



Cherokee County Planning Commission Work Session AGENDA

June 19, 2017
Business Center 6:30 PM

CALL TO ORDER

ZONING CASES

1. Case #17-07-020 Bart Williams (BOC Dist. 1)

Applicant is requesting to rezone 0.60 acres at 10631 East Cherokee Drive from R-40 to NC for expansion of adjacent property

2. Case #16-12-045 Collett Family, LLC (BOC Dist. 1)

Applicant is requesting to rezone 102.519 acres on East Cherokee Drive from AG to R-30 and R-20 for a single family residential subdivision.

This application was deemed incomplete by the Planning Commission at their Work Session on April 17, 2017

OTHER BUSINESS

1. Discuss Amendments to Article 18 of the Zoning Ordinance

APPROVAL OF MINUTES

ADJOURN



Cherokee County, Georgia
Agenda Request

Item#: 1.

SUBJECT: **Case #17-07-020 Bart Williams (BOC Dist. 1)** **MEETING DATE:** 6/19/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 0.60 acres at 10631 East Cherokee Drive from R-40 to NC for expansion of adjacent property

FACTS AND ISSUES:

Commission District: 1
Zoning Change: R-40 to NC
Location: 10631 East Cherokee Drive
Tax Map and Parcel No: 03N10, Parcel 110
Acres: 0.60 acres
Proposed Development: Expansion of adjacent property
Future Development Map: Community Village Node over Suburban Growth

BUDGET:

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

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Application	Exhibit
<input type="checkbox"/> Survey	Exhibit
<input type="checkbox"/> Deed	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Future Development Map	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: BART Williams Phone: 770 330 2930
 Email: jbartley.williams@gmail.com

Applicant's Information:

Name: BART Williams (Macedonia Memorial Properties, LLC)
 Address: 10655 E. Cherokee Phone: 770 330-2930
 City, State, Zip: Canton GA 30115

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

Name: Bart Williams and Joseph Hickey Macedonia Memorial Properties, LLC
 Address: 10131 E. Cherokee DR. Phone: 770 479 2788
 City, State, Zip: Canton GA 30115

Requested Public Hearing (check all that apply):

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

STAFF USE ONLY:	PUBLIC HEARING SCHEDULE:
Commission District: <u>1</u>	Public Participation Meeting: <u>N/A</u>
Case: <u>17-07-020</u>	PC Work Session Date: <u>6/19/17</u>
CityView #: <u>PL 2017-0674</u>	Planning Commission Hearing: <u>7/11/17</u>
Received by: _____	Board of Commissioners: <u>7/18/17</u>
Fee Paid: \$ <u>750.00</u>	Zoning Board of Appeals: _____
Date: _____	Other: _____

SECTION II

Property Information:

Location: 10631 E. Cherokee DR. Canton GA 30115

Current Zoning: R40 Proposed Zoning: NC Total Acreage: .16

Tax Map #: ~~03N10~~ Parcel #: ~~003N10-0000~~ Land Lot(s): 851 District: 3

Future Development Map Designation: 110 Community Village Node over Suburban Growth

Adjacent Zonings: North NC South R-20 East GC West AG

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

This application is to have parcel adjacent to our property rezoned to NC as is our property, South is 1 hour zoned R and then the next property south is zoned NC.

Proposed Use(s) of Property:

expansion of our property

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, James Bartley Williams, 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 9 day of May, 20 17.

Print Name James Bartley Williams.

Applicant Signature James Bartley Williams.

SECTION III

Infrastructure Information:

Is water available to this site? Yes No

Jurisdiction: CCWSA

How is sewage from this site to be managed?

septic

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

If yes, what is the projected increase? _____ students

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

Traffic Generation:

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

What is the estimated number of trips generated? _____ trips

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

Notes:

- * Residential land uses are calculated based on the number of residential units. Commercial and industrial land uses are typically calculated based on square feet (sqft) of floor area for the use.
- + Residential daily trip ends per unit are shown. Contact Planning and Land Use staff about rates for other land uses.

AUTHORIZATION OF PROPERTY OWNER

I, James Bartley Williams, 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: _____

Address: N/A Phone: _____

City, State, Zip: _____

Property Owner's Information:

Name: _____

Address: _____ Phone: _____

City, State, Zip: N/A

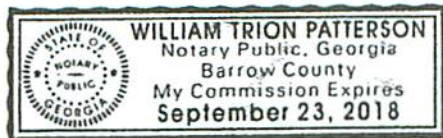
Signature of Owner: N/A Date: _____

Print Name: _____

Sworn to and Subscribed before me this: 9th day of May, 2017.

Notary Signature: William Trion Patterson

(Notary Seal)



SECTION V

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

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

If this application is in response to an annexation and/or rezoning, please respond to the following standards in the form of a written narrative:

1. Explain the intent of the requested zoning.
2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.
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.
6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan.
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.

① Canton Funeral Home and Cemetery, located at 10655 E. Cherokee DR. Canton GA 30115, has acquired the adjacent property to the south 10631 E. Cherokee DR. We desire to have new property rezoned and be joined to our original property as a single parcel.

② New zoning will allow us the same use as we have today

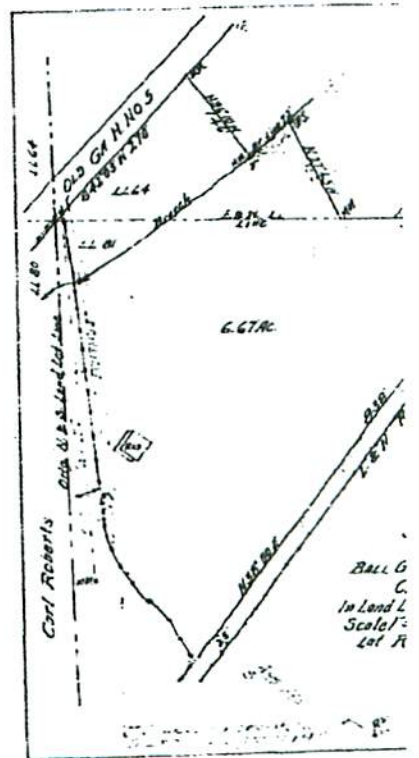
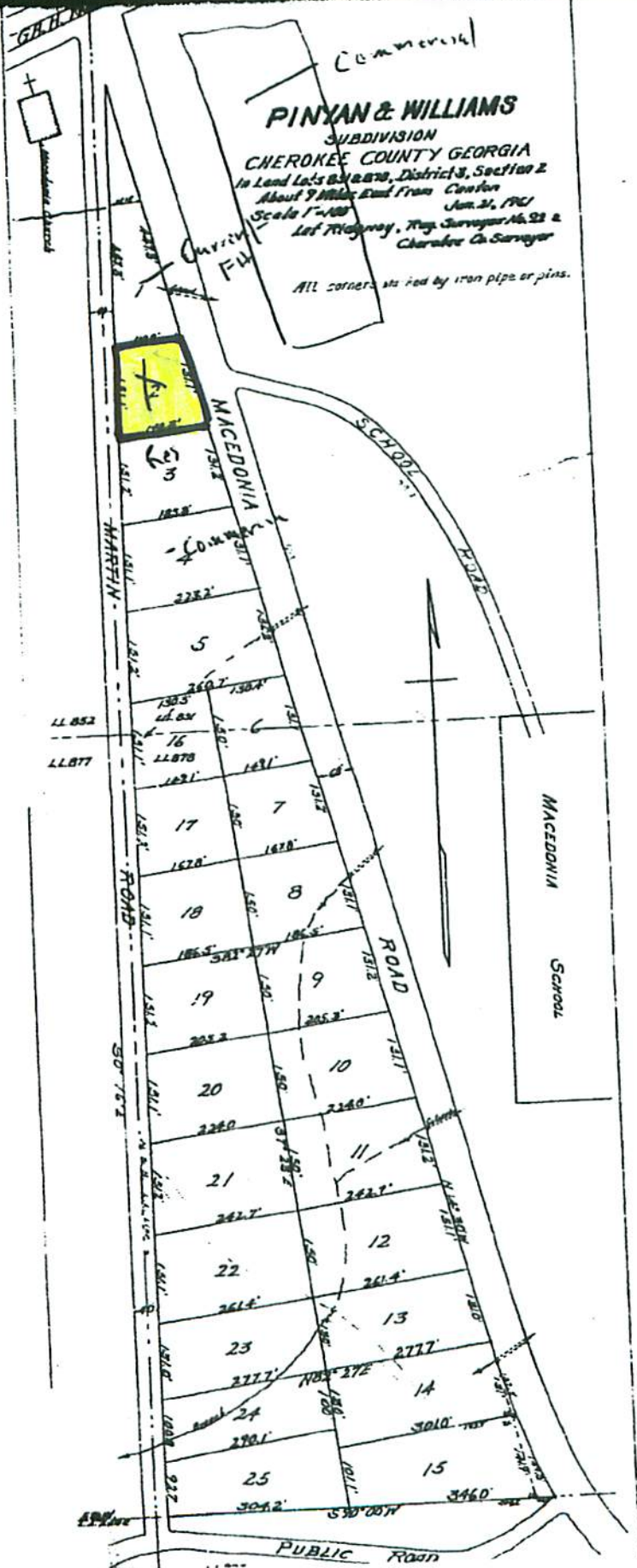
③ New zoning will not adversely affect existing use or usability of adjacent or nearby properties and in fact should enhance them

④ Current zoning of proposed property has no economic use as currently zoned but it will have significant economic use / value once rezoned.

⑤ Proposed rezoning will have or cause no excessive or burdensome use to existing streets, transportation facilities, utilities or schools

⑥ Rezoning is in conformity with policy and interest of the land use plan

⑦ As this is a simple rezoning to an existing property whose use will be the same as
I would like to request the zoning expansion and grounds beautification, zoning should be approved



DEED BOOK:14150 PG:236 Filed: 01/25/2017 10:00 AM Clerk File Number: 28-2017-002818
Rec: \$12.00 TRANSFER TAX \$200.00
Patty Baker, Clerk of Superior Court - Cherokee County, GA

Record and Return to:
Weissman PC
One Alliance Center, 3500 Lenox Road, 4th Floor
Atlanta, GA 30326
File No.: CA115-16-0167-RC

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF COBB

THIS INDENTURE, made this 19th day of January, 2017 by and between Janie N. Hamilton f/k/a Janie N. Hester, as party or parties of the first part, hereinafter called Grantor, and Macedonia Memorial Properties, LLC, 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 DOLLARS AND NO/100 (\$10.00) AND OTHER 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, the following described property, to-wit:

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE HERETO

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said described property.

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, only to the 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 claiming by, through, or under Grantor herein.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, on the date and year above written.

Signed, sealed and delivered in the presence of:

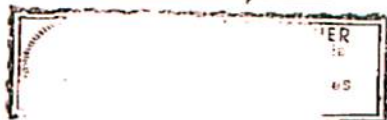
Unofficial Witness

Notary Public

My Commission Expires:

4-11-2017

Janie N. Hamilton Janie N. Hester (Seal)
Janie N. Hamilton f/k/a Janie N. Hester



Deed (Limited Warranty)

CA115-16-0167-RC

DEED BOOK:14150 PG:237 Filed: 01/25/2017 10:00 AM Clerk File Number: 28-2017-002818

Rec: \$12.00 TRANSFER TAX \$200.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

EXHIBIT "A"

File No.: CA115-16-0167-RC

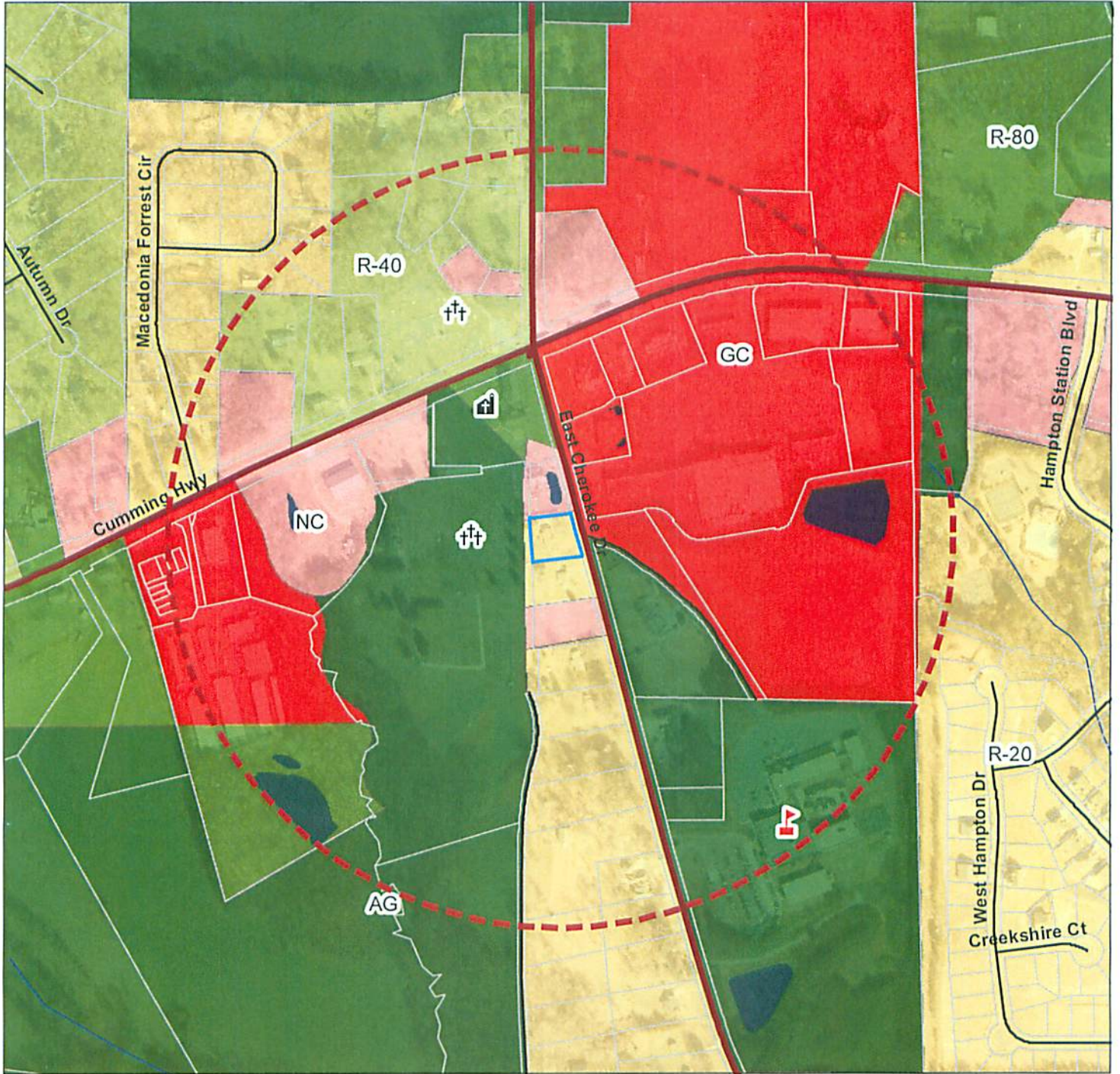
All that tract or parcel of land lying and being in Land Lot 851 of the 3rd District, 2nd Section, of Cherokee County, Georgia, being Lot 2, of Pinyan & Williams Subdivision, as per plat thereof recorded in Plat Book 2, Page 203, Cherokee County, Georgia, records, which plat is incorporated herein and made a part hereof by reference for a more detailed description; said property being known as 10631 East Cherokee Drive, according to the present system of numbering property in Cherokee County, Georgia.

[COPY]

Deed (Limited Warranty)

CA115-16-0167-RC

Case # 17-07-020 Bart Williams Macedonia Memorial Properties, LLC
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 | OI |
| Parcel | R20 | NC |
| 100 Year Flood Zone | R15 | GC |
| Ball Ground | R03 | LI |
| Canton | R10 | H8 |
| Holly Springs | R2L | Bell's Ferry Overlay |
| Woodstock | RA | Hwy 92 Overlay |
| Detention Pond | | |



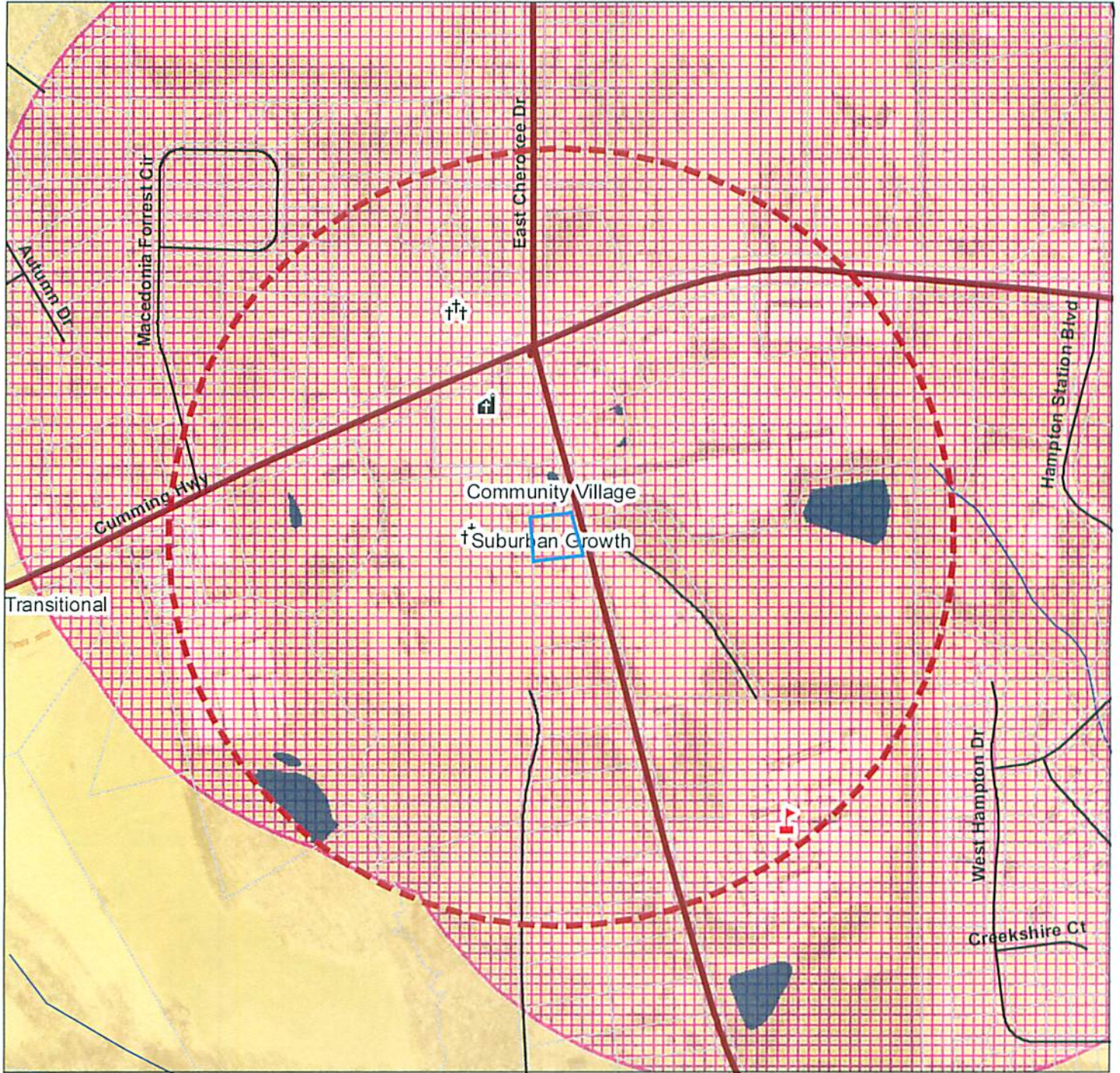
This map has been compiled from the most up to date and reliable sources available. Cherokee County is not responsible for errors and omissions contained in this map. No warranties or representations are expressed or implied in fact or in law.



Prepared by:
Cherokee County
Planning and Land Use
Canton, Georgia
06 June 2017



Future Development Map



- Legend**
- Rezoning Parcel
 - 1/4 Mile Radius
 - School
 - Cemetery
 - Church
 - Street
 - Parcel
 - 100 Year Flood Zone
 - Ball Ground
 - Canton
 - Holly Springs
 - Woodstock
 - Detention Pond
- Development Nodes**
- County Crossroads
 - Hamlet
 - Neighborhood Village
 - Community Village
 - Scenic Corridor
 - Transitional Corridor
 - Development Corridor
- Character Areas**
- Natural Preserve
 - Rural Places
 - Country Estates
 - Suburban Growth
 - Suburban Living
 - Neighborhood Living
 - Bell's 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
06 June 2017





Cherokee County, Georgia
Agenda Request

Item#: 2.

SUBJECT: Case #16-12-045 Collett Family, LLC (BOC Dist. 1)
MEETING DATE: 6/19/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 102.519 acres on East Cherokee Drive from AG to R-30 and R-20 for a single family residential subdivision.

This application was deemed incomplete by the Planning Commission at their Work Session on April 17, 2017

FACTS AND ISSUES:

Commission District: 1
Zoning Change: AG to R-30 and R-20
Location: East Cherokee Drive
Tax Map and Parcel No: 03N12, 038A
Acres: 102.519
Proposed Development: Single Family Residential Subdivision
Future Development Map: Country Estates and Suburban Growth

BUDGET:

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

ADMINISTRATIVE RECOMMENDATION:

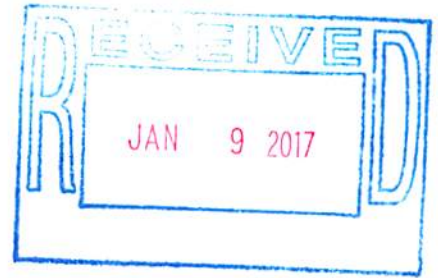
ATTACHMENTS:

Description	Type
<input type="checkbox"/> Revised Application	Exhibit
<input type="checkbox"/> Corrected Legal Description	Exhibit
<input type="checkbox"/> Revised Site Plan	Exhibit
<input type="checkbox"/> Existing Site Resource Map	Exhibit
<input type="checkbox"/> Zoning Map	Exhibit
<input type="checkbox"/> Future Development Map	Exhibit
<input type="checkbox"/> PP Report	Exhibit



CHEROKEE COUNTY
Application for Public Hearing

REVISED



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: H. Michael Bray Phone: 770-479-1426
 Email: mbray@brayandjohnson.com

Applicant's Information:

Name: Collett Family, LLC
 Address: 7631 East Cherokee Drive Phone: 770-479-1426
 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: *Owner is assuming responsibility for this Zoning Application

STAFF USE ONLY:

Commission District: 1
 Case: 16-12-045
 CityView # PL# 20160001408
 Received by: _____
 Fee Paid: \$ 725.19 *Legal Notice expense*
 Date: _____
3 signs

PUBLIC HEARING SCHEDULE:

Public Participation Meeting: ~~8/30/16~~ 3/1/17
 PC Work Session Date: ~~11/21/16~~ 3/20/17
 Planning Commission Hearing: ~~12/6/16~~ 4/4/17
 Board of Commissioners: 4/18/17
 Zoning Board of Appeals: N/A
 Other: _____

SECTION II

Property Information:

Location: East Cherokee Drive on the Northwest and Southeast sides, between Johnson Brady and Beavers Roads

Current Zoning: AG Proposed Zoning: R-30(87.946ac) R-20(14.573ac) Total Acreage: 102.519 ac

Tax Map #: 03 N 12 Parcel #: 38A Land Lot(s): 1070,1071,1089, 1090, 1091,1143,1144 District: 3rd

Future Development Map Designation: Country Estates and Suburban Growth

Adjacent Zonings: North AG South AG/GC East AG West AG

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

Applicant is requesting a rezone of 87.946 acres located on the Northwest side of East Cherokee Dr. from Agriculture to R-30 for 127 single family residential dwellings providing 40-43 acres in permanent green space and a density of 1.45 dwelling units per acre. Applicant is requesting a rezone of 14.573 acres located on the Southeast side of East Cherokee Dr. from Agriculture to R-20 for approximately 27 residential units with a density of 1.96 units per acre.

Proposed Use(s) of Property:

Single Family Residential

Applicant Affidavit:

Upon receipt of the completed application package, the Planning and Land Use Department shall notify the applicant of scheduled date, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, Virginia Bail Hyde, 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 5 day of January, 2017.

Print Name Virginia Bail Hyde

Applicant Signature Virginia Bail Hyde
managing member

SECTION III

Infrastructure Information:

Is water available to this site? Yes No

Jurisdiction: Cherokee County Water and Sewer Authority

How is sewage from this site to be managed?

Public Sanitary Sewer System

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

If yes, what is the projected increase? 111 students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home	154	0.725	111
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? 1474 trips

Code	Land Use(s)	# of units or sqft*	Daily Trip Ends*	Number of Trips
210	Single Family Home/ Townhome	154	9.57	1474
220	Apartment		6.63	

Notes:

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

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

SECTION V

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

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

If this application is in response to an annexation and/or rezoning, please respond to the following standards in the form of a written narrative:

1. Explain the intent of the requested zoning.
2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
3. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
4. Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.
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.
6. Whether the proposed zoning is in conformity with the policy and interest of the land use plan.
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.

SEE ATTACHED ADDENDUM "A"

ADDENDUM “A”

Applicant’s Written Narrative in Response to the Standards of Zoning

1. Explain the intent of the requested zoning.

Applicant seeks an R-30 classification on 87.946 acres on the Northwest side of East Cherokee Drive and R-20 on 14.573 acres on the Southeast side of East Cherokee Drive. This request is certainly consistent with the highest and best uses allowed on adjacent and nearby properties for a residential neighborhood. The R-30 classification will be treated as a conservation subdivision and will generate a density of 1.45 units per acre on the 87.946 tract with the conservation design standards to create 40+ acres of the property in protected green space and density of 1.9 on the 14.573 tract. The proposed development will provide a needed residential product that allows the developer to utilize the sanitary sewer that is available to the property. The use of sanitary sewer will prevent less likelihood of some contamination of property when you use individual sanitary sewer systems.

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 uses of nearby property include commercial, residential, and residential with higher density than our proposal. Consequently our proposed use is certainly suitable with nearby and adjacent property.

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

In considering whether the rezoning proposal would adversely affect the existing use or usability of adjacent or nearby property it should be kept in mind that we have nearby property classified as PUD, R-30, R-40, R-60, AG, R-20 and commercial. It will not adversely affect any of the use or usability of nearby property.

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

The potential use of the subject property is severely diminished as presently zoned because of the more dense classifications uses on nearby property with result of denying owners the highest and best use of their property. Additionally using property as agricultural is certainly unlikely because of residential developments in the nearby vicinity. In Cherokee County it is not feasible to maintain pastures for the purposes of livestock in this area. The penalties in the event livestock escapes their enclosure are severe, and little consideration is given to why livestock escape their enclosure. Current conditions do not support the current zoning classification.

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.

There is no expected excessive or burdensome impact.

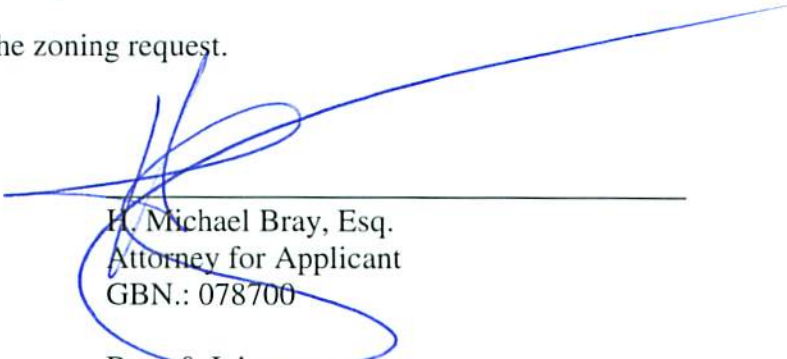
6. Whether the proposed zoning is in conformity with the policy and intent of the land use plan.

The proposed zoning request does take into consideration the policy and intent of the Land Use Plan which is only one of the standards applicable to a zoning application. It must further be noticed and accepted that nearby properties have been developed inconsistent with the Land Use Plan which plan needs to be modified, amended or changed in the first place. If you consider what is happening in the vicinity of the subject property then it is certainly in conformity with the policy and intent of Cherokee County Zoning Ordinances.

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

The subject property is located in an area that at one time was an agricultural area with the raising of livestock and some farming activities. However that has changed dramatically over the course of the last 15 years. The area now is residential which use is incompatible with the noise, smell and disturbances of livestock operations. Additionally, if you took a moment and viewed the local ordinances concerning the maintenance of your livestock facilities, you will note that they are hostile to the operation of an agricultural livestock use.

These changing conditions support the zoning request.



H. Michael Bray, Esq.
Attorney for Applicant
GBN.: 078700

Bray & Johnson
P.O. Box 1649
Canton, GA 30169
(770) 479-1426

CORRECTED LEGAL DESCRIPTION FOR COLLETT FAMILY, LLC
ZONING APPLICATION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 1070, 1071, 1089, 1090, 1091, 1143, AND 1144 OF THE 3RD DISTRICT, 2ND SECTION OF CHEROKEE COUNTY, GEORGIA AND BEING SHOWN ON A PLAT OF SURVEY PREPARED BY DAVID W. SHIRLEY, RLS NO. 2670, DATED APRIL 28TH, 2011 AND RECORDED AT PLAT BOOK 107, PAGES 162-166, CHROKEE COUNTY, GEORGIA, PLAT RECORDS WITH IS INCORPORATED HEREIN BY REFERENCE THERTO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT A:

BEGINNING AT THE NORTHWEST CORNER OF LAND LOT 1071, THE SAME BEING THE COMMON CORNERS OF LAND LOTS 1071, 1072, 1017, AND 1018 AT A 1" OPEN TOP PIPE, THENCE NORTH 89 DEGREES, 53 MINUTES, 30 SECONDS EAST ALONG THE NORTH LAND LOT LINE OF LAND LOT 1071 A DISTANCE OF 1,296.61 FEET TO THE NORTHEAST CORNER OF LAND LOT 1071, THE SAME BEING THE COMMON CORNERS OF LAND LTS 1071, 1018, 1019 AND 1070 AT AN AXLE, THENCE SOUTH 04 DEGREES, 36 MINUTES, 18 SECONDS WEST A DISTANCE OF 495.94 FEET TO AN IRON PIN FOUND, THENCE SOUTH 47 DEGREES, 58 MINUTES, 32 SECONDS WEST A DISTANCE OF 477.30 FEET TO AN IRON PIN FOUND, THENCE SOUTH 35 DEGREES, 29 MINUTES, 49 SECONDS EAST A DISTANCE OF 210.16 FEET TO AN IRON PIN FOUND, THENCE SOUTH 35 DEGREES, 18 MINUTES, 56 SECONDS EAST A DISTANCE OF 49.92 FEET TO AN IRON PIN FOUND, THENCE SOUTH 47 DEGREES, 45 MINUTES, 09 SECONDS EAST A DISTANCE OF 149.66 FEET TO AN IRON PIN FOUND, THENCE SOUTH 40 DEGREES, 44 MINUTES, 00 SECONDS EAST A DISTANCE OF 92.26 FEET TO AN IRON PIN FOUND, THENCE NORTH 67 DEGREES, 59 MINUTES, 37 SECONDS EAST A DISTANCE OF 424.02 FEET TO AN IRON PIN FOUND, THENCE SOUTH 74 DEGREES, 23 MINUTES, 44 SECONDS EAST A DISTANCE OF 258.24 FEET TO AN IRON PIN FOUND, THENCE NORTH 76 DEGREES, 46 MINUTES, 51 SECONDS EAST A DISTANCE OF 111.36 FEET TO AN IRON PIN FOUND, THENCE SOUTH 51 DEGREES 18 MINUTES, 08 SECONDS EAST A DISTANCE OF 129.90 FEET TO AN IRON PIN FOUND, THENCE SOUTH 42 DEGREES, 11 MINUTES, 52 SECONDS EAST A DISTANCE OF 130.06 FEET TO AN IRON PIN SET ON THE NORTHWESTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE, HAVING AN 80 FOOT RIGHT OF WAY, THENCE SOUTHWESTERLY ALONG THE NORTH WESTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE, SOUTH 39 DEGREES, 36 MINUTES, 52 SECONDS WEST A DISTANCE OF 128.36 FEET TO AN POINT, THENCE SOUTH 39 DEGREES, 51 MINUTES, 34 SECONDS WEST A DISTANCE OF 53.37 FEET TO A POINT, THENCE SOUTH 40 DEGREES, 27 MINUTES, 17 SECONDS WEST A DISTANCE OF 125.14 FEET TO AN IRON PIN SET, THENCE LEAVING SAID RIGHT OF WAY NORTH 45 DEGREES, 53 MINUTES, 39 SECONDS WEST A DISTANCE OF 119.89 FEET TO A POINT, THENCE

NORTH 46 DEGREES, 07 MINUTES, 36 SECONDS WEST A DISTANCE OF 172.17 FEET TO AN IRON PIN FOUND, THENCE SOUTH 43 DEGREES, 53 MINUTES, 39 SECONDS WEST A DISTANCE OF 420.01 FEET TO AN IRON PIN FOUND, THENCE SOUTH 46 DEGREES, 10 MINUTES, 25 SECONDS EAST A DISTANCE OF 294.18 FEET TO AN IRON PIN SET ON THE NORTHWESTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE, THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE SOUTH 47 DEGREES, 27 MINUTES, 07 SECONDS WEST A DISTANCE OF 130.28 FEET TO A POINT, THENCE SOUTH 48 DEGREES, 50 MINUTES, 12 SECONDS WEST A DISTANCE OF 68.23 FEET TO A POINT, THENCE SOUTH 49 DEGREES, 24 MINUTES, 49 SECONDS WEST A DISTANCE OF 51.77 FEET TO A POINT, THENCE SOUTH 50 DEGREES, 56 MINUTES, 17 SECONDS WEST A DISTANCE OF 51.07 FEET TO A 1 ½" OPEN TOP PIPE, THENCE LEAVING SAID RIGHT OF WAY NORTH 31 DEGREES, 36 MINUTES, 25 SECONDS WEST, A DISTANCE OF 162.07 FEET TO A 1 ½" OPEN TOP PIPE, THENCE SOUTH 52 DEGREES, 26 MINUTES, 35 SECONDS WEST A DISTANCE 159.14 FEET TO A 1 ½" OPEN TOP PIPE, THENCE SOUTH 27 DEGREES 24 MINUTES, 47 SECONDS EAST A DISTANCE OF 195.39 FEET TO A 1 ½" OPEN TOP PIPE SET ON THE NORTHWESTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE, THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE SOUTH 56 DEGREES, 18 MINUTES, 51 SECONDS WEST A DISTANCE OF 49.06 FEET TO A POINT, THENCE SOUTH 55 DEGREES, 09 MINUTES, 51 SECONDS WEST A DISTANCE OF 67.11 FEET TO A POINT, THENCE SOUTH 56 DEGREES, 04 MINUTES, 10 SECONDS WEST A DISTANCE OF 84.82 FEET TO A 1 ½" OPEN TOP PIPE, THENCE LEAVING SAID RIGHT OF WAY NORTH 49 DEGREES, 10 MINUTES, 03 SECONDS WEST A DISTANCE OF 242.14 FEET TO A 1" OPEN TOP PIPE, THENCE SOUTH 59 DEGREES, 30 MINUTES, 45 SECONDS WEST A DISTANCE OF 293.62 FEET TO A 1" REBAR, THENCE SOUTH 45 DEGREES, 11 MINUTES, 48 SECONDS EAST A DISTANCE OF 239.03 FEET TO AN IRON PIN SET ON THE NORTHWESTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE, THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE, SOUTH 55 DEGREES, 43 MINUTES, 20 SECONDS WEST A DISTANCE OF 66.91 FEET TO A POINT, THENCE SOUTH 54 DEGREES, 48 MINUTES, 18 SECONDS WEST A DISTANCE OF 52.38 FEET TO A POINT, THENCE SOUTH 54 DEGREES, 17 MINUTES, 35 SECONDS WEST A DISTANCE OF 52.73 FEET TO A POINT, THENCE SOUTH 52 DEGREES, 48 MINUTES, 29 SECONDS WEST A DISTANCE OF 50.82 FEET TO A POINT, THENCE SOUTH 53 DEGREES, 04 MINUTES, 01 SECONDS WEST A DISTANCE OF 45.39 FEET TO AN IRON PIN FOUND, THENCE NORTH 58 DEGREES, 31 MINUTES, 42 SECONDS WEST A DISTANCE OF 193.62 FEET TO AN ½" OPEN TOP PIPE, THENCE SOUTH 77 DEGREES, 52 MINUTES, 30 SECONDS WEST A DISTANCE OF 419.08 FEET TO A 1" SOLID PIPE, THENCE SOUTH 24 DEGREES, 40 MINUTES, 34 SECONDS EAST A DISTANCE OF 215.82 FEET TO AN IRON PIN FOUND, THENCE SOUTH 86 DEGREES, 09 MINUTES, 53 SECONDS WEST A DISTANCE OF 792.20 FEET TO AN IRON PIN FOUND ON THE EASTERLY RIGHT OF WAY OF JOHNSON BRADY ROAD, HAVING A 50 FOOT RIGHT OF WAY, THENCE

NORTHERLY ALONG THE EASTERLY RIGHT OF WAY OF JOHNSON BRADY ROAD NORTH 16 DEGREES 54 MINUTES, 58 SECONDS WEST A DISTANCE 52.01 FEET TO A POINT, THENCE NORTH 12 DEGREES, 06 MINUTES, 46 SECONDS WEST A DISTANCE OF 40.85 FEET TO A POINT, THENCE NORTH 12 DEGREES, 06 MINUTES, 48 SECONDS WEST A DISTANCE OF 42.38 FEET TO A POINT, THENCE NORTH 10 DEGREES, 47 MINUTES, 44 SECONDS WEST A DISTANCE OF 42.38 FEET TO A POINT, THENCE NORTH 11 DEGREES, 06 MINUTES, 48 SECONDS WEST A DISTANCE OF 44.43 FEET TO A POINT, THENCE NORTH 15 DEGREES, 37 MINUTES, 16 SECONDS WEST A DISTANCE OF 44.21 FEET TO A POINT, THENCE NORTH 22 DEGREES, 49 MINUTES, 09 SECONDS WEST A DISTANCE OF 44.69 FEET TO A POINT, THENCE NORTH 25 DEGREES, 16 MINUTES, 57 SECONDS WEST A DISTANCE OF 43.17 FEET TO A POINT, THENCE NORTH 23 DEGREES, 38 MINUTES, 22 SECONDS WEST A DISTANCE OF 42.21 FEET TO A POINT, THENCE NORTH 20 DEGREES, 22 MINUTES, 47 SECONDS WEST A DISTANCE OF 42.06 FEET TO A POINT, THENCE NORTH 18 DEGREES, 56 MINUTES, 40 SECONDS WEST A DISTANCE OF 41.11 FEET TO A POINT, THENCE NORTH 16 DEGREES, 13 MINUTES, 02 SECONDS WEST A DISTANCE OF 42.09 FEET TO A POINT, THENCE NORTH 13 DEGREES, 43 MINUTES, 44 SECONDS WEST A DISTANCE OF 42.36 FEET TO A POINT, THENCE NORTH 13 DEGREES, 55 MINUTES, 29 SECONDS WEST A DISTANCE OF 44.02 FEET TO A POINT, THENCE NORTH 14 DEGREES, 03 MINUTES, 45 SECONDS WEST A DISTANCE OF 43.76 FEET TO A POINT, THENCE NORTH 16 DEGREES, 11 MINUTES, 09 SECONDS WEST A DISTANCE OF 44.99 FEET TO A POINT, THENCE NORTH 18 DEGREES, 44 MINUTES, 50 SECONDS WEST A DISTANCE OF 43.54 FEET TO A POINT, THENCE NORTH 16 DEGREES, 10 MINUTES, 15 SECONDS WEST A DISTANCE OF 30.99 FEET TO AN IRON PIN SET, THENCE LEAVING SAID RIGHT OF WAY NORTH 87 DEGREES, 45 MINUTES, 38 SECONDS EAST A DISTANCE OF 861.41 FEET TO A 1" OPEN TOP PIPE, THENCE NORTH 00 DEGREES, 34 MINUTES, 33 SECONDS EAST ALONG THE WEST LAND LOT LINE OF LAND LOT 1090 A DISTANCE OF 674.42 FEET TO AN IRON PIN FOUND AT THE COMMON CORNERS OF LAND LOTS 1090, 1089, 1072 AND 1071, THENCE NORTH 01 DEGREES 13 MINUTES, 40 SECONDS WEST A DISTANCE OF 687.31 FEET ALONG THE WEST LAND LOT LINE OF LAND LOT 1071 A DISTANCE OF 687.31 FEET TO A 1" OPEN TOP PIPE, THENCE CONTINUING ALONG THE WEST LAND LOT LINE OF LAND LOT 1071 NORTH 00 DEGREES, 32 MINUTES, 45 SECONDS EAST A DISTANCE OF 714.44 FEET TO A 1" OPEN TOP PIPE AND THE POINT OF BEGINNING.

TRACT B:

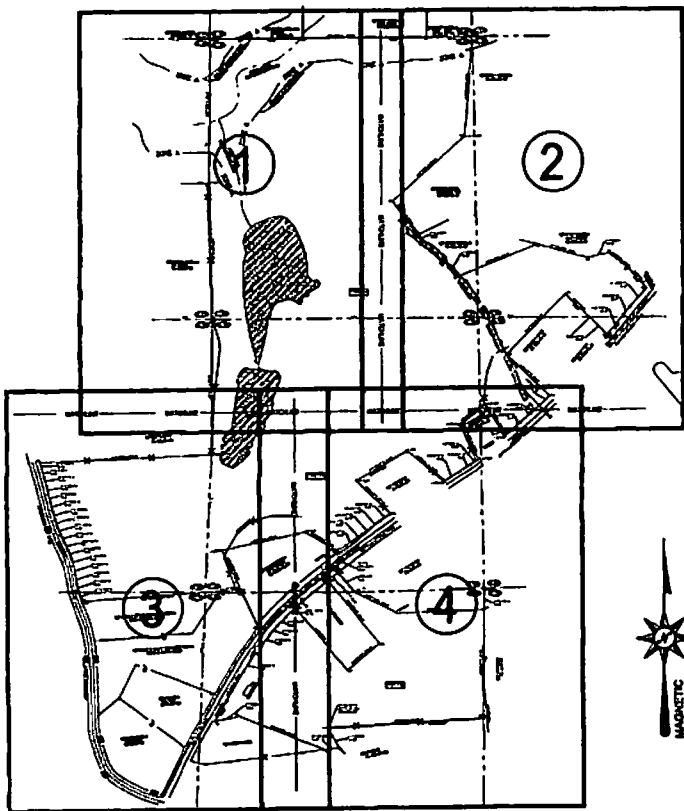
TO ASCERTAIN THE TRUE POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF LAND LOT 1143, BEING THE COMMON CORNERS OF LAND LOTS 1143, 1090, 1091 AND 1142 AT A STUMP, THENCE SOUTH 00 DEGREES, 27 MINUTES, 46 SECONDS WEST ALONG THE EAST LAND LINE OF LAND LOT 105.00 FEET TO AN IRON PIN SET AND THE TRUE POINT OF BEGINNING, THENCE SOUTH 00 DEGREES, 27 MINUTES, 46 SECONDS WEST ALONG THE EAST LAND LOT LINE

OF LAND LOT 1143 A DISTANCE OF 544.78 FEET TO AN IRON PIN SET, THENCE LEAVING SAID LAND LOT LINE SOUTH 86 DEGREES, 59 MINUTES, 29 SECONDS WEST A DISTANCE OF 766.85 FEET ALONG A BARB WIRE FENCE TO A 5/8" REBAR FOUND, THENCE SOUTH 27 DEGREES, 44 MINUTES, 14 SECONDS EAST A DISTANCE OF 110.68 FEET TO A ROCK, THENCE SOUTH 83 DEGREES, 37 MINUTES, 11 SECONDS WEST A DISTANCE OF 72.44 FEET TO AN IRON PIN FOUND, THENCE NORTH 66 DEGREES, 03 MINUTES, 29 SECONDS WEST A DISTANCE OF 457.50 FEET TO AN IRON PIN FOUND, THENCE SOUTH 79 DEGREES, 32 MINUTES, 31 SECONDS WEST A DISTANCE OF 120.51 FEET TO AN IRON PIN SET ON THE SOUTHEASTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE HAVING AN 80 FOOT RIGHT OF WAY, THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE NORTH 30 DEGREES, 14 MINUTES, 18 SECONDS EAST A DISTANCE OF 116.28 FEET TO A POINT, THENCE NORTH 30 DEGREES, 25 MINUTES, 35 SECONDS EAST A DISTANCE OF 168.75 FEET TO A POINT, THENCE NORTH 32 DEGREES, 00 MINUTES, 25 SECONDS EAST A DISTANCE OF 67.36 FEET TO A POINT, THENCE NORTH 34 DEGREES, 44 MINUTES, 56 SECONDS EAST A DISTANCE OF 99.62 FEET TO A POINT, THENCE NORTH 38 DEGREES, 52 MINUTES, 56 SECONDS EAST A DISTANCE OF 54.28 FEET TO A POINT, THENCE NORTH 41 DEGREES, 34 MINUTES, 34 SECONDS EAST A DISTANCE OF 59.56 FEET TO A POINT, THENCE NORTH 44 DEGREES, 12 MINUTES, 03 SECONDS EAST A DISTANCE OF 62.67 FEET TO A POINT, THENCE NORTH 47 DEGREES, 19 MINUTES, 54 SECONDS EAST A DISTANCE OF 86.58 FEET TO AN IRON PIN SET, THENCE LEAVING SAID RIGHT OF WAY SOUTH 38 DEGREES, 51 MINUTES, 36 SECONDS EAST A DISTANCE OF 407.67 FEET TO AN IRON PIN FOUND, THENCE NORTH 49 DEGREES, 30 MINUTES, 19 SECONDS EAST A DISTANCE OF 206.15 FEET TO AN IRON PIN FOUND, THENCE NORTH 38 DEGREES, 19 MINUTES, 28 SECONDS WEST A DISTANCE OF 404.51 FEET TO AN IRON PIN SET ON THE SOUTHEASTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE, THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY OF EAST CHEROKEE DRIVE NORTH 51 DEGREES, 47 MINUTES, 51 SECONDS EAST A DISTANCE OF 60.66 FEET TO AN IRON PIN SET, THENCE LEAVING SAID RIGHT OF WAY SOUTH 41 DEGREES, 00 MINUTES, 46 SECONDS EAST A DISTANCE OF 129.98 FEET TO A 1/2" CRIMP TOP PIPE, THENCE SOUTH 63 DEGREES, 16 MINUTES, 04 SECONDS EAST A DISTANCE OF 232.47 FEET TO A FLAT IRON, THENCE NORTH 88 DEGREES, 27 MINUTES, 47 SECONDS EAST A DISTANCE OF 428.65 FEET TO AN IRON PIN SET AND THE TRUE POINT OF BEGINNING.



PLAT OF BOUNDARY SURVEY FOR:
COLLETT FAMILY, LLC
 FOR PROPERTY LOCATED IN:
LAND LOTS 1070, 1071, 1089, 1090, 1091, 1143, & 1144
DISTRICT 3, SECTION 2
CHEROKEE COUNTY, GEORGIA
2-28-2012

SHEET INDEX:



STREAM BUFFER NOTE & DETAIL.
 ALL CREEKS IN CHEROKEE COUNTY HAVE THE FOLLOWING BUFFERS:
 25' STATE WATER BUFFER
 50' COUNTY STREAM BUFFER
 75' IMPERVIOUS SURFACE BUFFER
 ALL BUFFERS ARE MEASURED FROM THE POINT OF WRESTED VEGETATION

Property Owner's Certification:
 I hereby certify that I am the owner(s) of the property described hereon, which property is located within the jurisdiction of Cherokee County, Georgia.

Owner: Cherokee County, Georgia Date: 5-16-11
 Owner: Wanda Kay Whitehead Date: 5/16/12

Plan Book 167, pg 162
 Filed and Recorded October 13, 2012 at 10:23 AM
 2012-002163
 Perry Baker
 Clerk of Superior Court Cherokee Co., GA

PLANNING AND ZONING REVIEWED FOR COMPLIANCE WITH CHEROKEE COUNTY REGULATIONS AND MINIMUM DISTURBANCE STANDARDS FOR LAND SURVEYS IN GENERAL. PLANNING AND ZONING IS NOT RESPONSIBLE FOR MASTERS OF TITLE OR PROPERTY LINE DISCREPANCIES.
 THIS SURVEY PLAT MEETS MINIMUM ZONING REQUIREMENTS AND IS APPROVED FOR RECORDING.

5-23-2012
Suzanne White

- SURVEY NOTES**
- 1) THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED BY A CLOSED TRAVERSE. THE CLOSURE PRECISION IS ONE FOOT IN 4340 FEET, AND THE ANGULAR ERROR IS 68 SECONDS PER ANGLE POINT. THE DATA WAS BEEN ADJUSTED USING THE COLLIER'S RULE.
 - 2) THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 5034 FEET.
 - 3) THE EQUIPMENT USED FOR FIELD MEASUREMENTS IS NEISS 302 TOTAL STATION.
 - 4) THE COORDINATE DATA FOR THIS PLAT: MAGNETIC.
 - 5) ALL IRON PINS FOUND ON SITE ARE 1/2" DIAMETER REBAR UNLESS OTHERWISE SPECIFIED.
 - 6) THE REFERENCES FOR THE SUBJECT PROPERTY ARE OS 407, PG. 384 & OS. 388, PG. 384.

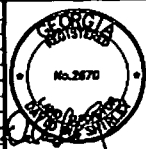
- LEGEND**
- IRON PIN SET
 - PROPERTY CORNER
 - SET POINT MARKER
 - CTP CORN TOP PIPE
 - CTP CEMENT TOP PIPE
 - RAW RIGHT OF WAY
 - DB DEED BOOK
 - FB PLAY BOOK
 - PG PAGE
 - IPP IRON PIN SET
 - IPP IRON PIN FOUND
 - L.L. LAND LOT
 - NO CURSION
 - P.A.S. POINT OF BEGINNING
 - U UTILITY POLE
 - OVERHEAD POWER LINE
 - LAND LOT LINE
 - TH TREE WYCKOFF

ADDRESSES:
 TRACT A: 8071 EAST CHEROKEE DRIVE, CANTON GA 30115
 TRACT B: NONE

AREA OF TRACT A: 87.946 ACRES
AREA OF TRACT B: 14.573 ACRES
TOTAL AREA OF SUBJECT PROPERTY:
102.519 ACRES

FLOOD NOTE
 A PORTION OF THIS PARCEL OF LAND LIES IN THE ZONE A FLOOD HAZARD AREA ACCORDING TO CHEROKEE COUNTY FLOOD MAPS (REVISION DATED 1982) AND (REVISION DATED 2002).

REVISIONS		
NO.	DATE	DESCRIPTION
0	04-11	PRELIMINARY SURVEY ISSUED
1	07-2011	MISSING COLLETT - NO. 2670 BOUNDARY
2	08-2011	ADD ADDITIONAL ADJACENT PROPERTY DETAILS
3	03-04-2012	SURVEY RELATED FOR RECORDING
4	03-23-2012	CHEROKEE COUNTY COMMENTS ADDRESSED
5	5-4-12	added owners certification



D&S LAND SURVEYING
 211 RED FOX DR., PO BOX 488, CANTON, GA 30114
 770-720-4400 DMS@CANTONLANDSURVEYING.COM

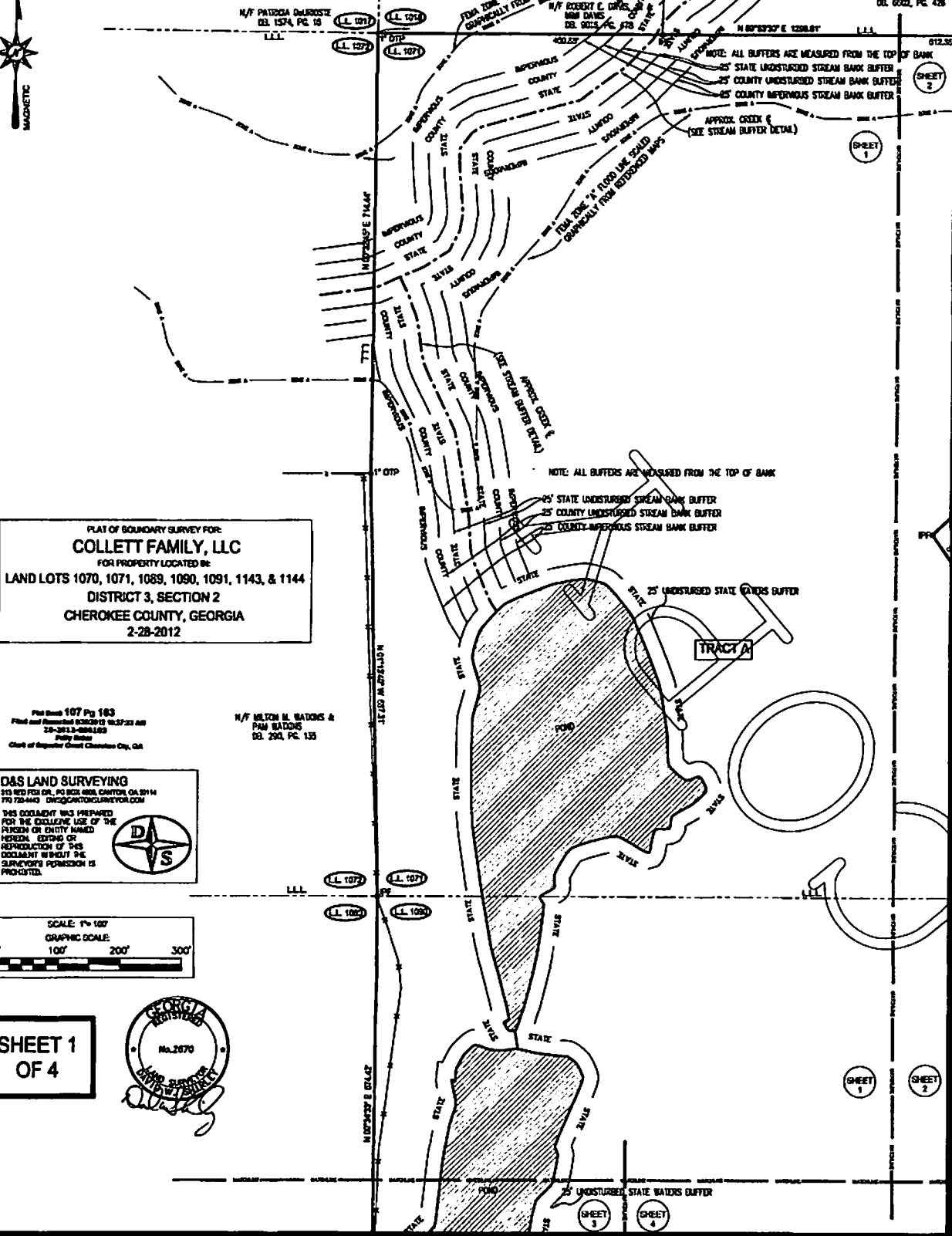
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FIELD WORK: 04-11
DRAWN BY:
CHECKED BY: DMS

COVER SHEET

Plan Book 167 p. 162
 Filed and Recorded 8/27/2012 10:23:33 AM
 2012-002163
 Perry Baker
 Clerk of Superior Court Cherokee Co., GA




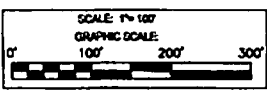
PLAT OF BOUNDARY SURVEY FOR:
COLLETT FAMILY, LLC
 FOR PROPERTY LOCATED IN:
 LAND LOTS 1070, 1071, 1089, 1090, 1091, 1143, & 1144
 DISTRICT 3, SECTION 2
 CHEROKEE COUNTY, GEORGIA
 2-28-2012

Plat Book 107 Pg 163
 Filed and Recorded 03/29/12 10:37:23 AM
 28-2012-000103
 Patty Baker
 Clerk of Superior Court Cherokee Co., GA

M/F MILTON M. WATSON &
 PAW BADDIS
 DE. 250, PC. 135

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 770 730-4440 DSD@CANTONLANDSURVEYING.COM

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SHEET 1
 OF 4



107 pg 163
 Plat Book
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N/F MARTA GRAY &
KATHY GRAY
DL 6502, PG. 428

N/F ROBERT E. DAVIS &
DILLI L. DAVIS
DL 774, PG. 374

N/F LAURA G. WELLSHAM
DL 2221, PG. 114

N/F EDITH H. HYDE &
VIRGINIA CAR. HYDE
DL 8974, PG. 41

N/F JOHN W. COLLETT, JR.
DL 1007, PG. 29

N/F JAMES PLUMLEY &
NANCY PLUMLEY
DL 2258, PG. 32

TRACT A

N/F DEBBIE L. LESTER
DL 7031, PG. 07

N/F DEBBIE L. LESTER
DL 7031, PG. 07

N/F DEBBIE L. LESTER
DL 7031, PG. 07

ON THE TOP OF BANK
ONE BUFFER
BANK BUFFER
BANK BUFFER


(SHEET 1)
(SHEET 2)

(SHEET 1)
(SHEET 2)


(SHEET 3)
(SHEET 4)

PLAT OF BOUNDARY SURVEY FOR
COLLETT FAMILY, LLC
FOR PROPERTY LOCATED IN
LAND LOTS 1070, 1071, 1089, 1090, 1091, 1143, & 1144
DISTRICT 3, SECTION 2
CHEROKEE COUNTY, GEORGIA
2-28-2012

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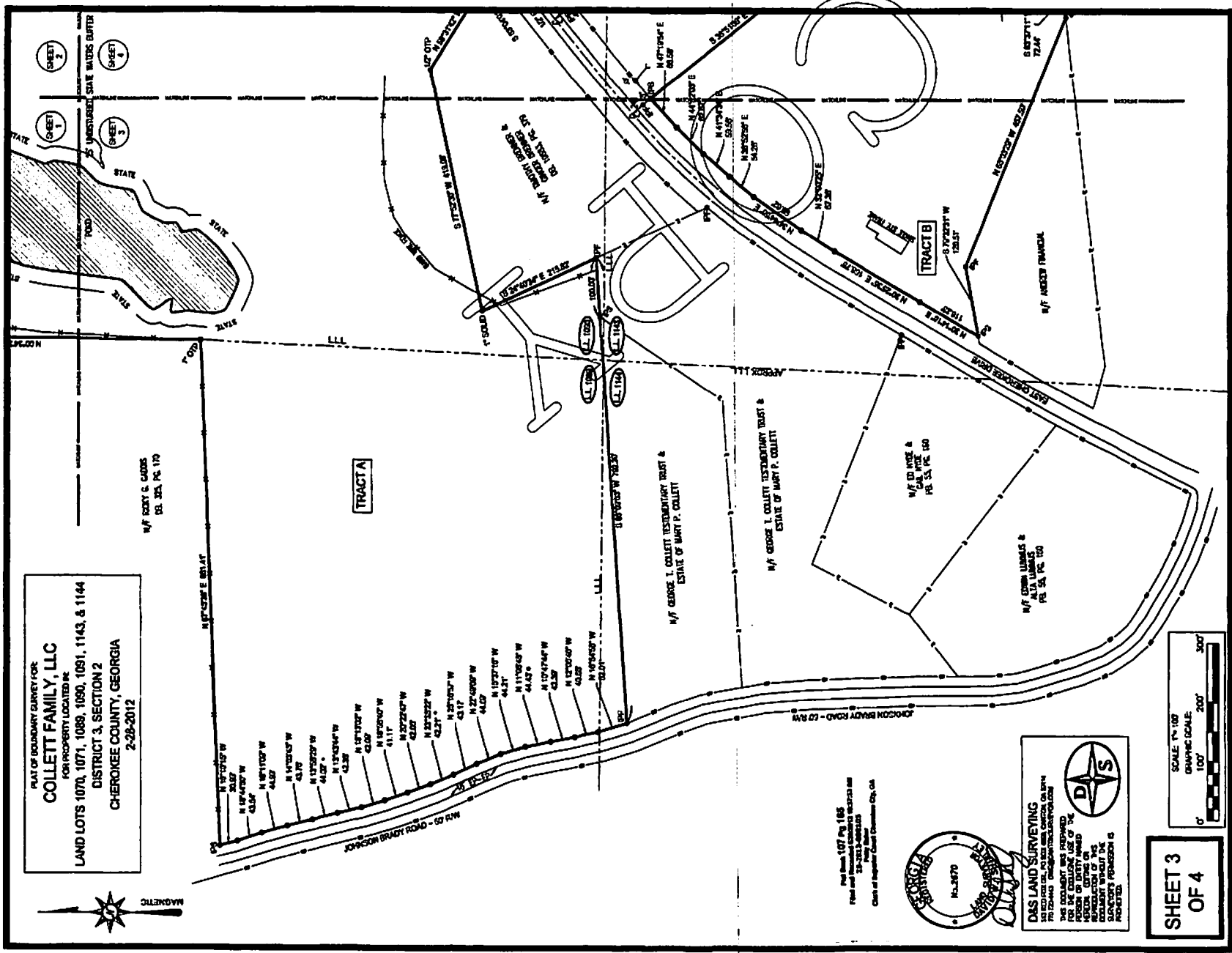
SCALE: 1"=100'
GRAPHIC SCALE:
0' 100' 200' 300'



Plat Book 107 Pg 164
Filed and Recorded 02/28/12 08:27:23 AM
20-2813-000104
Patty Baker
Clerk of Superior Court Cherokee Co., GA

**SHEET 2
OF 4**

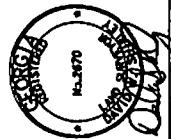
Plat Book 107 n 164
Filed and Recorded 07/20/12 12:37:33 AM
20-2813-000104
Patty Baker
Clerk of Superior Court Cherokee Co., GA



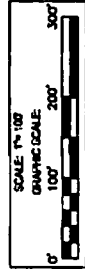
PART OF BOUNDARY SURVEY FOR
COLLETT FAMILY, LLC
 FOR PROPERTY LOCATED IN
 LAND LOTS 1070, 1071, 1089, 1090, 1091, 1143, & 1144
 DISTRICT 3, SECTION 2
 CHEROKEE COUNTY, GEORGIA
 2-28-2012



Part Book 107 Pg 165
 Filed and Recorded 12/21/2012 10:27:33 AM
 Party Date
 12/21/2012 10:27:33 AM
 Clerk of Superior Court Cherokee City, GA

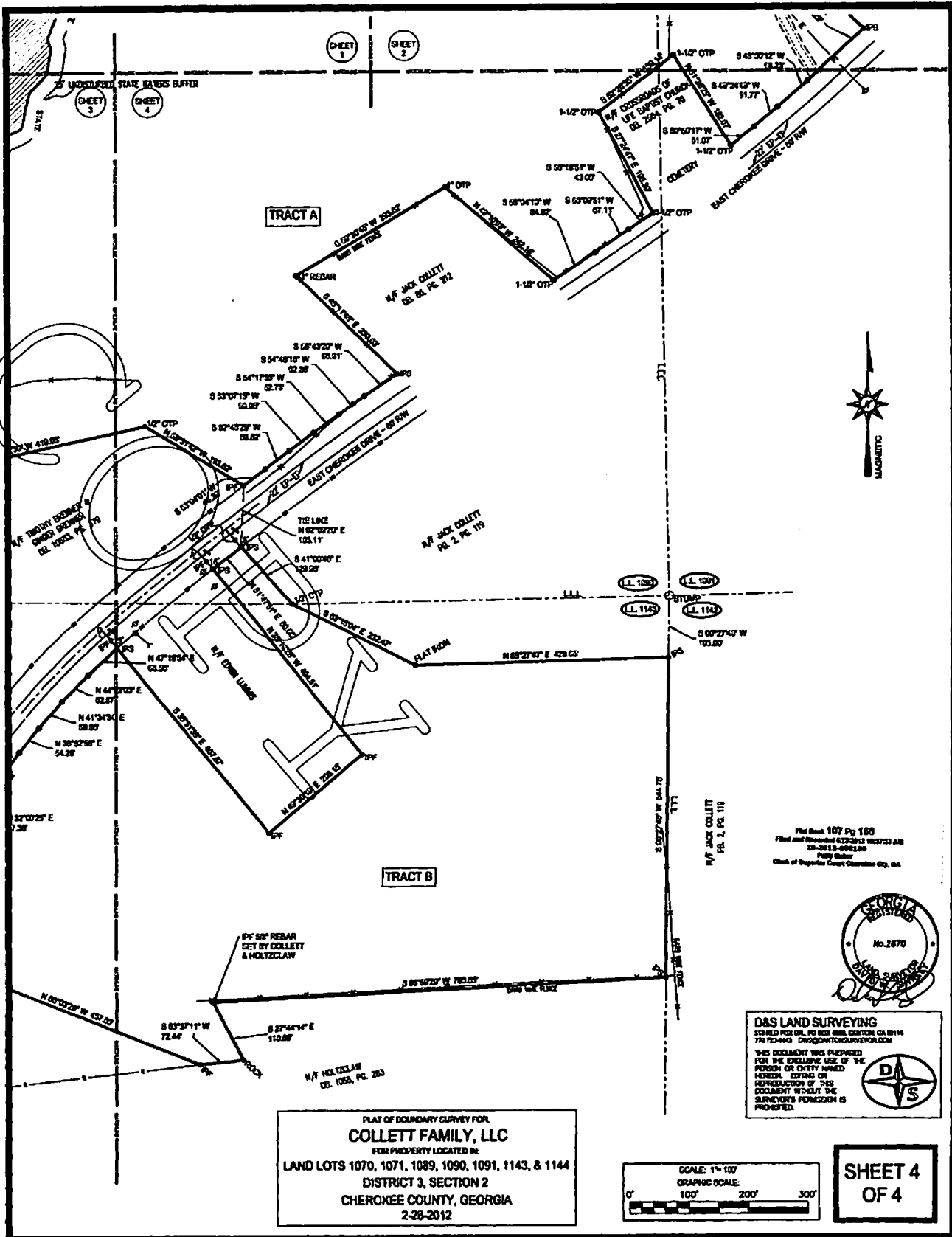


D.A.S. LAND SURVEYING
 5410 COLUMBIAN AVENUE, SUITE 100
 CHEROKEE, GEORGIA 30513
 THIS DOCUMENT WAS PREPARED
 BY ME OR UNDER MY CLOSE PERSONAL
 SUPERVISION AND I AM A LICENSED
 SURVEYOR IN THE STATE OF GEORGIA.
 I CERTIFY THAT THE INFORMATION
 CONTAINED HEREIN IS TRUE AND
 CORRECT TO THE BEST OF MY KNOWLEDGE
 AND BELIEF.

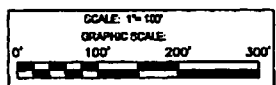


SHEET 3
OF 4

Plat Book 107 Pg 166
 Filed and Recorded L107/166 10/27/2011 10:27:23 AM
 20' x 20' Scale
 Clerk of Superior Court Cherokee Co., GA



PLAT OF BOUNDARY CURVE FOR
COLLETT FAMILY, LLC
 FOR PROPERTY LOCATED IN
 LAND LOTS 1070, 1071, 1089, 1090, 1091, 1143, & 1144
 DISTRICT 3, SECTION 2
 CHEROKEE COUNTY, GEORGIA
 2-28-2012



SHEET 4
OF 4

Plat Book 107 Pg 166
 Filed and Recorded L107/166 10/27/2011 10:27:23 AM
 20' x 20' Scale
 Clerk of Superior Court Cherokee Co., GA

D&S LAND SURVEYING
 153 OLD FORD DR., PO BOX 4984, CHEROKEE, GA 30714
 770-752-4943 D&S@GATORLANDSURVEYING.COM

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REVISED
1/13/17

TRACT - A
AREA = 87,144 ACRES
EXISTING ZONING: A-G
PROPOSED ZONING: R-20 "CONSERVATION"
NUMBER OF LOTS: 127
OPEN SPACE & BUFFERS: 38.7 ACRES OR 44%

TRACT - B
AREA = 14,578 ACRES
EXISTING ZONING: A-G
PROPOSED ZONING: R-20
NUMBER OF LOTS: 23



1	UP - 8" DIA. UTILITY
2	UP - 12" DIA. UTILITY
3	UP - 18" DIA. UTILITY
4	UP - 24" DIA. UTILITY
5	UP - 30" DIA. UTILITY
6	UP - 36" DIA. UTILITY
7	UP - 42" DIA. UTILITY
8	UP - 48" DIA. UTILITY
9	UP - 54" DIA. UTILITY
10	UP - 60" DIA. UTILITY
11	UP - 66" DIA. UTILITY
12	UP - 72" DIA. UTILITY
13	UP - 78" DIA. UTILITY
14	UP - 84" DIA. UTILITY
15	UP - 90" DIA. UTILITY
16	UP - 96" DIA. UTILITY
17	UP - 102" DIA. UTILITY
18	UP - 108" DIA. UTILITY
19	UP - 114" DIA. UTILITY
20	UP - 120" DIA. UTILITY
21	UP - 126" DIA. UTILITY
22	UP - 132" DIA. UTILITY
23	UP - 138" DIA. UTILITY
24	UP - 144" DIA. UTILITY
25	UP - 150" DIA. UTILITY
26	UP - 156" DIA. UTILITY
27	UP - 162" DIA. UTILITY
28	UP - 168" DIA. UTILITY
29	UP - 174" DIA. UTILITY
30	UP - 180" DIA. UTILITY
31	UP - 186" DIA. UTILITY
32	UP - 192" DIA. UTILITY
33	UP - 198" DIA. UTILITY
34	UP - 204" DIA. UTILITY
35	UP - 210" DIA. UTILITY
36	UP - 216" DIA. UTILITY
37	UP - 222" DIA. UTILITY
38	UP - 228" DIA. UTILITY
39	UP - 234" DIA. UTILITY
40	UP - 240" DIA. UTILITY
41	UP - 246" DIA. UTILITY
42	UP - 252" DIA. UTILITY
43	UP - 258" DIA. UTILITY
44	UP - 264" DIA. UTILITY
45	UP - 270" DIA. UTILITY
46	UP - 276" DIA. UTILITY
47	UP - 282" DIA. UTILITY
48	UP - 288" DIA. UTILITY
49	UP - 294" DIA. UTILITY
50	UP - 300" DIA. UTILITY
51	UP - 306" DIA. UTILITY
52	UP - 312" DIA. UTILITY
53	UP - 318" DIA. UTILITY
54	UP - 324" DIA. UTILITY
55	UP - 330" DIA. UTILITY
56	UP - 336" DIA. UTILITY
57	UP - 342" DIA. UTILITY
58	UP - 348" DIA. UTILITY
59	UP - 354" DIA. UTILITY
60	UP - 360" DIA. UTILITY
61	UP - 366" DIA. UTILITY
62	UP - 372" DIA. UTILITY
63	UP - 378" DIA. UTILITY
64	UP - 384" DIA. UTILITY
65	UP - 390" DIA. UTILITY
66	UP - 396" DIA. UTILITY
67	UP - 402" DIA. UTILITY
68	UP - 408" DIA. UTILITY
69	UP - 414" DIA. UTILITY
70	UP - 420" DIA. UTILITY
71	UP - 426" DIA. UTILITY
72	UP - 432" DIA. UTILITY
73	UP - 438" DIA. UTILITY
74	UP - 444" DIA. UTILITY
75	UP - 450" DIA. UTILITY
76	UP - 456" DIA. UTILITY
77	UP - 462" DIA. UTILITY
78	UP - 468" DIA. UTILITY
79	UP - 474" DIA. UTILITY
80	UP - 480" DIA. UTILITY
81	UP - 486" DIA. UTILITY
82	UP - 492" DIA. UTILITY
83	UP - 498" DIA. UTILITY
84	UP - 504" DIA. UTILITY
85	UP - 510" DIA. UTILITY
86	UP - 516" DIA. UTILITY
87	UP - 522" DIA. UTILITY
88	UP - 528" DIA. UTILITY
89	UP - 534" DIA. UTILITY
90	UP - 540" DIA. UTILITY
91	UP - 546" DIA. UTILITY
92	UP - 552" DIA. UTILITY
93	UP - 558" DIA. UTILITY
94	UP - 564" DIA. UTILITY
95	UP - 570" DIA. UTILITY
96	UP - 576" DIA. UTILITY
97	UP - 582" DIA. UTILITY
98	UP - 588" DIA. UTILITY
99	UP - 594" DIA. UTILITY
100	UP - 600" DIA. UTILITY

CONCEPTUAL ZONING PLAN

MARTIN LAND SURVIVAL, P.C.
MARTIN LAND SURVIVAL, P.C.
1000 W. WASHINGTON STREET
SUITE 1000
ATLANTA, GA 30335
PHONE: (770) 834-0200
WWW.MLSURVIVAL.COM

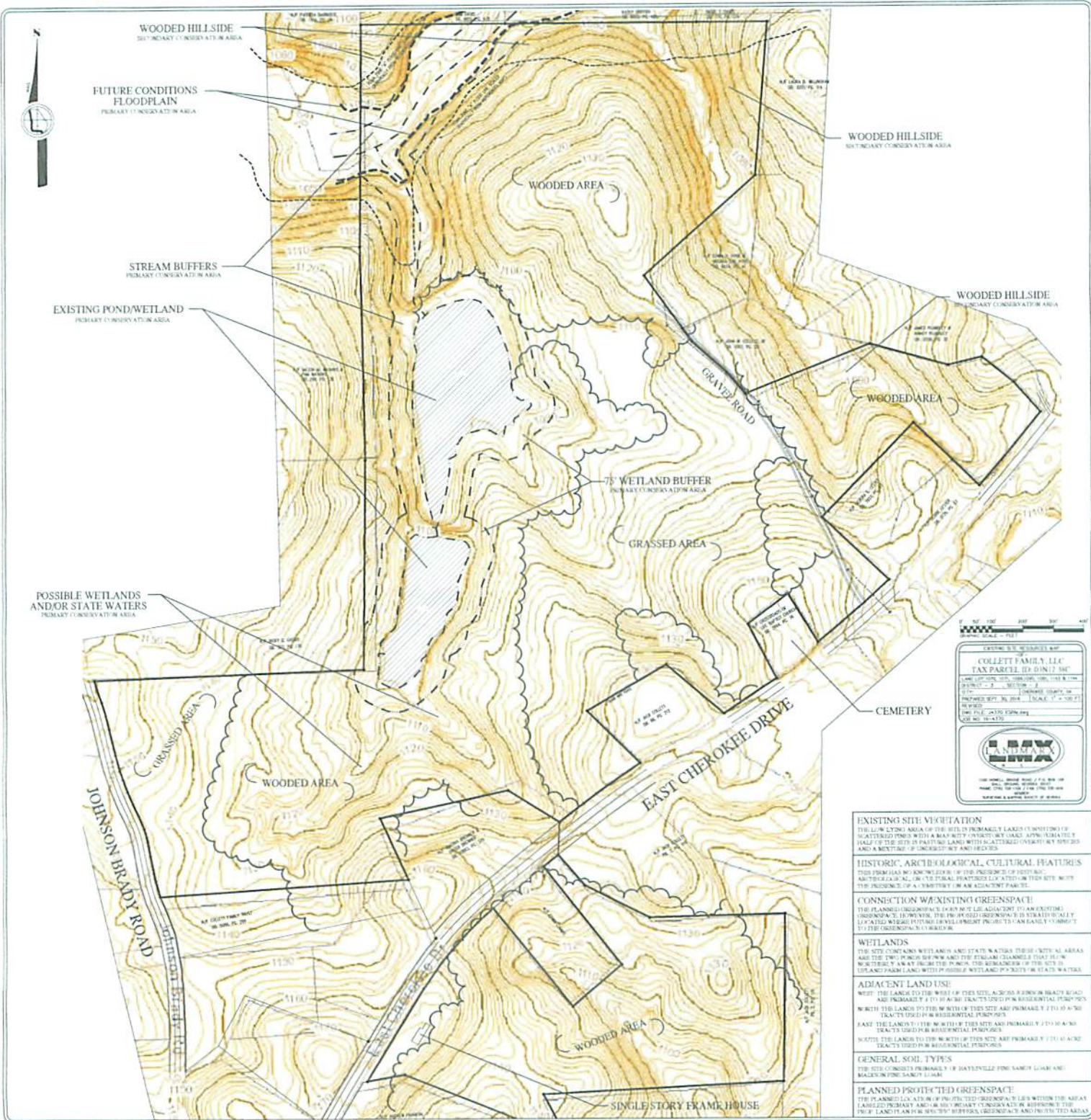
MCM
MCM CONSULTANTS
1000 W. WASHINGTON STREET
SUITE 1000
ATLANTA, GA 30335
PHONE: (770) 834-0200
WWW.MCMCONSULTANTS.COM

COLLETT FAMILY, LLC
LAMB LOTS IN BURNING BROWNS, DISTRICT A, SECTION 2
CITY OF FELD SPUR, CHESTER COUNTY, GEORGIA
PLAT OF FIELD SPUR
PLAT APPROVED: JANUARY 14, 2014
RECORDED: JANUARY 14, 2014
DRAWN BY: ARI HOFFER, P.E. SCALE: 1" = 200' 1/2
FOR THE RECORD CONCEPT ZONING PLAN

GEORGIA81
Engineering & Surveying
1000 W. WASHINGTON STREET
SUITE 1000
ATLANTA, GA 30335
PHONE: (770) 834-0200
WWW.GEORGIA81.COM

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RECEIVED
MAY 10 1964



EXISTING SITE INFORMATION MAP
COLLETT FAMILY, LLC
 TAX PARCEL ID: 00117 001
 LAND LOT 205, 206, 208, 209, 210, 211 & 212
 SECTION 3 - T3N - R10E - S10E
 PLANNED PLOT 26, 204 - MAKE 1 + 200 FT
 1/4 SECTION
 100' FILE 24370 EPH/04/04
 04/10/04

100' SCALE
 1" = 100'
 1" = 200'
 1" = 300'

EXISTING SITE VEGETATION
 THE LOW LYING AREA OF THE SITE IS PRIMARILY LAWN (CONSISTING OF SCATTERED PINES WITH A BARE PATCH) OVERSOWN GRASS. APPROXIMATELY HALF OF THE SITE IS PASTURE LAND WITH SCATTERED OVERBURY WOODS AND A MIXTURE OF UNDERBURY WOODS AND PINE TREES.

HISTORIC, ARCHAEOLOGICAL, CULTURAL FEATURES
 THIS PROJECT HAS NO KNOWN RECORD OF THE PRESENCE OF HISTORIC OR ARCHAEOLOGICAL OR CULTURAL FEATURES LOCATED ON THIS SITE, NOR THE PRESENCE OF A BURIAL OR AN ADJACENT PASTURE.

CONNECTION WITH EXISTING GREENSPACE
 THE PLANNED GREENSPACE DOES NOT ADJACENT TO AN EXISTING GREENSPACE. HOWEVER, THE PLANNED GREENSPACE IS STRATEGICALLY LOCATED WHERE FUTURE DEVELOPMENT PROJECTS ARE LIKELY TO ADJACENT TO THE GREENSPACE.

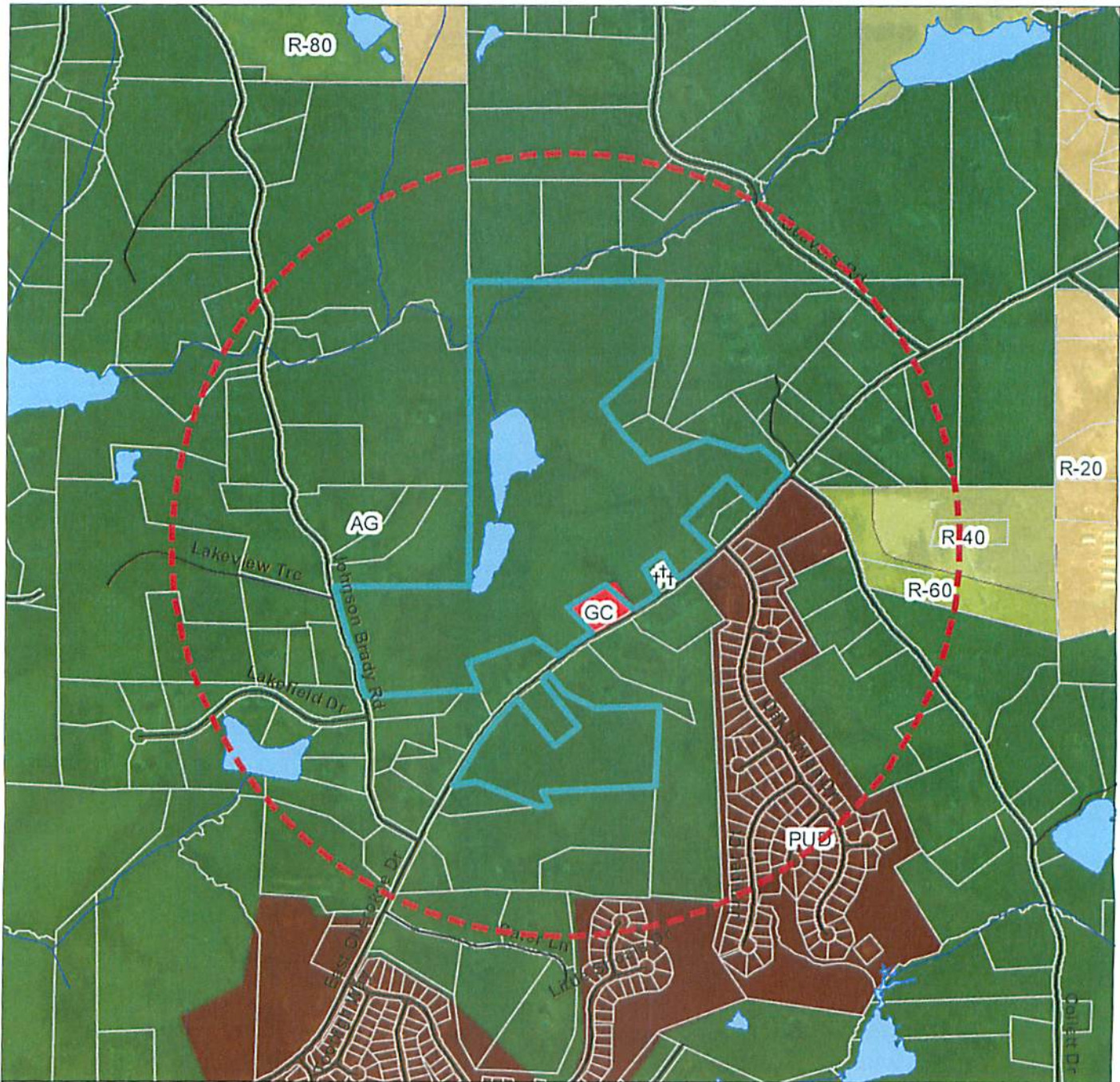
WETLANDS
 THE SITE CONTAINS WETLANDS AND STATE WATERS. THESE STATE WATERS ARE THE TWO POND ON THE WEST AND THE STREAM CHANNEL THAT FLOW NORTH TO THE EAST. HOWEVER, THE REMAINDER OF THE SITE IS USUALLY DRY LAND WITH POSSIBLE WETLAND POTENTIAL IN STATE WATERS.

ADJACENT LAND USE
 WEST: THE LAND TO THE WEST OF THIS SITE, ACROSS RIVER ROAD, ARE PRIMARILY 1/4 TO 3/4 ACRES TRACTS USED IN RESIDENTIAL PURPOSES.
 NORTH: THE LAND TO THE NORTH OF THIS SITE ARE PRIMARILY 1/4 TO 3/4 ACRES TRACTS USED IN RESIDENTIAL PURPOSES.
 EAST: THE LAND TO THE EAST OF THIS SITE ARE PRIMARILY 1/4 TO 3/4 ACRES TRACTS USED IN RESIDENTIAL PURPOSES.
 SOUTH: THE LAND TO THE SOUTH OF THIS SITE ARE PRIMARILY 1/4 TO 3/4 ACRES TRACTS USED IN RESIDENTIAL PURPOSES.

GENERAL SOIL TYPES
 THE SITE CONSISTS PRIMARILY OF HAYESVILLE FINE SANDY LOAM AND BAKER FINE SANDY LOAM.

PLANNED PROTECTED GREENSPACE
 THE PLANNED LOCATION OF PROTECTED GREENSPACE LIES WITHIN THE AREAS LABELED PRIMARY AND/OR SECONDARY CONSERVATION AREAS ON THE PREPARED LAND PLAN FOR SITE 204, 205, 206, 208, 209, 210, 211 AND 212.

Zoning Map



Legend

- | | | |
|---------------------|-------------------------------|----------------------|
| Rezoning Parcel | Cherokee County Zoning | RTH |
| School | AG | RM10 |
| Cemetery | R80 | RM16 |
| Church | R60 | PUD |
| Street | R40 | OI |
| 1/2 Mile Radius | R30 | NC |
| 100 Year Flood Zone | R20 | GC |
| Park | R15 | LI |
| | RD3 | HI |
| | R10 | Bell's Ferry Overlay |
| | RZL | Hwy 92 Overlay |
| | RA | |



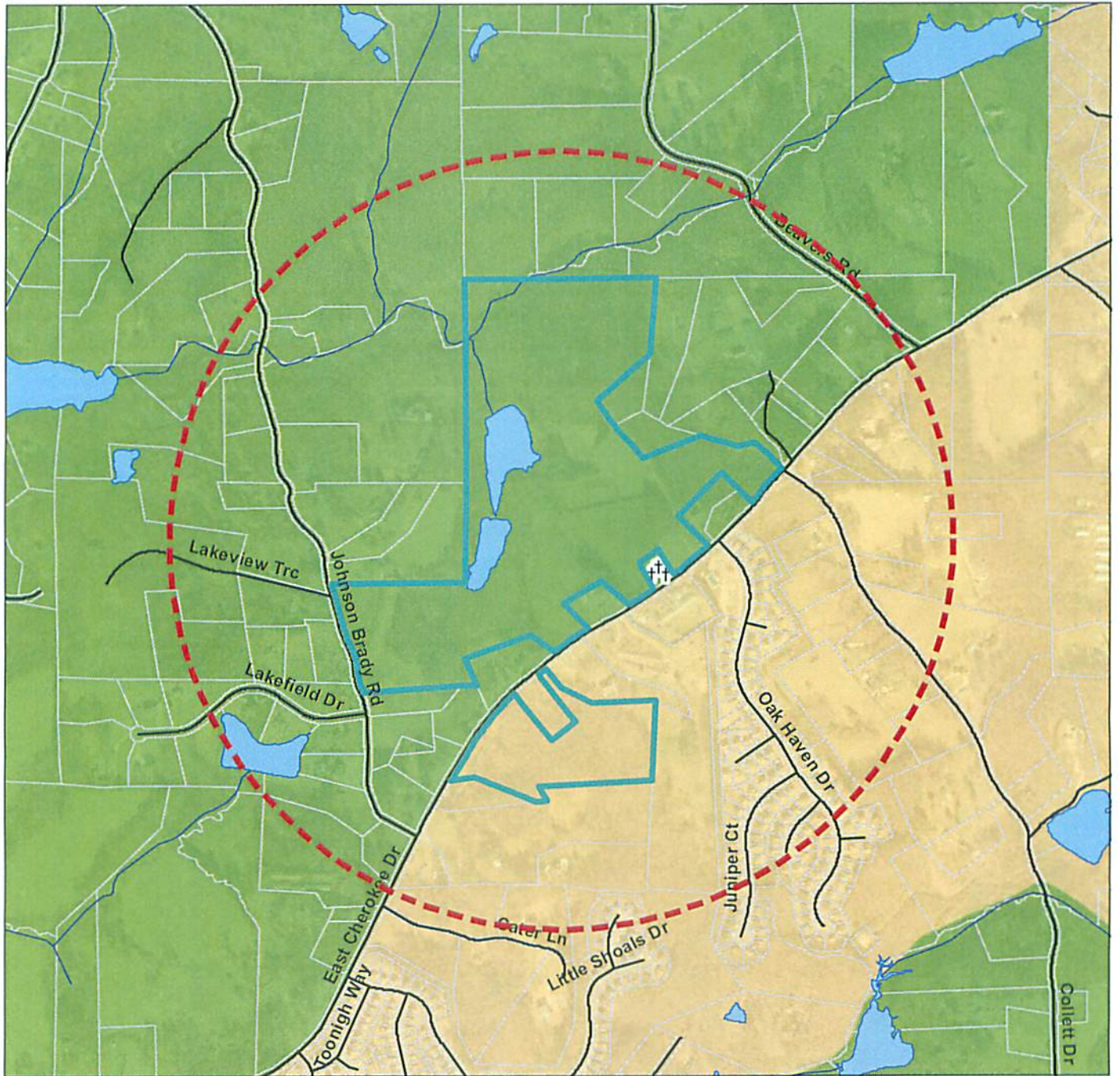
This map has been compiled from the most up to date and reliable sources available. Cherokee County is not responsible for errors and omissions contained in this map. No warranties or representations are expressed or implied in fact or in law.



Prepared by:
Cherokee County
Planning and Land Use
Canton, Georgia
31 October 2016

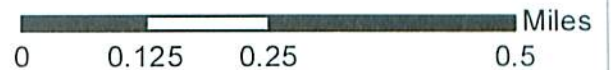


Future Development Map



Legend

- | | | |
|---------------------|--------------------------|------------------------|
| Rezoning Parcel | Development Nodes | Character Areas |
| School | County Crossroads | Natural Preserve |
| Cemetery | Hamlet | Rural Places |
| Church | Neighborhood Village | Country Estates |
| Street | Community Village | Suburban Growth |
| 1/2 Mile Radius | Corridors | Suburban Living |
| 100 Year Flood Zone | Scenic Corridor | Neighborhood Living |
| Park | Transitional Corridor | Bells Ferry LCI |
| | Development Corridor | 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
31 October 2016



Bray & Johnson

Attorneys at Law

10 North Street, Canton, GA 30114

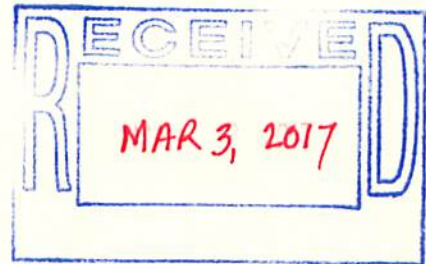
Roger M. Johnson
H. Michael Bray
Jennifer S. Gill
Derek S. Poarch

P. O. Box 1649
Canton, Georgia 30169

Telephone 770-479-1426
Facsimile 770-479-6488

March 3, 2017

Cherokee County Board of Commissioners
Cherokee County Zoning Board
1130 Bluffs Parkway
Canton, GA 30114



RE: **Public Participation Meeting Report**
Applicant: Collett Family, LLC

Dear Commission Members:

The public participation meeting on behalf of applicant, Collett Family, LLC, was held at R.T. Jones Memorial Library on March 1, 2017. The meeting began at 6:30 p.m. and did not conclude until 7:30 p.m.

In accordance with the requirements of the Cherokee County Ordinance notice of the meeting was provided to all of the parties as identified by the Cherokee County Planning & Zoning Department.

Included in this summary is a copy of the notice sent to property owners and interested parties, the attendee's signature list, and our certificates of mailing.

At the meeting the content of the zoning proposal was submitted to the people in attendance. The floor was open for discussion and there was a discussion concerning the Collett Family, LLC's application for rezoning.

In the opinion of the undersigned (presenter) there was not a lot of a concern, issues or problems expressed during the meeting.

Some of the attendees wanted to if there would be access an entrance off Johnson Brady Road. It was explained that under this application there would not be an entrance on Johnson Brady Road and the only entrance would be on East Cherokee Drive.

There were questions about the definition of R-30 and R-20. A good faith effort was made to explain the definitions of R-30 and R-20 and explain the concept of a conservation subdivision.

There was inquiries concerning the buffers presented on the plan and there was an effort to explain the buffers.

It was further explained that the next process would involve a presentation to the Planning Board for Cherokee County and their decision would be forwarded to the Board of Commissioners of Cherokee County for a final decision.

The presenter offered to provide copies of the site plan to people in attendance and copies were made and provided. It was further presented to the attendees that if anyone else wanted more information or a copy of the site plan it would be provided by the applicant. One person requested a copy of the site plan by email and that has been accomplished by counsel for applicant.

Many of the attendees were personally acquainted with members of the Collett Family, and were familiar with the attorney for applicant. Consequently, they were informed to feel free to contact the family's representative, Terry Hyde, or to contact the attorney for Applicant, H. Michael Bray, for the discussion of any issues or perceived problems.

Additionally, some attendees wanted to know the difference between this plan and the one previously presented and those differences were discussed in some detail.

There was a total of 26 attendees, with family members and friends of the family members in numbered about 8 to 10 of the attendees. There was some support for the application by the attendees.

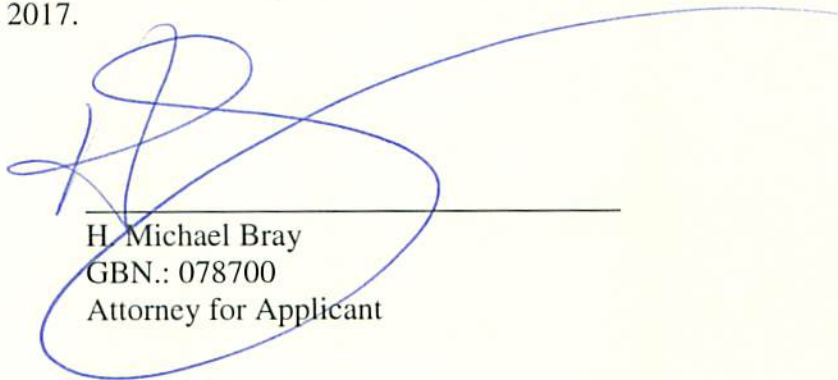
Frankly nobody expressed serious objection to the plan except for the fact that some people would like things to remain the same and no changes be made in the area.

In conclusion, it was clear that most of the attendees had specific questions about the intended development of the property. Consequently, it was explained that it was a request for an R-30 subdivision but with the development of a conservation subdivision. It was explained that the small parcel on East Cherokee Drive, 14 acres more or less, was going to be an R-20 development. Questions about an entrance on Johnson Brady Road were addressed and the difference between this plan and the previous application were discussed in detail.

While the attendees did not express any particular concern, issues or problems, there was some inquiry or comment about traffic. Traffic was discussed but no solutions were offered simply because traffic is a matter of a multitude dynamics including the fact that East Cherokee Drive is frequently used by those that don't live in Cherokee County and certainly don't live on East Cherokee Drive. It was acknowledged that a subdivision of 124 homes, and the small development of 14 acres of 23 homes would increase traffic. It is obvious that anybody who builds a home off East Cherokee Drive will increase traffic.

Nevertheless, it was a good meeting with the people in attendance with no expression of strong issues or problems of the Collett family having an opportunity to develop their property.

Respectfully submitted for the consideration of the Planning Board and the Board of Commissioners, this 3 day of March, 2017.

A large, stylized handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

H. Michael Bray
GBN.: 078700
Attorney for Applicant

PLEASE SIGN IN

	NAME	ADDRESS	TELEPHONE NUMBER	EMAIL ADDRESS
1.	Debbie Negley		404- (642-1070	dynegley@gmail.com
2.	James & Nancy Plumley		770-656- 790 -8289	nancy Plumley @windstream.net
3.	Pam Watkins	630 Johnson Brady Rd	404 731 8268	pswcajun@gmail
4.	Toni Chumley David Chumley	459 Johnson BRADY ROAD	678-6898 4924	
5.	BRUCE CROUCH PAT CROUCH	443 Johnson Brady Road	404-580 7176	bcrouch@windstream.net
6.	Doris Hyde	7554 East Cker. Canton, Dr	770-479- 2860	
7.	Hail Kypis	7631 EDWARDS CANTON, GEORGIA	770 479 4142	
8.	John Kasper	262 Johnson BRADY Canton 30113	404-384 6418	Lestrekasper@ comcast.net
9.	Ed Wyle	7631 E Cherokee	770 478 442	
10.	Hugh Ray Janie Ray	820 Johnson BRADY Rd	770-479-0379	

PLEASE SIGN IN

	NAME	ADDRESS	TELEPHONE NUMBER	EMAIL ADDRESS
11.	Alta Lummus	7601 E Cherokee Rd Canton, GA	770 853 0224	
12.	Russell Johnson		770-853 8231	
13.	Becky Lummus	7808 E. Cherokee Canton, GA 30115	404- 387-2488	becky.lummus@gmail.com
14.	Tony Lummus	7808 E. Cherokee Canton, GA 30115	678- 787-7455	
15.	Joel Van Wyk		770 490 7458	
16.	DALE BURKE	337 Johnson Brady Canton, GA	404 4345433	daleburke @yaloo.com
17.	Hurt Jahon	Property owner 2468 E Cherokee Rd	770 479-4045	none
18.	John Collett	130 New ST Barford	770 945 6103	none
19.	Connie Savage	76 Chippewa Rd Crawfordville, FL 32324	850-509 6345	none
20.	Gary Kaynoski	1000 Lakewood Trail Canton, Ga 30115	678-723-5833	gt16fr@gmail.com

PLEASE SIGN IN

	NAME	ADDRESS	TELEPHONE NUMBER	EMAIL ADDRESS
21.	Bob Nealey	286 Randy Lane	678-393-9744	RobertNealey@att.net
22.	Rita Nealey	286 Randy Lane Canton	678-393-9744	
23.	Tammy Mason	1714 Batesville Rd Canton, GA 30115	770-345-2220	Thmason1107@gmail.com
24.	Mitch Mason	"	"	mmason20@windstream.net
25.	DAVE DAVIS	Beavers Rd.	7-5064950	dodavis@rcdcsys.com
26.	Carolyn Collett	7872 E. Cherokee	770 605 4647	-
27.				
28.				
29.				
30.				



**Cherokee County, Georgia
Agenda Request**

Item#: 1.

SUBJECT: **MEETING DATE:**
Discuss Amendments to Article 18 of the Zoning Ordinance 6/19/2017

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:
