



Cherokee County Planning Commission Public Hearing AGENDA

February 7, 2017
Cherokee Hall 7:00 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

1. **January 3, 2017 Minutes**
2. **December 19, 2016 Work Session Minutes**

ADJOURN



Cherokee County, Georgia
Agenda Request

Item#: 1.

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

MEETING DATE:
2/7/2017

SUBMITTED BY:
Tamala Davis

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:	

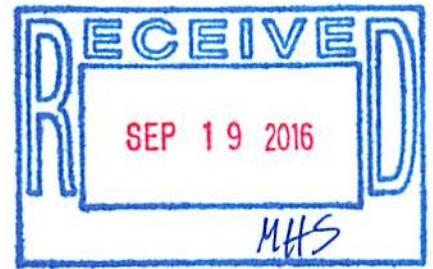
ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

Description	Type
▣ 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
▣ Revised Engineering Report	Exhibit
▣ Additional Information	Exhibit
▣ Revised Plans	Exhibit
▣ Revised Requests	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.

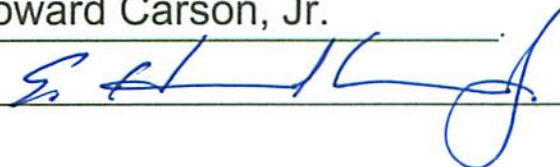
Applicant Affidavit:

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 19th 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: 23RD 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.**

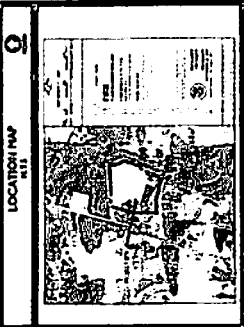
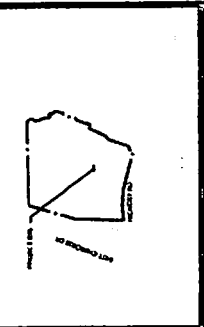
Any changes, deletions, additions, etc. to this development will be addressed in accordance with the above notification process.

Public Participation Meeting:

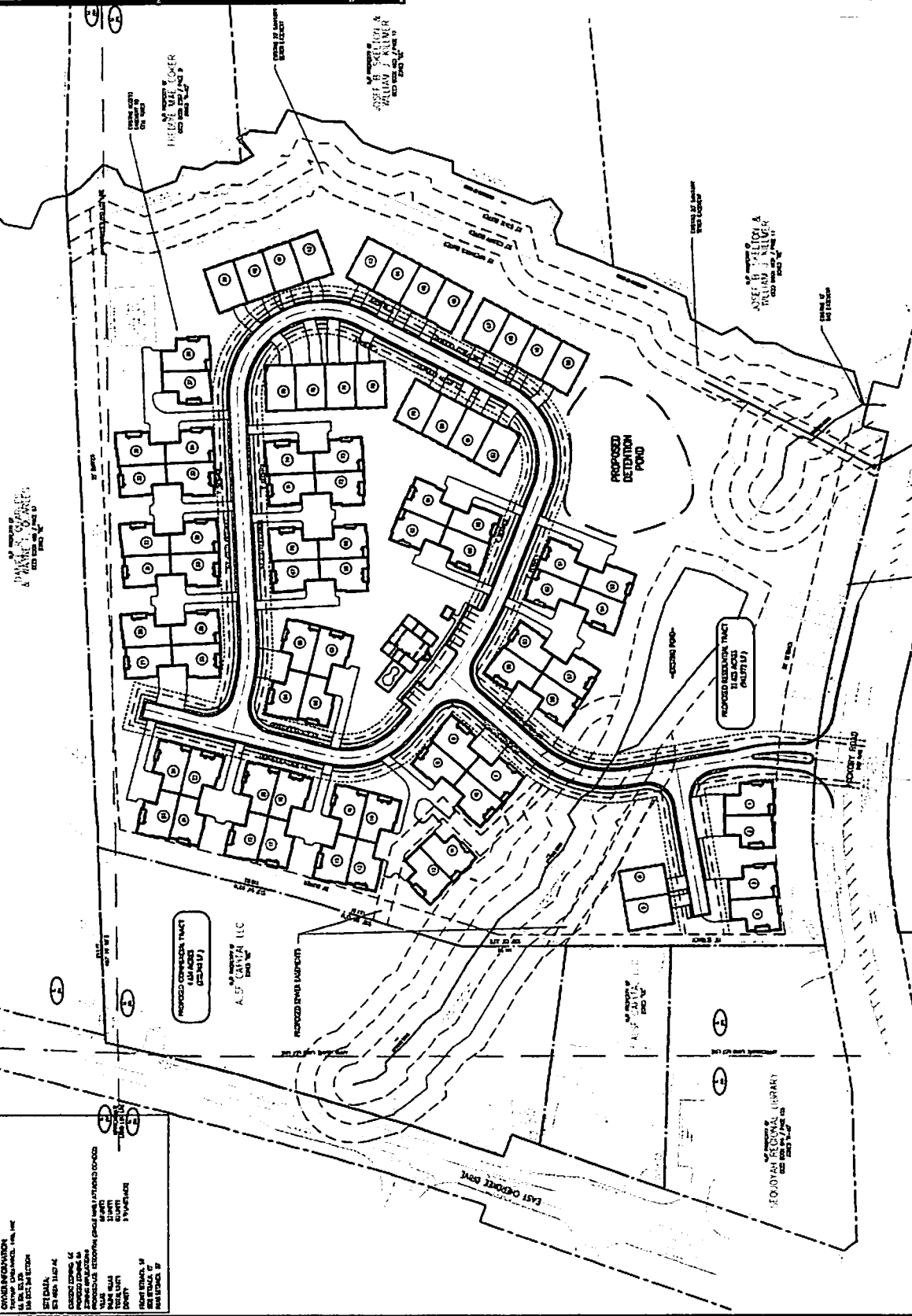
The Public Participation Meeting was held on 10/4/16 at the Vaughn Road Fire

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.



FEMA MAP
 1511
 The information on this map was derived from the Flood Insurance Rate Study (FIRS) for the State of Georgia. The map shows the Special Flood Hazard Area (SFHA) for the project area. The SFHA is shown in a light gray color. The map is based on the Flood Insurance Rate Study (FIRS) for the State of Georgia, which was completed in 1999. The map is subject to change without notice.

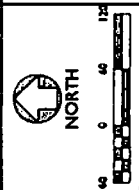


PROJECT INFORMATION	
PROJECT NO.	15-1389
DATE	8-20-16
SCALE	1" = 80'
FILE NAME	15-1389 Orchard Hickory PLS.dwg
DESIGNER	AWAC

ORCHARDS HICKORY

Cherokee County, Georgia

PRELIMINARY SITE PLAN



ONE BUCKINGHAM SQUARE, LAWRENCEVILLE, GEORGIA 30046
 770.962.8600
 WWW.AECOM.COM

OWNER INFORMATION
 THE CITY OF LAWRENCEVILLE, GEORGIA
 100 WEST BUCKINGHAM SQUARE
 LAWRENCEVILLE, GEORGIA 30046

DESIGNER
 AECOM
 100 WEST BUCKINGHAM SQUARE
 LAWRENCEVILLE, GEORGIA 30046

DATE
 8-20-16

PROJECT NO.
 15-1389

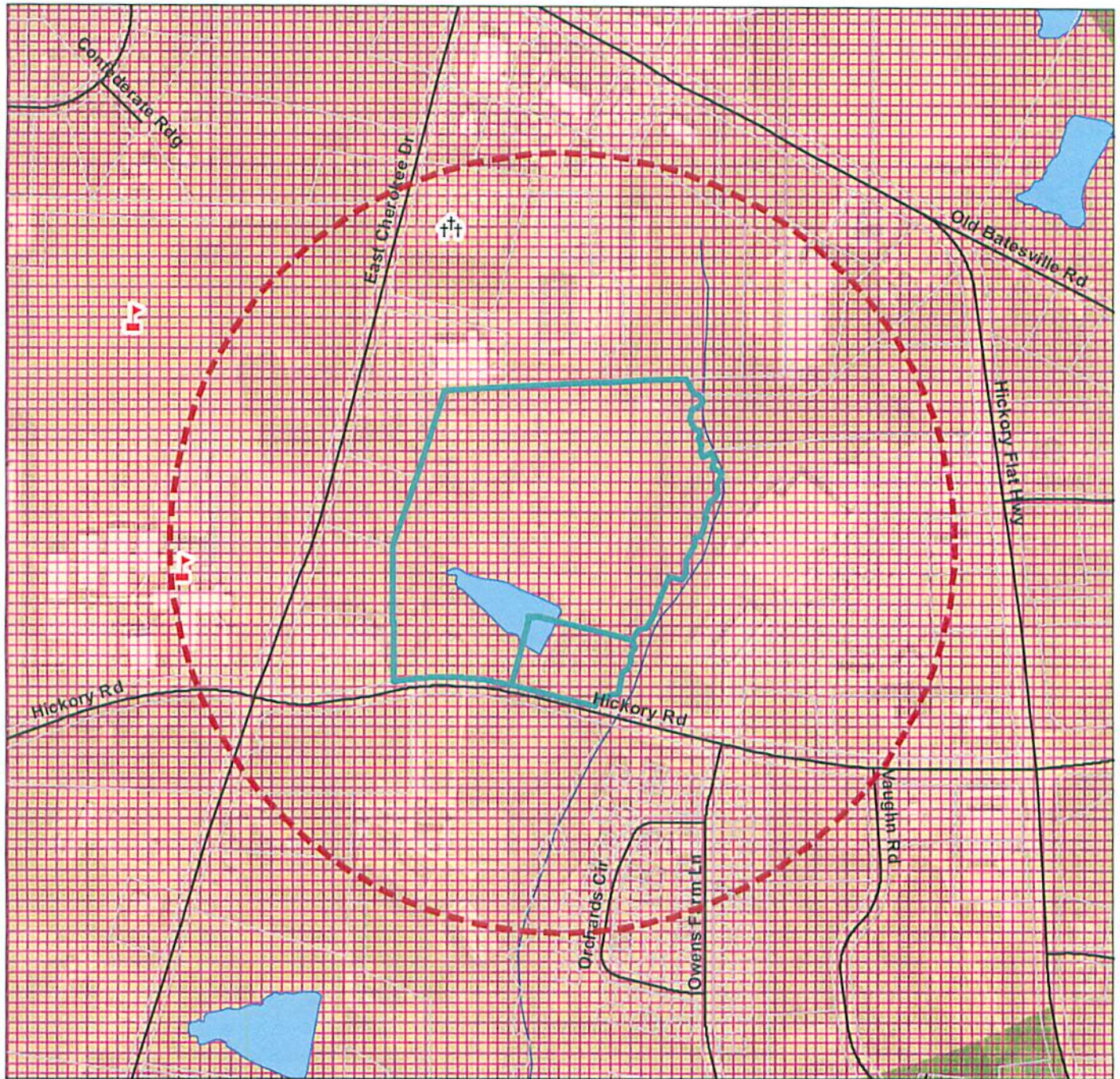
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FILE NAME
 15-1389 Orchard Hickory PLS.dwg

DESIGNER
 AWAC

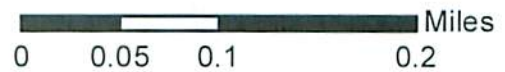
Case # 17-01-001 Carson Developments, Inc.

Future Development Map



Legend

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



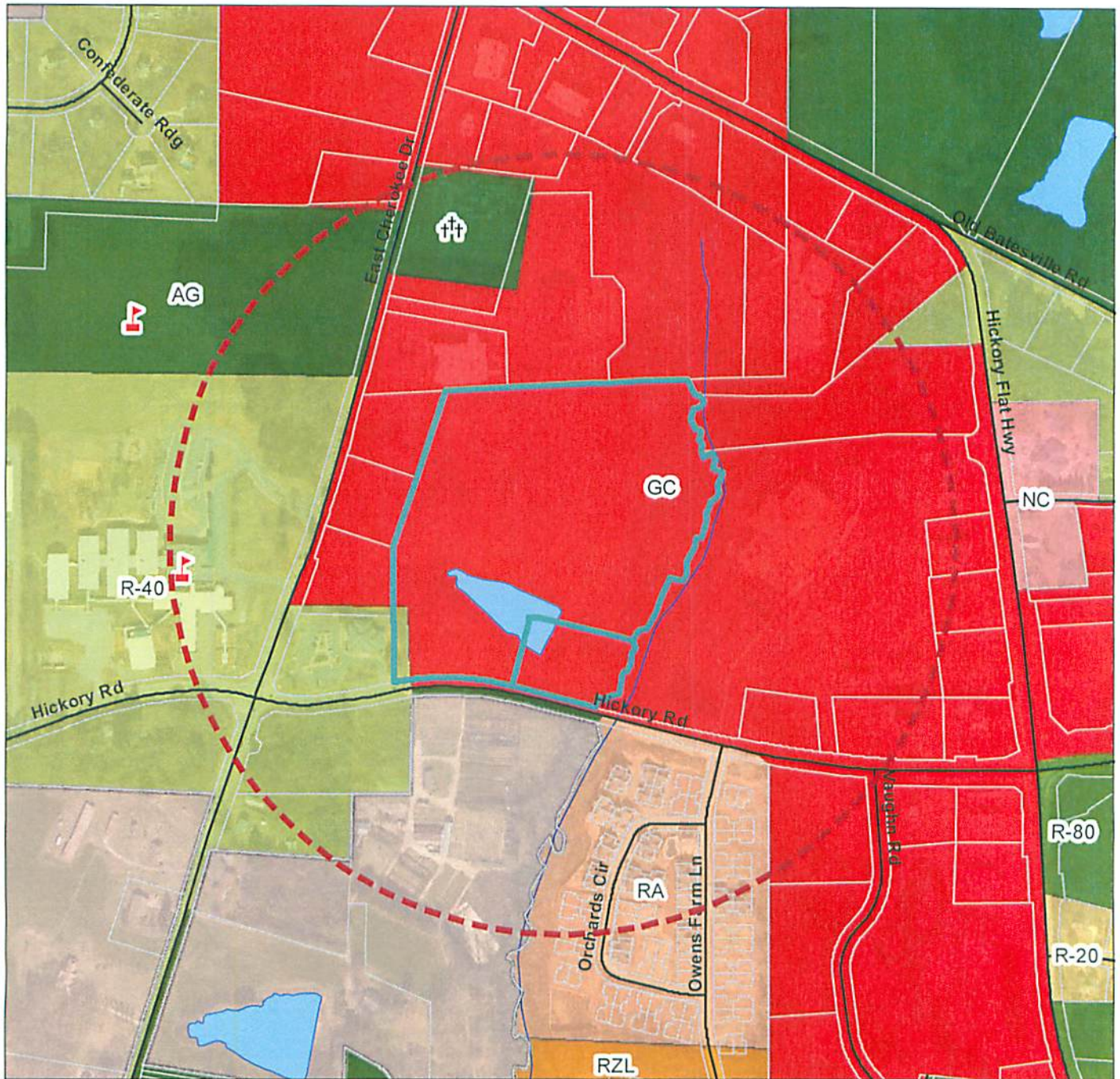
This map has been compiled from the most up to date and reliable sources available. Cherokee County is not responsible for errors and omissions contained in this map. No warranties or representations are expressed or implied in fact or in law.



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.

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.

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

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

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

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 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.

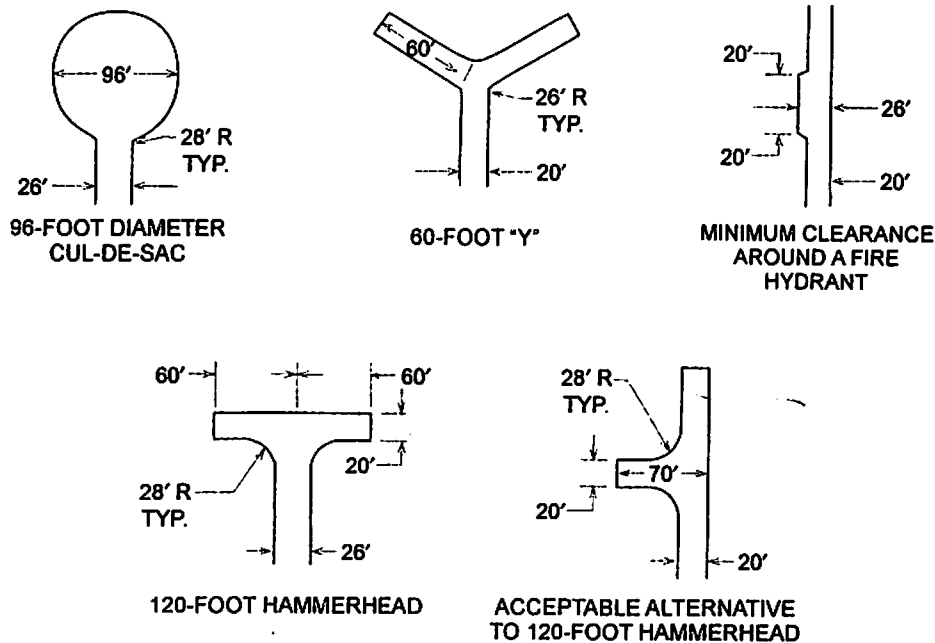
D103.3 Turning radius. The minimum turning radius shall be determined by the *fire code official*.

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 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:

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))* – All information has been submitted per Section 5.2(3) of Ordinance 2005-Z-003 (Cherokee County Stream Buffer Protection Ordinance).

-
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.



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Over the past ten years, Palisades Mechanically Stabilized Earth Slopes have provided a more natural and cost-effective solution than traditional retaining wall systems. Wall Technologies has pioneered the use of Palisades in a wide variety of applications. Palisades is designed and landscaped based upon the required slope angle, as well as, exposure to the natural environment. Our staff can provide complete solutions from value engineering/cost estimates to final design/construction drawings and installation by experienced Wall Technologies personnel.

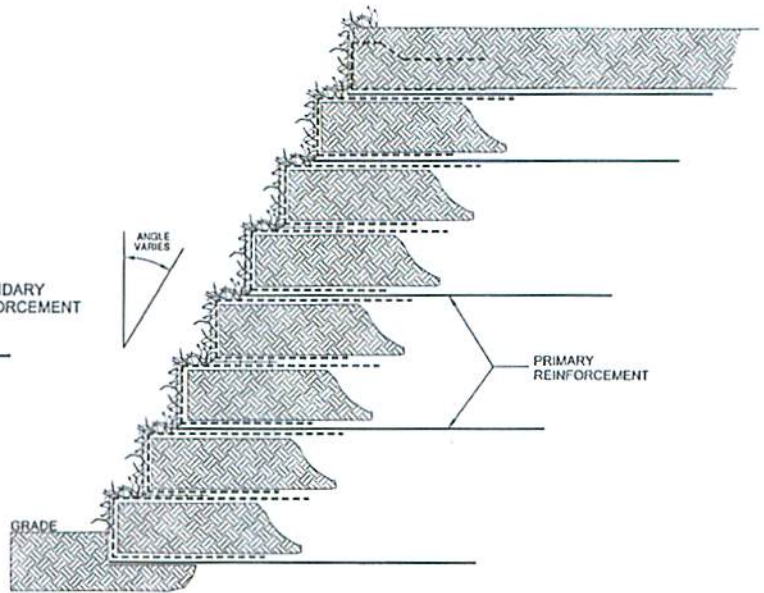
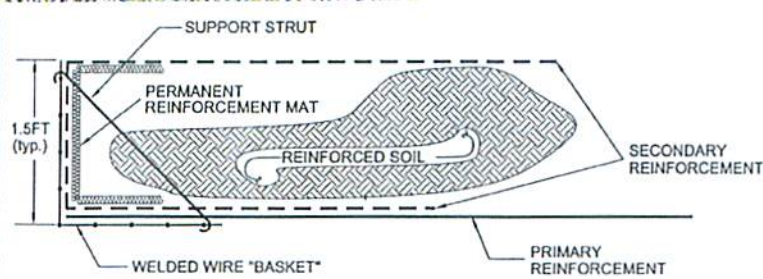
APPLICATIONS:

- Detention ponds
- Stream channels
- Pressure relief walls
- Over-steepened slopes

Wall Technologies Company, Inc.®

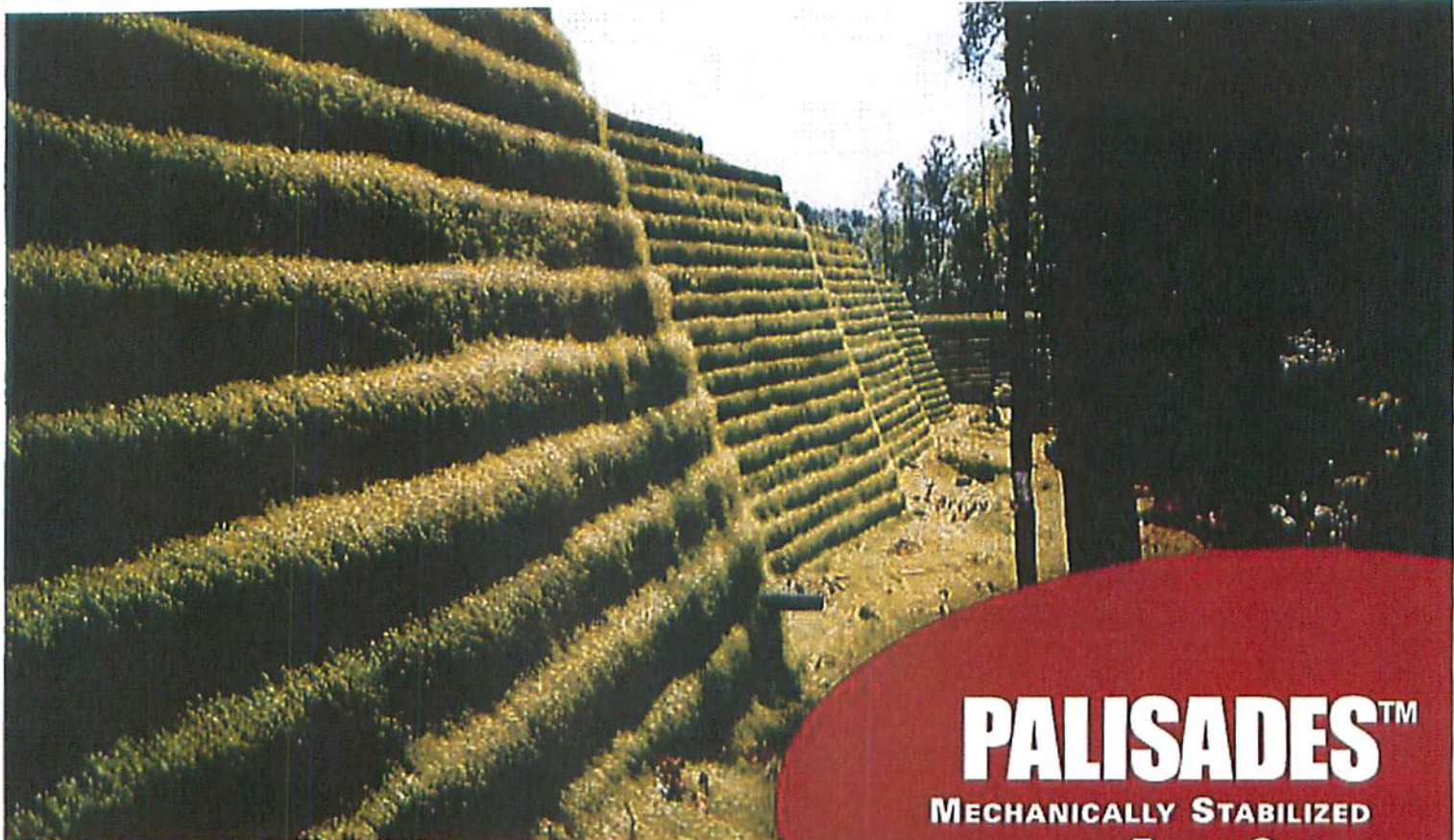


PALISADES™ FACING OPTIONS



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115 Boulderbrook Circle
Lawrenceville, Georgia 30045
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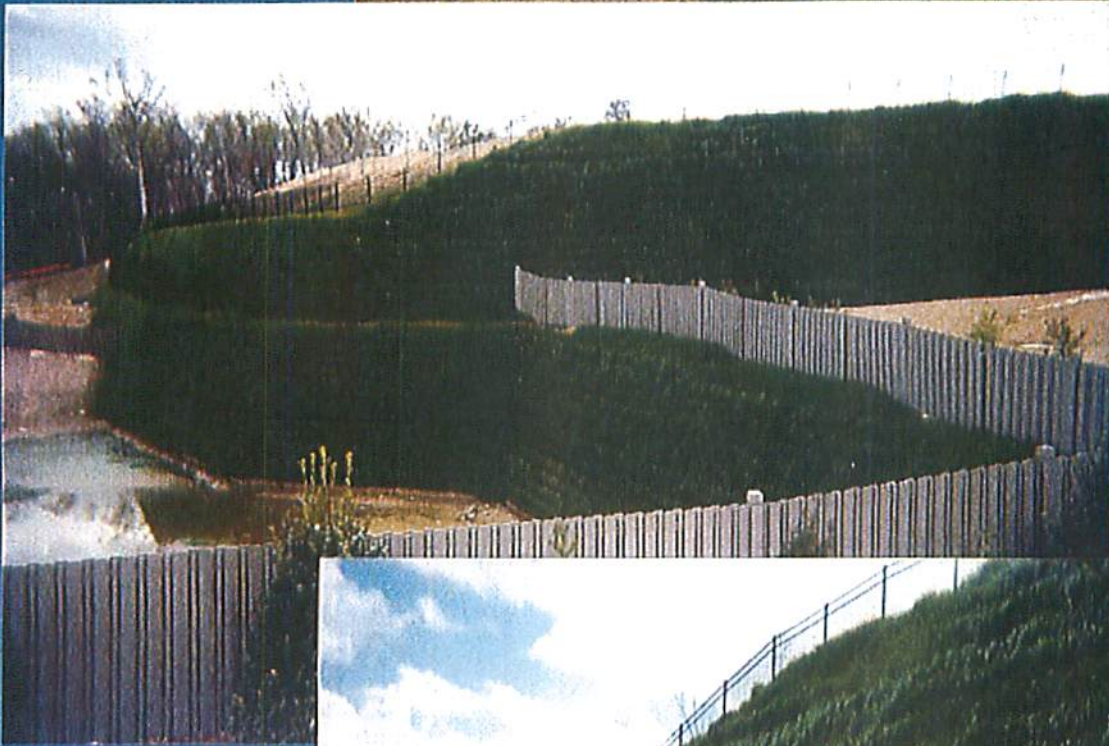
JOHN WINSTANLEY, P.E.
Vice President

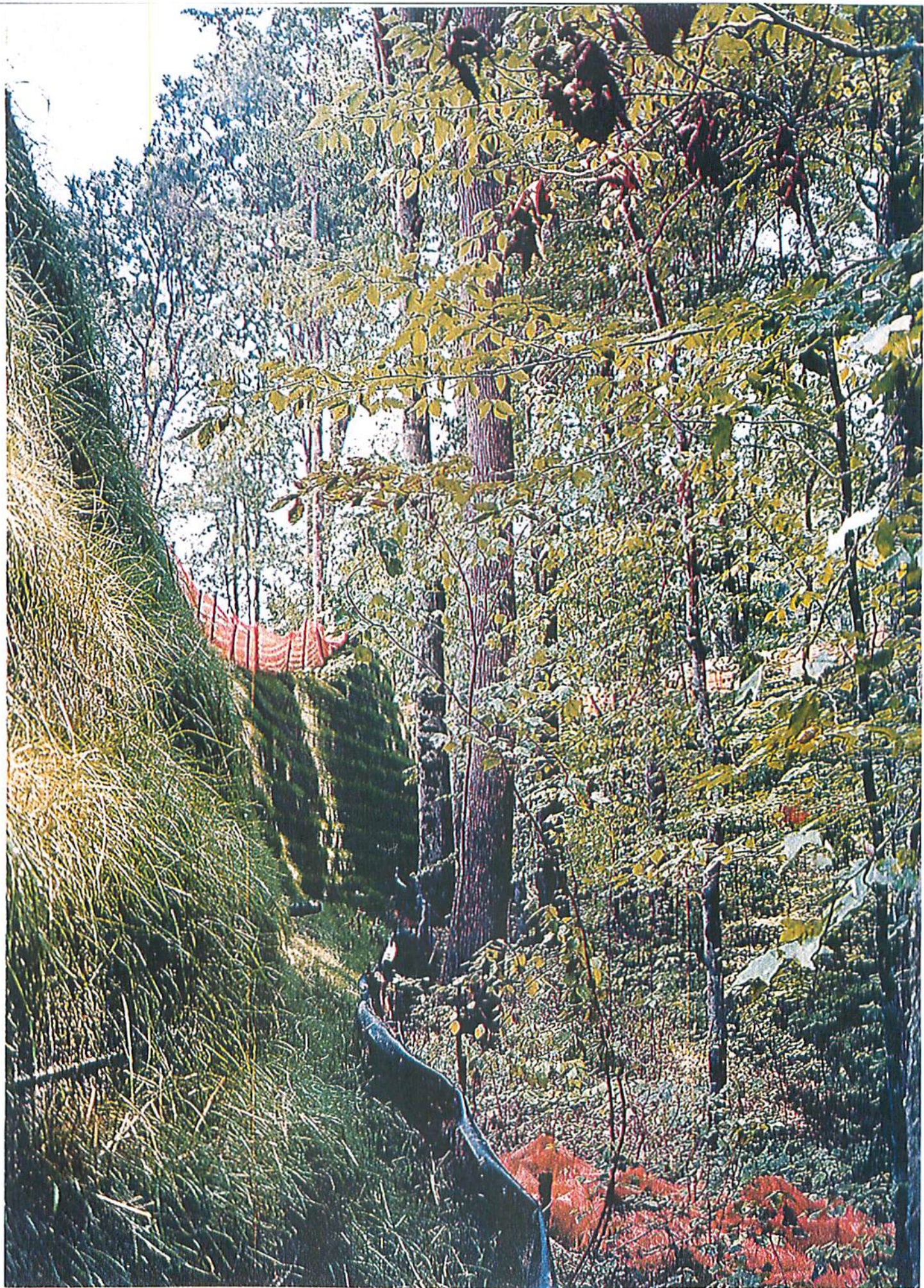
115 Boulderbrook Circle • Lawrenceville, Georgia 30045
Office: 678-442-7500 • Fax: 678-442-7700 • Cell: 404-597-4077
E-mail: info@wallguys.com • www.wallguys.com

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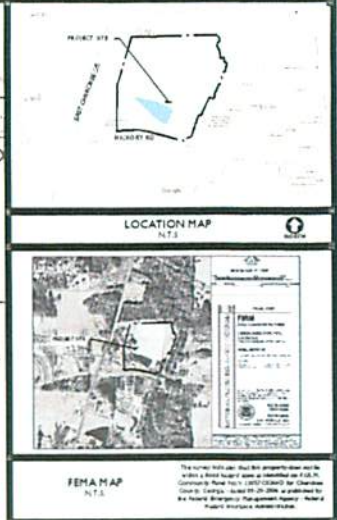
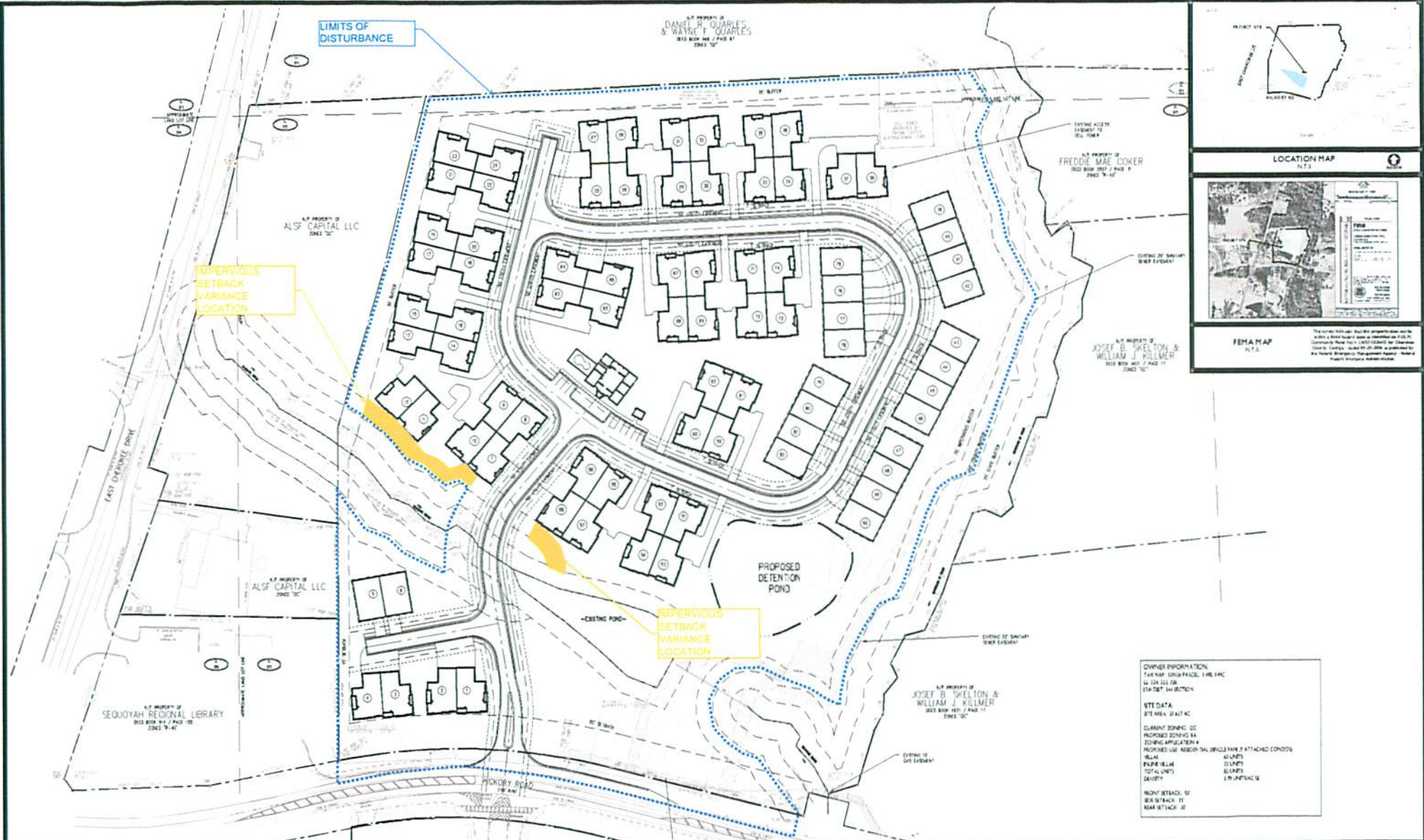
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EARTH SLOPES

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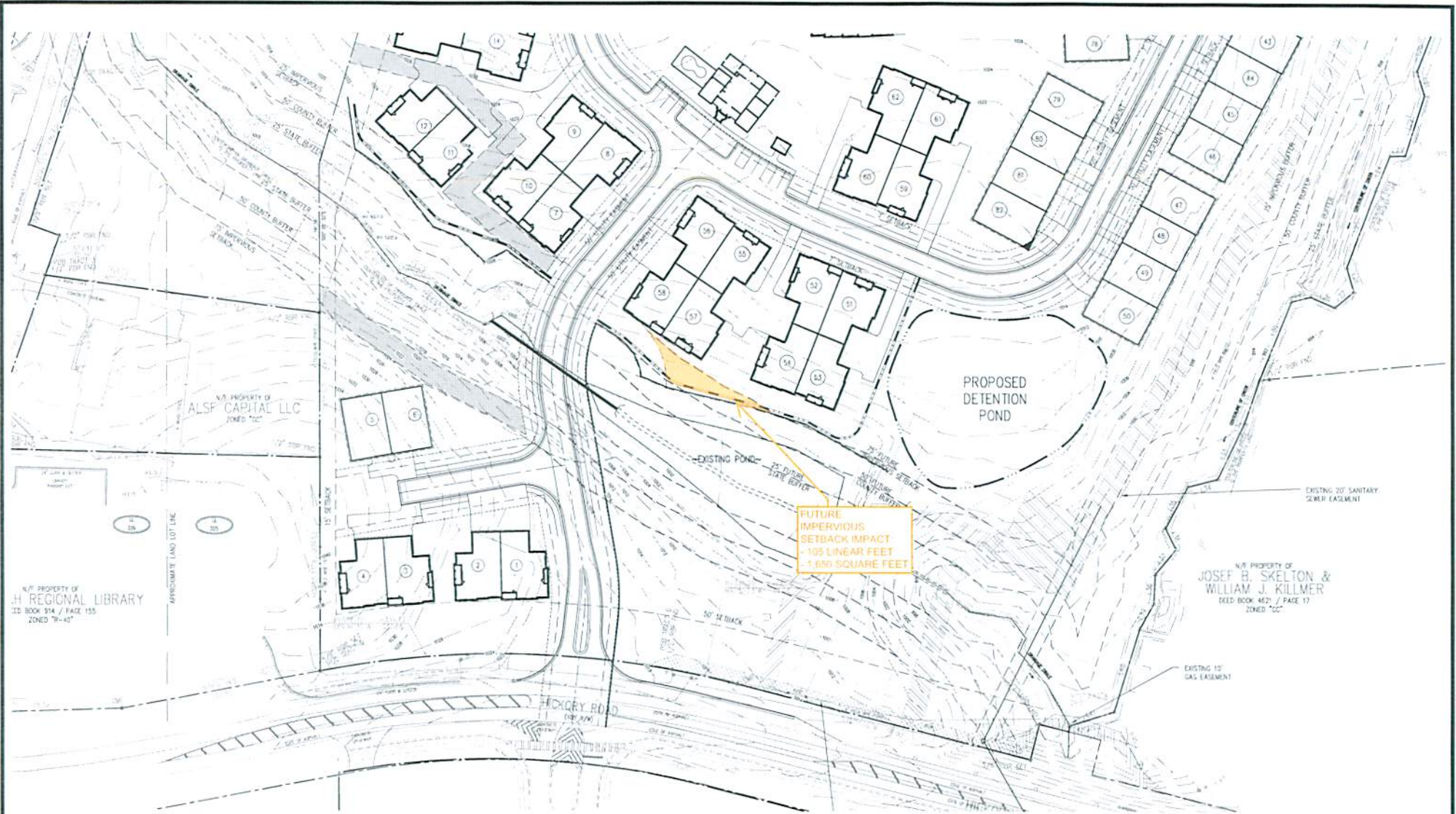


OWNER INFORMATION:
 TAX MAP: 1004 PACEL 1, 48, 49C
 44 124 011 018
 1004 PACEL 1, 48, 49C

SITE DATA:
 SITE AREA: 0.41 AC
 CLIMATE ZONE: CC
 PROPOSED ZONING: R4
 ZONING APPLICATION #
 PROPOSED USE: RESIDENTIAL SINGLE-FAMILY ATTACHED CONDOS
 ALLEYS
 PALMS/REAR
 TOTAL UNITS
 CLIMATE
 ALLEYS
 1 IN UNITS: 0

FRONT SETBACK: 10'
REAR SETBACK: 10'

PROJECT INFORMATION	
PROJECT NO.:	16-0849
DATE:	4-18-14
SCALE:	1" = 60'
FILE NAME:	16-0849 Orchards Hickory P06.dwg
DESIGN/DRAWN BY:	srinch



AEC
 CIVIL ENGINEERING PLANNING LANDSCAPE ARCHITECTURE
 55 Whinn Springs Circle
 Roswell, Georgia 30075
 (770) 441-1742 www.aecf.com

NORTH

0 40 80

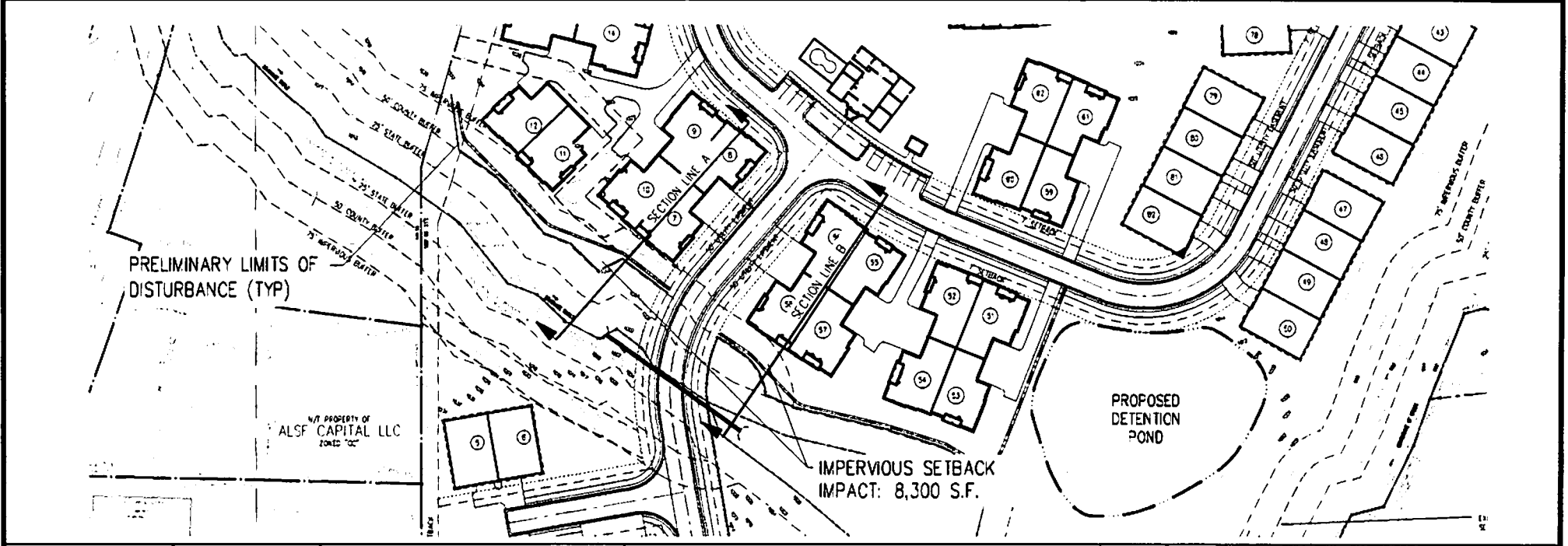
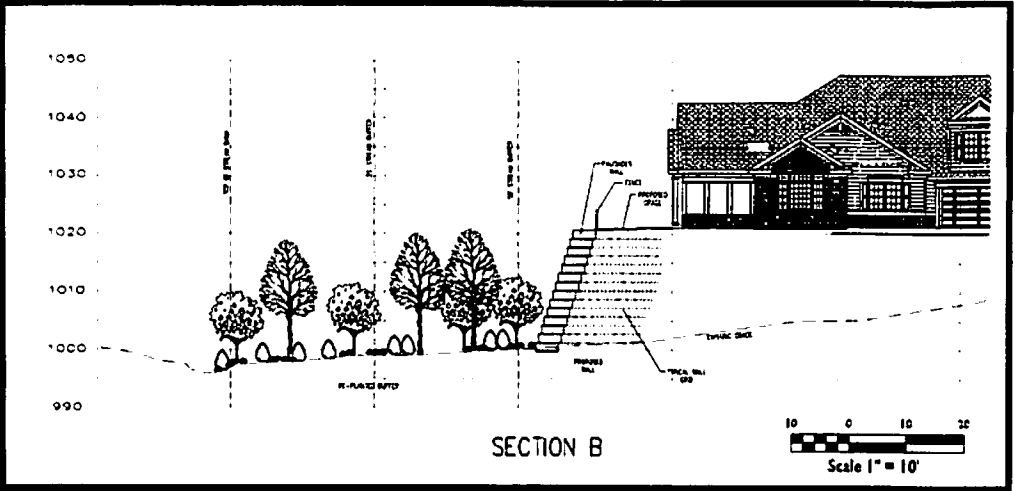
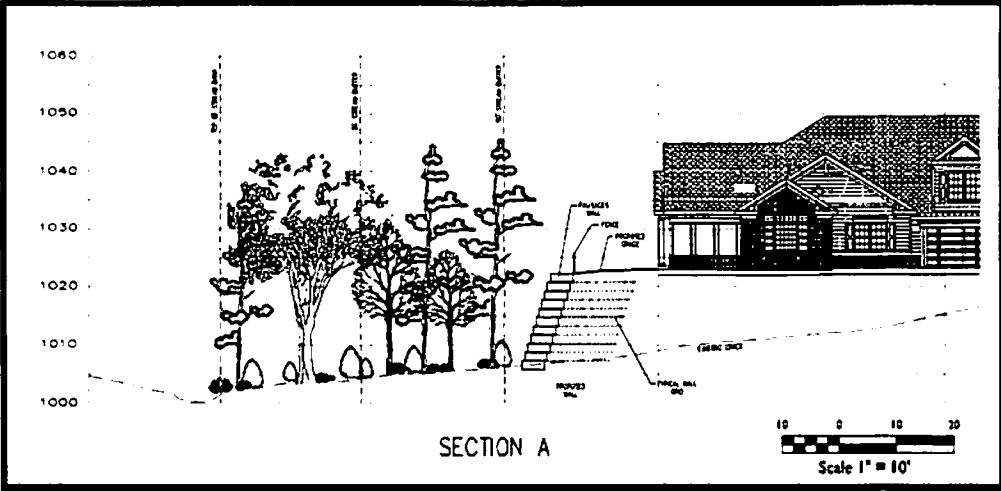
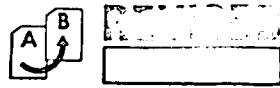
FUTURE BUFFER VARIANCE EXHIBIT

ORCHARDS HICKORY

Cherokee County, Georgia

PROJECT INFORMATION	
PROJECT NO.	16-3849
DATE	1-9-17
SCALE	1" = 40'
FILE NAME	16-3849 Orchards Hickory P06.dwg
DESIGN/DRAWN BY	jsmith

PROJECT NO. 16-3849 Orchards Hickory P06.dwg 1/9/17 11:52:34 AM W. 11



A-EC

LAND ENGINEERING PLANNING ARCHITECTURE

28 Stone Springs Circle
 Marietta, Georgia 30067
 (770) 484-1412 www.aec.com

NORTH

0 40 80

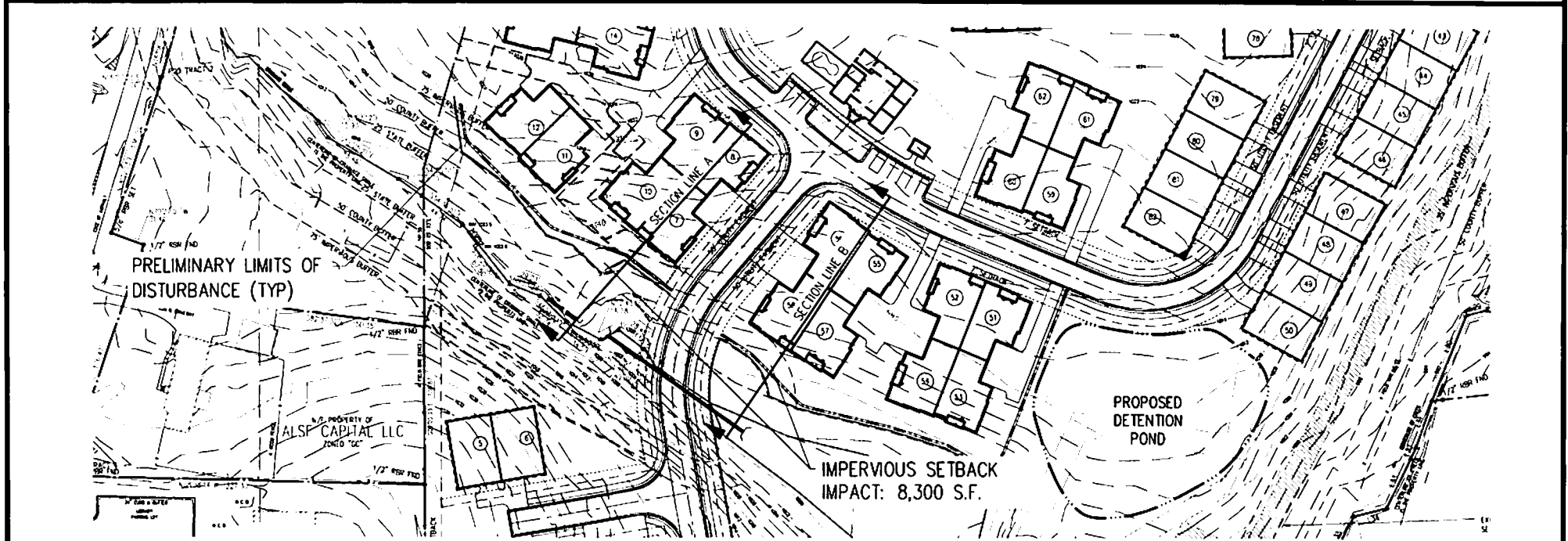
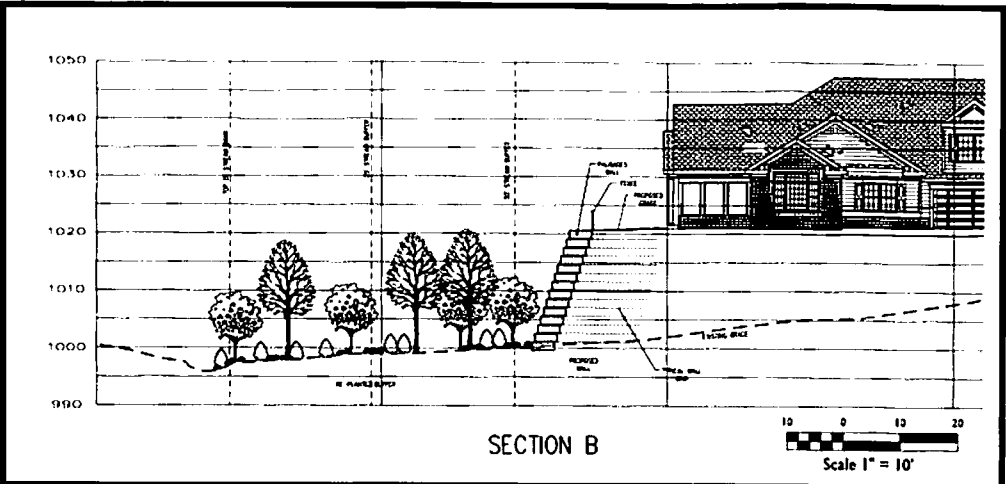
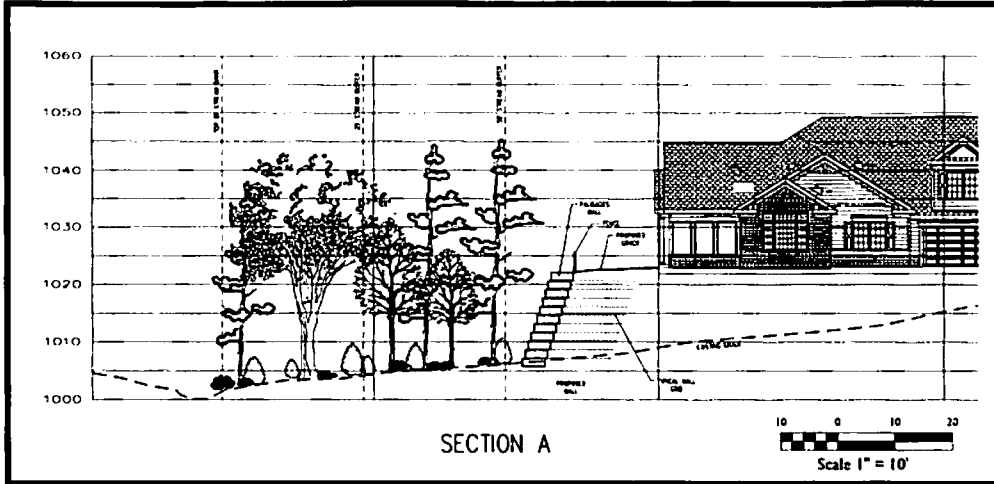
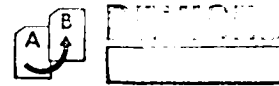
BUFFER VARIANCE EXHIBIT

ORCHARDS HICKORY

Cherokee County, Georgia

PROJECT INFORMATION	
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DATE	10-17
SCALE	1" = 40'
FILE NAME	16-2849-ORCHARDS HICKORY M50.dwg
DESIGN/DRAWN BY	

16-2849-ORCHARDS HICKORY M50.dwg 10/17/16 11:11 AM 11



A=EC
 THE ENGINEERS PLANNING LANDSCAPE ARCHITECTS
 55 Shreve Springs Center
 Roswell, Georgia 30075
 (770) 441-1140 www.aec.com

NORTH

BUFFER VARIANCE EXHIBIT

ORCHARDS HICKORY
 Cherokee County, Georgia

PROJECT INFORMATION	
PROJECT NO.	16-1849
DATE	1-8-17
SCALE	1" = 42'
FILE NAME	16-1849 Orchards Hickory P&S.dwg
DESIGNED BY	whc
DRAWN BY	whc

1/17/2017 10:48 AM C:\Users\whc\OneDrive\Documents\16-1849 Orchards Hickory P&S.dwg - 16-1849 Orchards Hickory P&S.dwg - 1/17/2017 10:48 AM © 11



Section 10.7-7: Variance request to construct walls within the impervious setback.

The following is the required information to the Engineering Department for a variance to the impervious setback:

- a. *A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;*
 - Please see the **Site Resources Map**
- b. *A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;*
 - **The site is rectangular in shape and is approximately 21.5 acres in size. The topography and slope of the site is generally steep with Clay Loam and Sandy Loam soils and is bisected by a stream. The vegetative cover of the site ranges from grassed areas to wooded areas near the existing streams.**
- c. *A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;*
 - Please see the **Preliminary Site Plan and the Buffer Exhibit**
- d. *Documentation of unusual hardship should the buffer be maintained;*
 - **With the steep topography of the site and the stream bisecting the site the development of this site without impacting the impervious setback would be an unusual hardship**
- e. *At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;*
 - Please see the **Alternative Site Plan**
- f. *A calculation of the total area and length of the proposed intrusion;*
 - **The total length of the proposed encroachment is 260' and the square footage of the proposed encroachment is 8,300 s.f. When the existing pond is removed and the stream channel is re-established, there will be an additional 105 linear feet and 1650 square feet of impact.**
- g. *A stormwater management site plan, if applicable; and,*
 - A stormwater management pond is proposed for the proposed site and shown on the **Preliminary Site Plan.**
- h. *Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.*
 - **The proposed encroachment will be mitigated through the stormwater management area by providing water quality treatment. Any runoff from the encroachment area will be collected and run through the stormwater management pond. In addition, the proposed wall type will be pervious in nature, please see the Palisades Wall detail sheets.**



Cherokee County, Georgia
Agenda Request

Item#: 2.

SUBJECT: **Case #17-02-003 Kathryn Reedy (BOC Dist. 2)** **MEETING DATE:** 2/7/2017

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
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Legal Description	Exhibit
<input type="checkbox"/> Site Plan	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Staff Analysis and 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: Kathryn Reedy Phone: 770-337-9573
 Email: kreedy@isaksonliving.com

Applicant's Information:

Name: Kathryn C. Reedy
 Address: 1518 Arbor Hill Rd Phone: 770/337-9573
 City, State, Zip: Canton, Ga 30115

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

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

Requested Public Hearing (check all that apply):

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

<p>STAFF USE ONLY:</p> <p>Commission District: <u>2</u> Case: <u>17-02-003</u> CityView #: <u>PL2016 0001668</u> Received by: _____ Fee Paid: \$ <u>250⁰⁰</u> Date: _____</p>	<p>PUBLIC HEARING SCHEDULE:</p> <p>Public Participation Meeting: <u>Not Required</u> PC Work Session Date: <u>January 23, 2017</u> Planning Commission Hearing: <u>February 7, 2017</u> Board of Commissioners: <u>February 21, 2017</u> Zoning Board of Appeals: <u>N/A</u> Other: <u>prefile</u> <u>December 5, 2016</u></p>
--	--

SECTION II

Property Information:

Location: 1518 Arbor Hill Road

Current Zoning: AG Proposed Zoning: R-40 Total Acreage: 2.0 ±

Tax Map #: 03 N12 Parcel #: 135A Land Lot(s): _____ District: 13

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 which 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, Kathryn C. Reedy, 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 20th day of December, 20 16.

Print Name Kathryn C. Reedy

Applicant Signature Kathryn C. Reedy

SECTION III

Infrastructure Information:

Is water available to this site? Yes No

Jurisdiction: CCWSA

How is sewage from this site to be managed?

Septic Systems

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	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? N/A trips

Code	Land Use(s)	# of units or sqft*	Daily Trip Ends*	Number of Trips
210	Single Family Home/ Townhome	1	9.57	
220	Apartment		6.63	

Notes:

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

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

AUTHORIZATION OF PROPERTY OWNER

I, Kathryn C. Reedy, 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: Kathryn C. Reedy

Address: 1518 Arbor Hill Rd Phone: 770/337-9573

City, State, Zip: Canton, Ga 30115

Property Owner's Information:

Name: same

Address: _____ Phone: _____

City, State, Zip: _____

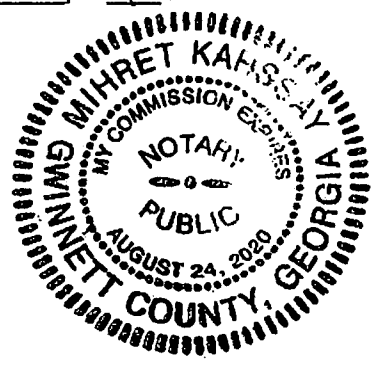
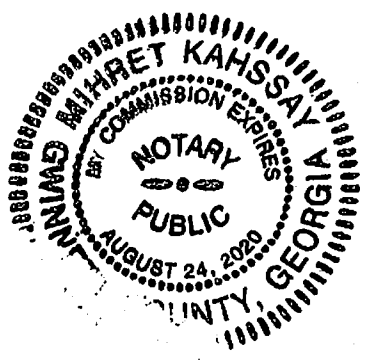
Signature of Owner: [Signature] Date: 12/13/16

Print Name: Kathryn C. Reedy

Sworn to and Subscribed before me this: 13 day of December, 2016

Notary Signature: [Signature]

(Notary Seal)



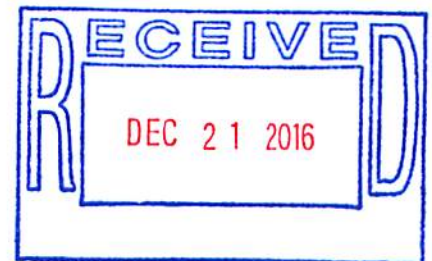
Applicant Response Statement

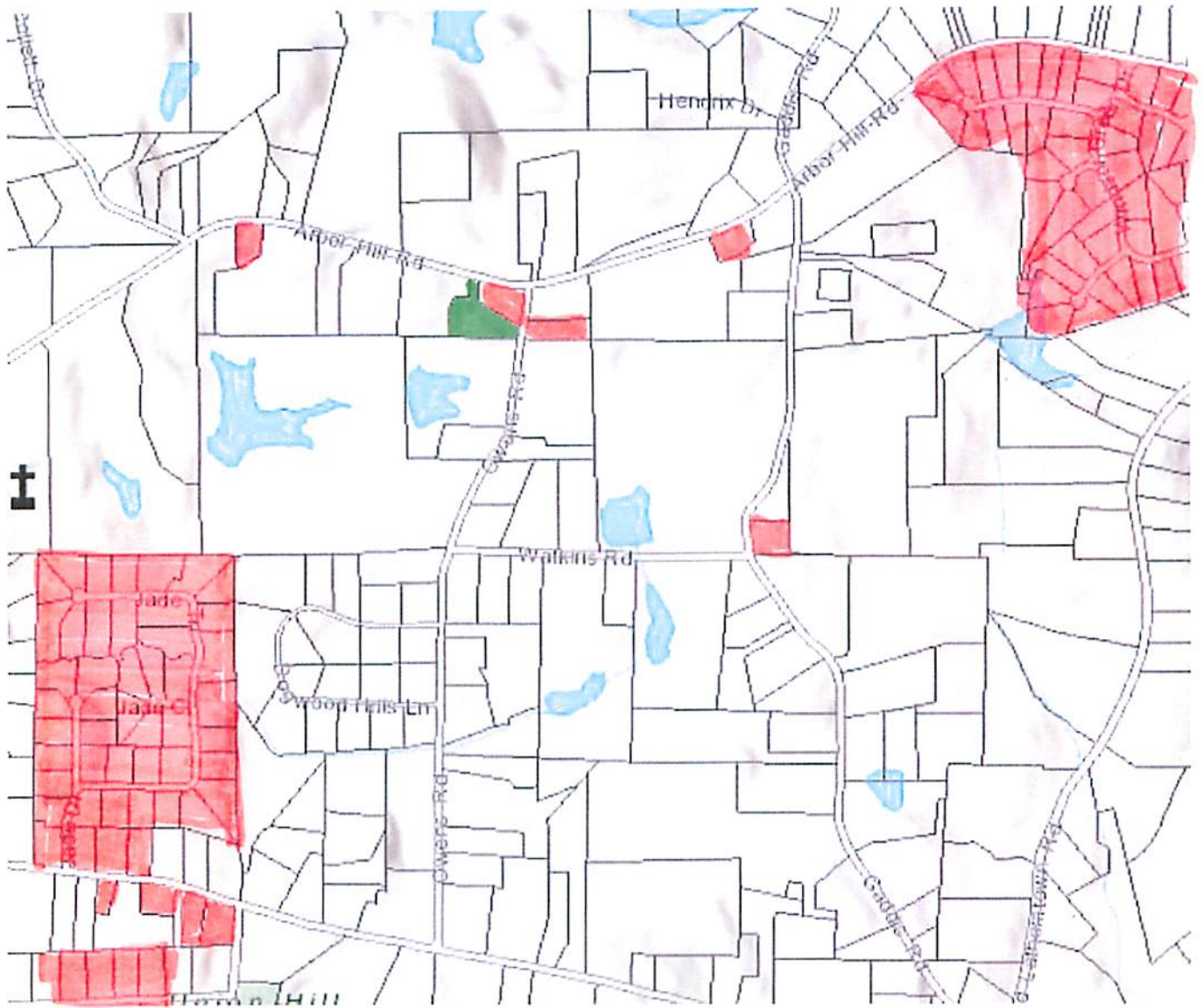
Kathryn Reedy
1518 Arbor Hill Road
Canton, GA 30115

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

BK! PG

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA

4523 151

01 APR -5 PM 12: 25

BOOK 4523 PAGE 151

Anne M. Renshaw

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

1/12.00 #11883

CHEROKEE COUNTY, GA.
REAL ESTATE TRANSFER TAX
PAID \$116.50
DATE April 5, 2001
Anne M. Renshaw
CLERK OF SUPERIOR COURT

WARRANTY DEED

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, hereinafter 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, alien, 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:

[Signature]

Witness

[Signature: Michael Reedy]

MICHAEL REEDY (Seal)

[Signature]

Notary Public



(Seal)

(Seal)

(Seal)

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 1239, 3rd District and 2nd 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 thence South 10 degree 27 minutes 09 seconds West 124.40 feet along the western right of way of Owens Road to an iron pin found; running thence North 88 degree 55 minutes 4 seconds West 400.35 feet to an iron pin set; running thence North 02 degree 26 minutes 52 seconds West 163.84 feet to an iron pin set; running thence 25 degree 23 minutes 00 seconds East 103.38 feet to an iron pin set; running thence South 84 degree 12 minutes 00 seconds East 95.26 feet to an iron pin set; running thence North 04 degree 57 minutes 04 seconds East 108.03 feet to an iron pin set; running South 75 degree 06 minutes 21 seconds East 50.00 feet to an iron pin set; running thence South 04 degree 57 minutes 04 seconds East 57 minutes 04 seconds West 147.65 feet to an iron pin found; running thence South 04 degree 57 minutes 04 seconds East 43 seconds West 258.63 feet to an iron pin found and the Point of Beginning.

Said tract or parcel of land contains 2.00 acres and is more fully shown and incorporated herein by reference on that survey for M. S. Reedy, dated September 25, 2000, as prepared by Michael J. Savage, R. L. S. No. 2737, known as Job #B-00-257, a copy of which is attached hereto as Exhibit "B".

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 property to wit:

All that tract or parcel of land lying and being in Land lot 1239, 3rd District and 2nd Section of Cherokee County, Georgia, being a 20 foot ingress/egress easement with a center line 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 198.36 feet along the western right of way of Owens Road to an iron pin found; running thence North 71 degree 54 minutes 43 seconds West 258.63 feet to an iron pin set found; running thence North 04 degree 57 minutes 04 seconds East 147.56 feet to an iron pin found; running thence North 75 degree 06 minutes 21 seconds West 50.00 feet to an iron pin set; running thence South 04 degree 57 minutes 04 seconds West 108.30 feet to an iron pin set running thence North 84 degree 12 minutes 00 seconds West 85.26 feet to a point and the Point of Beginning of the center line 20 foot easement; running thence North 13 degree 12 minutes 16 seconds East 42.03 feet to a point; running thence North 28 degree 13 minutes 30 seconds East 24.78 feet to a point; running thence North 50 degree 21 minutes 31 seconds East 66.01 feet to a point on the southerly right of way of Arbor Hill Road.

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 S. Reedy.

Recd-6-2001



ARBOR HILL ROAD 80' R/W
20' ASPHALT

CL EASEMENT DATA

	DISTANCE	BEARING
L1	42.03'	N13°12'16"E
L2	24.78'	N28°13'30"E
L3	66.01'	N50°21'31"E

CL EXCLUSIVE 20' INGRESS/EGRESS EASEMENT

N/V ERICA M. HAMILTON

N/V STEVEN D. BROWN

SHED

GRAVEL DRIVE

1 STORY FRAME

WELL

GAR.

WELL HOUSE

Proposed/Estimated new property line

Approximate location of existing cottage

porch

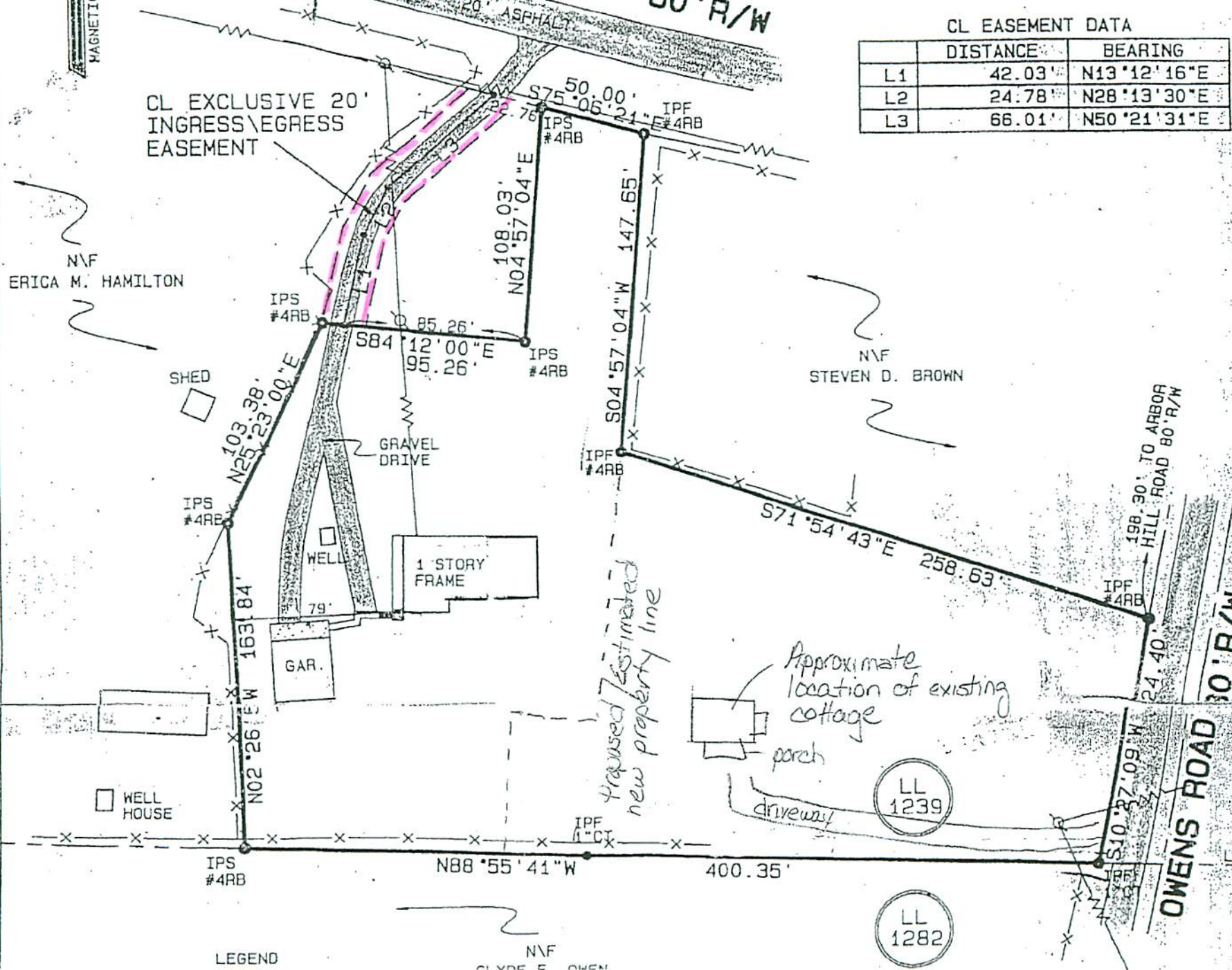
driveway

LL 1239

LL 1282

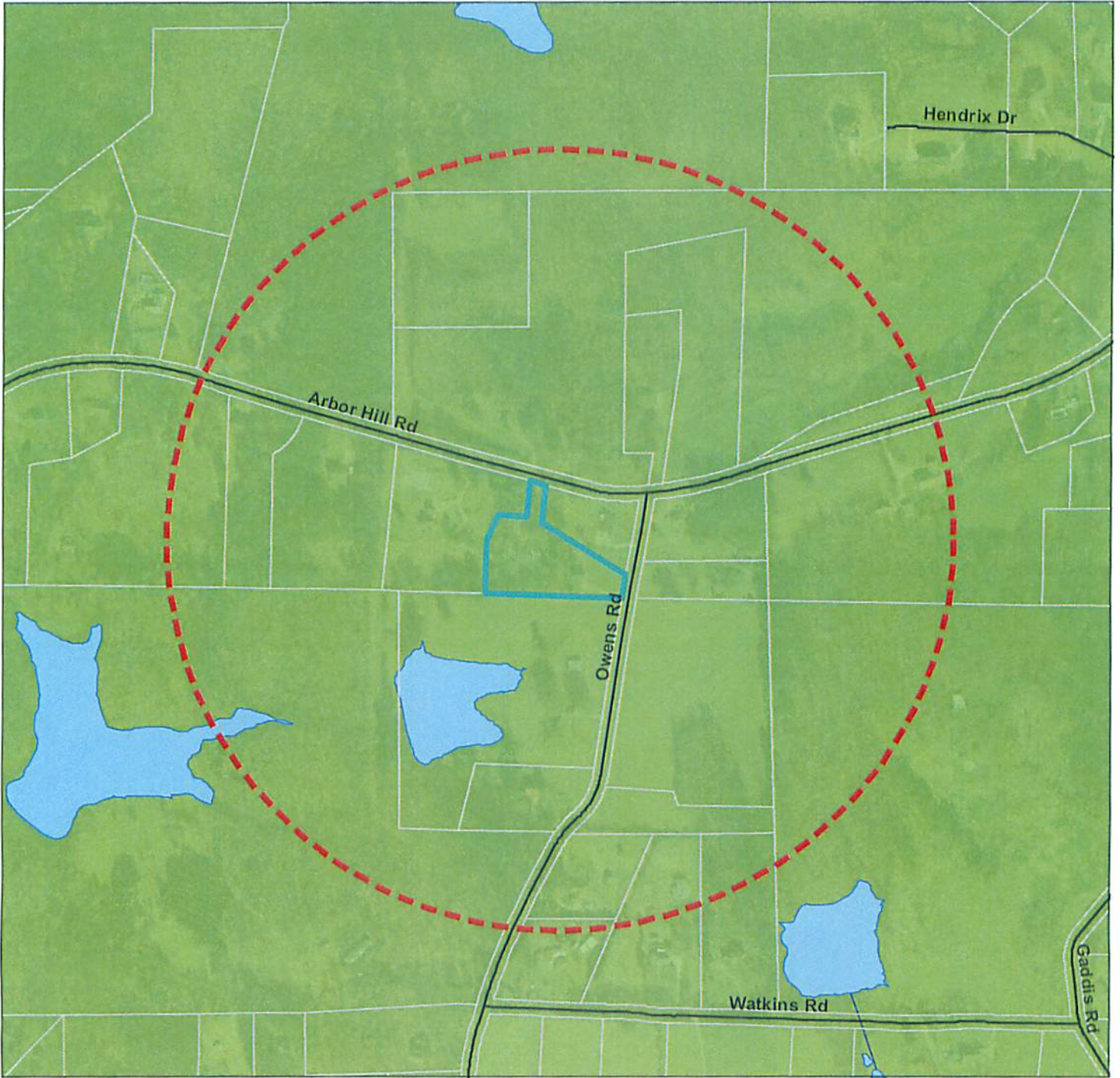
LEGEND

N/V OWEN



Case # 17-02-003 Kathryn Reedy

Future Development Map



Legend

- | | | |
|---------------------|--------------------------|------------------------|
| Rezoning Parcel | Development Nodes | Character Areas |
| 1/4 Mile Radius | County Crossroads | Natural Preserve |
| School | Hamlet | Rural Places |
| Cemetery | Neighborhood Village | Country Estates |
| Church | Community Village | Suburban Growth |
| Street | Corridors | Suburban Living |
| 100 Year Flood Zone | Scenic Corridor | Neighborhood Living |
| | Transitional Corridor | Bells Ferry LCI |
| | Development Corridor | Urban Core |
| | | Workplace Center |
| | | Regional Center |
| | | Waste Management |
| | | Ball Ground |
| | | Canton |
| | | Holly Springs |
| | | Woodstock |



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



Case # 17-02-003 Kathryn Reedy

Zoning Map



Legend

- | | | |
|---------------------|-------------------------------|---------------------|
| Rezoning Parcel | Cherokee County Zoning | RTH |
| 1/4 Mile Radius | AG | RM10 |
| School | R80 | RM16 |
| Cemetery | R60 | TND |
| Church | R40 | PUD |
| Street | R30 | CI |
| 100 Year Flood Zone | R20 | NC |
| Ball Ground | R15 | GC |
| Canton | RD3 | LI |
| Holly Springs | R10 | HI |
| Woodstock | RZL | Bells Ferry Overlay |
| | RA | Hwy 92 Overlay |



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Prepared by:
Cherokee County
 Planning and Land Use
 Canton, Georgia
 22 December 2016



CHEROKEE COUNTY PLANNING AND LAND USE
ZONING ANALYSIS

PL#20160001668

DATE OF HEARING: February 7, 2017 CASE NO: 17-02-003

APPLICANT: Kathryn Reedy

PROPERTY OWNER(S): same

LOCATION: 1518 Arbor Hill Road, Canton, GA 30115 POST: 2

MAP BOOK PAGE(S): 03N12 PARCEL(S): 135A

LAND LOT(S): 1239 DISTRICT: 3rd

CHARACTER AREA/NODE/CORRIDOR: Country Estates

PRESENT ZONING: AG PROPOSED ZONING: R-40

PROPOSED USE: Single Family Residential ACRES: 1.99

NORTH: AG SOUTH: AG EAST: AG WEST: AG

ZONING HISTORY: The zoning on this property has remained unchanged since the zoning ordinance was adopted in 1969. Nevertheless, at some point between 1997 and 2005 the subject parcel was cut from a larger tract. I was not able to locate a recorded plat for this subdivision of the property.

Country Estates is described as areas of low intensity land use with a mixture of single-family housing on large lots and farms. (AG and R-80)

PROPERTY CHARACTERISTICS: The property has no lakes, creeks or streams present. There is an 8 inch CCWSA water line in Arbor Hill Road and a 6 inch line in Owens Road. The property has two septic systems, one for each dwelling unit. Arbor Hill Road is a major collector and Owens Road a minor collector road. One house uses Arbor Hill Road for ingress and egress and the current guesthouse uses Owens Road for access.

FINDINGS: The proposed zoning is not consistent with the Future Development Map, although there is an R-40 subdivision less than ½ mile to the east and another R-40 subdivision less than ½ a mile to the southwest. There is R-20 zoning 1/3 of a mile to the northwest 1/3 of a mile to the northwest as well as nearby PUD zoning. There have been no letters in opposition to or in support of this petition for rezoning.

Case # 17-02-003 - Community Agenda Analysis

Section 1 – Community Vision

Community	Intersection of Arbor Hill Road and Owens 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 seeks to rezone from AG to R-40 in order to subdivide the property.

Section 2 - Core Issues

Project Supports

Planning for Sustainable Growth	This location has most infrastructure and services nearby.
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Project is Neutral

Housing Choice	No evidence of impact.
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Diverse Economic Opportunities	No evidence of impact.
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Land Use Patterns that Promote Connectivity and Mobility	No evidence of impact.
--	------------------------

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

Designing with the Environment	No evidence of impact.
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Preserve and Enhance Sense of Place	No evidence of impact.
-------------------------------------	------------------------

Project Neglects

Section 3 – Character Area Description

Character Area	Country Estates
----------------	-----------------

The Country Estates Character Area suggests AG and R80 as Zoning Districts. The intent of this Character Area is to retain and conserve the low-intensity character in the area. Areas within this Character Area are lands that are sparsely developed and sometimes contain agricultural production, or have been developed as "estate farms" or large-lot subdivisions. This project is not consistent with the Character Area.

Node or Corridor	N/A
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REZONING MEMORANDUM

Case Number: 17-02-003

Applicant: Kathryn Reedy

Current Zoning: AG

Proposed Zoning: R-40

● **Transportation:**

- **Primary Public Access** – The primary public access for the property in this application is Arbor Hill Road. Arbor Hill Road is a two lane rural minor collector roadway. The geometry on the road at the location of this application is generally good.
- **Planned Improvements** – There are no planned improvements to this section of Arbor Hill Road.
- **Trip Generation** – Based on the current zoning compared to the proposed zoning, the trip generation from the property as currently zoned to the proposed zoned condition is neutral given that there are 2 houses currently on the property and rezoning will only allow for 2 houses.

Zoning	Units	Trips Per Day
Current AG (2 homes)	2 Units	9
Proposed R-40 (2 homes)	2 Units	9

- **Development Related Improvements** – No improvements are anticipated for this property.

● **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 Arbor Hill Road should be able to handle the traffic generated by this application.

Cherokee County Water & Sewerage Authority

Applicant: KATHRYN REEDY
Re-Zoning Case No.: 17-02-003
Present Zoning: AG
Proposed Zoning: R-40
Tax Map: 03N12
Parcel No.: 135A

Water

1) Is Water Available at Development: YES NO
2) Size of Existing Water Line (If Available): 6" ON OWENS RD. & 8" ON ARBOR HILL RD.
3) Is there Adequate Water Pressure for the Additional Fire Protection that may be Required for the New Project: YES NO
Additional Comments: DETERMINED BY FLOW TEST
4) Is Existing Water Line Adequate for Project, If not what size will be Required: YES NO
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 NO
2) How far from the Proposed Development are the Nearest Sewer Lines: N/A
3) Approximate Length of Time Before Sewer Line will be Reasonably Assessible to Development: TBD
4) Estimated Waste Generation: N/A ADF N/A PEAK
5) Treatment Plant: N/A
6) Plant Capacity: Available Not Available
7) Line Capacity: Available Not Available
8) Projected Plant Availability: 0-5 Years
 5-10 Years
 10+ Years
9) Additional Comments:

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

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

N/A

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**

Item#: 1.

SUBJECT:
January 3, 2017 Minutes

MEETING DATE:
2/7/2017

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:

ADMINISTRATIVE RECOMMENDATION:



**Cherokee County, Georgia
Agenda Request**

Item#: 2.

SUBJECT:
December 19, 2016 Work Session Minutes

MEETING DATE:
2/7/2017

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:

ADMINISTRATIVE RECOMMENDATION:
