

Cherokee County Planning Commission Work Session AGENDA

January 23, 2017 Business Center 6:30 PM

CALL TO ORDER

ZONING CASES

1. 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).

2. Case #17-02-003 Kathryn Reedy (BOC Dist. 2)

Applicant is requesting to rezone 2.0 +/- acres at 1518 Arbor Hill Road from AG to R-40 for residential uses.

OTHER BUSINESS

APPROVAL OF MINUTES

ADJOURN



Cherokee County, Georgia Agenda Request

Item#: 1.

SUBJECT:

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

(BOC Dist. 2)

SUBMITTED BY:

Tamala Davis

MEETING DATE: 1/23/2017

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).

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

BUDGET:

Budgeted Amount: Account Name: Amount Encumbered: Account #:

Amount Spent to Date: Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

	Description	Type
D	Application	Exhibit
D	Boundary Survey	Exhibit
D	Existing Site Resource Map	Exhibit
D	Legal Description	Exhibit
D	Public Participation Report	Exhibit
D	Site Plan	Exhibit
D	Future Development Map	Exhibit
D	Zoning Map	Exhibit
D	Site and Utility Exhibit	Exhibit
D	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	on 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 / Modifi	ication of Zoning	
Variance / Appeal	Other:		
STAFF USE ONLY:	PUBLIC HEARING SCHEDULE:		
Commission District:	Public Participation Meeting:	10-4-14	
Case:	PC Work Session Date:	12-19-10	
CityView # PL 2016-1533	Planning Commission Hearing:	1-3-17	
Received by:	Board of Commissioners:	1-17-17	
Fee Paid: \$	Zoning Board of Appeals:	N/A	
Date: 9-19-14	Other:		



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.
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. 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

SECTION III

Infrastructure Information:				
Is water available to this site? Yes No	Jurisdiction: CCWSA			
ow is sewage from this site to be managed?				
CCWSA sewer lines on site				
Will this proposal result in an increase in school enrollm	ent?Yes No			
If yes, what is the projected increase? 0 stu	udents			

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? _____trips

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

AUTHORIZATON 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:
Rezoning Amendment / Modification of Zoning Conditions Other:
I hereby authorize the staff of the Cherokee County, Department of Planning and Land Use to inspect the premises which are subject of the application.
Applicant's Information: Name: 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 City, State, Zip: Lawrenceville, GA 30043
Signature of Owner:
Sworn to and Subscribed before me this: 23 Phoday of August 20 16. Notary Signature: Asymptomic August 20 16.
(Notary Seal) One of the 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.

Explain requested variance.
 Variance request for use of dead end drives in lieu of cul de sacs.

adequate.

- 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
- 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.
- 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.
- 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.
- 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.

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

- I. 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.

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.

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.

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

I. 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.

 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.

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.

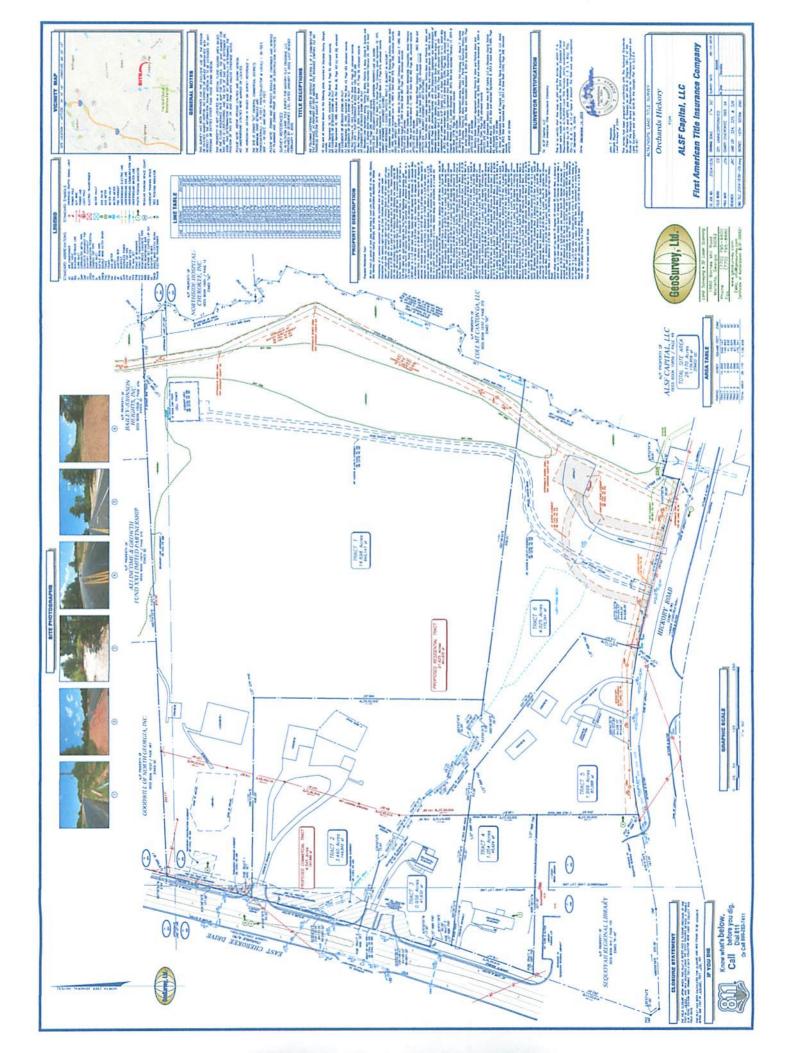
 The stream buffers and topography are unique to this property and will not apply to surrounding properties in the area.
- 8. Granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.

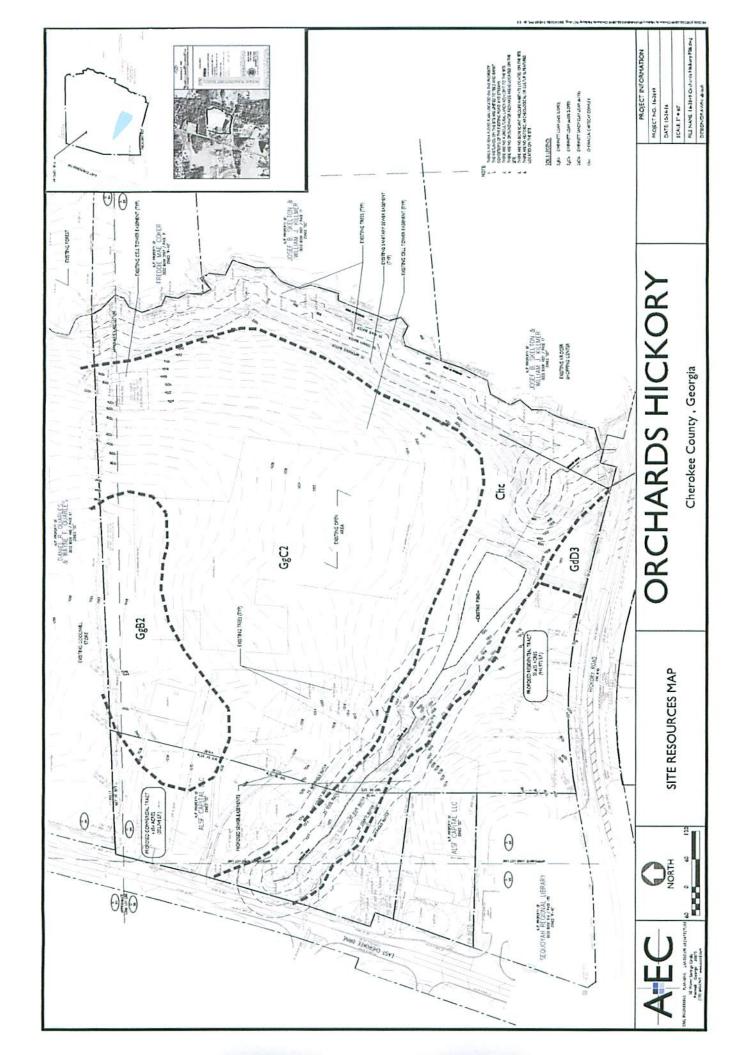
The requested variance is the minimum required to preserve the development right of the property.

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.





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-ofway 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:

- 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. <u>Planning Commission District 2</u> 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. <u>Board of Commissioner District 2</u> 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.

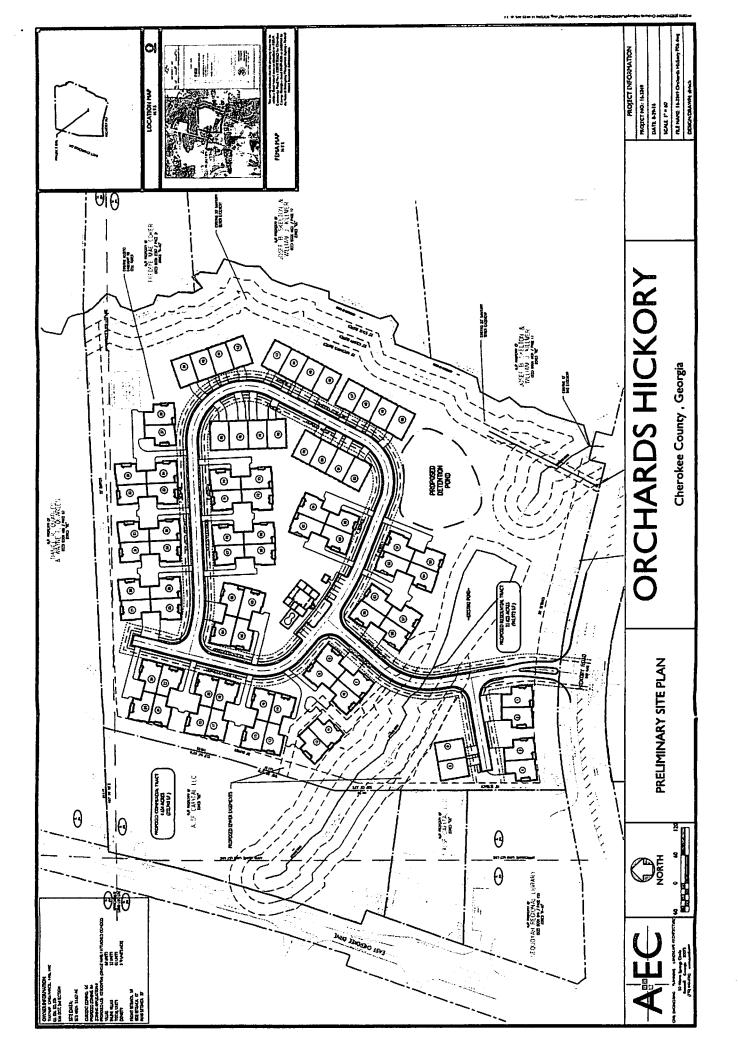
Any changes, deletions, additions, etc. to this development will be addressed in accordance with the above notification process.

Public Participation Meeting:

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

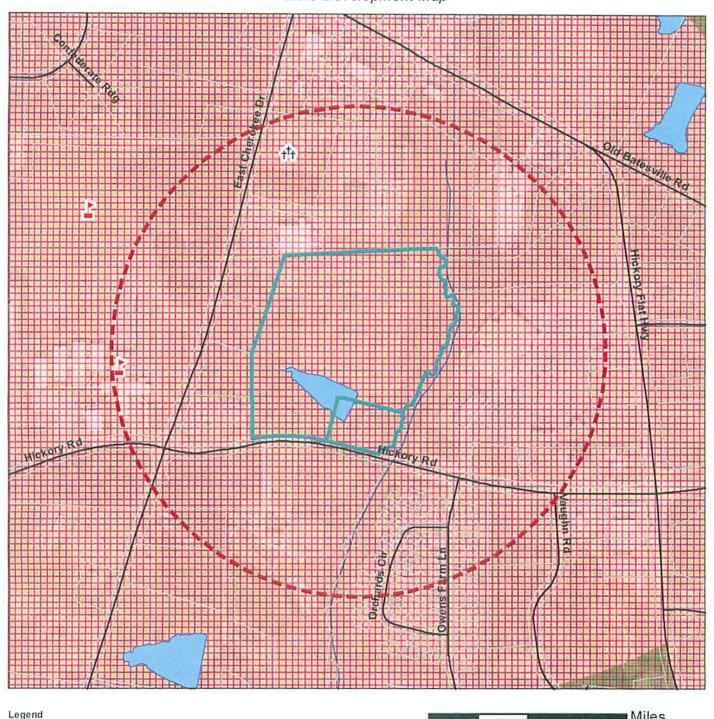
Station at 6:30 PM. A total of 6 people attended in addition to the Applicant and 3 members of The Orchards Group staff. All 6 attendees were totally supportive of the land use and strongly preferred the development of the property as an Orchards community rather than a development of the property as 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





Miles 0 0.05 0.1 0.2

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

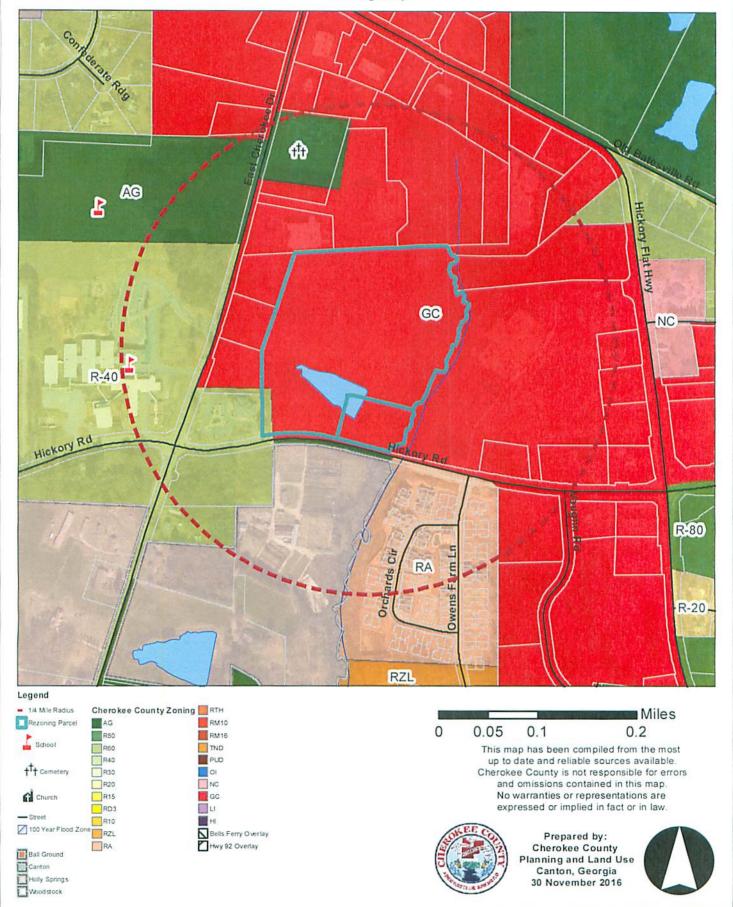


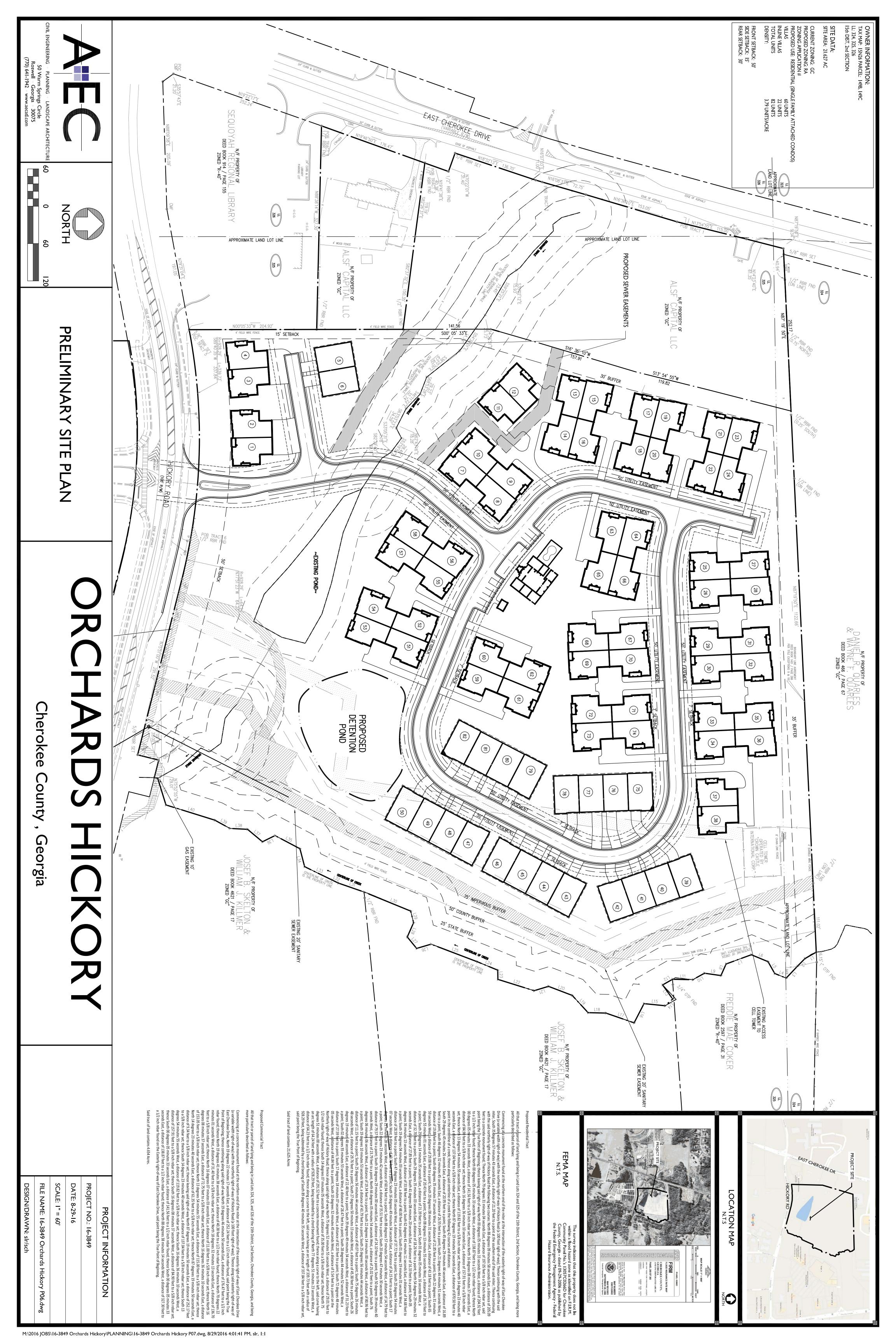
Prepared by: Cherokee County Planning and Land Use Canton, Georgia 30 November 2016



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

Zoning Map







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.	

Page 1 12/19/2016

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

Community Village	
Primary Land Uses	Secondary Land Uses
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.

Cherokee County 12 December 2016

Case # 17-01-001 - Community Agenda Analysis

Section 1 - Community Vision

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

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

roject to recutal		
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.

Cherokee County Government

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



REZONING MEMORANDUM

Case Number: 17-01-001 Applicant: Carson Development, Inc.

Current Zoning: GC 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:

- 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

- 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.
- 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

Applicant:	CARSON DEVELOPMENTS, INC	
Re-Zoning Case No.:	17-01-001	
Present Zoning:	GC	
Proposed Zoning:	RA	
Tax Map:	15N26	
Parcel No.:	149B & 149C	
Water		
1) Is WaterAvailable at	Development:	YES X NO
2) Size of Existing Wate	r Line (If Available):	12"
3) Is there Adequate Water Pressure for the Additional Fin Protection that may be Required for the New Project: Additional Comments:		NO
4) Is Existing Water Lin If not what size will be		YES X NO
5) What are the Future Lines and Give Appro	Plans for Expansion of Water oximate Time Table:	NONE
DEVELOPERS MAY B FIRE FLOW TEST RE IN THE REVIEW PRO	SULTS OR FIRE DEPARTMEN	PGRADE WATER MAINS, BASED ON T CODE. THIS WILL BE RESOLVED
Sewer		
1) Is Sewer Available to	the Project:	YES X NO
2) How far from the Pro Nearest Sewer Lines:	posed Development are the	On Site
	of Time Before Sewer Line will sible to Development:	n/a
4) Estimated Waste Ger	neration:	32,800 ADF 118,080
5) Treatment Plant:		Fitz Creek WPCP
6) Plant Capacity:		Available X
7) Line Capacity:		Not Available X Not Available X Not Available X
8) Projected Plant Avail	lability:	0-5 Years 5-10 Years
9) Additional Comment	s:	10+ Years

Sewer Availability:	CCWSA	X
(Treatment Plant That Will Treat Sewerage)	City of Canton City of Woodstock Other	

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-

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.

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*.

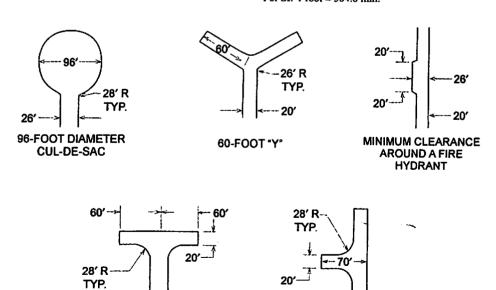
D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

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: I foot = 304.8 mm.

ACCEPTABLE ALTERNATIVE TO 120-FOOT HAMMERHEAD



For SI: 1 foot = 304.8 mm.

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

120-FOOT HAMMERHEAD



Cherokee County, Georgia Agenda Request

Item#: 2.

SUBJECT: MEETING DATE:

Case #17-02-003 Kathryn Reedy (BOC Dist. 2) 1/23/2017

SUBMITTED BY:

Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 2.0 +/- acres at 1518 Arbor Hill Road from AG to R-40 for residential uses.

FACTS AND ISSUES:

Commission District: 2 Zoning Change: AG to R-40 Location: 1518 Arbor Hill Road

Tax Map and Parcel No: 03N12, 135A

Acres: 2.0 +/-

Proposed Development: Residential Uses Future Development Map: Country Estates

BUDGET:

Budgeted Amount: Account Name: Amount Encumbered: Account #:

Amount Spent to Date: Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

	Description	Type
D	Application	Exhibit
D	Legal Description	Exhibit
D	Site Plan	Exhibit
D	Future Development Map	Exhibit
D	Zoning Map	Exhibit



CHEROKEE COUNTY Application for Public Hearing



Important Notes:

- 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	. 800
Contact Person: HAMPIN ROOM	Phone: 770-337-9573 Email: Knopdy@ 15aksonllving.com
Applicant's Information:	
Name: Kathoyu C. Roady	
Address: 1518 Arbor Hill Rd	Phone: 770/337-9573
City, State, Zip: Canton, Ga 301	15
Property Owner's Information: same as above	e see attached authorization forms (multiple properties)
Name:	
Address:	Phone:
City, State, Zip:	
Requested Public Hearing (check all that apply):	
Rezoning	Amendment / Modification of Zoning
Variance / Appeal	Other:
STAFF USE ONLY:	PUBLIC HEARING SCHEDULE:
Commission District:	Public Participation Meeting: Not Required
Case: 17 - 02 - 003	PC Work Session Date: January 23, 2017
CityView# PL2016 500 1668	Planning Commission Hearing: February 7, 2017
Received by:	Board of Commissioners: February 21, 2017
Fee Paid: \$ 25000	Zoning Board of Appeals:
Date:	Other: prefile December 5, 2010

SECTION II

Property Information:
Location: 1518 Arbor Hill Road
Current Zoning: AG Proposed Zoning: 2.40 Total Acreage: 2.0 ±
Tax Map #: 03 N 12 Parcel #: Land Lot(s): District:
Future Development Map Designation:Country Estates
Adjacent Zonings: North AG South AG East AG West AG
Applicant's Request (Itemize the Proposal, including code sections for Variance requests):
Requesting the rezone in order to subdivide the property whileh currently has two (2) dwelling units
Proposed Use(s) of Property: No change
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, The Local Application for Public Hearing is true and correct and contains no misleading information.
This Aday of December 20 16. Print Name Kathaya Road Applicant Signature Kathaya Charles.
U

SF			

Infrastructure Information:					
Is water available to this site?	Yes No	Jurisdiction:CCW5A	\		
How is sewage from this site to	be managed?				
Septic Systems					
Will this proposal result in an increase in school enrollment?YesNo If yes, what is the projected increase? students					
Proposed Use(s)	# of units	Multiplier	Number of Students		
Single Family (Detached) Home	2	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	4	9.57	
220	Apartment		6.63	
220	Apartment		U.UJ	
-				

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.

AUTHORIZATON OF PROPERTY OWNER

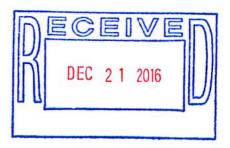
÷ .	, being duly sworn upon his/her oath, being e owner of the property which is subject matter of the	
is shown in the records of Cherokee Count		
He/She authorizes the person named belo	w to act as applicant in the pursuit of a request for:	
Rezoning	Amendment / Modification	on of Zoning Conditions
Variance / Appeal	Other:	•
I hereby authorize the staff of the Chero which are subject of the application.	okee County, Department of Planning and Land Us	e to inspect the premises
Applicant's Information: Name: Royal Roya	adj	
Address: 15/8/Hrbor Hill	Phone: 770/3	31-4613
City, State, Zip: Lanton, Ca	30115	
Property Owner's Information: Name: 5000		
Address:	Phone:	
City, State, 2ip:		
Signature of Owners AMM (A) Print Name: Half (A)	BUM Date:/ 2//	3/16
Sworn to and Subscribed before me this:	3 day of December	, 20 <u></u> (S
Notary Signature:		WHET KAKE
1.5	String String	ILL COMMISSION
(Notary Seal)	AUBLIC OF AUGUST	UBLIC OF
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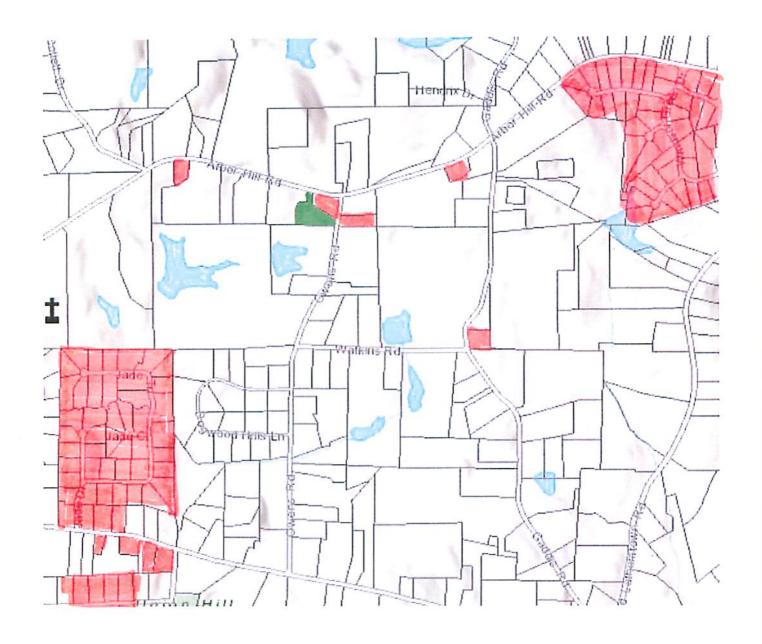
Applicant Response Statement Kathryn Reedy 1518 Arbor Hill Road Canton, GA 30115

The property located at 1518 Arbor Hill Road is a parcel of 1.99 acres (after having deeded ROW to Cherokee County). Currently, there is an 1800 square foot residence with a detached garage accessed from Arbor Hill Road, and a one bedroom guest cottage of approximately 750 square feet accessed from Owens Road (street address - 915 Owens Road).

The guest cottage was built for an elderly family member who now resides in a nursing home. The intent of the rezoning from AG to R-40 is to allow me to sell approximately 1 acre and the guest cottage, the upkeep of which has become a burden to me, both financially and physically. I would like very much to remain in my residence at 1518 Arbor Hill Road.

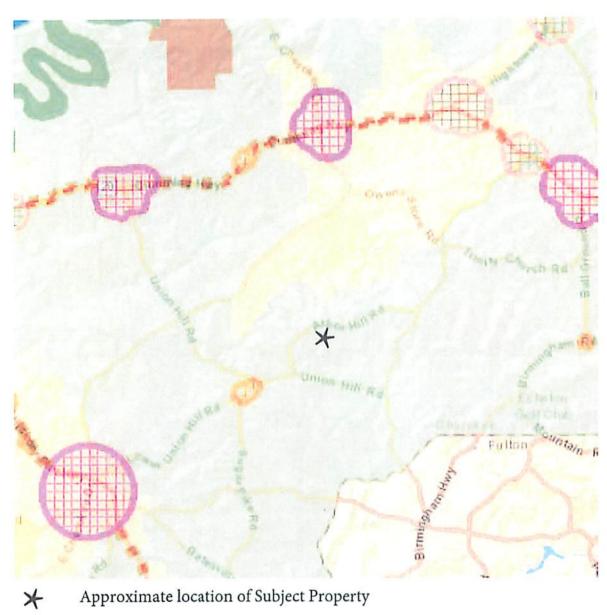
There is no proposed change in use for either proposed parcel; no change in impact of existing streets, transportation facilities, utilities, or schools. Both proposed tracts share a boundary with an existing home on a 1 acre lot (923 Owens Road), and the cottage is across Owens Road from another existing residence on a 1 acre lot. Thus, while the proposed zoning is not in conformity with the currently land use plan, it is not in any way out of character for the area. Maps are attached for reference.





SUBJECT PROPERTY 1.99 acres

+/- ONE ACRE LOTS



Approximate location of Subject Property

BKI

PG

151

01 APR -5 PM 12: 25 BOOK 4523 AGE 151

anne M. Reneau

Return Recorded Document to: 1 \$12.00
ROBERT P. COPELAND
1827 POWERS FERRY ROAD SUITE 100, BUILDING 20 ATLANTA, GA 30339

WARRANTY DEED

CHEROKEE COUNTY, GA.

STATE OF GEORGIA

COUNTY OF COBB

File #: 01-548

This Indenture made this 19th day of March, 2001, between MICHAEL REEDY , of the County of CHEROKEE, State of Georgia, as party or parties of the first part, hereinunder called Grantor, and KATHRYN C. REEDY , as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, allien, convey and confirm unto the said Grantee,

See Exhibit "A" attached hereto and made a part hereof by this reference.

TAXES FOR 2001 AND SUBSEQUENT YEARS ARE NOT YET DUE AND PAYABLE.

This Deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

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

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

Signed, sealed and delivered in the presence of:

Witness

(Seal)

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 1239, 3rd District and 2rd Section of Cherokee County, Georgia, and more particularly described as follows:

Commencing at the intersection of the southern right of way of Arbor Hill Road and the western right of way of Owens Road, proceeding southerly 198.30 feet along the western right of way of Owens Road to an iron pin found and the Point of Beginning; running the westerly right of way of Owens Road to seconds West Applied Manuel 124.40 feet along the westerly right of way of Owens Road to seconds West doors from pin set; running thence Morth 88 degree 55 minutes 52 seconds West non pin set; running thence South 84 degree 53 minutes 165.84 feet to an iron pin set; running thence South 84 degree 57 minutes 52 seconds East 103.38 feet to an iron pin set; running thence Routh 04 degree 57 minutes 57 seconds East 108.03 feet to an iron pin set; running thence Morth 04 degree 57 minutes 57 seconds East 108.03 feet to an iron pin set; running thence 66 minutes 21 seconds East 108.03 feet to an iron pin set; running thence 66 minutes 21 seconds East 50.00 feet to an iron pin found; running thence 57 minutes 68 seconds West 147.65 feet to and iron pin found running thence 57 minutes 68 seconds East 258.63 feet found running thence 58 minutes 58 seconds East 258.63 feet found running thence 59 minutes 69 seconds East 258.63 feet found running thence 50 minutes 69 seconds Fast 258.63 feet found running thence 50 minutes 69 seconds Fast 258.63 feet found running thence 50 minutes 69 seconds Fast 258.63 feet found running thence 50 minutes 69 seconds Fast 258.63 feet found running thence 50 minutes 69 minutes 68 minutes 68 minutes 69 seconds feet 60 minutes 69 minutes 69 minutes 69 seconds feet 60 minutes 69 minutes

Said tract or parcel of land contems 2.00 acres and is more fully specified incorporated herein by reference on that survey for M. S. Ready reference for that survey for M. S. Ready reference for the survey for M. S. Ready reference for the survey for M. S. Ready reference and survey for the survey of which is attached hereito as Exhibit "B".

property to wit:

Grantor's also convey to grantee herein a perpetual non-exclusive easement for the purpose and use of ingress/egress over, through and across the following for the purpose and use of ingress/egress over, through and across the following

essement with a center line described as follows:

And Section of Cherokee County, Georgia, being a 20 foot ingress/egress and Section of Cherokee County, Georgia, being a 20 foot ingress/egress and Section of Cherokee County, Georgia, being as 20 foot ingress/egress and Section 1239, 3rd District and

Commencing at the Intersection of the southern right of way of Arbor Hill Road and the western right of way of Owens Road; proceeding southerly 198.36 feet along the western right of way of Owens Road; proceeding southerly 198.36 feet to the right of way of Owens Road to an iron pin right of way of Owens Sconds West 20.00 feet to an iron pin found; running thence South 04 degree 57 minutes of mining thence South 04 degree 57 minutes of was 108.30 feet to an iron pin set iron set iron iron set iron set iron iron set iron seconds East 42.03 feet to a point; running thence North 50 degree 13 minutes 30 seconds East 66.01 feet to a point on the southerly right of way of minutes 31 seconds East 66.01 feet to a point on the southerly right of way of

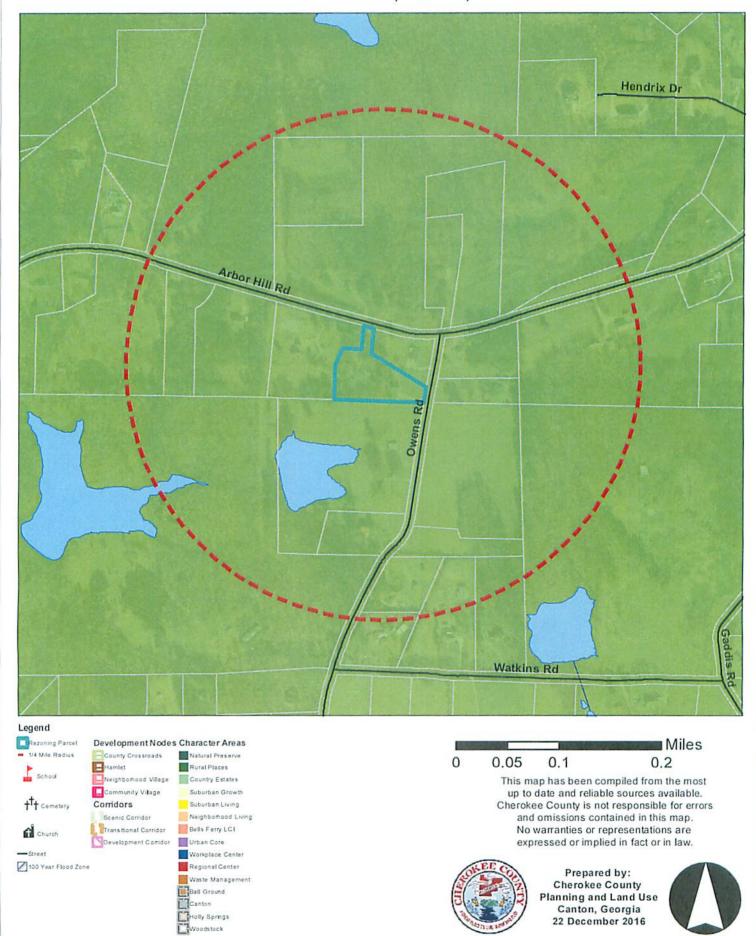
The easement herein granted shall bind the heirs and assigns of the undersigned parties, and shall insure to the benefit of the successors in title of the grantee.

Note: This property is known as the property next door to 1518 Arbor Hill Road and is owned by Michael Sareedy.

100t-6-2001

Case # 17-02-003 Kathryn Reedy

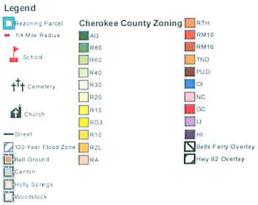
Future Development Map



Case # 17-02-003 Kathryn Reedy

Zoning Map







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 22 December 2016

