



# Cherokee County Planning Commission Public Hearing AGENDA

January 3, 2017  
Cherokee Hall 7:00 PM

## **CALL TO ORDER**

### **1. Appointment of Nicole Carbetta, District 3**

## **ZONING CASES**

### **1. Case #17-01-002 Rob Sobolewski (BOC Dist. 2)**

Applicant is requesting to rezone 1.34 acres at 7211 Hickory Flat Highway from OI (Office Institutional) to NC (Neighborhood Commercial) for veterinarian office.

### **2. Case #17-01-001 Carson Developments, Inc. (BOC Dist. 2)**

Applicant is requesting to rezone 21.627 acres at Hickory Road from GC to RA to allow development of an active adult, age restricted community.

The applicant is also requesting the following variances:

1. A variance for use of dead end drives in lieu of cul-de-sacs (Development Regulations, Section 4.08);
2. A variance to grade in the zoning buffer to the north and west (Zoning Ordinance, Article 10, Section, 10.6-5).
3. A variance to construct walls in impervious stream bank buffer setback (Development Regulations, Section 5.1(2)).
4. A variance to encroach 7 feet into the required 20 foot front setback for units 75 and 82 (Zoning Ordinance, Table 7.1A).
5. A variance to reduce the zoning buffer on west side of property adjacent to GC from 35 feet to 30 feet and from 35 feet to 15 feet (Zoning Ordinance, Table 10.1).
6. A variance to reduce the zoning buffer on the west side of property adjacent to R-40 from 35 feet to 15 feet (Zoning Ordinance, Table 10.1).

## **OTHER BUSINESS**

### **1. Approval of 2017 Planning Commission Meeting Schedule**

### **2. Election of Officers**

## **APPROVAL OF MINUTES**

### **1. November 21, 2016 Minutes**

### **2. December 6, 2016 Minutes**

## **ADJOURN**



**Cherokee County, Georgia  
Agenda Request**

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**Item#: 1.**

**SUBJECT:**  
**Appointment of Nicole Carbetta, District 3**

**MEETING DATE:**  
1/3/2017

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

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**FACTS AND ISSUES:**

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**BUDGET:**

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

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**ADMINISTRATIVE RECOMMENDATION:**

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**Cherokee County, Georgia  
Agenda Request**

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**Item#: 1.**

**SUBJECT:** **Case #17-01-002 Rob Sobolewski (BOC Dist. 2)** **MEETING DATE:** 1/3/2017

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

Applicant is requesting to rezone 1.34 acres at 7211 Hickory Flat Highway from OI (Office Institutional) to NC (Neighborhood Commercial) for veterinarian office.

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**FACTS AND ISSUES:**

Commission District: 2  
Zoning Change: OI to NC  
Location: 7211 Hickory Flat Highway  
Tax Map and Parcel No: 02N02, 072  
Acres: 1.34  
Proposed Development: Veterinarian Office  
Future Development Map: Transitional Corridor over Suburban Growth

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**BUDGET:**

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

---

**ADMINISTRATIVE RECOMMENDATION:**

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**ATTACHMENTS:**

Description	Type
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> Dept Comments	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: Rob Sobolewski Phone: 859-608-5721
Email: rsobolewski@gmail.com

Applicant's Information:

Name: Rob Sobolewski
Address: 12625 Silver Fox Ct Phone: 859-608-5725
City, State, Zip: Roswell, GA 30075

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

Name: Hickory Flat United Methodist
Address: 4056 East Cherokee Dr. Phone: 770-345-5969
City, State, Zip: Canton, GA 30115

Requested Public Hearing (check all that apply):

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

STAFF USE ONLY: Commission District: 2 Case: 17-01-002 CityView #: PL2016-1534 Received by: 11-16-16 Fee Paid: \$ Date: PUBLIC HEARING SCHEDULE: Public Participation Meeting: PC Work Session Date: 12-19-16 Planning Commission Hearing: 1-3-17 Board of Commissioners: 1-17-17 Zoning Board of Appeals: N/A Other: pre-file 11.7.16



SECTION II

Property Information:

Location: 7211 Hickory Flat Hwy

Current Zoning: 0.1 Proposed Zoning: NC Total Acreage: 1.34

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

Future Development Map Designation: Transitional Corridor over Suburban Growth

Adjacent Zonings: North R.20 South ~~R.20~~ NC East R.20 West R.80

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

Need NC zoning for veterinarian office without any outdoor runs -

Proposed Use(s) of Property:

Veterinary office for small animals


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, Robert Sobolewski, 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 7 day of November, 2016.

Print Name Robert Sobolewski.

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

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>640</u>	<u>Vet Officer</u>	<u>3148 sq. ft</u>	<u>4.72</u>	<u>14,858.56</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.

AUTHORIZATION OF PROPERTY OWNER

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

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

- Rezoning
- Amendment / Modification of Zoning Conditions
- Variance / Appeal
- Other: \_\_\_\_\_

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

Applicant's Information:

Name: Rob & Michelle Sobolewski  
 Address: 12625 Silver Fox Ct. Phone: 859-608-5725  
 City, State, Zip: Roswell, GA 30075

Property Owner's Information:

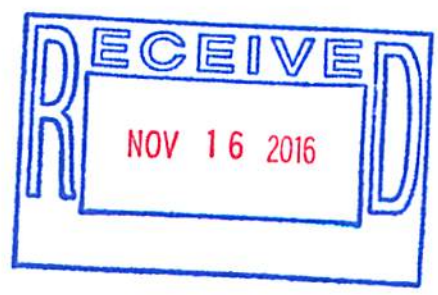
Name: Hickory FLAT U.M.C.  
 Address: 7211 Hickory Flat Hwy Phone: 770-894-2230  
 City, State, Zip: WOODSTOCK GA 30188

Signature of Owner: [Signature] Date: 11-15-16.  
 Print Name: JAMES DAVID MOSLEY

Sworn to and Subscribed before me this: 15 day of NOVEMBER, 20 16.

Notary Signature: [Signature]

(Notary Seal)





## *East Cherokee Veterinary Clinic*

**Summary of Re-Zoning Request for: 7211 Hickory Flat Highway . Woodstock, Ga.**

We are requesting a change in zoning codes, from Office/Institutional District to Neighborhood Commercial District, for a new small business entering Cherokee County. In January of 2016, less than one year ago, the zoning on this property was changed from AG to OI. Below is a brief summary of our business plan. We hope to have this re-zoning completed by mid January of 2017, in effort to open a Veterinary Practice in the growing area, near peak season of spring. A veterinary practice can operate under either AG or NC zoning codes, per Cherokee County. Thank you for your consideration and assistance in helping our families hard work, and dream of ownership, become a reality.

East Cherokee Veterinary Clinic (E.C.V.C) will be located approximately 40 miles north of Atlanta, in Hickory Flat, Ga. Although Hickory Flat is just north of the largest city in Georgia, and is located off of busy Georgia 140, it has held onto its "small-town feel" and continues to offer its residents a quaint, friendly town, while maintaining a tight-knit community. In 1990 there were no more than 10 small businesses within the main triangle of Hickory Flat, and today there are over 50. As of 2014 the population, within a 5-mile radius of the practice site, was approximately 53,843 people. According to the 2010 US census, population for Cherokee County from 2015 to 2020 shows a projected growth of over 45,000 people. In addition, the town of Hickory Flat will become home to multiple new residential developments within the next 2-3 years, most of which are already under-way.

The clinic's trade area consists of only 4 full time veterinarians, all of which are within a 3-5 mile radius. With the existing population and expected growth over the next 2-5 years, the town of Hickory Flat can easily support East Cherokee Veterinary Clinic, which will offer a full range of veterinary services that include, but are not limited to; internal medicine, soft tissue and orthopedic surgery, dentistry, routine wellness care, and grooming. East Cherokee Veterinary Clinic and the staff are committed to providing high quality veterinary medicine while making customer service a priority. We will primarily operate as a small animal practice capitalizing on the need for a traditional veterinary practice within the area. E.C.V.C. will operate under traditional clinic hours that include weekends, unlike our closest competitors. We will fill a void for a traditional veterinary practice in the area; comprised of traditional medicine practice versus a holistic approach taken on by current competitors, as well as more flexible and traditional clinic hours and finally, the ability to offer surgery on-site without out-sourcing. Currently, there multiple commercial businesses neighboring the future site of E.C.V.C.

Dr. Sobolewski, or Rob, and his wife are both from a small town in Kentucky and have a heart for the simplicity that comes with that lifestyle. We see many similarities to our own childhood in the Hickory Flat area and hope to, not only build a thriving business there, but also to eventually call Cherokee county our families' home. We want our children to experience that same small town mentality that seems to have stayed with Hickory Flat, despite its recent growth! Rob, his wife and his two young children, greatly appreciate your consideration in the re-zoning of this property. We are excited to have the opportunity to follow our dream, but also to invest in this community and its people.

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

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

**WARRANTY DEED**

STATE OF GEORGIA  
COUNTY OF CHEROKEE

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

This indenture made the 21st day of January, in the year Two Thousand Two, between LINDA W. ROBERSON, of the County of CHEROKEE, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and HICKORY FLAT UNITED METHODIST CHURCH, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns unless the context requires or permits). ~~WITNESSETH~~ **WITNESSETH** that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations to hereof paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, AS TRUSTEE AND BY: H.L. OGLEBY, JR. CHAIRMAN OF BUILDING REPAIRS COMMITTEE, AS TRUSTEE

See Exhibit "A" attached hereto and incorporated herein by reference.  
Subject to restrictive covenants and easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, covenants and appurtenances thereto, to the same being, belonging, or in anywise appertaining, to the said proper care, benefit and behoof of the said Grantee forever to **FREE SIMPLE**.


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

IN WITNESS WHEREOF, Grantor has hereunto set her hand and seal on and about the day and year first above written.

Signed, sealed and delivered in the presence of:

*Linda W. Roberson*  
LINDA W. ROBERSON  
\_\_\_\_\_  
(Sesl)

*Kim [Signature]*  
\_\_\_\_\_  
(Sesl)

Notary Public  
  
\_\_\_\_\_  
(Sesl)

BK

PG

5866 246

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE SECOND DISTRICT AND 2ND SECTION, CHEROKEE COUNTY, GEORGIA, AND BEING A PORTION OF LAND LOT NO. 431 AND BEING 1.34 ACRES AS SHOWN ON A PLAT OF SURVEY PREPARED FOR JAMES T. ROBERSON AND LINDA W. ROBERSON BY JERRY THACKER AND ASSOCIATES DATED 09-30-00 AND RECORDED IN PLAT BOOK 17, PAGE 109 OF CHEROKEE COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO ASCERTAIN THE TRUE POINT OF BEGINNING BEGIN AT A POINT FORMED BY THE INTERSECTION OF THE NORTHEAST RIGHT OF WAY OF GEORGIA HIGHWAY NO. 140 WITH THE WEST LAND LOT LINE OF LAND LOT NO. 431; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE NORTHEAST RIGHT OF WAY OF GEORGIA HIGHWAY NO. 140 AND FOLLOWING THE CURVATURE THEREOF A DISTANCE OF 216.8 FEET TO AN IRON PIN, THE SAME BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 8 MINUTES 00 SECONDS A DISTANCE OF 285.0 FEET TO AN IRON PIN THAT IS SOUTH 31 DEGREES 22 MINUTES 00 SECONDS EAST A DISTANCE OF 268.0 FEET TO AN IRON PIN THAT IS SOUTH 45 DEGREES 06 MINUTES 00 SECONDS WEST A DISTANCE OF 265.0 FEET TO AN IRON PIN LOCATED ON THE NORTHEAST RIGHT OF WAY OF GEORGIA HIGHWAY NO. 140; THENCE NORTH 31 DEGREES 22 MINUTES 00 SECONDS WEST ALONG THE NORTHEAST RIGHT OF WAY OF GEORGIA HIGHWAY NO. 140 A DISTANCE OF 288.0 FEET TO AN IRON PIN, THE SAME BEING THE POINT OF BEGINNING, AND CONTAINING 1.34 ACRES.

*JP*

Rec 4-3-03

COPY



**NOTES:**

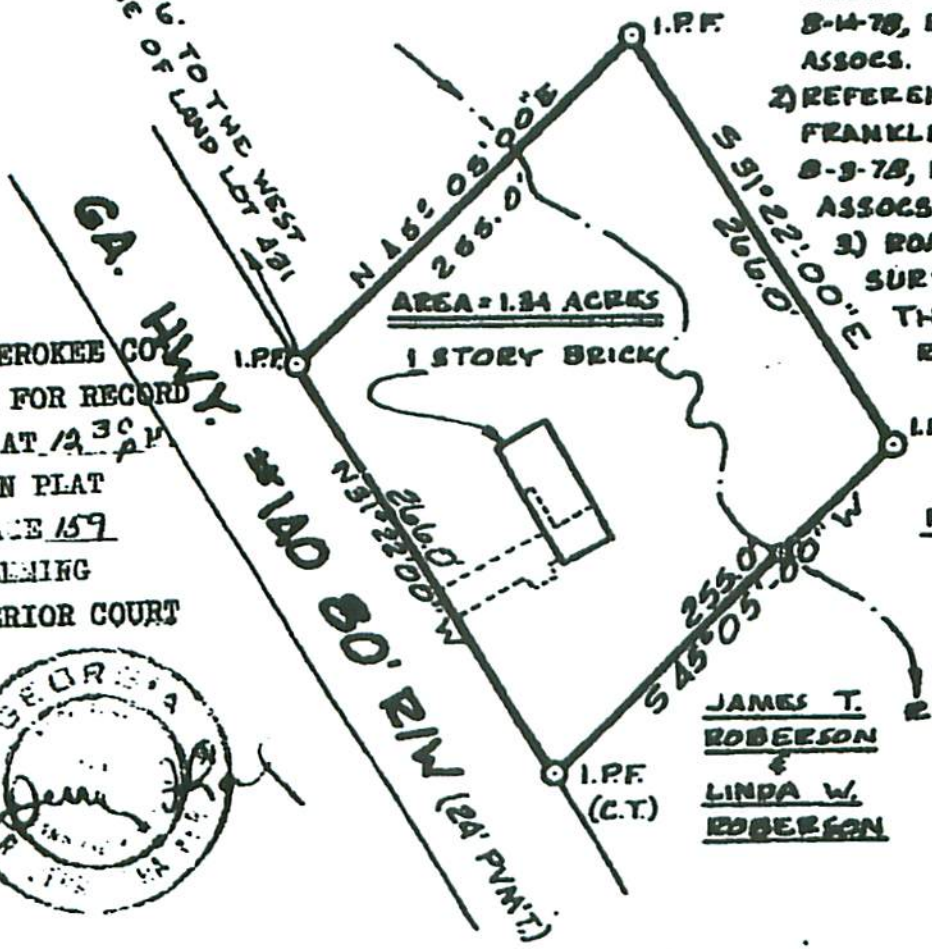
- 1) REFERENCE PLAT OF A BOUNDARY SURVEY FOR JAMES T. ROBERSON & LINDA W. ROBERSON DATED 8-14-78, BY JERRY THACKER & ASSOCS. JOB NO. 78-142-78B
- 2) REFERENCE PLAT FOR FRANKLIN L. WATERS DATED 8-9-78, BY BATES-LONG & ASSOCS. JOB NO. 8 142
- 3) ROAD & SOUTH BOUNDARY SURVEYED BY JERRY THACKER & ASSOCS., REMAINDER SURVEYED BY BATES-LONG I.P.F. & ASSOCS. (SEE NOTE 2)

FRANKLIN L. WATERS.

JAMES T. ROBERSON  
&  
LINDA W. ROBERSON



FRANKLIN L. WATERS



AREA = 1.34 ACRES

1 STORY BRICK

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



**LEGEND**

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

**COMPOSITE PLAT**

SUBDIVISION:	
SURVEY FOR:	
<b>JAMES T. ROBERSON &amp; LINDA W. ROBERSON</b>	
MORTGAGEE:	
LAND LOT(S): 431	DISTRICT 2, SECTION 2
CITY:	CHEROKEE CO., GEORGIA
SCALE: 1 IN. = 100 FT.	REVISION DATES:
PREPARED 6-30-80 BY:	

**JERRY THACKER & ASSOCIATES**

CONSULTING CIVIL ENGINEERING  
LAND SURVEYING COMPUTER SERVICES

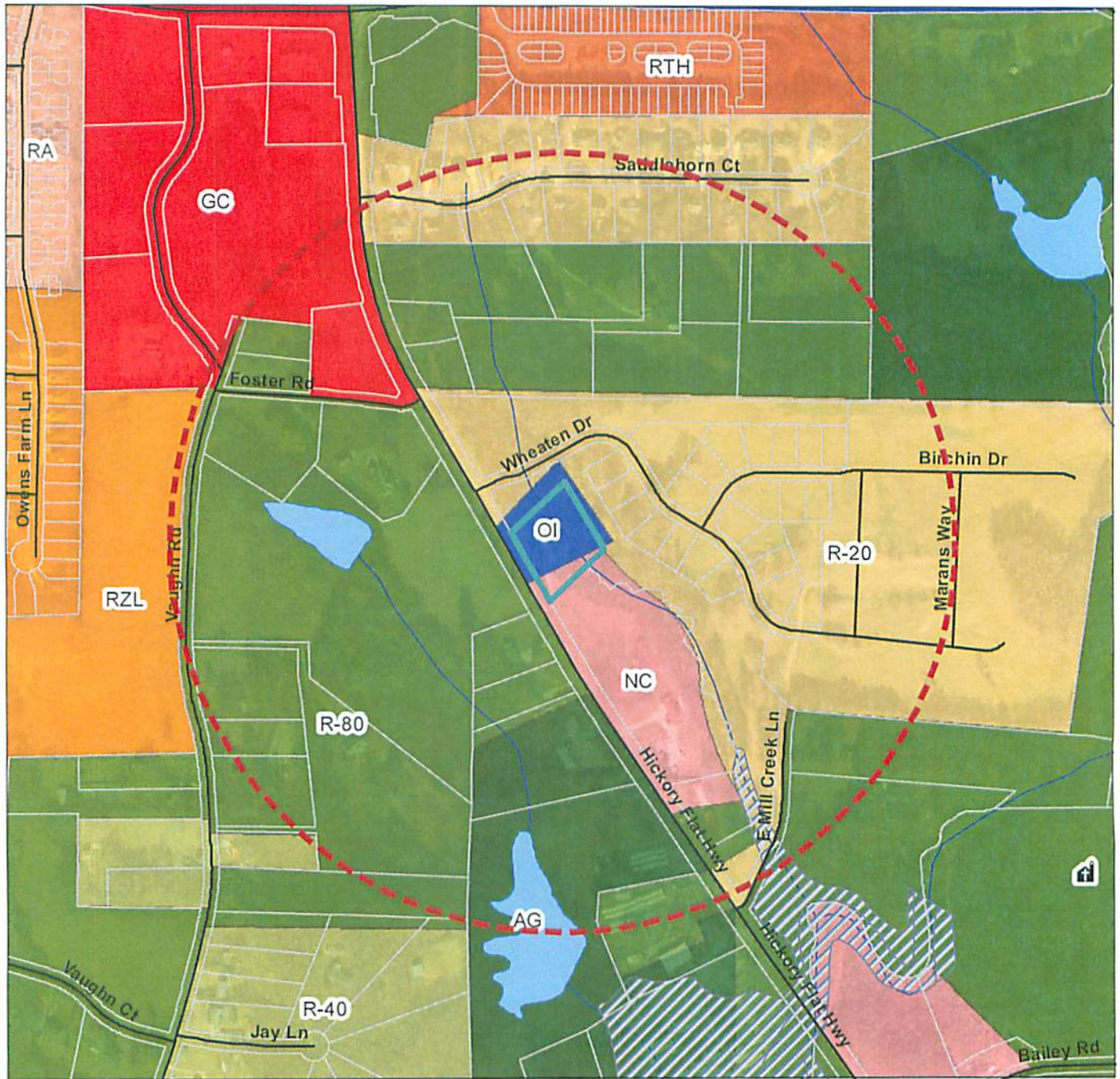
221 E. MAIN STREET 404-473-4911 CANTON  
CANTON, GEORGIA 30114 404-522-7268 (ATL. NO.)  
404-992-0270 ROSWELL

FIELD WORK BY  
DRAWN BY P.F. CHK. BY: B.V.I.  
JOB NO. 80-2645-20 A



# Case # 17-01-002 Rob Sobolewski

## Zoning Map



### Legend

- Rezoning Parcel
- 1/4 Mile Radius
- School
- Cemetery
- Church
- Street
- 100 Year Flood Zone

### Cherokee County Zoning

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

- RTH
- RM 10
- RM 16
- TND
- PUD
- OI
- NC
- GC
- LI
- HI
- Bells Ferry Overlay
- Hwy 92 Overlay



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



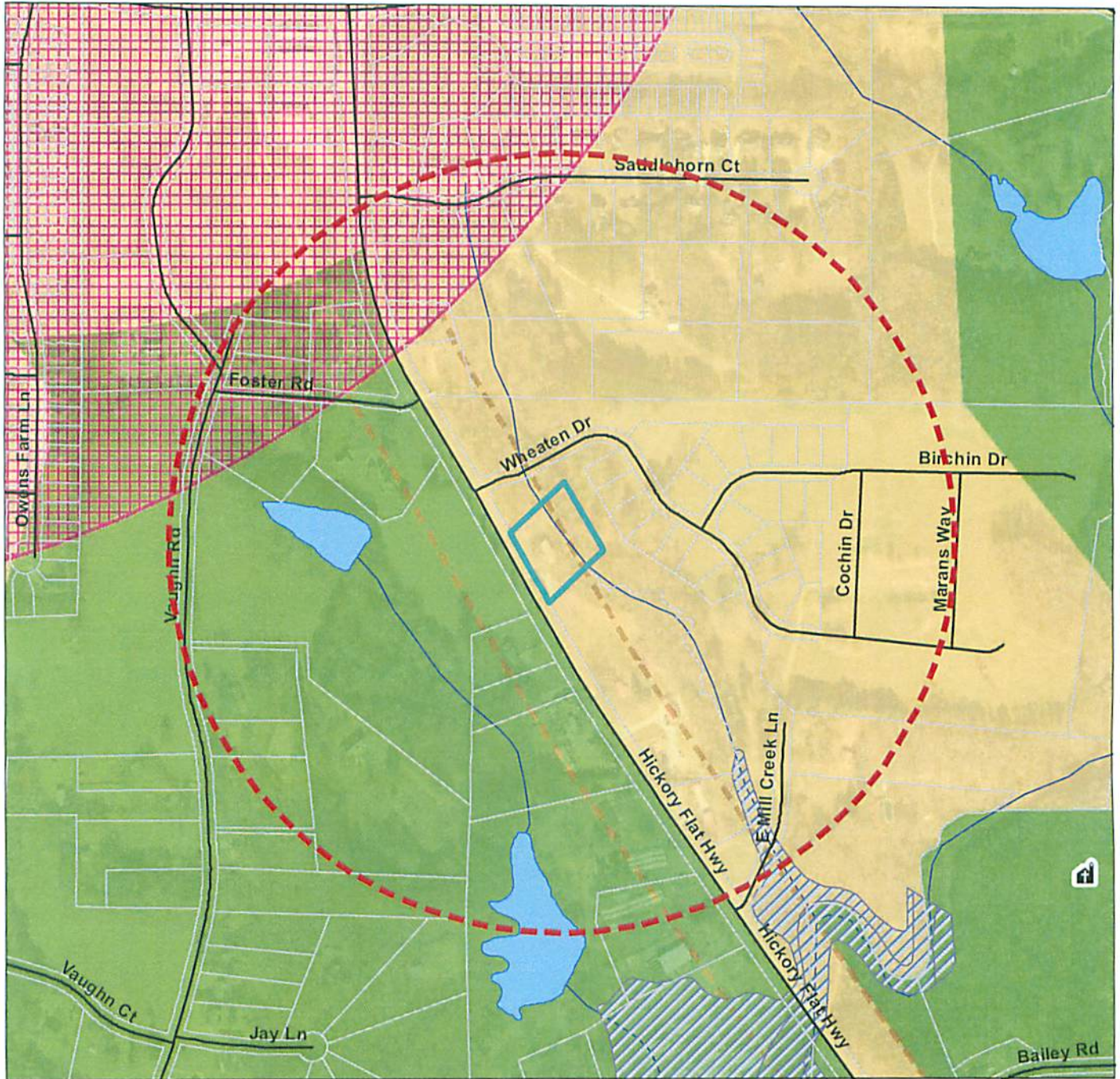
Prepared by:  
Cherokee County  
Planning and Land Use  
Canton, Georgia  
30 November 2016





# Case # 17-01-002 Rob Sobolewski

## Future Development Map



### Legend

Rezoning Parcel	<b>Development Nodes</b>	<b>Character Areas</b>
1/4 Mile Radius	County Crossroads	Natural Preserve
School	Hamlet	Rural Places
Cemetery	Neighborhood Village	Country Estates
Church	Community Village	Suburban Growth
Street	<b>Corridors</b>	Suburban Living
100 Year Flood Zone	Scenic Corridor	Neighborhood Living
	Transitional Corridor	Belts Ferry LCI
	Development Corridor	Urban Core
		Workplace Center
		Regional Center
		Waste Management



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Prepared by:  
Cherokee County  
Planning and Land Use  
Canton, Georgia  
30 November 2016







## Staff Report

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**Case No:** 17-01-002  
**Applicant Name:** Rob Sobolewski  
**Location:** 7211 Hickory Flat Highway  
(02N02, 072)  
**From/To:** O-I to NC  
**Proposed Use:** Small Animal Veterinarian  
**Commission Post:** 2

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	Existing Zoning	Existing Land Use
North	R-20	Residential
South	NC	Residential
East	R-20	Residential/Vacant
West	R-80	Commercial

### Future Development Map

Character Area/Node/Corridor	Description
Transitional Corridor	This corridor is designed to allow more intensive residential uses and limited compatible nonresidential uses along major roadways. Restrictions in this corridor allow a smooth transition to surrounding area. Size, appearance and parking standards apply to this corridor. AG, OI, NC.
Suburban Growth	Areas located outside identified centers that are experiencing a high volume of residential growth, primarily single-family houses. R-80, R-60, R-40.

<b>Transitional Corridor</b>	
<b>Primary Land Uses</b>	<b>Secondary Land Uses</b>
Single-family detached housing Conservation Subdivisions Master planned communities	Retail shops Personal services such as Laundromats, dry cleaners, barber/beauty shops and video rental Professional services such as lawyers, accountants, insurance agents, physicians and dentists Neighborhood institutions such as churches, schools, day care, fire stations and libraries

<b>Suburban Growth</b>	
<b>Primary Land Uses</b>	<b>Secondary Land Uses</b>
Single-family detached housing Conservation Subdivisions Master planned communities	Residentially-related institutional uses

**Analysis and Comment**

The subject parcel is 1.34 acres and lies on Hickory Flat Highway approximately one-quarter mile south of Saddlehorn Court. A Public Participation Meeting was held on December 11, 2016 and no one attended. An Existing Site Resource Map was not required. We have received no letters in opposition to or in support of this petition. The application is consistent with the Future Development Map designation of Transitional Corridor.



**1 Findings**

**1.1 Engineering Department**

- See attached.

**1.2 Cherokee County Water and Sewerage Authority**

- CCWSA reported there is an 8" water line available and adequate Public sewer is available at this site with adequate capacity.

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

- The Board of Education did not submit a report.

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

- No report received.

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

- No report received.



## Case # 17-01-002 - Community Agenda Analysis

### Section 1 – Community Vision

Community	½ mile south of the intersection of Hickory Flat Highway and Hickory Road.
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**Vision:**

- Natural beauty and diversity make Cherokee County a desirable and sustainable community.
- Commitment to grow responsibly from rich agricultural foundation through careful community design.
- Lake Allatoona and Etowah River provide water supply and recreation opportunities to be preserved.
- Balance needed between housing, employment, education, recreation, infrastructure, and community services.

***Applicant is requesting to rezone 1.34 acres from OI to NC for a veterinary office.***

### Section 2 - Core Issues

#### ***Project Supports***

Planning for Sustainable Growth	This location has most infrastructure and services nearby.
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Diverse Economic Opportunities	Project may create jobs and diversify employment opportunities in Cherokee County.
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#### ***Project is Neutral***

Land Use Patterns that Promote Connectivity and Mobility	No evidence of impact.
--	------------------------

Housing Choice	No evidence of impact.
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Aging in Place	No evidence of impact.
----------------	------------------------

Designing with the Environment	No evidence of impact.
--------------------------------	------------------------

Preserve and Enhance Sense of Place	No evidence of impact.
-------------------------------------	------------------------

#### ***Project Neglects***

### Section 3 – Character Area Description

Character Area	Suburban Growth
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***The Suburban Growth Character Area suggests R-80, R-60, and R-40 as Zoning Districts. The intent of this Character Area is to channel growth pressures to areas that are suitable in terms of land use patterns and infrastructure investment to create more sustainable communities. Generally, this is an area in transition from rural to suburban, often characterized by pockets of development interspersed among a rural landscape. This project is not consistent with the Character Area.***

Node or Corridor	Transitional
------------------	--------------

***The Transitional Corridor suggests AG, OI, and NC as Zoning Districts. The intent of the Transitional Corridor is to allow more intense development immediately adjacent the roadway and transitioning to lower intensity surrounding areas. This project is consistent with the Corridor.***

# Cherokee County Government

ENGINEERING DEPARTMENT  
1130 Bluffs Parkway – Canton, Georgia 30114  
678-493-6077 – Fax 678-493-6055



## REZONING MEMORANDUM

**Case Number:** 17-01-002

**Applicant:** Rob Sobolewski

**Current Zoning:** OI

**Proposed Zoning:** NC

### ● **Transportation:**

- **Primary Public Access** – The primary public access for the property in this application is State Route 140. State Route 140 is a two lane urban minor arterial roadway. The geometry on the road at the location of this application is generally good. The Georgia DOT counted 14,600 vehicles per day in 2015 just south of the property.
- **Planned Improvements** – The Georgia DOT has no planned improvements to this section of SR 140.
- **Trip Generation** – Based on the current zoning compared to the proposed zoning, the difference in trip generation from the property as currently zoned to the proposed zoned condition is a decrease of 20 vehicles per day.

Zoning	Units	Trips Per Day
Current OI	3,148 square feet	35
Proposed NC	3,148 square feet	15

- **Development Related Improvements** – The Georgia Department of Transportation will determine any necessary improvements to State Route 140 when the applicant applies for access along that route. It should be expected that the entrances will include a left-turn lane as well as a deceleration lane

### ● **Stormwater:**

- **Flood Plain or Wetlands on Property** – No.
- **Runoff Tributary and Basin** – Unnamed tributary of Mill Creek in the Allatoona basin.

### ● **Conclusion:**

It is the opinion of the Cherokee County Engineering Department that State Route 140 should be able to handle the traffic generated by this application.

# Cherokee County Water & Sewerage Authority

<b>Applicant:</b>	ROB SOBOLEWSKI
<b>Re-Zoning Case No.:</b>	17-01-002
<b>Present Zoning:</b>	OI
<b>Proposed Zoning:</b>	NC
<b>Tax Map:</b>	02N02
<b>Parcel No.:</b>	72

**Water**

1) Is Water Available at Development:	YES <input checked="" type="checkbox"/>
	NO <input type="checkbox"/>
2) Size of Existing Water Line (If Available):	8"
3) Is there Adequate Water Pressure for the Additional Fire Protection that may be Required for the New Project:	YES <input type="checkbox"/>
	NO <input type="checkbox"/>
Additional Comments:	DETERMINED BY FLOW TEST
4) Is Existing Water Line Adequate for Project, If not what size will be Required:	YES <input checked="" type="checkbox"/>
	NO <input type="checkbox"/>
5) What are the Future Plans for Expansion of Water Lines and Give Approximate Time Table:	NONE

**DEVELOPERS MAY BE REQUIRED TO INSTALL/ UPGRADE WATER MAINS, BASED ON FIRE FLOW TEST RESULTS OR FIRE DEPARTMENT CODE. THIS WILL BE RESOLVED IN THE REVIEW PROCESS.**

**Sewer**

1) Is Sewer Available to the Project:	YES <input checked="" type="checkbox"/>
	NO <input type="checkbox"/>
2) How far from the Proposed Development are the Nearest Sewer Lines:	On Site
3) Approximate Length of Time Before Sewer Line will be Reasonably Assessible to Development:	<input type="text"/>
4) Estimated Waste Generation:	<input type="text" value="13,400"/> ADF <input type="text" value="48,240"/>
5) Treatment Plant:	Fitz Creek WPCP
6) Plant Capacity:	Available <input checked="" type="checkbox"/>
	Not Available <input type="checkbox"/>
7) Line Capacity:	Available <input checked="" type="checkbox"/>
	Not Available <input type="checkbox"/>
8) Projected Plant Availability:	0-5 Years <input checked="" type="checkbox"/>
	5-10 Years <input type="checkbox"/>
	10+ Years <input type="checkbox"/>
9) Additional Comments:	<input type="text"/>

**Sewer Availability:  
(Treatment Plant That Will Treat Sewerage)**

**CCWSA  
City of Canton  
City of Woodstock  
Other**

X

**Plant Capacity Comments:**

**Developer Will Be Responsible For Connecting To The Existing Cherokee County Water & Sewerage Authority's Water And Sewer System, Installing And / Or Up- Grading All Outfalls And Water Mains, Obtaining On And / Or Off Site Easements, Dedication Of On And / Or Off Site Water And Sewer Easements To Cherokee County Water and Sewerage Authority As May Be Required.  
Rezoning Does Not Insure Water/Sewer Capacity**

**The CCWSA Has Directed That A Water Flow And Pressure Test Be Performed Prior To Submitting To The Commission And Cherokee Planning And Zoning Board. Please Contact Ricky Dobbs(CCWSA) At 770 479-1813 Ext. 249**



**Cherokee County, Georgia  
Agenda Request**

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**Item#: 2.**

**SUBJECT:**

**Case #17-01-001 Carson Developments, Inc.  
(BOC Dist. 2)**

**MEETING DATE:**

1/3/2017

**SUBMITTED BY:**

Tamala Davis

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**COMMISSION ACTION REQUESTED:**

Applicant is requesting to rezone 21.627 acres at Hickory Road from GC to RA to allow development of an active adult, age restricted community.

The applicant is also requesting the following variances:

1. A variance for use of dead end drives in lieu of cul-de-sacs (Development Regulations, Section 4.08);
2. A variance to grade in the zoning buffer to the north and west (Zoning Ordinance, Article 10, Section, 10.6-5).
3. A variance to construct walls in impervious stream bank buffer setback (Development Regulations, Section 5.1(2)).
4. A variance to encroach 7 feet into the required 20 foot front setback for units 75 and 82 (Zoning Ordinance, Table 7.1A).
5. A variance to reduce the zoning buffer on west side of property adjacent to GC from 35 feet to 30 feet and from 35 feet to 15 feet (Zoning Ordinance, Table 10.1).
6. A variance to reduce the zoning buffer on the west side of property adjacent to R-40 from 35 feet to 15 feet (Zoning Ordinance, Table 10.1).

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**FACTS AND ISSUES:**

Commission District: 2

Zoning Change: GC to RA

Location: Hickory Road

Tax Map and Parcel No: 15N26, 149B and 149C

Acres: 21.627

Proposed Development: Active Adult, Age Restricted Community

Future Development Map: Community Village

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**BUDGET:**

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

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**ADMINISTRATIVE RECOMMENDATION:**

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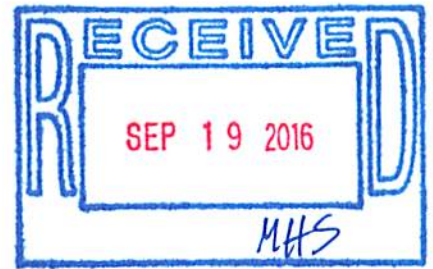
**ATTACHMENTS:**

Description	Type
☐ Application	Exhibit
☐ Boundary Survey	Exhibit
☐ Existing Site Resource Map	Exhibit
☐ Legal Description	Exhibit
☐ Public Participation Report	Exhibit
☐ Site Plan	Exhibit
☐ Future Development Map	Exhibit
☐ Zoning Map	Exhibit
☐ Site and Utility Exhibit	Exhibit
☐ Department Comments	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: Howard Carson Phone: 404-264-0930  
 Email: ehc@mindspring.com

**Applicant's Information:**

Name: Carson Developments, Inc.

Address: 3082 East Shadowlawn Avenue Phone: 404-264-0930

City, State, Zip: Atlanta, GA 30305

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

Name: ALSF Capital LLC

Address: 1550 North Brown Road, Suite 125 Phone: \_\_\_\_\_

City, State, Zip: Lawrenceville, GA 30043

**Requested Public Hearing (check all that apply):**

- Rezoning  Amendment / Modification of Zoning  
 Variance / Appeal  Other: \_\_\_\_\_

**STAFF USE ONLY:**

Commission District: 2  
 Case: 17-01-001  
 CityView # PL 2016-1533  
 Received by: \_\_\_\_\_  
 Fee Paid: \$ \_\_\_\_\_  
 Date: 9-19-16

**PUBLIC HEARING SCHEDULE:**

Public Participation Meeting: 10-4-16  
 PC Work Session Date: 12-19-16  
 Planning Commission Hearing: 1-3-17  
 Board of Commissioners: 1-17-17  
 Zoning Board of Appeals: N/A  
 Other: \_\_\_\_\_

**COMPLETED**

10/24/16

**SECTION II**

**Property Information:**

Location: Hickory Road

Current Zoning: GC Proposed Zoning: RA Total Acreage: 21.627

Tax Map #: 15 N 26 Parcel #: 149B & 149C Land Lot(s): 324, 325, 326 District: 15th

Future Development Map Designation: Community Village

Adjacent Zonings: North GC South PDR (HS) East GC West GC

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

Rezoning to allow development of active adult, age restricted, attached homes built by the Orchards Group.

Section 8.7 - Variance request for use of dead end drives in lieu of cul de sacs. Section 23.10 - Variance request to grade in the buffer to the north and west

Section 10.7-7 Variance request to construct walls in impervious setback, Staff Requested (no section) - Variance to encroach into 7' setback for units 75, 82

Section 10.1 - Variance request to reduce buffer on west side of property adjacent to GC from 35' to 30' and from 30' to 15' setback.

Section 10.1 -Variance Request to reduce buffer from 35' to 15' setback adjacent to R-40 on the west side.

Proposed Use(s) of Property:

Attached active adult homes owned as condominiums along with a clubhouse and pool.

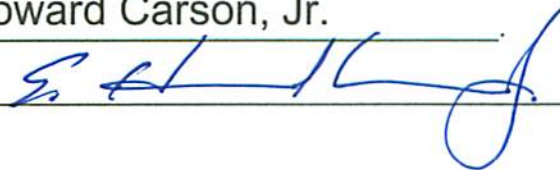
**Applicant Affidavit:**

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, E. Howard Carson, Jr., do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 19<sup>th</sup> day of SEPTEMBER, 20 16.

Print Name E. Howard Carson, Jr.

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?

CCWSA sewer lines on site

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

If yes, what is the projected increase? 0 students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home		0.725	
Multi Family (Attached) Home	82	0.287	0

**Traffic Generation:**

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

What is the estimated number of trips generated? 265 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	
252	Senior Adult Housing Attached	82	3.23	265

**Notes:**

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

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



**AUTHORIZATION OF PROPERTY OWNER**

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

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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Amendment / Modification of Zoning Conditions |
| <input type="checkbox"/> Variance / Appeal   | <input type="checkbox"/> Other: _____                                  |

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

Applicant's Information:

Name: Carson Developments, Inc.  
Address: 3082 East Shadowlawn Avenue Phone: 404-264-0930  
City, State, Zip: Atlanta, GA 30305

Property Owner's Information:

Name: ALSF Capital LLC  
Address: 1550 North Brown Road, Suite 125 Phone: \_\_\_\_\_  
City, State, Zip: Lawrenceville, GA 30043

Signature of Owner: *Christopher L. Harris* Date: 8-23-16  
Print Name: Christopher L. Harris, Manager

Sworn to and Subscribed before me this: 23<sup>RD</sup> day of August, 20 16.

Notary Signature: *Ashley Nguyen*

(Notary Seal)



**Hickory Road Orchards  
Zoning Letter of Intent and Analysis**

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

The intent of the zoning request is to allow the property to be zoned to allow residential, active adult, age restricted (55+) homes to be built. The Orchards Group, who will build the homes in the proposed development, is the preeminent builder in the active adult market on the north side of Atlanta. The Orchards Group built the development immediately south and east across Hickory Road from the property. The proposed development will be very similar. There will be amenity consisting of a clubhouse and pool. Historically, Orchards residents have very little impact on traffic and no impact on schools. The proposal is that the project be age restricted to 55+ to the extent allowed under current federal Fair Housing law by zoning condition and by HOA documents.

**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 zoning proposal will permit a use that is suitable with and in complete conformity with surrounding uses. An Orchards development is across Hickory Road. The site is surrounded on west, north and east sides by General Commercial uses, all of which are complementary to the proposed use. The future Orchards residents will be greatly benefitted by the adjacent Kroger and library. Sidewalks will connect the residents to each.

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

The Orchards proposal is completely complementary to adjacent and nearby uses.

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

The adjacent land uses along SR140 and E. Cherokee have or will be built out with commercial uses. The proposed use, accessed from the much lower traffic Hickory Road, is much more suitable for the proposed use than for a commercial use. It is highly unlikely that any commercial use of the property would be warranted in the short or intermediate term due to the abundance of available commercial space nearby.

**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 proposed use is the least burdensome on existing street, transportation facilities, utilities or schools of almost any that could be proposed. The active adult residents typically do not drive much and don't drive during peak hours. They use very little water when compared to younger residents. Since it is age restricted, it is highly unlikely that there will be any school children living in the proposed development.

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

The policy and interest of the land use plan suggests that this property be developed in Suburban Growth/Community Village uses. The proposed use is in complete conformity with both policy and intent.

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

The changing condition of continued growth in the Hickory Flat area has resulted in increased burden on resources. That the proposed use has so little effect on transportation or water resources provides the supporting grounds for the approval of the zoning.

**Section 8.7 - Variance request for use of dead end drives in lieu of cul de sacs.**

1. Explain requested variance.  
**Variance request for use of dead end drives in lieu of cul de sacs.**
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.  
**The topography and stream buffers of the property make the use of cul de sacs impractical and unnecessary. Further the mass of asphalt needed to build a cul de sac would result in additional runoff when a short driveway/dead end street is perfectly adequate.**
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.  
**The application of this code to the property will impact the ability to develop the property and create a hardship for the roadway development. The fact that the single dead end street is shorter than an average length driveway makes a cul de sac impractical and would result in unnecessary impervious surface with no improvement in safety services.**
4. Such conditions are peculiar to the particular piece of property involved.  
**The property has a combination of extensive stream buffers and steep topography unique to this property.**
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.  
**The strict application of the code will further impact the ability to develop this site and result in unneeded impervious surface and runoff**
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.  
**Relief from this code will not cause any detriment to the public good. The inclusion of a cul de sac to replace the one, short dead end driveway would serve no public good and the short dead end street in no way impairs the purposes or intent of the ordinance. The short dead end street is in fact in the public's best interest, reducing runoff and improving water quality.**
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 stream buffers and topography are unique to this property and will not apply to surrounding properties in the area. Additionally, the nature of the active adult Orchards product is of community. The closeness of the units aides that sense of community.**
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 requested variance is the minimum required to preserve the development right of the property.**
9. The condition from which relief or a variance is sought did not result from willful action by the applicant  
**The request of the variance is due to the natural conditions of the site and not any actions of the applicant.**



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.

**There will be no negative impacts by the granting of the requested variance.**

## Section 23.10 - Variance request to grade in the buffer to the north and west

1. Explain requested variance.  
**Variance request to grade in the buffer to the north and west.**
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.  
**The topography and stream buffers of the property require the grading within the buffers in order to develop the property. The buffers will be replanted back to buffer standards after the grading is complete. In that the adjacent properties to the north and west are already developed into commercial uses, the replanting of the graded buffer will be sufficient to buffer our residential product from those commercial uses and those commercial uses do not need a buffer from our residential product.**
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.  
**The application of this code to the property will impact the ability to develop the property and create a hardship for the development.**
4. Such conditions are peculiar to the particular piece of property involved.  
**The property has a combination of extensive stream buffers and steep topography unique to this property necessitating the intrusion into the buffer.**
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.  
**The strict application of the code will further impact the ability to develop this site. Adjacent commercial uses graded within their buffers and replanted those buffers just as this variance requests permission to do.**
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.  
**Relief from this code will not cause any detriment to the public good since the buffers will be re-established once construction is completed.**
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 stream buffers and topography are unique to this property and will not apply to surrounding properties in the area.**
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 requested variance is the minimum required to preserve the development right of the property.**
9. The condition from which relief or a variance is sought did not result from willful action by the applicant  
**The request of the variance is due to the natural conditions of the site and not any actions of the applicant.**
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.

**There will be no negative impacts by the granting of the requested variance.**

**Section 10.7-7: Variance request to construct walls in impervious setback.**

1. Explain requested variance.  
**Variance request to construct walls in impervious setback along the center stream through the property.**
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.  
**The topography and stream buffers of the property require the retaining walls to be constructed with the impervious setback in order to develop the property.**
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.  
**The application of this code to the property will impact the ability to develop the property and create a hardship for the development.**
4. Such conditions are peculiar to the particular piece of property involved.  
**The property has a combination of extensive stream buffers and steep topography unique to this property.**
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.  
**The strict application of the code will further impact the ability to develop this site.**
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.  
**Relief from this code will not cause any detriment to the public good since the proposed walls will not be impervious and the area will be extensively landscaped.**
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 stream buffers and topography are unique to this property and will not apply to surrounding properties in the area.**
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 requested variance is the minimum required to preserve the development right of the property.**
9. The condition from which relief or a variance is sought did not result from willful action by the applicant  
**The request of the variance is due to the natural conditions of the site and not any actions of the applicant.**
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.  
**There will be no negative impacts by the granting of the requested variance.**



**Staff Requested (no section): Variance to encroach into 7' setback of the internal private road for units 75 and 82.**

1. Explain requested variance.  
**Variance to encroach into 7' setback of the internal private road for units 75 and 82.**
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.  
**The topography and stream buffers of the property require the minor encroachment into the setback off of the private internal road.**
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.  
**The application of this code to the property will impact the ability to develop the property and create a hardship for the development.**
4. Such conditions are peculiar to the particular piece of property involved.  
**The property has a combination of extensive stream buffers and steep topography unique to this property.**
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.  
**The strict application of the code will further impact the ability to develop this site.**
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.  
**Relief from this code will not cause any detriment to the public good since the proposed encroachments will only impact the internal development.**
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 stream buffers and topography are unique to this property and will not apply to surrounding properties in the area.**
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 requested variance is the minimum required to preserve the development right of the property.**
9. The condition from which relief or a variance is sought did not result from willful action by the applicant  
**The request of the variance is due to the natural conditions of the site and not any actions of the applicant.**
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.  
**There will be no negative impacts by the granting of the requested variance.**

**Section 10.1 - Variance request to reduce buffer on west side of property adjacent to GC from 35' to 30' and 15'.**

1. Explain requested variance.  
**Variance request to reduce buffer on west side of property adjacent to GC from 35' to 30'.**
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.  
**The topography and stream buffers of the property require the minor reduction of the Buffer adjacent to GC zoning.**
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.  
**The application of this code to the property will impact the ability to develop the property and create a hardship for the development.**
4. Such conditions are peculiar to the particular piece of property involved.  
**The property has a combination of extensive stream buffers and steep topography unique to this property.**
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.  
**The strict application of the code will further impact the ability to develop this site.**
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.  
**Relief from this code will not cause any detriment to the public good since the remaining buffer will be planted with the same number of plantings as a full buffer.**
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 stream buffers and topography are unique to this property and will not apply to surrounding properties in the area.**
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 requested variance is the minimum required to preserve the development right of the property.**
9. The condition from which relief or a variance is sought did not result from willful action by the applicant  
**The request of the variance is due to the natural conditions of the site and not any actions of the applicant.**
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.  
**There will be no negative impacts by the granting of the requested variance.**

**Section 10.1 -Variance Request to reduce buffer from 35' to 15' setback adjacent to R-40 on the west side.**

1. Explain requested variance.  
**Variance Request to reduce buffer from 35' to 15' setback adjacent to R-40 on the west side.**
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.  
**The topography and stream buffers of the property require the reduction of the setback adjacent to R-40 zoning.**
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.  
**The application of this code to the property will impact the ability to develop the property and create a hardship for the development.**
4. Such conditions are peculiar to the particular piece of property involved.  
**The property has a combination of extensive stream buffers and steep topography unique to this property.**
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.  
**The strict application of the code will further impact the ability to develop this site.**
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.  
**Relief from this code will not cause any detriment to the public good since the setback reduction is adjacent to the existing library with no residential use.**
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 stream buffers and topography are unique to this property and will not apply to surrounding properties in the area.**
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 requested variance is the minimum required to preserve the development right of the property.**
9. The condition from which relief or a variance is sought did not result from willful action by the applicant  
**The request of the variance is due to the natural conditions of the site and not any actions of the applicant.**
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.  
**There will be no negative impacts by the granting of the requested variance.**







## Proposed Residential Tract

All that tract or parcel of land lying and being in Land Lots 324 and 325 of the 15th District, 2nd Section, Cherokee County, Georgia, and being more particularly described as follows:

Commencing at a concrete monument found at the northern end of the miter at the intersection of the easterly right-of-way of East Cherokee Drive (a variable width right-of-way) with the northerly right-of-way of Hickory Road (a 100 foot right-of-way); Thence continuing with the said miter, South 35 degrees 57 minutes 43 seconds East, a distance of 21.20 feet to a point at the southern end of the said miter; Thence continuing with the said northerly right-of-way of Hickory Road the following two courses: North 88 degrees 09 minutes 58 seconds East, a distance of 205.09 feet to a concrete monument found; Thence North 79 degrees 31 minutes 04 seconds East, a distance of 197.05 feet to a 5/8 inch rebar set, said point being the True Point of Beginning; thence leaving said right-of-way North 00 degrees 05 minutes 33 seconds West, a distance of 204.92 feet to a 1/2 inch rebar found; thence North 00 degrees 05 minutes 33 seconds West, a distance of 138.87 feet to a 1/2 inch rebar found; thence North 00 degrees 05 minutes 33 seconds West, a distance of 141.56 feet to a 5/8 inch rebar set; thence North 16 degrees 08 minutes 37 seconds East, a distance of 84.90 feet to a 5/8 inch rebar set; thence North 16 degrees 36 minutes 10 seconds East, a distance of 157.91 feet to a 5/8 inch rebar set; thence North 13 degrees 54 minutes 55 seconds East, a distance of 119.82 feet to a 5/8 inch rebar set; thence North 14 degrees 23 minutes 40 seconds East, a distance of 137.04 feet to a 5/8 inch rebar set; thence North 87 degrees 19 minutes 50 seconds East, a distance of 870.50 feet to a point in the centerline of a creek; thence along said centerline of a creek the following 42 courses and distances:

South 29 degrees 45 minutes 26 seconds East, a distance of 20.95 feet to a point; South 45 degrees 29 minutes 44 seconds East, a distance of 16.89 feet to a point; South 46 degrees 32 minutes 45 seconds East, a distance of 26.55 feet to a point; South 21 degrees 44 minutes 51 seconds West, a distance of 19.88 feet to a point; South 60 degrees 35 minutes 37 seconds West, a distance of 21.85 feet to a point; South 22 degrees 31 minutes 59 seconds West, a distance of 29.08 feet to a point; South 20 degrees 08 minutes 31 seconds East, a distance of 43.18 feet to a point; South 65 degrees 55 minutes 01 seconds East, a distance of 20.43 feet to a point; South 08 degrees 13 minutes 55 seconds West, a distance of 26.73 feet to a point; South 29 degrees 14 minutes 35 seconds East, a distance of 21.39 feet to a point; South 01 degrees 05 minutes 16 seconds West, a distance of 32.70 feet to a point; South 29 degrees 35 minutes 03 seconds East, a distance of 18.26 feet to a point; North 54 degrees 29 minutes 32 seconds East, a distance of 27.85 feet to a point; South 41 degrees 08 minutes 20 seconds East, a distance of 16.33 feet to a point; South 05 degrees 36 minutes 13 seconds West, a distance of 33.98 feet to a point; South 62 degrees 41 minutes 11 seconds East, a distance of 34.68 feet to a point; South 19 degrees 04 minutes 03 seconds West, a distance of 48.00 feet to a point; South 01 degrees 19 minutes 01 seconds West, a distance of 28.59 feet to a point; South 47 degrees 23 minutes 05 seconds West, a distance of 37.72 feet to a point; South 20 degrees 54 minutes 07 seconds West, a distance of 40.78 feet to a point; South 16 degrees 49 minutes 34 seconds East, a distance of 24.15 feet to a point; South 17 degrees 21 minutes 28 seconds West, a distance of 60.94 feet to a point; South 88 degrees 57 minutes 54 seconds West, a distance of 14.79 feet to a point; South 22 degrees 23 minutes 42 seconds West, a distance of 35.51 feet to a point; South 20 degrees 47 minutes 30 seconds West, a distance of 79.57 feet to a point; South 16 degrees 29 minutes 00 seconds East, a distance of 24.10 feet to a point; South 50 degrees 39 minutes 40 seconds West, a distance of 23.79 feet to a point; North 66 degrees 05 minutes 54 seconds West, a distance of 25.02 feet to a point; South 76 degrees 06 minutes 06 seconds West, a distance of 19.34 feet to a point; South 22 degrees 14 minutes 00 seconds West, a distance of 80.96 feet to a point; South 19 degrees 10 minutes 53 seconds West, a distance of 43.79 feet to a point; South 25 degrees 56 minutes 44 seconds West, a distance of 11.15 feet to a point; South 25 degrees 56 minutes 44 seconds

West, a distance of 49.07 feet to a point; South 75 degrees 26 minutes 48 seconds West, a distance of 29.76 feet to a point; South 27 degrees 50 minutes 13 seconds West, a distance of 45.38 feet to a point; South 26 degrees 19 minutes 48 seconds East, a distance of 22.48 feet to a point; South 39 degrees 49 minutes 34 seconds West, a distance of 31.23 feet to a point; South 02 degrees 55 minutes 53 seconds West, a distance of 28.47 feet to a point; South 28 degrees 44 minutes 52 seconds West, a distance of 27.59 feet to a point; South 17 degrees 18 minutes 07 seconds West, a distance of 82.20 feet to a point; South 72 degrees 48 minutes 05 seconds West, a distance of 44.84 feet to a point; South 10 degrees 32 minutes 45 seconds West, a distance of 5.54 feet to a point on the Northerly right-of-way of Hickory Road; thence along said right-of-way North 75 degrees 52 minutes 55 seconds West, a distance of 29.01 feet to 1/2 inch rebar found; thence South 14 degrees 07 minutes 05 seconds West, a distance of 35.00 feet to a 5/8 inch rebar set; thence North 75 degrees 51 minutes 00 seconds West, a distance of 291.52 feet to a concrete monument found; thence along a curve to the left, said curve having an arc length of 64.24 feet with a radius of 928.29 feet, being subtended by a chord bearing of North 77 degrees 51 minutes 23 seconds West, a distance of 64.23 feet to a 1/2 inch rebar found; thence along a curve to the left, said curve having an arc length of 339.73 feet with a radius of 928.29 feet, being subtended by a chord bearing of South 89 degrees 40 minutes 35 seconds West, a distance of 337.84 feet to a 5/8 inch rebar set, said point being the True Point of Beginning.

Said tract of land contains 21.625 Acres

**Public Participation Report  
Hickory Road/Orchards Zoning  
GC to RA**

**Public Participation Report**

This Public Participation Report is submitted as required by the Unified Development Code of Cherokee County. The Report is attached and incorporated as a part of the Applicant's Cherokee County Zoning Application.

Residents, property owners, interested parties, political jurisdictions, and public agencies which have been notified of this development and method of notification:

1. **Adjacent Residents and Property Owners:** To be notified by phone call, group or individual meeting and/or by letter. **All adjacent residents and property owners within 750' of the property have been notified by letter and were invited to the Public Participation Meeting in accordance with Cherokee County requirements. In addition, Orchards representatives have met with the various boards representing all of the residents of The Orchards at East Cherokee. At the Public Participation Meeting, 6 people attended, all of whom are residents of The Orchards at East Cherokee.**
2. **Interested Parties and Neighbors along Hickory Road, East Cherokee, SR140 and Vaughn Road:** To be notified by phone call, group or individual meeting and/or by letter invitation to the Public Participation Meeting, including members of the Interested Parties List provided by Cherokee County. **All members of the Interested Parties list provided by Cherokee County were notified by letter and invited to the Public Participation Meeting as required by Cherokee County. None attended.**
3. **Political Jurisdictions:**
  - a. **Planning Commission District 2** – Planning Commissioner Richard Weatherby: To be notified by meeting and the application process. All other Planning Commissioners will be notified. **Planning Commissioner Weatherby has been contacted by email.**
  - b. **Board of Commissioner District 2** - Commissioner Ray Gunnin: To be notified by meeting and the application process. All other Commissioners will be notified. **Commissioner Gunnin has been notified by phone call.**
4. **Public Agencies:**
  - a. **The Cherokee County Government** –All involved departments will be notified by the application and approval process. **Applicant has been in contact with the Cherokee County Water and Sewer Authority.**

Any changes, deletions, additions, etc. to this development will be addressed in accordance with the above notification process.

**Public Participation Meeting:**

**The Public Participation Meeting was held on 10/4/16 at the Vaughn Road Fire**



**Station at 6:30 PM. A total of 6 people attended in addition to the Applicant and 3 members of The Orchards Group staff. All 6 attendees were totally supportive of the land use and strongly preferred the development of the property as an Orchards community rather than a development of the property as it is currently zoned. One attendee was concerned about traffic on Hickory Road. When Applicant and Orchards Group representatives talked her through the traffic that would potentially be produced by the development of the Property as currently zoned, that attendee was satisfied that the use of the property by The Orchards Group was the best alternative. The Orchards Group representatives spent most of the time at the Public Participation Meeting discussing with its residents at The Orchards at East Cherokee the various home plans it intends to build and fielding questions about how those residents' friends can find information about how to buy homes.**

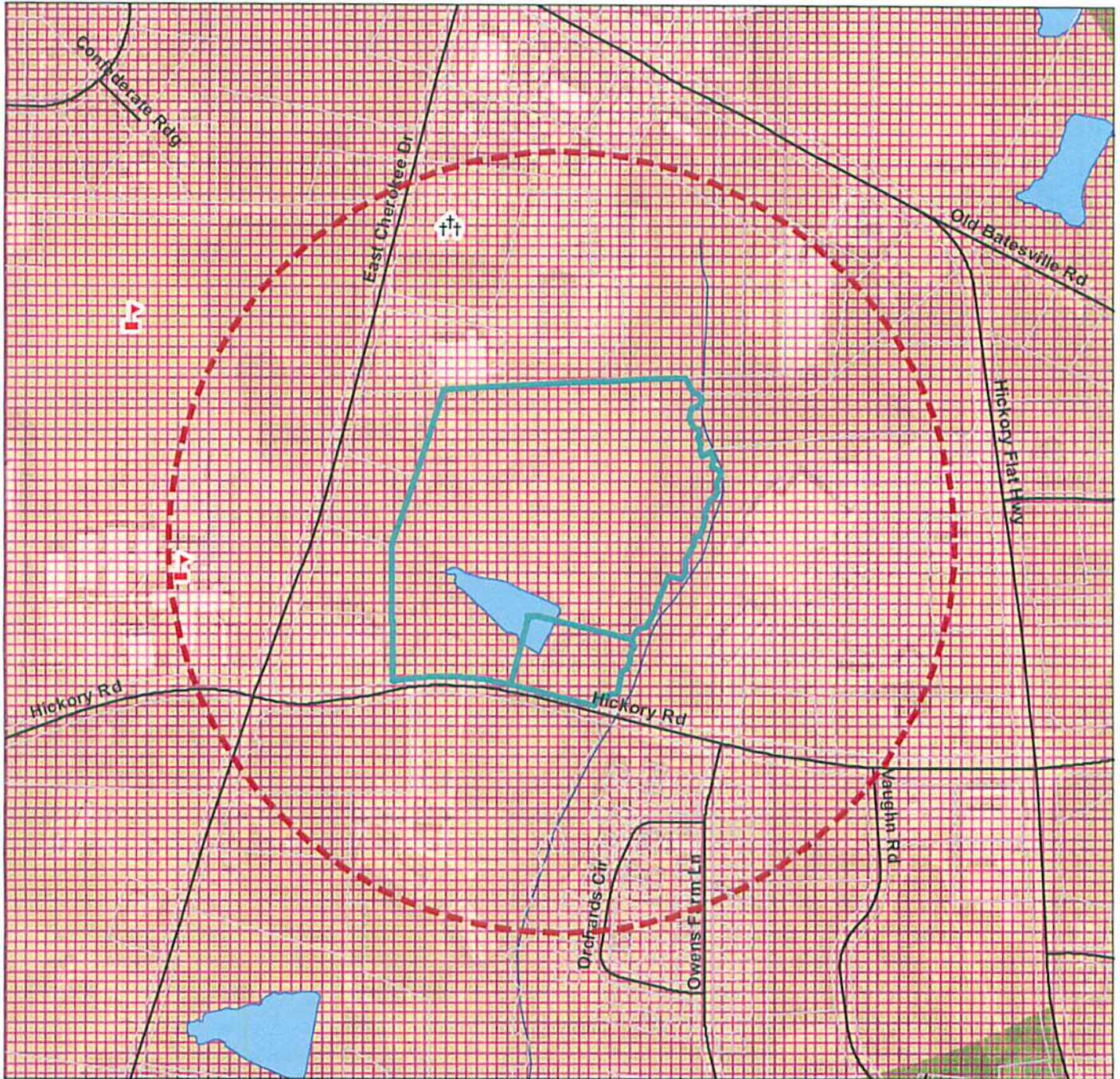
In future discussions, all interested and potentially affected parties will be encouraged to discuss with Developer any problems, concerns, issues, etc. prior to public hearing through private meeting, group meeting, letter, telephone, or other means appropriate. Public concerns, problems, etc. shall be addressed as an ongoing process. Developer shall keep the Department of Planning and land Use informed as to the status of its Public Participation efforts through letter, telephone, and/or meeting as necessary and required by the Unified Development Code.





# Case # 17-01-001 Carson Developments, Inc.

## Future Development Map



### Legend

- |  |  |  |
|--|--|--|
| <ul style="list-style-type: none"> <li> 1/4 Mile Radius</li> <li> Rezoning Parcel</li> <li> School</li> <li> Cemetery</li> <li> Church</li> <li> Street</li> <li> 100 Year Flood Zone</li> </ul> | <h4>Development Nodes</h4> <ul style="list-style-type: none"> <li> County Crossroads</li> <li> Hamlet</li> <li> Neighborhood Village</li> <li> Community Village</li> </ul> <h4>Corridors</h4> <ul style="list-style-type: none"> <li> Scenic Corridor</li> <li> Transitional Corridor</li> <li> Development Corridor</li> </ul> | <h4>Character Areas</h4> <ul style="list-style-type: none"> <li> Natural Preserve</li> <li> Rural Places</li> <li> Country Estates</li> <li> Suburban Growth</li> <li> Suburban Living</li> <li> Neighborhood Living</li> <li> Bells Ferry LCI</li> <li> Urban Core</li> <li> Workplace Center</li> <li> Regional Center</li> <li> Waste Management</li> </ul> |
|--|--|--|



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.

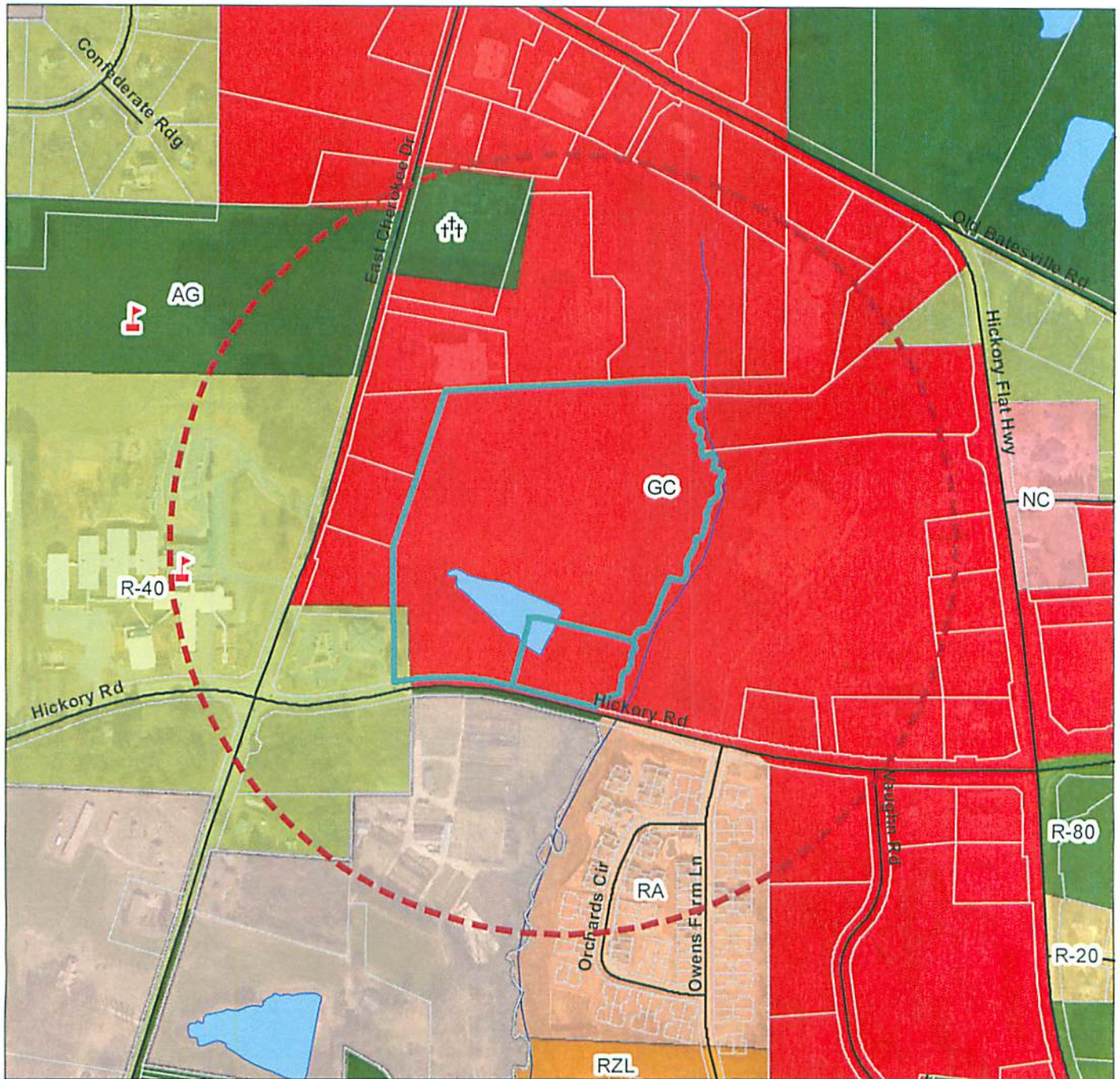


Prepared by:  
Cherokee County  
Planning and Land Use  
Canton, Georgia  
30 November 2016





# Case # 17-01-001 Carson Developments, Inc. Zoning Map



### Legend

14 Mile Radius	Cherokee County Zoning	RTH
Rezoning Parcel	AG	RM10
School	R80	RM16
Cemetery	R60	TND
Church	R40	PUD
Street	R30	OI
100 Year Flood Zone	R20	NC
Ball Ground	R15	GC
Canton	RD3	LI
Holly Springs	R10	HI
Woodstock	RZL	Bell's Ferry Overlay
	RA	Hwy 92 Overlay



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



Prepared by:  
Cherokee County  
Planning and Land Use  
Canton, Georgia  
30 November 2016











## Staff Report

**Case No:** 17-01-001

**Applicant Name:** Howard Carson for Carson Developments, Inc.

**Location:** 5155 and 5175 Hickory Road  
(15N26, 149B and 149C)

**From/To:** GC to RA

**Proposed Use:** Active Adult Community for the Orchards

**Commission Post:** 2

	Existing Zoning	Existing Land Use
North	GC	Goodwill and Tractor Supply
South	PDR	Holly Springs
East	GC	Hickory Flat Commons Shopping Center
West	GC and R-40	Vacant and Hickory Flat Library

### Future Development Map

Character Area/Node/Corridor	Description
Suburban Growth	This character area consists of areas that are located outside identified centers that are experiencing a high volume of residential growth, primarily single-family houses. Has a pockets of neighborhoods interspersed with a rural landscape. (Suggested zonings: R-80, R-60 and R-40)
Community Village	Medium-scaled commercial designated to serve several neighborhoods. 80,000 square feet maximum.

<b>Suburban Growth</b>	
<b>Primary Land Uses</b>	<b>Secondary Land Uses</b>
Single-family detached housing Conservation Subdivisions Master planned communities	Residentially-related institutional uses

<b>Community Village</b>	
<b>Primary Land Uses</b>	<b>Secondary Land Uses</b>
Grocery stores Home Improvement Stores Restaurants & Fast Food Auto Sales, Repair and Maintenance Self Storage Personal services such as laundromats, dry cleaners, barber/beauty shops and video rental Professional services such as lawyers, accountants, insurance agents, physicians and dentists	Local institutions such as churches, schools, day care, fire stations Single family residential neighborhoods

### **Analysis and Comment**

The subject parcel totals 21.627 acres and lie on north side of Hickory Road between East Cherokee Drive and State Route 140. A Public Participation Meeting was held on October 4, with six (6) attendees, all from The Orchards at East Cherokee. An Existing Site resource map was submitted as well and appears to meet the requirements by Code. We have received no letters in opposition to or in support of this petition. There is no 100-year FEMA Floodplain, however, there is an area of future Conditions Floodplain in the southeast corner of the property.

The applicant has requested a total of six (6) variances to the design criteria of the County Development Regulations and Zoning Ordinance.

1. A variance to the Development Regulations regarding the use of dead end drives in lieu of cul-de-sacs.
2. A variance to the Zoning Ordinance to allow grading within the buffers along the 35 foot zoning buffer to the north (GC) and the west (GC and Library) property lines.
3. A variance to the Development Regulations regarding construction of a retaining wall within the impervious stream bank buffer.
4. A variance to the Zoning Ordinance to allow encroachment into the 7 foot setback area outside the 50 foot access and utility easement (50 foot private roadway) for units 75 and 82.
5. A variance to the Zoning Ordinance to reduce the buffer along the west property line adjacent to existing GC zoning north of the creek from 35 feet to 30 feet.
6. A variance to the Zoning Ordinance to reduce the buffer along the west property line adjacent to the existing GC zoning south of the creek and the Library (R-40) from 35 feet to 15 feet.

# **1 Findings**

## **1.1 Engineering Department**

- See attached.

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

- CCWSA submitted that water is available from a 12-inch line on Hickory Road and is adequate for this project. Public sewer is available and adequate onsite along the creek.

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

- The Board of Education did not submit a report due to age restriction.

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

The Cherokee County Fire Marshal's Office has a no objection to the proposed variance request of this docket provided that our below mentioned request can be met:

The variance states:

A variance for use of dead end drives in lieu of cul-de-sacs (Development Regulations, Section 4.08)

The first dead end as you enter the subdivision is 180 feet, this exceeds the allowable distance of 150 feet that is allowed in the 2016 International Fire Code. According to the 2012 International Fire Code, it states the following: DI03.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table DI03.4. We are requesting, that an approved fire department turnaround is part of the approval.

We have included from 2016 International Fire Code the code section as well as drawing of approved fire department turnarounds.

## **1.5 Sheriff's Office**

- No report received.



## Case # 17-01-001 - Community Agenda Analysis

### Section 1 – Community Vision

Community	Northeast of the intersection of East Cherokee Drive and Hickory Road.
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**Vision:**

- Natural beauty and diversity make Cherokee County a desirable and sustainable community.
- Commitment to grow responsibly from rich agricultural foundation through careful community design.
- Lake Allatoona and Etowah River provide water supply and recreation opportunities to be preserved.
- Balance needed between housing, employment, education, recreation, infrastructure, and community services.

***Applicant is requesting to rezone 21.627 acres from GC to RA for an active adult residential community.***

### Section 2 - Core Issues

#### ***Project Supports***

Planning for Sustainable Growth	This location has most infrastructure and services nearby.
Housing Choice	Project could add to the range of housing options in the area.
Aging in Place	Project is proposed as an active adult (age 55+) community.

#### ***Project is Neutral***

Land Use Patterns that Promote Connectivity and Mobility	No evidence of impact.
Diverse Economic Opportunities	While there may be a temporary increase in construction jobs during the building phase, there will likely be no long-term positive economic impact.
Designing with the Environment	No evidence of impact.
Preserve and Enhance Sense of Place	No evidence of impact.

#### ***Project Neglects***

### Section 3 – Character Area Description

Character Area	Suburban Growth
----------------	-----------------

***The Suburban Growth Character Area suggests R-80, R-60, and R-40 as Zoning Districts. The intent of this Character Area is to channel growth pressures to areas that are suitable in terms of land use patterns and infrastructure investment to create more sustainable communities. Generally, this is an area in transition from rural to suburban, often characterized by pockets of development interspersed among a rural landscape. This project is not consistent with the Character Area.***

Node or Corridor	Community Village
------------------	-------------------

***The Community Village Node suggests OI, NC, and GC as Zoning Districts. Community Villages are envisioned as places where a compatible mixture of higher-intensity uses are located, which may include a variety of housing options, small businesses, offices, retail shops, services, and open spaces. This project is not consistent with the Node.***





## REZONING MEMORANDUM

**Case Number:** 17-01-001  
**Current Zoning:** GC

**Applicant:** Carson Development, Inc.  
**Proposed Zoning:** RA

### ● **Transportation:**

- **Primary Public Access** – The primary public access for the property in this application is Hickory Road. Hickory Road is a two lane urban collector roadway. The geometry on the road at the location of this application is generally good. The Georgia DOT counted 10,900 vehicles per day in 2012 a few miles west of the property.
- **Planned Improvements** – Cherokee County currently has no improvements planned for this section of Hickory Road.
- **Trip Generation** – Based on the current zoning compared to the proposed zoning, the difference in trip generation from the property as currently zoned to the proposed zoned condition is a decrease of 3,692 vehicles per day.

Zoning	Units	Trips Per Day
Current GC	21 acres	4,294
Proposed RA Maximum	173 units	602
Proposed RZ per Plan	82 units	286

- **Development Related Improvements** – The Engineering Department will determine any necessary improvements to Hickory Road when the applicant applies for access along that route. It should be expected that the entrance will include a left-turn lane as well as a deceleration lane. A sidewalk will need to be installed along the Hickory Road site frontage to connect the Library entrance to the existing sidewalk east of the property. The Engineering Department will also work with the applicant to see if in conjunction with the construction of the left-turn lane at the site entrance, whether a left-turn lane from Hickory Road into the Library can also be accommodated.

### ● **Stormwater:**

- **Flood Plain or Wetlands on Property** – Yes, approximately 5% is in the flood plain.
- **Runoff Tributary and Basin** – Unnamed tributary of Mill Creek in the Allatoona basin.

### ● **Variances:**

The Engineering Department has the following comments on the specific variance requests below:

1. *A variance for use of dead end drives in lieu of cul-de-sacs (Development Regulations, Section 4.08)* – The Engineering Department is not opposed to the dead end drive as long as the Fire Marshal is comfortable with the distance. This variance does present challenges in more dense developments such as this due to the increase in on-street parking.
3. *A variance to construct walls in impervious stream bank buffer setback (Development Regulations, Section 5.1(2))* – The applicant has not provided the specific information required for seeking a variance of the stream bank impervious setback buffer. The applicant should refer to Section 5.2(3) of Ordinance 2005-Z-003 (Cherokee County Stream Buffer Protection Ordinance) regarding the

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variance procedures to see the specific information to be submitted before this variance can be considered.

4. *A variance to encroach 7 feet into the required 20 foot front setback for units 75 and 82 (Zoning Ordinance, Table 7.1A).* – The Engineering Department does not support this variance because the encroachment into the front setback would reduce the minimum stopping sight distance for the roadway below the minimum standard for the streets within the development.

● **Conclusion:**

It is the opinion of the Cherokee County Engineering Department that Hickory Road should be able to handle the traffic generated by this application and would look for the following conditions for the Development:

1. A sidewalk should be installed along Hickory Road site frontage to connect the Library entrance to the existing sidewalk east of the property.
2. The applicant should work with the Engineering Department to see if in conjunction with the construction of the left-turn lane at the site entrance, whether a left-turn lane from Hickory Road into the Library can also be accommodated.



# Cherokee County Water & Sewerage Authority

<b>Applicant:</b>	CARSON DEVELOPMENTS, INC
<b>Re-Zoning Case No.:</b>	17-01-001
<b>Present Zoning:</b>	GC
<b>Proposed Zoning:</b>	RA
<b>Tax Map:</b>	15N26
<b>Parcel No.:</b>	149B & 149C

**Water**

1) Is Water Available at Development:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
2) Size of Existing Water Line (If Available):	12"	
3) Is there Adequate Water Pressure for the Additional Fire Protection that may be Required for the New Project:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Additional Comments:	DETERMINED BY FLOW TEST	
4) Is Existing Water Line Adequate for Project, If not what size will be Required:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
5) What are the Future Plans for Expansion of Water Lines and Give Approximate Time Table:	NONE	

**DEVELOPERS MAY BE REQUIRED TO INSTALL/ UPGRADE WATER MAINS, BASED ON FIRE FLOW TEST RESULTS OR FIRE DEPARTMENT CODE. THIS WILL BE RESOLVED IN THE REVIEW PROCESS.**

**Sewer**

1) Is Sewer Available to the Project:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
2) How far from the Proposed Development are the Nearest Sewer Lines:	On Site	
3) Approximate Length of Time Before Sewer Line will be Reasonably Assessible to Development:	n/a	
4) Estimated Waste Generation:	32,800	ADF 118,080
5) Treatment Plant:	Fitz Creek WPCP	
6) Plant Capacity:	Available <input checked="" type="checkbox"/>	Not Available <input type="checkbox"/>
7) Line Capacity:	Available <input checked="" type="checkbox"/>	Not Available <input type="checkbox"/>
8) Projected Plant Availability:	0-5 Years <input checked="" type="checkbox"/>	5-10 Years <input type="checkbox"/>
	10+ Years <input type="checkbox"/>	
9) Additional Comments:		



**Sewer Availability:  
(Treatment Plant That Will Treat Sewerage)**

**CCWSA  
City of Canton  
City of Woodstock  
Other**

X

**Plant Capacity Comments:**

**Developer Will Be Responsible For Connecting To The Existing Cherokee County Water & Sewerage Authority's Water And Sewer System, Installing And / Or Up- Grading All Outfalls And Water Mains, Obtaining On And / Or Off Site Easements, Dedication Of On And / Or Off Site Water And Sewer Easements To Cherokee County Water and Sewerage Authority As May Be Required.  
Rezoning Does Not Insure Water/Sewer Capacity**

**The CCWSA Has Directed That A Water Flow And Pressure Test Be Performed Prior To Submitting To The Commission And Cherokee Planning And Zoning Board. Please Contact Ricky Dobbs(CCWSA) At 770 479-1813 Ext. 249**



## Cherokee County Fire & Emergency Services

1130 Bluffs Parkway, Canton GA 30114

Phone: (678) 493-6290 Fax: (678) 493-6111

Date: 12-7-2016

To: Vicki Taylor Lee

From: Daniel Baiamonte, Plans Examiner

Re: PL20160001533-ReZoning

Ms. Taylor,

The Cherokee County Fire Marshal's Office has a no objection to the proposed variance request of this docket provided that our below mentioned request can be met.

The variance states:

A variance for use of dead end drives in lieu of cul-de-sacs (Development Regulations, Section 4.08)

The first dead end as you enter the subdivision is 180 feet, this exceeds the allowable distance of 150 feet that is allowed in the 2016 International Fire Code.

According to the 2012 International Fire Code, it states the following:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

We are requesting, that an approved fire department turnaround is part of the approval.

We have included from 2016 International Fire Code the code section as well as drawing of approved fire department turnarounds.

Respectfully

Barry Gibson  
Fire Marshal  
Cherokee County Fire Marshal's Office  
1130 Bluffs Parkway  
Canton Georgia, 30114  
Phone: 678-493-6290

## APPENDIX D

# FIRE APPARATUS ACCESS ROADS

*The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.*

### SECTION D101 GENERAL

**D101.1 Scope.** Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

### SECTION D102 REQUIRED ACCESS

**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

### SECTION D103 MINIMUM SPECIFICATIONS

**D103.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

**D103.2 Grade.** Fire apparatus access roads shall not exceed 10 percent in grade.

**Exception:** Grades steeper than 10 percent as *approved* by the fire chief.

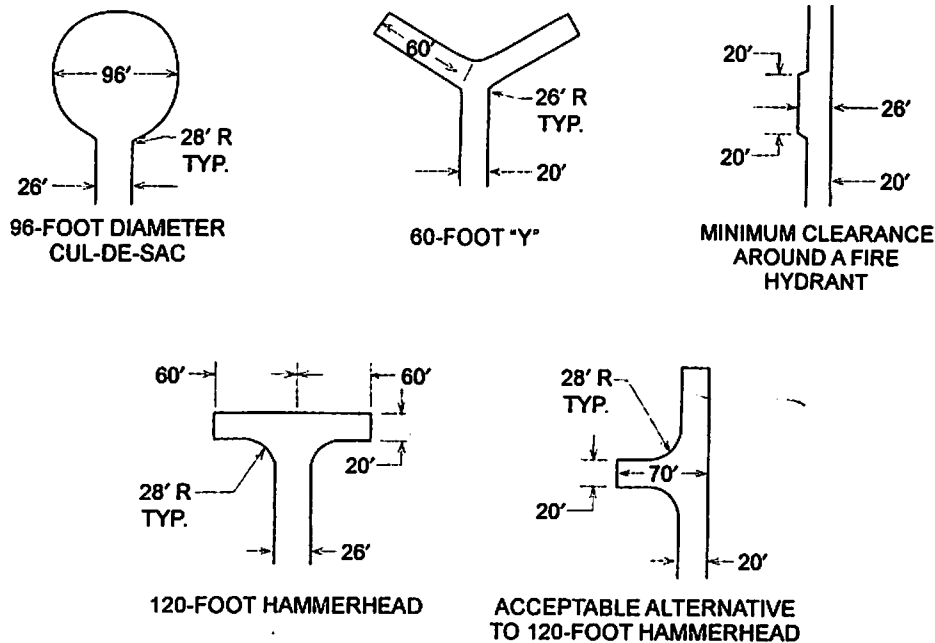
**D103.3 Turning radius.** The minimum turning radius shall be determined by the *fire code official*.

**D103.4 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

**TABLE D103.4  
REQUIREMENTS FOR DEAD-END  
FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.



For SI: 1 foot = 304.8 mm.

**FIGURE D103.1  
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**



**Cherokee County, Georgia**  
**Agenda Request**

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**Item#: 1.**

**SUBJECT:** **MEETING DATE:**  
**Approval of 2017 Planning Commission Meeting Schedule** 1/3/2017

**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:	

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**ADMINISTRATIVE RECOMMENDATION:**

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**Cherokee County, Georgia  
Agenda Request**

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**Item#: 2.**

**SUBJECT:**  
Election of Officers

**MEETING DATE:**  
1/3/2017

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

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**FACTS AND ISSUES:**

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**BUDGET:**

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

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**ADMINISTRATIVE RECOMMENDATION:**

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**Cherokee County, Georgia  
Agenda Request**

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**Item#: 1.**

**SUBJECT:**  
November 21, 2016 Minutes

**MEETING DATE:**  
1/3/2017

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

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**FACTS AND ISSUES:**

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**BUDGET:**

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

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**ADMINISTRATIVE RECOMMENDATION:**

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**Cherokee County, Georgia  
Agenda Request**

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**Item#: 2.**

**SUBJECT:**  
**December 6, 2016 Minutes**

**MEETING DATE:**  
1/3/2017

**SUBMITTED BY:**  
Tamala Davis

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**COMMISSION ACTION REQUESTED:**

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**FACTS AND ISSUES:**

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**BUDGET:**

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

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**ADMINISTRATIVE RECOMMENDATION:**

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