

RESOLUTION NO. 2006- R- 092
CASE # 06-09-054
APPLICANT: Shamrock Development

A resolution approving the rezoning of the following described property:

2.462 acres located in land lot 12 of the 15th district, 2nd section of Cherokee County, Georgia, and indicated as parcel 051 on tax map 15N07D.

WHEREAS, it hereby is found and determined that a petition to change the zone of the above described property from R-20 to GC was filed on June 29, 2006.

Proposed Use: Commercial

WHEREAS, it likewise is found that the Cherokee County Municipal Planning Commission, after notice as required by law, did conduct a public hearing upon such change of zone on September 5, 2006 in the Jury Assembly Room of the Cherokee County Justice Center. Recommendation from the Planning Commission was for approval of the rezoning request.

NOW THEREFORE, be it resolved by the Cherokee County Board of Commissioners that the above-described property is now located in the **NC (Neighborhood Commercial)** zoning district with conditions* and the Cherokee County Zoning Administrator hereby is directed to change the district maps accompanying and being part of the rezoning resolution.

Adopted this 3rd day of October, 2006.



J. Michael Byrd, Chairman



Sheila R. Corbin, County Clerk

*Conditions as follows:

1. Compliance with the City of Canton's requirements, as shown in the letter attached, where they are more restrictive.
2. Consult with the County Planning staff on site configuration, with a preference toward the attached plan prepared by the County Planning staff.
3. Preservation of specimen trees as much as possible.
4. No electric reader board signs.

EXHIBIT "A"

September 22, 2006

Ms. Vicki S. Taylor, AICP
Zoning Administrator
Cherokee County Planning and Zoning
130 East Main Street, Suite 108
Canton, Georgia 30114

RE: Request for Comments
Case # 06-09-054 Shamrock Development, LLC

Dear Ms. Taylor:

We are writing in response to your request for comments regarding the subject submitted rezoning case for Shamrock Development, LLC. The City of Canton Staff has reviewed the case submittal and wishes to forward the following comments regarding such:

The proposed Future Land Use for the subject property is shown as Low Density Residential on the City of Canton Future Land Use/ Growth Boundary Plan. Therefore, the proposed zoning is not in keeping with the Future Land Use proposed by the City of Canton for the subject property if it were to annex into the City of Canton. Staff suggests that the applicant consider changing the zoning of the subject property to Neighborhood Commercial instead of General Commercial to be more compatible with the City of Canton's Future Land Use/ Growth Boundary Plan.

The City of Canton has no objection to the rezoning as presented. However, Staff would like to point out specific issues of site development which would be subject to the City of Canton's regulations if within the jurisdiction. It would be requested that these items be considered during your review of the subject case. These include the following:

- The use as proposed is considered general commercial by the City of Canton which would have the following parking requirements: one (1) space for every two hundred (200) sq. ft. of gross floor area. The City's Tree Protection and Landscaping Ordinance contains requirements for vegetation at the building site, including requiring a parking island no further apart than every eleventh (11th) parking space, thereby creating parking bays of no greater than ten (10) parking spaces in a row. It is requested these regulations be considered for this property in order to provide the natural benefits

landscaping provides to the patrons and owners of public environments.

- Sign requirements for commercial districts include the following: One (1) freestanding sign per property frontage shall be permitted, limited to one hundred twenty (120) square feet sign area, provided that change copy boards of not more than twelve (12) square feet may be added to free-standing signs or may be incorporated into the free-standing sign design; Accessory signs are permitted in accordance with Section 30 of the Sign Regulations for the City of Canton
- Height, area, and bulk regulations for the General Commercial District include the following:
 - Minimum front yard of fifty (50) feet on local streets and sixty five (65) feet on all other streets; minimum side yard of fifteen (15) feet; minimum corner side yard of twenty (20) feet; minimum rear yard of fifteen (15) feet.
 - Minimum lot area of twenty thousand (20,000) square feet.
 - Maximum building height of six (6) stories, not too exceed eighty (80) feet.
 - Maximum lot coverage of eighty percent (80%).

Thank you for the opportunity to review the subject project. If you have any questions regarding our comments, please contact my office at 770-704-1505.

Sincerely,

Stephanie A. Harmon
Zoning Administrator
City of Canton

EXHIBIT "B"

06-09-054
SHAMROCK DEVELOPMENT LLC
SITE PLAN #1

