



Cherokee County Planning Commission Public Hearing AGENDA

July 11, 2017
Cherokee Hall 7:00 PM

CALL TO ORDER

ZONING CASES

1. 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.

OTHER BUSINESS

1. Discuss Amendments to Article 18 of the Zoning Ordinance

APPROVAL OF MINUTES

1. May 15, 2017 Work Session Minutes

Approval of Minutes

2. June 6, 2017 Minutes

Approval of Minutes

ADJOURN



Cherokee County, Georgia
Agenda Request

Item#: 1.

SUBJECT:

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

MEETING DATE:

7/11/2017

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.

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"/> Staff Report	Exhibit
<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
<input type="checkbox"/> Revised Existing Site Resources	Exhibit



Staff Report

Case No: 16-12-045
Applicant Name: Michael Bray for Collett Family, LLC.
Location: Northwest and Southeast sides of East Cherokee Drive between Johnson Brady and Beavers Road (03N12, 038A)
From/To: AG to R-20 and R-30
Proposed Use: A Subdivision of (154?) 150 Single-Family Homes
Commission Post: 1

	Existing Zoning	Existing Land Use
North	AG	Rural Residential
South	GC, AG and PUD	Commercial, Residential and Manor at Mill Creek
East	AG	Rural Residential
West	AG	Rural Residential

Future Development Map

Character Area/Node/Corridor	Description
Country Estates	Area of low intensity land use with a mixture of single-family housing on large lots and farms. (Suggested zonings: AG and R-80)
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)

Analysis and Comment

The subject parcel totals 102.519 acres (87.94 acres of R-30 single-family detached houses and 14.573 acres of R-20 single family detached houses) and lies on northwest and southeast sides of East Cherokee Drive between Johnson Brady Road and Beavers Road. The latest Public Participation Meeting was held on March 1, 2017 with 30 attendees signing in. An Existing Site resource map was submitted as well. This application has been evaluated and is not consistent with the Future Development Map designation of Country Estates and Suburban Growth.

1 Findings

1.1 Engineering Department

- Attached.

1.2 Cherokee County Water and Sewerage Authority

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1.3 Cherokee County Board of Education

- The Board of Education anticipates 112 students from 154 single family residences, however, the site plan reflects 150 lots resulting in possible 109 students. Affected schools are Avery Elementary (86.38%), Creekland Middle (116.08%), and Creekview High (103.53%).

1.4 Fire Marshal's Office

- No report received.

1.5 Sheriff's Office

- No report received.

Case # 16-12-045 - Community Agenda Analysis

Section 1 – Community Vision

Community	East Cherokee Drive, east of Johnson Brady 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-30 and R-20 for a single family residential subdivision.

Section 2 - Core Issues

Project Supports

Planning for Sustainable Growth	This location has most infrastructure and services nearby.
Housing Choice	This project could offer more housing options in the area.
Designing with the Environment	As part of the Conservation design, at least 40% of the gross tract area will be greenspace.

Project is Neutral

Preserve and Enhance Sense of Place	No evidence of impact.
Diverse Economic Opportunities	While there may be a temporary increase in construction related jobs, there is no evidence of positive long-term impact.
Land Use Patterns that Promote Connectivity and Mobility	No evidence of impact.
Aging in Place	No evidence of impact.

Project Neglects

Section 3 – Character Area Description

Character Area	Country Estates
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The Country Estates Character Area seeks to provide a low-intensity residential community. Areas within this Character Area are sparsely developed and sometimes contain agricultural production, or have been developed as "estate farms" or large-lot subdivisions. Suggested zoning districts are AG and R-80. This project is not consistent with the Character Area.

Character Area	Suburban Growth
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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. Conservation subdivisions are a primary land use. Suggested zoning districts are R-80, R-60, and R-40. Although PUD is nearby, this project is not consistent with the Character Area.



REZONING MEMORANDUM

Case Number: 16-12-045

Applicant: Collett Family, LLC

Current Zoning: AG

Proposed Zoning: R-30 & R-20

● **Transportation:**

- **Primary Public Access** – The primary public access for the property in this application is East Cherokee Drive. East Cherokee Drive is a two lane major collector roadway. The geometry on the road at the location of this application is generally good. In 2012, the Georgia DOT recorded 5,870 vehicles per day on East Cherokee Drive just north of the property.
- **Planned Improvements** – Cherokee County has no improvements planned for this section of East Cherokee Drive.
- **Trip Generation** – Based on the current zoning compared to the proposed zoning, the difference in trip generation if the property was developed under each condition is an increase of 1,024 vehicles per day.

Zoning	Units	Trips Per Day
Current AG	51 single family	488
Proposed R-30 & R-20	158 single family	1,512

- **Development Related Improvements** – The Engineering Department will determine any necessary improvements to East Cherokee Drive when the applicant applies for access along that route. It should be expected that the entrances will require a left turn lane as well as a deceleration lane.

● **Stormwater:**

- **Flood Plain or Wetlands on Property** – Yes, approximately 3% is in the flood plain.
- **Runoff Tributary and Basin** – Unnamed tributary of Canton Creek in the Allatoona basin.

● **Conclusion:**

It is the opinion of the Cherokee County Engineering Department that East Cherokee Drive should be able to handle the traffic generated by this application. Both entrances on East Cherokee Drive should include a left-turn lane and a deceleration lane into the proposed developments.

Rezoning Case Impact Report

Jurisdiction		Rezoning Case Number		Applicant Name	
Cherokee County		16-12-045		Collett Family, LLC.	
Acreage	Number of Lots	Current Zoning	Proposed Zoning	Housing Type	
102.519	154	AG	R-30/ R-20	Single Family Residential	
Estimated Student Impact	(1) Additional Capacity Needed	Additional Capacity Cost		(2) Annual Student Cost	
112	5	\$152,727.27		\$800,912.00	
Students	Classroom(s)				
Planning Commission Meeting Date	County Commission/City Council Meeting Date		Map and Parcel		
4/4/2017	4/18/2017		03N12-38A		
Property Description					
Suburban Living					

Affected Schools Capacity Information

Elementary School	ES Enrollment	ES Capacity	% Capacity
Avery ES	1015	1175	86.38%
Middle School	MS Enrollment	MS Capacity	% Capacity
Creeklane MS	1494	1287	116.08%
High School	HS Enrollment	HS Capacity	% Capacity
Creekview HS	1993	1925	103.53%

All Enrollment and Capacities are based on the last published Cherokee County Inventory of School Housing (CCISH) Numbers

It is the position of CCSD that all developers should attempt to mitigate as much of the impact of their proposed development as possible. In every such case, the district designates a minimum contribution expected to help provide adequate facilities for the school age children who will occupy the residences in the development.

Please recommend to all Residential Zoning applicants to contact Mitch Hamilton at 770-721-8429 to discuss mitigation of their subdivision prior to appearing before the Zoning Board. If the applicant cannot meet during that time period, we request that the Zoning Board put a condition on the zoning so they must meet with Mr. Hamilton prior to the City Council/County Commission Meeting.

The 2014 estimated cost for building an elementary school is 22 to 27 million dollars, middle school is 35 to 40 million, and the cost of building a high school is 55 to 60 million

(1) - All increases to student enrollment should be considered cumulative in nature. All recent cases will impact the affected Schools. The School District may have to transport the students of any given development to an alternate district due to over-enrollment.

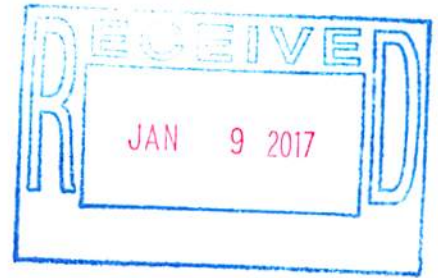
(2) - Additional Capacity Calculations are based on adding Mobile Units to existing campus facilities at the following rate: 1 Mobile Unit = 2 Classrooms with a cost of \$60,000/Mobile Unit

(3) - Annual Cost is calculated using the 2013 General Fund Operating Expenditure cost per pupil of \$7,151.00, and does not count for inflation.



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.

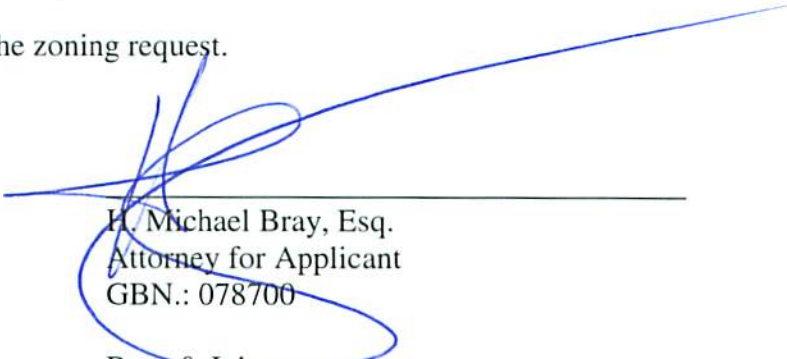
6. Whether the proposed zoning is in conformity with the policy and intent of the land use plan.

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:

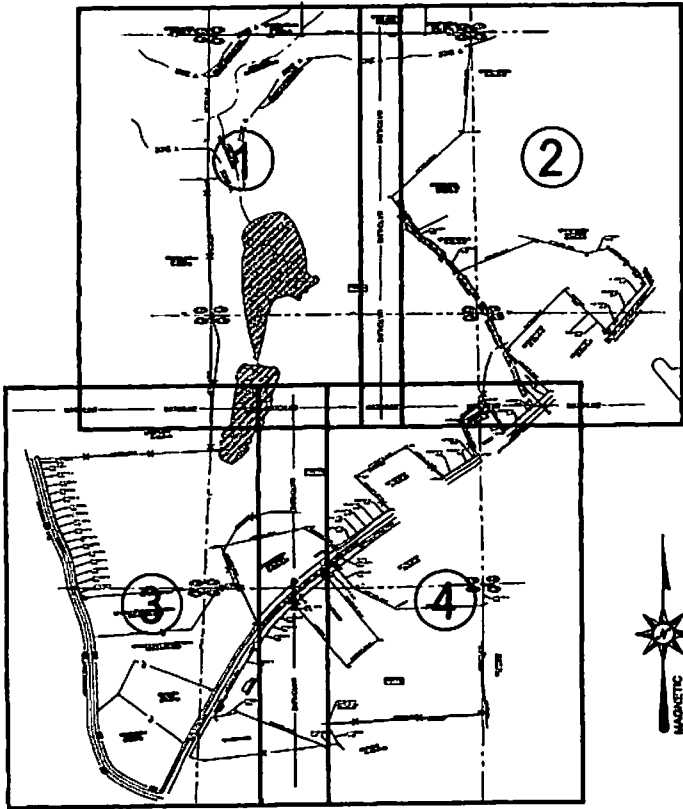
TO ASCERTAIN THE TRUE POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF LAND LOT 1143, BEING THE COMMON CORNERS OF LAND LOTS 1143, 1090, 1091 AND 1142 AT A STUMP, THENCE SOUTH 00 DEGREES, 27 MINUTES, 46 SECONDS WEST ALONG THE EAST LAND LINE OF LAND LOT 105.00 FEET TO AN IRON PIN SET AND THE TRUE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

Pub. Book 187, Pg. 162
 Plat and Original Filed 03/16/2012 AM
 2:30:23 - 08:11:03
 Perry Baker
 Clerk of Superior Court Cherokee Co., GA

PLANNING AND ZONING REQUIRES PLANS 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 CLOSED 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 5000 FEET.
 - 3) THE EQUIPMENT USED FOR FIELD MEASUREMENTS IS NEISS 302 TOTAL STATION.
 - 4) THE CORRECTION DATA FOR THIS PLAT: MAGNETIC.
 - 5) ALL IRON PINS FOUND ON SET ARE 1/2" DIAMETER REBAR UNLESS OTHERWISE SPECIFIED.
 - 6) THE REFERENCES FOR THE SUBJECT PROPERTY ARE: OS: 807, PG. 284 & OS: 308, PG. 284.

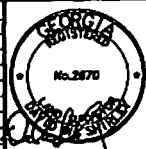
FLOOD NOTE
 A PORTION OF THIS PARCEL OF LAND LIES IN THE ZONE A FLOOD HAZARD AREA ACCORDING TO CHEROKEE COUNTY FLOOD MAPS (REVISION DATED 08/2008 AND REVISIONS DATED 08/2009).

- LEGEND**
- IRON PIN SET
 - PROPERTY CORNER
 - RIGHT OF WAY
 - CTP CORN TOP PIPE
 - CTP CORNED TOP PIPE
 - RAW RIGHT OF WAY
 - DB DEED BOOK
 - FB FLY BOOK
 - PG PAGE
 - IPP IRON PIN SET
 - IPP IRON PIN FOUND
 - LL LAND LOT
 - NO CURSOR
 - P.A.S. POINT OF BEGINNING
 - U UTILITY POLE
 - OVERHEAD POWER LINE
 - LL.L LAND LOT LINE
 - TL TRAIL
 - W WATER

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

REVISIONS	
NO.	DATE
0	04-11
1	07-2011
2	08-2011
3	02-28-2012
4	02-28-2012
5	5-4-12



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: JZ
CHECKED: DMS

COVER SHEET

Pub. Book 187, Pg. 162
 Plat and Original Filed 03/16/2012 AM
 2:30:23 - 08:11:03
 Perry Baker
 Clerk of Superior Court Cherokee Co., GA



N/F MARTA GRIFFIN &
KATHY GORTON
DL. 6032, PG. 428

N/F PATRICKA OHLROSTZ
DL. 1574, PG. 19

N/F ROBERT E. OHLROSTZ
AND DAVID
DL. 9023, PG. 178

N 89°32'37" E 120.81'

SHEET 2

SHEET 1

NOTE: ALL BUFFERS ARE MEASURED FROM THE TOP OF BANK
25' STATE UNDISTURBED STREAM BANK BUFFER
25' COUNTY UNDISTURBED STREAM BANK BUFFER
25' COUNTY IMPERVIOUS STREAM BANK BUFFER

APPROX. CREEK (SEE STREAM BUFFER DETAIL)

NOTE: ALL BUFFERS ARE MEASURED FROM THE TOP OF BANK
25' STATE UNDISTURBED STREAM BANK BUFFER
25' COUNTY UNDISTURBED STREAM BANK BUFFER
25' COUNTY IMPERVIOUS STREAM BANK BUFFER

25' UNDISTURBED STATE WATERS BUFFER

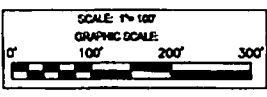
TRACT A

N/F MILTON M. WATSON &
PAW BADDIS
DL. 250, PG. 135

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 02/28/12 10:37:23 AM
28-2012-000103
Patty Baker
Chief of Superior Court Cherokee Co., GA

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SHEET 1
OF 4



SHEET 1

SHEET 2

SHEET 3

SHEET 4

107 Pg. 163
Filed and Recorded 02/28/12 10:37:23 AM
28-2012-000103
Patty Baker
Chief of Superior Court Cherokee Co., GA

N/F MARTA GRAY &
KADY GRAY
DL. 6202, PG. 428

N/F ROBERT E. DAVIS &
ELLIE 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

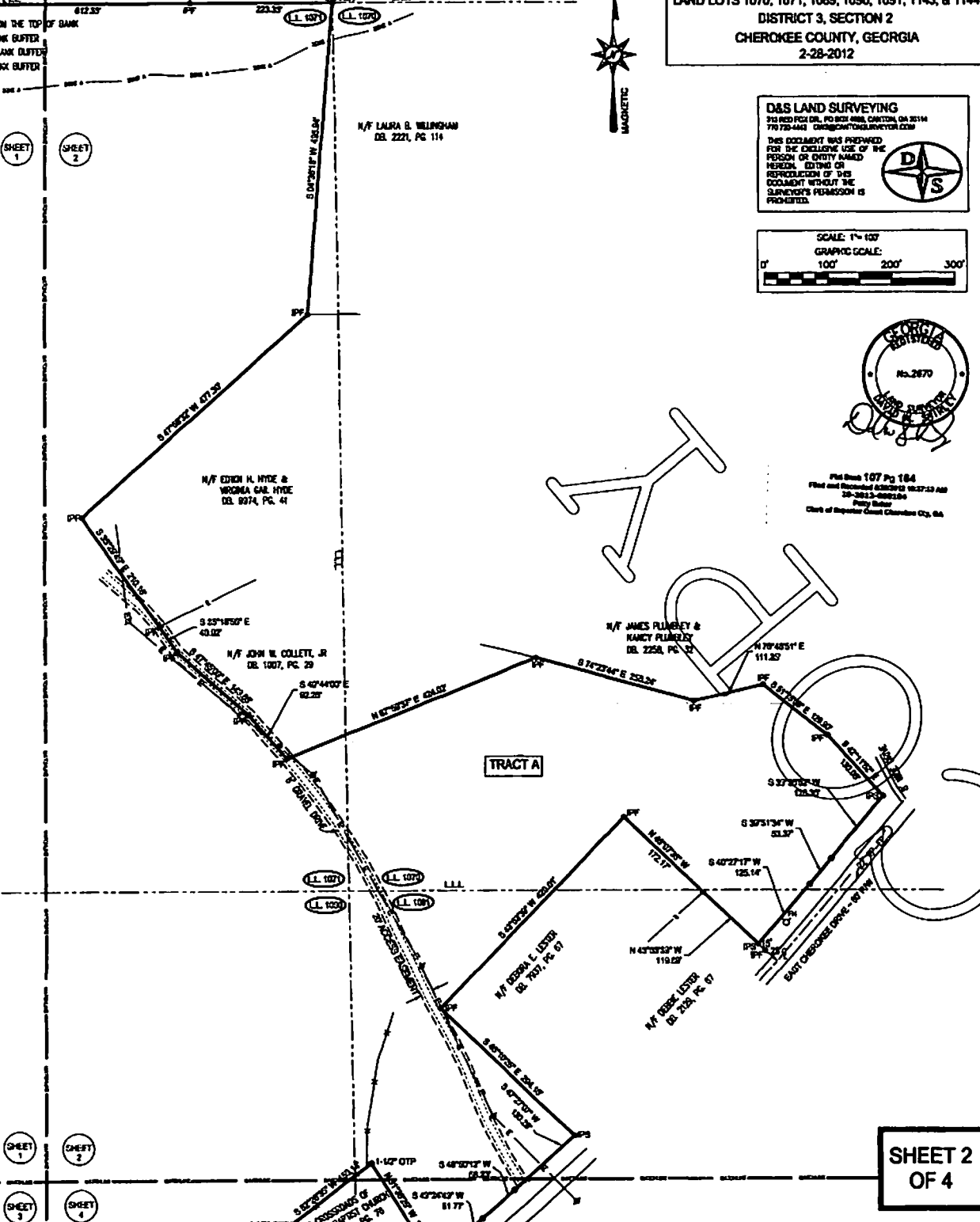
N/F JAMES FLUMBEY &
NANCY FLUMBEY
DL. 2258, PG. 32

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



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

D&S LAND SURVEYING
315 RED FOX DR., PO BOX 8888, CANTON, GA 30114
770 730-4463 CHROCC@DANDSURVEYING.COM

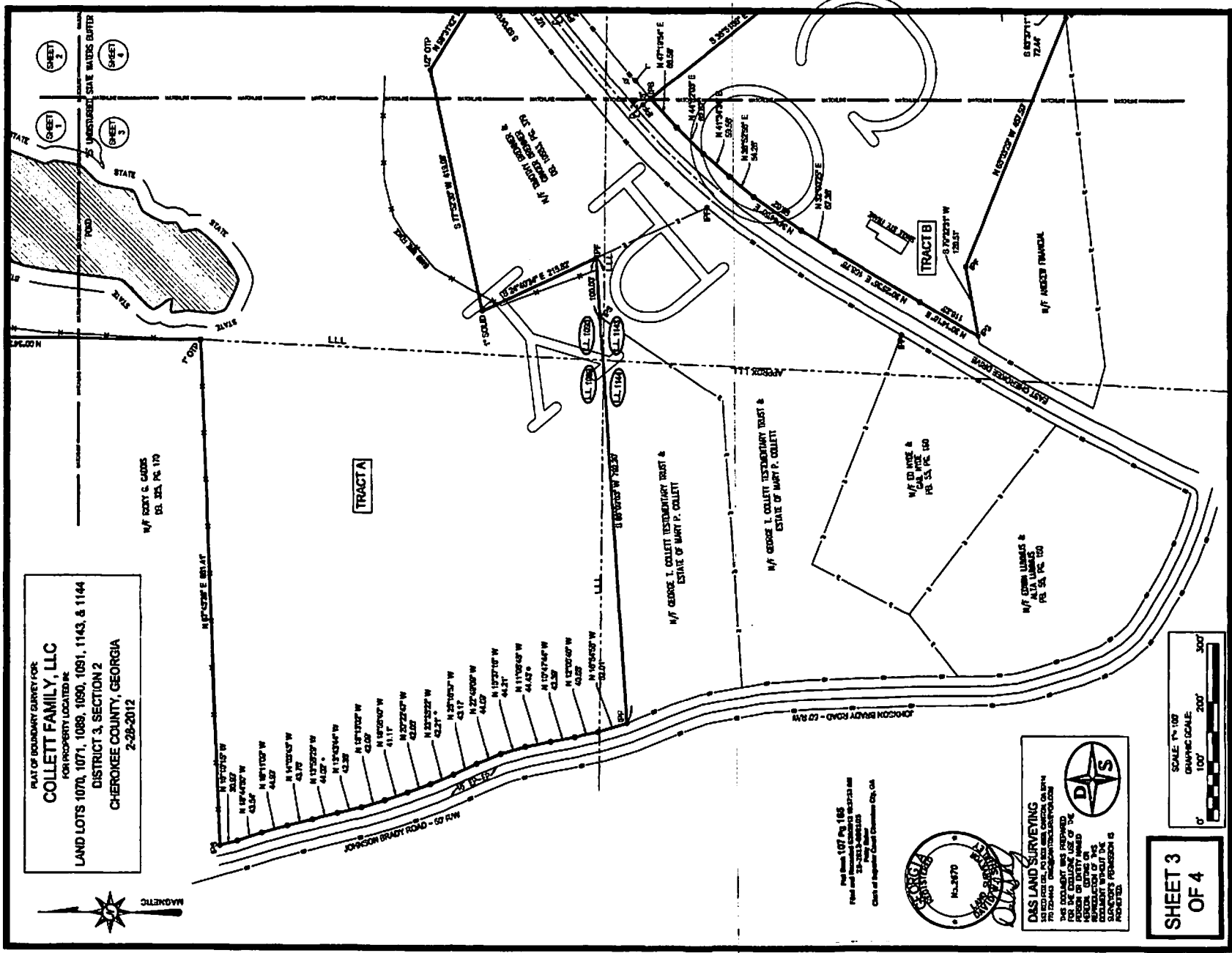
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SCALE: 1" = 100'
GRAPHIC SCALE:
0' 100' 200' 300'

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**

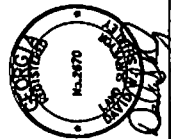
Plat Book 107 n 164
Filed and Recorded 07/20/12 12:37:33 AM
20-2813-000104
Patty Baker
Clerk of Superior Court Cherokee Co., GA



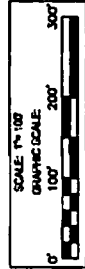
PART OF BOUNDARY SURVEY FOR
COLLETT FAMILY, LLC
 FOR PROPERTY LOCATED IN
 LAND LOTS 1070, 1071, 1089, 1090, 1091, 1143, & 1144
 DISTRICT 3, SECTION 2
 CHEROKEE COUNTY, GEORGIA
 2-28-2012



Part Book 107 pg 165
 Filed and Recorded 12/21/2012 10:27:33 AM
 Entry Date
 12/21/2012 10:27:33 AM
 Clerk of Superior Court Cherokee Co., GA

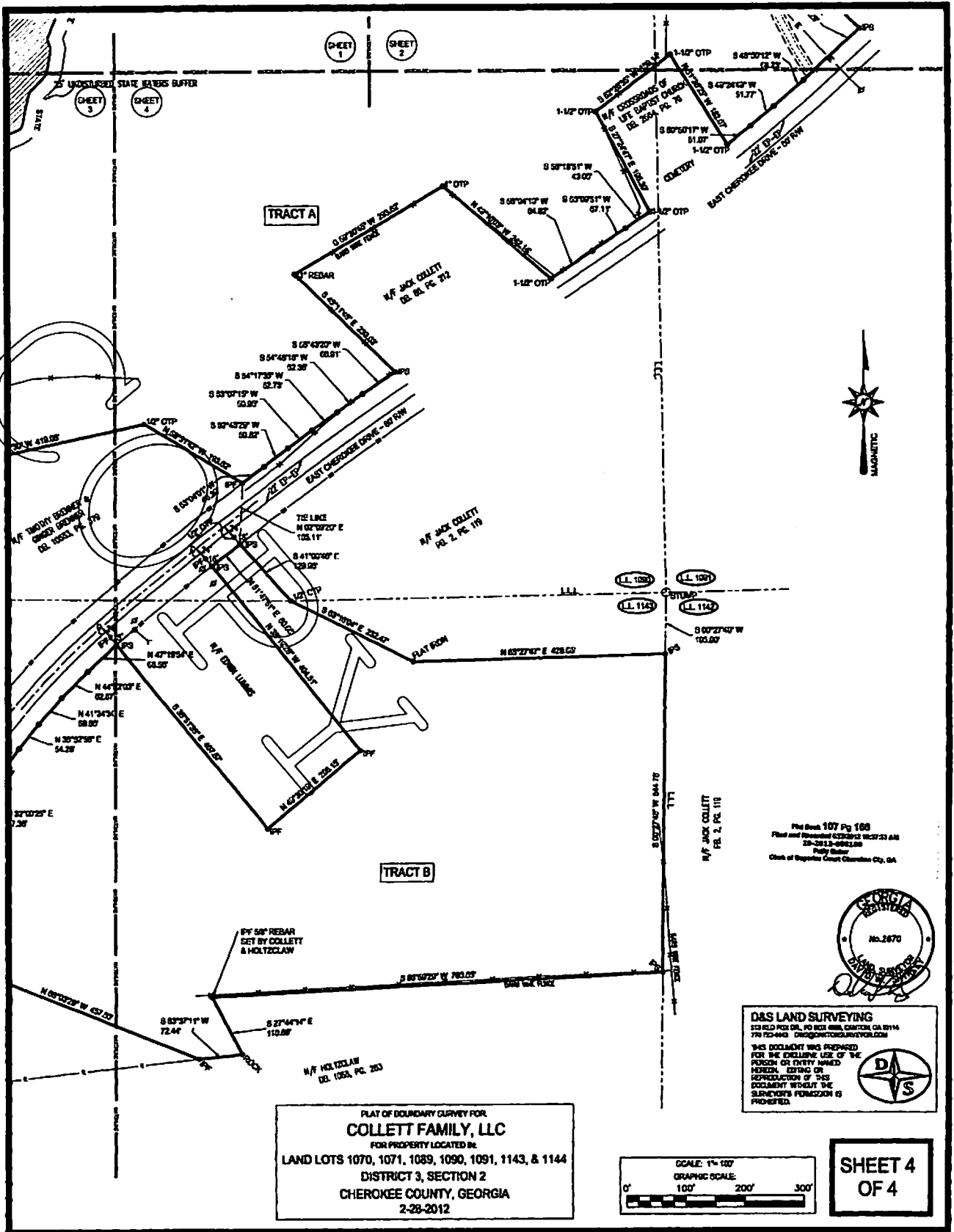


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 FLORENCE, SOUTH CAROLINA 29505
 (803) 781-1111
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 STATE OF GEORGIA. I HEREBY
 CERTIFY THAT THE SURVEY
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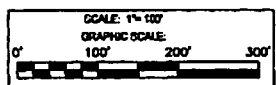


SHEET 3
OF 4

Plat Book 107 Pg 166
 Filed and Recorded L107/166 10/27/23 AM
 23-2813-000100
 23-2813-000100
 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 10/27/23 AM
 23-2813-000100
 23-2813-000100
 Clerk of Superior Court Cherokee Co., GA



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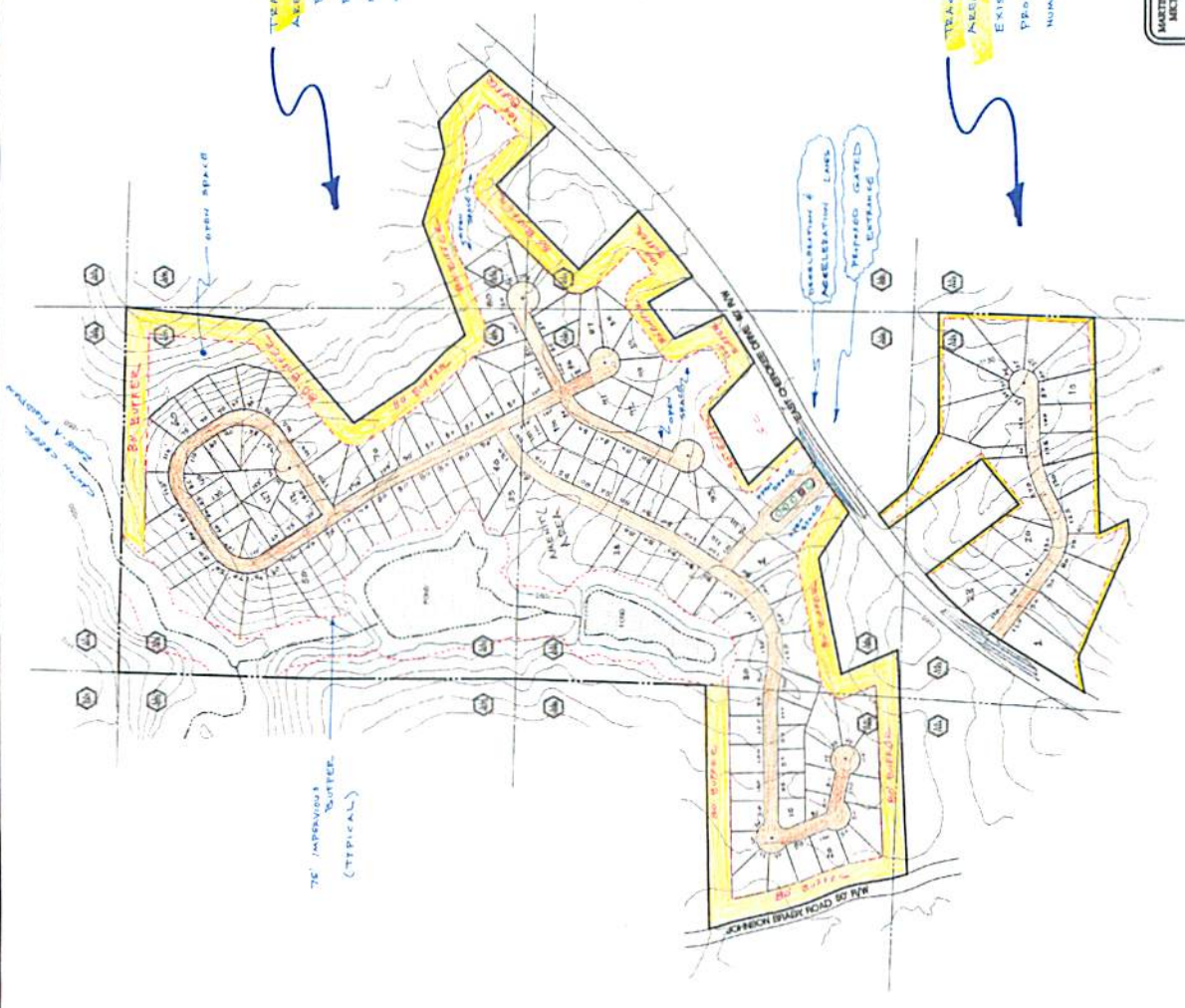




REVISED
1/13/17

TRACT - A
AREA = 87,144 ACRES
EXISTING ZONING: AG
PROPOSED ZONING: R-20 "CONSERVATION"
NUMBER OF LOTS: 127
OPEN SPACE & BUFFERS: 58.7 ACRES OR 4.4%

TRACT - B
AREA = 14,575 ACRES
EXISTING ZONING: AG
PROPOSED ZONING: R-20
NUMBER OF LOTS: 23



SYMBOL	DESCRIPTION
1	1" LOT
2	2" LOT
3	3" LOT
4	4" LOT
5	5" LOT
6	6" LOT
7	7" LOT
8	8" LOT
9	9" LOT
10	10" LOT
11	11" LOT
12	12" LOT
13	13" LOT
14	14" LOT
15	15" LOT
16	16" LOT
17	17" LOT
18	18" LOT
19	19" LOT
20	20" LOT
21	21" LOT
22	22" LOT
23	23" LOT
24	24" LOT
25	25" LOT
26	26" LOT
27	27" LOT
28	28" LOT
29	29" LOT
30	30" LOT
31	31" LOT
32	32" LOT

MARTIN LAND SURVEYING, P.C.
MARTIN C. MARTIN, S.L.S.
100 HAZARD DRIVE
SUITE 300
ATLANTA, GA 30328
PHONE: (770) 834-0200
WWW.MLSURV.COM

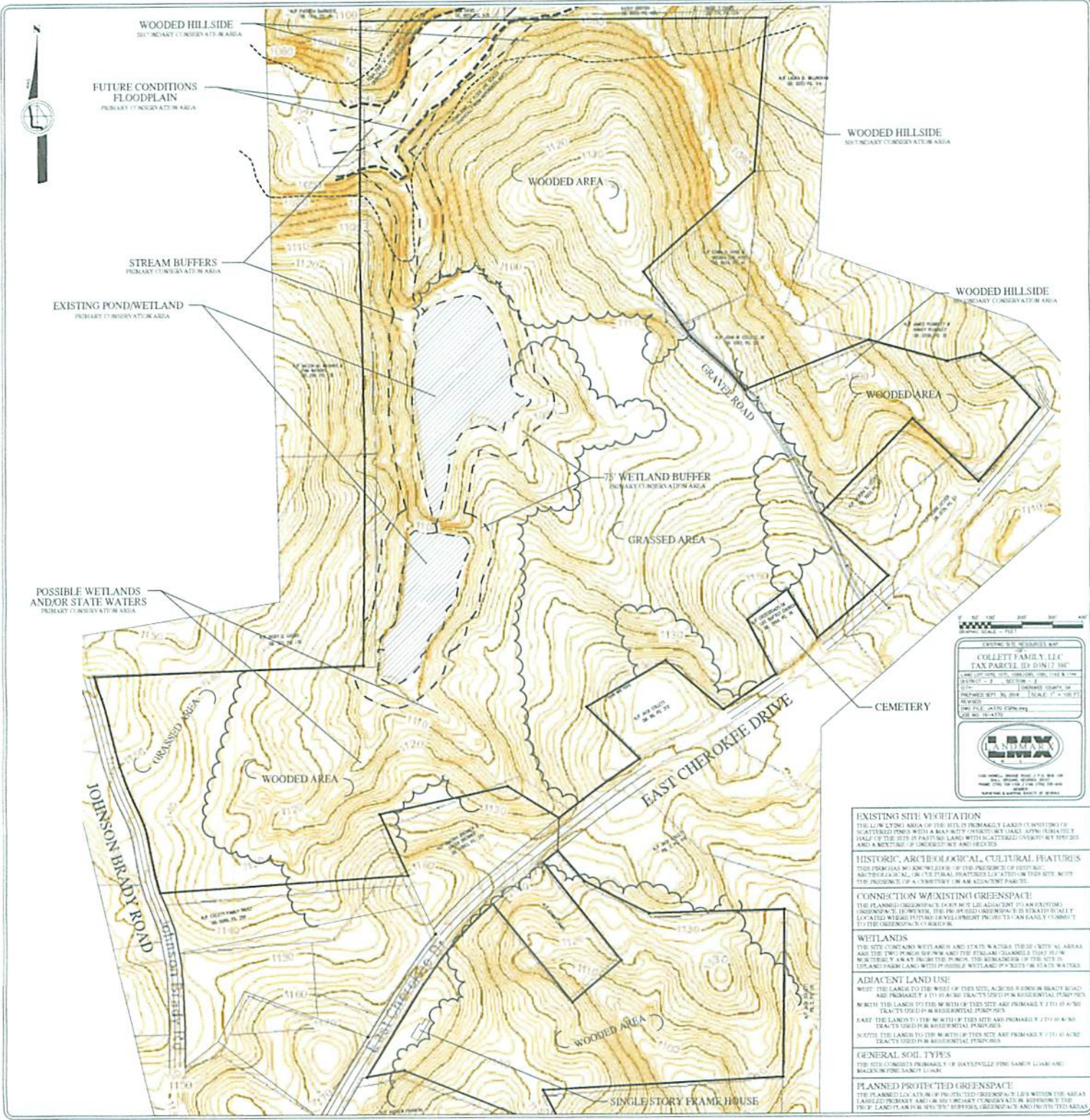
MCM
MEMBER OF THE MCM GROUP
A DIVISION OF MCM GROUP, INC.
MEMBER OF THE MCM GROUP

CONCEPTUAL ZONING PLAN
COLLETT FAMILY, LLC
LAKELANDS INN RESORT, DISTRICT A, SECTION 2
CITY OF FELD SPRING, CHESTER COUNTY, GEORGIA
DATE: 1/13/17
DRAWN BY: JESSIE HOPKINS
CHECKED BY: JESSIE HOPKINS
APPROVED BY: JESSIE HOPKINS
DATE: 1/13/17
SCALE: 1" = 200' ±
JOB NO: 16-00000-000

GEORGIA81
Engineering & Surveying
1000 Peachtree Street, N.E.
Atlanta, GA 30309
PHONE: (404) 525-8800
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, SEC. 08, T11N, R10E, S10W
 COUNTY: ... STATE: ...
 PREPARED BY: ... DATE: ...
 SCALE: 1" = 500'
 SHEET NO. 1 OF 1

1000 ...
 ...
 ...

EXISTING SITE VEGETATION
 THE LOW LYING AREA OF THE SITE IS PRIMARILY GRASS (CONSISTING OF SCATTERED PINDS WITH A MAJORITY OF 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 THE SITE. NOTWITHSTANDING THE PRESENCE OF A CEMETERY ON AN ADJACENT PARCEL.

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.

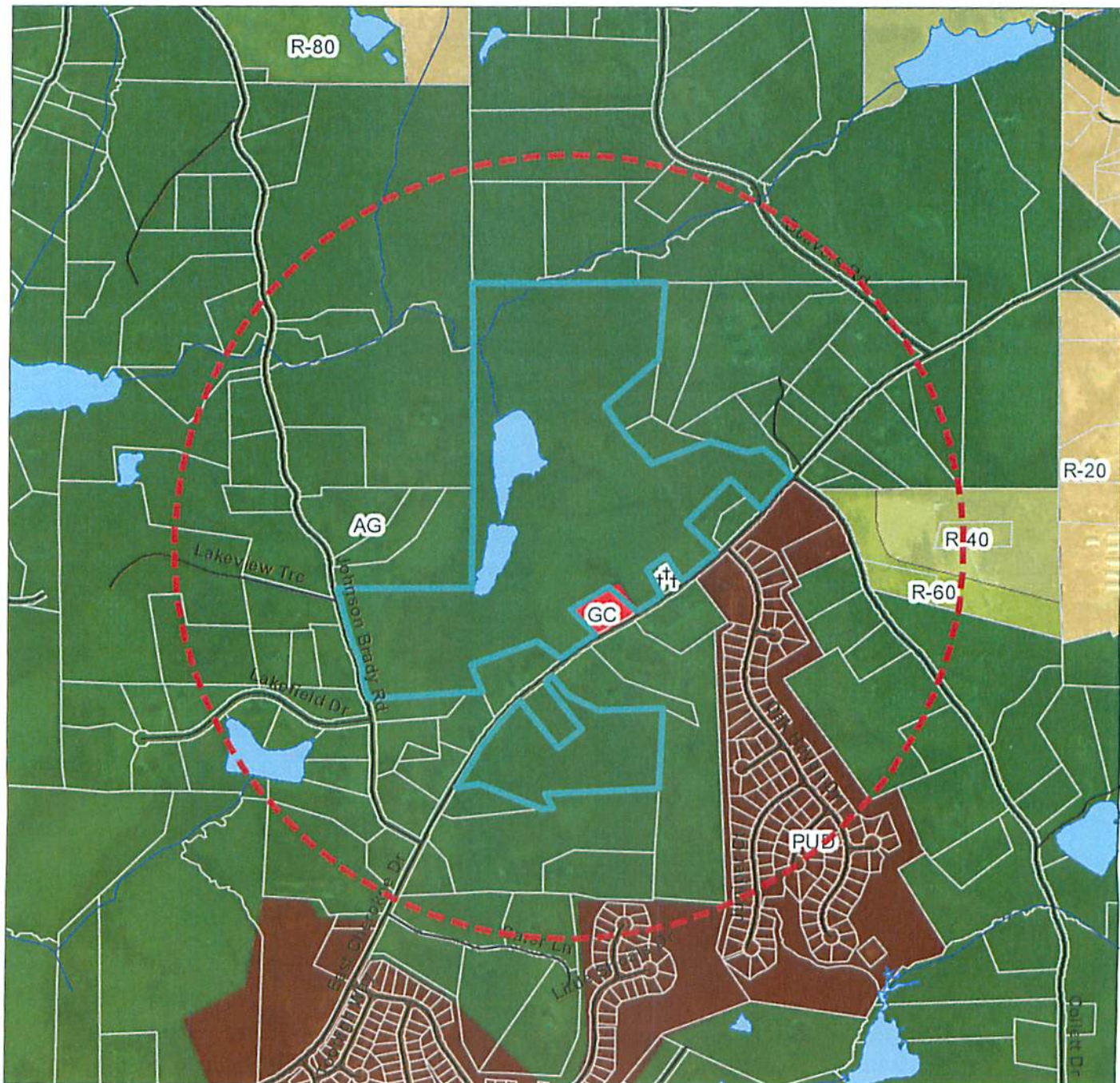
WETLANDS
 THE SITE CONTAINS WETLANDS AND STATE WATERS. THESE WETLANDS ARE THE TWO POND ON THE SITE AND THE STREAM CHANNELS THAT RUN NORTH TO THE LANDS TO THE NORTH OF THE SITE AND PRIMARILY TO THE SOUTH TRACTS USED FOR RESIDENTIAL PURPOSES.

ADJACENT LAND USE
 WEST: THE LANDS TO THE WEST OF THE SITE ARE 2000' FROM JOHNSON BRADY ROAD AND PRIMARILY 1 TO 10 ACRES TRACTS USED FOR RESIDENTIAL PURPOSES.
 NORTH: THE LANDS TO THE NORTH OF THE SITE ARE PRIMARILY 1 TO 10 ACRES TRACTS USED FOR RESIDENTIAL PURPOSES.
 EAST: THE LANDS TO THE EAST OF THE SITE ARE PRIMARILY 1 TO 10 ACRES TRACTS USED FOR RESIDENTIAL PURPOSES.
 SOUTH: THE LANDS TO THE SOUTH OF THE SITE ARE PRIMARILY 1 TO 10 ACRES TRACTS USED FOR 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 THE SITE. BUFFER, GREENSPACE AND PROTECTED AREAS

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 | |



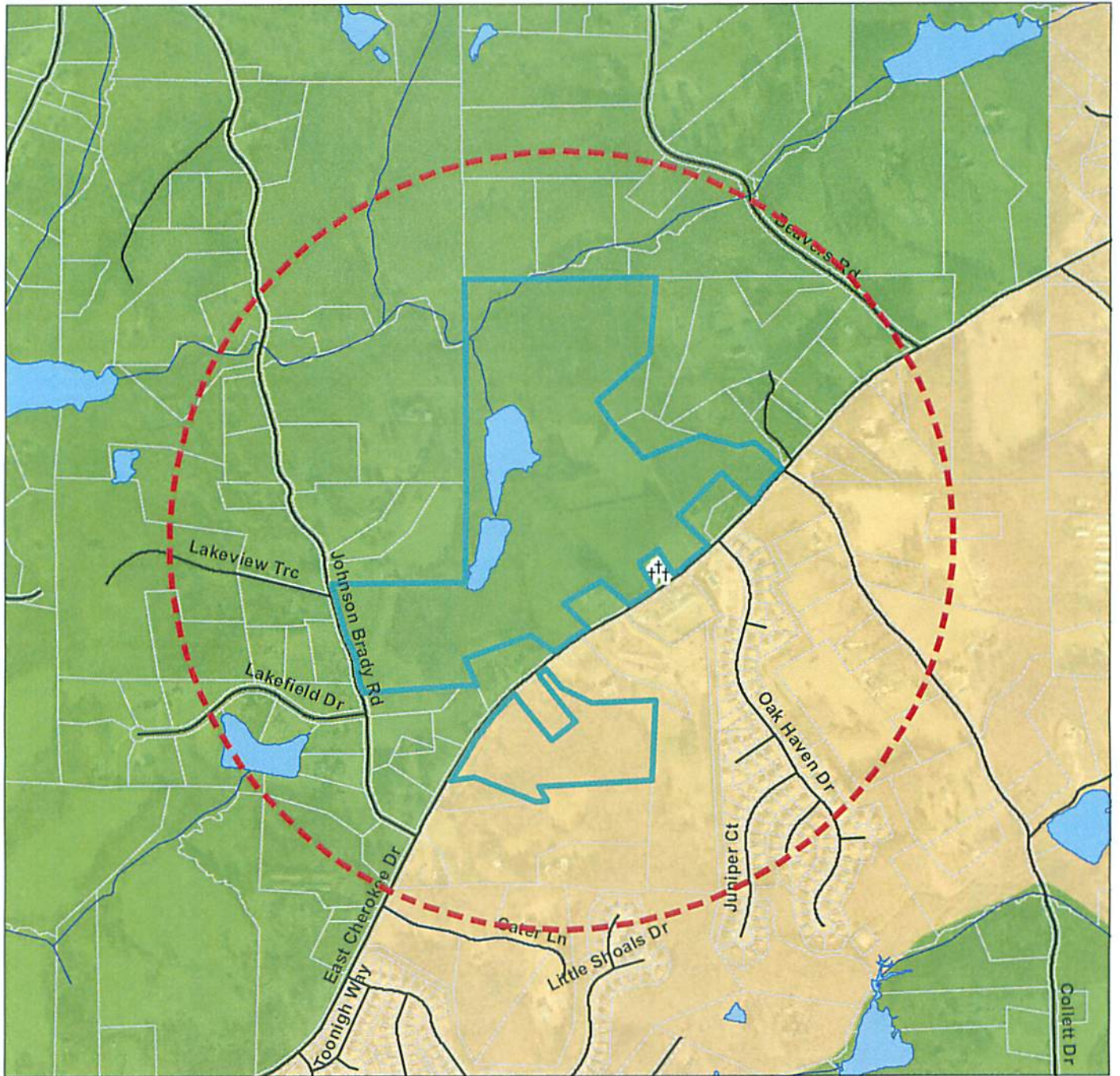
This map has been compiled from the most up to date and reliable sources available. Cherokee County is not responsible for errors and omissions contained in this map. No warranties or representations are expressed or implied in fact or in law.



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

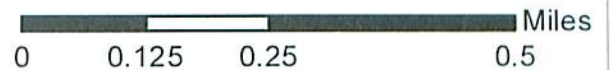


Future Development Map



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 |



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



Bray & Johnson

Attorneys at Law

10 North Street, Canton, GA 30114

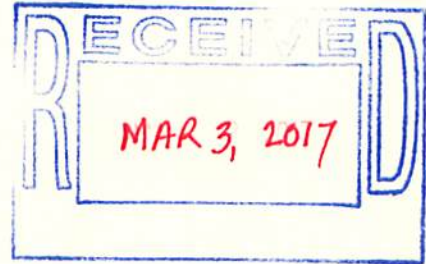
Roger M. Johnson
H. Michael Bray
Jennifer S. Gill
Derek S. Poarch

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.

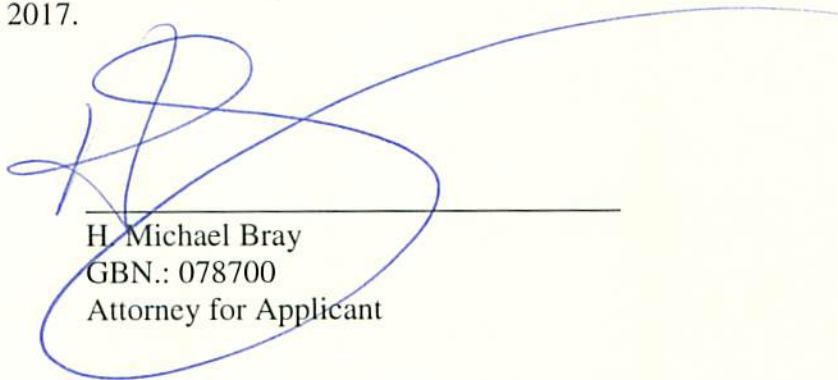
Frankly nobody expressed serious objection to the plan except for the fact that some people would like things to remain the same and no changes be made in the area.

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

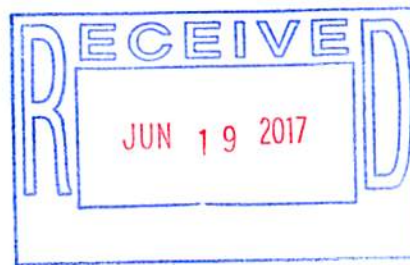
	NAME	ADDRESS	TELEPHONE NUMBER	EMAIL ADDRESS
1.	Debbie Negley		404- (642-1070	dynegley@gmail.com
2.	James & Nancy Plumley		770-656- 790 -8289	nancy Plumley @windstream.net
3.	Pam Watkins	630 Johnson Brady Rd	404 731 8268	pswcajun@gmail
4.	Toni Chumley David Chumley	459 Johnson BRADY ROAD	678-6898 4924	
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	LeslieKasper@ 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 Road Canton, GA	404 4345433	daleburke @yahoo.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

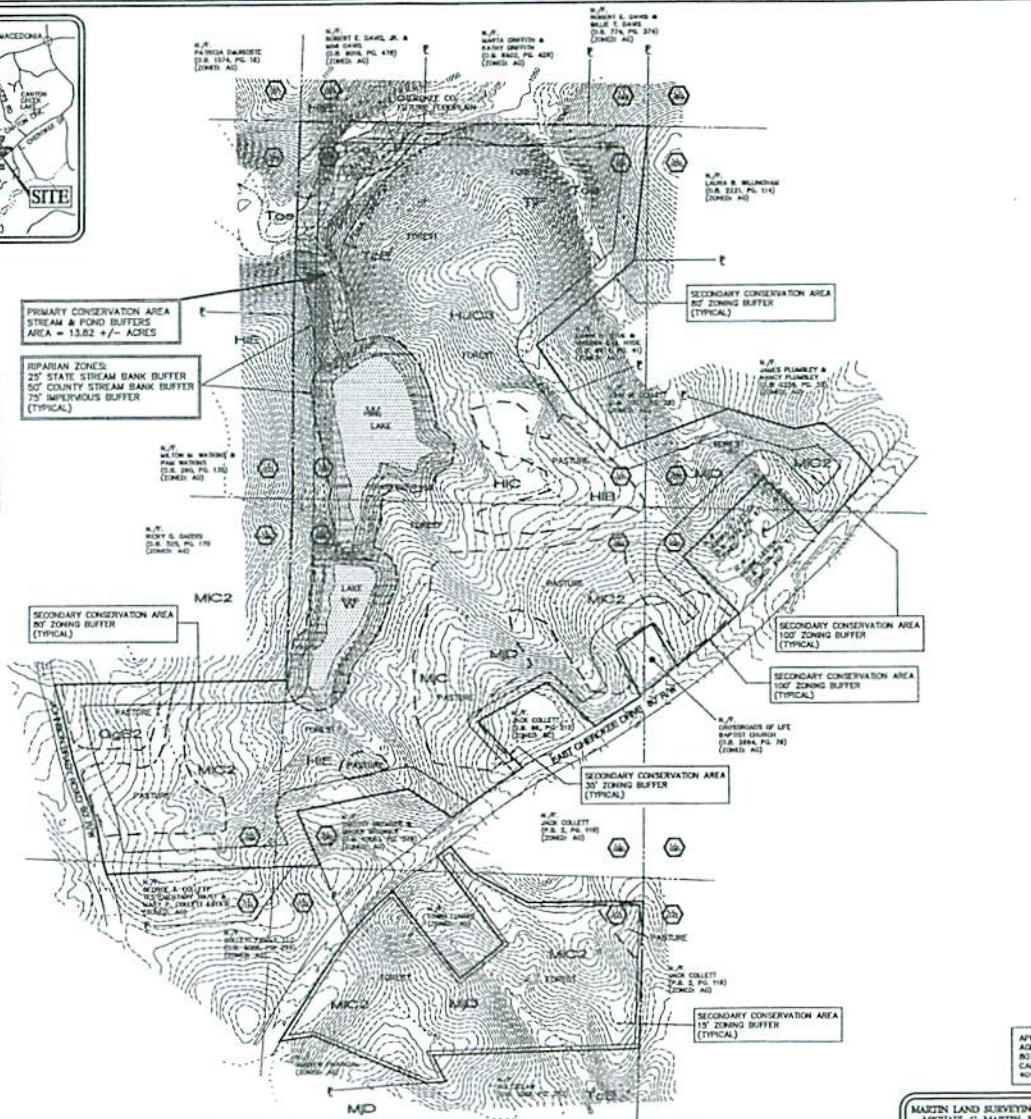
PLEASE SIGN IN

	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.				



REVISED
6/19/17

- LEGEND**
- 1) L.P.S. - BORN PIN SET
 - 2) L.P.F. - BORN PIN FOUND
 - 3) R. - REINFORCING BAR
 - 4) A - ARC
 - 5) RAD. - RADIUS
 - 6) (D) - RADIAL
 - 7) (N) - NOT RADIAL
 - 8) M.H. - MANHOLE
 - 9) D.I. - DRAIN INLET
 - 10) B.L. - BEARING LINE
 - 11) R/W - RIGHT OF WAY
 - 12) J.R. - JUNCTION ROAD
 - 13) F.A. - FIRE HYDRANT
 - 14) L.L. - LAND LOT LINE
 - 15) C.B. - CHORD BEARING
 - 16) C.D. - CHORD DISTANCE
 - 17) N.P. - NOW OR FOREVER
 - 18) S.S. - SANITARY SEWER
 - 19) S.S.E. - SANITARY SEWER EASEMENT
 - 20) P.P. - POWER & (C) PHONE POLE
 - 21) D.C. - DRAINAGE EASEMENT
 - 22) C. - CENTERLINE
 - 23) P. - PROPERTY LINE
 - 24) --- OVERHEAD POWER LINE
 - 25) --- OVERHEAD PHONE LINE
 - 26) --- FENCE (APPROX. LOC.)
 - 27) --- E. STREAM (APPROX. LOC.)
 - 28) --- E. DITCH (APPROX. LOC.)
 - 29) --- B.M. - EXISTING CONTROL
 - 30)
 - 31)
 - 32)



ADJACENT LAND USE:
THE ADJACENT LANDS ARE A MIX OF OPEN AGRICULTURAL LAND WITH MIXED FOREST.

IMPAIRED STREAMS:
THIS PROPERTY LIES WITHIN THE 2012 IMPAIRED BIOTA ONE MILE BUFFER OF CANTON CREEK.

- REQUIRED INFORMATION FOR EXISTING SITE RESOURCES MAP**
- A) "FLOORPLANS" A PORTION OF THIS PROPERTY IS LOCATED WITHIN THE F.E.M.A. 100 YEAR FLOODPLAIN, MAP NO. 13057020200 & MAP NO. 13057020300, FOR MULTIFAMILY.
 - B) "FUTURE CONDITIONS FLOODPLAIN" A PORTION OF THIS PROPERTY IS LOCATED WITHIN THE FUTURE CONDITIONS FLOODPLAIN PER THE CHEROKEE COUNTY G.I.S. MAP.
 - C) "STREAMS" ALL STREAMS WITHIN 200 FEET OF THE BOUNDARY HAVE BEEN DELINEATED.
 - D) "RIPARIAN ZONES" RIPARIAN ZONES OF AT LEAST 75 FEET WIDE ON EACH SIDE ALONG ALL PERENNIAL AND INTERMITTENT STREAMS LOCATED ON THE SUBJECT PROPERTY ARE SHOWN.
 - E) "SEWER BUFFERS" THIS PROPERTY IS NOT LOCATED WITHIN 100 FEET OF THE ETOWAH RIVER OR LITTLE RIVER.
 - F) "WETLANDS" NO WETLANDS THAT MEET THE CRITERIA USED BY FEDERAL OR STATE REGULATIONS WERE OBSERVED.
 - G) "EXISTING LAND USE" THE PROPERTY IS A MIX OF PASTURE & FOREST LAND.
 - H) "NATURAL FEATURES" NO OTHER SIGNIFICANT NATURAL FEATURES WERE OBSERVED ON THIS PROPERTY.
 - I) "PRIME FARM LAND" PRIME AGRICULTURAL LAND OF AT LEAST 5 ACRES DOES EXIST ON THIS PROPERTY. ALL SOIL SERIES PRESENT, EXCEPT TOCOCOA COMPLEX, HAVE THE POTENTIAL FOR AGRICULTURAL USE. OTHER FACTORS SUCH AS SLOPE, DEPTH TO ROCK, AND BIODIVERSITY ARE NOT CONSIDERED IN THIS ANALYSIS.
 - J) "ADJACENT PROPERTY USE" ALL ADJACENT PROPERTIES ARE A MIX OF PASTURE LAND AND HEALTHY NATIVE FOREST.
 - K) "ADJACENT PROPERTY FEATURES" THE ADJACENT PROPERTIES WERE OBSERVED FROM THE SUBJECT PROPERTY AND NO SIGNIFICANT DUMPS, STORAGE TANKS, POND OR IMPORTANT FEATURES WERE OBSERVED.
 - L) "GROUNDWATER BEHAVIOR" THIS PROPERTY DOES NOT LIE WITHIN AN AREA OF SPECIFIC GROUNDWATER RECHARGE OR SUSCEPTIBILITY OF GROUNDWATER POLLUTION. PER: DEPARTMENT OF NATURAL RESOURCES HYDROLOGIC ATLAS 18, AVAILABLE AT: dnr.georgia.gov/georgia-geologic-survey-atlases.
 - M) "ENDANGERED SPECIES" THIS SITE MAY CONTAIN CRITICAL HABITATS FOR THE FOLLOWING GRAY MYSIS (BAT), NORTHERN MYSIS (BAT), CHOROKEE DARTER, AND EASTERN SPOTTED SKUNK, ALONG WITH OTHER SPECIES. FOR: www.gisdata.su.dom.edu and www.gisdata.su.dom.edu/for_k_species_profiles.
 - N) "HISTORICAL FEATURES" THIS PROPERTY DOES NOT CONTAIN ANY NATURAL, ARCHAEOLOGICAL OR HISTORIC RESOURCES. PER: www.nature.org/learn/interactives/activities/atlases/atlases.html.
 - O) "BURIAL GROUNDS" NO BURIAL GROUNDS WERE OBSERVED ON THIS PROPERTY.
 - P) "USGS MONUMENTS" NO USGS GEOLOGICAL SURVEY CONTROL MONUMENTS ARE LOCATED WITHIN 200 FEET OF THE SUBJECT PROPERTY. nps.nps.gov/USGSMONUMENTS/.
 - Q) "EXISTING SOILS" SOIL TYPES WERE OBTAINED FROM: websoilsurvey.nrc.srs.gov.
 - R) "LARGE TREES" INDIVIDUAL TREES OBSERVED OF 30" CALIPER/DIAMETER OR ARE SHOWN.
 - S) "IMPAIRED STREAMS" THIS PROPERTY LIES WITHIN THE 2012 IMPAIRED BIOTA ONE MILE BUFFER OF CANTON CREEK.

EXISTING SITE RESOURCES MAP

APPLICANT / OWNER: COLLETT FAMILY, LLC
AGENT: TERRY HYDE
8177 EAST CHEROKEE DRIVE
CANTON, GEORGIA 30115
604-278-5275

MARTIN LAND SURVEYING, P.C.
MELISSA C. MARTIN, R.L.S.
LICENSE NO. 151910-0001
124 HATHROD DRIVE
WOODSTOCK, GEORGIA 30188
PHONE: (770) 928-0790
MCM
ALL RIGHTS RESERVED
NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM THE SURVEYOR.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSEST PROXISION OF THE FIRST ORDER OF 1/4" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1/4" FEET.
EQUIPMENT USED FOR MEASUREMENTS
LOCAL TIES AND/OR SECONDARY ARE SHOWN.
"ALL MATTERS OF TITLE ARE EXCEPTED"

COLLETT FAMILY, LLC
LAND LOTS - (AS SHOWN) 011 - 3, SECT. - 2
012 - (CHEROKEE COUNTY, GEORGIA)
DATE OF FIELD WORK: N/A
PLAT PREPARED: JUNE 15, 2017
DRAWN BY: MIKE HUGHES, R.L.S. (SCALE: 1" = 200 FEET)
JOB NO. 17-0005-PLAT 1 (SHEET 1 OF 4)

NORTH TRACT = 87,946 ACRES
SOUTH TRACT = 14,573 ACRES
TOTAL AREA = 102,519 ACRES

MCM
 MCM LAND SURVEYING, INC.
 2000 W. WASHINGTON ST.
 SUITE 100
 ATLANTA, GA 30336
 (404) 525-1212
 FAX (404) 525-1213
 WWW.MCM-SURVEYING.COM

COLLETT FAMILY, LLC
 1000 W. WASHINGTON ST.
 SUITE 100
 ATLANTA, GA 30336
 (404) 525-1212
 FAX (404) 525-1213
 WWW.MCM-SURVEYING.COM

NORTH TRACT - 87.946 ACRES
SOUTH TRACT - 145.793 ACRES
TOTAL AREA = 102.519 ACRES

GEORGIA

GRAPHIC SCALE 1" = 100'

0 100 200 300 400 500

SECONDARY CONSERVATION AREAS

PROPOSED USES OF ORGANIC

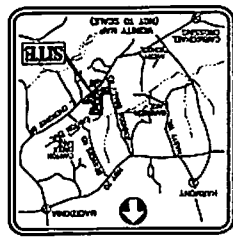
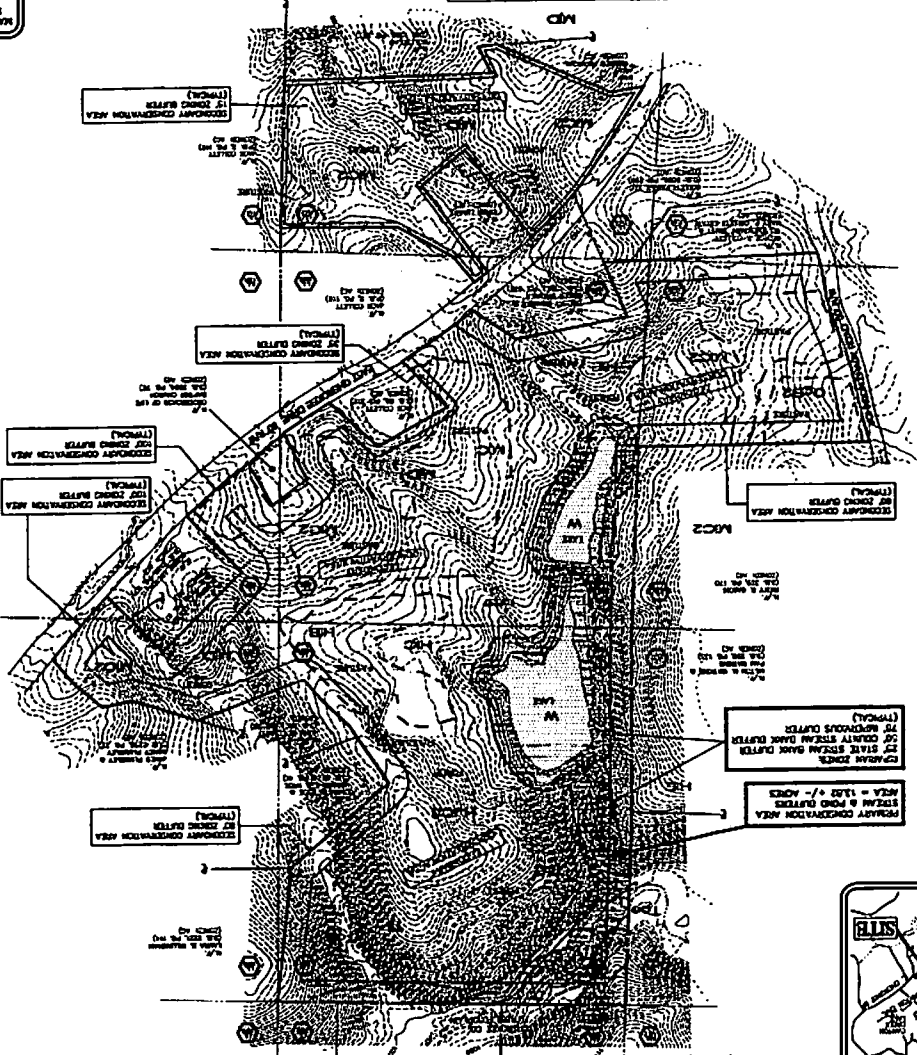
- 1) BROAD PASTURE USE, AND PASTURE QUALITY IMPROVEMENT AS DETERMINED BY COUNTY
- 2) PASTURE AND PASTURE IMPROVEMENT PRACTICES AS APPROVED BY COUNTY
- 3) OTHER ACTIVITIES AS PROPOSED IN ACCORDANCE WITH LOCAL REGULATIONS
- 4) LOCAL REGULATIONS AS DETERMINED BY COUNTY

PROHIBITED / RESTRICTED USES OF ORGANIC ARE AS FOLLOWS:

- 1) CONSTRUCTION OF THE MAIN DEVELOPMENT, WATER TREATMENT PLANT, AND ALL OTHER LOTS AND LOTS DEVELOPMENT.
- 2) CONSTRUCTION OF OTHER AREAS SUCH AS WASTEWATER TREATMENT PLANT, AND OTHER AREAS.
- 3) MINING OR OTHER EXTRACTIVE ACTIVITIES.
- 4) OTHER CONSTRUCTION OF OTHER AREAS.
- 5) CONSTRUCTION OF OTHER AREAS.

SECONDARY CONSERVATION AREAS

- 1) SECONDARY CONSERVATION AREAS ARE THOSE AREAS WITHIN THE PROPERTY WHICH ARE DETERMINED TO BE OF SIGNIFICANT VALUE TO THE COMMUNITY, AND WHICH ARE SUBJECT TO THE FOLLOWING RESTRICTIONS:
- 2) CONSTRUCTION OF OTHER AREAS IS PROHIBITED.
- 3) MINING OR OTHER EXTRACTIVE ACTIVITIES IS PROHIBITED.
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LEGEND

1. STATE STREAM

2. SECONDARY CONSERVATION AREA

3. OTHER AREAS

4. ROAD

5. FENCE

6. POWER LINE

7. OTHER AREAS

8. OTHER AREAS

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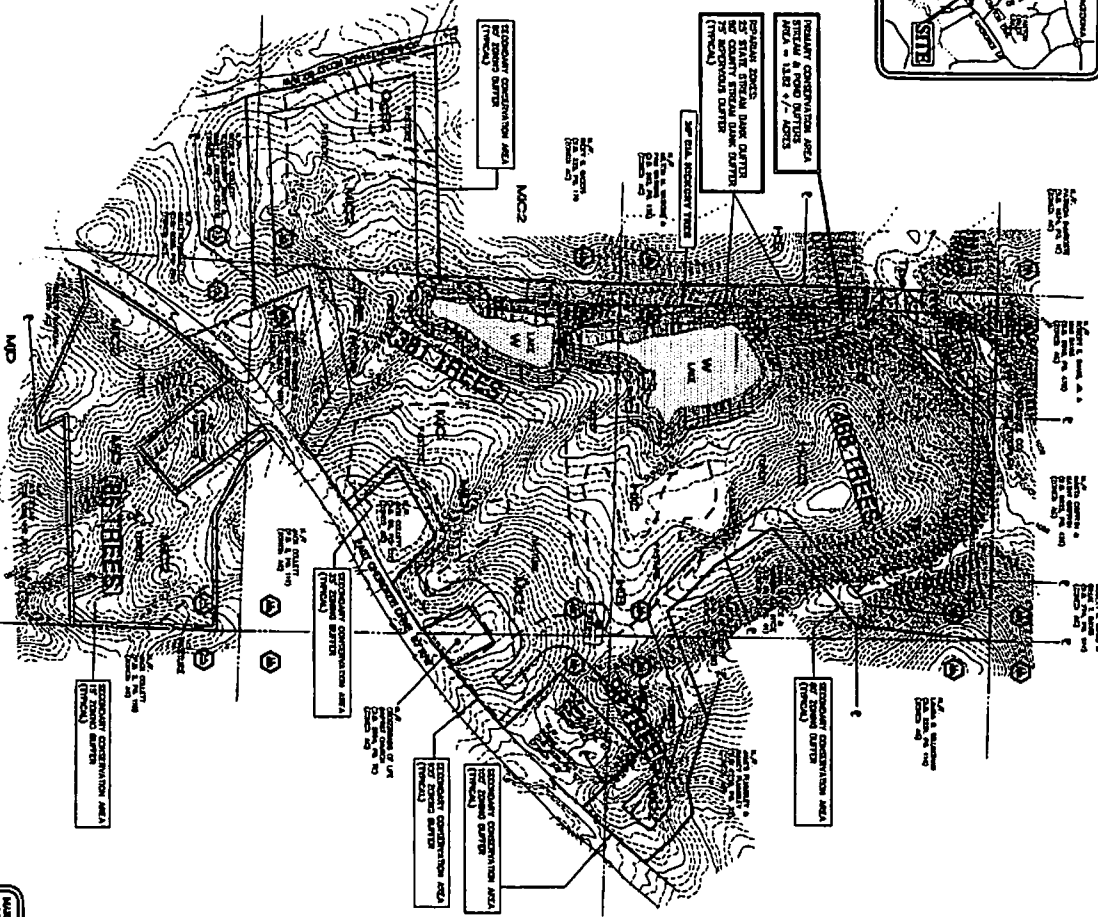
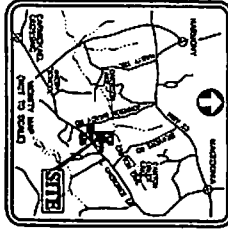
50. OTHER AREAS

LEGEND

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ADJACENT LAND USE:
THE ADJACENT LANDS ARE A MIX OF OPEN AGRICULTURAL LAND WITH BROWN FOREST.

IMPAIRED STREAMS:
THE PROPERTY LIES WITHIN THE 2013 IMPAIRED BROWN OAK RIVER TRIBUTARY OF CANTON CREEK.



GEORGIA

PROPERTY INFORMATION

1	ADJACENT LAND
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NORTH TRACT - 87,948 ACRES
SOUTH TRACT - 14,573 ACRES
TOTAL AREA - 102,519 ACRES

EXISTING 14 INCH TREE MAP

NOTES:
TREES COUNT SHOWN WAS TAKEN FROM A SAMPLING AND 10% STRAIGHT TREE COUNT. A TOTAL OF 1245 TREES OVER 1 1/2" CALIPERS / DIAMETER OR WERE TALLER. THIS TREE COUNT ENCOMPASSES ALL LOCAL TREE TYPES.

APPLICANT / OWNER: COLLETT FAMILY, LLC
1000 COLLETT ROAD, SUITE 100
CANTON, GEORGIA 30115
404-271-2579

MARTIN LAND CONSULTING, P.C.
1000 COLLETT ROAD, SUITE 100
CANTON, GEORGIA 30115
404-271-2579

MCM
1000 COLLETT ROAD, SUITE 100
CANTON, GEORGIA 30115
404-271-2579

COLLETT FAMILY, LLC
1000 COLLETT ROAD, SUITE 100
CANTON, GEORGIA 30115
404-271-2579





**Cherokee County, Georgia
Agenda Request**

Item#: 1.

SUBJECT: **Discuss Amendments to Article 18 of the Zoning Ordinance**
MEETING DATE: 7/11/2017

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:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> New Zoning Guidebook	Exhibit
<input type="checkbox"/> Article 18 Revisions Draft 3	Exhibit

REZONING APPLICATION



Department of Planning & Land Use
1130 Bluffs Parkway
Canton, GA 30114
678-493-6101

pluse@cherokee.ga.gov

CHEROKEE COUNTY PLANNING & LAND USE

PROCESS FOR SUBMITTING A REZONING APPLICATION

All applications requesting a change in the zoning of a property are reviewed by the Planning & Land Use staff, the Cherokee County Municipal Planning Commission and the Cherokee County Board of Commissioners. The following outline identifies the steps within the process

(1) Pre-Application Meeting prior to any submittal

A meeting scheduled with staff of the Planning & Land Use Department is required prior to submitting a request to change the zoning of their property. The purpose of the meeting is to communicate the intent to seek a change of zoning, to understand the documents required of the process, the timeline and the responsibilities for submitting a complete application.

(2) Preliminary Review Meeting

After the pre-application meeting, but prior to submittal of an application requesting a change of zoning, the project shall be presented by the applicant in a Preliminary Review of the project. The purpose of the preliminary review meeting is to allow the Plan Approval team the opportunity to become familiar with the proposed site / project and to offer their comments as to what will be required of the proposed site / project

(3) Submittal of Completed Application by Filing Deadline

After having met with staff in a Pre-application meeting and subsequently presenting their project in a Preliminary Review meeting, a completed application is to be submitted to the Department of Planning and Land Use. The application shall be submitted before 5:00 pm on the date of filing deadline (see Public Hearing Schedule). An applicant is **NOT REQUIRED** to wait to the submittal deadline to file an application. Applications shall be limited to **NO MORE THAN SIX (6) SCHEDULED FOR PUBLIC HEARING PER MONTH** on a first come, first served basis. In addition to said six (6), two (2) non-residential applications shall be accepted

(4) Public Participation Meeting (if required)

Where required, a person requesting a change of zoning is required to host a Public Participation meeting the purpose of which is to ensure early and effective communication with nearby property owners and interested citizens, giving them the opportunity to understand the proposed request for a change of zoning and to mitigate any impacts such proposal may have on the community. A person seeking a change of zoning may host a Public Participation meeting any time after the project has been presented in both a Pre-Application meeting and a Preliminary Plan meeting.

(5) Application Deemed Complete

The Department of Planning & Land Use shall review and assess all applications requesting a map amendment for completeness. If the application is deemed incomplete, the department staff shall inform the applicant in writing of the deficiencies of the application. The applicant requesting a map amendment shall correct all deficiencies ***no later than 45 days prior to the public hearing date***, or the application will be continued until the next available public hearing date.

(6) Planning Commission Work Session

Prior to the regularly scheduled public hearing date, the Planning Commission may schedule a work session at which all business items scheduled to come before the Planning Commission at a public hearing are to be presented. The purpose of the work session is to familiarize the members with the facts of each such item. Planning and Land Use staff shall provide technical assistance in preparing the agenda for the Work Session. The Work Session is a public meeting however; no presentations or unsolicited comments are welcomed.

(7) Public Hearing

The Planning Commission shall conduct a public hearing for the purpose of hearing the application requesting a change of zoning and to make a recommendation for action on the request to the Board of Commissioners.

(8) Board of Commissioners regular meeting

Upon

DRAFT

SUBMITTAL CHECKLIST

The following is the checklist of information required for submission of an Application for Public Hearing for a rezoning of property. Submission of the items in this checklist by the filing deadline does not imply the application has been accepted nor that it will appear at the Public Hearing.

Application Form

One (1) copy of the appropriate application form

Letter of Intent

One copy of a Letter of Intent

The Letter of Intent must give details of the property use of the property and should include at least the following information (as applicable):

1. A Statement regarding the proposed use of the property
2. The acreage or size of the tract
3. The zoning classification(s) requested
4. The number of lots or number of dwelling units property; house size proposed
5. The density in terms of gross square footage per acre, if commercial, industrial or office / institutional use
6. Number of parking spaces
7. Height of buildings

Applicant Response Statement

Property Owner Authorization

Conflict of Interest Certification

Campaign Contribution Certification

Application Fees

See attached schedule of fees. Acceptable payment methods are: cash, check, or credit card (Visa, Mastercard or Discover) Checks should be made payable to Cherokee County

Legal Description

The legal description must be a metes and bounds description. It must establish a point of beginning and from the point of beginning cite each dimension bounding the property, calling the directions (ie. North, Northeasterly, Southerly, etc.) which the boundary follows around the property returning to the point of beginning. If there are multiple property owners, all properties must be combined into one legal description. If the properties are not contiguous, a separate application and legal description must be submitted for each property. For requests for multiple zoning districts, a separate legal description must be submitted for each district requested.

Boundary Survey

One copy of a boundary survey to scale for the subject property, displaying all metes and bounds. This is not necessary if the Site Plan includes this information

Warranty Deed

A copy of the warranty deed that reflects the current owner(s) of the property. Security deeds are not acceptable

Site Plan

A site plan or a plat showing the dimensions, acreage and location of the tract(s) prepared by an architect, engineer, landscape architect or land surveyor, whose State registration is current and valid. (Plans must be stamped). One (1) drawing shall be no larger than 36" x 48" and two (2) copies must be 11" x 17".

Traffic Study

A traffic impact study prepared by a registered engineer will be required if:

- (1) the proposed subdivision exceeds 250 dwelling units;
- (2) the non-residential development contains more than 25,000 square feet of floor area;
- (3) or at the discretion of the County Engineer

Public Participation Plan (if required)

DRI Review Form (if meeting DRI thresholds)

Other



CHEROKEE COUNTY

Application for Public Hearing

Important Notes:

1. Please check all information supplied on the following pages to ensure your application 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 678-493-6103 if you have questions regarding your application or the public hearing process.
4. Applicant, or representative for applicant, must attend the Zoning Hearings. Failure to attend may result in dismissal with prejudice, rejection of the application or continuance of the hearing at the Board's sole discretion. If continued due to failure to appear at hearing, applicant will be responsible for all costs associated for re-advertising and notice for public hearing.

SECTION I

Contact Person: _____ Phone: _____
 Email: _____

Applicant's Information:

Name: _____

Address: _____ Phone: _____

City, State, Zip: _____

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
 Special Use Other: _____

STAFF USE ONLY:

Commission District: _____
 Case: _____-_____-_____
 CityView # _____
 Fee \$: _____
 Date Paid: _____
 # of Signs: _____

PUBLIC HEARING SCHEDULE:

Public Participation Meeting: _____
 PC Work Session Date: _____
 Planning Commission Hearing: _____
 Board of Commissioners: _____
 Zoning Board of Appeals: _____
 Other: _____

SECTION II

Property Information:

Location: _____

Current Zoning: _____ Proposed Zoning: _____ Total Acreage: _____

Tax Map #: _____ N _____ Parcel #: _____ Land Lot(s): _____ District: _____

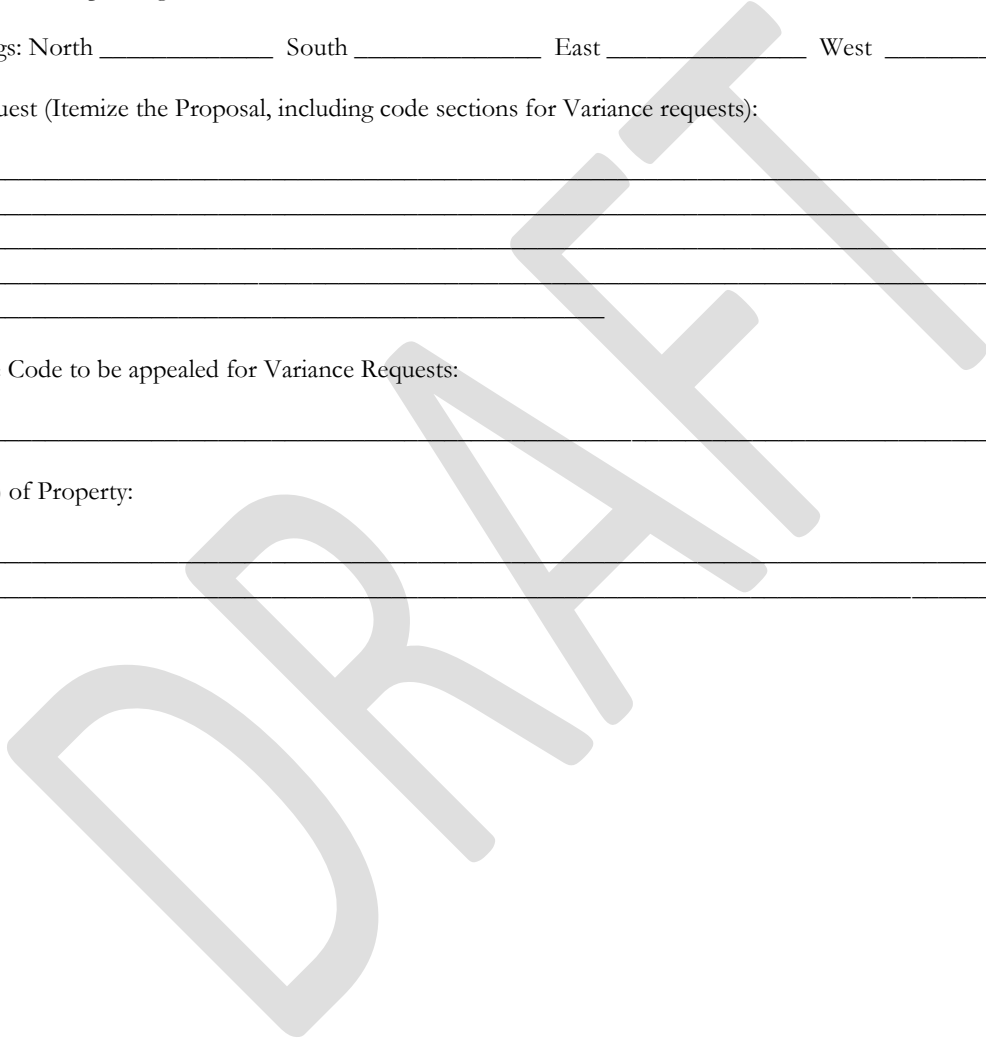
Future Development Map Designation: _____

Adjacent Zonings: North _____ South _____ East _____ West _____

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

Section(s) of the Code to be appealed for Variance Requests:

Proposed Use(s) of Property:



SECTION III

Infrastructure Information:

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

How is sewage from this site to be managed?

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.

APPLICANT RESPONSE STATEMENT

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.

The applicant shall 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.

AUTHORIZATION OF PROPERTY OWNER(S)

I, _____, 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: _____ Phone: _____

City, State, Zip: _____

Property Owner's Information:

Name: _____

Address: _____ Phone: _____

City, State, Zip: _____

Signature of Owner: _____ Date: _____

Print Name: _____

Signature of Owner: _____ Date: _____

Print Name: _____

Sworn to and subscribed before me this: _____ day of _____, 20____.

Notary Signature: _____

(Notary Seal)

CONFLICT OF INTEREST CERTIFICATION

The undersigned below, making application for a zone change has complied with the O.C.G.A. § 36-67A, et. Seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided. Title 36 relates to disclosure of financial interests, campaign contributions, and penalties for violating O.C.G.A.

Signature of Applicant: _____ Date: _____

Print Name: _____

Signature of Applicant's Attorney: _____ Date: _____

Print Name: _____ Title: _____

Sworn to and subscribed before me this: _____ day of _____, 20_____.

Notary Signature: _____

(Notary Seal)

CAMPAIGN DISCLOSURE STATEMENT

Nothing in Chapter 36 of OCGA shall be construed to prohibit a local government official from voting on a zoning decision when the local government is adopting a zoning ordinance for the first time or when a local government is voting upon a revision of the zoning ordinance initiated by the local government pursuant to a comprehensive plan as defined in Chapter 70 of this title.

___ No, I have not made any campaign contribution to County Officials voting on this application exceeding \$250 in the past two years.

___ Yes, I have made campaign contributions to County Officials voting on this application exceeding \$250 in the past two years.

To Whom: _____

Value of Contribution: _____

Date of Contribution: _____

Signature of Applicant: _____ Date: _____

Print Name: _____

Sworn to and subscribed before me this: _____ day of _____, 20_____.

Notary Signature: _____

(Notary Seal)

SITE PLAN

A site plan or a plat showing the dimensions, acreage and location of the tract(s) prepared by an architect, engineer, landscape architect or land surveyor, whose State registration is current and valid. (Plans must be stamped) The following information shall be prepared, where applicable:

- a. Location Map. A general location map.
- b. North Arrow
- c. Lot Lines
- d. Date of plan
- e. Graphic scale
- f. Bearing and distances
- g. Survey Boundaries. Surveyed boundaries of the entire tract and their relationship to adjoining properties, public rights-of-way, and easements.
- h. Existing zone district classification(s) of abutting properties
- i. Identification of abutting property type/land use
- j. Names of owners of abutting properties
- k. Building Locations. Location of all proposed buildings, their intended use, shape, size and setback in appropriate scale.
- l. Existing Structures or buildings
- m. Cemeteries
- n. Parking Spaces and Loading Areas
- o. Adjoining Streets with Right-of-Way. Location and right-of-way of streets, roads, alleys, railroads, with lengths and paving widths, road names or designations.
- p. Utility easements
- e. Buffers. Proposed zoning and landscaping buffers.
- f. Topography (at no less than 10 ft. intervals)
- g. General vegetative characteristics of property. (i.e.: Forested, Pasture, etc.)
- h. General soil types (if using septic systems)
- i. Flood Plain. Limits of 100-year floodplain and acreage of flood plain
- j. Lakes and streams, including required state or local buffers
- k. Wetlands
- l. Sketches. Representative architectural sketches or renderings of typical proposed structures, signs, landscaping, screening and/or fencing.
- j. Technical Data. Statistical or technical data as necessary to accurately describe the proposed development
 - i. Total land area.
 - ii. Amount of land to be used for recreational or open space purpose.
 - iii. Total number of dwelling units and gross density by type of land use.
 - iv. Amount of space to be occupied by streets and parking areas.
 - v. Amount of any submerged land within the project boundary.
 - vi. The total ground coverage and floor area of all buildings.
 - vii. A breakdown of the number of kinds of proposed buildings, including square footage, and the number and range of lot sizes and proposed setback and yard dimensions for typical lots and/or building types.

PUBLIC PARTICIPATION PROCESS

PUBLIC PARTICIPATION PLAN

A Public Participation Plan shall be required for all rezoning applications proposing office, commercial, multi-family residential, industrial, and single family residential of five (5) or more lots. A Public Participation Plan will also be required for AG rezoning requests proposing any commercial agriculture activity. (e.g. Breeding of livestock, sales of produce).

The applicant may submit a Public Participation Plan and begin implementation prior to formal application at his discretion; however, implementation shall not begin until the project has been presented in both a Pre-Application meeting and a Preliminary Plan meeting

At a minimum, the Public Participation Plan shall include the following information:

- (a) Which property owners, interested parties, political jurisdictions and public agencies may be affected by the application
- (b) How those interested in and potentially impacted by an application will be notified that an application has been made.
- (c) How those interested and potentially impacted parties will be informed of the substance of the development proposed by the applicant.
- (d) How those potentially impacted and interested parties will be afforded an opportunity to discuss the applicant's proposal with the applicant and express any concerns, issues or problems that they may have with the proposal, in advance of the public hearing.
- (e) The applicant's schedule for completion of the Public Participation Plan process.

PUBLIC PARTICIPATION MEETING

Where required, it shall be the responsibility of the applicant to schedule and hold a public participation meeting. The public notification letter sent to the neighborhood shall identify the date, time, and place of the meeting.

Minimum Public Notification Target Area. The minimum public notification target area for the public participation meeting will include:

- (a) All properties that lie within 750 feet of the legal boundary of the subject property.
- (b) Any homeowners' associations which represent subdivisions or properties, that falls within the 750 foot boundary.
- (c) Other interested parties who have requested that they be placed on the Interested Parties Notification List, to be maintained by the Department of Planning & Land Use.
- (d) Department of Planning & Land Use
- (e) Cherokee County Board of Commissioners

Meeting Notices. Notices sent by the applicant to the properties in the Target Area and to the Interested Parties Notification List **SHALL BE MAILED NO LATER THAN 10 DAYS PRIOR** to the scheduled Public Participation Meeting date. (See Public Participation Meeting Notification Letter template)

Certificate of Mailing. The applicant will be required to submit to the Department of Planning and Land Use a Certificate of Mailing from the post office which lists those property owners within the Target Area who were invited to the scheduled Public Participation meeting.

Meeting Protocol. At the Public Participation meeting:

- (a) The applicant or authorized representative shall be available to answer questions of the general public for at least 30 minutes
- (b) The meeting location shall be held at a public facility within the community for which the applicant is seeking re-zoning request. The meeting location should be within a 5-mile radius from location of the subject property. If no such facility is available, the applicant may propose an alternate location to be approved by the Director of Planning & Land Use prior to making such arrangements.

- (c) The meeting shall not begin prior to 6:30 p.m. on the evening the meeting is to be held.
- (d) The applicant or authorized representative shall provide the following material for the general public to view:
 - Cherokee County Future Land Use Map.
 - Site plan proposed on application.
 - Contact information (name and phone number and/or e-mail address) for the applicant or authorized representative.
 - Procedure and contact information provided by Cherokee County Department of Planning & Land Use
- (e) Failure to comply with the public participation requirements herein will result in a request by staff to continue the case until such time as the applicant demonstrates compliance

PUBLIC PARTICIPATION REPORT

The applicant shall provide a written report on the results of the public participation meeting to the Department of Planning & Land Use **one (1) week** prior to the Planning Commission Work Session. This report will be provided to the Planning Commission and Board of Commissioners.

At a minimum, the Public Participation Report shall include the following information:

Details of methods the applicant used to involve the public, including:

- (a) Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;
- (b) Content, dated mailed and numbers of mailings, including letters, meeting notices, newsletters and other publications;
- (c) Where property owners and interested parties receiving notices or other written materials, are located; and
- (d) The number of people that participated in the process.

A summary of concerns, issues and problems expressed during the process, including:

- (a) The substance of the concerns, issues and problems;
- (b) How the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and
- (c) Concerns, issues and problems the applicant is unable or unwilling to address and why.

NEED TEMPLATES HERE

DRAFT

DEVELOPMENT OF REGIONAL IMPACT

The State of Georgia, Department of Community Affairs has established specific thresholds for the identification of Developments of Regional Impact (DRI). Please refer to the Thresholds Table that is attached to this application to determine if the proposed project meets or exceeds any of the development thresholds. If the proposed project meets or exceeds any of the development thresholds, a Development of Regional Impact Review **MUST** be conducted prior to the Planning Commission Hearing. The rules and procedures for a DRI REVIEW are available from the Atlanta Regional Commission or the Georgia Department of Community Affairs respective websites.

DEVELOPMENTS OF REGIONAL IMPACT DEVELOPMENT THRESHOLDS

Type of Development	Notification Only	Rural and Developing Rural	Maturing Neighborhoods, Established Suburbs, Developing Suburbs and other places not mentioned in this table	Regional Centers, and Regional Employment Corridors	Region Core
(1) Office	400,000 gross sf	400,000 gross sf	500,000 gross sf	600,000 gross sf	700,000 gross sf
(2) Commercial	Greater than 300,000 gross sf	300,000 gross sf	400,000 gross sf	500,000 gross sf	600,000 gross sf
(3) Wholesale & Distribution	Greater than 500,000 gross sf	500,000 gross sf	500,000 gross sf	500,000 gross sf	500,000 gross sf
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	300 new beds	400 new beds	500 new beds	600 new beds
(5) Housing	Greater than 400 new lots or units	400 new lots or units	500 new lots or units	600 new lots or units	700 new lots or units
(6) Industrial	Greater than 500,000 gross sf; or employing more than 1,600 workers; or covering more than 400 acres	500,000 SF or 1,600 workers	500,000 SF or 1,600 workers	500,000 SF or 1,600 workers	500,000 SF or 1,600 workers
(7) Hotels	Greater than 400 rooms	400 rooms	500 rooms	600 rooms	700 rooms
(8) Mixed Use	Gross sf or 400,000 or more (with residential units calculated at either 1,800 sf per unit or, if applicable, the minimum sq footage allowed by local development regulations); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein	400,000 gross sf (with residential units calculated at 1,800 sf per unit, or the minimum allowed by the host local government)	500,000 gross sf (with residential units calculated at 1,500 sf per unit, or the minimum allowed by the host local government)	600,000 gross sf (with residential units calculated at 1,000 sf per unit, or the minimum allowed by the host local government)	700,000 gross sf (with residential units calculated at 1,000 sf per unit, or the minimum allowed by the host local government)
(9) Airports	All new airports, runways, and runway extensions	New airports and runway extensions of 500 ft. or more	New airports and runway extensions of 500 ft. or more	New airports and runway extensions of 500 ft. or more	New airports and runway extensions of 500 ft. or more
(10) Attractions & Recreational Facilities	Greater than 1,500 parking spaces or seating capacity of more than 6,000	1,500, seating capacity or 6000+	1,500, seating capacity or 6000+	1,500, seating capacity or 6000+	1,500, seating capacity or 6000+
(11) Post Secondary Schools	New school with a capacity or more than 2,400 students; or expansion by at least 25% of capacity	New school with a capacity or more than 2,400 students; or expansion by at least 25% of capacity	New school with a capacity or more than 2,400 students; or expansion by at least 25% of capacity	New school with a capacity or more than 2,400 students; or expansion by at least 25% of capacity	New school with a capacity or more than 2,400 students; or expansion by at least 25% of capacity

(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50% or more	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only
(13) Quarries, Asphalt & Cement Plants	New facility or expansion of use of an existing facility by 50% or more	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only	New facility within 1 mile of a public facility (airport, school, reservoir, river, etc.), otherwise, notification only
(14) Wastewater Treatment Facilities	New major conventional treatment facility or expansion of existing facility by more than 50%; or community septic treatment facilities exceeding 150,000 gallons per day or serving a development project that meets or exceeds an applicable threshold as identified herein	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)
(15) Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 ft of any water supply; otherwise, storage capacity greater than 200,000 barrels	50,000 barrels if within 1,000 ft of water supply	50,000 barrels if within 1,000 ft of water supply	50,000 barrels if within 1,000 ft of water supply	50,000 barrels if within 1,000 ft of water supply
(16) Water Supply Intakes / Public Wells / Reservoirs / Treatment Facilities	New Facilities	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)	Notification only (MNGWPD)
(17) Intermodal Terminals	New Facilities	New Facilities	New Facilities	New Facilities	New Facilities
(18) Truck Stops	New facility with more than 3 diesel fuel pumps, or containing a half acre of truck parking or 10 truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces	10 or more diesel fuel pumps or 20 or more truck parking spaces
(19) Correctional / Detention Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day
(20) Any other development types not identified above (includes parking facilities)	1,000 parking spaces or, if available, more than 5,000 daily trips generated	1,000 spaces or 5,000 daily trips	1,000 spaces or 5,000 daily trips	1,000 spaces or 5,000 daily trips	1,000 spaces or 5,000 daily trips

NEED FORM ONE FOR DRI HERE

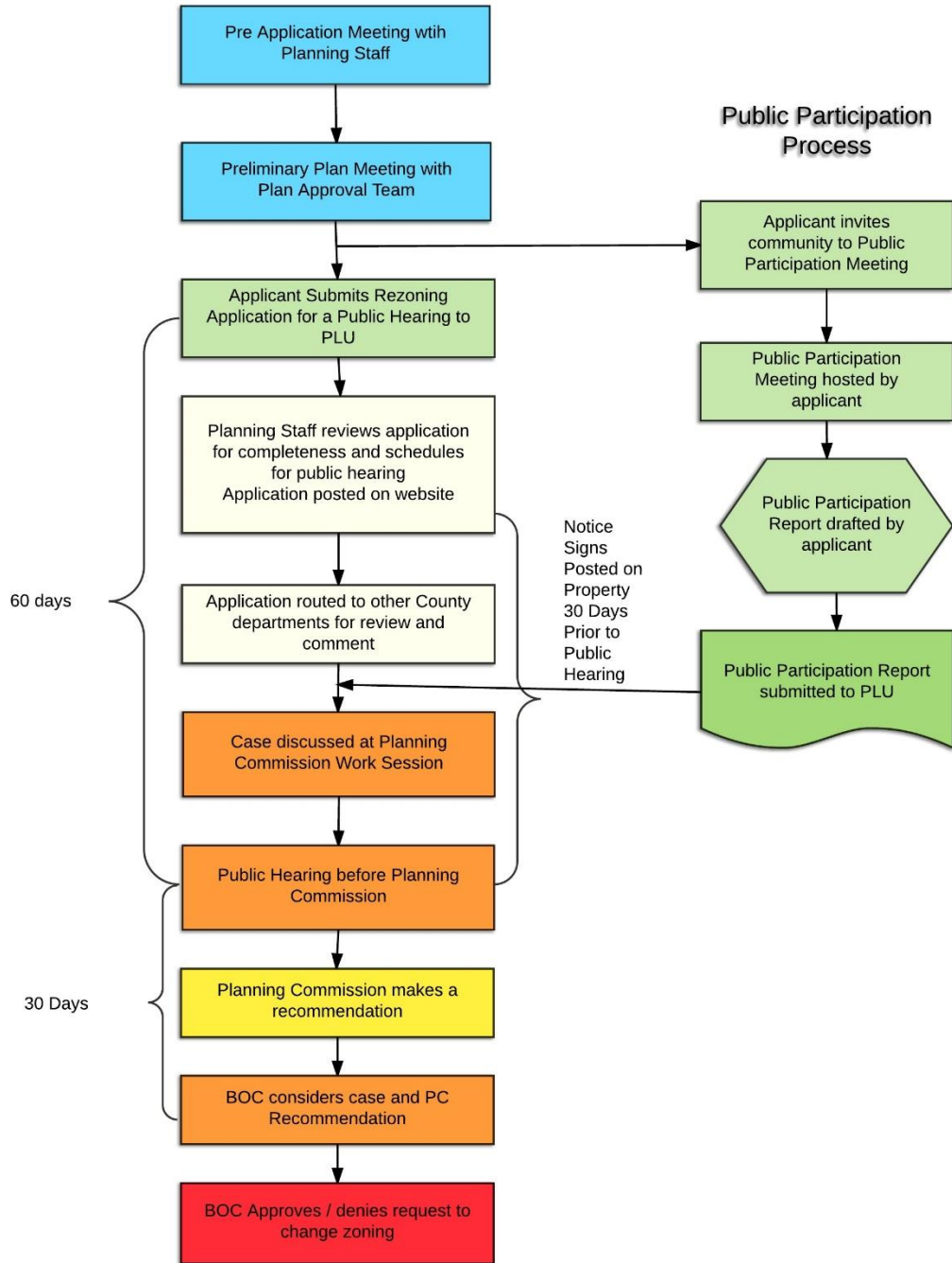
PUBLIC HEARING SCHEDULE

Last Filing Day	Deemed Complete by	Signs Posted	PC Public Hearing	BOC Regular Meeting
4/7/2017	4/22/2017	5/7/2017	6/6/2017	7/11/2017
5/12/2017	5/27/2017	6/11/2017	7/11/2017	8/1/2017
6/2/2017	6/17/2017	7/2/2017	8/1/2017	9/5/2017
7/7/2017	7/22/2017	8/6/2017	9/5/2017	10/3/2017
8/4/2017	8/19/2017	9/3/2017	10/3/2017	11/7/2017
9/8/2017	9/23/2017	10/8/2017	11/7/2017	12/5/2017
10/6/2017	10/21/2017	11/5/2017	12/5/2017	1/2/2018
No January Hearing				
12/8/2017	12/23/2017	1/7/2018	2/6/2018	3/6/2018

SCHEDULE OF FEES

Rezoning Applications			
Acres	Single Family Residential	Multi-Family Residential	Commercial / Industrial
0-20	\$ 250.00	\$ 500.00	\$ 750.00
20-100	\$ 500.00	\$ 750.00	\$ 850.00
100+	\$ 750.00 + \$ 10 / acre	\$ 1,000.00 + \$ 10 / acre	\$ 1,000.00 + \$ 15 / acre
Max fee	\$ 2,500.00		
Modification of Zoning Conditions	\$ 175.00		

Cherokee County Zoning Process



CONTACT LIST

PLANNING & LAND USE

Vicki Taylor	Zoning Administrator	678-493-6105	vtaylor@cherokeega.com
Margaret Stallings	Principal Planner	678-493-6106	mstallings@cherokeega.com
Michael Chapman	Planner	678-493-6112	
Tamala Davis	Planning Tech	678-493-6104	tdavis@cherokeega.com
Rhonda Hilliard	Exec. Assistant	678-493-6103	rlhilliard@cherokeega.com
Jeff Watkins	Community Dev. Director	678-493-6107	jwatkins@cherokeega.com

DEVELOPMENT SERVICE CENTER

ENGINEERING

FIRE MARSHAL

PLANNING COMMISSION

Article 18 – Amendments and Zoning Procedures

18.1 ~~18.1~~ ADMINISTRATION AND LEGISLATIVE BODIES.

The provisions of this Article of the Zoning Ordinance shall be administered by the Planning and Land Use Department, in association with and in support of the Planning Commission, and Board of Commissioners, as described herein.

18.2 ~~18.87~~ Cherokee County Municipal PLANNING COMMISSION

[JW1]

18.2-1 ~~18.87-1~~ Purpose

There is hereby established a Cherokee County ~~Municipal~~ Planning Commission for the purposes of providing recommendations to the Board of Commissioners of Cherokee County concerning re-zoning applications, zoning, and land use.

18.2-2 ~~18.87-2~~ Membership

The Cherokee County ~~Municipal~~ Planning Commission shall consist of nine (9) members who reside in Cherokee County. The Board of Commissioners of Cherokee County shall appoint seven (7) of the members with each Commissioner having one (1) appointment to run concurrently with the term of the person so appointing. In addition, two members shall be appointed by the Board of Commissioners of Cherokee County as a whole to serve at the pleasure of the Commission.

Two members of the Cherokee County ~~Municipal~~ Planning Commission shall consist of representatives of the City of Waleska and the City of Ball Ground. The City of Waleska and the City of Ball Ground shall appoint the respective members.

18.2-3 ~~18.87-3~~ Leadership

There is hereby established a Chairman of the Cherokee County ~~Municipal~~ Planning Commission to be appointed annually by the members of the Cherokee County ~~Municipal~~ Planning Commission. In addition, a Vice-Chair shall be designated by the members of the Cherokee County ~~Municipal~~ Planning Commission.

~~18.2~~18.2-4 ~~18.87-4~~ Policies and Procedures

~~CC~~Copies of the Cherokee County ~~Municipal~~ Planning Commission Policies and Rules of Procedure shall be available for distribution to the general public through the Planning and Land Use Department.

~~Formatting still needs adjusting.~~

18.3 ~~18.2~~ ZONING ORDINANCE TEXT AND MAP AMENDMENTS.

18.3-1 ~~18.2-1~~ Zoning Ordinance and Official Zoning Map Amendment Procedure.

The Zoning Ordinance, including the Official Zoning Maps, may be amended from time to time by the Board of Commissioners in accordance with the requirements of the State Zoning Procedures Law (Ga. Laws 1985, page 1139; O.C.G.A. Sections 36-66-1 through 36-66-5) and this Ordinance.

18.3-2 48.2-3 Initiation of Amendments [JW2].

Applications for amendment of the text or maps of the Zoning Ordinance may be initiated by the Board of Commissioners, the Planning Commission, the Director of Planning and Land Use, the County Engineer or by petition of any property owner addressed to the Board of Commissioners when public necessity, general welfare or good zoning practice justifies such action. In the case of a petition for the rezoning of property, such petition shall be submitted by the owner of record of said property, the owner's agent or by a contract purchaser with the owner's written consent.

18.3-3 48.2-2 Public Hearing Required.

A. Prior to enacting either a text amendment to this code or a map amendment, the Board of Commissioners shall cause a public hearing to be held on the proposal.

B. At least fifteen (15) but not more than forty-five (45) days prior to the date of each such hearing, the Board of Commissioners shall cause to be published within a newspaper of general circulation within the territorial boundaries of Cherokee County, a notice of the hearing. The notice shall state the time, place and purpose of the hearing [JW3].

18.3-4 (c) Text a Amendments.

(1) Public Hearing. [The [JW4] Board of Commissioners may shall schedule and conduct such public hearing. Alternatively, the Board of Commissioners, or may direct the Planning Commission to conduct a public hearing [JW5] for the purpose of getting obtaining their recommendation. Failure by the Planning Commission to make a recommendation on any proposed text amendment shall go forward to the Board of Commissioners as "No Comment."

A. (2) Following its public hearing or after receipt of the Planning Commission recommendation, the Board of Commissioners shall consider the text amendment and take final action.

B. (3) In considering a text amendment, action by the Planning Commission shall be considered by vote of the members present.

1. a. A motion to recommend approval or denial approve or deny of an amendment must be approved passed by an affirmative vote of at least a majority of the members present in order for the motion to be approved carry.

2. b. If a motion to approve recommend approval of an amendment fails, the amendment is automatically denied. If a motion to recommend denial of deny an amendment fails, another motion would be in order.

3. ~~e.~~—A tie vote on a motion to recommend ~~for~~ approval of an amendment shall be deemed a recommendation for denial of the amendment. A tie vote on any other motion shall be deemed to be no action, and another motion would be in order.
 4. ~~d.~~—If no action is taken on an amendment, it shall be considered tabled and action —deferred to the next regular meeting.
- C. ~~(4)~~—In taking final action on an ~~text~~ amendment, the Board of Commissioners may:
1. ~~a.~~—Approve, approve with changes, or deny the proposal; or,
 2. ~~b.~~—Table the proposal for consideration at its next scheduled meeting; or
 3. ~~e.~~—Return the proposed amendment to the Planning Commission for further consideration^[JW6].

D. Standards for text amendments.

The Planning Commission and / or the^[JW7] Board of Commissioners shall consider the following standards^[MS8] in considering any proposal that would result in a change to the text of this Ordinance, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal:

1. ~~(1)~~—Is the proposed amendment consistent with the purpose and intent of this Ordinance as stated under Article 2 - Purpose?
2. ~~(2)~~—Does the proposed amendment further or is it compatible with the purpose and intent of the Comprehensive Plan^[JW9]?
3. ~~(3)~~—Is the proposed amendment required to adequately address new or changing conditions or to properly implement the Comprehensive Plan?
4. ~~(4)~~—Does the proposed amendment reasonably promote the public health, safety, morality or general welfare?

E. -Effect of text amendment approval.

1. ~~(1)~~—Approval of a text amendment shall be in full force and effect upon its approval by the Board of Commissioners or upon the stated effective date thereof.
2. ~~(2)~~—For a property ~~on~~^[JW10] which a use, building, structure or other improvements existed in conformity with this Ordinance prior to the effective date of a text amendment affecting the property, any such use, building, structure or other improvements no longer in conformance shall be governed by the provisions for Nonconforming Uses under Article 13 of this Ordinance, as applicable.
3. ~~(3)~~—Construction of any use, building, structure, or other improvements for which a ~~building~~ permit has been issued in conformity with this Ordinance prior to the effective date of a text amendment may continue to completion as though no change had occurred and, upon completion, shall be governed by the provisions for Nonconforming Uses under Article 13 of this Ordinance, as applicable.

18.3-5 Map Amendments

In all applications for a map amendment the burden shall be on the applicant both to produce sufficient information to allow the Board of Commissioners to fully consider all relevant factors and to demonstrate that the proposal complies with all applicable requirements and is otherwise consistent with the policies reflected in the factors enumerated in this chapter for consideration by the County.

A. ~~(1)~~ Public HearingInitiation of Map Amendment^[JW11].

1. Pre-Application Meeting prior to any submittal

Any person considering submitting a rezoning application, or an application for a special use permit per section 18.4 of this code, shall first schedule a meeting with staff of the department of Planning and Land Use prior to submitting such application. The purpose of the pre-application meeting is to communicate the intent to seek a change of zoning, to understand the documents, the timeline and the responsibilities for submitting a complete application.

2. Preliminary Review Meeting prior to any submittal

Any^[JW12] time after the pre-application meeting with^[JW13] staff, but prior to submittal of an application, the project ~~may~~^[JW14] shall be presented for a Preliminary Review of the project. The purpose of the preliminary review meeting is to allow the County's staff assigned to review and approve development plans ~~Plan Approval team~~^[JW15] the opportunity to become familiar with the proposed site / project and to offer their comments as to what their respective codes will require of the proposed site / project were the project to seek a development permit as proposed.

3. Application Submitted (75-60 days^[JW16])^[JW17]

Any person seeking to change the zoning of their property, or a special use permit per section 18.4 of this code, having met with staff in a Pre-application meeting and subsequently presenting their project in a preliminary review meeting,^[JW18] ~~may~~ shall submit an application on forms provided by the Department of Planning and Land Use and contained in the Zoning Guidebook, latest version. The application shall be submitted a minimum of 7560 days in advance of the scheduled public hearing. ^[JW19] In addition to the application, the request for map amendment ~~may~~ shall include additional information such as, but not limited to, site plans, surveys, legal descriptions and deeds of the property to be rezoned, traffic studies, letter of intent, existing resource maps, and other information as outlined ~~herein~~^[JW20] or contained in the Zoning Guidebook, latest version.

4. Public Participation Meeting (if required)^[JW21]

Any person submitting a rezoning application, or an application for a special use permit per section 18.4 of this code, will host a Public Participation meeting after the proposed project has been presented in both a Pre-Application meeting and a Preliminary ~~Plan~~ Review ^[JW22] meeting^[JW23]. The purpose of the meeting is to ensure early and effective communication with nearby property owners and interested citizens, giving them the opportunity to understand the proposed request

for a change of zoning or proposed special use, and to mitigate any impacts such proposal may have on the community.

Public Participation is intended to facilitate fair, open and honest discussions between an applicant for rezoning or a special use permit, and citizens. Emerging out of these discussions should be a better understanding of the issues and an atmosphere for informed decision making. At best, JW24], citizens and the applicant work JW25] together to refine the proposal and try to mitigate any impacts the proposal might have on the surrounding community

This requirement applies to rezoning applications for any commercial, office, industrial, ~~commercial~~, multi-family residential, single-family residential rezoning requests for major subdivisions (~~5~~ VTL26] ~~6~~ or more lots), commercial uses in agriculture and applications for a special use permit. Rezoning applications initiated by the Board of Commissioners are exempt from this requirement. JW27]. Failure to comply with the public participation requirements herein will result in a request by staff to continue the case until such time as the applicant demonstrates compliance

No public participation meetings shall be scheduled by any applicant during the week of Thanksgiving, from the Monday prior to Thanksgiving Day to the following Sunday, or during the Christmas Holiday from December 20th to January 3rd

- a. The minimum public notification target area for the public participation meeting will include:
 - i. All properties that lie within 1,000 feet of the legal boundary of the subject property.
 - ii. Any homeowners associations which represent subdivisions or properties, that falls within the 1,000 foot boundary.
 - iii. Notifications shall be mailed at least 10 days prior to the scheduled meeting. JW28]
 - iv. The applicant must include certificates of mailing for the invitations and a meeting summary with their rezoning or special use application
 - v. Other interested parties who have requested that they be placed on the Interested Parties Notification List, to be maintained by the Planning and Land Use Office.
- b. Meeting Protocol.
 - i. The meeting location shall be held at a public facility within the community for which the applicant is seeking re-zoning request. The meeting location should be within a 5-mile radius from location of the subject property. If no such facility is available, the applicant may propose an alternate location to be approved by the Director of Planning & Land Use prior to making such arrangements
 - ii. The applicant or authorized representative shall be available to answer questions of the general public for at least 30 minutes

- iii. The meeting shall not begin prior to 6:30 pm nor later than 8:30 pm on the evening the meeting is to be held.
 - iv. The applicant or authorized representative shall provide the following material for the general public to view:
 1. Cherokee County Future Land Use Map.
 2. Proposed Site plan proposed.
 3. Contact information (name and phone number and/or e-mail address) for the applicant or authorized representative.
 4. Procedure and contact information provided by Cherokee County Department of Planning & Land Use
- c. Public Participation Meeting Summary. The applicant shall provide a written report on the results of the public participation meeting to the Planning and Land Use one (1) week prior to the Planning Commission Work Session. At a minimum, the meeting summary shall include the following information:
- i. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;
 - ii. Content, dated mailed and numbers of mailings, including letters, meeting notices, newsletters and other publications;
 - iii. The number of people that participated in the process.
 - iv. A summary of concerns, issues and problems expressed during the process, including:
 1. The substance of the concerns, issues and problems;
 2. How the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and
 3. Concerns, issues and problems the applicant is unable or unwilling to address and why.

These requirements will apply, in addition to the formal notification provisions typically undertaken by the County. The basis for this target area is to provide an expanded notification area beyond the legal notification required for rezoning requests (adjacent properties) to enhance public participation opportunities.

5. Application Deemed Complete^[JW29]

The^[JW30] Department of Planning and Land Use shall review and assess all applications requesting a rezoning, or a special use permit per section 18.4 of this code, for completeness^[JW31] within five (5) business days of the submittal deadline. An application shall be considered "complete" if it is submitted on the required form(s), includes all submittal information, including all forms specified within the Zoning Guidebook and provided by the department of Planning and Land Use, and accompanied by the application processing fee as adopted by the Board of Commissioners and as may be revised periodically. If the application is deemed incomplete, the department staff shall inform the applicant in writing of the

~~deficiencies of the application, and the application shall receive no further processing until the deficiencies are corrected. The applicant shall correct such deficiencies [JW32] no later than 45 days prior to the public hearing date, or the application may be subject to a request by staff to continue the case until the next available public hearing date [JW33].~~

~~Applications shall be limited to no more than six (6) [JW34] scheduled for public hearing per month on a first come, first served basis. In addition to said six (6), two (2) non-residential applications shall be accepted. This eight (8) application limit shall not apply to the number of cases heard each month by the Cherokee County Municipal Planning Commission nor the Board of Commissioners of Cherokee County [JW35] [JW36].~~ No more than eight (8) new applications, which have been deemed complete by staff, shall be scheduled for public hearing per month on a first come, first served basis.

~~— Notice and Advertising (30/15 days)~~

6. Planning Commission Work Session

Prior to the regularly scheduled public hearing date, the Planning Commission shall schedule a work session at which all business items scheduled to come before the Planning Commission at a public hearing shall be presented in order to familiarize the members with the facts of each such item. Planning and Land Use staff shall provide technical assistance in preparing the agenda for the Work Session.

4.7. Map Amendment Initiated by Board of Commissioners

A map amendment may be initiated by the Board of Commissioners. An application promulgated by the County Board of Commissioners shall require legal notice as per 18.3-3 of this ordinance referencing the time, date, place and purpose of the Public Hearing at which the map amendment will appear.

~~— PC Public Hearing~~

~~— Board of Commissioners Decision [MS37]~~

~~B. Public Hearing [JW38]. The Board of Commissioners may schedule and conduct such public hearing, or may direct the Planning Commission to conduct a public hearing for the purpose of getting their recommendation [MS39]. The [JW40] Board of Commissioners shall schedule and conduct such public hearing. Alternatively, the Board of Commissioners may direct the Planning Commission to conduct a public hearing [JW41] for the purpose of obtaining their recommendation. Following its public hearing or after receipt of the Planning Commission recommendation, the Board of Commissioners shall consider the map amendment, or special use permit, and take final action~~

~~— Failure by the Planning Commission to make a recommendation on any proposed text amendment shall go forward to the Board of Commissioners as "No Comment."~~

~~— 18.2-2 Public Hearing Required.~~

~~A. Prior to enacting an amendment, the Board of Commissioners shall cause a public hearing to be held on the proposal.~~

~~B. At least fifteen (15) but not more than forty-five (45) days prior to the date of each such hearing, the Board of Commissioners shall cause to be published within a newspaper of general circulation within the territorial boundaries of Cherokee County, a notice of the hearing. The notice shall state the time, place and purpose of the hearing.~~

C. Public Notice for Map Amendments~~If a proposed amendment is for the rezoning of property and involves a change in the zoning classification of 25 or fewer parcels of land, then:~~

1. The legal notice, in addition to the requirements in 18.3-3^[JW42]~~above~~^[VTL43], shall include the location of the property, the present zoning classification of the property, ~~and~~ the proposed zoning classification of the property and proposed use of the property;
2. The Director shall cause a copy of the contents of the legal notice ~~from Section 18.2-2(B)~~ to be sent by regular mail to the applicant and adjoining property owners at the address listed in the current county tax records at least ten (10) days prior to the public hearing.
3. A sign containing the information outlined above shall be placed in a conspicuous location^[JW44] on the property not less than thirty (30) days prior to the date of the hearing.^[JW45] The applicant shall make a good faith effort to insure the notice sign remains in place during the 30 days' notice period. Acts of vandalism or natural occurrences limiting the effectiveness of notice by a sign posted on the property shall not invalidate any proceedings or action taken on the proposed application.

~~A. 18.2-3 Initiation of Amendments.~~

~~A. Applications for amendment of the text or maps of the Zoning Ordinance may be initiated by the Board of Commissioners, the Planning Commission, the Director of Planning and Land Use, or by petition of any property owner addressed to the Board of Commissioners. In the case of a petition for the rezoning of property, such petition shall be submitted by the owner of record of said property, the owner's agent or by a contract purchaser with the owner's written consent.~~

D. 18.2-4 Limitation on Permits.

Once a rezoning application is submitted by a property owner or their agent, other than by the Board of Commissioners^[MS46], no application for a land disturbance, building, development or other similar permit, or for a Variance or Special Use Permit for the affected property shall be accepted for processing or acted upon until final action is taken by the Board of Commissioners on the proposed map amendment.

If the Board of Commissioners does not take final action on the rezoning application within six (6) months from the date of a complete application^[JW47], Permit, Variance and Special Use Permit applications shall again be accepted and reviewed pursuant

to existing zoning. And, further provided that such permit applications shall be accepted during the map amendment process if the proposed use is authorized under the same conditions in both the existing and proposed zoning district.^[MS48]

E. ~~18.2-5~~ Criteria ~~for Governing Exercise of the Zoning Power~~ Evaluating Map Amendments.

1. ~~The~~^[JW49] Board of Commissioners finds that the following criteria are relevant in balancing the interest ~~in of~~ promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property. ~~These criteria~~^[JW50] ~~and shall be used to evaluate rezoning applications~~^[JW51]: ~~govern the exercise of the zoning power:~~

~~A.a.~~ Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property;

~~B.b.~~ Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property;

~~C.c.~~ Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned;

~~D.d.~~ Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

~~E.e.~~ Whether the proposed rezoning is in conformity with the policy and intent of the Comprehensive Plan and Future Development Map; and

~~F.f.~~ Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning^[JW52].

2. ~~18.2-5.1~~ The Planning Commission and Board of Commissioners ~~shall may~~^[JW53] also consider the following factors^[JW54] in evaluating rezoning applications^[JW55]:

a. ~~A.~~ Impact on the road system and traffic flow;

b. ~~B.AA~~ Adequacy of the water service system to the area proposed for development;

c. ~~C.~~ Availability or adequacy of sanitary sewer systems or whether the soils in the area proposed for development are suitable to absorb the projected flows from septic tank systems^[JW56];

- d. ~~D.~~ Impact on economic values in the area;
- e. ~~E.~~ Impact on the health, safety, and general welfare of the area; and
- f. ~~F.~~ Suitability of the site for the proposed use in overall size, topography and neighborhood compatibility^[JW57].

~~F. 18.2-6~~ Impact Analysis for Map Amendments.

~~If a proposed amendment is for the rezoning of property and involves a change in the zoning classification of 25 or fewer parcels of land, then:~~^[MS58]

~~A.1.~~ The initiating party, if a party other than the Board of Commissioners, shall be required to file, with its application for rezoning, a written, documented analysis of the impact of the proposed zoning with respect to each of the matters enumerated in Section 18.3-5 ~~DE (1) a-f~~^[JW59], above. ~~Such a zoning proposal and analysis shall be a public record.~~

~~B.2.~~ The Department of Planning and Land Use shall, with respect to each such zoning proposal, evaluate and make a finding with respect to each of the matters enumerated in Section 18.3-5 ~~DE (1) a-f~~ above. This investigation may involve consulting with other County departments or governmental units to evaluate the impact of the proposal on public facilities and services.^[VTL60]

~~C.3.~~ The Department shall make a written record of its investigation and finding, ~~and this record shall be a public record.~~

4. The Planning Commission shall, with respect to each such ~~zoning request for a map amendment proposal~~, evaluate and make a recommendation with respect to each of the matters enumerated in Section 18.3-5 ~~DE (1) a-f~~ above.

~~D.~~, ~~and this record shall be a public record.~~

G. Planning Commission Action^[JW61]

1. In considering an application for rezoning or a special use permit, action shall be considered by vote of the members present.

2. The Cherokee County Municipal Planning Commission shall recommend^[JW62]to^[JW63]

a. Continue the case to the next scheduled public hearing date upon a request by the applicant, staff, and / or of their own motion^[JW64]; or

b. Approve the proposed map amendment, or special use permit, as presented; or

c. Approve the proposed map amendment, or special use permit, with conditions; or

- d. Approve^[JW65] a substitute zoning classification with or without conditions (including special uses), with or without conditions.; or^[VTL66]
- e. Deny the proposed map amendment, or special use permit, in whole or in parts entirety;

3. A motion to recommend approval or denial of an application for rezoning or a special use permit must be passed by an affirmative vote of at least a majority of the members present in order for the motion to carry.

4. If a motion to recommend approval or denial of an application for rezoning or a special use permit fails to get a second, another motion would be in order.

5. A tie vote on a motion to recommend approval or denial of an application for rezoning or a special use permit shall result in no action being taken.

4-6. If no action is taken on an application for rezoning or a special use permit, it shall be considered tabled and action deferred to the next scheduled public hearing. If no action is taken at the next scheduled public hearing, the application shall move on to the Board^[JW67] of Commissioners with a recommendation for denial from the Planning Commission.

7. Failure of the applicant or his agent(s) to be present at the public hearing constitutes abandonment and dismissal of the case unless the applicant shows just cause by reason of illness or health or other emergency within a reasonable time, in writing, and accompanied by new costs for re-advertisement and hearing

~~If a decision is not reached, the matter continues to be tabled for consideration until a vote carries. If the Cherokee County Municipal Planning Commission fails to recommend action on the application within sixty five (65) days and the applicant does not agree to a waiver of this time limit, the applicant may take it to the Board of Commissioners without a Cherokee County Municipal Planning Commission recommendation.~~

8. In carrying out its responsibilities in reviewing and taking action on an application, the Cherokee County Municipal Planning Commission may adopt rules and regulations^[JW68] for the conduct of public hearings and meetings as are consistent with State law and County ordinances and appropriate to its responsibilities. Robert's Rules of Order may be used as a procedural guide in the absence of a rule or policy.

9. The decision of the Cherokee County Municipal Planning Commission is advisory only.

H. ~~18.2-87~~ Action by Board of Commissioners.

Following the public hearing by the Planning Commission and after receipt of their recommendation on an application for rezoning or a special use permit, the Board of Commissioners may:

A.1. Approve the proposed map amendment, or special use permit, as presented;

- ~~B.2.~~ Approve the proposed map amendment, or special use permit, with conditions;
- ~~C.3.~~ Approve a similar or less intense use, with or without conditions, only with the applicants' consent ^{[JW69][JW70]} ~~if the proposed amendment is for the rezoning of property;~~ ^[VTL71]
4. Deny the proposed map amendment, or special use permit, in ~~whole or in part~~ its entirety;
- ~~D.5.~~ Remand the proposed map amendment, or special use permit, back to the Planning Commission for re-hearing ^[JW72];
- ~~E.~~ Refer the matter back to the Planning Commission for reconsideration;
- ~~F.6.~~ Table final action to a future regularly scheduled business session or public hearing meeting, or table the final action indefinitely. If the Board of Commissioners has not taken action on such application as enumerated in items A1—E45 above —within ninety (90) days of the Planning Commission's recommendation and the applicant has not requested postponement ^[JW73], the application shall be deemed to be denied without prejudice.

I. ~~18.2-89~~ Plans and Other Documents Showing Proposed Use and Impact Required ^[JW74].

An application for an map amendment to create or extend a Zoning District shall be accompanied by a concept site ^[JW75] plan ^[JW76] at to scale and such other plans, elevations or additional information as requested by County Staff, required on forms provided by the Department of Planning and Land Use and contained in the Zoning Guidebook, latest version, and/ or as this Ordinance may require, showing the proposed development and its impact on natural and built systems. Additional requested ^[VTL77] information ^[VTL77] may include without limitation traffic studies, utility studies, drainage studies and information about the existing site resources on the tract(s) in terms of topography ^[JW78], hydrologic features, trees \ vegetation, historic \ archeological \ cultural features, general soil types, existing roads and structures, and surrounding property land use.

^[JW79]

J. ~~18.2-101~~ Concurrent Variances ^[JW80].

~~If An application for a proposed map amendment is for the rezoning of property and involves a change in the zoning classification of 25 or fewer parcels of land, then the application may include a request for variance to the provisions of the Zoning Ordinance. Concurrent variances must be advertised with the rezoning application, specifically identifying the section(s) of the ordinance from which relief is requested.~~

The purpose of a variance request that is concurrent with a map amendment is to address factors that affect a significant portion of the proposed development of the property. The factors are so critical that they are evident even at this very early stage of development. The granting of the concurrent variance will help to overcome significant topographic, environmental or access challenges on the site and prevent the need for a number of variances later in the process ^[JW81]. It is the burden of the applicant to demonstrate the hardship ^[JW82] that necessitates a concurrent variance.

These concurrent variance applications must meet the standards outlined in Article 15 — Zoning Board of Appeals ^[JW83]. These variances shall be limited to building

setbacks, lot widths, and zoning bufferslot widths-. Variances to permitted uses or minimum lot size are not permitted.shall not be subject to hearing

Add parameters for what types of variances

Purpose of concurrent variances

- Factors affecting a significant portion of the development
- Prevent multiple individual variances
- Not for use or lot size

18.3-6 18.2-10 2Modification Of of existing Existing zoning Zoning conditionsConditions.

Applications for Cchanges to the conditions of an approved Rrezoning [JW84]shall follow a streamlined process but meet the minimum standards in accordance with the requirements of the State Zoning Procedures Law (Ga. Laws 1985, page 1139; O.C.G.A. Sections 36-66-1 through 36-66-5).

These applications shall be submitted to the Planning and Land Use Department for analysis per Section 18.3-5 ED. [JW85]The public shall be notified through the publication of a legal notice and posting of a sign on the property no less than 15 days [JW86]prior to the public hearing, which will be held by the Board of Commissioners with a decision to follow. The applicant and adjoining property owners shall also be notified by mail as described in Section 18.3-5 (C) 2 .

be subject to the same application, review and approval process as a new application, including the payment of relevant fees.

Goes to BOC and follows ZPA process only.

18.3-7 23 Actions to be taken if Plans are not Implemented within Specified Time Limits.

- A. Purpose: The purpose of this section is to reduce map amendments of a speculative nature in Cherokee County. Where a rezoning application was approved on or after Jan. 1, 2018, and no discernable development activity has occurred in reliance of the approved rezoning application in the 12 months following the date such application was approved by the BOC, a notice shall be delivered to the property owner(s) of record, by the Department of Planning and Land Use advising that a BOC-initiated rezoning to a constitutional zoning designation for the subject property may occur if the property owner does not initiate some action within thirty (30) days of said notice. The property owner may request the BOC for an extension of time not to exceed 12 months from the date of notice sent by the Department of Planning and Land Use as described herein. If the request for extension is the first such extension requested by the property owner, the extension shall be granted administratively by the Director of Planning and Land Use. Any subsequent request for extension of time shall be heard and decided by the BOC. Alternatively, in response to the notice of a potential BOC initiated rezoning, the property owner may present evidence the Director of Planning and Land Use of specific actions taken in reliance upon the approved rezoning to effect development of the property. Discernable development activity would include, but not be limited to, the preparation of documents and/ or plans by a professional surveyor, engineer, architect or landscape architect for the clearing, grading,

installation of infrastructure, or other activity for submission to Cherokee County in anticipation of the approval of a land disturbance permit, final plat, subdivision plat, site development permit or building permit. Upon no discernable development activity being initiated 30 days after notice tendered, and no extension of time being requested or evidence presented to the contrary, the property shall be placed upon a Board agenda for consideration of a County-initiated rezoning. Nothing contained within this paragraph shall impair or otherwise limit the Board's authority to initiate a rezoning of property at any time subject only to vested right considerations

B. The Board of Commissioners may review the zoning district classification of any approved zoning map amendment and determine whether it shall be continued or initiated for rezoning if it meets all of the following criteria:

1. The Board of Commissioners is not the applicant
2. Zoning district is not AG, R-80, R-60 or R-40^[JW87]
3. No land disturbance permit, building permit or certificate of occupancy has been issued within 24 months of the date of approval of the map amendment^[JW88]^[JW89]

C. If the Board of Commissioners decides to initiate a map amendment, the application shall follow the same process as any other Board-initiated map amendment^[JW90]application.

~~18.3~~

~~Purpose – reduce speculative nature of map amendments~~

~~Change it to 24 months timeframe~~

~~Spell out what zoning districts could be considered or whether it just reverts to previous~~

~~Follows Board-initiated process~~

18.4 SPECIAL USE PERMITS^[JW91].

18.4-1 ~~18.3-1~~ Purpose.

The purpose of a Special Use Permit is to provide a process for review of a use that is generally compatible with the use characteristics of a zoning district, but requires individual review of its location, design, height, intensity, configuration and public facility impact to determine the appropriateness of the use for any particular site and its compatibility with adjacent uses.

18.4-2 ~~18.3-2~~ Authority.

The Board of Commissioners shall take final action on applications for Special Use Permits in accordance with the procedures, standards and limitations of the Zoning Ordinance. In order to accommodate these special uses, the Special Use Permit allows the Board of Commissioners to approve a special use on a particular parcel without changing the general zoning district. Such approval shall be subject to the requirements set forth in this Zoning Ordinance and any additional conditions deemed necessary to ensure the compatibility of the special use with the surrounding properties. All Special Use Permit applications shall be for a specific proposed use only^[JW92]^[JW93]. The Special

Use Permit shall not be used for securing early zoning for conceptual proposals which may not be undertaken for some time.^[MS94]

18.4-3 ~~18.3-3~~ Special Use Permit Procedure.^[MS95]

The application and review process for a Special Use Permit shall be the same as those contained in Section 18.3-5 (~~Map Amendments~~), herein.

In addition to the information and/or site plans which are required to be submitted for the proposed development, additional information deemed necessary by the ~~Planning~~ Director in order to evaluate a proposed use and its relationship to the surrounding area shall be submitted as requested.

18.4-4 ~~18.3-4~~ Staff Analysis.

The ~~Staff~~ staff analysis on each application for a Special Use Permit shall follow the same procedures as those contained in Section 18.3-5, herein. In the review process, particular emphasis shall be given to the evaluation of the characteristics of the proposed use in relationship to neighboring properties and the compatibility of the proposed use with its surroundings.

18.4-5 ~~18.3-5~~ Public Hearing Required

~~The~~ The public hearing process, impact analysis and application ~~application of the Standards Governing the Exercise of Zoning Power~~ for a Special Use Permit shall be the same as those contained in Section 18.3-5, herein.

18.4-6 ~~18.3-6~~ Special Use Permit Review Criteria^[JW96].

- A. ~~1.~~ The Board of Commissioners may grant a Special Use Permit for the uses enumerated with an "S" in Table 7.2 Permitted Uses of this article Ordinance. The granting of a Special Use Permit is based upon the site plan presented to and considered by the Board and are subject to the following process and review procedure:
- B. ~~2.~~ The Board may grant Special Use Permits for limited periods of time based upon the criteria set forth in 18.4-6 C.
- C. ~~3.~~ In addition to district regulations, the Board shall consider, at a minimum, the following in its determination of whether or not to grant a Special Use Permit, whether to limit the time such Special Use is allowed and whether to restrict the Special Use to a particular owner or party:
 1. ~~a)~~ Whether or not there will be a significant adverse effect on the surrounding area in which the proposed use will be located.
 2. ~~b)~~ Whether or not the use is otherwise compatible with the surrounding area.
 3. ~~c)~~ Whether or not the use proposed will result in a nuisance as defined under state law.
 4. ~~d)~~ Whether or not quiet enjoyment of surrounding property will be adversely affected.

5. ~~e)~~—Whether or not property values of surrounding property will be adversely affected.
 6. ~~f)~~—Whether or not adequate provisions are made for parking and traffic considerations.
 7. ~~g)~~—Whether or not the site or intensity of the use is appropriate.
 8. ~~h)~~—Whether or not special or unique conditions created by the use are consistent with the purpose, intent and goals of the Comprehensive Plan.
 9. ~~i)~~—Whether or not adequate provisions are made regarding hours of operation.
 10. ~~j)~~—Whether or not adequate controls and limits are placed on commercial and business deliveries.
 11. ~~k)~~—Whether or not adequate landscape plans are incorporated to ensure appropriate transition between adjacent or nearby properties.
 12. ~~l)~~—Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.
 13. ~~m)~~—Whether the application complies with any applicable specific requirements set forth in ~~this chapter for Special Use Permits~~the Zoning Ordinance for particular types of uses.
 14. ~~n)~~—Whether the applicant has provided sufficient information to allow a full consideration of all relevant factors.
 15. ~~o)~~—Whether the Special Use requested emits or creates unusual odors which would warrant use of an odor elimination/attenuation system as recommended by industry standards.
- D. ~~4.~~—In all applications for a Special Use Permit the burden shall be on the applicant both to produce sufficient information to allow the Board of Commissioners to fully consider all relevant factors and to demonstrate that the proposal complies with all applicable requirements and is otherwise consistent with the policies reflected in the factors enumerated in this chapter for consideration by the County^[JW97].

~~18.4.1~~—

~~18.4.2~~—~~18.3-6~~ Action by the Board of Commissioners

~~18.4.3~~—~~When considering a Special Use Permit application, the Board of Commissioners shall consider the policies and objectives of the Comprehensive Plan and Future Development Map, particularly in relationship to the proposed site and surrounding area, and shall consider the potential adverse impacts on the surrounding area, especially in regards to but not limited to traffic, storm drainage, land values and compatibility of land use activities. Following its public hearing the Board of Commissioners may:~~

~~18.4.4~~—

~~18.4.5~~—~~Approve the proposed special use as presented;~~

~~18.4.6~~—~~Approve the proposed special use with conditions;~~

~~18.4.7~~—~~Deny the proposed special use in whole or in part;~~

~~18.4-8 Refer the matter back to the Planning Commission for reconsideration;~~

~~18.4-9 Table final action to a future regularly scheduled business session or public hearing, or table the final action indefinitely.~~

~~18.4-10—~~

~~———— 18.3-77 Special Uses Within or Accessory to a Dwelling.~~

~~18.4-11 An application for a Special Use Permit in a residential zoning district where the use is proposed to operate in a dwelling or as an accessory use to a dwelling is subject to the following additional requirements:~~

~~18.4-12—~~

~~18.4-13 The Special Use Permit shall be valid for no more than an initial two-year period. Upon or before the expiration of the Special Use Permit, the owner shall make application to renew the Special Use Permit if continuance is desired. As part of a Special Use Permit renewal, the Board of Commissioners may waive any subsequent time limitation.~~

~~18.4-14 The special use shall operate within the dwelling on the property or, if approved by the Board of Commissioners, in an accessory structure.~~

~~18.4-15 The exterior character of the dwelling shall be preserved in its residential state and there shall be no outside evidence of the operation of the special use to the neighborhood, except for any accessory structure approved by the Board of Commissioners.~~

~~18.4-16 The owner of the property or business shall occupy the property and shall operate any business associated with the special use.~~

~~18.4-17 The owner of the property shall submit with the application a signed statement in which he/she agrees that the Special Use Permit, if approved, shall automatically terminate in the event that the property is sold, transferred, or otherwise conveyed to any other party; or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued. The owner shall also agree to notify the Director in writing upon the occurrence of any of these events.~~

~~18.4-18 In addition to the information and/or site plans required, the owner of the property shall submit with the application for a Special Use Permit information regarding the ownership of any business associated with the use, the experience and background qualifications related to the operation of said business, prior similar businesses operated, applicable State of Georgia certifications, licenses and like information.~~

18.4-7 ~~18.3-88~~ Voluntary Termination of a Special Use Permit.

The owner of the property approved for a Special Use Permit may voluntarily request termination of the Special Use Permit by notifying the Director in writing. The Director shall notify the Board of Commissioners ~~through the Planning Commission~~ of voluntary terminations as they occur ~~and shall change the official zoning maps to reflect any voluntary terminations~~. The approval of a Special Use Permit for a specific use which may be operated by a lessee under a private agreement with a lessor in any zoning district shall not obligate the Board of Commissioners to be responsible for or be required to resolve any disputes which may arise out of the voluntary termination of the Special Use Permit by the property owner.

18.4-8 ~~18.3-99~~ Change in Conditions or Modification of a Special Use Permit.

Changes to the conditions or modification of an approved Special Use Permit shall be subject to the same application, review and approval process as a new application, including the payment of relevant fees.

18.4-9 ~~18.3-100~~ Development of an Approved Special Use.

A. The issuance of a Special Use Permit shall only constitute approval of the proposed use, and development of the use shall not be carried out until the applicant has secured all other permits and approvals required. The Department shall not issue a Certificate of Occupancy for the specific use unless all requirements and conditions of the Special Use Permit have been fulfilled by the owner of the property.

B. If an application is approved and a Special Use Permit is granted, all conditions which may have been attached to the approval are binding on the property. All subsequent development and use of the property shall be in accordance with the approved plan and conditions. Once established, the special use shall be in continuous operation. Upon discovery that the operation of the special use has or had ceased for a period of 90 days or more and the owner of the property [JW98] has not requested voluntary termination of the Special Use Permit, the Director may forward a report to the Board of Commissioners ~~through the Planning Commission~~ which may recommend that action be taken to remove the Special Use Permit from the property.

~~18.4-19~~

18.4-10 ~~18.3-111~~ Compliance with Special Use Permit Requirements.

The Planning and ~~Development Land Use~~ Department shall have the right to periodically examine the operation of the specific use to determine compliance with the requirements and any conditions. If the Director determines that the requirements and conditions are being violated, a written notice shall be issued to the owner of the property outlining the nature of the violation and giving the owner of the property a maximum of 10 days to come into compliance. If after 10 days the violations continue to exist, the Director shall forward a report to the Board of Commissioners to recommend that action be taken to remove the Special Use Permit from the property.

18.4-11 ~~18.3-122~~ Actions to be Taken if Plans of Property Owner are not Implemented within Specified Time Limits.

The ~~special~~ use for which a Special Use Permit is granted shall commence operations or construction within 12 months of the date of approval by the Board of Commissioners. If, at the end of this 12-month period, the Director determines that active efforts are not proceeding toward operation or construction, a report may be forwarded to the Board of Commissioners ~~through the Planning Commission~~ which may recommend that action be taken to remove the Special Use Permit from the property. [JW99]

18.4-12 ~~18.3-133~~ Appeal of a Special Use Permit Decision.

Any person, persons or entities jointly or severally aggrieved by any decision of the Board of Commissioners regarding a Special Use Permit application may take an appeal to the Superior Court of the County. The appeal shall be limited to the proceedings and record of the Board of Commissioners. Any appeal must be filed within 30 days of the decision of the Board of Commissioners, and upon failure of such appeal, the decision of the Board of Commissioners shall be final.

18.5 ~~18.4~~ CONDITIONAL APPROVALS.**18.5-1 ~~18.4-1~~ Purpose.**

In adopting a ~~map~~ amendment to the Official Zoning Map, or approving a Special Use Permit, the ~~Planning Commission may recommend to, and the~~ Board of Commissioners may impose special conditions which ~~are deemed it deems~~ necessary in order to make the requested action acceptable and consistent with the purposes of the district(s) involved and to further the goals and objectives of the Comprehensive Plan.

18.5-2 ~~18.4-2~~ Such conditions may consist of (but are not limited to):[JW100]

- A. Restrictions as to what land uses or activities shall be permitted;
- B. Permitted hours of operation;
- C. Setback requirements from any lot line;
- D. Specified or prohibited locations for buildings, parking, loading or storage areas or other land uses;
- E. Maximum building heights or other dimensions;
- F. Architectural style, or exterior treatments;
- G. Driveway curb cut restrictions, or inter-parcel access requirements;
- H. Landscaping or planted areas which may include the location, type and maintenance of plant materials;
- I. Preservation of existing trees or other vegetation;
- J. Fences, walls, berms, or other buffering provisions or protective measures;
- K. Special measures to alleviate undesirable views, light, glare, noise, dust or odor;
- L. A requirement that the existing building(s) be removed or retained, or a limitation on exterior modifications of existing buildings;
- M. ~~Special drainage or erosion provisions;~~[JW101]
- N. A requirement that developers must build according to the site plans as adopted;
- O. Any other requirement that the Board of Commissioners may deem appropriate and necessary as a condition of rezoning or issuance of a Special Use Permit.

18.5-3 ~~18.4-3~~ Such conditions shall:

- a.A. Only be valid if they are included in the motion approving the ~~map~~ amendment, ~~or special use permit~~, for adoption;
- b.B. Be recorded in the Resolution of the Board of Commissioners if enacted pursuant to an amendment of the ~~text of the Zoning Ordinance or the~~ Official Zoning Maps, ~~or for issuance of a special use permit~~.
- c.C. Be continually in effect, or for the period of time specified in the amendment ~~or permit~~.
- d.D. Be required of the property owner and all subsequent owners as a condition of their use of the property[JW102].
- e.E. Be interpreted and continually enforced by the Director in the same manner as any other provision of this Zoning Ordinance.

18.5-4 ~~18.4-4~~ Violations of Conditions

Notwithstanding any other remedies available in this Zoning Ordinance and under local and state law, violations of conditions imposed pursuant to this Section 18.5 shall be handled in accordance with ~~Chapter 120~~Article 19.^[VTL103]

18.6 ~~18.65~~ _____ WITHDRAWAL OF AN APPLICATION.

~~18.56-1~~ Once an application, other than those initiated by the Board of Commissioners, for an amendment to the Official Zoning Map or an application for a Special Use Permit has been made, the applicant may withdraw such application without prejudice only until such time as the official withdrawal deadline published in the Public Hearing Schedule, maintained by the Department.^[JW104]

An application may not be withdrawn by an applicant or property owner under any circumstance after the official withdrawal deadline.^[JW105] Once past the published withdrawal deadline, all applications shall be considered by the Board of Commissioners or Zoning Board of Appeals^[VTL106], as appropriate, and shall receive final action, unless having been administratively withdrawn for cause by the Department. At their discretion, the Board of Commissioners may allow an application to be withdrawn without prejudice at any time.^[JW107]

18.7 ~~18.76~~ _____ LAPSE OF TIME REQUIREMENT FOR REAPPLICATION.

The following shall apply to the reapplication for a Zoning Map Amendment, or Special Use Permit.

-No application or reapplication for any zoning map amendment affecting the same land or any portion thereof shall be acted upon within 12 months from the date of last action by the Board of Commissioners unless such 12-month period is waived by the Board of Commissioners, and in no case may such an application or reapplication be reconsidered in less than six months from the date of last action by the Board of Commissioners.

No application or reapplication for the same type of Concurrent Variance or Special Use Permit affecting the same land or any portion thereof shall be acted upon within 12 months from the date of last action by the Board of Commissioners or Zoning Board of Appeals.

~~18.67-2~~ Administrative variances, as outlined in Section 270-130~~18.8-15~~, shall not be subject to this time lapse requirement.



**Cherokee County, Georgia
Agenda Request**

Item#: 1.

SUBJECT:
May 15, 2017 Work Session Minutes

MEETING DATE:
7/11/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:
Approval of Minutes

FACTS AND ISSUES:

BUDGET:

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> May Work Session Minutes	Exhibit



CHEROKEE COUNTY MUNICIPAL PLANNING COMMISSION

WORK SESSION MINUTES

May 15, 2017

6:30 p.m. | Business Center

Chairman Bob Whitaker called the meeting to order at 6:30 p.m. Those present were Members Richard Weatherby, Scott Barnes, Tom Ware, Rick Whiteside, Marla Doss, Thais Escondo, Zoning Administrator Vicki Taylor Lee, and Planner Michael Chapman. Nicole Carbetta and Ken Smith were absent.

OLD BUSINESS

1. Case #17-12-045 Collett Family, LLC. (BOC Dist. 1)

Applicant is requesting to rezone 102.519 acres at East Cherokee Drive from AG to R-30 and R-20 for a single-family residential subdivision. An existing site resource map had not been submitted prior to this meeting.

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

2. Case #17-03-006 Oak Hall Companions (BOC Dist. 2)

Applicant is requesting to rezone 39.575 acres at Arnold Mill Road and Highway 140 from AG and NC to NC, and RZL residential and neighborhood retail uses. This application was deemed incomplete by the Planning Commission at their Work Session on April 17, 2017. An existing site resource map has been presented and Dr. Whiteside approved the submittal and agreed to let the case move forward.

3. Case #17-04-013 R. Venture (BOC Dist. 1)

Applicant is requesting to rezone 54.61 +/- acres at Jessie Lane, Owens Store Road and Old Orange Mill Road from AG to R-30 for a single family residential subdivision. This application was deemed incomplete by the Planning Commission at their Work Session on April 17, 2017. An existing site resource map has been presented and Dr. Whiteside approved the submittal and agreed to let the case move forward.

NEW BUSINESS

4. Case #17-05-007 Wyatt Wilkie (BOC Dist. 1)

Applicant is requesting to rezone 11.28 acres on Ball Ground Road from GC to AG for residential uses.

Ms. Taylor Lee introduced the case and gave the staff reports. Mr. Chapman gave the Community Agenda Report. General discussion and comments ensued.

5. Case #17-05-016 Landman Partners, LLC. (BOC District 4)

Applicant is requesting to rezone 22.08 +/- acres on Woodstock Road from R-40 to RZL for single family detached residences. The applicant is also requesting a variance from Article 7, Section 7.4-2(c) to increase the distance against the lot line on one side of a lot from 0 feet to 5 feet; and a variance from Article 7, Section 7.4-2(d) to decrease the distance against the lot line on one side of a lot from 10 feet to 5 feet..

Ms. Taylor Lee introduced the case and gave the staff reports. Mr. Chapman gave the Community Agenda Report. General discussion and comments ensued.

6. Case #17-06-017 The Pacific Group (BOC Dist. 2)

Applicant is requesting to rezone 4.98 acres at 3884 Hickory Road from AG to R-30 for a minor subdivision.

Ms. Taylor Lee introduced the case and gave the staff reports. Mr. Chapman gave the Community Agenda Report. General discussion and comments ensued.

7. Case #17-06-018 GRT Therapy, LLC (BOC Dist. 2)

Applicant is requesting to rezone 4.51 acres at 9880 Hickory Flat Highway from R-40 to OI for a pediatric therapy office/clinic.

Ms. Taylor Lee introduced the case and gave the staff reports. Mr. Chapman gave the Community Agenda Report. General discussion and comments ensued.

8. Case #17-06-019 Aaron Properties, LLC (BOC Dist. 4)

Applicant is requesting to rezone 3.246 acres on Old Alabama Road from R-40 to LI for development of a warehouse.

Ms. Taylor Lee introduced the case and gave the staff reports. Mr. Chapman gave the Community Agenda Report. General discussion and comments ensued.

OTHER BUSINESS

Review and discussion of Article 18 repeal and replace.

ADJOURN

There being no further business, Chairman Whitaker adjourned the Work Session at 8:01 PM.



**Cherokee County, Georgia
Agenda Request**

Item#: 2.

SUBJECT:
June 6, 2017 Minutes

MEETING DATE:
7/11/2017

SUBMITTED BY:
Tamala Davis

COMMISSION ACTION REQUESTED:
Approval of Minutes

FACTS AND ISSUES:

BUDGET:

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:

Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:
