

Action Requested/Required: Vote/Action Requested Discussion or Presentation Only Public Hearing Report Date: 11/25/25 Hearing Date: 1/8/26 Voting Date: 1/5/26

Department: Community Development Presenter(s) & Title: Steve Green, Zoning Administrator
Agenda Item Title:
ZCA2510-003 / VAR2510-001- Applicant seeks to amend previous zoning conditions to allow commercial and office uses. Applicant also seeks two variances to eliminate the required gates on private streets and provide sidewalks along one side of the private streets.
Summary:
The applicant seeks to have office and commercial uses at River Green Village in lieu of the approved condominiums. The applicant also seeks to eliminate the required gates on private streets and place sidewalk along one side of the street only.
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:
Staff recommendation will be presented at the action meeting.
Reviews:
Has this been reviewed by Management and Legal Counsel, if required? Yes No
Attachments:
Applications
Survey/location map



PUBLIC HEARING APPLICATION

Project #(s): ZCA 25/0 - 0	03
This Application is for: A Annexation B Rezoning C Master Plans D Master Plan Amendment E Conditional Use Permit F Land Use Modification G Zoning Condition Amendment H Density Transfer within Master Plan 1. Please check all information supplied on the completely and accurately before signing this 2. If you are not paying online, please make you	following pages to ensure that all spaces are filled out form. State N/A , where Not Applicable.
	ease contact the Community Development Department by
Applicant Information:	Owner Information:
Name: Michalle Horsteneyer Address: 2355 Log Calor	Name: Whose of River Grown, LLC Address: 2355 Log Cabin
City: All who ZIP Code: 30334 State: Telephone: 170.801.500 Email Address: Mhorde Moyar o Yil Colline	City: AMMA ZIP Code: ZDZZO State: THE ZIP Code: ZDZZO ZIP CODE
wanstrakehung llans M. II	
Application for Public Hearing is to information. I,	earing, that the information provided in the rue and correct and contains no misleading have received and e Public Hearing Procedures.



AUTHORIZATION OF OWNER AND APPLICANT

Project #(s): ZCA 25/0 -003
This form is to be executed under oath. I, Mand Action May (a) do solemnly swear and attest, subject to criminal penalites 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 theron. This At day of October , 20 25 . Owner Signature: Print Name: Michael Hystemeter I, the above signed legal owner of the subject property, do hereby authorize the following person named below to act as Applicant in the pursuit of a request for:
This Application is for: A Annexation B Rezoning C Master Plans D Master Plan Amendment E Conditional Use Permit Appeal F Land Use Modification C Zoning Condition Amendment D H Density Transfer within Master Plan
Name of Authorized Applicant: Mkhalle Horste Mayor Signature: Allstuge
Mailing Address: 2355 Log Cabin Dr. City:
This Authorization of Owner and Applicant Form has been completed and the property owner's signature is Sworn To and Subscribed Before Me This Day Of Notary Signature: Notary Signature: LARA D HUTSON NOTARY PUBLIC, STATE OF GEORGIA COBB COUNTY MY COMMISSION EXPIRES 09/10/2028



Project #(s):

DISCLOSURE FORM

ZCA 2510-003 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 Community Development. Please complete a separate form for each authorized Applicant. Name of Applicant/Opponent: 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 Mayor and City Council? ☐ YES MO 📉 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 NO C) Does a member of the family of such officials have an interest in the subject property as described in (A) and (B)? NO IN ☐ YES 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): 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

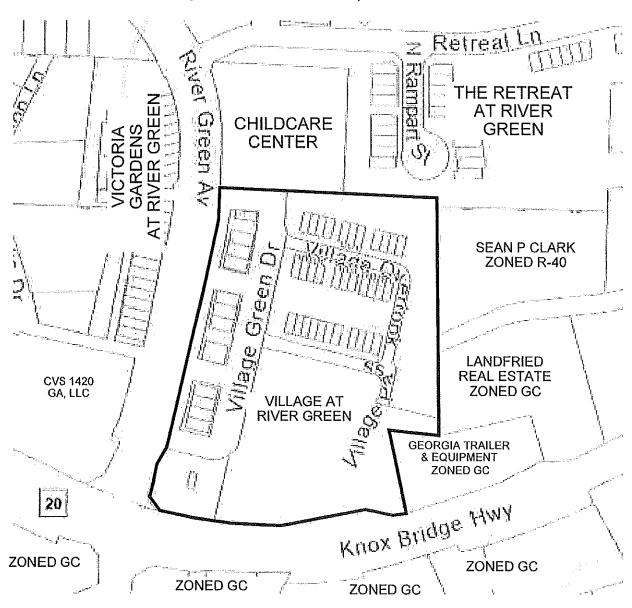


PROPERTY INFORMATION	Project #(s):	
	ZCA2510-00:	3
Address: 194 Know Freen We.		
Land Lot(s): District: Sect	ion: Z Parcel ID(s)	
Existing Zoning Of Property:	y Total Acreage Of Property: _	9.2
Proposed Zoning Of Property:	Existing Use(s) Of Property	Jamm OTC & Residualis
ADJACENT PROPERTY/OWNER INFORM Please provide the following information for all adja rights-of-way. Attach additional sheets as necessary	cent properties, including proper	ty connected by public
OWNER NAME AND ADDRESS/PARG	CEL ID CURRENT ZONING CUR	RENT LAND USE
NORTH Millede DONGAL . See All	d. Dalles	
SOUTH MILLIAM ADVAL SOR	leties hold	-
EAST MUNICIPAL SOON SOON	Soud des	
WEST MANDE SEARCH SER	My Dones	
OTHER	, , ,	
OTHER		
OTHER		
UTILITY INFORMATION:		
How is sewage from this development to be manage	ed? PUCK SOUR OUGH	apple to Distart
Proposed managing jurisdiction:	Nen	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
How will water be provided to the site?	water draibable to p	wheny
Proposed managing jurisdiction:	Size Limit:	

Additional Pages #1: Adjacent Parcel Zoning & Use - City of Canton

The adjacent parcels within the City Limits are zoned Planned Unit Development (PUD). The uses area Residential Single Family Detached and Attached; with the Child Care Center use being Commercial.

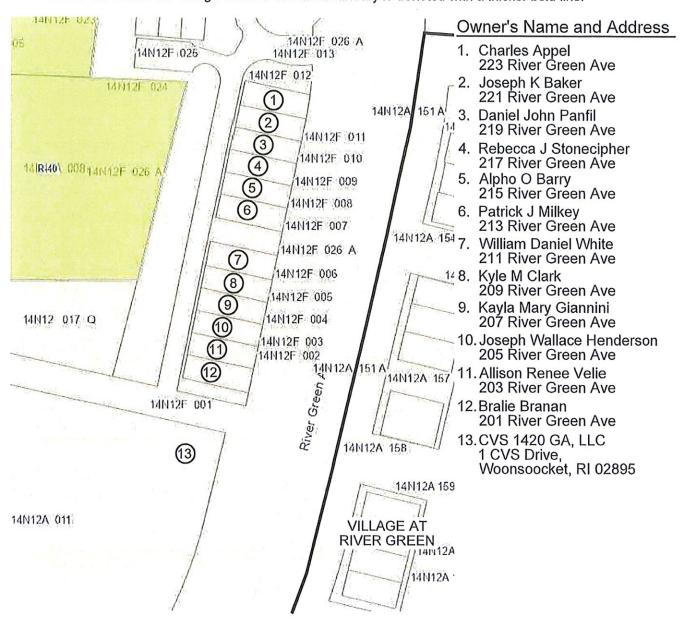
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Additional Pages #1: Adjacent Parcel Zoning & Use - City of Canton Adjacent Parcels with owner's information to the West of the Subject Tract.

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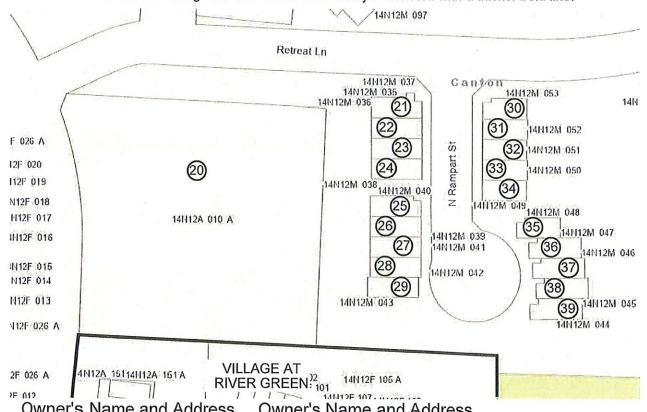
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- JAJU Properties, LLC 200 River Green Ave
- Zachary Dana Schroeder 300 300 N Kampart St
- 22. Debbie M Schndler 302 N Rampart St
- 23. Sara Sanders 304 N Rampart St
- 24. Mario Gapud 306 N Rampart St
- 25. Todd Lewick 310 N Rampart St
- 26. Svetlana Tufanova 312 N Rampart St
- 27. Brenan Christopher Goldi 314 314 N Rampart St
- 28. Mary Katherine Huff 316 N Rampart St
- Arlene A Vinci 318 N Rampart St

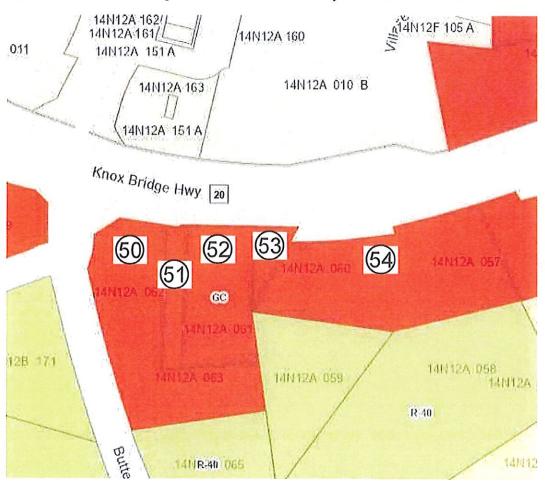
Owner's Name and Address

- Tiffany L Snowden 301 N Rampart St
- 31. Jennifer Beverly Hamrick 303 N Rampart St
- Lauren Elise Onuschak 305 N Rampart St
- 33. Andrew P Cornell 307 N Rampart St
- 34. Robert L Hosak 309 N Rampart St
- 35. David Keith Stadler 313 N Rampart St
- 36. Randy Buckspan 315 N Rampart St
- 37. Trustee for Jason R Holzemer 317 N Rampart St
- 38. Brett Orr 319 N Rampart St
- Kimberly D Odom 321 N Kampart St

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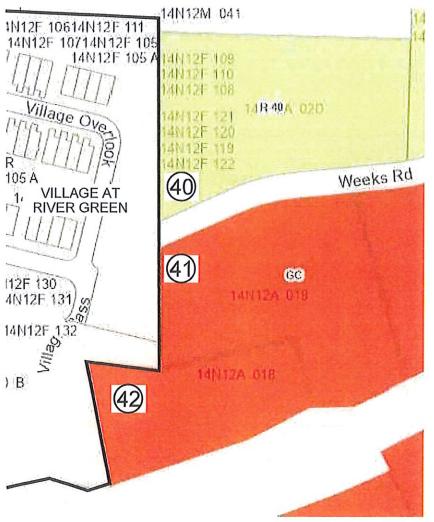
Owner's Name and Address

54. Butterworth Investments 2, LLC 8420 Knox Bridgw Hwy

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Owner's Name and Address

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- 41. Landfried Real Estate 8521-C Knox Bridge Hwy
- 42. Georgia Trailer & Equipment 8421 Knox Bridge Hwy



PUBLIC SCHOOL INFORMATION

Project #(s):

ZCA2510-003

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 [District] 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." (105,10,04)

- Developers whose projects consist of 25 or more residential units shall contact the Cherokee County School District and communicate with a school board representative to discuss their intent.
- This communication between the Applicant and the school board should take place, at a minimum, prior to the Informational Item meeting in Month Two (see Pages iii and iv).
- 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.

The current Cherokee County School District contact regarding any potential mitigation required for this application and proposal is:

> **Mitch Hamilton** Director of Planning, Facilities, and Compliance 200 Mountain Brook Court Canton, GA 30115 (770) 721-8429 mitch.hamilton@cherokeek12.net

ZONED SCHOOLS: (circle one each)

HIGH:

CHEROKEE

CREEKVIEW ETOWAH

SEQUOYAH

MIDDLE:

CREEKLAND

DEAN RUSK

FREEDOM

TEASLEY

ELEMENTARY:

AVERY

BALL GROUND

CLAYTON

HASTY

INDIAN KNOLL



R.M. MOORE

SIXES



REVIEW CRITERIA

Project #(s):

ZCA 2510-003

How will this proposal be compatible with surrounding properties?
Converting the planned residential condominiums to fee-simple commercial buildings will create a more cohesive development. The frontage of Hwy 20 is more compatible for commercial usage than residential especially with the proposed widening and round-about. The River Green Avenue frontage is currently approved for six commercial buildings. We feel adding two more only enhances the entire Village Commercial development.
How will this proposal affect the use and value of surrounding properties?
The value of the surrounding properties would be enhanced with retail and services within walking distance. Eliminating the one bedroom condominiums will result in higher average sales prices and positively affect River Green and other surrounding homes.
Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.
The application request is compliant with the current zoning. We believe commercial space for retail use and services is a higher and better use for this parcel fronting Hwy 20 than residential condominium units.
What would be the increase to population and traffic if the proposal were approved?
The application reduces the resident population by 24 residences and increases the available commercial space by 8,700 square feet. This should result in a net reduction in traffic, especially during peak times.
What would be the impact to schools and utilities if the proposal were approved?
This proposal would reduce the potential burden on the school system. Utility usage, especially sanitary sewer, would also be greatly reduced by converting 24 residences to a proposed 7 commercial spaces.
How is the proposal consistent with the Comprehensive Plan and the Future Land Use Map?
Goals of the comprehensive plan include providing resources for small business start-ups and ensuring a mix of residential, commercial, class A office space and industrial development. The Village at River Green provides an unique opportunity for retail and professional businesses in South Canton. This neighborhood center will meet the service needs of area residents while maintaining the sense of place that River Green provides and reducing the need to make automobile trips.
How is the proposal consistent with the City of Canton Roadmap of Success?
Key goals of the 'Roadmap for Success' include economic development and the improved quality of life for residents. Adding the opportunity for more owner occupied small businesses will facilitate economic development in South Canton and having services within walking or golf cart distance will certainly improve the quality of life for area residents.
Are there existing or changing conditions which affect the development of the property and support the proposed
request? _ The GDOT expansion of Hwy 20 and the proposed round-about at the entrance to River Green support the conversion of a residential usage to a commercial usage.

(These criteria should additionally be addressed in the required Letter of Intent.)

RIVER GREEN VILLAGE ZCA - LETTER OF INTENT

This Letter of Intent is intended to address the City of Canton's list of information necessary to review the Zoning Condition Amendment with concurrent variances for River Green Village.

This Zoning Condition Amendment proposes to convert existing condominium flats to additional Commercial square footage. The applicant proposes two additional Commercial buildings totaling approximately 8900 sf in place of the approved (2) 12 unit stacked flat condo buildings eliminating the drive-through design of Commercial F building and converting it to an approximately 4500 sf building.

General History and Overall Description of the Proposed Development:

The River Green Village is intended to be a dynamic and innovative mixed-use development, to be developed in multiple phases, at the main entrance of River Green providing its own unique village of fee-simple commercial and townhome residences with pedestrian connectivity. Proposed commercial uses include professional offices, retail, café/coffee shop and other service providers. Currently the development has a nail salon, a hair salon, a dentist and an veterinarian operating or under contract.

River Green is 20-year old master plan community, with 900+ residences. As the community matures, a mixed use development within a village setting at the northeast corner of Highway 20 [SR 20 / Knox Bridge Highway] and River Green Avenue is timely. Providing additional commercial opportunities will positively enhance the overall development.

Traffic Analysis:

The applicant believes the planned additional commercial space would result in lower overall traffic volume (daily trips) vs. the currently approved 24 residential condominiums.

A:How traffic will impact or not impact adjoining land uses. Commercial use may produce some additional trips during business hours but would likely reduce traffic during peak hours and in the evenings and on weekends.

B: Impacts to existing roadway network. There would be minimal impact to the existing roadway network. An additional small private street is proposed for the interior of the subdivision to provide parking and access to the commercial spaces.

C: Proposed improvements to existing roadway network: The applicant has previously improved the ROW at River Green Avenue to extend the left-turn lane onto Hwy 20 and reworking the center median for improved traffic flow.

Impact of development of adjacent land uses:

The proposed commercial development is compatible with surrounding properties and will be designed with architectural features and landscaping that mirrors and complements the existing commercial uses. The scale and building heights remain modest and in fact would be shorter than the approved condominiums. No residential population will be added and there will be zero impact on schools or utility demand. This type of development supports the Comprehensive Plan and FLU map designations for employment-supporting nodes and is consistent with Canton's Roadmap for success goals for diversified job growth and sustainable commercial expansion. The proposed commercial space enhances economic activity, maintains neighborhood harmony and imposes minimal burden on infrastructure — it is compatible, preserves value and provides responsible growth.

The applicant respectfully requests a single, limited Zoning Condition Amendment to substitute an already-approved land use — commercial office — in place of previously, LDP-approved 24 condominiums. This amendment maintains full compliance with the underlying zoning while better aligning with current market demand and the City's long-term economic goals.



VARIANCE APPLICATION

Project # VAR 2510 - 001

- Application Requirements: All applications must be complete and include required support materials (listed on the reverse side of this application form). Incomplete applications will not be forwarded to the Canton Board of Appeals (BOA) for review. Applications shall be submitted through the City's online permitting portal system found here: https://canton.onlama.com/. Two (2) paper copies should also be furnished to the Community Development Department.
- 2. **Pre-Submittal Meeting:** A Pre-Submittal Meeting with Community Development Staff must be scheduled by the Applicant prior to submittal of the application.
- Application Deadline: Applications and support materials must be submitted by the last Monday of the
 month, subject to change based on City Holidays. Please refer to the schedule listed on the reverse side of
 this application form for deadlines and meetings.
- 4. **Application Representation:** The Applicant or authorized representative of the Applicant must be present at the Public Hearing to support the application.
- Building Permit Requirements: If a previously submitted building permit is being held pending variance action, the building permit will only be issued upon submittal of an action letter confirming variance approval.
- 6. Perpetuity: Unless otherwise conditioned by the Canton Board of Appeals or Mayor and City Council, an approved variance is held in perpetuity with the subject property so long as the property remains in its current configuration. Any future modification to the subject property as a result of assemblage or subdivision would deem the approved variance null and void.
- 7. Adjacent Property Notification: Applicants are required to notify adjacent property owners of the proposed variance as required by the City of Canton Unified Development Code Section 105.10.03. Such notification shall be forwarded to all contiguous property owners and their respective homeowner's association utilizing the City of Canton formatted notification letter located in this Application. Applicants should furnish a copy of each forwarded notification letter and one copy of a certified Certificate of Mailing from the United States Postal Service to the Community Development Department no later than fifteen (15) days prior to the Public Hearing meeting.
- 8. Extension and Withdrawal: The Applicant is allowed two (2) requests for extensions beyond the scheduled Public Hearing. If the request for extension is received after the Notice of Public Hearing is published, a \$500.00 readvertising fee will be assessed for each extension. An application may be withdrawn without prejudice (no waiting time to re-file) at any time prior to the Public Hearing. A request for withdrawal without prejudice must be made in writing.
- 9. Appeal: Any party aggrieved by any decision of the Board of Appeals may appeal the decision by submitting a Letter of Appeal to the Community Development Department no later than ten (10) days after the Board of Appeals decision has been rendered. The City Council will determine whether or not to hear the appeal, and if heard, will act accordingly on the appeal. Please refer to Section 105.14.02 of the Unified Development Code for more details regarding the appeals process. Any aggrieved party of the decision of the City Council may appeal the final decision to the Cherokee County Superior Court via writ of certiorari, submitted within thirty (30) days of the final decision.

If there are any questions about the Variance application process, procedures, or policies, please contact the Community Development Department at (770) 704-1500.

BY SIGNING BELOW, I ACKNOWLEDGE THAT I HAVE FULLY READ AND UNDERSTAND THE ABOVE POLICIES AND PROCEDURES OF SUBMITTING A VARIANCE APPLICATION WITH THE CITY OF CANTON.

X. Michelle Horstemeyer PRINT NAME



VARIANCE PUBLIC HEARING APPLICATION

Project #(s): VAR 2510-001
This Application is for a:
 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. If you are not paying online, please make your check payable to "City of Canton." If you have questions regarding this form, please contact the Community Development Department by calling (770) 704-1500.
Name: Mall location: Name: Mall location Address: 235 Log Older Co. City: Mall location City: State: ST. ZIP Code: 2331 Telephone: Telephone: Telephone: Telephone: Telephone: Email Address: Mall service Code: Telephone: Email Address: Mall service Code: Mall Code: Telephone: Email Address: Mall service Code: Mall Code: Telephone: Tele
This
Applicant Signatures Atheteryee Print Name: Michelle Horstemeyee



AUTHORIZATION OF OWNER AND APPLICANT

Project #(s):	
VAR2510-001	
This form is to be executed under oath. I, do solemnly swear and attest, subject to criminal part that I am the owner of the property, which is to attached application, as is shown in the records of I hereby authorize the City of Canton and its reproperty, which is the subject of this application, a theron. This day of Owner Signature: Print Name	penalites for false swearing, the subject matter of the Cherokee County, Georgia. resentatives to inspect the nd post any notices required
I, the above signed legal owner of the subject property, application to be submitted to the City of Canton and do he named below to act as Applicant in the purs Pre-Construction Var Post-Construction Var	ereby authorize the following person suit of a request for a:
ignature: Company Address:	Applicant Status: Owner Option to Purchase Lessee Area Resident Other (explain:
tate + ZIP: 3338 mail: m	LARA D HUTSON NOTARY PUBLIC, STATE OF GEORG



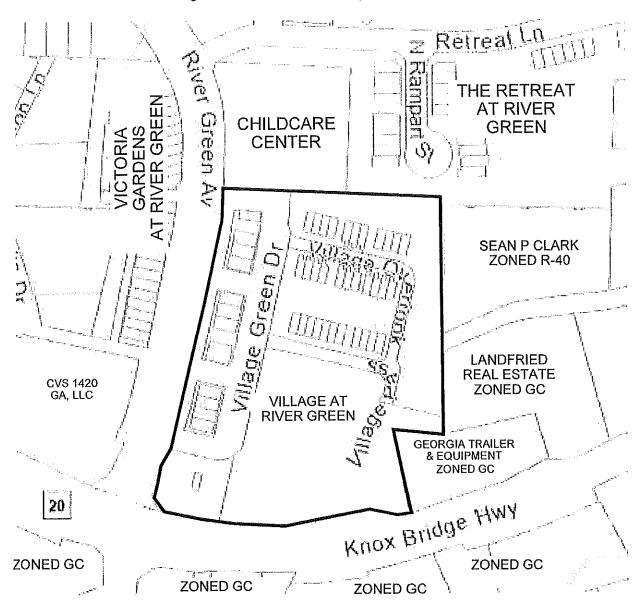
PROPERTY INFORMATION	Project #:
	VAR2510-001
Address(es): 11 H River TIOCH	w/Q_
Land Lot(s): District: Secti	
Existing Zoning Of Property: Pi City County	Total Acreage Of Property:
Existing Use(s) Of Property Comm	c & St recidential - TH
ADJACENT PROPERTY/OWNER INFORM	IATION:
Please provide the following information for all adjacrights-of-way. Attach additional sheets as necessary	cent properties, including property connected by public
OWNER NAME AND ADDRESS/PARC	EL ID CURRENT ZONING CURRENT LAND USE
NORTH William COVER - SP.O.	ryy bares
SOUTH MINDLE CONCOLS - SER	Mill sains Will
EAST Milliple Owell son	MAN CHIORES
WEST MILEDE CONCERS - SER	11 1 200 S
OTHER	1300 6.32
OTHER	
OTHER	
Ordinance section(s) for which a variance is requested: _	100,03,00 (E) & 100,03,11 (A)
Please explain the reasoning for the requested variance:	
	.11 - Relief from road Frontage Sidewolks.
Reguest Permission For sidewalks in 1	Font of the homes since they front greenspace
and not the Road. Section 109.03.	09 - Request permission to have private
Toals without gates to enhance	of - Request permission to have private the mixed-use interconnactivity.

(This should additionally be addressed in the required Letter of Intent)

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The adjacent parcels within the City Limits are zoned Planned Unit Development (PUD). The uses area Residential Single Family Detached and Attached; with the Child Care Center use being Commercial.

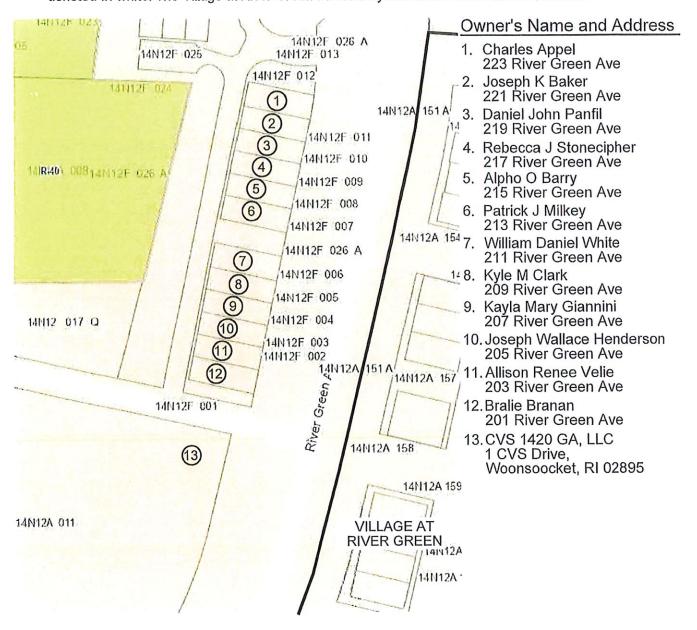
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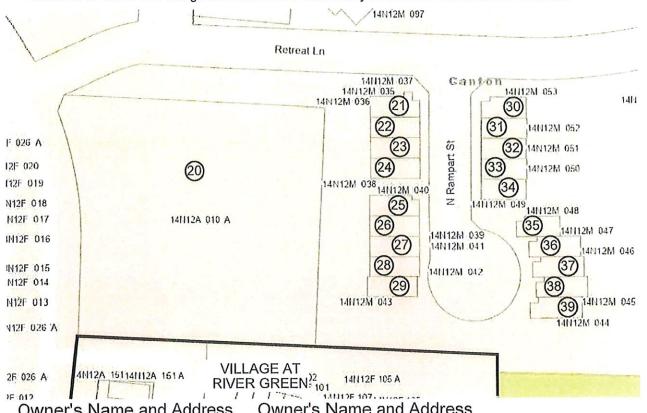
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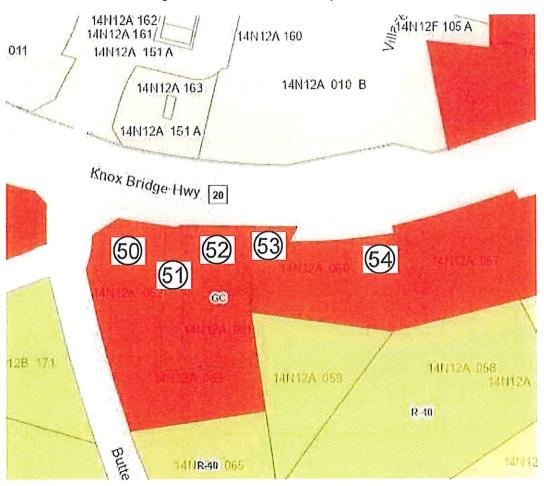
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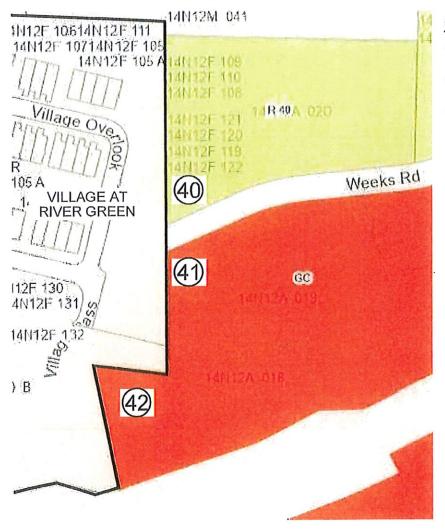
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- 42. Georgia Trailer & Equipment 8421 Knox Bridge Hwy



VARIANCE REVIEW CRITERIA

Project #:	
VAR2510-001	

Are there any extraordinary or exceptional conditions pertaining to the subject property because of its size, shape, or
topography? _ The topography of the Village is a hydrology challenge requiring the need for 3 detention ponds. We have been able to use the underground ponds as green space and added a network of pathways connecting the commercial spaces and residences. This interconnectivity is enhanced with the elimination of vehicle gates.
Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary
hardship? Yes, the sidewalks along the streets would impede the water meters and sanitary sewer clean-outs. The additional impervious surface is not beneficial to the residents and may in fact be a safety concern since the majority of the sidewalks would be driveways. Sidewalks between and in front of the homes is more desirable for the residents.
Does a literal interpretation of the Zoning code deprive the Applicant of any rights that others in the same district are
The mixed use design of our project is unique and consideration of the intended interconnectivity is important to the overall project. The project complies with the intentions of the Comprehensive Plan and related development codes.
Has the condition from which relief or variance is sought been a result from action by the Applicant?
The Village development is an innovative addition to a well established master planned community offering more diversity to the available housing stock for people of various income levels in the area.
Are there conditions peculiar to the subject property?
The hydrology creates a unique challenge that we have overcome with courtyard facing homes. The proposed sidewalk network provides the intended connectivity of the Canton Development standard.
Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning
Code? Specifically, would the variance impair an adequate supply of light and air to adjacent property or unreasonably
increase the congestion in public streets or increase the danger of fire or imperil the public safety or unreasonably
diminish or impair established property values within the surrounding areas, or in any other respect impair the health,
safety, comfort, morals or general welfare or the inhabitants or the City?
No, the variance requests have no adverse effects, but are in fact beneficial to the residents.

(These criteria should additionally be addressed in the required Letter of Intent.)

RIVER GREEN VILLAGE Variance - LETTER OF INTENT

This Letter of Intent is intended to address the City of Canton's list of information necessary to review variances requested for River Green Village.

Description of variance request

The applicant is requesting two variances in concurrence with a Zoning Condition Amendment:
1)- is to alleviate the requirement for sidewalks on both sides of the road frontage in lieu of sidewalks along the home frontages.

2) - remove the requirement for traffic control gates.

Section 109.03.11 of the City of Canton Code of Ordinances requires that "sidewalks shall be provided and located on both sides of all road frontages...both public and private." River Green Village has an extensive existing and planned sidewalk system. The applicant is requesting relief from this requirement. The Village is designed with the homes facing internal green spaces with the rear of the homes facing the road frontage. Having the sidewalks in the fronts of the homes and connecting internally to the amenities and commercial area is much more beneficial for the residents. The proposed sidewalk layout is more extensive than simply following the roadways and serves the intentions of the ordinance. Additionally having the sidewalks away from all the driveways is safer and will allow for the utilities in the rear of the homes to be more accessible.

Section 109.03.09 of the City of Canton Code of Ordinances states "Private streets shall only be allowed within gated or secured developments." The applicant requests that while the streets remain private, there shall be no requirement to install the traffic control gates. The gates are not necessary from a public safety standpoint and impede the interconnectivity of the development.

These variances impose no public detriment, and result in beneficial design outcomes compared to strict code compliance. The requested variances are due to the unique design of the development and deliver measurable public benefits in safety and connectivity.

