



**City of Flowery Branch
City Council Meeting
Thursday, March 05, 2020, 6:00 PM
City of Flowery Branch City Hall
5410 West Pine Street, Flowery Branch GA, 30542**



CALL WORK SESSION TO ORDER:

PLEDGE OF ALLEGIANCE:

EXECUTIVE SESSION

PUBLIC HEARING:

UNFINISHED BUSINESS - WORK SESSION:

- Consider - 1st Reading of Ordinance 575a and 576a Request to Amend Approved Conditions of Zoning. (Applicant Gee Harvey)
[Combined Signed Ordinances.pdf](#)
[575 A.pdf](#)
[576 A.pdf](#)
- Consider a request from Bill Stark MB Regional Enterprises, Inc. to rezone 17.43 +/- acres of land identified as 0 McEver Road, tax parcel number 08099 000011, from M1 (Light Industrial) to PUD (Planned Unit Development) with the intent to develop a 93 unit attached townhome subdivision.
[Application as submitted.pdf](#)
[Staff Report for Bowen Stark.pdf](#)
[McEver Road Corridor.pptx](#)
- Consider - Annexation of three (3) parcels of land totaling 44.36 +/- acres of land for 102 single family detached subdivision.
[Applications as submitted.pdf](#)
[McEver Whitehorse staff report.pdf](#)
[McEver Road Corridor.pptx](#)
- Consider elevations submitted for approval by Mr. Gee Harvey for the Bell Road subdivision.
[Clean and denoted 40 and 50 elevations.pdf](#)
[Combined Signed Ordinances.pdf](#)

NEW BUSINESS -WORK SESSION:

DEPARTMENT REPORTS: -

- a. City Manager Report
- b. City Clerk Report
- c. Finance Director Report
- d. Planning Department Report
- e. Police Report
- f. Attorney Report

g. Council Report

ADJOURNMENT WORK SESSION:

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

PUBLIC COMMENTS: - Please limit to two minutes

CONSENT AGENDA:

UNFINISHED BUSINESS - VOTING SESSION:

- Consider - 1st Reading of Ordinance 575a and 576a Request to Amend Approved Conditions of Zoning. (Applicant Gee Harvey)
[Combined Signed Ordinances.pdf](#)
[575 A.pdf](#)
[576 A.pdf](#)
- Consider Formal Financial Policies: Balanced Budget Policy, General Fund Reserves Policy, Enterprise Fund Reserves Policy, and Investment Policy
[Executive Summary - Balanced Budget GF Reserve WS Reserve and Investment Policy.pdf](#)
[General Fund Reserves Policy.pdf](#)
[Balanced Budget Policy.pdf](#)
[Enterprise Fund Reserves Policy.pdf](#)
[Investment Policy -changes 2-18-2020.pdf](#)

NEW BUSINESS - VOTING SESSION:

EXECUTIVE SESSION:

ADJOURNMENT:

If you have a disability or impairment and need special assistance please contact the City Clerk prior to the meeting at 770-967-6371 - Meeting agenda is subject to change



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider - 1st Reading of Ordinance 575a and 576a Request to Amend Approved Conditions of Zoning.
(Applicant Gee Harvey)

COUNCIL MEETING DATE: March 5, 2020

HISTORY:

On July 18, 2019, City Council adopted Ordinance Nos. 575 & 576 amending the official zoning map of the City by rezoning 51.08 +/- acres of land from M-1 to PUD giving the applicant (Gee Harvey) the ability to construct a 199 single family detached subdivision. As usual there were conditions of zoning attached to this ordinance. Condition 1.I states that water and sewer shall be provided by the City of Flowery Branch. The applicant would like to amend the condition of zoning. The applicant wishes to serve the site with the City of Gainesville water rather than Flowery Branch. This case was tabled at the public hearing on February 6th, 2020 to the March 5th meeting.

FACTS AND ISSUES:

Allowing the applicant to be served by Gainesville water to this site means Flowery Branch will be unable to serve any potential customers in that surrounding area. Not altering the condition will mean the applicant will need to run a new water line to the project at a significant cost. Applicant has stated he would need to run a new Flowery Branch water line approximately five miles long. Our measurements indicate the distance is no more than 1.7 miles.

Procedurally, to save the applicant time on this important decision the schedule is as it was previously - back to back Council meeting each with a vote. February 6th is the public hearing and first vote and February 29th will be the second and final vote.

OPTIONS:

Change the condition of zoning allowing the site to be served by Gainesville water or deny the request and have the applicant run a new water line to the site.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

I make a motion to approve/deny the first reading of Ordinances 575a and 576a

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Melissa McCain

ATTACHMENTS

- [Combined Signed Ordinances.pdf](#)
- [575 A.pdf](#)
- [576 A.pdf](#)

Public Hearing Published 5/30/19
Public Hearing 6/27/19

First Reading 6/27/19
Adopted 7/18/19

ORDINANCE NO. 575

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING 20 +/- ACRES OF LAND OWNED BY STONEBRIDGE, LLC. COMMONLY KNOWN AS 6401 MCEVER ROAD, IDENTIFIED AS TAX PARCELS 08140 000092, AS SHOWN ON ATTACHED EXHIBIT "A", AS DESCRIBED ON EXHIBIT "B", BY REZONING A PORTION OF SAID TRACT FROM M-1 (LIGHT INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT "C"; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Stonebridge, LLC., owns all tract or parcel of land being considered for rezoning totaling 21 +/- acres identified as Parcel Tax Identification No. 08140 000092, as shown on Exhibit "A", and as described on Exhibit "B"; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application as submitted by Caballero Holdings, LLC., and in conjunction with the standards set forth in Article 34 - Section 34.7 of Zoning Ordinance No. 348 of the City of Flowery Branch, Georgia; and

WHEREAS, Caballero Holdings, LLC., has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting to be rezoned and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of May 16, 2019, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning of the parcel from Flowery Branch M1 (Light Industrial) to Flowery Branch PUD (Planned Unit Development) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned M1.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zonings as opposed to proposed.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. LEGAL DESCRIPTION AND REZONING.

The rezoning of the subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, and subject to conditions set forth on Exhibit “C”, is hereby rezoned from M1 (Light Industrial) to PUD (Planned Unit Development). Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be July 18, 2019.

SECTION 6. REPEALER

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 18th day of July 2019.


James M. Miller, Mayor

ATTEST


Melissa McCain, City Clerk

APPROVED AS TO FORM


E. Ronald Bennett, Jr., City Attorney



Exhibit "A"

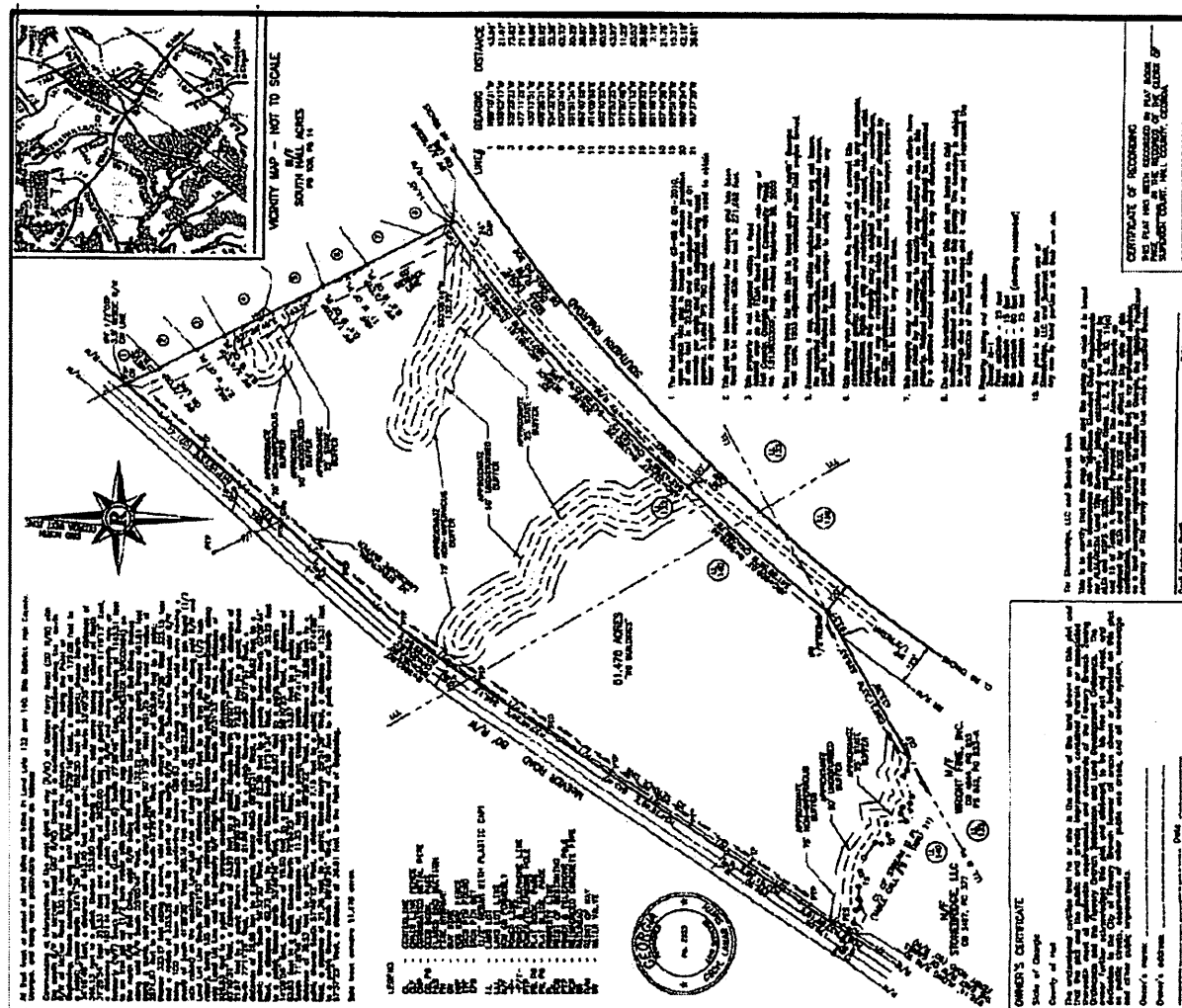


Exhibit "B"

ALL THAT TRACT or parcel of land lying and being in Land Lots 132 and 140 of the 8th District,
in the City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:
Commencing at the right of way intersection of McEver Road (80' R/W) and Gaines Ferry Road (50' R/W):
running thence along the northeasterly right of way of McEver Road 932.14 feet to the intersection of
the right of way of McEver Road and the centerline of a creek. Said point is the POINT OF BEGINNING.
thence NORTH 33 DEGREES 59 MINUTES 09 SECONDS EAST a distance of 179.53 feet to a point;
thence NORTH 33 DEGREES 41 MINUTES 30 SECONDS EAST a distance of 282.50 feet to a point;
thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance of 982.30 feet to a point;
thence SOUTH 30 DEGREES 08 MINUTES 21 SECONDS EAST a distance of 954.25 feet to a point;
thence with a curve turning to the left with an arc length of 367.69 feet and a radius of
5829.66 feet with a chord bearing of SOUTH 40 DEGREES 44 MINUTES 42 SECONDS WEST and a
length of 367.63 feet to a point;
thence NORTH 45 DEGREES 59 MINUTES 13 SECONDS WEST a distance of 154.46 feet to a point;
thence SOUTH 44 DEGREES 00 MINUTES 47 SECONDS WEST a distance of 125.00 feet to a point;
thence SOUTH 45 DEGREES 59 MINUTES 13 SECONDS EAST a distance of 131.25 feet to a point;
thence SOUTH 60 DEGREES 31 MINUTES 25 SECONDS WEST a distance of 432.75 feet to a point;
thence NORTH 79 DEGREES 35 MINUTES 18 SECONDS WEST a distance of 18.89 feet to a point;
thence NORTH 88 DEGREES 56 MINUTES 11 SECONDS WEST a distance of 20.65 feet to a point;
thence NORTH 83 DEGREES 51 MINUTES 45 SECONDS WEST a distance of 10.75 feet to a point;
thence NORTH 37 DEGREES 22 MINUTES 52 SECONDS WEST a distance of 12.80 feet to a point;
thence SOUTH 88 DEGREES 23 MINUTES 09 SECONDS WEST a distance of 14.75 feet to a point;
thence SOUTH 74 DEGREES 27 MINUTES 42 SECONDS WEST a distance of 30.38 feet to a point;
thence SOUTH 61 DEGREES 29 MINUTES 58 SECONDS WEST a distance of 40.48 feet to a point;

thence NORTH 66 DEGREES 37 MINUTES 23 SECONDS WEST a distance of 14.65 feet to a point;
thence NORTH 29 DEGREES 49 MINUTES 56 SECONDS WEST a distance of 21.86 feet to a point;
thence NORTH 50 DEGREES 44 MINUTES 22 SECONDS WEST a distance of 23.15 feet to a point;
thence SOUTH 63 DEGREES 51 MINUTES 50 SECONDS WEST a distance of 22.08 feet to a point;
thence SOUTH 45 DEGREES 28 MINUTES 56 SECONDS WEST a distance of 15.97 feet to a point;
thence NORTH 31 DEGREES 01 MINUTES 09 SECONDS WEST a distance of 8.50 feet to a point;
thence NORTH 01 DEGREES 24 MINUTES 33 SECONDS EAST a distance of 21.47 feet to a point;
thence NORTH 05 DEGREES 59 MINUTES 17 SECONDS WEST a distance of 34.29 feet to a point;
thence NORTH 75 DEGREES 19 MINUTES 12 SECONDS WEST a distance of 8.36 feet to a point;
thence SOUTH 61 DEGREES 54 MINUTES 47 SECONDS WEST a distance of 24.79 feet to a point;
thence NORTH 49 DEGREES 14 MINUTES 26 SECONDS WEST a distance of 22.51 feet to a point;
thence NORTH 57 DEGREES 26 MINUTES 47 SECONDS WEST a distance of 25.46 feet to a point;
thence NORTH 32 DEGREES 56 MINUTES 46 SECONDS EAST a distance of 14.79 feet to a point;
thence NORTH 55 DEGREES 55 MINUTES 27 SECONDS WEST a distance of 37.56 feet to a point;
thence NORTH 44 DEGREES 20 MINUTES 40 SECONDS WEST a distance of 25.81 feet to a point;
thence NORTH 86 DEGREES 13 MINUTES 48 SECONDS WEST a distance of 11.26 feet to a point;
thence NORTH 68 DEGREES 15 MINUTES 04 SECONDS WEST a distance of 15.48 feet to a point;
thence NORTH 66 DEGREES 31 MINUTES 24 SECONDS WEST a distance of 16.57 feet to a point;
thence SOUTH 69 DEGREES 33 MINUTES 58 SECONDS WEST a distance of 12.96 feet to a point;
thence NORTH 66 DEGREES 29 MINUTES 07 SECONDS WEST a distance of 14.41 feet to a point;
thence NORTH 82 DEGREES 08 MINUTES 57 SECONDS WEST a distance of 21.68 feet to a point;
thence SOUTH 79 DEGREES 25 MINUTES 30 SECONDS WEST a distance of 16.32 feet to a point;
thence NORTH 80 DEGREES 19 MINUTES 21 SECONDS WEST a distance of 20.39 feet to a point;
thence SOUTH 63 DEGREES 53 MINUTES 00 SECONDS WEST a distance of 17.47 feet to a point;

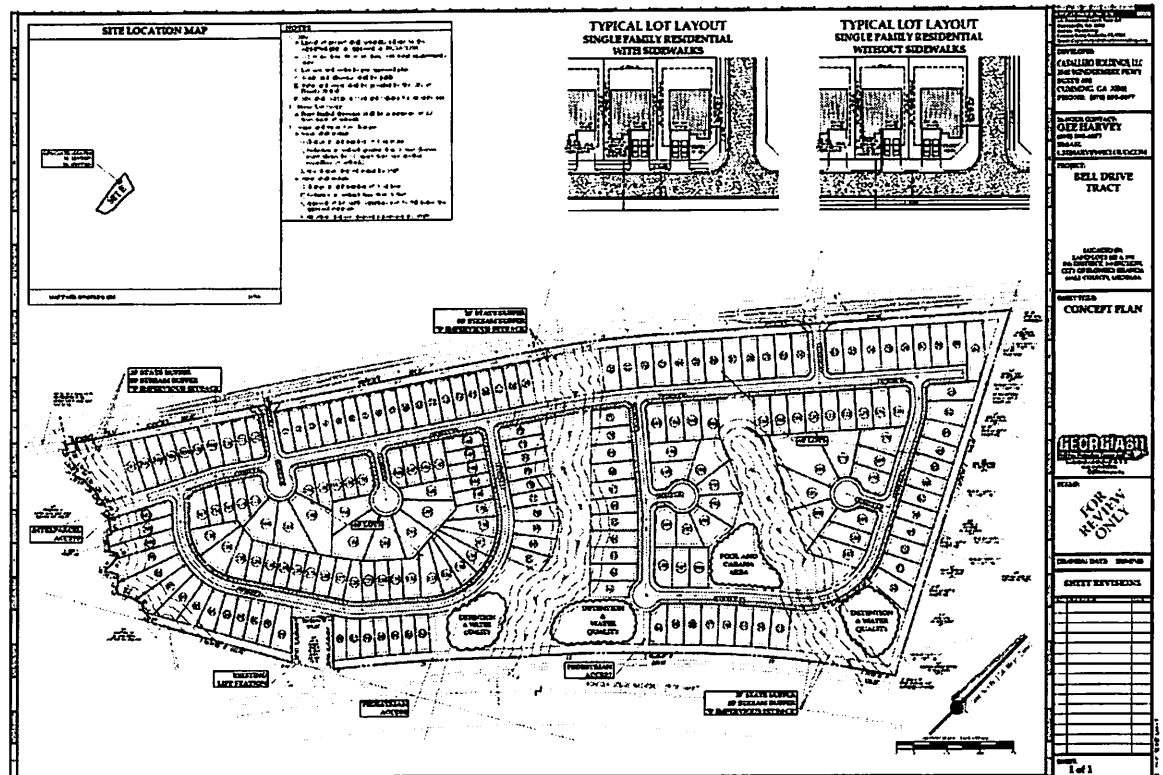
thence SOUTH 77 DEGREES 38 MINUTES 15 SECONDS WEST a distance of 20.54
feet to a point;
thence NORTH 05 DEGREES 46 MINUTES 23 SECONDS EAST a distance of 19.17
feet to a point;
thence NORTH 79 DEGREES 11 MINUTES 05 SECONDS WEST a distance of 17.54
feet to a point;
thence NORTH 79 DEGREES 36 MINUTES 31 SECONDS WEST a distance of 19.50
feet to a point;
thence NORTH 74 DEGREES 24 MINUTES 55 SECONDS WEST a distance of 20.76
feet to a point;
thence NORTH 54 DEGREES 31 MINUTES 52 SECONDS WEST a distance of 13.75
feet to a point;
thence NORTH 57 DEGREES 31 MINUTES 08 SECONDS WEST a distance of 15.72
feet to a point
and the POINT OF BEGINNING.
Said tract contains 20.028 acres.

Exhibit "C"

Conditions of Zoning

1. Site

- A. Layout of project shall generally adhere to the submitted plan as approved on June 20, 2019
And as seen below



- B. Maximum 200 single family units
C. Lot size and setbacks per approved plan
D. Landscape plan shall be submitted prior to final plat
E. Street trees shall be planted with root barriers
F. Roads and alleyways shall be public
G. Streets and alleyways will be turned over to the City through an official resolution approved by City Council; not at the time of final plat
H. A maintenance bond totaling 20% of all public improvements is required at time of final plat
I. Water and sewer shall be provided by the City of Flowery Branch
J. A detailed recreational area plan must be submitted and approved by the City prior to the issuance of a land disturbance permit
K. Proposed relocation of the current lift station must be approved by the City
L. 5' sidewalk shall be provided on at least one side of the street throughout the development
M. Detailed entrance plans shall be submitted and approved by the City
N. Street lights must be dedicated to the home owner's association or to the City of Flowery Branch at the time of final plat

2. Home/Lot Design
 - A. Homes shall have unique designs throughout the project
 - B. All homes are required to have a two-car garage
 - C. Homes shall be designed to have side accessed or recessed garages
 - D. A detailed plan book showing all home elevations shall be approved by City Council prior to the recording of the final plat
 - E. Driveways shall be a minimum of 23' as measured from the back of sidewalk to the front façade of the home
 - F. Individual lots shall show landscaping at time of permit
 - G. All lots must be sodded prior to certificate of occupancy
 - H. A residential drainage plan (RDP) may be required for any lots that have potential drainage issues as determined by the City
 - I. A house location plan (HLP) is required for each home at the time of permitting
3. Major and Minor PUD Changes
 - A. Major shall include
 - 1) Change in unit number of 4 or more
 - 2) Reduction in setback greater than 5 feet (homes must always be 10' apart from one another regardless of setback)
 - 3) Any change deemed major by staff
 - B. Minor shall include
 - 1) Change in unit number of 3 or less
 - 2) Reduction in setback less than 5 feet
 - 3) Approval of lot width variations not to fall below the approved minimum
 - 4) All other changes deemed non-major by staff

Public Hearing Published 5/30/19
Public Hearing 6/27/19

First Reading 6/27/19
Adopted 7/18/19

ORDINANCE NO. 576

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING 31.052 +/- ACRES OF LAND OWNED BY STONEBRIDGE, LLC. COMMONLY KNOWN AS 6353 MCEVER ROAD, AND ALSO IDENTIFIED AS TAX PARCEL 08140 000118, AS SHOWN ON ATTACHED EXHIBIT "A", AS DESCRIBED ON EXHIBIT "B", BY REZONING SAID TRACT FROM M-1 (LIGHT INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT "C"; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Stonebridge, LLC., owns all tract or parcel of land being considered for rezoning totaling 31.49+/- acres identified as Parcel Tax Identification No. 08140 000118, as shown on Exhibit "A", and as described on Exhibit "B"; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application as submitted by Caballero Holdings, LLC., and in conjunction with the standards set forth in Article 34 - Section 34.7 of Zoning Ordinance No. 348 of the City of Flowery Branch, Georgia; and

WHEREAS, Caballero Holdings, LLC., has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting to be rezoned and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of June 27, 2019, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning of the parcel from Flowery Branch M1 (Light Industrial) to Flowery Branch PUD (Planned Unit Development) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned M1.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zonings as opposed to proposed.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. LEGAL DESCRIPTION AND REZONING.

The rezoning of the subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, and subject to conditions set forth on Exhibit “C”, is hereby rezoned from M1 (Light Industrial) to PUD (Planned Unit Development). Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be July 19, 2019.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 18th day of July 2019.

ATTEST


James M. Miller, Mayor


Melissa McCain, City Clerk

APPROVED AS TO FORM

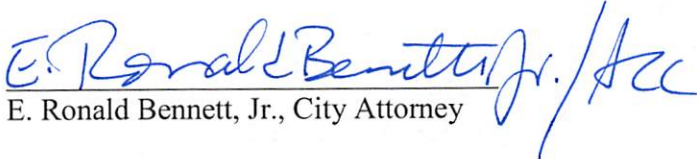

E. Ronald Bennett, Jr., City Attorney



Exhibit "B"

ALL THAT TRACT or parcel of land lying and being in Land Lots 132 and 140 of the 8th District,
in the City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:
Commencing at the right of way intersection of McEver Road (80' R/W) and Gaines Ferry Road (50' R/W):
running thence along the northeasterly right of way of McEver Road 932.14 feet to the intersection of
the right of way of McEver Road and the centerline of a creek. thence NORTH 33 DEGREES 59 MINUTES 09
SECONDS EAST a distance of 179.53 feet to a point; thence NORTH 33 DEGREES 41 MINUTES 30 SECONDS EAST
a distance of 282.50 feet to a point; thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance
of 982.30 feet to a point. Said point is the POINT OF BEGINNING.
thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance of 7.22 feet to a point;
thence with a curve turning to the right with an arc length of 353.79 feet and a radius of
2652.00 feet with a chord bearing of NORTH 37 DEGREES 29 MINUTES 46 SECONDS EAST and a
length of 353.53 feet to a point;
thence NORTH 41 DEGREES 19 MINUTES 05 SECONDS EAST a distance of 1071.44 feet to a point;
thence SOUTH 27 DEGREES 26 MINUTES 54 SECONDS EAST a distance of 1143.48 feet to a point;
thence SOUTH 55 DEGREES 05 MINUTES 36 SECONDS WEST a distance of 132.22 feet to a point;
thence with a curve turning to the left with an arc length of 481.81 feet and a radius of
2874.87 feet with a chord bearing of SOUTH 50 DEGREES 17 MINUTES 32 SECONDS WEST and a
length of 481.25 feet to a point;
thence SOUTH 45 DEGREES 29 MINUTES 26 SECONDS WEST a distance of 208.99 feet to a point;
thence with a curve turning to the left with an arc length of 323.27 feet and a radius of
3355.26 feet with a chord bearing of SOUTH 42 DEGREES 43 MINUTES 49 SECONDS WEST and a
length of 323.15 feet to a point;
thence with a curve turning to the left with an arc length of 185.55 feet and a radius of
5829.66 feet with a chord bearing of SOUTH 43 DEGREES 27 MINUTES 49 SECONDS WEST and a
length of 185.54 feet to a point;

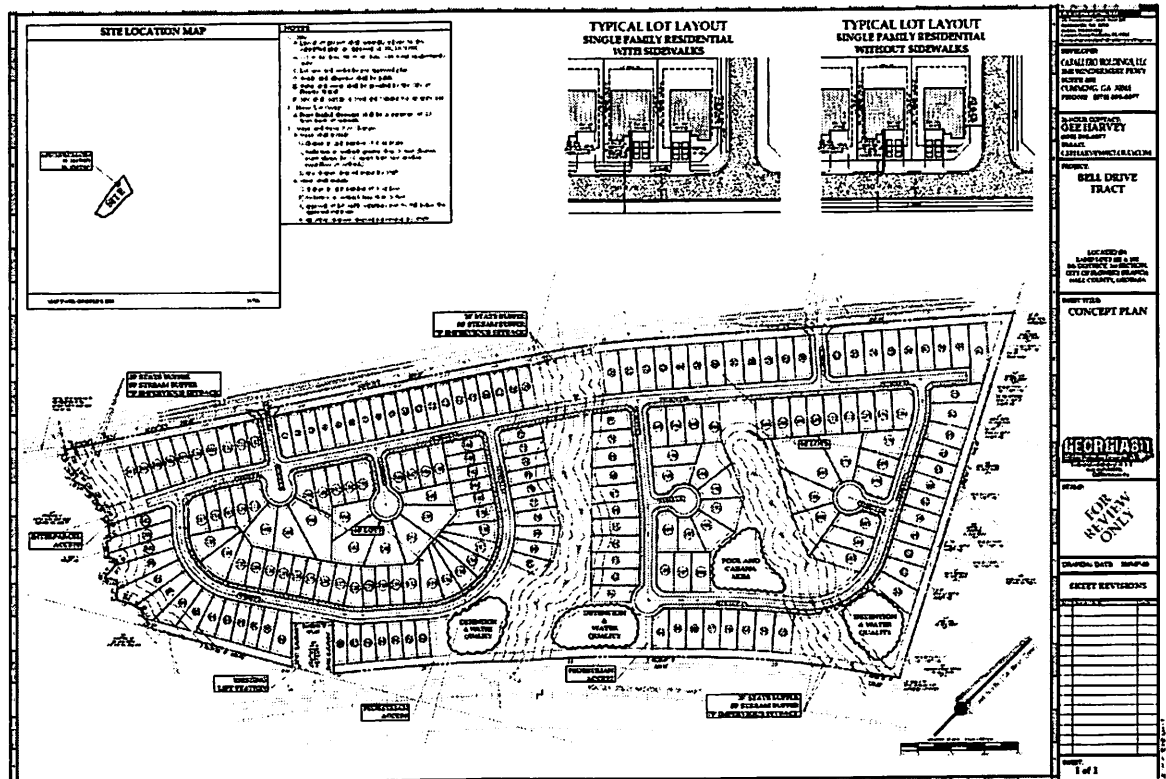
thence NORTH 30 DEGREES 08 MINUTES 21 SECONDS WEST a distance of
954.25 feet to a point
and the POINT OF BEGINNING.
Said tract contains 31.052 acres.

Exhibit "C"

Conditions of Zoning

1. Site

- A. Layout of project shall generally adhere to the submitted plan as approved on July 18, 2019 and as seen below



- B. Maximum 200 single family units
C. Lot size and setbacks per approved plan
D. Landscape plan shall be submitted prior to final plat
E. Street trees shall be planted with root barriers
F. Roads shall be public
G. Roads will be turned over to the City through an official resolution approved by City Council; not at the time of final plat
H. A maintenance bond totaling 20% of all public improvements is required at time of final plat
I. Water and sewer shall be provided by the City of Flowery Branch
J. A detailed recreational area plan must be submitted and approved by the City prior to the issuance of a land disturbance permit
K. Proposed relocation of the current lift station must be approved by the City
L. 5' sidewalk shall be provided on at least one side of the road throughout the development
M. Detailed entrance plans shall be submitted and approved by the City
N. Streetlights must be dedicated to the homeowner's association or to the City of Flowery Branch at the time of final plat

2. Home/Lot Design
 - A. Homes shall have unique designs throughout the project
 - B. All homes are required to have a two-car garage
 - C. Homes shall be designed to have side accessed or recessed garages
 - D. A detailed plan book showing all home elevations shall be approved by City Council prior to the recording of the final plat
 - E. Driveways shall be a minimum of 23' as measured from the back of sidewalk to the front façade of the home
 - F. Individual lots shall show landscaping at time of permit
 - G. All lots must be sodded prior to certificate of occupancy
 - H. A residential drainage plan (RDP) may be required for any lots that have potential drainage issues as determined by the City
 - I. A house location plan (HLP) is required for each home at the time of permitting
3. Major and Minor PUD Changes
 - A. Major shall include
 - 1) Change in unit number of 4 or more
 - 2) Reduction in setback greater than 5 feet (homes must always be 10' apart from one another regardless of setback)
 - 3) Any change deemed major by staff
 - B. Minor shall include
 - 1) Change in unit number of 3 or less
 - 2) Reduction in setback less than 5 feet
 - 3) Approval of lot width variations not to fall below the approved minimum
 - 4) All other changes deemed non-major by staff

Public Hearing Published 1/23/20
Public Hearing 2/06/20

First Reading 3/05/20
Adopted 3/19/20

ORDINANCE NO. 575 A

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING 20 +/- ACRES OF LAND OWNED BY STONEBRIDGE, LLC. COMMONLY KNOWN AS 6401 MCEVER ROAD, IDENTIFIED AS TAX PARCELS 08140 000092, AS SHOWN ON ATTACHED EXHIBIT “A”, AS DESCRIBED ON EXHIBIT “B”, BY REZONING A PORTION OF SAID TRACT FROM M-1 (LIGHT INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT “C”; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Stonebridge, LLC., owns all tract or parcel of land being considered for rezoning totaling 21 +/- acres identified as Parcel Tax Identification No. 08140 000092, as shown on Exhibit “A”, and as described on Exhibit “B”; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application as submitted by Caballero Holdings, LLC., and in conjunction with the standards set forth in Article 34 - Section 34.7 of Zoning Ordinance No. 348 of the City of Flowery Branch, Georgia; and

WHEREAS, Caballero Holdings, LLC., has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting to be rezoned and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of February 6, 2020, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning of the parcel from Flowery Branch M1 (Light Industrial) to Flowery Branch PUD (Planned Unit Development) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned M1.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zonings as opposed to proposed.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. LEGAL DESCRIPTION AND REZONING.

The rezoning of the subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, and subject to conditions set forth on Exhibit “C”, is hereby rezoned from M1 (Light Industrial) to PUD (Planned Unit Development). Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be February 20th, 2020.

SECTION 6. REPEALER

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 19th day of March 2020.

James M. Miller, Mayor

ATTEST

Melissa McCain, City Clerk

APPROVED AS TO FORM

E. Ronald Bennett, Jr., City Attorney

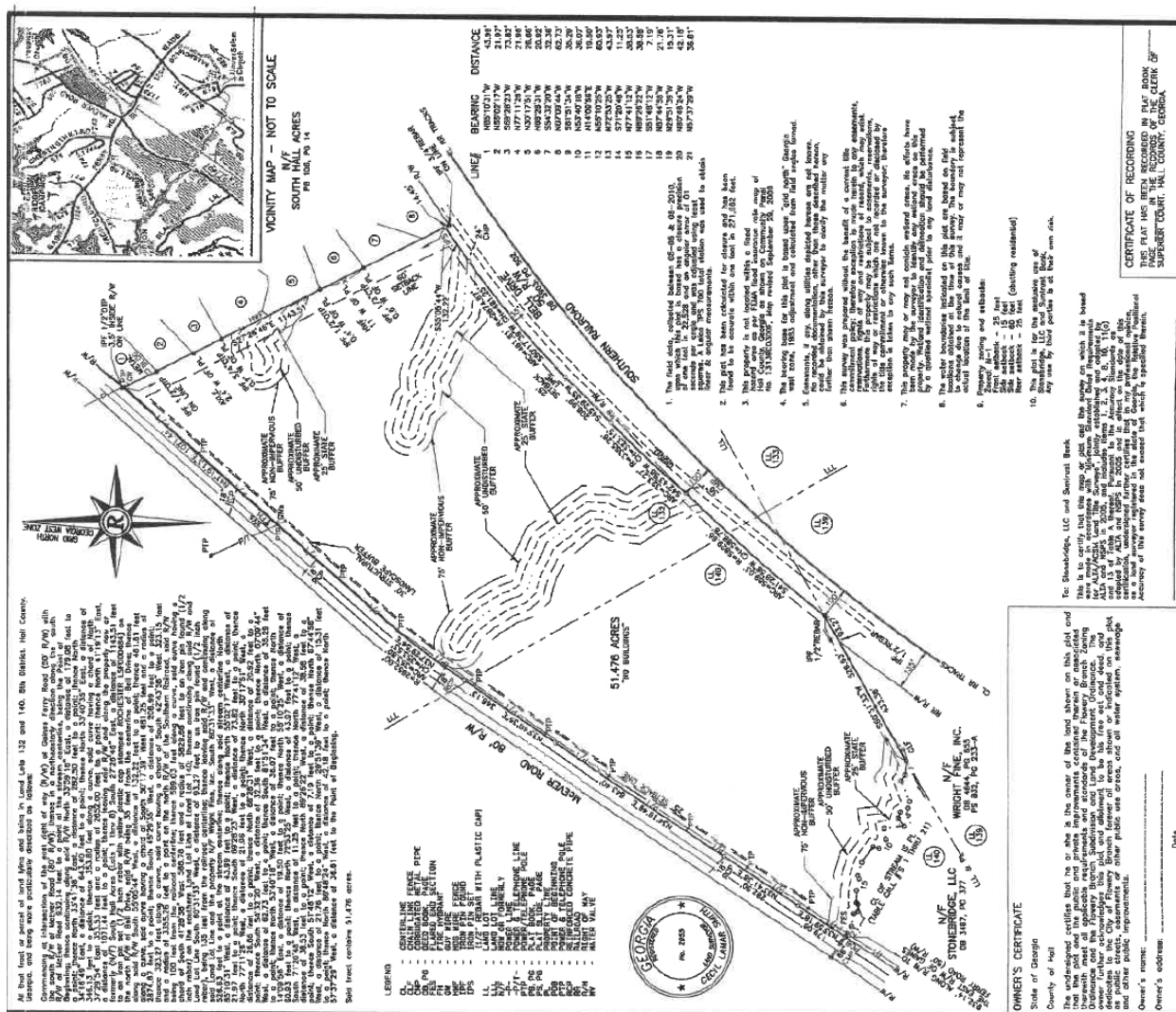


Exhibit “B”

ALL THAT TRACT or parcel of land lying and being in Land Lots 132 and 140 of the 8th District,
in the City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:
Commencing at the right of way intersection of McEver Road (80' R/W) and Gaines Ferry Road (50' R/W):
running thence along the northeasterly right of way of McEver Road 932.14 feet to the intersection of
the right of way of McEver Road and the centerline of a creek. Said point is the POINT OF BEGINNING.
thence NORTH 33 DEGREES 59 MINUTES 09 SECONDS EAST a distance of 179.53 feet to a point;
thence NORTH 33 DEGREES 41 MINUTES 30 SECONDS EAST a distance of 282.50 feet to a point;
thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance of 982.30 feet to a point;
thence SOUTH 30 DEGREES 08 MINUTES 21 SECONDS EAST a distance of 954.25 feet to a point;
thence with a curve turning to the left with an arc length of 367.69 feet and a radius of
5829.66 feet with a chord bearing of SOUTH 40 DEGREES 44 MINUTES 42 SECONDS WEST and a
length of 367.63 feet to a point;
thence NORTH 45 DEGREES 59 MINUTES 13 SECONDS WEST a distance of 154.46 feet to a point;
thence SOUTH 44 DEGREES 00 MINUTES 47 SECONDS WEST a distance of 125.00 feet to a point;
thence SOUTH 45 DEGREES 59 MINUTES 13 SECONDS EAST a distance of 131.25 feet to a point;
thence SOUTH 60 DEGREES 31 MINUTES 25 SECONDS WEST a distance of 432.75 feet to a point;
thence NORTH 79 DEGREES 35 MINUTES 18 SECONDS WEST a distance of 18.89 feet to a point;
thence NORTH 88 DEGREES 56 MINUTES 11 SECONDS WEST a distance of 20.65 feet to a point;
thence NORTH 83 DEGREES 51 MINUTES 45 SECONDS WEST a distance of 10.75 feet to a point;
thence NORTH 37 DEGREES 22 MINUTES 52 SECONDS WEST a distance of 12.80 feet to a point;
thence SOUTH 88 DEGREES 23 MINUTES 09 SECONDS WEST a distance of 14.75 feet to a point;
thence SOUTH 74 DEGREES 27 MINUTES 42 SECONDS WEST a distance of 30.38 feet to a point;
thence SOUTH 61 DEGREES 29 MINUTES 58 SECONDS WEST a distance of 40.48 feet to a point;

thence NORTH 66 DEGREES 37 MINUTES 23 SECONDS WEST a distance of 14.65 feet to a point;
thence NORTH 29 DEGREES 49 MINUTES 56 SECONDS WEST a distance of 21.86 feet to a point;
thence NORTH 50 DEGREES 44 MINUTES 22 SECONDS WEST a distance of 23.15 feet to a point;
thence SOUTH 63 DEGREES 51 MINUTES 50 SECONDS WEST a distance of 22.08 feet to a point;
thence SOUTH 45 DEGREES 28 MINUTES 56 SECONDS WEST a distance of 15.97 feet to a point;
thence NORTH 31 DEGREES 01 MINUTES 09 SECONDS WEST a distance of 8.50 feet to a point;
thence NORTH 01 DEGREES 24 MINUTES 33 SECONDS EAST a distance of 21.47 feet to a point;
thence NORTH 05 DEGREES 59 MINUTES 17 SECONDS WEST a distance of 34.29 feet to a point;
thence NORTH 75 DEGREES 19 MINUTES 12 SECONDS WEST a distance of 8.36 feet to a point;
thence SOUTH 61 DEGREES 54 MINUTES 47 SECONDS WEST a distance of 24.79 feet to a point;
thence NORTH 49 DEGREES 14 MINUTES 26 SECONDS WEST a distance of 22.51 feet to a point;
thence NORTH 57 DEGREES 26 MINUTES 47 SECONDS WEST a distance of 25.46 feet to a point;
thence NORTH 32 DEGREES 56 MINUTES 46 SECONDS EAST a distance of 14.79 feet to a point;
thence NORTH 55 DEGREES 55 MINUTES 27 SECONDS WEST a distance of 37.56 feet to a point;
thence NORTH 44 DEGREES 20 MINUTES 40 SECONDS WEST a distance of 25.81 feet to a point;
thence NORTH 86 DEGREES 13 MINUTES 48 SECONDS WEST a distance of 11.26 feet to a point;
thence NORTH 68 DEGREES 15 MINUTES 04 SECONDS WEST a distance of 15.48 feet to a point;
thence NORTH 66 DEGREES 31 MINUTES 24 SECONDS WEST a distance of 16.57 feet to a point;
thence SOUTH 69 DEGREES 33 MINUTES 58 SECONDS WEST a distance of 12.96 feet to a point;
thence NORTH 66 DEGREES 29 MINUTES 07 SECONDS WEST a distance of 14.41 feet to a point;
thence NORTH 82 DEGREES 08 MINUTES 57 SECONDS WEST a distance of 21.68 feet to a point;
thence SOUTH 79 DEGREES 25 MINUTES 30 SECONDS WEST a distance of 16.32 feet to a point;
thence NORTH 80 DEGREES 19 MINUTES 21 SECONDS WEST a distance of 20.39 feet to a point;
thence SOUTH 63 DEGREES 53 MINUTES 00 SECONDS WEST a distance of 17.47 feet to a point;

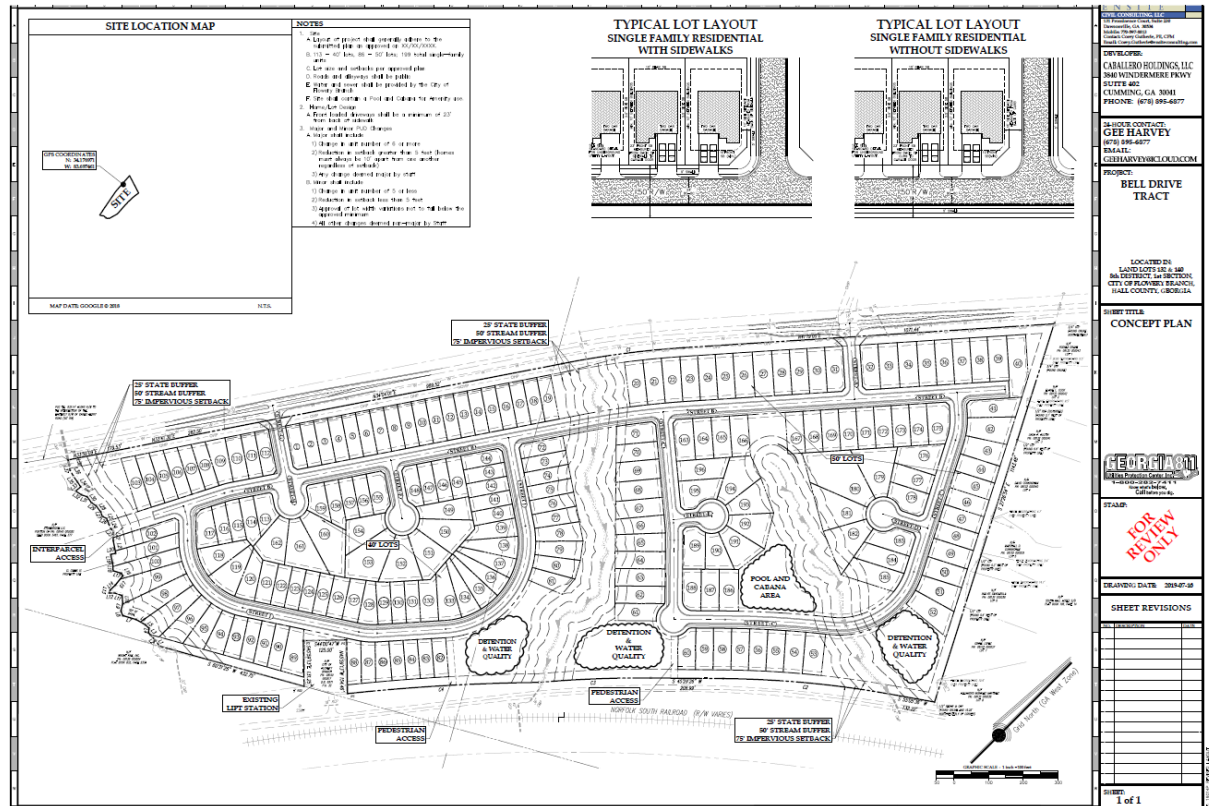
thence SOUTH 77 DEGREES 38 MINUTES 15 SECONDS WEST a distance of 20.54 feet to a point;
thence NORTH 05 DEGREES 46 MINUTES 23 SECONDS EAST a distance of 19.17 feet to a point;
thence NORTH 79 DEGREES 11 MINUTES 05 SECONDS WEST a distance of 17.54 feet to a point;
thence NORTH 79 DEGREES 36 MINUTES 31 SECONDS WEST a distance of 19.50 feet to a point;
thence NORTH 74 DEGREES 24 MINUTES 55 SECONDS WEST a distance of 20.76 feet to a point;
thence NORTH 54 DEGREES 31 MINUTES 52 SECONDS WEST a distance of 13.75 feet to a point;
thence NORTH 57 DEGREES 31 MINUTES 08 SECONDS WEST a distance of 15.72 feet to a point
and the POINT OF BEGINNING.
Said tract contains 20.028 acres.

Exhibit "C"

Conditions of Zoning

1. Site

- A. Layout of project shall generally adhere to the submitted plan as approved on June 20, 2019
And as seen below



- B. Maximum 200 single family units
C. Lot size and setbacks per approved plan
D. Landscape plan shall be submitted prior to final plat
E. Street trees shall be planted with root barriers
F. Roads and alleyways shall be public
G. Streets and alleyways will be turned over to the City through an official resolution approved by City Council; not at the time of final plat
H. A maintenance bond totaling 20% of all public improvements is required at time of final plat
I. Sewer shall be provided by the City of Flowery Branch
J. Water service shall be provided by the City of Gainesville
K. A detailed recreational area plan must be submitted and approved by the City prior to the issuance of a land disturbance permit
L. Proposed relocation of the current lift station must be approved by the City
M. 5' sidewalk shall be provided on at least one side of the street throughout the development
N. Detailed entrance plans shall be submitted and approved by the City
O. Streetlights must be dedicated to the homeowner's association or to the City of Flowery Branch at the time of final plat

2. Home/Lot Design
 - A. Homes shall have unique designs throughout the project
 - B. All homes are required to have a two-car garage
 - C. Homes shall be designed to have side accessed or recessed garages
 - D. A detailed plan book showing all home elevations shall be approved by City Council prior to the recording of the final plat
 - E. Driveways shall be a minimum of 23' as measured from the back of sidewalk to the front façade of the home
 - F. Individual lots shall show landscaping at time of permit
 - G. All lots must be sodded prior to certificate of occupancy
 - H. A residential drainage plan (RDP) may be required for any lots that have potential drainage issues as determined by the City
 - I. A house location plan (HLP) is required for each home at the time of permitting
3. Major and Minor PUD Changes
 - A. Major shall include
 - 1) Change in unit number of 4 or more
 - 2) Reduction in setback greater than 5 feet (homes must always be 10' apart from one another regardless of setback)
 - 3) Any change deemed major by staff
 - B. Minor shall include
 - 1) Change in unit number of 3 or less
 - 2) Reduction in setback less than 5 feet
 - 3) Approval of lot width variations not to fall below the approved minimum
 - 4) All other changes deemed non-major by staff

Public Hearing Published 1/23/20
Public Hearing 2/06/20

First Reading 3/04/20
Adopted 3/19/20

ORDINANCE NO. 576 A

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING 31.052 +/- ACRES OF LAND OWNED BY STONEBRIDGE, LLC. COMMONLY KNOWN AS 6353 MCEVER ROAD, AND ALSO IDENTIFIED AS TAX PARCEL 08140 000118, AS SHOWN ON ATTACHED EXHIBIT “A”, AS DESCRIBED ON EXHIBIT “B”, BY REZONING SAID TRACT FROM M-1 (LIGHT INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT “C”; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Stonebridge, LLC., owns all tract or parcel of land being considered for rezoning totaling 31.49+/- acres identified as Parcel Tax Identification No. 08140 000118, as shown on Exhibit “A”, and as described on Exhibit “B”; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application as submitted by Caballero Holdings, LLC., and in conjunction with the standards set forth in Article 34 - Section 34.7 of Zoning Ordinance No. 348 of the City of Flowery Branch, Georgia; and

WHEREAS, Caballero Holdings, LLC., has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting to be rezoned and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of February 6, 2020, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning of the parcel from Flowery Branch M1 (Light Industrial) to Flowery Branch PUD (Planned Unit Development) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned M1.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zonings as opposed to proposed.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. LEGAL DESCRIPTION AND REZONING.

The rezoning of the subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, and subject to conditions set forth on Exhibit “C”, is hereby rezoned from M1 (Light Industrial) to PUD (Planned Unit Development). Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be February 20th, 2020.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 19th day of March 2020.

ATTEST

James M. Miller, Mayor

Melissa McCain, City Clerk

APPROVED AS TO FORM

E. Ronald Bennett, Jr., City Attorney

Exhibit "A"

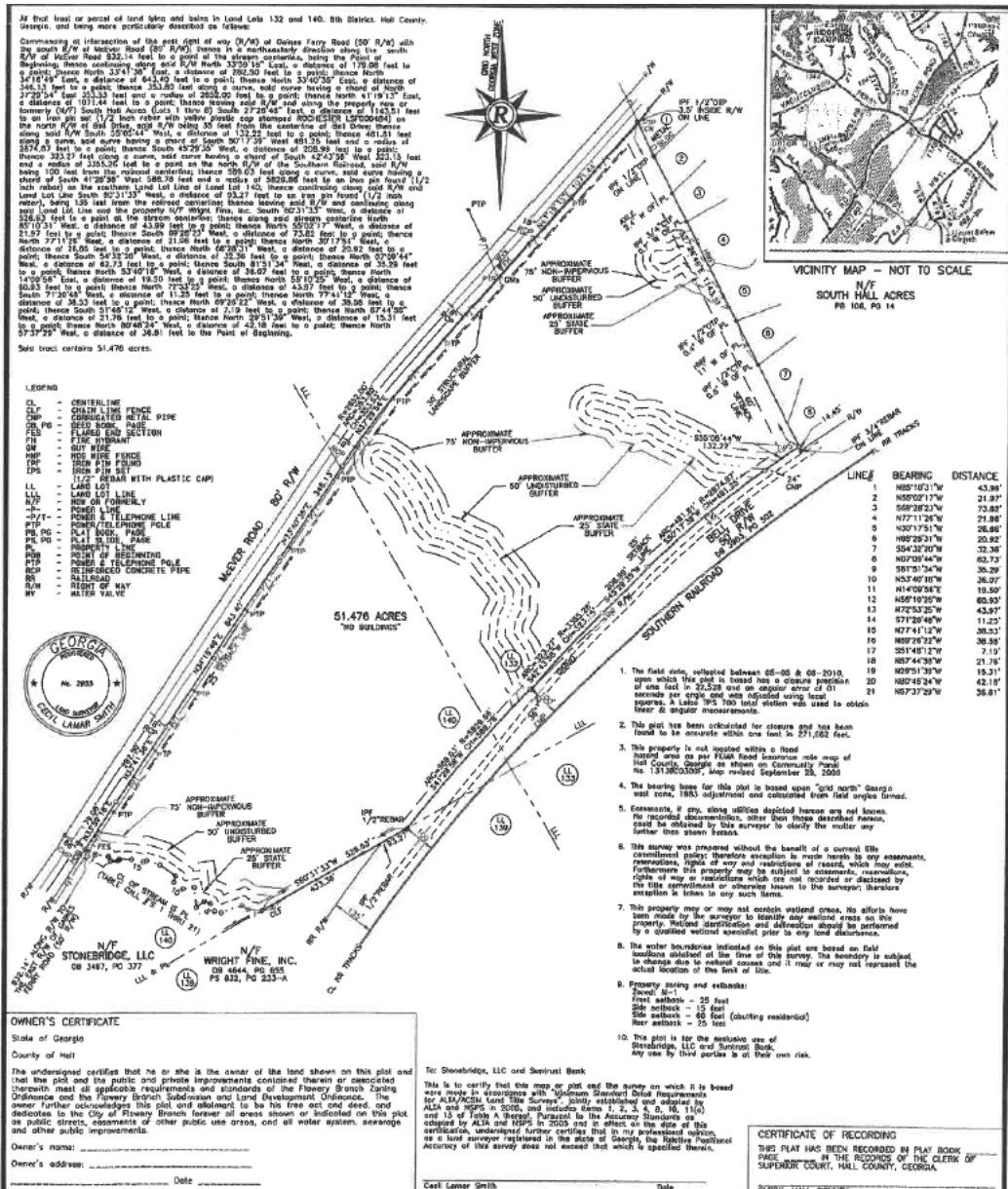


Exhibit “B”

ALL THAT TRACT or parcel of land lying and being in Land Lots 132 and 140 of the 8th District,
in the City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:
Commencing at the right of way intersection of McEver Road (80í R/W) and Gaines Ferry Road (50í R/W):
running thence along the northeasterly right of way of McEver Road 932.14 feet to the intersection of
the right of way of McEver Road and the centerline of a creek. thence NORTH 33 DEGREES 59 MINUTES 09
SECONDS EAST a distance of 179.53 feet to a point; thence NORTH 33 DEGREES 41 MINUTES 30 SECONDS EAST
a distance of 282.50 feet to a point; thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance
of 982.30 feet to a point. Said point is the POINT OF BEGINNING.
thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance of 7.22 feet to a point;
thence with a curve turning to the right with an arc length of 353.79 feet and a radius of
2652.00 feet with a chord bearing of NORTH 37 DEGREES 29 MINUTES 46 SECONDS EAST and a
length of 353.53 feet to a point;
thence NORTH 41 DEGREES 19 MINUTES 05 SECONDS EAST a distance of 1071.44 feet to a point;
thence SOUTH 27 DEGREES 26 MINUTES 54 SECONDS EAST a distance of 1143.48 feet to a point;
thence SOUTH 55 DEGREES 05 MINUTES 36 SECONDS WEST a distance of 132.22 feet to a point;
thence with a curve turning to the left with an arc length of 481.81 feet and a radius of
2874.87 feet with a chord bearing of SOUTH 50 DEGREES 17 MINUTES 32 SECONDS WEST and a
length of 481.25 feet to a point;
thence SOUTH 45 DEGREES 29 MINUTES 26 SECONDS WEST a distance of 208.99 feet to a point;
thence with a curve turning to the left with an arc length of 323.27 feet and a radius of
3355.26 feet with a chord bearing of SOUTH 42 DEGREES 43 MINUTES 49 SECONDS WEST and a
length of 323.15 feet to a point;
thence with a curve turning to the left with an arc length of 185.55 feet and a radius of
5829.66 feet with a chord bearing of SOUTH 43 DEGREES 27 MINUTES 49 SECONDS WEST and a
length of 185.54 feet to a point;

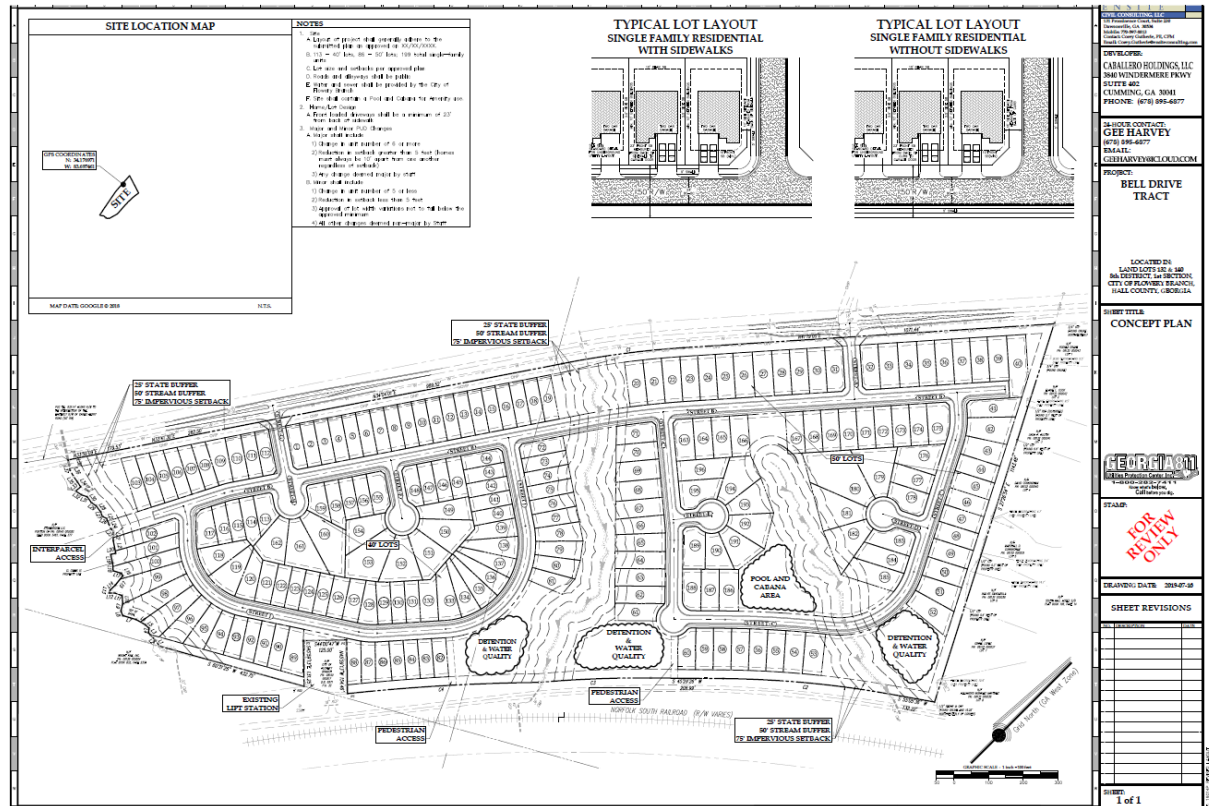
thence NORTH 30 DEGREES 08 MINUTES 21 SECONDS WEST a distance of
954.25 feet to a point
and the POINT OF BEGINNING.
Said tract contains 31.052 acres.

Exhibit "C"

Conditions of Zoning

1. Site

- A. Layout of project shall generally adhere to the submitted plan as approved on July 18, 2019 and as seen below



- B. Maximum 200 single family units
- C. Lot size and setbacks per approved plan
- D. Landscape plan shall be submitted prior to final plat
- E. Street trees shall be planted with root barriers
- F. Roads shall be public
- G. Roads will be turned over to the City through an official resolution approved by City Council; not at the time of final plat
- H. A maintenance bond totaling 20% of all public improvements is required at time of final plat
- I. Sewer shall be provided by the City of Flowery Branch
- J. Water service shall be provided by the City of Gainesville
- K. A detailed recreational area plan must be submitted and approved by the City prior to the issuance of a land disturbance permit
- L. Proposed relocation of the current lift station must be approved by the City
- M. 5' sidewalk shall be provided on at least one side of the road throughout the development
- N. Detailed entrance plans shall be submitted and approved by the City
- O. Streetlights must be dedicated to the homeowner's association or to the City of Flowery Branch at the time of final plat

2. Home/Lot Design
 - A. Homes shall have unique designs throughout the project
 - B. All homes are required to have a two-car garage
 - C. Homes shall be designed to have side accessed or recessed garages
 - D. A detailed plan book showing all home elevations shall be approved by City Council prior to the recording of the final plat
 - E. Driveways shall be a minimum of 23' as measured from the back of sidewalk to the front façade of the home
 - F. Individual lots shall show landscaping at time of permit
 - G. All lots must be sodded prior to certificate of occupancy
 - H. A residential drainage plan (RDP) may be required for any lots that have potential drainage issues as determined by the City
 - I. A house location plan (HLP) is required for each home at the time of permitting
3. Major and Minor PUD Changes
 - A. Major shall include
 - 1) Change in unit number of 4 or more
 - 2) Reduction in setback greater than 5 feet (homes must always be 10' apart from one another regardless of setback)
 - 3) Any change deemed major by staff
 - B. Minor shall include
 - 1) Change in unit number of 3 or less
 - 2) Reduction in setback less than 5 feet
 - 3) Approval of lot width variations not to fall below the approved minimum
 - 4) All other changes deemed non-major by staff



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider a request from Bill Stark MB Regional Enterprises, Inc. to rezone 17.43 +/- acres of land identified as 0 McEver Road, tax parcel number 08099 000011, from M1 (Light Industrial) to PUD (Planned Unit Development) with the intent to develop a 93 unit attached townhome subdivision.

COUNCIL MEETING DATE: March 5, 2020

HISTORY:

This is part of the McEver Road Corridor (please see attached powerpoint). Staff feels the development of this corridor is imperative to the overall success of the City. As plans for the downtown progress, the City must ensure all annexation and rezoning decisions throughout the city are made with the utmost care and thoughtfulness. The McEver Road Corridor is an important part of the City as it is a well-traveled stretch with many undeveloped or underdeveloped parcels. The City has three approved subdivisions (199, 324 and 67 homes) currently under design or construction on McEver Road. Additionally, there is a 129-home subdivision on Jim Crow Road being built that feeds into McEver Road. The large influx of residential feeds the need for local services to be provided. The proposed site, if approved for residential use, would put the burden of services on other currently vacant parcels. In particular, the corner of McEver and Gainesville Street becomes almost definitively a mixed-use parcel or an N-S (Neighborhood Shopping) driven development. Staff is not opposed to the proposed project but encourages Council to look at the area as a whole and understand the need for services in this area.

FACTS AND ISSUES:

This site as zoned (M-1) could add much needed commercial uses on the McEver Road Corridor. Additionally, there are M-1 uses next door (McEver Road Self-Storage) and across the street (SKF). However, the applicant has stated the land lends itself more to a small residential development. There is support for this argument as it will add more residents to the area and would be served by the outparcels on the McEver Self-Storage development and the commercial component that is part of the Park Haven subdivision on Gainesville Street/McEver Road. Staff recommends approval with conditions (please see attached staff report).

OPTIONS:

Staff is recommending bike/pedestrian connectivity to be added along McEver Road to this design. This could largely be accomplished by enlarging their current sidewalk along McEver from 5-feet in width to the recommended 12-feet. We would like to see a bike-pedestrian path tie in with the right-of-way of the neighboring McEver Self-Storage Development so a path could eventually run to Old Town along Gainesville Street and to Old Federal Park along Jim Crow Road.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

No vote at this time - work session discussion only (March 5).

SAMPLE MOTION:

No vote at this time

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Melissa McCain

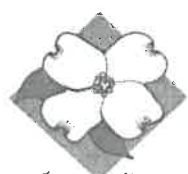
ATTACHMENTS

- [Application as submitted.pdf](#)
- [Staff Report for Bowen Stark.pdf](#)
- [McEver Road Corridor.pptx](#)



Development Planning & Engineering, Inc.

Rezoning Application Jim Crow Road Partners Tract



Flower Branch

REZONING APPLICATION

Date: 12/12/19

Address of Request: M³ Ever Road

Tax Map # 08099 000011 Current Zoning: M-1

Is this site located within the boundaries of the historic district? no

Currently a conforming use? M-1-Vacant

Any conditions of zoning, CUP's, etc.? N/A

Applicant Information

Name: MB Regional Enterprises LLC

Address: 3719 Winder Hwy S-100
Flower Branch, GA 30542

E-mail address: billstarkproperties@gmail.com

Phone number: 470-252-5265

Signature: William Barker

Notary: Meredith Pierce





Property owner information (if different than the applicant)

Property owner (please print): Jim Crop Road Partners LLC

Signature of property owner: [Signature]

Notary: Meredith Pierce



Property Information

Tax Map Number: 08099 000011

Current Zoning: M-2 Total Acres: 17.70 17.423

Is this property located within the city-limits of Flowery Branch? Yes

Proposed City of Flowery Branch Zoning: PUD

Current Use: Vacant Land

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property



- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

N/A

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

N/A

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

N/A



Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name

Amount of Description of Gift

none

None

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____



REZONING ADDITIONAL INFORMATION REQUIREMENT

Date: 12/13/2019

Address of Request:

McEver Road Parcel number (Parcel number 08099 000011)

Tax Map # (Parcel number 08099 000011) Current Zoning: M1

Please submit an analysis of the proposed project including:

1. Value of improvements upon complete build out. \$24,000,000
2. Property tax valuation based upon existing millage rate (indicate total tax expectation if project is phased). \$230,000
3. Schedule of the total build out (showing a timeline of construction in months/years if project is phased). All one phase/ approximately 2.5 years
4. Anticipated total square footage (heated) to be built in the requested number of units. 148,000
5. Total acreage developed with units. 17.423
6. Total acreage for right of way and roads. +/- 3.44 acres
7. Total acreage of open space/common area (include plan for maintenance of open space/common area). +/- 8.8 acres
8. Acreage required for buffer and watershed protection.
 - Does the buffer comply with the current City ordinance? Yes
 - Do individual property lines for lots extend into the buffer? Yes
 - Does the Developer intend to dedicate any of the site area to the City? If so, for what purpose? Not at this time



9. Does your proposal consider Multi Transportation alternatives? (Please describe in detail) Not at this time
10. Please identify all amenities and total number of acres they incorporate by complete description. Pocket Parks, Benches, Gazebo
11. Number of street lights and separation table as proposed on your site plan. approx 25
12. Will Technology Development be included in this development? Yes, if available
13. List the total linear feet and cubic yards for sidewalks. +/- 5,940 + trail
14. Are appropriate storm water controls provided in your proposal? Are these controls completely and accurately reflected on all drawings and plans?
15. Has a transportation/traffic study been done to predict the impact of anticipated traffic? Has the project been reviewed by all appropriate County and State agencies relating to transportation issues? Not at this time
16. Does the proposal provide for utilization of "reuse" water? Is this depicted on the plans? Do the plans provide for storage of "reuse" water? No
17. What is the total capacity for daily Wastewater Management? 270 GPD/unit, 25,110
18. What is the anticipated maximum daily water consumption? Are low flow fixtures required by the development? approximately 270 GPD
19. Has a slope and grade study been done on this development? Does the study reflect density placement? Preliminary evaluation
20. Please identify what public safety needs are being considered for the project? None at this time
21. Has the Hall County School System been notified of the proposed density for this project? Not at this time
22. Please provide a copy of all private covenants and/or architectural guidelines to be filed regarding this development. Will provide sample covenants



23. Information as required under Ordinance No. 349 for preliminary plat approval if rezoning involves subdivision. Ordinance No. 349 can be found at www.flowerybranchga.org

14. Stormwater management shown conceptually at this time

CITY STAFF ONLY

Received By: _____

Date: _____ Total Fee: _____



Development Planning & Engineering, Inc.

Property Inspection Authorization

I, Bill Stark
owner of parcel 08099 000011, hereby grant the City of Flowery Branch Staff and/or City Council to inspect the above subject property as necessary for the rezoning application process.

Tonya Woods (Development Planning and Engineering, Agent for Bill Stark MB Regional Enterprises, Inc)

Printed name:

A handwritten signature in blue ink, appearing to read 'Tonya Woods', is written over a horizontal line.

Signature, date



Development Planning & Engineering, Inc.

Letter of Intent Jim Crow Road Partners Tract



Development Planning & Engineering, Inc.

Letter of Intent

City of Flowery Branch
Community Development
PO Box 757
Flowery Branch, Georgia 30542

Rich Atkinson
Director of Planning and Community Development

RE: McEver Road Tract (Parcel number 08099 000011)

Dear Mr. Atkinson:

Please let this letter serve as our letter of intent to accompany our Rezoning Application for the project located in the 5600 block of McEver Road in the City of Flowery Branch, Hall County, Georgia. The proposed use for the property is a 93-lot single family attached townhome community. We are requesting the subject property be rezoned from the existing M-1 zoning to PUD (Planned Unit Development).

We request to have the following Development Standards for the proposed project. This illustrates Jim Crow Road Partners commitment to building a quality development for the City of Flowery Branch and surrounding neighbors.

Proposed Development Standards

Sidewalks	- Proposed 5-foot sidewalk along McEver to the western property line as shown on submitted site plan - Five feet in Width Internal Streets
Proposed Buffer	25 Foot Graded and Landscaped Buffer along western property line with double row of evergreen trees and/or shrubs
Setbacks	Front: 25-foot landscape setback adjacent to McEver Road along with five-foot high decorative fence



Driveways	• Driveway width minimum 16 feet
House Square Footage	• 1,600 Square Feet Minimum
Architectural Treatments	• Front Facades minimum of 50% brick and/or stone • Remaining balance of facades to be Concrete Siding • Minimum 2-foot brick water table • Architectural Shingles
Garages	• Minimum of a Two Car Garage
Landscaping	• Landscaped Entrance • Front, Side and Rear Yards shall be sodded • All lawn maintenance provided by a Mandatory HOA

We appreciate your consideration of this rezoning request and please do not hesitate to give us a call if you have any questions.

Sincerely,

Tonya Woods
Development Planning and Engineering



Development Planning & Engineering, Inc.

Legal Description Jim Crow Road Partners Tract

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 91 and 99 of the 8th District of Hall County, City of Flowery Branch, Georgia and being more particularly described as follows:

To find THE TRUE POINT OF BEGINNING, begin at a point on the northwesterly right-of-way of McEver Road having a 80' right-of-way, said point being 947.54 feet westerly as measured along said northwesterly right-of-way of McEver Road from the intersection of the Northeasterly right-of-way of Radford Road having a 30' right-of-way, said point being the TRUE POINT OF BEGINNING;

THENCE North 52 degrees 10 minutes 35 seconds West a distance of 731.17 feet leaving said right-of-way of McEver Road to a point located in the centerline of a creek;

THENCE along said creek following the meanderings thereof for the following 69 courses and distances:

THENCE North 42 degrees 01 minutes 09 seconds East a distance of 20.75 feet to a point;

THENCE North 23 degrees 13 minutes 42 seconds West a distance of 16.85 feet to a point;

THENCE North 49 degrees 40 minutes 26 seconds East a distance of 44.23 feet to a point;

THENCE North 07 degrees 37 minutes 24 seconds East a distance of 21.48 feet to a point;

THENCE North 37 degrees 15 minutes 33 seconds East a distance of 40.03 feet to a point;

THENCE South 70 degrees 29 minutes 35 seconds East a distance of 16.51 feet to a point;

THENCE North 68 degrees 34 minutes 33 seconds East a distance of 14.01 feet to a point;

THENCE North 15 degrees 24 minutes 28 seconds East a distance of 28.00 feet to a point;

THENCE North 72 degrees 58 minutes 51 seconds East a distance of 17.48 feet to a point;

THENCE South 43 degrees 05 minutes 01 seconds East a distance of 15.05 feet to a point;

THENCE South 89 degrees 05 minutes 06 seconds East a distance of 34.77 feet to a point;

THENCE South 63 degrees 08 minutes 17 seconds East a distance of 37.64 feet to a point;

THENCE South 72 degrees 22 minutes 40 seconds East a distance of 13.30 feet to a point;

THENCE South 86 degrees 16 minutes 27 seconds East a distance of 22.16 feet to a point;

THENCE South 57 degrees 38 minutes 31 seconds East a distance of 20.93 feet to a point;

THENCE North 23 degrees 19 minutes 46 seconds East a distance of 19.72 feet to a point;

THENCE North 53 degrees 11 minutes 45 seconds East a distance of 10.82 feet to a point;

THENCE North 20 degrees 29 minutes 10 seconds East a distance of 42.56 feet to a point;

THENCE North 74 degrees 40 minutes 04 seconds East a distance of 18.93 feet to a point;

THENCE North 27 degrees 51 minutes 17 seconds East a distance of 39.43 feet to a point;

northwester

THENCE North 17 degrees 48 minutes 02 seconds West a distance of 57.59 feet to a point;

THENCE North 04 degrees 10 minutes 30 seconds West a distance of 24.84 feet to a point;

THENCE North 52 degrees 07 minutes 12 seconds East a distance of 26.58 feet to a

point;
THENCE North 00 degrees 30 minutes 56 seconds West a distance of 20.18 feet to a
point;
THENCE North 77 degrees 44 minutes 50 seconds East a distance of 32.07 feet to a
point;
THENCE North 64 degrees 01 minutes 26 seconds East a distance of 42.83 feet to a
point;
THENCE North 00 degrees 38 minutes 25 seconds West a distance of 13.08 feet to a
point;
THENCE North 15 degrees 18 minutes 42 seconds East a distance of 45.27 feet to a
point;
THENCE South 69 degrees 37 minutes 49 seconds East a distance of 16.08 feet to a
point;
THENCE North 23 degrees 09 minutes 03 seconds East a distance of 18.81 feet to a
point;
THENCE South 75 degrees 45 minutes 10 seconds East a distance of 33.98 feet to a
point;
THENCE North 19 degrees 26 minutes 43 seconds East a distance of 5.04 feet to a point;
THENCE North 02 degrees 14 minutes 41 seconds West a distance of 21.21 feet to a
point;
THENCE North 05 degrees 42 minutes 03 seconds East a distance of 30.80 feet to a
point;
THENCE North 67 degrees 49 minutes 54 seconds East a distance of 32.61 feet to a
point;
THENCE South 49 degrees 55 minutes 16 seconds East a distance of 24.81 feet to a
point;
THENCE North 65 degrees 29 minutes 50 seconds East a distance of 24.96 feet to a
point;
THENCE South 71 degrees 45 minutes 43 seconds East a distance of 24.78 feet to a
point;
THENCE North 58 degrees 07 minutes 04 seconds East a distance of 48.13 feet to a
point;
THENCE North 74 degrees 18 minutes 43 seconds East a distance of 42.41 feet to a
point;
THENCE North 75 degrees 54 minutes 20 seconds East a distance of 29.66 feet to a
point;
THENCE North 81 degrees 55 minutes 28 seconds East a distance of 51.10 feet to a
point;
THENCE North 03 degrees 17 minutes 38 seconds West a distance of 80.16 feet to a
point;
THENCE North 25 degrees 04 minutes 11 seconds East a distance of 41.91 feet to a
point;
THENCE North 49 degrees 53 minutes 56 seconds East a distance of 17.52 feet to a
point;
THENCE North 18 degrees 43 minutes 22 seconds East a distance of 23.18 feet to a
point;
THENCE North 47 degrees 45 minutes 41 seconds East a distance of 60.71 feet to a
point;
THENCE South 82 degrees 28 minutes 05 seconds East a distance of 34.27 feet to a
point;
THENCE North 64 degrees 15 minutes 53 seconds East a distance of 35.15 feet to a
point;
THENCE North 25 degrees 16 minutes 55 seconds East a distance of 45.95 feet to a
point;
THENCE North 74 degrees 52 minutes 54 seconds East a distance of 33.64 feet to a
point;
THENCE North 05 degrees 46 minutes 15 seconds East a distance of 19.12 feet to a
point;
THENCE North 49 degrees 31 minutes 16 seconds East a distance of 20.16 feet to a
point;
THENCE North 17 degrees 25 minutes 30 seconds East a distance of 15.28 feet to a

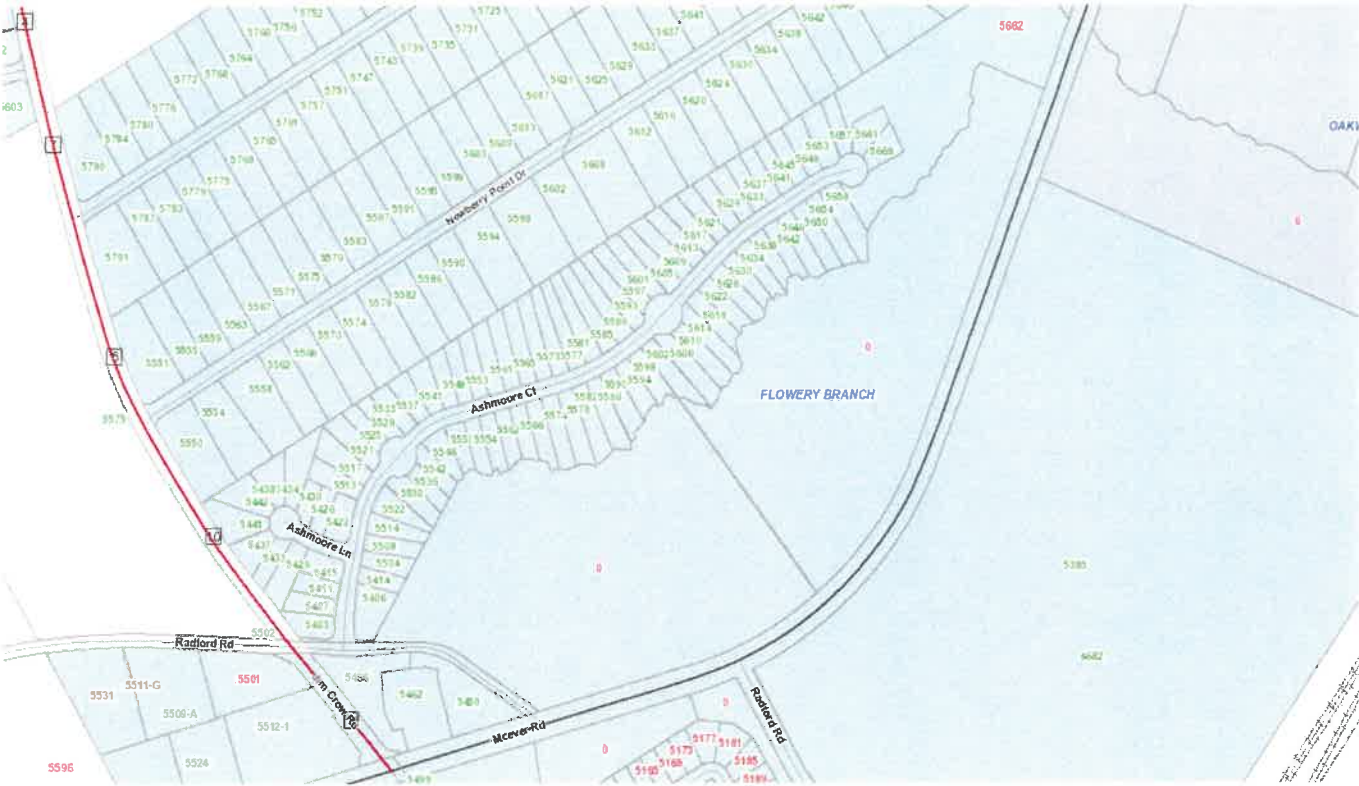
point;
 THENCE North 44 degrees 09 minutes 12 seconds East a distance of 23.55 feet to a
 point;
 THENCE North 07 degrees 19 minutes 07 seconds East a distance of 16.16 feet to a
 point;
 THENCE North 67 degrees 03 minutes 23 seconds East a distance of 22.02 feet to a
 point;
 THENCE North 37 degrees 47 minutes 19 seconds East a distance of 59.79 feet to a
 point;
 THENCE North 80 degrees 42 minutes 12 seconds East a distance of 20.38 feet to a
 point;
 THENCE North 26 degrees 33 minutes 35 seconds East a distance of 22.17 feet to a
 point;
 THENCE North 05 degrees 18 minutes 43 seconds West a distance of 36.01 feet to a
 point;
 THENCE North 30 degrees 08 minutes 56 seconds East a distance of 27.92 feet to a
 point;
 THENCE North 05 degrees 56 minutes 37 seconds West a distance of 9.79 feet to a point;
 THENCE North 33 degrees 29 minutes 15 seconds West a distance of 16.00 feet to a
 point;
 THENCE North 10 degrees 52 minutes 53 seconds East a distance of 48.85 feet to a
 point;
 THENCE North 13 degrees 16 minutes 07 seconds East a distance of 26.03 feet to a
 point;
 THENCE North 45 degrees 42 minutes 26 seconds East a distance of 25.42 feet to a
 point;
 THENCE South 69 degrees 13 minutes 03 seconds East a distance of 216.44 feet leaving
 said creek to a point on the to a point on the northwesterly right-of-way of McEver Road having a
 80' right-of-way;
 THENCE along said right-of-way of McEver road for the following 4 courses and distances:
 THENCE South 17 degrees 35 minutes 05 seconds West a distance of 217.18 feet to a
 point;
 THENCE South 21 degrees 29 minutes 50 seconds West a distance of 587.64 feet to a
 point;
 THENCE South 21 degrees 29 minutes 50 seconds West a distance of 296.36 feet to a
 point;
 THENCE along a curve to the right for an arc length of 583.47 feet, having a radius of
 1143.74 feet, being subtended by a chord bearing South 36 degrees 06 minutes 42 seconds West,
 for a distance of 577.16 feet to a point;

The above described property contains an area of 17.423 acres more or less.



Development Planning & Engineering, Inc.

Adjacent Parcels
McEver Road Rezoning
Jim Crow Partners Tract



Summary

Parcel Number08099A000115

Location Address5662 ASHMOORE CT

Legal DescriptionMADISON CREEK S/D
(Note: Not to be used on legal documents)

ClassR3-Residential
(Note: This is for tax purposes only. Not to be used for zoning.)

ZoningNote: Refer to map zoning layer for official zoning.

Tax DistrictFLOWERY BRANCH (District 03)

Millage Rate31.952

Acres4.97

Neighborhood08022 Madison Creek (08022)

Homestead ExemptionNo (50)

Landlot/DistrictN/A

[View Map](#)



Owner

MADISON CREEK HOMEOWNERS ASSOCIATION, IN
PO BOX 908
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	77,101	0	0	1.77	1
Residential	Acerage Power/Flood	Acres	139,392	0	0	3.2	1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Pavilion	2015	14x14 / 0	1	\$1

Permits

Permit Date	Permit Number	Type	Description
05/13/2015	00059	MISC	PAVILION

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
5/18/2006	5768 62	835 147A	\$59,501	PURCHASER BLDG, CONTR. OR DEVLPR	JIM CROW ROAD PATRNS, LLC	MADISON CREEK HOMEOWNERS ASSOCIATION, IN

Valuation

	2019	2018	2017
Previous Value	\$2	\$2	\$2
Land Value	\$1	\$1	\$1
+ Improvement Value	\$0	\$0	\$0
+ Accessory Value	\$1	\$1	\$1
= Current Value	\$2	\$2	\$2

Photos



No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Commercial Improvement Information, Mobile Homes, Prebill Mobile Homes, Sketches.

Summary

Parcel Number	08099A000170
Location Address	5658 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 55 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.13
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	No (50)
Landlot/District	N/A
View Map	



Owner

DENNIS RECH
5658 ASHMOORE CT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	5,818	0	0	0.13	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	2172
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	6
Number Of Bedrooms	3
Number Of Full Bathrooms	3
Number Of Half Bathrooms	0
Number Of Plumbing Extras	6
Value	\$201,700
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2015	0x0 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
9/20/2018	8153 774	835 147A	\$242,000	VALID IMPROVED PROPERTY	CAFFEY, JOHN M & BONNIE D	RECH DENNIS
3/30/2006	5654 114	835 147A	\$191,900	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC.	CAFFEY, JOHN M & BONNIE D
11/3/2005	5513 373	835 147A	\$178,000	INVOLVES ADDTL. PARCELS	JIM CROW ROAD PARTNERS LLC	MADISON CREEK BUILDERS, INC.

Valuation

	2019	2018	2017
Previous Value	\$205,600	\$185,100	\$192,500
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$201,700	\$175,600	\$155,100
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$231,700	\$205,600	\$185,100

Photos

Summary

Parcel Number	08099A000171
Location Address	5654 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 56 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.25
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	Yes (51)
Landlot/District	N/A

[View Map](#)



Owner

MARIA E JARAMILLO
5654 ASHMOORE COURT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	11,074	0	0	0.25	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	2172
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2006
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	6
Number Of Bedrooms	3
Number Of Full Bathrooms	3
Number Of Half Bathrooms	0
Number Of Plumbing Extras	6
Value	\$203,600
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2006	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
2/15/2006	5612 108	835 147A	\$189,400	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC.	JARAMILLO, MARIA E
11/3/2005	5513 373	835 147A	\$178,000	INVOLVES ADDTL. PARCELS	JIM CROW ROAD PARTNERS LLC	MADISON CREEK BUILDERS, INC.

Valuation

	2019	2018	2017
Previous Value	\$207,200	\$186,400	\$193,900
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$203,600	\$177,200	\$156,400
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$233,600	\$207,200	\$186,400

Photos

Summary

Parcel Number	08099A000172
Location Address	5650 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 57 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.28
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	No (S0)
Landlot/District	N/A

[View Map](#)



Owner

DENIS C CLAVETTE
CLAVETTE KAREN L
5650 ASHMOORE CT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	12,274	0	0	0.28	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	2087
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2006
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	5
Number Of Bedrooms	3
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	3
Value	\$201,100
Condition	Average
Fireplaces/Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2006	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
11/10/2014	7445 543	836 151	\$174,000	VALID IMPROVED PROPERTY	DWS VENTURES, LLC	CLAVETTE, DENIS C & KAREN L
1/31/2013	7146 580	844 186	\$0	Sale to be Reviewed	DILL, RANDALL B	DWS VENTURES, LLC
3/18/2011	6819 105	836 147A	\$117,000	REO IMP	GEORGIA HOUSING AUTHORITY	DILL RANDY B
11/2/2010	6780 74		\$135,000	DEED UNDER POWER/FORCLOSURE	SHORT NICHOLAS R	GEORGIA HOUSING AUTHORITY
4/28/2006	5689 96	835 147A	\$192,201	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC.	SHORT NICHOLAS R
11/3/2005	5513 373	835 147A	\$178,000	INVOLVES ADDTL PARCELS	JIM CROW ROAD PARTNERS LLC	MADISON CREEK BUILDERS, INC.

Valuation

	2019	2018	2017
Previous Value	\$204,500	\$182,400	\$189,700
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$201,100	\$174,500	\$152,400
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$231,100	\$204,500	\$182,400

Photos

Summary

Parcel Number	08099A000173
Location Address	5646 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 58 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.26
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	No (S0)
Landlot/District	N/A

[View Map](#)



Owner

VERONICA CHAVERS
5646 ASHMOORE COURT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	11,405	0	0	0.26	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	1621
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2006
Roof Type	Asphalt Shingle
Flooring Type	Not Itemized
Heating Type	Central Heat/AC
Number Of Rooms	7
Number Of Bedrooms	3
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	5
Value	\$175,036
Condition	Average
Fireplaces/Appliances	METAL FP 1
House Address	5646 ASHMOORE

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2006	1x1 / 1	1	\$4,796

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
3/29/2019	8243 164	836 151A	\$203,000	VALID IMPROVED PROPERTY	OFFERPAD (SPVBORROWER1), LLC	CHAVERS, VERONICA
7/6/2018	8121 740	836 151A	\$203,800	VALID IMPROVED PROPERTY	GOTTLIEB, SHARI	OFFERPAD (SPVBORROWER1), LLC
7/6/2018	8121 740	836 151A	\$203,800	VALID IMPROVED PROPERTY	GOTTLIEB, SHARI	OFFERPAD (SPVBORROWER1), LLC
2/24/2006	5612 45	835 147A	\$171,900	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC.	GOTTLIEB, SHARI
11/3/2005	5513 373	835 147A	\$178,000	INVOLVES ADDTL PARCELS	JIM CROW ROAD PARTNERS LLC	MADISON CREEK BUILDERS, INC.

Valuation

	2019	2018	2017
Previous Value	\$180,100	\$161,500	\$174,000
Land Value	\$23,968	\$25,000	\$25,000
+ Improvement Value	\$175,036	\$150,100	\$131,500
+ Accessory Value	\$4,796	\$5,000	\$5,000
= Current Value	\$203,800	\$180,100	\$161,500

Photos

Summary

Parcel Number	08099A000174
Location Address	5642 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 59 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.25
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	Yes (S1)
Landlot/District	N/A

[View Map](#)



Owner

CARLOS O MORENO
Moreno Maria C
5642 ASHMOORE COURT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	10,933	0	0	0.25	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	2172
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	6
Number Of Bedrooms	3
Number Of Full Bathrooms	3
Number Of Half Bathrooms	0
Number Of Plumbing Extras	9
Value	\$205,400
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2005	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
4/29/2009	6539 655	836 151A	\$0	RELATED IND. OR CORP.	MORENO, CARLOS O	MORENO CARLOS O & Maria C
10/28/2005	5532 538	835 147A	\$186,250	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC	MORENO, CARLOS O
6/23/2005	5375 111	835 147A	\$222,500		JIM CROW ROAD PARTNERS LLC	MADISON CREEK BUILDERS, INC

Valuation

	2019	2018	2017
Previous Value	\$209,100	\$188,800	\$196,400
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$205,400	\$179,100	\$158,800
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$235,400	\$209,100	\$188,800

Photos

Summary

Parcel Number	08099A000175
Location Address	5638 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 60 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.23
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	Yes (L3)
Landlot/District	N/A
View Map	



Owner

WILLIAM A PARKER
PARKER DIANNE T
5638 ASHMORE CT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	10,201	0	0	0.23	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	1571
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	6
Number Of Bedrooms	3
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	5
Value	\$176,900
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2005	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
7/15/2016	7738 365	835 147A	\$180,500	VALID IMPROVED PROPERTY	MARTIN, JR. JOHN E	PARKER, WILLIAM A & DIANNE
9/27/2005	5477 658	835 147A	\$167,125	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC	MARTIN, JR. JOHN E
6/23/2005	5375 111	835 147A	\$222,500		JIM CROW ROAD PARTNERS LLC	MADISON CREEK BUILDERS, INC

Valuation

	2019	2018	2017
Previous Value	\$175,500	\$156,700	\$168,800
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$176,900	\$145,500	\$126,700
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$206,900	\$175,500	\$156,700

Photos

 qPublic.net™ Hall County, GA

Summary

Parcel Number	08099A000176
Location Address	5634 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 61 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.2
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	No (S0)
Landlot/District	N/A

[View Map](#)



Owner

LORAIN HILLARD
PO BOX 1027
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	8,691	0	0	0.2	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	2172
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	6
Number Of Bedrooms	3
Number Of Full Bathrooms	3
Number Of Half Bathrooms	0
Number Of Plumbing Extras	9
Value	\$205,400
Condition	Average
Fireplaces/Appliances	METAL FP 1
House Address	5634 ASHMOORE

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2005	1x1 / 1	1	\$5,000

Permits

Permit Date	Permit Number	Type	Description
02/19/2008	2008-00007	SINGLE FAMILY	

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
7/11/2019	8296 707	835 147A	\$249,700	VALID IMPROVED PROPERTY	YECKLEY DARRYL B	HILLARD, LORAIN
9/8/2005	5477 638	835 147A	\$179,883	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC	YECKLEY DARRYL B
5/26/2005	5353 472	836 151A	\$89,000		JIM CROW ROAD PARTNERS LLC	MADISON CREEK BUILDERS, INC

Valuation

	2019	2018	2017
Previous Value	\$209,100	\$188,800	\$196,400
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$205,400	\$179,100	\$158,800
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$235,400	\$209,100	\$188,800

Photos

Summary

Parcel Number	08099A000177
Location Address	5630 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 62 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.22
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	Yes (\$1)
Landlot/District	N/A

[View Map](#)



Owner

ARLENEM COSTELLO
COSTELLO, DENNIS G
5630 ASHMOORE COURT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	9,714	0	0	0.22	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	1783
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2010
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	0
Number Of Bedrooms	0
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	3
Value	\$196,700
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2010	0x0 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
4/16/2015	7509 383	835 147A	\$185,000	VALID IMPROVED PROPERTY	HYSLOP NATALIE L	COSTELLO, ARLENE M & DENNIS G
4/13/2015	7509 382	835 147A	\$0	DEED OF GIFT/NO SALE PRICE	HYSLOP, ROBERT	HYSLOP, NATALIE L
7/23/2010	6727 75	835 147A	\$157,500	VALID IMPROVED PROPERTY	STARK LAND AND DEVELOPMENT,LLC	HYSLOP NATALIE L & ROBERT
1/15/2010	6676 244	835 147A	\$29,000	VALID VACANT PROPERTY	PATTERSON, SHELBY JEAN	STARK LAND AND DEVELOPMENT,LLC
7/5/2008	6384 603	836 151A	\$0	RELATED IND. OR CORP.	SHELBY JEAN PATTERSON AS EXC EST LARRY C	PATTERSON, SHELBY JEAN
11/4/2005	5513 353	835 147A	\$171,900	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC	CLEVELAND LARRY
5/26/2005	5353 472	835 147A	\$89,000		JIM CROW ROAD PARTNERS LLC	MADISON CREEK BUILDERS, INC.

Valuation

	2019	2018	2017
Previous Value	\$194,400	\$173,000	\$185,000
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$196,700	\$164,400	\$143,000
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$226,700	\$194,400	\$173,000

Photos

Summary

Parcel Number	08099A000178
Location Address	5626 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 63 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.21
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	No (\$0)
Landlot/District	N/A

[View Map](#)



Owner

ANTHONY WAYNE MOODY
5626 ASHMOORE CT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	9,313	0	0	0.21	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	2172
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2009
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	0
Number Of Bedrooms	3
Number Of Full Bathrooms	3
Number Of Half Bathrooms	0
Number Of Plumbing Extras	6
Value	\$210,900
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2009	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
6/30/2018	8138 489	835 147A	\$0	DEED OF GIFT/NO SALE PRICE	MOODY ANTHONY WAYNE	MOODY ANTHONY WAYNE
1/31/2018	8039 582	835 147A	\$254,000	VALID IMPROVED PROPERTY	CLARK ANTHONY J & JOYCE L	MOODY ANTHONY WAYNE
9/24/2009	6616 538	836 151A	\$205,000	VALID IMPROVED PROPERTY	HANSEN, THORVOLD	CLARK ANTHONY J & JOYCE L
8/4/2008	6400 15	836 151A	\$32,500	VALID VACANT PROPERTY	PAPE, JUSTIN H. & PIERCE, TARA N.	HANSEN, THORVOLD

Valuation

	2019	2018	2017
Previous Value	\$213,500	\$191,900	\$199,600
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$210,900	\$183,500	\$161,900
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$240,900	\$213,500	\$191,900

Photos

Summary

Parcel Number	08099A000179
Location Address	5622 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 64 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.23
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	Yes (54)
Landlot/District	N/A

[View Map](#)



Owner

DEBRA F BROWN
5622 ASHMOORE CT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	9,991	0	0	0.23	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	2205
Interior Walls	Sheetrock
Exterior Walls	Cement Fiber/Brick/Stone
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Architectural (310)
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	5
Number Of Bedrooms	3
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	4
Value	\$200,000
Condition	Average
House Address	5622 ASHMOORE

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2005	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
10/19/2016	7790 41	835 147A	\$188,000	RELATED IND. OR CORP.	BROWN, ROBIN S	BROWN, DEBRA F
3/3/2006	5624 520	835 147A	\$181,900	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC	BROWN, ROBIN S
5/11/2005	5317 420	835 147A	\$267,000	ADJOINING PROPERTY	JIM CROW ROAD PARTNERS, LLC	MADISON CREEK BUILDERS, INC

Valuation

	2019	2018	2017
Previous Value	\$203,700	\$182,800	\$197,300
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$200,000	\$173,700	\$152,800
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$230,000	\$203,700	\$182,800

Photos

Summary

Parcel Number	08099A000180
Location Address	5618 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 65 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.23
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	Yes (L3)
Landlot/District	N/A

[View Map](#)



Owner

BIRNA O FAWCETT
5618 ASHMOORE COURT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	9,830	0	0	0.23	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	1994
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	5
Number Of Bedrooms	3
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	4
Value	\$197,100
Condition	Average
Fireplaces/Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2005	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
10/19/2018			\$0	Death Certificate	FAWCETT, PAUL R & BIRNA O	FAWCETT, BIRNA O
11/22/2005	5532 536	836 151A	\$184,750	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC	FAWCETT, PAUL R & BIRNA O
5/11/2005	5317 420	835 147A	\$267,000	ADJOINING PROPERTY	JIM CROW ROAD PARTNERS, LLC	MADISON CREEK BUILDERS, INC

Valuation

	2019	2018	2017
Previous Value	\$198,500	\$177,600	\$191,700
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$197,100	\$168,500	\$147,600
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$227,100	\$198,500	\$177,600

Photos

Summary

Parcel Number	08099A000181
Location Address	5614 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 66 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.22
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	Yes (L3)
Landlot/District	N/A

[View Map](#)



Owner

JUDY L PARKER
5614 ASHMORE COURT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	9,393	0	0	0.22	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	1568
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	5
Number Of Bedrooms	3
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	5
Value	\$176,200
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2005	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
9/6/2011	6891 41	836 351A	\$119,900	VALID IMPROVED PROPERTY	STALEY SHAWN M	PARKER JUDY L
12/16/2009	6651 301	836 151A	\$0	RELATED IND. OR CORP.	STALEY, SHAWN M. & AMY B.	STALEY SHAWN M
7/22/2008	6391 486	835 147A	\$0	RELATED IND. OR CORP.	RUNGER AMY	STALEY, SHAWN M. & AMY B.
8/5/2005	5404 192	835 147A	\$159,500	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC	RUNGER AMY
5/11/2005	5317 420	835 147A	\$267,000	ADJOINING PROPERTY	JIM CROW ROAD PARTNERS, LLC	MADISON CREEK BUILDERS, INC

Valuation

	2019	2018	2017
Previous Value	\$174,900	\$156,200	\$162,200
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$176,200	\$144,900	\$126,200
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$206,200	\$174,900	\$156,200

Photos

Summary

Parcel Number	08099A000182
Location Address	5610 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 67 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.26
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	Yes (51)
Landlot/District	N/A

[View Map](#)



Owner

KELI L MANLEY
MANLEY, JAMES EDWARD
5610 ASHMOORE CT.
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	11,414	0	0	0.26	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	2172
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	5
Number Of Bedrooms	3
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	2
Value	\$196,800
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2005	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
12/8/2010	6869 766	836 151A	\$0	Sale to be Reviewed	MANLEY JAMES E	MANLEY KELI L
5/19/2009	6541 23	835 147A	\$165,000	VALID IMPROVED PROPERTY	LYNCH DAVID R	MANLEY JAMES E
7/29/2005	5404 116	836 151A	\$183,975	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC	LYNCH DAVID R
5/11/2005	5317 420	835 147A	\$267,000	ADJOINING PROPERTY	JIM CROW ROAD PARTNERS, LLC	MADISON CREEK BUILDERS, INC

Valuation

	2019	2018	2017
Previous Value	\$200,800	\$180,200	\$194,600
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$196,800	\$170,800	\$150,200
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$226,800	\$200,800	\$180,200

Photos

Summary

Parcel Number	08099A000183
Location Address	5606 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 68 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.27
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	No (50)
Landlot/District	N/A

[View Map](#)



Owner

MARGARET MAHOMET
MAHOMET JOHN
5606 ASHMOORE CT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	11,777	0	0	0.27	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	2476
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	5
Number Of Bedrooms	3
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	5
Value	\$214,200
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2005	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
11/30/2016	7812 91	835 147A	\$197,400	VALID IMPROVED PROPERTY	ANGLIN RONNIE	MAHOMET, MARGARET & JOHN
11/30/2016	7812 91	835 147A	\$197,400	VALID IMPROVED PROPERTY	ANGLIN RONNIE	MAHOMET, MARGARET & JOHN
4/13/2006	5669 23	835 147A	\$185,700	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC	ANGLIN RONNIE
1/25/2005	5217 65	735 147A	\$267,000	ADJOINING PROPERTY	JIM CROW ROAD PARTNERS LLC	MADISON CREEK BUILDERS, INC

Valuation

	2019	2018	2017
Previous Value	\$219,200	\$197,400	\$213,400
Land Value	\$25,000	\$25,000	\$24,017
+ Improvement Value	\$214,200	\$189,200	\$168,577
+ Accessory Value	\$5,000	\$5,000	\$4,806
= Current Value	\$244,200	\$219,200	\$197,400

Photos



Summary

Parcel Number	08099A000184
Location Address	5602 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 69 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.29
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	Yes (LC)
Landlot/District	N/A

[View Map](#)

Owner

BRENDA D PICKETT
5602 ASHMOORE CT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	12,553	0	0	0.29	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	1568
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	5
Number Of Bedrooms	3
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	5
Value	\$176,200
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2005	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
7/29/2014	7399 92	836 151A	\$160,000	VALID IMPROVED PROPERTY	DOPP, HAZEL	PICKETT, BRENDA D
7/25/2014	7399 70		\$0	DEED OF GIFT/NO SALE PRICE	DOPP MAURICE & HAZEL	DOPP, HAZEL
8/2/2005	5404 95	835 147A	\$162,900		MADISON CREEK BUILDERS, INC	DOPP MAURICE
1/25/2005	5217 65	835 147A	\$267,000	ADJOINING PROPERTY	JIM CROW ROAD PARTNERS LLC	MADISON CREEK BUILDERS, INC

Valuation

	2019	2018	2017
Previous Value	\$174,900	\$156,200	\$162,200
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$176,200	\$144,900	\$126,200
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$206,200	\$174,900	\$156,200

Sketches

Summary

Parcel Number	08099A000185
Location Address	5598 ASHMOORE CT
Legal Description	MADISON CREEK S/D LOT 70 (Note: Not to be used on legal documents)
Class	R3-Residential (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	0.34
Neighborhood	08022 Madison Creek (08022)
Homestead Exemption	Yes (L3)
Landlot/District	N/A

[View Map](#)



Owner

REUBEN GEGENHEIMER
GEGENHEIMER JOVONNA
5598 ASHMOORE CT
FLOWERY BRANCH, GA 30542

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Residential	08022 Madison Creek	Lot	14,830	0	0	0.34	1

Residential Improvement Information

Style	1 Family (Single Family)
Heated Square Feet	1831
Interior Walls	Sheetrock
Exterior Walls	Masonry/Siding
Foundation	Slab
Attic Square Feet	0
Basement Square Feet	0
Year Built	2005
Roof Type	Asphalt Shingle
Flooring Type	Carpet/Hardwood
Heating Type	Central Heat/AC
Number Of Rooms	5
Number Of Bedrooms	3
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	5
Value	\$186,000
Condition	Average
Fireplaces\Appliances	METAL FP 1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Homesite - Average	2005	1x1 / 1	1	\$5,000

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
7/26/2012	7041 361	836 151A	\$143,000	VALID IMPROVED PROPERTY	WILSON, BERTIE M	GEGENHEIMER REUBEN
3/17/2006	5636 285	835 147A	\$183,300	VALID IMPROVED PROPERTY	MADISON CREEK BUILDERS, INC	WILSON, BERTIE M
5/11/2005	5317 420	835 147A	\$267,000	ADJOINING PROPERTY	JIM CROW ROAD PARTNERS, LLC	MADISON CREEK BUILDERS, INC

Valuation

	2019	2018	2017
Previous Value	\$185,600	\$166,600	\$173,100
Land Value	\$25,000	\$25,000	\$25,000
+ Improvement Value	\$186,000	\$155,600	\$136,600
+ Accessory Value	\$5,000	\$5,000	\$5,000
= Current Value	\$216,000	\$185,600	\$166,600

Photos



Summary

Parcel Number	08099 000004
Location Address	MCEVER RD
Legal Description	MCEVER ROAD (Note: Not to be used on legal documents)
Class	C4-Commercial (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	HB Note: Refer to map zoning layer for official zoning.
Tax District	FLOWERY BRANCH (District 03)
Millage Rate	31.952
Acres	15
Neighborhood	Commercial - General (40000)
Homestead Exemption	No (\$0)
Landlot/District	99 / 8

[View Map](#)

Owner

JANE WOOD R/A BANKS
ET AL
C/O REGIONS BANK TRUST DEPT
P O BOX 937
GAINESVILLE, GA 30503

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	Comm-Flowery Branch-McEver	Square Feet	653,400	0	0	15	1

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
	1420 299-		\$0			

Valuation

	2019	2018	2017
Previous Value	\$750,000	\$750,000	\$750,000
Land Value	\$1,238,700	\$750,000	\$750,000
+ Improvement Value	\$0	\$0	\$0
+ Accessory Value	\$0	\$0	\$0
= Current Value	\$1,238,700	\$750,000	\$750,000

No data available for the following modules: Rural Land, Conservation Use Rural Land, Residential Improvement Information, Commercial Improvement Information, Mobile Homes, Accessory Information, Prebill Mobile Homes, Permits, Photos, Sketches.

NOTICE TO PROPERTY OWNERS AND OCCUPANTS In accordance with Georgia law (OCGA 48-5-264.1) please be advised that the properties located in Hall County may be visited by our appraisal staff concerning an appeal filed, return filed, construction of new improvements or additions and for conservation use applications or during the course of the normal property appraisal process. The Appraiser/Data Collector will have a photo identification badge and will be driving an appropriately marked vehicle. If
User Privacy Policy
GDPR Privacy Notice

Last Data Upload: 12/12/2019, 12:59:09 AM

Version 2.3.27





Development Planning & Engineering, Inc.

Elevations Jim Crow Road Partners PUD







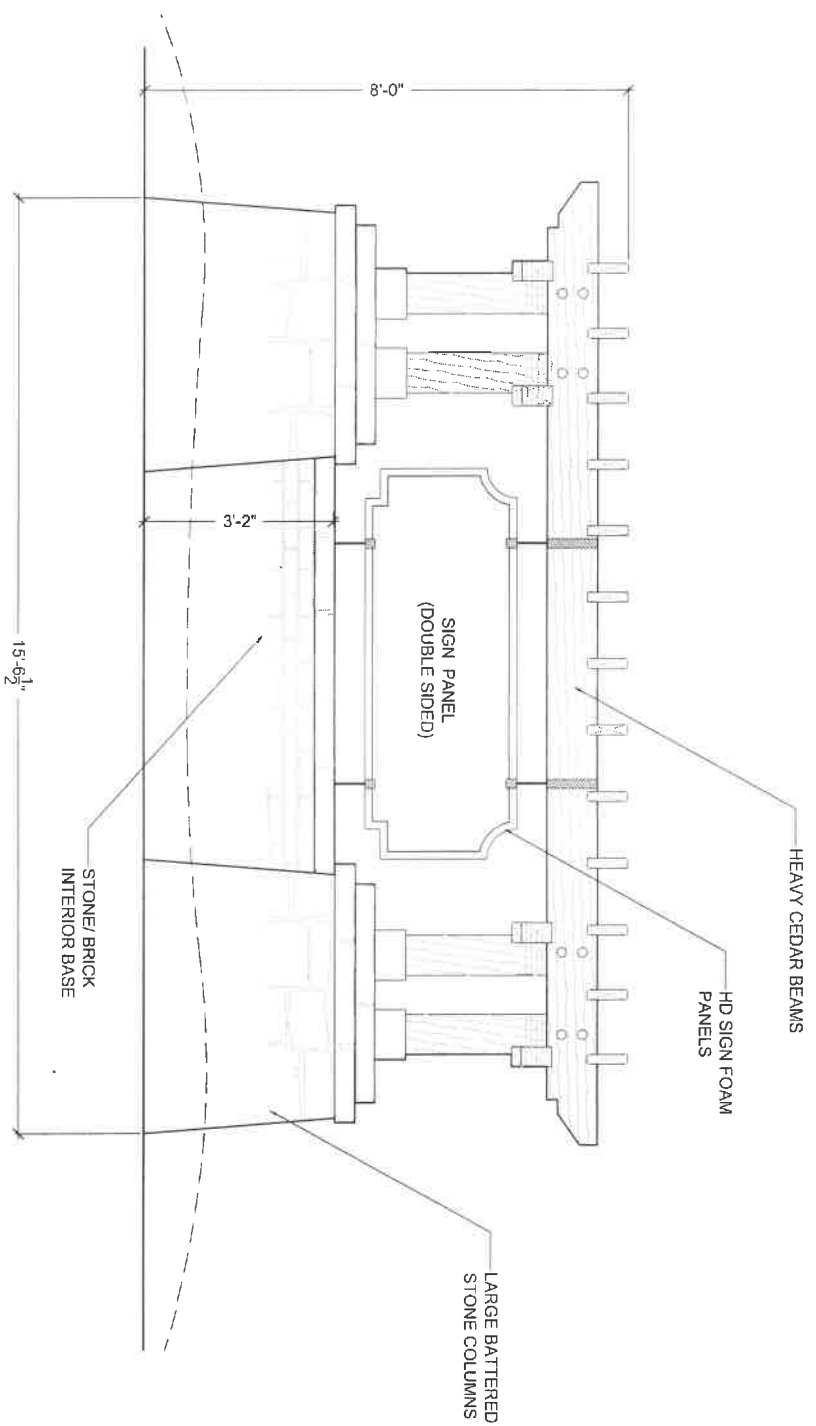
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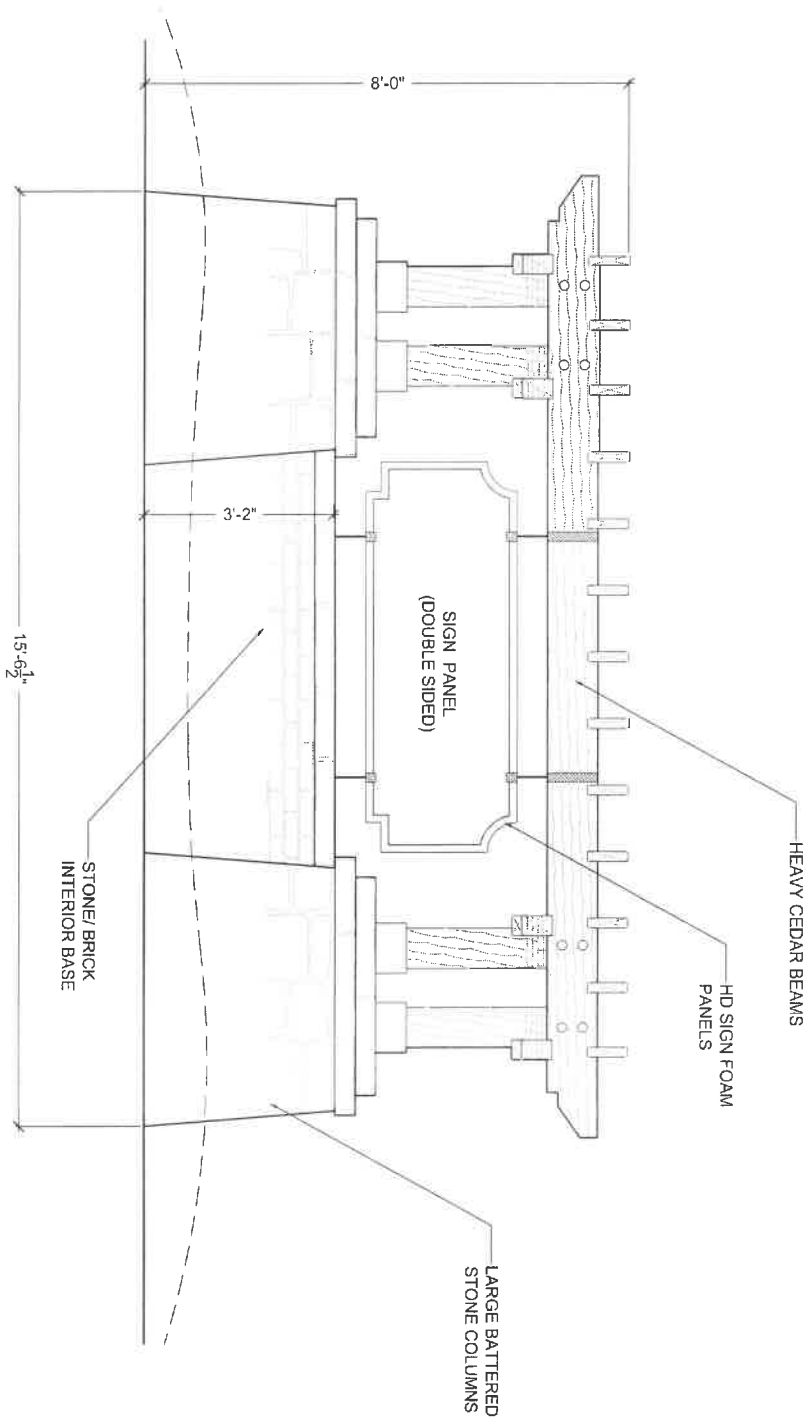


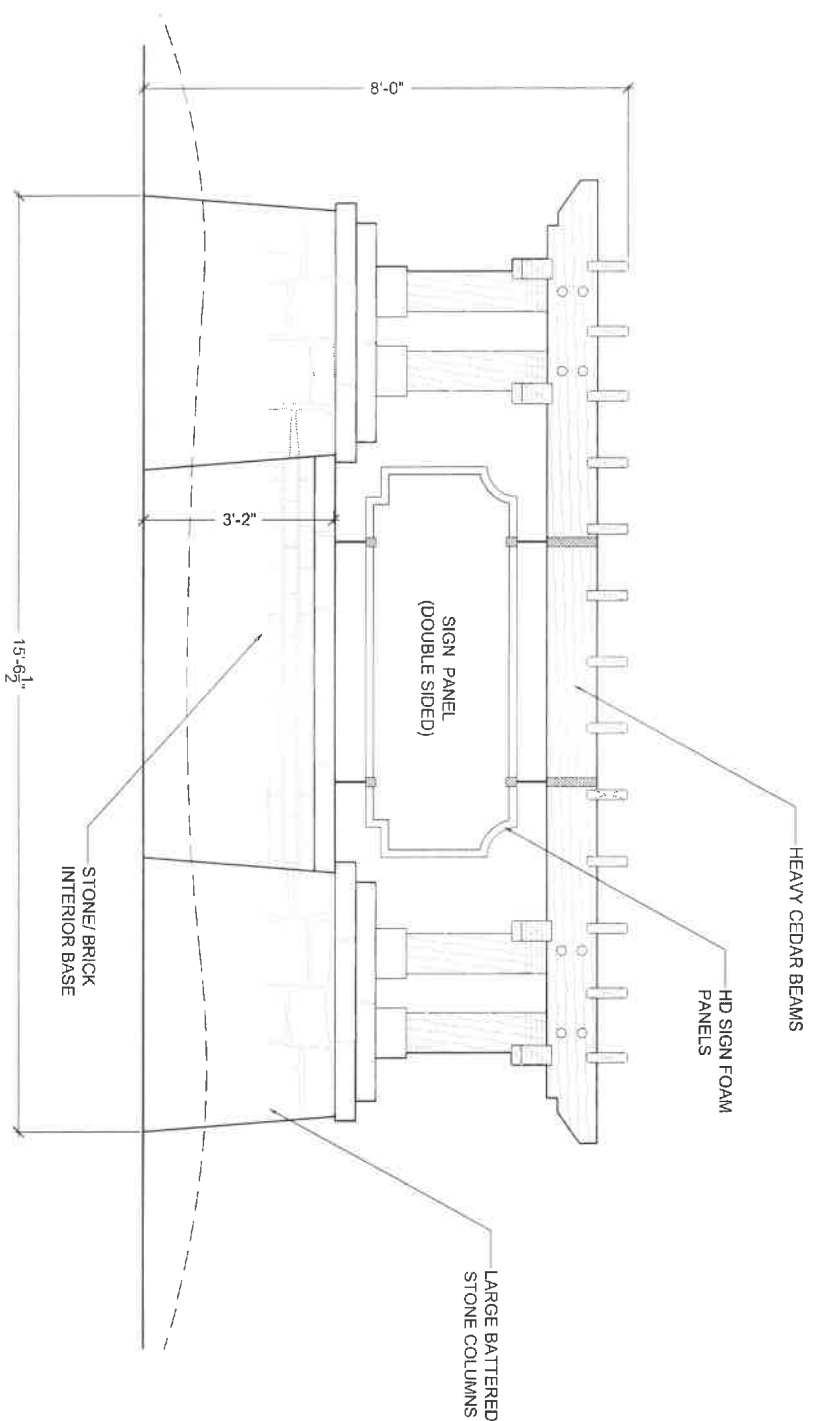


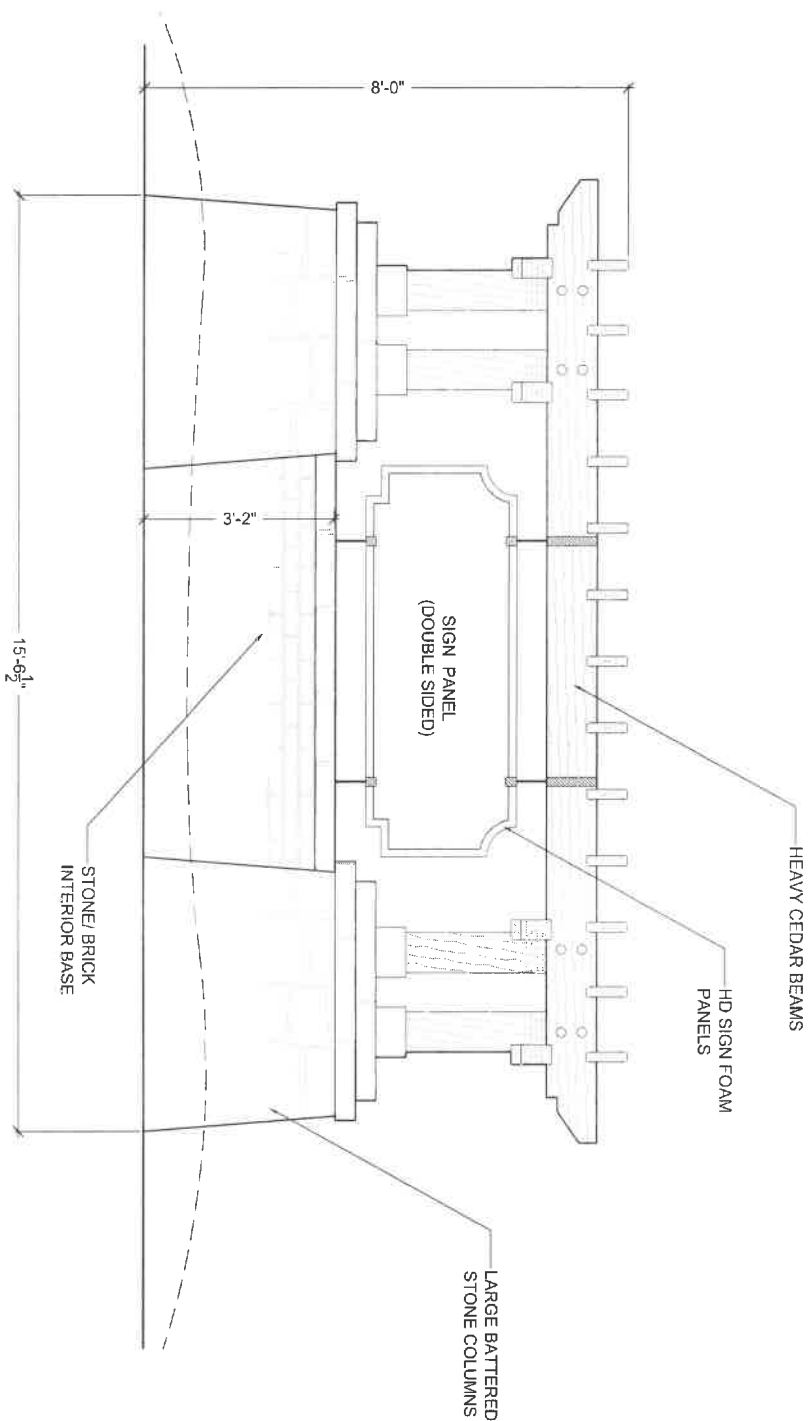
Development Planning & Engineering, Inc.

Monument Sign Details Jim Crow Road Partners PUD











Development Planning & Engineering, Inc.

Color Rendering of Site Plan Jim Crow Road Partners PUD

SITE SUMMARY

GROSS SITE AREA:	1.15.83 ACRES
CURRENT ZONING:	M1
PROPOSED ZONING:	PUD
PROPOSED TOWNHOUSE UNITS:	82
GROSS UNIT DENSITY FOR PROPERTY:	52.9 UNITS/ACRE



A PROPOSED ENTRANCE MONUMENT - SITE PERSPECTIVE
NOT TO SCALE

PARK BRIDGE SUBDIVISION

FLOWERY BRANCH, GEORGIA

12/11/2019

1.0.4.3

SITE PLAN
CONCEPT

SHEET 1 OF 1

MB REGIONAL ENTERPRISES, LLC
5972 BARNHART INDUSTRIAL WAY, SUITE A
BIRMINGHAM, AL 35218

PREPARED BY:



SITE SUMMARY

GROSSNET ACREAGE:	1.1583 ACRES
CURRENT ZONING:	M1
PROPOSED ZONING:	PUD
PROPOSED TOWNHOUSE UNITS:	83
GROSSNET DENSITY FOR PROPERTY:	532 UNITS/ACRE



A PROPOSED ENTRANCE MONUMENT - SITE PERSPECTIVE
NOT TO SCALE

PARK BRIDGE SUBDIVISION
FLOWERY BRANCH, GEORGIA

12/11/2019

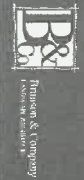
19.043

SITE PLAN
CONCEPT

SHEET 1 OF 1

MR REGIONAL ENTERPRISES, LLC
5972 HERSHIE INDUSTRIAL WAY SUITE A
PERMADORE, GA 30083

PERMADORE



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SITE SUMMARY

GROSSNET ACREAGE	1.1583 ACRES
CURRENT ZONING	M1
PROPOSED ZONING	R4D
PROPOSED TOWNHOUSE UNITS	88
GROSSNET DENSITY FOR PROPERTY	326 UNITS/ACRE



A PROPOSED ENTRANCE MONUMENT - SITE PERSPECTIVE
NOT TO SCALE

PARK BRIDGE SUBDIVISION

FLOWERY BRANCH, GEORGIA

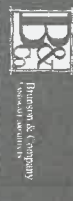
12/11/2019

19 013

SITE PLAN CONCEPT

SHEET 1 OF 1

MB REGIONAL ENTERPRISES, LLC
8020 BERTHOLOMISTOWN WAY, SUITE A
BIRMINGHAM, AL 35218
PREPARED FOR:



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SITE SUMMARY

GROSSNET ACREAGE:	4.15 SQ. ACRES
CURRENT ZONING:	M1
PROPOSED ZONING:	R1D
PROPOSED TOWNHOUSE UNITS:	80
GROSSNET DENSITY FOR PROPERTY:	5.55 UNITS/ACRE



A PROPOSED ENTRANCE MONUMENT - SITE PERSPECTIVE
NOT TO SCALE

PARK BRIDGE SUBDIVISION
FLOWERY BRANCH, GEORGIA
12/11/2019

SITE PLAN
CONCEPT
SHEET 1 OF 1

MB REGIONAL ENTERPRISES, LLC
5073 BURNS INDUSTRIAL WAY, SUITE A
BREVARD, FL 32915
PREPARED FOR



NOT A CONTRACT. SUBJECT TO ALL OTHERS. THIS DRAWING IS A PRELIMINARY CONCEPT AND NOT TO BE USED FOR CONSTRUCTION.



Development Planning & Engineering, Inc.

Reduced Site Plan Jim Crow Road Partners Tract

PREPARED FOR:

PROJECT NAME:

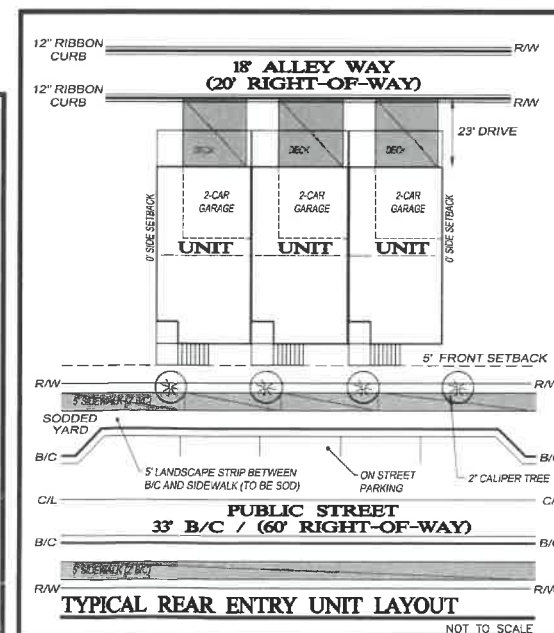
TASK:

PROJECT INFORMATION:

No.	REVISION	DATE
1		
2		
3		
4		
5		
6		
7		
8		

[illegible]

1. TOTAL PROPERTY ACREAGE = ± 17.423 AC.
2. TOTAL NUMBER OF UNITS = 93
3. CURRENT ZONING = M1
4. PROPOSED REZONING PARCEL : 08099 000011
5. PROPOSED ZONING: PUD PROPOSED USE: SINGLE-FAMILY ATTACHED RESIDENTIAL
6. GROSS/NET DENSITY FOR PROPERTY = 5.34 UNITS/AC.
OPEN SPACE PROVIDED = ± 8.8 AC. (OPEN SPACE PROVIDED INCLUDING STORM
WATER MANAGEMENT FACILITY & EASEMENTS)
7. PROPOSED FRONT & REAR ENTRY SETBACKS: (SEE TYPICAL LOT DETAILS)
8. ALL LOTS TO BE SERVED BY SANITARY SEWER.
9. WATER SERVICE PROVIDED BY THE CITY OF FLOWERY BRANCH. SEWER SERVICE
PROVIDED BY THE CITY OF GAINESVILLE.
10. A 50' FOOT UNDISTURBED VEGETATIVE BUFFER ADJACENT TO ALL RUNNING STREAMS
AND CREEKS WILL BE LEFT AND MAINTAINED.
11. A PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN A FLOOD HAZARD AREA
AS PER HALL COUNTY F.I.R.M. COMMUNITY PANEL NO. 13139C0283F, DATED APRIL 4,
2019.
12. BOUNDARY INFORMATION FROM DEED RESEARCH.
13. TOPOGRAPHIC AND UTILITY INFORMATION BASED ON HALL COUNTY GIS.
14. SITE PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON
ACTUAL FIELD CONDITIONS.



VICINITY MAP - N.T.S.

Graphic Scale: 1" = 60'

30' 0 60 120 180 240



Applicant: MB Regional Enterprises, LLC.

Property Owner: Jim Crow Road Partners, LLC.

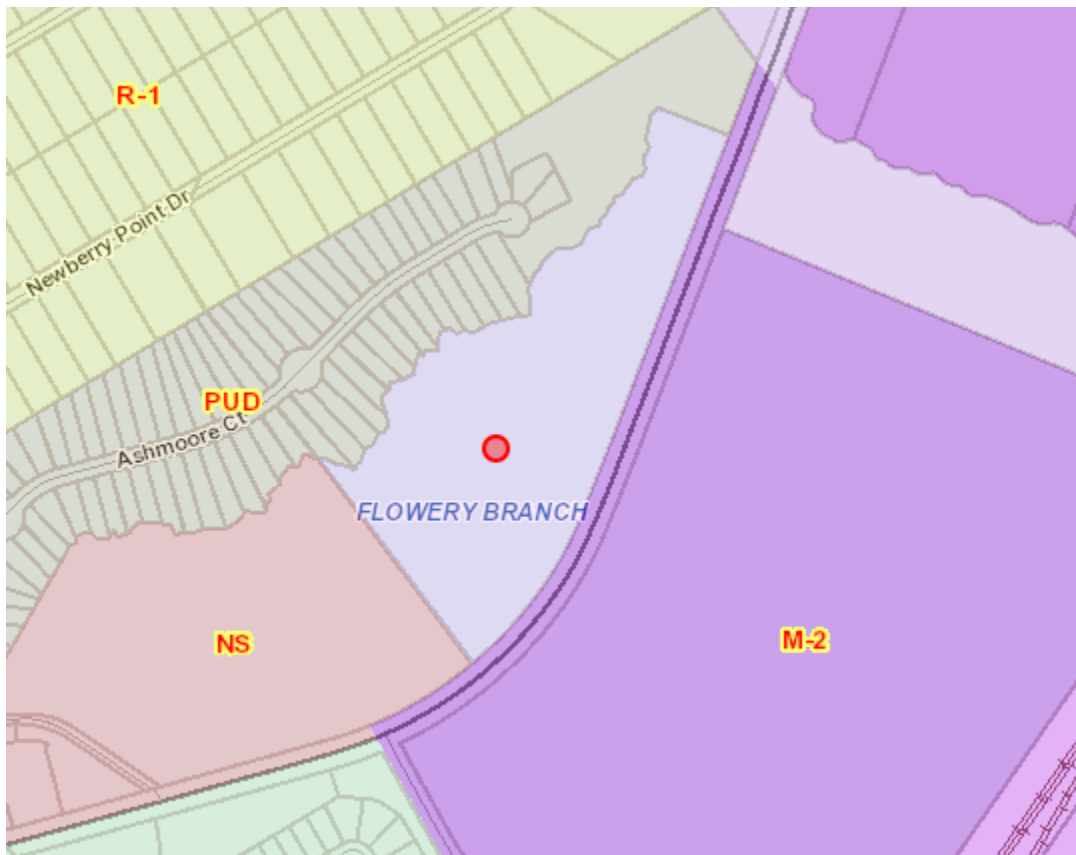
Subject Property: 0 McEver Road; 08099 000011; 17.43+/- acres

Request: Rezone from M1 (Light Industrial) to PUD (Planned Unit Development) proposal is to construct 93 single family townhomes

Current Use: Vacant

Character Area: Mixed Use

A proposed rezoning from M-1 to PUD to develop a 93 single family townhome subdivision on McEver Road next to the recently approved McEver Road self-storage.





Mixed Use



VISION: Areas that will be developed with a combination of different land uses intended to create an environment where compatible land uses can be located in close proximity to each other. Diverse places with unique architecture contributing to the economic base of the city.

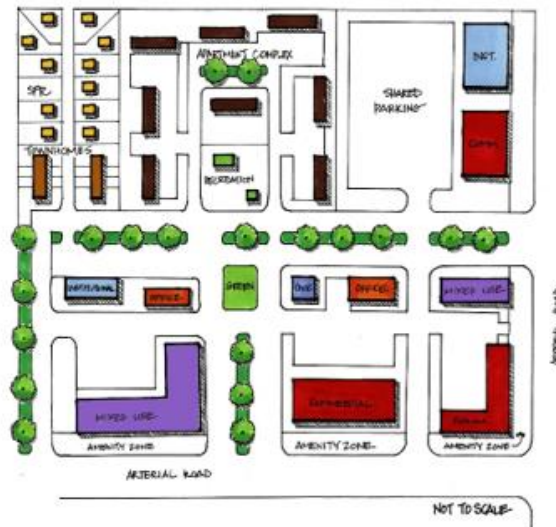
USES AND INTENSITIES: Acceptable uses include business/office parks, light industrial, smaller scale retail, neighborhood commercial and residential uses.

MAJOR FEATURES: Connectivity is important between uses and developments. Automobile traffic is frequent but pedestrian accessibility is still a necessity.

REGULATIONS: This character area will be primarily implemented with the planned unit development or commercial zoning districts. Developments will be required to complete design review and comply with all aesthetic requirements.

QUALITY COMMUNITY OBJECTIVES

IMPLEMENTED: Appropriate business, residential, and employment options, transition between more intense uses and compatibility between uses.



Jerry Weitz & Associates, Inc.
Planning & Development Consultants



Illustrative Example of Mixed Use with Focus on Commercial/Residential Design



Proposed site plan:



The proposed site design has some alley accessed lots and limits itself to one cul-de-sac allowing for an easy flow through the entire project. Sidewalks are provided throughout the development.

PUD Description and Intent

This zoning district is intended primarily to implement the “Single-family residential” designation of the future land use plan contained within the comprehensive plan of the City of Flowery Branch, in a way that meets objectives that cannot necessarily be accomplished by conventional residential zoning districts. It is also intended to implement the “suburban residential” character area established in the comprehensive plan but may also be used to implement the “traditional neighborhood development” character area.



PUD Zoning Requirements

The character, location, and appropriateness of the proposed mix of land uses and residential dwelling types; Not a mixed-use development as presented. However, with the self-storage and two commercial outparcels that were approved directly next door it could be considered a mixed-use development. The outparcel uses are unknown at this time but the applicant for McEver Self-Storage indicated a desire for office and/or restaurant.

The extent to which the proposed architectural features of buildings within the planned unit development are harmonious; N/A. As currently proposed, it is a single use (townhome) development.

Consistency with the objectives of this Article; Not consistent as submitted unless it is viewed holistically with the surrounding area.

Consistency with the comprehensive plan of the city; Again, an argument can be made that if viewed as part of the larger area it could be considered consistent with the adopted comprehensive plan.

The adequacy of open spaces and play areas and recreation facilities that are provided for the needs of the development occupants; Open space appears adequate but no amenities (playground, pool, etc.) are shown

Consistency with any design guidelines of this Article or otherwise determined to be applicable via character area designation. Consistent with the guidelines of the designated character area.

Proposed Elevations



As proposed the elevations show two car garages with windows and decorative doors. The building materials are varied and have accent materials on each townhome.



Sewer Capacity

The sewer plant expansion is on schedule but there is no guarantee that capacity will be available for this subdivision prior to its completion.

McEver Road Corridor (see corresponding powerpoint)

Staff feels the development of this corridor is imperative to the overall success of the City. As plans for the downtown progress, the City must ensure all annexation and rezoning decisions throughout the city are made with the utmost care and thoughtfulness. The McEver Road Corridor is an important part of the City as it is a well-traveled stretch with many undeveloped or underdeveloped parcels. The City has three approved subdivisions (199, 324 and 67 homes) currently under design or construction on McEver Road. Additionally, there is a 129-home subdivision on Jim Crow Road being built that feeds into McEver Road. The large influx of residential feeds the need for local services to be provided. The proposed site, if approved for residential use, would put the burden of services on other currently vacant parcels. In particular, the corner of McEver and Gainesville Street becomes almost definitively a mixed-use parcel or an N-S (Neighborhood Shopping) driven development. Staff is not opposed to the proposed project but encourages Council to look at the area as a whole and understand the need for services in this area.

Staff recommendation

This site as zoned (M-1) could add much needed commercial uses on the McEver Road Corridor. Additionally, there are M-1 uses next door (McEver Road Self-Storage) and across the street (SKF). However, the applicant has stated the land lends itself more to a small residential development. There is support for this argument as it will add more residents to the area and would be served by the outparcels on the McEver Self-Storage development and the commercial component that is part of the Park Haven subdivision on Gainesville Street/McEver Road.

Staff recommends approval of the request with the following conditions:

1. Applicant shall work with the owner of McEver Self-Storage in a good faith effort to provide access to the two proposed commercial outparcels. Plan shall be submitted and approved by the CD staff.
2. Applicant shall work with the owner of McEver Self-Storage in a good faith effort to provide a similar landscape plan along McEver Road as approved as part of McEver Self-Storage rezoning case dated August 15, 2019 and modified on February 6, 2020. Plan shall be submitted and approved by the CD staff.
3. Driveway lengths on non-alley fed lots must be 23' from back of sidewalk.
4. Two car garages are required for each unit.
5. Detailed landscape plan required at time of LDP. Street landscaping and street trees must be shown.
6. Homeowners Association is required.



7. Elevations must be consistent with those submitted as part of this application dated 12/12/2019 (or as submitted and approved as part of the adopting ordinance).
8. Site shall generally adhere to the site plan submitted on 12/12/2019 (or as submitted and approved as part of the adopting ordinance).
9. Major changes as determined by staff shall require review by City Council.
10. Water and Sewer shall be provided by Flowery Branch.



McEver Road Corridor

February 6, 2020



McEver Road Corridor

- Staff feels the development of this corridor is imperative to the overall success of the City.
- As plans for the downtown progress, the City must ensure all annexation and rezoning decisions throughout the city are made with the utmost care and thoughtfulness.
- The McEver Road Corridor is an important part of the City as it is a well-traveled stretch with many undeveloped or underdeveloped parcels.



Currently

- Approximately 3.8 +/- miles of road that run through the City
- City only controls a small portion of this road
- City controls two very important intersections – McEver and Gaines Ferry Road and McEver and Gainesville Street



Projects

- City has many proposed, approved, or active projects on or close to this corridor
- Corridor should be looked at holistically
- City needs a mix of residential and commercial



Projects

- Two new proposed projects
- Both residential
- Both near corners the City controls
- Staff is in favor of one of the projects



Corner of McEver & Gaines Ferry

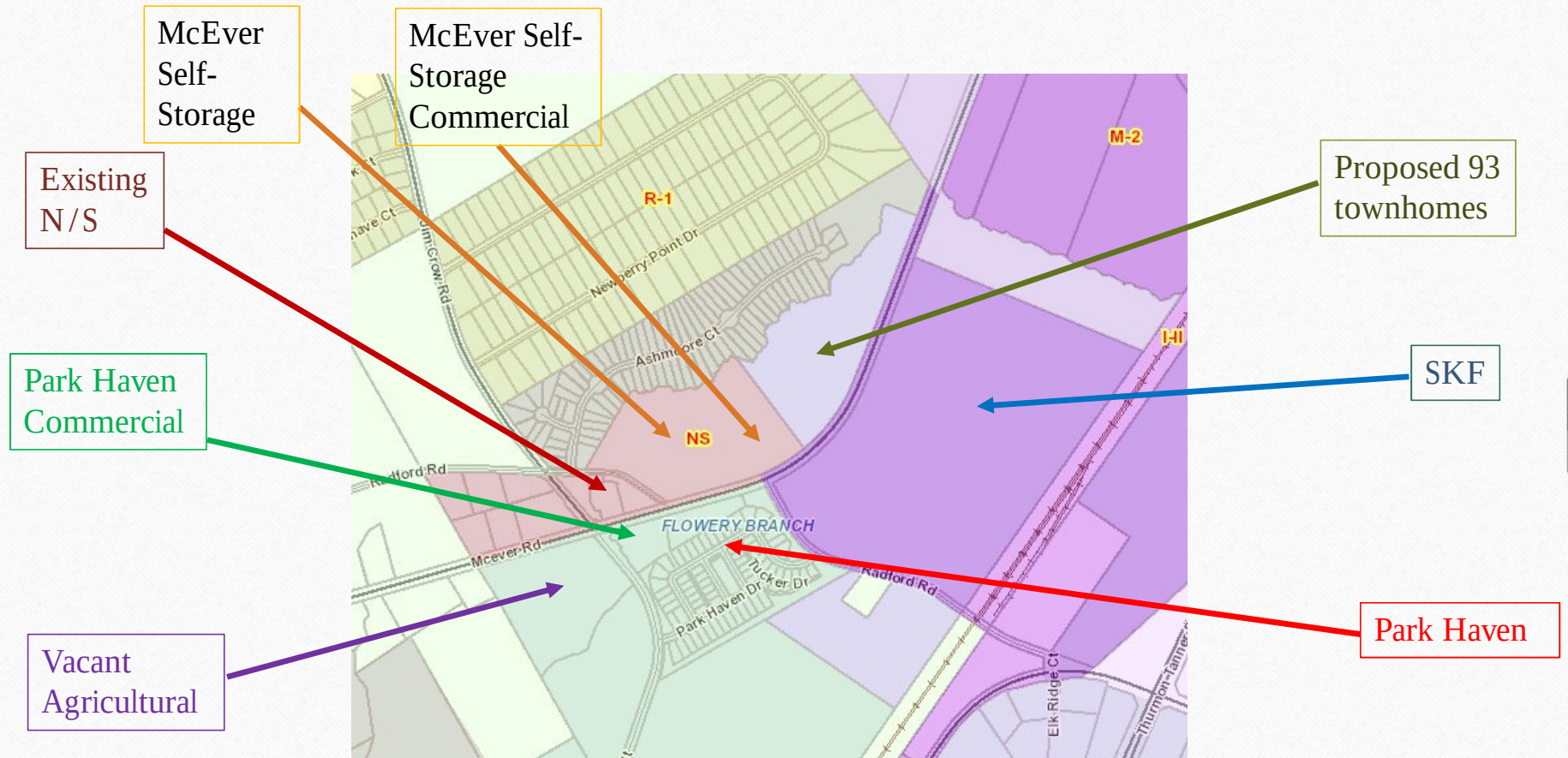
- Approved 199 homes; proposed would add an additional 102
- 2 vacant properties zoned HB
- Boat storage yard
- Bell Road – appears to be in the RR right-of-way

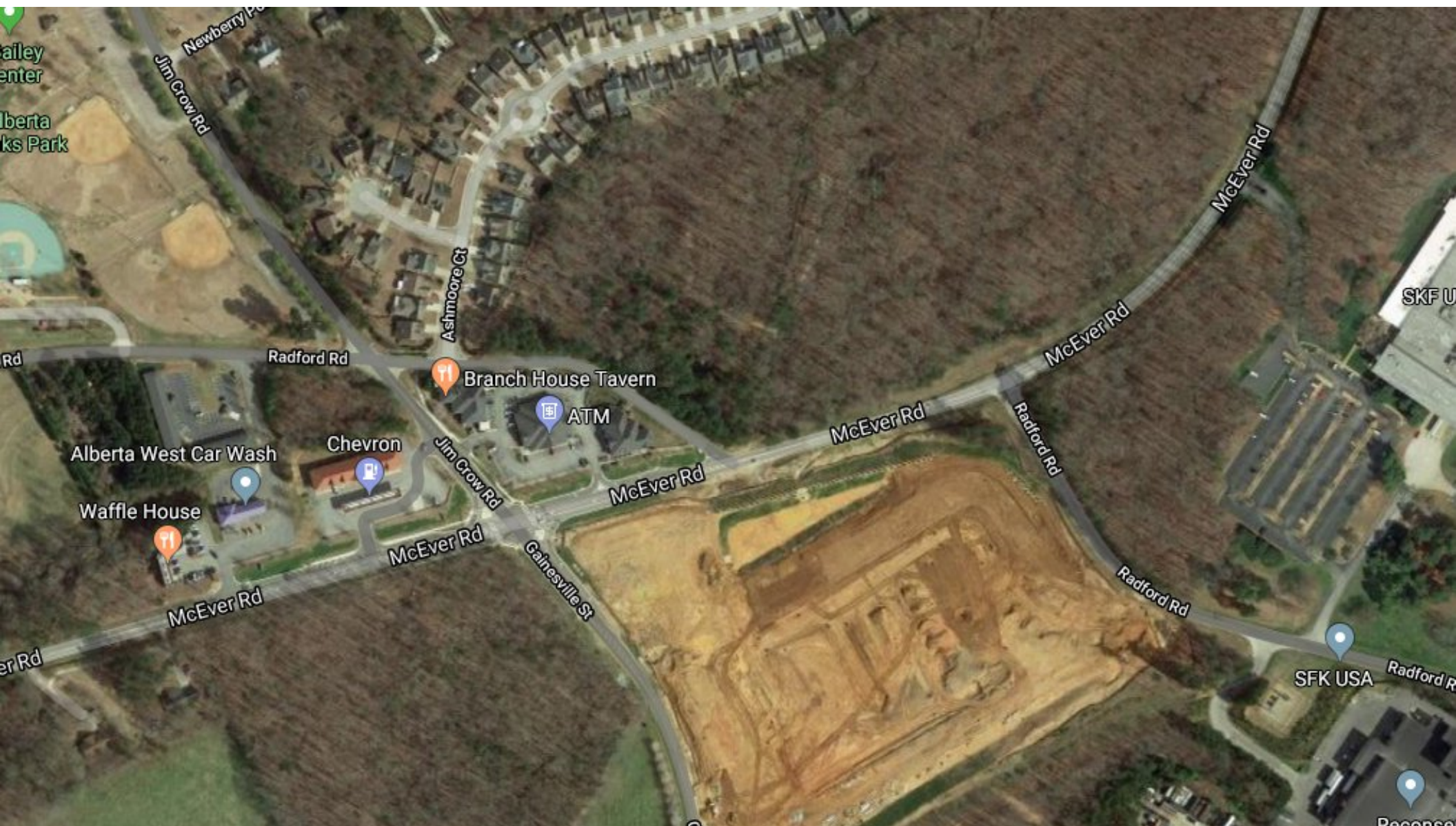




Corner of McEver & Gainesville Street

- Existing retail
- Approved self-storage project
- Approved 67 single family home subdivision with commercial outparcel
- Vacant agricultural land
- Proposed townhome development (93 Units)







Corridor Development

- Developments (if not a true mixed-use) should be cohesive with the surrounding area
- City should strive to ensure the two corners it controls are developed properly
- Comprehensive Plan should help guide the City



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider - Annexation of three (3) parcels of land totaling 44.36 +/- acres of land for 102 single family detached subdivision.

COUNCIL MEETING DATE: March 5, 2020

HISTORY:

The proposed annexation is part of the McEver Corridor (please see attached powerpoint). Staff feels the development of this corridor is imperative to the overall success of the City. As plans for the downtown progress, the City must ensure all annexation and rezoning decisions throughout the city are made with the utmost care and thoughtfulness. The McEver Road Corridor is an important part of the City as it is a well-traveled stretch with many undeveloped or underdeveloped parcels. The City has three approved subdivisions (199, 324 and 67 homes) currently under design or construction on McEver Road. Additionally, there is a 129-home subdivision on Jim Crow Road being built that feeds into McEver Road. The large influx of residential feeds the need for local services to be provided. The proposed site, if approved for residential use, would have no access to any commercial uses at the present time. The northern corner of Gaines Ferry and McEver is also zoned commercial and is currently vacant. This area could have been made part of the approved 199 home PUD subdivision and turned into a true mixed-use project. It is staff's opinion that the approval of the proposed subdivision without including the commercial pieces of property to the north create another subdivision on an island. Additionally, it leaves an entire corner (one of the two the City controls) of the McEver Road Corridor vacant and zoned commercial. This would be another missed opportunity in the corridor.

FACTS AND ISSUES:

The proposed subdivision layout is adequate. The applicant has not submitted elevations at the time of this report but discussions regarding the product and materials have been positive. The major issues are the lack of meeting the requirements of the comprehensive plan and the planned unit development zoning designation. Both call for a mixed-use product. Even if the project can be looked upon as part of the larger McEver Road Corridor it can not be made to meet the intent of the PUD or the comprehensive plan. If the other parcels to the north (see the corresponding powerpoint) could be incorporated into this plan the City would have the opportunity for a cohesive mixed-use project on a very important corner in the City and the McEver Road Corridor. As presented, the corner and the corridor will be disjointed and left to be developed as individual parcels. Therefore, it is staff's recommendation to deny the annexation request.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

No vote at this time. Work session discussion only.

SAMPLE MOTION:

No vote at this time.

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Melissa McCain

ATTACHMENTS

- [Applications as submitted.pdf](#)
- [McEver Whitehorse staff report.pdf](#)
- [McEver Road Corridor.pptx](#)

**Community Development
Annexation, Rezoning, & Ordinance Schedule 2019-2020**

Complete Application Deadline	*Public Hearing	+Work Session	#Voting Session
July 12, 2019	August 1	August 1	
		September 5	
			September 19
		October 3	
			October 17
July 29, 2019	September 5	September 5	
		October 3	
			October 17
		November 7	
			November 21
August 22, 2019	October 3	October 3	
		November 7	
			November 21
		December 5	
			December 19
September 16, 2019	November 7	November 7	
		December 5	
			December 19
		January 2	
			January 16
October 21, 2019	December 5	December 5	
		January 2	
			January 16
		February 9	
			February 20
November 18, 2019	January 2	January 2	
		February 9	
			February 20
		March 5	
			March 19
December 13, 2019	February 9	February 9	
		March 5	
			March 19
		April 2	
			April 16
January 17, 2020	March 5	March 5	
		April 2	
			April 16
		May 7	
			May 21

*Public hearing begins at **6:00**
 +Work Session begins at **7:00**
 #Voting Session begins at **6:00**

Annexation Application #2/ 6533 McEever Road, Flowery Branch, GA 30542/Parcel No. 08150 002018Owner - CROW DARRYL HOLDINGS LLC/Acres - 34.56
NAMES AND ADDRESSES PF ADJOINING PROPERTY OWNERS

Parcel ID	08150 002024	Physical Address	6693 MCEVER RD, FLOWERY BRANCH GA 30542	Owner	HINTON FAMILY, LLLP	Contact Info	HINTON FAMILY, LLLP 2753 MERRITT DR. BUFORD GA 30518
Parcel ID	08150A000001	Physical Address	6604 LAKE RUN DRIVE, FLOWERY BRANCH, GA 30542	Owner	RENATA RAVIZZINI	Contact Info	RENATA RAVIZZINI 6604 LAKE RUN DRIVE FLOWERY BRANCH GA 30542
Parcel ID	08150 002009	Physical Address	6574 MCEVER ROAD , FLOWERY BRANCH GA 30542	Owner	WILLIAM SCRUGGS BERNADETTE SCRUGGS	Contact Info	WILLIAM SCRUGGS SCRUGGS BERNADETTE 6574 MCEVER ROAD FLOWERY BRANCH GA 3054
Parcel ID	08149 000010	Physical Address	6547 MCEVER ROAD, FLOWERY BRANCH GA 30542	Owner	BERNADETTE B SCRUGGS BARBARA O'CALLAGHAN	Contact Info	BERNADETTE B SCRUGGS O'CALLAGHAN BARBARA 6547 MCEVER ROAD FLOWERY BRANCH GA 30542
Parcel ID	08149 000009	Physical Address	6526 MCEVER RD, FLOWERY BRANCH GA 30542	Owner	DORIS P BAILEY	Contact Info	DORIS P BAILEY P.O. BOX 3109 CLEVELAND GA 30528
Parcel ID	08149 000101	Physical Address	6505 VISTA GLEN, FLOWERY BRANCH GA 30542	Owner	JOHN M CREVIS III	Contact Info	JOHN M CREVIS III 6505 VISTA GLEN FLOWERY BRANCH GA 30542
Parcel ID	08150 002002	Physical Address	6509 MCEVER RD, FLOWERY BRANCH GA 30542	Owner	E&S DEVELOPMENT, LLC	Contact Info	E&S DEVELOPMENT, LLC 5052 NELSON BROGDON BLVD. SUGAR HILL GA 30518

White Horse 70 LLC
4984 B U Bowman Dr
Suite 106
Buford, GA 30518

Quantum National Bank
Suwanee, GA
64-0489/0611

001210

11/25/2019

PAY TO THE ORDER OF City of Flowery Branch

\$ **500.00

Five Hundred and 00/100*****

DOLLARS

City of Flowery Branch

Flowery Branch, GA

MEMO

Rezoning Fees 6533 McEver Rd

Renew M. Twp
AUTHORIZED SIGNATURE

MP

⑈001210⑈ ⑆061104893⑆ 33644⑈

White Horse 70 LLC

City of Flowery Branch

11/25/2019

001210

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
11/25/2019	Bill	Rezoning Fees 6533 M	500.00	500.00		500.00
Check Amount						500.00

Quantum National Ba Rezoning Fees 6533 McEver Rd 500.00



ANNEXATION APPLICATION

Application #1

Date: November 21, 2019

Address of Request:

6509 McEver Rd (Parcel # 08150 002002)

Submitted to the City Clerk per The Flowery Branch Code of Ordinances;
Appendix C, "Zoning Ordinance", Article 44; Section 44.4 on

City Clerk Signature

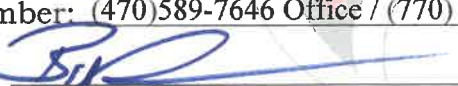
Applicant Information

Name: White Horse 70, LLC by William R. Fricks Attorney for the Applicant

Address: 4321 South Lee Street, Ste 200
Buford, GA 30518

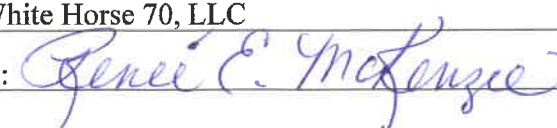
E-mail address: wfricks@williamfrickspc.com

Phone number: (470)589-7646 Office / (770) 633-2264 Cell

Signature: 

Property owner information (if different than the applicant)

Property owner (please print): White Horse 70, LLC

Signature of property owner: By: 



Property Information

Tax Map Number: 08150 002002

Current Zoning: Highway Business (H-B) Total Acres: 8.84

Is this property contiguous to the city-limits of Flowery Branch? Yes

Proposed City of Flowery Branch Zoning: PUD, Planned Unit Development

Proposed City of Flowery Branch Character Area: Highway Business (HB)

Current Use: Undeveloped Property

Per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 36; Does this property potentially require a **DRI** (Development of Regional Impact) study? DRI is not required

Voting Rights Act Information

Resident Population: _____ Housing Units: _____ Other Buildings: _____

Race Population %: White _____ Black _____ Hispanic _____ Other _____

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Zoning application
- Annexation $\geq$ 100 acres of land requires an official request to amend the character area and future land use map designation for the subject property
- Names and addresses of adjoining property owners
- Reasons for requesting annexation
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property



Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

None

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

None

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

None

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name

Amount of Description of Gift

_____	_____
_____	_____



REZONING APPLICATION

Application #2

Date: November 21, 2019

Address of Request:

6533 McKeever Road (Parcel # 08150 00218)

Flowery Branch, GA 30542

Tax Map # 08150 002018 Current Zoning: AR-III

Is this site located within the boundaries of the historic district? NO

Currently a conforming use? _____

Any conditions of zoning, CUP's, etc.? _____

Applicant Information

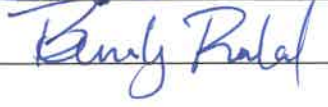
Name: White Horse 70, LLC by William R. Fricks Attorney for the Applicant

Address: 4321 South Lee Street, Suite 200, Buford GA 30518

E-mail address: wfricks@williamfrickspc.com

Phone number: (470) 589-7646

Signature: 

Notary: 

BEVERLY ROWLAND
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires
August 15, 2020



Property owner information (if different than the applicant)

Property owner (please print): White Horse 70, LLC

Signature of property owner: By: Gene E. McLenzie

Notary: Bing Raulif

BEVERLY ROWLAND
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires
August 15, 2020

Property Information

Tax Map Number: 08150 002018

Current Zoning: Agricultural Residential III (AR-III) Total Acres: 34.56

Is this property located within the city-limits of Flowery Branch? NO

Proposed City of Flowery Branch Zoning: PUD, Planned Unit Development

Current Use: Undeveloped Property

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property



- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, “Zoning Ordinance”, Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, “Zoning Ordinance”, Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, “Zoning Ordinance”, Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

NO

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

NO

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

NO



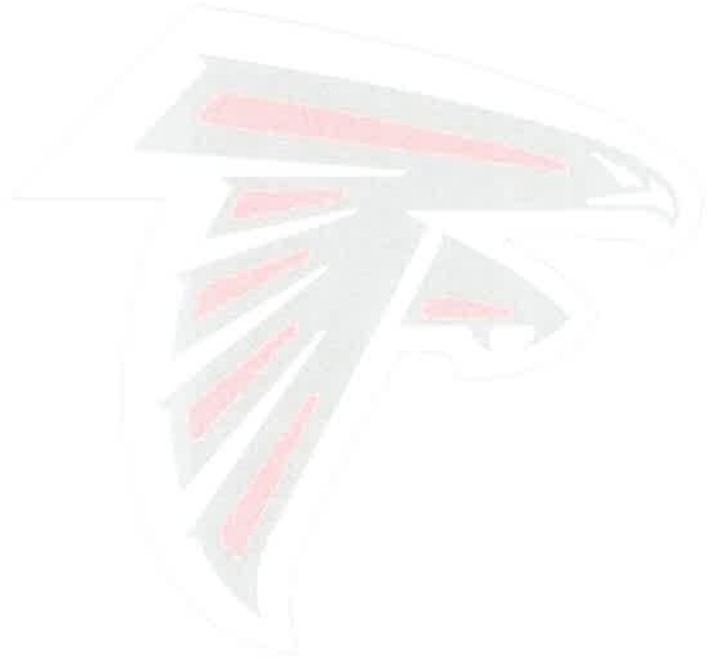
Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	
N/A	

CITY STAFF ONLY

Application Received By: _____
Date: _____ Total Fee: _____



6490 MCEVER ROAD, FLOWERY BRANCH GA 30542 (Parcel Number: 08149 000005)

All that tract or parcel of land lying and being in Land Lot 149 of the 8th District, Hall County, Georgia, containing 0.97 acre as shown on a plat of survey for Larry R. Bailey and Lex Cates by Thomas Wood, Registered Land Surveyor, dated January 6, 1987, and being more particularly described as follows:

Beginning at an iron pin on the northwestern right of way of McEver Road, said point being 918 feet southwesterly from the intersection of the right of way of McEver Road and the right of way of Gaines Ferry Road as measured along the right of way of McEver Road; thence proceeding along the northwestern right of way of McEver Road, south 57 degrees 39 minutes west a distance of 217.33 feet to an axle; thence north 42 degrees 15 minutes west a distance of 196.53 feet to an axle; thence north 52 degrees 00 minutes east a distance of 194.00 feet to an iron pin; thence south 47 degrees 37 minutes east a distance of 220.48 feet to an iron pin on the northwestern right of way of McEver Road the place or point of beginning

6509 MCEVER RD, FLOWERY BRANCH, GA 30542 (Parcel Number: 08150 002002)

All that tract or parcel of land lying and being in Land Lot 150 of the 8th Land District, Hall County, Georgia, as shown and delineated as 8.843 acres, more or less, on plat of survey for Anthony Sherman & Victor Felix Espinosa by Jarrard Surveying dated May 26, 2005, last revised September 9, 2005, and being more particularly described as follows:

Beginning at an iron pin at a point on the southeastern right of way of McEver Road (80 foot right of way), said point being South 63 degrees 25 minutes 07 seconds East, a distance of 50.84 feet, from the intersection of the centerlines of McEver Road and Vista Glen; thence running North 64 degrees 26 minutes 11 seconds East along the southeastern right of way of McEver Road, a distance of 247.50 feet, to an iron pin; thence leaving said right of way and running South 24 degrees 39 minutes 37 seconds East, a distance of 1160.82 feet, to an iron pin on the northwestern right of way of southern railroad (400 foot right of way); thence running South 41 degrees 46 minutes 15 seconds West along said right of way, a distance of 484.73 feet, to an iron pin; thence leaving said right of way and running North 24 degrees 47 minutes 04 seconds West, a distance of 477.85 feet, to an iron pin; thence

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 150 of the 8th District, Hall County, Georgia and being more particularly described as follows:

BEGINNING at a point on the southeastern right-of-way of McEver Rd (80 foot right-of-way), said point being South 69 degrees 54 minutes 36 seconds East, a distance of 50.84 feet, from the intersection of the centerlines of McEver Road and Vista Glen;

THENCE North 57 degrees 56 minutes 37 seconds East a distance of 247.50 feet to a point;
THENCE South 31 degrees 09 minutes 06 seconds East a distance of 1160.82 feet to a point;
THENCE South 35 degrees 16 minutes 46 seconds West a distance of 484.73 feet to a point;
THENCE South 35 degrees 16 minutes 46 seconds West a distance of 1044.12 feet to a point;
THENCE North 29 degrees 55 minutes 31 seconds West a distance of 1331.61 feet to a point;
THENCE North 17 degrees 11 minutes 57 seconds East a distance of 482.13 feet to a point;
THENCE along a curve to the right for an arc length of 306.37 feet, having a radius of 430.82 feet, being subtended by a chord bearing North 37 degrees 34 minutes 17 seconds East, for a distance of 299.95 feet to a point;
THENCE North 57 degrees 56 minutes 37 seconds East a distance of 485.64 feet to a point, said point being THE TRUE POINT OF BEGINNING.

The above described property contains an area 43.735 acres.

Annexation Application #1/ 6509 MCEVER RD, Flowery Branch, GA 30542/Parcel No. 08150 002002/Owner - E&S DEVELOPMENT, LLC /Acres - 8.84
NAMES AND ADDRESSES PF ADJOINING PROPERTY OWNERS

Parcel ID	08150 002002A	Physical Address	6495 MCEVER RD, FLOWERY BRANCH GA 30542	Owner	CLARA MAE MANN	Contact Info	C/O DIANE CRAWFORD 13209 JENNER LANE AUSTIN TX 787297455
Parcel ID	08149 000005	Physical Address	6490 MCEVER RD, FLOWERY BRANCH, GA 30542	Owner	ALL AWESOME PROPERTIES LL	Contact Info	ALL AWESOME PROPERTIES LLC 4411 SUWANEE DAM RD., SUITE 415
Parcel ID	08149 000116	Physical Address	6510 VISTA GLEN DRIVE, FLOWERY BRANCH GA 30542	Owner	BILLY KENNETH PATTERSON PATTERSON SHELBY JEAN	Contact Info	BILLY KENNETH PATTERSON PATTERSON SHELBY JEAN 6510 VISTA GLEN DRIVE FLOWERY BRANCH GA 30542
Parcel ID	08150 002018	Physical Address	6533 MCEVER RD, FLOWERY BRANCH GA 30542	Owner	DARRYL CROW HOLDINGS LLC	Contact Info	DARRYL CROW HOLDINGS LLC 6172 JIM CROW ROAD FLOWERY BRANCH GA 30542
Parcel ID	08149 000009	Physical Address	6526 MCEVER RD, FLOWERY BRANCH GA 30542	Owner	DORIS P BAILEY	Contact Info	DORIS P BAILEY P.O. BOX 3109 CLEVELAND GA 30528



ANNEXATION APPLICATION

Application #2

Date: November 20, 2019

Address of Request:

6533 McEver Rd (Parcel # 08150 002018)
Flowery Branch, GA 30542

Submitted to the City Clerk per The Flowery Branch Code of Ordinances;
Appendix C, "Zoning Ordinance", Article 44; Section 44.4 on

City Clerk Signature _____

Applicant Information

Name: White Horse 70, LLC by William R. Fricks Attorney for the Applicant

Address: 4321 South Lee Street, Ste 200
Buford, GA 30518

E-mail address: wfricks@williamfrickspc.com

Phone number: (470) 589-7646 Office / (770) 633-2264 Cell

Signature: _____

Property owner information (if different than the applicant)

Property owner (please print): White Horse 70, LLC

Signature of property owner: By: _____



Property Information

Tax Map Number: 08150 002018

Current Zoning: Agricultural Residential III (AR-III) Total Acres: 34.56

Is this property contiguous to the city-limits of Flowery Branch? Yes

Proposed City of Flowery Branch Zoning: PUD Planned Unit Development

Proposed City of Flowery Branch Character Area: Highway Business (HB)

Current Use: Undeveloped Property

Per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 36; Does this property potentially require a **DRI** (Development of Regional Impact) study? DRI is not required

Voting Rights Act Information

Resident Population: _____ Housing Units: _____ Other Buildings: _____

Race Population %: White _____ Black _____ Hispanic _____ Other _____

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Zoning application
- Annexation $\geq$ 100 acres of land requires an official request to amend the character area and future land use map designation for the subject property
- Names and addresses of adjoining property owners
- Reasons for requesting annexation
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property



Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

None

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

None

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

None

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name

Amount of Description of Gift

None



REZONING APPLICATION

Application #2

Date: November 21, 2019

Address of Request:

6533 McKeever Road (Parcel # 08150 00218)

Flowery Branch, GA 30542

Tax Map # 08150 002018 Current Zoning: AR-III

Is this site located within the boundaries of the historic district? NO

Currently a conforming use? _____

Any conditions of zoning, CUP's, etc.? _____

Applicant Information

Name: White Horse 70, LLC by William R. Fricks Attorney for the Applicant

Address: 4321 South Lee Street, Suite 200, Buford GA 30518

E-mail address: wfricks@williamfrickspc.com

Phone number: (470) 589-7646

Signature: 

Notary: 

BEVERLY ROWLAND
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires
August 15, 2020



Property owner information (if different than the applicant)

Property owner (please print): White Horse 70, LLC

Signature of property owner: By *Gene E. McJannet*

Notary: *Beverly Rowland*

BEVERLY ROWLAND
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires
August 18, 2020

Property Information

Tax Map Number: 08150 002018

Current Zoning: Agricultural Residential-III (AR-III) Total Acres: 34.56

Is this property located within the city-limits of Flowery Branch? NO

Proposed City of Flowery Branch Zoning: PUD, Planned Unit Development

Current Use: Undeveloped Property

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property



- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, “Zoning Ordinance”, Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, “Zoning Ordinance”, Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, “Zoning Ordinance”, Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

NO

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

NO

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

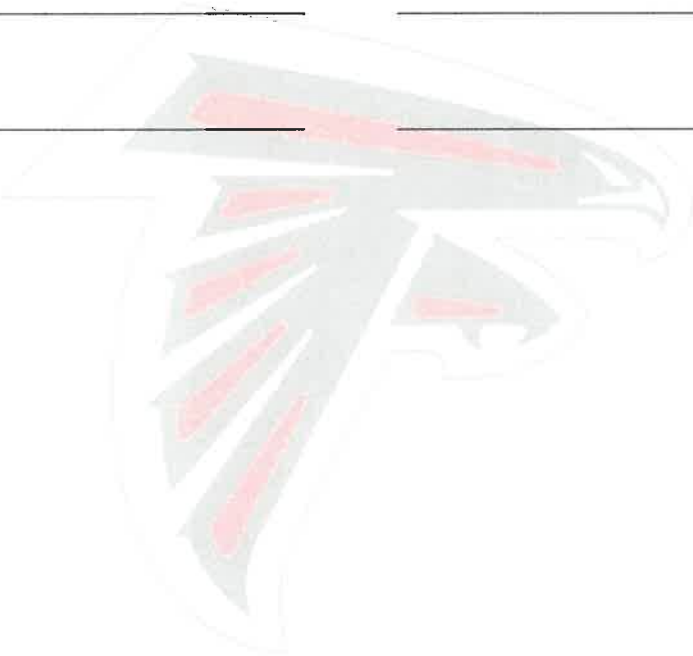
NO



Disclosure of Campaign Contributions

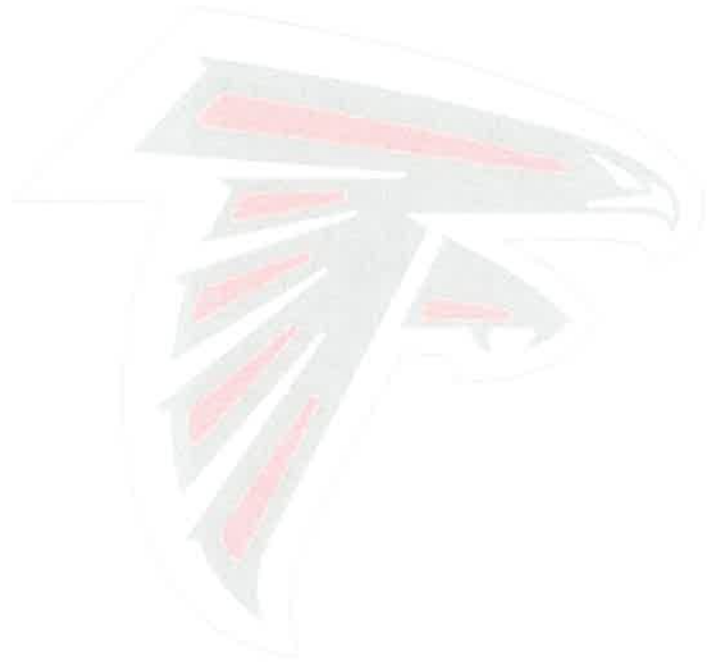
List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name	Amount of Description of Gift
N/A	
N/A	



CITY STAFF ONLY

Application Received By: _____
Date: _____ Total Fee: _____



6533 MCEVER ROAD, FLOWERY BRANCH, GA 30542 (Parcel Number: 08150 002018)

Tract One:

All that lot, tract or parcel of land lying, situate and being in Land Lot 150, 8th District, Hall County, Georgia, being all of Tracts 1, 2, 3, 4, and 5 of that property shown on a survey for "Lee Waldrip Auction Company," dated February 4, 1985, prepared by Henry Bailey, Georgia Registered Land Surveyor, recorded in Plat Book 101, page 82, Hall County, Georgia Plat Records, said plat and the record thereof being incorporated herein for a more full and complete description.

Tract Two:

All that lot, tract or parcel of land lying, situate and being in Land Lot 150, 8th District, Hall County, Georgia, being shown to contain 4.971 acres according to a survey for "Lee Waldrip Auction Co.," dated February 4, 1985, prepared by Henry Bailey, Georgia Registered Land Surveyor, recorded in Plat Book 101, page 96, Hall County, Georgia Plat Records, said plat and the record thereof being incorporated herein for a more full and complete description.

Tracts One and Two as described herein being all of that property described in a Corrective Warranty Deed from Lee Waldrip Auction Company to Harvey R. Crenshaw, Lawrence D. Crenshaw, and Robert C. Payne, dated July 11, 1985, recorded in Deed Book 897, page 13, Hall County, Georgia Deed Records.

Tract Three:

All that lot, tract or parcel of land lying, situate and being in Land Lot 150, 8th District, Hall County, Georgia, being all of that property shown on a survey for "Roy A. Scott," prepared by Jimmy Bullock, Georgia Registered Land Surveyor, dated December 1, 1988, being shown to contain 4.00 acres according to said survey and being more fully described as follows:

BEGINNING at an iron stake located on the eastern right of way of Holiday McEver Road, which iron pin is located south 55 degrees 31 minutes west 1367 feet from the nail and cap set centerline of McEver Road and Gaines Ferry Road; thence from said beginning iron pin running south 30 degrees 24 minutes east 871.21 feet to an iron pin; thence running south 69 degrees 11 minutes west 200 feet to an iron pin; thence running north 30 degrees 24 minutes west 871.21 feet to an iron pin located on the eastern right of way of Holiday McEver Road; thence running along said right of way of Holiday McEver road north 59 degrees 17 minutes east 200 feet to the beginning iron pin.

This being the same property described in a Warranty Deed from Roy Scott to Lawrence D. Crenshaw, Harvey R. Crenshaw, and Robert C. Payne dated February 16, 1990, recorded in Deed Book 1441, page 177, Hall County, Georgia Deed Records.

LEGAL DESCRIPTION

Combined legal Parcel # 08150 00218, 08150 00202

All that tract or parcel of land lying and being in Land Lot 150 of the 8th District, Hall County, Georgia and being more particularly described as follows:

BEGINNING at a point on the southeastern right-of-way of McEver Rd (80 foot right-of-way), said point being South 69 degrees 54 minutes 36 seconds East, a distance of 50.84 feet, from the intersection of the centerlines of McEver Road and Vista Glen;

- THENCE North 57 degrees 56 minutes 37 seconds East a distance of 247.50 feet to a point;
- THENCE South 31 degrees 09 minutes 06 seconds East a distance of 1160.82 feet to a point;
- THENCE South 35 degrees 16 minutes 46 seconds West a distance of 484.73 feet to a point;
- THENCE South 35 degrees 16 minutes 46 seconds West a distance of 1044.12 feet to a point;
- THENCE North 29 degrees 55 minutes 31 seconds West a distance of 1331.61 feet to a point;
- THENCE North 17 degrees 11 minutes 57 seconds East a distance of 482.13 feet to a point;
- THENCE along a curve to the right for an arc length of 306.37 feet, having a radius of 430.82 feet, being subtended by a chord bearing North 37 degrees 34 minutes 17 seconds East, for a distance of 299.95 feet to a point;
- THENCE North 57 degrees 56 minutes 37 seconds East a distance of 485.64 feet to a point, said point being THE TRUE POINT OF BEGINNING.

The above described property contains an area 43.735 acres.



ANNEXATION APPLICATION

Application #3

Date: November 21, 2019

Address of Request:

6490 McEver Rd (Parcel # 08149 000005)

Submitted to the City Clerk per The Flowery Branch Code of Ordinances;
Appendix C, "Zoning Ordinance", Article 44; Section 44.4 on

City Clerk Signature _____

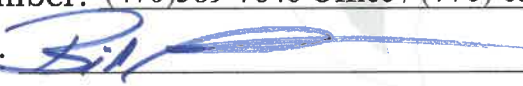
Applicant Information

Name: All Awesome Properties, LLC by William R. Fricks Attorney for the Applicant

Address: 4321 South Lee Street, Ste 200
Buford, GA 30518

E-mail address: wfricks@williamfrickspc.com

Phone number: (470)589-7646 Office / (770) 633-2264 Cell

Signature: 

Property owner information (if different than the applicant)

Property owner (please print): All Awesome Properties LLC

Signature of property owner: By: 

**Property Information**

Tax Map Number: 08149 000005

Current Zoning: Agricultural Residential III (AR-III) Total Acres: 0.96

Is this property contiguous to the city-limits of Flowery Branch? Yes

Proposed City of Flowery Branch Zoning: _____

Proposed City of Flowery Branch Character Area: Highway Business (HB)

Current Use: Undeveloped Property

Per the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 36; Does this property potentially require a **DRI** (Development of Regional Impact) study? _____

Voting Rights Act Information

Resident Population: _____ Housing Units: _____ Other Buildings: _____

Race Population %: White _____ Black _____ Hispanic _____ Other _____

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Zoning application
- Annexation $\geq$ 100 acres of land requires an official request to amend the character area and future land use map designation for the subject property
- Names and addresses of adjoining property owners
- Reasons for requesting annexation
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property



Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

None

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

None

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

None

Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Officials Name	Amount of Description of Gift



REZONING APPLICATION

Application #3

Date: November 21, 2019

Address of Request:

6490 MCEVER RD , FLOWERY BRANCH, GA 30542

Tax Map # 08149 000005 Current Zoning: AR-III

Is this site located within the boundaries of the historic district? NO

Currently a conforming use? _____

Any conditions of zoning, CUP's, etc.? _____

Applicant Information

Name: White Horse 70, LLC by William R. Fricks Attorney for the Applicant

Address: 4321 South Lee Street, Suite 200, Buford GA 30518

E-mail address: wfricks@williamfrickspc.com

Phone number: (470) 589-7646

Signature: 

Notary: 

BEVERLY ROWLAND
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires
August 15, 2020

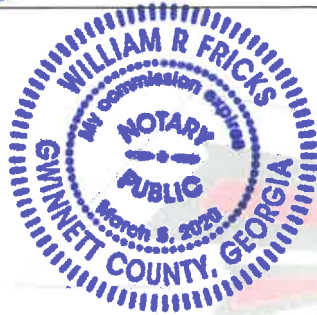


Property owner information (if different than the applicant)

Property owner (please print): All Awesome Properties LLC

Signature of property owner: By: _____

Notary: _____



Property Information

Tax Map Number: 08149 000005

Current Zoning: Agricultural Residential III (AR-III) Total Acres: 0.96

Is this property located within the city-limits of Flowery Branch? NO

Proposed City of Flowery Branch Zoning: PUD, Planned Unit Development

Current Use: Undeveloped Property: Property will be subdivided into 2 lots

Please review the Flowery Branch Code of Ordinances, Appendix C, "Zoning Ordinance", Article 34, for complete requirements.

Please provide the following at time of submittal in (one hard copy and digitally):

- Legal description
- Current survey of property



- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, “Zoning Ordinance”, Article 34 sections 34.5
- Development statistics per the Flowery Branch Code of Ordinances; Appendix C, “Zoning Ordinance”, Article 34 sections 34.6
- Analysis requirements per the Flowery Branch Code of Ordinances; Appendix C, “Zoning Ordinance”, Article 34 sections 34.7
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)
- Names and addresses of adjoining property owners
- Reasons for requesting rezoning
- Signed statement authorizing City of Flowery Branch staff and/or City Council to inspect the subject property

Conflict of Interest Disclosure

Identify all members of the City Council of the City of Flowery Branch and Employees of the City of Flowery Branch Community Development Department who

Have a property interest in the real property affected by this request

NO

Have a financial interest (direct ownership interest) of the total assets or capital stock of a business entity where such ownership interest is more than 10% in any business entity which has a property interest in the real property affected by this request

NO

Have a member of the family (spouse, mother, father, brother, sister, son or daughter) having a property financial interest as herein defined, in the real property affected by this request

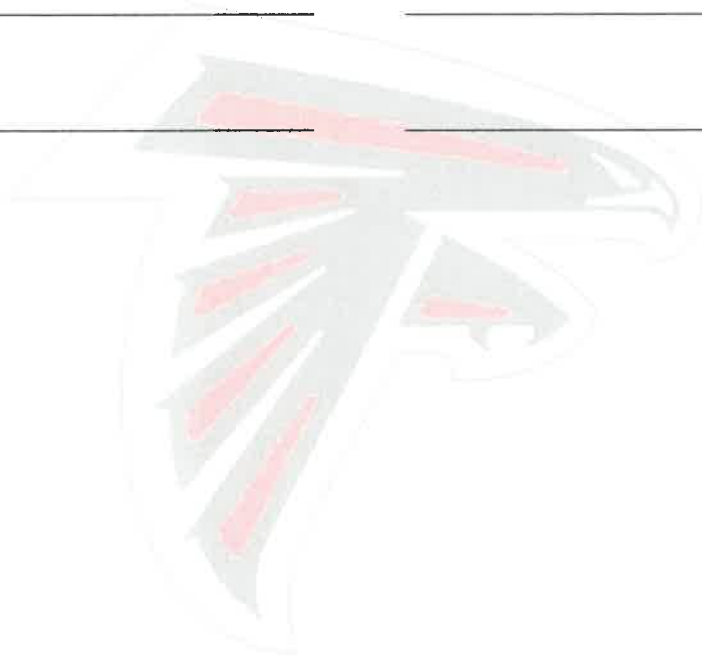
NO



Disclosure of Campaign Contributions

List below the names of local government officials of the City of Flowery Branch to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

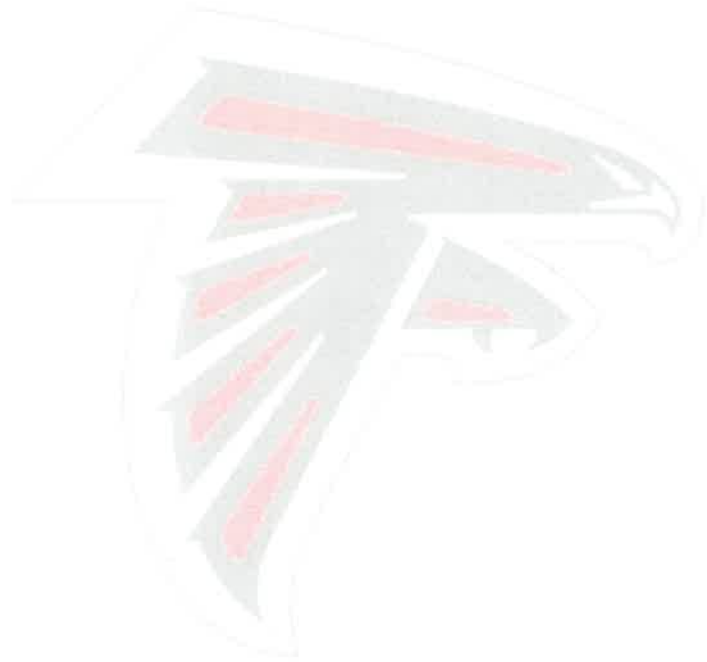
Elected Officials Name	Amount of Description of Gift
N/A	
N/A	



CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____



6490 MCEVER ROAD, FLOWERY BRANCH GA 30542 (Parcel Number: 08149 000005)

All that tract or parcel of land lying and being in Land Lot 149 of the 8th District, Hall County, Georgia, containing 0.97 acre as shown on a plat of survey for Larry R. Bailey and Lex Cates by Thomas Wood, Registered Land Surveyor, dated January 6, 1987, and being more particularly described as follows:

Beginning at an iron pin on the northwestern right of way of McEver Road, said point being 918 feet southwesterly from the intersection of the right of way of McEver Road and the right of way of Gaines Ferry Road as measured along the right of way of McEver Road; thence proceeding along the northwestern right of way of McEver Road, south 57 degrees 39 minutes west a distance of 217.33 feet to an axle; thence north 42 degrees 15 minutes west a distance of 196.53 feet to an axle; thence north 52 degrees 00 minutes east a distance of 194.00 feet to an iron pin; thence south 47 degrees 37 minutes east a distance of 220.48 feet to an iron pin on the northwestern right of way of McEver Road the place or point of beginning

6509 MCEVER RD, FLOWERY BRANCH, GA 30542 (Parcel Number: 08150 002002)

All that tract or parcel of land lying and being in Land Lot 150 of the 8th Land District, Hall County, Georgia, as shown and delineated as 8.843 acres, more or less, on plat of survey for Anthony Sherman & Victor Felix Espinosa by Jarrard Surveying dated May 26, 2005, last revised September 9, 2005, and being more particularly described as follows:

Beginning at an iron pin at a point on the southeastern right of way of McEver Road (80 foot right of way), said point being South 63 degrees 25 minutes 07 seconds East, a distance of 50.84 feet, from the intersection of the centerlines of McEver Road and Vista Glen; thence running North 64 degrees 26 minutes 11 seconds East along the southeastern right of way of McEver Road, a distance of 247.50 feet, to an iron pin; thence leaving said right of way and running South 24 degrees 39 minutes 37 seconds East, a distance of 1160.82 feet, to an iron pin on the northwestern right of way of southern railroad (400 foot right of way); thence running South 41 degrees 46 minutes 15 seconds West along said right of way, a distance of 484.73 feet, to an iron pin; thence leaving said right of way and running North 24 degrees 47 minutes 04 seconds West, a distance of 477.85 feet, to an iron pin; thence

NAMES AND ADDRESSES PF ADJONING PROPERTY OWNERS

Parcel ID	08149 000116	Physical Address	6510 VISTA GLEN DRIVE, FLOWERY BRANCH GA 30542	Owner	BILLY KENNETH PATTERSON PATTERSON SHELBY JEAN	Contact Info	BILLY KENNETH PATTERSON PATTERSON SHELBY JEAN 6510 VISTA GLEN DRIVE FLOWERY BRANCH GA 30542
Parcel ID	08140 000218	Physical Address	6482 MCEVER RD, FLOWERY BRANCH, GA 30542	Owner	SARKAR DEVELOPMENT GROUP, INC.	Contact Info	c/o HENDERSON LEGAL 1350 SPRING STREET SUITE 485 ATLANTA GA 30309
Parcel ID	08150 002002A	Physical Address	6495 MCEVER RD, FLOWERY BRANCH GA 30542	Owner	CLARA MAE MANN	Contact Info	C/O DIANE CRAWFORD 13209 JENNER LANE AUSTIN TX 787297455
Parcel ID	08150 002002	Physical Address	6509 MCEVER RD, FLOWERY BRANCH GA 30542	Owner	E&S DEVELOPMENT, LLC	Contact Info	E&S DEVELOPMENT, LLC 5052 NELSON BROGDON BLVD. SUGAR HILL GA 30518

Easement and Agreement

On this the 22 day of November 2019, White Horse 70, LLC. (White Horse) enters into an agreement with and grants an easement to All Awesome Properties, LLC. (All Awesome). White Horse is in negotiations to acquire Parcels 08150 002002 and 08150 002018, across the street from the property owned by All Awesome. In exchange for joining White Horse in applying for rezoning and annexation (at their expense) into to the City of Flowery Branch, with their Parcel 08149 000005. White Horse, if successful with getting re-zoning and annexation with a minimum of 2.3 residential units per acre, will, when re-zoned and annexed, White Horse will purchase and develop the above parcels for a residential community with sewer. White Horse will provide All Awesome with an easement to the nearest point of that development and sewer. White Horse will also pay for the cost of boring under McEver Rd. from the All Awesome property to the nearest access point of the new sewer system when development is completed.

Signed and agreed to by all parties on this the 22, day of November 2019 by All Awesome Properties, LLC. and White Horse 70, LLC. both of which are Georgia Companies.



All Awesome Properties, LLC.
By: Joe Ackerman



White Horse 70, LLC.
By: Renee E. McKenzie Manager



Applicant: White Horse 70, LLC.

Property Owner: All Awesome Properties, LLC., White Horse, LLC.

Subject Properties: 6490 McEver Road; 08149 000005; .96+/- acres

6509 McEver Road; 08150 0002002; +/- 8.84 acres

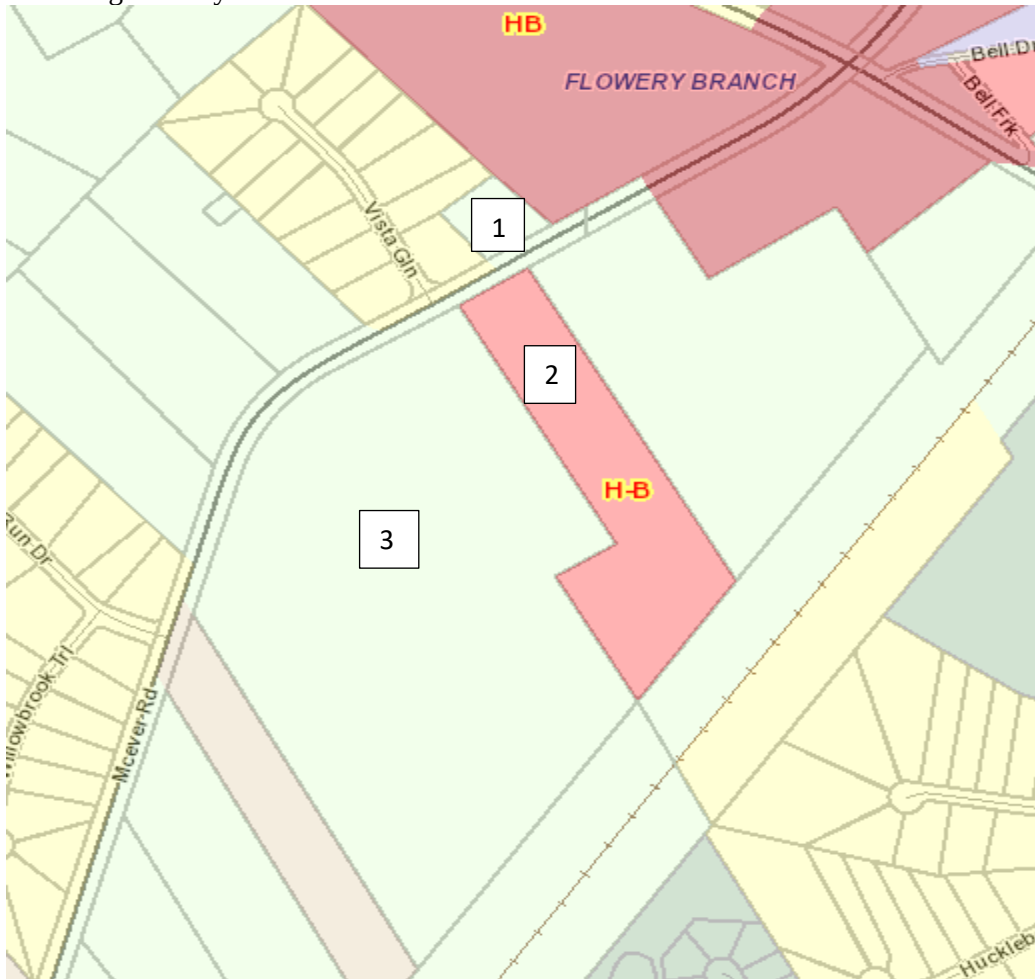
6533 McEver Road; 08150 002018; +/- 34.5

Request: Annex and rezone to PUD with the intent to build a 102 single family detached subdivision

Current Use: Vacant

Character Area: Mixed Use

A proposed annexation and rezoning from Agricultural Residential and Highway Business to PUD to develop a 102 single family detached subdivision.





Mixed Use



VISION: Areas that will be developed with a combination of different land uses intended to create an environment where compatible land uses can be located in close proximity to each other. Diverse places with unique architecture contributing to the economic base of the city.

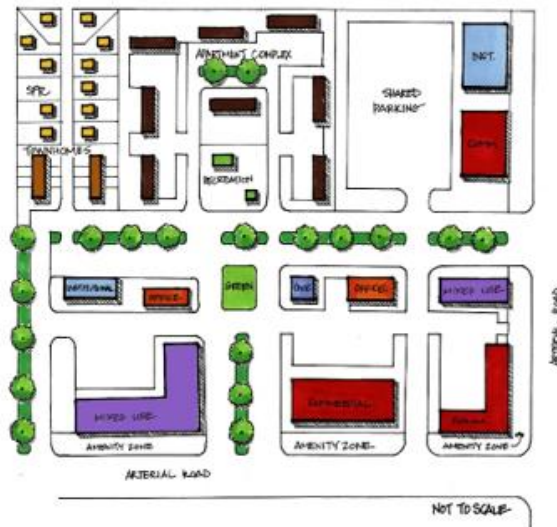
USES AND INTENSITIES: Acceptable uses include business/office parks, light industrial, smaller scale retail, neighborhood commercial and residential uses.

MAJOR FEATURES: Connectivity is important between uses and developments. Automobile traffic is frequent but pedestrian accessibility is still a necessity.

REGULATIONS: This character area will be primarily implemented with the planned unit development or commercial zoning districts. Developments will be required to complete design review and comply with all aesthetic requirements.

QUALITY COMMUNITY OBJECTIVES

IMPLEMENTED: Appropriate business, residential, and employment options, transition between more intense uses and compatibility between uses.



ILLUSTRATIVE MIXED-USE ACTIVITY CENTER

Jerry Weitz & Associates, Inc.
Planning & Development Consultants



Illustrative Example of Mixed Use with Focus on Commercial/Residential Design



Proposed site plan:

Waiting on updated digital one

The proposed site design ...

PUD Description and Intent

This zoning district is intended primarily to implement the “Single-family residential” designation of the future land use plan contained within the comprehensive plan of the City of Flowery Branch, in a way that meets objectives that cannot necessarily be accomplished by conventional residential zoning districts. It is also intended to implement the “suburban residential” character area established in the comprehensive plan but may also be used to implement the “traditional neighborhood development” character area.

PUD Zoning Requirements

The character, location, and appropriateness of the proposed mix of land uses and residential dwelling types; Not a mixed-use development as presented. It does border commercially zoned areas and is close to a proposed (but yet to be developed or permitted) project that has a commercial element.

The extent to which the proposed architectural features of buildings within the planned unit development are harmonious; N/A. As currently proposed, it is a single use (single family detached) development.

Consistency with the objectives of this Article; Not consistent as submitted. There is a potential for commercial development next to and adjacent to this proposed project and this could possibly be viewed as a mixed use if the City knew what was planned to be developed on these sites (the City does not at this time).

Consistency with the comprehensive plan of the city; Not consistent as submitted.

The adequacy of open spaces and play areas and recreation facilities that are provided for the needs of the development occupants; Open space appears adequate but no amenities (playground, pool, etc.) are shown. There appears to be very little useable open space as presented.

Consistency with any design guidelines of this Article or otherwise determined to be applicable via character area designation. Elevations not presented to City at the time of the writing of this report. Applicant will submit elevation prior to the initial vote.

Proposed Elevations

Not submitted yet



Sewer Capacity

The sewer plant expansion is on schedule but there is no guarantee that capacity will be available for this subdivision prior to its completion.

McEver Road Corridor (see corresponding powerpoint)

Staff feels the development of this corridor is imperative to the overall success of the City. As plans for the downtown progress, the City must ensure all annexation and rezoning decisions throughout the city are made with the utmost care and thoughtfulness. The McEver Road Corridor is an important part of the City as it is a well-traveled stretch with many undeveloped or underdeveloped parcels. The City has three approved subdivisions (199, 324 and 67 homes) currently under design or construction on McEver Road. Additionally, there is a 129-home subdivision on Jim Crow Road being built that feeds into McEver Road. The large influx of residential feeds the need for local services to be provided. The proposed site, if approved for residential use, would have no access to any commercial uses at the present time. The northern corner of Gaines Ferry and McEver is also zoned commercial and is currently vacant. This area could have been made part of the approved 199 home PUD subdivision and turned into a true mixed-use project. It is staff's opinion that the approval of the proposed subdivision without including the commercial pieces of property to the north create another subdivision on an island. Additionally, it leaves an entire corner (one of the two the City controls) of the McEver Road Corridor vacant and zoned commercial. This would be another missed opportunity in the corridor.

Staff recommendation

The proposed subdivision layout is adequate. The applicant has not submitted elevations at the time of this report but discussions regarding the product and materials have been positive. The major issues are the lack of meeting the requirements of the comprehensive plan and the planned unit development zoning designation. Both call for a mixed-use product. Even if the project can be looked upon as part of a the larger McEver Road Corridor it can not be made to meet the intent of the PUD or the comprehensive plan. If the other parcels to the north (see the corresponding powerpoint) could be incorporated into this plan the City would have the opportunity for a cohesive mixed-use project on a very important corner in the City and the McEver Road Corridor. As presented, the corner and the corridor will be disjointed and left to be developed as individual parcels. Therefore, it is staff's recommendation to deny the annexation request.



McEver Road Corridor

February 6, 2020



McEver Road Corridor

- Staff feels the development of this corridor is imperative to the overall success of the City.
- As plans for the downtown progress, the City must ensure all annexation and rezoning decisions throughout the city are made with the utmost care and thoughtfulness.
- The McEver Road Corridor is an important part of the City as it is a well-traveled stretch with many undeveloped or underdeveloped parcels.



Currently

- Approximately 3.8 +/- miles of road that run through the City
- City only controls a small portion of this road
- City controls two very important intersections – McEver and Gaines Ferry Road and McEver and Gainesville Street



Projects

- City has many proposed, approved, or active projects on or close to this corridor
- Corridor should be looked at holistically
- City needs a mix of residential and commercial



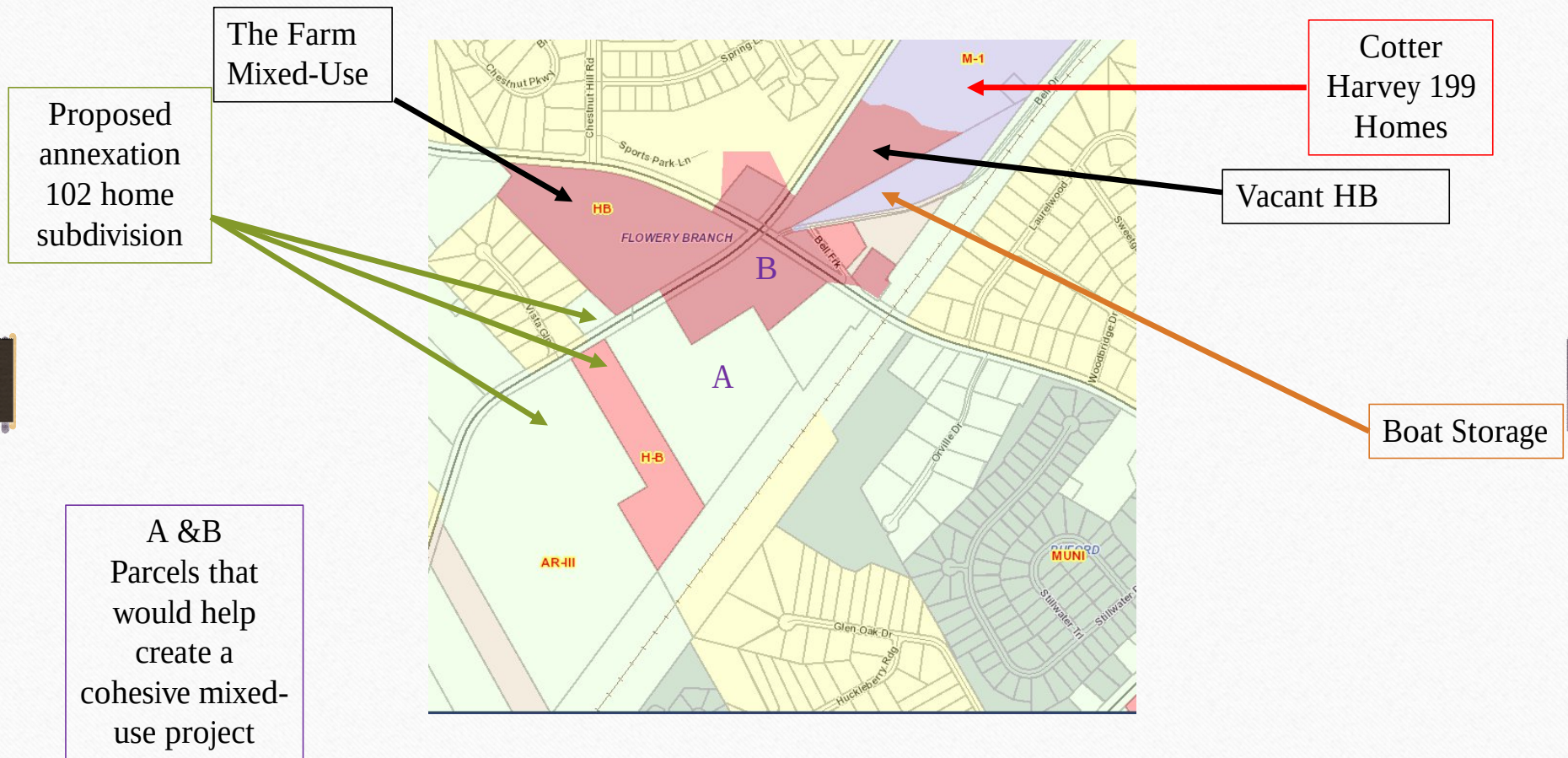
Projects

- Two new proposed projects
- Both residential
- Both near corners the City controls
- Staff is in favor of one of the projects



Corner of McEver & Gaines Ferry

- Approved 199 homes; proposed would add an additional 102
- 2 vacant properties zoned HB
- Boat storage yard
- Bell Road – appears to be in the RR right-of-way

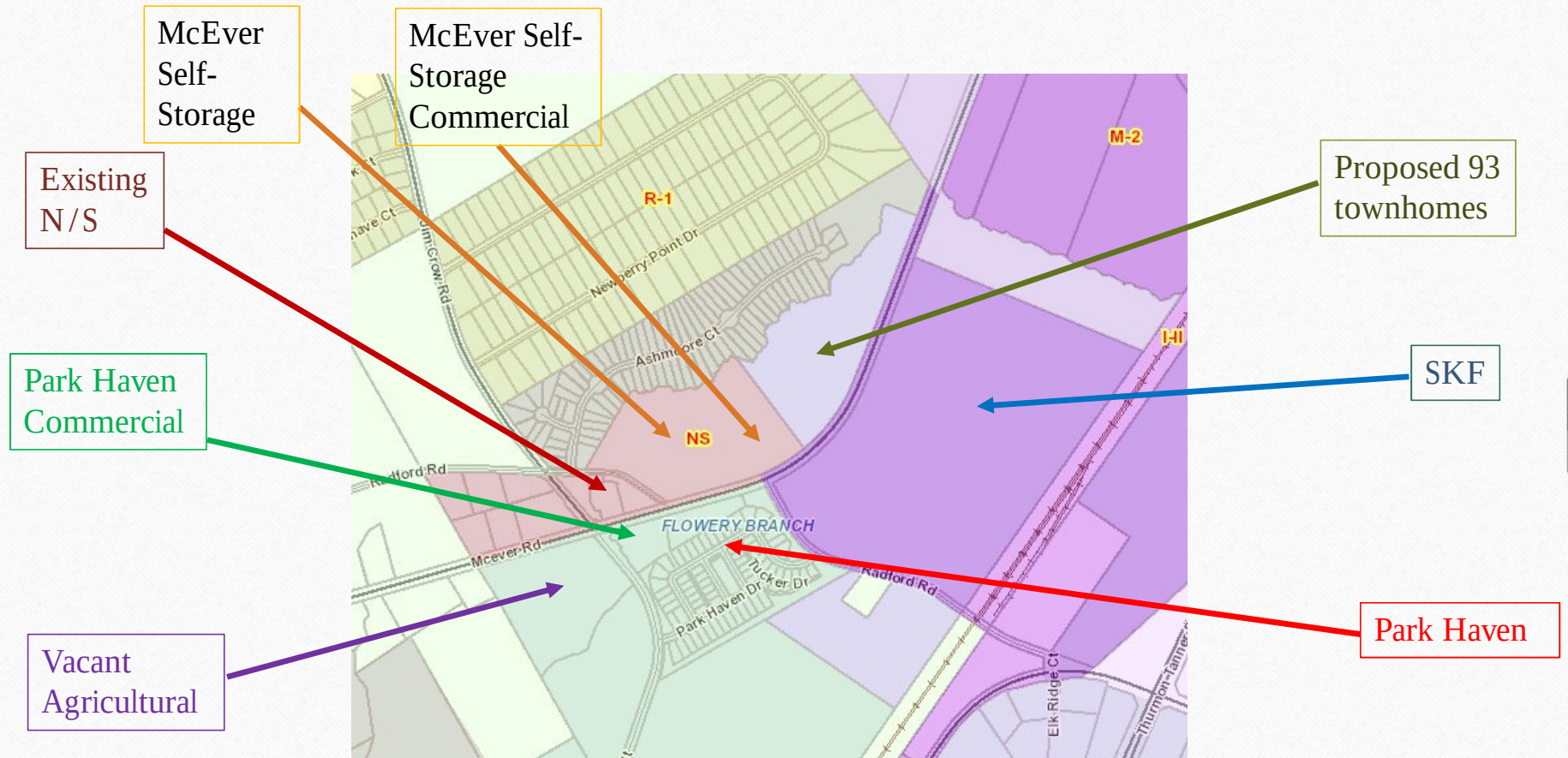


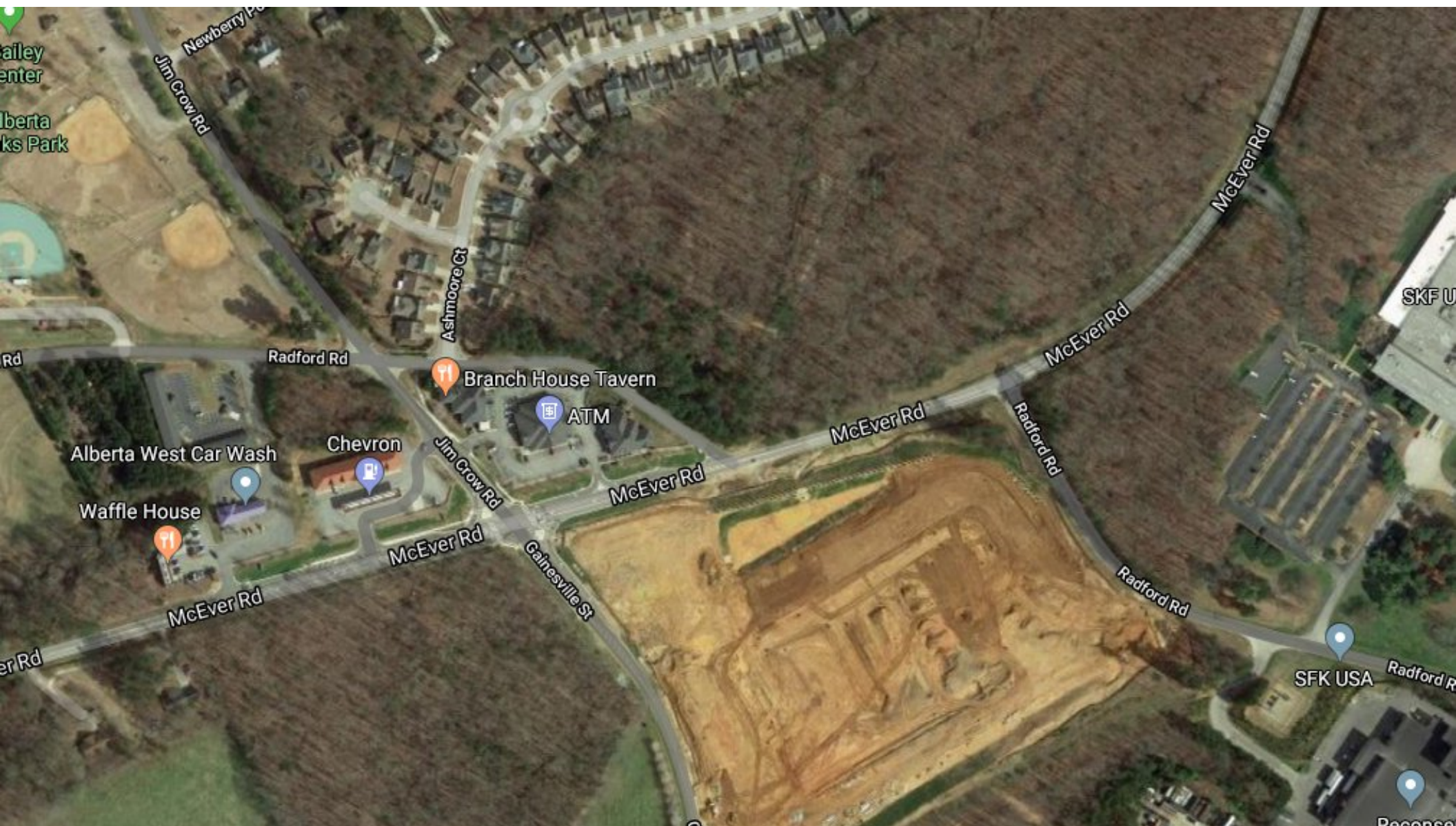




Corner of McEver & Gainesville Street

- Existing retail
- Approved self-storage project
- Approved 67 single family home subdivision with commercial outparcel
- Vacant agricultural land
- Proposed townhome development (93 Units)







Corridor Development

- Developments (if not a true mixed-use) should be cohesive with the surrounding area
- City should strive to ensure the two corners it controls are developed properly
- Comprehensive Plan should help guide the City



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider elevations submitted for approval by Mr. Gee Harvey for the Bell Road subdivision.

COUNCIL MEETING DATE: March 5, 2020

HISTORY:

Per ordinances 575 and 576 elevations for the 199 home subdivision must be approved by City Council.

FACTS AND ISSUES:

Attached are the signed ordinances and the elevations for both the 40' and 50' lot products. There are two sets - one is "clean" the other has notes written by the applicant. Both sets are combined and attached below.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Please review and all the elevations for discussion with the applicant.

SAMPLE MOTION:

No vote at the March 5th meeting. The vote will occur at the March 19th meeting.

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Melissa McCain

ATTACHMENTS

- [Clean and denoted 40 and 50 elevations.pdf](#)
- [Combined Signed Ordinances.pdf](#)



FRONT ELEVATION A

1/4" = 1'-0"



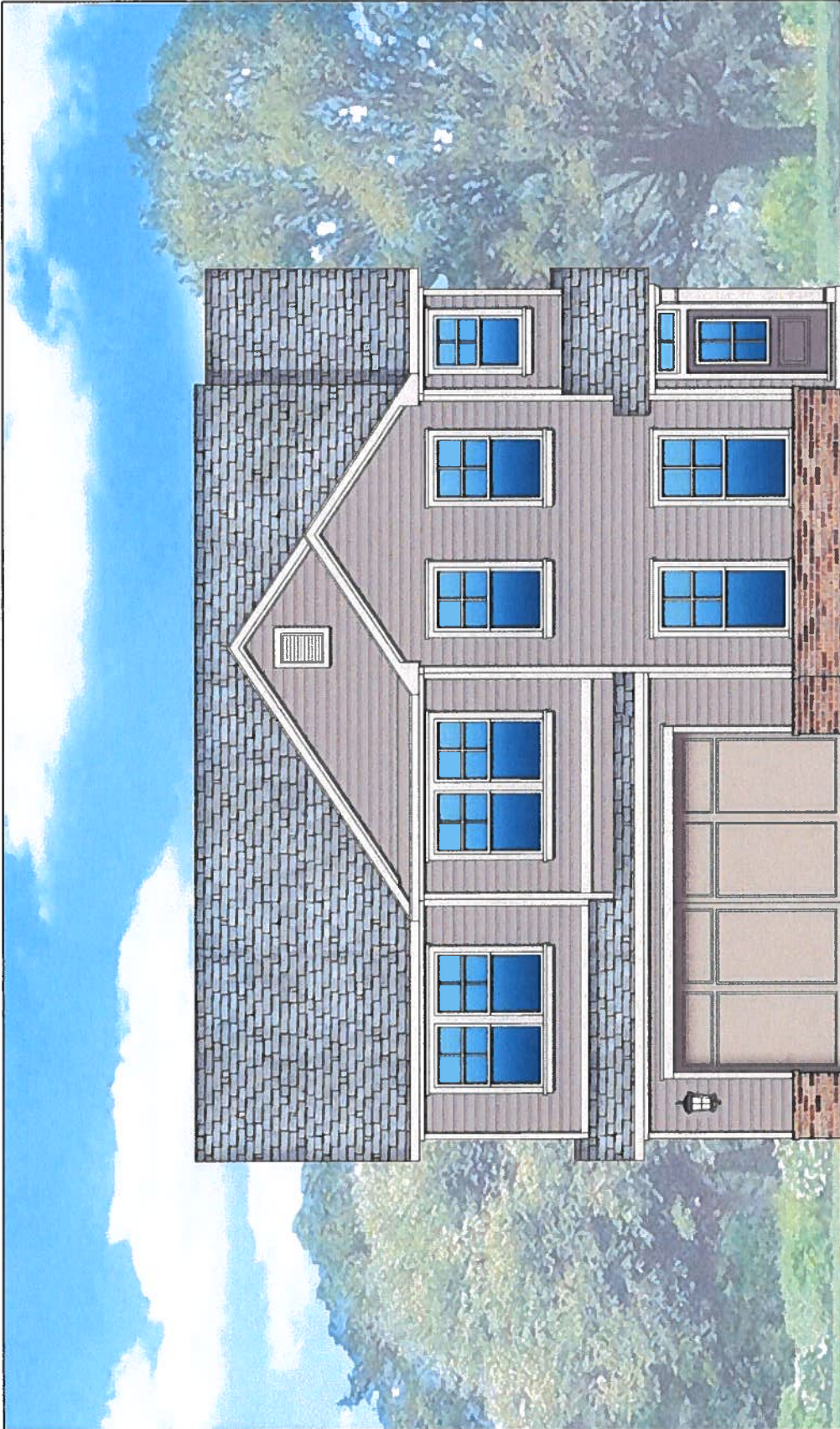
FRONT ELEVATION A

1/8" = 1'-0"



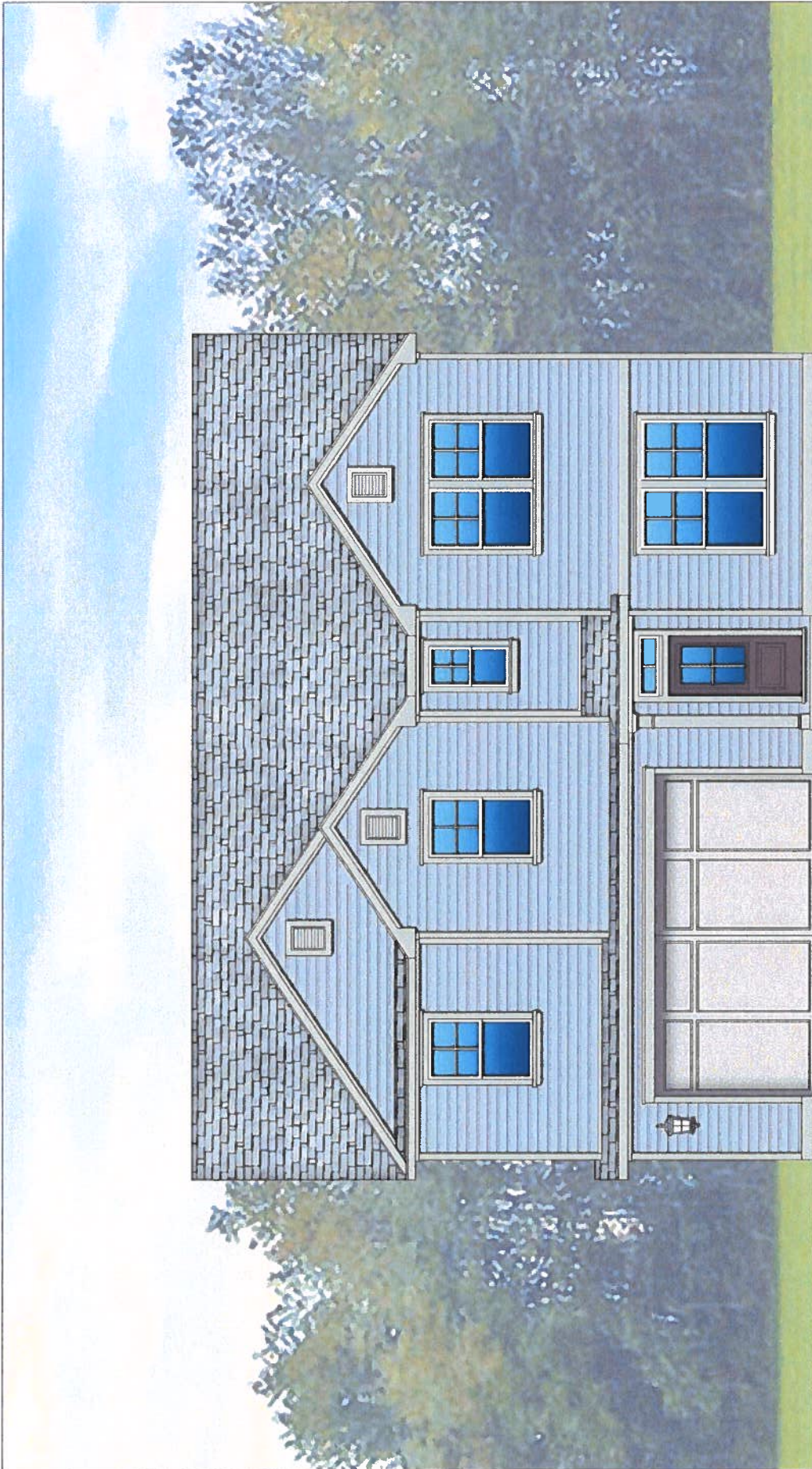
FRONT ELEVATION A

1/4" = 1'-0"



FRONT ELEVATION A

1/4" = 1'-0"

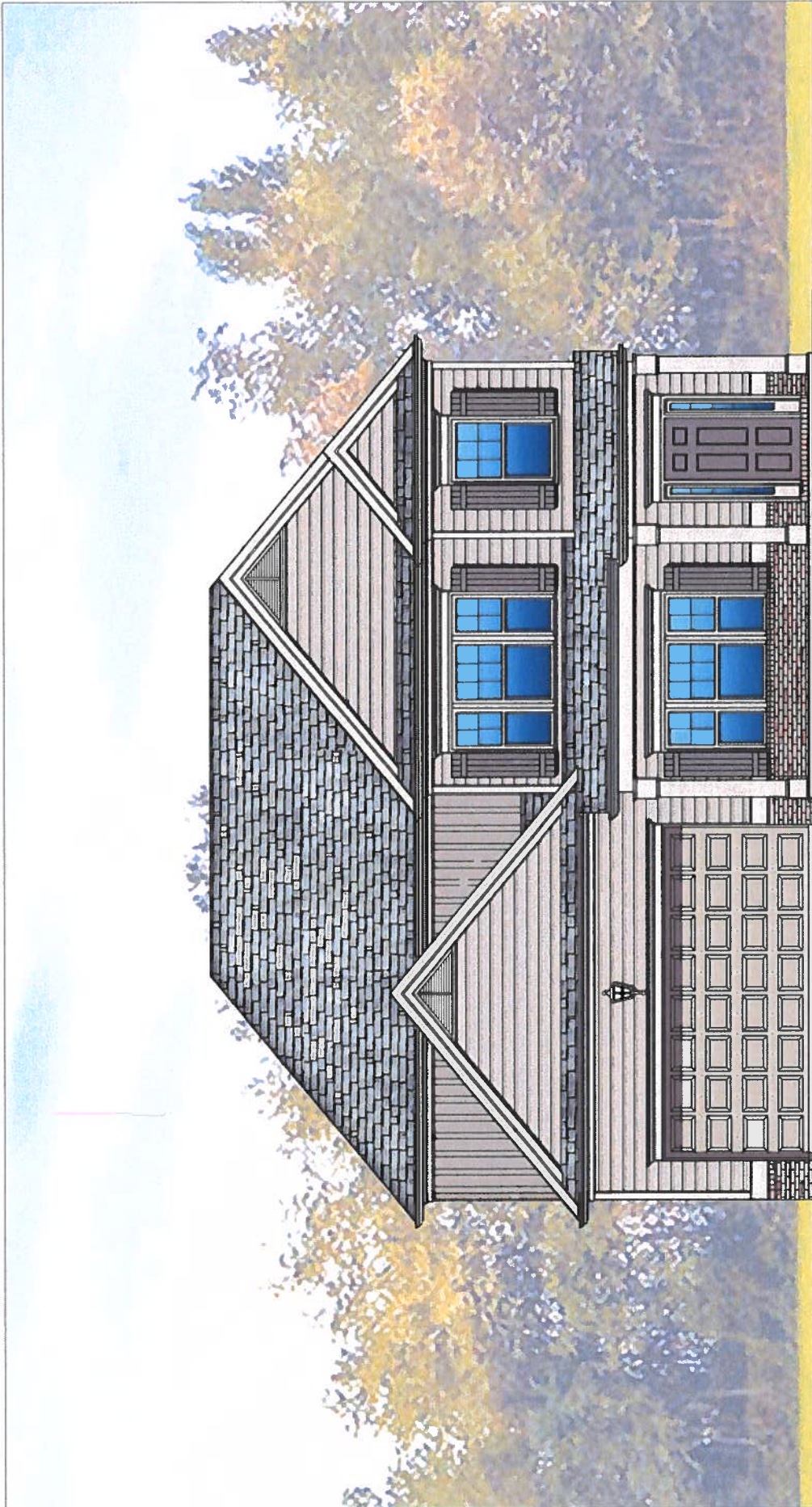


FRONT ELEVATION A

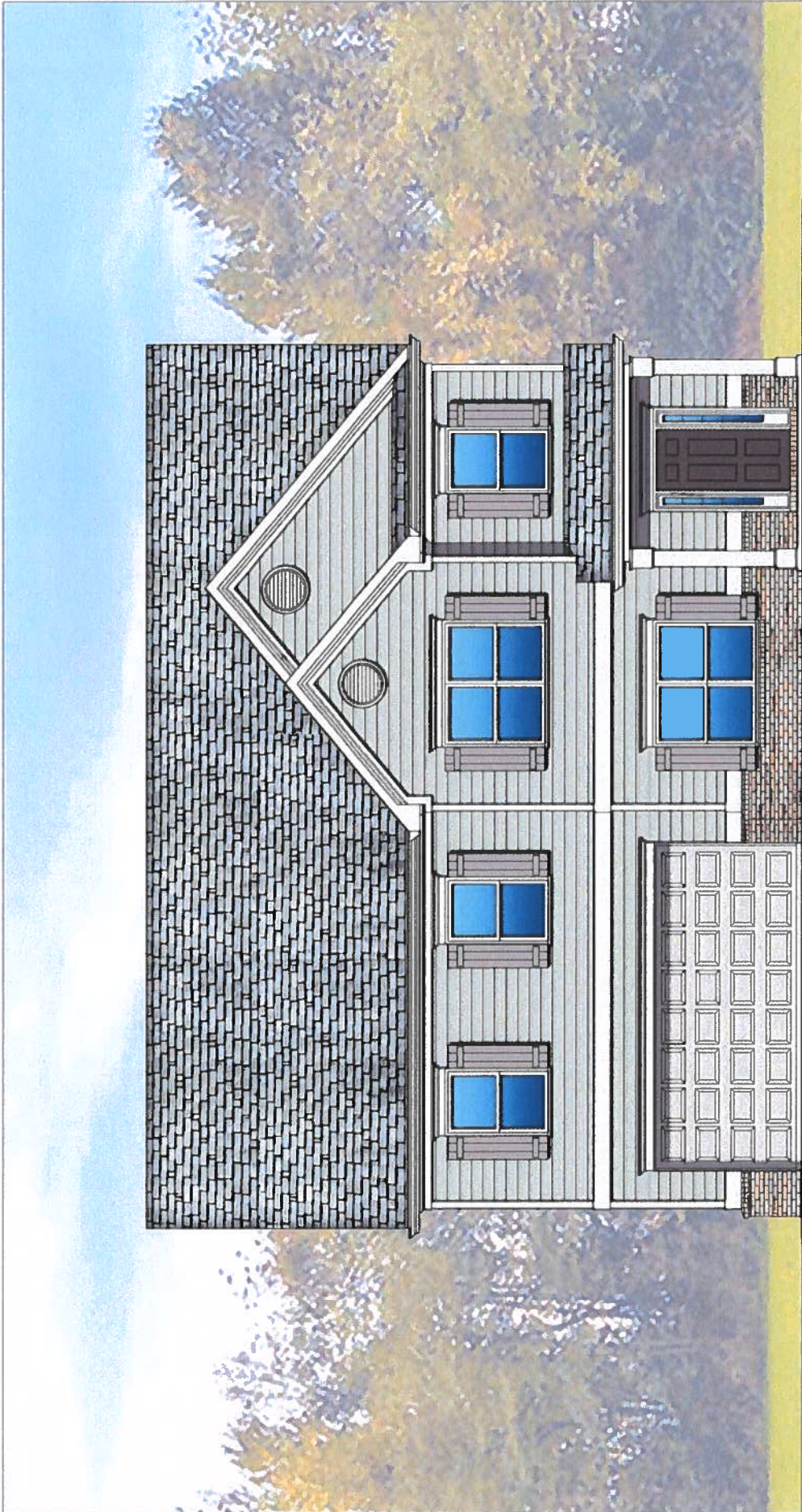
1/4" = 1'-0"



FRONT ELEVATION A
1/4" = 1'-0"



ELEVATION A1



ELEVATION A1



ELEVATION - A



ELEVATION - B



ELEVATION - A



ELEVATION - B







1" WAYENMOORE" A



→ → →
Garage recessed ~ 1' from this portion of facade

FRONT ELEVATION A

1/4" = 1'-0"

"WAYMOORE" A1



Garage recessed 1' from this portion of facade

FRONT ELEVATION A

1/4" = 1'-0"

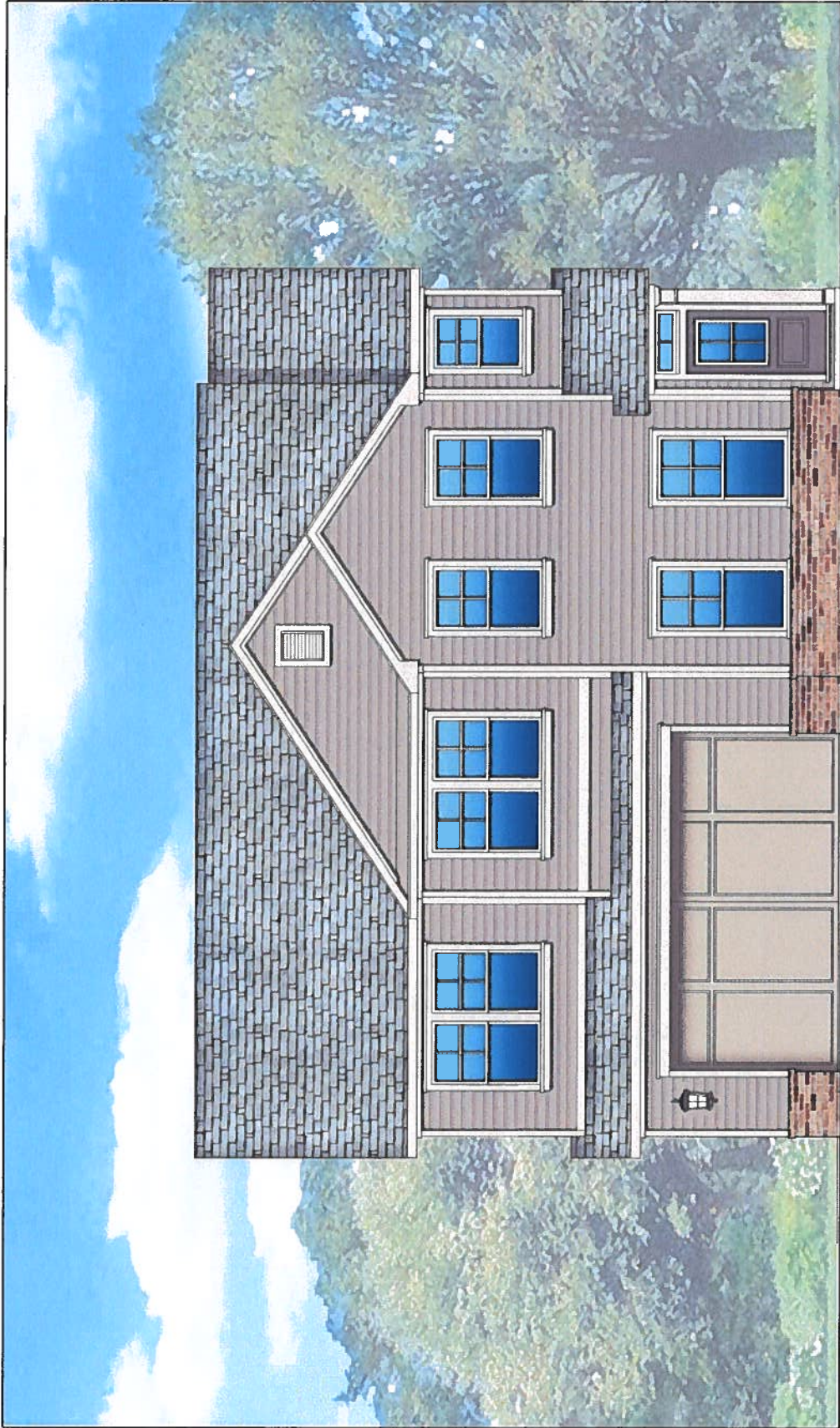
"-T HANEWOOD " A



Garage recessed ~2' from this portion of the facade

FRONT ELEVATION A
1/4" = 1'-0"

"THORNE WOOD "A1"



↓ Garage recessed ~2' from this portion of the facade

FRONT ELEVATION A
1/4" = 1'-0"

1" FAIRMONT A



↓ Garage recessed ~ 2' from this post (front edge of slab under post)

FRONT ELEVATION A
1/4" = 1'-0"

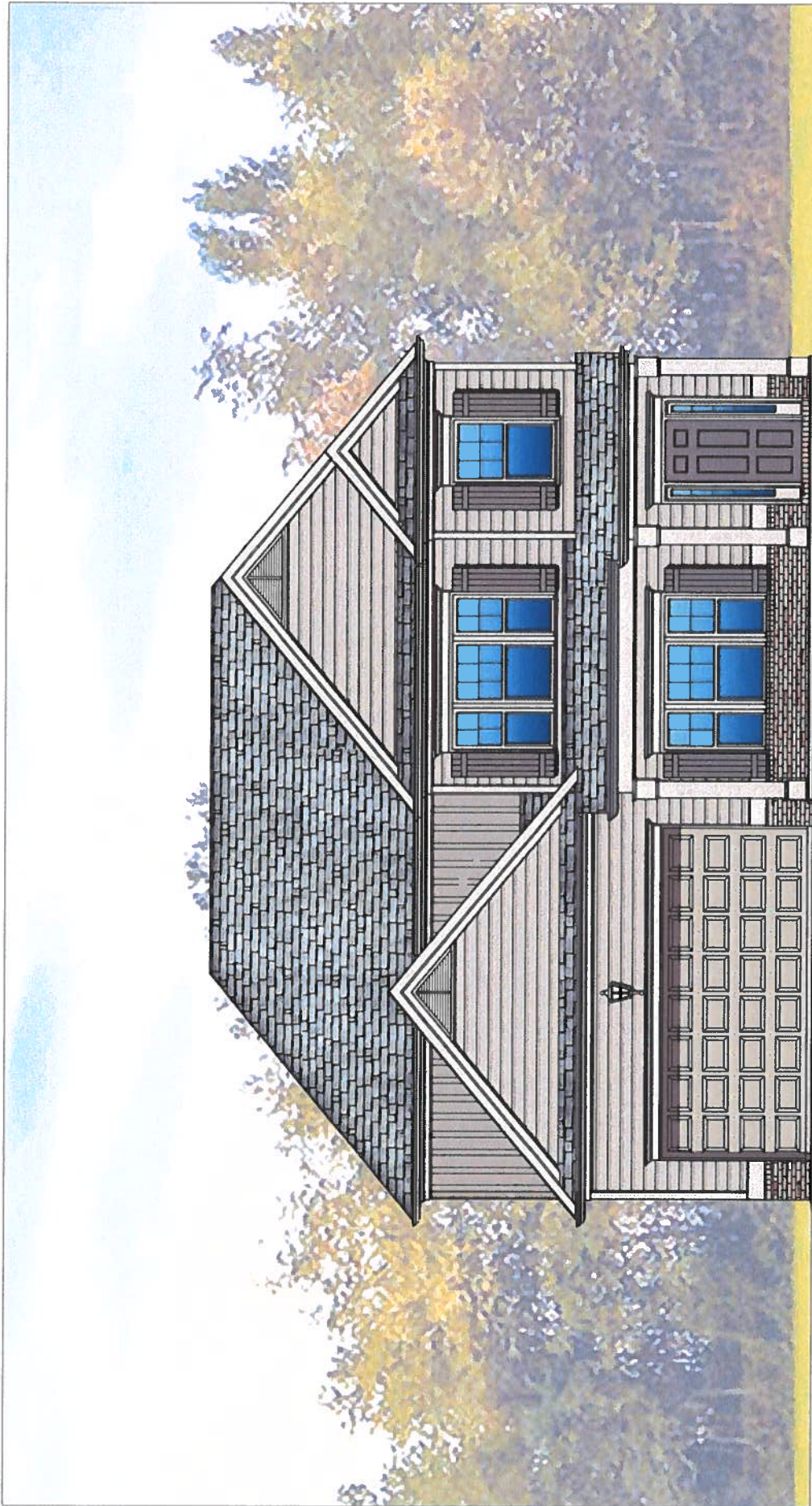
"FARMONT" AI



Garage recessed ~ 2' from this post (front edge of slab under post)

FRONT ELEVATION A
1/4" = 1'-0"

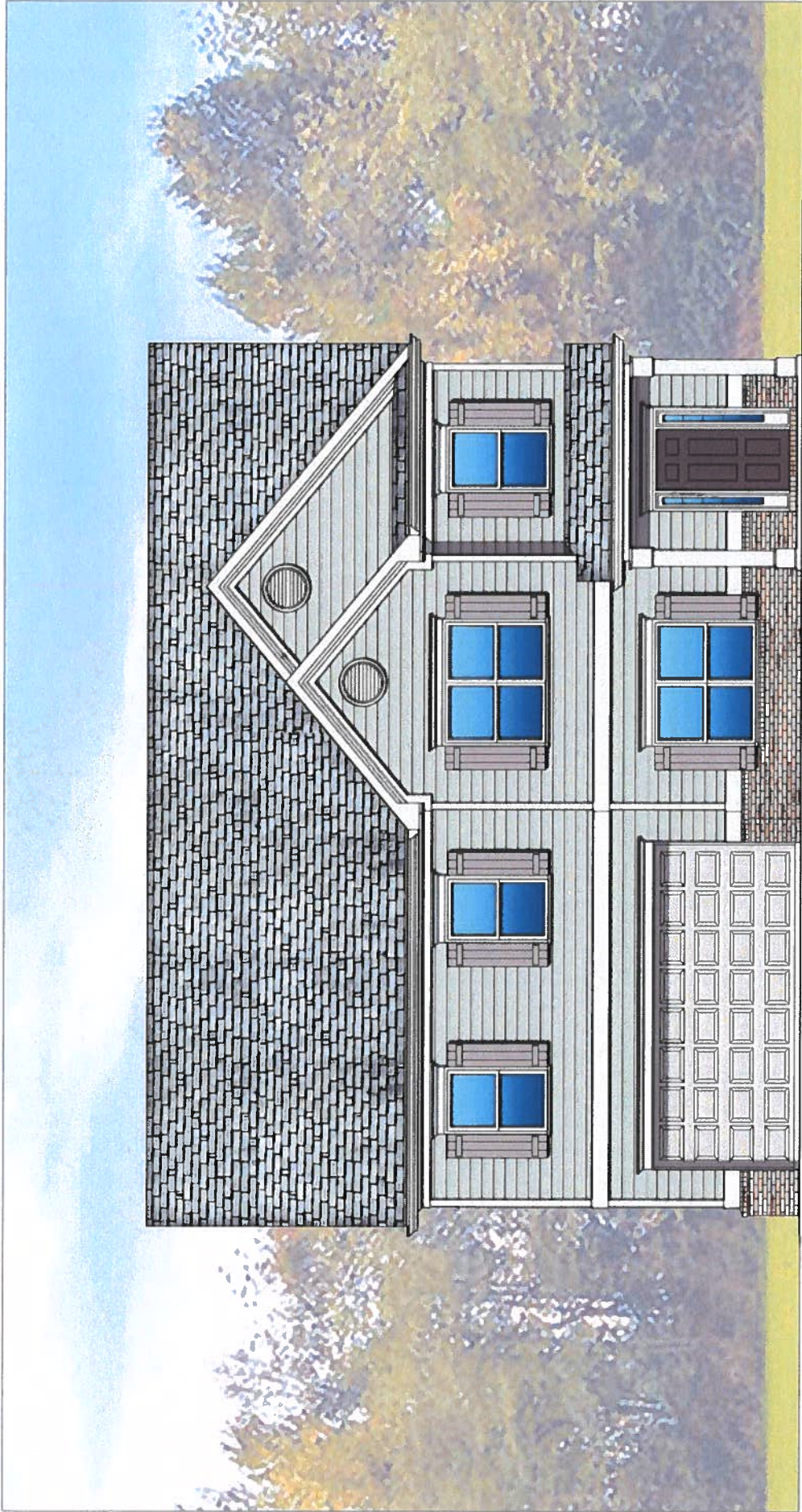
"CREEKSTONE" A1



Gauge recessed
16' ~~16'~~ from this post (front edge of slab under post)

ELEVATION A1

"2525" A1



↓
Garage recessed ~ 6' from this post (front edge of slab under post)

ELEVATION A1

"Gentrey" A



ELEVATION - A

"Gentreg" B



ELEVATION - B

"Morgan" A



ELEVATION - A

"Morgan" B



ELEVATION - B

"Creekland" B



"Hedgerose" C



"Woodland" B



Public Hearing Published 5/30/19
Public Hearing 6/27/19

First Reading 6/27/19
Adopted 7/18/19

ORDINANCE NO. 575

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING 20 +/- ACRES OF LAND OWNED BY STONEBRIDGE, LLC. COMMONLY KNOWN AS 6401 MCEVER ROAD, IDENTIFIED AS TAX PARCELS 08140 000092, AS SHOWN ON ATTACHED EXHIBIT "A", AS DESCRIBED ON EXHIBIT "B", BY REZONING A PORTION OF SAID TRACT FROM M-1 (LIGHT INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT "C"; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Stonebridge, LLC., owns all tract or parcel of land being considered for rezoning totaling 21 +/- acres identified as Parcel Tax Identification No. 08140 000092, as shown on Exhibit "A", and as described on Exhibit "B"; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application as submitted by Caballero Holdings, LLC., and in conjunction with the standards set forth in Article 34 - Section 34.7 of Zoning Ordinance No. 348 of the City of Flowery Branch, Georgia; and

WHEREAS, Caballero Holdings, LLC., has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting to be rezoned and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of May 16, 2019, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning of the parcel from Flowery Branch M1 (Light Industrial) to Flowery Branch PUD (Planned Unit Development) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned M1.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zonings as opposed to proposed.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. LEGAL DESCRIPTION AND REZONING.

The rezoning of the subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, and subject to conditions set forth on Exhibit “C”, is hereby rezoned from M1 (Light Industrial) to PUD (Planned Unit Development). Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be July 18, 2019.

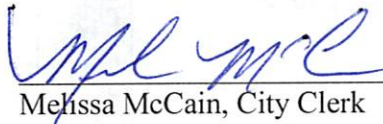
SECTION 6. REPEALER

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 18th day of July 2019.


James M. Miller, Mayor

ATTEST


Melissa McCain, City Clerk

APPROVED AS TO FORM


E. Ronald Bennett, Jr., City Attorney



Exhibit “A”

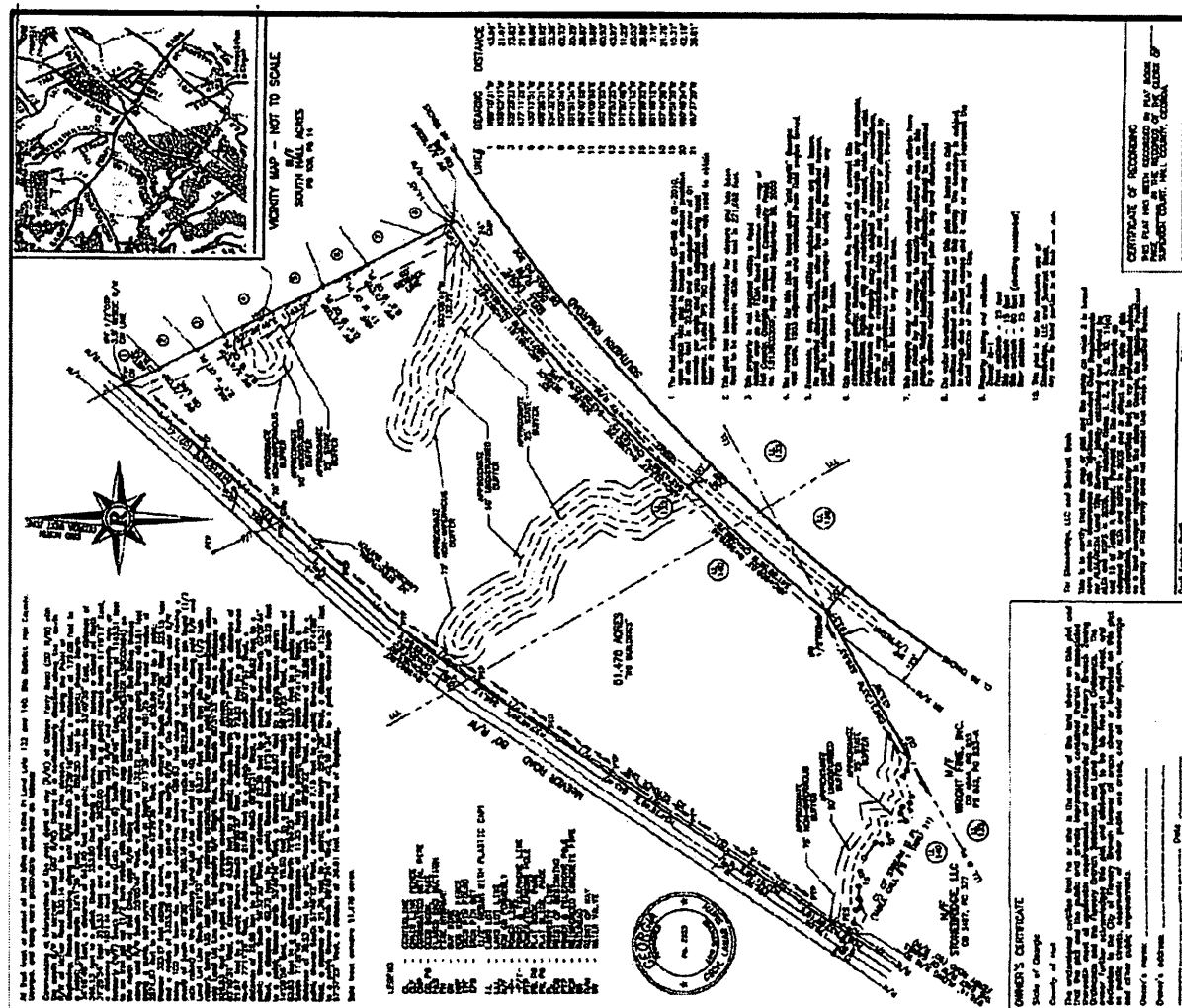


Exhibit “B”

**ALL THAT TRACT or parcel of land lying and being in Land Lots 132 and 140 of the 8th District,
in the City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:
Commencing at the right of way intersection of McEver Road (80' R/W) and Gaines Ferry Road (50' R/W):
running thence along the northeasterly right of way of McEver Road 932.14 feet to the intersection of
the right of way of McEver Road and the centerline of a creek. Said point is the POINT OF BEGINNING.
thence NORTH 33 DEGREES 59 MINUTES 09 SECONDS EAST a distance of 179.53 feet to a point;
thence NORTH 33 DEGREES 41 MINUTES 30 SECONDS EAST a distance of 282.50 feet to a point;
thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance of 982.30 feet to a point;
thence SOUTH 30 DEGREES 08 MINUTES 21 SECONDS EAST a distance of 954.25 feet to a point;
thence with a curve turning to the left with an arc length of 367.69 feet and a radius of
5829.66 feet with a chord bearing of SOUTH 40 DEGREES 44 MINUTES 42 SECONDS WEST and a
length of 367.63 feet to a point;
thence NORTH 45 DEGREES 59 MINUTES 13 SECONDS WEST a distance of 154.46 feet to a point;
thence SOUTH 44 DEGREES 00 MINUTES 47 SECONDS WEST a distance of 125.00 feet to a point;
thence SOUTH 45 DEGREES 59 MINUTES 13 SECONDS EAST a distance of 131.25 feet to a point;
thence SOUTH 60 DEGREES 31 MINUTES 25 SECONDS WEST a distance of 432.75 feet to a point;
thence NORTH 79 DEGREES 35 MINUTES 18 SECONDS WEST a distance of 18.89 feet to a point;
thence NORTH 88 DEGREES 56 MINUTES 11 SECONDS WEST a distance of 20.65 feet to a point;
thence NORTH 83 DEGREES 51 MINUTES 45 SECONDS WEST a distance of 10.75 feet to a point;
thence NORTH 37 DEGREES 22 MINUTES 52 SECONDS WEST a distance of 12.80 feet to a point;
thence SOUTH 88 DEGREES 23 MINUTES 09 SECONDS WEST a distance of 14.75 feet to a point;
thence SOUTH 74 DEGREES 27 MINUTES 42 SECONDS WEST a distance of 30.38 feet to a point;
thence SOUTH 61 DEGREES 29 MINUTES 58 SECONDS WEST a distance of 40.48 feet to a point;**

thence NORTH 66 DEGREES 37 MINUTES 23 SECONDS WEST a distance of 14.65 feet to a point;
thence NORTH 29 DEGREES 49 MINUTES 56 SECONDS WEST a distance of 21.86 feet to a point;
thence NORTH 50 DEGREES 44 MINUTES 22 SECONDS WEST a distance of 23.15 feet to a point;
thence SOUTH 63 DEGREES 51 MINUTES 50 SECONDS WEST a distance of 22.08 feet to a point;
thence SOUTH 45 DEGREES 28 MINUTES 56 SECONDS WEST a distance of 15.97 feet to a point;
thence NORTH 31 DEGREES 01 MINUTES 09 SECONDS WEST a distance of 8.50 feet to a point;
thence NORTH 01 DEGREES 24 MINUTES 33 SECONDS EAST a distance of 21.47 feet to a point;
thence NORTH 05 DEGREES 59 MINUTES 17 SECONDS WEST a distance of 34.29 feet to a point;
thence NORTH 75 DEGREES 19 MINUTES 12 SECONDS WEST a distance of 8.36 feet to a point;
thence SOUTH 61 DEGREES 54 MINUTES 47 SECONDS WEST a distance of 24.79 feet to a point;
thence NORTH 49 DEGREES 14 MINUTES 26 SECONDS WEST a distance of 22.51 feet to a point;
thence NORTH 57 DEGREES 26 MINUTES 47 SECONDS WEST a distance of 25.46 feet to a point;
thence NORTH 32 DEGREES 56 MINUTES 46 SECONDS EAST a distance of 14.79 feet to a point;
thence NORTH 55 DEGREES 55 MINUTES 27 SECONDS WEST a distance of 37.56 feet to a point;
thence NORTH 44 DEGREES 20 MINUTES 40 SECONDS WEST a distance of 25.81 feet to a point;
thence NORTH 86 DEGREES 13 MINUTES 48 SECONDS WEST a distance of 11.26 feet to a point;
thence NORTH 68 DEGREES 15 MINUTES 04 SECONDS WEST a distance of 15.48 feet to a point;
thence NORTH 66 DEGREES 31 MINUTES 24 SECONDS WEST a distance of 16.57 feet to a point;
thence SOUTH 69 DEGREES 33 MINUTES 58 SECONDS WEST a distance of 12.96 feet to a point;
thence NORTH 66 DEGREES 29 MINUTES 07 SECONDS WEST a distance of 14.41 feet to a point;
thence NORTH 82 DEGREES 08 MINUTES 57 SECONDS WEST a distance of 21.68 feet to a point;
thence SOUTH 79 DEGREES 25 MINUTES 30 SECONDS WEST a distance of 16.32 feet to a point;
thence NORTH 80 DEGREES 19 MINUTES 21 SECONDS WEST a distance of 20.39 feet to a point;
thence SOUTH 63 DEGREES 53 MINUTES 00 SECONDS WEST a distance of 17.47 feet to a point;

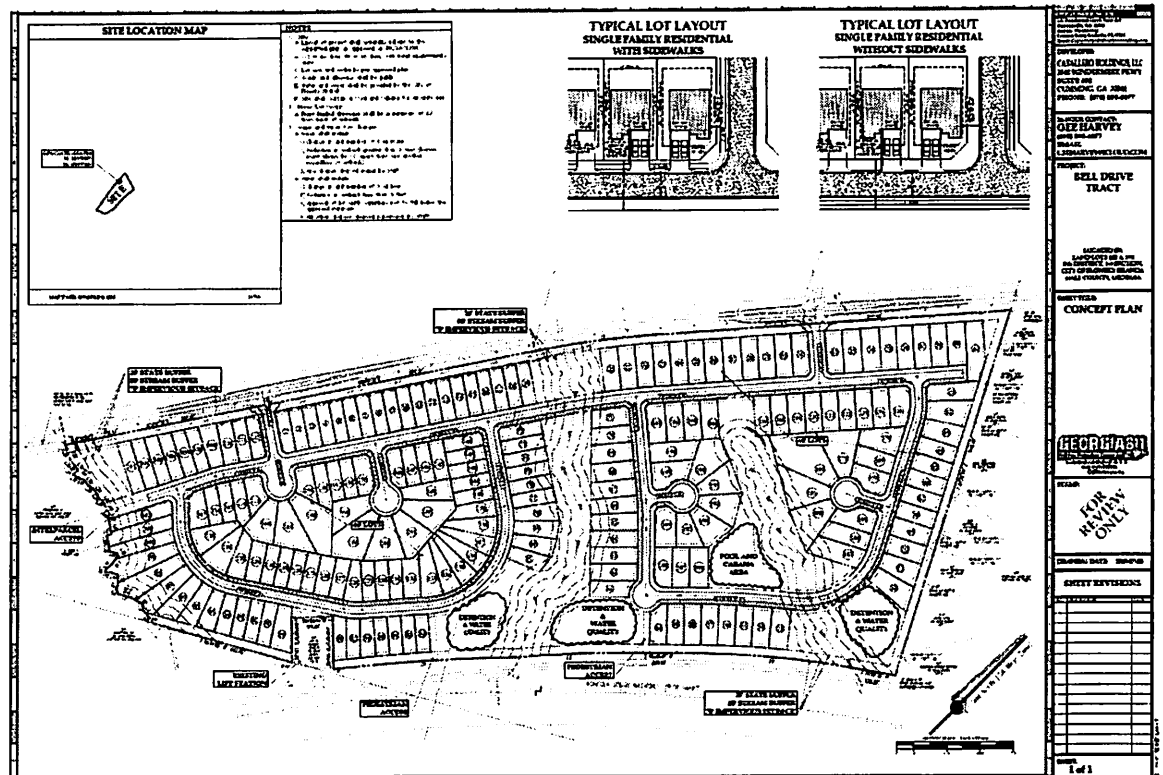
thence SOUTH 77 DEGREES 38 MINUTES 15 SECONDS WEST a distance of 20.54
feet to a point;
thence NORTH 05 DEGREES 46 MINUTES 23 SECONDS EAST a distance of 19.17
feet to a point;
thence NORTH 79 DEGREES 11 MINUTES 05 SECONDS WEST a distance of 17.54
feet to a point;
thence NORTH 79 DEGREES 36 MINUTES 31 SECONDS WEST a distance of 19.50
feet to a point;
thence NORTH 74 DEGREES 24 MINUTES 55 SECONDS WEST a distance of 20.76
feet to a point;
thence NORTH 54 DEGREES 31 MINUTES 52 SECONDS WEST a distance of 13.75
feet to a point;
thence NORTH 57 DEGREES 31 MINUTES 08 SECONDS WEST a distance of 15.72
feet to a point
and the POINT OF BEGINNING.
Said tract contains 20.028 acres.

Exhibit "C"

Conditions of Zoning

1. Site

- A. Layout of project shall generally adhere to the submitted plan as approved on June 20, 2019
And as seen below



- B. Maximum 200 single family units
C. Lot size and setbacks per approved plan
D. Landscape plan shall be submitted prior to final plat
E. Street trees shall be planted with root barriers
F. Roads and alleyways shall be public
G. Streets and alleyways will be turned over to the City through an official resolution approved by City Council; not at the time of final plat
H. A maintenance bond totaling 20% of all public improvements is required at time of final plat
I. Water and sewer shall be provided by the City of Flowery Branch
J. A detailed recreational area plan must be submitted and approved by the City prior to the issuance of a land disturbance permit
K. Proposed relocation of the current lift station must be approved by the City
L. 5' sidewalk shall be provided on at least one side of the street throughout the development
M. Detailed entrance plans shall be submitted and approved by the City
N. Street lights must be dedicated to the home owner's association or to the City of Flowery Branch at the time of final plat

2. Home/Lot Design
 - A. Homes shall have unique designs throughout the project
 - B. All homes are required to have a two-car garage
 - C. Homes shall be designed to have side accessed or recessed garages
 - D. A detailed plan book showing all home elevations shall be approved by City Council prior to the recording of the final plat
 - E. Driveways shall be a minimum of 23' as measured from the back of sidewalk to the front façade of the home
 - F. Individual lots shall show landscaping at time of permit
 - G. All lots must be sodded prior to certificate of occupancy
 - H. A residential drainage plan (RDP) may be required for any lots that have potential drainage issues as determined by the City
 - I. A house location plan (HLP) is required for each home at the time of permitting
3. Major and Minor PUD Changes
 - A. Major shall include
 - 1) Change in unit number of 4 or more
 - 2) Reduction in setback greater than 5 feet (homes must always be 10' apart from one another regardless of setback)
 - 3) Any change deemed major by staff
 - B. Minor shall include
 - 1) Change in unit number of 3 or less
 - 2) Reduction in setback less than 5 feet
 - 3) Approval of lot width variations not to fall below the approved minimum
 - 4) All other changes deemed non-major by staff

Public Hearing Published 5/30/19
Public Hearing 6/27/19

First Reading 6/27/19
Adopted 7/18/19

ORDINANCE NO. 576

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING 31.052 +/- ACRES OF LAND OWNED BY STONEBRIDGE, LLC. COMMONLY KNOWN AS 6353 MCEVER ROAD, AND ALSO IDENTIFIED AS TAX PARCEL 08140 000118, AS SHOWN ON ATTACHED EXHIBIT "A", AS DESCRIBED ON EXHIBIT "B", BY REZONING SAID TRACT FROM M-1 (LIGHT INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT "C"; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Stonebridge, LLC., owns all tract or parcel of land being considered for rezoning totaling 31.49+/- acres identified as Parcel Tax Identification No. 08140 000118, as shown on Exhibit "A", and as described on Exhibit "B"; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application as submitted by Caballero Holdings, LLC., and in conjunction with the standards set forth in Article 34 - Section 34.7 of Zoning Ordinance No. 348 of the City of Flowery Branch, Georgia; and

WHEREAS, Caballero Holdings, LLC., has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting to be rezoned and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of June 27, 2019, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning of the parcel from Flowery Branch M1 (Light Industrial) to Flowery Branch PUD (Planned Unit Development) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned M1.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zonings as opposed to proposed.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. LEGAL DESCRIPTION AND REZONING.

The rezoning of the subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, and subject to conditions set forth on Exhibit “C”, is hereby rezoned from M1 (Light Industrial) to PUD (Planned Unit Development). Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be July 19, 2019.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 18th day of July 2019.

ATTEST


James M. Miller, Mayor


Melissa McCain, City Clerk

APPROVED AS TO FORM

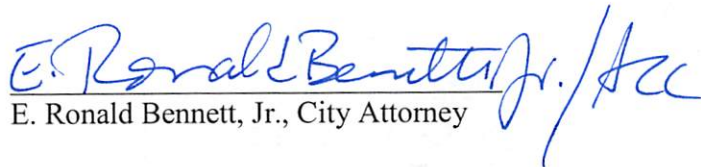

E. Ronald Bennett, Jr., City Attorney



Exhibit “B”

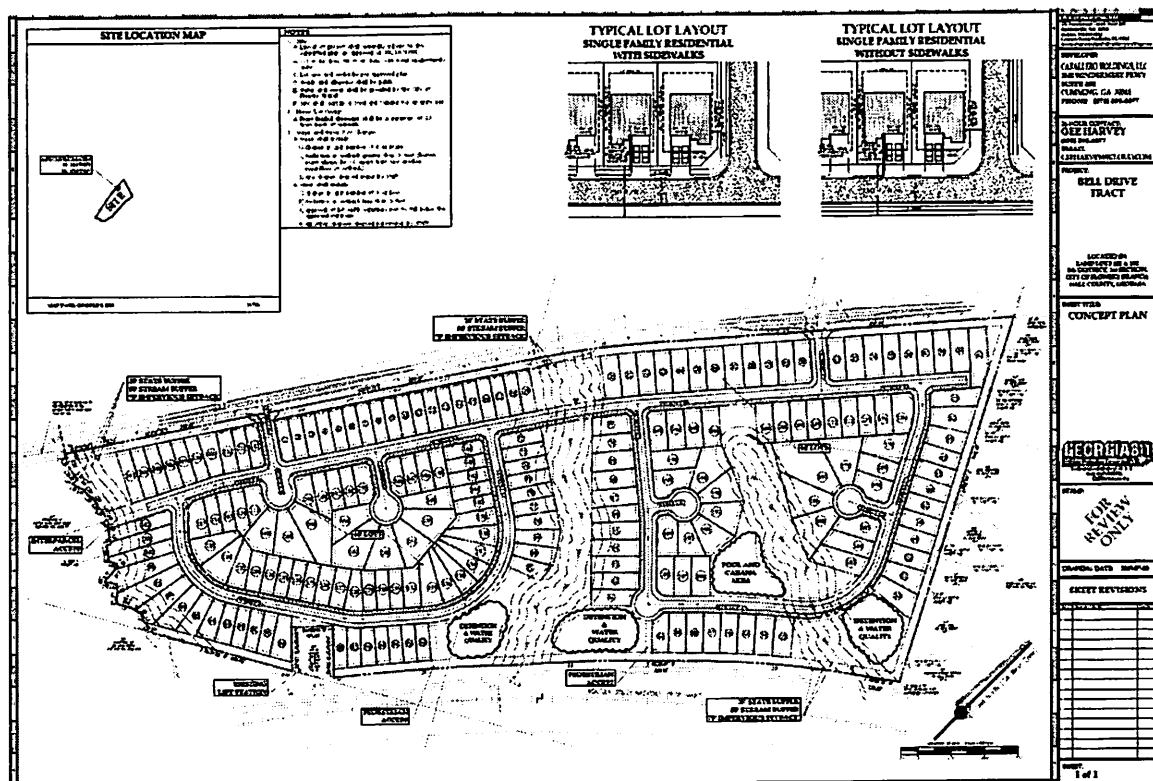
ALL THAT TRACT or parcel of land lying and being in Land Lots 132 and 140 of the 8th District,
in the City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:
Commencing at the right of way intersection of McEver Road (80í R/W) and Gaines Ferry Road (50í R/W):
running thence along the northeasterly right of way of McEver Road 932.14 feet to the intersection of
the right of way of McEver Road and the centerline of a creek. thence NORTH 33 DEGREES 59 MINUTES 09
SECONDS EAST a distance of 179.53 feet to a point; thence NORTH 33 DEGREES 41 MINUTES 30 SECONDS EAST
a distance of 282.50 feet to a point; thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance
of 982.30 feet to a point. Said point is the POINT OF BEGINNING.
thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance of 7.22 feet to a point;
thence with a curve turning to the right with an arc length of 353.79 feet and a radius of
2652.00 feet with a chord bearing of NORTH 37 DEGREES 29 MINUTES 46 SECONDS EAST and a
length of 353.53 feet to a point;
thence NORTH 41 DEGREES 19 MINUTES 05 SECONDS EAST a distance of 1071.44 feet to a point;
thence SOUTH 27 DEGREES 26 MINUTES 54 SECONDS EAST a distance of 1143.48 feet to a point;
thence SOUTH 55 DEGREES 05 MINUTES 36 SECONDS WEST a distance of 132.22 feet to a point;
thence with a curve turning to the left with an arc length of 481.81 feet and a radius of
2874.87 feet with a chord bearing of SOUTH 50 DEGREES 17 MINUTES 32 SECONDS WEST and a
length of 481.25 feet to a point;
thence SOUTH 45 DEGREES 29 MINUTES 26 SECONDS WEST a distance of 208.99 feet to a point;
thence with a curve turning to the left with an arc length of 323.27 feet and a radius of
3355.26 feet with a chord bearing of SOUTH 42 DEGREES 43 MINUTES 49 SECONDS WEST and a
length of 323.15 feet to a point;
thence with a curve turning to the left with an arc length of 185.55 feet and a radius of
5829.66 feet with a chord bearing of SOUTH 43 DEGREES 27 MINUTES 49 SECONDS WEST and a
length of 185.54 feet to a point;

thence NORTH 30 DEGREES 08 MINUTES 21 SECONDS WEST a distance of
954.25 feet to a point
and the POINT OF BEGINNING.
Said tract contains 31.052 acres.

Conditions of Zoning

1. Site

- A. Layout of project shall generally adhere to the submitted plan as approved on July 18, 2019 and as seen below



- B. Maximum 200 single family units
- C. Lot size and setbacks per approved plan
- D. Landscape plan shall be submitted prior to final plat
- E. Street trees shall be planted with root barriers
- F. Roads shall be public
- G. Roads will be turned over to the City through an official resolution approved by City Council;
not at the time of final plat
- H. A maintenance bond totaling 20% of all public improvements is required at time of final plat
- I. Water and sewer shall be provided by the City of Flowery Branch
- J. A detailed recreational area plan must be submitted and approved by the City prior to the
issuance of a land disturbance permit
- K. Proposed relocation of the current lift station must be approved by the City
- L. 5' sidewalk shall be provided on at least one side of the road throughout the development
- M. Detailed entrance plans shall be submitted and approved by the City
- N. Streetlights must be dedicated to the homeowner's association or to the City of Flowery
Branch at the time of final plat

2. Home/Lot Design
 - A. Homes shall have unique designs throughout the project
 - B. All homes are required to have a two-car garage
 - C. Homes shall be designed to have side accessed or recessed garages
 - D. A detailed plan book showing all home elevations shall be approved by City Council prior to the recording of the final plat
 - E. Driveways shall be a minimum of 23' as measured from the back of sidewalk to the front façade of the home
 - F. Individual lots shall show landscaping at time of permit
 - G. All lots must be sodded prior to certificate of occupancy
 - H. A residential drainage plan (RDP) may be required for any lots that have potential drainage issues as determined by the City
 - I. A house location plan (HLP) is required for each home at the time of permitting
3. Major and Minor PUD Changes
 - A. Major shall include
 - 1) Change in unit number of 4 or more
 - 2) Reduction in setback greater than 5 feet (homes must always be 10' apart from one another regardless of setback)
 - 3) Any change deemed major by staff
 - B. Minor shall include
 - 1) Change in unit number of 3 or less
 - 2) Reduction in setback less than 5 feet
 - 3) Approval of lot width variations not to fall below the approved minimum
 - 4) All other changes deemed non-major by staff



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider - 1st Reading of Ordinance 575a and 576a Request to Amend Approved Conditions of Zoning.
(Applicant Gee Harvey)

COUNCIL MEETING DATE: March 5, 2020

HISTORY:

On July 18, 2019, City Council adopted Ordinance Nos. 575 & 576 amending the official zoning map of the City by rezoning 51.08 +/- acres of land from M-1 to PUD giving the applicant (Gee Harvey) the ability to construct a 199 single family detached subdivision. As usual there were conditions of zoning attached to this ordinance. Condition 1.I states that water and sewer shall be provided by the City of Flowery Branch. The applicant would like to amend the condition of zoning. The applicant wishes to serve the site with the City of Gainesville water rather than Flowery Branch. This case was tabled at the public hearing on February 6th, 2020 to the March 5th meeting.

FACTS AND ISSUES:

Allowing the applicant to be served by Gainesville water to this site means Flowery Branch will be unable to serve any potential customers in that surrounding area. Not altering the condition will mean the applicant will need to run a new water line to the project at a significant cost. Applicant has stated he would need to run a new Flowery Branch water line approximately five miles long. Our measurements indicate the distance is no more than 1.7 miles.

Procedurally, to save the applicant time on this important decision the schedule is as it was previously - back to back Council meeting each with a vote. February 6th is the public hearing and first vote and February 29th will be the second and final vote.

OPTIONS:

Change the condition of zoning allowing the site to be served by Gainesville water or deny the request and have the applicant run a new water line to the site.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

I make a motion to approve/deny the first reading of Ordinances 575a and 576a

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Melissa McCain

ATTACHMENTS

- [Combined Signed Ordinances.pdf](#)
- [575 A.pdf](#)
- [576 A.pdf](#)

Public Hearing Published 5/30/19
Public Hearing 6/27/19

First Reading 6/27/19
Adopted 7/18/19

ORDINANCE NO. 575

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING 20 +/- ACRES OF LAND OWNED BY STONEBRIDGE, LLC. COMMONLY KNOWN AS 6401 MCEVER ROAD, IDENTIFIED AS TAX PARCELS 08140 000092, AS SHOWN ON ATTACHED EXHIBIT "A", AS DESCRIBED ON EXHIBIT "B", BY REZONING A PORTION OF SAID TRACT FROM M-1 (LIGHT INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT "C"; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Stonebridge, LLC., owns all tract or parcel of land being considered for rezoning totaling 21 +/- acres identified as Parcel Tax Identification No. 08140 000092, as shown on Exhibit "A", and as described on Exhibit "B"; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application as submitted by Caballero Holdings, LLC., and in conjunction with the standards set forth in Article 34 - Section 34.7 of Zoning Ordinance No. 348 of the City of Flowery Branch, Georgia; and

WHEREAS, Caballero Holdings, LLC., has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting to be rezoned and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of May 16, 2019, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning of the parcel from Flowery Branch M1 (Light Industrial) to Flowery Branch PUD (Planned Unit Development) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned M1.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zonings as opposed to proposed.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. LEGAL DESCRIPTION AND REZONING.

The rezoning of the subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, and subject to conditions set forth on Exhibit “C”, is hereby rezoned from M1 (Light Industrial) to PUD (Planned Unit Development). Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be July 18, 2019.

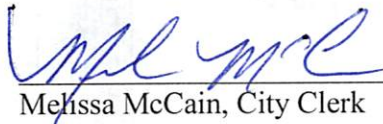
SECTION 6. REPEALER

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 18th day of July 2019.


James M. Miller, Mayor

ATTEST


Melissa McCain, City Clerk

APPROVED AS TO FORM


E. Ronald Bennett, Jr., City Attorney



Exhibit "A"

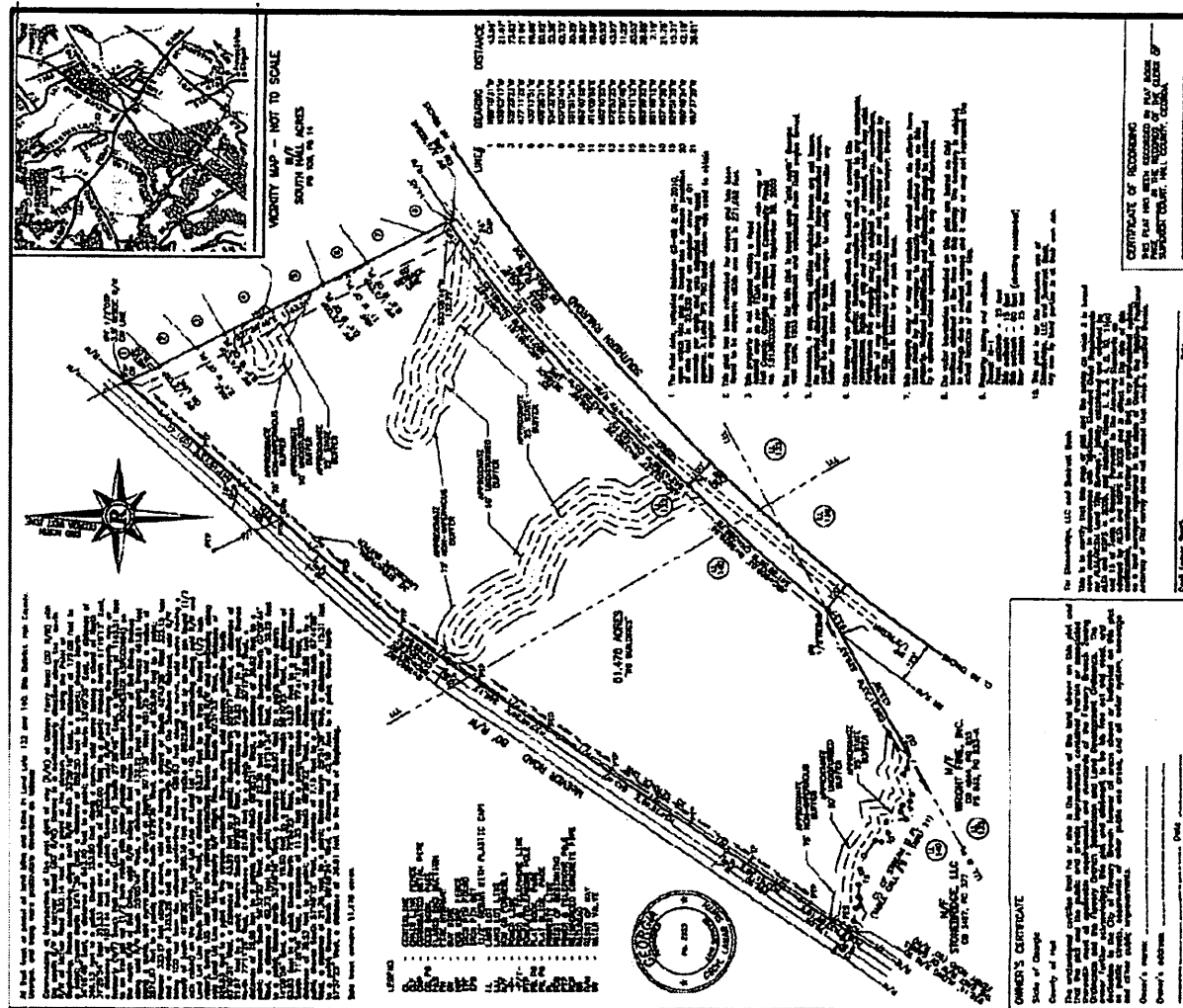


Exhibit "B"

ALL THAT TRACT or parcel of land lying and being in Land Lots 132 and 140 of the 8th District,
in the City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:
Commencing at the right of way intersection of McEver Road (80' R/W) and Gaines Ferry Road (50' R/W):
running thence along the northeasterly right of way of McEver Road 932.14 feet to the intersection of
the right of way of McEver Road and the centerline of a creek. Said point is the POINT OF BEGINNING.
thence NORTH 33 DEGREES 59 MINUTES 09 SECONDS EAST a distance of 179.53 feet to a point;
thence NORTH 33 DEGREES 41 MINUTES 30 SECONDS EAST a distance of 282.50 feet to a point;
thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance of 982.30 feet to a point;
thence SOUTH 30 DEGREES 08 MINUTES 21 SECONDS EAST a distance of 954.25 feet to a point;
thence with a curve turning to the left with an arc length of 367.69 feet and a radius of
5829.66 feet with a chord bearing of SOUTH 40 DEGREES 44 MINUTES 42 SECONDS WEST and a
length of 367.63 feet to a point;
thence NORTH 45 DEGREES 59 MINUTES 13 SECONDS WEST a distance of 154.46 feet to a point;
thence SOUTH 44 DEGREES 00 MINUTES 47 SECONDS WEST a distance of 125.00 feet to a point;
thence SOUTH 45 DEGREES 59 MINUTES 13 SECONDS EAST a distance of 131.25 feet to a point;
thence SOUTH 60 DEGREES 31 MINUTES 25 SECONDS WEST a distance of 432.75 feet to a point;
thence NORTH 79 DEGREES 35 MINUTES 18 SECONDS WEST a distance of 18.89 feet to a point;
thence NORTH 88 DEGREES 56 MINUTES 11 SECONDS WEST a distance of 20.65 feet to a point;
thence NORTH 83 DEGREES 51 MINUTES 45 SECONDS WEST a distance of 10.75 feet to a point;
thence NORTH 37 DEGREES 22 MINUTES 52 SECONDS WEST a distance of 12.80 feet to a point;
thence SOUTH 88 DEGREES 23 MINUTES 09 SECONDS WEST a distance of 14.75 feet to a point;
thence SOUTH 74 DEGREES 27 MINUTES 42 SECONDS WEST a distance of 30.38 feet to a point;
thence SOUTH 61 DEGREES 29 MINUTES 58 SECONDS WEST a distance of 40.48 feet to a point;

thence NORTH 66 DEGREES 37 MINUTES 23 SECONDS WEST a distance of 14.65 feet to a point;
thence NORTH 29 DEGREES 49 MINUTES 56 SECONDS WEST a distance of 21.86 feet to a point;
thence NORTH 50 DEGREES 44 MINUTES 22 SECONDS WEST a distance of 23.15 feet to a point;
thence SOUTH 63 DEGREES 51 MINUTES 50 SECONDS WEST a distance of 22.08 feet to a point;
thence SOUTH 45 DEGREES 28 MINUTES 56 SECONDS WEST a distance of 15.97 feet to a point;
thence NORTH 31 DEGREES 01 MINUTES 09 SECONDS WEST a distance of 8.50 feet to a point;
thence NORTH 01 DEGREES 24 MINUTES 33 SECONDS EAST a distance of 21.47 feet to a point;
thence NORTH 05 DEGREES 59 MINUTES 17 SECONDS WEST a distance of 34.29 feet to a point;
thence NORTH 75 DEGREES 19 MINUTES 12 SECONDS WEST a distance of 8.36 feet to a point;
thence SOUTH 61 DEGREES 54 MINUTES 47 SECONDS WEST a distance of 24.79 feet to a point;
thence NORTH 49 DEGREES 14 MINUTES 26 SECONDS WEST a distance of 22.51 feet to a point;
thence NORTH 57 DEGREES 26 MINUTES 47 SECONDS WEST a distance of 25.46 feet to a point;
thence NORTH 32 DEGREES 56 MINUTES 46 SECONDS EAST a distance of 14.79 feet to a point;
thence NORTH 55 DEGREES 55 MINUTES 27 SECONDS WEST a distance of 37.56 feet to a point;
thence NORTH 44 DEGREES 20 MINUTES 40 SECONDS WEST a distance of 25.81 feet to a point;
thence NORTH 86 DEGREES 13 MINUTES 48 SECONDS WEST a distance of 11.26 feet to a point;
thence NORTH 68 DEGREES 15 MINUTES 04 SECONDS WEST a distance of 15.48 feet to a point;
thence NORTH 66 DEGREES 31 MINUTES 24 SECONDS WEST a distance of 16.57 feet to a point;
thence SOUTH 69 DEGREES 33 MINUTES 58 SECONDS WEST a distance of 12.96 feet to a point;
thence NORTH 66 DEGREES 29 MINUTES 07 SECONDS WEST a distance of 14.41 feet to a point;
thence NORTH 82 DEGREES 08 MINUTES 57 SECONDS WEST a distance of 21.68 feet to a point;
thence SOUTH 79 DEGREES 25 MINUTES 30 SECONDS WEST a distance of 16.32 feet to a point;
thence NORTH 80 DEGREES 19 MINUTES 21 SECONDS WEST a distance of 20.39 feet to a point;
thence SOUTH 63 DEGREES 53 MINUTES 00 SECONDS WEST a distance of 17.47 feet to a point;

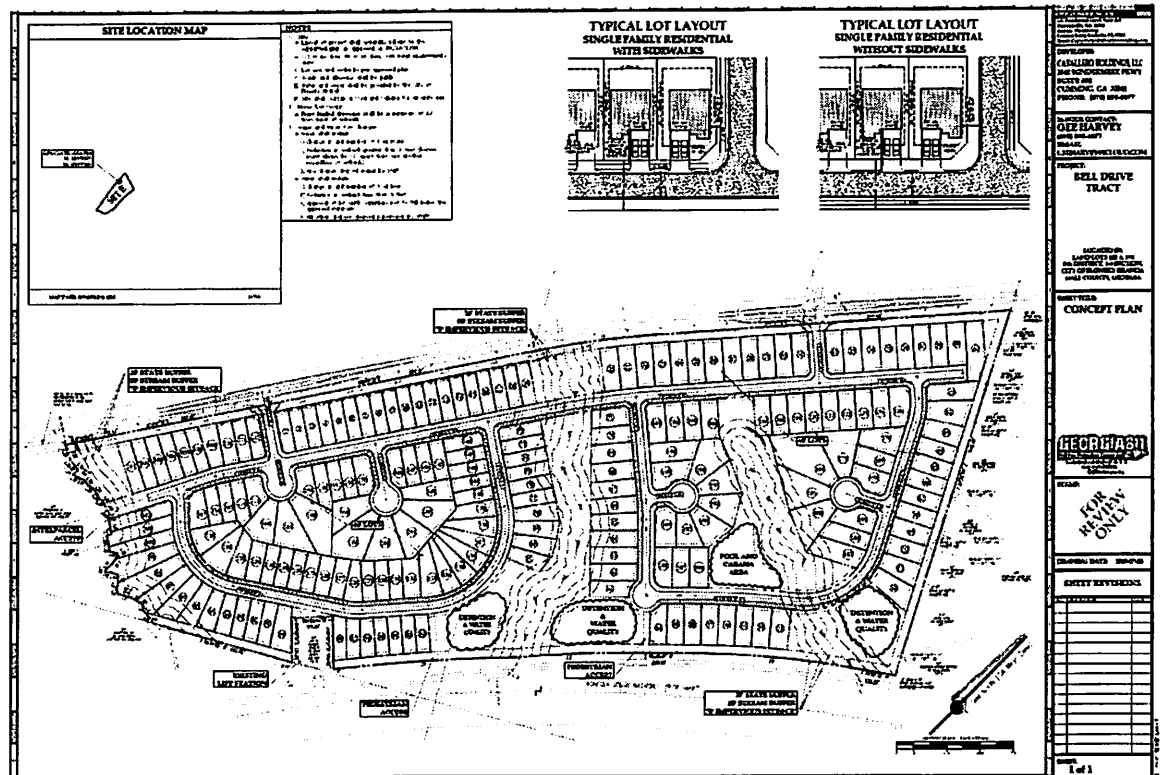
thence SOUTH 77 DEGREES 38 MINUTES 15 SECONDS WEST a distance of 20.54
feet to a point;
thence NORTH 05 DEGREES 46 MINUTES 23 SECONDS EAST a distance of 19.17
feet to a point;
thence NORTH 79 DEGREES 11 MINUTES 05 SECONDS WEST a distance of 17.54
feet to a point;
thence NORTH 79 DEGREES 36 MINUTES 31 SECONDS WEST a distance of 19.50
feet to a point;
thence NORTH 74 DEGREES 24 MINUTES 55 SECONDS WEST a distance of 20.76
feet to a point;
thence NORTH 54 DEGREES 31 MINUTES 52 SECONDS WEST a distance of 13.75
feet to a point;
thence NORTH 57 DEGREES 31 MINUTES 08 SECONDS WEST a distance of 15.72
feet to a point
and the POINT OF BEGINNING.
Said tract contains 20.028 acres.

Exhibit "C"

Conditions of Zoning

1. Site

- A. Layout of project shall generally adhere to the submitted plan as approved on June 20, 2019
And as seen below



- B. Maximum 200 single family units
C. Lot size and setbacks per approved plan
D. Landscape plan shall be submitted prior to final plat
E. Street trees shall be planted with root barriers
F. Roads and alleyways shall be public
G. Streets and alleyways will be turned over to the City through an official resolution approved by City Council; not at the time of final plat
H. A maintenance bond totaling 20% of all public improvements is required at time of final plat
I. Water and sewer shall be provided by the City of Flowery Branch
J. A detailed recreational area plan must be submitted and approved by the City prior to the issuance of a land disturbance permit
K. Proposed relocation of the current lift station must be approved by the City
L. 5' sidewalk shall be provided on at least one side of the street throughout the development
M. Detailed entrance plans shall be submitted and approved by the City
N. Street lights must be dedicated to the home owner's association or to the City of Flowery Branch at the time of final plat

2. Home/Lot Design
 - A. Homes shall have unique designs throughout the project
 - B. All homes are required to have a two-car garage
 - C. Homes shall be designed to have side accessed or recessed garages
 - D. A detailed plan book showing all home elevations shall be approved by City Council prior to the recording of the final plat
 - E. Driveways shall be a minimum of 23' as measured from the back of sidewalk to the front façade of the home
 - F. Individual lots shall show landscaping at time of permit
 - G. All lots must be sodded prior to certificate of occupancy
 - H. A residential drainage plan (RDP) may be required for any lots that have potential drainage issues as determined by the City
 - I. A house location plan (HLP) is required for each home at the time of permitting
3. Major and Minor PUD Changes
 - A. Major shall include
 - 1) Change in unit number of 4 or more
 - 2) Reduction in setback greater than 5 feet (homes must always be 10' apart from one another regardless of setback)
 - 3) Any change deemed major by staff
 - B. Minor shall include
 - 1) Change in unit number of 3 or less
 - 2) Reduction in setback less than 5 feet
 - 3) Approval of lot width variations not to fall below the approved minimum
 - 4) All other changes deemed non-major by staff

Public Hearing Published 5/30/19
Public Hearing 6/27/19

First Reading 6/27/19
Adopted 7/18/19

ORDINANCE NO. 576

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING 31.052 +/- ACRES OF LAND OWNED BY STONEBRIDGE, LLC. COMMONLY KNOWN AS 6353 MCEVER ROAD, AND ALSO IDENTIFIED AS TAX PARCEL 08140 000118, AS SHOWN ON ATTACHED EXHIBIT "A", AS DESCRIBED ON EXHIBIT "B", BY REZONING SAID TRACT FROM M-1 (LIGHT INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT "C"; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Stonebridge, LLC., owns all tract or parcel of land being considered for rezoning totaling 31.49+/- acres identified as Parcel Tax Identification No. 08140 000118, as shown on Exhibit "A", and as described on Exhibit "B"; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application as submitted by Caballero Holdings, LLC., and in conjunction with the standards set forth in Article 34 - Section 34.7 of Zoning Ordinance No. 348 of the City of Flowery Branch, Georgia; and

WHEREAS, Caballero Holdings, LLC., has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting to be rezoned and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of June 27, 2019, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning of the parcel from Flowery Branch M1 (Light Industrial) to Flowery Branch PUD (Planned Unit Development) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned M1.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zonings as opposed to proposed.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. LEGAL DESCRIPTION AND REZONING.

The rezoning of the subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, and subject to conditions set forth on Exhibit “C”, is hereby rezoned from M1 (Light Industrial) to PUD (Planned Unit Development). Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be July 19, 2019.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 18th day of July 2019.

ATTEST


James M. Miller, Mayor


Melissa McCain, City Clerk

APPROVED AS TO FORM

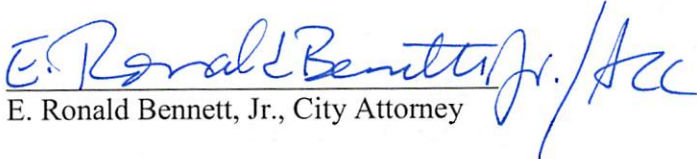

E. Ronald Bennett, Jr., City Attorney



Exhibit “B”

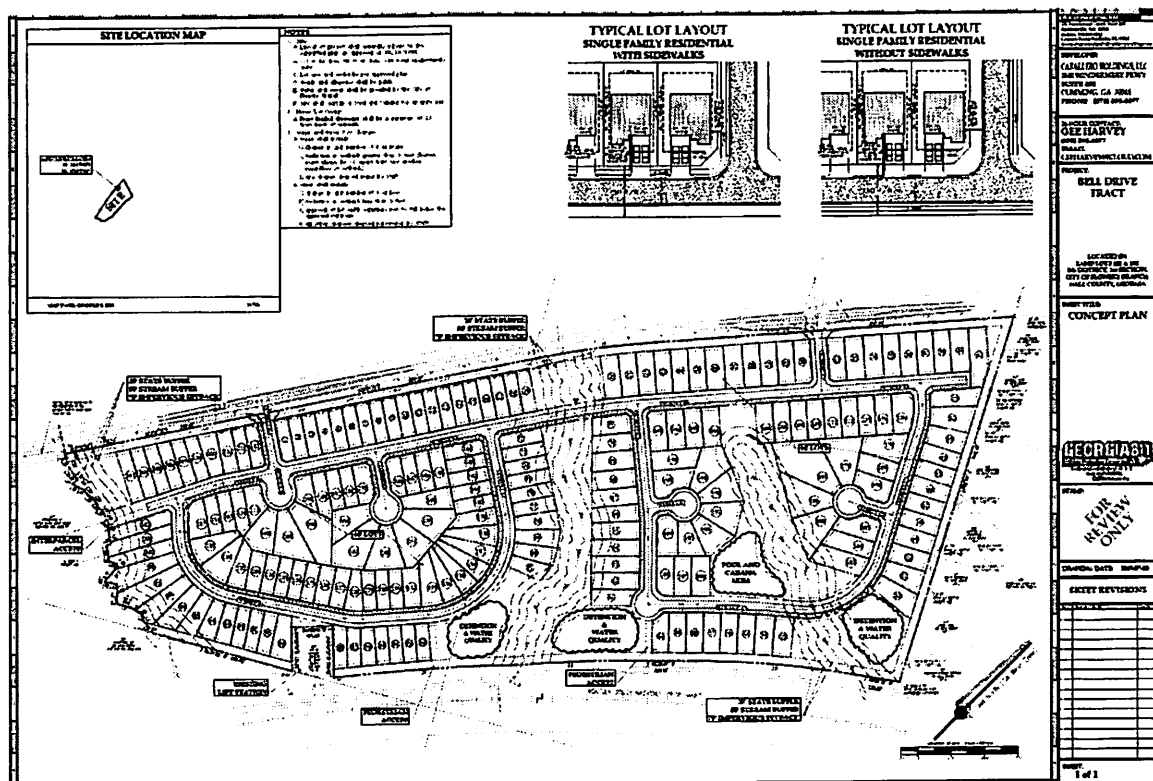
ALL THAT TRACT or parcel of land lying and being in Land Lots 132 and 140 of the 8th District,
in the City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:
Commencing at the right of way intersection of McEver Road (80í R/W) and Gaines Ferry Road (50í R/W):
running thence along the northeasterly right of way of McEver Road 932.14 feet to the intersection of
the right of way of McEver Road and the centerline of a creek. thence NORTH 33 DEGREES 59 MINUTES 09
SECONDS EAST a distance of 179.53 feet to a point; thence NORTH 33 DEGREES 41 MINUTES 30 SECONDS EAST
a distance of 282.50 feet to a point; thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance
of 982.30 feet to a point. Said point is the POINT OF BEGINNING.
thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance of 7.22 feet to a point;
thence with a curve turning to the right with an arc length of 353.79 feet and a radius of
2652.00 feet with a chord bearing of NORTH 37 DEGREES 29 MINUTES 46 SECONDS EAST and a
length of 353.53 feet to a point;
thence NORTH 41 DEGREES 19 MINUTES 05 SECONDS EAST a distance of 1071.44 feet to a point;
thence SOUTH 27 DEGREES 26 MINUTES 54 SECONDS EAST a distance of 1143.48 feet to a point;
thence SOUTH 55 DEGREES 05 MINUTES 36 SECONDS WEST a distance of 132.22 feet to a point;
thence with a curve turning to the left with an arc length of 481.81 feet and a radius of
2874.87 feet with a chord bearing of SOUTH 50 DEGREES 17 MINUTES 32 SECONDS WEST and a
length of 481.25 feet to a point;
thence SOUTH 45 DEGREES 29 MINUTES 26 SECONDS WEST a distance of 208.99 feet to a point;
thence with a curve turning to the left with an arc length of 323.27 feet and a radius of
3355.26 feet with a chord bearing of SOUTH 42 DEGREES 43 MINUTES 49 SECONDS WEST and a
length of 323.15 feet to a point;
thence with a curve turning to the left with an arc length of 185.55 feet and a radius of
5829.66 feet with a chord bearing of SOUTH 43 DEGREES 27 MINUTES 49 SECONDS WEST and a
length of 185.54 feet to a point;

thence NORTH 30 DEGREES 08 MINUTES 21 SECONDS WEST a distance of
954.25 feet to a point
and the POINT OF BEGINNING.
Said tract contains 31.052 acres.

Conditions of Zoning

1. Site

- A. Layout of project shall generally adhere to the submitted plan as approved on July 18, 2019 and as seen below



- B. Maximum 200 single family units
- C. Lot size and setbacks per approved plan
- D. Landscape plan shall be submitted prior to final plat
- E. Street trees shall be planted with root barriers
- F. Roads shall be public
- G. Roads will be turned over to the City through an official resolution approved by City Council;
not at the time of final plat
- H. A maintenance bond totaling 20% of all public improvements is required at time of final plat
- I. Water and sewer shall be provided by the City of Flowery Branch
- J. A detailed recreational area plan must be submitted and approved by the City prior to the
issuance of a land disturbance permit
- K. Proposed relocation of the current lift station must be approved by the City
- L. 5' sidewalk shall be provided on at least one side of the road throughout the development
- M. Detailed entrance plans shall be submitted and approved by the City
- N. Streetlights must be dedicated to the homeowner's association or to the City of Flowery
Branch at the time of final plat

2. Home/Lot Design
 - A. Homes shall have unique designs throughout the project
 - B. All homes are required to have a two-car garage
 - C. Homes shall be designed to have side accessed or recessed garages
 - D. A detailed plan book showing all home elevations shall be approved by City Council prior to the recording of the final plat
 - E. Driveways shall be a minimum of 23' as measured from the back of sidewalk to the front façade of the home
 - F. Individual lots shall show landscaping at time of permit
 - G. All lots must be sodded prior to certificate of occupancy
 - H. A residential drainage plan (RDP) may be required for any lots that have potential drainage issues as determined by the City
 - I. A house location plan (HLP) is required for each home at the time of permitting
3. Major and Minor PUD Changes
 - A. Major shall include
 - 1) Change in unit number of 4 or more
 - 2) Reduction in setback greater than 5 feet (homes must always be 10' apart from one another regardless of setback)
 - 3) Any change deemed major by staff
 - B. Minor shall include
 - 1) Change in unit number of 3 or less
 - 2) Reduction in setback less than 5 feet
 - 3) Approval of lot width variations not to fall below the approved minimum
 - 4) All other changes deemed non-major by staff

Public Hearing Published 1/23/20
Public Hearing 2/06/20

First Reading 3/05/20
Adopted 3/19/20

ORDINANCE NO. 575 A

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING 20 +/- ACRES OF LAND OWNED BY STONEBRIDGE, LLC. COMMONLY KNOWN AS 6401 MCEVER ROAD, IDENTIFIED AS TAX PARCELS 08140 000092, AS SHOWN ON ATTACHED EXHIBIT “A”, AS DESCRIBED ON EXHIBIT “B”, BY REZONING A PORTION OF SAID TRACT FROM M-1 (LIGHT INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT “C”; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Stonebridge, LLC., owns all tract or parcel of land being considered for rezoning totaling 21 +/- acres identified as Parcel Tax Identification No. 08140 000092, as shown on Exhibit “A”, and as described on Exhibit “B”; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application as submitted by Caballero Holdings, LLC., and in conjunction with the standards set forth in Article 34 - Section 34.7 of Zoning Ordinance No. 348 of the City of Flowery Branch, Georgia; and

WHEREAS, Caballero Holdings, LLC., has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting to be rezoned and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of February 6, 2020, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning of the parcel from Flowery Branch M1 (Light Industrial) to Flowery Branch PUD (Planned Unit Development) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned M1.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zonings as opposed to proposed.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. LEGAL DESCRIPTION AND REZONING.

The rezoning of the subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, and subject to conditions set forth on Exhibit “C”, is hereby rezoned from M1 (Light Industrial) to PUD (Planned Unit Development). Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be February 20th, 2020.

SECTION 6. REPEALER

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 19th day of March 2020.

James M. Miller, Mayor

ATTEST

Melissa McCain, City Clerk

APPROVED AS TO FORM

E. Ronald Bennett, Jr., City Attorney

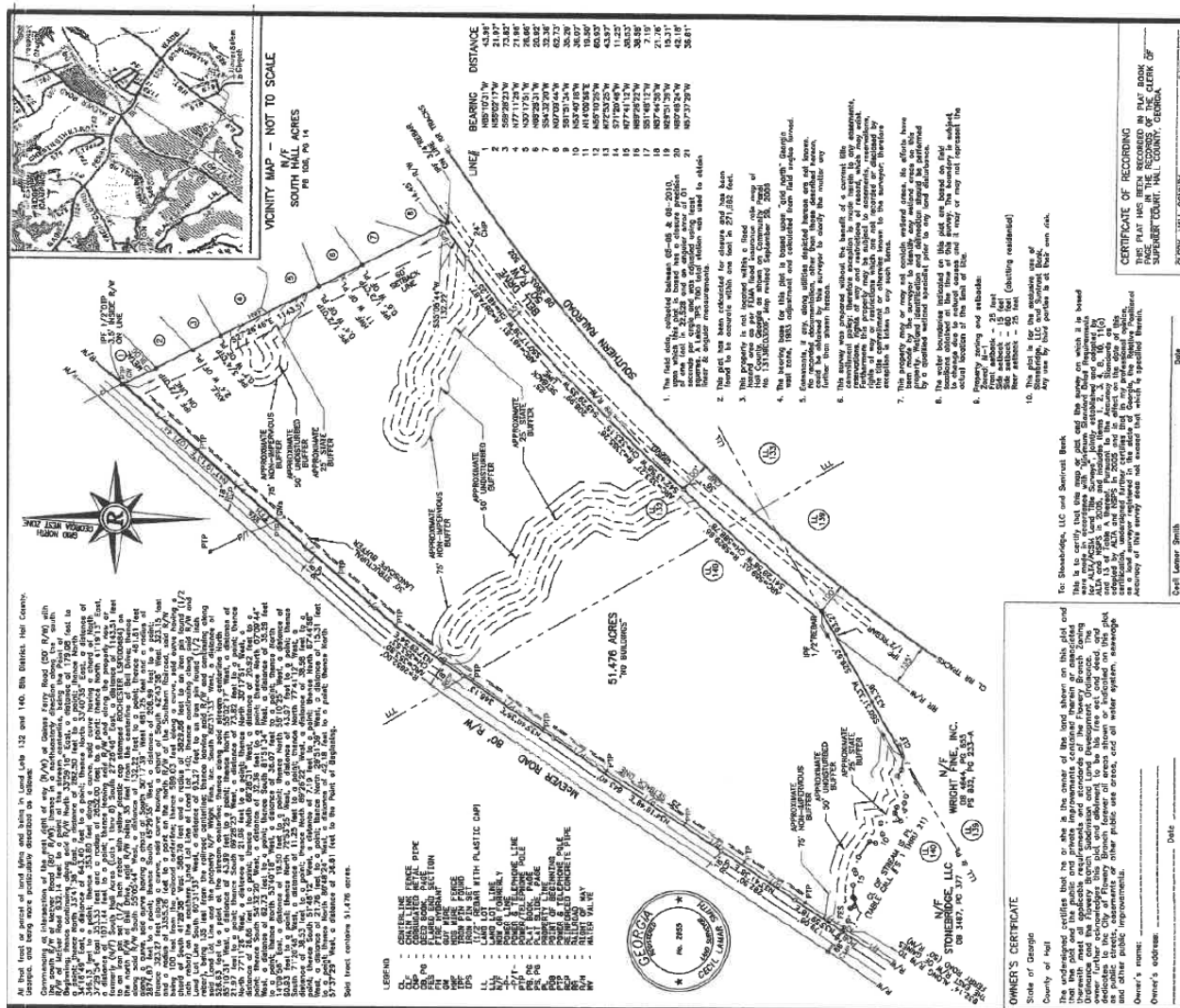


Exhibit “B”

ALL THAT TRACT or parcel of land lying and being in Land Lots 132 and 140 of the 8th District,
in the City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:
Commencing at the right of way intersection of McEver Road (80' R/W) and Gaines Ferry Road (50' R/W):
running thence along the northeasterly right of way of McEver Road 932.14 feet to the intersection of
the right of way of McEver Road and the centerline of a creek. Said point is the POINT OF BEGINNING.
thence NORTH 33 DEGREES 59 MINUTES 09 SECONDS EAST a distance of 179.53 feet to a point;
thence NORTH 33 DEGREES 41 MINUTES 30 SECONDS EAST a distance of 282.50 feet to a point;
thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance of 982.30 feet to a point;
thence SOUTH 30 DEGREES 08 MINUTES 21 SECONDS EAST a distance of 954.25 feet to a point;
thence with a curve turning to the left with an arc length of 367.69 feet and a radius of
5829.66 feet with a chord bearing of SOUTH 40 DEGREES 44 MINUTES 42 SECONDS WEST and a
length of 367.63 feet to a point;
thence NORTH 45 DEGREES 59 MINUTES 13 SECONDS WEST a distance of 154.46 feet to a point;
thence SOUTH 44 DEGREES 00 MINUTES 47 SECONDS WEST a distance of 125.00 feet to a point;
thence SOUTH 45 DEGREES 59 MINUTES 13 SECONDS EAST a distance of 131.25 feet to a point;
thence SOUTH 60 DEGREES 31 MINUTES 25 SECONDS WEST a distance of 432.75 feet to a point;
thence NORTH 79 DEGREES 35 MINUTES 18 SECONDS WEST a distance of 18.89 feet to a point;
thence NORTH 88 DEGREES 56 MINUTES 11 SECONDS WEST a distance of 20.65 feet to a point;
thence NORTH 83 DEGREES 51 MINUTES 45 SECONDS WEST a distance of 10.75 feet to a point;
thence NORTH 37 DEGREES 22 MINUTES 52 SECONDS WEST a distance of 12.80 feet to a point;
thence SOUTH 88 DEGREES 23 MINUTES 09 SECONDS WEST a distance of 14.75 feet to a point;
thence SOUTH 74 DEGREES 27 MINUTES 42 SECONDS WEST a distance of 30.38 feet to a point;
thence SOUTH 61 DEGREES 29 MINUTES 58 SECONDS WEST a distance of 40.48 feet to a point;

thence NORTH 66 DEGREES 37 MINUTES 23 SECONDS WEST a distance of 14.65 feet to a point;
thence NORTH 29 DEGREES 49 MINUTES 56 SECONDS WEST a distance of 21.86 feet to a point;
thence NORTH 50 DEGREES 44 MINUTES 22 SECONDS WEST a distance of 23.15 feet to a point;
thence SOUTH 63 DEGREES 51 MINUTES 50 SECONDS WEST a distance of 22.08 feet to a point;
thence SOUTH 45 DEGREES 28 MINUTES 56 SECONDS WEST a distance of 15.97 feet to a point;
thence NORTH 31 DEGREES 01 MINUTES 09 SECONDS WEST a distance of 8.50 feet to a point;
thence NORTH 01 DEGREES 24 MINUTES 33 SECONDS EAST a distance of 21.47 feet to a point;
thence NORTH 05 DEGREES 59 MINUTES 17 SECONDS WEST a distance of 34.29 feet to a point;
thence NORTH 75 DEGREES 19 MINUTES 12 SECONDS WEST a distance of 8.36 feet to a point;
thence SOUTH 61 DEGREES 54 MINUTES 47 SECONDS WEST a distance of 24.79 feet to a point;
thence NORTH 49 DEGREES 14 MINUTES 26 SECONDS WEST a distance of 22.51 feet to a point;
thence NORTH 57 DEGREES 26 MINUTES 47 SECONDS WEST a distance of 25.46 feet to a point;
thence NORTH 32 DEGREES 56 MINUTES 46 SECONDS EAST a distance of 14.79 feet to a point;
thence NORTH 55 DEGREES 55 MINUTES 27 SECONDS WEST a distance of 37.56 feet to a point;
thence NORTH 44 DEGREES 20 MINUTES 40 SECONDS WEST a distance of 25.81 feet to a point;
thence NORTH 86 DEGREES 13 MINUTES 48 SECONDS WEST a distance of 11.26 feet to a point;
thence NORTH 68 DEGREES 15 MINUTES 04 SECONDS WEST a distance of 15.48 feet to a point;
thence NORTH 66 DEGREES 31 MINUTES 24 SECONDS WEST a distance of 16.57 feet to a point;
thence SOUTH 69 DEGREES 33 MINUTES 58 SECONDS WEST a distance of 12.96 feet to a point;
thence NORTH 66 DEGREES 29 MINUTES 07 SECONDS WEST a distance of 14.41 feet to a point;
thence NORTH 82 DEGREES 08 MINUTES 57 SECONDS WEST a distance of 21.68 feet to a point;
thence SOUTH 79 DEGREES 25 MINUTES 30 SECONDS WEST a distance of 16.32 feet to a point;
thence NORTH 80 DEGREES 19 MINUTES 21 SECONDS WEST a distance of 20.39 feet to a point;
thence SOUTH 63 DEGREES 53 MINUTES 00 SECONDS WEST a distance of 17.47 feet to a point;

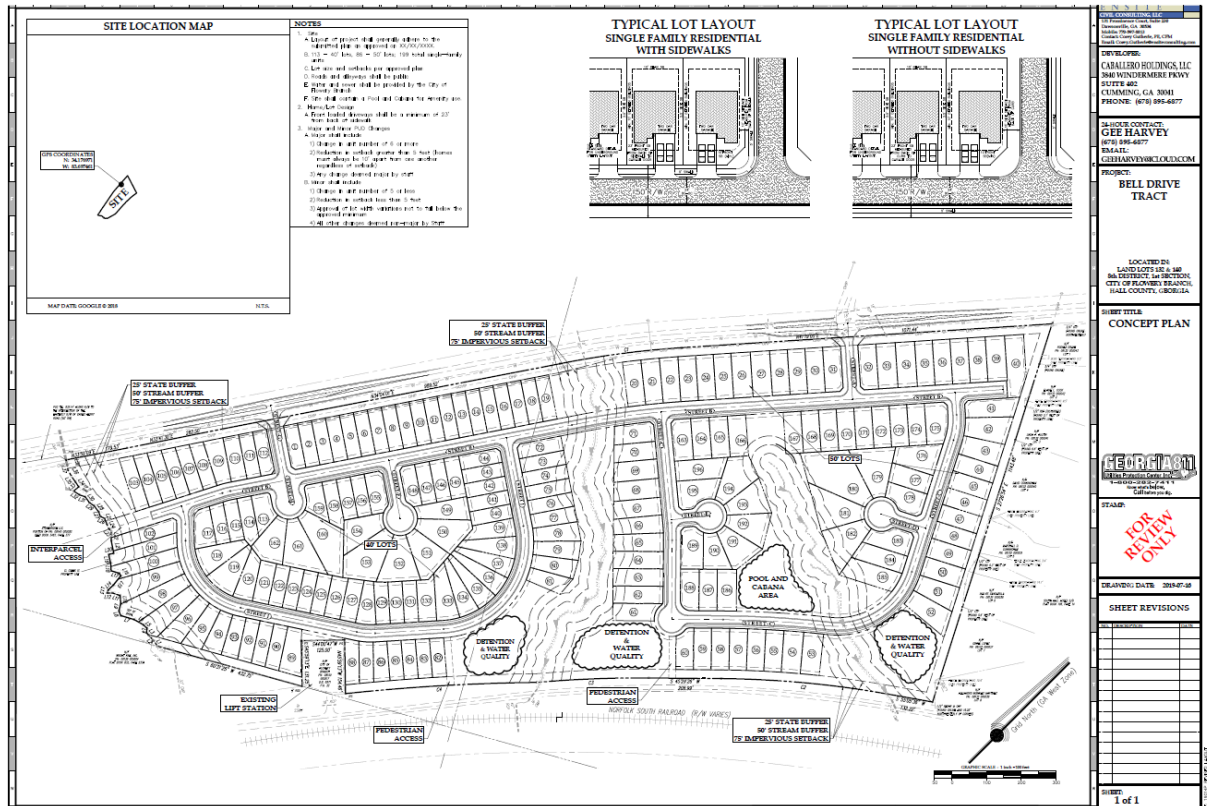
thence SOUTH 77 DEGREES 38 MINUTES 15 SECONDS WEST a distance of 20.54 feet to a point;
thence NORTH 05 DEGREES 46 MINUTES 23 SECONDS EAST a distance of 19.17 feet to a point;
thence NORTH 79 DEGREES 11 MINUTES 05 SECONDS WEST a distance of 17.54 feet to a point;
thence NORTH 79 DEGREES 36 MINUTES 31 SECONDS WEST a distance of 19.50 feet to a point;
thence NORTH 74 DEGREES 24 MINUTES 55 SECONDS WEST a distance of 20.76 feet to a point;
thence NORTH 54 DEGREES 31 MINUTES 52 SECONDS WEST a distance of 13.75 feet to a point;
thence NORTH 57 DEGREES 31 MINUTES 08 SECONDS WEST a distance of 15.72 feet to a point
and the POINT OF BEGINNING.
Said tract contains 20.028 acres.

Exhibit "C"

Conditions of Zoning

1. Site

- A. Layout of project shall generally adhere to the submitted plan as approved on June 20, 2019
And as seen below



- B. Maximum 200 single family units
- C. Lot size and setbacks per approved plan
- D. Landscape plan shall be submitted prior to final plat
- E. Street trees shall be planted with root barriers
- F. Roads and alleyways shall be public
- G. Streets and alleyways will be turned over to the City through an official resolution approved by City Council; not at the time of final plat
- H. A maintenance bond totaling 20% of all public improvements is required at time of final plat
- I. Sewer shall be provided by the City of Flowery Branch
- J. Water service shall be provided by the City of Gainesville
- K. A detailed recreational area plan must be submitted and approved by the City prior to the issuance of a land disturbance permit
- L. Proposed relocation of the current lift station must be approved by the City
- M. 5' sidewalk shall be provided on at least one side of the street throughout the development
- N. Detailed entrance plans shall be submitted and approved by the City
- O. Streetlights must be dedicated to the homeowner's association or to the City of Flowery Branch at the time of final plat

2. Home/Lot Design
 - A. Homes shall have unique designs throughout the project
 - B. All homes are required to have a two-car garage
 - C. Homes shall be designed to have side accessed or recessed garages
 - D. A detailed plan book showing all home elevations shall be approved by City Council prior to the recording of the final plat
 - E. Driveways shall be a minimum of 23' as measured from the back of sidewalk to the front façade of the home
 - F. Individual lots shall show landscaping at time of permit
 - G. All lots must be sodded prior to certificate of occupancy
 - H. A residential drainage plan (RDP) may be required for any lots that have potential drainage issues as determined by the City
 - I. A house location plan (HLP) is required for each home at the time of permitting
3. Major and Minor PUD Changes
 - A. Major shall include
 - 1) Change in unit number of 4 or more
 - 2) Reduction in setback greater than 5 feet (homes must always be 10' apart from one another regardless of setback)
 - 3) Any change deemed major by staff
 - B. Minor shall include
 - 1) Change in unit number of 3 or less
 - 2) Reduction in setback less than 5 feet
 - 3) Approval of lot width variations not to fall below the approved minimum
 - 4) All other changes deemed non-major by staff

Public Hearing Published 1/23/20
Public Hearing 2/06/20

First Reading 3/04/20
Adopted 3/19/20

ORDINANCE NO. 576 A

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING 31.052 +/- ACRES OF LAND OWNED BY STONEBRIDGE, LLC. COMMONLY KNOWN AS 6353 MCEVER ROAD, AND ALSO IDENTIFIED AS TAX PARCEL 08140 000118, AS SHOWN ON ATTACHED EXHIBIT “A”, AS DESCRIBED ON EXHIBIT “B”, BY REZONING SAID TRACT FROM M-1 (LIGHT INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) SUBJECT TO THE CONDITIONS SET FORTH IN EXHIBIT “C”; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Stonebridge, LLC., owns all tract or parcel of land being considered for rezoning totaling 31.49+/- acres identified as Parcel Tax Identification No. 08140 000118, as shown on Exhibit “A”, and as described on Exhibit “B”; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application as submitted by Caballero Holdings, LLC., and in conjunction with the standards set forth in Article 34 - Section 34.7 of Zoning Ordinance No. 348 of the City of Flowery Branch, Georgia; and

WHEREAS, Caballero Holdings, LLC., has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting to be rezoned and whereas a survey and complete description of the land to be rezoned is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of February 6, 2020, duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed rezoning of the parcel from Flowery Branch M1 (Light Industrial) to Flowery Branch PUD (Planned Unit Development) is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.

3. The property could be used in accordance with the existing regulations and has a reasonable economic use as currently zoned M1.
4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between development under the current zonings as opposed to proposed.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the change in zoning district map, or change in use, on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. LEGAL DESCRIPTION AND REZONING.

The rezoning of the subject parcel, as shown on Exhibit “A” and as legally described in Exhibit “B”, and subject to conditions set forth on Exhibit “C”, is hereby rezoned from M1 (Light Industrial) to PUD (Planned Unit Development). Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be February 20th, 2020.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 19th day of March 2020.

ATTEST

James M. Miller, Mayor

Melissa McCain, City Clerk

APPROVED AS TO FORM

E. Ronald Bennett, Jr., City Attorney

Exhibit “A”

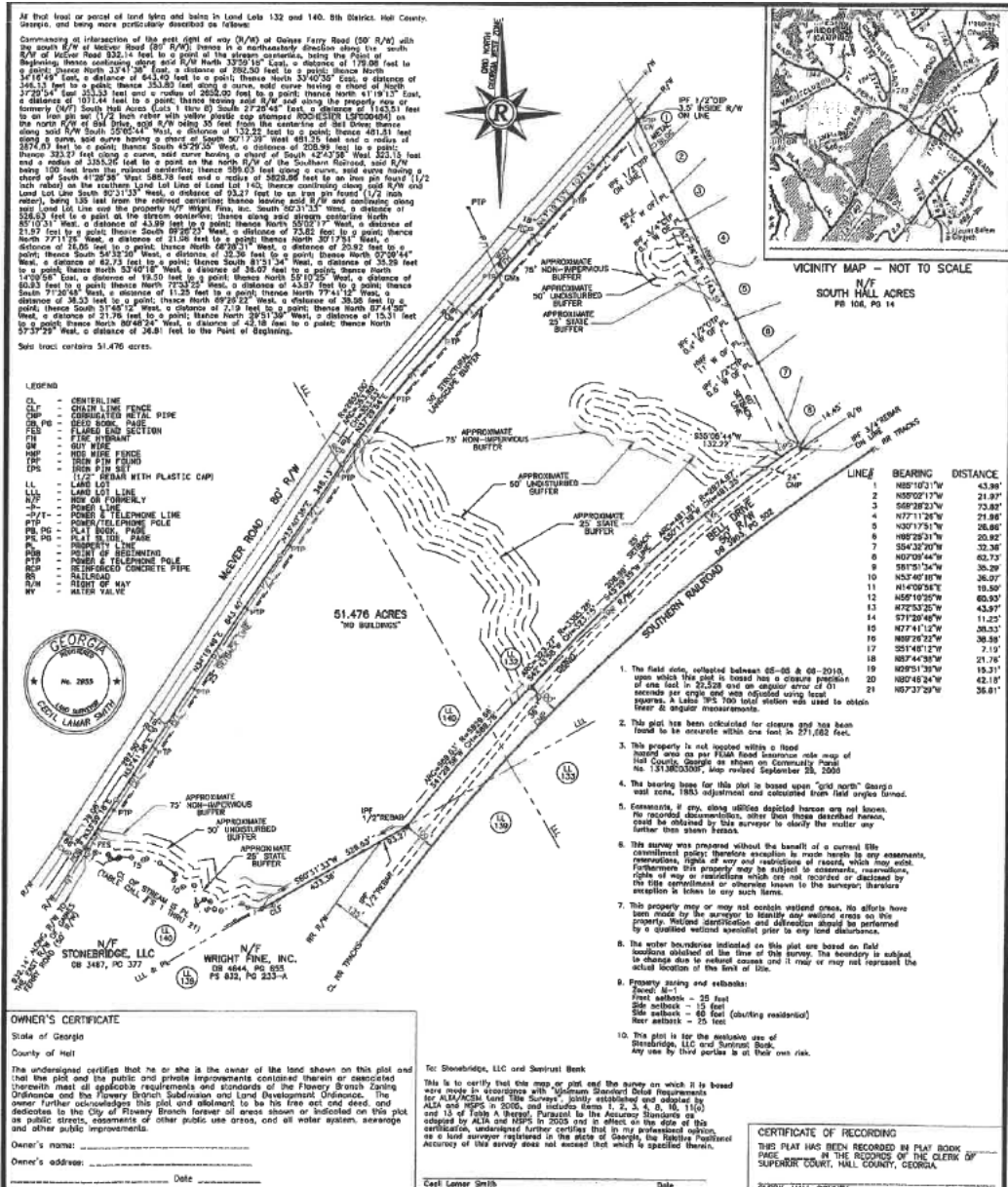


Exhibit “B”

ALL THAT TRACT or parcel of land lying and being in Land Lots 132 and 140 of the 8th District,
in the City of Flowery Branch, Hall County, Georgia and being more particularly described as follows:
Commencing at the right of way intersection of McEver Road (80í R/W) and Gaines Ferry Road (50í R/W):
running thence along the northeasterly right of way of McEver Road 932.14 feet to the intersection of
the right of way of McEver Road and the centerline of a creek. thence
NORTH 33 DEGREES 59 MINUTES 09
SECONDS EAST a distance of 179.53 feet to a point; thence NORTH 33
DEGREES 41 MINUTES 30 SECONDS EAST
a distance of 282.50 feet to a point; thence NORTH 34 DEGREES 04
MINUTES 01 SECONDS EAST a distance
of 982.30 feet to a point. Said point is the POINT OF BEGINNING.
thence NORTH 34 DEGREES 04 MINUTES 01 SECONDS EAST a distance of 7.22
feet to a point;
thence with a curve turning to the right with an arc length of 353.79
feet and a radius of
2652.00 feet with a chord bearing of NORTH 37 DEGREES 29 MINUTES 46
SECONDS EAST and a
length of 353.53 feet to a point;
thence NORTH 41 DEGREES 19 MINUTES 05 SECONDS EAST a distance of
1071.44 feet to a point;
thence SOUTH 27 DEGREES 26 MINUTES 54 SECONDS EAST a distance of
1143.48 feet to a point;
thence SOUTH 55 DEGREES 05 MINUTES 36 SECONDS WEST a distance of
132.22 feet to a point;
thence with a curve turning to the left with an arc length of 481.81
feet and a radius of
2874.87 feet with a chord bearing of SOUTH 50 DEGREES 17 MINUTES 32
SECONDS WEST and a
length of 481.25 feet to a point;
thence SOUTH 45 DEGREES 29 MINUTES 26 SECONDS WEST a distance of
208.99 feet to a point;
thence with a curve turning to the left with an arc length of 323.27
feet and a radius of
3355.26 feet with a chord bearing of SOUTH 42 DEGREES 43 MINUTES 49
SECONDS WEST and a
length of 323.15 feet to a point;
thence with a curve turning to the left with an arc length of 185.55
feet and a radius of
5829.66 feet with a chord bearing of SOUTH 43 DEGREES 27 MINUTES 49
SECONDS WEST and a
length of 185.54 feet to a point;

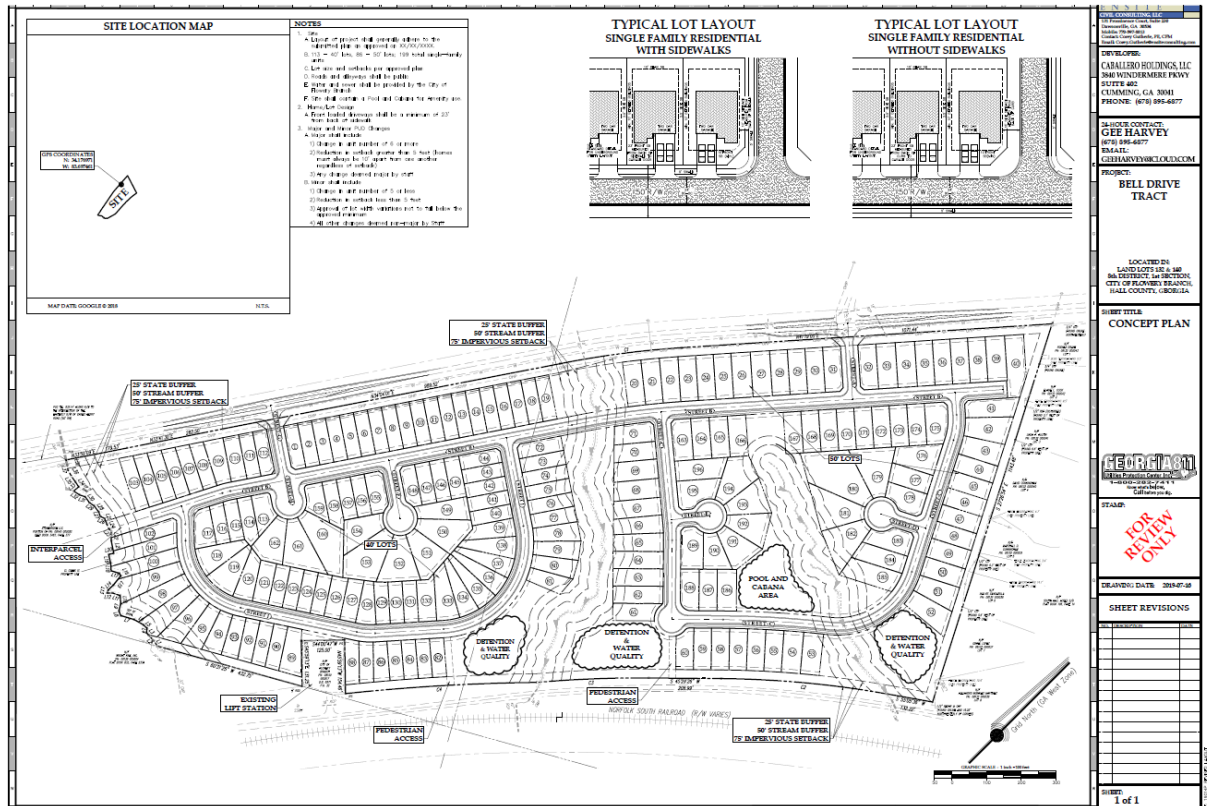
thence NORTH 30 DEGREES 08 MINUTES 21 SECONDS WEST a distance of
954.25 feet to a point
and the POINT OF BEGINNING.
Said tract contains 31.052 acres.

Exhibit "C"

Conditions of Zoning

1. Site

- A. Layout of project shall generally adhere to the submitted plan as approved on July 18, 2019 and as seen below



- B. Maximum 200 single family units
- C. Lot size and setbacks per approved plan
- D. Landscape plan shall be submitted prior to final plat
- E. Street trees shall be planted with root barriers
- F. Roads shall be public
- G. Roads will be turned over to the City through an official resolution approved by City Council; not at the time of final plat
- H. A maintenance bond totaling 20% of all public improvements is required at time of final plat
- I. Sewer shall be provided by the City of Flowery Branch
- J. Water service shall be provided by the City of Gainesville
- K. A detailed recreational area plan must be submitted and approved by the City prior to the issuance of a land disturbance permit
- L. Proposed relocation of the current lift station must be approved by the City
- M. 5' sidewalk shall be provided on at least one side of the road throughout the development
- N. Detailed entrance plans shall be submitted and approved by the City
- O. Streetlights must be dedicated to the homeowner's association or to the City of Flowery Branch at the time of final plat

2. Home/Lot Design
 - A. Homes shall have unique designs throughout the project
 - B. All homes are required to have a two-car garage
 - C. Homes shall be designed to have side accessed or recessed garages
 - D. A detailed plan book showing all home elevations shall be approved by City Council prior to the recording of the final plat
 - E. Driveways shall be a minimum of 23' as measured from the back of sidewalk to the front façade of the home
 - F. Individual lots shall show landscaping at time of permit
 - G. All lots must be sodded prior to certificate of occupancy
 - H. A residential drainage plan (RDP) may be required for any lots that have potential drainage issues as determined by the City
 - I. A house location plan (HLP) is required for each home at the time of permitting
3. Major and Minor PUD Changes
 - A. Major shall include
 - 1) Change in unit number of 4 or more
 - 2) Reduction in setback greater than 5 feet (homes must always be 10' apart from one another regardless of setback)
 - 3) Any change deemed major by staff
 - B. Minor shall include
 - 1) Change in unit number of 3 or less
 - 2) Reduction in setback less than 5 feet
 - 3) Approval of lot width variations not to fall below the approved minimum
 - 4) All other changes deemed non-major by staff



FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY



SUBJECT: Consider Formal Financial Policies: Balanced Budget Policy, General Fund Reserves Policy, Enterprise Fund Reserves Policy, and Investment Policy

COUNCIL MEETING DATE: March 5, 2020

HISTORY:

GFOA (Government Finance Officers Association) Best Practices identify specific policies and procedures that contribute to improved government management. They aim to promote and facilitate positive change or recognize excellence rather than merely to codify the current accepted practice. GFOA has emphasized that these practices be proactive steps that a government should be taking. Best practices are applicable to all governments (both large and small). Over the coming months, the finance department will present for consideration approval of financial policies and guidelines to ensure the City of Flowery Branch is following sound and highly recommended procedures.

Descriptions of the policies and best practices can be located at the following link:
<https://www.gfoa.org/best-practices>

FACTS AND ISSUES:

Some of the presented policies may be already informally utilized under the Council's direction, while others may be new policies. This consideration of approval step will formalize the recommended best practices for financial budgeting and reporting for local municipalities. Once the policies are approved, they will be reviewed by management on an annual basis. If any changes need to be made, the changes will be presented annually to the Council for request of approval.

OPTIONS:

Continue to have management perform without formal policies or consider approving or modifying the policies as presented.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

N/A

RECOMMENDATION:

Approve the Balanced Budget Policy, General Fund Reserves Policy, Enterprise Fund Reserves Policy, and Investment Policy as presented.

SAMPLE MOTION:

I make a motion to approve the following policies as presented: Balanced Budget Policy, General Fund Reserves Policy, Enterprise Fund Reserves Policy, and Investment Policy.

COLLABORATING DEPARTMENT:

Administration

DEPARTMENT: Finance

Prepared by: Melissa McCain

ATTACHMENTS

- [Executive Summary - Balanced Budget GF Reserve WS Reserve and Investment Policy.pdf](#)
- [General Fund Reserves Policy.pdf](#)
- [Balanced Budget Policy.pdf](#)
- [Enterprise Fund Reserves Policy.pdf](#)
- [Investment Policy -changes 2-18-2020.pdf](#)

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Consider Formal Financial Policies: Balanced Budget Policy; General Fund Reserves Policy; Enterprise Fund Reserves Policy; and Investment Policy

DATE: February 20, 2020

☒ **RECOMMENDATION**

☐ **POLICY DISCUSSION**

BUDGET INFORMATION:

☐ **STATUS REPORT**

ANNUAL-

☐ **OTHER**

CAPITAL-

COMMISSION ACTION REQUESTED ON: March 5, 2020

PURPOSE: Approve the Balanced Budget Policy, General Fund Reserves Policy, Enterprise Fund Reserves Policy, and Investment Policy as presented.

HISTORY:

GFOA (Government Finance Officers Association) Best Practices identify specific policies and procedures that contribute to improved government management. They aim to promote and facilitate positive change or recognize excellence rather than merely to codify the current accepted practice. GFOA has emphasized that these practices be proactive steps that a government should be taking. Best practices are applicable to all governments (both large and small). Over the coming months, the finance department will present for consideration approval financial policies and guidelines to ensure the City of Flowery Branch is following sound and highly recommended procedures.

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OPTIONS: Continue to have management perform without formal policies or consider approving or modifying the policies as presented.

RECOMMENDED SAMPLE MOTION:

I make a motion to approve the following policies as presented: Balanced Budget Policy, General Fund Reserves Policy, Enterprise Fund Reserves Policy, and Investment Policy.

DEPARTMENT: Finance

Prepared by: Alisha Gamble



City of Flowery Branch

General Fund Reserves Policy

Authority

The Finance Department is responsible for all financial operations, budgeting reporting and compliance, payroll processing, coordinating, and preparing for the annual audit for the City of Flowery Branch. The Finance Director, as head of the Finance Department, therefore, upholds the responsibility for administering the General Fund Reserves policy on behalf of the Finance Department and City Administration.

Although the Finance Department is responsible for all financial operations, authority over the General Fund Reserves policy remains under the discretion of City Council, as indicated by Part 1 - City Charter, Article VIII, §8.1.

Purpose

General Fund Reserves exist to support the City during unexpected revenue shortage or unplanned, necessary expenditures. This policy is intended to specify targets for the inflows and outflows of the General Fund Reserves, including the quantity of resources to be held in reserves and conditions under which reserves may be used.

Applicability and Scope

This policy shall apply to the General Fund.

Definitions and Acronyms

General Fund

- Refers to the city's main operating fund that accounts for resource inflows and outflows for governmental activities along with all other activities that are not accounted for in some other fund

General Fund Reserves

- Refers to the portion of the General Fund that is intended to provide stability in the event of unplanned occurrences

General Fund Expenditures

- Refers to the annual outflow of resources from the General Fund

Policy

Reserve Levels

- The City shall maintain a General Fund Reserves balance of 4.5 months of the General Fund Expenditures.

Cash Balance

- As of the fiscal year 2019, 4.5 months of General Fund Expenditures is approximately \$1,965,913. Although the exact amount of 4.5 months' worth of General Fund Expenditures is bound to fluctuate as expenditures themselves do, the cash balance of General Fund Reserves shall remain approximately \$1,965,913, or whatever 4.5 months' worth happens to amount to.

Funding the Reserve

- The City's annual budget surplus funds, and unencumbered sources of funds contribute to the the General Fund Reserve.

Conditions for the Use of Reserves

- Any expenditure requested by the City out of the fiscal annual budget cycle is subject to the approval of City Council. General Fund Reserves are to be used to sustain the City in situations of revenue shortages or unplanned expenditures. It is under the discretion of City Council to determine whether the state of the City warrants the use of General Fund Reserves.

Authority over Reserves

- The Finance Department for the City of Flowery Branch upholds the responsibility to maintain the General Fund Reserves at the level determined by City Council.

Assigning Fund Balance

- City Council retains the authority to assign and amend the General Fund Reserves balance, while the City Finance Department is responsible for administering the fund balance to the General Fund Reserves.

Replenishment of Reserves

- General Fund Reserves are to be replenished annually with unencumbered funds available during the annual budget process.

Excess of Reserves

- If General Fund Reserves should exceed 4.5 months of General Fund Expenditures, they are to be reviewed by both the City Finance Department along with City Council as part of their annual review. If there is a capital project in place to which the excess reserves

may go to, then the reserves shall be transferred to the Local Resources Capital Projects Fund. If no such capital project exists, the excess reserves shall remain in the General Fund Reserves until one such project arises or held as operating contingency at the discretion of City Council.

Periodic Review of the Targets

- The targets, as mentioned above for the General Fund Reserves, shall be reviewed every fiscal year during the budget planning process or whenever city conditions indicate that a policy update is necessary. Any updates to the policy shall be subject to the approval of City Council. The following notes the creation, revision, and planned review dates:
 - o Date Created: January 13, 2020
 - o Last Revised: February 11, 2020
 - o Next Annual Review by: March 5, 2021



City of Flowery Branch

Structurally Balanced Budget Policy

Preface:

The Finance Department is responsible for all financial operations, budgeting reporting and compliance, payroll processing, coordinating, and preparing for the annual audit for the City of Flowery Branch (“City”). The Finance Director, as head of the Finance Department, therefore, upholds the responsibility for administering the Structurally Balanced Budget policy on behalf of the Finance Department and City Administration.

Although the Finance Department is responsible for all financial operations, authority over the Balanced Budget policy remains under the discretion of City Council, as indicated by Part 1 - City Charter, Article VIII, §8.1.

Section 1: Definitions

This section defines key terms related to a structurally balanced budget:

Recurring revenue

- The portion of the City’s revenues that can reasonably be expected to continue year to year, with some degree of predictability. Property taxes are an example of recurring revenue.

Non-recurring revenue

- The portion of the City’s revenues that cannot be reasonably expected to continue from year to year. A grant with a term of one year is an example of non-recurring revenue.

Some revenue sources may have both recurring and non-recurring components. These sources require the City to exercise judgement in determining how much of the source is truly recurring. For instance, the City regularly receives sales tax revenue, but the exact amount of revenue varies year to year depending on the goods and services actually sold. In this case, it may be prudent to regard unusually high revenue yields as a non-recurring revenue under the assumption that such revenues are unlikely to continue, making it imprudent to use them for recurring expenditures.

Recurring expenditures

- The portion of the City's expenditures that can be reasonably expected to continue from year to year in order to maintain the current service levels. Salaries, benefits, materials, services, and asset maintenance and replacement costs are all examples of recurring expenditures.

Non-recurring expenditures

- The portion of the City's expenditures that cannot be reasonably expected to continue from year to year in order to maintain the current service levels. Special projects such as capital improvements and asset acquisition are examples of non-recurring expenditures.

Generally, the City has a greater degree of flexibility to defer non-recurring expenditures than recurring ones.

Reserves

- The portion of fund balance that is set aside to support the City during unexpected revenue shortage or unplanned, necessary expenditures. If reserves are maintained at their desired levels [see General Fund Reserves and Enterprise Fund Reserves policies], it is an indication that the City is maintaining a structurally balanced budget. If reserves are declining, it may indicate an imbalance in the budget.

Section 2: Structurally Balanced Budget Policy

The City shall endeavor to adopt a structurally balanced budget. Generally, this means that recurring revenues should fund recurring expenditures and that non-recurring revenues should fund non-recurring expenditures. On occasion, the recurring revenues may cover the non-recurring expenditures when these revenues increase due to property values or state funding.

The City's Finance Department, as a component of their annual budget presentation, shall report the City's progress in achieving a structurally balanced budget.

Section 3: Structurally Balanced Budget Directives

While it is the City's intent to provide City Council with flexibility on how to pursue and achieve a structurally balanced budget, there are some points which the City should observe very closely when developing a budget.

Employee compensation, pension liability, and other recurring expenditures

- Except in extreme circumstances, non-recurring revenues, and especially reserves, should not be used to fund employee compensation. Even one such circumstance, it should only

be done in the context of a plan to return to structure balance and replenish any reserves that had been used.

Operation and maintenance costs of capital assets purchased with non-recurring revenues

- While capital assets are often appropriate to fund with non-recurring revenues, the City shall be observant of the long-term operating and maintenance costs of such purposes, lest it create new recurring expenditures that the City cannot maintain.

Replacement of short-lived assets and non-recurring revenues

- The City shall give preference to using non-recurring revenues to replace assets that have outlived their useful lives over purchasing entirely new assets, where the replacement of the obsolete or expired assets is critical to the maintenance of the City's core priorities and programs. A replacement schedule for such assets is a good indicator of when to budget for these items.

Section 4: Review

The targets, as mentioned above for the structurally balanced budget, shall be reviewed every fiscal year during the budget planning process or whenever city conditions indicate that a policy update is necessary. Any updates to the policy shall be subject to the approval of City Council. The following notes the creation, revision, and planned review dates:

- Date Created: January 31, 2020
- Last Revised: February 11, 2020
- Next Annual Review By: March 5, 2021



The City of Flowery Branch

Enterprise Fund Reserves Policy

Authority

The Finance Department is responsible for all financial operations, budgeting reporting and compliance, payroll processing, coordinating and preparing for the annual audit for the City of Flowery Branch. The Finance Director, as head of the Finance Department, therefore, upholds the responsibility for administering the Enterprise Funds Reserves policy on behalf of the Finance Department and City Administration.

Although the Finance Department is responsible for all financial operations, authority over the Enterprise Fund Reserves policy remains under the discretion of City Council, as indicated by Part 1 - City Charter, Article 8, §8.1.

Purpose

Reserves exist to support the City during unexpected revenue shortage or unplanned, necessary expenditures. This policy is intended to specify targets for the inflows and outflows of reserves in funds other than the General Fund, including the amount of resources to be held in reserves and conditions under which reserves may be used.

Applicability and Scope

This policy shall apply to reserves in the Enterprise Fund, other than the General Fund, for which a separate policy applies [See General Fund Reserves Policy]

Policy

Reserve Levels

- The City shall maintain an Enterprise Fund Reserves balance of 6 months of expenditures with the exception of the General Fund.

Funding the Reserve

- Enterprise Fund Reserves, in addition to General Fund Reserves, are funded by the City's annual budget surplus and other unencumbered operating income.

Conditions for Use of Reserves

- Any expenditure made by the City is subject to the approval of City Council. Enterprise Fund Reserves are to be used to sustain the City's Enterprise Fund in the situations of revenue shortages or unplanned expenditures. It is under the discretion of City Council to determine whether the state of the City warrants the use of any reserves.

Authority over Reserves

- The Finance Department for the City of Flowery Branch upholds the responsibility to maintain the Enterprise Fund Reserves at the level determined by City Council.

Assigning Fund Balance

- City Council retains the authority to assign and amend the Enterprise Fund Reserves balance, while the City Finance Department is responsible for administering the fund balance to Enterprise Fund Reserves.

Replenishment of Reserves

- Enterprise Fund Reserves are to be replenished annually through the annual budget surplus. In the event that Enterprise Fund Reserves are used resulting in a balance below the six-month minimum, a plan will be developed to replenish them through the annual budget process.

Excess of Reserves

- If Enterprise Fund Reserves should exceed six months of expenditures for all funds except for the General Fund, they are to be reviewed by both the City Finance Department along with City Council as part of their annual review. If there is a capital project in place to which the excess reserves may go to, then the reserves shall be transferred to the Capital Projects Fund. If no such capital project exists, the excess reserves shall remain in the Enterprise Funds Reserves until one such project arises.

Periodic Review of the Targets

- The aforementioned targets for the Enterprise Fund Reserves shall be reviewed every fiscal year or whenever city conditions indicate that a policy update is necessary. Any updates to the policy shall be subject to the approval of City Council.

- Date Created: January 13, 2020
- Last Revised: February 11, 2020
- Next Annual Review by: March 5, 2021



The City of Flowery Branch

Investment Policy

Purpose

The purpose of this Investment Policy is to comply with Chapter 2256 of the Government Code (“Public Funds Investment Act”), which required each local government to adopt a written investment policy regarding the investment of its funds and funds under its control. The Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management for the City’s funds.

Although the Finance Department is responsible for all financial operations, authority over the Investment policy remains under the discretion of City Council, as indicated by Part 1 - City Charter, Article VIII, §8.1.

Section 1: Goals and Scope

Goals

- The primary goals of the City of Flowery Branch’s Investment Policy shall be:
 1. Ensure the safety of all funds entrusted to the City;
 2. Maintenance of sufficient liquidity to meet all necessary obligations to the City;
 3. Public trust from prudent investment activities; and
 4. Provide optimization of interest earnings on the portfolio

Scope

- The investment policy of the City of Flowery Branch shall govern the investments of all financial assets of the City. These funds are accounted for in the City’s Annual Audit Report and include:
 - o General Fund
 - o Enterprise Funds
 - o Special Revenue Funds
 - o Capital Project Funds
 - o Debt Service Funds, including reserves and sinking funds, to the extent not required by law or existing contract to be kept segregated and managed separately
 - o Other funds established from time to time

- Except for cash in certain restricted and special funds, the City may consolidate cash and investment balances to ease cash management operations and maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.
- This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the forgoing funds. However, this policy does not apply to the assets administered for the benefit of the City by outside agencies under deferred compensation programs or other post-employment benefits (OPEB) trust funds.

Section 2: Investment Objectives

- The primary objectives of investment activities shall be safety, liquidity, public trust and optimization of interest earnings. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with State and Local Law.

Safety

- Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.
 - Credit Risk
 - The City of Flowery Branch will minimize credit risk, which is the risk of loss of all or part of the investment due to the failure of the security issuer or backer by:
 - Limiting investments to the types of securities listed later in this investment policy;
 - Pre-qualifying and conducting ongoing due diligence of the financial institutions, broker/dealers, intermediaries, and advisors with which the City of Flowery Branch will do business with;
 - Diversifying the investment portfolio so that the impact of potential losses from any one type of security or any one individual issuer will be minimized.
 - Interest Rate Risk
 - The City of Flowery Branch will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates by:
 - Structuring the investment portfolio so that security materials match cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market before maturity

- Investing operating funds primarily in shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds or certificates of deposit
- Diversifying maturities and staggering purchase states to minimize the impact of market movements over time.

Liquidity

- This investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrently with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity). Alternatively, a portion of the portfolio may be placed in money market mutual funds or local government investment pools which offer same-day liquidity for short-term funds.

Public Trust

- All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

Yield (Optimization of Interest Earnings)

- The investment portfolio shall be designed to attain a market rate of return throughout budgetary and economic cycles, considering the investment risk constraints and liquidity needs. The core investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall generally be held until maturity with the following exceptions:
 - A security with declining credit may be sold early to minimize loss of principal;
 - Selling a security and reinvesting the proceeds that would improve the quality, yield, or target duration in the portfolio may be undertaken;
 - Unanticipated liquidity needs of the portfolio require that the security be sold

Section 3: Standards of Care

Prudence

- The standard of prudence to be used by investment officials shall be the "uniform prudent investor act" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this

investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion, and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

Ethics and Conflicts of Interest

- Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business, in accordance with applicable laws. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

Delegation of Authority

- Authority to manage the investment program is granted to the City's Finance Director herein referred to as the investment officer. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with established objectives and standards of care for the operation of this investment program. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer.

Training Requirement

- In accordance with the Public Funds Investment Act, designated Investment Officers shall attend an investment training session no less often than once in a two-year period that begins on the first day of the City's fiscal year and consists of two consecutive fiscal years after that date and shall receive not less than 8 hours of instruction relating to investment responsibilities. A newly appointed Investment Officer must attend a training session of at least 10 hours of instruction within twelve months of the date the Officer took office or assumed the Officer's duties.
- The investment training session shall be provided by an independent source approved by the City Council. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institution of higher education or any other sponsor other than a business organization with whom the City may engage in an investment transaction.
 - Sources approved to provide training to the City's Investment Officer include:
 - Government Finance Officers Association (GFOA)
 - Georgia Government Finance Officers Association (GGFOA)

- University of Georgia – Carl Vinson Institute of Government (CVIOG)
- Any higher education organization that has an Public Management or Public Administration program.

Section 4: Authorized Financial Institutions, Depositories, and Broker/Dealers

Authorized Financial Institutions, Depositories, and Broker/Dealers

- A list will be maintained of financial institutions and depositories authorized to provide investment services. In addition, a list will be maintained of approved security broker/dealers selected by creditworthiness and/or other factors, such as FINRA broker check.
- All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:
 - Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines
 - Proof of Financial Industry Regulatory Authority (FINRA) certification (not applicable to Certificate of Deposit counterparties)
 - Proof of state registration
 - Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties)
 - Certification of having read and understood and agreeing to comply with the City of Flowery Branch's investment policy
 - Evidence of adequate insurance coverage exceeding at a minimum of 10% over the amount of the investment by the City.
- An annual review of the financial condition and registration of all qualified financial institutions and broker/dealers will be conducted by the investment officer.

Section 5: Safekeeping and Custody

Delivery vs. Payment

- All trades of marketable securities will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible custody account prior to the release of funds.

Safekeeping

- The City's Finance Department will hold securities with all securities held in the City's name.

Internal Controls

- The investment officer shall establish a system of internal controls, which shall be documented in writing. The internal controls shall be reviewed annually by City Council

and with the independent auditor for the City. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City. The internal controls shall address the following points:

- o Control of collusion
- o Separation of transactions authority from accounting and record keeping
- o Custodial safekeeping
- o Avoidance of physical delivery securities
- o Clear delegation of authority to subordinate staff members
- o Written confirmation for telephone (voice) transactions for investments and wire transfers
- o Development of a wire transfer agreement with the depository bank or third party custodian
- o Documentation of transactions and strategies
- o Monitor rating changes in investment acquired with public funds through websites such as Moody's, Standard & Poor's (S&P), and Electronic Municipal Market Access (EMMA)

Section 6: Suitable and Authorized Investments

Investment Types

- Consistent with the GFOA Policy Statement on State and Local Laws Concerning Investment Practices and O.C.G.A. §36-80-3, this policy will permit the following investments:
 - o Obligations of the United States and of its agencies and instrumentalities;
 - o Bonds or certificates of indebtedness of this state and of its agencies and instrumentalities; and
 - o Certificates of deposit of banks which have deposits insured by the Federal Deposit Insurance Corporation; provided, however, that the portion of such certificates of deposit in excess of the amount insured by the Federal Deposit Insurance Corporation shall be secured by direct obligations of this state or the United States which are par value equal to that portion of such certificates of deposit which would be uninsured.
 - o Local Government Investment Pool (ex. Georgia Fund 1)
- Investment derivatives of the above instruments shall require authorization by City Council.

Collateralization

- Where allowed by governing legislation and in accordance with the GFOA Recommended Practices on the Collateralization of Public Deposits, full collateralization will be required on all demand deposit accounts, including checking accounts and non-negotiable certificates of deposit (See GFOA Recommended Practices in Appendix).

Repurchase Agreements

- Repurchase agreements shall be consistent with GFOA Recommended Practices on Repurchase Agreements. (See GFOA Recommended Practices in Appendix.)

Investment Diversification and Constraints

- Diversification
- It is the policy of the City of Flowery Branch to diversify its investment portfolios. To eliminate the risk of loss resulting from the overconcentration of assets in a specific maturity, issuer, or class of securities, all cash and cash equivalent assets in all City funds shall be diversified by maturity, issuer, and security type. Diversification strategies shall be determined and revised periodically by the investment officer for all invested funds.
- In establishing specific diversification strategies, the following general policies and constraints shall apply:
 - Portfolio maturities shall be staggered to avoid undue concentration of assets in a specific maturity sector. Maturities selected shall provide for stability of income and reasonable liquidity
 - Liquidity shall be assured through practices ensuring that the next disbursement date and payroll date are covered through maturing investments or marketable U.S. Treasury bills.
 - Positions in securities having potential default risk (i.e. commercial paper) shall be limited in size so that in case of default, the portfolio's annual investment income will exceed a loss in a single issuer's securities.
 - Risks of market price volatility shall be controlled through maturity diversification and duration management.
 - The investment officer shall establish strategies and guidelines for the percentage of the total portfolio that may be invested in securities other than repurchase agreements, Treasury bills, or collateralized certificates of deposit. The investment officer shall conduct a quarterly review of these guidelines and evaluate the probability of market and default risk in various investment sectors as part of its considerations.

Maximum Exposure Guidelines

- Risk of principal loss in the portfolio shall be minimized by diversifying investment types according to staff recommendations for current economic conditions.

Default risk

- No more than 15 percent of the overall portfolio may be invested in the securities of a single issuer, except for securities of the U.S. Treasury. No more than 15 percent of the portfolio may be invested in each of the following categories of securities:
 - Money Market Mutual Funds,
 - Negotiable certificates of deposit,

- Bankers' acceptances,
- Any other obligation that does not bear the full faith and credit of the United States government or which is not fully collateralized or insured

Liquidity risk

- Based on liquidity needs, at least 10 percent of the overall portfolio shall be invested in overnight instruments or in marketable securities, which can be converted to cash within one day.

Maximum Maturities

- No more than 20 percent of the portfolio may be invested beyond 12 months, and the weighted average maturity of the portfolio shall never exceed 5 years.
- To the extent possible, the City shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than five (5) years from the date of purchase or in accordance with governing legislation. The City shall adopt weighted average maturity limitations consistent with the investment objectives.
- Reserve funds shall be considered the "core" investment portfolio and invested in securities exceeding five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to City Council. (See the GFOA Recommended Practice on "Maturities of Investments in a Portfolio" in Appendix.)

Competitive Bids

- The investment officer shall solicit competitive bids from at least three brokers or financial institutions on all purchases and sales of investment instruments transacted on the secondary market.

Section 7: Reporting

Methods

- The investment officer shall prepare an investment report at least quarterly, including a management summary that provides an analysis of the status of the current investment portfolio and the individual transactions executed over the last quarter. This management summary shall be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the City Manager, City Council, and any pool participants. The report will include the following:
 - Listing of individual securities held at the end of the reporting period, including type, acquisition, cost, and market value.

- o Realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities over a one-year duration that is not intended to be held until maturity (in accordance with Government Accounting Standards Board (GASB) requirements)
- o Average weighted return on investments as compared to applicable benchmarks
- o Percentage of the total portfolio which each type of investment represents
- o A statement that the investment portfolio follows the investment policy and is meeting the investment policy objectives
- o List ratings for active investments from research from websites such as Moody's, Standard & Poor's (S&P), and Electronic Municipal Market Access (EMMA)

Performance Standards

- The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain an average market rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks shall be established against which portfolio performance shall be compared on a regular basis. The benchmarks shall be reflective of the actual securities being purchased and risks undertaken, and the benchmarks shall have similar weighted average maturity as the portfolio.

Market to Market

- The market value of the portfolio shall be calculated at least quarterly, and a statement of the market value of the portfolio shall be issued at least quarterly. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed consistent with the GFOA Recommended Practice on "Mark-to-Market Practices for State and Local Government Investment Portfolios and Investment Pools." (See GFOA Recommended Practices in Appendix.)

Section 8: Policy Considerations

Amendments

- This policy shall be reviewed on an annual basis. Any changes must be submitted by the investment officer and approved by City Council.

Approval of Investment Policy

- The investment policy shall be formally approved and adopted by the governing body of the City of Flowery Branch and reviewed annually.
 - o Date Created: January 13, 2020
 - o Last Revised: February 18, 2020
 - o Next Annual Review by: March 5, 2021