

Cherokee County Planning Commission Work Session AGENDA

October 16, 2017 Business Center 6:30 PM

CALL TO ORDER

ZONING CASES

1. Case #17-10-025 The Pacific Group/Moss (BOC Dist. 1)

Applicant is requesting to rezone 23.96 acres on Fate Conn Road from AG to R-15 for a conservation subdivision.

2. Case #17-11-027 Brandon Smith (BOC Dist. 3)

Applicant is requesting to rezone 1.0 acre at 2361 Toonigh Road from AG to GC for a commercial office.

OTHER BUSINESS

APPROVAL OF MINUTES

ADJOURN



Cherokee County, Georgia Agenda Request

Item#: 1.

SUBJECT:

MEETING DATE:

10/16/2017

Case #17-10-025 The Pacific Group/Moss

(BOC Dist. 1)
SUBMITTED BY:

Tamala Davis

Tarraia Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 23.96 acres on Fate Conn Road from AG to R-15 for a conservation subdivision.

FACTS AND ISSUES:

Commission District: 1

Zoning Change: AG to R-15 Location: Fate Conn Road

Tax Map and Parcel No: 14N21, 046

Acres: 23.96

Proposed Development: Conservation Subdivision Future Development Map: Suburban Development

BUDGET:

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

Amount Spent to Date: Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

	Description	Type
D	Application	Exhibit
ם	Legal Description	Exhibit
ם	Site Plan	Exhibit
D	Existing Site Resources	Exhibit
ם	Zoning Map	Exhibit
ם	Future Development Map	Exhibit
D	Public Participation	Exhibit



CHEROKEE COUNTY Application for Public Hearing



Important Notes:

- 1. Please check all information supplied on the following pages to ensure your response is complete and accurate before signing this form. This page should be the first page of your completed application package.
- 2. All required documents for this application shall be submitted at the same time as the application. An application for a Public Hearing will not be scheduled unless and until it is complete.
- 3. Please contact the Planning and Land Use Department at 678-493-6101 if you have questions regarding your application package or the public hearing process for your application.

SECTION I	
Contact Person: Kevin Seifert	Phone: 70 30% (1557) Email: ovinte puchic grouping com
Applicant's Information:	
Name: The Pacific Group	
Address: 5755 Dupree Drive, Suite 130	Phone: 178 409 8667
City, State, Zip: Sandy Springs, GA 30327	_
Property Owner's Information: same as above	see attached authorization forms (multiple properties)
Name: James D. Moss, Et al	
Address: 273 Allison Ln	Phone: 770-479-5545
City, State, Zip: Ballground, GA 30107	_
Requested Public Hearing (check all that apply):	
✓ Rezoning	Amendment / Modification of Zoning
Variance / Appeal	Other:
STAFF USE ONLY:	PUBLIC HEARING SCHEDULE: 8/2/17
Commission District:	Public Participation Meeting:
Case: 11-10-25	PC Work Session Date:
CityView # 1 2017 - 1008	Planning Commission Hearing:
Received by: Fee First: \$ 500 00	Board of Commissioners:
	Zoning Board of Appeals:
Date:	Other:

SECTION II

Property Information:	
Location: Fate Conn Rd, Canton, GA 30114	
Current Zoning: AG Proposed Zoning: R-15	Total Acreage: 23.96
Current Zoning: AG Proposed Zoning: R-15 Tax Map #: 14 N Parcel #: 14=0246=0011046 Land Lot(s): 0245	District: 14
Future Development Map Designation: Suburban Development A	rea (surrounded by City)
Adjacent Zonings: North PD-Mixed Use South PD-Mixed Use East PD-Mix	ed Use West PD-Mixed Use
Applicant's Request (Itemize the Proposal, including code sections for Variance re	equests):
Re-zoning from AG to R-15.	
Proposed Use(s) of Property:	
49 single family residential homes for an active a	dult community.
Applicant Affidavit:	
Upon receipt of the completed application package, the Planning and Land Use	
scheduled date, times, and locations of the public meetings/hearings. The applic to answer any questions that may be asked. In the event that an application is no	
postponed at the discretion of the department.	
	, do solemnly swear and attest
subject to criminal penalties for false swearing, that the information provided true and correct and contains no misleading information.	in this Application for Public Hearing is
true una correct una contains no misicaam _b misimation.	
This 14 day of August , 20 17.	
This 14 day of August , 20 17. Print Name Kevin Seifert Applicant Signature	"SED
Print Name	La de la constitución de la cons
Applicant Signature	(A) (A) (A)

SECTION III

Infrastructure Information:							
Is water available to this site? Ves No Jurisdiction: Cherokee County							
How is sewage from this site to be managed?							
gravity sewer through CCWSA							
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	49		0.725	n/a			
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	49	9.57	468.93
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 for for 14N21 046 on Fate Conn Rd in Canton, GA

Then intent of the requested re-zoning from AG to R-15 is to obtain 49 buildable residential lots.

The proposed zoning should be substantially suitable to adjacent and nearby properties. All the property is surrounded by PD-Mixed Use zoning of property all in the City of Canton. The subdivision to the north and the subdivision to the east (both in the City of Canton) have lot sizes that include lots smaller than this proposed development.

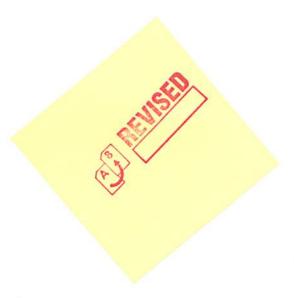
The use of adjacent or nearby properties should not be affected considering the proposed use is the same as many of such properties.

The property has some steep terrain and reduces the likelihood for many agricultural uses. It is a tough property to have a current reasonable economic use.

The proposed zoning will contribute a moderate increase to the use of existing streets, transportation facilities, and utilities. It should not contribute an increase to the school system as it is proposed as an active adult community. Therefore, it would not be excessive or burdensome.

The proposed zoning is in conformity with the policy and interest of the land use plan as it fits the Suburban Development Area of the City of Canton. It is unique that this unincorporated parcel is surrounded by City of Canton property.

There are no existing or changed conditions known to the applicant affecting the use and development of the property that would give supporting grounds for disapproval of the zoning.



Form No. BS-507 WARRANTY DEED (Long Form) CHEROKEE STATE OF GEORGIA, County of ____ THIS INDENTURE, Made this_ Year of Our Lord One Thousand Nine Hundred and cighty-two between ERNEST BEAVERS and County of Cherokee of the State of Georgia JAMES R. MOSS AND DOROTHY N. MOSS and County of Cherokee of the State of Georgia WITNESSETH: That the said part y of the first part, for and in consideration of the sum of --- TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS ---- Dollars. in hand paid, at and before the scaling and delivery of these presents, the receipt of which is hereby acknowledged, ha S granted, bargained, sold and conveyed, and by these presents do es grant, bargain, sell and convey unto the said part ies of the second part, their heirs and assigns, all that tract or parcel of land lying and being in the 14th District, 2nd Section of Cherokee County, Georgia and being a portion of Land Lot 246 and being Tracts 1 and 3 as shown on a plat of survey prepared by Jerry Thacker and Associates dated November 30, 1976 and being more particularly described as follows:

BEGIN at a point formed by the intersection of the Northeast right of way of Keithburg - Waleska Road with the Northwest right of way of a Public Road (Keithburg - Waleska Road having a 50 foot right of way and the unnamed Public Road having a 30 foot right of way and the unnamed Public Road having a 30 foot right of way); thence along the Northeast right of way of Keithburg - Waleska Road the following courses and distances: North 41° 14' West 63.3 feet, North 48° 21' West 64.4 feet, North 58° 13' West 43.6 feet, North 68° 39' West 44.4 feet, North 78° 34' West 11.2 feet, North 84° 10' West 63.7 feet to an iron pin; thence leaving said right of way and traveling North 86° 34' East a distance of 95.0 feet to an iron pin; thence North 89° 44' East a feet to an iron pin; thence South 89° 24' East a distance of 178.6 feet to an iron pin; thence South 89° 24' East a distance of 178.6 feet to an iron pin located on the Northwest right of way of the unnamed Public Road; thence along said right of way South 31° 47' West a distance of 27.6 feet; thence continuing along said right of way South 32' 2' West a distance of 148.4 feet to an iron pin located at the point formed by the intersection of the Northwest right of way of he unnamed public road with the Northeast right of way of Keithburg - Waleska Road, the same being the POINT OF BEGINNING; and containing 0.47 acre.

TRACT III

BEGIN at an iron pin located at the original Southwest corner of Land Lot 246; thence North 01° 30' West along the West land lot line of Land Lot 246 a distance of 1,030.9 feet to an iron pin; thence leaving said land lot line and traveling North 78° 58' East a distance of 325.5 feet to an iron pin; thence North 09° 19' East a distance of 38.7 feet to an iron pin located on the South right of way of the Keithburg - Waleska Road; thence along said right of way the following courses and distances: South 68° 38' East 35.6 feet, South 58° 20' East 33.4 feet, South 48° 21' East 58.1 feet, South 41° 18' East 58.1 feet, South 35° 30' East 45.4 feet, South 32° 32' East 210.3 feet, South 36° 22' East 65.2 feet, South 43° 05' East 64.8 feet, South 47° 22' East 167.5 feet, South 52° 05' East 50.8 feet, South 56° 42' East CONTINUED ON ADDENDUM "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

Entire 23.88 ac 0.47 ac 74.35 ac

539

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of the said parties—of the second part, their heirs and assigns, forever, in Fee Simple.

AND THE SAID part Y of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said part ies of the second part, their heirs and assigns, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said part Y _____ of the first part ha S _____ hereunto set his and and seal _____, the day and year above written.

Emplot Blanks

ERNEST BEAVERS

NOTARY PUBLIC, GA., STATE AT LARGE



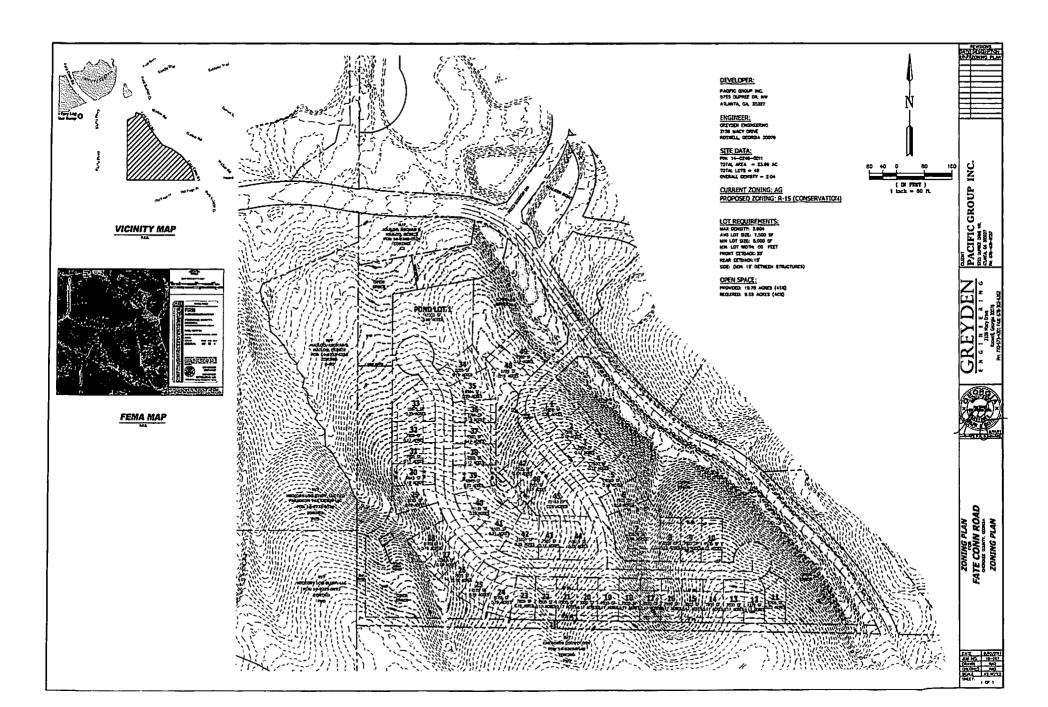
ADDENDUM "A"

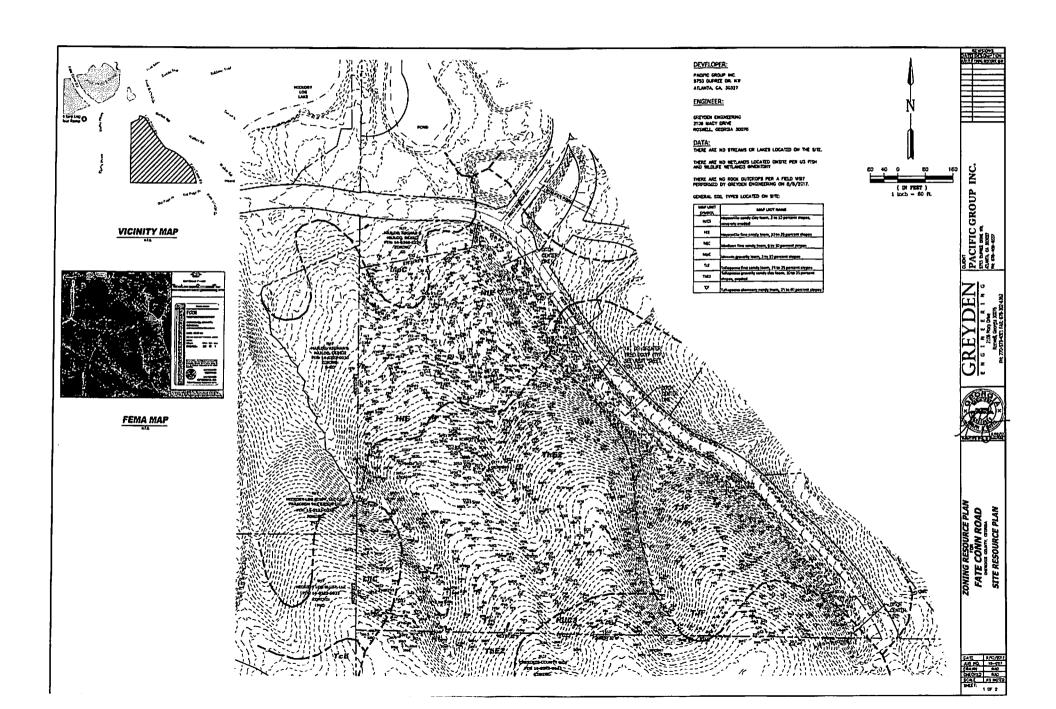
ATTACHED TO AND MADE A PART OF THE WARRANTY DEED BY ERNEST BEAVERS TO JAMES R. MOSS AND DOROTHY N. MOSS

67.8 feet, South 64° 20' East 61.2 feet, South 67° 51' East 69.4 feet, South 62° 44' East 31.4 feet, South 54° 18' East 18.9 feet, South 46° 30' East 41.2 feet, South 40° 45' East 89.2 feet, South 42° 51' East 66.2 feet, South 47° 04' East 139.3 feet, South 42° 49' East 61.4 feet, South 37° 10' East 61.0 feet, South 34° 42' East 61.5 feet, South 33° 05' East 61.5 feet, South 32° 57' East 57.1 feet to an iron pin located on the South land lot line of Land Lot 246; thence South 89° 35' West along the South land lot line of Land Lot 246 a distance of 1,468.4 feet to an iron pin located at the Southwest corner of said Land Lot, the same being the POINT OF BEGINNING; and containing 23.88 acres.

EA Blavers

Dec. 5-11-80





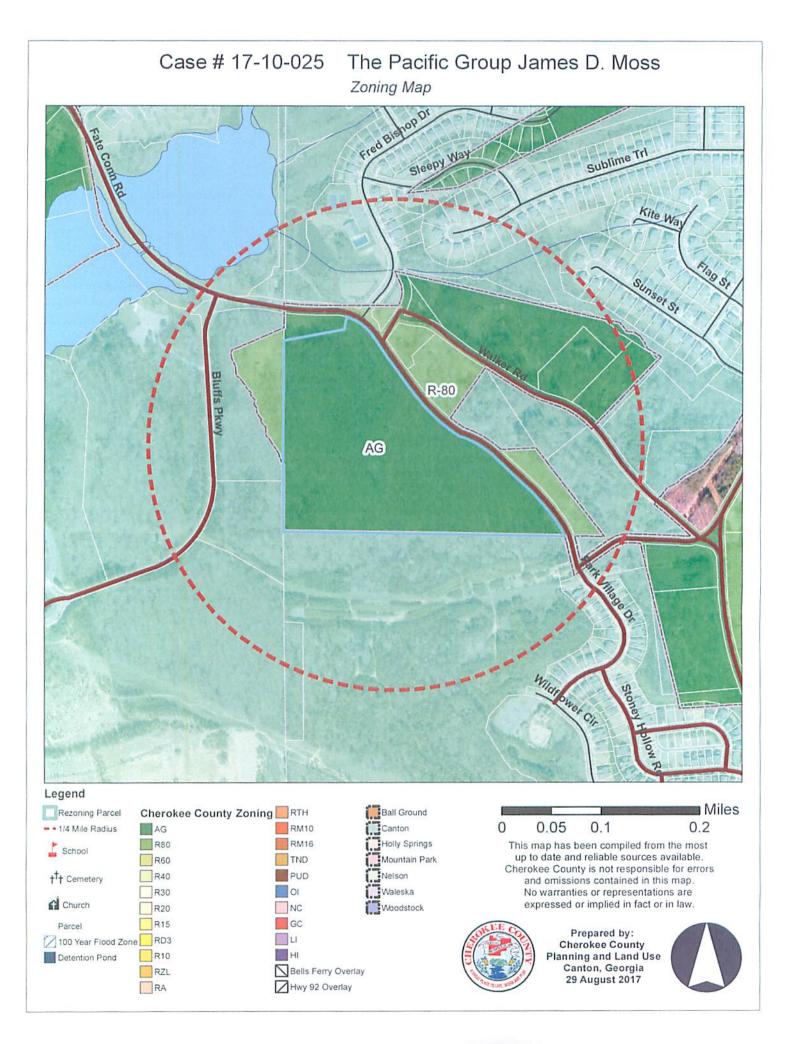
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11 10.000	150 19,72.0	203 19,170	453 TA 16.5	190 TA 14 MAY	COA 70.22 per	775 TESSAME	1554 16 16 P	228 19.35,16W	7225 TR.34.90V	9223 TR.134	
13 45 15 140	153 73.16.0	286 TR.156 P	C20 TR 16.P	141 74.290	629 TB 72 HMD	736 TB 25-160	1075 TE 165	100 TE 75.000	2117 TR.71.P	1276 Th Miles	
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58 TO 17 PM	100 10.15.0	12 15 15 160	41 TR 14.0	117 76 36,000 110 76,33,000	Ch 13,740	772 19. 15. 16. 15. 1607	100 TR 27 May	3000 TR 17.9	PLES TR. EXCHANGE	2200 TR 344400	 - -
20 10 15 MM	186 73.96.P	276 19.76.2 278 19.76.2	41 TR 150	113 19 t7 pros	627 TR.1772.000	794 PL 79.25.P	2033 Th 15-100	m aus	P126 TR.27.9	PH TRUP	
	1980 TR,75.P	13 1340	679 TR.Th.P	\$20 TR (15 PM)	628 TR 30 page	// Digitaling	100 TR (Law)	E TE JAMES	1125 TR.20100	520 TAZIF	
62 TB, 75, 99W	150 M 14.0	ED TRMP	414 TR.34.P	\$271	A76 TA 19 mm	PRA TRIBE		237 TR,36.9	P225 TR.15.960	5233 TR.75.96W	
43 19,32,998	170 TR.M.P	EB WHY	673 TR \$5.0	(37) TR 16	(25) 74,75 ===	777 TB CS.1007	日本 日本中 日本中	200 10.15.0 227 10.23.0	\$127 TR.18,460 \$120 TR.18,460	1794 TR.34.P	
96 75 14 Her	173 70 17 1000	230 TR M.F	616 TR 16.P	139 TE TE SERVE	627 TR 25 map	790 TR 10 May	127 R. 1944	1240 78157	\$129 TR.18 HOW \$129 TR.36 HOW	1725 TR.20.0	
64 TEMP	177 19 194 1990 179 194 19	710 TR.34.9	CO 19 35 AND	SAS 73.(1).000	625 TR. PR. 4000	740 TR 15.16W	100 TR.18.P	SC21 19.25,000	11.20 TB.20.000	TR. DE PRO	
D 73,279	170 70.17.0	F14 78.75.0	450 LE 24 mm	136 ta til men	C36 18.18.100	741 Ct. 19.44V	3000 TB.75.66V	323 (8.36.mm	1221 72.272.000	1230 TR 15.5	
G 14.35	17 RH*	Til 16 Th	CE 44 PROF	127 Taja.mer	Ch 18.25 per	MI TRALE	1011 78.75-9	200 TR. 22.000	15 12 TR.77 (400)	1349 78377 1340 78357	
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7) 19,779	177 78 19 1	939 TR, 34 P	471 TR, 62 PM	\$39 10 34 mm	ETP 118,320,000	765 TR 22 1500	2015 TE 31.160 2014 TE 112.P	127 73 15 440	225 78,25,040	EDG TR.MAP	
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PACIFIC GROUP INC.



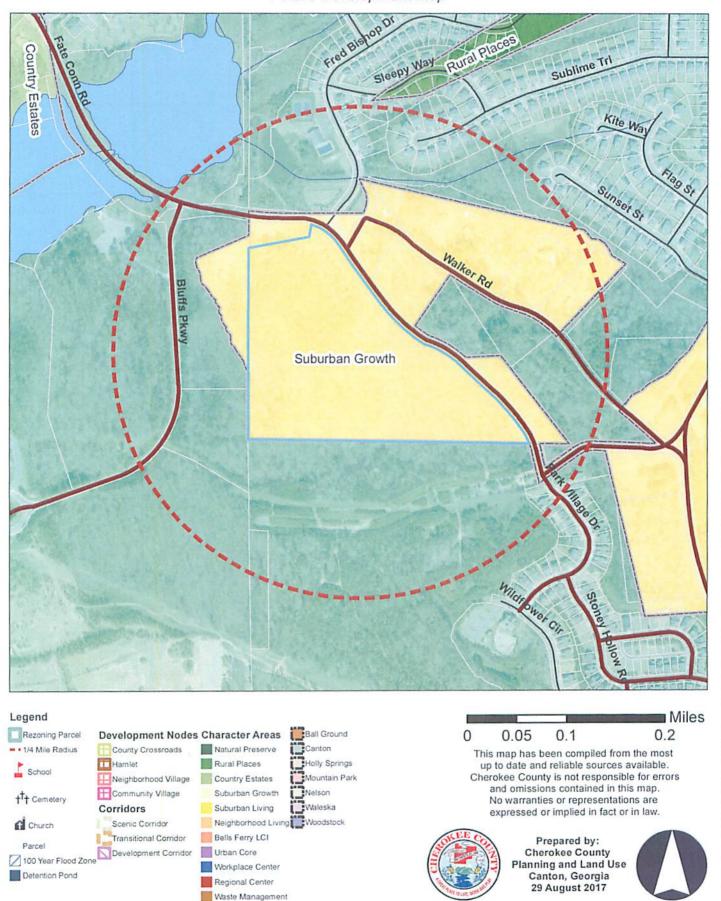


ZONING RESOURCE PLAN
FATE CONN ROAD
order conn. green



Case # 17-10-025 The Pacific Group James D. Moss

Future Development Map



Public Participation Plan and Report for 14N21 046 on Fate Conn Rd in Canton, GA

We met on Thursday August, 3rd from 6:30 pm to approximately 7:30 pm in the Cherokee County Administration Building with a total attendance of 6 people, including myself, who showed up to the meeting that was malled out to all parties within 750 feet of the site and the District interested parties. The attendees to the meeting were:

Sheryl Ramsey (Park Village resident)
Lisa Hines (Park Village resident)
Regenia Reavis and her husband (property owner of property we are proposing to rezone)
Henry Moss (property owner of property we are proposing to rezone)
Kevin Seifert (applicant)

Two others sat in the wrong room at the Administration building but we talked just after the meeting ended on the phone and caught up on what was discussed and they are included in our email and direct communications going forward.

Lori and Danny Harper (Summer Walk residents)

As a follow up to the discussions at this meeting, we will be reaching out to all listed above about anticipated home pricing and with a more detailed plan for the common area viewing pavilion we plan to include. We plan to continue discussions and/or answer any questions that come up between now and the public hearings. We hope to get to the planning commission hearing with support from these two Park Village residents and from the Summer Walk couple. We will also reach out directly to the Summer Walk HOA Board and to our other immediate adjacent neighbors to get any feedback from them as well.



Cherokee County, Georgia Agenda Request

Item#: 2.

SUBJECT: MEETING DATE:

Case #17-11-027 Brandon Smith (BOC Dist. 3) 10/16/2017

SUBMITTED BY:

Tamala Davis

COMMISSION ACTION REQUESTED:

Applicant is requesting to rezone 1.0 acre at 2361 Toonigh Road from AG to GC for a commercial office.

FACTS AND ISSUES:

Commission District: 3 Zoning Change: AG to GC Location: 2361 Toonigh Road

Tax Map and Parcel No: 15N20, 378

Acres: 1.0

Proposed Development: Commercial Office Future Development Map: Suburban Living

BUDGET:

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

Amount Spent to Date: Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

	Description	Type
D	Zoning Case Summary	Exhibit
ם	Application	Exhibit
D	Deed	Exhibit
ם	Site Plan	Exhibit
D	Zoning Map	Exhibit
ם	Future Development Map	Exhibit
D	PP Report	Exhibit





ZONING CASE SUMMARY

Date: September 29, 2017

Project number: PL20170001115

Application Type: Rezoning

Application Name: Brandon Smith

Contact Person: Smith, Brandon P. & Olivia C.

Location:

378 (15N20 378)

2361 Toonigh Rd, Canton, GA 30115

Acreage: 1.00

Comments: Applicant seeks to rezone from Agriculture to General Commercial in order to use the existing structure as is for standard office space utilized by current sales staff of three (3) employees.

Current Zoning: AG

Current Land Use: Agriculture

Proposed Zoning: GC

Proposed Land Use: Commercial

Proposed Number of Lots:

For additional information regarding this application contact **Planning and Land Use** at **678-493-6103**.





CHEROKEE COUNTY Application for Public Hearing



Important Notes:

- 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.
- 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.
- 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: Brandon Smith Phone: Email: Applicant's Information: Name: Brandon Smith Address: 754 Crescent Circle Phone: City, State, Zip: Canton, GA 30115 Property Owner's Information: same as above X see attached authorization forms (multiple properties) Name: Billie Jane McFarland Address: 2628 Marliegh Farms Rd., NW Phone: City, State, Zip: Kennesaw, GA 30152 Requested Public Hearing (check all that apply): X Rezoning __ Amendment / Modification of Zoning Variance Other: STAFF USE ONLY: PUBLIC HEARING SCHEDULE: Commission District: Public Participation Meeting: PC Work Session Date: Case: CityView # Planning Commission Hearing: Fee \$: Board of Commissioners: Zoning Board of Appeals: Date Paid: # of Signs: 2 Other:

September 21, 2017

Brandon Smith

754 Crescent Circle Canton, GA 30115



Dear Neighbor,

You are receiving this letter because you have registered with the Cherokee County Planning and Land Use department as being an interested party or your property lies within 750 feet of property we are considering requesting a change of zoning. As a part of the zoning process, Cherokee County requires any person requesting a change of zoning to host a public participation meeting. The purpose of this meeting is to ensure early and effective communication with nearby property owners and interested citizens, giving you the opportunity to review the proposed request for a change of zoning and to mitigate any impacts such proposal may have on the community.

October 6th, 2017 6:30 p.m. Hickory Road Baptist Church, Main Sanctuary 2146 Hickory Road Canton, GA 30115

The property is currently zoned as agricultural and has been used a rental property for the past 12 years. It is desired for the property to be zoned general commercial in order to use the existing structure as is for standard office space. The 1,390 square feet space will be utilized by a current sales staff of three employees. There will be no modifications to the exterior of the structure or property other than those required by the building authorities to utilize the property as a commercial office space. There will be the addition of a few parking spaces as needed to accommodate the staff.

McFarland Property located at: 2361 Toonigh Road, Canton, GA 30115

1 acre track

Currently zoned agricultural and proposed to be rezoned to general commercial.

Currently being used as residential and to be utilized as office space for BASE Innovations & BASE Lightning Protection, Inc.

Future Development map attached

A copy of the proposed site plan and Project Fact Sheet have been included for your review.

You are invited to come to this meeting to share your thoughts and concerns and to gain additional information about the proposed project. Should you have any questions, please contact me at 404-895-7729.

Sincerely,

Brandon Smith Enclosures

Project Fact Sheet

Applicant Name	Brandon Smith		
Applicant Mailing Address	754 Crescent Circle, Canton		
Applicant's Contact Person	Brandon Smith		
Property Owner	Billie Jane McFarland		
Property location	2361 Toonigh Road, Canton, GA 30115		
Parcel Number(s)	378		
Future Development Map Designation	Suburban Living		
Acreage of property	1		
Current Zoning of property	Agricultural (DU/AC) 1		
Current Use of property	Residential		
Proposed Zoning of property	General Commercial(DU/AC)		
Proposed Use of property	Office space		
# of units (if residential)			
Sq. ft. of building (if commercial)	1,398		

Note: DU/AC= dwelling unit per acre

September 13, 2017

Brandon Smith

754 Crescent Circle Canton, GA 30115

Applicant Response Statement

Dear Planning & Zoning,

Re: 2361 Toonigh Road, Canton, GA 30115

The property is currently zoned as agricultural and has been used a rental property for the past 12 years. It is intended for the property to be rezoned general commercial in order to use the existing structure as is for standard office space. The 1,398 square feet space will be utilized by a current sales staff of three employees. There will be no modifications to the exterior of the structure or property other than those required by the building authorities to utilize the property as a commercial office space and as determined by a professional feasibility study. There will be the addition of a few parking spaces as needed to accommodate the staff and ADA compliance.

The property's use shall not alter or adversely affect the existing use or usability of adjacent or nearby properties. Nor shall there be any impact on existing streets, transportation facilities, utilities, or schools.

The future land use plan has the land to be used as suburban living however the property has three sides of road frontage with high traffic and is not suitable for continued residential use. There are currently adjacent properties to the north and west that are zoned general commercial.

Sincerely,

Brandon Smith

But Smith

05055 WARRANTY DEED STATE OF GEORGIA. COUNTY OF CHEROKEE THIS INDENTURE, made the 10th day of December , in the year one thousand nine hundred HINETY-ONE , between

TYRONE K. MCFARLAND AND BILLIE JANE MCFARLAND

CHEROKEE of the County of part, hereinafter called Grantor, and

, and State of Georgia, as party or parties of the first

TYRONE KENNETH HOFARLAND and BILLIE JANE HOFARLAND 800% 1101PAGE 195

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSTH that: Grantor, for and in consideration of other good and valuable considerations and the sum of Ten and no/100 (\$10.00) Dollars in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 336 AND 385 OF THE 15TH DISTRICT, 2ND SECTION, CHEROKEE COUNTY, GEORGIA. AS SHOWN ON PLAT OF SURVEY FOR TYRONE E. HEFARLAND AND BILLIE JAME HEFARLAND, DATED MOVEMBER 14, 1991 HADE BY HERNDON SURVEING & DESIGN, INC. AND BEING HORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT AN IRON PIN LOCATED ON THE SOUTHWESTERLY RIGHT OF WAY OF HICKORY ROAD, WHICH IRON PIN IS LOCATED 187.6 FEET MORTHWESTERLY FROM THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY OF HICKORY ROAD AND THE SOUTHEAST CORNER OF LAND LOT 336, AS MEASURED ALONG THE SOUTHWESTERLY RIGHT OF WAY OF HICKORY ROAD; THENCE SOUTH 04 DEGREES 20 MINUTES 19 SECONDS WEST 19.67 FEET TO AN IRON PIN AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 04 DEGREES 20 HINUTES 19 SECONDS WEST 172.10 FEET TO AN IRON PIN LOCATED ON THE NORTHERLY RIGHT OF WAY OF TOONIGH ROAD; THENCE WESTERLY ALONG THE NORTHERLY RIGHT OF WAY OF TOONIGH ROAD THE FOLLOWING COURSES AND DISTANCES: HORTH 83 DEGREES 58 HINUTES 39 SECONDS WEST 14.00 FEET TO AN IRON PIN; THENCE NORTH 89 DEGREES 54 HINUTES 11 SECONDS WEST 57.59 FEET TO AN IRON PIN; THENCE SOUTH 84 DEGREES 10 MINUTES 22 SECONDS WEST 58.02 FEET TO AN IRON PIN; THENCE SOUTH 78 DEGREES 21 MINUTES 56 SECONDS WEST 1.67 FEET TO AN IRON PIN; THENCE MORTHERLY ALONG THE ARC OF A CURVE 173.85 FEET TO AN IRON PIN (SAID ARC SUBTEMBED BY A THE ARC OF A CURVE 173.85 FEET TO AN IRON PIN (SAID ARC SUBTENDED BY A CHORD NORTH 08 DEGREES 30 MINUTES 58 SECONDS EAST 170.83 FEET); THENCE NORTH 27 DEGREES 04 HINUTES 43 SECONDS EAST 61.78 FEET TO AN IRON PIN; THENCE SOUTH 62 DEGREES 54 MINUTES 18 SECONDS EAST 103.82 FEET TO AM IRON

THE THE TOTAL OF BEGINNING.	
Georgia, Cherokee County Filed in office this 23 day of 10 Page 19 91 and 10 Page 19 91	CHEROKEE COUNTY, GA. REAL ESTATE TRANSFER TAX PAID
Annette Hemony #10884	DATE 12-23-91
Clerk Superior Court	Anneter deems
TO HAVE AND TO HOLD the said tract or parcel of land, appurtenances thereof, to the same being, belonging, or in anywise a behoof of the said Grantee forever in FEE SIMPLE.	ppertaining, to the only proper use, benefit and
AND THE SAID Grantor will warrant and forever defend the	right and title to the above described property

claims of all persons whomsoever. IN WITNESS WHEREOF, the Grantor has signed and scaled this deed, the day and year above written.

delivered in the presence of: (Seal) TYRONE K. MCFARLAND age m. L BILLIE JONE MCFARLAND (Scal)

Notary Public, Cobb County, Georgia My Commission Expires Jan 15, 1994

12-27-91

ANNETTE FLEMING CLERK. SUPERIOR COURT OF CHEROKEE COUNTY

BAJ-15

RECORD AND MAIL TO:

3011

EXECUTOR'S DEED

STATE OF GEORGIA.

COUNTY OF CHEROKEE:

WITNESSETH

GRANTOR (acting under and by virtue of the power and authority contained in the Will of Tyrone K. McFarland, the Deceased, said Will has been duly probated and recorded in the Court of Probate of Cherokee County, Georgia), for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable consideration in hand paid at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 336 AND 385 OF THE 15TH DISTRICT, 2ND SECTION, CHEROKEE COUNTY, GEORGIA, AS SHOWN ON PLAT OF SURVEY FOR TYRONE E. MCFARLAND AND BILLIE JANE MCFARLAND, DATED NOVEMBER 14, 1991 MADE BY HERNDON SURVEYING & DESIGN, INC. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FINE THE TRUE POINT OF BEGINNING, BEGIN AT AN IRON PIN LOCATED ON THE SOUTHWESTERLY RIGHT OF WAY OF HICKORY ROAD, WHICH IRON PIN IS LOCATED 187.6 FEET NORTHWESTERLY FROM THE INTERSECTION OF THE SOUTHWESTERLY RIGHT OF WAY OF HICKORY ROAD AND THE SOUTHEAST CORNER OF LAND LOT 336, AS MEASURED ALONG THE SOUTHWESTERLY RIGHT OF WAY OF HICKORY ROAD; THENCE SOUTH 04 DEGREES 20 MINUTES 19 SECONDS WEST 19.67 FEET TO AN IRON PIN AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 04 DEGREES 20 MINUTES 19 SECONDS WEST 172.10 FEET TO AN IRON PIN LOCATED ON THE NORTHERLY RIGHT OF WAY OF TOONIGH ROAD; THENCE WESTERLY ALONG THE NORTHERLY RIGHT OF WAY OF TOONIGH ROAD;

DISTANCES; NORTH 83 DEGREES 58 MINUTES 39 SECONDS WEST 14.00 FEET TO AN IRON PIN; THENCE NORTH 89 DEGREES 54 MINUTES 11 SECONDS WEST 57.59 FEET TO AN IRON PIN; THENCE SOUTH 84 DEGREES 10 MINUTES 22 SECONDS WEST 58.02 FEET TO AN IRON PIN; THENCE SOUTH 78 DEGREES 21 MINUTES 56 SECONDS WEST 3.67 FEET TO AN IRON PIN; THENCE NORTHERLY ALONG THE ARC OF A CURVE 173.85 FEET TO AN IRON PIN (SAID ARC SUBTENDED BY A CHORD NORTH 08 DEGREES 30 MINUTES 58 SECONDS EAST 170.83 FEET; THENCE NORTH 27 DEGREES 04 MINUTES 43 SECONDS EAST 61.78 FEET TO AN IRON PIN; THENCE SOUTH 62 DEGREES 54 MINUTES 18 SECONDS EAST 103.82 FEET TO AN IRON PIN AND THE TRUE POINT OF BEGINNING

TO HAVE AND TO HOLD the Land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantees forever, IN FEE SIMPLE in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the Deceased.

EXECUTED under seal as of the date above.

Billie Jane McFarland
Executor under the Will of

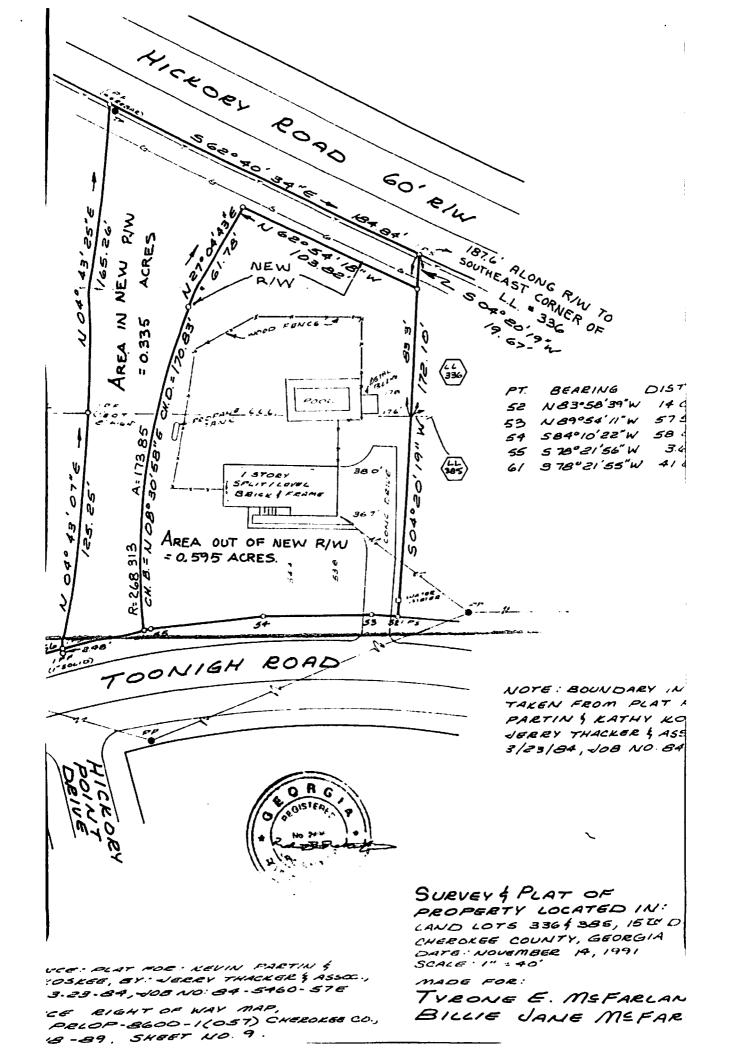
Tyrone K. McFarland, Deceased

Signed, sealed and delivered

in the presence of:

Notary Public

My Commission Expires:



Case # 17-11-027 **Brandon Smith** Zoning Map J.B. Owens Park Joseph St Hickory Rd Apache Dr d R-20 Hickory Point Dr AG R-60 Billings R. Legend ■ Miles Rezoning Parcel Cherokee County Zoning RTH Ball Ground 0 0.05 0.1 ■ 1/4 Mile Radius AG RM10 This map has been compiled from the most **RM16** Holly Springs R80 up to date and reliable sources available. TND Mountain Park Cherokee County is not responsible for errors R60 and omissions contained in this map. **PUD** R40 †† Cemetery No warranties or representations are R30 OI expressed or implied in fact or in law. R20 NC. Woodstock **Church** GC R15 Prepared by: RD3 Cherokee County 100 Year Flood Zone Planning and Land Use R10 Detention Pond Canton, Georgia Bells Ferry Overlay RZL 02 October 2017 Hwy 92 Overlay RA

Case # 17-11-027 Brandon Smith Future Development Map Suburban Growth J.B. Owens Park Whitestone Dr Suburban Living Joseph St Hickory Rd Apache Dr Apple Orchard Ln ā Point Hickory Suburban Living Billings Rd Legend Miles Ball Ground Rezoning Parcel **Development Nodes Character Areas** 0.05 0.1 0.2 0 Canton Natural Preserve = 1/4 Mile Radius County Crossroads This map has been compiled from the most Holly Springs Hamlet Rural Places up to date and reliable sources available. School Mountain Park Cherokee County is not responsible for errors Neighborhood Village Country Estates and omissions contained in this map. Nelson Community Village Suburban Growth ††† Cemetery No warranties or representations are Corridors Suburban Living Waleska expressed or implied in fact or in law. Neighborhood Living Woodstock Church Scenic Corridor Bells Ferry LCI Transitional Corridor Prepared by: Cherokee County Parcel Urban Core Development Corridor 100 Year Flood Zone Planning and Land Use Workplace Center Detention Pond Canton, Georgia Regional Center 02 October 2017 Waste Management

Public Participation Meeting and Report Notes:



September 22, 2017 the attached announcement for a Public Participation meeting was mailed to 67 addresses as attached.

The public participation meeting for 2361 Toonigh Road (rezoning) was held on Friday, October 6th, 2017 at Hickory Road Baptist Church from 6:30 – 7:30 p.m.

There were 24 attendees that signed in, sign-in sheet attached.

Summary of concerns raised by citizens (response is below each question or concern):

- 1) "We don't want a gas station at this location"
 - a) The intent is make this office into our primary office space
- 2) Is there enough room to accommodate traffic? Truck traffic
 - a) All office deliveries for inbound materials will be on LTL trucking lines, our typical delivery is on a 20' flatbed truck with a lift gate. We can request this type of delivery whenever possible.
- 3) What's going to happen with the existing in ground pool?
 - a) The pool will either be filled in or a commercial grade pool covering installed
- 4) Why do you need to be rezoned GC?
 - a) The current zoning does not allow me to operate my business as I need to with any other zoning than GC.
- 5) Can you operate your business out of the house being zoned agricultural?
 - a) The agricultural zoning designation does not all for the property to operate primarily as a business or in the capacity that we need for our business.
- 6) If you rezone commercial others will more than likely follow suite
 - a) I have no control over other properties. There are currently 2 adjoining properties to this parcel that are zoned general commercial.
- 7) Have there been any variances filled with the application for rezoning?
 - a) There are no variance fillings with the pending zoning request.
- 8) "Why can't you find something somewhere else?" A real estate agent/neighbor said there numerous properties that were better than this one on the market.
 - a) We believe that the location of this property best suites what we are looking for in a business location.
- 9) What lighting are you planning on adding to the property for security reasons?

- a) There are no plans for additional lighting however there will be a security system added.
- 10) Concerns were raised about adjacent property value if this parcel is rezoned.
 - a) It is my belief that the rezoning of this property should not devalue any of the surrounding properties
- 11) Fritz isn't zoned commercial, why do you need to be?
 - a) The agricultural zoning designation does not all for the property to operate primarily as a business or in the capacity that we need for our business.

The majority of the participants were residents of Billings Road and have expressed their concerns of not wanting the property to be later turned into something that is "undesirable" or that will decrease their property's value or appeal.