

CITY of WOODSTOCK

Application for Public Hearing

Important Notes:

1. Please check all information supplied on the following pages to ensure that all spaces are filled out accurately before signing this form. This page should be the first page of your completed application package.
2. All documents required as part of the application package shall be submitted at the same time as the application. Incomplete application packages WILL NOT BE ACCEPTED.
3. Please contact the Zoning Administrator in the Community Development Department at 770.592.6039 if you have any questions regarding the application package, this application or the public hearing process.

Contact Person: Patti HART Phone: (770) 592-6050 ext 1

Applicant's Information:

Name: City of Woodstock Georgia
 Address: 12453 Highway 92 Phone: (770) 592-6000
 City, State, Zip: Woodstock Georgia 30188 Fax: _____

Property Owner's Information:

same as above

Name: South Cherokee LLC
 Address: 4080 McGinnis Ferry Rd. Phone: _____
 City, State, Zip: Alpharetta, Georgia 30005 Fax: _____

Requested Public Hearing (check all that apply):

- | | |
|----------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Comprehensive Plan Amendment |
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Variance | |

STAFF USE ONLY:	PUBLIC HEARING SCHEDULE:
Case: <u>Z # 052-11</u>	Public Input Meeting: <u>TBD</u>
Received by: _____	Planning Commission: <u>December 7, 2011</u>
Fee Paid: <u>\$ N/A City initiated</u>	Board of Appeals: _____
Date: _____	City Council: <u>December 19, 2011¹²</u>
	Other: <u>DPC</u>

Reg. Mtg
of 12/19
Cancelled

Property Information:

Location: Lakeshore Subdivision - South Cherokee Lane

Parcel Identification Number(s) (PIN): 15W24-145 Total Acreage: 91.665

Existing Zoning of Property: R-2 Future Development Map Designation: _____

Adjacent Zonings: North ^{City OSI} County R-80 South County R-80 East ^{City R-2} County R- West County R-

Applicant's Request (Itemize the Proposal):

Amendment to zoning condition Z# 034-06 #9 which requires a Left-in, Right-out entrance at the southernmost portion of the development on South Cherokee Lane. With an entrance on Hwy 92 and the main entrance on S. Cherokee Ln, this requirement is excessive in view of the potential negative environmental impact caused by the stream crossing required to complete the road.

Proposed Use(s) of Property:

Single Family Residential as currently platted.

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	

ORDINANCE

**CITY OF WOODSTOCK ORDINANCES AND AMENDMENTS
TO THE CHARTER OF THE CITY OF WOODSTOCK**

A#034-06

ANNEXING property into the corporate limits of the City of Woodstock, Georgia, consisting of a parcel located in Land Lots 1201, 1202, 1247 and 1248, of the 15th District, 2nd Section, Cherokee County, Georgia, tax map and parcel number 15N24 145, totaling 91.665 acres, located at S. Cherokee Lane, Woodstock, Georgia, 30188.

WHEREAS, O.C.G.A. Sec. 36-36-21 provides that the governing bodies of the several municipal corporations of this State have authority to annex to the existing corporate limits thereof unincorporated areas contiguous to the existing corporate limits at the time of such annexation, upon the written and signed applications of all the owners of all the land, except the owners of any public street, road, highway, or right-of-way, proposed to be annexed, containing a complete description of the land lot to be annexed; and

WHEREAS, O.C.G.A. Sec. 36-36-21 further provides that when such application is acted upon by the municipal authorities and the land is, by ordinance, annexed to the municipal corporation, an identification of the property so annexed shall be filed with the Secretary of State and with the governing authority of Cherokee County and that such lands shall constitute a part of the lands within the corporate limits of the municipal corporation as completely and fully as if the limits had been marked and defined by special act of the General Assembly; and

WHEREAS, the Mayor and Council of the City of Woodstock, Georgia have determined that the annexation to the City of Woodstock of the area proposed in said application would be in the best interest of the residents and property owners of the area proposed for annexation and of the citizens of the City of Woodstock, Georgia; and

NOW, THEREFORE, the Mayor and Council of the City of Woodstock, Georgia, hereby ordain that the City Charter of the City of Woodstock, Georgia is hereby amended, as follows:

LEGAL DESCRIPTION

Hwy 92

Approx. 91.665 Acres

Exhibit "A"

All that tract or parcel of land lying and being in Land Lots 1201, 1202, 1247 and 1248 of the 15th District, 2nd Section of Cherokee County, Georgia and being more particularly described as follows:

Beginning at the intersection of the common line of Land Lots 1176 and 1201 and the west right-of-way line of South Cherokee Lane, said point being the TRUE POINT OF BEGINNING of said tract herein described as follows:

Thence, south 00 degrees 04 minutes 50 seconds west continuing along said right-of-way line a distance of 189.01 feet to a point;

Thence, south 01 degrees 23 minutes 20 seconds west a distance of 184.26 feet to a point;

Thence, south 00 degrees 53 minutes 30 seconds west a distance of 39.82 feet to a point;

Thence, south 01 degrees 47 minutes 44 seconds east a distance of 934.70 feet to a point;

Thence, south 68 degrees 21 minutes 42 seconds west leaving said right-of-way line a distance of 89.07 feet to a point;

Thence, south 21 degrees 00 minutes 55 seconds west a distance of 298.19 feet to a point;

Thence, south 67 degrees 45 minutes 43 seconds west a distance of 60.27 feet to a point;

Thence, south 76 degrees 12 minutes 27 seconds west a distance of 249.44 feet to a point;

Thence, north 88 degrees 09 minutes 52 seconds west a distance of 528.17 feet to a point located on the east bank of a lake;

Thence, south 09 degrees 48 minutes 56 seconds west along said east bank of the lake a distance of 16.18 feet to a point;

Thence, south 03 degrees 16 minutes 36 seconds east a distance of 18.71 feet to a point;

Thence, south 12 degrees 04 minutes 04 seconds west a distance of 70.90 feet to a point;

Thence, south 33 degrees 19 minutes 52 seconds west a distance of 40.90 feet to a point;

Thence, south 15 degrees 47 minutes 13 seconds west a distance of 34.04 feet to a point;

Thence, north 88 degrees 42 minutes 10 seconds west a distance of 174.36 feet to a point;

Thence, south 83 degrees 29 minutes 30 seconds west a distance of 100.00 feet to a point;

Thence, south 64 degrees 55 minutes 10 seconds west a distance of 106.46 feet to a point;

Thence, north 21 degrees 37 minutes 20 seconds west a distance of 142.50 feet to a point;

Thence, north 86 degrees 34 minutes 35 seconds west a distance of 492.84 feet to a point;

Thence, north 01 degrees 42 minutes 35 seconds east a distance of 1723.87 feet to a point;

Thence, north 00 degrees 42 minutes 45 seconds east a distance of 989.46 feet to a point;

Thence, south 86 degrees 59 minutes 40 seconds east a distance of 71.53 feet to a point;

Thence, north 00 degrees 42 minutes 45 seconds east a distance of 30.00 feet to a point located on the common line of land lots 1175 and 1202;

Thence, south 87 degrees 00 minutes 23 seconds east a distance of 1671.93 feet to a point; said point being the TRUE POINT OF BEGINNING of said tract.

7. Subdivision entrance signage shall be ground-based, monument style, consistent with provisions of the City of Woodstock Sign Ordinance and themed to the architectural style and composition as aforementioned. Additionally, said entrance signage shall be incorporated into the landscape plan for the subdivision and shall be fully irrigated.
8. The homes will be located not less than five feet from the side property lines; provided, however, no home shall be located closer than fifteen (15) feet from an adjacent home. The Developer will comply with the applicable regulations of the Woodstock Fire Department concerning the materials to be utilized in the construction of the homes to minimize the risk of fire.
9. The Developer shall apply for a curb cut onto Highway 92 and shall build same if permitted by the Georgia Department of Transportation. The Developer shall also build two entrances onto South Cherokee Lane as shown on the site plans submitted to the City. The southernmost curb cut, however, shall be left-in, right-out only.
10. The Developer shall provide an easement to allow connection to public water and sanitary sewer by the adjacent Wagon Trail Development when and if redevelopment of said Property occurs.
11. The Developer shall establish a thirty (30) foot buffer along the back of the lots next to the existing commercial development along the northeast property line.

Condition Subject
to amendment
Z# 059-11

Traffic Generation:

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? 2,086.26 trips *Based on 218 lot subdivision as allowed by Condition of Zoning # 034.06.*

Code	Land Use(s)	# of units*	Daily Trip Ends	Number of Trips
210	Single Family Home/Townhome	218	9.57	2,086.26
220	Apartment		6.63	

* A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.

Authorization:

Upon receipt of the completed application package, the Community Development Department shall notify the applicant of scheduled dates, 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, *Ratina A. Hunt*, 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 _____ day of _____, 20____.

Print Name _____

APPLICANT RESPONSE STATEMENT ANNEXATIONS AND REZONINGS

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.

The City seeks to amend condition number nine (9) of case A#034-06 which requires a left-in/right-out, entrance onto S. Cherokee Lane. It is staff's opinion that the Highway 92 entrance and the northern S. Cherokee Lane entrance, which is aligned with Madison Falls, will be adequate access and egress for the Lakestone neighborhood. Additionally, the elimination of the southernmost entrance would eliminate potential negative environmental impact caused by the stream crossing required to complete the road.

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 elimination of the left-in/right-out only entrance required by condition number nine (9) can be considered suitable in view of the use and development of nearby properties.

How the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

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

The proposed rezoning will have no bearing on economic use.

4. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The elimination of the southernmost limited access entrance should have no negative impact on traffic flow as the Hwy 92 and South Cherokee entrance are adequate for ingress and egress.

5. Whether the proposed zoning is in conformity with the policy and interest of the land use

plan.

The land use plan requires maximizing connectivity and the removal of this required entrance will not unduly burden the network connectivity. However, the city may wish to reserve the right to build the entrance at some point in the future.

6. 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 zoning.

The Highway 92 entrance, when completed, will provide additional means of access and egress for the neighborhood making the southernmost entrance, which is left-in right-out only, less necessary. Additionally, the entrance in question would have to cross an existing stream which has negative environmental impacts with minimal value to transportation at this time.

PROPERTY TAX VERIFICATION

The undersigned below is authorized to make this application. The undersigned certifies that all City Taxes / Cherokee County property taxes, billed to date for the parcel listed below have been paid in full the Tax Official of the City of Woodstock, Georgia. In no case shall an application or reapplication for rezoning be processed without such property verification.

*NOTE: A separate verification form must be completed for each tax parcel included in rezoning request.

Tax Parcel Number: 15024 145

Signature of Applicant: Patricia D. Hart ^{City of Woodstock Georgia} Zoning Administrator Date: 10.4.11

Print Name: Patricia D. Hart For the City of Woodstock GA,

2011-City taxes due - 3507.57
Due Date 12/20/11

TAX OFFICIAL USE ONLY:

Payment of all property taxes billed to date for the above referenced parcel have been verified as paid current and confirmed by the signature below.

Signature of Tax Official: Sharon Lash Date: 10/5/11

Title: Tax Analyst

AUTHORIZATION OF PROPERTY OWNER

I, Tom Sharp, 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/City of Woodstock, Georgia.

He/She authorizes the person named below to act as applicant in the pursuit of a request for:

- Annexation
- Rezoning *Condition amendment*
- Variance
- Comprehensive Plan Amendment
- Other: _____

I hereby authorize the staff of the City of Woodstock, Department of Planning and Economic Development to inspect the premises which are subject of this application.

Applicant's Information:

Name: Tom Sharp

Address: 4080 McANNIS FERRY Rd # 401

City, State, Zip: Alpharetta GA 30005

Phone: 770 518 4896

Fax: _____

Signature of Owner: _____

Date: 10/10/11

Print Name: Tom Sharp

Sworn to and Subscribed before me this: _____ day of _____ 2011

Notary Signature: _____

(Notary Seal)

