

**Action Requested/Required:**

- ☐ Vote/Action Requested
☐ Discussion or Presentation Only
☒ Public Hearing
Report Date: 6/22/26
Hearing Date: 7/2/26
Voting Date: 8/6/26

Department: Community Development**Presenter(s) & Title:** Thomas TrawickPlanning & Zoning Manager**Agenda Item Title:**

Public Hearing - Case RZON2604-010 - Request to Rezone 177.43+/- Acres located at 2030 & 2050 Sam Nelson Road and 650 Talcmine Drive from PD-MU to R-4

Summary:

Bradley Duncel of DCCM for Grid Properties, LLC has filed a rezoning request for 2030 & 2050 Sam Nelson Road and 650 Talcmine Drive. The Applicant is seeking to rezone the property from PD-MU to R-4. The Applicant is proposing to develop the site as a single-family detached subdivision with 225+/- residential units. The site was rezoned by the City in 2021 to PD-MU for a winery, for multifamily and single family residential, for commercial and agricultural land uses.

Budget Implications:Budgeted? ☐ Yes ☐ No ☒ N/ATotal Cost of Project: Check if Estimated ☐Fund Source: General Fund ☐ Water & Sewer ☐ Sales Tax ☐ Other: **Staff Recommendations:**

Staff conditions may be presented for the City Council Action Meeting.

Reviews:Has this been reviewed by Management and Legal Counsel, if required? ☐ Yes ☒ No**Attachments:**

Application
Letter of Intent
Staff Report
Utility Letter
CCSD Impact Report
Site Plan and Survey
Elevations
Ordinance RZON2107-002



Community Development Department
110 Academy Street, Canton, GA 30114
(770) 704-1500

PUBLIC HEARING APPLICATION

Project #(s):

RZON2604-010

This Application is for:

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

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. If you are not paying online, please make your check payable to "**City of Canton.**"
3. If you have questions regarding this form, please contact the Community Development Department by calling (770) 704-1500.

Applicant Information:

Name: DCCM - Bradley Dunckel
Address: 425 Oak St.

City: Gainesville
State: GA ZIP Code: 30501
Telephone: _____
Email Address: _____

Owner Information:

Name: Grid Properties, LLC - Dick Stewart
Address: 2015 Boundary Street, Suite 300

City: Beaufort
State: SC ZIP Code: 29902
Telephone: _____
Email Address: _____

I, Bradley Dunckel, 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, Bradley Dunckel, have received and thoroughly read the Public Hearing Procedures.

This 30th day of April, 2026.

Applicant Signature:

Bradley Dunckel

Print Name: Bradley Dunckel



Community Development Department
110 Academy Street, Canton, GA 30114
(770) 704-1500

AUTHORIZATION OF OWNER AND APPLICANT

Project #(s):

RZON2604-010

This form is to be executed under oath. I, Grid Properties, LLC - Dick Stewart 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 20th day of April, 2020.

Owner Signature: [Signature] Print Name: Dick Stewart

I, the above signed legal owner of the subject property, do hereby authorize the following application to be submitted to the City of Canton and 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 | ☐ I Temporary Use Permit |
| ☒ B Rezoning | ☐ J Zoning Ordinance Text Amendment |
| ☐ C Master Plans | ☐ Appeal |
| ☐ D Master Plan Amendment | ☐ Adjustment |
| ☐ E Conditional Use Permit | ☐ Special Exception |
| ☐ F Land Use Modification | |
| ☐ G Zoning Condition Amendment | |
| ☐ H Density Transfer within Master Plan | |

Name of Authorized Applicant: DCCM - Bradley Dunckel

Signature: Bradley Dunckel

Mailing Address: 425 Oak St.

City: Gainesville

State: GA Zip Code: 30501

Telephone: _____

E-mail: _____

Applicant Status:

- ☐ Owner
☐ Option to Purchase
☐ Leasee
☐ Area Resident
☐ Other (Explain): Engineering Consultant

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

Sworn To and Subscribed Before Me This 20
Day Of April, 2020.

Notary Signature: [Signature]

Navarra Fennell
Notary Public, State of South Carolina
My Commission Expires September 16, 2035



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DISCLOSURE FORM

Project #(s):

RZON2604-010

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: DCCM - Bradley Dunckel

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 ☒ 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):**

NONE

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
\$	
\$	
\$	



Community Development Department
110 Academy Street, Canton, GA 30114
(770) 704-1500

PROPERTY INFORMATION

Project #(s):

RZON2604-010

Address: 2030 & 2050 Sam Nelson Road and 650 Talcmine Road, Canton, GA 30114

Land Lot(s): 99 & 100 District: 14 Section: 2 Parcel ID(s) 14N09 034B, 14N09 034E & 14N10 041

Existing Zoning Of Property: PD-MU ☐ City ☒ County Total Acreage Of Property: 177.43+/-

Proposed Zoning Of Property: R-4 Existing Use(s) Of Property Cell Tower

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.

	OWNER NAME AND ADDRESS/PARCEL ID	CURRENT ZONING	CURRENT LAND USE
NORTH	See attached sheet for full list		
SOUTH			
EAST			
WEST			
OTHER			
OTHER			
OTHER			

UTILITY INFORMATION:

How is sewage from this development to be managed? Public sewer through City of Canton

Proposed managing jurisdiction: City of Canton

How will water be provided to the site? Public water through City of Waleska

Proposed managing jurisdiction: City of Waleska Size Limit: 10"

Direction	Owner Name	Address	Parcel ID	Current Zoning	Current Land Use
North	Silvina & Jose Luis Herrera	290 Talcmine Road, Canton, GA 30114	14N09 036A	AG	SDA
North	Elias Herrera & Margarita Sandoval	247 Talcmine Road, Canton, GA 30114	14N09 035C	AG	SDA
North	Jessica A & Charles A Croft	283 Talcmine Road, Canton, GA 30114	14N09 038	AG	SDA
North	CRD2, LLC	1001 Lexington Ave, Rochester, NY 14606	14N09 034C	R-10	SDA
North	Timothy A Reneau, Trustee	2025 Sam Nelson Road, Canton, GA 30114	14N09 046	AG	N/A
East	James Edward Duffy	P.O. Box 83, Lebanon, GA 30146	14N09 034D	AG	SDA
East	Ballantry PMC Laurel, LLLP	4770 South Atlanta Road, Atlanta, GA 30339	14N10J 135	PD-MU	SDA
East	Curtis Vaughan	237 Laurel Vista Dr, Canton, GA 30114	14N10J 036	PD-MU	SDA
East	James Michael Dodd	235 Laurel Vista Dr, Canton, GA 30114	14N10J 037	PD-MU	SDA
East	Ballantry PMC Laurel, LLLP	4770 South Atlanta Road, Atlanta, GA 30339	14N10J 030A	PD-MU	SDA
East	Nadia K Tucker	416 Horizon Trail, Canton, GA 30114	14N10J 053	PD-MU	SDA
East	Kenneth M Hughes, Trustee	418 Horizon Trail, Canton, GA 30114	14N10J 054	PD-MU	SDA
East	Mary Angela Jones	420 Horizon Trail, Canton, GA 30114	14N10J 055	PD-MU	SDA
East	Eric Brown, Trustee	422 Horizon Trail, Canton, GA 30114	14N10J 056	PD-MU	SDA
East	David A Biron	424 Horizon Trail, Canton, GA 30114	14N10J 057	PD-MU	SDA
East	Alan G & Jacquelyn Lackey	426 Horizon Trail, Canton, GA 30114	14N10J 058	PD-MU	SDA
East	James J & Jiayun Li Harris	428 Horizon Trail, Canton, GA 30114	14N10J 059	PD-MU	SDA
East	David D & Mary N Coleman	430 Horizon Trail, Canton, GA 30114	14N10J 060	PD-MU	SDA
East	Charles C Brown	432 Horizon Trail, Canton, GA 30114	14N10J 061	PD-MU	SDA
East	Gina Campagnolo-Smith	434 Horizon Trail, Canton, GA 30114	14N10J 062	PD-MU	SDA
East	Stanley F Benak & Suzanne M Severin	436 Horizon Trail, Canton, GA 30114	14N10J 063	PD-MU	SDA
East	Victoria W Bessa	438 Horizon Trail, Canton, GA 30114	14N10J 064	PD-MU	SDA
East	James Clark MacLaughlin	440 Horizon Trail, Canton, GA 30114	14N10J 065	PD-MU	SDA
East	Michael & Catherine Harper	442 Horizon Trail, Canton, GA 30114	14N10J 066	PD-MU	SDA
East	Alfred J Lee	443 Horizon Trail, Canton, GA 30114	14N10J 067	PD-MU	SDA
South	Canton Building Authority	151 Elizabeth Street, Canton, GA 30114	14N10 042C	PD-MU	SDA
West	Buckner Holdings, LLC	1890 Sam Nelson Road, Canton, GA 30114	14N10 028	AG	SDA
West	Lawrence M, Jr & Cagle	1953 Sam Nelson Road, Canton, GA 30114	14N09 030	AG	N/A



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PUBLIC SCHOOL INFORMATION

Project #(s):

RZON2604-010

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

KNOX

R.M. MOORE

SIXES



Community Development Department
110 Academy Street, Canton, GA 30114
(770) 704-1500

REVIEW CRITERIA

Project #(s):

RZON2604-010

How will this proposal be compatible with surrounding properties? The surrounding properties are located within the City's SDA (Suburban Density) character area. The property is located within the City's growth boundary line.

How will this proposal affect the use and value of surrounding properties? The surrounding properties are primarily zoned for residential and therefore compatible with the proposed residential use of this property. There should be no negative impacts from zoning this property to R-4.

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not. The current zoning of PU-MD was created specifically for its proposed use as an agribusiness themed development. Since the time of this rezoning in 2021, the property owner has been unsuccessful in securing a developer/operator for that type of facility.

What would be the increase to population and traffic if the proposal were approved? The total number of residential units has been reduced from 258 to 225. Additionally, the winery and event center has been eliminated further reduce the traffic volume.

What would be the impact to schools and utilities if the proposal were approved? The availability of water and sewer capacity has been confirmed with the providers. A schedule for the phase in of new residential units has been provided to the school board.

How is the proposal consistent with the Comprehensive Plan and the Future Land Use Map? The comprehensive plan identifies this area as SDA (Suburban Development). Although R-4 is not a potential zoning district under the SDA character area, the proposed lot sizes and densities match well to the existing surrounding developments.

How is the proposal consistent with the City of Canton Roadmap of Success? The proposal meets the Roadmap for Success for providing "Great Neighborhoods". Quality built homes from a top-tier national builder will supply much needed inventory for this area. Secondly, over 40% of the property will be preserved as greenspace meeting the tenet for "Natural Environment".

Are there existing or changing conditions which affect the development of the property and support the proposed request? New developments within this area of the City are virtually built-out with demand still strong for new homes in this area.

This property has access to existing utilities which support its use for the residential uses proposed.

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

Project Narrative for Sam Nelson Road Tract

REVISED 5/5/26

LOCATION – 2030 & 2050 Sam Nelson Road and 650 Talcmine Road, Canton, GA 30114

ACREAGE – 177.43 acres +/-

PARCELS – 14N09 034B, 14N09 034E & 14N10 041

EXISTING ZONING – PD-MU

REQUESTED ZONING – R-4

APPLICANT – DCCM

Summary

The accompanying application seeks zoning district change from PD-MU to R-4 for 177.43 +/- acres of unimproved property located on Talcmine Road and Sam Nelson Road in the City of Canton, approximately 1.4 miles west of Waleska road (GA 140). The intent is to develop up to 225 units of single-family detached housing along with an amenity center while maintaining a significant amount of open space. The proposed use is consistent with the Canton's Comprehensive Plan for "suburban development" use and appropriate for the City of Canton's R-4 District and for this location. Completion of development is anticipated by 2031.

Site Description

Subject Property is currently vacant and undeveloped, except for a cell tower site (+/- 8.81 acres) in the northern part of the property east of Talcmine Road and except for the remnants of mine shafts on the west side from the days when the Property was used for talc mining operations.

The topography of the Property climbs dramatically from (approximately 400 feet) its low point in the south to its high point near the cell tower. To locals it has been known as "Polecat Mountain" for years. There are streams on the Property which will be buffered per state stream buffer and local requirements. There is no floodplain on the Subject Property.

The parcel has approximately 420 LF of frontage along Sam Nelson Road, is rectangular in shape and averages 2,800 LF deep. The site has a significant number of trees and other vegetative cover. Domestic water provided by the City of Waleska from a 10" water main located in Sam Nelson Road. Domestic sanitary sewer will be provided by City of Canton through existing sewer infrastructure south of the property. All other dry utilities are located within a reasonable distance for service extensions. There are no known impediments to its successful development for the purposes intended.

Adjacencies

The property is surrounded by residential zonings, primarily PD-MU to the east and south and AG to the north and west.

Access

Access to the property is from Sam Nelson Road approximately 1.4 miles west of Waleska Road (GA 140). A secondary, emergency access is proposed from Talcmine Road.

Zoning History

This property was rezoned to PD-MU in 2021. The approved uses at that time included:

- A Winery & Cooperage (3,500 SF) containing an artisan village, winemaking and cooperage building, and meeting areas for tourists and guests.
- A 23,500 SF complex (The Center) containing restaurants, wine tasting, retail, conference and classroom space, as spa and wellness center, underground wine cellar, 108 stacked flats, and outdoor plaza, pool and outdoor amenities.
- A single family detached area comprised of 45 – 100' x 100' homesites.
- A multi-family area comprised of 105 villas
- 31 acres of vineyards
- 10 acres of gardens, groves, orchards, walking trails, ponds and a pavilion.

Zoning Request

This request for an R-4 zoning includes the following:

- 225 single family detached homes (55' x 130')
- An amenity including pool, cabana and parks
- At least 50 acres of permanent open space

Comprehensive Plan Consistency

The project is consistent with the “suburban development” designation of the Future Land Use Map, and is not known or believed to be in conflict with the plan’s vision.

Traffic Impact Study

A Traffic Impact Study is not included as part of this submittal.

Development Strategy

The proposed use of the property by the 2021 zoning to PD-MU proved to be financially infeasible despite several attempts to find a grower and operator for the winery. Although grape prices have somewhat recovered over the past two years, the amount of time to grow grapes to maturity for wine production remains challenging. The proposed use as single family detached community is more consistent with the existing properties surrounding the site. Development of the property will be accomplished in two or three phases over a three-to-four-year period.

Aerial View



Project Dimensional Standards

Proposed Dimensional Standards	
	Single Family - Detached
Acreage (Overall)	177.43
Density (Gross)	1.27
Density (net)	1.52
# of Lots	225
Exterior Buffer to PD Zoning	50'
Minimum Open Space (Overall)	30%
Sidewalks	5', both sides
Lot Coverage	50%
Minimum lot width @ building line	55'
Minimum lot area	7,150 SF
Maximum height	40'
Front setback from ROW	20'
Rear setback	15'
Side setback	5'
Corner Lot Setback	20'
Side Separation (foundation to foundation)	10'
Guest Parking	2 per Unit
Minimum heated floor area	1,500 SF

Architectural Materials & Site Improvements

Although a specific builder group has not been identified, at a minimum the homes would follow a design theme that would include:

- Two-car garages
- Front facades with a combination of masonry and hardi-plank materials
- Side & Rear facades with hardi-plank or shake siding
- Architectural weight shingles
- Sodded yards (4 sides)
- One street tree per home (minimum 2 ½" caliper)

Entrance Monumentation

The entrance may be gated and if so, the private streets will be maintained by the Homeowner's Association (HOA). All necessary requirements to allow access for public safety and other services will be provided. At least one central mail kiosk will be provided subject to USPS review and approval. The entrance may include the following structural items:

- Masonry walls
- Wood or PVC fencing
- Gate House
- Operable or Faux Gates
- Illuminated Signage in accordance with the City of Canton Sign Ordinance
- Ornamental Sculpture
- Landscaping & Irrigation

Amenities

The community amenities will vary depending on the housing option executed but at a minimum will contain the following items:

- Covered cabana with restrooms
- Pool & decking
- Dog Park
- Parking Lot

Other amenities, at the sole discretion of the Developer, may include the following items:

- Walking Trails
- Tennis or Pickle Ball Courts
- Playground
- Passive Pocket Parks
- Fire Pit
- Basketball (multi-use) Court
- Enclosed Clubhouse

Signage

The Developer and/or Builder shall be allowed to post permanent directional signs and monuments within the Community to direct traffic to sales and recreation centers and to identify differing residential areas. All permanent internal signage must be outside of any Right of Way or Utility Easement with a Landscape and Signage easement recorded on the Final Plat.

Temporary Sales and Marketing signs not exceeding 32 square feet per sign face and 8 feet in height may be used along Sam Nelson Road.

Utilities

A letter from Bethany Watson, P.E., City Engineer, indicates that sewer is available for the property, subject to obtaining easements and extending service where necessary. Water service is proposed from the City of Waleska through a 10" main located in Sam Nelson Road.

Landscaping

In addition to extensive landscaping at the entrance, individual homes will be landscaped with a variety of foundation planting schemes, at least one mature hardwood tree per lot and 4-side sod lawns. The amenity will be heavily landscaped to create a sense of arrival consistent with the recreational nature of the space.

Model Home Permits

Applicant requests that up to ten (10) model home permits be issued prior to Final Plat recording provided that hard surface (crusher run) access is provided and fire protection (functioning hydrant) is located within 500 feet of any structure under construction. However, no certificate of occupancy permits (CO) will be issued prior to final plat recording. Model Homes may be utilized as temporary offices.

Sales and Construction Trailers

Applicant is requesting permission to install one sales trailer and one construction trailer with associated parking areas in locations to be determined at the time of street paving and possible ahead of final plat approval.

Homeowner's Association

A Homeowner's Association will be created in order to administer the covenants, conditions and restrictions that will be placed on the property by the Applicant. The HOA will manage the overall management of the property including maintenance, architectural controls and financial management.

Conceptual Master Plan

The development of the community shall be controlled by the Conceptual Master Plan (the "Plan") attached as exhibit "A". The plan is considered conceptual in nature, and as such may require minor modifications during the engineering and development process. Modifications to the locations and arrangement of lots, roads, amenities, and other improvements that do not conflict with specific standards and requirements of these conditions may be made by the Developer, so long as such modifications do not change the land use, increase the overall density of the project or reduce any established exterior buffers or setbacks.

REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE

Georgia law and the procedures of City of Canton requires the Applicant to raise Federal and State constitutional objections during the R-4 master plan application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, the following constitutional objections are stated:

The portions of the City of Canton Development Code, facially and as

applied to the Property, which restrict the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the City of Canton Development Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning district other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the City of Canton City Council to approve the zoning conditions as requested would constitute a taking of the Applicant's property.

A denial of this Application would constitute an arbitrary and capricious act by the City of Canton City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the R-4 zoning request would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by the City of Canton City Council to approve this Application for the Property in accordance with the criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth

hereinabove.

I. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this R-4 master plan application be granted as requested by the Applicant. If there are any questions about this request, you may contact:

Bradley Dunckel
DCCM
425 Oak St.
Gainesville, GA 30501
678-450-5175
bdunckel@dccm.com

RZON2604-010



**PUBLIC HEARING PRE-APPLICATION REVIEW
ACKNOWLEDGEMENT AND DISCLOSURE**

Property Address: 2030 & 2050 Sam Nelson Road and 650 Talcmine Road, Canton, GA 30114

Parcel ID(s): 14N09 034B, 14N09 034E & 14N10 041

Requested Zoning/Permit: R-4

By initialing below, the Applicant understands and acknowledges that City Staff have conducted a preliminary review of the above-referenced proposal for general consistency with the City of Canton Comprehensive Plan.

Based on this preliminary review, the proposed request:

- ☒ Is **consistent** with the City of Canton Comprehensive Plan.
☐ Is **inconsistent** with the City of Canton Comprehensive Plan. (Staff will recommend Denial.)

Applicant Initials: BKD

(This section is to be completed by City Staff.)

SEP 05/05/2026

By initialing below, the Applicant understands and acknowledges that, following formal submittal and full review of the application, City Staff will issue a written recommendation to the Mayor and City Council for consideration. Such recommendation may be:

- Approval,
- Approval with Conditions/Stipulations, or
- Denial

Applicant Initials: BKD

By initialing below, the Applicant understands and acknowledges that:

- The Mayor and City Council is the final decision-making authority on all annexation/rezoning/CUP/master plan requests.
- The Mayor and City Council may approve, approve with conditions/stipulations, deny, or table the request.
- The Mayor and City Council may agree with Staff's recommendation, disagree with Staff's recommendation, and/or impose additional conditions/stipulations as part of its decision.
- This preliminary review and acknowledgement does not constitute approval or denial, and does not guarantee any particular outcome.

Applicant Initials: BKD



**PUBLIC HEARING PRE-APPLICATION REVIEW
ACKNOWLEDGEMENT AND DISCLOSURE**

By signing below, the Applicant acknowledges that:

- They have participated in a pre-application and/or preliminary staff review.
- They have been informed of the preliminary determination regarding Comprehensive Plan consistency.
- They understand the role of Staff recommendations.
- They understand the authority and discretion of the Mayor and City Council.
- They understand that this acknowledgement is advisory in nature and does not bind the City of Canton, its Staff, or its elected officials to any particular action or decision.

Applicant Name (Printed): Bradley Dunckel

Applicant Signature: Bradley Dunckel

Date: 4/30/26

Staff Name (Printed): Tyler Peoples, City Planner

Staff Signature: Tyler Peoples

Date: 05/05/2026



Land Use Petition: RZON2604-010
Date of Staff Report Preparation: 06/22/2026
Mayor and City Council Public Hearing Date: 07/02/2026
Possible action date 08/06/2026

Project Name/Applicant: Bradley Dunckel for Grid Properties, LLC

Property Location: 2030, 2050 Sam Nelson Rd., & 650 Talcmine Dr., Canton, GA 30114

Tax ID Number: 14N10, Parcel 041 & 14N09, Parcels 034B and 034E

District/Land Lot: 14th District Land Lots 99 and 100

Acreage: 177.43 +/- acres

Existing Zoning District: PD-MU (Planned Development-Mixed Use)

Requested Zoning District: R-4 (Single-Family Residential)

Existing/Current Land Use: Vacant

Future Development Map Designation: Suburban Development

Proposed Development: Residential

R-4 Zoning District Standards (Primary Street)			
Lot Coverage (max.)	50%	Front Yard Setback (min.)	20', Local 65', Other
Open Space (min.)	N/A	Side Yard Setback (min.)	0' (10')
Building Height (max.)	2.5 Stories 40'	Rear Yard Setback (min.)	15'
Building Height (min.)	N/A	Buffer Planting (min.)	4 rows
Zoning Buffer	50'	Overlay Zone	N/A

Surrounding Land Uses and Zoning:		
Location	Land Use	Zoning
North	SF Residential	County AG (General Agriculture)
South	SF Residential (<i>Laurel Canyon</i>)	PD-MU (Planned Development Mixed-Use)
East	SF Residential (<i>Laurel Canyon</i>)	PD-MU (Planned Development Mixed-Use)
West	Vacant & SF Homes	County AG (General Agriculture)

Location Map



Future Land Use Map



Zoning Map





Site Description and History

The 177 +/- acre property consists of three (3) tracts, with two having road frontage onto Sam Nelson Road and the remaining having road frontage onto Talcmine Drive. There is an existing telecommunications tower located on the northern portion of 650 Talcmine Drive with a gated driveway access from the end of Talcmine Drive. The property is mostly wooded, and contains former talc mine shafts along the western property line, as shown on the applicant's survey. There are streams located on the property which contain streambank buffers, and the elevation of the property changes significantly to a high peak where the existing telecommunications tower is located.

In 2021, the Canton City Council approved an annexation of the property and rezoning from County AG (General Agriculture) to PD-MU (Planned Development, Mixed-Use) per Case Number RZON2107-002. The applicant proposed to develop the subject 177 +/- acre property with residential (both multi-family and single-family units), commercial land uses, a winery, and agricultural land uses (vineyards, orchards, etc.). This was approved with nine (9) zoning conditions. The Master Concept Plan showed 45 Single-Family Detached, 105 villas, and 108 flats for a total number of 258 residential units.

A memorandum of understanding between Cherokee County and the Property Owner was also incorporated as Condition 1 which indicated a maximum allowed number of residential units at 222 units (72 flats, 45 single-family, and 105 Villas).

Request

The applicant is proposing to rezone the property from PD-MU to R-4 to build between 218 and 225 total fee-simple, single-family, detached residential units (gross density around 1.27 units per acre). The minimum lot size proposed is 7,150 sq. ft. The primary access would be located on Sam Nelson Road, and a second emergency-only access would be located on Talcmine Drive. The proposed development would include an amenity to include a pool, cabana and park space. The applicant also indicates the there will be a minimum of 50 acres of dedicated open space for the development (30+/-%), and a 50-foot exterior buffer will be provided. The proposed development will be conducted over a 3-4 year time period, and will consist of several phases.

The applicant indicates that at a minimum, homes on the site would contain a combination of masonry, shake siding, and hardi-plank for exterior building materials; they would contain two-car garages, and the lots would be sodded.

According to the applicant, there is a proposal to perform an additional traffic study, however, it is requested to be conducted when school is back in session in August. Additionally, the applicant has communicated with the City of Waleska concerning the added water demand and has received confirmation from the City Engineer that sewer is available at two connection points. The applicant further indicates that these units will not be age-restricted, and the price may vary between 400-500K.

Existing Zoning

PD-mixed use: This district is intended to provide for a creative, compatible and connected mix of businesses, offices, and residential uses (not including manufactured homes) which utilize public water and public sewer systems and which otherwise would not be permitted under this UDC because



of the strict application of zoning district or general development standards. The primary intent of this district is to accommodate infill and redevelopment within the city, and the secondary intent is to guide quality greenfield development. This district is established to promote master-planned development that establishes harmonious relationships between buildings, people and cars, maximizes open space opportunities, and offers a wide variety of goods and services that cater to employees, pedestrians, shoppers, and residents.

Proposed Zoning

R-4 Single-family residential (4,000 square feet): This district is intended to provide for high-density, single-family detached cluster residences (not including manufactured homes) which are connected to public water and public sewer systems.

Future Land Use Character Area

Suburban Development Area: These areas are developing as relatively low-density residential developments with no connections to transit. Pedestrian accessibility and other street amenities are dependent on project requirements specified in the planning, zoning, and permitting process. In Canton, many of these areas have steep topography, making building a challenge and threatening some of the scenic vistas which are a great asset to the City. Some development strategies include encouraging smaller lot sizes, interconnected streets, and pedestrian infrastructure; provide ample greenspace and recreational opportunities; require plans for communities which provide for connectivity and good design in terms of architectural style, street and landscapes, and other elements.

Rezoning Review Criteria

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties;

There are existing residential land uses adjacent to the property. The request would allow for lot sizes generally smaller than those existing nearby, particularly within the Soleil at Laurel Canyon Subdivision. Other properties within the County jurisdiction are mostly zoned agricultural, and are larger in size.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The proposed request may not affect the usability of adjacent or nearby property as they would be similar land uses.

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

The current zoning of the property allows for a mix of land uses including commercial, residential and agricultural as the property was previously rezoned to PD-MU in 2021 for a development containing detached and attached residential units, a winery, resort-style amenities, and agricultural land uses. The current applicant states, "The proposed use of the property by the 2021 zoning to PD-MU proved to be financially infeasible despite several attempts to find a grower and operator for the winery...The proposed



use as a single family detached community is more consistent with the existing properties surrounding the site”.

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 subdivision may have an effect on increasing traffic particularly along Sam Nelson Road. The proposed emergency access to Talcmine Drive will also require needed improvements to meet city and county road standards. The Cherokee County School District has determined that the proposed number of home at 225 may increase the student population by 164 students. They further indicate that Teasley Middle School is currently operating at 102% capacity. Concerning utilities, the City Engineer has determined that water and sewer are available for the site, and that the developer will need to extend service at the time of land development.

5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and Future Development Map;

The proposed use may be in conformity with the City of Canton Comprehensive Plan in that the area is located within the Suburban Developing Character Area. This Character Area may support residential development up to 3 units per gross acre.

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.

There are no known conditions that affect the use of the property other the existing zoning of PD-MU. The existing road conditions such as sight distance on Sam Nelson Road, and sub-standard condition of Talcmine Drive may affect the development of the property.

7. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.

There are no known historic buildings on the property. Based on the submitted site plan, the open talc mine shafts located along the western boundary of the property will have to be addressed during the development stage. There are no known archaeological resources on the property.

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.

Single-Family detached housing is exempt from Canton Design Review unless required by the Canton City Council, as a condition of zoning. Architectural features appear to be consistent with those located in nearby subdivisions through the use of board and batten, cementitious and masonry siding, street-facing garages, sodded yards.



DEPARTMENT COMMENTS

BUILDING AND SAFETY SERVICES

Fire would accept the proposed secondary access onto Talcmine Drive for emergency purposes.

COMMUNITY DEVELOPMENT

The applicant is proposing to develop the property with a 50-foot exterior buffer. If possible, this buffer should be located outside of the proposed individual lots to maintain long-term preservation of the buffer, and open space areas. The applicant is also proposing to maintain the subdivision as fee-simple and non-age targeted. To address this, a Homeowners Association should be established and covenants, restrictions, and regulations should be recorded with Cherokee County Deeds and Records. Roadway and entrance improvements should be addressed prior to the issuance of any land disturbance permit and should adhere to all county and city regulations.

ENGINEERING

Sewer is available to the property subject to the applicant extending service and obtaining nearby utility easements. Water is provided by the City of Waleska through a 10" line located on Sam Nelson Road.

CHEROKEE COUNTY SCHOOL DISTRICT (CCSD)

The school system has noted that 164 new students may be added to the system based on 225 residential units. They indicate that additional capacity may also include eight (8) classrooms. They state that nearby affected schools such as R.M. Moore Elementary School is operating at 89% capacity, Teasley Middle School is operating at 102% capacity, and Cherokee High School is operating at 83% capacity. It is recommended that the applicant discuss with the CCSD on how to potentially mitigate the anticipated impact of the proposed request.

CHEROKEE COUNTY TRANSPORTATION

1. Improvements will be required at both proposed entrances.
2. For the main entrance on Sam Nelson, the existing vertical curve deficiencies need to be fixed prior to the site being open to the public.
3. Talcmine Drive would need to be fully widened to accommodate the needed improvements.
4. Developer would be responsible for funding the roadway improvements.
5. A left-turn lane at the entrance may be required due to the number of proposed homes.
6. The County maintains about 0.228 miles of Talcmine Drive to the end of pavement (130 +/- feet short of the subject property).

STAFF CONDITIONS FOR CONSIDERATION

Possible recommended conditions may follow the public hearing which would be available for the August 6th, 2026 City Council meeting for consideration.



April 14, 2026

Mike Atlee
Atlee Property Group, Inc.

Re: 14N10041

Dear Mr. Atlee,

The City of Canton is aware of the plans to develop the above-mentioned parcel into 220 single family detached units. The permitting would begin in roughly 90-120 days with a construction estimated start date in the later part of Q1 2027 that should complete site development in Q4 of 2027. The CO for the homebuilder would be roughly around Q1 of 2028.

This letter confirms that the parcel has water and sewer available for the property. Please note that the developer of these land lots will be required to extend the water and/or sewer line to service and any easements will be the responsibility of the developer. At the time of application, you will be required to pay the water tap fees, including any deposits or administrative costs.

If you have any questions or require additional information, please contact me at (770)704-1521 or email Bethany.watson@cantonga.gov.

City of Canton

A handwritten signature in blue ink, appearing to read "Bethany Watson", is written over a horizontal line.

Bethany Watson, P.E., AICP
City Engineer



Janet Read Welch
School Board Chair

Patsy Jordan
Vice-Chair, District 2

Kelly Poole
District 1

Chance Beam
District 3

Robert Rechsteiner
District 4

Erin Ragsdale
District 5

Dr. Susan Padgett-Harrison
District 6

Mary Elizabeth Davis, PhD
Superintendent of Schools

17 June 2026

Bradley Dunckel
DCCM
425 Oak Street
Gainesville, GA 30501

Dear Mr. Dunckel:

The Cherokee County School District's Division of Support Services is in receipt of your zoning application **RZON2604-010** requesting the rezoning of **177.43 +/-** acres from **PD-MU** to **R-4** for the construction of **225** single-family residential units. Please reference the attached zoning impact report for details on the projected effect of your proposed development on CCSD enrollment.

It is the position of the School District that all developers should attempt to voluntarily mitigate the impact of their proposed development. In every such case, the District designates a minimum contribution to help provide adequate facilities for the school-age children who will occupy the residences in the development. A meeting between the School District and the property developer is requested before the zoning hearing to discuss the impact of your proposed development on area schools, as well as a consistent donation to mitigate the impact on the School District.

Over a decade of rapid growth and development has increased the overall population of Cherokee County, placing a strain on infrastructure and public safety. These same developments have an impact on School District facilities as well. The School District strives to be proactive in establishing new schools to open when and where they are most needed. Given the explosive growth of the past decade, rising budget constraints, and unfunded or underfunded state mandates, achieving this objective continues to be a formidable task. The School District relies on donations provided by developers to help obtain additional property to construct schools or to purchase/relocate portable classrooms to provide temporary relief for overcrowding and offset the costs while a more permanent solution is developed. The School District believes that your willingness to voluntarily address and mitigate the logical consequences of your proposed development will promote the value and marketability of your development by providing adequate school facilities for the new residents of your development.

In cases where no agreement can be reached, the School District can make no guarantee that the proposed development will remain in the same school boundary area. All school boundaries are evaluated annually for overcrowding concerns during the annual Attendance Area Focus Group Process.

Please contact my office at your earliest convenience to arrange an appointment and discuss the impact of your proposed development, as well as any possible mitigation.

Sincerely,

Mitchell Hamilton

Mitchell Hamilton
Director, Planning/Facilities/Compliance

MH: mm
Attachment

cc: Mary Elizabeth Davis, PhD, Superintendent of Schools
Trey Moores, Chief Support Services Officer
Josh Malcom, Executive Director, Capital Planning & Facilities
City of Canton Mayor and Council

Rezoning Case Impact Report

Jurisdiction		Rezoning Case Number		Applicant Name	
City of Canton		RZON2604-010		DCCM	
Acreage	Number Of Lots	Housing Type		Current Zoning	Proposed Zoning
177.43	225	Single Family Residential		PD-MU	R-4
Estimated Student Impact ⁽¹⁾		Additional Capacity Needed		Additional Capacity Cost ⁽²⁾	Annual Student Cost ⁽³⁾
164	Students	8	Classroom(s)	\$222,443	\$1,418,209
Planning Commission Meeting Date		County Commission/City Council Meeting Date		Map & Parcel Number(s)	
				14N09-034B &-034E; 14N10-047	
Property Description					
2030 & 2050 Sam Nelson Rd & 650 Talcmine Road Canton 30114					

Affected Schools Capacity Information

Elementary School	ES Enrollment	ES Capacity	% Capacity
R.M. Moore ES	970	1,088	89%
Middle School	MS Enrollment	MS Capacity	% Capacity
Teasley MS	1,554	1,518	102%
High School	HS Enrollment	HS Capacity	% Capacity
Cherokee HS	2,778	3,360	83%

All Enrollment and Capacities are based on the last published Cherokee County Inventory of School Housing (CCISH) Numbers.

It is the position of CCSD that all developers should attempt to mitigate as much of the impact of their proposed development as possible. In every such case, the district designates a minimum contribution expected to help provide adequate facilities for the school-age children who will occupy the residences in the development.

Please recommend to all Residential Zoning applicants to contact Mitch Hamilton at 770-721-8429 to discuss mitigation of their subdivision before appearing before the Zoning Board. If the applicant cannot meet during that time, we request that the Zoning Board put a condition on the zoning so they must meet with Mr. Hamilton before the City Council/County Commission Meeting.

The estimated cost for building an elementary school is 40 to 45 million dollars, middle school is 65 to 70 million dollars, and the cost of building a high school is 100+ million dollars.

(1) - All increases in student enrollment should be considered cumulative. All recent cases will impact the affected Schools. The School District may have to transport the students of any given development to an alternate district due to over-enrollment.

(2) - Additional Capacity Calculations are based on adding Mobile Units to existing campus facilities at the following rate: 1 Mobile Unit = 2 Classrooms with a cost of \$60,000/Mobile Unit

(3) - Annual Cost is calculated using the General Fund Operating Expenditure cost per pupil of \$8,694.

CHEROKEE 14-1, 214
LL 99 & 100
3/6/17

As required by subsection (c) of O.C.G.A. Section 15-6-67, the Registered Land Surveyor hereby certifies that this map, plat, or plan has been prepared for filing in writing by any and all applicable municipal, county, or municipal-county planning commissions or municipal or county governing authorities or that such governmental bodies have affirmed in writing that approval is not required. The following governmental bodies have approved this map, plat, or plan for filing:

Name and date (mm/dd/yyyy)

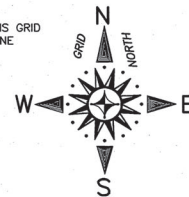
Name and date (mm/dd/yyyy)

The following governmental bodies have affirmed that approval is not required:

Name and date (mm/dd/yyyy)

Name and date (mm/dd/yyyy)

THE BASIS OF BEARINGS IS GRID
NORTH GEORGIA WEST ZONE

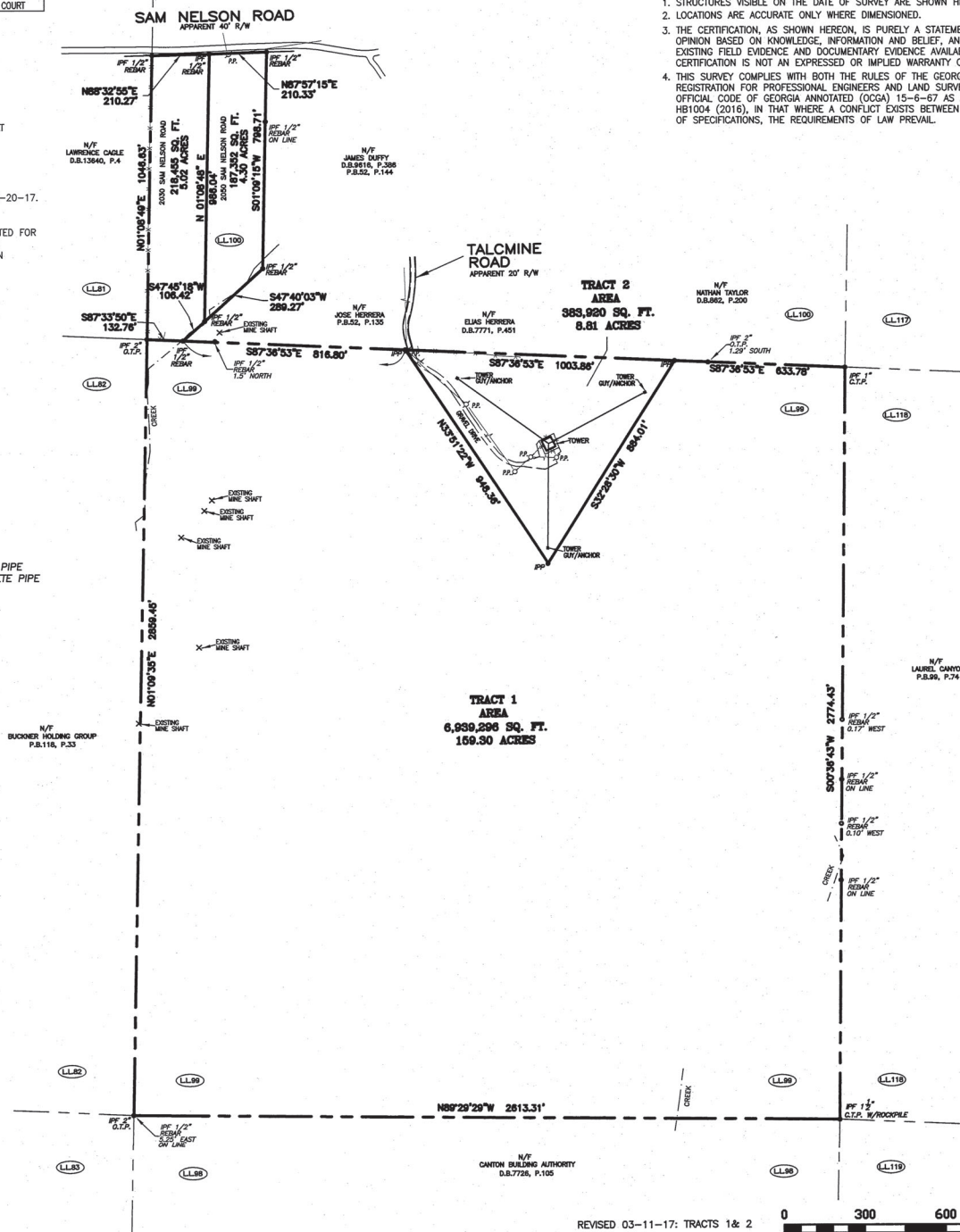


THIS BLOCK RESERVED FOR CLERK OF SUPERIOR COURT

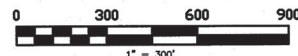
EQUIPMENT USED:
THEODOLITE READING TO 5 SECONDS;
ELECTRONIC DISTANCE METER
READING TO 0.005 FEET.
THE FIELD DATA UPON WHICH THIS PLAT
IS BASED HAS A HORIZONTAL
CLOSURE OF 1 IN 28,595
ANGULAR ERROR: 1" PER ANGLE
TRAVERSE WAS ADJUSTED
USING LEAST SQUARES
FIELD SURVEY DATE: 02-02-17 TO 02-20-17.
IRON PINS PLACED ARE 1/2" REBAR
THIS SURVEY PLAT HAS BEEN CALCULATED FOR
CLOSURE BY LATITUDE AND DEPARTURE
AND IS FOUND TO BE ACCURATE WITHIN
ONE FOOT IN 821,094 FEET.

LEGEND

I.P.F. IRON PIN FOUND
I.P.P. IRON PIN PLACED
L.L.L. LAND LOT LINE
L.L. LAND LOT
D.B. DEED BOOK
P.B. PLAT BOOK
P. PAGE
P.P. POWER POLE
C.L. CENTERLINE
R/W RIGHT-OF-WAY
E.O.P. EDGE OF PAVEMENT
F.H. FIRE HYDRANT
B.V. BUILDING LINE
W.M. WATER METER
CMP CORRUGATED METAL PIPE
RCP REINFORCED CONCRETE PIPE
N/V NOW OR FORMERLY
O.T.P. OPEN TOP PIPE
C.T.P. CRIMPED TOP PIPE
-X- FENCE LINE

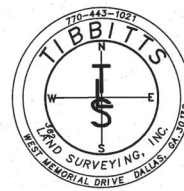


REVISED 03-11-17: TRACTS 1 & 2



THE SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE; THEREFORE, THE UNDERSIGNED AND TIBBITTS LAND SURVEYING, INC. MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS.
THE UTILITIES SHOWN ARE SHOWN FOR THE CLIENTS' CONVENIENCE ONLY. THERE MAY BE OTHER UNDERGROUND UTILITIES NOT SHOWN. THE SURVEYOR ASSUMES RESPONSIBILITY ONLY FOR THE UTILITIES SHOWN. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE OWNER, OR OWNERS' AGENT SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER, OR OWNERS' AGENT.
THIS PLAT IS FOR THE BENEFIT OF THE PARTIES IN THE TITLE BLOCK ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK. TIBBITTS LAND SURVEYING, INC. WILL NOT ACCEPT ANY RESPONSIBILITY OF LIABILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE PERSON, OR PERSONS, NAMED IN THE TITLE BLOCK.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



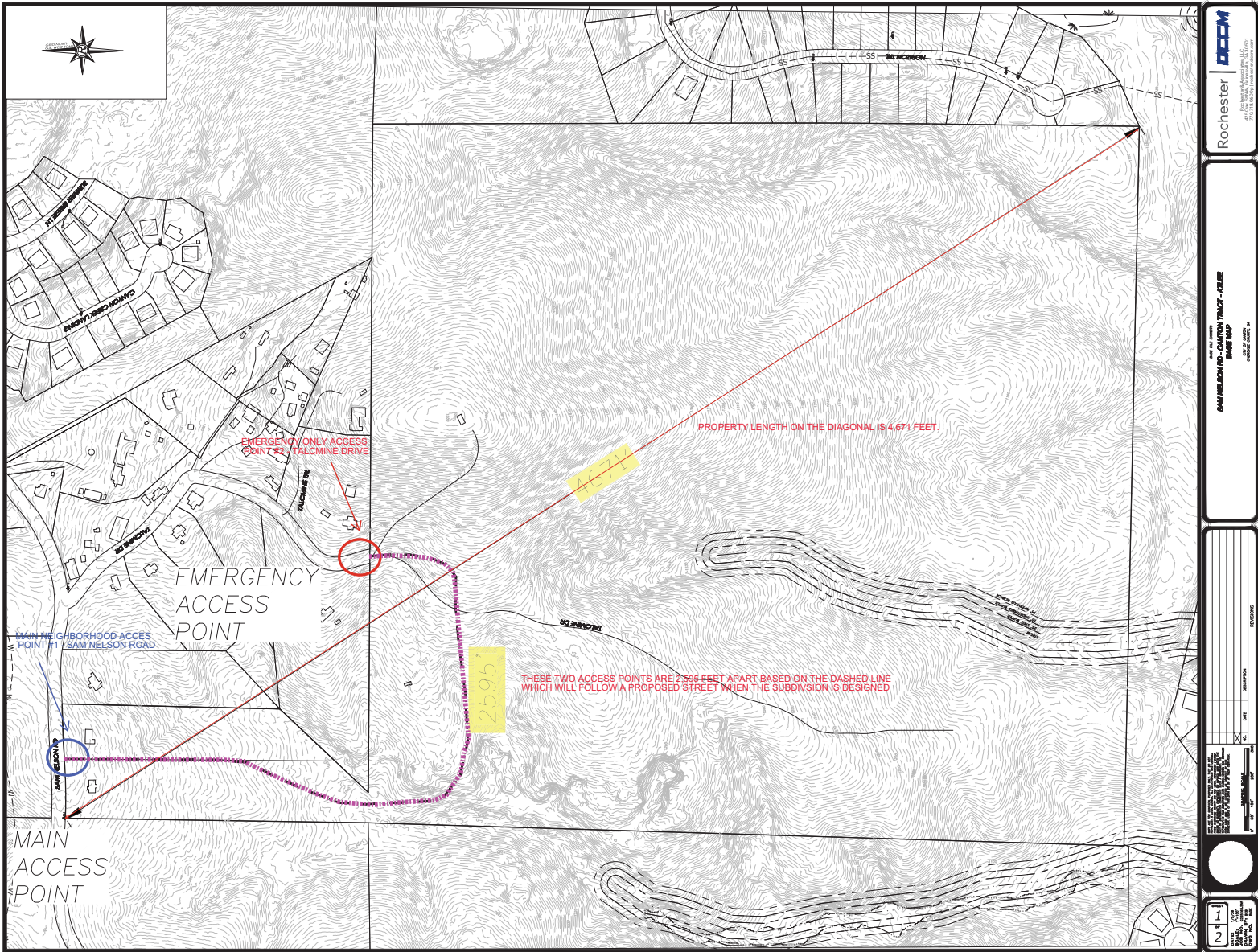
RETRACEMENT SURVEY FOR:
**GRID PROPERTIES, LLC
A GEORGIA LIMITED
LIABILITY COMPANY**

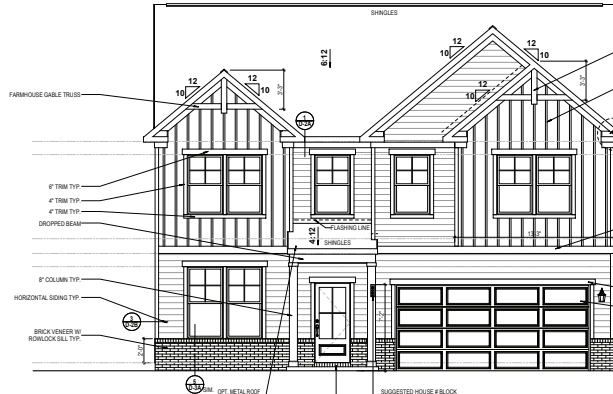
LAND LOTS	DISTRICT	SECTION	COUNTY	GEORGIA
99 & 100	14TH	2ND	CHEROKEE	

DATE	DRAWN BY	CHECKED	JOB NO.	DISK
02-22-17	EEH	RLT	17026	SERVER

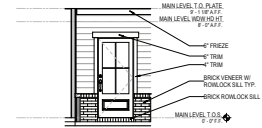
TIBBITTS LAND SURVEYING, INC.
362 WEST MEMORIAL DRIVE, DALLAS, GEORGIA 30132
AUTHORIZATION #8920092 (770)443-1021

COPYRIGHT TIBBITTS LAND SURVEYING, INC.

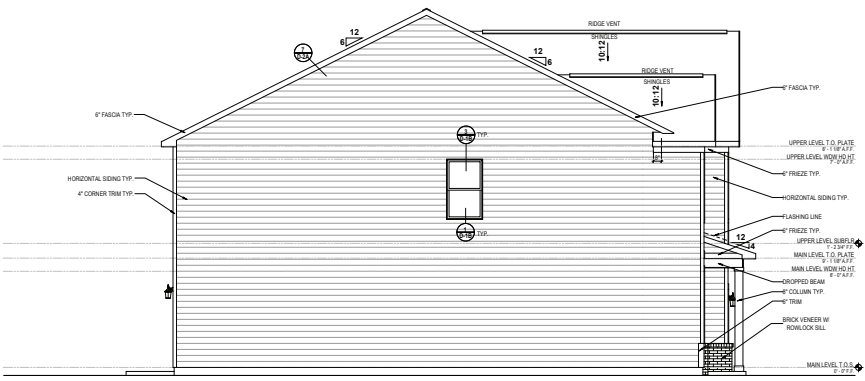




1 FRONT ELEVATION - "E"
3/4" = 1'-0"



3 FRONT ENTRY ELEVATION - "E"
3/4" = 1'-0"



2 LEFT ELEVATION - "E"
3/4" = 1'-0"



4 OPT. GARAGE DOOR W/ GLASS
3/4" = 1'-0"
EFFECTIVE DATE: 01/20/26

REFER TO PRODUCT BOOK
FOR EXTERIOR TRIM

ELEVATIONS SHOWN WITH
SLAB ON GRADE
ELEVATIONS

STANLEY MARTIN

1175 LAKE MARYDA DRIVE, SUITE 100, WESTON, MA 02459
TEL: 781.326.0000 FAX: 781.326.0001
WWW.STANLEYMARTIN.COM

KERSHAW

0002765V02

ISSUE DATE: 11/12/2025

REVISIONS:

NO.	DATE	DESCRIPTION

DRAWING DESCRIPTION:

ELEVATION "E"

DESIGNED BY: BSI

SHEET #

A-4E











ORDINANCE #RZON2107-002**REZONING****CITY OF CANTON**

Applicant: Grid Properties, LLC, c/o Linda Dunlavy

An Ordinance approving the rezoning of the following described property:

ALL THAT TRACT OR PARCELS OF LAND lying and being in Land Los 99 and 100 of the 14th District, 2nd Section of Cherokee County Georgia and being more particularly described on Exhibit "A" attached hereto and incorporated herein by reference. Said properties containing 177.43 acres and known as 2030 and 2050 Sam Nelson Road and 650 Talc Mine Drive, further known as Parcels 034B and 034E found in Tax Map Book Number 14N09 and Parcel 041 found in Tax Map Number 14N10.

WHEREAS, it is hereby found and determined that a petition to change the zoning of the above-described property from AG (Agriculture, Cherokee County) to PD-MU (Planned Development-Mixed Use, City of Canton) was filed with the City of Canton and,

WHEREAS, the Mayor and City Council held a public hearing on October 7, 2021 in regards to this application.

PROPOSED USE: Winery resort and residential uses

NOW THEREFORE, be it resolved that the Mayor and City Council of the City of Canton does hereby amend the Official Zoning Map to reflect the above referenced property being zoned to PD-MU with the following conditions:

1. The Memorandum of Understanding, as agreed upon by Cherokee County and the property owner, said document being signed by Harry Johnston, Chairman of the Cherokee County Board of Commissioners and Richard H. Stewart, property owner, shall be adhered to during the development process.
2. An environmental impact study shall be performed prior to the issuance of a Land Development Permit. This study shall ascertain the existence or non-existence of harmful particles remaining on the property as a result of the talc mine operation. Remediation issues shall be addressed.
3. The hours of operation for events that take place outdoors shall be limited to Sunday thru Thursday 8:00 a.m to to 10:00 p.m and Friday thru Saturday 8:00 a.m. to 1:00 a.m.

4. The Land Disturbance Permit shall contain a map locating each talc mine/shaft.
5. All talc mines/shafts shall be secured by fence or gate and lock prior to the issuance of any building permit.
6. The owner/developer shall provide an area of adequate size to accommodate a water storage tank. The size of the property and tank shall be determined by the City of Canton Utility Engineer.
7. Grid Properties shall make reasonable efforts to get the current owner of the existing cell tower, American Tower Corporation, to provide space on the existing tower for placement of antennae to be used by the City of Canton and Cherokee County.
8. Talc Mine Drive may continue to be used for access to the existing communication and water tank towers on the property but shall not be used for any other purpose unless otherwise approved by both the City and Cherokee County.
9. The appropriate jurisdictions shall provide water to the project.

Adopted this 21st day of October 2021.

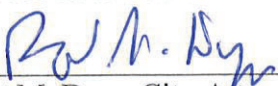


Bill Grant, Mayor

Attest: 

Annie Fortner, City Clerk

Approved as to Form and Content:



Robert M. Dyer, City Attorney

First Reading: October 7, 2021

Adopted by Council: October 21st, 2021

Approved by Mayor: _____

Veto by Mayor: _____

Second Vote by Council: _____

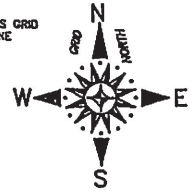
Effective Date: _____

As required by subsection (c) of O.C.G.A. Section 15-6-67, the Registered Land Surveyor hereby certifies that this map, plat, or plan has been approved for filing in writing by any and all applicable municipal, county, or municipal-county planning commissions or municipal or county governing authorities or that such governmental bodies have affirmed in writing that approval is not required. The following governmental bodies have approved this map, plat, or plan for filing:

Name and date (mm/dd/yyyy)
Name and date (mm/dd/yyyy)
The following governmental bodies have affirmed that approval is not required:
Name and date (mm/dd/yyyy)
Name and date (mm/dd/yyyy)

Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser on to intended use of any parcel. The Registered Land Surveyor further certifies that this map, plat, or plan complies with the technical standards and specifications of the State Board of Registration for Professional Engineers and Land Surveyors and the Georgia Superior Court Clerks Cooperative Authority. The approval signatures above were not in place when this survey was issued, and are to be properly obtained prior to recording.

THE BASIS OF BEARINGS IS GRID
NORTH GEORGIA WEST ZONE

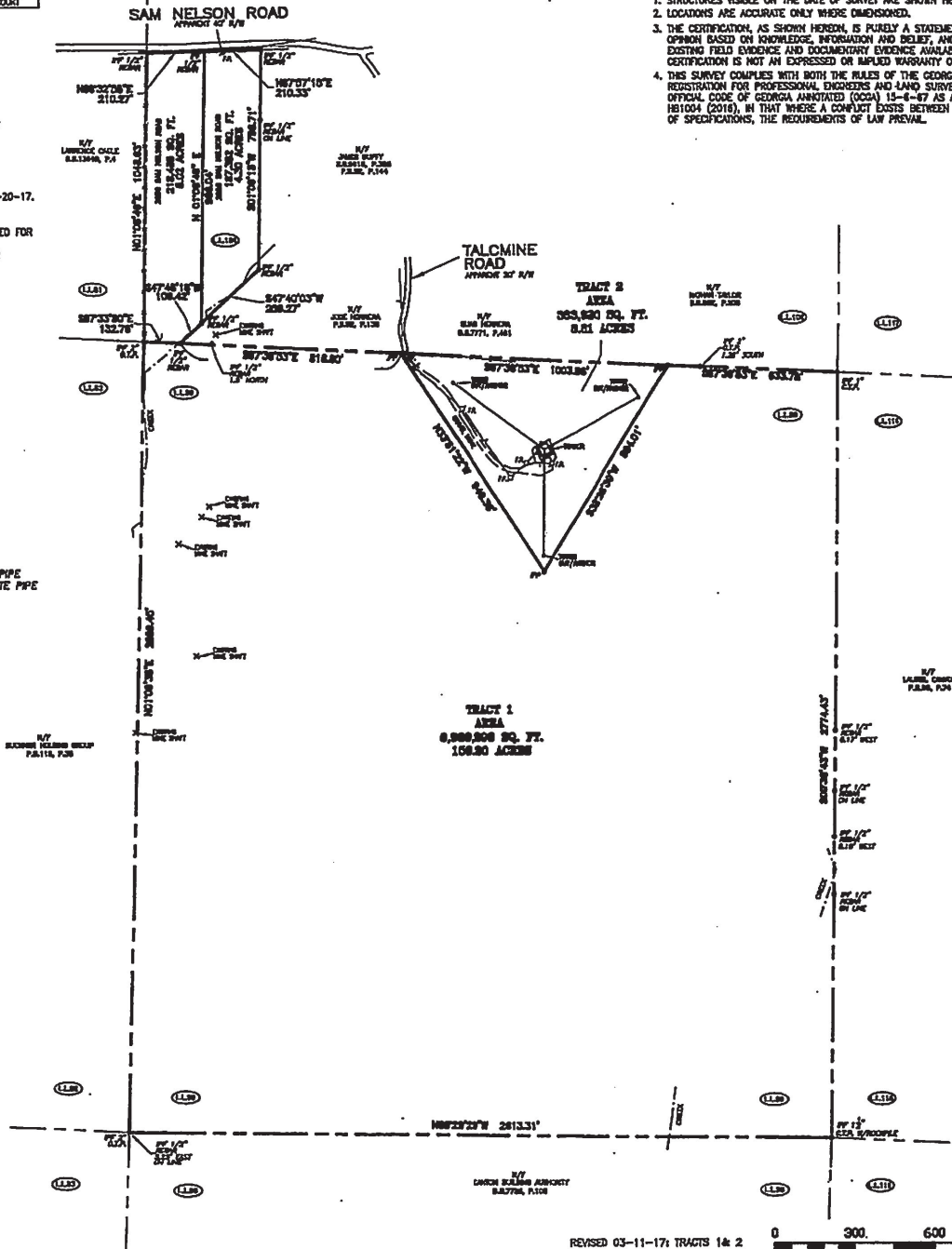


THIS BLOCK RESERVED FOR CLERK OF SUPERIOR COURT

EQUIPMENT USED:
THEODOLITE READING TO 5 SECONDS;
ELECTRONIC DISTANCE METER
READING TO 0.005 FEET
THE FIELD DATA UPON WHICH THIS PLAT
IS BASED HAS A HORIZONTAL
CLOSURE OF 1 IN 25,285
ANGULAR ERROR: 1" PER ANGLE
TRANSVERSE WAS ADJUSTED
USING LEAST SQUARES.
FIELD SURVEY DATE: 02-02-17 TO 02-20-17.
IRON PINS PLACED ARE 1/2" REBAR
THIS SURVEY PLAT HAS BEEN CALCULATED FOR
CLOSURE BY LATITUDE AND DEPARTURE
AND IS FOUND TO BE ACCURATE WITHIN
ONE FOOT IN 321,094 FEET.

LEGEND

I.P.F. IRON PIN FOUND
I.P.P. IRON PIN PLACED
L.L.L. LAND LOT LINE
L.L. LAND LOT
D.B. DEED BOOK
P.B. PLAT BOOK
P. PAGE
P.P. POWER POLE
C.W. CUT WIRE
C.L. CENTERLINE
R.W. RIGHT-OF-WAY
E.O.P. EDGE OF PAVEMENT
F.H. FIRE HYDRANT
B.L. BUILDING LINE
W.M. WATER METER
C.M.P. CORRUGATED METAL PIPE
R.C.P. REINFORCED CONCRETE PIPE
N.V. NOW OR FORMERLY
O.T.P. OPEN TOP PIPE
C.T.P. CRIMPED TOP PIPE
-X- FENCE LINE



REVISED 03-11-17; TRACTS 1 & 2

THE SURVEY SHOWN HEREON WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE; THEREFORE, THE UNDERSIGNED AND TIBBITTS LAND SURVEYING, INC. MAKE NO GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS.

THE UTILITIES SHOWN ARE SHOWN FOR THE CLIENT'S CONVENIENCE ONLY. THERE MAY BE OTHER UNDERGROUND UTILITIES NOT SHOWN. THE SURVEYOR ASSUMES RESPONSIBILITY ONLY FOR THE UTILITIES SHOWN. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE OWNER, OR OWNER'S AGENT, SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER, OR OWNER'S AGENT.

THIS PLAT IS FOR THE BENEFIT OF THE PARTIES IN THE TITLE BLOCK ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK. TIBBITTS LAND SURVEYING, INC. WILL NOT ACCEPT ANY RESPONSIBILITY OF LIABILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE PERSON, OR PERSONS, NAMED IN THE TITLE BLOCK.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-57.



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RETRACED SURVEY FOR:					
GRID PROPERTIES, LLC					
A GEORGIA LIMITED LIABILITY COMPANY					
LAND LOTS	DISTRICT	SECTION	COUNTY	STATE	
83 & 100	14TH	2ND	CHEROKEE	GEORGIA	
DATE:	DRAWN BY:	CHECKED:	JOB NO.	DISK:	
02-22-17	EEH	RLT	17025	SERVER	
TIBBITTS LAND SURVEYING, INC.					
382 WEST MEMORIAL DRIVE, DALLAS, GEORGIA 30132					
AUTHORIZATION #1935592 (770)443-1021					

Exhibit "A"