FEET TO A POINT; RUNNING THENCE SOUTH 72 DEGREES 09.27 MINUTES WEST 37.99 FEET TO A POINT; RUNNING THENCE SOUTH 52 DEGREES 44.52 MINUTES WEST 63.37 FEET TO A POINT; RUNNING THENCE SOUTH 49 DEGREES 15.49 MINUTES WEST 36.82 FEET TO A POINT; RUNNING THENCE SOUTH 53 DEGREES 44.39 MINUTES EAST 100 FEET TO A POINT; RUNNING THENCE SOUTH 6 DEGREES 28.30 MINUTES WEST 140.19 FEET TO A POINT; RUNNING THENCE SOUTH 80 DEGREES 50.09 MINUTES WEST 81.36 FEET OF CHORD LENGTH ON A 50 FOOT RADIUS AND 95.03 FEET ARC TO A POINT; RUNNING THENCE NORTH 67 DEGREES 11 MINUTES EAST 253.56 FEET TO A POINT; RUNNING THENCE SOUTH 17 DEGREES 20 MINUTES EAST 30 FEET TO A POINT; RUNNING THENCE SOUTH 65 DEGREES 33.57 MINUTES WEST 20.04 FEET TO A POINT; RUNNING THENCE NORTH 63 DEGREES 52.14 MINUTES WEST 24.49 FEET TO A POINT; RUNNING THENCE SOUTH 69 DEGREES 12.10 MINUTES WEST 23.50 FEET TO A POINT; RUNNING THENCE SOUTH 42 DEGREES 37.14 MINUTES WEST 48.66 FEET TO A POINT; RUNNING THENCE SOUTH 12 DEGREES 10.51 MINUTES WEST 42.84 FEET TO A POINT; RUNNING THENCE NORTH 56 DEGREES 50 MINUTES WEST 221.30 FEET TO A POINT; RUNNING THENCE SOUTH 64 DEGREES 50 MINUTES WEST 213 FEET TO A POINT; RUNNING THENCE NORTH 2 DEGREES 47 MINUTES WEST 473.3 FEET TO POINT OF BEGINNING.

Public Participation Report

(A) Dates and Location of Meetings

- a. Leita Thompson Memorial Garden
August 4th, 2016 6:30 PM

(B) Content Mailed

- a. See attached letter included in email
- b. Date Mailed: July 25th, 2016
- c. Number of Letters Mailed: 97
- d. D2 Planning District Members and Property Owners with 750 ft of subject property
- e. See attached sign in sheet from public meeting with 15 people

(C) Feedback

- a. Increased traffic on small roads after development is complete.
 - i. Our project will create an increase in traffic from the current use of the site, which includes a couple of rental properties. We are not increasing the density from what is already entitled on the property (R-40 & RM-10), which is what the road is designed for. We will provide a decelerate lane per LDP requirements, but cannot make any other changes to a county controlled road.
- b. Construction traffic during the development of the project
 - i. We cannot monitor the traffic on a 24 hours basis, but are willing to make agreements with our vendors that access must be off of Wiley Bridge Road during construction.
- c. Stormwater runoff during construction
 - i. We will be following the Georgia Code handbook when designing the phases of erosion control for the project. We will be paying particular attention to the Northeast corner of the site closest to the lake.
- d. Stormwater runoff after completion
 - i. The same rules apply that all of our design will meet Georgia EPD standards once the site has been stabilized. We are currently in the process of nailing down a time to the meet with the Mayor of Mountain Park to discuss this in more detail
- e. Annexation of Property
 - i. This is not something we have ever thought about before or have any experience in doing, so we don't feel comfortable commenting on it.
- f. Types of sewage system
 - i. This property is already assigned 32 sewer taps into the Little River Basin, which is currently under a moratorium. The sewer outfall will be tied into the public ROW on Mountain Park Road.

July 20th, 2016

Brendan Walsh
Lehigh Development
43 Woodstock Street
Roswell, GA 30075
(704) 609-2827
bwalsh@lehighinc.com

Sean Connelly
43 Woodstock Street
Roswell, GA 30075
(404) 557-2613
seanconnelly4017@gmail.com

Re: Rezoning of 678 Mountain Park Road, Woodstock, GA 30188

Dear Neighbors:

Our team is in the process of rezoning the property at 678 Mountain Park Road, from its current zoning of R-40 (Single Family Residential) and RM-10 (Multi-Family Residential) to a RD-3 (Single Family) District. We see this potential project as a tremendous asset to the community, and a major improvement from what exists on site today.

As with all projects we do we like to feedback from the community who it affects most. Cherokee County has also taken the initiative to require all developers and builders to meet with the community before the zoning process get's started, which we feel is a great tool to provide communication between us.

We will be hosting a meeting on August 4th at 6:30 PM at the Leita Thompson Memorial Garden at 1200 Woodstock Road, Roswell, GA 30075. At the meeting we will provide an updated site plan of the property, and be able to address any questions or comments about the project.

We look forward to the opportunity to work with you through this process and making Woodstock a more desirable place to live.

Sincerely,

Brendan Walsh

Sean Connelly

Sign In

678 Mountain Park Road Public Meeting

Date: _____

Print Name	Address	Phone #	Email Address
1. Wilson T Moon	568 Mountain Park Rd	678-808-1655	moon_dog2494@yahoo
2. MARVIN PENICK	128 Lakeshore Dr	404-786-2788	mortise_guy@bellsouth.net
3. John Vermont		404-395-1096	jvermont@conslu.com
4. Larry Brooks	155 Kimbrell Lane	770-265-5787	electrical10-4@yahoo.com
5. Jesse Brooks	155 Kimbrell Lane	770-633-2857	Ljessebrooks@gmail.com
6. HOPE MAYS	mtw Park		hopemays@aol.com
7. Karen Segars	mtw PK	6-983-5733	k_segars@yahoo.com
8. TRISH HILL	mtw Park	770-992-1929	TRISH.HILL@GLOBALSPER.COM
9. William P. - #KIT Buddy Starnes	410 Mt. Park Rd	770-592-0711	bstarnes_2000@yahoo.com
10. NOOK RAJAH	734 Mt W Prk Rd	917-235-3802	nook.rajah@jument.com
11. MARK HILDEBRAND	205 FERNWOOD PL	404-487-8768	MARK@TEREMAR.COM
12. Frank R. Delgado	172 Bramble Oak	4-993-0021	FRANKRDELGADO@GMAIL.COM frankdelgado@gmail
13. JENNIFER GARRETT	815 W BRAMBLE OAK DR.	4-783-3518	JMGARRETTDESIGNS@GMAIL.COM
14. Bill Moon			bill.moon66@gmail.com
15. Matt O'Shea	110 Olive St Roswell, GA 30075	678-457-2164	mateo_61@hotmail.com
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			



SITE ADDRESS:
540, 568 AND 678 MOUNTAIN PARK ROAD

SITE DATA:
TOTAL AREA = 17.93 AC
TOTAL LOT AREA = 1.877
OVERALL DENSITY = 1.877

PROPOSED ZONING: R-40/RM-10

LOT REQUIREMENTS:
R-20 (MINIMUM LOT AREA = 4,000 SQ. FT.)

OPEN SPACE: 10%

MIN. REQUIRED OPEN SPACE: 425

DEVELOPER:
LEHIGH DEVELOPMENT
43 WOODSTOCK ST., REYNOLDS, GEORGIA 30075

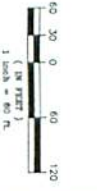
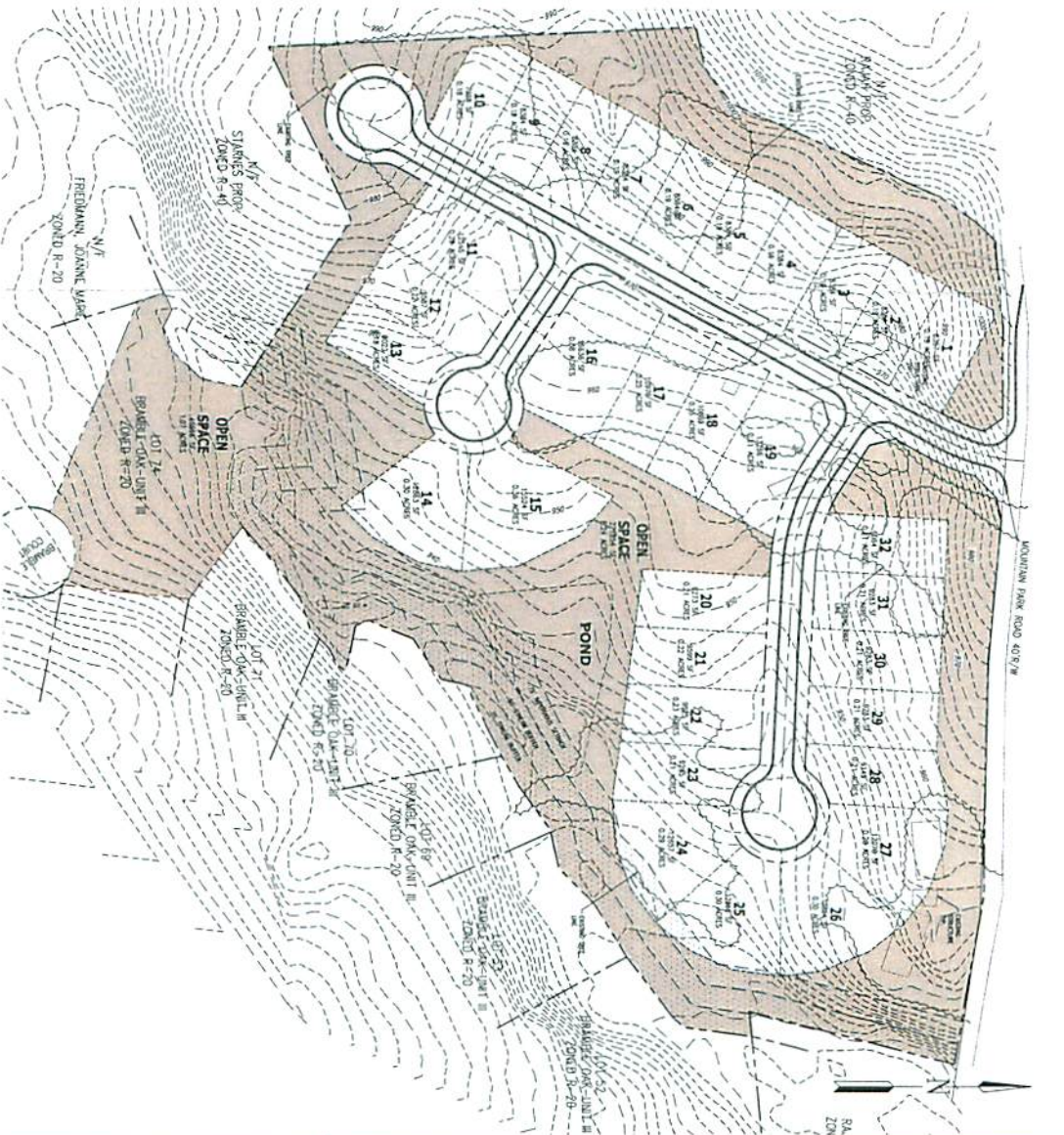
ENGINEER:
GREYDEN ENGINEERING
2706 MACY DRIVE
REYNOLDS, GEORGIA 30075

NOTES:
THERE ARE NO WETLANDS LOCATED ON THE SITE.
THERE ARE NO BIODIVERSITY OR FIELD VISIT PERFORMED BY GREYDEN ENGINEERING ON 10/27/2016.

GENERAL SOIL TYPES LOCATED ON SITE:

NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE OF TOTAL AREA
1	Very Fine Sand	1,200	6.7%
2	Very Fine Sand with Silt	1,200	6.7%
3	Very Fine Sand with Clay	1,200	6.7%
4	Very Fine Sand with Silt and Clay	1,200	6.7%
5	Very Fine Sand with Silt and Clay (1:1)	1,200	6.7%
6	Very Fine Sand with Silt and Clay (2:1)	1,200	6.7%
7	Very Fine Sand with Silt and Clay (3:1)	1,200	6.7%
8	Very Fine Sand with Silt and Clay (4:1)	1,200	6.7%
9	Very Fine Sand with Silt and Clay (5:1)	1,200	6.7%
10	Very Fine Sand with Silt and Clay (6:1)	1,200	6.7%
11	Very Fine Sand with Silt and Clay (7:1)	1,200	6.7%
12	Very Fine Sand with Silt and Clay (8:1)	1,200	6.7%
13	Very Fine Sand with Silt and Clay (9:1)	1,200	6.7%
14	Very Fine Sand with Silt and Clay (10:1)	1,200	6.7%
15	Very Fine Sand with Silt and Clay (11:1)	1,200	6.7%
16	Very Fine Sand with Silt and Clay (12:1)	1,200	6.7%
17	Very Fine Sand with Silt and Clay (13:1)	1,200	6.7%
18	Very Fine Sand with Silt and Clay (14:1)	1,200	6.7%
19	Very Fine Sand with Silt and Clay (15:1)	1,200	6.7%
20	Very Fine Sand with Silt and Clay (16:1)	1,200	6.7%
21	Very Fine Sand with Silt and Clay (17:1)	1,200	6.7%
22	Very Fine Sand with Silt and Clay (18:1)	1,200	6.7%
23	Very Fine Sand with Silt and Clay (19:1)	1,200	6.7%
24	Very Fine Sand with Silt and Clay (20:1)	1,200	6.7%
25	Very Fine Sand with Silt and Clay (21:1)	1,200	6.7%
26	Very Fine Sand with Silt and Clay (22:1)	1,200	6.7%
27	Very Fine Sand with Silt and Clay (23:1)	1,200	6.7%
28	Very Fine Sand with Silt and Clay (24:1)	1,200	6.7%
29	Very Fine Sand with Silt and Clay (25:1)	1,200	6.7%
30	Very Fine Sand with Silt and Clay (26:1)	1,200	6.7%
31	Very Fine Sand with Silt and Clay (27:1)	1,200	6.7%
32	Very Fine Sand with Silt and Clay (28:1)	1,200	6.7%
33	Very Fine Sand with Silt and Clay (29:1)	1,200	6.7%
34	Very Fine Sand with Silt and Clay (30:1)	1,200	6.7%

NUMBER	AREA (SQ. FT.)	ZONING	PERCENTAGE OF TOTAL AREA
1	1,200	OPEN SPACE	6.7%
2	1,200	OPEN SPACE	6.7%
3	1,200	OPEN SPACE	6.7%
4	1,200	OPEN SPACE	6.7%
5	1,200	OPEN SPACE	6.7%
6	1,200	OPEN SPACE	6.7%
7	1,200	OPEN SPACE	6.7%
8	1,200	OPEN SPACE	6.7%
9	1,200	OPEN SPACE	6.7%
10	1,200	OPEN SPACE	6.7%
11	1,200	OPEN SPACE	6.7%
12	1,200	OPEN SPACE	6.7%
13	1,200	OPEN SPACE	6.7%
14	1,200	OPEN SPACE	6.7%
15	1,200	OPEN SPACE	6.7%
16	1,200	OPEN SPACE	6.7%
17	1,200	OPEN SPACE	6.7%
18	1,200	OPEN SPACE	6.7%
19	1,200	OPEN SPACE	6.7%
20	1,200	OPEN SPACE	6.7%
21	1,200	OPEN SPACE	6.7%
22	1,200	OPEN SPACE	6.7%
23	1,200	OPEN SPACE	6.7%
24	1,200	OPEN SPACE	6.7%
25	1,200	OPEN SPACE	6.7%
26	1,200	OPEN SPACE	6.7%
27	1,200	OPEN SPACE	6.7%
28	1,200	OPEN SPACE	6.7%
29	1,200	OPEN SPACE	6.7%
30	1,200	OPEN SPACE	6.7%
31	1,200	OPEN SPACE	6.7%
32	1,200	OPEN SPACE	6.7%
33	1,200	OPEN SPACE	6.7%
34	1,200	OPEN SPACE	6.7%



ZONING RESOURCE PLAN
540, 568, 678 MOUNTAIN PARK ROAD
LOCATED IN LAND LOT 1188 AND 1189, 15th DISTRICT
CHEROKEE COUNTY, GEORGIA



GREYDEN ENGINEERING
2706 MACY DRIVE
REYNOLDS, GEORGIA 30075
PH: 770-573-4803 FAX: 678-302-4362

CLIENT
LEHIGH DEVELOPMENT
43 WOODSTOCK ST., REYNOLDS, GEORGIA 30075
PH: 404-282-7111

DATE: 10/27/2016
DRAWN BY: J. WILSON
CHECKED BY: J. WILSON
SCALE: AS SHOWN



**Cherokee County, Georgia
Agenda Request**

Item#: 1.

SUBJECT:
September 6, 2016 Minutes

MEETING DATE:
10/4/2016

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

FACTS AND ISSUES:

BUDGET:

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:



**Cherokee County, Georgia
Agenda Request**

Item#: 2.

SUBJECT:
September 19, 2016 Work Session Minutes

MEETING DATE:
10/4/2016

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:
