

RESOLUTION NO. 2021-R-024
CASE # 21-01-002
APPLICANT: Manor Restorations, LLC

A resolution concerning the following described property:

73.79 +/- acres located in Land Lot 52, 53, 55 and 56 of the 14th District, 2nd Section of Cherokee County, Georgia, and indicated as Parcels 015, 016A, 016B, and 016C on Tax Map 14N12.

WHEREAS, it is hereby found and determined that Manor Restorations, LLC filed a petition to change the zoning of the property described above from AG (General Agriculture) to R-20 (Single-Family Residential) on November 3, 2020.

WHEREAS, the petition to change the zoning proposes a single-family residential subdivision as shown on the site plan attached hereto as **Exhibit A**; and,

WHEREAS, O.C.G.A. 36-66-4 mandates any local government taking action which will result in a zoning decision shall provide for a hearing on the proposed action by causing to be published a notice in a newspaper of general circulation; and,

WHEREAS, the notice of public hearing, a copy of which is attached hereto as **Exhibit B** and incorporated herein by reference, was published more than 15 days prior to the public hearing; and,

WHEREAS, the Planning Commission held a public hearing on January 5, 2021 upon this request for change of zoning in the Cherokee County Administration Building; the Planning Commission recommended denial; and

WHEREAS, the Cherokee County Board of Commissioners considered this request for change of zoning on February 2, 2021 in the Cherokee County Administration Building; the Cherokee County Board of Commissioners voted to remand the case back to the Planning Commission for rehearing; and

WHEREAS, the Planning Commission held a public hearing on April 6, 2021 upon this request for change of zoning in the Cherokee County Administration Building; and

WHEREAS, the recommendation of the Planning Commission, attached hereto as **Exhibit C**, has been received regarding the subject property as described in the legal description, a copy of which is attached hereto as **Exhibit D** and incorporated herein by reference; and,

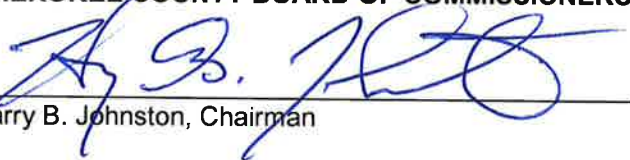
WHEREAS, on May 4, 2021, the Cherokee County Board of Commissioners tabled consideration of the petition until May 18, 2021; and

WHEREAS, the Cherokee County Board of Commissioners have considered the proposed petition in contemplation of the Comprehensive Plan as adopted and interpreted by the Planning Commission; and, has examined the views expressed at the public hearing, the subject property and surrounding area, the statutory zoning criteria, and the need to modify the exercise of the police power with regard to this particular property as such exercise relates to the comprehensive exercise of that power throughout the unincorporated area of Cherokee County, Georgia.

NOW THEREFORE, be it resolved by the Cherokee County Board of Commissioners that the request to rezone the property is hereby declared to be **APPROVED AS R-30 (SINGLE-FAMILY RESIDENTIAL)**.


SO RESOLVED, this 18th day of May, 2021.

CHEROKEE COUNTY BOARD OF COMMISSIONERS



Harry B. Johnston, Chairman

ATTEST:



Christy Black, County Clerk



Ad text :
TCT-5340
GPN-16
NOTICE OF PUBLIC HEARING
Manor Restorations LLC -
Knox Bridge Hwy
CASE# 21-01-002

Manor Restorations LLC - Knox Bridge Hwy has submitted a petition to the Cherokee County Board of Commissioners requesting that the official zoning map of Cherokee County, Georgia be amended to rezone property from AG (General Agriculture) to R-20 (Single-Family Residential). The property owned by Etowah Vale, LLC, James M. Field, Jr., and Barbara Craig Field is located at 7337 Knox Bridge Highway, 7339 Knox Bridge Highway and 7351 Knox Bridge Highway in Land Lots 52, 53, 55, and 56 of the 14th District, 2nd Section of Cherokee County, Georgia and indicated as Parcels 015, 016A, 016B, and 016C on Tax Map 14N12. A total of 73.79 +/- acres is sought to be rezoned.

An exact legal description of the property is on file at the Cherokee County Department of Planning and Zoning, 1130 Bluffs Parkway, Canton, Georgia and may be reviewed along with any other information regarding this request, between 8:00 a.m. and 5:00 p.m. Monday through Friday. Information about this case is also available at www.cherokeega.com/cherokeestatus.

The Cherokee County Municipal Planning Commission will hold a Work Session at the Cherokee County Administration Building, 1130 Bluffs Parkway on Monday, March 15, 2021 at 6:30 p.m.

The Cherokee County Municipal Planning Commission will conduct a joint public hearing with the Cherokee County Board of Commissioners on the request at its meeting on Tuesday, April 6, 2021 at 7:00 p.m. at the Cherokee County Administration Building, 1130 Bluffs Parkway, Canton, Georgia. The Planning Commission will forward its recommendation to the Cherokee County Board of Commissioners based upon information presented at the public hearing.

The Cherokee County Board of Commissioners may consider this request at its meeting on Tuesday, May 4, 2021 at 6:00 p.m. at the Cherokee County Administration Building, 1130 Bluffs Parkway, Canton, Georgia.

Meetings of the Planning Commission and the Board of Commissioners are open to the public.

Note: Georgia Law requires that all parties who have made campaign contributions to any member of the Cherokee County Board of Commissioners in excess of two hundred fifty dollars (\$250) within two (2) years immediately preceding the filing of this request, and who desires to appear at the public hearing in opposition to the application, shall, at least five (5) days prior to the public hearing, file a campaign contribution disclosure with the Cherokee County Department of Planning and Zoning.

As set forth in the Americans with Disabilities Act of 1992, the Cherokee County Government does not discriminate on the basis of disability, and will assist citizens with special needs, when given seven (7) working days advance notice.

For information, please visit www.cherokeega.com/Zoning or call 678-493-6101.
3:18-2021

CHEROKEE TRIBUNE

521 East Main Street, Canton, Georgia 30114

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA - County of Cherokee

Before me, the undersigned; a Notary Public, this day personally came Otis A. Brumby III, who, being duly sworn, according to law, says that he is the Publisher of Times Journal, Inc., publishers of the CHEROKEE TRIBUNE, official newspaper published in said county and State, and that the publication, of which the annexed is a true copy, was published in said paper, as provided by law, on the following dates:

03/18/2021

Otis A. Brumby III

Subscribed and sworn to before me this

18th day of March, 2021

Teresa Reeves

Notary Public



My commission expires _____



Department of Planning and Zoning
1130 Bluffs Parkway • Canton, Georgia 30114

DATE: April 19, 2021

TO: Board of Commissioners
Jerry Cooper, County Manager
Angela E. Davis, County Attorney
Christy Black, County Clerk

FROM: Michael Chapman, Zoning Manager

RE: Recommendation of Planning Commission

CASE NUMBER: 21-01-002
APPLICANT: Manor Restorations, LLC
ZONING: AG to R-20
LOCATION: 7337, 7339 and 7351 Knox Bridge Hwy
MAP & PARCELS: 14N12, 015, 016A, 016B and 016C
ACRES: 73.79 +/-
PROPOSED USE: Single family conservation design community
COMMISSION DISTRICT: 1
FUTURE DEVELOPMENT MAP: Suburban Living

As a result of the public hearing held on April 6, 2021, the Cherokee County Planning Commission voted to recommend approval of R-20 zoning with the following conditions: 1) Conditions shall include items 1-19 on stipulation letter dated April 1, 2021 from Taylor English Decisions, LLC; 2) maximum 110 lots and 3) no variances are to be requested to Article 23 of the Zoning Ordinance for this development other than for utility installation.

EXHIBIT D

ZONING LEGAL DESCRIPTION

All those tracts and parcels of land lying in Land Lots 52, 53, 55 & 56, of the 14th District 2nd Section, Cherokee County, Georgia, and being more particularly described as follows

To find the TRUE POINT OF BEGINNING Commence at the intersection of the northerly right of way of Knox Bridge Road (right of way varies) and the westerly right of way of Fieldstone Drive (right of way varies); Thence running in a south westerly direction along the northerly right of way of Knox Bridge Road (right of way varies) 480.65 feet to a right of way monument and the TRUE POINT OF BEGINNING; thence running along the northerly right of way of Knox Bridge Road and a curve to the right having an arc distance of 252.09 feet and a radius of 1517.39 feet, (said curve is subtended by a chord of S72°48'46"W, and a distance of 251.80 feet) to a right of way monument; thence continue along said right of way and running S68°03'11"W, a distance of 362.12 feet to a point; thence running S21°37'44"E, a distance of 35.62 feet to a right of way monument; thence running S67°57'34"W, a distance of 400.28 feet to a point; thence leaving the right of way and running N03°54'47"E, a distance of 11.55 feet to a point; thence running N87°36'12"W, a distance of 1,481.10 feet to a point located on the common line of land lots 54 & 55; thence running N35°32'55"W, a distance of 1,676.40 feet to a point; thence running N35°34'23"W, a distance of 309.41 feet to a point; thence running N54°25'37"E, a distance of 462.55 feet to a point; thence running S36°09'26"E, a distance of 2,026.51 feet to a point; thence running N31°45'35"E, a distance of 1,309.83 feet to a point; thence running S88°43'52"E, a distance of 1,037.87 feet to a point; thence running S88°43'30"E, a distance of 518.04 feet to a point located on the common line of land lots 56 & 89; thence running along said land lot line S01°45'37"W, a distance of 696.91 feet to a point; thence leaving the aforementioned land lot line and running N88°13'50"W, a distance of 123.22 feet to a point; thence running S01°51'14"E, a distance of 166.76 feet to a point; thence running S23°44'06"W, a distance of 107.20 feet to a point located on the northerly right of way of Knox Bridge Road; thence running N66°35'58"W, a distance of 18.95 feet to a point; thence running S40°15'51"W, a distance of 76.04 feet to a point said point being the POINT OF BEGINNING.