

**Action Requested/Required:**

- ☐ Vote/Action Requested
☐ Discussion or Presentation Only
☒ Public Hearing
Report Date: 5/27/25
Hearing Date: 6/5/25
Voting Date: 7/3/25

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

Agenda Item Title:

ZCA2504-001 - 600 Joe Green Lane - Request to remove zoning conditions in order to build a single family home - Lee Lichtenstein

Summary:

The applicant seeks to have all zoning conditions removed from the subject property in order to construct a single family detached home. The property was annexed and rezoned in 2006 for the development of a 69 lot subdivision. To date the parcel has not been developed and the new owner is seeking to construct a personal home.

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 during the action meeting.

Reviews:

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

Attachments:

Application, survey, site plan, public input meeting report, current zoning conditions



Land Use Petition: ZCA2504-001

Date of Staff Report Preparation: 5/27/25

Mayor and City Council Public Hearing Date: 6/5/25

Action meeting: 7/3/25

Project Name/Applicant: Lee Lichtenstein

Property Location: 600 Joe Green Lane

Parcel ID: 14N15 104

District/Land Lot: 14th District LL188

Acreage: 30.55 acres

Existing Zoning District: R-10 (single family detached, 10,000 sq. foot lot size)

Existing Land Use: Vacant/undeveloped

Future Development Map Designation: SDA Suburban Development

Current Use: Vacant/undeveloped

Proposed Development: Single family detached home

Owner/Petitioner: Lee Lichtenstein

Owner/Petitioner's Intent: Construct a single family detached home

District Standards:

___ Zoning District Standards (Primary Street)			
Impervious Surface (max.)	50%	Front Yard Setback (min.)	35'
Open Space (min.)	50%	Side Yard Setback (min.)	10'
Building Height (max.)	40'	Rear Yard Setback (min.)	20'
Building Height (min.)	N/A	Buffer Planting (min.)	50'
Zoning Buffer	50'	Overlay Zone	N/A

Surrounding Land Uses and Zoning:
family homes - AG

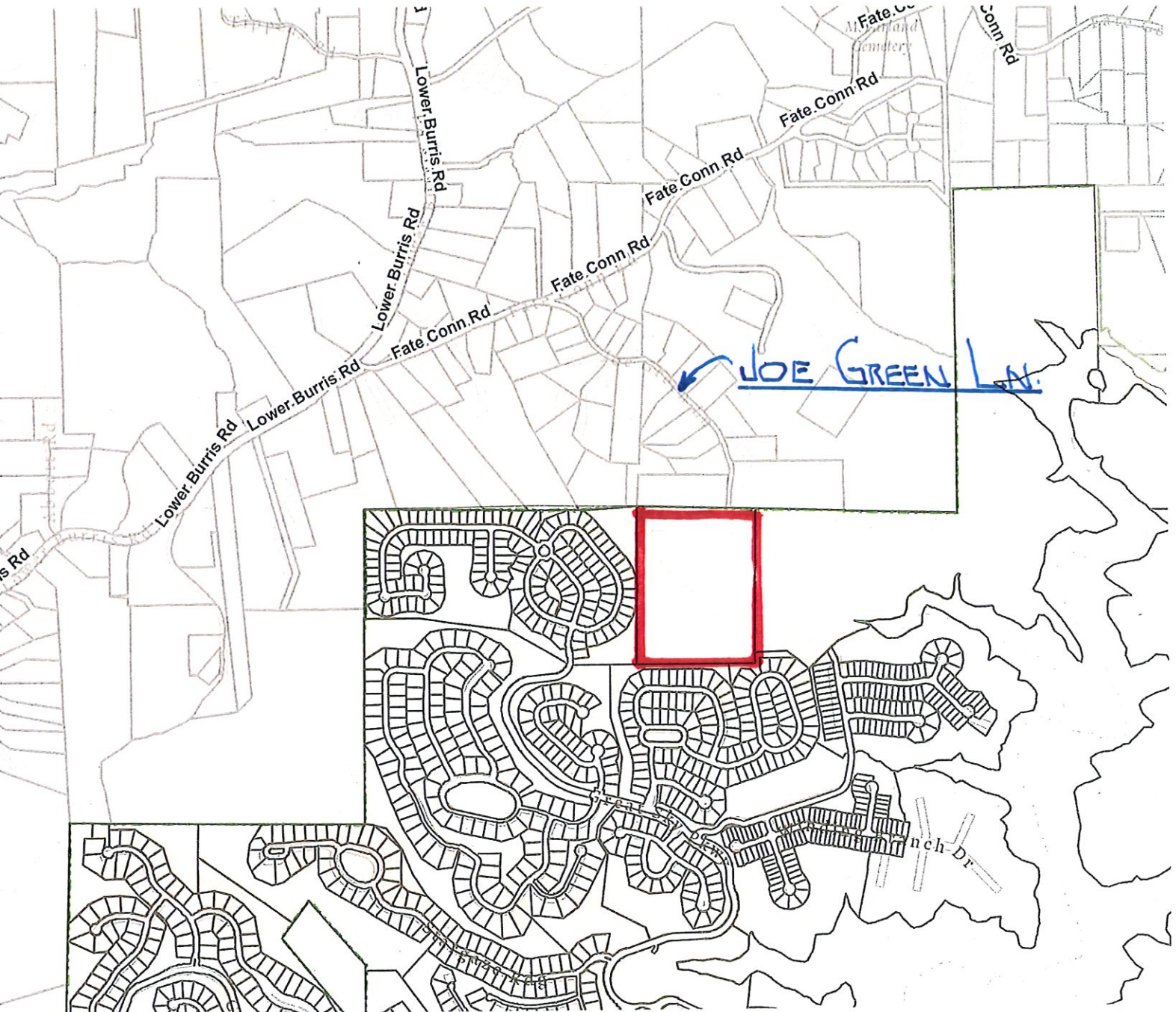
North – Unincorporated Cherokee County, single

South – Great Sky, PD-MU

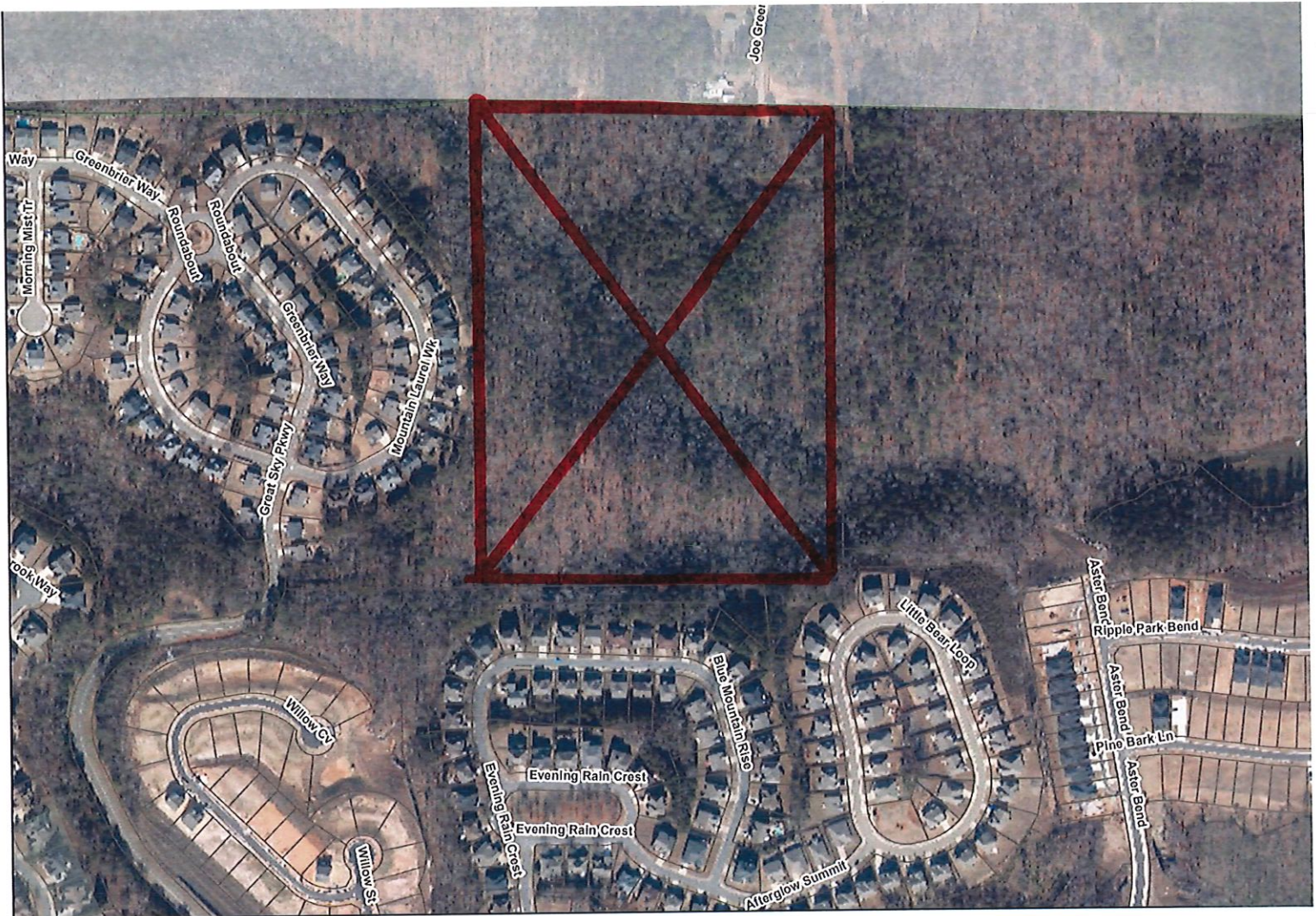
East – Great Sky, PD-MU

West – Great Sky, PD-MU

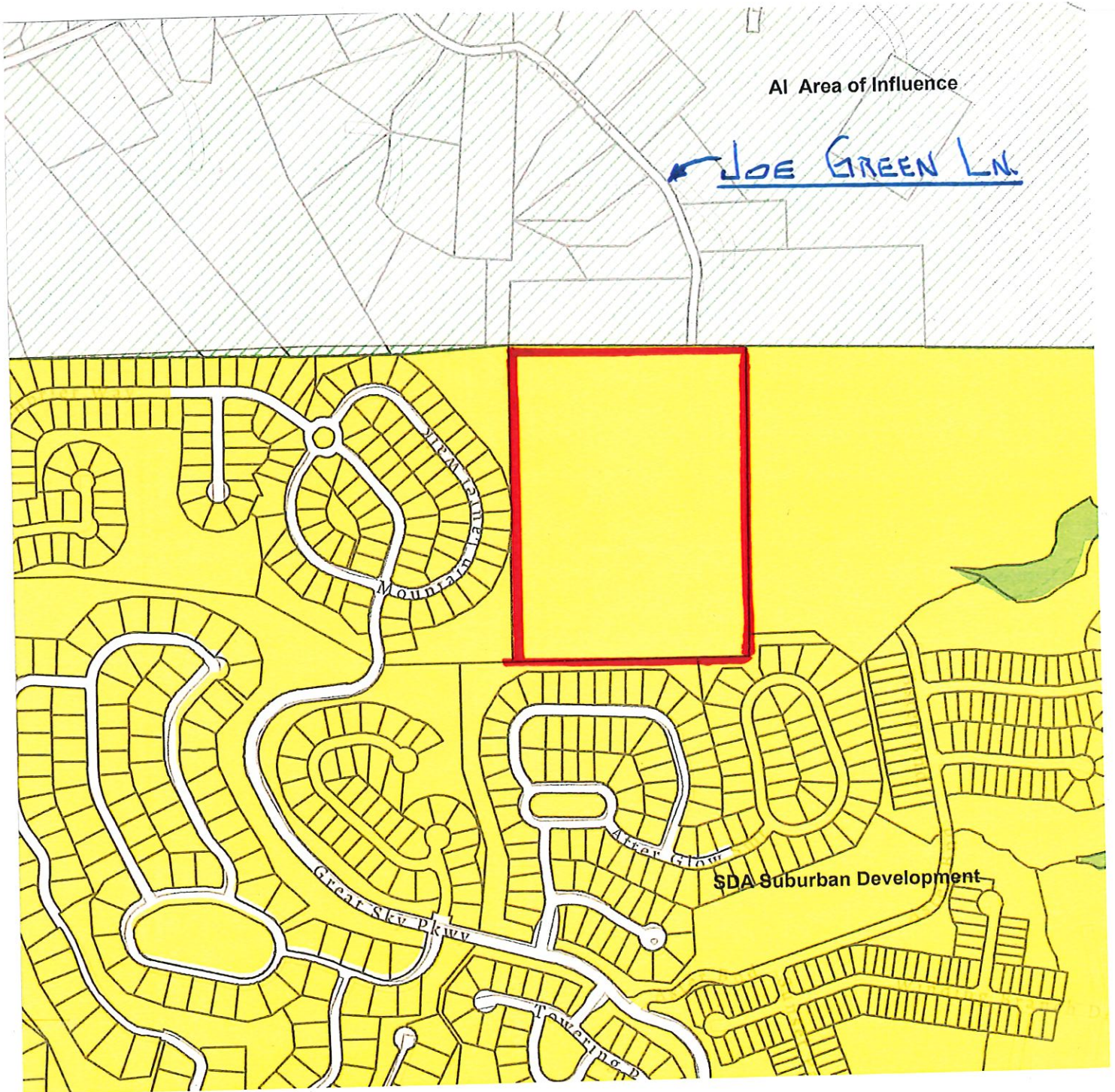
Location Map



Existing Land Use Map



Future Development Map





Site Description: Currently the property is undeveloped. A mixture of hardwoods and evergreen trees covers the parcel.

Site History: The property was annexed into the city in March of 2006. The original zoning the property was given was R-2. The proposed use was the development of a 69 unit, single family detached subdivision. A list of 19 conditions were imposed on the property which for the most part were/are related to the development of a subdivision. In 2014 the zoning designation was changed to R-10 when the current zoning map was adopted.

CRITERIA TO BE APPLIED – LAND USE PETITION (REZONING) N/A

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties;
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and Future Development Map;
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.
7. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.
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.



CRITERIA TO BE APPLIED – CONDITIONAL USE PERMIT N/A

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



DEPARTMENT COMMENTS

BUILDING AND SAFETY SERVICES

- BUILDING SERVICES:

No comment

- SAFETY SERVICES:

No comment

Conditions for Consideration

COMMUNITY DEVELOPMENT

The subject property was annexed and rezoned in March 2006 for the development of a 69-unit single family detached subdivision. A list of conditions was imposed upon the property which referred mainly to the subdivision. The most onerous condition related to the improvement of the entire length of Joe Green Lane. This condition was requested by Cherokee County to accommodate the increased traffic. To date no development has taken place on the property. The current owner of the property wishes to build a single-family home on the parcel. The City Attorney has determined that since the property has the existing zoning conditions they must be removed before a single family home can be built on the property.

Conditions for Consideration

DEVELOPMENT SERVICES

No comment

Conditions for Consideration

POLICE DEPARTMENT



Conditions for Consideration

PUBLIC WORKS

Conditions for Consideration

UTILITY ENGINEER

No comment

Conditions for Consideration

CHEROKEE COUNTY SCHOOL SYSTEM

Conditions for Consideration

CHEROKEE COUNTY (AS NEEDED)

CHEROKEE COUNTY PLANNING AND ZONING DEPARTMENT

No comment

Conditions for Consideration

CHEROKEE COUNTY ENGINEER

Conditions for Consideration

CHEROKEE COUNTY FIRE MARSHAL



Conditions for Consideration

STAFF CONDITIONS FOR CONSIDERATION

Community Development Department

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

Public Hearing Application

Project # **ZCA2504-001**

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

This form is to be executed under oath. I, LEE LICHTENSTEIN, 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, LEE LICHTENSTEIN, have received and thoroughly read the Public Hearing Procedures.

Applicant: [Signature] This 1st day of April, 2025
Print Name: LEE LICHTENSTEIN

Applicant Information:

Name: LEE LICHTENSTEIN
Address: 2029 WOODSTOCK KENNEL
City: WOODSTOCK
State: GA Zip Code: 30189
Telephone: 404-805-3101
Fax Number:
Email Address: leosnaft@yahoo.com

Owner Information:

Name: LEE LICHTENSTEIN
Address: 2029 WOODSTOCK KENNEL
City: WOODSTOCK
State: GA Zip Code: 30189
Telephone: 404-805-3101
Fax Number:
Email Address: leosnaft@yahoo.com

This Application For (Check Only One)

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

Fee Schedule:

Application Type

Base Fee + (#Acres x \$25.00 =) =
+ (#Acres x \$50.00 =) =

Advertising Fee

Staff Use Only

Amount Due:

Amount Due:

Total Fee:

Received By:

Date:

Amount Paid:

Community Development Department
110 Academy Street, Canton, Georgia 30114

770-704-1500

Authorization Of Property Owner

This form is to be executed under oath. I, Lee Christopher, 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 3rd day of April, 20 25.

Owner Signature: [Signature] Print Name: Lee Christopher

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

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

Sworn To and Subscribed Before Me This 3rd Day Of April, 20 25.

Notary Signature: [Signature]



CANTON
Community Development Department
110 Academy Street, Canton, Georgia 30114
770 764 1500

Authorization Of Applicant

This form is to be executed under oath. I, LEE LICHTENSTEIN, 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 3rd day of April, 20 25.

Owner Signature: [Signature]

Print Name: LEE LICHTENSTEIN

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

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

Name of Authorized Applicant: Lee Lichtenstein

Signature: [Signature]

Mailing Address: 2429 Gladstone Road

Applicant Status:

City: Woodstock

State: GA

Zip Code: 30189

Telephone: 404-805-3101

Fax Number:

E-mail: leoshafto@yahoo.com

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

This Authorization of Applicant Form has been completed and the property owner's signature is Sworn To and Subscribed Before Me This 3rd Day Of April, 20 25.

Notary Signature: Rita Lina



Community Development Department

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

Disclosure Form

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

1. Name of Applicant/Opponent: Lee Vichtenstein

Section 1

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

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

Section 2

1. Name and the official position of the Canton Official to whom the campaign contribution was made (Please use a separate form for each official to whom a contribution has been made in the past (2) years):
2. List the dollar amount/value and description of each campaign contribution made over the past two (2) years by the Applicant/Opponent to the named Canton Official:

	Description
\$	
\$	
\$	

Note: Complete a separate form for each authorized applicant.



Community Development Department

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

Property Information:

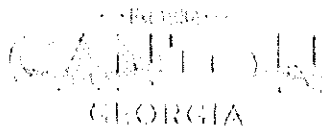
Address: 1000 Joe Green Lane
Land Lot(s): 182 District: 14th Section: 2ND Map #: 38 Parcel #: 119
☒ City
☐ County
Existing Zoning Of Property: R2 Total Acreage Of Property: 30.55
Proposed Zoning Of Property: _____ Existing Use(s) Of Property: land
Directions to property from Main Street in downtown Canton:

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/ADDRESS	CURRENT ZONING	CURRENT LAND USE
NORTH			
SOUTH			
EAST	<u>Steven Goley 546 Joe Green Lane (Northeast)</u>		
WEST	<u>Steven Goley 556 Joe Green Lane (Northwest)</u>		
OTHER			

UTILITY INFORMATION

How is sewage from this development to be managed? _____
Proposed managing jurisdiction: _____
How will water be provided to the site? _____
Proposed managing jurisdiction: _____ Size Limit: _____



Dear Applicant,

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

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

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

[Signature] Date: 4-5-25
Signature

LEE HUNTER
Printed Name

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

[Signature] Date: 4-5-25
Signature

LEE HUNTER
Printed Name

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

Letter of Intent

Canton, GA

To Whom it Concerns

Please find below my intended use for **Land Lot 188, of the 14th District of the Second Section of Cherokee County, Georgia.**

When purchased in March of 2024, the Parcel was zoned R2, to be developed into 69 individual houses. My intention is to build one house for my immediate family as well as an *attached* but separate dwelling for my older brother.

The property access is at the dead end of Joe Green Lane. Typically, no more than 3 cars will travel in and out of the property daily, so virtually no discernable impact on traffic, nor any alterations or improvements to the road will be needed.

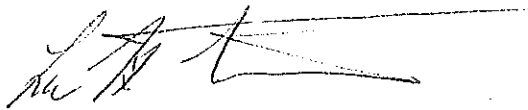
Similarly, there will be no discernable impact on the adjoining land uses as there is only one structure on 30.55 acres.

Again, my intent is to build one structure, located approximately in the center of the 30.55 acres to provide ample privacy. This will be one phase of construction as it is one house.

The house to be built is 26 feet high from the Main Level floor to house ridge, with the footprint approximately 6300 square feet on the 30.55 acres. This represents 0.478 percent of the parcel square footage. The impervious surface area to be approximately 5000 square feet, or less than .4 percent of the 30.55 acres. The amount of open space is vast, as illustrated in the attached plat. Setbacks as such become a non-issue.

Only the immediate area surrounding the house is to be landscaped with the balance of the property to remain natural.

I trust this favorably addresses the concerns of the City of Canton.

A handwritten signature in black ink, appearing to be 'L. A. K.', written over a horizontal line.

THIS BLOCK IS RESERVED FOR
THE CLERK OF SUPERIOR COURT

FIELD BOOK 129, PAGE 11, FILE R3639.

LEGEND:

- 1) I.P.S. - IRON PIN SET (#4 R.)
- 2) I.P.F. - IRON PIN FOUND
- 3) L.L.L. - LAND LOT LINE
- 4) R/W - RIGHT OF WAY
- 5) R - REINFORCING BAR
- 6) C - CENTER LINE
- 7) R - REINFORCING BAR
- 8) P.P. - POWER &(OR) PHONE POLE
- 9) N./F. - NOW OR FORMERLY
- 10) -x-x- FENCE (APPROX. LOC.)
- 11) -p-p- OVERHEAD UTILITY LINE
- 12) B.L. - BUILDING LINE
- 13) D.E. - DRAINAGE EASEMENT
- 14)

GLOBAL POSITIONING SYSTEMS ACCURACY STATEMENT:
CERTAIN DATA SHOWN ON THIS PLAT WAS OBTAINED
UTILIZING GPS. EQUIPMENT USED TO OBTAIN THIS
DATA WAS A EGPSM7 GNSS RECEIVER WITH A NC3
DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA AN
INTERNET CONNECTION WITH EGPS SOLUTIONS REAL
TIME NETWORK. THE TECHNIQUE USED WAS RTK
CORRECTED MEASUREMENTS FROM THE TRIMBLE VRS
REAL TIME NETWORK OPERATED BY EGPS SOLUTIONS,
INC. THE RELATIVE POSITIONAL ACCURACY OBTAINED
ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.08
FEET HORIZONTAL AND 0.10 FEET VERTICAL AT THE
95% CONFIDENCE LEVEL.
BEARINGS BASED ON NAD83 GEORGIA-WEST ZONE.

A COMBINATION OF GPS NETWORK ALONG WITH
CONVENTIONAL SURVEYING METHODS WERE EMPLOYED
IN THIS SURVEY.

THIS PLAT HAS BEEN CALCULATED FOR
CLOSURE AND FOUND TO BE ACCURATE
WITHIN ONE FOOT IN 312,538 FEET.

EQUIPMENT USED FOR MEASUREMENTS:
IX SERIES ROBOTIC TOTAL STATION

FIELD WORK BY: D.M. & S.B.
DRAWN BY: ANDREA HILLHOUSE
CHECKED BY: DAVID E. MITCHELL

Fire Marshal's Office Plan Review Comments:

According to our County GIS map, it does not appear there is a fire
hydrant within 1000 feet of all parts of the buildable area.

Fire Marshal's Office Recommendation: The Cherokee County Fire Marshal's
Office has recommended that a fire hydrant be installed. Should you
follow the recommendation of the Cherokee County Fire Marshal's and
choose to install a fire hydrant, the location should be reviewed of the
Cherokee County Fire Marshal's by after the utility approves the location
of the installation.

Dear Developer/Owner,

The Cherokee County Fire Marshal's Office has reviewed your request to
sub-divide the referenced property. We are providing comment(s) and
information for you to consider. When you review the comments below
please keep in mind the Insurance Services Organization (ISO) rating of
our fire department in Cherokee County. ISO rated Cherokee County Fire
& Emergency Services as a 2/2Y class fire department. The rating scale
is from 1 as being the best and 10 as being no fire protection provided.
The classification of 2Y within our rating is designated for those
properties that are not within 1000 feet of a fire hydrant. The rating of
a 2Y con and will most likely cause an increased homeowner's insurance
premium. There have been cases where the 2Y rating has caused a
homeowner's insurance premium to rise to triple their previous amount.
Again, this is due to no fire hydrant within 1000 feet of the residence.

Fire Hydrant (If Recommended)

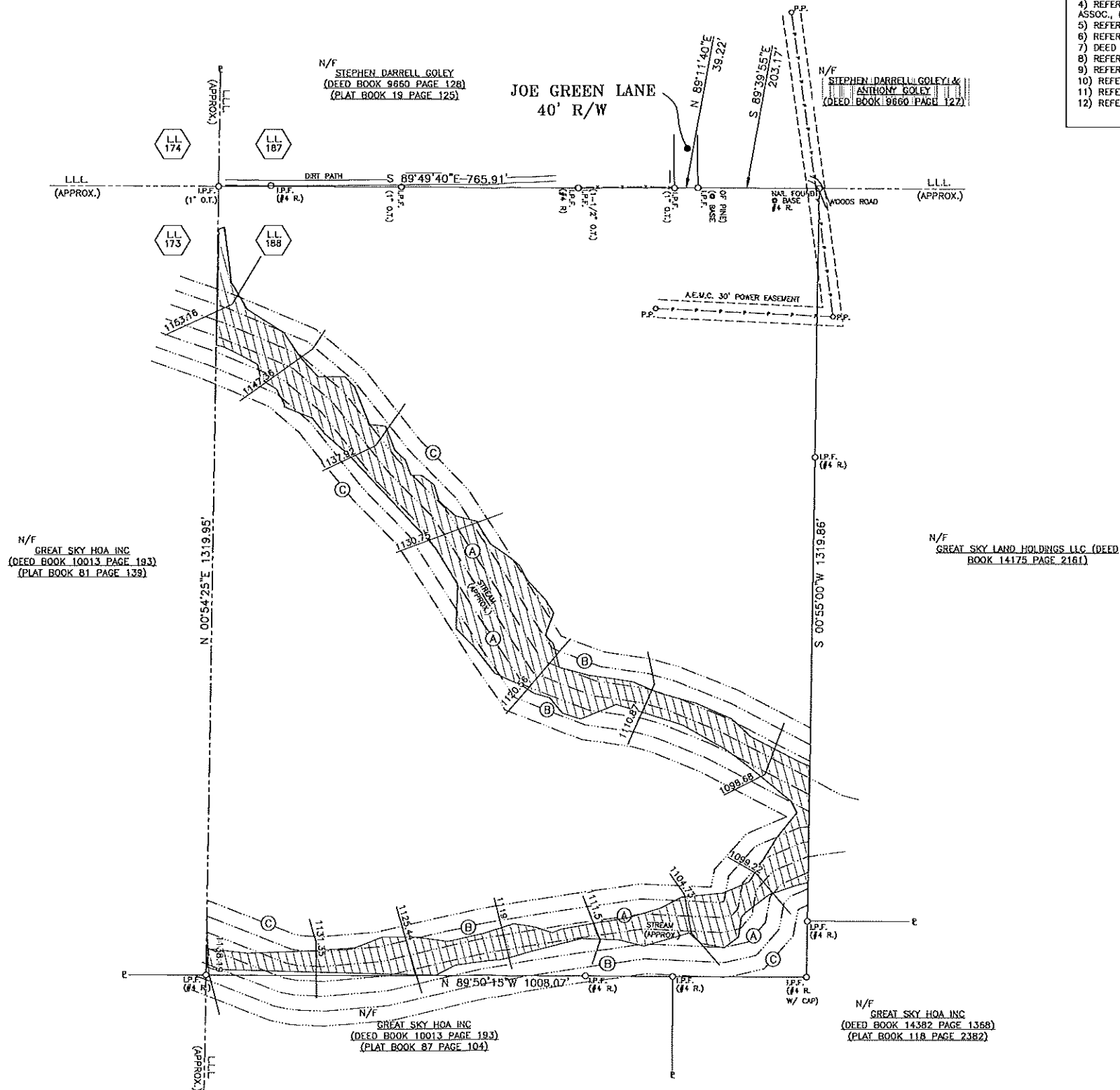
In order to ensure the lowest insurance premium rates and an adequate
water supply for firefighting purposes we are recommending you provide a
fire hydrant(s) installed in a location so that once homes are built on
the property there will be a fire hydrant within 1000 feet of any and all
homes within this parcel of land. You will need to contact the water
authority which provides the water services for more information and
requirements for the installation of any additional water lines and all fire
hydrant installation requirements. Once the water line and fire hydrant are
approved and installed please contact our office so we can update our
records and maps for the property as needed. If the water authority
rejects your request or if you choose not to add additional water lines or
fire hydrants please advise our office so we can update our records and
maps for the property as needed.

Fire Department Vehicle Access (If Recommended)

Fire department access to properties is paramount in our ability to
access properties for a more effective firefighting strategy. Fire
department access roads should be 20 feet wide, less than a 10% grade
and be of an all-weather/all-season surface capable of supporting
75,000 pounds. If the public/private access drive is longer than 150 feet
it will need to have an approved turnaround at the end.

- (A) 25' UNDISTURBED STATE STREAMBANK BUFFER
(B) 50' UNDISTURBED COUNTY STREAM BANK BUFFER
(C) 75' IMPERVIOUS SURFACE BUFFER

APPROX. LOCATION
CHEROKEE COUNTY
FUTURE CONDITIONS
FLOODPLAIN AREA



NOTES:

- 1) THIS PLAT IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY PRIVATE AND PUBLIC.
- 2) UNDERGROUND UTILITIES AND/OR STRUCTURES, IF ANY, MAY NOT BE SHOWN.
- 3) IF ACTIVE STREAMS ARE PRESENT, THEY SHALL HAVE 25' UNDISTURBED STATE STREAM BANK BUFFER, ALL STREAMS SHALL HAVE 50' UNDISTURBED COUNTY STREAM BANK BUFFER & 75' IMPERVIOUS SURFACE BUFFER FROM TOP OF STREAM BANK.
- 4) REFERENCE: PLAT OF A SURVEY FOR MARY GOLEY, BY: JERRY THACKER & ASSOC., DATED: OCTOBER 9, 1981, LAST REVISED ON APRIL 19, 1989.
- 5) REFERENCE: PLAT BOOK 38 PAGE 114
- 6) REFERENCE: DEED BOOK 9660 PAGE 125.
- 7) DEED BOOK 9660 PAGE 127.
- 8) REFERENCE: PLAT BOOK 19 PAGE 125.
- 9) REFERENCE: DEED BOOK 14175 PAGE 2161.
- 10) REFERENCE: DEED BOOK 14382 PAGE 1368.
- 11) REFERENCE: DEED BOOK 10013 PAGE 193.
- 12) REFERENCE: PLAT BOOK 81 PAGE 139.

Code Section 15-6-67, iii
This plat is a retracement of an existing parcel or
parcels of land and does not subdivide or create a
new parcel or make any changes to any real
property boundaries. The recording information of the
documents, maps, plats, or other instruments which
created the parcel or parcels are stated hereon.
RECORDATION OF THIS PLAT DOES NOT IMPLY
APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY
OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS
OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR
PURPOSE OF THE LAND. Furthermore, the undersigned
land surveyor certifies that this plat complies with
the minimum technical standards for property surveys
in Georgia as set forth in the rules and regulations
of the Georgia Board of Registration for Professional
Engineers and Land Surveyors and as set forth in
O.C.G.A. Section 15-6-67.



DAVID E. MITCHELL P.L.S. 2665 DATED

IN OUR OPINION AND AS INDICATED BY A
VISUAL ONLY INSPECTION OF F.I.R.M. MAP
NO. 13057C0161E, DATED 06-07-2019,
THIS PROPERTY APPEARS TO BE IN A
ZONE "X" SPECIAL FLOOD HAZARD AREA.
IN DETERMINING THIS OPINION, NO FIELD
INSPECTION OR ELEVATION VERIFICATION
HAS BEEN PERFORMED. A MORE DETAILED
EVALUATION MAY BE NEEDED.

THIS PLAT IS A RETRACEMENT OF
DEED BOOK 14936 PAGE 2799
PLAT BOOK 38 PAGE 14

LOT SURVEY PREPARED FOR &
AUTHORIZED BY:

LEE LICHTENSTEIN &
AMY D. LICHTENSTEIN

LOCATED IN LAND LOT(S): 188
DISTRICT - 14, SECTION - 2
CHEROKEE COUNTY, GEORGIA
CITY OF CANTON

FIELD WORK: MAY 2, 2024
PLAT PREPARED: MAY 6, 2024
SCALE: 1" = 100'

BY: WIKLE LAND SURVEYING, P.C.
P.O. BOX 1290
HOLLY SPRINGS, GA 30142
(770) 479-8364
ron@wiklelandsurveying.com

MEMBER
SURVEYING AND MAPPING
SOCIETY OF GEORGIA

DWG. NO. R3639
JOB NO. 24-3939-350

100' 0' 100' 200' 300'
GRAPHIC SCALE - FEET

AREA = 30.55 ACRES

"ALL MATTERS OF TITLE ARE EXCEPTED"

THIS BLOCK IS RESERVED FOR THE CLERK OF SUPERIOR COURT

FIELD BOOK 122, PAGE 11, FILE R3639.

- LEGEND:
- 1) I.P.S. - IRON PIN SET (#4 R.)
 - 2) I.P.F. - IRON PIN FOUND
 - 3) L.L.L. - LAND LOT LINE
 - 4) R/W - RIGHT OF WAY
 - 5) R - PROPERTY LINE
 - 6) C - CENTER LINE
 - 7) R - REINFORCING BAR
 - 8) P.P. - POWER & (OR) PHONE POLE
 - 9) N/F. - NOW OR FORMERLY
 - 10) --- FENCE (APPROX. LOC.)
 - 11) --- OVERHEAD UTILITY LINE
 - 12) B.L. - BUILDING LINE
 - 13) D.E. - DRAINAGE EASEMENT
 - 14)

Fire Marshal's Office Plan Review Comments:

According to our County GIS map, it does not appear there is a fire hydrant within 1000 feet of all parts of the buildable area.

Fire Marshal's Office Recommendation: The Cherokee County Fire Marshal's Office has recommended that a fire hydrant be installed. Should you follow the recommendation of the Cherokee County Fire Marshal's Office and choose to install a fire hydrant, the location should be reviewed of the Cherokee County Fire Marshal's by after the utility approves the location of the installation.

Dear Developer/Owner,

The Cherokee County Fire Marshal's Office has reviewed your request to sub-divide the referenced property. We are providing comment(s) and information for you to consider. When you review the comments below please keep in mind the Insurance Services Organization (ISO) rating of our fire department in Cherokee County. ISO rated Cherokee County Fire & Emergency Services as a 2/2Y class fire department. The rating scale is from 1 as being the best and 10 as being no fire protection provided. The classification of 2Y within our rating is designated for those properties that are not within 1000 feet of a fire hydrant. The rating of a 2Y can and will most likely cause an increased homeowner's insurance premium. There have been cases where the 2Y rating has caused a homeowner's insurance premium to rise to triple their previous amount. Again, this is due to no fire hydrant within 1000 feet of the residence.

Fire Hydrant (if Recommended)

In order to ensure the lowest insurance premium rates and an adequate water supply for firefighting purposes we are recommending you provide a fire hydrant(s) installed in a location so that once homes are built on the property there will be a fire hydrant within 1000 feet of any and all homes within this parcel of land. You will need to contact the water authority which provides the water services for more information and requirements for the installation of any additional water lines and all fire hydrant installation requirements. Once the water line and fire hydrant are approved and installed please contact our office so we can update our records and maps for the property as needed. If the water authority rejects your request or if you choose not to add additional water lines or fire hydrants please advise our office so we can update our records and maps for the property as needed.

Fire Department Vehicle Access (if Recommended)

Fire department access to properties is paramount in our ability to access properties for a more effective firefighting strategy. Fire department access roads should be 20 feet wide, less than a 10% grade and be of an all-weather/all-season surface capable of supporting 75,000 pounds. If the public/private access drive is longer than 150 feet it will need to have an approved turnaround at the end.

GLOBAL POSITIONING SYSTEMS ACCURACY STATEMENT: CERTAIN DATA SHOWN ON THIS PLAT WAS OBTAINED UTILIZING GPS. EQUIPMENT USED TO OBTAIN THIS DATA WAS A LEICA SC7 GNSS RECEIVER WITH A HC3 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA AN INTERNET CONNECTION WITH EGPS SOLUTIONS REAL TIME NETWORK. THE TECHNIQUE USED WAS RTK CORRECTED MEASUREMENTS FROM THE TRIVLER VRS REAL TIME NETWORK OPERATED BY EGPS SOLUTIONS, INC. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.08 FEET HORIZONTAL AND 0.10 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL. BEARINGS BASED ON NAD83 GEORGIA-WEST ZONE.

A COMBINATION OF GPS NETWORK ALONG WITH CONVENTIONAL SURVEYING METHODS WERE EMPLOYED IN THIS SURVEY.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 312,538 FEET.

EQUIPMENT USED FOR MEASUREMENTS: IX SERIES ROBOTIC TOTAL STATION

FIELD WORK BY: D.M. & S.B.
DRAWN BY: ANDREA HILLHOUSE
CHECKED BY: DAVID E. MITCHELL

- (A) 25' UNDISTURBED STATE STREAMBANK BUFFER
- (B) 50' UNDISTURBED COUNTY STREAM BANK BUFFER
- (C) 75' IMPERVIOUS SURFACE BUFFER

APPROX. LOCATION CHEROKEE COUNTY FUTURE CONDITIONS FLOODPLAIN AREA

- NOTES:
- 1) THIS PLAT IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY PRIVATE AND PUBLIC.
 - 2) UNDERGROUND UTILITIES AND/OR STRUCTURES, IF ANY, MAY NOT BE SHOWN.
 - 3) IF ACTIVE STREAMS ARE PRESENT, THEY SHALL HAVE 25' UNDISTURBED STATE STREAM BANK BUFFER, ALL STREAMS SHALL HAVE 50' UNDISTURBED COUNTY STREAM BANK BUFFER & 75' IMPERVIOUS SURFACE BUFFER FROM TOP OF STREAM BANK.
 - 4) REFERENCE: PLAT OF A SURVEY FOR MARY GOLEY, BY: JERRY THACKER & ASSOC., DATED: OCTOBER 9, 1981, LAST REVISED ON APRIL 19, 1989.
 - 5) REFERENCE: PLAT BOOK 38 PAGE 114
 - 6) REFERENCE: DEED BOOK 9960 PAGE 125.
 - 7) DEED BOOK 9660 PAGE 127.
 - 8) REFERENCE: PLAT BOOK 19 PAGE 125.
 - 9) REFERENCE: DEED BOOK 14175 PAGE 2161.
 - 10) REFERENCE: DEED BOOK 14382 PAGE 1368.
 - 11) REFERENCE: DEED BOOK 10013 PAGE 193.
 - 12) REFERENCE: PLAT BOOK 81 PAGE 139.

Code Section 15-6-67, et seq.
This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



DAVID E. MITCHELL, P.L.S. 2665 DATED 3/27/25

IN OUR OPINION AND AS INDICATED BY A VISUAL ONLY INSPECTION OF FIRM MAP NO. 13057C0161E, DATED 06-07-2019, THIS PROPERTY APPEARS TO BE IN A ZONE "X" SPECIAL FLOOD HAZARD AREA. IN DETERMINING THIS OPINION, NO FIELD INSPECTION OR ELEVATION VERIFICATION HAS BEEN PERFORMED. A MORE DETAILED EVALUATION MAY BE NEEDED.

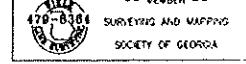
THIS PLAT IS A RETRACEMENT OF DEED BOOK 14938 PAGE 2799 PLAT BOOK 38 PAGE 14
LOT SURVEY PREPARED FOR & AUTHORIZED BY:

LEE LICHTENSTEIN & AMY D. LICHTENSTEIN

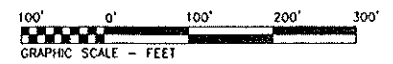
LOCATED IN LAND LOT(S): 188 DISTRICT - 14, SECTION - 2 CHEROKEE COUNTY, GEORGIA CITY OF CANTON

FIELD WORK: MAY 2, 2024
PLAT PREPARED: MAY 6, 2024
SCALE: 1" = 100'

BY: NIKLE LAND SURVEYING, P.C.
P.O. BOX 1390
HOLLY SPRINGS, GA 30142
(770) 479-8364
ron@niklelandsurveying.com



ENG. NO. R3639 WITH TOPO
JOB NO. 24-3939-350



AREA = 30.55 ACRES

"ALL MATTERS OF TITLE ARE EXCEPTED"

THIS PLAT WAS REVISED ON MARCH 27, 2025 TO ADD TOPO

ORDINANCE #Z0511-001

REZONING

CITY OF CANTON

Applicant: Keys Investment Group, LLC

An Ordinance approving the rezoning of the following described property:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 188, 14th District, 2nd Section of Cherokee County, Georgia and being more particularly described in Map Book Page 14N15, Parcel 104.

WHEREAS, it is hereby found and determined that a petition to change the zoning of the above-described property from AG (Agriculture) to R-2 (Residential) classification was filed with the City of Canton and a public hearing was held on January 23, 2006 in the City Hall, at 151 Elizabeth Street, Canton, Georgia.

PROPOSED USE: Residential

WHEREAS, the City of Canton Mayor and City Council APPROVED the rezoning request on February 16, 2006 to R-2 (Residential) with the following conditions:

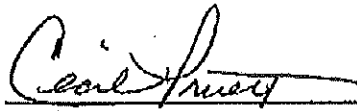
- (1) The subject property shall be zoned R-2 - Residential, *Now R-10 KGP 7/21/202*
- (2) The site plan submitted with the rezoning applications on October 31, 2005 shall be considered for exhibit purposes only,
- (3) The property equaling a total of 30.54 acres, more or less, shall be developed with the following: A maximum density of 2.26 units per acre (upa) gross (2.63 upa net) for a total of no more than 69 residential units.
- (4) Any open space, access and/or easements to commonly owned property, or detention facilities, shall NOT be made part of any subdivided lot,
- (5) All proposed roadways shall be public,
- (6) Developer shall improve the following roadways:
 - a. The length of Joe Green Lane including the widening of the pavement to 22 feet, deep patching of the failed areas, leveling and resurfacing with 2 inches of asphalt. Shoulder and ditch work need to follow the pavement widening in order to retain a two foot wide shoulder and an adequate drainage ditch.
- (7) City of Canton is exploring the adoption of a Roads Impact Fee and if in place at the time of building permit the applicant shall be responsible to pay said fees in accordance with the Roads Impact Fee Ordinance.

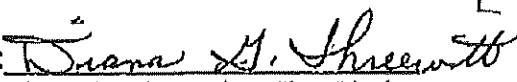
- (8) Detached, single-family homes shall be a minimum of 2,000 square feet in heated floor space. Heated floor space shall not include attic, crawl space, garage or other unconditioned areas of the structure,
- (9) All utilities shall be underground,
- (10) Developer to provide verification from the City Engineering Department of the impact of the added sewer line capacity from this development to the sewer line main that carries the load from the basin to the sewer treatment plant. Also to provide verification of the agreement, easements, and timeline for the approved connection of the sewer outfall from this development to the system in Great Sky. All of this should be confirmed prior to the issuance of LDP.
- (11) Developer to provide verification of the agreement, easements, and timeline for the approved connection of the water main from this development to the system in Great Sky prior to the issuance of LDP. Developer to ensure that water main is connected and operational prior to issuance of Final Plat approval.
- (12) All fencing designs, materials and locations shall be approved by the Department of Planning and Zoning prior to installation. Fencing designs, construction details and a materials list shall be provided within each applicable submittal for a Land Disturbance Permit,
- (13) Architectural elevation plans shall be submitted for all sides of the proposed structures. Elevation plans shall include typical (not to mean individual residential units) detailing for general residential uses. Building materials shall be chosen from those listed in the Community Standards Ordinance. Vinyl shall not be permitted. All CMU shall be of finished material. No painted block shall be permitted. Plans shall be submitted with the Building Permit submittal, for review and approval by the Oversight Committee. All elevations and building materials shall be approved by the Oversight Committee prior to issuance of the first building permit,
- (14) The Developer/Builder shall provide to the Building Official, for his approval, a foundation survey on each residential lot. Said survey shall be submitted prior to any construction/framing work for said lot,
- (15) Developer shall provide streetscape within the development, including sidewalks on both sides of each street, decorative lamp posts and shade trees. Said shade trees shall be provided one (1) tree minimum per platted residential lot, planted in the front yard, at a minimum of 3" caliper and 14-16' in height. Trees shall be chosen from the City of Canton Plant List,
- (16) Developer shall prepare a tree protection plan, in conjunction with the required landscape plan, which provides a tree density of not less than twenty (20) units to the acre. This will be done in accordance with the City of Canton Landscape Ordinance,

- (17) Developer shall create and record, at the time of recording of the first final plat and protective covenants, a homeowner's association for the maintenance of the trails and all amenities and grounds owned in common and shall fund said association until at which time 75% of the units are occupied for residency. Evidence of recorded association shall be provided to the Department of Planning and Zoning prior to the recording of the Final Plat for the subject property,
- (18) Unless otherwise noted, all required site amenities, components, etc. shall be shown on the site plan in conjunction with submittal for a land disturbance permit. Verification of commencement of work, installation and/or completion of the conditions shall be performed by the Department of Planning and Zoning. An inspection shall be scheduled with the Department of Planning and Zoning by the property Owner, or his/her representative. A bond shall be required and posted for any uncompleted amenity which has been approved and has commenced construction but not yet completed at the time of any certificate of occupancy,
- (19) Developer has met the City of Canton Public School Policy Requirement for open dialogue with the Cherokee County School Board regarding the potential impacts of the proposed development. The Developer wishes to contribute \$500 per residential unit in order to mitigate the impact of the proposed development. Payment shall be made for the total number of residential units in their entirety prior to issuance of the first Building Permit for the development,

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 R-2 (Low Density Residential) zoning classification with Conditions.

Adopted this 16th day of March, 2006.


Cecil Pruett, Mayor

Attest: 
Diana G. Threewitt, City Clerk

Public Input Meeting Report

RE: Lee Lichtenstein Zoning Condition Amendment

Applicant: Lee Lichtenstein

Contact: Lee Lichtenstein

Subject Property Address/Parcel No: 600 Joe Green Lane/14N15 104

Date: May 1, 2025

Time: 6:30PM

Location: Waleska Fire Department

- I. Summary of concerns:
 - a. Land disturbance
 - b. Number of structures on the site
 - c. ATV trails
- II. How the applicant addressed concerns:
 - a. 24x36 inch image of the property plat was displayed to illustrate the location of the house to be built on the property, and it's proximity to the boundary lines
 - b. Only one structure to be built
 - c. Walking trails will be installed; however these will NOT be for ATV's. No plan for ATV trails.
- III. Concerns the application was unable or unwilling to address and why:

None
- IV. Concerns or topics of discussion unrelated to the proposal:

Conservation Easement
- V. Agreements made by the applicant to property owners at the meeting:

None