

**Action Requested/Required:**

- ☒ Vote/Action Requested
☐ Discussion or Presentation Only
☐ Public Hearing
Report Date: 11/7/22
Hearing Date: 11/3/22
Voting Date: 11/17/22

Department: Community Development Presenter(s) & Title: Steve Green, Zoning Administrator

Agenda Item Title:

ANNX2209-004 / RZON2209-005 - Applicant seeks to annex and rezone 2.38 acres located at the end of Roland Drive for the purpose of inventory storage - Perrin Real Estate Investments, LLC

Summary:

The applicant seeks to annex and rezone 2.38 acres at the end of Roland Drive. The proposed use is for inventory storage (Toyota dealership). The property is currently zoned R-40 (Single family residential) in the county. The applicant seeks GC (General Commercial) if annexed. Within the rezoning request are concurrent variances seeking relief from landscape islands in the parking area and landscape buffers.

Once staff has received comments from various city departments and Cherokee County they will be included in the public hearing staff report.

Budget Implications:

Budgeted? ☐ Yes ☐ No ☒ N/A

Total Cost of Project: Check if Estimated ☐

Fund Source: General Fund ☐ Water & Sewer ☐ Sales Tax ☐ Other:

Staff Recommendations:

The staff recommends approval of the annexation request. The staff recommends approval of the rezoning with several conditions for consideration. These can be found in the updated staff report. The staff also recommends approval of the requested parking space reduction and elimination of landscape/tree island in the parking area.

Reviews:

Has this been reviewed by Management and Legal Counsel, if required? ☐ Yes ☐ No

Attachments:

Application, site plan, survey, Letter of Intent.



Land Use Petition: ANNX2209-004 and RZON2209-005
Date of Staff Report Preparation: 10/12/2022
Mayor and City Council Public Hearing Date: 11/03/2022
Possible action date 11/17/2022

Project Name/Applicant: Steve T. Ellis

Property Owner: Perrin Real Estate Investments, LLC

Property Location: The Roland Road

Tax Map and Parcel Number: 14N22, 036

District/Land Lot: 14th District, Land Lot 226

Acreage: 2.38

Existing Zoning District: R-40, Cherokee County

Requested Zoning: GC, City of Canton

Existing Land Use: Vacant

Future Development Map Designation: Technology Bluffs, Employment Center

Proposed Development: Storage area for vehicle inventory.

District Standards:

___ Zoning District Standards (Primary Street)*			
Impervious Surface (max.)	75%	Front Yard Setback (min.)	40'
Open Space (min.)	25%	Side Yard Setback (min.)	15'
Building Height (max.)	3 story/45'	Rear Yard Setback (min.)	20'
Building Height (min.)	N/A	Buffer Planting (min.)	50'
Zoning Buffer	50'	Overlay Zone	N/A

Surrounding Land Uses and Zoning:
County)

North – Single family home, R-40 (Cherokee

South – Car dealership, GC (City of Canton)

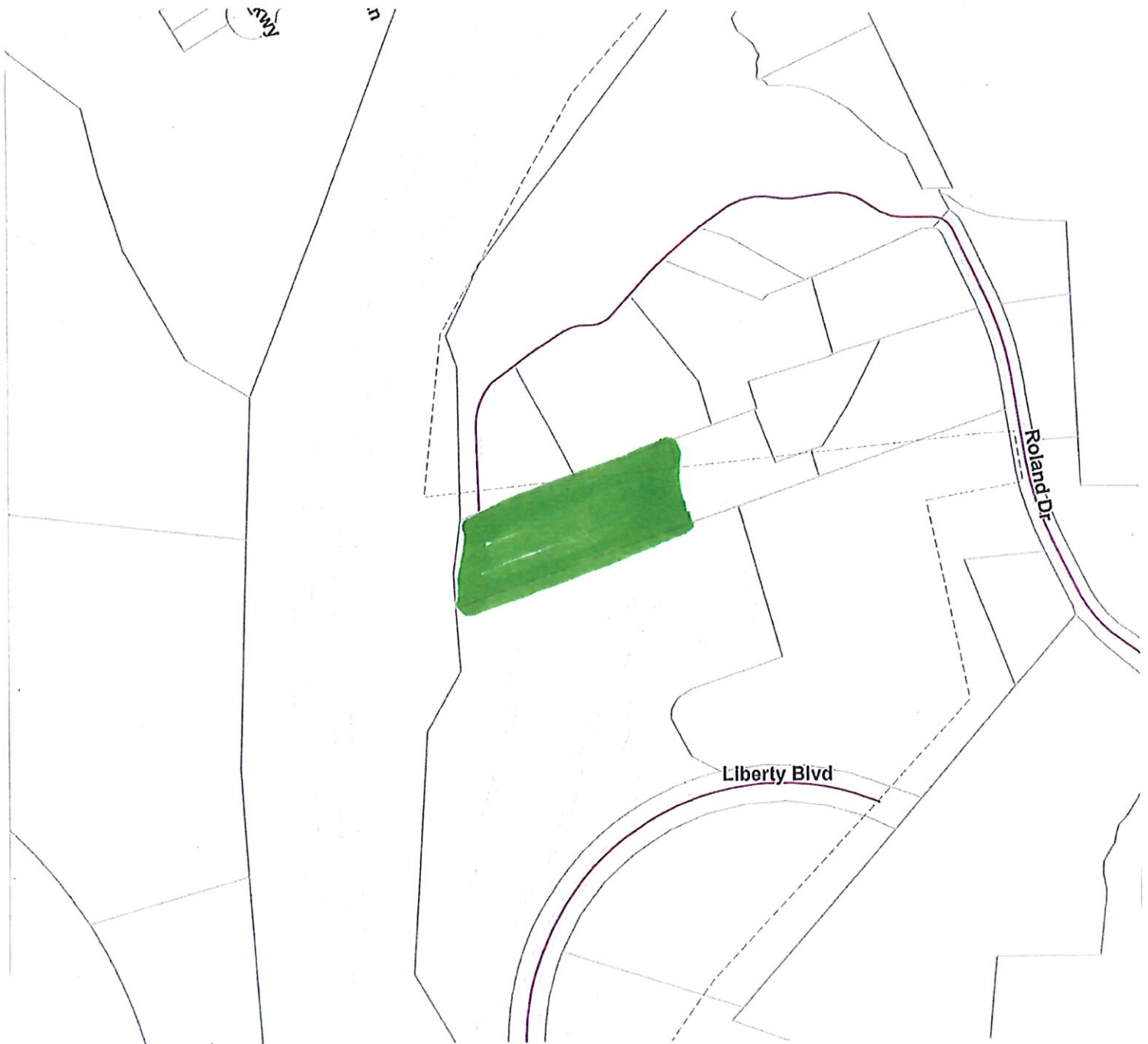
East – Vacant, R-40, Cherokee County

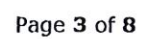
West – I-575, No zoning assigned (City of

Canton)

CANTON

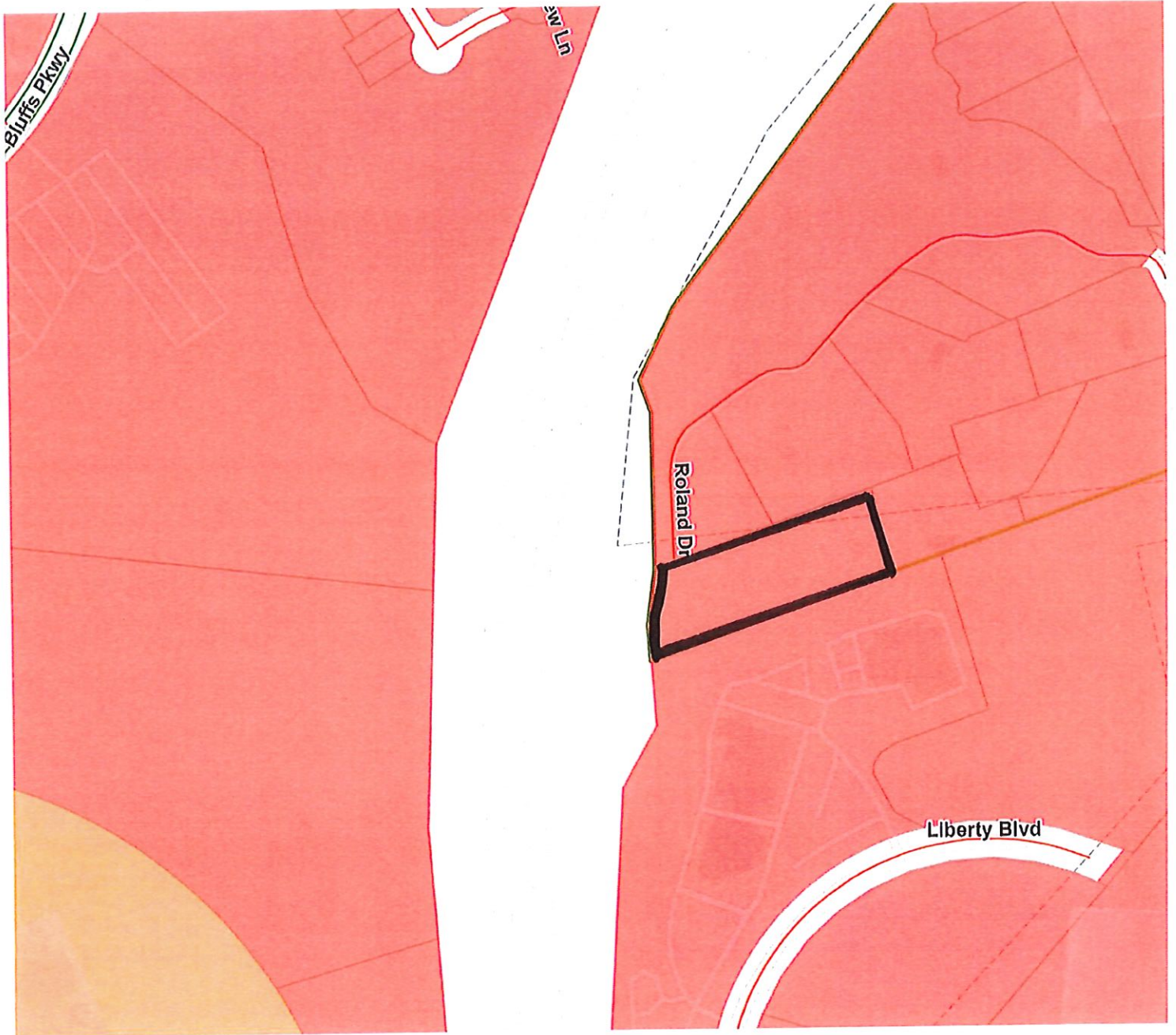
Location Map





CANTON

Future Development Map





Site Description: The subject property is currently vacant and contains a mixture of hardwoods and evergreens.

Site History: To staff's knowledge the property has always been vacant.

CRITERIA TO BE APPLIED – LAND USE PETITION (REZONING)

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties; The adjacent and nearby properties include single family houses, the right of way for I-575 and the Toyota dealership. The use of the parcel as a storage area for vehicle inventory is consistent with the dealership operation however it differs from the single family properties.
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; With proper and adequate buffering and screening measures the proposed use should not adversely affect adjacent and nearby properties.
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; The property does have reasonable economic use as currently zoned.
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; The proposed use will not cause a excessive or burdensome use of streets, schools, transportation facilities or utilities.
5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and Future Development Map; The proposed use is in conformity with the Future Land Use Plan.
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 zoning proposal. The existing use to the south (Toyota) will be the user of the property. The proposed use is part of their dealership.
7. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources. There will be no adverse affect.
8. Whether the aesthetic and architectural design of the site is compatible with the intent and requirements of the Comprehensive Plan, the Character Areas, and any



Overlay Districts. Adequate buffers and screening methods should prevent any adverse effects to adjacent properties.

CRITERIA TO BE APPLIED – CONDITIONAL USE PERMIT

- a. Whether the proposed use is consistent with the comprehensive plan and other adopted policies of the City;**
- b. Whether the proposed use complies with the requirements of this zoning ordinance;**
- c. Whether public services, public facilities and utilities are adequate to serve the proposed use;**
- d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of:**
 - 1. Noise, smoke, order, dust or vibration generated by the proposed use;**
 - 2. Hours or manner of operation of the proposed use; and**
 - 3. Traffic volumes generated by the proposed use;**
- e. Whether the proposed use would result in an over-concentration of the subject use type within the area of the proposed use;**
- f. Whether the aesthetic and architectural design of the site is compatible with the intent and requirements of the comprehensive plan, the character areas, and all applicable zoning ordinance regulations; and**
- g. Whether the proposed use is compatible with adjacent properties and land uses, based on consideration of the size, scale and massing of proposed buildings and the overall site design.**



DEPARTMENT COMMENTS

BUILDING AND SAFETY SERVICES

- BUILDING SERVICES:
- SAFETY SERVICES:

The project will be required to meet all Life Safety regulations

Conditions for Consideration

COMMUNITY DEVELOPMENT

The applicant proposes to annex and rezone 2.38 acres into the City of Canton for the purpose of an inventory storage yard. The property is currently zoned R-40, Cherokee County and the requested zoning is GC, City of Canton. Within the rezoning application is the request for four (4) variances. These include the disturbance of the 75' undisturbed buffer along I-575 for the purpose of installing a 8' tall stockade type fence, elimination of parking islands, the use of 9' wide parking stalls and reduction of the 50' buffer where city and county property abut one another. The applicants site plan also indicates a 8' stockade type fence around the perimeter of the property.

During the public hearing the question was asked by Councilor McGrew about lighting and what type not be harmful to migratory birds. Research revealed that today's LED bulbs that are over 3,000 Kelvin are harmful not only to birds but also pose a threat to human circadian rhythms. The older high pressure sodium bulbs of yesterday did not emit the bright, more intense light that today's LED bulbs do. The article stressed that 3,000 Kelvin is the upper limit for bird health.

Councilor Waterman asked how many parking spaces are currently on the property. Using the 2021 aerial photo I counted +/- 455 spaces that were used for display and repair. There are 15 spaces adjacent to dealership that I considered to be customer parking. I did not count the landscape areas that cars parked in them.

The Department of Community Development recommends **APPROVAL** of ANN2209-004. The Department of Community Development recommends **APPROVAL** of RZON2209-005 along with the requested variances of 9' wide parking spaces and elimination of parking lot tree islands. The requested buffer reduction is addressed in the Conditions for Consideration.

Conditions for Consideration

- 1) The applicant shall provide a 35' densely planted buffer adjacent to residentially zoned properties. A board screening fence shall be erected along the inside of the 35' buffer. The decorative side shall outward toward the adjacent properties. If the applicant provides proof/evidence that the adjacent property owners have no objection to the requested buffer reduction then 10' densely planted buffer with board screening fence is acceptable.



- 2) Lighting for the parking area shall be downcast and shall not bleed over to adjacent properties. The type lighting used shall be 2,700 Kelvin or less LED bulbs or high pressure sodium bulbs.
- 3) There shall be no display and/or parking of vehicles along Liberty Boulevard.
- 4) Recompense shall be for the number of trees not planted (12) due to the elimination of parking lot landscape islands.

DEVELOPMENT SERVICES

The project must comply with all city standards including but not limited to green infrastructure, all weather surface and hydrology.

Conditions for Consideration

POLICE DEPARTMENT

Conditions for Consideration

PUBLIC WORKS

Conditions for Consideration

UTILITY ENGINEER

The Utility Engineer has no comments on these applications.

Conditions for Consideration

CHEROKEE COUNTY SCHOOL SYSTEM

N/A

Conditions for Consideration



CHEROKEE COUNTY (AS NEEDED)

CHEROKEE COUNTY PLANNING AND ZONING DEPARTMENT

The Board of Commissioners for Cherokee County does not oppose the requested annexation. They do however would like to see the standard County buffer of 35' with screening when commercial property abuts residential property.

Conditions for Consideration

CHEROKEE COUNTY ENGINEER

Conditions for Consideration

CHEROKEE COUNTY FIRE MARSHAL

Conditions for Consideration

STAFF CONDITIONS FOR CONSIDERATION

- 1.



Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

Public Hearing Application

Project # ANNX 2209-004

1. Please check all information supplied on the following pages to ensure that all spaces are filled out completely and accurately before signing this form. State N/A, where Not Applicable
2. Please make your check payable to "City of Canton."
3. If you have questions regarding this form please contact the Department of Planning and Zoning by calling (770) 704-1530.

This form is to be executed under oath. I, Steve Ellis, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in the Application for Public Hearing is true and correct and contains no misleading information. I, Steve Ellis, have received and thoroughly read the Public Hearing Procedures.

Applicant: Steve Ellis This 10th day of August, 20 22
Print Name: Steve Ellis

Applicant Information:

Name: Steve T. Ellis, Pro Building Systems
Address: 3678 N. Peachtree Rd.

City: Atlanta
State: GA Zip Code: 30341
Telephone: (770) 455-1791
Fax Number: _____
Email Address: Stellis@probltdg.com

Owner Information:

Name: Perrin Real Estate Investments, LLC
Address: 2111 Barrett Lakes Blvd. NW

City: Kennesaw
State: GA Zip Code: 30144
Telephone: _____
Fax Number: _____
Email Address: _____

This Application For (Check Only One):

- | | |
|--|--|
| ☒ A Annexation | ☐ I Temporary Use Permit |
| ☐ B Rezoning | ☐ J Zoning Ordinance Text Amendment |
| ☐ C Master Plans | ☐ K Variance : Pre-Construction |
| ☐ D Master Plan Revisions | ☐ K Variance : Post-Construction |
| ☐ E Conditional Use Permit | ☐ Appeal |
| ☐ F Land Use Modification | |
| ☐ G Zoning Condition Amendment | ☐ Adjustment |
| ☐ H Density Transfer within Master Plan | ☐ Special Exception |

Fee Schedule:

Application Type _____
Base Fee _____ + (#Acres _____ x \$25.00 = _____) = _____
+ (#Acres _____ x \$50.00 = _____) = _____
Advertising Fee _____ = _____

Staff Use Only

Amount Due: _____
Amount Due: _____
Total Fee: _____

Received By: _____

Date: _____

Amount Paid: _____



Community Development Department
110 Academy Street, Canton, Georgia 30114

770-704-1500

Authorization Of Property Owner

This form is to be executed under oath. I, Charles Perrin, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This 10th day of August, 20 22.

Owner Signature: _____

Print Name: Charles Perrin

I, the above signed legal owner of the subject property, do hereby authorize the following application to be submitted to the City of Canton:

- | | |
|---|--|
| ☒ A Annexation | ☐ G Zoning Condition Amendment |
| ☐ B Rezoning | ☐ H Density Transfer within Master Plan |
| ☐ C Master Plans | ☐ I Temporary Use Permit |
| ☐ D Master Plan Revisions | ☐ J Zoning Ordinance Text Amendment |
| ☐ E Conditional Use Permit | ☐ K Variance |
| ☐ F Land Use Modification | |

Sworn To And Subscribed Before Me This 10th Day Of August, 20 22.

Notary Signature: _____

Melanie D. Wilson





Community Development Department

110 Academy Street, Canton, Georgia 30114

770-704-1500

Authorization Of Applicant

This form is to be executed under oath. I, Charles Perrin, do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Cherokee County, Georgia. I hereby authorize the City of Canton and its representatives to inspect the property, which is the subject of this application, and post any notices required thereon.

This 12th day of August, 2022.

Owner Signature: _____

Print Name: Charles Perrin

I, the above signed legal owner of the subject property, do hereby authorize the person named below to act as applicant in the pursuit of a request for:

- | | |
|---|--|
| ☒ A Annexation | ☐ G Zoning Condition Amendment |
| ☐ B Rezoning | ☐ H Density Transfer within Master Plan |
| ☐ C Master Plans | ☐ I Temporary Use Permit |
| ☐ D Master Plan Revisions | ☐ J Zoning Ordinance Text Amendment |
| ☐ E Conditional Use Permit | ☐ K Variance |
| ☐ F Land Use Modification | |

Name of Authorized Applicant: Steve Ellis

Signature: _____

Mailing Address: Pro Building Systems

3678 N. Peachtree Rd.

City: Atlanta

State: GA Zip Code: 30341

Telephone: (770) 455-1791

Fax Number: _____

E-mail: Stellis@probltdg.com

Applicant Status:

- ☐ Owner
☐ Option to Purchase
☐ Leasee
☐ Area Resident
☒ Other (Explain): Contractor

This Authorization of Applicant Form has been completed and the property owner's signature is

Sworn To And Subscribed Before Me This 12th Day Of August

Notary Signature: _____

Melanie D Wilson





Community Development Department
110 Academy Street, Canton, Georgia 30114
770-704-1500

Disclosure Form

O.C.G.A. § 36-67A-2 / O.C.G.A. § 36-67A-3 requires disclosure of campaign contributions to government officials by an applicant or opponent of a public hearing petition. Applicants must file this form with the Department of Planning and Zoning.

1. Name of Applicant/Opponent: Steve Ellis *Please Type Or Print All Responses*

Section 1

If the answer to any of the following questions is "Yes," complete Section 2.

- A) Are you, or anyone else with a property interest in the subject property, a member of the City of Canton Planning Commission or the City of Canton Mayor and Council?
☐ YES ☒ NO
- B) Does an official of such public bodies have any financial interest in any business entity which has a property interest in the subject property?
☐ YES ☒ NO
- C) Does a member of the family of such officials have an interest in the subject property as described in (A) and (B)?
☐ YES ☒ NO
- D) Within Two (2) years of immediately preceding this application have you made campaign contributions(s) or given gifts to such public officials aggregating \$250 or more?
☐ YES ☒ NO

Section 2

1. Name and the official position of the Canton Official to whom the campaign contribution was made *(Please use a separate form for each official to whom a contribution has been made in the past (2) years):*

2. List the dollar amount/value and description of each campaign contribution made over the past two (2) years by the Applicant/Opponent to the named Canton Official:

Description

\$ _____

\$ _____

\$ _____

Note: Complete a separate form for each authorized applicant.



Community Development Department
110 Academy Street, Canton, Georgia 30114
770-704-1500

Property Information:

Address: Roland Drive, Canton, GA

Land Lot(s): 226 District: 14 Section: 2nd Map #: _____ Parcel #: 14N22036

Existing Zoning Of Property: R-40 ☐ City ☒ County Total Acreage Of Property: 2.38

Proposed Zoning Of Property: GC Existing Use(s) Of Property: vacant land

Directions to property from Main Street in downtown Canton:

From Main Street travel east to interstate 575 North, exit on to Canton Highway/Ball Ground

Highway go east to Roland Drive turn left the destination will be approximately 1/2 mile.

Adjacent Property/Owner Information: Please provide the following information for all adjacent properties, including property connected by public rights-of-way. Attach additional sheets as necessary.

	<u>OWNER NAME/ADDRESS</u>	<u>CURRENT ZONING</u>	<u>CURRENT LAND USE</u>
NORTH	<u>See attached Exhibit</u>		
SOUTH			
EAST			
WEST			
OTHER			

UTILITY INFORMATION

How is sewage from this development to be managed? Not applicable

Proposed managing jurisdiction: City of Canton

How will water be provided to the site? _____

Proposed managing jurisdiction: City of Canton Size Limit: _____



Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

PUBLIC SCHOOL POLICY STATEMENT

The Mayor and Council of the City of Canton hereby recognize that growth and development can, at times, have an effect on school capacity within the county and therefore recognize the need to share information on developments that have regional impact. In an effort to cooperate with the Cherokee County School Board and share information on residential rezoning requests, master plan applications, and land use modifications to the comprehensive land use plan, the Mayor and Council hereby encourage open dialogue and meeting between the applicant and the appropriate school board representative. Therefore, developers whose projects consist of 25 or more residential units shall contact the Cherokee County School Board and communicate with a school board representative to discuss their intent. This communication between the applicant and the school board shall take place, at a minimum, prior to the Planning Commission meeting in which the application is scheduled to be heard. The applicant should be prepared to address such communication if requested by the Mayor and Council at the meeting in which final action is to be taken. (Section 8-8-B-37) (Amended: 12/07/00)

County Schools serving this development:

HIGH _____

MIDDLE _____

ELEMENTARY _____

TRAFFIC INFORMATION

Road/Street providing access: _____

Width at property: (Road) _____ (Right-of-way) _____

Distance to nearest major thoroughfare: _____ Thoroughfare Name: _____

Description of Road accessing property (Classification): _____

In support of this request, I submit the following items, which are attached and made a part of this application:

- ☐ Boundary Survey
- ☐ Legal Description
- ☐ Letter of Intent
- ☐ Planning Commission Review Criteria Response
- ☐ Board of Zoning Appeals Review Criteria Response
- ☐ Petition Requesting Annexation
- ☐ Other (please explain) _____

- ☐ Master Plan / Site Plan
- ☐ Location Map
- ☐ Hydrology Study
- ☐ Traffic Analysis Report
(Guidelines available from Planning & Zoning Dept.)
- ☐ Elevation Plans



Community Development Department

110 Academy Street, Canton, Georgia 30114
770-704-1500

(Application Type A : ONLY)

Address of Property to be Annexed: Roland Drive, Canton, GA

Land Lot(s): 226 District: 14 Section: 2nd Map #: _____ Parcel #: 14N22036

Please answer the following questions to meet and comply with the United States Department of Justice, Civil Rights Division, Voting Section, Section 5 of the Voting Rights Act.

1. Intended Use of the Land:

- ☐ Residential
 ☐ Other (Specify) _____
☒ Commercial
 ☐ Existing Structures _____
☐ Vacant

2. Number of persons currently residing on the property: 0; Number 18 years or older: 0; Number registered to vote: 0

3. The number of all residents occupying the property:

- | | |
|-------------------------------------|------------------------|
| _____ American Indian | _____ Alaskan Native |
| _____ Asian | _____ Pacific Islander |
| _____ Black, not of Hispanic Origin | _____ Hispanic |
| _____ White, not of Hispanic Origin | |

4. Please attach the following information as Exhibit "C". The Atlanta Regional Commission requires this information so that they can provide Population Estimates.

- (1) Number of Existing Housing Units
- (2) List of addresses for each housing unit in the annexed area at the time of the annexation
- (3) Disposition of existing structures (e.g. to be Demolished, Moved, or Converted)
- (4) Names of affected subdivision
- (5) Names of affected multi-family complex
- (6) Names of group quarters (such as school dormitories, nursing homes or jails)
- (7) Names of affected duplexes
- (8) Names of Mobile Home Parks

I/We the undersigned, being the owner(s) of real property of the territory described herein, respectfully request that the Mayor and City Council of the City of Canton, Georgia annex this property into the City and extend the City boundaries to include the same.

Property Owner's Signature

Date

Charles Perrin

Property Owner's Printed Name

Sworn To And Subscribed Before Me This 10th Day Of August

Notary Signature:

Melanie D Wilson





Community Development Department
110 Academy Street, Canton, Georgia 30114
770-704-1500

Canton Planning Commission Review Criteria

(Applications Type A – J : ONLY)

How will this proposal be compatible with surrounding properties? This property is already owned by the
property to the south which is Cherokee Toyota, this property will be an inventory parking lot for this dealership.

How will this proposal affect the use and value of surrounding properties? _____

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.
It is currently zoned R-40 which does not meet the needs of this development. The property needs to be zoned GC
to match the adjacent property to the south.

What would be the increase to population and traffic if the proposal were approved? None, this is an
an overflow inventory parking lot for Cherokee Toyota

What would be the impact to schools and utilities if the proposal were approved? None

How is the proposal consistent with the Comprehensive Land Use Plan, particularly the Future Land Use Map?

Are there existing or changing conditions which affect the development of the property and support the proposed request? _____

* Please provide a Letter of Intent, which provides the necessary information to support your application.

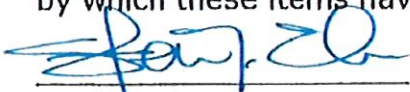


Dear Applicant,

By signing this letter you have acknowledged that you have read and understand the City of Cantons "Housing Needs Assessment & Market Study. A copy of this study may be found on the City's website, www.cantonga.gov.

In addition by signing this letter you have acknowledged that you have read and understand the City of Canton's "Roadmap for Success". This plan was adopted by the Mayor and City Council on December 17, 2020. A copy of this document may also be found on the City's website, www.cantonga.gov. *

I, Steve Ellis, as applicant and/or owner of the subject property(ies) do hereby attest that I have read and understand the City of Canton "Housing Needs Assessment & Market Study". The proposed project meets the tenets of success and assists the City in reaching goals through the proposed development. The specific means by which these items have been implemented may be found in the Letter of Intent.


Signature

Date: 08.10.2022

Steve Ellis
Printed Name

I, Steve Ellis, as applicant and/or owner of the subject property(ies) do hereby attest that I have read and understand the City of Canton's "Roadmap for Success". The proposed project has implemented the "Roadmap for Success" or portions thereof within the proposed development. The specific means by which these items have been implemented may be found in the Letter of Intent.


Signature

Date: 08.10.2022

Steve Ellis
Printed Name

*Please be prepared to discuss the items with the City staff.



CONSULTING. ENGINEERING. CONSTRUCTION.

September 1, 2022

City of Canton
Community Development Department
110 Academy St
Canton, GA 30144

RE: Letter of Intent for Parcel 14-0226-0005

To Whom it May Concern,

On behalf of Perrin Real Estate Investments, LLC, we are formally requesting a rezoning and annexation for the subject property. The project consists of constructing an inventory parking lot for the adjacent Cherokee County Toyota dealership. The current site consists of 2.38 acres of vacant, wooded land. The proposed land use will be for parking only. We will also be requesting variances for parking islands and landscape buffers. Signage will not be proposed for this site.

The supporting documents are included with this application submittal. Should you need additional information, please contact me at 770-900-6848.

Respectfully,
ATWELL, LLC

Brian E Kay, PE
Team Leader

DEED BOOK:14370 PG:914 Filed: 06/27/2019 01:09 PM Clerk File Number: 28-2019-021008
Rec: \$14.00 TRANSFER TAX \$100.00
Patty Baker, Clerk of Superior Court - Cherokee County, GA
ParticipantIDs: 4045311118 SubmitterID: 7067927936

[Space Above This Line For Recording Data]

RETURN TO:
MOORE INGRAM JOHNSON & STEELE, LLP
EMERSON OVERLOOK
326 ROSWELL STREET
MARIETTA, GEORGIA 30060
16R399.1/HCE

**LIMITED
WARRANTY DEED**

STATE OF GEORGIA
COUNTY OF COBB

THIS INDENTURE, made the 27th day of June, in the year Two Thousand Nineteen, between

RANDELL E. ROLAND AND CAROL T. ROLAND

as party or parties of the first part, hereinafter called Grantor, and

PERRIN REAL ESTATE INVESTMENTS, LLC,
a Georgia limited liability company

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).

WITNESSETH that: Grantor, for and in consideration of the sum of OTHER VALUABLE CONSIDERATIONS AND TEN AND NO/100 DOLLARS (\$10.00) 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 Lot 226 of the 14th District, 2nd Section, Cherokee County, Georgia and being more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference

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 Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons CLAIMING BY, THROUGH, OR UNDER GRANTOR, BUT NOT OTHERWISE.

DEED BOOK:14370 PG:915 Filed: 06/27/2019 01:09 PM Clerk File Number: 28-2019-021008

Rec: \$14.00 TRANSFER TAX \$100.00

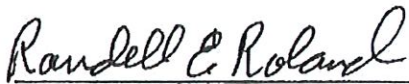
Patty Baker, Clerk of Superior Court - Cherokee County, GA

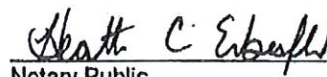
ParticipantIDs: 4045311118 SubmitterID: 7067927936

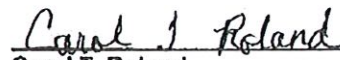
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in
the presence of:


Unofficial Witness

 (Seal)
Randell E. Roland


Notary Public
MY COMMISSION EXPIRES:

 (Seal)
Carol T. Roland



COPY

DEED BOOK:14370 PG:916 Filed: 06/27/2019 01:09 PM Clerk File Number: 28-2019-021008
Rec: \$14.00 TRANSFER TAX \$100.00
Patty Baker, Clerk of Superior Court - Cherokee County, GA
ParticipantIDs: 4045311118 SubmitterID: 7067927936

EXHIBIT "A"

All of that tract or parcel of land lying and being in Land Lot 226 of the 14th District, 2nd Section, Cherokee County, Georgia and being more particularly described as follows:

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COPY



Cherokee County, GA - Real Estate Search

Cherokee County, GA - Real Estate Search

14N22036
ROLAND DR

INVESTMENT LLC,
2111 BARRETT LAKES BLVD,
KENNESAW, GA, 30144

Total Market Value
\$114,200

KEY INFORMATION

Parcel #	14N22036
Account #	1098148
Owner Name	PERRIN REAL ESTATE INVESTMENT; LLC
Neighborhood	18000
Land Size	2.38
Legal Description	LL 226 DIST 14
Tax District	01 - County Unincorporated

ASSESSMENT DETAILS

Residential Value	\$0
Commercial Value	\$0
Accessories Value	\$0
Land Value	\$114,200
Total Value	\$114,200
Prior Value	\$95,200

RESIDENTIAL

No data to display

COMMERCIAL

No building data to display.

MOBILE HOME(S)

No mobile homes to display.

ACCESSORIES

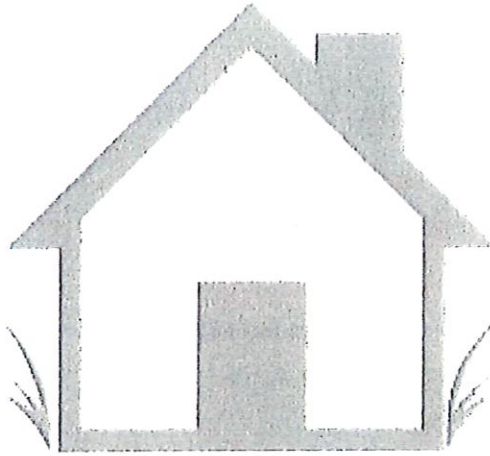
CODE DESCRIPTION	LENGTH	WIDTH	UNITS	ACTUAL YEAR BUILT	EFFECTIVE YEAR BUILT	APPRAISED VALUE
No items to display						

SALES

BOOK	PAGE	SALE DATE	DEED TYPE	QUALIFIED	SALE PRICE	VACANT / IMPROVED
14370	914	06/27/2019	WD	N	\$100,000	Y
04824	00179	09/01/2001	WD	N	\$0	Y
00182	00527	07/01/1975	WD	N	\$2,300	Y



No Photo Available



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Data last updated: 07/11/2022

2021 Property Tax Statement

Dana McKinzie
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114

Make Check or Money Order Payable to:
Cherokee County Tax Commissioner

PERRIN REAL ESTATE
INVESTMENT LLC
2111 BARRETT LAKES BLVD
KENNESAW, GA 30144

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*
2021-89157	11/15/2021	\$0.00	\$1081.02	\$0.00	Paid 11/05/2021

Map: 14N22 036

Printed: 07/11/2022

Location: ROLAND DR

If you have sold this property, fax a copy of the settlement statement to 678-493-6423. If you have an escrow forward tax bill to your mortgage company as soon as possible. Interest will accrue at the rate prescribed by law starting November 16th and the 16th of each month until paid. The penalty will accrue at the rate prescribed by law. ** Pay online at www.cherokee.ga.gov Please note: There is a 2.5 % Merchant fee for Visa, MasterCard & Discover. There is a 3% Merchant Fee charged for American Express. (These Merchant fees are not collected by Cherokee County.)

Dana McKinzie
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114



Tax Payer: PERRIN REAL ESTATE
Map Code: 14N22 036 Real
Description: LL 226 DIST 14
Location: ROLAND DR
Bill No: 2021-89157
District: 001

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good through	Exemptions
0.00	95,200.00	2.3800	\$95,200.00	11/15/2021			

Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY M&O	\$95,200	\$38,080	\$0	\$38,080	5.212000	\$198.47	\$0.00	\$198.47
COUNTY WIDE FIRE DIST	\$95,200	\$38,080	\$0	\$38,080	3.292000	\$125.36	\$0.00	\$125.36
PARKS BOND	\$95,200	\$38,080	\$0	\$38,080	0.434000	\$16.53	\$0.00	\$16.53
SCHOOL BOND	\$95,200	\$38,080	\$0	\$38,080	1.250000	\$47.60	\$0.00	\$47.60
SCHOOL M&O	\$95,200	\$38,080	\$0	\$38,080	18.200000	\$693.06	\$0.00	\$693.06
TOTALS					28.388000	\$1,081.02	\$0.00	\$1,081.02

If you need to - change your mailing address / are a new resident / person 62 or older and/or disabled you should call the Tax Assessors office at 678-493-6120 to find out about qualifications for exemptions. April 1 of each year is the deadline to apply with The Tax Assessors Office for any exemptions. If you feel your property value is too high, you should file a return with the Tax Assessor's Office no later than April 1st.

Current Due	\$1,081.02
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$1,081.02
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/05/2021

DEED BOOK:14370 PG:916 Filed: 06/27/2019 01:09 PM Clerk File Number: 28-2019-021008
Rec: \$14.00 TRANSFER TAX \$100.00
Patty Baker, Clerk of Superior Court - Cherokee County, GA
ParticipantIDs: 4045311118 SubmitterID: 7067927936

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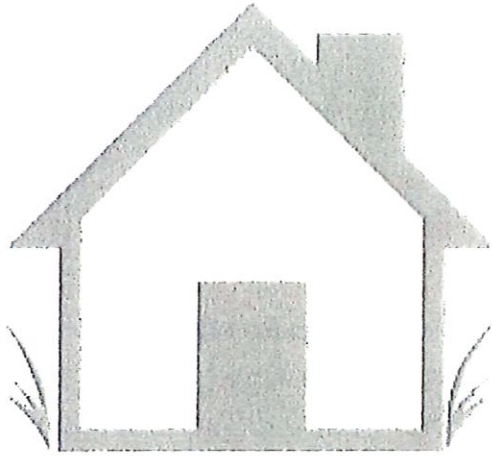
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Data last updated: 07/11/2022



PLANNING AND ZONING DEPARTMENT

November 2, 2022

Steve Green
Zoning Manager
City of Canton
110 Academy Street
Canton, GA 30114

RE: AX2209-004 Steve T. Ellis—Roland Rd.

Dear Mr. Green:

The annexation case AX2209-004--Roland Rd. was on the agenda of the regular meeting of the Cherokee County Board of Commissioners on November 1, 2022. The case involves parcel 14N22 036 (totaling 2.38 +/- acres) located at Roland Road. The property is currently zoned R-40 – Single Family Residential. The applicant is requesting to annex and rezone the property from R-40 to General Commercial (GC) for the construction of overflow inventory parking.

Based on the staff review and discussion at the commission meeting, the Board of Commissioners voted unanimously (5-0) to express that they have no land use objection to this annexation application but to raise serious concerns about the requested buffer variance.

We respectfully request that the City Council consider requiring the applicant to at a minimum meet County buffer standards regarding commercial property abutting residential and include a year-round 35-foot densely planted buffer with a fence on the inside edge of the buffer.

Feel free to reach out to me if you have any questions about the attached staff analysis.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Turner", with a stylized flourish at the end.

Kevin Turner, AICP
Planning and Zoning Director

Per O.C.G.A. § 36-3613 (set forth in full at the end of this document for your ease of reference), a land use objection can be made by majority vote of the Board of Commissioners in the event of a material increase in burden upon the County which is quantifiable and otherwise meets the requirements of the statute. In order for a land use objection to be considered timely, it must be completed in time for the BOC to vote upon it in open session and served upon the annexing municipality within 45 days of receipt of notice of annexation via statutory overnight delivery or certified mail, return receipt requested

City	Canton
Case Number AX2209-004	Applicant Steve T. Ellis
Receipt of Certified Annexation Notice	09/26/2022
Canton City Council Public Hearing	11/03/2022
Meeting date the Board of Commissioners must decide whether to object.	11/01/2022
End of 45-day review period	11/10/2022
Canton City Council Decision	11/17/2022

Staff is requested to review the application for annexation and provide a response to the following questions.

	Yes	No
Is the property to be annexed contiguous to city jurisdictional boundary?	X	
Future Development Map designation	Regional Center	
Surrounding / Contiguous City Future Development Map	Employment Center	
Surrounding County Future Development Map	Regional Center	
Does this annexation create an "island" of unincorporated land?		X

1) If the application is granted will there be a material increase in burden upon the County directly related to :	Yes	No
a) the proposed change in zoning or land use?		X
b) the proposed increase in density?		X
c) infrastructure demands related to the proposed change in zoning or land use?		X

	Yes	No
2) Will delivery of services be affected by the annexation?		X
If the answer to (2) is yes, is the affect on delivery of services directly related to a) the proposed change in zoning or land use? b) the proposed increase in density? c) infrastructure demands related to the proposed change in zoning or land use? Note: Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in items (a), (b), and/or (c) of Section 1 above.		

	Yes	No
3) If there is a material increase in burden caused by items (a), (b), and/or (c) of Section 1 above, can your department provide evidence of any financial impact?		X
If the answer to (3) is yes, please provide the evidence		

	Yes	No
4) Does the proposed change in zoning or land use result in a substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use?		X
If the answer to (4) is no, does the proposed change in zoning or land use result in:		
a) a use which significantly increases the net cost of infrastructure?		X
b) a use which significantly diminishes the value or useful life of a capital outlay project, as such term is defined in O.C.G.A. 48-8-110, which is furnished by the county to the area to be annexed?		X

If the answer to 4(a) or 4(b) is yes, then:	Yes	No
c) Does the proposed change in zoning or land use differ substantially from the existing uses suggested for the property by the county's comprehensive land use plan?		X
d) Does the proposed change in zoning or land use differ substantially from the existing uses permitted for the property pursuant to the county's zoning ordinance or its land use ordinances?		X

Comments:

Planning and Zoning

The applicant wishes to annex a parcel totaling 2.38+/- acres into the City of Canton. They also intend to rezone the property from R-40 to GC to be used for overflow inventory parking by Cherokee Toyota.

The annexation parcel is located in the Regional Center Character Area on Cherokee County's Future Development Map. This Character Area calls for mixed-use, retail, and professional buildings. According to Canton's Future Development Map, the parcel is located in the Employment Center Character Area which calls for light industrial, mixed office, and commercial uses. Considering its location along with the surrounding uses, this may be an appropriate use for the area.

Engineering

The Transportation Department has no comments due to the access being through an existing business and onto the City of Canon maintained street, Liberty Boulevard.

Fire and Emergency Services

Any future development of the property should be designed and built to meet minimum state fire codes and local ordinances.

Legal

This annexation does not create an unincorporated island.

O.C.G.A. § 36-36-113. Reasons for objection to annexation

(a) The county governing authority may by majority vote object to the annexation because of a material increase in burden upon the county directly related to any one or more of the following:

- (1) The proposed change in zoning or land use;
- (2) Proposed increase in density; and
- (3) Infrastructure demands related to the proposed change in zoning or land use.

(b) Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in paragraphs (1), (2), and (3) of subsection (a) of this Code section.

(c) The objection provided for in subsection (a) of this Code section shall document the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection and shall be delivered to the municipal governing authority by certified mail or statutory overnight delivery to be received not later than the end of the thirtieth calendar day following receipt of the notice provided for in [Code Section 36-36-111](#).

(d) In order for an objection pursuant to this Code section to be valid, the proposed change in zoning or land use must:

(1) Result in:

(A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or

(B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in [Code Section 48-8-110](#), which is furnished by the county to the area to be annexed; and

(2) Differ substantially from the existing uses suggested for the property by the county's comprehensive land use plan or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.