



**City of Flowery Branch
City Council Meeting
Thursday, January 16, 2025, 6:00 PM
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

PLEDGE OF ALLEGIANCE:

ADOPTION OF AGENDA:

AWARDS & RECOGNITIONS:

PUBLIC HEARING:

- Consider Approval of Ordinance 725 for a Public Hearing and First Reading of Annexation at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility.
[Ordinance 725 Annexation 4272 Thurmon Tanner Parkway.pdf](#)
[Annexation and Rezoning Report 4272 Thurmon Tanner Parkway final for january 16.pdf](#)
[Annexation request 12-5-2024.pdf](#)
- Consider Approval of Ordinance 726 for a Public Hearing and First Reading of Rezoning and Conditional Use Permit at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility.
[Ordinance 726 Rezone and CUP for 4272 Thurmon Tanner Parkway.pdf](#)
[Annexation and Rezoning Report 4272 Thurmon Tanner Parkway final for january 16.pdf](#)
[Rezoning Application M-1 for 4272 Thurmond Tanner Parkway.pdf](#)
[CUP App.pdf](#)
- Consider Approval of Ordinance 729 for a Public Hearing and First Reading of a Variance Request at 5201 Mulberry Street.
[Ordinance 729 1-16-2025.pdf](#)
[Variance Report 5201 Mulberry Street.pdf](#)
[Variance Application 10.28.24.pdf](#)
[5201 Mulberry Street HLP Revised 10_18_24.pdf](#)
[GRIFFIN-II-ELEV-B-1958-rev 10.17.24.pdf](#)

UNFINISHED BUSINESS - WORK SESSION:

- Consider the Second Reading of Ordinance 724 for a Variance Request at 4627 Atlanta Highway.
[Ordinance 724 1-16-2025.pdf](#)
[VarianceApplication Revised.pdf](#)
[Variance Report 4627 Atlanta Highway final.pdf](#)
[Architectural Elevations 4627 Atlanta Highway.pdf](#)
[Traffic Calcs for Left Turn Lane 12-12-241.pdf](#)
[GDOT Supplemental Memo.pdf](#)

NEW BUSINESS -WORK SESSION:

- Presentation of Mixed-Use Project at 4560 Hog Mountain Road
[HOG MT-concept V1.pdf](#)
- Discussion of FY2025 2nd Quarter Capital Update.
[Executive Summary - FY25 2nd Quarter Capital Update.pdf](#)
[Q2 CIP Report 12-31-2024.pdf](#)
- Consider the Addition of One Certified Police Officer Position and Associated Equipment for the Police Department and authorize a budget amendment for the associated expenditures.
[Police Patrol expense breakdown.pdf](#)
[Executive Summary Draft for Additional Certified Officer 01082025.pdf](#)

DEPARTMENT REPORTS:

- a. City Manager Report
- b. City Clerk Report
- c. Department of Fun Report
- d. Finance Department Report
- e. Human Resources Report
- f. Planning Department Report
- g. Police Department Report
- h. Public Works & Utilities Report
- i. Attorney Report
- j. Council Report

ADJOURNMENT WORK SESSION:

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

PUBLIC COMMENTS:

Please limit to two minutes

CONSENT AGENDA:

- Consider January 2, 2025 City Council Meeting Minutes
[Unofficial January 2, 2025 City Council Meeting Minutes.pdf](#)
- Consider January 4, 2025 Special Called City Council Meeting Minutes
[Unofficial January 4, 2025 Special Called City Council Meeting Minutes.pdf](#)

UNFINISHED BUSINESS - VOTING SESSION:

- Consider the Second Reading of Ordinance 724 for a Variance Request at 4627 Atlanta Highway.
[Ordinance 724 1-16-2025.pdf](#)
[VarianceApplication Revised.pdf](#)
[Variance Report 4627 Atlanta Highway final.pdf](#)
[Architectural Elevations 4627 Atlanta Highway.pdf](#)
[Traffic Calcs for Left Turn Lane 12-12-241.pdf](#)
[GDOT Supplemental Memo.pdf](#)
- Consider the Second Reading of Ordinance 728 for Publishing 2025 General Election Qualifying Fees
[Executive Summary Ordinance 728 - Call for Election 2025.pdf](#)

NEW BUSINESS - VOTING SESSION:

- Consider the Addition of One Certified Police Officer Position and Associated Equipment for the Police Department and authorize a budget amendment for the associated expenditures.
[Police Patrol expense breakdown.pdf](#)
[Executive Summary Draft for Additional Certified Officer 01082025.pdf](#)
- Consider Approval of Ordinance 725 for a Public Hearing and First Reading of Annexation at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility.
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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 Approval of Ordinance 725 for a Public Hearing and First Reading of Annexation at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

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

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval of Ordinance 725 with staff recommended conditions.

SAMPLE MOTION:

I make a motion to approve Ordinance 725 with staff recommended conditions

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Ordinance 725 Annexation 4272 Thurmon Tanner Parkway.pdf](#)
- [Annexation and Rezoning Report 4272 Thurmon Tanner Parkway final for january 16.pdf](#)
- [Annexation request 12-5-2024.pdf](#)

ORDINANCE NO. 725

AN ORDINANCE TO ANNEX AND BRING WITHIN THE CORPORATE LIMITS OF THE CITY OF FLOWERY BRANCH, STATE OF GEORGIA, REAL PROPERTY TOTALING 6.72 +/- ACRES OF LAND, OWNED BY AROUND THE PICKLE LLC, IDENTIFIED AS 4272 THURMOND TANNER PARKWAY, TAX PARCEL 08073 000012 AND AS SHOWN ON ATTACHED EXHIBIT “A”, PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Around the Pickle LLC, owns the subject parcel of land identified as Parcel Tax Identification No. 08073 000012 as shown and described on Exhibit “A”; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application of Around the Pickle LLC and in conjunction with the standards set forth in O.C.G.A. §§ 36-36-1 through 36-36-110, O.C.G.A. § 36-60-111, and the City of Flowery Branch Community Agenda for annexation into the City’s corporate limits; and

WHEREAS, said parcels of land identified as Parcel Tax Identification No. 08073 000012 is within the unincorporated area of Hall County, State of Georgia, and is contiguous to the existing corporate limits of the City of Flowery Branch, Georgia at this time; and

WHEREAS, Around the Pickle LLC has submitted to the City Council of Flowery Branch, Georgia, a written and signed application and affidavit showing consent to being annexed, and whereas a survey and complete description of the subject parcel being considered to be annexed, is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of January 16, 2025 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. RECITALS.

All of the foregoing recitals of this Ordinance are incorporated by reference as if fully set forth herein and are made part of this annexation ordinance.

SECTION 2. ANNEXATION.

The City Council of Flowery Branch, Georgia, does hereby annex and include within the corporate limits of the City of Flowery Branch, Georgia real parcels of land known as Parcel Tax

Identification No. 08073 000012 as shown and described on Exhibit "A". Said Exhibit is incorporated by reference as if fully set forth herein.

SECTION 3. CERTIFICATION BY THE CITY CLERK

The City Council of Flowery Branch, Georgia, authorizes and directs the City Clerk of Flowery Branch, Georgia to certify this Ordinance and attached Exhibit and have a certified copy of this Ordinance and its Exhibits filed with the Department of Community Affairs and any other public official or agencies as required by law.

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 March 1, 2025 as required by O.C.G.A. § 36-36-2.

SECTION 6. REPEALER.

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

Approved this 6th day of February 2025.

Edward R. Asbridge, Mayor

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM

Ted C. Baggett, City Attorney

Exhibit A

All that lot, tract or parcel of land lying, situate and being in Land Lot 73 of the 8th Land District of Hall County, Georgia, being more fully and particularly described as follows:

BEGINNING at a point on the northern right of way line of Thurman Tanner Road (having a sixty (60) foot right of way line) which point is located a distance of 507.73 feet in a southwesterly direction as measured along the northern right of way line of Thurman Tanner Road from the intersection of the northern right of way line of Thurman Tanner Road with the western right of way line of W. White Road; running thence along the northern right of way line of Thurman Tanner Road the following courses and distances: South 59 degrees 32 minutes 37 seconds West a distance of 11.79 feet to a point; South 61 degrees 33 minutes 29 seconds West a distance of 81.73 feet to a point; South 62 degrees 19 minutes 55 seconds West a distance of 180.86 feet to a point; South 62 degrees 00 minutes 57 seconds West a distance of 151.59 feet to a point; South 64 degrees 26 minutes 10 seconds West a distance of 101.24 feet to a point marked by a ¼ inch rebar; leaving the northern right of way line of Thurman Tanner Road and running thence North 28 degrees 48 minutes 27 seconds West a distance of 925 feet to a point; running thence South 76 degrees 54 minutes 02 seconds East a distance of 627.24 feet to a point; running thence South 35 degrees 26 minutes 14 seconds East a distance of 521.22 feet to a point on the northern right of way line of Thurman Tanner Road and the POINT OF BEGINNING.

The above-described property is more fully and particularly set out on a survey for Screens Atlanta, Inc., dated November 27, 1996, by Wallace Long Hambrick, Georgia Registered Land Surveyor Number 1375.

LESS AND EXCEPT:

All that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to Hall County dated October 6, 2000, recorded in Deed Book 3749, Page 584, Hall County Deed Records; all that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to Hall County dated June 8, 2000, recorded in Deed Book 3687, Page 370, Hall County Deed Records; and all that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to the City of Oakwood dated June 8, 2000, recorded in Deed Book 3687, Page 368, Hall County Deed Records.

Exhibit 'B'

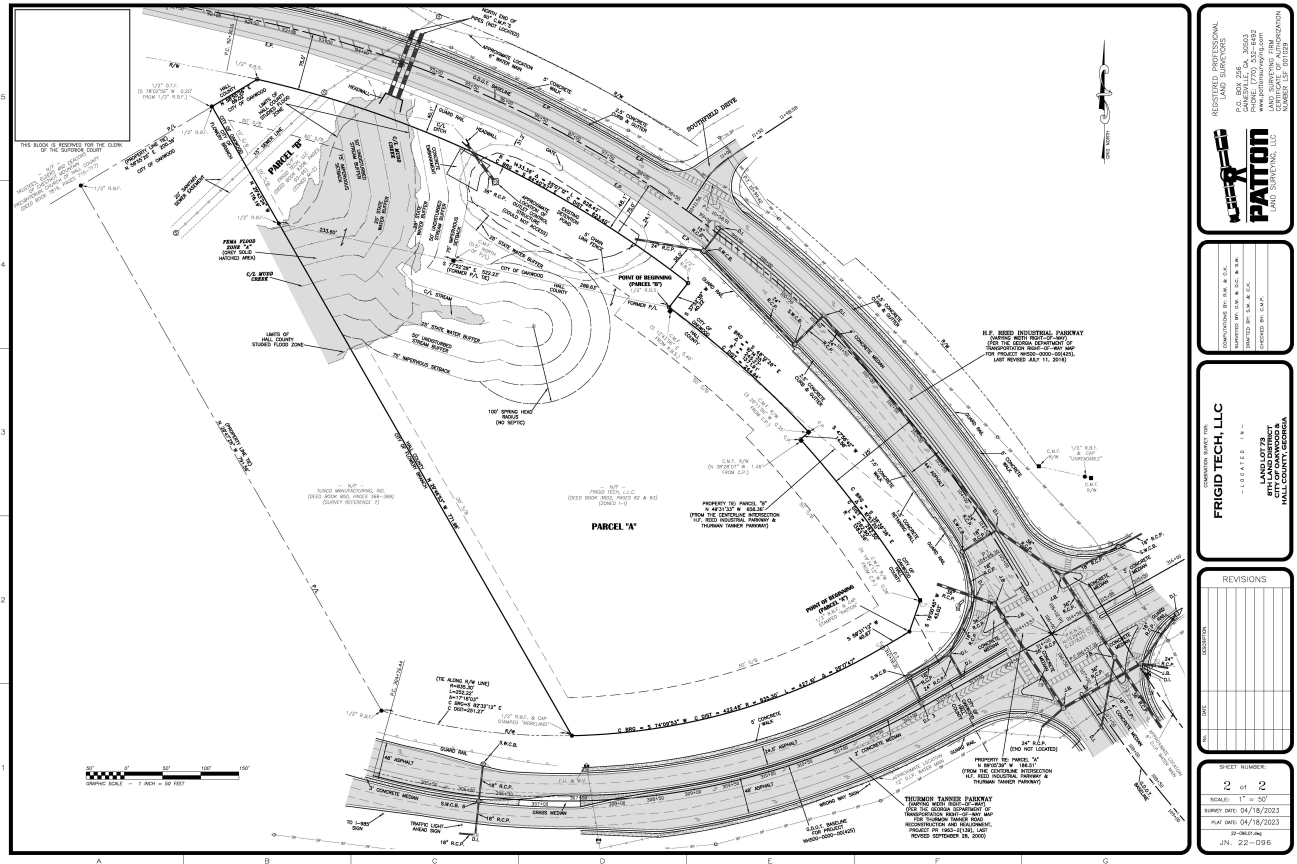


Exhibit 'C'

1. The applicant shall implement 10' landscape strips along the property boundary to minimize noise impact on adjacent properties. Preserved vegetation can be provided in lieu of planting trees and shrubs with the approval of the Planning and Community Development Director.
2. Adequate parking spaces shall be provided to support the proposed use. The maximum parking space should not exceed 102 spaces.
3. Any signage related to the commercial recreational facility must adhere to Flowery Branch's sign regulations, including size, lighting, and placement.
4. The applicant shall ensure that all facilities are properly maintained, including outdoor recreational areas, restrooms, and parking lots.
5. The applicant shall comply with all environmental regulations regarding stormwater runoff, waste management, and other applicable environmental concerns.
6. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.



Memorandum

To: City of Flowery Branch, City Manager, and City Council

From: Chris McCrary, Planning and Community Development Director

Date: January 16, 2025

Subject: Annexation, Rezoning, and Conditional Use Permit

Applicant: Around the Pickle LLC
379 East Lake Drive
Gainesville, GA 30506
678-617-4257

Existing Zoning: I-I – Light Industrial, Unincorporated Hall County

Proposed Zoning: M-1 – Light Industrial with a Conditional Use Permit for operation of an indoor and outdoor recreational facility. (Table 9.1)

Location:

- 4272 Thurmon Tanner Parkway; tax parcel identification number **08073 000012**

Annexation & Rezoning Request:

The applicant is seeking the annexation of 4272 Thurmon Tanner Parkway from unincorporated Hall County to the City of Flowery Branch for the development of a pickle ball outdoor and indoor event center. The subject site is currently zoned as Hall County Light Industrial (I-I), and the applicant is proposing to rezone the tract to Flowery Branch Light Industrial (M-1).

The applicant intends to develop a private pickleball recreational facility including twelve (12) outdoor pickleball courts and eighteen (18) indoor courts within three (3) buildings. The sports complex will be accessed from both Thurmon Tanner Parkway and H F Reed Industrial Parkway.



Code Section:

Table 9.1 – Permitted and Conditional Uses in Nonresidential Zoning Districts

Use	O-P	INST	NS	HB	CBD	M-1	M-2
Commercial recreational facility, indoor (Ord. 348-11)	X	X	C	P	X	C	C
Commercial recreational facility, outdoor	X	X	X	C	C	C	C

Most tennis and pickleball facilities are located within the recreational areas of established subdivision. The City Code addresses this in Section 12.1 –Community Recreation Facility:

Within a residential subdivision or multiple-family residential development, community recreation facilities as defined by this Zoning Ordinance must be platted when a part of a subdivision or part of the site plan approval for a multiple-family residential development. Community recreation facilities shall be subject to the following requirements:

- a) *Exterior lighting. If lighted, exterior lighting shall require a lighting plan to be submitted and approved prior to installation. See Article 23 of this Zoning Ordinance.*
- b) *Swimming Pools and Tennis Courts. Swimming pools and tennis courts shall be setback a minimum of twenty-five (25) feet from all property lines of the tract of land devoted to community recreation, with a minimum ten (10) foot wide landscape strip along all property lines of said tract. See Article 19 of this Zoning Ordinance for landscape strip specifications.*
- c) *Buildings. Buildings (excluding accessory structures) shall be setback a minimum of twenty-five (25) feet from the property line of the tract. If outdoor patios or decks are provided, they shall be located no closer than twenty-five (25) feet from the property line of the tract and a minimum ten (10) foot wide landscape strip shall be provided between said outdoor patio or deck and the property line or boundary of said tract. See Article 19 of this Zoning Ordinance for landscape strip specifications.*
- d) *Parking. Parking shall be provided per the requirements of Article 21 of this Zoning Ordinance.*

Since the proposed use is not within a recreational area of a single-family subdivision, the only similar entry in Table 9.1 is Commercial Recreation Facility, Indoor and Outdoor. The scale the code describes for a Commercial Recreational Facility is not what is proposed by the Applicant.



Section 14.5. – Commercial Recreation Facility, Indoor / Outdoor:

This code section may not apply to the scale of a recreational pickleball as proposed. This section contemplates uses such as: *“stadiums, amphitheaters, outdoor firearms shooting ranges, and racetracks for animals and motor driven vehicles; such projects may be required to construct noise attenuation walls or otherwise address off-site noise impacts. A traffic impact analysis shall be required for amphitheaters, stadiums, racetracks for animals or motor-driven vehicles, and recreational vehicle parks”*.

The review concludes that the proposed pickleball facility does not neatly fit into any existing categories within the zoning code. As pickleball's popularity has surged, the code has primarily focused on tennis and other recreational courts within single-family subdivisions, leaving this type of use unanticipated. Nonetheless, it is reasonable to apply the dimensional criteria outlined in Section 12.1 to the project, despite its location outside a subdivision plat.

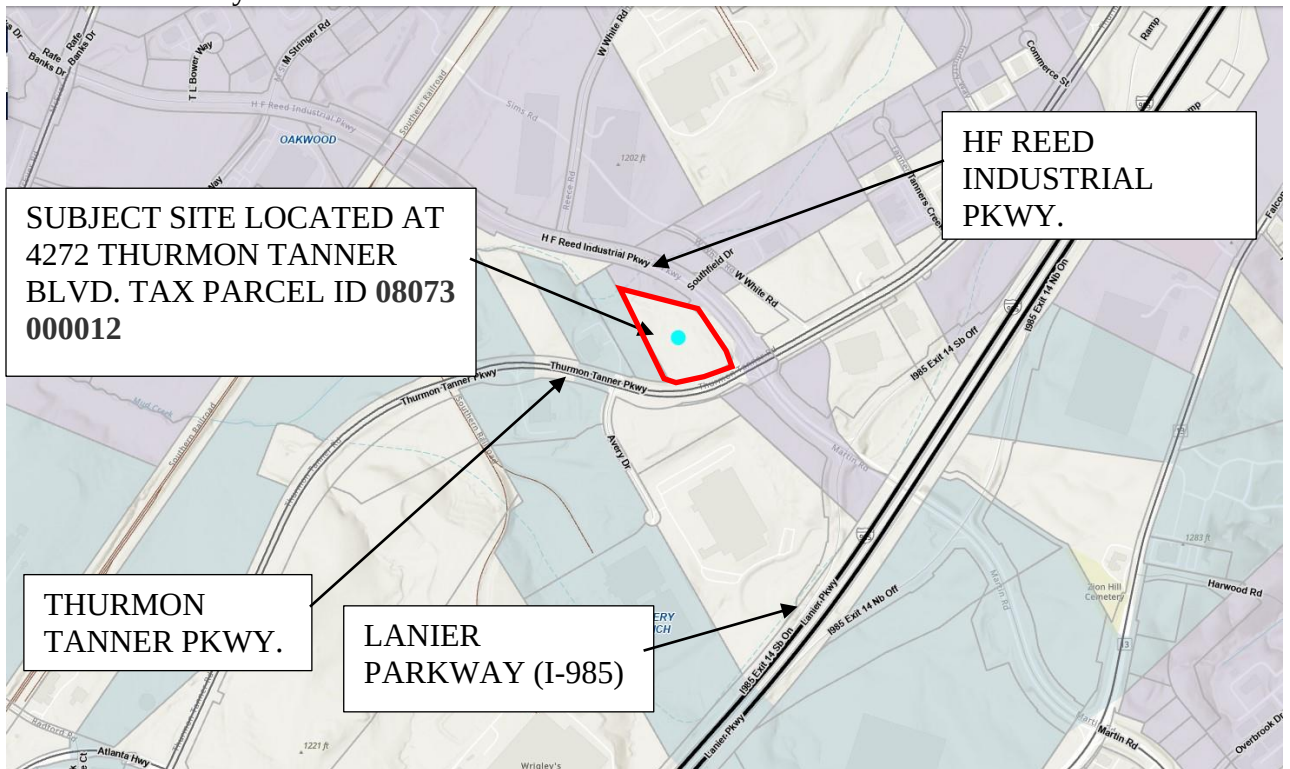
The M-1 (Light Industrial) zoning classification appears most appropriate for the site due to its proximity to the Industrial Employment Character Area. Rezoning the property to M-1, with conditions aligned to Section 12.1, would facilitate the development of the pickleball facility in harmony with the surrounding industrial context. Given the site's existing industrial setting, the need for extensive buffering is minimal. Furthermore, the facility's peak operating hours would be staggered to coincide with the typical schedules of nearby industrial businesses, minimizing potential conflicts.

A Conditional Use Permit (CUP) would be required for both indoor and outdoor recreational facilities, as specified in the code. Staff recommends rezoning the property to M-1 with conditions consistent with Section 12.1 and approving the CUP. This approach would ensure the development aligns with the Comprehensive Plan.



Location Map:

The subject site is located at 4272 Thurmon Tanner Parkway near the intersection of HF Reed Industrial Parkway.





Zoning Map:

The subject property is zoned I-I – Light Industrial. The surrounding properties are also zoned M-1.



Legend

Zoning Districts

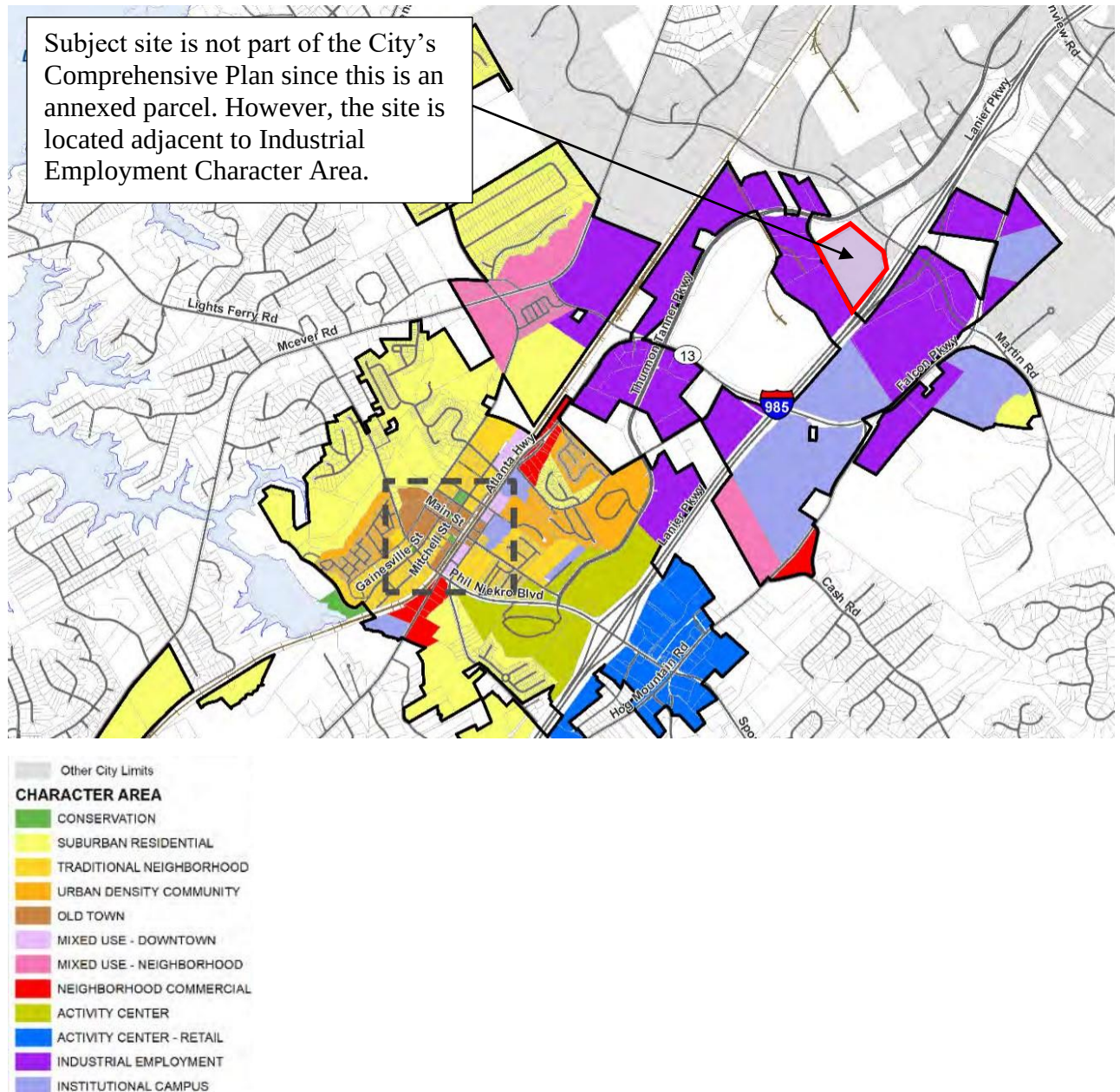
	Residential Low Density (R-1)		Highway Business (HB)
	Residential Moderate Density (R-2)		Institutional (INST)
	Residential Multi-family (R-3)		Manufacturing & Industrial, Light (M-1)
	Traditional Neighborhood Development (TND)		Manufacturing & Industrial, Heavy (M-2)
	Planned Unit Development (PUD)		Agriculture (A)
	Manufactured Home Park (MHP)		
	Central Business District (CBD)		
	Neighborhood Shopping (NS)		

Historic Districts

	Local Historic District
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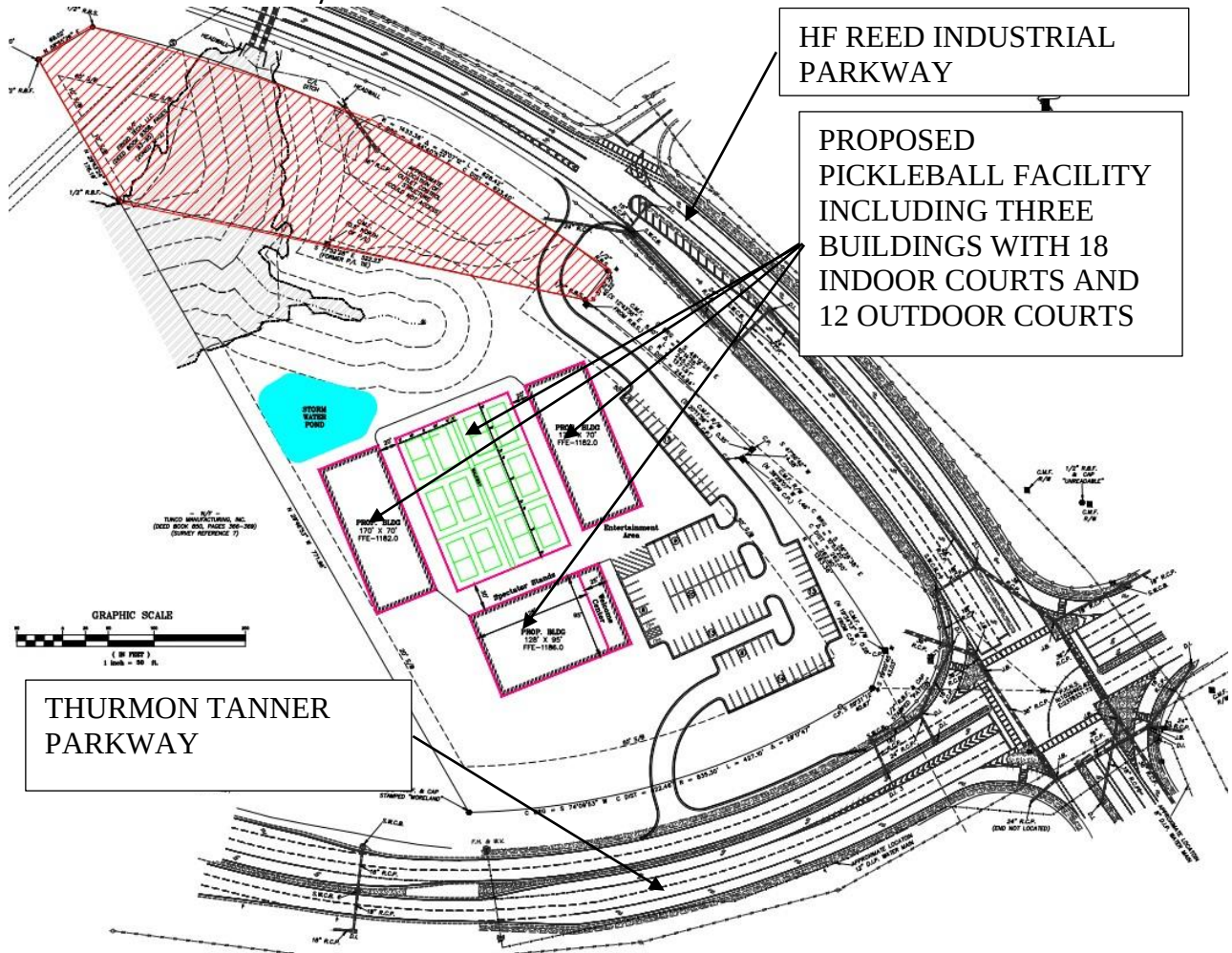
Future Development Plan:





Site Plan:

The proposed pickleball facility includes three buildings with 18 indoor courts and 12 outdoor courts. The development includes parking and entrances at both HF Reed Industrial Parkway and Thurmon Tanner Parkway.



Parking Space Maximum Count:

- **Parking Requirements:** According to Article 21, the maximum parking requirement is 3 spaces per court for tennis facilities. (pickleball is reasonably similar).
- **Proposal Details:** The applicant is planning a facility with 30 courts, which would typically require up to 90 parking spaces (3 spaces per court).
- **Proposed Parking:** The applicant is proposing 102 parking spaces, which exceeds the maximum by 12 spaces.



- **Justification:** The applicant argues that additional parking is necessary to accommodate peak demand during tournaments, when more visitors would be expected.
- **Stormwater Consideration:** The proposal for additional parking will be reviewed for stormwater runoff impacts as part of the LDP (Land Development Plan) review process.

Conclusion: The increase in parking spaces is considered reasonable based on the applicant's justification and will be subject to review for environmental impacts, particularly regarding stormwater runoff.

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to the Zoning Administrator in making recommendations and by the City Council in the decision-making process.

- a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
The development of a pickleball recreational facility adjacent and nearby industrial developments is reasonable due to the activity and noise associated with pickleball.
- b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The proposed use will not adversely affect the existing use or usability of adjacent or nearby property.
- c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has reasonable economic use as currently zoned.*
The applicant has proposed the subject site as an ideal location for developing a recreational pickleball facility. However, the City of Flowery Branch only provides sewer services to parcels within its city limits. Annexation is necessary to connect the site to Flowery Branch's sanitary sewer system, while rezoning is required to align the site with the city's zoning designations. Without access to sewer services, the proposed recreational facility would not be viable, leaving the site economically unfeasible under its current zoning within unincorporated Hall County.



- d) *Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The proposed will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- e) *Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.*
The proposed pickleball facility would be in conformity with the policy and intent of the comprehensive plan.
- f) *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.*
There are no other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.
- g) *Existing use(s) and zoning of the subject property and nearby properties.*
The proposed pickleball center is a hybrid of light industrial and commercial uses. The amount of traffic and noise at peak demands seems to fit best within a light industrial area. Should more independent, private pickleball and / or tennis events centers come into demand, the City may look at defining this use and allowing it in more zoning districts such as light industrial without the need of a Conditional Use Permit.
- h) *Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.*
The site is undeveloped and suggests the size of the property and the presence of stream buffers are not economically feasible for a warehouse distribution center. For a lot this size, the proposed use may be best as a pickleball events facility.
- i) *Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.*
The proposed use should have no impact on the value or improvement of development of adjacent property.



- j) *The possible creation of an isolated zoning district unrelated to adjacent and nearby districts.*
Staff recommends the rezoning be to M-1 to prevent an isolated HB zoning in an area primarily zoned industrial.
- k) *Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.*
The proposed use should have no negative effects on the character of the area.
- l) *The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.*
The subsequent LDP will be required to be compliant with all erosion and stormwater regulations.
- m) *The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.*
The proposed rezoning will have no impact on the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.



Staff Recommendation for Annexation, Rezoning, and Conditional Use Permit (CUP)

Recommendation:

Staff recommends **approval** of the proposed **annexation** of parcel **08073 000012**. Furthermore, staff recommends **approval** of the rezoning request to rezone the subject parcel from **Hall County I-1 Light Industrial** to **Flowery Branch M-1 Light Industrial**. Additionally, staff recommends **concurrent approval** of the **Conditional Use Permit (CUP)** for the operation of an **indoor and outdoor commercial recreational facility** with the following conditions:

Conditions of Approval:

1. The applicant shall implement 10' landscape strips along the property boundary to minimize noise impact on adjacent properties. Preserved vegetation can be provided in lieu of planting trees and shrubs with the approval of the Planning and Community Development Director.
2. Adequate parking spaces shall be provided to support the proposed use. The maximum parking space should not exceed 102 spaces.
3. Any signage related to the commercial recreational facility must adhere to Flowery Branch's sign regulations, including size, lighting, and placement.
4. The applicant shall ensure that all facilities are properly maintained, including outdoor recreational areas, restrooms, and parking lots.
5. The applicant shall comply with all environmental regulations regarding stormwater runoff, waste management, and other applicable environmental concerns.
6. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.

Conclusion:

Staff finds that the proposed annexation, rezoning, and CUP for the commercial recreational facility are consistent with the city's growth and development goals and will provide positive economic impacts while mitigating potential negative effects through the recommended conditions.

October 18, 2024

Dear City of Flowery Branch Officials,

We are formally requesting to have the tax parcel located at 4272 Thurmond Tanner Parkway (Hall County Tax Parcel No. 08073-000012) be annexed into the City of Flowery Branch. We have recently purchased this property, which is currently vacant, unimproved land and plan to develop a large scale Pickleball Facility that will have both indoor and outdoor courts available.

We therefore authorize the City of Flowery Branch staff and/or City Council to inspect the subject property as a part of this annexation request.

Thank you for your consideration of our request. We look forward to working with you during the process and bringing a great development to the city.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rena S. Millwood". The signature is fluid and cursive, with the first name "Rena" and last name "Millwood" clearly distinguishable.

Rena S. Millwood

Around the Pickle, LLC



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider Approval of Ordinance 726 for a Public Hearing and First Reading of Rezoning and Conditional Use Permit at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

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

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval of Ordinance 726 with staff recommended conditions.

SAMPLE MOTION:

I make a motion to approve Ordinance 726 with staff recommended conditions

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

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- [CUP App.pdf](#)

ORDINANCE NO. 726

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING ONE PARCEL OF REAL PROPERTY TOTALING 6.72+/- ACRES OF LAND, OWNED BY AROUND THE PICKLE LLC, IDENTIFIED AS 4272 THURMON TANNER PARKWAY, TAX PARCEL 08073 000012, TO BE REZONED FROM UNINCORPORATED HALL COUNTY LIGHT INDUSTRIAL (I-I) TO CITY OF FLOWERY BRANCH LIGHT INDUSTRIAL (M-1), AND TO GRANT A CONDITIONAL USE PERMIT (CUP) FOR USE AS A COMMERCIAL RECREATIONAL FACILITY AS SHOWN AND DESCRIBED ON ATTACHED EXHIBIT “A”, AND AS CONDITIONED ON ATTACHED EXHIBIT “B”, PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Around the Pickle LLC owns the subject parcel of land identified as Parcel Tax Identification No. 08073 000012, as shown and described on Exhibit “A”; and

WHEREAS, Around the Pickle LLC submitted to the City of Flowery Branch, Georgia, a written and signed application requesting a rezoning, 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 January 16, 2025 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 from Unincorporated Hall County Light Industrial (I-I) to City of Flowery Branch Light Industrial (M-1) and granting a CUP for use as a Commercial Recreational Facility 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; however, an alternative use is appropriately considered.
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 generally 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 zoning as opposed to Residential, Detached Single Family(R-2).
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. REZONING AND APPROVAL OF A CUP.

The subject parcel, as shown and described on Exhibit “A”, is hereby rezoned from Unincorporated Hall County Light Industrial (I-I) to City of Flowery Branch Light Industrial (M-1) and hereby granted a Conditional Use Permit (CUP) for use as a Commercial Recreational Facility, subject to conditions as shown on attached Exhibit “B”. Said Exhibits are hereby incorporated 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.

Public Hearing Published 12/11/2024
Public Hearing 01/16/2025

First Reading 01/16/2025
Proposed Second Read 02/06/2025

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 06, 2025 or immediately upon the inclusion of the subject property in the city limits.

SECTION 6. REPEALER.

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

Approved this 6th day of February 2025.

Edward R. Asbridge, Mayor

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM

Ted C. Baggett, City Attorney

Exhibit A

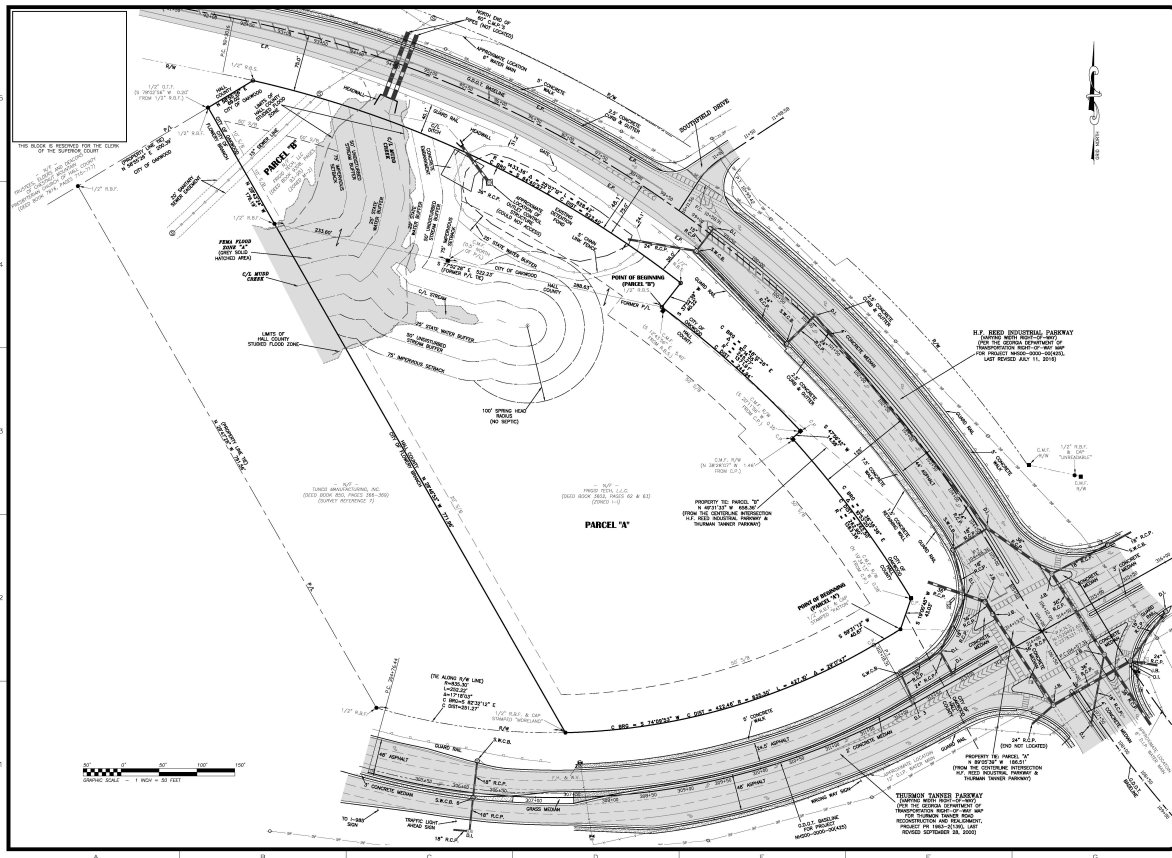
All that lot, tract or parcel of land lying, situate and being in Land Lot 73 of the 8th Land District of Hall County, Georgia, being more fully and particularly described as follows:

BEGINNING at a point on the northern right of way line of Thurman Tanner Road (having a sixty (60) foot right of way line) which point is located a distance of 507.73 feet in a southwesterly direction as measured along the northern right of way line of Thurman Tanner Road from the intersection of the northern right of way line of Thurman Tanner Road with the western right of way line of W. White Road; running thence along the northern right of way line of Thurman Tanner Road the following courses and distances: South 59 degrees 32 minutes 37 seconds West a distance of 11.79 feet to a point; South 61 degrees 33 minutes 29 seconds West a distance of 81.73 feet to a point; South 62 degrees 19 minutes 55 seconds West a distance of 180.86 feet to a point; South 62 degrees 00 minutes 57 seconds West a distance of 151.59 feet to a point; South 64 degrees 26 minutes 10 seconds West a distance of 101.24 feet to a point marked by a ¼ inch rebar; leaving the northern right of way line of Thurman Tanner Road and running thence North 28 degrees 48 minutes 27 seconds West a distance of 925 feet to a point; running thence South 76 degrees 54 minutes 02 seconds East a distance of 627.24 feet to a point; running thence South 35 degrees 26 minutes 14 seconds East a distance of 521.22 feet to a point on the northern right of way line of Thurman Tanner Road and the POINT OF BEGINNING.

The above-described property is more fully and particularly set out on a survey for Screens Atlanta, Inc., dated November 27, 1996, by Wallace Long Hambrick, Georgia Registered Land Surveyor Number 1375.

LESS AND EXCEPT:

All that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to Hall County dated October 6, 2000, recorded in Deed Book 3749, Page 584, Hall County Deed Records; all that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to Hall County dated June 8, 2000, recorded in Deed Book 3687, Page 370, Hall County Deed Records; and all that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to the City of Oakwood dated June 8, 2000, recorded in Deed Book 3687, Page 368, Hall County Deed Records.



**REGISTERED PROFESSIONAL
LAND SURVEYORS**

PATTON

PATTON & ASSOCIATES, P.C.
P.O. BOX 296
NORFOLK, VA 23503
PHONE: (757) 532-5442
FAX: (757) 532-5443
AND SURVEYING FROM
JULY 1, 1992 TO JULY 1, 2022
NUMBER 127-001009

COMPUTED BY: M. A. C. A.
DRAWN BY: M. A. C. A.
CHECKED BY: M. A. C. A.
DATE: 04/18/2023

FRIGID TECH, LLC

18.0
LAND LOT 18
BUTLER CREEK
HALL COUNTY, GEORGIA

REVISIONS

NO.	DATE	REVISION

SHEET NUMBER
2 of 2

SCALE: 1" = 50'

SURVEY DATE: 04/18/2023

DRAWN DATE: 04/18/2023

JUN. 22-096

Exhibit “B”

The rezoning and granting of the CUP are subject to the following conditions:

1. The applicant shall implement 10’ landscape strips along the property boundary to minimize noise impact on adjacent properties. Preserved vegetation can be provided in lieu of planting trees and shrubs with the approval of the Planning and Community Development Director.
2. Adequate parking spaces shall be provided to support the proposed use. The maximum parking space should not exceed 102 spaces.
3. Any signage related to the commercial recreational facility must adhere to Flowery Branch’s sign regulations, including size, lighting, and placement.
4. The applicant shall ensure that all facilities are properly maintained, including outdoor recreational areas, restrooms, and parking lots.
5. The applicant shall comply with all environmental regulations regarding stormwater runoff, waste management, and other applicable environmental concerns.
6. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.



Memorandum

To: City of Flowery Branch, City Manager, and City Council

From: Chris McCrary, Planning and Community Development Director

Date: January 16, 2025

Subject: Annexation, Rezoning, and Conditional Use Permit

Applicant: Around the Pickle LLC
379 East Lake Drive
Gainesville, GA 30506
678-617-4257

Existing Zoning: I-I – Light Industrial, Unincorporated Hall County

Proposed Zoning: M-1 – Light Industrial with a Conditional Use Permit for operation of an indoor and outdoor recreational facility. (Table 9.1)

Location:

- 4272 Thurmon Tanner Parkway; tax parcel identification number **08073 000012**

Annexation & Rezoning Request:

The applicant is seeking the annexation of 4272 Thurmon Tanner Parkway from unincorporated Hall County to the City of Flowery Branch for the development of a pickle ball outdoor and indoor event center. The subject site is currently zoned as Hall County Light Industrial (I-I), and the applicant is proposing to rezone the tract to Flowery Branch Light Industrial (M-1).

The applicant intends to develop a private pickleball recreational facility including twelve (12) outdoor pickleball courts and eighteen (18) indoor courts within three (3) buildings. The sports complex will be accessed from both Thurmon Tanner Parkway and H F Reed Industrial Parkway.



Code Section:

Table 9.1 – Permitted and Conditional Uses in Nonresidential Zoning Districts

Use	O-P	INST	NS	HB	CBD	M-1	M-2
Commercial recreational facility, indoor (Ord. 348-11)	X	X	C	P	X	C	C
Commercial recreational facility, outdoor	X	X	X	C	C	C	C

Most tennis and pickleball facilities are located within the recreational areas of established subdivision. The City Code addresses this in Section 12.1 –Community Recreation Facility:

Within a residential subdivision or multiple-family residential development, community recreation facilities as defined by this Zoning Ordinance must be platted when a part of a subdivision or part of the site plan approval for a multiple-family residential development. Community recreation facilities shall be subject to the following requirements:

- a) Exterior lighting. If lighted, exterior lighting shall require a lighting plan to be submitted and approved prior to installation. See Article 23 of this Zoning Ordinance.*
- b) Swimming Pools and Tennis Courts. Swimming pools and tennis courts shall be setback a minimum of twenty-five (25) feet from all property lines of the tract of land devoted to community recreation, with a minimum ten (10) foot wide landscape strip along all property lines of said tract. See Article 19 of this Zoning Ordinance for landscape strip specifications.*
- c) Buildings. Buildings (excluding accessory structures) shall be setback a minimum of twenty-five (25) feet from the property line of the tract. If outdoor patios or decks are provided, they shall be located no closer than twenty-five (25) feet from the property line of the tract and a minimum ten (10) foot wide landscape strip shall be provided between said outdoor patio or deck and the property line or boundary of said tract. See Article 19 of this Zoning Ordinance for landscape strip specifications.*
- d) Parking. Parking shall be provided per the requirements of Article 21 of this Zoning Ordinance.*

Since the proposed use is not within a recreational area of a single-family subdivision, the only similar entry in Table 9.1 is Commercial Recreation Facility, Indoor and Outdoor. The scale the code describes for a Commercial Recreational Facility is not what is proposed by the Applicant.



Section 14.5. – Commercial Recreation Facility, Indoor / Outdoor:

This code section may not apply to the scale of a recreational pickleball as proposed. This section contemplates uses such as: *“stadiums, amphitheaters, outdoor firearms shooting ranges, and racetracks for animals and motor driven vehicles; such projects may be required to construct noise attenuation walls or otherwise address off-site noise impacts. A traffic impact analysis shall be required for amphitheaters, stadiums, racetracks for animals or motor-driven vehicles, and recreational vehicle parks”*.

The review concludes that the proposed pickleball facility does not neatly fit into any existing categories within the zoning code. As pickleball's popularity has surged, the code has primarily focused on tennis and other recreational courts within single-family subdivisions, leaving this type of use unanticipated. Nonetheless, it is reasonable to apply the dimensional criteria outlined in Section 12.1 to the project, despite its location outside a subdivision plat.

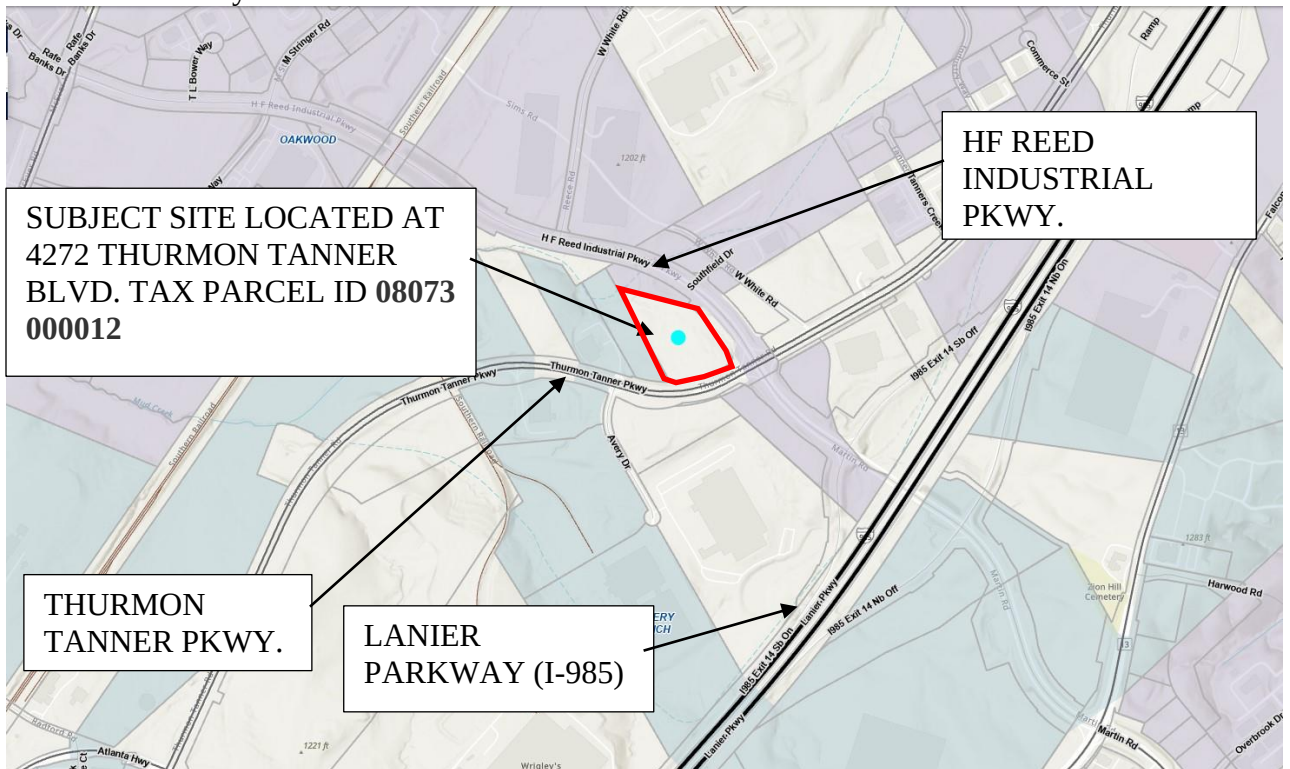
The M-1 (Light Industrial) zoning classification appears most appropriate for the site due to its proximity to the Industrial Employment Character Area. Rezoning the property to M-1, with conditions aligned to Section 12.1, would facilitate the development of the pickleball facility in harmony with the surrounding industrial context. Given the site's existing industrial setting, the need for extensive buffering is minimal. Furthermore, the facility's peak operating hours would be staggered to coincide with the typical schedules of nearby industrial businesses, minimizing potential conflicts.

A Conditional Use Permit (CUP) would be required for both indoor and outdoor recreational facilities, as specified in the code. Staff recommends rezoning the property to M-1 with conditions consistent with Section 12.1 and approving the CUP. This approach would ensure the development aligns with the Comprehensive Plan.



Location Map:

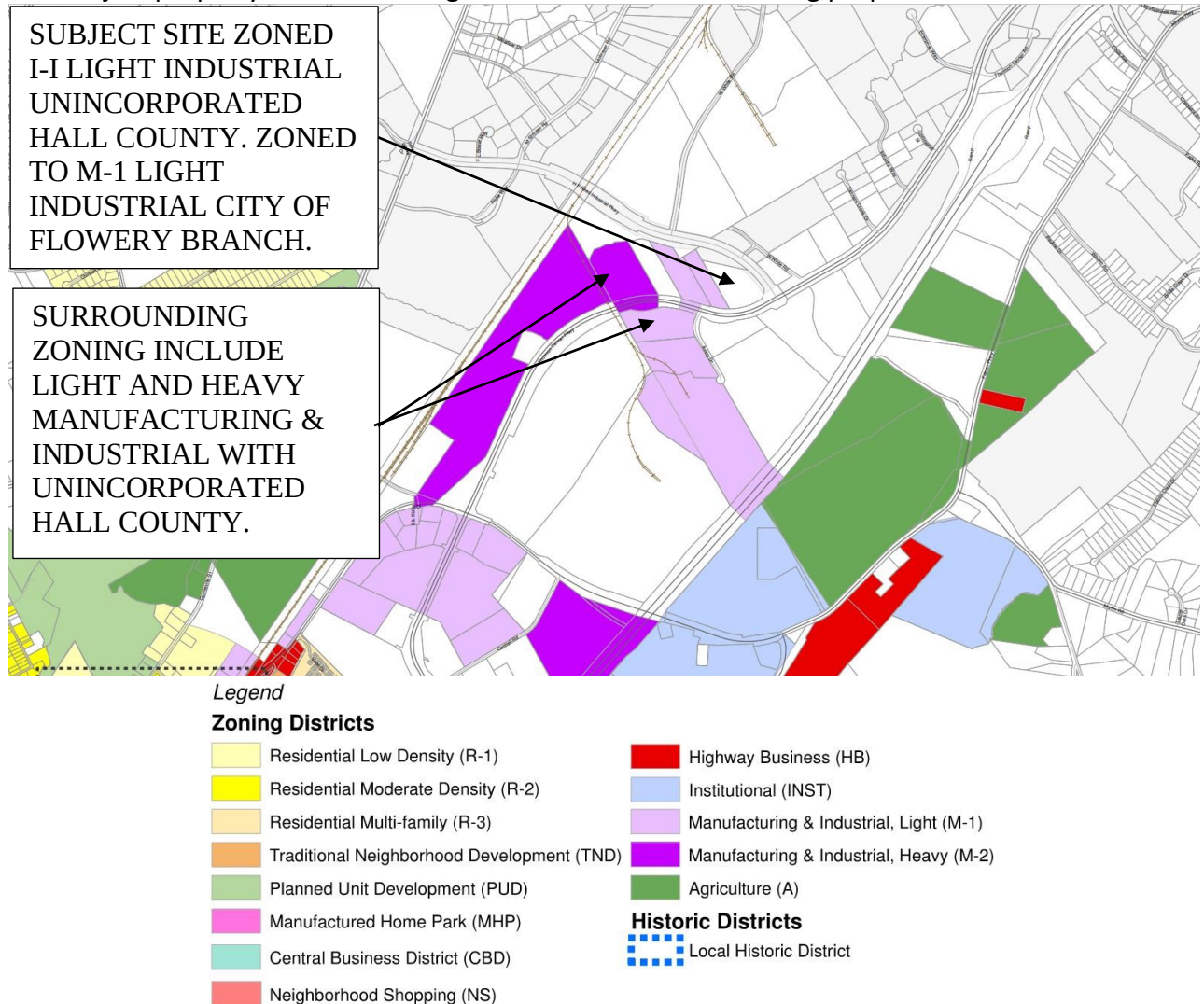
The subject site is located at 4272 Thurmon Tanner Parkway near the intersection of HF Reed Industrial Parkway.





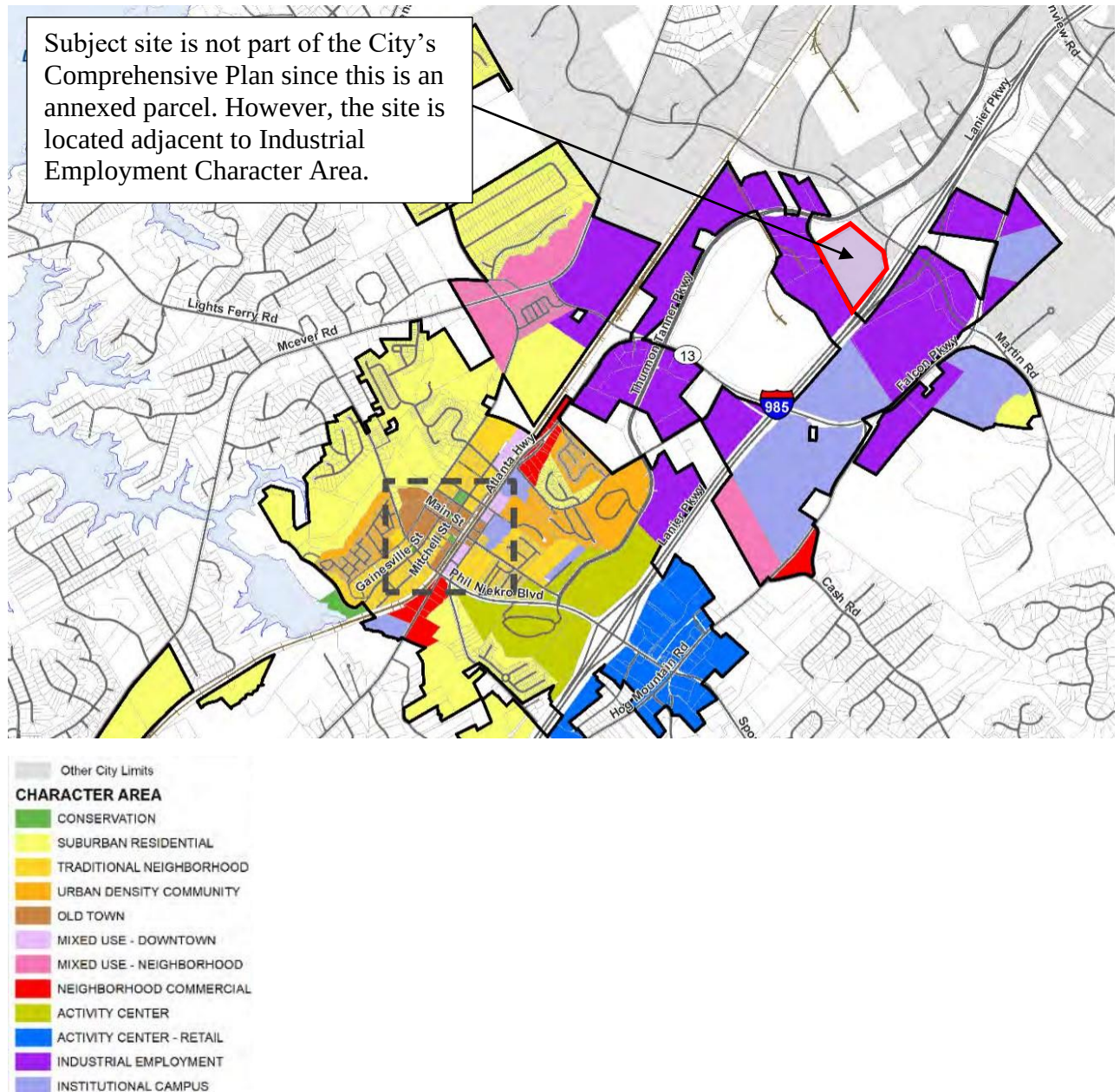
Zoning Map:

The subject property is zoned I-I – Light Industrial. The surrounding properties are also zoned M-1.





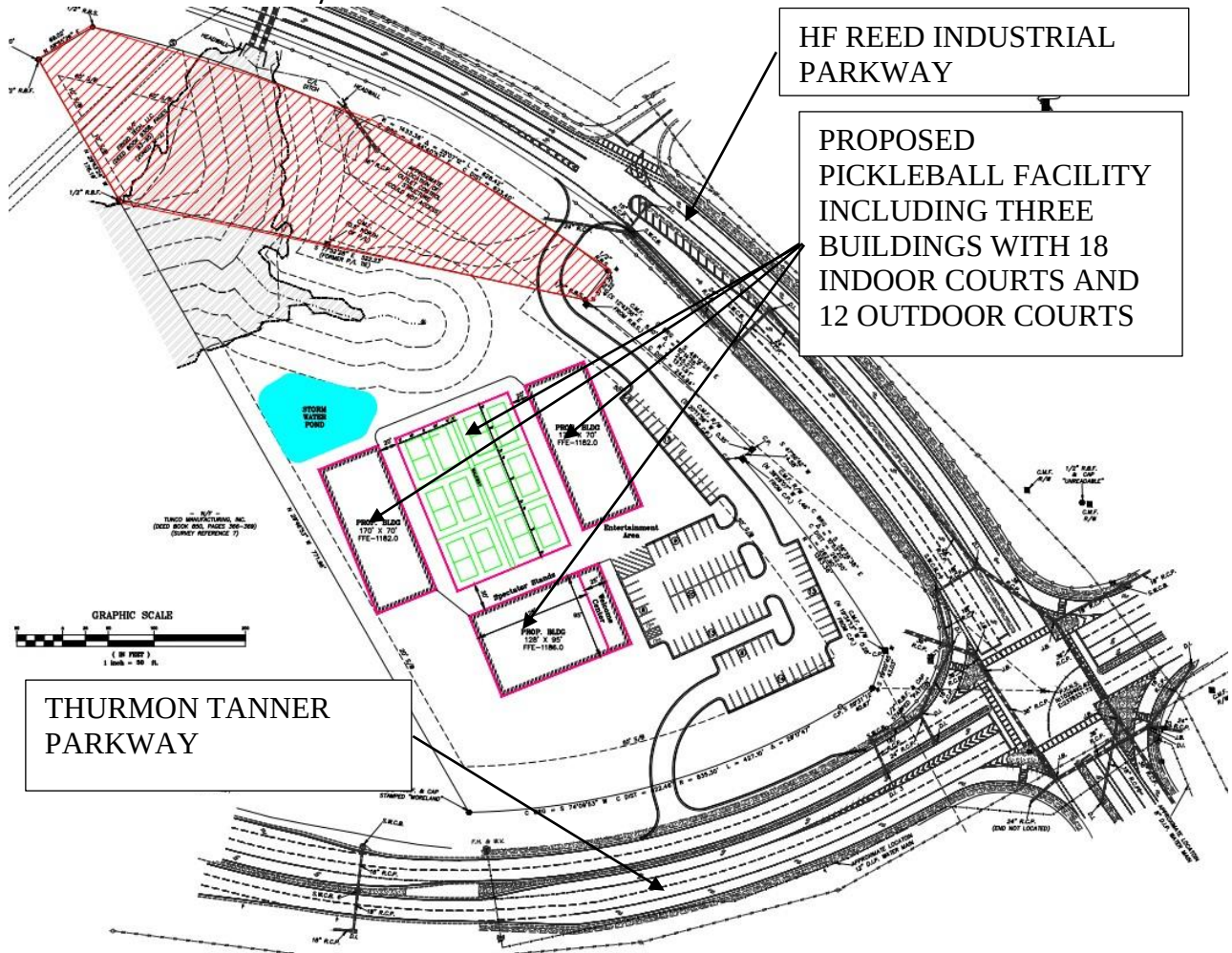
Future Development Plan:





Site Plan:

The proposed pickleball facility includes three buildings with 18 indoor courts and 12 outdoor courts. The development includes parking and entrances at both HF Reed Industrial Parkway and Thurmon Tanner Parkway.



Parking Space Maximum Count:

- **Parking Requirements:** According to Article 21, the maximum parking requirement is 3 spaces per court for tennis facilities. (pickleball is reasonably similar).
- **Proposal Details:** The applicant is planning a facility with 30 courts, which would typically require up to 90 parking spaces (3 spaces per court).
- **Proposed Parking:** The applicant is proposing 102 parking spaces, which exceeds the maximum by 12 spaces.



- **Justification:** The applicant argues that additional parking is necessary to accommodate peak demand during tournaments, when more visitors would be expected.
- **Stormwater Consideration:** The proposal for additional parking will be reviewed for stormwater runoff impacts as part of the LDP (Land Development Plan) review process.

Conclusion: The increase in parking spaces is considered reasonable based on the applicant's justification and will be subject to review for environmental impacts, particularly regarding stormwater runoff.

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to the Zoning Administrator in making recommendations and by the City Council in the decision-making process.

- a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
The development of a pickleball recreational facility adjacent and nearby industrial developments is reasonable due to the activity and noise associated with pickleball.
- b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The proposed use will not adversely affect the existing use or usability of adjacent or nearby property.
- c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has reasonable economic use as currently zoned.*
The applicant has proposed the subject site as an ideal location for developing a recreational pickleball facility. However, the City of Flowery Branch only provides sewer services to parcels within its city limits. Annexation is necessary to connect the site to Flowery Branch's sanitary sewer system, while rezoning is required to align the site with the city's zoning designations. Without access to sewer services, the proposed recreational facility would not be viable, leaving the site economically unfeasible under its current zoning within unincorporated Hall County.



- d) *Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The proposed will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- e) *Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.*
The proposed pickleball facility would be in conformity with the policy and intent of the comprehensive plan.
- f) *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.*
There are no other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.
- g) *Existing use(s) and zoning of the subject property and nearby properties.*
The proposed pickleball center is a hybrid of light industrial and commercial uses. The amount of traffic and noise at peak demands seems to fit best within a light industrial area. Should more independent, private pickleball and / or tennis events centers come into demand, the City may look at defining this use and allowing it in more zoning districts such as light industrial without the need of a Conditional Use Permit.
- h) *Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.*
The site is undeveloped and suggests the size of the property and the presence of stream buffers are not economically feasible for a warehouse distribution center. For a lot this size, the proposed use may be best as a pickleball events facility.
- i) *Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.*
The proposed use should have no impact on the value or improvement of development of adjacent property.



- j) *The possible creation of an isolated zoning district unrelated to adjacent and nearby districts.*
Staff recommends the rezoning be to M-1 to prevent an isolated HB zoning in an area primarily zoned industrial.
- k) *Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.*
The proposed use should have no negative effects on the character of the area.
- l) *The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.*
The subsequent LDP will be required to be compliant with all erosion and stormwater regulations.
- m) *The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.*
The proposed rezoning will have no impact on the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.



Staff Recommendation for Annexation, Rezoning, and Conditional Use Permit (CUP)

Recommendation:

Staff recommends **approval** of the proposed **annexation** of parcel **08073 000012**. Furthermore, staff recommends **approval** of the rezoning request to rezone the subject parcel from **Hall County I-1 Light Industrial** to **Flowery Branch M-1 Light Industrial**. Additionally, staff recommends **concurrent approval** of the **Conditional Use Permit (CUP)** for the operation of an **indoor and outdoor commercial recreational facility** with the following conditions:

Conditions of Approval:

1. The applicant shall implement 10' landscape strips along the property boundary to minimize noise impact on adjacent properties. Preserved vegetation can be provided in lieu of planting trees and shrubs with the approval of the Planning and Community Development Director.
2. Adequate parking spaces shall be provided to support the proposed use. The maximum parking space should not exceed 102 spaces.
3. Any signage related to the commercial recreational facility must adhere to Flowery Branch's sign regulations, including size, lighting, and placement.
4. The applicant shall ensure that all facilities are properly maintained, including outdoor recreational areas, restrooms, and parking lots.
5. The applicant shall comply with all environmental regulations regarding stormwater runoff, waste management, and other applicable environmental concerns.
6. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.

Conclusion:

Staff finds that the proposed annexation, rezoning, and CUP for the commercial recreational facility are consistent with the city's growth and development goals and will provide positive economic impacts while mitigating potential negative effects through the recommended conditions.



REZONING APPLICATION

Date: 10-18-24

Address of Request: 4272 Thurmond Tanner Parkway

Tax Map # 08073-000012 Current Zoning: T-I

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

Currently a conforming use? yes

Any conditions of zoning, CUP's, etc.? no

Applicant Information

Name: Around the Pickle LLC

Address: 379 East Lake Drive NW
Gainesville GA 30506

E-mail address: rsmillwood@aol.com

Phone number: 678-617-4257

Signature: Ron S. [Signature]

Notary:



Melissa Brown Leigh
10/18/2024



Property owner information (if different than the applicant)

Property owner (please print): David Laird

Signature of property owner: David Laird 10-18-2024

Notary:



Melissa Brown Leigh
10/18/2024

Property Information

Tax Map Number: 08073-000012

Current Zoning: I-I Total Acres: 6.72

Is this property located within the city-limits of Flowery Branch? not yet

Proposed City of Flowery Branch Zoning: M-1 Light Industrial

Current Use: Vacant land to be developed into Pickleball Facility

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

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

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____



CONDITIONAL USE PERMIT APPLICATION

City Provided Permit #

Date: _____

Address of Request:

4272 Thurmond Tanner Parkway

Tax Map # 08073-000012 Current Zoning: 1-1 (Hall Co.)

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

Currently a conforming use? Yes

Any conditions of zoning, CUP's, etc.? No (not yet)

Applicant Information

Applicant: Around the Pickle, LLC

Address: 379 East Lake
Gainesville, GA 30506

E-mail address: trey@aroundthepickle.com

Phone number: 770-540-3128

Signature: [Signature]

Notary Seal:



DANIELLE M NASH
NOTARY PUBLIC
Hall County
State of Georgia
My Comm. Expires February 20, 2028



Property owner Information

Property owner (please print): Around the Pickle, LLC

Address: 379 East Lake Dr.
Gainesville, GA 30506

E-mail address: trex@aroundthepickle.com

Phone number: 770-540-3128

Signature: [Signature] - agent

Notary Seal:



DANIELLE M NASH
NOTARY PUBLIC
Hall County
State of Georgia
My Comm. Expires February 20, 2028

Applicant Information Required at Time of Submittal

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

- Legal description – one hard copy and on a flash drive
- Current survey of property – one hard copy and on a flash drive
- Site plan – one hard copy and on a flash drive
- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Detailed description of request
- 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
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)



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

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

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

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



Received by City of Flowery Branch Staff on _____

Name: _____

Title _____



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider Approval of Ordinance 729 for a Public Hearing and First Reading of a Variance Request at 5201 Mulberry Street.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

FACTS AND ISSUES:

The Variance Request is to allow a front entry garage in the TND zoning district. The hardship is the location of floodplain in the rear yard limits the depth of the buildable area.

OPTIONS:

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

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval of Ordinance 729 with staff recommended conditions

SAMPLE MOTION:

I make a motion to approve Ordinance 729 with staff recommended conditions.

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Ordinance 729 1-16-2025.pdf](#)
- [Variance Report 5201 Mulberry Street.pdf](#)
- [Variance Application 10.28.24.pdf](#)
- [5201 Mulberry Street HLP Revised 10_18_24.pdf](#)
- [GRIFFIN-II-ELEV-B-1958-rev 10.17.24.pdf](#)

ORDINANCE 729

5201 Mulberry Street Variance Request

AN ORDINANCE GRANTING A VARIANCE FROM THE REQUIREMENTS SET FORTH IN THE CITY OF FLOWERY BRANCH ZONING ORDINANCE ARTICLE 7, SECTION 7.1, PURPOSE AND DESCRIPTION: AUTOMOBILE GARAGES LOCATED TO THE REAR OR SID OF RESIDENTIAL LOTS, 5201 MULBERRY STREET, TAX PARCEL IDENTIFICATION NO. 08112 004009, OWNED BY Investnland, LLC; AS SHOWN ON EXHIBIT "A", DESCRIBED ON EXHIBIT "B", AND 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, Tabb Bowen, agent for owner has submitted a written and signed application to the City of Flowery Branch, Georgia requesting a specific variance for property located at 5201 Mulberry Street; and

WHEREAS, a survey and complete description of the property subject to the requested variance is included in the application; and

WHEREAS, the City Council of the City of Flowery Branch, Georgia held a public hearing on 1/16/2025, to consider the application, which was duly noticed as prescribed by law and published in the Gainesville Times, as shall be set forth in the minutes of said meeting; and

WHEREAS, the City Council of the City of Flowery Branch, Georgia has considered the subject variance application of Tabb Bowmen, agent for owner in conjunction with the standards set forth in Article 7, Section 7.1 Purpose and Description: automobile garages located to the rear or side of residential lots.

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

SECTION 1. FINDINGS:

The City Council finds that the proposed variance from the City of Flowery Branch Zoning Ordinance Article 7, Section 7.1 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 Article 37, Section 37.5 of the City of Flowery Branch Zoning Ordinance as identified below.

Sec. 37.5. Criteria for Granting Variances.

Any applicant requesting consideration of a variance to any provision of the zoning ordinance shall provide a written justification that one or more of the following condition(s) exist. The City Council shall not approve a variance application unless it shall have adopted findings that one or more of the following conditions exist:

- (a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district;

- (b) A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located;
- (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located;
- (d) The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare;
- (e) The special circumstances are not the result of the actions of the applicant;
- (f) The variances requested are the minimum variances that will make possible the proposed use of the land, building, or structure in the use district proposed; and
- (g) The variance shall not permit a use of land, buildings or structures, which is not permitted by right in the zoning district or overlay district involved.

SECTION 2. LEGAL DESCRIPTION, VARIANCES GRANTED AND CONDITIONS IMPOSED:

The properties as shown in attached Exhibit "A" and as legally described in Exhibit "B" shall be granted the following variance from the requirements set forth in the Flowery Branch Zoning Ordinance Article 7, Section 7.1 Stream Buffer Protection: Purpose and Description: automobile garages located to the rear or side of residential lots.:

All land development activity subject to this ordinance shall meet the following requirements. Any land development activity within a buffer established in this Article or any impervious cover within a setback established in this Article is prohibited unless exempted, grandfather, or a variance is granted pursuant to this zoning ordinance.

- (a) Buffer. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
- (b) Additional setback. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

Conditions set forth in Exhibit "C" are imposed on said property. Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. SEVERABILITY.

Public Hearing Published 12/12/2024
Public Hearing 1/16/2025

First Reading 1/16/2025
Second Read TBD

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 4. EFFECTIVE DATE.

The effective date of this Ordinance shall be upon adoption by the City Council of the City of Flowery Branch, Georgia.

SECTION 5. REPEALER.

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

Adopted this 16th day of January 2025.

Edward R. Asbridge, Mayor

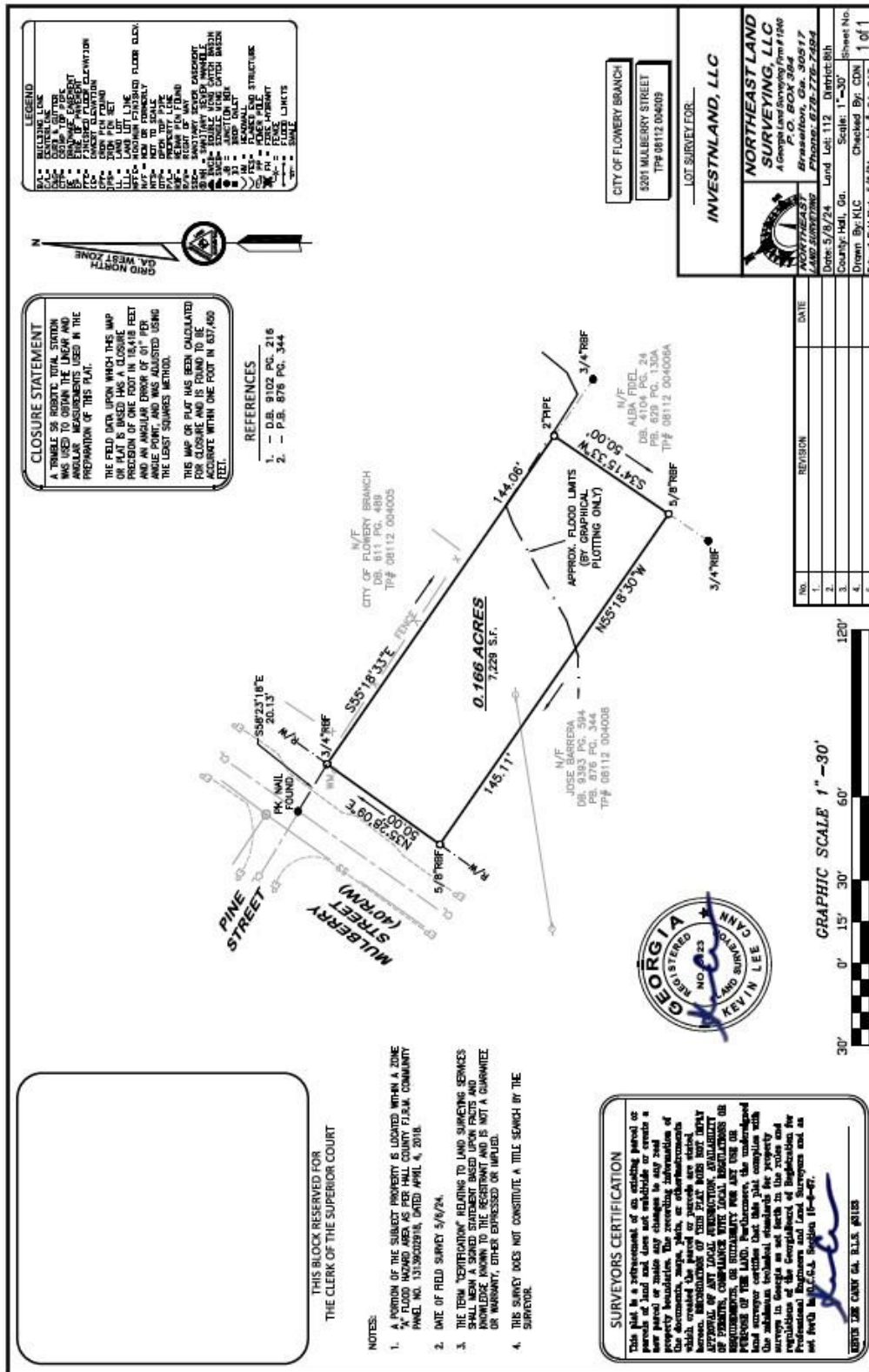
ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted C. Baggett, City Attorney

Exhibit "A"



Public Hearing Published 12/12/2024
Public Hearing 1/16/2025

First Reading 1/16/2025
Second Read TBD

Exhibit "B"

Legal Description

All that tract or parcel of land lying and being in the Town of Flowery Branch, Hall County, Georgia and being that property shown as Tract 3 on that plat of survey entitled "Survey for BVP Contractors, LLC," dated December 14, 2018, prepared by D. Keith Kilby, GRLS, of D. Keith Kilby, LS, as recorded at Plat Book 876, page 344 of the Hall County, Georgia Plat Records, which plat is incorporated herein by reference as part of this description.

Exhibit "C"

1. The Building Permit application shall include a house location plan and be substantially similar to the plan provided with the variance application.
2. The applicant shall provide a Residential Drainage Plan including proposed grading to demonstrate no disturbance in the flood hazard area.
3. The applicant shall provide four-sided building elevations demonstrating compliance with the City of Flowery Branch's architectural standards.
4. The Variance is for the location of the garage entrance only. The approval of the Variance does not provide additional approvals of any local, state or federal regulations.



Memorandum

To: City of Flowery Branch, City Manager, and City Council

From: Chris McCrary, Community Development and Planning Director

Date: January 16, 2024

Subject: To allow front entry garage in TND Zoning

Applicant: Tabb Bowmen
4513 Winder Highway
Flowery Branch, GA 30542
770-561-1831

Existing Zoning: TND – Traditional Neighborhood District

Location:

- 5201 Mulberry Street; tax parcel identification number **08112 004009**,

Variance Request:

The applicant is seeking to build a new residential single-family home at 5201 Mulberry Street. The subject parcel is zoned TND (Traditional Neighborhood Development) and is subject to the development standards and dimensional standards of Article 7. The applicant provided a House Location Plan indicating the placement of a wider home floor plan that does not provide for an automobile garage in the rear yard. The applicant is seeking a Variance to allow a front facing garage in TND zoning.



Code Section:

Sec. 7.1. - Purpose and Description.

This zoning district is intended to provide for neighborhoods that are designed according to the principles of "new urbanism" with a grid or modified-grid street network, pedestrian scale and orientation, shallow front yards, relatively narrow local streets planted with shade trees and provided with wide sidewalks, and with **automobile garages located to the rear or side of residential lots**. TND districts are further distinguished from conventional suburban subdivision developments in their provision of public greens or common areas, when new neighborhoods are created.



Location Map:

The subject site is located at 5201 Mulberry Street adjacent to the intersection of Pine Street.





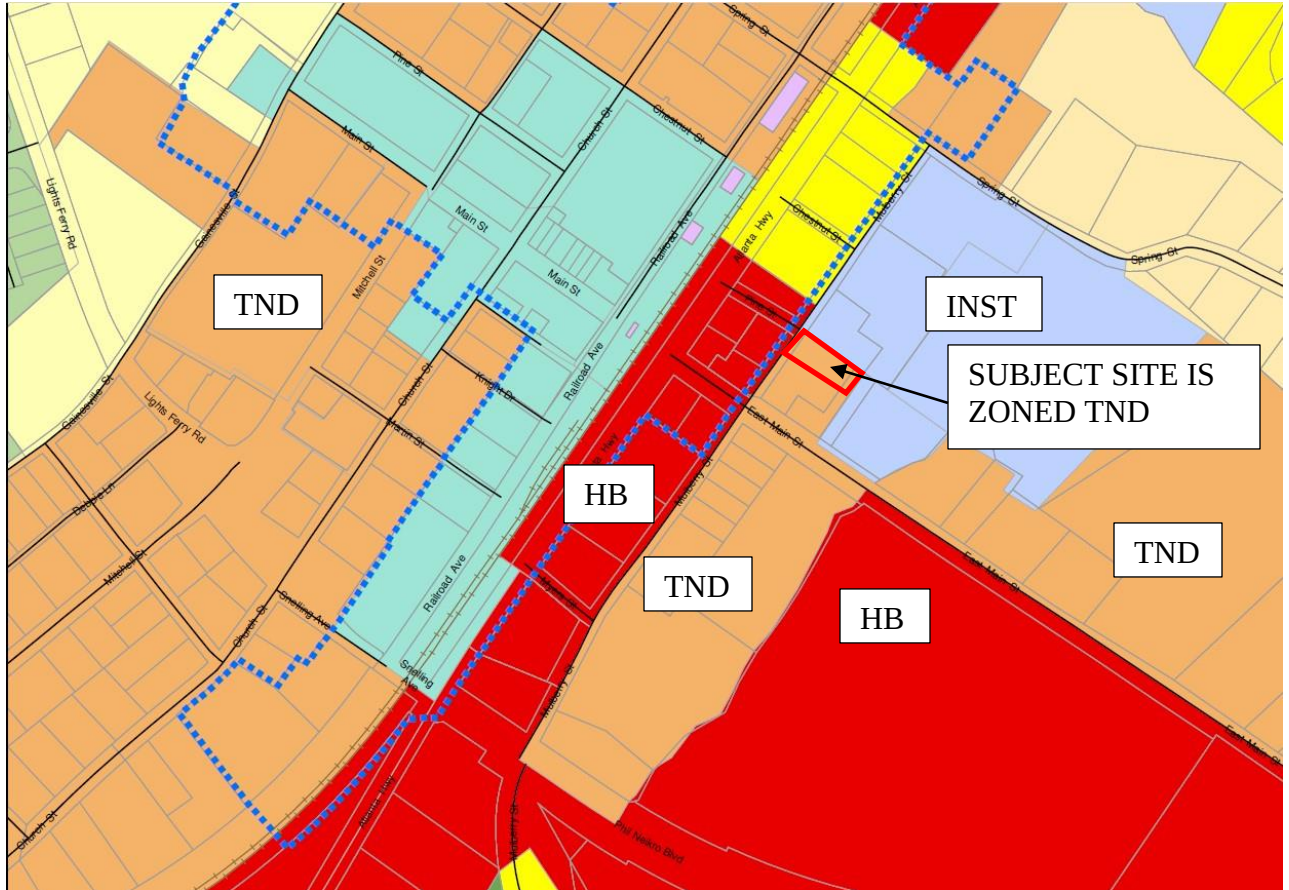
Street View:





Zoning Map:

The subject property is zoned TND – Traditional Neighborhood Development. The surrounding properties are zoned TND, HB, INST and CBD across Atlanta Highway.



Legend

Zoning Districts

	Residential Low Density (R-1)		Highway Business (HB)
	Residential Moderate Density (R-2)		Institutional (INST)
	Residential Multi-family (R-3)		Manufacturing & Industrial, Light (M-1)
	Traditional Neighborhood Development (TND)		Manufacturing & Industrial, Heavy (M-2)
	Planned Unit Development (PUD)		Agriculture (A)
	Manufactured Home Park (MHP)		
	Central Business District (CBD)		
	Neighborhood Shopping (NS)		

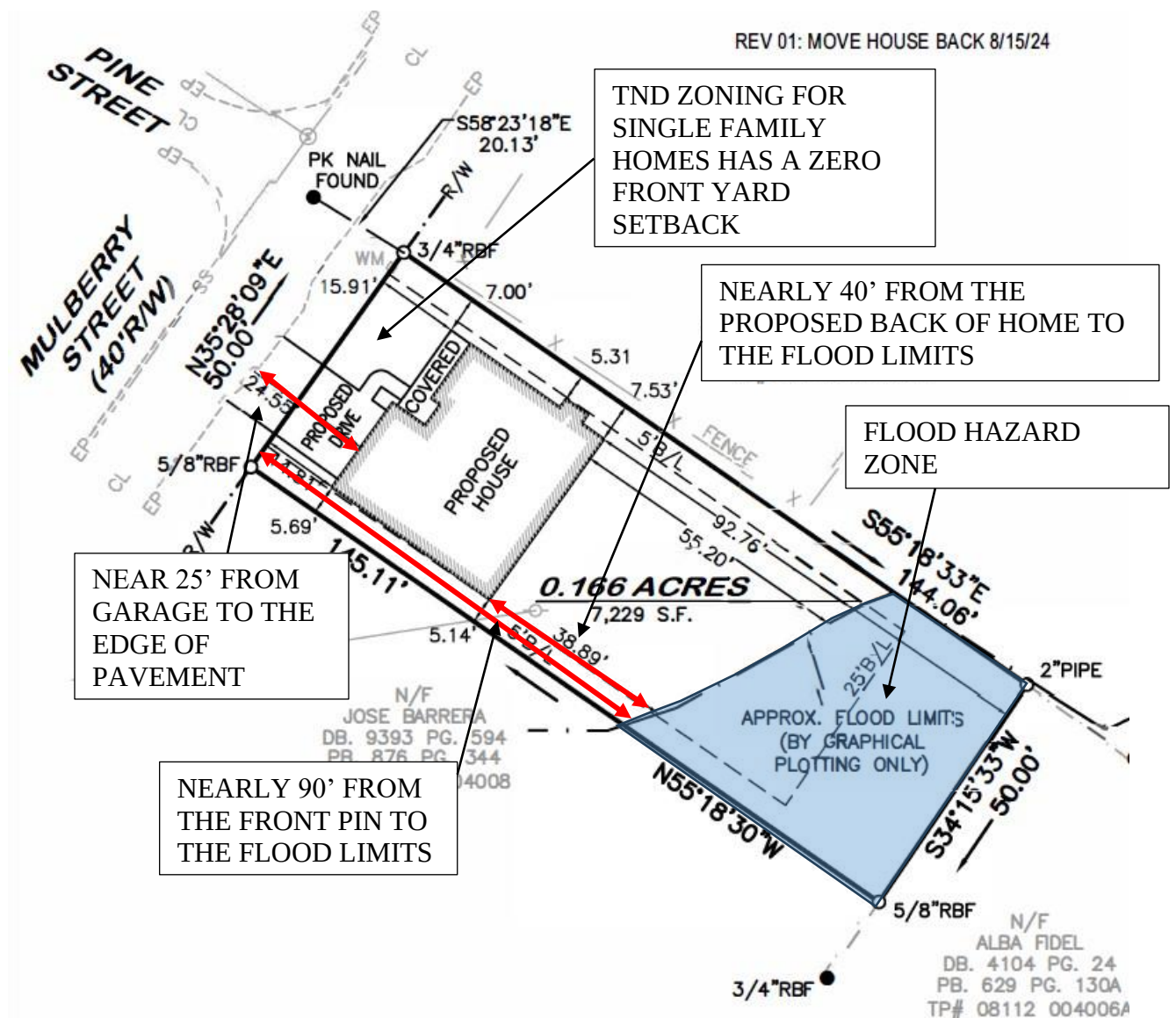
Historic Districts

	Local Historic District
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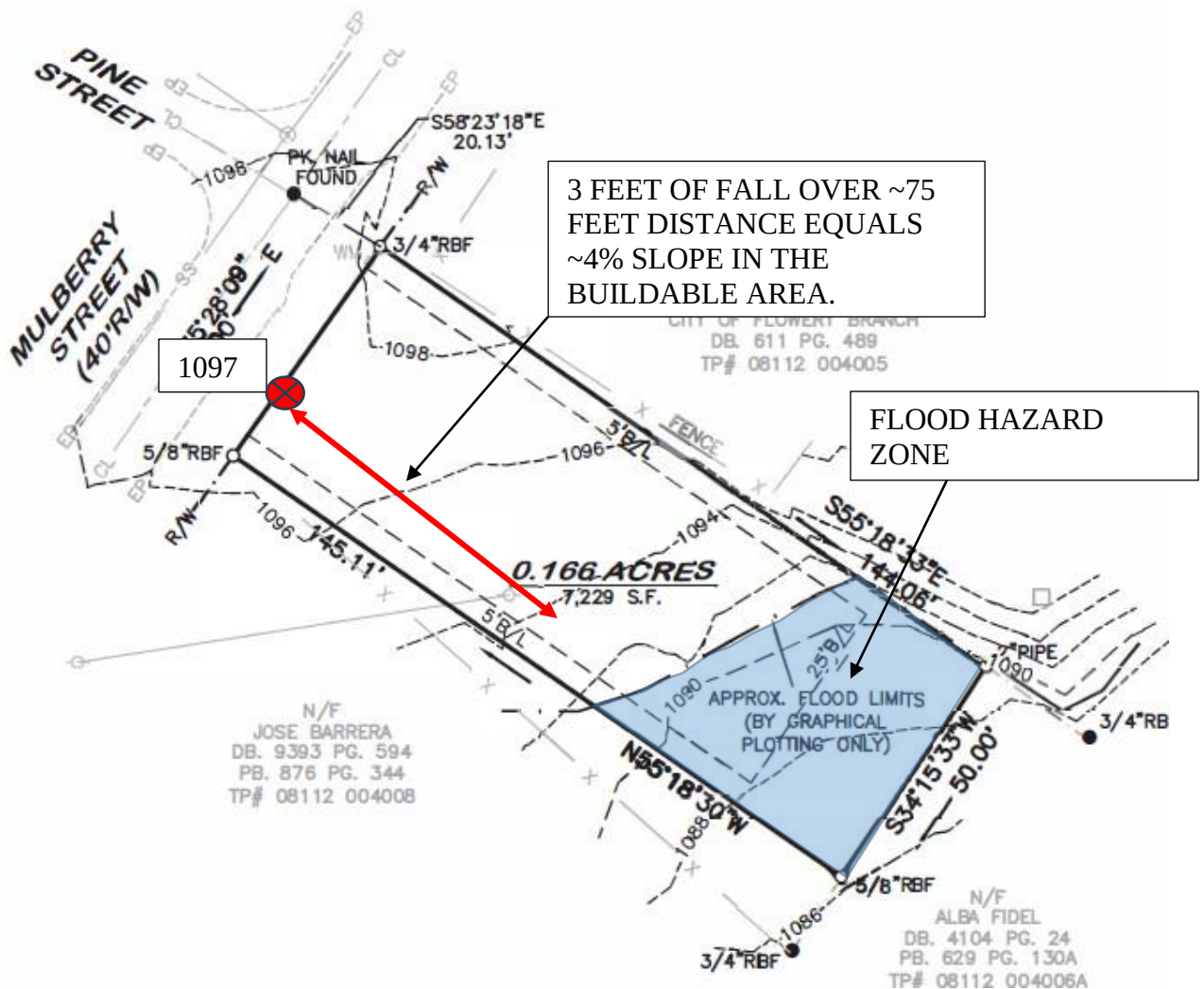
Site Plan:

The applicant provided a site plan showing the proposed floor plan imposed on the existing lot. The lot is 50' in width and ~145' in depth. The proposed home is around +/- 40' wide. The minimal lot width of a TND zoned lot is 40'. Proposing a new construction with a floor plan not wide enough for a driveway to serve a rear yard garage is the decision of the applicant.





TOPOGRAPHIC ANALYSIS



Applicant's Statement of Hardship

Floodplain Details: The floodplain runs across the back of the lot and extends approximately 118.25 feet from front to the flood on the right side and 125.92 on the left side. A house with the garage placed at the rear would require a minimum depth of 81 feet, which would encroach on the floodplain, effectively placing the house within that area.

Floodplain Impact: The required length of the house would put the corner of the house on the flood zone and the slope of the lot would require a retaining wall



Staff's Analysis

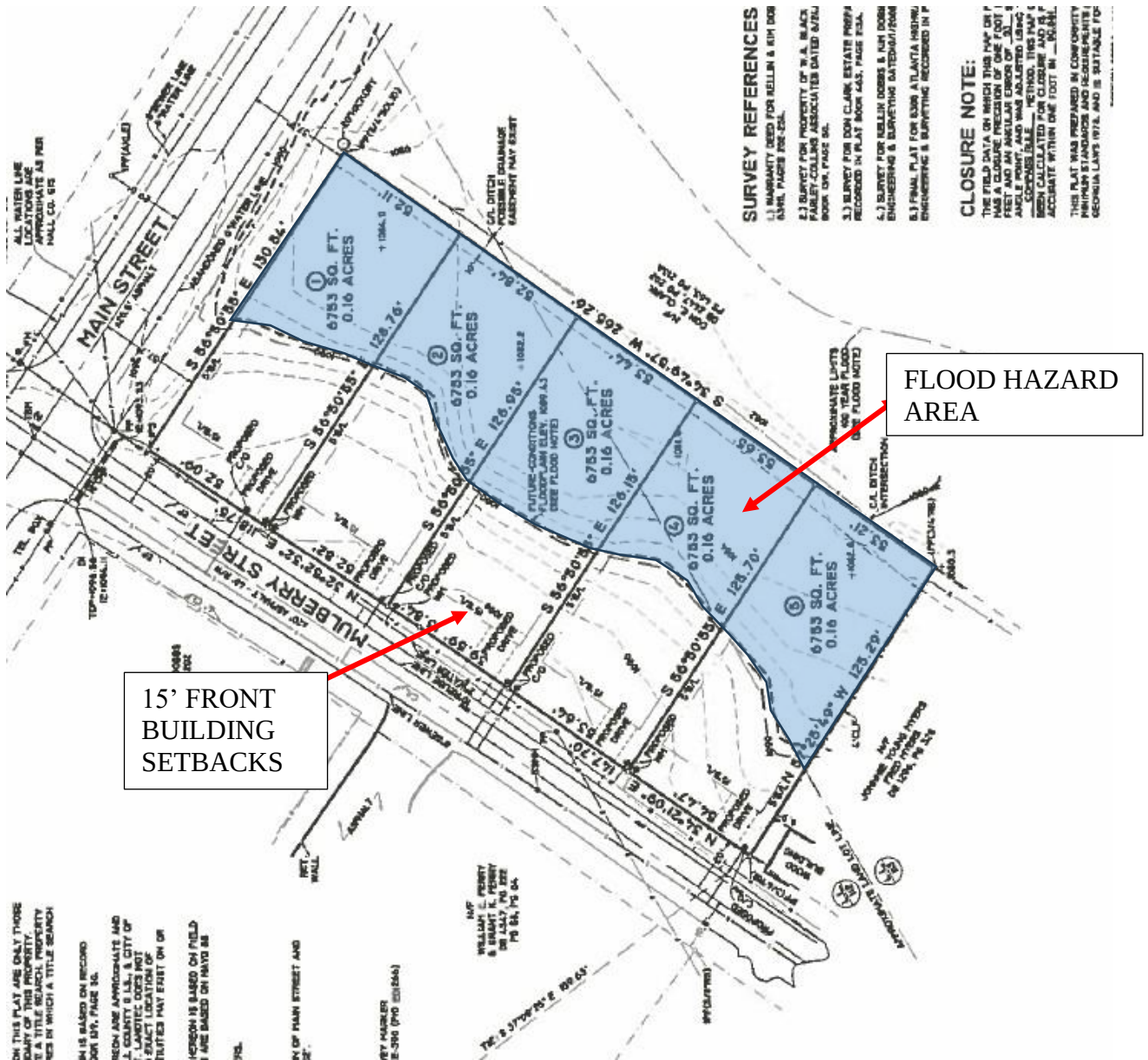
The flood hazard area is located at the rear of the subject site, where the slope is relatively gentle at approximately 4%. This minimal slope descends from the street toward the rear of the property. The topography becomes steeper closer to the flood zone.

The distance from the front property pin to the nearest flood hazard area is approximately 90 feet. The front setback for single-family homes in TND zoning is zero. With appropriate home placement near the front right-of-way, a different floor plan could feasibly accommodate a rear-entry garage.

There are precedents within this area in TND zoning district where homes approved with front entry garages due to the location of flood hazard zones. The project called Mulberry Cottages was approved with variances around June of 2017.

Mulberry Cottages





At the time of the Cottages development, the TND code required a 15' front building setback line. The applicant requested a variance at the time to encroach on the front setback. The flood hazard zone impacts these lots more than the subject site for this variance. Review of the Mulberry Cottages file reveals trouble during construction staying out of the flood zone. The City Engineer had several meetings concerning the impact of the flood zone and the variances appear to be justified and needed to develop the homes.



Flowery Branch Code Sec. 37.5. - Criteria for Granting Variances.

Any applicant requesting consideration of a variance to any provision of the zoning ordinance shall provide a written justification that one or more of the following condition(s) exist. The City Council shall not approve a variance application unless it shall have adopted findings that one or more of the following conditions exist:

- (a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district;**

The subject parcel includes a portion designated as a flood hazard area, with the site sloping from the road toward the rear. The slope within the buildable area is approximately 4%. The topography and the location of a flood hazard zone provides extraordinary and exceptional conditions.

- (b) A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located;**

The literal interpretation of the provisions of the current ordinance would not allow a front entry garage and a literal compliant floorplan may encroach the flood hazard zone and / or impact the area with grading.

- (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located;**

The requirement for rear-entry garages has been consistently enforced for many TND lots of similar width and depth. Nearby TND developments featuring front-entry garages were approved based on unique circumstances specific to each individual site.

- (d) The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare;**

The TND zoning district is intended to provide neighborhoods that are designed according to the principles of "new urbanism" with a grid or modified-grid street network, pedestrian scale and orientation, shallow front yards, relatively narrow local streets planted with shade trees and provided with wide sidewalks, and with automobile garages located to the rear or side of residential lots.



(e) The special circumstances are not the result of the actions of the applicant;

The topography and flood hazard zone is not the result of the applicant's actions.

(f) The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed; and

An alternative site plan with a floor plan of comparable size could show incorporating a rear-entry garage encroaching on or disturbing the flood hazard area or requiring the construction of a retaining wall.

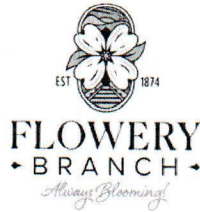
(g) The variance shall not permit a use of land, buildings or structures, which is not permitted by right in the zoning district or overlay district involved.

Single-family residential homes are not prohibited in the TND zoning district.

Recommendation:

Staff recommends the **APPROVAL** of the proposed variance application for allowing front entry garage in the TND zoning category with the following conditions:

1. The Building Permit application shall include a house location plan and be substantially similar to the plan provided with the variance application.
2. The applicant shall provide a Residential Drainage Plan including proposed grading to demonstrate no disturbance in the flood hazard area.
3. The applicant shall provide four-sided building elevations demonstrating compliance with the City of Flowery Branch's architectural standards.



VARIANCE APPLICATION

Address of Request:

5201 Mulberry St, Flowery Branch, GA 30542

Type of Variance Requested

Complete requirements for variances can be found in the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 37;

Please verify all the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 37, section 37.5 are being met.

Explain below:

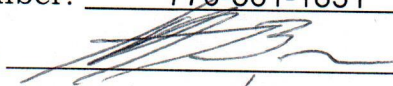
We are meeting the requirements of the ordinances because there is a substantial flooding issue on the lot that was not cause by the owner's actions. The house plan mantains the aesthetics of the surrounding area, and the requested variance does not grant any special privileges. Additionally, the proposed use is permitted within the zoning district.

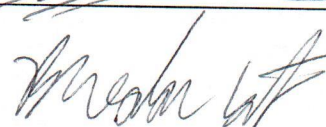
Applicant: Tabb Bowen

Address: 4513 Winder Highway
Flowery Branch, GA 30542

E-mail address: tbowen@chestateebrokers.com

Phone number: 770-561-1831

Signature: 

Notary Seal: 

BRENDON COATS
NOTARY PUBLIC
Hall County
State of Georgia
My Comm. Expires Aug. 23, 2025



Property owner information (if different than the applicant)

Property owner (please print): _____

Signature of property owner: _____

Notary Seal:

Please provide the following at time of submittal:

- Legal description – one hard copy and on a flash drive
- Current survey of property – one hard copy and on a flash drive
- Site plan – one hard copy and on a flash drive
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)



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.

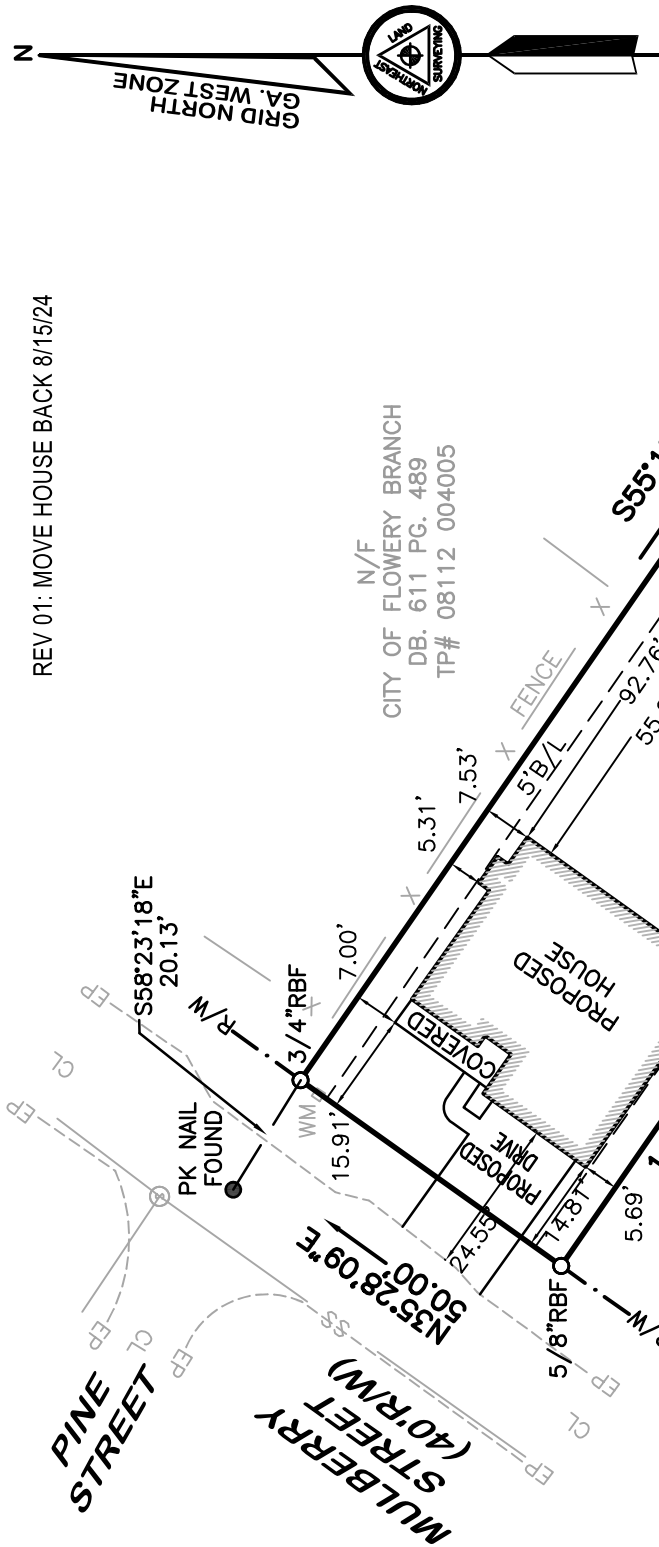
Elected Officials Name

Amount of Description of Gift

None



REV 01: MOVE HOUSE BACK 8/15/24



LEGEND	
B/L=	BUILDING LINE
C/L=	CENTERLINE
C&G=	CURB & GUTTER
CTP=	CRIMP TOP PIPE
DE=	DRAINAGE EASEMENT
EP=	EDGE OF PAVEMENT
FFE=	FINISHED FLOOR ELEVATION
IE=	INVERT ELEVATION
IPF=	IRON PIN FOUND
IPS=	IRON PIN SET
LL=	LAND LOT
LLL=	LAND LOT LINE
MFEE=	MINIMUM FINISHED FLOOR ELEV.
N/F=	NOW OR FORMERLY
NTS=	NOT TO SCALE
OTP=	OPEN TOP PIPE
P/L=	PROPERTY LINE
RBF=	REBAR PIN FOUND
R/W=	RIGHT OF WAY
SSE=	SANITARY SEWER EASEMENT
SMH=	SANITARY SEWER MANHOLE
DMCB=	DOUBLE WING CATCH BASIN
SWCB=	SINGLE WING CATCH BASIN
JB=	JUNCTION BOX
DI=	DROP INLET
HV=	HEADWALL
FES=	FLARED END STRUCTURE
PP=	POWER POLE
FH=	FIRE HYDRANT
X-X=	FENCE
—X—	FLOOD LIMITS
—X—	SWALE

CITY OF FLOWERY BRANCH
5201 MULBERRY STREET
TP# 08112 004009

HOUSE LOCATION PLAN FOR:
INVESTNLAND, LLC

NORTHEAST LAND SURVEYING
A Georgia Land Surveying Firm # 1240
P.O. BOX 384
Braselton, Ga. 30517
Phone: 678-776-7494

Date: 5/8/24 Land Lot: 112 District: 8th
County: Hall, Ga. Scale: 1"=30'
Drawn By: KLC Checked By:
Date of Field Work: 5/6/24 Job #: 24-043

Sheet No.
1 of 1



LOT #_____

ADDRESS_____

PLAN GRIFFIN II 1958_____

ELEV B_____

GARAGE RIGHT_____

NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

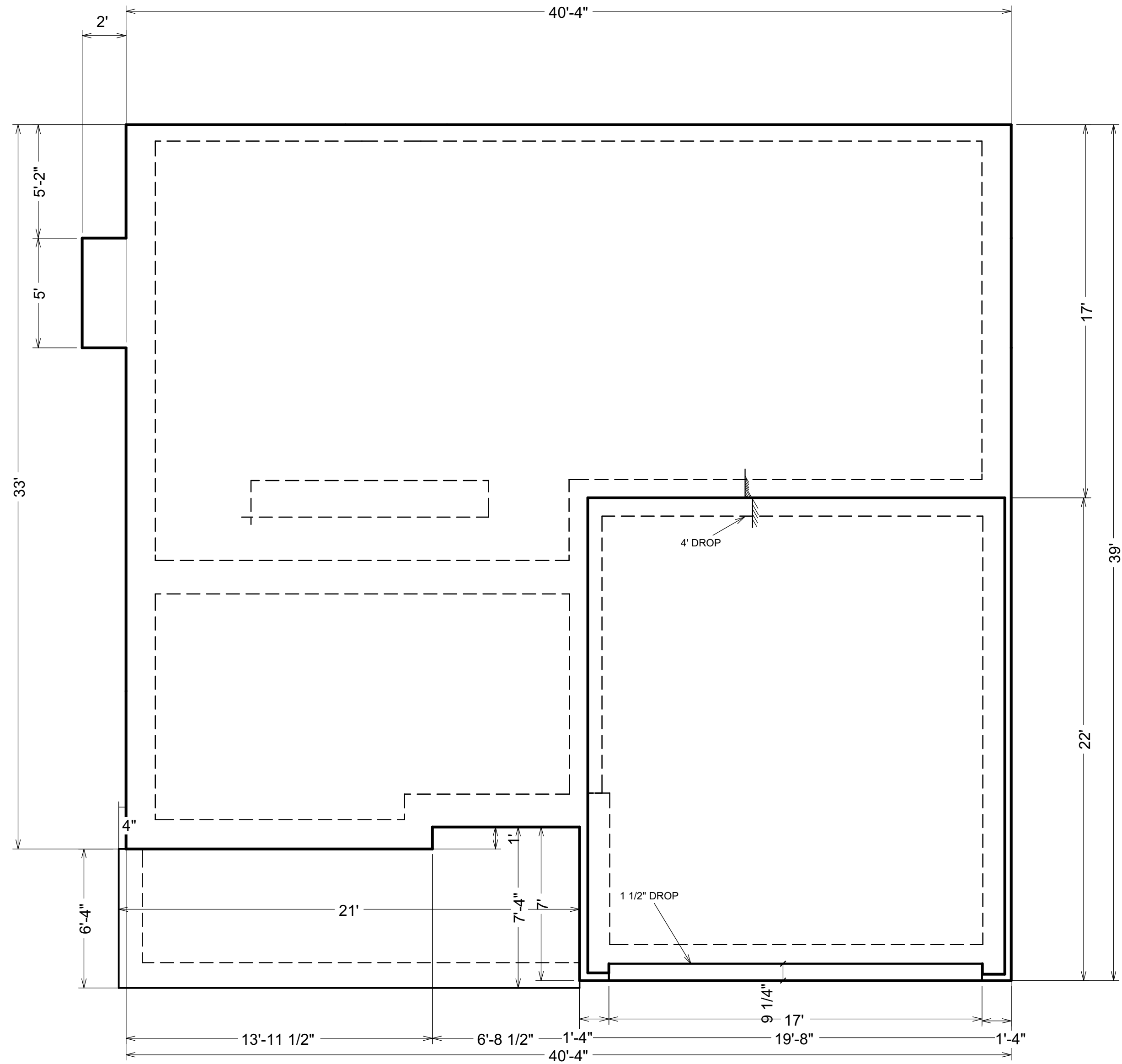
DATE:

10/17/2024

SCALE:

SHEET:

A-1



SLAB FOUNDATION PLAN

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NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOI #

DATE:

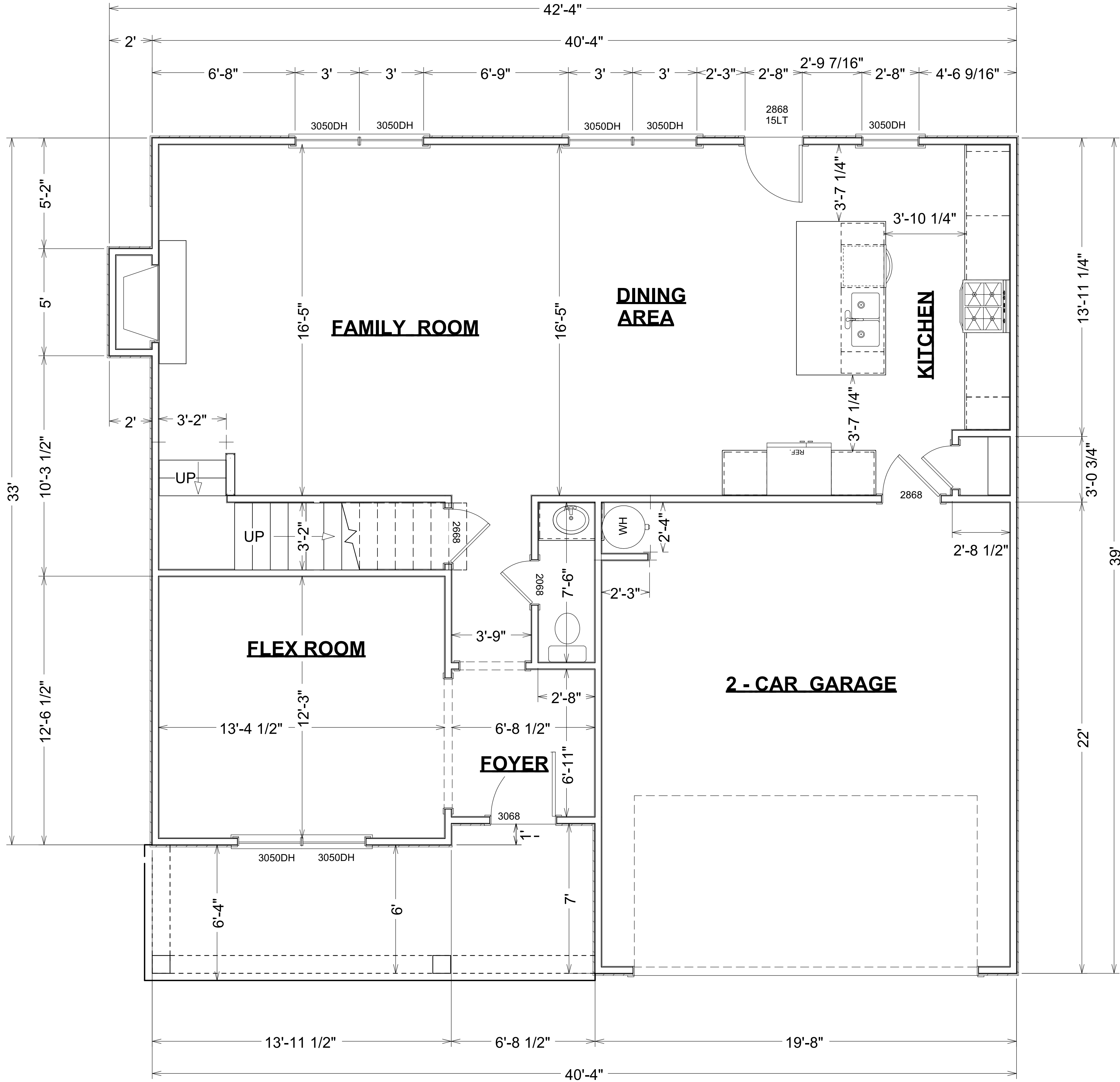
10/17/2024

SCALE:

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SHEET:

A-2



HEATED SQUARE FOOTAGE

FIRST FLOOR	920 SQ. FT.
2ND FLOOR	1038
TOTAL HEATED	1958
GARAGE	384

FIRST FLOOR PLAN

--

NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

DATE:

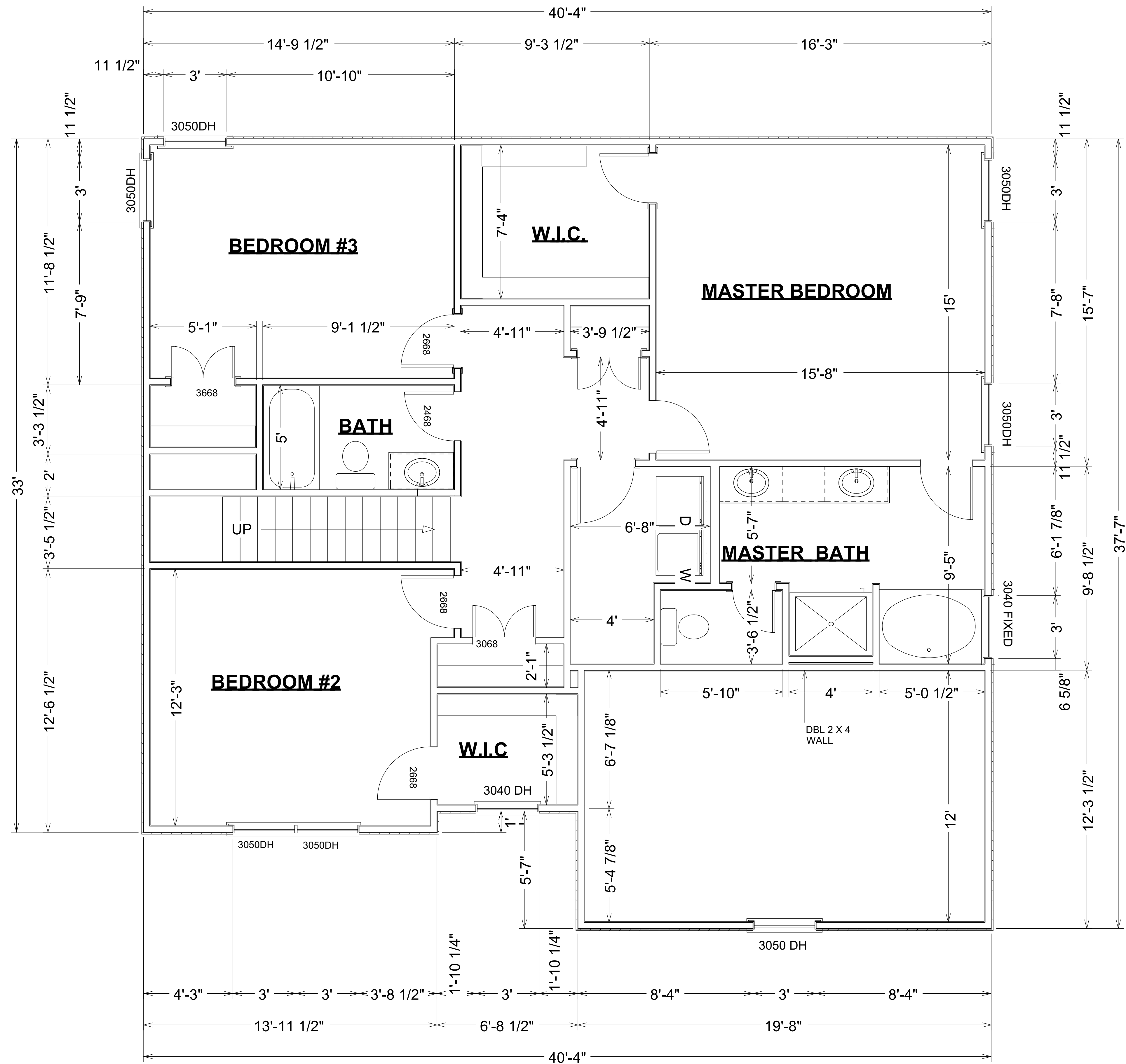
10/17/2024

SCALE:

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SHEET:

A-3



2ND FLOOR PLAN

NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT

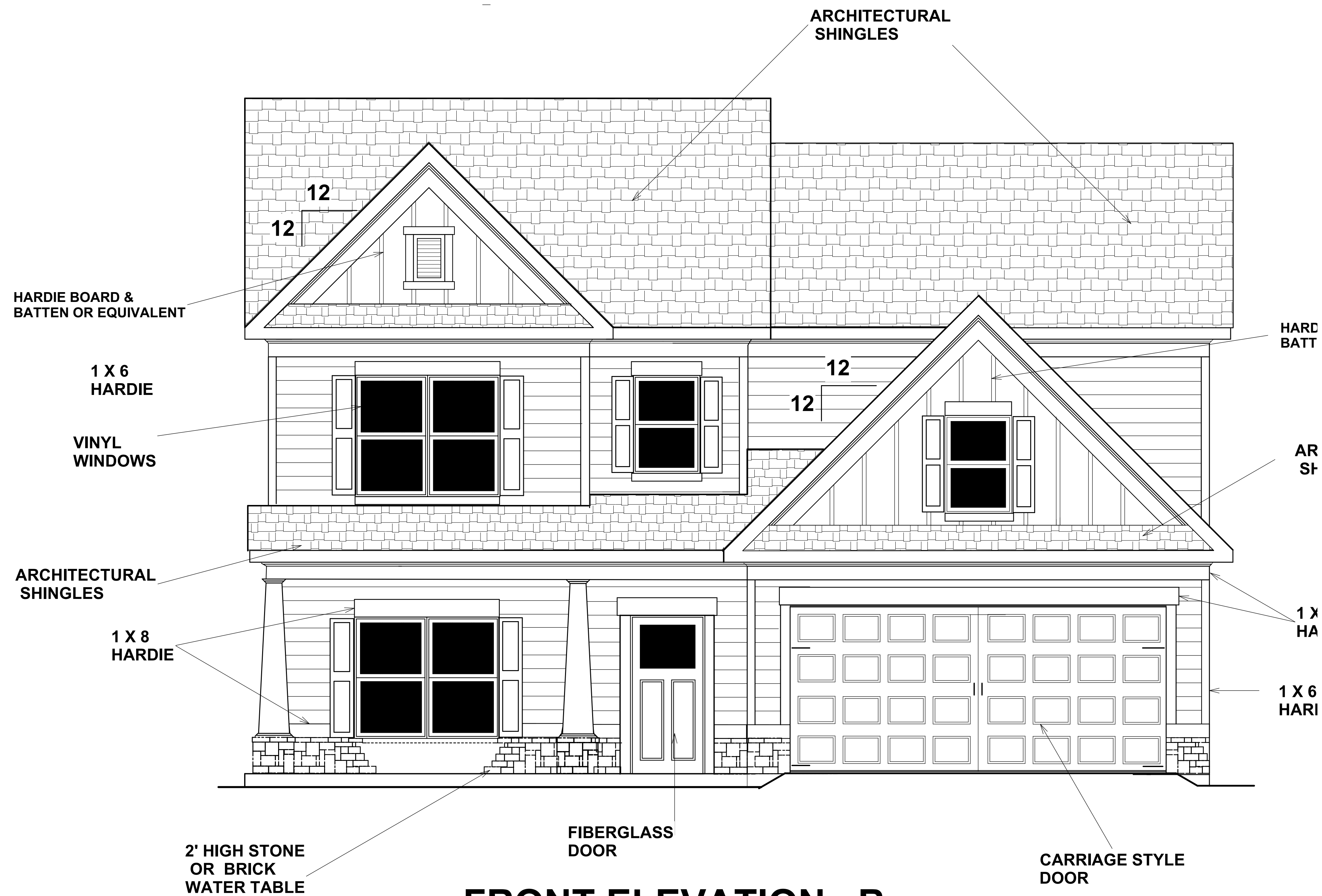
DATE:

10/17/2024

SCALE:

SHEET:

A-4



FRONT ELEVATION B

NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

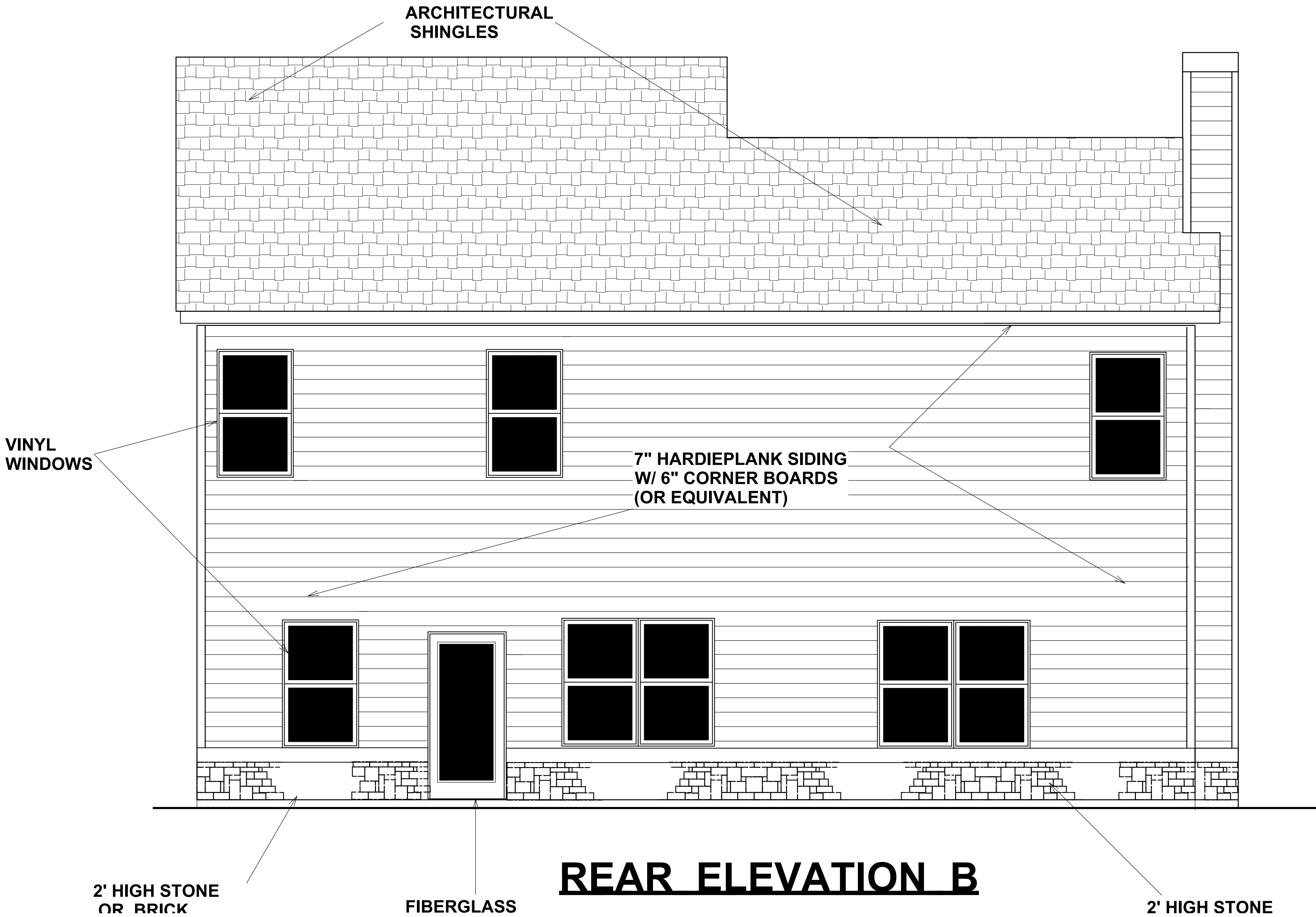
DATE:

10/17/2024

SCALE:

SHEET:

A-5



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NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

DATE:

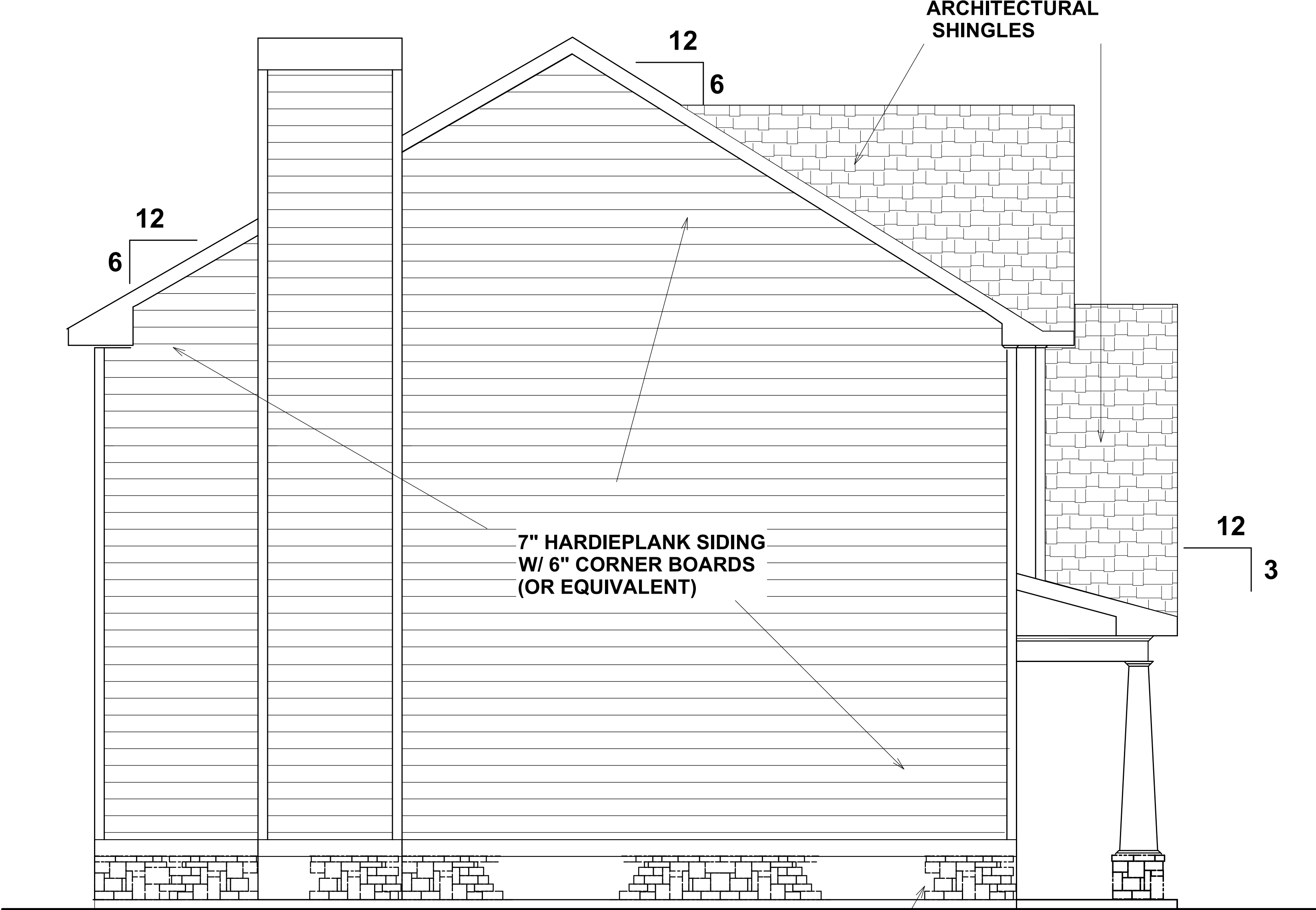
10/17/2024

SCALE:

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SHEET:

A-6



LEFT ELEVATION B

2' HIGH STONE
OR BRICK
WATER TABLE

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NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

DATE:

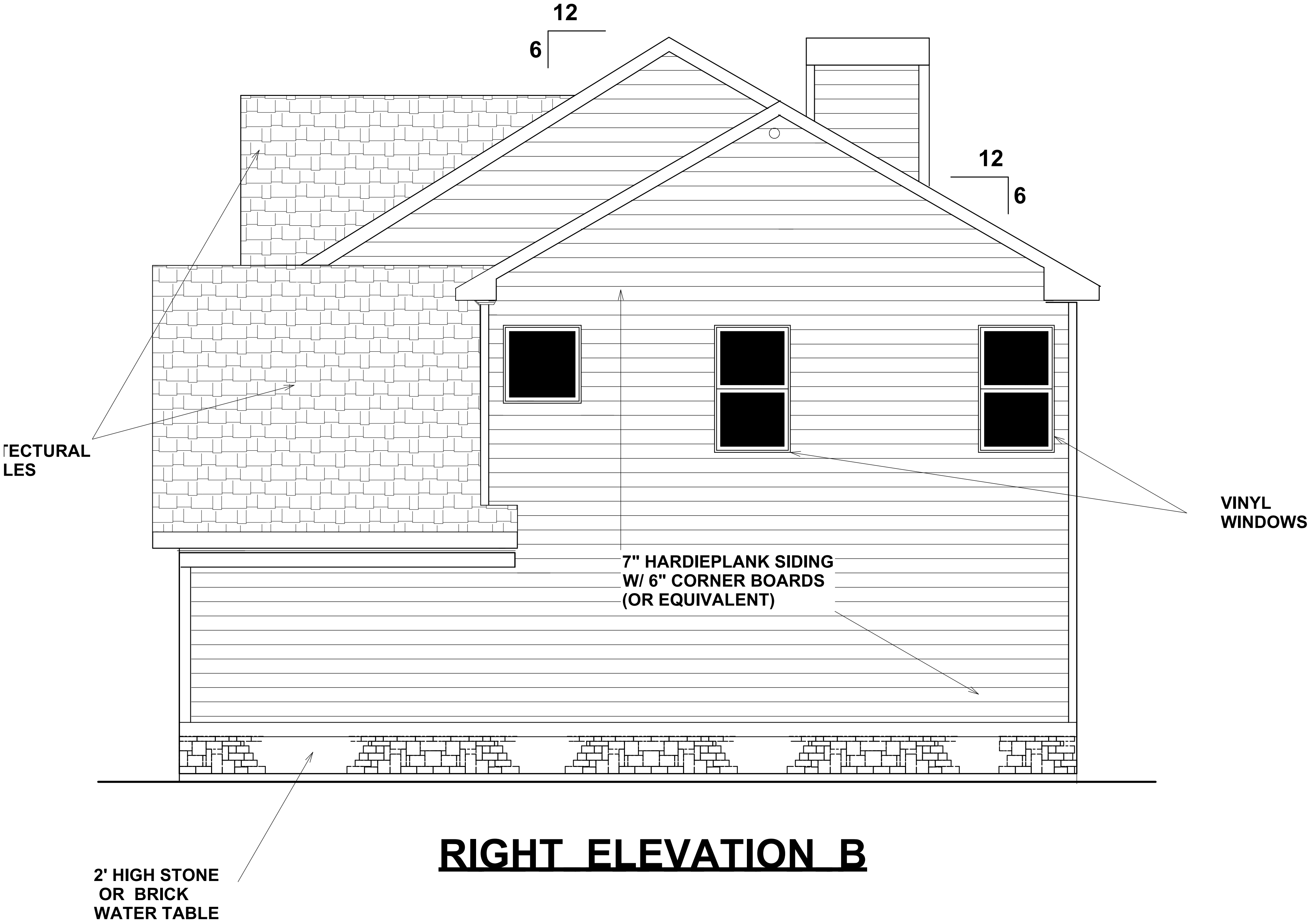
10/17/2024

SCALE:

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SHEET:

A-7



RIGHT ELEVATION B

NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

DATE:

10/17/2024

SCALE:

SHEET:

A-8



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the Second Reading of Ordinance 724 for a Variance Request at 4627 Atlanta Highway.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

This Agenda item was tabled from December 19th, 2024, meeting for the applicant to consider the engineering of adding a left turn lane.

FACTS AND ISSUES:

The first reading of the agenda item was on November 21st, 2024. The second reading was on December 19th, 2024. This Agenda item was tabled from December 19th, 2024, meeting for the applicant to consider the engineering of adding a left turn lane.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval of Ordinance 724 with Staff recommended conditions

SAMPLE MOTION:

I make a motion to approve Ordinance 724 with Staff recommendations.

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Ordinance 724 1-16-2025.pdf](#)
- [VarianceApplication Revised.pdf](#)
- [Variance Report 4627 Atlanta Highway final.pdf](#)
- [Architectural Elevations 4627 Atlanta Highway.pdf](#)

- [Traffic Cales for Left Turn Lane 12-12-241.pdf](#)
- [GDOT Supplemental Memo.pdf](#)

Public Hearing Published	10/9/2024	First Reading	11/21/2024
Public Hearing	11/21/2024	Second Read	1/16/2025

ORDINANCE 724

4627 Atlanta Highway Variance Request

AN ORDINANCE GRANTING A VARIANCE FROM THE REQUIREMENTS SET FORTH IN THE CITY OF FLOWERY BRANCH ZONING ORDINANCE Article 26, Section 26.7, Stream Buffer Protection: Buffer and Setback Requirements, 4627 Atlanta Highway, TAX PARCEL IDENTIFICATION NO. 08092 000008, OWNED BY West Avenue Partners Group, LLC; AS SHOWN ON EXHIBIT "A", DESCRIBED ON EXHIBIT "B", AND 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, William Stark, agent for owner has submitted a written and signed application to the City of Flowery Branch, Georgia requesting a specific variance for property located at 4627 Atlanta Highway; and

WHEREAS, a survey and complete description of the property subject to the requested variance is included in the application; and

WHEREAS, the City Council of the City of Flowery Branch, Georgia held a public hearing on 11/21/2024, to consider the application, which was duly noticed as prescribed by law and published in the Gainesville Times, as shall be set forth in the minutes of said meeting; and

WHEREAS, the City Council of the City of Flowery Branch, Georgia has considered the subject variance application of William Stark, agent for owner in conjunction with the standards set forth in Article 26, Section 26.7 Stream Buffer Protection: Buffer and Setback Requirements of the Zoning Ordinance.

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

SECTION 1. FINDINGS:

The City Council finds that the proposed variance from the City of Flowery Branch Zoning Ordinance Article 26, Section 26.7 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 Article 37, Section 37.5 of the City of Flowery Branch Zoning Ordinance as identified below.

Sec. 37.5. Criteria for Granting Variances.

Any applicant requesting consideration of a variance to any provision of the zoning ordinance shall provide a written justification that one or more of the following condition(s) exist. The City Council shall not approve a variance application unless it shall have adopted findings that one or more of the following conditions exist:

- (a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district;

Public Hearing Published	10/9/2024	First Reading	11/21/2024
Public Hearing	11/21/2024	Second Read	1/16/2025

- (b) A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located;
- (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located;
- (d) The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare;
- (e) The special circumstances are not the result of the actions of the applicant;
- (f) The variances requested are the minimum variances that will make possible the proposed use of the land, building, or structure in the use district proposed; and
- (g) The variance shall not permit a use of land, buildings or structures, which is not permitted by right in the zoning district or overlay district involved.

SECTION 2. LEGAL DESCRIPTION, VARIANCES GRANTED AND CONDITIONS IMPOSED:

The properties as shown in attached Exhibit "A" and as legally described in Exhibit "B" shall be granted the following variance from the requirements set forth in the Flowery Branch Zoning Ordinance Article 26, Section 26.7 Stream Buffer Protection: Buffer and Setback Requirements:

All land development activity subject to this ordinance shall meet the following requirements. Any land development activity within a buffer established in this Article or any impervious cover within a setback established in this Article is prohibited unless exempted, grandfather, or a variance is granted pursuant to this zoning ordinance.

- (a) Buffer. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
- (b) Additional setback. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

Conditions set forth in Exhibit "C" are imposed on said property. Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. 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.

Public Hearing Published 10/9/2024
Public Hearing 11/21/2024

First Reading 11/21/2024
Second Read 1/16/2025

SECTION 4. EFFECTIVE DATE.

The effective date of this Ordinance shall be upon adoption by the City Council of the City of Flowery Branch, Georgia.

SECTION 5. REPEALER.

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

Adopted this 5th day of December 2024.

Edward R. Asbridge, Mayor

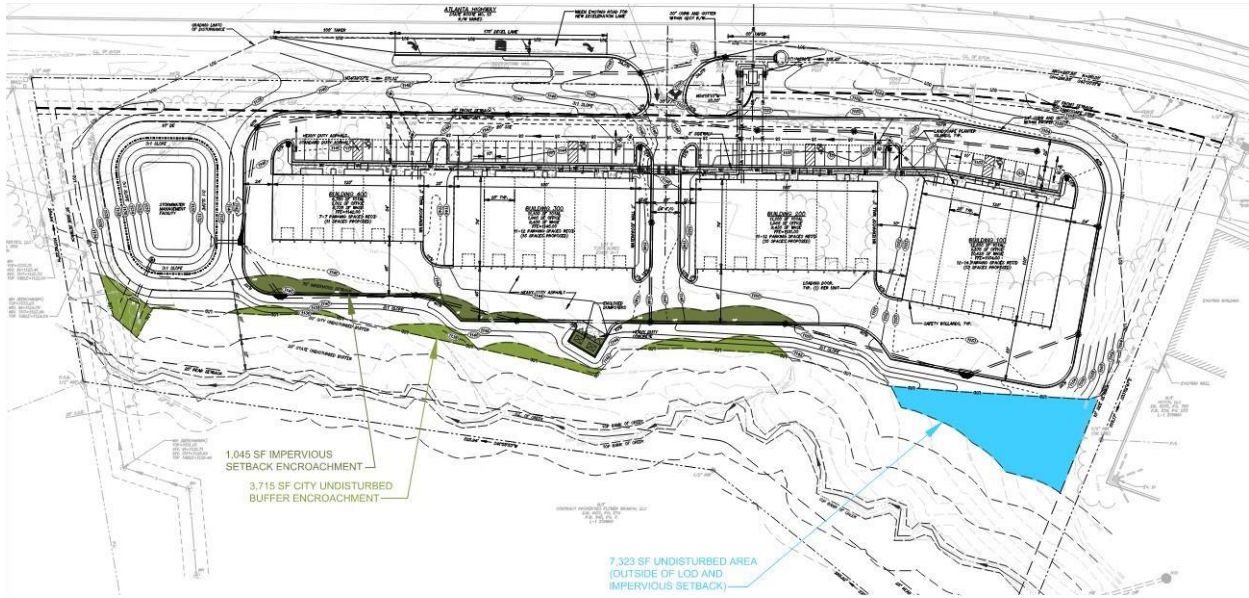
ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted C. Baggett, City Attorney

Exhibit "A"



Public Hearing Published	10/9/2024	First Reading	11/21/2024
Public Hearing	11/21/2024	Second Read	1/16/2025

Exhibit "B"

Legal Description

All that tract or parcel of land lying and being in Land Lot 98, 8th Land District, Hall County, Georgia, being Lot 5 as shown on a survey for South Hall Business Park, dated September 20, 2001, last revised October 3, 2001, prepared by Rochester & Associates, Inc., Georgia Registered Land Surveyors and recorded in Plat Slide 805, page 105A of the Hall County, Georgia Plat Records, last revised at Plat Book 845, page 3 of the Hall County, Georgia Plat Records. Said plat and the record thereof are incorporated by reference for a more complete description of said property.

Public Hearing Published	10/9/2024	First Reading	11/21/2024
Public Hearing	11/21/2024	Second Read	1/16/2025

Exhibit "C"

1. The Land Disturbance Permit shall be substantially similar to the plan provided with the variance application including the limits of the encroachment into the impervious setback and the City's stream buffer.
2. The area of preservation shall be substantially similar to the area in size and location shown on the site plan provided with the Variance Application.
3. In the areas where disturbance occurs within the 50' undisturbed buffer, the applicant shall provide a replanting plan using a native mixture of species of trees and shrubs. The plan shall be sealed by a Georgia registered Landscape Architect. The final plan shall be approved by the Community Development Director.
4. Prior to the issuance of Certificate of Occupancy, the owner shall provide the City an as built survey of the development including the encroachment areas and preservation area.
 - a. The area of encroachment into the impervious setback shall not exceed 1,045 SF.
 - b. The area of encroachment into the 50-foot Undisturbed Stream Buffer shall not exceed 3,715 SF.
 - c. The area of undisturbed preservation shall be no less than 7,323 SF.



VARIANCE APPLICATION

Address of Request:

4627 Atlanta Highway, Flowery Branch, GA 30542

Type of Variance Requested

Complete requirements for variances can be found in the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 37;

Please verify all the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 37, section 37.5 are being met.
Explain below:

Due to the shape of the property and location of the stream, an unnecessary hardship is created when strictly adhering to the requirements outlined in Article 26, Section 26.7 of the Flowery Branch Zoning Ordinance. In accordance with Article 26, Section 26.13, a variance is requested to reduce the required buffer width.

Applicant: William B Stark

Address: 5316 Railroad Avenue Flowery Branch, GA 30542

E-mail address: billstarkproperties@gmail.com

Phone number: (678) 960-3333

Signature: William B Stark Authorized Agent

Notary Seal:

Meredith Pierce
11/20/24



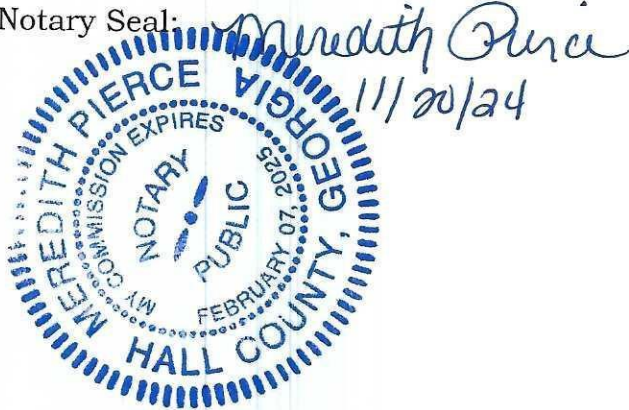


Property owner information (if different than the applicant)

Property owner (please print): West Avenue Partners, LLC

Signature of property owner: William B Stark Authorized Agent

Notary Seal:



Please provide the following at time of submittal:

- Legal description – one hard copy and on a flash drive
- Current survey of property – one hard copy and on a flash drive
- Site plan – one hard copy and on a flash drive
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)



Memorandum

To: City of Flowery Branch, City Manager, and City Council

From: Chris McCrary, Community Development and Planning Director

Date: October 14th, 2024

Subject: Stream Buffer and Impervious Setback Encroachment Variance

Applicant: William Stark
5316 Railroad Avenue
Flowery Branch, GA 30542
770-231-3829

Existing Zoning: M – 1 – Manufacturing & Industrial Light

Location:

- 4627 Atlanta Highway; tax parcel identification number **08092 000008**,

Variance Request:

The applicant is seeking to develop four office/warehouse buildings totaling 41,450 sq.ft., including associated parking and utilities, on a property limited in depth due to a state water creek adjacent to Atlanta Highway. To accommodate the necessary depth for warehousing and tractor trailer truck movement, the applicant is requesting encroachments into the City's 75-foot impervious setback and 50-foot undisturbed stream buffer, which are necessary to meet industry standards for the proposed buildings.



Code Section:

Article 26. – Stream Buffer Protection:

Section 26.7. – Buffer and Setback Requirements.

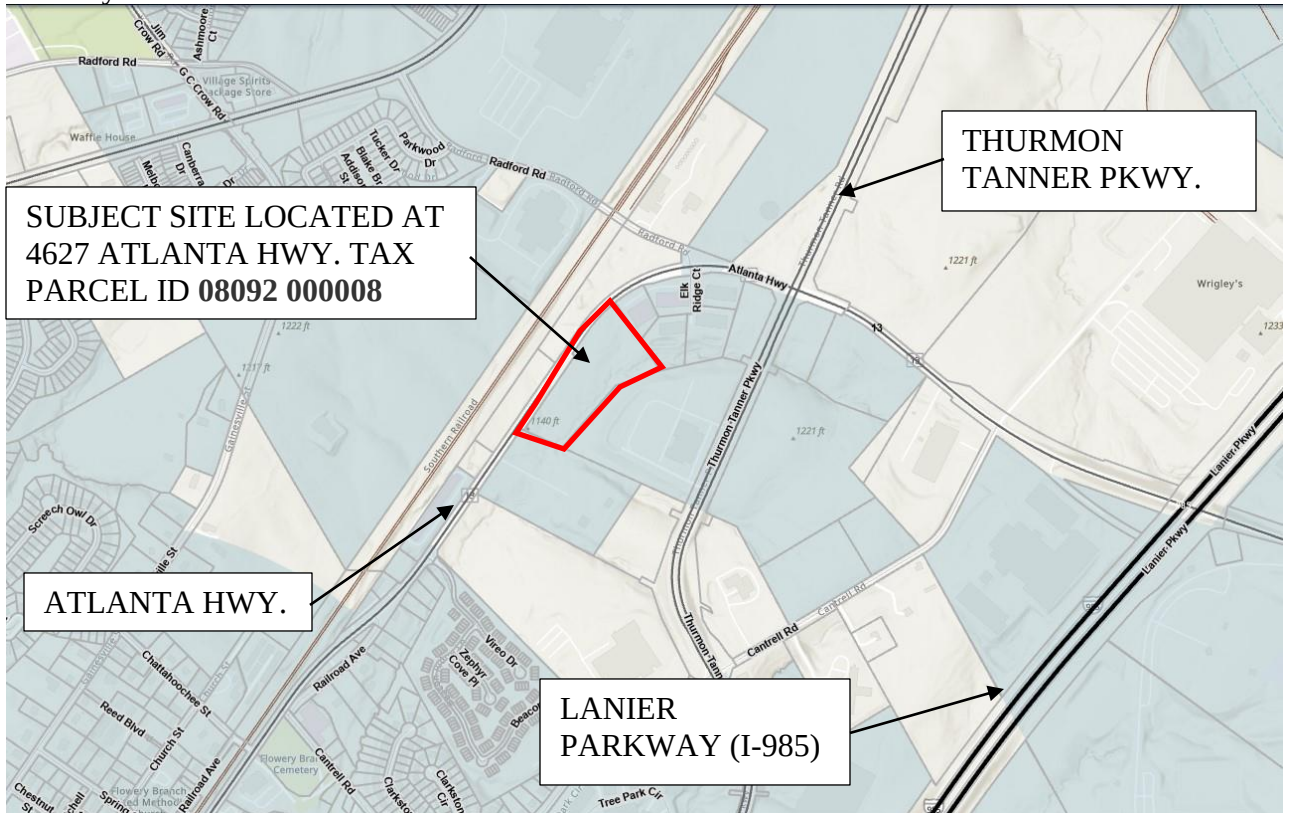
All land development activity subject to this ordinance shall meet the following requirements. Any land development activity within a buffer established in this Article or any impervious cover within a setback established in this Article is prohibited unless exempted, grandfather, or a variance is granted pursuant to this zoning ordinance.

- a) Buffer. An undisturbed natural vegetative buffer shall be maintained for **50 feet**, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
- b) Additional setback. An additional setback shall be maintained for **25 feet** (*measured 75 feet from stream bank*), measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.



Location Map:

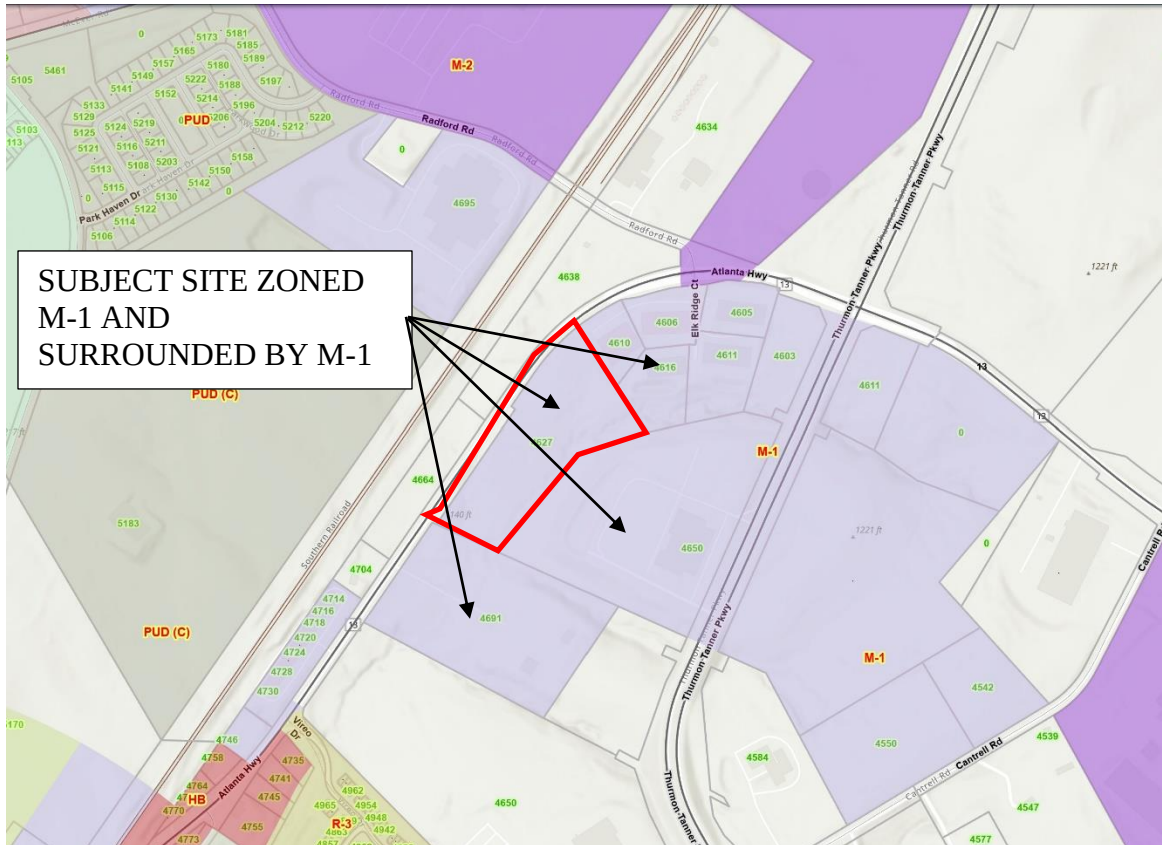
The subject site is located at 4627 Atlanta Highway near the intersection of Thurmon Tanner Parkway.





Zoning Map:

The subject property is zoned M-1 – Manufacturing & Industrial, Light. The surrounding properties are also zoned M-1.



Legend

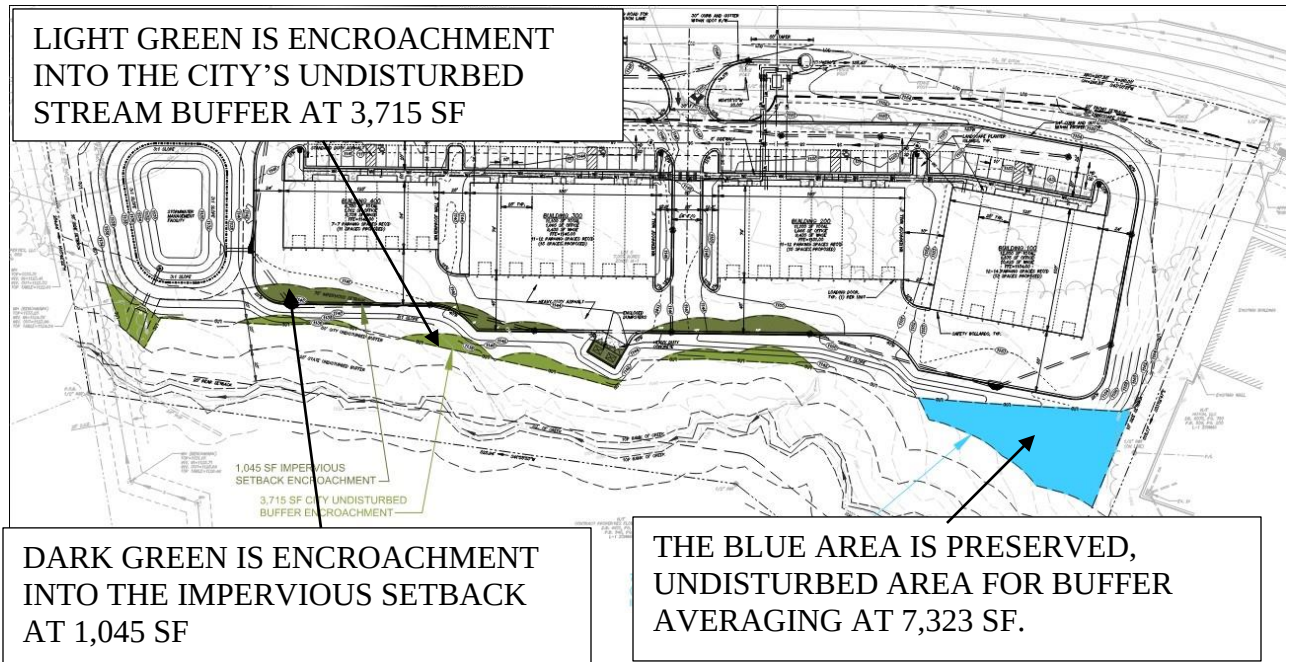
Zoning Districts

	Residential Low Density (R-1)		Highway Business (HB)
	Residential Moderate Density (R-2)		Institutional (INST)
	Residential Multi-family (R-3)		Manufacturing & Industrial, Light (M-1)
	Traditional Neighborhood Development (TND)		Manufacturing & Industrial, Heavy (M-2)
	Planned Unit Development (PUD)		Agriculture (A)
	Manufactured Home Park (MHP)	Historic Districts	
	Central Business District (CBD)		Local Historic District
	Neighborhood Shopping (NS)		



Site Plan:

The applicant's engineer provided a site plan that is color coded showing the areas of the stream buffer and impervious setback encroachment. A full-size site plan / encroachment plan will be available for better review.





Buffer Averaging

Buffer averaging is a critical concept in environmental management, particularly in the context of managing stormwater runoff. This approach acknowledges the importance of maintaining a balance between developed areas that may encroach upon natural buffers and the need to preserve adequate natural areas that can effectively treat stormwater.

In this particular case, the engineer has determined that an encroachment of 4,760 square feet (SF) into an impervious setback and undisturbed buffer can be mitigated through the preservation of 7,323 SF of natural area. This is a positive outcome because the area being preserved exceeds the amount of area being disturbed. By preserving a larger area, the project can enhance its overall ecological integrity and stormwater management capabilities.

The preserved area serves multiple purposes:

1. **Stormwater Treatment:** The additional preserved area provides a larger surface for infiltration, absorption, and filtration of stormwater, which will ultimately reduce runoff into the creek.
2. **Habitat Preservation:** By preserving more land than what is being disturbed, the project can maintain or even enhance local biodiversity and provide habitat for various species.
3. **Buffer Functionality:** The preserved buffer can help filter pollutants from stormwater before they reach the creek, acting as a natural barrier against contaminants.
4. **Erosion Control:** The natural vegetation in the preserved area can help stabilize soil and reduce erosion, further contributing to water quality.
5. **Aesthetic Value:** A larger preserved natural area can provide aesthetic benefits to the site as opposed to a clear-cut site with no preservation.

In summary, the approach taken by the engineer to preserve more area than is disturbed, demonstrates a commitment to effective stormwater management while also complying with environmental regulations and promoting ecological sustainability. This strategy not only mitigates the direct impacts of encroachment but also enhances the overall functioning of the watershed and surrounding ecosystem.



Flowery Branch Code Section 26.13 – Variances

Variances to the provisions of this Article may be filed and shall be processed in accordance with the requirements of Article 37 of this zoning ordinance. All variance applications must include information identified by the "Stream Buffer Variance" application form as provided by the Zoning Administrator. Variances will be considered only in the following cases:

- a) When a property's shape, topography or other physical conditions existing at the time of the adoption of this ordinance prevents land development unless a buffer variance is granted.
- b) Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.

Variances will not be considered when actions of any property owner of a given property have created conditions of a hardship on that property. The following factors will be considered in determining whether to issue a stream buffer variance:

a) The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property.

The parcel shape and topography create challenges to development of an office / warehouse buildings. The property is wide parallel to Atlanta Highway but is limited in depth. The stream runs parallel to Atlanta Highway and limits the depth. The topography drops from the street to the back of the property.

b) The locations of all streams on the property, including along property boundaries.

The applicant's engineer provided a drawing clearly showing the stream on the property including along property boundaries.

c) The location and extent of the proposed buffer or setback intrusion.

The applicant's engineer provided a drawing clearly showing the stream buffers and encroachments into the impervious setback and stream buffer.



d) Whether alternative designs are possible which require less intrusion or no intrusion.

An alternative design would be a challenge due to the limited depth of the parcel due to the need to move tractor trailers to the back of the buildings where the delivery roll up doors are located.

e) The long-term and construction water-quality impacts of the proposed variance.

The land development civil engineering plans are required to provide stormwater detention and water-quality measure per the existing development regulations. The engineer also provided buffer averaging to help mitigate the encroachment with preserved, undisturbed portions on the property.

f) Whether issuance of the variance is at least as protective of natural resources and the environment.

Preservation of an undisturbed area outside of the impervious setback and stream buffers larger than the area of encroachment mitigates the stormwater runoff in the encroachment area and provides protection of natural resources and the environment.



Recommendation:

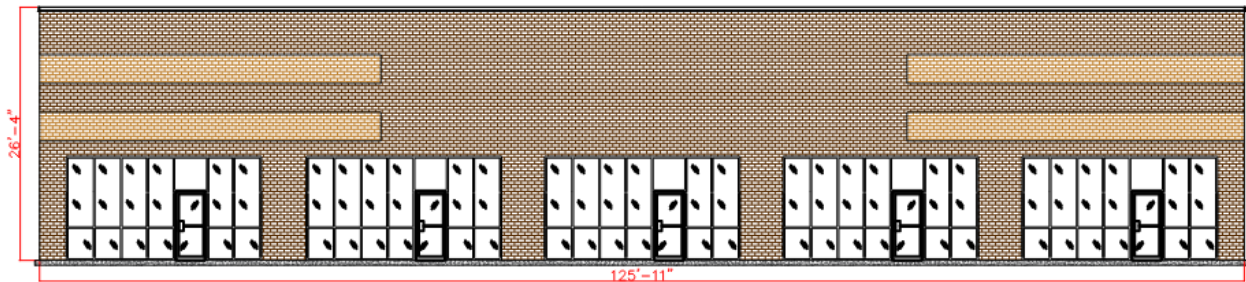
Staff recommends the **APPROVAL** of the proposed variance application for the encroachment into the required impervious setback and the City's undisturbed stream buffer per Code Section 26.7 with the following conditions:

1. The Land Disturbance Permit shall be substantially similar to the plan provided with the variance application including the limits of the encroachment into the impervious setback and the City's stream buffer.
2. The area of preservation shall be substantially similar to the area in size and location shown on the site plan provided with the Variance Application.
3. In the areas where disturbance occurs within the 50' undisturbed buffer, the applicant shall provide a replanting plan using a native mixture of species of trees and shrubs. The plan shall be sealed by a Georgia registered Landscape Architect. The final plan shall be approved by the Community Development Director.
4. Prior to the issuance of Certificate of Occupancy, the owner shall provide the City an as-built survey of the development including the encroachment areas and preservation area.
 - a. The area of encroachment into the impervious setback shall not exceed 1,045 SF.
 - b. The area of encroachment into the 50-foot Undisturbed Stream Buffer shall not exceed 3,715 SF.
 - c. The area of undisturbed preservation shall be no less than 7,323 SF.

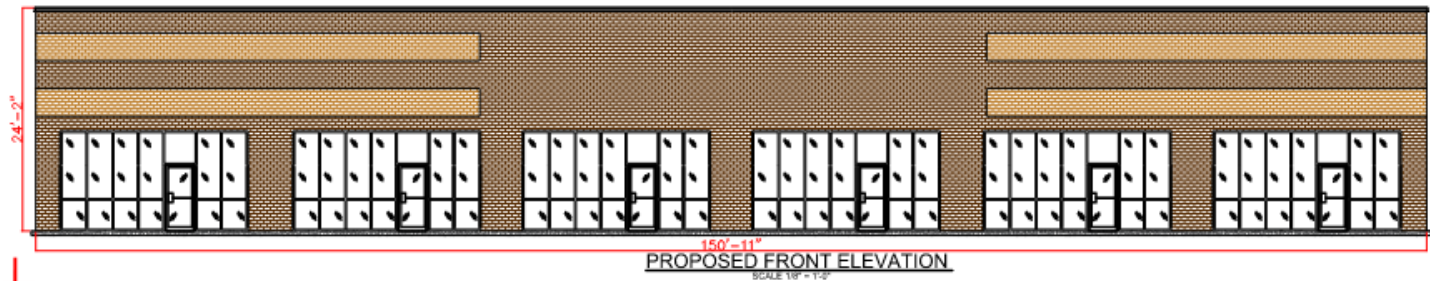
4627 Atlanta Highway Business Park

Front Building Elevations

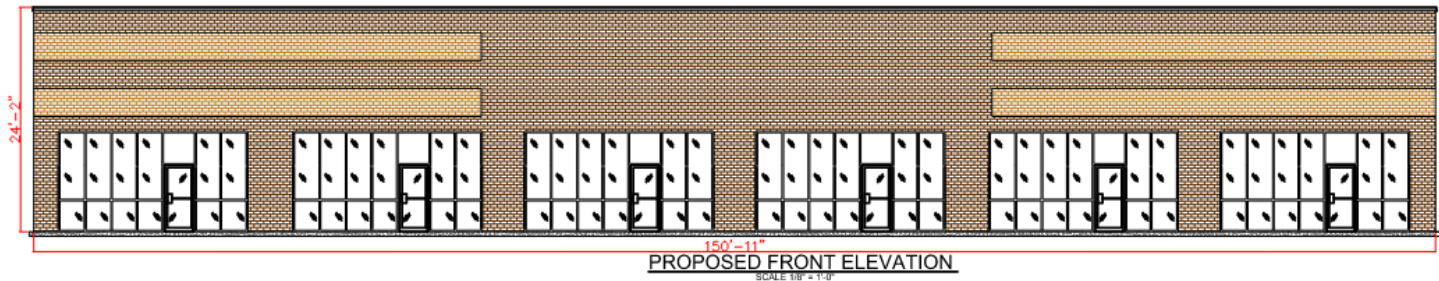
Building 100



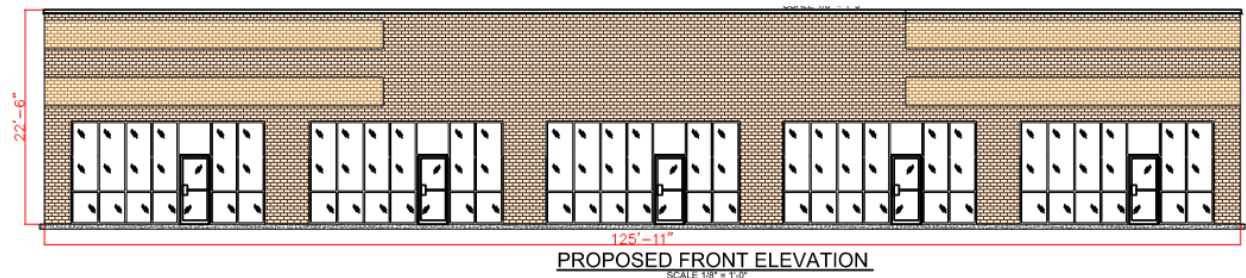
Building 200



Building 300



Building 400



South Hall Business Park

Flowery Branch, Georgia

Tax Parcel 08092 000008

7.01 Acres

Traffic Calculations for a Left Turn Lane

Introduction

The subject property is located at 4327 Atlanta Highway and is undergoing a variance application with the City of Flowery Branch. The proposed development consists of 40,950 SF office and warehouse space with associated utilities.

Existing Traffic Conditions

GDOT conducted a traffic study approximately 3,600' southwest of the subject property in August, 2022. According to the data provided through GDOT's Traffic Analysis and Data Application, the total traffic count over 24 hours was 7,432 trips.

Traveling North Bound: 3,916 trips (52.7%)

Traveling South Bound: 3,516 trips (47.3%)

Total Trip Count: 7,432 trips

Traffic Impact

Based on the calculations shown below, it is assumed that traffic from this proposed development does not warrant a left turn lane into this site. It is understood that other road improvements may be deemed necessary and required by the City of Flowery Branch and GDOT.

According to the *Trip Generation, 8th Edition* manual published by the Institute of Transportation Engineers, for General Office Building (ITE Land Use #710) the average trip generation rate is 11.01 trips per 1,000 sf leasable space per weekday.

Assuming full build-out of 6,142 sf, the proposed traffic impact will be:
 $(6,142 \text{ sf}) (11.01 \text{ daily weekday trips}/1000 \text{ sf}) = 68 \text{ trips/weekday}$

According to the *Trip Generation, 8th Edition* manual published by the Institute of Transportation Engineers, for Warehousing (ITE Land Use #150) the average trip generation rate is 3.56 trips per 1,000 sf leasable space per weekday.

Assuming full build-out of 34,808 sf, the proposed traffic impact will be:
 $(34,808 \text{ sf}) (3.56 \text{ daily trips}/1000 \text{ sf}) = 124 \text{ trips/weekday}$

Using the data provided by the GDOT study, it is assumed that 52.7% of the anticipated traffic generated from this development will travel northbound toward Thurmon Tanner Parkway and 47.3% will travel southbound.

Traveling Northbound: (52.7%) (191.4 trips/weekday) = 101 trips

Traveling Southbound: (47.3%) (90.4 trips/weekday) = 91 trips

According to the *Trip Generation, 8th Edition* manual, the directional distribution is 50% entering, 50% leaving for both Warehousing and General Office Building. The left turn lane would be accessible for those traveling southbound. Looking at 50% of the total trips traveling southbound, 46 trips would make a left turn into the property. Based on the table below from the *Regulations for Driveway and Encroachment Control* manual, published by the Georgia Department of Transportation, the requirement for a left turn lane is 175 LTV (left turn volumes) a day. Based on the calculations above, there are 46 LTV a day, showing that the development does not warrant a left turn lane.

Condition 1

LEFT TURN REQUIREMENTS-FULL CONSTRUCTION				
Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	ADT		ADT	
	<6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	300 LTV a day	200 LTV a day	400 LTV a day	300 LTV a day
40 to 50 MPH	250 LTV a day	175 LTV a day	325 LTV a day	250 LTV a day
>= 55 MPH	200 LTV a day	150 LTV a day	250 LTV a day	200 LTV a day

Table 4-7a Minimum Volumes Requiring Left Turn Lanes



Memorandum

To: City of Flowery Branch, City Manager and City Council

From: Chris McCrary, Planning and Community Development Director

Date: January 16th, 2025

Subject: Georgia DOT Auxiliary Turn Lanes Supplemental

To ensure the Mayor and City Council have the most relevant information to make an informed decision, this memorandum provides supplemental details regarding the Georgia Department of Transportation (GDOT) process, standards, and criteria for auxiliary lanes, with a focus on left-turn lanes.

Key Points from GDOT and District Engineer Communication

The City Manager has consulted with District Engineer Jason Dykes, P.E., to clarify the requirements for left-turn lanes. According to Mr. Dykes, left-turn lanes are generally warranted through an Intersection Control Evaluation (ICE), which considers the volume of left turns into a development, the number of lanes, speed limits, and traffic volume on the roadway. However, he emphasized that turn lanes are often required as a safety measure, even if not strictly warranted by ICE criteria. As he stated:

“In general though, turn lanes are considered a safety improvement and may be required due to safety concerns for a particular location.”

GDOT Standards for Left Turn Lanes

The **Regulations for Driveway & Encroachment Control Manual**, specifically Section 4.9.1.2, outlines the minimum requirements for left-turn lanes. The criteria are as follows:

- **Condition 1:** Construction of a left-turn lane.
- **Condition 2:** Construction of a right-hand passing lane as an alternative to a left-turn lane when left-turn volumes (LTVs) are below thresholds.



From the manual:

“If the LTVs are below the requirements for Condition 1, the applicant may be required to construct a Right Hand Passing Lane. The District Traffic Engineer will use engineering judgment to determine if the field conditions would allow construction of the Right Hand Passing Lane. Passing lane sections fall under the criteria for two or more lanes.”

Additionally, the manual grants discretion to the District Traffic Engineer to require a left-turn lane, regardless of whether the conditions in Table 4-7 are met, if the roadway geometry or field conditions indicate a safety benefit:

“The District Traffic Engineer may also require the addition of a Left Turn Lane, even when the conditions in Table 4-7 are not met, if roadway geometry or field conditions indicate that the safety of the traveling public would be improved. The recommendation must be documented and approved by the District Traffic Engineer for inclusion with the Permit.”

Key Takeaways on GDOT

1. **Data is not the sole determinant:** While warrant data provides a baseline for evaluating the need for left-turn lanes, GDOT prioritizes safety and may require turn lanes based on engineering judgment.
2. **Safety considerations take precedence:** The District Traffic Engineer may mandate turn lanes to mitigate potential safety concerns, even if the data does not strictly support their inclusion.
3. **Over-engineering for safety:** It is reasonable to expect that GDOT will err on the side of caution, prioritizing the safety of the traveling public during the review and approval of driveway construction documents.

Conclusion Relevant to the Variance Application

It is crucial to recognize the thoroughness and safety considerations with which GDOT District Engineers evaluate construction applications within the GDOT right of way. District Engineers have full authority over the review of construction documents for work within the GDOT right of way. The City of Flowery Branch will not have a role in roadway improvements within GDOT right of way, including conditions associated with Variance approvals. Any conditions imposed on a Variance case that require design modifications within the GDOT right of way become unenforceable once the applicant has secured a GDOT driveway permit. A GDOT driveway construction application is submitted directly to the District Engineers and Flowery Branch only requires proof of approval prior to issuance of the full LDP.

For your review, Article 4.9 of the **Regulations for Driveway & Encroachment Control Manual** has been attached. Should you have any questions or require further clarification, please do not hesitate to reach out.

4.9 Auxiliary Turn Lanes

4.9.1 When Deceleration Lanes Are Required

The provisions of this section should generally apply to auxiliary lanes installed on the approach to an intersection that provide for deceleration and storage of vehicles waiting to turn right or left. Such lanes are always beneficial and will be required in conjunction with commercial driveway permits when projected traffic volumes exceed minimum levels as provided in the sections below.

All existing utilities which would be under new pavement or in auxiliary/deceleration lanes should be relocated before final grading and paving, and at no cost to DOT. Existing utilities which are found to be not in conflict with construction may be allowed if a Retention Request is processed by the utility owner and approved by the Department.

4.9.1.1 Minimum Requirements for Right Turn Deceleration Lanes

Right turn deceleration lanes must be constructed at no cost to the Department if the daily site generated Right Turn Volumes (RTV) based on ITE Trip Generation (assuming a reasonable distribution of entry volumes) meet or exceed the values shown in Table 4-6. Passing lane sections fall under the criteria for two or more lanes.

Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	AADT		AADT	
	< 6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	200 RTV a day	100 RTV a day	200 RTV a day	100 RTV a day
40 to 50 MPH	150 RTV a day	75 RTV a day	150 RTV a day	75 RTV a day
55 to 60 MPH	100 RTV a day	50 RTV a day	100 RTV a day	50 RTV a day
>= 65 MPH	Always	Always	Always	Always

Table 4-6 Minimum Volumes Requiring Right Turn Lanes

In the event the District Traffic Engineer determines that field conditions or other factors indicate that it would be in the best interest of the Department, use the form in **Appendix F** to document a waiver for the deceleration lane requirement, the District Traffic Engineer must document the recommendations using the form in **Appendix F**. The recommendations shall be approved by the District Engineer and be attached to the Permit. The District Traffic Engineer may also require the addition of a Right Turn lane, even when the conditions in Table 4-6 are not met, if roadway geometry or field conditions indicate that the safety of the traveling public would be improved. The recommendation must be documented and approved by the District Traffic Engineer for inclusion with the Permit.

The R/W for auxiliary/deceleration lanes may be dedicated in fee simple to the Department for the Department to maintain or the applicant must sign an agreement with the Department to maintain the lane to the Department's standards and to hold harmless the Department in the event that section of roadway is identified in any liability action. A Limited Warranty Deed is not acceptable when R/W is donated to the Department. See section 2.5 for details regarding RW dedication procedures.

The pavement specifications for auxiliary/deceleration lanes must be Georgia DOT Standard Specifications for Construction of Roads and Bridges, or be as described and approved by the Chief Engineer in cases where a lesser design may be acceptable, or where a proposed project is expected to tie in.

4.9.1.2 Minimum Requirements for Left Turn Lanes

Left turn lanes must be constructed at no cost to the Department if the daily site generated Left Turn Volumes (LTV) based on ITE Trip Generation (assuming a reasonable distribution of entry volumes) meet or exceed the values shown in Table 4-7a **Condition 1**. If the LTVs are below the requirements for **Condition 1**, the applicant may be required to construct a Right Hand Passing Lane (see **Figure 4-7** if they meet the criteria in Table 4-7b **Condition 2**). The District Traffic Engineer will use engineering judgment to determine if the field conditions would allow construction of the Right Hand Passing Lane. Passing lane sections fall under the criteria for two or more lanes.

Condition 1

LEFT TURN REQUIREMENTS-FULL CONSTRUCTION				
Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	ADT		ADT	
	<6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	300 LTV a day	200 LTV a day	400 LTV a day	300 LTV a day
40 to 50 MPH	250 LTV a day	175 LTV a day	325 LTV a day	250 LTV a day
>= 55 MPH	200 LTV a day	150 LTV a day	250 LTV a day	200 LTV a day

Table 4-7a Minimum Volumes Requiring Left Turn Lanes

Condition 2

LEFT TURN REQUIREMENTS w/Right Hand Passing Lane Option		
Posted Speed	2 Lane Routes only	
	ADT	
	<4,000	>=4,000
35 MPH or Less	200 LTV a day	125 LTV a day
40 to 45 MPH	100 LTV a day	75 LTV a day
50 to 55 MPH	75 LTV a day	50 LTV a day

Table 4-7b Minimum Volumes Requiring Right Hand Passing Lanes

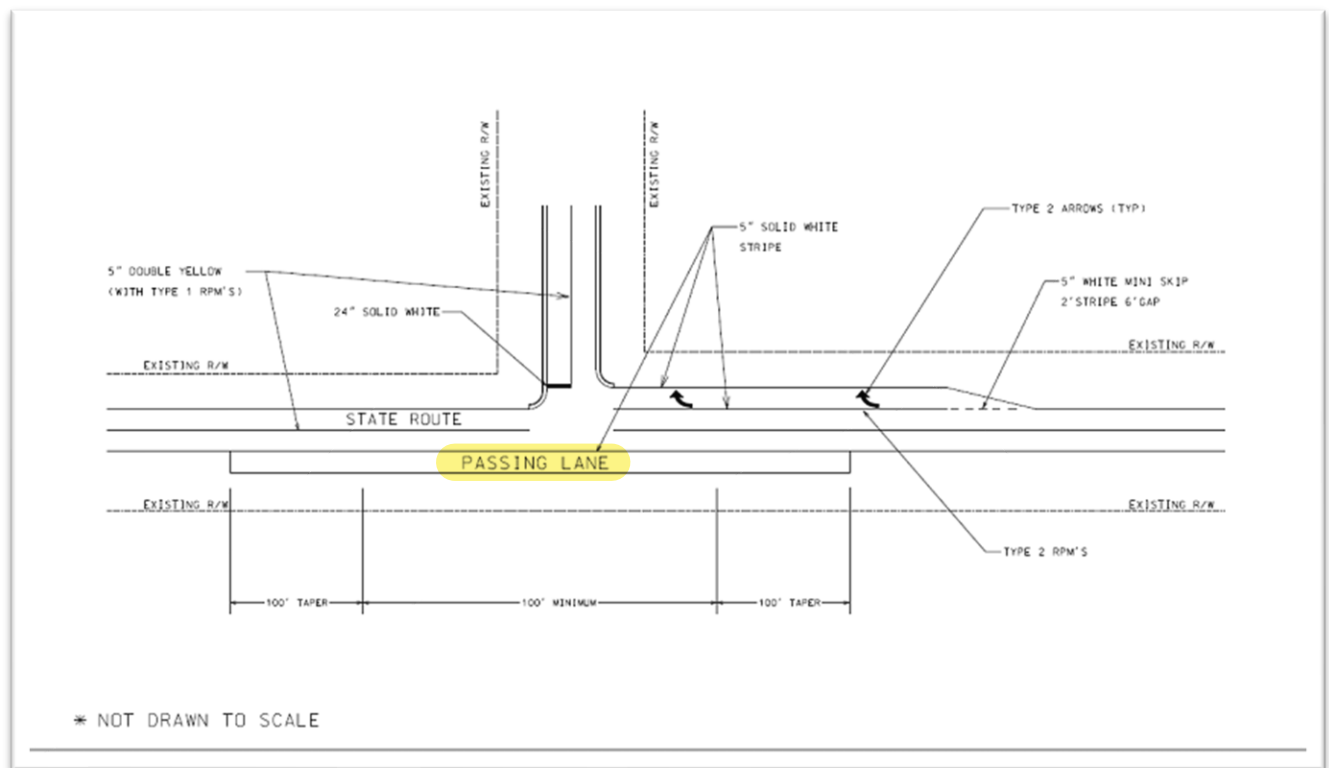


Figure 4-7 Right Hand Passing Lane

In the event the District Traffic Engineer determines that field conditions or other factors indicate that it would be in the best interest of the Department to waive the left turn lane requirement, the District Traffic Engineer must document the recommendations using the form in **Appendix F**. The recommendations shall be approved by the District Traffic Engineer and be attached to the Permit. The District Traffic Engineer may also require the addition of a Left Turn lane, even when the conditions in Table 4-7 are not met, if roadway geometry or field conditions indicate that the safety of the traveling public would be improved. The recommendation must be documented and approved by the District Traffic Engineer for inclusion with the Permit.

4.9.2 Right Turn Lane Lengths

This section provides the design guidelines that should be used to establish the lengths of turn lanes if they are required under the provisions of the previous section.

Under ideal conditions, turn lanes should provide a full-width lane that is long enough to allow for vehicles to decelerate from the operating speed to a full stop in addition to the length of full-width lane that is needed to store vehicles waiting to turn.

Table 4-8 contains guidelines for lengths of tapers (optional) and full-width turn lanes. The taper length in Table 4-8 applies to deceleration right turn lanes only. Guidelines for left turn tapers and lengths are given in Section 4.9.4.

SPEED (MPH)	FULL WIDTH STORAGE, FT.	TAPER, FT.
25	50	50
30	75	50
35	100	50
40	150	50
45	175	100
50	225	100
55	250	100
60	300	100
65	350	100

Table 4-8 Minimum Right Turn Deceleration Lengths

When traffic studies are conducted, the length of full-width lane needed for storage should be determined. If the length of full-width storage is greater than the length of full-width storage shown in Table 4-8, the longer length should be provided.

At signalized intersections, the amount of storage for both right and left turns can be based on the number of vehicles arriving during 1.5 signal cycles.

For unsignalized intersections, left turn storage should accommodate vehicles arriving during a two-minute period. Minimal storage is required for right turn lanes utilizing yield control at unsignalized intersections.

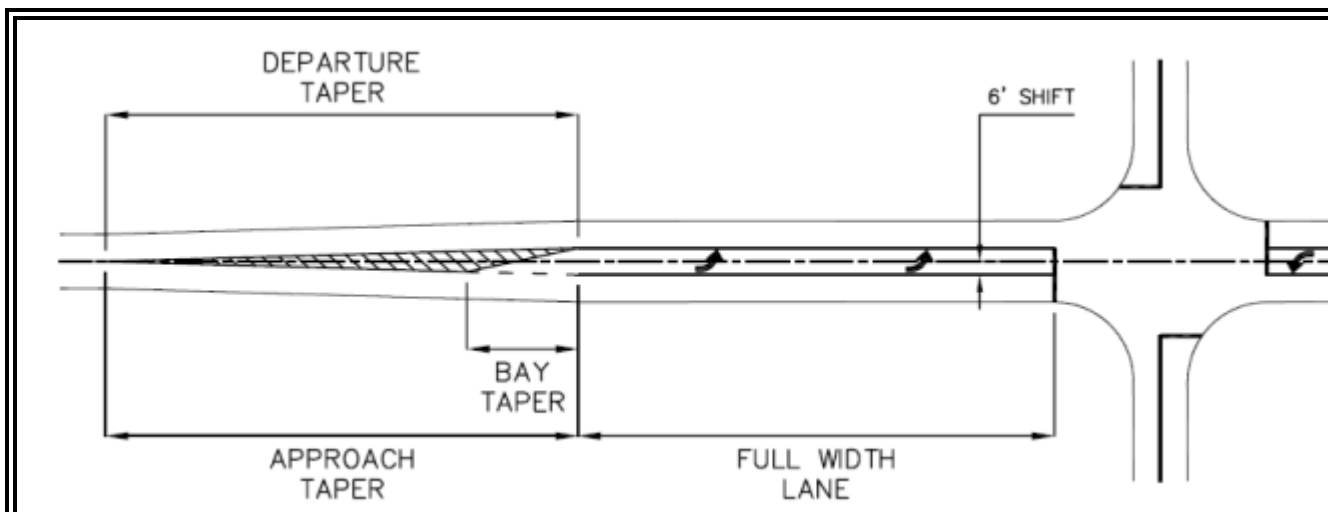
4.9.3 Acceleration Lanes

Acceleration lanes are generally not provided on low speed highways. Acceleration lanes may be required at locations where grade, sight distance or traffic is such that the Department determines they are needed. When operating speeds on the highway are 55 MPH and above, full-width acceleration lanes designed to meet the AASHTO minimum length should be considered.

4.9.4 Left Turn Lane Design

The design of left turn lanes should consider the intended function and the characteristics of the highway. In many cases, it is necessary to widen the existing roadway to introduce the left turn lane. In most cases vehicles approaching the turn lane are shifted to the right (especially when using symmetrical widening). The left turning traffic is then shifted back into the lane. Through traffic is returned to its original lane beyond the intersection. When the highway has a median that is at least 20 feet wide, the left turn lane can typically be developed out of the median, avoiding the need for transitions.

The basic design elements of left turn lanes are illustrated in Table 4-9. This example shows symmetrical widening, which basically requires the through traffic on each side to shift by one half of the lane width. Some circumstances may dictate that all widening be achieved on one side, which requires a full lane shift for through traffic on the side where the additional width is developed. Table 4-9 provides guidelines for selecting the proper length of approach taper. When shifts are not 6' or 12', use table 4-9 bay taper.



POSTED SPEED LIMIT, MPH	APPROACH AND DEPARTURE TAPER, FT.		BAY TAPER, FT.	FULL WIDTH STORAGE, FT
	6' Shift	12' Shift		
25	65	130	50	85
30	90	180	50	135
35	125	250	50	160
40	160	320	50	210
45	270	540	100	235
50	300	600	100	285
55	330	660	100	310
60	360	720	100	360
65	390	780	100	410

Table 4-9 Minimum Design Elements of Left Turn Lanes

The example shown in Table 4-9 has straight-line tapers. These are acceptable but other designs may also be used, including the following: partial tangent tapers, symmetrical reverse curve, and asymmetrical reverse curve. See latest edition of AASHTO Green Book for details.

The required length of full-width storage shall be based on storage length and a deceleration length that allows vehicles to safely decelerate without a possible conflict with another vehicle (Refer to [Construction Detail M-3A](#)). This should be determined in the traffic study. The amount of storage is dependent on the type of traffic control in effect. For signalized intersections, the storage should be sufficient to accommodate the number of vehicles arriving during 1.5 signal cycles, using peak hour volumes. At stop-controlled intersections, the storage is typically based on the number of vehicles arriving during a two-minute period within the peak hour.



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Presentation of Mixed-Use Project at 4560 Hog Mountain Road

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

FACTS AND ISSUES:

Kirkland Carden met with Planning to review the concept plan and asked to do a pre-submittal presentation to City Council

OPTIONS:

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

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

No motion. Presentation Only

COLLABORATING DEPARTMENT:

Planning

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [HOG MT-concept V1.pdf](#)



HOG MOUNTAIN RD.

MULTIFAMILY / COMMERCIAL SITE



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Discussion of FY2025 2nd Quarter Capital Update.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

The City of Flowery Branch established a 5-year Capital Plan which is approved annually during the budget process. Each year this plan is updated to reflect current and future capital needs.

FACTS AND ISSUES:

Quarterly update of the City's capital plan.

OPTIONS:

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

Yes

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

N/A

COLLABORATING DEPARTMENT:

DEPARTMENT: Finance

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Summary - FY25 2nd Quarter Capital Update.pdf](#)
- [Q2 CIP Report 12-31-2024.pdf](#)

**FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY**

SUBJECT: FY2025 2nd Quarter Capital Update

DATE: January 16, 2025

BUDGET INFORMATION:

ANNUAL-

CAPITAL-

☐ RECOMMENDATION

☐ POLICY DISCUSSION

☒ STATUS REPORT

☐ OTHER

COUNCIL ACTION REQUESTED ON:

PURPOSE:

To give an update on capital project through 12/31/2024.

HISTORY:

The City of Flowery Branch established a 5-year Capital Plan which is approved annually during the budget process. Each year this plan is updated to reflect current and future capital needs.

FACTS AND ISSUES:

Quarterly update of the City's capital plan.

OPTIONS:

N/A

RECOMMENDED SAMPLE MOTION:

N/A

DEPARTMENT: Administration

Prepared by: Matthew Hamby

City of Flowery Branch
Capital Improvements Plan Summary
Open Capital Projects Status Report
As of 12/31/2024

CAPITAL PROJECT MASTER SUMMARY

Tax Allocation District Capital Fund

Project #	Project Description	Budget	Expenditures Project-to-Date	Encumbrances Project-to-Date	Unencumbered Balance
40200	Tenant Improvements - Main St Building	445,000	196,313	-	248,688
					-
					-
Total Project Budgets		<u>445,000</u>	<u>196,313</u>	<u>-</u>	<u>248,688</u>

Water/Sewer Capital Fund

Project #	Project Description	Budget	Expenditures Project-to-Date	Encumbrances Project-to-Date	Unencumbered Balance
50130	Atlanta Hwy Water Line	980,000	87,537	-	892,464
50270	Wastewater Expansion Construction	48,014,834	5,730,949	-	42,283,885
50290	Wastewater Pump Station Modification	200,000	-	24,588	175,412
50300	Tank Connectivity Project	1,772,010	1,159,447	-	612,563
50310	Lights Ferry Water Line	400,000	-	-	400,000
50320	Well 4 & 5 Implementation/Rehab	2,428,768	445,000	-	1,983,768
50350	SCADA System Improvements	100,000	-	-	100,000
50360	New 250,000 Gallon Elevated Tank Construction	2,956,893	2,295,470	-	661,423
50380	Interim Wastewater Plant Improvements	922,488	910,629	-	11,859
50400	Modify Well House for Wells No. 1 and No. 3	200,000	81,650	-	118,350
50420	Gainesville Sewer Line	2,077,075	2,055,948	-	21,126
50440	Replacement Generator	127,990	90,167	-	37,823
50450	Wastewater Expansion Early Works	969,475	1,072,552	-	(103,077)
50480	Blower Rental	43,931	37,180	-	6,751
50460	4 Door Crew Truck (2)	115,000	97,480	-	17,520
50470	Elevated Water Tank Lights	100,000	-	-	100,000
50490	Lead Service Line Project	120,000	117,253	-	
Total Project Budgets		<u>61,528,463</u>	<u>14,181,261</u>	<u>24,588</u>	<u>47,319,867</u>

SPLOST Capital Fund

Project #	Project Description	Budget	Expenditures Project-to-Date	Encumbrances Project-to-Date	Unencumbered Balance
30120	Annual Road Paving and Sidewalks Program	5,072,106	2,495,120	-	2,576,986
30130	Police Vehicles/Equipment	643,818	539,508	4,232	100,078
30180	Old Town Stormwater Improvements - Phase 2	550,000	-	-	550,000
30200	Wastewater Plant Entrance	550,000	-	-	550,000
30230	Highlands to Islands Trail	550,000	4,932	-	545,068
30240	Parks Property and Improvements	415,000	-	-	415,000
30250	Public Works Property	-	-	-	-
30260	McEver & Gaines Ferry Rd Traffic Improvements	2,060,000	385,971	-	1,674,029
30280	Mulberry Connector	100,000	-	-	100,000
30270	Roberts Drive Site Improvements	750,000	-	-	750,000
					-
Total Project Budgets		<u>9,940,924</u>	<u>3,425,531</u>	<u>4,232</u>	<u>6,511,161</u>

City of Flowery Branch
Capital Improvements Plan Summary
Open Capital Projects Status Report
As of 12/31/2024

Local Resources Capital Fund					
Project #	Project Description	Budget	Expenditures Project-to-Date	Encumbrances Project-to-Date	Unencumbered Balance
20220	IT Equipment Upgrades Annual Program	297,210	301,512	-	(4,302)
20230	Website & Branding Upgrades	90,000	89,299	-	701
20250	Tourism Golf Cart	25,000	16,372	-	8,628
20270	Downtown Development Phase II	618,305	329,015	-	289,290
20280	City Building Security	120,000	19,337	-	100,663
20330	Land Acquisition	243,805	-	-	243,805
20340	Sidewalk Program	200,000	116,675	-	83,325
20360	Landscaping Design and Implementation	200,000	24,452	-	175,548
20370	Hammock Park	30,000	-	-	30,000
20380	Caboose Renovation	60,000	-	-	60,000
20290	Gateway Sign	450,000	19,676	-	430,324
20400	Public Bathroom	400,000	-	-	400,000
20420	Stormwater Program	259,957	6,280	-	253,677
20430	Tourism Building Renovation	50,000	-	-	50,000
20440	Tourism/Event Signs	100,000	-	-	100,000
20450	Amphitheater Stage Cover	200,000	-	-	200,000
20460	Track Loader	145,000	125,149	-	19,851
					-
					-
					-
Total Project Budgets		3,344,277	922,619	-	2,127,342



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the Addition of One Certified Police Officer Position and Associated Equipment for the Police Department and authorize a budget amendment for the associated expenditures.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

The City of Flowery Branch Police Department has entered into an agreement with the Hall County Sheriff's Office to assign an officer to their Multi-Agency Special Investigations Unit (SIU). This officer will require a full-time position to be assigned to the Special Investigations Unit and will deplete our current staff by one certified police officer.

FACTS AND ISSUES:

The City of Flowery Branch Police Department firmly believes in taking all necessary steps to improve our ability at maintaining a safe and peaceful environment for our community. To do so, we seek opportunities that will enhance our ability to gain valuable intelligence and resources which are used to aggressively combat the criminal element. As such, the Flowery Branch Police Department desires to enter this partnership with the Hall County Sheriff's Office and assign one of our certified police officers to the Special Investigations Unit.

Doing so will provide the agency with significant criminal intelligence and crime analysis which is invaluable in efforts to reduce overall crime rates in our city. In addition, this assignment will also afford us the resources of all personnel assigned to this unit to assist us in any investigations that we request assistance with. By assigning an officer to this unit we will be losing one of our staff members within the agency and will need to hire a new certified police officer to fill that vacancy. While the member assigned to this unit will remain a Flowery Branch Police Department employee, they will ultimately report to the Hall County Sheriff's Office for their daily assignment. By adding an additional officer, we incur additional costs and expenses, but the resources and intelligence gained by being a part of this unit far outweigh the cost of the additional officer. It is our request that the addition of one certified police officer be approved so that we can move forward with the agreement of assigning one of our current officers to the Hall County Sheriff's Office Special Investigations Unit.

OPTIONS:

- 1) Approve the addition of one certified police officer position and associated equipment for the Police Department and authorize a budget amendment for the associated expenditures.
- 2) Do not approve the addition of one certified police officer position and associated equipment for the Police Department.

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

No

AMOUNT AND SOURCE OF FUNDS:

Approximately \$185,000 from General Fund.

RECOMMENDATION:

Approve the addition of one certified police officer position and associated equipment for the Police Department and authorized a budget amendment for the associated expenditures.

SAMPLE MOTION:

I move to approve the addition of one certified police officer and equipment for the Police Department and authorize a budget amendment for the associated expenditures.

COLLABORATING DEPARTMENT:

DEPARTMENT: Police

Prepared by: Shelia Cooper

ATTACHMENTS

- [Police Patrol expense breakdown.pdf](#)
- [Executive Summary Draft for Additional Certified Officer 01082025.pdf](#)

Police Personnel Cost Breakdown

Salary:	\$ 59,204
Benefits:	\$ 24,980
Vehicle:	\$ 67,400
<u>Equipment:</u>	<u>\$ 28,600</u>
Total:	\$177,184



FLOWERY BRANCH CITY COUNCIL EXECUTIVE SUMMARY

SUBJECT: Consider the addition of one certified police officer position for the Police Department and authorize a budget amendment for associated expenditures.

DATE: January 8, 2025

(X)RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL- (See Attachment)

() OTHER

CAPITAL-

COUNCIL ACTION REQUESTED ON: January 16, 2025

PURPOSE: To consider the addition of one certified police officer to the Police Department, including the allocation of \$177,184 for employee salary, benefits, and equipment needed for said addition and authorized a budget amendment for associated expenditures. To be funded by the General Fund.

HISTORY: The City of Flowery Branch Police Department has entered into an agreement with the Hall County Sheriff's Office to assign an officer to their Multi-Agency Special Investigations Unit (SIU). This officer will require a full-time position to be assigned to the Special Investigations Unit and will deplete our current staff by one certified police officer.

FACTS AND ISSUES: The City of Flowery Branch Police Department firmly believes in taking all necessary steps to improve our ability at maintaining a safe and peaceful environment for our community. To do so, we seek opportunities that will enhance our ability to gain valuable intelligence and resources which are used to aggressively combat the criminal element. As such, the Flowery Branch Police Department desires to enter this partnership with the Hall County Sheriff's Office and assign one of our certified police officers to the Special Investigations Unit.

Doing so will provide the agency with significant criminal intelligence and crime analysis which is invaluable in efforts to reduce overall crime rates in our city. In addition, this assignment will also afford us the resources of all personnel assigned to this unit to assist us in any investigations

that we request assistance with. By assigning an officer to this unit we will be losing one of our staff members within the agency and will need to hire a new certified police officer to fill that vacancy. While the member assigned to this unit will remain a Flowery Branch Police Department employee, they will ultimately report to the Hall County Sheriff's Office for their daily assignment. By adding an additional officer, we incur additional costs and expenses, but the resources and intelligence gained by being a part of this unit far outweigh the cost of the additional officer. It is our request that the addition of one certified police officer be approved so that we can move forward with the agreement of assigning one of our current officers to the Hall County Sheriff's Office Special Investigations Unit.

OPTIONS:

- 1) Approve the addition of one certified police officer position and associated equipment for the Police Department and authorize a budget amendment for the associated expenditures.
 - 2) Do not approve the addition of one certified police officer position and associated equipment for the Police Department.
-
-

RECOMMENDED SAMPLE MOTION:

I move to approve the addition of one certified police officer and equipment for the Police Department and authorize a budget amendment for the associated expenditures.

DEPARTMENT: Police Department

Prepared by: Chris Hulsey, Chief of Police



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider January 2, 2025 City Council Meeting Minutes

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [Unofficial January 2, 2025 City Council Meeting Minutes.pdf](#)



**City of Flowery Branch
City Council Meeting
Thursday, January 2, 2025, 6:00 PM
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

Mayor Asbridge called the meeting to order at 6:00 p.m.

Present: Mayor Asbridge and Council Members Joe Anglin, Oliver McClellan, Joseph Mezzanotte, and Chris Mundy.

Also present were City Manager Tonya Parrish, City Clerk Shelia Cooper, Finance Director Matthew Hamby, Planning and Community Development Director Chris McCrary, Public Works & Utilities Director Bill Whidden, Human Resources Director Krystle Hightower, Police Chief Chris Hulsey, and City Attorney Ted Baggett.

Absent: Council Member William McDaniel

PLEDGE OF ALLEGIANCE:

Mayor Asbridge led the Pledge of Allegiance.

ADOPTION OF AGENDA:

There was a motion made to approve the adoption of the agenda as presented.

MOTION: Chris Mundy
SECOND: Joseph Mezzanotte
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

AWARDS & RECOGNITIONS: There were no awards or recognitions.

NEW BUSINESS -WORK SESSION:

Discussion of Text Amendments to Article 6, Article 9, Legacy Zoning Categories and Public Hearing Advertisement Time Frame.

Director McCrary discussed a proposal for a text amendment to Article 6, Article 9, legacy zoning categories, and public hearing advertisement time frames. Staff propose a text

amendment to Article 6 to establish a new zoning district for single-family townhomes. This amendment outlines specific district dimensions for townhomes, with a maximum density of six units per acre. Staff proposes a text amendment to Article 6 to establish a new zoning district for residential multi-unit housing. This amendment outlines specific district dimensions for multi-family units, with a maximum density of twelve units per acre.

Staff propose a text amendment to Article 9, Table 9.1 to make minor use changes. Large civic areas such as private clubs, churches, temples, synagogues, or places of worship are similar in holding a large congregation in a single room or building. Staff recommend these uses obtain a Conditional Use Permit. Remove residential uses as by right in some non-residential zoning. The city adopted Mixed Use as a zoning category. Removed public schools from the table. Public schools are exempt from local zoning codes. Changed private schools to CUP in some zoning categories.

Legacy Zoning Categories are classifications used in land use planning to address areas that were zoned under previous zoning ordinances but no longer align with current zoning practices or standards. Zoning shown on the Zoning Map but no longer active are R-3, Residential Multi-Family District and PUD, Planned Unit Development.

Staff proposes to revise the notice of public hearing advertisement time to align with Georgia Law and revise the period from a minimum of 30 days to 15 days. Procedures are found in Article 33, Article 34, Article 37 & Article 38.

Council held a discussion with Director McCrary on the proposed changes.

Consider a Consulting Agreement with Jimmy Dean for Wastewater Consulting Services

City Manager Parrish presented a consideration of a consulting agreement with Jimmy Dean for Wastewater Consulting Services. Jimmy Dean served as a consultant during 2023 and 2024 and has provided valuable information on the daily operations as well as the design of the city's new wastewater treatment plant. He has agreed to continue working on an average of two days per month compared to two days per week previously as he provides institutional knowledge during construction of the new plant. The wastewater treatment plant is now under construction with an anticipated completion date of August 2026. Jimmy Dean's advice continues to be sought and is of much value to the City of Flowery Branch during construction. Staff recommend that Jimmy Dean's schedule is adjusted to the first two Thursdays out of the month for four hours each day, and as needed by telephone. The agreement is not to exceed \$15,000.00.

Consider the First Reading of Ordinance 728 for Publishing of 2025 General Election Qualifying Fees

City Clerk Cooper presented Ordinance 728 to provide for the 2025 municipal election for the City of Flowery Branch for the position of Mayor, Post 3, Post 4, and Post 5. The qualifying fee for the position of Mayor is \$270.00 and the qualifying fee for Post 3, 4, and 5 is \$216.00. The qualifying dates will begin on August 18th from 8:30 a.m. until 4:30 p.m. and will go through August 20th at 4:30 p.m. The general election will be on November 4, 2025.

DEPARTMENT REPORTS:**City Clerk Report:**

City Clerk Cooper presented an update from the City Clerk's Office. The clerk's office is the custodian of our community's history and the guardian of our democratic processes. The clerk's office strives to ensure that every citizen, regardless of background or circumstance, can engage with their local government with ease. The office serves the needs of our citizens as well as every city department. One of the clerk's goals for 2024 was to scan all resolutions to an electronic file and that was completed by identifying and scanning all resolutions.

City clerks are tasked with properly maintaining public records and handling any open record requests. The clerk's office acts as a liaison between local government and citizens, ensuring that correspondence is received, distributed and filed appropriately with any open records request.

Year 2024	Year 2023	Year 2022
73	57	52
23 requests completed same day	17 requests completed same day	21 requests completed same day
22 requests completed in one day	12 requests completed in one day	13 requests completed in one day
5 requests completed in two days	5 requests completed in two days	8 requests completed in two days
23 requests completed in three or more days	24 requests completed in three or more days	10 requests completed in three or more days



Some requests take less than a few minutes to complete and others have taken over fifty hours to complete. We strive to fulfill all requests as quickly as possible.



The clerk's office is responsible for organizing, maintaining, archiving, and deleting records according to Georgia Law and the city's records retention schedule. The goal is to ensure that records are properly retained for legal, compliance and business purposes, and to be properly disposed of when no longer needed. Records are managed from the point of creation to the point of their disposition. The clerk qualifies candidates and helps coordinate election information, communication, and processes. The qualifying officers and elections superintendents must complete a certification program through the Secretary of State Election Division prior to every municipal election. We strive to facilitate the democratic process with integrity and pride.

The city clerk's office maintains meticulous records of official city council actions. The office ensures that our community's history is preserved for generations to come by maintaining

meeting minutes. Minutes are the written record of all actions in a meeting, including city council meetings. Minutes are also necessary so information can be referenced later. Minutes should contain mainly a record of what was done at a meeting, not what was said by the members. The minutes must never reflect the clerk's opinion, favorable or otherwise, on anything said or done.

City Clerk Cooper successfully completed the Georgia Certified Clerk's Training on February 5, 2024. On February 5, 2024, Nancy Rodriguez was sworn in as the Assistant City Clerk. Nancy is also the Budget and Purchasing Manager and acts as a backup for the clerk's office. Nancy is working to acquire the Georgia Certified Clerk's Certificate.

Council Report:

Mayor Asbridge advised citizens about the Special Called Meeting for Saturday, January 4, 2025, at the Georgia Mountains Regional Commission.

ADJOURNMENT WORK SESSION:

Mayor Asbridge adjourned the work session at 6:30 p.m.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Asbridge called the voting session to order at 6:30 p.m.

PUBLIC COMMENTS: There were no public comments.

CONSENT AGENDA:

- Consider December 19, 2024 City Council Meeting Minutes
- Consider December 2024 Per Diem for Mayor Asbridge

There was a motion to approve the consent agenda as presented.

MOTION: Chris Mundy

SECOND: Joseph Mezzanotte

AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

NEW BUSINESS - VOTING SESSION:

Consider a Consulting Agreement with Jimmy Dean for Wastewater Consulting Services

There was a motion to approve a consulting agreement as presented with Jimmy Dean for calendar year 2025.

MOTION: Joe Anglin
SECOND: Joseph Mezzanotte
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

Consider the First Reading of Ordinance 728 for Publishing of 2025 General Election Qualifying Fees

City Clerk Cooper read the caption for Ordinance 728 for Publishing of 2025 General Election Qualifying Fees.

There was a motion to approve the first reading of Ordinance 728 for publishing the 2025 General Election Qualifying Fees.

MOTION: Oliver McClellan
SECOND: Chris Mundy
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

EXECUTIVE SESSION: There was no executive session held.

ADJOURNMENT:

There was a motion to made to adjourn the meeting at 6:32 p.m.

MOTION: Joe Anglin
SECOND: Oliver McClellan
AYES: Joe Anglin, Oliver McClellan, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

Edward R. Asbridge, Mayor

Date

Shelia Cooper, City Clerk



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider January 4, 2025 Special Called City Council Meeting Minutes

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

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

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [Unofficial January 4, 2025 Special Called City Council Meeting Minutes.pdf](#)



**City of Flowery Branch
Special Called City Council Meeting
Saturday, January 4, 2025, 8:00 AM
Georgia Mountains Regional Commission
1310 West Ridge Road, Gainesville, GA 30501**



CALL TO ORDER:

Mayor Asbridge called the meeting to order at 8:05 a.m.

Present: Mayor Asbridge and Council Members Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, and Chris Mundy.

Also present were City Manager Tonya Parrish, City Clerk Shelia Cooper, Finance Director Matthew Hamby, and City Attorney Ted Baggett.

PLEDGE OF ALLEGIANCE:

Mayor Asbridge led the Pledge of Allegiance.

ADOPTION OF AGENDA:

There was a motion to adopt the agenda as presented.

MOTION: Chris Mundy
SECOND: William McDaniel
AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy
NAYS: None
Motion carried

NEW BUSINESS - WORK SESSION:

Budget Workshop FY2026

Growth

Director Hamby presented an update on the growth in the City of Flowery Branch by providing the current population based on historical data. He provided an estimate of the growth in the future with the addition of homes approved by council.

Council held a discussion.

Strategic Planning

Director Hamby went over the mission and vision statement for the city and provided suggestions for improvements. He presented goals Council provided in 2024 of five focus areas. The focus areas are public safety, infrastructure improvements, internal operations, financial stability, and economic development. He also provided an interactive exercise with Council to see if the goals may have changed or if the goals remain the same. There were additional goals that Council would like to have added to the five focus areas for this year.

Council held a discussion with Director Hamby and with City Manager Parrish.

City Attorney Baggett presented a brief discussion on the importance of a police foundation.

Financials

Director Hamby presented a discussion on the millage rate and the potential of the millage with the addition of approved homes to the city. He gave an overview of tax revenue to the city's financials.

City Attorney Baggett presented House Bill 581, and he explained the pros and cons of the bill.

Council held a discussion with City Attorney Baggett.

Director Hamby held a discussion on the general fund revenue versus expenditures from 2012 through 2024. He discussed the water and sewer revenue versus expenditures.

Staffing

Director Hamby presented a population versus employee ratio comparison with surrounding cities. He provided a ten-year employee growth plan. He advised the importance of a wage and classification study.

Council held a discussion.

Historic Preservation Commission

City Attorney Baggett presented the pros and cons a having a historic preservation commission.

Council held a discussion.

EXECUTIVE SESSION: There was no executive session held.

ADJOURNMENT:

There was a motion made to adjourn the meeting at 12:52 p.m.

MOTION: Chris Mundy

SECOND: Joe Anglin

AYES: Joe Anglin, Oliver McClellan, William McDaniel, Joseph Mezzanotte, Chris Mundy

NAYS: None

Motion carried

Edward R. Asbridge, Mayor

Date

Shelia Cooper, City Clerk



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the Second Reading of Ordinance 724 for a Variance Request at 4627 Atlanta Highway.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

This Agenda item was tabled from December 19th, 2024, meeting for the applicant to consider the engineering of adding a left turn lane.

FACTS AND ISSUES:

The first reading of the agenda item was on November 21st, 2024. The second reading was on December 19th, 2024. This Agenda item was tabled from December 19th, 2024, meeting for the applicant to consider the engineering of adding a left turn lane.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:
No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval of Ordinance 724 with Staff recommended conditions

SAMPLE MOTION:

I make a motion to approve Ordinance 724 with Staff recommendations.

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Ordinance 724 1-16-2025.pdf](#)
- [VarianceApplication Revised.pdf](#)
- [Variance Report 4627 Atlanta Highway final.pdf](#)
- [Architectural Elevations 4627 Atlanta Highway.pdf](#)

- [Traffic Cales for Left Turn Lane 12-12-241.pdf](#)
- [GDOT Supplemental Memo.pdf](#)

Public Hearing Published	10/9/2024	First Reading	11/21/2024
Public Hearing	11/21/2024	Second Read	1/16/2025

ORDINANCE 724

4627 Atlanta Highway Variance Request

AN ORDINANCE GRANTING A VARIANCE FROM THE REQUIREMENTS SET FORTH IN THE CITY OF FLOWERY BRANCH ZONING ORDINANCE Article 26, Section 26.7, Stream Buffer Protection: Buffer and Setback Requirements, 4627 Atlanta Highway, TAX PARCEL IDENTIFICATION NO. 08092 000008, OWNED BY West Avenue Partners Group, LLC; AS SHOWN ON EXHIBIT "A", DESCRIBED ON EXHIBIT "B", AND 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, William Stark, agent for owner has submitted a written and signed application to the City of Flowery Branch, Georgia requesting a specific variance for property located at 4627 Atlanta Highway; and

WHEREAS, a survey and complete description of the property subject to the requested variance is included in the application; and

WHEREAS, the City Council of the City of Flowery Branch, Georgia held a public hearing on 11/21/2024, to consider the application, which was duly noticed as prescribed by law and published in the Gainesville Times, as shall be set forth in the minutes of said meeting; and

WHEREAS, the City Council of the City of Flowery Branch, Georgia has considered the subject variance application of William Stark, agent for owner in conjunction with the standards set forth in Article 26, Section 26.7 Stream Buffer Protection: Buffer and Setback Requirements of the Zoning Ordinance.

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

SECTION 1. FINDINGS:

The City Council finds that the proposed variance from the City of Flowery Branch Zoning Ordinance Article 26, Section 26.7 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 Article 37, Section 37.5 of the City of Flowery Branch Zoning Ordinance as identified below.

Sec. 37.5. Criteria for Granting Variances.

Any applicant requesting consideration of a variance to any provision of the zoning ordinance shall provide a written justification that one or more of the following condition(s) exist. The City Council shall not approve a variance application unless it shall have adopted findings that one or more of the following conditions exist:

- (a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district;

Public Hearing Published	10/9/2024	First Reading	11/21/2024
Public Hearing	11/21/2024	Second Read	1/16/2025

- (b) A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located;
- (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located;
- (d) The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare;
- (e) The special circumstances are not the result of the actions of the applicant;
- (f) The variances requested are the minimum variances that will make possible the proposed use of the land, building, or structure in the use district proposed; and
- (g) The variance shall not permit a use of land, buildings or structures, which is not permitted by right in the zoning district or overlay district involved.

SECTION 2. LEGAL DESCRIPTION, VARIANCES GRANTED AND CONDITIONS IMPOSED:

The properties as shown in attached Exhibit "A" and as legally described in Exhibit "B" shall be granted the following variance from the requirements set forth in the Flowery Branch Zoning Ordinance Article 26, Section 26.7 Stream Buffer Protection: Buffer and Setback Requirements:

All land development activity subject to this ordinance shall meet the following requirements. Any land development activity within a buffer established in this Article or any impervious cover within a setback established in this Article is prohibited unless exempted, grandfather, or a variance is granted pursuant to this zoning ordinance.

- (a) Buffer. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
- (b) Additional setback. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

Conditions set forth in Exhibit "C" are imposed on said property. Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. 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.

Public Hearing Published 10/9/2024
Public Hearing 11/21/2024

First Reading 11/21/2024
Second Read 1/16/2025

SECTION 4. EFFECTIVE DATE.

The effective date of this Ordinance shall be upon adoption by the City Council of the City of Flowery Branch, Georgia.

SECTION 5. REPEALER.

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

Adopted this 5th day of December 2024.

Edward R. Asbridge, Mayor

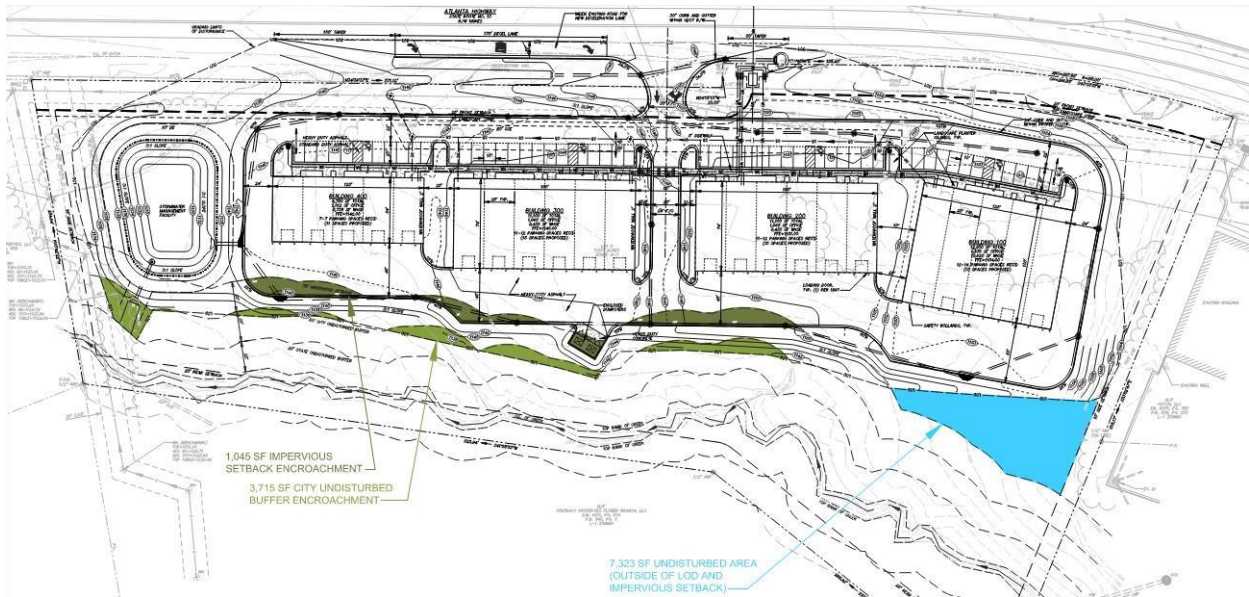
ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted C. Baggett, City Attorney

Exhibit "A"



Public Hearing Published	10/9/2024	First Reading	11/21/2024
Public Hearing	11/21/2024	Second Read	1/16/2025

Exhibit "B"

Legal Description

All that tract or parcel of land lying and being in Land Lot 98, 8th Land District, Hall County, Georgia, being Lot 5 as shown on a survey for South Hall Business Park, dated September 20, 2001, last revised October 3, 2001, prepared by Rochester & Associates, Inc., Georgia Registered Land Surveyors and recorded in Plat Slide 805, page 105A of the Hall County, Georgia Plat Records, last revised at Plat Book 845, page 3 of the Hall County, Georgia Plat Records. Said plat and the record thereof are incorporated by reference for a more complete description of said property.

Public Hearing Published	10/9/2024	First Reading	11/21/2024
Public Hearing	11/21/2024	Second Read	1/16/2025

Exhibit "C"

1. The Land Disturbance Permit shall be substantially similar to the plan provided with the variance application including the limits of the encroachment into the impervious setback and the City's stream buffer.
2. The area of preservation shall be substantially similar to the area in size and location shown on the site plan provided with the Variance Application.
3. In the areas where disturbance occurs within the 50' undisturbed buffer, the applicant shall provide a replanting plan using a native mixture of species of trees and shrubs. The plan shall be sealed by a Georgia registered Landscape Architect. The final plan shall be approved by the Community Development Director.
4. Prior to the issuance of Certificate of Occupancy, the owner shall provide the City an as built survey of the development including the encroachment areas and preservation area.
 - a. The area of encroachment into the impervious setback shall not exceed 1,045 SF.
 - b. The area of encroachment into the 50-foot Undisturbed Stream Buffer shall not exceed 3,715 SF.
 - c. The area of undisturbed preservation shall be no less than 7,323 SF.



VARIANCE APPLICATION

Address of Request:

4627 Atlanta Highway, Flowery Branch, GA 30542

Type of Variance Requested

Complete requirements for variances can be found in the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 37;

Please verify all the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 37, section 37.5 are being met.
Explain below:

Due to the shape of the property and location of the stream, an unnecessary hardship is created when strictly adhering to the requirements outlined in Article 26, Section 26.7 of the Flowery Branch Zoning Ordinance. In accordance with Article 26, Section 26.13, a variance is requested to reduce the required buffer width.

Applicant: William B Stark

Address: 5316 Railroad Avenue Flowery Branch, GA 30542

E-mail address: billstarkproperties@gmail.com

Phone number: (678) 960-3333

Signature: William B Stark Authorized Agent

Notary Seal:

Meredith Pierce
11/20/24



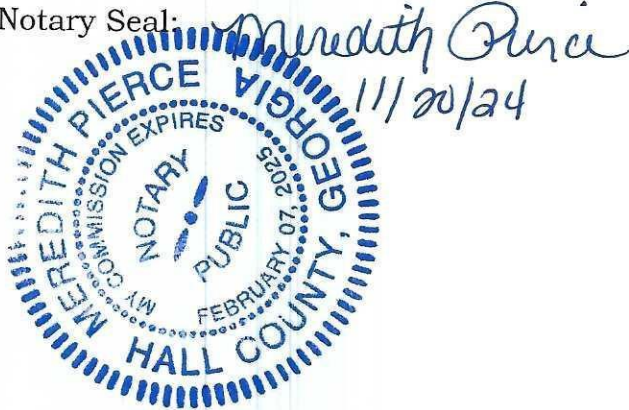


Property owner information (if different than the applicant)

Property owner (please print): West Avenue Partners, LLC

Signature of property owner: William B Stark Authorized Agent

Notary Seal:



Please provide the following at time of submittal:

- Legal description – one hard copy and on a flash drive
- Current survey of property – one hard copy and on a flash drive
- Site plan – one hard copy and on a flash drive
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)



Memorandum

To: City of Flowery Branch, City Manager, and City Council

From: Chris McCrary, Community Development and Planning Director

Date: October 14th, 2024

Subject: Stream Buffer and Impervious Setback Encroachment Variance

Applicant: William Stark
5316 Railroad Avenue
Flowery Branch, GA 30542
770-231-3829

Existing Zoning: M – 1 – Manufacturing & Industrial Light

Location:

- 4627 Atlanta Highway; tax parcel identification number **08092 000008**,

Variance Request:

The applicant is seeking to develop four office/warehouse buildings totaling 41,450 sq.ft., including associated parking and utilities, on a property limited in depth due to a state water creek adjacent to Atlanta Highway. To accommodate the necessary depth for warehousing and tractor trailer truck movement, the applicant is requesting encroachments into the City's 75-foot impervious setback and 50-foot undisturbed stream buffer, which are necessary to meet industry standards for the proposed buildings.



Code Section:

Article 26. – Stream Buffer Protection:

Section 26.7. – Buffer and Setback Requirements.

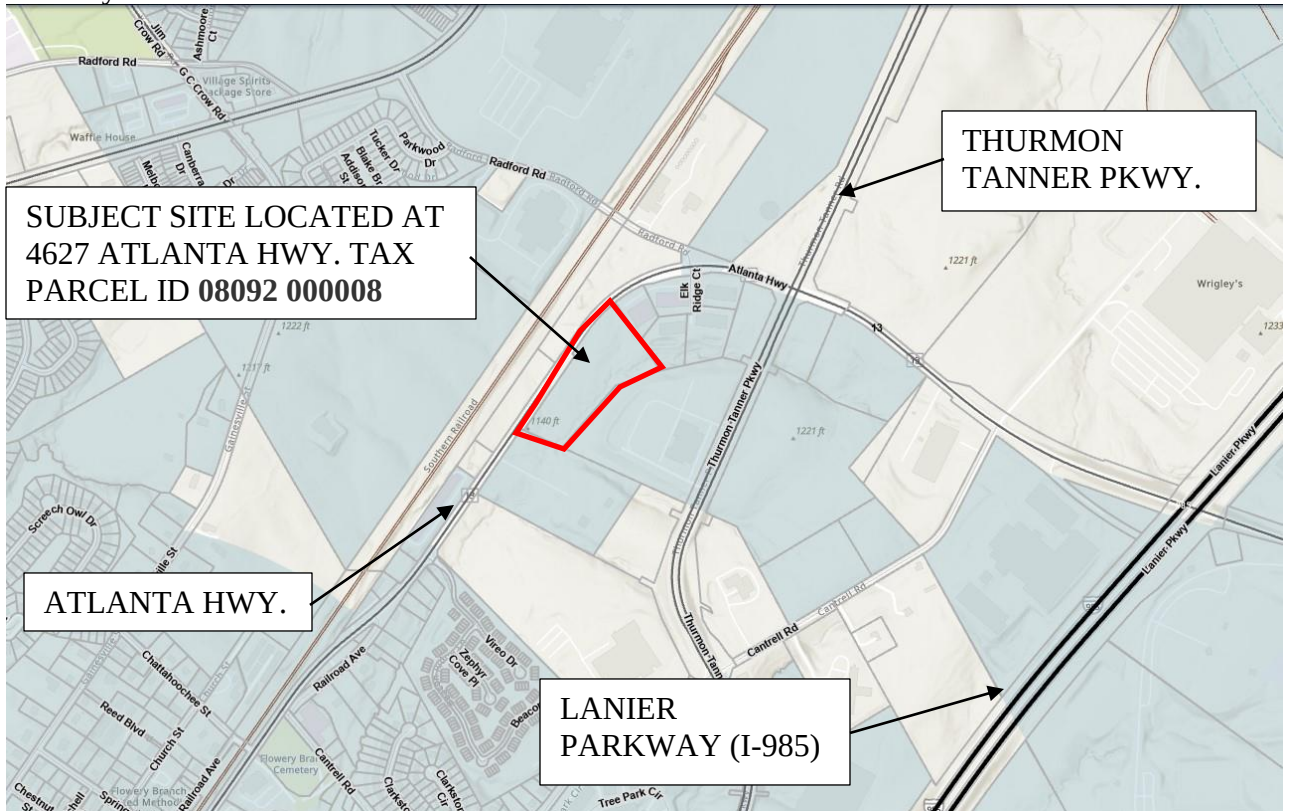
All land development activity subject to this ordinance shall meet the following requirements. Any land development activity within a buffer established in this Article or any impervious cover within a setback established in this Article is prohibited unless exempted, grandfather, or a variance is granted pursuant to this zoning ordinance.

- a) Buffer. An undisturbed natural vegetative buffer shall be maintained for **50 feet**, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
- b) Additional setback. An additional setback shall be maintained for **25 feet** (*measured 75 feet from stream bank*), measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.



Location Map:

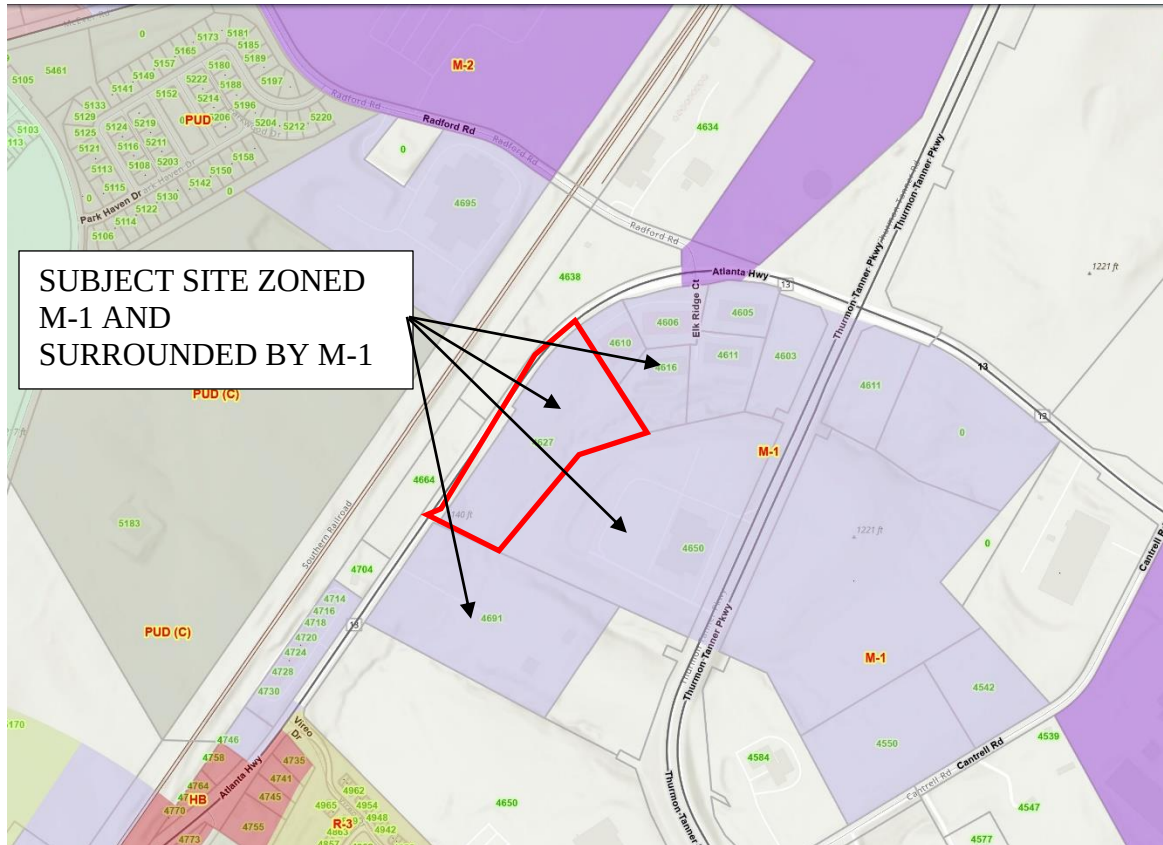
The subject site is located at 4627 Atlanta Highway near the intersection of Thurmon Tanner Parkway.





Zoning Map:

The subject property is zoned M-1 – Manufacturing & Industrial, Light. The surrounding properties are also zoned M-1.



Legend

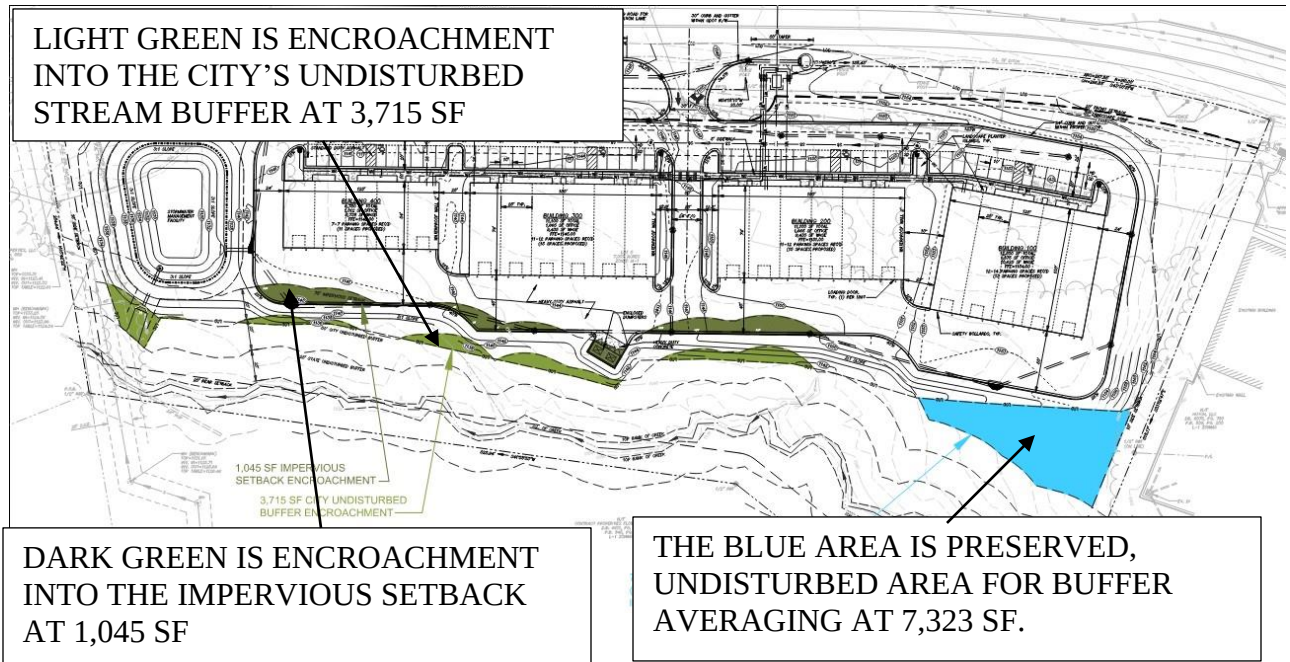
Zoning Districts

	Residential Low Density (R-1)		Highway Business (HB)
	Residential Moderate Density (R-2)		Institutional (INST)
	Residential Multi-family (R-3)		Manufacturing & Industrial, Light (M-1)
	Traditional Neighborhood Development (TND)		Manufacturing & Industrial, Heavy (M-2)
	Planned Unit Development (PUD)		Agriculture (A)
	Manufactured Home Park (MHP)		Historic Districts Local Historic District
	Central Business District (CBD)		
	Neighborhood Shopping (NS)		



Site Plan:

The applicant's engineer provided a site plan that is color coded showing the areas of the stream buffer and impervious setback encroachment. A full-size site plan / encroachment plan will be available for better review.





Buffer Averaging

Buffer averaging is a critical concept in environmental management, particularly in the context of managing stormwater runoff. This approach acknowledges the importance of maintaining a balance between developed areas that may encroach upon natural buffers and the need to preserve adequate natural areas that can effectively treat stormwater.

In this particular case, the engineer has determined that an encroachment of 4,760 square feet (SF) into an impervious setback and undisturbed buffer can be mitigated through the preservation of 7,323 SF of natural area. This is a positive outcome because the area being preserved exceeds the amount of area being disturbed. By preserving a larger area, the project can enhance its overall ecological integrity and stormwater management capabilities.

The preserved area serves multiple purposes:

1. **Stormwater Treatment:** The additional preserved area provides a larger surface for infiltration, absorption, and filtration of stormwater, which will ultimately reduce runoff into the creek.
2. **Habitat Preservation:** By preserving more land than what is being disturbed, the project can maintain or even enhance local biodiversity and provide habitat for various species.
3. **Buffer Functionality:** The preserved buffer can help filter pollutants from stormwater before they reach the creek, acting as a natural barrier against contaminants.
4. **Erosion Control:** The natural vegetation in the preserved area can help stabilize soil and reduce erosion, further contributing to water quality.
5. **Aesthetic Value:** A larger preserved natural area can provide aesthetic benefits to the site as opposed to a clear-cut site with no preservation.

In summary, the approach taken by the engineer to preserve more area than is disturbed, demonstrates a commitment to effective stormwater management while also complying with environmental regulations and promoting ecological sustainability. This strategy not only mitigates the direct impacts of encroachment but also enhances the overall functioning of the watershed and surrounding ecosystem.



Flowery Branch Code Section 26.13 – Variances

Variances to the provisions of this Article may be filed and shall be processed in accordance with the requirements of Article 37 of this zoning ordinance. All variance applications must include information identified by the "Stream Buffer Variance" application form as provided by the Zoning Administrator. Variances will be considered only in the following cases:

- a) When a property's shape, topography or other physical conditions existing at the time of the adoption of this ordinance prevents land development unless a buffer variance is granted.
- b) Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.

Variances will not be considered when actions of any property owner of a given property have created conditions of a hardship on that property. The following factors will be considered in determining whether to issue a stream buffer variance:

a) The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property.

The parcel shape and topography create challenges to development of an office / warehouse buildings. The property is wide parallel to Atlanta Highway but is limited in depth. The stream runs parallel to Atlanta Highway and limits the depth. The topography drops from the street to the back of the property.

b) The locations of all streams on the property, including along property boundaries.

The applicant's engineer provided a drawing clearly showing the stream on the property including along property boundaries.

c) The location and extent of the proposed buffer or setback intrusion.

The applicant's engineer provided a drawing clearly showing the stream buffers and encroachments into the impervious setback and stream buffer.



d) Whether alternative designs are possible which require less intrusion or no intrusion.

An alternative design would be a challenge due to the limited depth of the parcel due to the need to move tractor trailers to the back of the buildings where the delivery roll up doors are located.

e) The long-term and construction water-quality impacts of the proposed variance.

The land development civil engineering plans are required to provide stormwater detention and water-quality measure per the existing development regulations. The engineer also provided buffer averaging to help mitigate the encroachment with preserved, undisturbed portions on the property.

f) Whether issuance of the variance is at least as protective of natural resources and the environment.

Preservation of an undisturbed area outside of the impervious setback and stream buffers larger than the area of encroachment mitigates the stormwater runoff in the encroachment area and provides protection of natural resources and the environment.



Recommendation:

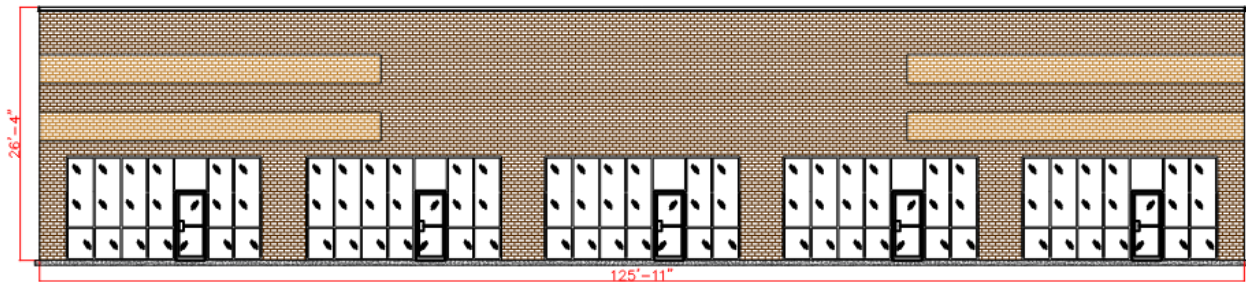
Staff recommends the **APPROVAL** of the proposed variance application for the encroachment into the required impervious setback and the City's undisturbed stream buffer per Code Section 26.7 with the following conditions:

1. The Land Disturbance Permit shall be substantially similar to the plan provided with the variance application including the limits of the encroachment into the impervious setback and the City's stream buffer.
2. The area of preservation shall be substantially similar to the area in size and location shown on the site plan provided with the Variance Application.
3. In the areas where disturbance occurs within the 50' undisturbed buffer, the applicant shall provide a replanting plan using a native mixture of species of trees and shrubs. The plan shall be sealed by a Georgia registered Landscape Architect. The final plan shall be approved by the Community Development Director.
4. Prior to the issuance of Certificate of Occupancy, the owner shall provide the City an as-built survey of the development including the encroachment areas and preservation area.
 - a. The area of encroachment into the impervious setback shall not exceed 1,045 SF.
 - b. The area of encroachment into the 50-foot Undisturbed Stream Buffer shall not exceed 3,715 SF.
 - c. The area of undisturbed preservation shall be no less than 7,323 SF.

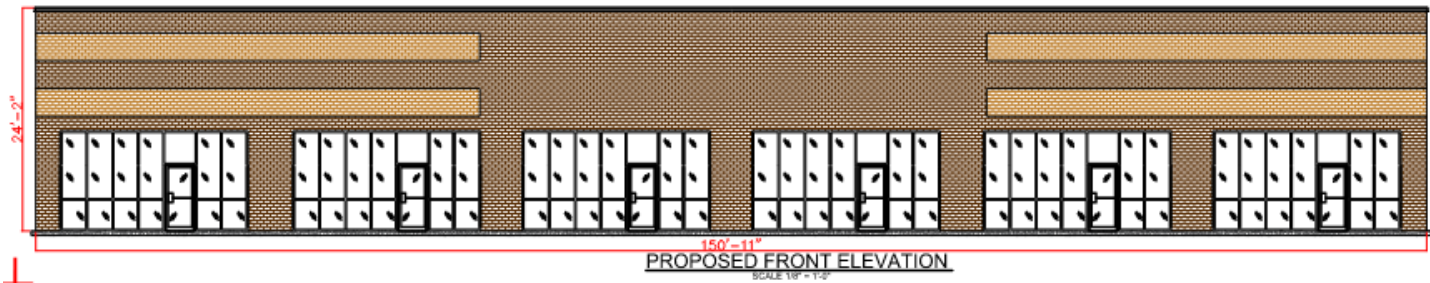
4627 Atlanta Highway Business Park

Front Building Elevations

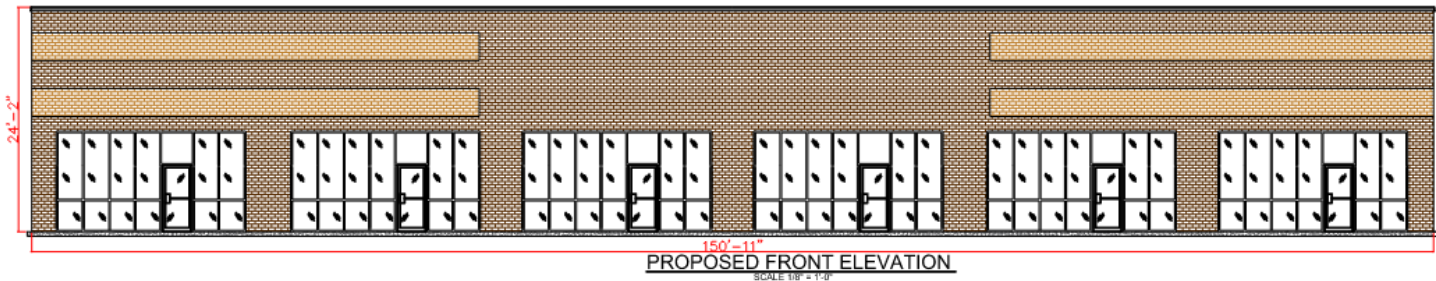
Building 100



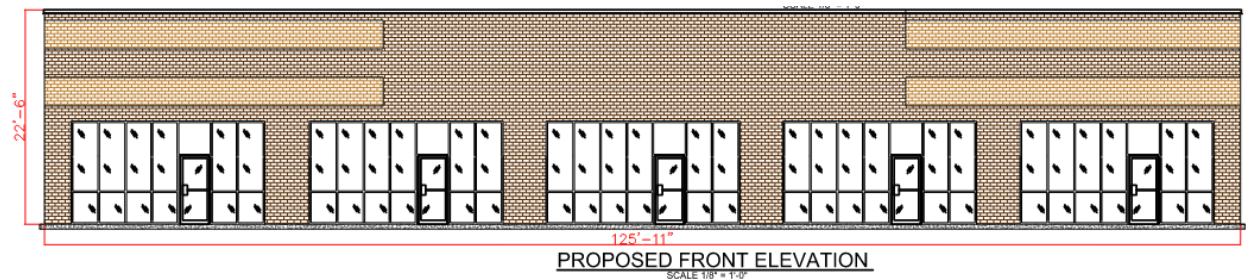
Building 200



Building 300



Building 400



South Hall Business Park

Flowery Branch, Georgia

Tax Parcel 08092 000008

7.01 Acres

Traffic Calculations for a Left Turn Lane

Introduction

The subject property is located at 4327 Atlanta Highway and is undergoing a variance application with the City of Flowery Branch. The proposed development consists of 40,950 SF office and warehouse space with associated utilities.

Existing Traffic Conditions

GDOT conducted a traffic study approximately 3,600' southwest of the subject property in August, 2022. According to the data provided through GDOT's Traffic Analysis and Data Application, the total traffic count over 24 hours was 7,432 trips.

Traveling North Bound: 3,916 trips (52.7%)

Traveling South Bound: 3,516 trips (47.3%)

Total Trip Count: 7,432 trips

Traffic Impact

Based on the calculations shown below, it is assumed that traffic from this proposed development does not warrant a left turn lane into this site. It is understood that other road improvements may be deemed necessary and required by the City of Flowery Branch and GDOT.

According to the *Trip Generation, 8th Edition* manual published by the Institute of Transportation Engineers, for General Office Building (ITE Land Use #710) the average trip generation rate is 11.01 trips per 1,000 sf leasable space per weekday.

Assuming full build-out of 6,142 sf, the proposed traffic impact will be:
 $(6,142 \text{ sf}) (11.01 \text{ daily weekday trips}/1000 \text{ sf}) = 68 \text{ trips/weekday}$

According to the *Trip Generation, 8th Edition* manual published by the Institute of Transportation Engineers, for Warehousing (ITE Land Use #150) the average trip generation rate is 3.56 trips per 1,000 sf leasable space per weekday.

Assuming full build-out of 34,808 sf, the proposed traffic impact will be:
 $(34,808 \text{ sf}) (3.56 \text{ daily trips}/1000 \text{ sf}) = 124 \text{ trips/weekday}$

Using the data provided by the GDOT study, it is assumed that 52.7% of the anticipated traffic generated from this development will travel northbound toward Thurmon Tanner Parkway and 47.3% will travel southbound.

Traveling Northbound: (52.7%) (191.4 trips/weekday) = 101 trips

Traveling Southbound: (47.3%) (90.4 trips/weekday) = 91 trips

According to the *Trip Generation, 8th Edition* manual, the directional distribution is 50% entering, 50% leaving for both Warehousing and General Office Building. The left turn lane would be accessible for those traveling southbound. Looking at 50% of the total trips traveling southbound, 46 trips would make a left turn into the property. Based on the table below from the *Regulations for Driveway and Encroachment Control* manual, published by the Georgia Department of Transportation, the requirement for a left turn lane is 175 LTV (left turn volumes) a day. Based on the calculations above, there are 46 LTV a day, showing that the development does not warrant a left turn lane.

Condition 1

LEFT TURN REQUIREMENTS-FULL CONSTRUCTION				
Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	ADT		ADT	
	<6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	300 LTV a day	200 LTV a day	400 LTV a day	300 LTV a day
40 to 50 MPH	250 LTV a day	175 LTV a day	325 LTV a day	250 LTV a day
>= 55 MPH	200 LTV a day	150 LTV a day	250 LTV a day	200 LTV a day

Table 4-7a Minimum Volumes Requiring Left Turn Lanes



Memorandum

To: City of Flowery Branch, City Manager and City Council

From: Chris McCrary, Planning and Community Development Director

Date: January 16th, 2025

Subject: Georgia DOT Auxiliary Turn Lanes Supplemental

To ensure the Mayor and City Council have the most relevant information to make an informed decision, this memorandum provides supplemental details regarding the Georgia Department of Transportation (GDOT) process, standards, and criteria for auxiliary lanes, with a focus on left-turn lanes.

Key Points from GDOT and District Engineer Communication

The City Manager has consulted with District Engineer Jason Dykes, P.E., to clarify the requirements for left-turn lanes. According to Mr. Dykes, left-turn lanes are generally warranted through an Intersection Control Evaluation (ICE), which considers the volume of left turns into a development, the number of lanes, speed limits, and traffic volume on the roadway. However, he emphasized that turn lanes are often required as a safety measure, even if not strictly warranted by ICE criteria. As he stated:

“In general though, turn lanes are considered a safety improvement and may be required due to safety concerns for a particular location.”

GDOT Standards for Left Turn Lanes

The **Regulations for Driveway & Encroachment Control Manual**, specifically Section 4.9.1.2, outlines the minimum requirements for left-turn lanes. The criteria are as follows:

- **Condition 1:** Construction of a left-turn lane.
- **Condition 2:** Construction of a right-hand passing lane as an alternative to a left-turn lane when left-turn volumes (LTVs) are below thresholds.



From the manual:

“If the LTVs are below the requirements for Condition 1, the applicant may be required to construct a Right Hand Passing Lane. The District Traffic Engineer will use engineering judgment to determine if the field conditions would allow construction of the Right Hand Passing Lane. Passing lane sections fall under the criteria for two or more lanes.”

Additionally, the manual grants discretion to the District Traffic Engineer to require a left-turn lane, regardless of whether the conditions in Table 4-7 are met, if the roadway geometry or field conditions indicate a safety benefit:

“The District Traffic Engineer may also require the addition of a Left Turn Lane, even when the conditions in Table 4-7 are not met, if roadway geometry or field conditions indicate that the safety of the traveling public would be improved. The recommendation must be documented and approved by the District Traffic Engineer for inclusion with the Permit.”

Key Takeaways on GDOT

1. **Data is not the sole determinant:** While warrant data provides a baseline for evaluating the need for left-turn lanes, GDOT prioritizes safety and may require turn lanes based on engineering judgment.
2. **Safety considerations take precedence:** The District Traffic Engineer may mandate turn lanes to mitigate potential safety concerns, even if the data does not strictly support their inclusion.
3. **Over-engineering for safety:** It is reasonable to expect that GDOT will err on the side of caution, prioritizing the safety of the traveling public during the review and approval of driveway construction documents.

Conclusion Relevant to the Variance Application

It is crucial to recognize the thoroughness and safety considerations with which GDOT District Engineers evaluate construction applications within the GDOT right of way. District Engineers have full authority over the review of construction documents for work within the GDOT right of way. The City of Flowery Branch will not have a role in roadway improvements within GDOT right of way, including conditions associated with Variance approvals. Any conditions imposed on a Variance case that require design modifications within the GDOT right of way become unenforceable once the applicant has secured a GDOT driveway permit. A GDOT driveway construction application is submitted directly to the District Engineers and Flowery Branch only requires proof of approval prior to issuance of the full LDP.

For your review, Article 4.9 of the **Regulations for Driveway & Encroachment Control Manual** has been attached. Should you have any questions or require further clarification, please do not hesitate to reach out.

4.9 Auxiliary Turn Lanes

4.9.1 When Deceleration Lanes Are Required

The provisions of this section should generally apply to auxiliary lanes installed on the approach to an intersection that provide for deceleration and storage of vehicles waiting to turn right or left. Such lanes are always beneficial and will be required in conjunction with commercial driveway permits when projected traffic volumes exceed minimum levels as provided in the sections below.

All existing utilities which would be under new pavement or in auxiliary/deceleration lanes should be relocated before final grading and paving, and at no cost to DOT. Existing utilities which are found to be not in conflict with construction may be allowed if a Retention Request is processed by the utility owner and approved by the Department.

4.9.1.1 Minimum Requirements for Right Turn Deceleration Lanes

Right turn deceleration lanes must be constructed at no cost to the Department if the daily site generated Right Turn Volumes (RTV) based on ITE Trip Generation (assuming a reasonable distribution of entry volumes) meet or exceed the values shown in Table 4-6. Passing lane sections fall under the criteria for two or more lanes.

Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	AADT		AADT	
	< 6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	200 RTV a day	100 RTV a day	200 RTV a day	100 RTV a day
40 to 50 MPH	150 RTV a day	75 RTV a day	150 RTV a day	75 RTV a day
55 to 60 MPH	100 RTV a day	50 RTV a day	100 RTV a day	50 RTV a day
>= 65 MPH	Always	Always	Always	Always

Table 4-6 Minimum Volumes Requiring Right Turn Lanes

In the event the District Traffic Engineer determines that field conditions or other factors indicate that it would be in the best interest of the Department, use the form in **Appendix F** to document a waiver for the deceleration lane requirement, the District Traffic Engineer must document the recommendations using the form in **Appendix F**. The recommendations shall be approved by the District Engineer and be attached to the Permit. The District Traffic Engineer may also require the addition of a Right Turn lane, even when the conditions in Table 4-6 are not met, if roadway geometry or field conditions indicate that the safety of the traveling public would be improved. The recommendation must be documented and approved by the District Traffic Engineer for inclusion with the Permit.

The R/W for auxiliary/deceleration lanes may be dedicated in fee simple to the Department for the Department to maintain or the applicant must sign an agreement with the Department to maintain the lane to the Department's standards and to hold harmless the Department in the event that section of roadway is identified in any liability action. A Limited Warranty Deed is not acceptable when R/W is donated to the Department. See section 2.5 for details regarding RW dedication procedures.

The pavement specifications for auxiliary/deceleration lanes must be Georgia DOT Standard Specifications for Construction of Roads and Bridges, or be as described and approved by the Chief Engineer in cases where a lesser design may be acceptable, or where a proposed project is expected to tie in.

4.9.1.2 Minimum Requirements for Left Turn Lanes

Left turn lanes must be constructed at no cost to the Department if the daily site generated Left Turn Volumes (LTV) based on ITE Trip Generation (assuming a reasonable distribution of entry volumes) meet or exceed the values shown in Table 4-7a **Condition 1**. If the LTVs are below the requirements for **Condition 1**, the applicant may be required to construct a Right Hand Passing Lane (see **Figure 4-7** if they meet the criteria in Table 4-7b **Condition 2**). The District Traffic Engineer will use engineering judgment to determine if the field conditions would allow construction of the Right Hand Passing Lane. Passing lane sections fall under the criteria for two or more lanes.

Condition 1

LEFT TURN REQUIREMENTS-FULL CONSTRUCTION				
Posted Speed	2 Lane Routes		More than 2 Lanes on Main Road	
	ADT		ADT	
	<6,000	>=6,000	<10,000	>=10,000
35 MPH or Less	300 LTV a day	200 LTV a day	400 LTV a day	300 LTV a day
40 to 50 MPH	250 LTV a day	175 LTV a day	325 LTV a day	250 LTV a day
>= 55 MPH	200 LTV a day	150 LTV a day	250 LTV a day	200 LTV a day

Table 4-7a Minimum Volumes Requiring Left Turn Lanes

Condition 2

LEFT TURN REQUIREMENTS w/Right Hand Passing Lane Option		
Posted Speed	2 Lane Routes only	
	ADT	
	<4,000	>=4,000
35 MPH or Less	200 LTV a day	125 LTV a day
40 to 45 MPH	100 LTV a day	75 LTV a day
50 to 55 MPH	75 LTV a day	50 LTV a day

Table 4-7b Minimum Volumes Requiring Right Hand Passing Lanes

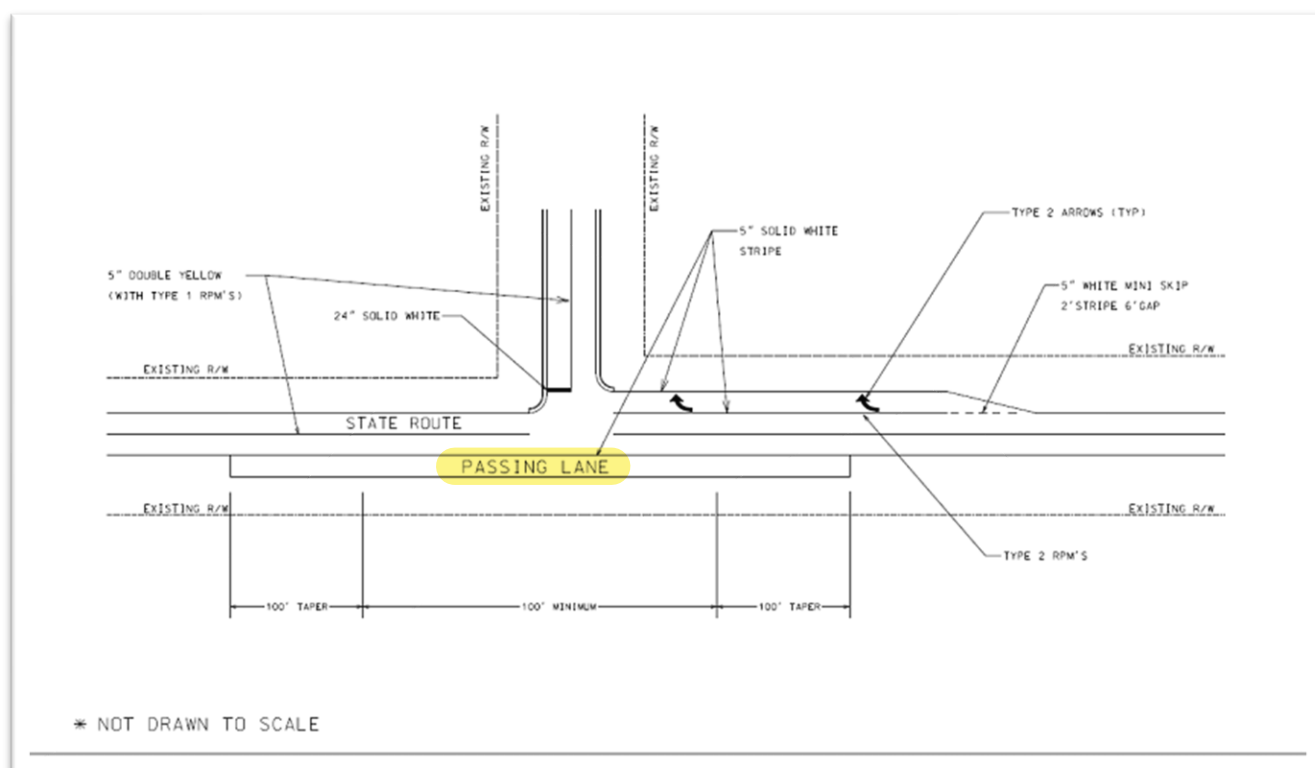


Figure 4-7 Right Hand Passing Lane

In the event the District Traffic Engineer determines that field conditions or other factors indicate that it would be in the best interest of the Department to waive the left turn lane requirement, the District Traffic Engineer must document the recommendations using the form in **Appendix F**. The recommendations shall be approved by the District Traffic Engineer and be attached to the Permit. The District Traffic Engineer may also require the addition of a Left Turn lane, even when the conditions in Table 4-7 are not met, if roadway geometry or field conditions indicate that the safety of the traveling public would be improved. The recommendation must be documented and approved by the District Traffic Engineer for inclusion with the Permit.

4.9.2 Right Turn Lane Lengths

This section provides the design guidelines that should be used to establish the lengths of turn lanes if they are required under the provisions of the previous section.

Under ideal conditions, turn lanes should provide a full-width lane that is long enough to allow for vehicles to decelerate from the operating speed to a full stop in addition to the length of full-width lane that is needed to store vehicles waiting to turn.

Table 4-8 contains guidelines for lengths of tapers (optional) and full-width turn lanes. The taper length in Table 4-8 applies to deceleration right turn lanes only. Guidelines for left turn tapers and lengths are given in Section 4.9.4.

SPEED (MPH)	FULL WIDTH STORAGE, FT.	TAPER, FT.
25	50	50
30	75	50
35	100	50
40	150	50
45	175	100
50	225	100
55	250	100
60	300	100
65	350	100

Table 4-8 Minimum Right Turn Deceleration Lengths

When traffic studies are conducted, the length of full-width lane needed for storage should be determined. If the length of full-width storage is greater than the length of full-width storage shown in Table 4-8, the longer length should be provided.

At signalized intersections, the amount of storage for both right and left turns can be based on the number of vehicles arriving during 1.5 signal cycles.

For unsignalized intersections, left turn storage should accommodate vehicles arriving during a two-minute period. Minimal storage is required for right turn lanes utilizing yield control at unsignalized intersections.

4.9.3 Acceleration Lanes

Acceleration lanes are generally not provided on low speed highways. Acceleration lanes may be required at locations where grade, sight distance or traffic is such that the Department determines they are needed. When operating speeds on the highway are 55 MPH and above, full-width acceleration lanes designed to meet the AASHTO minimum length should be considered.

4.9.4 Left Turn Lane Design

The design of left turn lanes should consider the intended function and the characteristics of the highway. In many cases, it is necessary to widen the existing roadway to introduce the left turn lane. In most cases vehicles approaching the turn lane are shifted to the right (especially when using symmetrical widening). The left turning traffic is then shifted back into the lane. Through traffic is returned to its original lane beyond the intersection. When the highway has a median that is at least 20 feet wide, the left turn lane can typically be developed out of the median, avoiding the need for transitions.

The basic design elements of left turn lanes are illustrated in Table 4-9. This example shows symmetrical widening, which basically requires the through traffic on each side to shift by one half of the lane width. Some circumstances may dictate that all widening be achieved on one side, which requires a full lane shift for through traffic on the side where the additional width is developed. Table 4-9 provides guidelines for selecting the proper length of approach taper. When shifts are not 6' or 12', use table 4-9 bay taper.

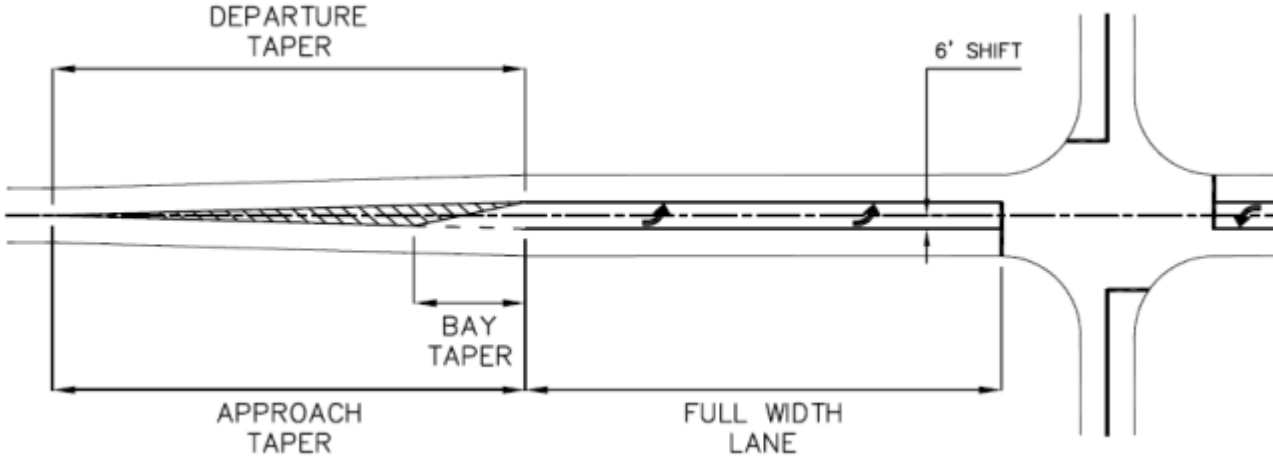
				
POSTED SPEED LIMIT, MPH	APPROACH AND DEPARTURE TAPER, FT.		BAY TAPER, FT.	FULL WIDTH STORAGE, FT
	6' Shift	12' Shift		
25	65	130	50	85
30	90	180	50	135
35	125	250	50	160
40	160	320	50	210
45	270	540	100	235
50	300	600	100	285
55	330	660	100	310
60	360	720	100	360
65	390	780	100	410

Table 4-9 Minimum Design Elements of Left Turn Lanes

The example shown in Table 4-9 has straight-line tapers. These are acceptable but other designs may also be used, including the following: partial tangent tapers, symmetrical reverse curve, and asymmetrical reverse curve. See latest edition of AASHTO Green Book for details.

The required length of full-width storage shall be based on storage length and a deceleration length that allows vehicles to safely decelerate without a possible conflict with another vehicle (Refer to [Construction Detail M-3A](#)). This should be determined in the traffic study. The amount of storage is dependent on the type of traffic control in effect. For signalized intersections, the storage should be sufficient to accommodate the number of vehicles arriving during 1.5 signal cycles, using peak hour volumes. At stop-controlled intersections, the storage is typically based on the number of vehicles arriving during a two-minute period within the peak hour.



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the Second Reading of Ordinance 728 for Publishing 2025 General Election Qualifying Fees

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

O.C.G.A. 21-2-131 (2010)

21-2-131. Fixing and publishing of qualification fees; manner of payment; distribution of fees paid

(a) Qualification fees for party and public offices shall be fixed and published as follows:

(1)(A) The governing authority of any county or municipality, not later than February 1 of any year in which a general primary, nonpartisan election, or general election is to be held, and at least 35 days prior to the special primary or election in the case of a special primary or special election, shall fix and publish a qualifying fee for each county or municipal office to be filled in the upcoming primary or election. Except as otherwise provided in subparagraph (B) of this paragraph, such fee shall be 3 percent of the total gross salary of the office paid in the preceding calendar year including all supplements authorized by law if a salaried office.

FACTS AND ISSUES:

O.C.G.A. 21-2-131 (a)(1)(A) requires fixing and publishing of the qualifying fees prior to February 1 of an election year.

Seats up for election and qualifying fee for each:

â€¢ Mayor - \$270.00 qualifying fee

â€¢ Post #3 - \$216.00 qualifying fee

â€¢ Post #4 - \$216.00 qualifying fee

â€¢ Post #5 - \$216.00 qualifying fee

The qualifying dates will begin on the 3rd Monday in August per O.C.G.A. 21-2-132 (3)(A). The qualifying dates will be Monday, August 18, 2025, at 8:30 am through Wednesday August 20, 2025, at 4:30 pm.

The registration deadline for the November 2025 election will be October 6, 2025.

The election date is November 4, 2025.

OPTIONS:

Approval

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 the Second Reading of Ordinance 728 for Publishing of 2025 General Election Qualifying Fees.

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Summary Ordinance 728 - Call for Election 2025.pdf](#)
- [Ordinance 728 2025 Call for Election.pdf](#)

FLOWERY BRANCH CITY COUNCIL

EXECUTIVE SUMMARY

SUBJECT: Second Reading of Ordinance 728 for Publishing 2025 General Election Qualifying Fees

DATE: January 16, 2025

(X) RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COUNCIL ACTION REQUESTED ON: January 16, 2025

Second Reading of Ordinance 728-To provide for the 2025 municipal election for the City of Flowery Branch for the following posts, Mayor, Post 3, Post 4, and Post 5, to set qualifying dates and to set the fee for said qualifying.

HISTORY: O.C.G.A. 21-2-131 (2010)

21-2-131. Fixing and publishing of qualification fees; manner of payment; distribution of fees paid

(a) Qualification fees for party and public offices shall be fixed and published as follows:

(1)(A) The governing authority of any county or municipality, not later than February 1 of any year in which a general primary, nonpartisan election, or general election is to be held, and at least 35 days prior to the special primary or election in the case of a special primary or special election, shall fix and publish a qualifying fee for each county or municipal office to be filled in the upcoming primary or election. Except as otherwise provided in subparagraph (B) of this paragraph, such fee shall be 3 percent of the total gross salary of the office paid in the preceding calendar year including all supplements authorized by law if a salaried office.

O.C.G.A. 21-2-131 (a)(1)(A) requires fixing and publishing of the qualifying fees prior to February 1 of an election year.

Seats up for election and qualifying fee for each:

- Mayor - \$270.00 qualifying fee
- Post #3 - \$216.00 qualifying fee
- Post #4 - \$216.00 qualifying fee
- Post #5 - \$216.00 qualifying fee

The qualifying dates will begin on the 3rd Monday in August per O.C.G.A. 21-2-132 (3)(A). The qualifying dates will be Monday, August 18, 2025, at 8:30 am through Wednesday August 20, 2025, at 4:30 pm.

The registration deadline for the November 2025 election will be October 6, 2025.

The election date will be November 4, 2025.

OPTIONS: Approval

RECOMMENDED SAMPLE MOTION:

I make a motion to approve the Second Reading of Ordinance 728 for Publishing 2025 General Election Qualifying Fees.

DEPARTMENT: Administration

Prepared by: Shelia Cooper

First Reading: January 2, 2025
Second Reading: January 16, 2025

ORDINANCE NO. 728

AN ORDINANCE TO PROVIDE FOR THE GENERAL ELECTION FOR THE CITY OF FLOWERY BRANCH, GEORGIA FOR 2025; ESTABLISH AND SET THE DATE AND TIME OF THE GENERAL ELECTION FOR THE CITY OF FLOWERY BRANCH, GEORGIA FOR 2025 FOR MAYOR AND COUNCIL MEMBERS POST 3, POST 4, AND POST 5; PROVIDE A QUALIFYING PERIOD FOR SAID POSITIONS; PROVIDE FOR THE QUALIFYING FEES FOR SAID POSITIONS; PROVIDE FOR A QUALIFYING PROCEDURE; APPOINT ELECTION OFFICIALS; PROVIDE FOR THE OPENING AND CLOSING OF REGISTRATION FOR SAID GENERAL ELECTION; REPEAL CONFLICTING ORDINANCES; PROVIDE FOR SEVERABILITY AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, the City Council of the City of Flowery Branch, Georgia is authorized by Article IX, Section II, Paragraph II of the Constitution of the State of Georgia of 1983, and pursuant to O.C.G.A. Section 21-2-1 et seq., to enact ordinances for the holding of elections and special elections of public officials of the municipality; and

WHEREAS, the terms for the positions of Mayor and Council Members Post 3, Post 4, and Post 5, shall expire on December 31, 2025; and

WHEREAS, the City of Flowery Branch, Georgia desires to conduct a general election to fill these positions, openly and fairly for all duly qualified and registered electors of the City of Flowery Branch, Georgia;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS,

Section 1. General Election.

The City of Flowery Branch, Georgia will conduct a general election on Tuesday, November 4, 2025, from 7:00 a.m. to 7:00 p.m. with the place of said election being in the City Hall located at 5410 Pine Street, Flowery Branch, Georgia for the positions as indicated in Section 2 of this Ordinance.

Section 2. Positions Open for Election and Terms Thereof.

The general election to be held on the date established by Section 1 of this Ordinance is for filling the following positions:

- a) The position of Mayor which will be elected at large for a four-year term beginning on January 1, 2026 through December 31, 2029.
- b) The position of Council Member Post 3 which will be elected at large for a four-year term beginning on January 1, 2026 through December 31, 2029

- c) The position of Council Member Post 4 which will be elected at large for a four-year term beginning on January 1, 2026 through December 31, 2029.
- d) The position of Council Member Post 5 which will be elected at large for a four-year term beginning on January 1, 2026 through December 31, 2029.

Section 3. Qualifying Period.

The qualifying period for the election set by Section 1 of this Ordinance to qualify for the positions described in Section 2 of this Ordinance shall be open on Monday August 18, 2025, and will continue day-to-day through Wednesday August 20, 2025. The hours of qualifying each day shall be during the regular business hours of the City of Flowery Branch, Georgia except Monday August 18, 2025 qualifying will begin at 8:30 a.m. as per O.C.G.A. Section 21-2-132. The place of qualifying shall be the office of the City Clerk of the City of Flowery Branch, Georgia, being the office of the Election Superintendent, and being located at City Hall, 5410 Pine Street, Flowery Branch, Georgia.

Section 4. Qualifying Fee.

(a) The qualifying fee for Mayor, which is open for election as provided by Section 2 of the Ordinance, shall be \$270.00. The qualifying fee for each Council Member position, which are open for election as provided by Section 2 of the Ordinance, shall be \$216.00. Such fee shall be paid to the Election Superintendent at the time a candidate files the candidate's notice of candidacy.

(b) A pauper's affidavit may be filed in lieu of paying the qualifying fee otherwise required by Section 4(a) of this Ordinance. A candidate filing a pauper's affidavit instead of paying a qualifying fee shall under oath affirm the candidate's poverty and the candidate's resulting inability to pay the qualifying fee otherwise required. The form of the affidavit shall be as prescribed by the Georgia Secretary of State and shall include a financial statement which lists the total income, assets, liabilities and other relevant financial information of the candidate.

The affidavit shall contain an oath that such candidate has neither the assets nor the income to pay the qualifying fee otherwise required. The following warning shall be printed on the affidavit form as prepared by the Georgia Secretary of State, to wit: "WARNING: Any person knowingly making any false statement on this affidavit commits the offense of false swearing and shall be guilty of a felony."

The Election Superintendent shall place on the ballot the name of any candidate who subscribes and swears to an oath that such candidate has neither the assets nor the income to pay the qualifying fee otherwise required.

Section 5. Qualifying Affidavit and Financial Disclosure Statement.

- (a) Each candidate qualifying for the positions described in Section 2 of this Ordinance shall accompany the candidate's notice with an affidavit stating:
 - (1) The candidate's residence, with street and number, if any, and the candidate's post office address;
 - (2) The candidate's profession, business or occupation, if any;

- (3) The name of post or office sought for election and precinct, if applicable;
- (4) That the candidate is an elector of the municipality of the candidate's residence and is eligible to vote in the election in which the candidate is running for office;
- (5) The name of the position that the candidate is seeking;
- (6) That the candidate is eligible to hold such position;
- (7) That the candidate has never been convicted and sentenced in any court of competent jurisdiction for fraudulent violation of primary or election laws, malfeasance in office or a felony involving moral turpitude under the laws of this state or any other state or of the United States, of that the candidate's civil rights have been restored and that at least ten years have elapsed from the date of the completion of the sentence without a subsequent conviction of another felony involving moral turpitude; and
- (8) That the candidate will not knowingly violate any provisions of the "Georgia Municipal Election Code" or any rules and regulations adopted under the "Georgia Municipal Election Code."

(b) Each person qualifying as a candidate will file a financial disclosure statement prescribed by the laws of the State of Georgia in the form as prescribed therein, no later than the fifteenth (15th) day following the qualifying with the Election Superintendent of the City of Flowery Branch, Georgia.

Section 6. Write-In Candidates.

(a) In this general election, no person elected on a write-in vote shall be eligible to hold office unless notice of the person's intention of candidacy was given seven (7) or more days prior to the election by the person to be a write-in candidate or by some other person or group of persons qualified to vote in the election, to the Mayor or the Election Superintendent and by publication in the official newspaper of the City of Flowery Branch, Georgia, said publication currently being "The Times."

(b) In addition to the requirements contained in Section 6(a) of this Ordinance, the person or persons giving notice of intention of candidacy for a write-in candidate shall also file with the Mayor or the Election Superintendent, a copy of the notice as published with an affidavit stating that the notice has been published, with the name of the newspaper and the date of publication, not later than the fifth (5th) day after the deadline for filing and publishing of such notice. The affidavit may be made by the person giving notice or intention of candidacy or by the publisher of the newspaper in which the notice was published or by an employee of the newspaper designated by the publisher.

Section 7. Election Appointments.

(a) The following persons are hereby appointed to act as election officials for the November 4, 2025. General Election:

Election Superintendent	Shelia Cooper
Chief Registrar	To be announced
Absentee Ballot Clerks	Hall County Elections
Poll Manager	Hall County Elections
Poll Worker	Hall County Elections
Poll Worker	Hall County Elections

(b) The office of the City Clerk of the City of Flowery Branch, Georgia is hereby declared to be the office of the Election Superintendent for candidates qualifying for the offices open for election as provided by Section 3 of this Ordinance.

Section 8. Last Day for Voter Registration.

The last day that an elector/voter may register to vote in the 2025 General Election shall be Monday, October 6, 2025, by 5:00 p.m. at the Hall County Board of Elections and Registration located at 2875 Browns Bridge Road, Gainesville, Georgia, unless said date is a Georgia legal holiday, and then the last day for voter/elector registration shall be the next day by 5:00 p.m.

Section 9. Repealer.

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

Section 10. 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.

Dated this 16th day of January 2025.

Edward R. Asbridge, Mayor

ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted C. Baggett, City Attorney



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the Addition of One Certified Police Officer Position and Associated Equipment for the Police Department and authorize a budget amendment for the associated expenditures.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

The City of Flowery Branch Police Department has entered into an agreement with the Hall County Sheriff's Office to assign an officer to their Multi-Agency Special Investigations Unit (SIU). This officer will require a full-time position to be assigned to the Special Investigations Unit and will deplete our current staff by one certified police officer.

FACTS AND ISSUES:

The City of Flowery Branch Police Department firmly believes in taking all necessary steps to improve our ability at maintaining a safe and peaceful environment for our community. To do so, we seek opportunities that will enhance our ability to gain valuable intelligence and resources which are used to aggressively combat the criminal element. As such, the Flowery Branch Police Department desires to enter this partnership with the Hall County Sheriff's Office and assign one of our certified police officers to the Special Investigations Unit.

Doing so will provide the agency with significant criminal intelligence and crime analysis which is invaluable in efforts to reduce overall crime rates in our city. In addition, this assignment will also afford us the resources of all personnel assigned to this unit to assist us in any investigations that we request assistance with. By assigning an officer to this unit we will be losing one of our staff members within the agency and will need to hire a new certified police officer to fill that vacancy. While the member assigned to this unit will remain a Flowery Branch Police Department employee, they will ultimately report to the Hall County Sheriff's Office for their daily assignment. By adding an additional officer, we incur additional costs and expenses, but the resources and intelligence gained by being a part of this unit far outweigh the cost of the additional officer. It is our request that the addition of one certified police officer be approved so that we can move forward with the agreement of assigning one of our current officers to the Hall County Sheriff's Office Special Investigations Unit.

OPTIONS:

- 1) Approve the addition of one certified police officer position and associated equipment for the Police Department and authorize a budget amendment for the associated expenditures.
- 2) Do not approve the addition of one certified police officer position and associated equipment for the Police Department.

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

No

AMOUNT AND SOURCE OF FUNDS:

Approximately \$185,000 from General Fund.

RECOMMENDATION:

Approve the addition of one certified police officer position and associated equipment for the Police Department and authorized a budget amendment for the associated expenditures.

SAMPLE MOTION:

I move to approve the addition of one certified police officer and equipment for the Police Department and authorize a budget amendment for the associated expenditures.

COLLABORATING DEPARTMENT:

DEPARTMENT: Police

Prepared by: Shelia Cooper

ATTACHMENTS

- [Police Patrol expense breakdown.pdf](#)
- [Executive Summary Draft for Additional Certified Officer 01082025.pdf](#)

Police Personnel Cost Breakdown

Salary:	\$ 59,204
Benefits:	\$ 24,980
Vehicle:	\$ 67,400
<u>Equipment:</u>	<u>\$ 28,600</u>
Total:	\$177,184



FLOWERY BRANCH CITY COUNCIL EXECUTIVE SUMMARY

SUBJECT: Consider the addition of one certified police officer position for the Police Department and authorize a budget amendment for associated expenditures.

DATE: January 8, 2025

(X)RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL- (See Attachment)

() OTHER

CAPITAL-

COUNCIL ACTION REQUESTED ON: January 16, 2025

PURPOSE: To consider the addition of one certified police officer to the Police Department, including the allocation of \$177,184 for employee salary, benefits, and equipment needed for said addition and authorized a budget amendment for associated expenditures. To be funded by the General Fund.

HISTORY: The City of Flowery Branch Police Department has entered into an agreement with the Hall County Sheriff's Office to assign an officer to their Multi-Agency Special Investigations Unit (SIU). This officer will require a full-time position to be assigned to the Special Investigations Unit and will deplete our current staff by one certified police officer.

FACTS AND ISSUES: The City of Flowery Branch Police Department firmly believes in taking all necessary steps to improve our ability at maintaining a safe and peaceful environment for our community. To do so, we seek opportunities that will enhance our ability to gain valuable intelligence and resources which are used to aggressively combat the criminal element. As such, the Flowery Branch Police Department desires to enter this partnership with the Hall County Sheriff's Office and assign one of our certified police officers to the Special Investigations Unit.

Doing so will provide the agency with significant criminal intelligence and crime analysis which is invaluable in efforts to reduce overall crime rates in our city. In addition, this assignment will also afford us the resources of all personnel assigned to this unit to assist us in any investigations

that we request assistance with. By assigning an officer to this unit we will be losing one of our staff members within the agency and will need to hire a new certified police officer to fill that vacancy. While the member assigned to this unit will remain a Flowery Branch Police Department employee, they will ultimately report to the Hall County Sheriff's Office for their daily assignment. By adding an additional officer, we incur additional costs and expenses, but the resources and intelligence gained by being a part of this unit far outweigh the cost of the additional officer. It is our request that the addition of one certified police officer be approved so that we can move forward with the agreement of assigning one of our current officers to the Hall County Sheriff's Office Special Investigations Unit.

OPTIONS:

- 1) Approve the addition of one certified police officer position and associated equipment for the Police Department and authorize a budget amendment for the associated expenditures.
 - 2) Do not approve the addition of one certified police officer position and associated equipment for the Police Department.
-
-

RECOMMENDED SAMPLE MOTION:

I move to approve the addition of one certified police officer and equipment for the Police Department and authorize a budget amendment for the associated expenditures.

DEPARTMENT: Police Department

Prepared by: Chris Hulsey, Chief of Police



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider Approval of Ordinance 725 for a Public Hearing and First Reading of Annexation at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

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

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval of Ordinance 725 with staff recommended conditions.

SAMPLE MOTION:

I make a motion to approve Ordinance 725 with staff recommended conditions

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Ordinance 725 Annexation 4272 Thurmon Tanner Parkway.pdf](#)
- [Annexation and Rezoning Report 4272 Thurmon Tanner Parkway final for january 16.pdf](#)
- [Annexation request 12-5-2024.pdf](#)

ORDINANCE NO. 725

AN ORDINANCE TO ANNEX AND BRING WITHIN THE CORPORATE LIMITS OF THE CITY OF FLOWERY BRANCH, STATE OF GEORGIA, REAL PROPERTY TOTALING 6.72 +/- ACRES OF LAND, OWNED BY AROUND THE PICKLE LLC, IDENTIFIED AS 4272 THURMOND TANNER PARKWAY, TAX PARCEL 08073 000012 AND AS SHOWN ON ATTACHED EXHIBIT “A”, PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Around the Pickle LLC, owns the subject parcel of land identified as Parcel Tax Identification No. 08073 000012 as shown and described on Exhibit “A”; and

WHEREAS, the City Council of the City of Flowery Branch has considered the application of Around the Pickle LLC and in conjunction with the standards set forth in O.C.G.A. §§ 36-36-1 through 36-36-110, O.C.G.A. § 36-60-111, and the City of Flowery Branch Community Agenda for annexation into the City’s corporate limits; and

WHEREAS, said parcels of land identified as Parcel Tax Identification No. 08073 000012 is within the unincorporated area of Hall County, State of Georgia, and is contiguous to the existing corporate limits of the City of Flowery Branch, Georgia at this time; and

WHEREAS, Around the Pickle LLC has submitted to the City Council of Flowery Branch, Georgia, a written and signed application and affidavit showing consent to being annexed, and whereas a survey and complete description of the subject parcel being considered to be annexed, is included in the application; and

WHEREAS, the City Council held a public hearing at the meeting of January 16, 2025 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. RECITALS.

All of the foregoing recitals of this Ordinance are incorporated by reference as if fully set forth herein and are made part of this annexation ordinance.

SECTION 2. ANNEXATION.

The City Council of Flowery Branch, Georgia, does hereby annex and include within the corporate limits of the City of Flowery Branch, Georgia real parcels of land known as Parcel Tax

Identification No. 08073 000012 as shown and described on Exhibit “A”. Said Exhibit is incorporated by reference as if fully set forth herein.

SECTION 3. CERTIFICATION BY THE CITY CLERK

The City Council of Flowery Branch, Georgia, authorizes and directs the City Clerk of Flowery Branch, Georgia to certify this Ordinance and attached Exhibit and have a certified copy of this Ordinance and its Exhibits filed with the Department of Community Affairs and any other public official or agencies as required by law.

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 March 1, 2025 as required by O.C.G.A. § 36-36-2.

SECTION 6. REPEALER.

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

Approved this 6th day of February 2025.

Edward R. Asbridge, Mayor

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM

Ted C. Baggett, City Attorney

Exhibit A

All that lot, tract or parcel of land lying, situate and being in Land Lot 73 of the 8th Land District of Hall County, Georgia, being more fully and particularly described as follows:

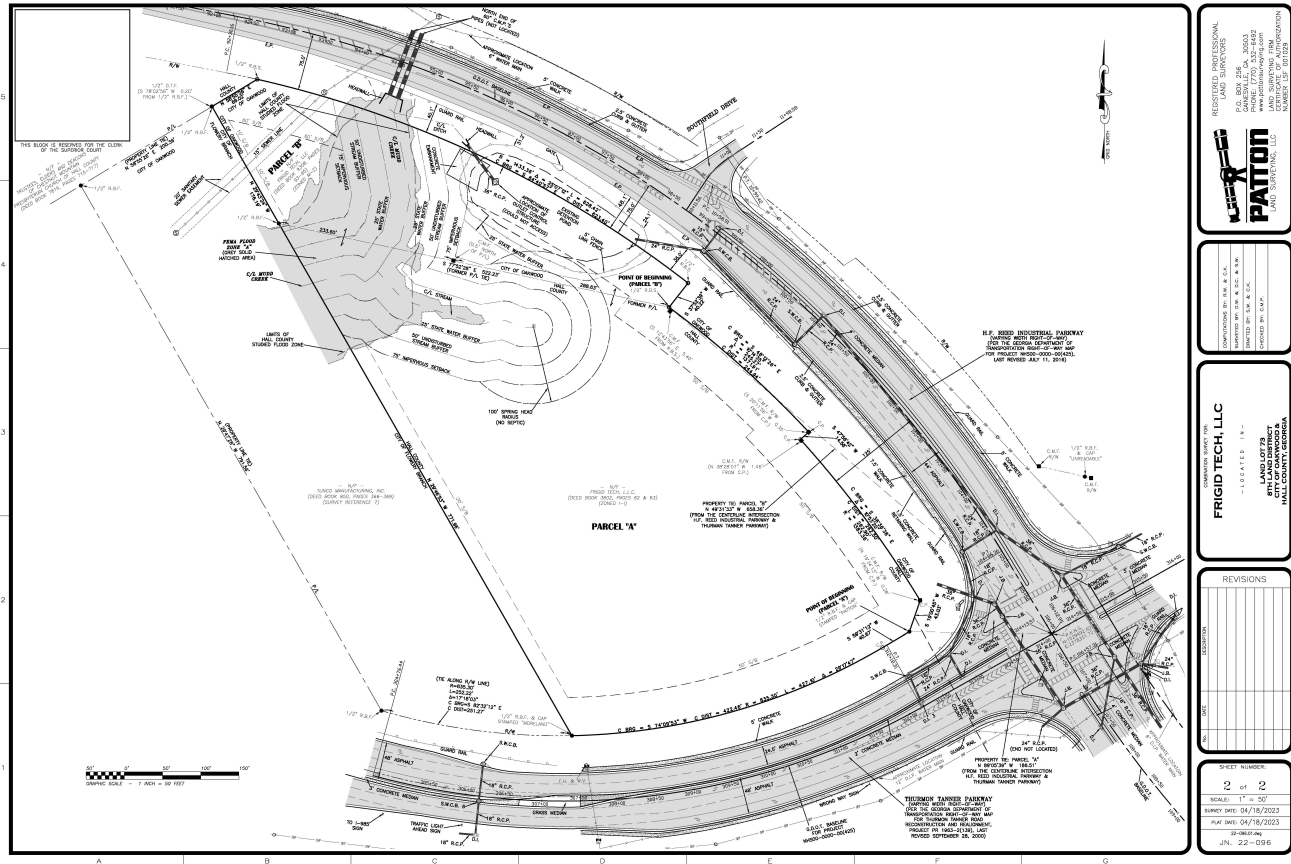
BEGINNING at a point on the northern right of way line of Thurman Tanner Road (having a sixty (60) foot right of way line) which point is located a distance of 507.73 feet in a southwesterly direction as measured along the northern right of way line of Thurman Tanner Road from the intersection of the northern right of way line of Thurman Tanner Road with the western right of way line of W. White Road; running thence along the northern right of way line of Thurman Tanner Road the following courses and distances: South 59 degrees 32 minutes 37 seconds West a distance of 11.79 feet to a point; South 61 degrees 33 minutes 29 seconds West a distance of 81.73 feet to a point; South 62 degrees 19 minutes 55 seconds West a distance of 180.86 feet to a point; South 62 degrees 00 minutes 57 seconds West a distance of 151.59 feet to a point; South 64 degrees 26 minutes 10 seconds West a distance of 101.24 feet to a point marked by a ¼ inch rebar; leaving the northern right of way line of Thurman Tanner Road and running thence North 28 degrees 48 minutes 27 seconds West a distance of 925 feet to a point; running thence South 76 degrees 54 minutes 02 seconds East a distance of 627.24 feet to a point; running thence South 35 degrees 26 minutes 14 seconds East a distance of 521.22 feet to a point on the northern right of way line of Thurman Tanner Road and the POINT OF BEGINNING.

The above-described property is more fully and particularly set out on a survey for Screens Atlanta, Inc., dated November 27, 1996, by Wallace Long Hambrick, Georgia Registered Land Surveyor Number 1375.

LESS AND EXCEPT:

All that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to Hall County dated October 6, 2000, recorded in Deed Book 3749, Page 584, Hall County Deed Records; all that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to Hall County dated June 8, 2000, recorded in Deed Book 3687, Page 370, Hall County Deed Records; and all that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to the City of Oakwood dated June 8, 2000, recorded in Deed Book 3687, Page 368, Hall County Deed Records.

Exhibit 'C'



1. The applicant shall implement 10' landscape strips along the property boundary to minimize noise impact on adjacent properties. Preserved vegetation can be provided in lieu of planting trees and shrubs with the approval of the Planning and Community Development Director.
2. Adequate parking spaces shall be provided to support the proposed use. The maximum parking space should not exceed 102 spaces.
3. Any signage related to the commercial recreational facility must adhere to Flowery Branch's sign regulations, including size, lighting, and placement.
4. The applicant shall ensure that all facilities are properly maintained, including outdoor recreational areas, restrooms, and parking lots.
5. The applicant shall comply with all environmental regulations regarding stormwater runoff, waste management, and other applicable environmental concerns.
6. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.



Memorandum

To: City of Flowery Branch, City Manager, and City Council

From: Chris McCrary, Planning and Community Development Director

Date: January 16, 2025

Subject: Annexation, Rezoning, and Conditional Use Permit

Applicant: Around the Pickle LLC
379 East Lake Drive
Gainesville, GA 30506
678-617-4257

Existing Zoning: I-I – Light Industrial, Unincorporated Hall County

Proposed Zoning: M-1 – Light Industrial with a Conditional Use Permit for operation of an indoor and outdoor recreational facility. (Table 9.1)

Location:

- 4272 Thurmon Tanner Parkway; tax parcel identification number **08073 000012**

Annexation & Rezoning Request:

The applicant is seeking the annexation of 4272 Thurmon Tanner Parkway from unincorporated Hall County to the City of Flowery Branch for the development of a pickle ball outdoor and indoor event center. The subject site is currently zoned as Hall County Light Industrial (I-I), and the applicant is proposing to rezone the tract to Flowery Branch Light Industrial (M-1).

The applicant intends to develop a private pickleball recreational facility including twelve (12) outdoor pickleball courts and eighteen (18) indoor courts within three (3) buildings. The sports complex will be accessed from both Thurmon Tanner Parkway and H F Reed Industrial Parkway.



Code Section:

Table 9.1 – Permitted and Conditional Uses in Nonresidential Zoning Districts

Use	O-P	INST	NS	HB	CBD	M-1	M-2
Commercial recreational facility, indoor (Ord. 348-11)	X	X	C	P	X	C	C
Commercial recreational facility, outdoor	X	X	X	C	C	C	C

Most tennis and pickleball facilities are located within the recreational areas of established subdivision. The City Code addresses this in Section 12.1 –Community Recreation Facility:

Within a residential subdivision or multiple-family residential development, community recreation facilities as defined by this Zoning Ordinance must be platted when a part of a subdivision or part of the site plan approval for a multiple-family residential development. Community recreation facilities shall be subject to the following requirements:

- a) *Exterior lighting. If lighted, exterior lighting shall require a lighting plan to be submitted and approved prior to installation. See Article 23 of this Zoning Ordinance.*
- b) *Swimming Pools and Tennis Courts. Swimming pools and tennis courts shall be setback a minimum of twenty-five (25) feet from all property lines of the tract of land devoted to community recreation, with a minimum ten (10) foot wide landscape strip along all property lines of said tract. See Article 19 of this Zoning Ordinance for landscape strip specifications.*
- c) *Buildings. Buildings (excluding accessory structures) shall be setback a minimum of twenty-five (25) feet from the property line of the tract. If outdoor patios or decks are provided, they shall be located no closer than twenty-five (25) feet from the property line of the tract and a minimum ten (10) foot wide landscape strip shall be provided between said outdoor patio or deck and the property line or boundary of said tract. See Article 19 of this Zoning Ordinance for landscape strip specifications.*
- d) *Parking. Parking shall be provided per the requirements of Article 21 of this Zoning Ordinance.*

Since the proposed use is not within a recreational area of a single-family subdivision, the only similar entry in Table 9.1 is Commercial Recreation Facility, Indoor and Outdoor. The scale the code describes for a Commercial Recreational Facility is not what is proposed by the Applicant.



Section 14.5. – Commercial Recreation Facility, Indoor / Outdoor:

This code section may not apply to the scale of a recreational pickleball as proposed. This section contemplates uses such as: *“stadiums, amphitheaters, outdoor firearms shooting ranges, and racetracks for animals and motor driven vehicles; such projects may be required to construct noise attenuation walls or otherwise address off-site noise impacts. A traffic impact analysis shall be required for amphitheaters, stadiums, racetracks for animals or motor-driven vehicles, and recreational vehicle parks”*.

The review concludes that the proposed pickleball facility does not neatly fit into any existing categories within the zoning code. As pickleball's popularity has surged, the code has primarily focused on tennis and other recreational courts within single-family subdivisions, leaving this type of use unanticipated. Nonetheless, it is reasonable to apply the dimensional criteria outlined in Section 12.1 to the project, despite its location outside a subdivision plat.

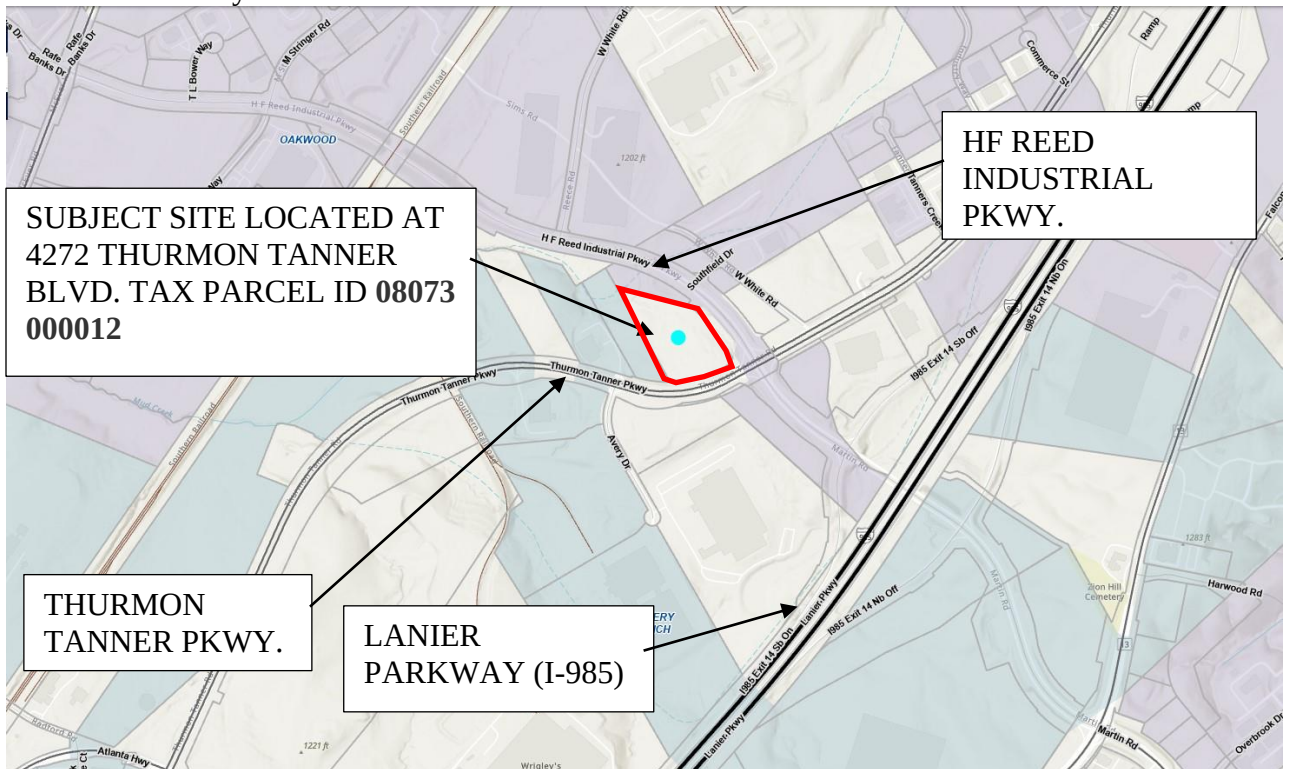
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A Conditional Use Permit (CUP) would be required for both indoor and outdoor recreational facilities, as specified in the code. Staff recommends rezoning the property to M-1 with conditions consistent with Section 12.1 and approving the CUP. This approach would ensure the development aligns with the Comprehensive Plan.



Location Map:

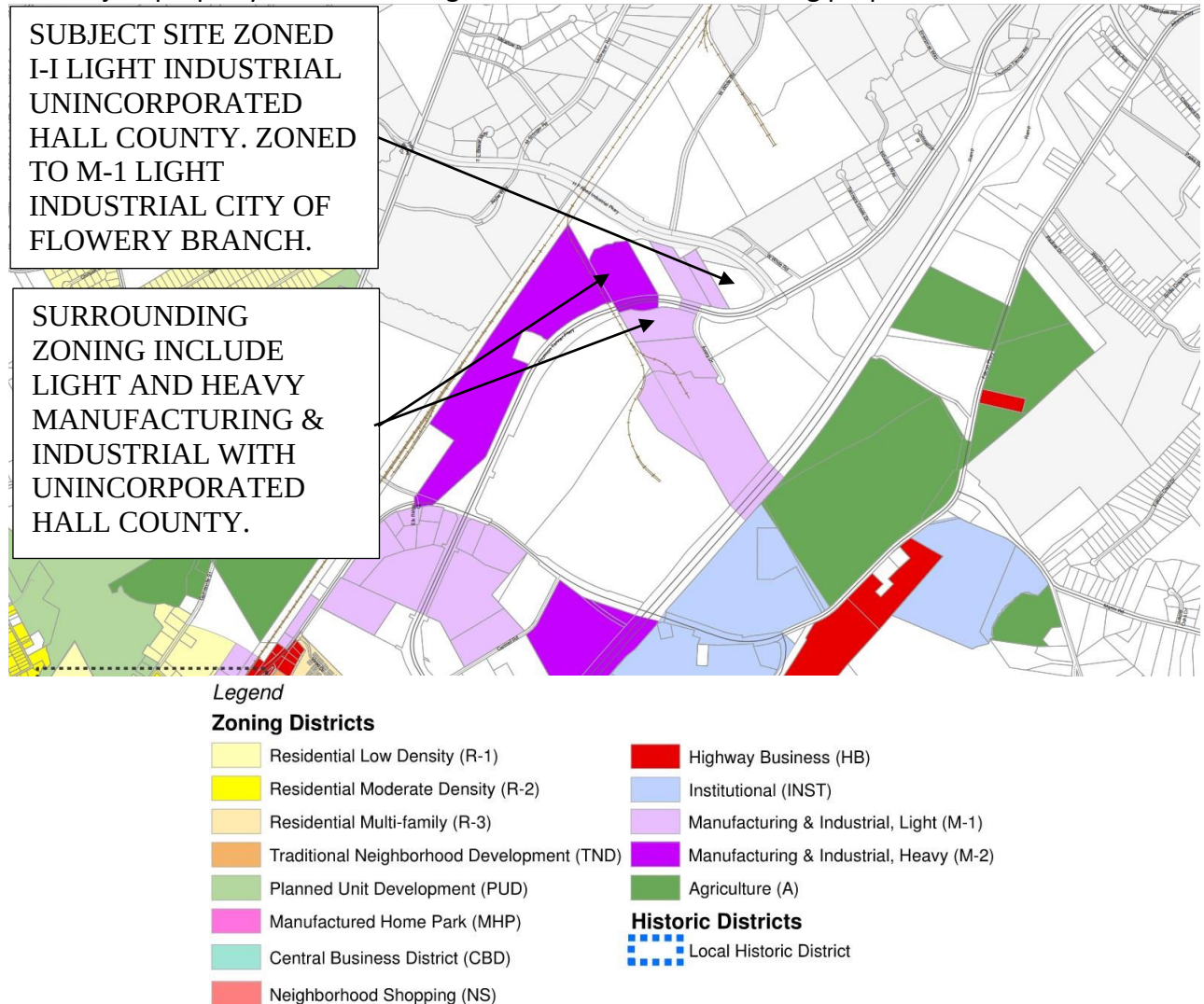
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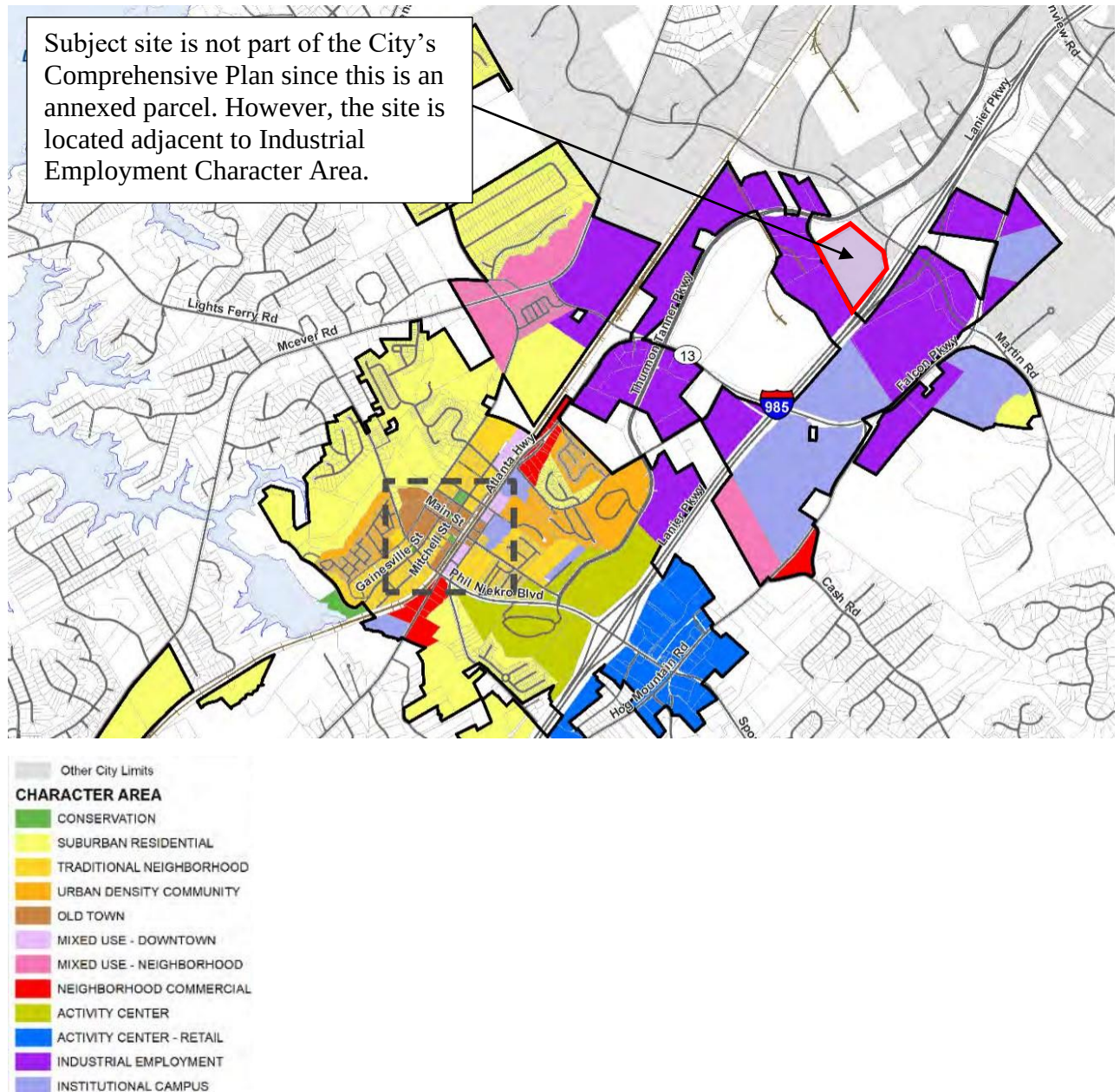
Zoning Map:

The subject property is zoned I-I – Light Industrial. The surrounding properties are also zoned M-1.





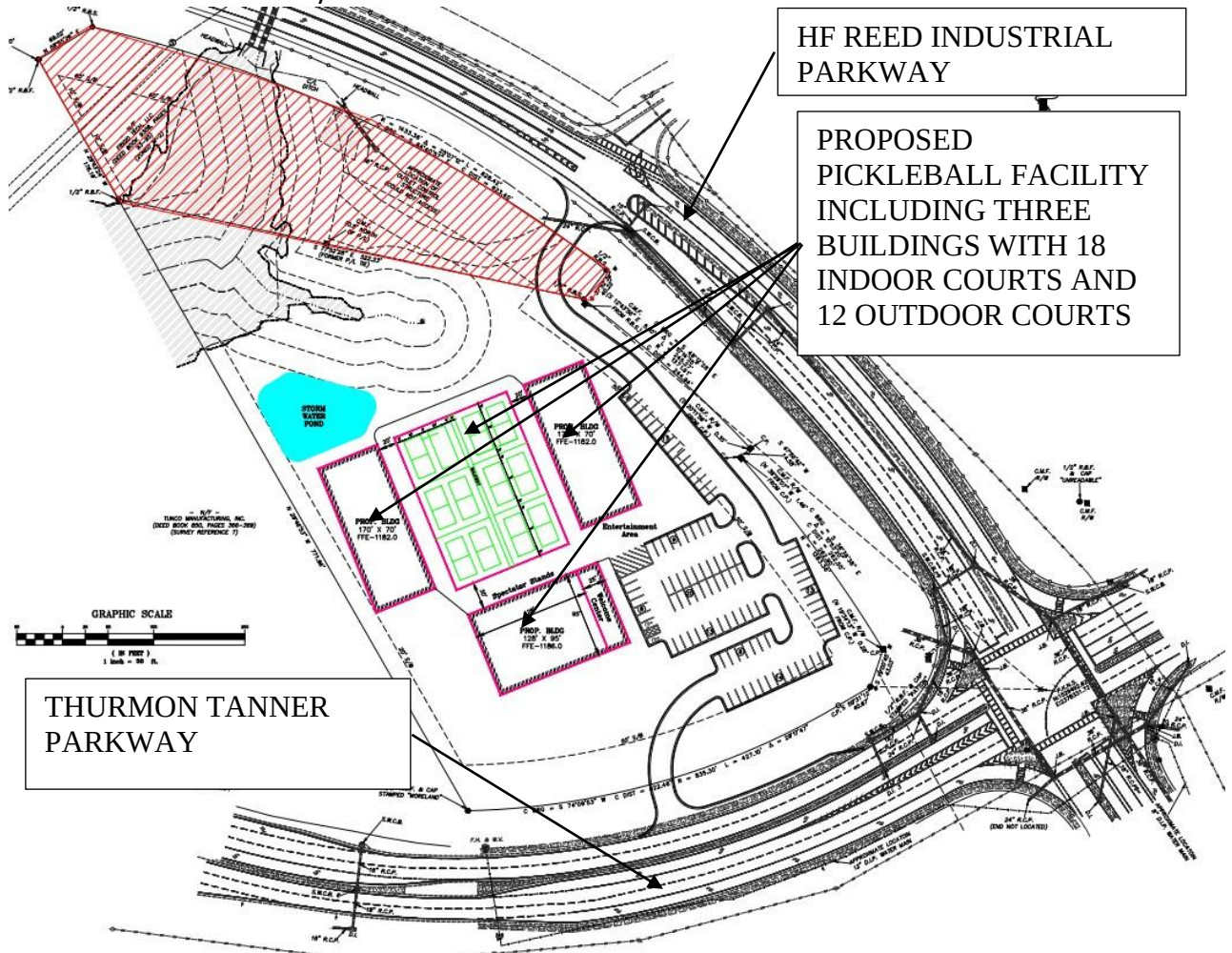
Future Development Plan:





Site Plan:

The proposed pickleball facility includes three buildings with 18 indoor courts and 12 outdoor courts. The development includes parking and entrances at both HF Reed Industrial Parkway and Thurmon Tanner Parkway.



Parking Space Maximum Count:

- **Parking Requirements:** According to Article 21, the maximum parking requirement is 3 spaces per court for tennis facilities. (pickleball is reasonably similar).
- **Proposal Details:** The applicant is planning a facility with 30 courts, which would typically require up to 90 parking spaces (3 spaces per court).
- **Proposed Parking:** The applicant is proposing 102 parking spaces, which exceeds the maximum by 12 spaces.



- **Justification:** The applicant argues that additional parking is necessary to accommodate peak demand during tournaments, when more visitors would be expected.
- **Stormwater Consideration:** The proposal for additional parking will be reviewed for stormwater runoff impacts as part of the LDP (Land Development Plan) review process.

Conclusion: The increase in parking spaces is considered reasonable based on the applicant's justification and will be subject to review for environmental impacts, particularly regarding stormwater runoff.

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to the Zoning Administrator in making recommendations and by the City Council in the decision-making process.

- a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
The development of a pickleball recreational facility adjacent and nearby industrial developments is reasonable due to the activity and noise associated with pickleball.
- b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The proposed use will not adversely affect the existing use or usability of adjacent or nearby property.
- c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has reasonable economic use as currently zoned.*
The applicant has proposed the subject site as an ideal location for developing a recreational pickleball facility. However, the City of Flowery Branch only provides sewer services to parcels within its city limits. Annexation is necessary to connect the site to Flowery Branch's sanitary sewer system, while rezoning is required to align the site with the city's zoning designations. Without access to sewer services, the proposed recreational facility would not be viable, leaving the site economically unfeasible under its current zoning within unincorporated Hall County.



- d) *Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The proposed will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- e) *Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.*
The proposed pickleball facility would be in conformity with the policy and intent of the comprehensive plan.
- f) *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.*
There are no other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.
- g) *Existing use(s) and zoning of the subject property and nearby properties.*
The proposed pickleball center is a hybrid of light industrial and commercial uses. The amount of traffic and noise at peak demands seems to fit best within a light industrial area. Should more independent, private pickleball and / or tennis events centers come into demand, the City may look at defining this use and allowing it in more zoning districts such as light industrial without the need of a Conditional Use Permit.
- h) *Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.*
The site is undeveloped and suggests the size of the property and the presence of stream buffers are not economically feasible for a warehouse distribution center. For a lot this size, the proposed use may be best as a pickleball events facility.
- i) *Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.*
The proposed use should have no impact on the value or improvement of development of adjacent property.



- j) *The possible creation of an isolated zoning district unrelated to adjacent and nearby districts.*
Staff recommends the rezoning be to M-1 to prevent an isolated HB zoning in an area primarily zoned industrial.
- k) *Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.*
The proposed use should have no negative effects on the character of the area.
- l) *The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.*
The subsequent LDP will be required to be compliant with all erosion and stormwater regulations.
- m) *The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.*
The proposed rezoning will have no impact on the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.



Staff Recommendation for Annexation, Rezoning, and Conditional Use Permit (CUP)

Recommendation:

Staff recommends **approval** of the proposed **annexation** of parcel **08073 000012**. Furthermore, staff recommends **approval** of the rezoning request to rezone the subject parcel from **Hall County I-1 Light Industrial** to **Flowery Branch M-1 Light Industrial**. Additionally, staff recommends **concurrent approval** of the **Conditional Use Permit (CUP)** for the operation of an **indoor and outdoor commercial recreational facility** with the following conditions:

Conditions of Approval:

1. The applicant shall implement 10' landscape strips along the property boundary to minimize noise impact on adjacent properties. Preserved vegetation can be provided in lieu of planting trees and shrubs with the approval of the Planning and Community Development Director.
2. Adequate parking spaces shall be provided to support the proposed use. The maximum parking space should not exceed 102 spaces.
3. Any signage related to the commercial recreational facility must adhere to Flowery Branch's sign regulations, including size, lighting, and placement.
4. The applicant shall ensure that all facilities are properly maintained, including outdoor recreational areas, restrooms, and parking lots.
5. The applicant shall comply with all environmental regulations regarding stormwater runoff, waste management, and other applicable environmental concerns.
6. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.

Conclusion:

Staff finds that the proposed annexation, rezoning, and CUP for the commercial recreational facility are consistent with the city's growth and development goals and will provide positive economic impacts while mitigating potential negative effects through the recommended conditions.

October 18, 2024

Dear City of Flowery Branch Officials,

We are formally requesting to have the tax parcel located at 4272 Thurmond Tanner Parkway (Hall County Tax Parcel No. 08073-000012) be annexed into the City of Flowery Branch. We have recently purchased this property, which is currently vacant, unimproved land and plan to develop a large scale Pickleball Facility that will have both indoor and outdoor courts available.

We therefore authorize the City of Flowery Branch staff and/or City Council to inspect the subject property as a part of this annexation request.

Thank you for your consideration of our request. We look forward to working with you during the process and bringing a great development to the city.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rena S. Millwood". The signature is fluid and cursive, with the first name "Rena" and last name "Millwood" clearly distinguishable.

Rena S. Millwood

Around the Pickle, LLC



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider Approval of Ordinance 726 for a Public Hearing and First Reading of Rezoning and Conditional Use Permit at 4272 Thurmon Tanner Road for the Operation of a Pickleball Recreation Facility.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

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

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval of Ordinance 726 with staff recommended conditions.

SAMPLE MOTION:

I make a motion to approve Ordinance 726 with staff recommended conditions

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Ordinance 726 Rezone and CUP for 4272 Thurmon Tanner Parkway.pdf](#)
- [Annexation and Rezoning Report 4272 Thurmon Tanner Parkway final for january 16.pdf](#)
- [Rezoning Application M-1 for 4272 Thurmond Tanner Parkway.pdf](#)
- [CUP App.pdf](#)

ORDINANCE NO. 726

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FLOWERY BRANCH, GEORGIA, BY REZONING ONE PARCEL OF REAL PROPERTY TOTALING 6.72+/- ACRES OF LAND, OWNED BY AROUND THE PICKLE LLC, IDENTIFIED AS 4272 THURMON TANNER PARKWAY, TAX PARCEL 08073 000012, TO BE REZONED FROM UNINCORPORATED HALL COUNTY LIGHT INDUSTRIAL (I-I) TO CITY OF FLOWERY BRANCH LIGHT INDUSTRIAL (M-1), AND TO GRANT A CONDITIONAL USE PERMIT (CUP) FOR USE AS A COMMERCIAL RECREATIONAL FACILITY AS SHOWN AND DESCRIBED ON ATTACHED EXHIBIT “A”, AND AS CONDITIONED ON ATTACHED EXHIBIT “B”, PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Around the Pickle LLC owns the subject parcel of land identified as Parcel Tax Identification No. 08073 000012, as shown and described on Exhibit “A”; and

WHEREAS, Around the Pickle LLC submitted to the City of Flowery Branch, Georgia, a written and signed application requesting a rezoning, 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 January 16, 2025 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 from Unincorporated Hall County Light Industrial (I-I) to City of Flowery Branch Light Industrial (M-1) and granting a CUP for use as a Commercial Recreational Facility 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; however, an alternative use is appropriately considered.
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 generally 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 zoning as opposed to Residential, Detached Single Family(R-2).
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. REZONING AND APPROVAL OF A CUP.

The subject parcel, as shown and described on Exhibit “A”, is hereby rezoned from Unincorporated Hall County Light Industrial (I-I) to City of Flowery Branch Light Industrial (M-1) and hereby granted a Conditional Use Permit (CUP) for use as a Commercial Recreational Facility, subject to conditions as shown on attached Exhibit “B”. Said Exhibits are hereby incorporated 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.

Public Hearing Published 12/11/2024
Public Hearing 01/16/2025

First Reading 01/16/2025
Proposed Second Read 02/06/2025

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 06, 2025 or immediately upon the inclusion of the subject property in the city limits.

SECTION 6. REPEALER.

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

Approved this 6th day of February 2025.

Edward R. Asbridge, Mayor

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM

Ted C. Baggett, City Attorney

Exhibit A

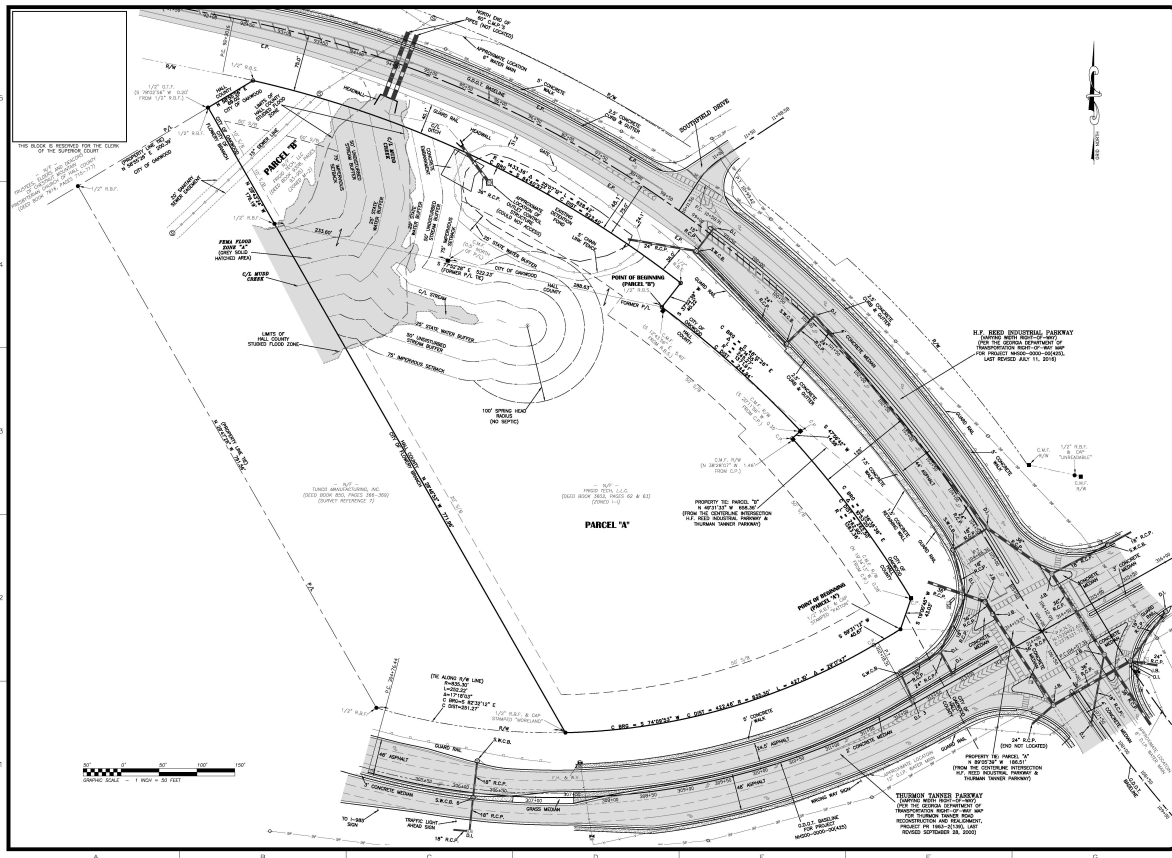
All that lot, tract or parcel of land lying, situate and being in Land Lot 73 of the 8th Land District of Hall County, Georgia, being more fully and particularly described as follows:

BEGINNING at a point on the northern right of way line of Thurman Tanner Road (having a sixty (60) foot right of way line) which point is located a distance of 507.73 feet in a southwesterly direction as measured along the northern right of way line of Thurman Tanner Road from the intersection of the northern right of way line of Thurman Tanner Road with the western right of way line of W. White Road; running thence along the northern right of way line of Thurman Tanner Road the following courses and distances: South 59 degrees 32 minutes 37 seconds West a distance of 11.79 feet to a point; South 61 degrees 33 minutes 29 seconds West a distance of 81.73 feet to a point; South 62 degrees 19 minutes 55 seconds West a distance of 180.86 feet to a point; South 62 degrees 00 minutes 57 seconds West a distance of 151.59 feet to a point; South 64 degrees 26 minutes 10 seconds West a distance of 101.24 feet to a point marked by a ¼ inch rebar; leaving the northern right of way line of Thurman Tanner Road and running thence North 28 degrees 48 minutes 27 seconds West a distance of 925 feet to a point; running thence South 76 degrees 54 minutes 02 seconds East a distance of 627.24 feet to a point; running thence South 35 degrees 26 minutes 14 seconds East a distance of 521.22 feet to a point on the northern right of way line of Thurman Tanner Road and the POINT OF BEGINNING.

The above-described property is more fully and particularly set out on a survey for Screens Atlanta, Inc., dated November 27, 1996, by Wallace Long Hambrick, Georgia Registered Land Surveyor Number 1375.

LESS AND EXCEPT:

All that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to Hall County dated October 6, 2000, recorded in Deed Book 3749, Page 584, Hall County Deed Records; all that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to Hall County dated June 8, 2000, recorded in Deed Book 3687, Page 370, Hall County Deed Records; and all that tract or parcel of land in that Right of Way Deed from Frigid Tech, L.L.C. to the City of Oakwood dated June 8, 2000, recorded in Deed Book 3687, Page 368, Hall County Deed Records.



**PROFESSIONAL
LAND SURVEYORS**

PATTON

P.O. BOX 296
HALL COUNTY, GA 30032
PHONE: (770) 532-5442
FAX: (770) 532-5443
AND SURVEYING FROM
HALL COUNTY, GEORGIA
NUMBER 12-00000

COMPUTED BY: M. A. C. A.
DRAWN BY: M. A. C. A.
CHECKED BY: M. A. C. A.
DATE: 04/18/2023

FRIGID TECH, LLC

18.0
LAND LOT 18
HALL COUNTY, GEORGIA

REVISIONS

NO.	DATE	REVISION

SHEET NUMBER
2 of 2

SCALE: 1" = 50'

SURVEY DATE: 04/18/2023

DRAWN DATE: 04/18/2023

JUN. 22-096

Exhibit “B”

The rezoning and granting of the CUP are subject to the following conditions:

1. The applicant shall implement 10’ landscape strips along the property boundary to minimize noise impact on adjacent properties. Preserved vegetation can be provided in lieu of planting trees and shrubs with the approval of the Planning and Community Development Director.
2. Adequate parking spaces shall be provided to support the proposed use. The maximum parking space should not exceed 102 spaces.
3. Any signage related to the commercial recreational facility must adhere to Flowery Branch’s sign regulations, including size, lighting, and placement.
4. The applicant shall ensure that all facilities are properly maintained, including outdoor recreational areas, restrooms, and parking lots.
5. The applicant shall comply with all environmental regulations regarding stormwater runoff, waste management, and other applicable environmental concerns.
6. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.



Memorandum

To: City of Flowery Branch, City Manager, and City Council

From: Chris McCrary, Planning and Community Development Director

Date: January 16, 2025

Subject: Annexation, Rezoning, and Conditional Use Permit

Applicant: Around the Pickle LLC
379 East Lake Drive
Gainesville, GA 30506
678-617-4257

Existing Zoning: I-I – Light Industrial, Unincorporated Hall County

Proposed Zoning: M-1 – Light Industrial with a Conditional Use Permit for operation of an indoor and outdoor recreational facility. (Table 9.1)

Location:

- 4272 Thurmon Tanner Parkway; tax parcel identification number **08073 000012**

Annexation & Rezoning Request:

The applicant is seeking the annexation of 4272 Thurmon Tanner Parkway from unincorporated Hall County to the City of Flowery Branch for the development of a pickle ball outdoor and indoor event center. The subject site is currently zoned as Hall County Light Industrial (I-I), and the applicant is proposing to rezone the tract to Flowery Branch Light Industrial (M-1).

The applicant intends to develop a private pickleball recreational facility including twelve (12) outdoor pickleball courts and eighteen (18) indoor courts within three (3) buildings. The sports complex will be accessed from both Thurmon Tanner Parkway and H F Reed Industrial Parkway.



Code Section:

Table 9.1 – Permitted and Conditional Uses in Nonresidential Zoning Districts

Use	O-P	INST	NS	HB	CBD	M-1	M-2
Commercial recreational facility, indoor (Ord. 348-11)	X	X	C	P	X	C	C
Commercial recreational facility, outdoor	X	X	X	C	C	C	C

Most tennis and pickleball facilities are located within the recreational areas of established subdivision. The City Code addresses this in Section 12.1 –Community Recreation Facility:

Within a residential subdivision or multiple-family residential development, community recreation facilities as defined by this Zoning Ordinance must be platted when a part of a subdivision or part of the site plan approval for a multiple-family residential development. Community recreation facilities shall be subject to the following requirements:

- a) Exterior lighting. If lighted, exterior lighting shall require a lighting plan to be submitted and approved prior to installation. See Article 23 of this Zoning Ordinance.*
- b) Swimming Pools and Tennis Courts. Swimming pools and tennis courts shall be setback a minimum of twenty-five (25) feet from all property lines of the tract of land devoted to community recreation, with a minimum ten (10) foot wide landscape strip along all property lines of said tract. See Article 19 of this Zoning Ordinance for landscape strip specifications.*
- c) Buildings. Buildings (excluding accessory structures) shall be setback a minimum of twenty-five (25) feet from the property line of the tract. If outdoor patios or decks are provided, they shall be located no closer than twenty-five (25) feet from the property line of the tract and a minimum ten (10) foot wide landscape strip shall be provided between said outdoor patio or deck and the property line or boundary of said tract. See Article 19 of this Zoning Ordinance for landscape strip specifications.*
- d) Parking. Parking shall be provided per the requirements of Article 21 of this Zoning Ordinance.*

Since the proposed use is not within a recreational area of a single-family subdivision, the only similar entry in Table 9.1 is Commercial Recreation Facility, Indoor and Outdoor. The scale the code describes for a Commercial Recreational Facility is not what is proposed by the Applicant.



Section 14.5. – Commercial Recreation Facility, Indoor / Outdoor:

This code section may not apply to the scale of a recreational pickleball as proposed. This section contemplates uses such as: *“stadiums, amphitheaters, outdoor firearms shooting ranges, and racetracks for animals and motor driven vehicles; such projects may be required to construct noise attenuation walls or otherwise address off-site noise impacts. A traffic impact analysis shall be required for amphitheaters, stadiums, racetracks for animals or motor-driven vehicles, and recreational vehicle parks”*.

The review concludes that the proposed pickleball facility does not neatly fit into any existing categories within the zoning code. As pickleball's popularity has surged, the code has primarily focused on tennis and other recreational courts within single-family subdivisions, leaving this type of use unanticipated. Nonetheless, it is reasonable to apply the dimensional criteria outlined in Section 12.1 to the project, despite its location outside a subdivision plat.

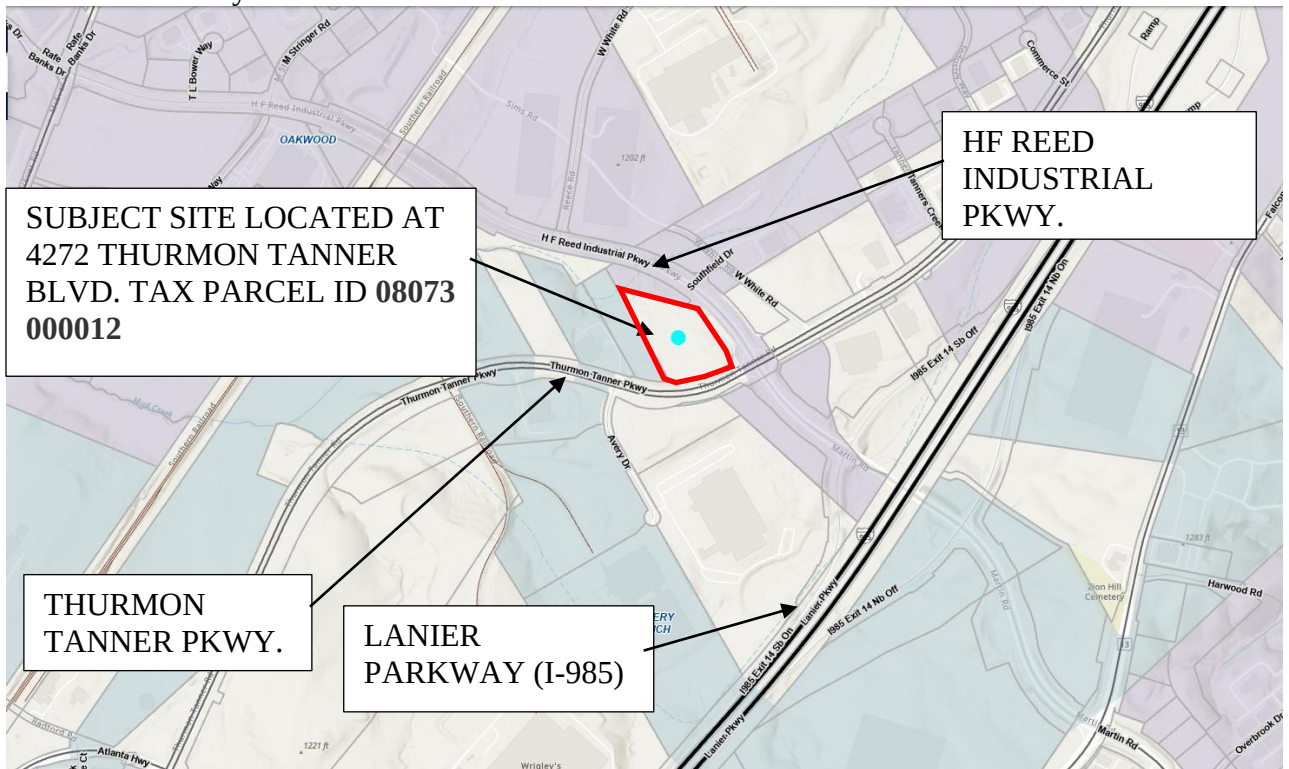
The M-1 (Light Industrial) zoning classification appears most appropriate for the site due to its proximity to the Industrial Employment Character Area. Rezoning the property to M-1, with conditions aligned to Section 12.1, would facilitate the development of the pickleball facility in harmony with the surrounding industrial context. Given the site's existing industrial setting, the need for extensive buffering is minimal. Furthermore, the facility's peak operating hours would be staggered to coincide with the typical schedules of nearby industrial businesses, minimizing potential conflicts.

A Conditional Use Permit (CUP) would be required for both indoor and outdoor recreational facilities, as specified in the code. Staff recommends rezoning the property to M-1 with conditions consistent with Section 12.1 and approving the CUP. This approach would ensure the development aligns with the Comprehensive Plan.



Location Map:

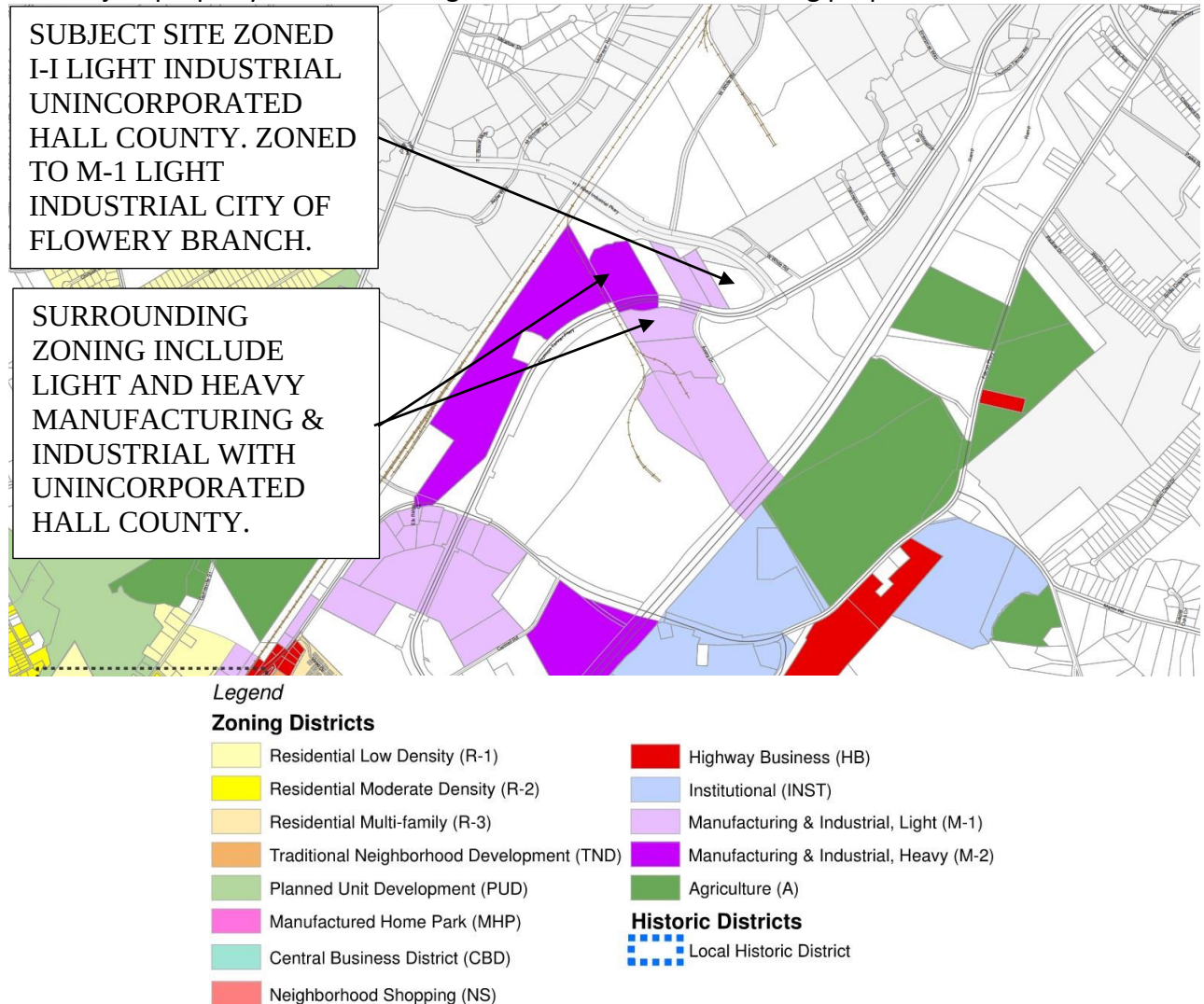
The subject site is located at 4272 Thurmon Tanner Parkway near the intersection of HF Reed Industrial Parkway.





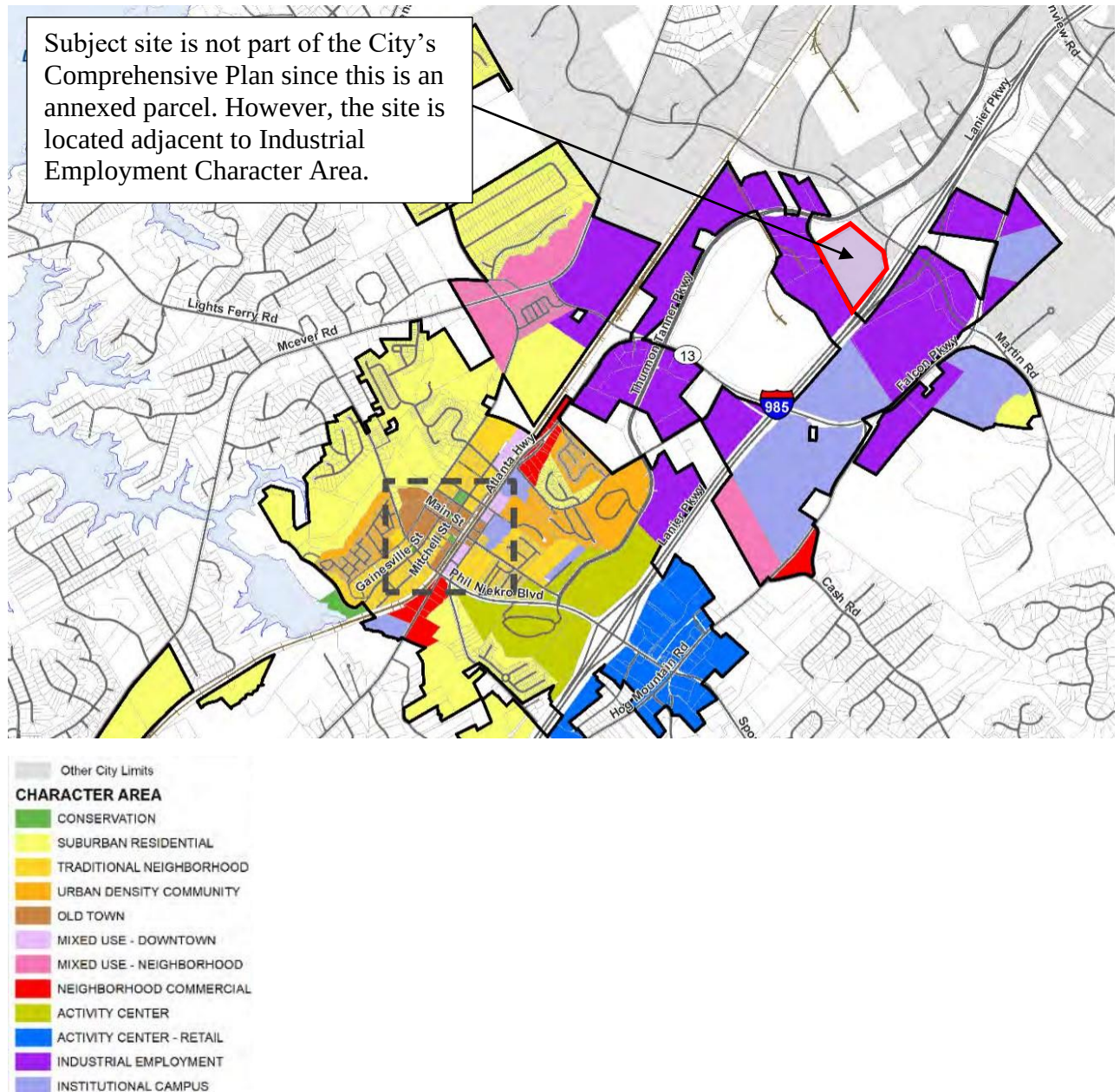
Zoning Map:

The subject property is zoned I-I – Light Industrial. The surrounding properties are also zoned M-1.





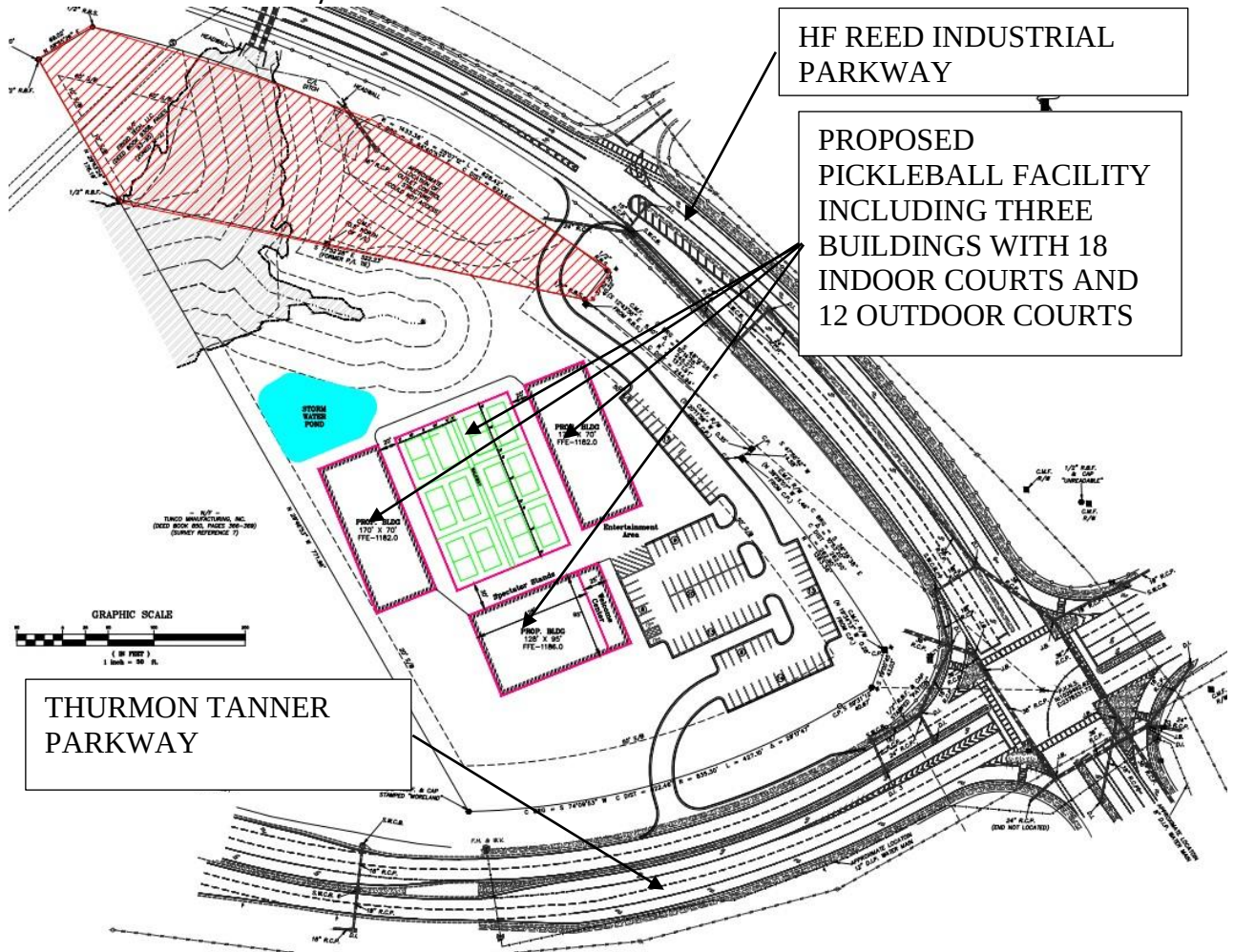
Future Development Plan:





Site Plan:

The proposed pickleball facility includes three buildings with 18 indoor courts and 12 outdoor courts. The development includes parking and entrances at both HF Reed Industrial Parkway and Thurmon Tanner Parkway.



Parking Space Maximum Count:

- **Parking Requirements:** According to Article 21, the maximum parking requirement is 3 spaces per court for tennis facilities. (pickleball is reasonably similar).
- **Proposal Details:** The applicant is planning a facility with 30 courts, which would typically require up to 90 parking spaces (3 spaces per court).
- **Proposed Parking:** The applicant is proposing 102 parking spaces, which exceeds the maximum by 12 spaces.



- **Justification:** The applicant argues that additional parking is necessary to accommodate peak demand during tournaments, when more visitors would be expected.
- **Stormwater Consideration:** The proposal for additional parking will be reviewed for stormwater runoff impacts as part of the LDP (Land Development Plan) review process.

Conclusion: The increase in parking spaces is considered reasonable based on the applicant's justification and will be subject to review for environmental impacts, particularly regarding stormwater runoff.

Sec. 34.7. - Analysis Requirements.

Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to the Zoning Administrator in making recommendations and by the City Council in the decision-making process.

- a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
The development of a pickleball recreational facility adjacent and nearby industrial developments is reasonable due to the activity and noise associated with pickleball.
- b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.*
The proposed use will not adversely affect the existing use or usability of adjacent or nearby property.
- c) Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has reasonable economic use as currently zoned.*
The applicant has proposed the subject site as an ideal location for developing a recreational pickleball facility. However, the City of Flowery Branch only provides sewer services to parcels within its city limits. Annexation is necessary to connect the site to Flowery Branch's sanitary sewer system, while rezoning is required to align the site with the city's zoning designations. Without access to sewer services, the proposed recreational facility would not be viable, leaving the site economically unfeasible under its current zoning within unincorporated Hall County.



- d) *Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The proposed will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- e) *Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.*
The proposed pickleball facility would be in conformity with the policy and intent of the comprehensive plan.
- f) *Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.*
There are no other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.
- g) *Existing use(s) and zoning of the subject property and nearby properties.*
The proposed pickleball center is a hybrid of light industrial and commercial uses. The amount of traffic and noise at peak demands seems to fit best within a light industrial area. Should more independent, private pickleball and / or tennis events centers come into demand, the City may look at defining this use and allowing it in more zoning districts such as light industrial without the need of a Conditional Use Permit.
- h) *Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.*
The site is undeveloped and suggests the size of the property and the presence of stream buffers are not economically feasible for a warehouse distribution center. For a lot this size, the proposed use may be best as a pickleball events facility.
- i) *Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.*
The proposed use should have no impact on the value or improvement of development of adjacent property.



- j) *The possible creation of an isolated zoning district unrelated to adjacent and nearby districts.*
Staff recommends the rezoning be to M-1 to prevent an isolated HB zoning in an area primarily zoned industrial.
- k) *Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.*
The proposed use should have no negative effects on the character of the area.
- l) *The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.*
The subsequent LDP will be required to be compliant with all erosion and stormwater regulations.
- m) *The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.*
The proposed rezoning will have no impact on the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.



Staff Recommendation for Annexation, Rezoning, and Conditional Use Permit (CUP)

Recommendation:

Staff recommends **approval** of the proposed **annexation** of parcel **08073 000012**. Furthermore, staff recommends **approval** of the rezoning request to rezone the subject parcel from **Hall County I-1 Light Industrial** to **Flowery Branch M-1 Light Industrial**. Additionally, staff recommends **concurrent approval** of the **Conditional Use Permit (CUP)** for the operation of an **indoor and outdoor commercial recreational facility** with the following conditions:

Conditions of Approval:

1. The applicant shall implement 10' landscape strips along the property boundary to minimize noise impact on adjacent properties. Preserved vegetation can be provided in lieu of planting trees and shrubs with the approval of the Planning and Community Development Director.
2. Adequate parking spaces shall be provided to support the proposed use. The maximum parking space should not exceed 102 spaces.
3. Any signage related to the commercial recreational facility must adhere to Flowery Branch's sign regulations, including size, lighting, and placement.
4. The applicant shall ensure that all facilities are properly maintained, including outdoor recreational areas, restrooms, and parking lots.
5. The applicant shall comply with all environmental regulations regarding stormwater runoff, waste management, and other applicable environmental concerns.
6. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.

Conclusion:

Staff finds that the proposed annexation, rezoning, and CUP for the commercial recreational facility are consistent with the city's growth and development goals and will provide positive economic impacts while mitigating potential negative effects through the recommended conditions.



REZONING APPLICATION

Date: 10-18-24

Address of Request: 4272 Thurmond Tanner Parkway

Tax Map # 08073-000012 Current Zoning: T-I

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

Currently a conforming use? yes

Any conditions of zoning, CUP's, etc.? no

Applicant Information

Name: Around the Pickle LLC

Address: 379 East Lake Drive NW
Gainesville GA 30506

E-mail address: rsmillwood@aol.com

Phone number: 678-617-4257

Signature: Ram S. [Signature]

Notary:



Melissa Brown Leigh
10/18/2024



Property owner information (if different than the applicant)

Property owner (please print): David Laird

Signature of property owner: David Laird 10-18-2024

Notary:



Melissa Brown Leigh
10/18/2024

Property Information

Tax Map Number: 08073-000012

Current Zoning: I-I Total Acres: 6.72

Is this property located within the city-limits of Flowery Branch? not yet

Proposed City of Flowery Branch Zoning: M-1 Light Industrial

Current Use: Vacant land to be developed into Pickleball Facility

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

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

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____



CONDITIONAL USE PERMIT APPLICATION

City Provided Permit #

Date: _____

Address of Request:

4272 Thurmond Tanner Parkway

Tax Map # 08073-000012 Current Zoning: 1-1 (Hall Co.)

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

Currently a conforming use? Yes

Any conditions of zoning, CUP's, etc.? No (not yet)

Applicant Information

Applicant: Around the Pickle, LLC

Address: 379 East Lake
Gainesville, GA 30506

E-mail address: trey@aroundthepickle.com

Phone number: 770-540-3128

Signature: [Signature]

Notary Seal:



DANIELLE M NASH
NOTARY PUBLIC
Hall County
State of Georgia
My Comm. Expires February 20, 2028



Property owner Information

Property owner (please print): Around the Pickle, LLC

Address: 379 East Lake Dr.
Gainesville, GA 30506

E-mail address: trex@aroundthepickle.com

Phone number: 770-540-3128

Signature: [Signature] - agent

Notary Seal:



DANIELLE M NASH
NOTARY PUBLIC
Hall County
State of Georgia
My Comm. Expires February 20, 2028

Applicant Information Required at Time of Submittal

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

- Legal description – one hard copy and on a flash drive
- Current survey of property – one hard copy and on a flash drive
- Site plan – one hard copy and on a flash drive
- Site plan shall meet the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 34 sections 34.5
- Detailed description of request
- 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
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)



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

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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



Received by City of Flowery Branch Staff on _____

Name: _____

Title _____



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider Approval of Ordinance 729 for a Public Hearing and First Reading of a Variance Request at 5201 Mulberry Street.

COUNCIL MEETING DATE: January 16, 2025

HISTORY:

FACTS AND ISSUES:

The Variance Request is to allow a front entry garage in the TND zoning district. The hardship is the location of floodplain in the rear yard limits the depth of the buildable area.

OPTIONS:

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

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval of Ordinance 729 with staff recommended conditions

SAMPLE MOTION:

I make a motion to approve Ordinance 729 with staff recommended conditions.

COLLABORATING DEPARTMENT:

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Ordinance 729 1-16-2025.pdf](#)
- [Variance Report 5201 Mulberry Street.pdf](#)
- [Variance Application 10.28.24.pdf](#)
- [5201 Mulberry Street HLP Revised 10_18_24.pdf](#)
- [GRIFFIN-II-ELEV-B-1958-rev 10.17.24.pdf](#)

ORDINANCE 729

5201 Mulberry Street Variance Request

AN ORDINANCE GRANTING A VARIANCE FROM THE REQUIREMENTS SET FORTH IN THE CITY OF FLOWERY BRANCH ZONING ORDINANCE ARTICLE 7, SECTION 7.1, PURPOSE AND DESCRIPTION: AUTOMOBILE GARAGES LOCATED TO THE REAR OR SID OF RESIDENTIAL LOTS, 5201 MULBERRY STREET, TAX PARCEL IDENTIFICATION NO. 08112 004009, OWNED BY Investnland, LLC; AS SHOWN ON EXHIBIT "A", DESCRIBED ON EXHIBIT "B", AND 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, Tabb Bowen, agent for owner has submitted a written and signed application to the City of Flowery Branch, Georgia requesting a specific variance for property located at 5201 Mulberry Street; and

WHEREAS, a survey and complete description of the property subject to the requested variance is included in the application; and

WHEREAS, the City Council of the City of Flowery Branch, Georgia held a public hearing on 1/16/2025, to consider the application, which was duly noticed as prescribed by law and published in the Gainesville Times, as shall be set forth in the minutes of said meeting; and

WHEREAS, the City Council of the City of Flowery Branch, Georgia has considered the subject variance application of Tabb Bowmen, agent for owner in conjunction with the standards set forth in Article 7, Section 7.1 Purpose and Description: automobile garages located to the rear or side of residential lots.

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

SECTION 1. FINDINGS:

The City Council finds that the proposed variance from the City of Flowery Branch Zoning Ordinance Article 7, Section 7.1 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 Article 37, Section 37.5 of the City of Flowery Branch Zoning Ordinance as identified below.

Sec. 37.5. Criteria for Granting Variances.

Any applicant requesting consideration of a variance to any provision of the zoning ordinance shall provide a written justification that one or more of the following condition(s) exist. The City Council shall not approve a variance application unless it shall have adopted findings that one or more of the following conditions exist:

- (a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district;

- (b) A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located;
- (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located;
- (d) The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare;
- (e) The special circumstances are not the result of the actions of the applicant;
- (f) The variances requested are the minimum variances that will make possible the proposed use of the land, building, or structure in the use district proposed; and
- (g) The variance shall not permit a use of land, buildings or structures, which is not permitted by right in the zoning district or overlay district involved.

SECTION 2. LEGAL DESCRIPTION, VARIANCES GRANTED AND CONDITIONS IMPOSED:

The properties as shown in attached Exhibit "A" and as legally described in Exhibit "B" shall be granted the following variance from the requirements set forth in the Flowery Branch Zoning Ordinance Article 7, Section 7.1 Stream Buffer Protection: Purpose and Description: automobile garages located to the rear or side of residential lots.:

All land development activity subject to this ordinance shall meet the following requirements. Any land development activity within a buffer established in this Article or any impervious cover within a setback established in this Article is prohibited unless exempted, grandfather, or a variance is granted pursuant to this zoning ordinance.

- (a) Buffer. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
- (b) Additional setback. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

Conditions set forth in Exhibit "C" are imposed on said property. Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. SEVERABILITY.

Public Hearing Published 12/12/2024
Public Hearing 1/16/2025

First Reading 1/16/2025
Second Read TBD

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 4. EFFECTIVE DATE.

The effective date of this Ordinance shall be upon adoption by the City Council of the City of Flowery Branch, Georgia.

SECTION 5. REPEALER.

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

Adopted this 16th day of January 2025.

Edward R. Asbridge, Mayor

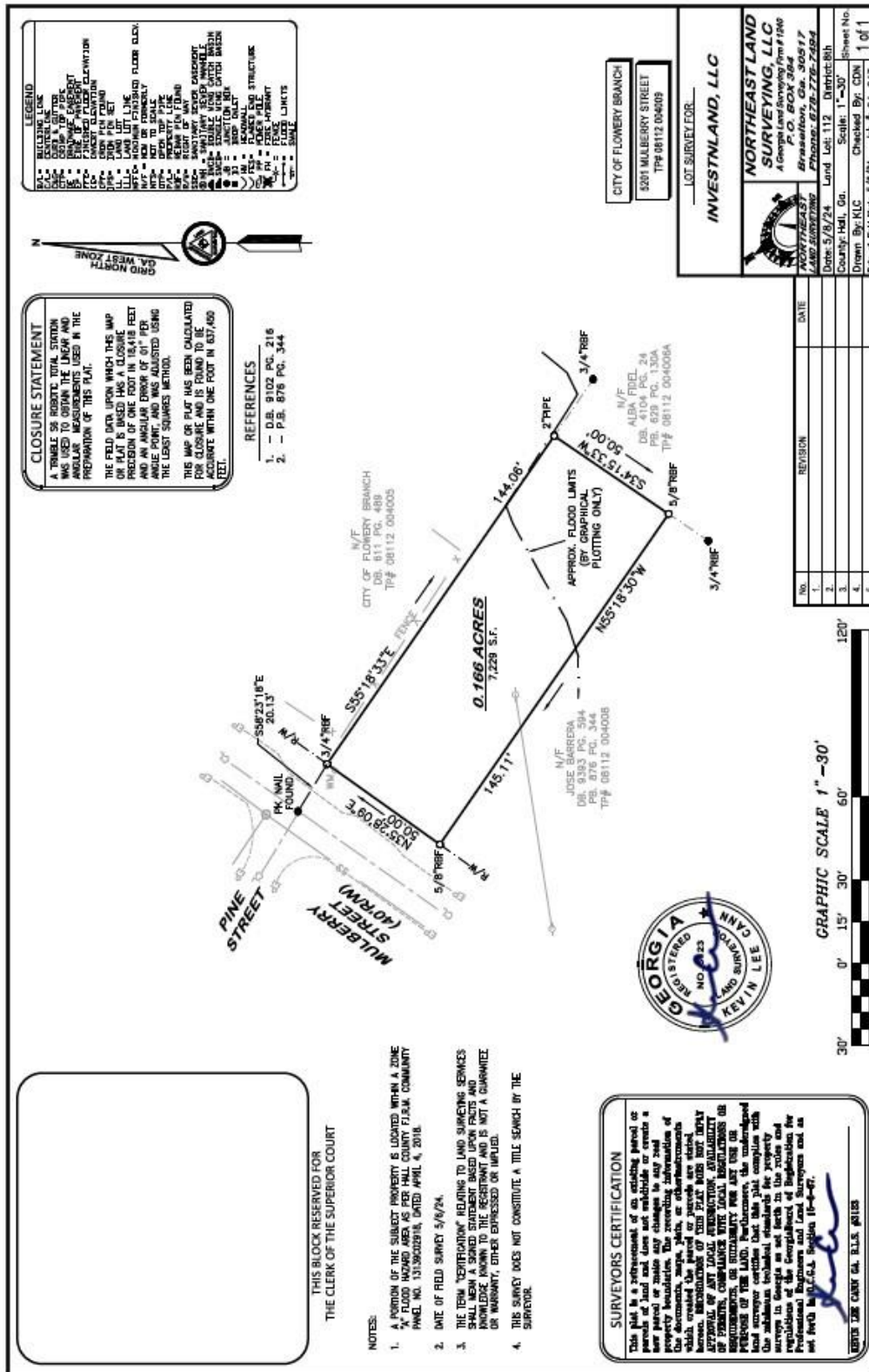
ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted C. Baggett, City Attorney

Exhibit "A"



Public Hearing Published 12/12/2024
Public Hearing 1/16/2025

First Reading 1/16/2025
Second Read TBD

Exhibit "B"

Legal Description

All that tract or parcel of land lying and being in the Town of Flowery Branch, Hall County, Georgia and being that property shown as Tract 3 on that plat of survey entitled "Survey for BVP Contractors, LLC," dated December 14, 2018, prepared by D. Keith Kilby, GRLS, of D. Keith Kilby, LS, as recorded at Plat Book 876, page 344 of the Hall County, Georgia Plat Records, which plat is incorporated herein by reference as part of this description.

Exhibit "C"

1. The Building Permit application shall include a house location plan and be substantially similar to the plan provided with the variance application.
2. The applicant shall provide a Residential Drainage Plan including proposed grading to demonstrate no disturbance in the flood hazard area.
3. The applicant shall provide four-sided building elevations demonstrating compliance with the City of Flowery Branch's architectural standards.
4. The Variance is for the location of the garage entrance only. The approval of the Variance does not provide additional approvals of any local, state or federal regulations.



Memorandum

To: City of Flowery Branch, City Manager, and City Council

From: Chris McCrary, Community Development and Planning Director

Date: January 16, 2024

Subject: To allow front entry garage in TND Zoning

Applicant: Tabb Bowmen
4513 Winder Highway
Flowery Branch, GA 30542
770-561-1831

Existing Zoning: TND – Traditional Neighborhood District

Location:

- 5201 Mulberry Street; tax parcel identification number **08112 004009**,

Variance Request:

The applicant is seeking to build a new residential single-family home at 5201 Mulberry Street. The subject parcel is zoned TND (Traditional Neighborhood Development) and is subject to the development standards and dimensional standards of Article 7. The applicant provided a House Location Plan indicating the placement of a wider home floor plan that does not provide for an automobile garage in the rear yard. The applicant is seeking a Variance to allow a front facing garage in TND zoning.



Code Section:

Sec. 7.1. - Purpose and Description.

This zoning district is intended to provide for neighborhoods that are designed according to the principles of "new urbanism" with a grid or modified-grid street network, pedestrian scale and orientation, shallow front yards, relatively narrow local streets planted with shade trees and provided with wide sidewalks, and with **automobile garages located to the rear or side of residential lots**. TND districts are further distinguished from conventional suburban subdivision developments in their provision of public greens or common areas, when new neighborhoods are created.



Location Map:

The subject site is located at 5201 Mulberry Street adjacent to the intersection of Pine Street.





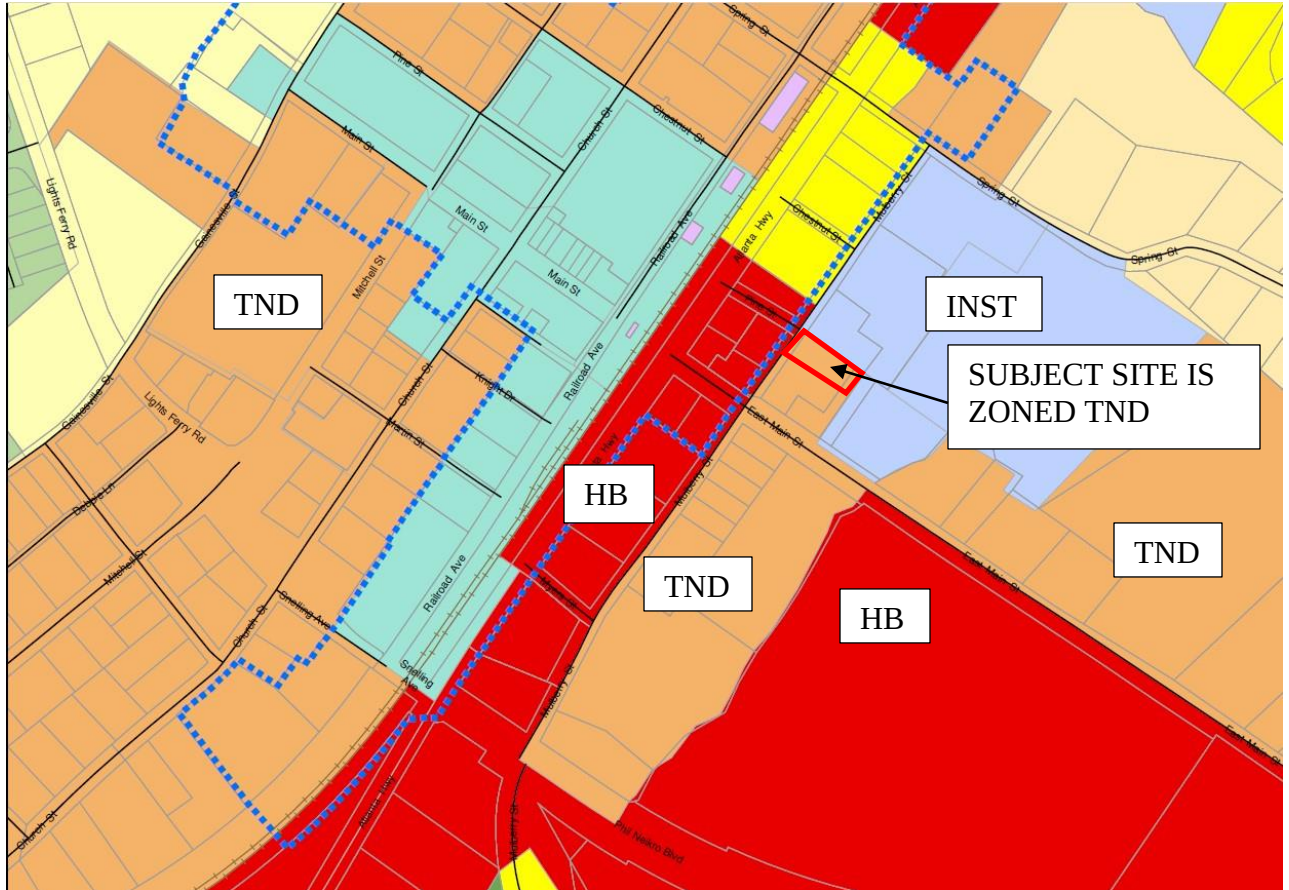
Street View:





Zoning Map:

The subject property is zoned TND – Traditional Neighborhood Development. The surrounding properties are zoned TND, HB, INST and CBD across Atlanta Highway.



Legend

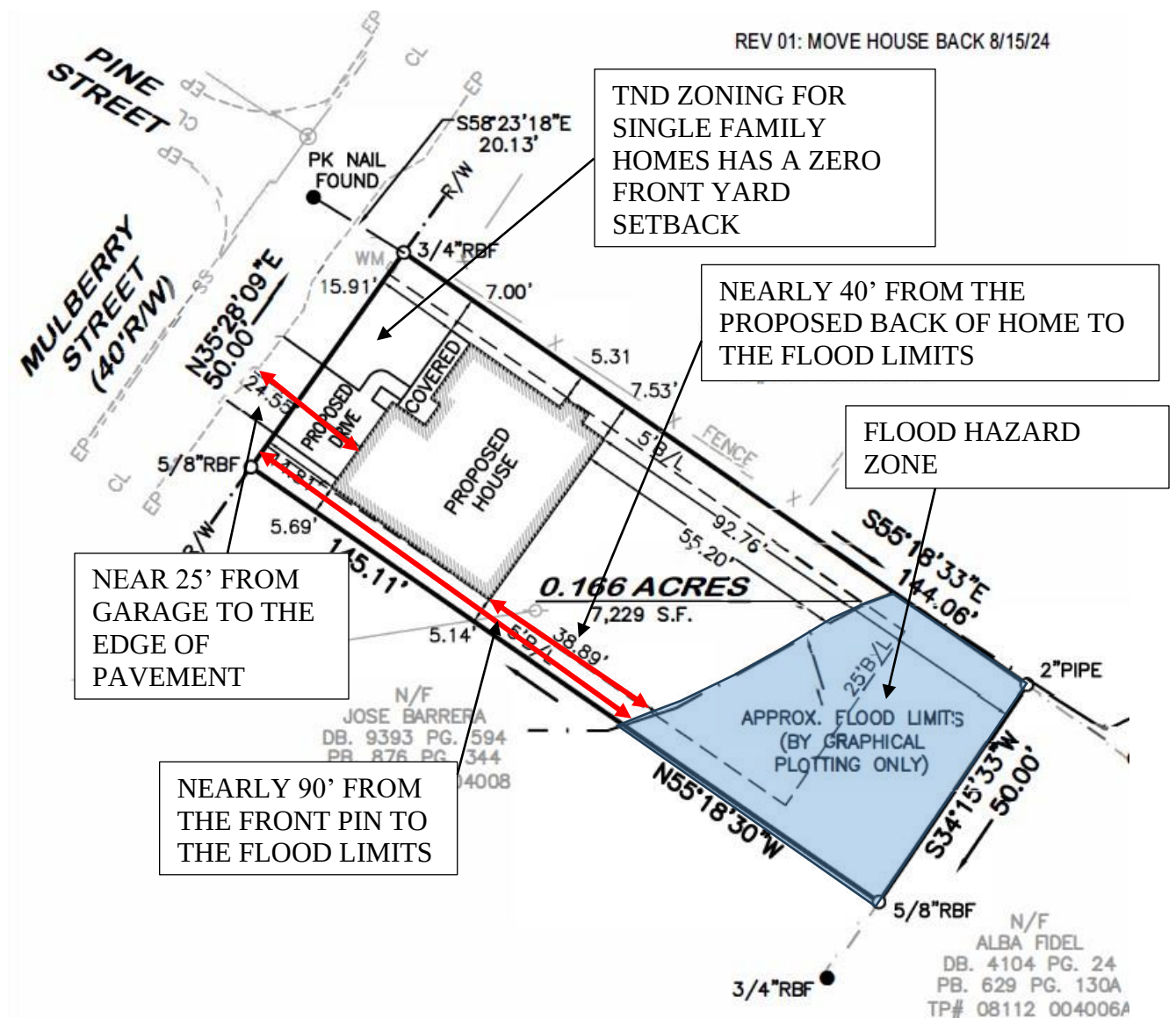
Zoning Districts

	Residential Low Density (R-1)		Highway Business (HB)
	Residential Moderate Density (R-2)		Institutional (INST)
	Residential Multi-family (R-3)		Manufacturing & Industrial, Light (M-1)
	Traditional Neighborhood Development (TND)		Manufacturing & Industrial, Heavy (M-2)
	Planned Unit Development (PUD)		Agriculture (A)
	Manufactured Home Park (MHP)		Historic Districts
	Central Business District (CBD)		Local Historic District
	Neighborhood Shopping (NS)		



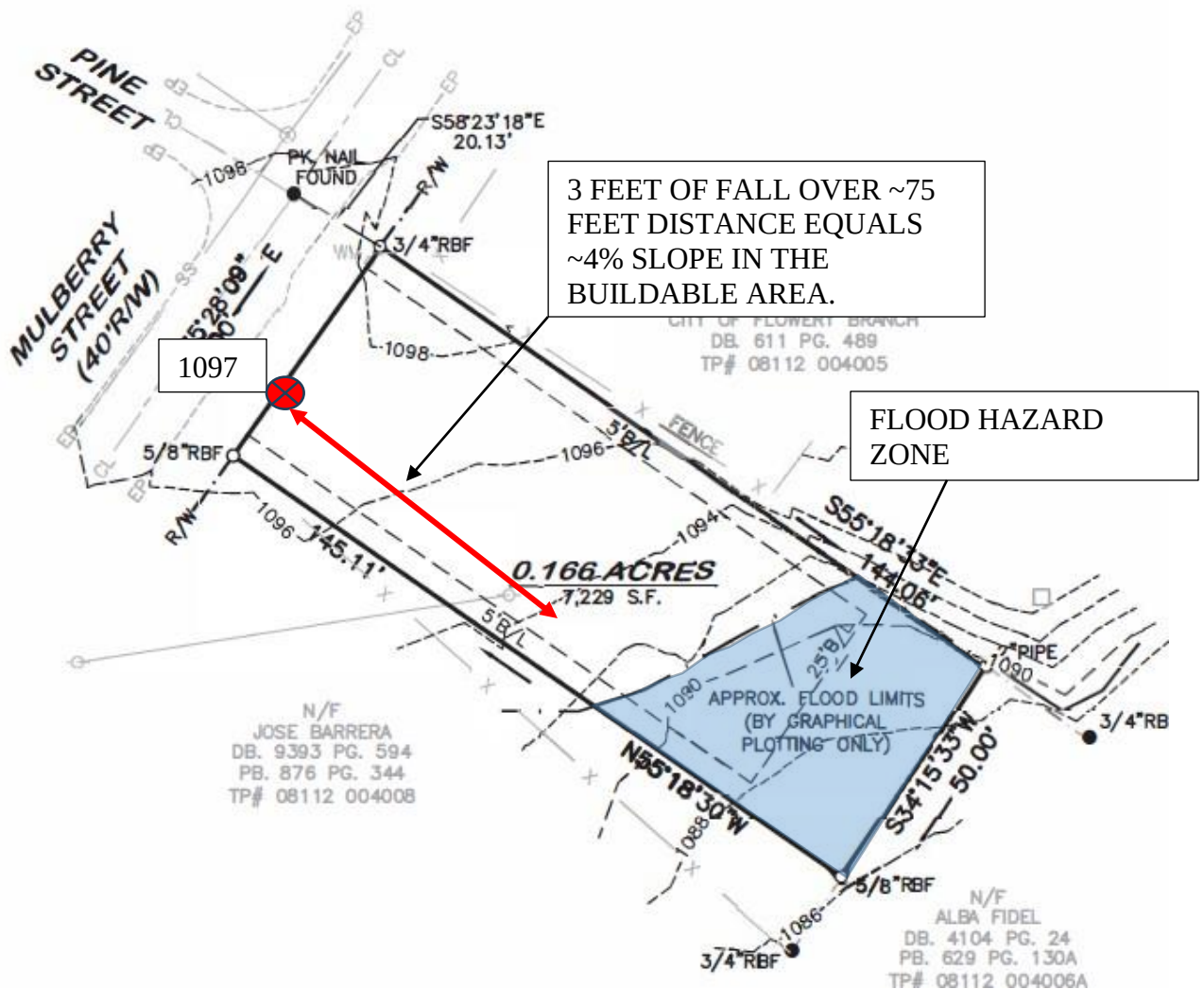
Site Plan:

The applicant provided a site plan showing the proposed floor plan imposed on the existing lot. The lot is 50' in width and ~145' in depth. The proposed home is around +/- 40' wide. The minimal lot width of a TND zoned lot is 40'. Proposing a new construction with a floor plan not wide enough for a driveway to serve a rear yard garage is the decision of the applicant.





TOPOGRAPHIC ANALYSIS



Applicant's Statement of Hardship

Floodplain Details: The floodplain runs across the back of the lot and extends approximately 118.25 feet from front to the flood on the right side and 125.92 on the left side. A house with the garage placed at the rear would require a minimum depth of 81 feet, which would encroach on the floodplain, effectively placing the house within that area.

Floodplain Impact: The required length of the house would put the corner of the house on the flood zone and the slope of the lot would require a retaining wall



Staff's Analysis

The flood hazard area is located at the rear of the subject site, where the slope is relatively gentle at approximately 4%. This minimal slope descends from the street toward the rear of the property. The topography becomes steeper closer to the flood zone.

The distance from the front property pin to the nearest flood hazard area is approximately 90 feet. The front setback for single-family homes in TND zoning is zero. With appropriate home placement near the front right-of-way, a different floor plan could feasibly accommodate a rear-entry garage.

There are precedents within this area in TND zoning district where homes approved with front entry garages due to the location of flood hazard zones. The project called Mulberry Cottages was approved with variances around June of 2017.

Mulberry Cottages





Flowery Branch Code Sec. 37.5. - Criteria for Granting Variances.

Any applicant requesting consideration of a variance to any provision of the zoning ordinance shall provide a written justification that one or more of the following condition(s) exist. The City Council shall not approve a variance application unless it shall have adopted findings that one or more of the following conditions exist:

- (a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district;**

The subject parcel includes a portion designated as a flood hazard area, with the site sloping from the road toward the rear. The slope within the buildable area is approximately 4%. The topography and the location of a flood hazard zone provides extraordinary and exceptional conditions.

- (b) A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located;**

The literal interpretation of the provisions of the current ordinance would not allow a front entry garage and a literal compliant floorplan may encroach the flood hazard zone and / or impact the area with grading.

- (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located;**

The requirement for rear-entry garages has been consistently enforced for many TND lots of similar width and depth. Nearby TND developments featuring front-entry garages were approved based on unique circumstances specific to each individual site.

- (d) The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare;**

The TND zoning district is intended to provide neighborhoods that are designed according to the principles of "new urbanism" with a grid or modified-grid street network, pedestrian scale and orientation, shallow front yards, relatively narrow local streets planted with shade trees and provided with wide sidewalks, and with automobile garages located to the rear or side of residential lots.



(e) The special circumstances are not the result of the actions of the applicant;

The topography and flood hazard zone is not the result of the applicant's actions.

(f) The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed; and

An alternative site plan with a floor plan of comparable size could show incorporating a rear-entry garage encroaching on or disturbing the flood hazard area or requiring the construction of a retaining wall.

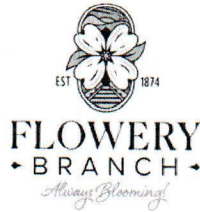
(g) The variance shall not permit a use of land, buildings or structures, which is not permitted by right in the zoning district or overlay district involved.

Single-family residential homes are not prohibited in the TND zoning district.

Recommendation:

Staff recommends the **APPROVAL** of the proposed variance application for allowing front entry garage in the TND zoning category with the following conditions:

1. The Building Permit application shall include a house location plan and be substantially similar to the plan provided with the variance application.
2. The applicant shall provide a Residential Drainage Plan including proposed grading to demonstrate no disturbance in the flood hazard area.
3. The applicant shall provide four-sided building elevations demonstrating compliance with the City of Flowery Branch's architectural standards.



VARIANCE APPLICATION

Address of Request:

5201 Mulberry St, Flowery Branch, GA 30542

Type of Variance Requested

Complete requirements for variances can be found in the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 37;

Please verify all the requirements of the Flowery Branch Code of Ordinances; Appendix C, "Zoning Ordinance", Article 37, section 37.5 are being met.

Explain below:

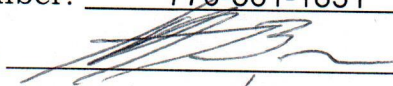
We are meeting the requirements of the ordinances because there is a substantial flooding issue on the lot that was not cause by the owner's actions. The house plan mantains the aesthetics of the surrounding area, and the requested variance does not grant any special privileges. Additionally, the proposed use is permitted within the zoning district.

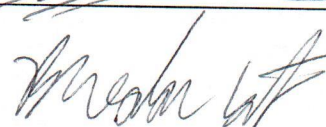
Applicant: Tabb Bowen

Address: 4513 Winder Highway
Flowery Branch, GA 30542

E-mail address: tbowen@chestateebrokers.com

Phone number: 770-561-1831

Signature: 

Notary Seal: 

BRENDON COATS
NOTARY PUBLIC
Hall County
State of Georgia
My Comm. Expires Aug. 23, 2025



Property owner information (if different than the applicant)

Property owner (please print): _____

Signature of property owner: _____

Notary Seal:

Please provide the following at time of submittal:

- Legal description – one hard copy and on a flash drive
- Current survey of property – one hard copy and on a flash drive
- Site plan – one hard copy and on a flash drive
- Detailed description of request
- Conflict of interest disclosure (attached)
- Disclosure of campaign contributions (attached)



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.

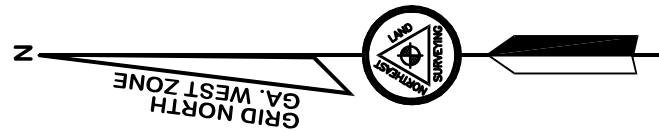
Elected Officials Name

Amount of Description of Gift

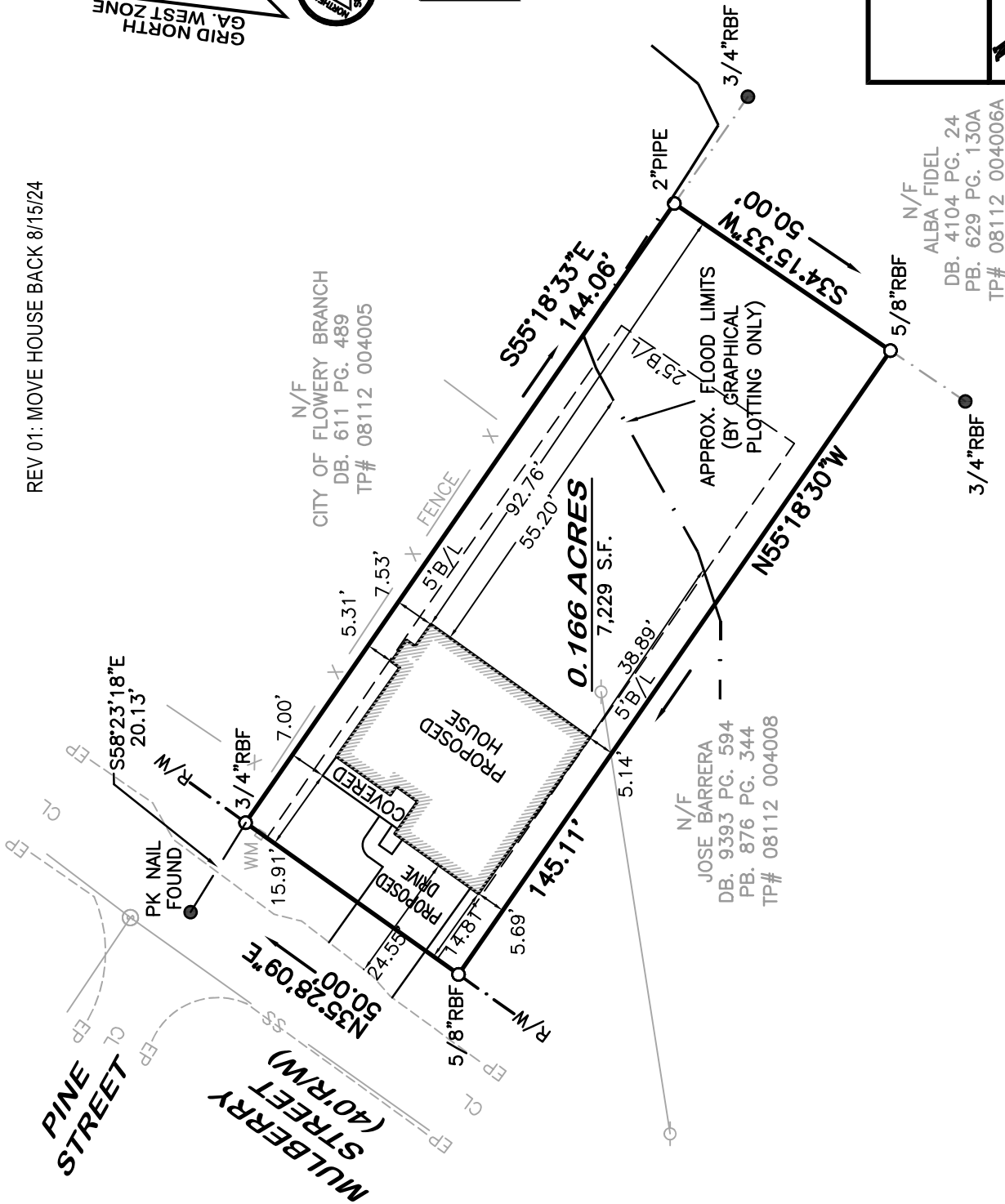
None



REV 01: MOVE HOUSE BACK 8/15/24



LEGEND	
B/L=	BUILDING LINE
C/L=	CENTERLINE
C&G=	CURB & GUTTER
CTP=	CRIMP TOP PIPE
DE=	DRAINAGE EASEMENT
EP=	EDGE OF PAVEMENT
FFE=	FINISHED FLOOR ELEVATION
IE=	INVERT ELEVATION
IPF=	IRON PIN FOUND
IPS=	IRON PIN SET
LL=	LAND LOT
LLL=	LAND LOT LINE
MFEE=	MINIMUM FINISHED FLOOR ELEV.
N/F=	NOW OR FORMERLY
NTS=	NOT TO SCALE
OTP=	OPEN TOP PIPE
P/L=	PROPERTY LINE
RBF=	REBAR PIN FOUND
R/W=	RIGHT OF WAY
SSE=	SANITARY SEWER EASEMENT
SMH=	SANITARY SEWER MANHOLE
DMCB=	DOUBLE WING CATCH BASIN
SWCB=	SINGLE WING CATCH BASIN
JB=	JUNCTION BOX
DI=	DROP INLET
HV=	HEADWALL
FES=	FLARED END STRUCTURE
PP=	POWER POLE
FH=	FIRE HYDRANT
X-X=	FENCE
—X—	FLOOD LIMITS
—S—	SWALE



CITY OF FLOWERY BRANCH
5201 MULBERRY STREET
TP# 08112 004009

HOUSE LOCATION PLAN FOR:
INVESTNLAND, LLC

NORTHEAST LAND SURVEYING
A Georgia Land Surveying Firm # 1240
P.O. BOX 384
Braselton, Ga. 30517
Phone: 678-776-7494

Date: 5/8/24 Land Lot: 112 District: 8th
County: Hall, Ga. Scale: 1"=30'
Drawn By: KLC Checked By:
Date of Field Work: 5/6/24 Job #: 24-043

Sheet No.
1 of 1



LOT # _____

ADDRESS _____

PLAN GRIFFIN II 1958 _____

ELEV B _____

GARAGE RIGHT _____

NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

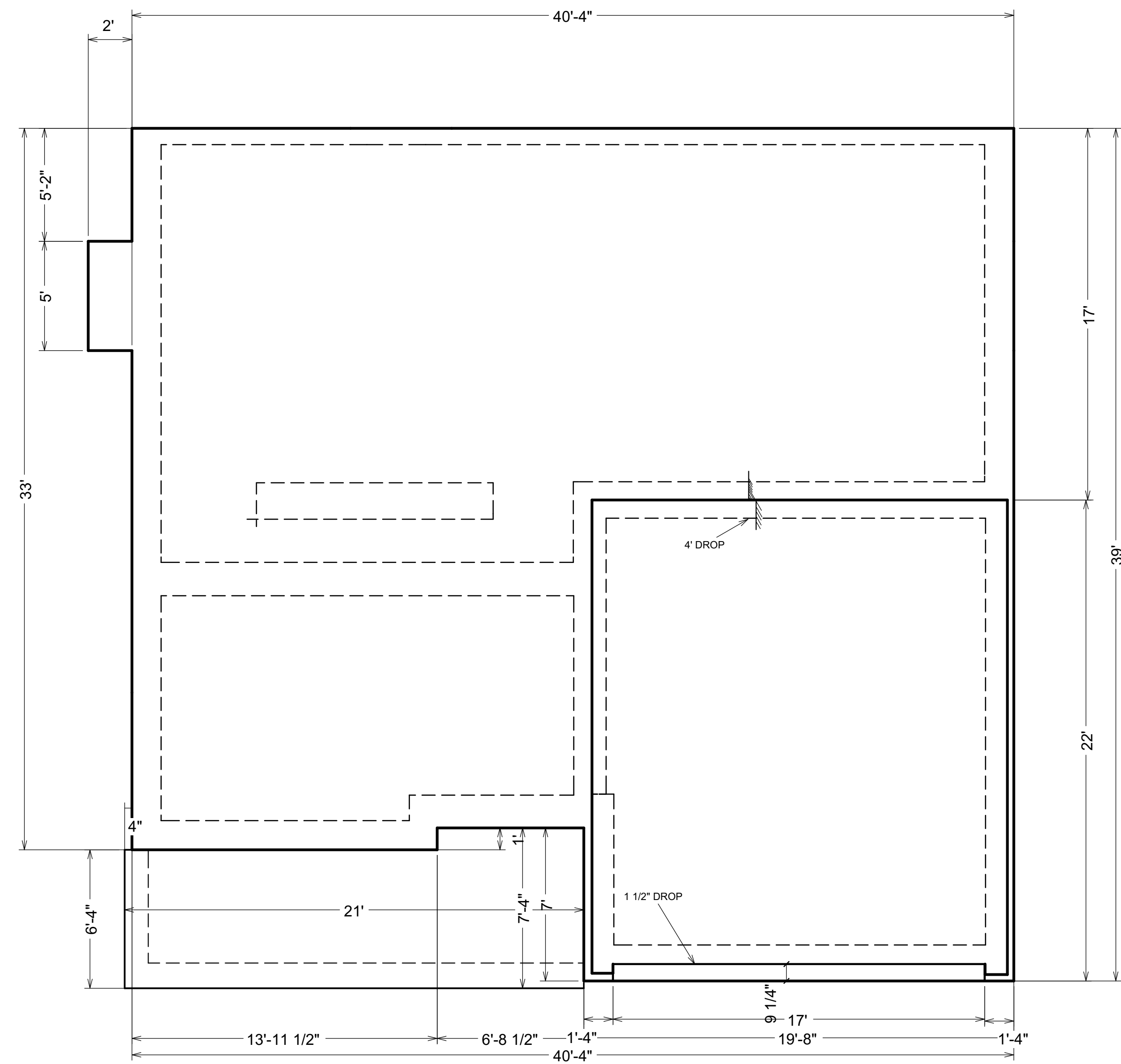
DATE:

10/17/2024

SCALE:

SHEET:

A-1



SLAB FOUNDATION PLAN

NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

Lot #

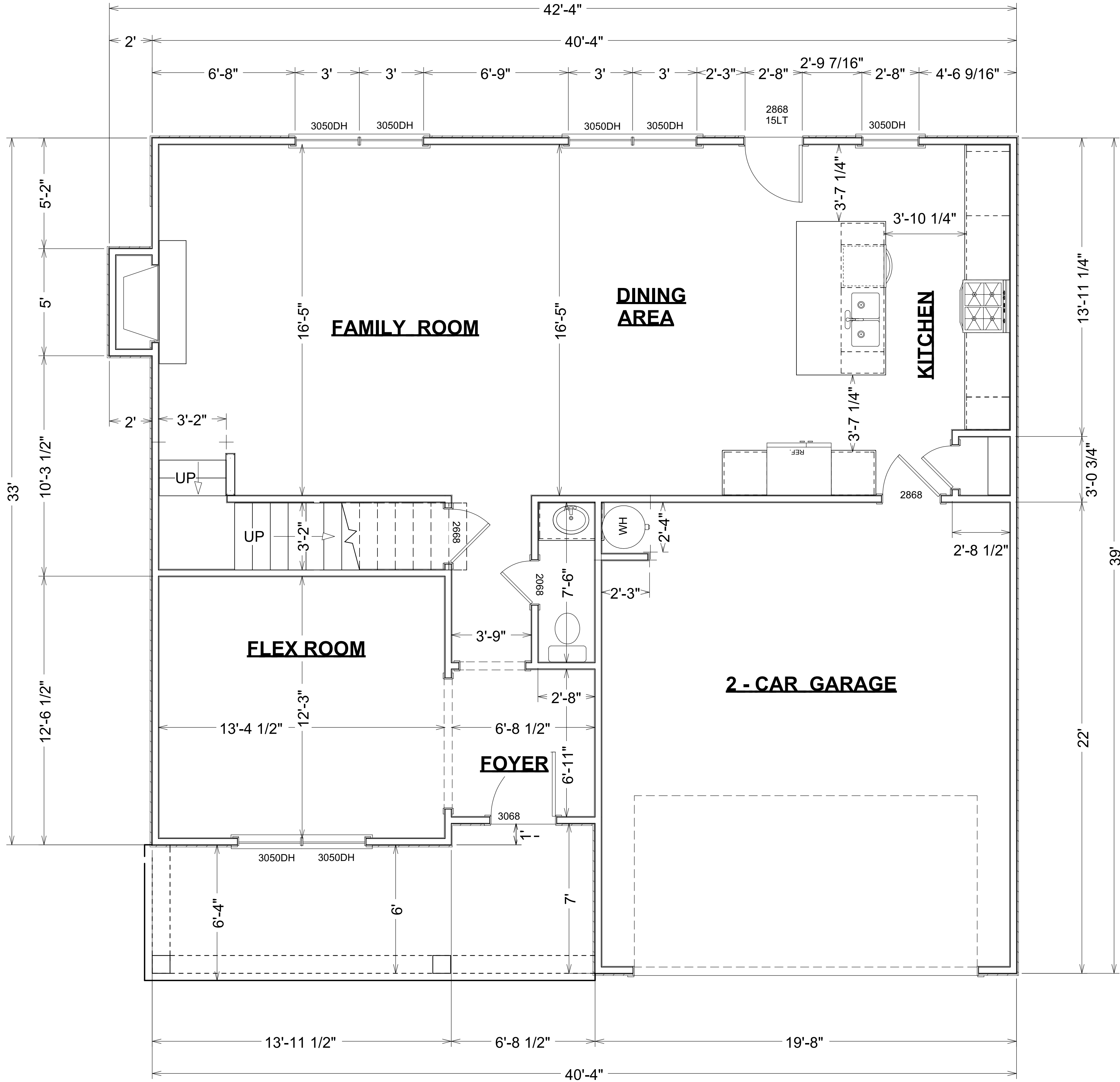
DATE:

10/17/2024

SCALE:

SHEET:

A-2



HEATED SQUARE FOOTAGE

FIRST FLOOR	920 SQ. FT.
2ND FLOOR	1038
TOTAL HEATED	1958
GARAGE	384

FIRST FLOOR PLAN

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NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

DATE:

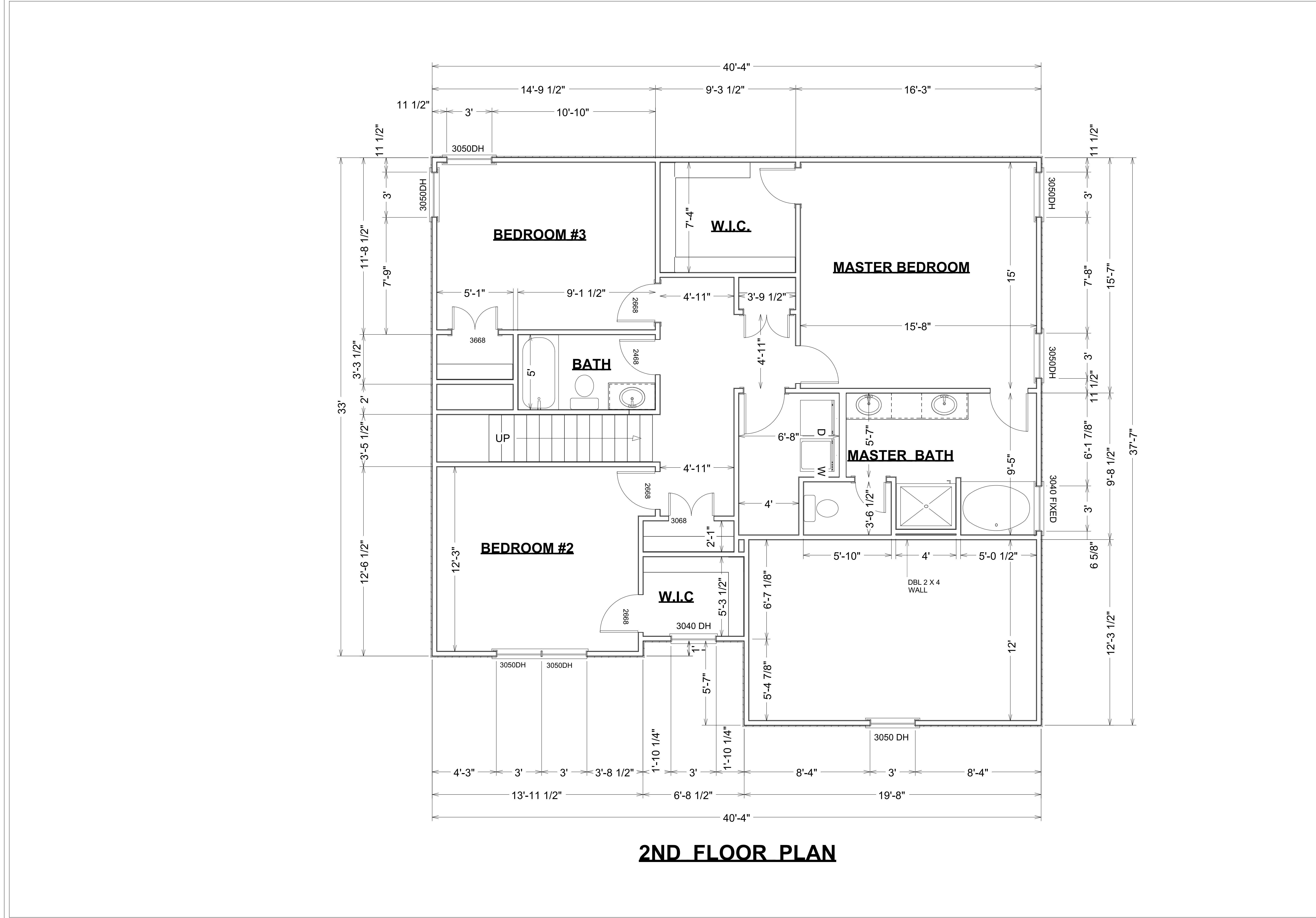
10/17/2024

SCALE:

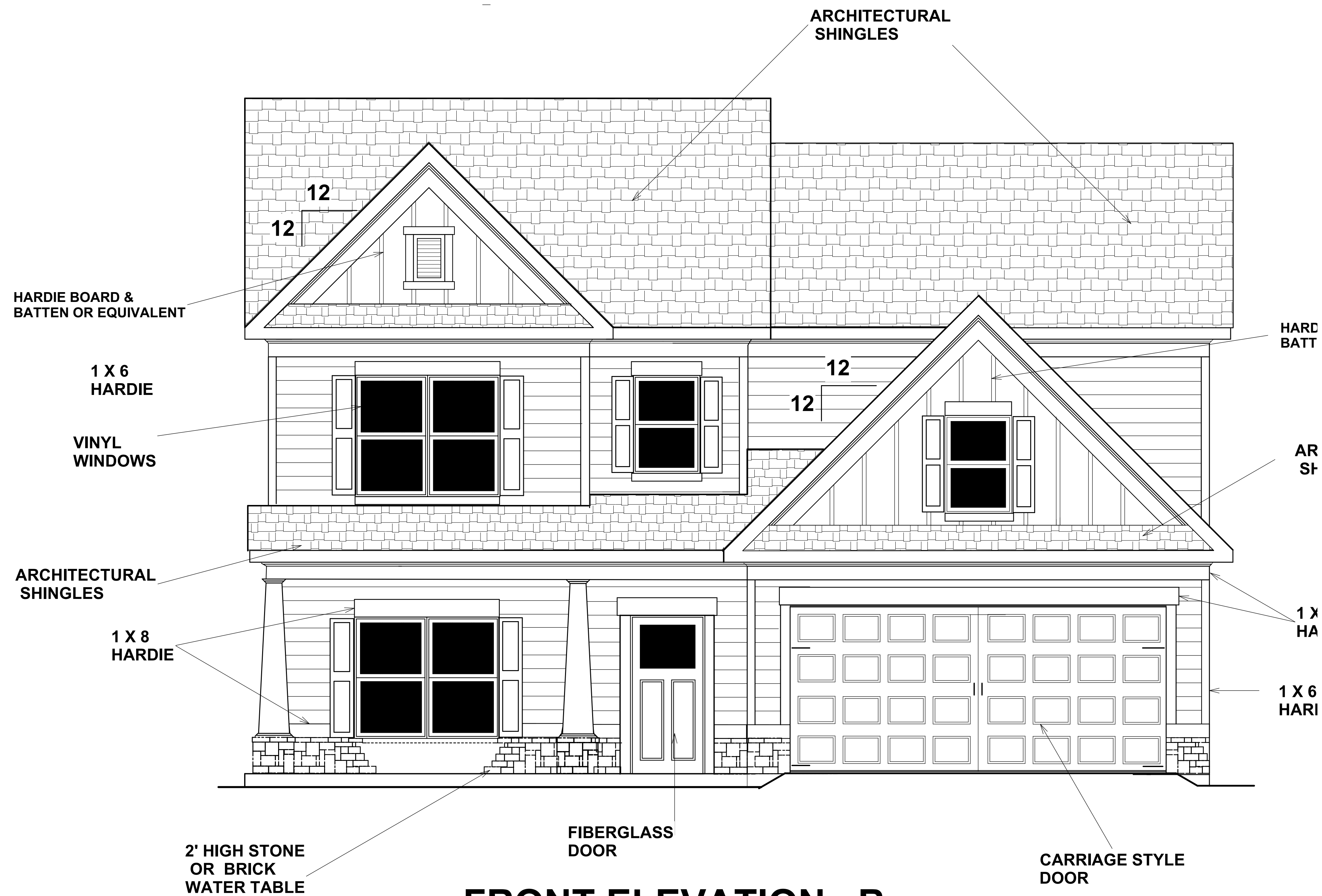
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SHEET:

A-3



NO.	DESCRIPTION	BY	DATE		
1958		GRIFFIN II			
LOT #					
DATE:		10/17/2024			
SCALE:					
SHEET:		A - 4			



FRONT ELEVATION B

NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

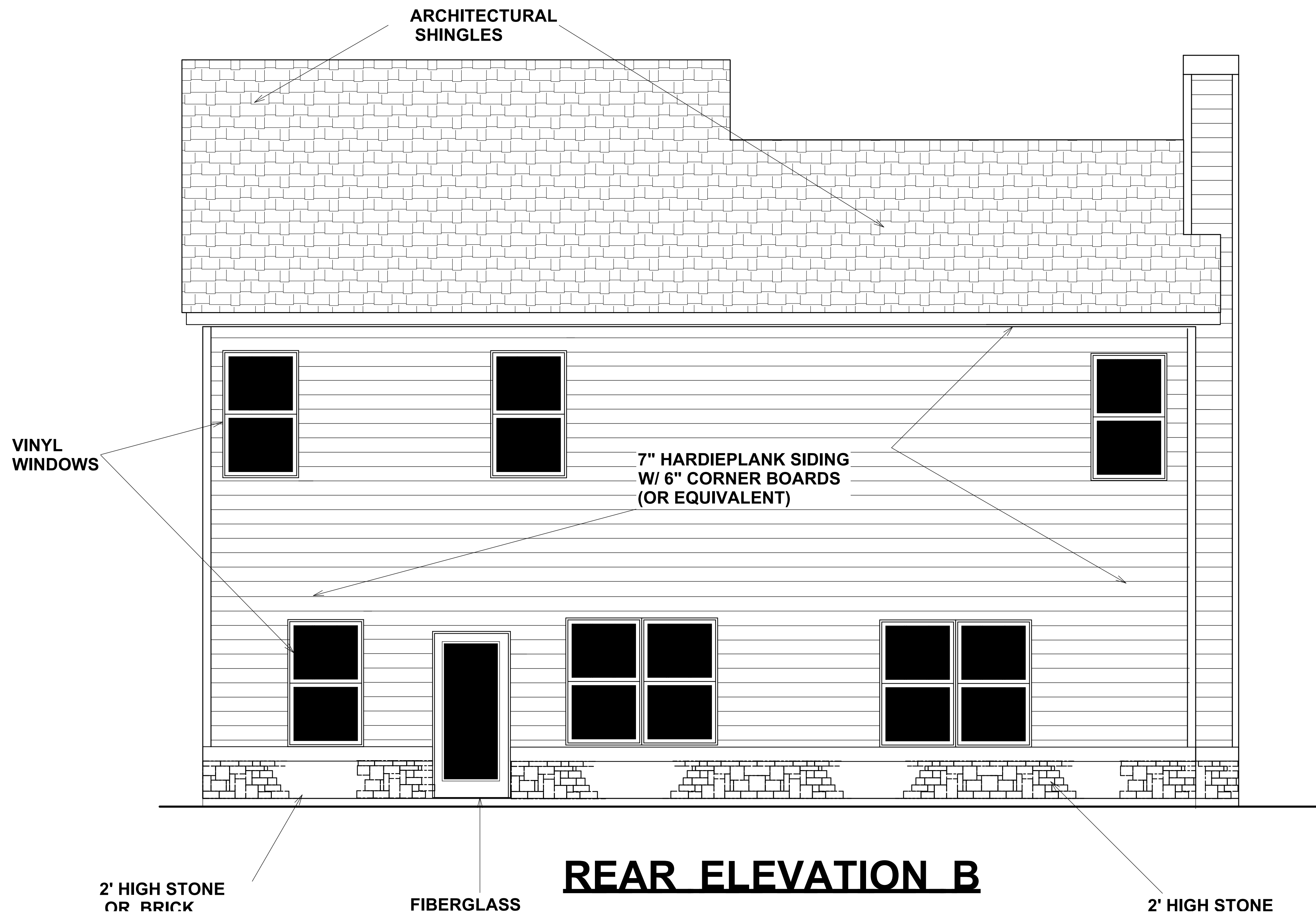
DATE:

10/17/2024

SCALE:

SHEET:

A-5



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NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

DATE:

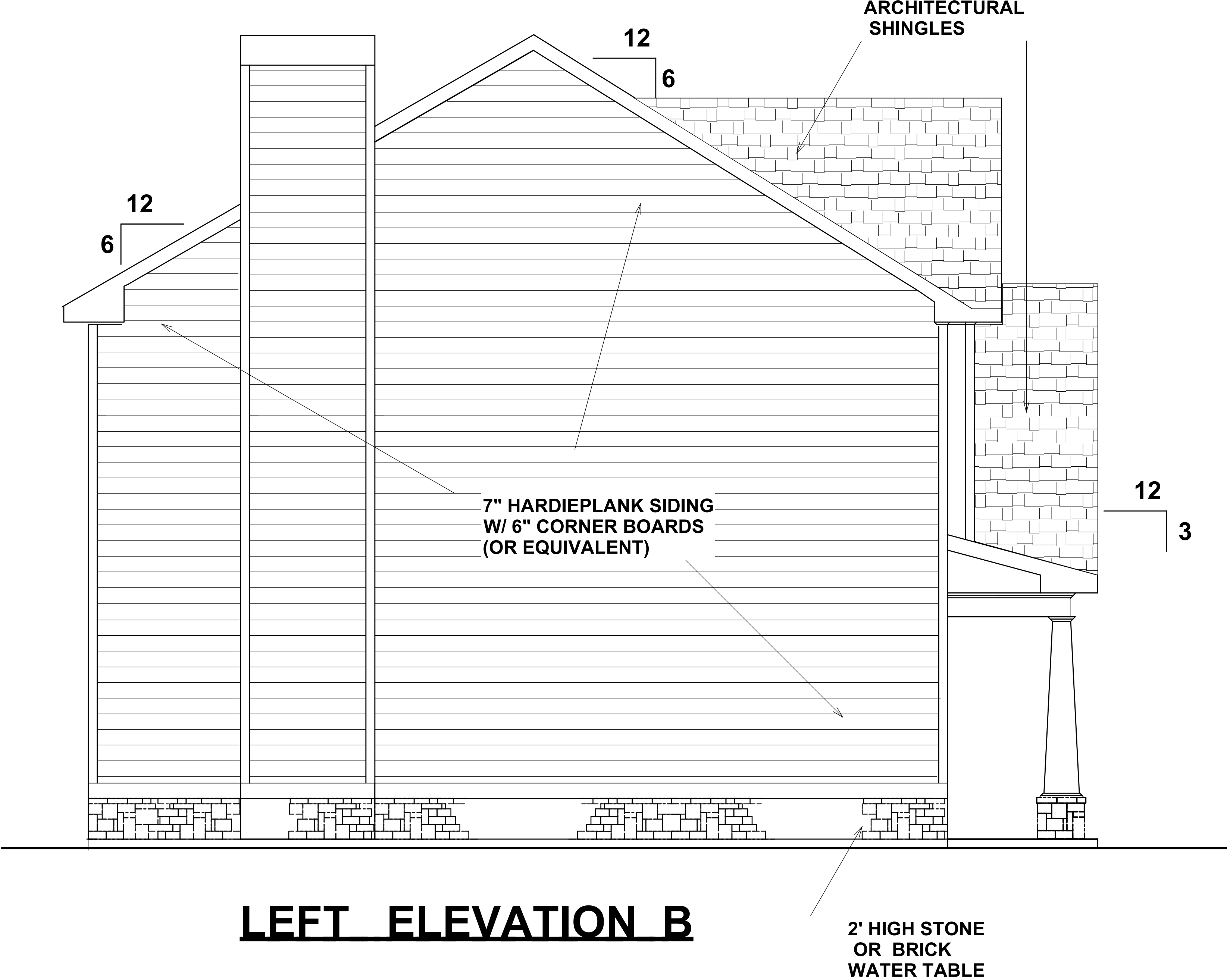
10/17/2024

SCALE:

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SHEET:

A-6



LEFT ELEVATION B

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NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

DATE:

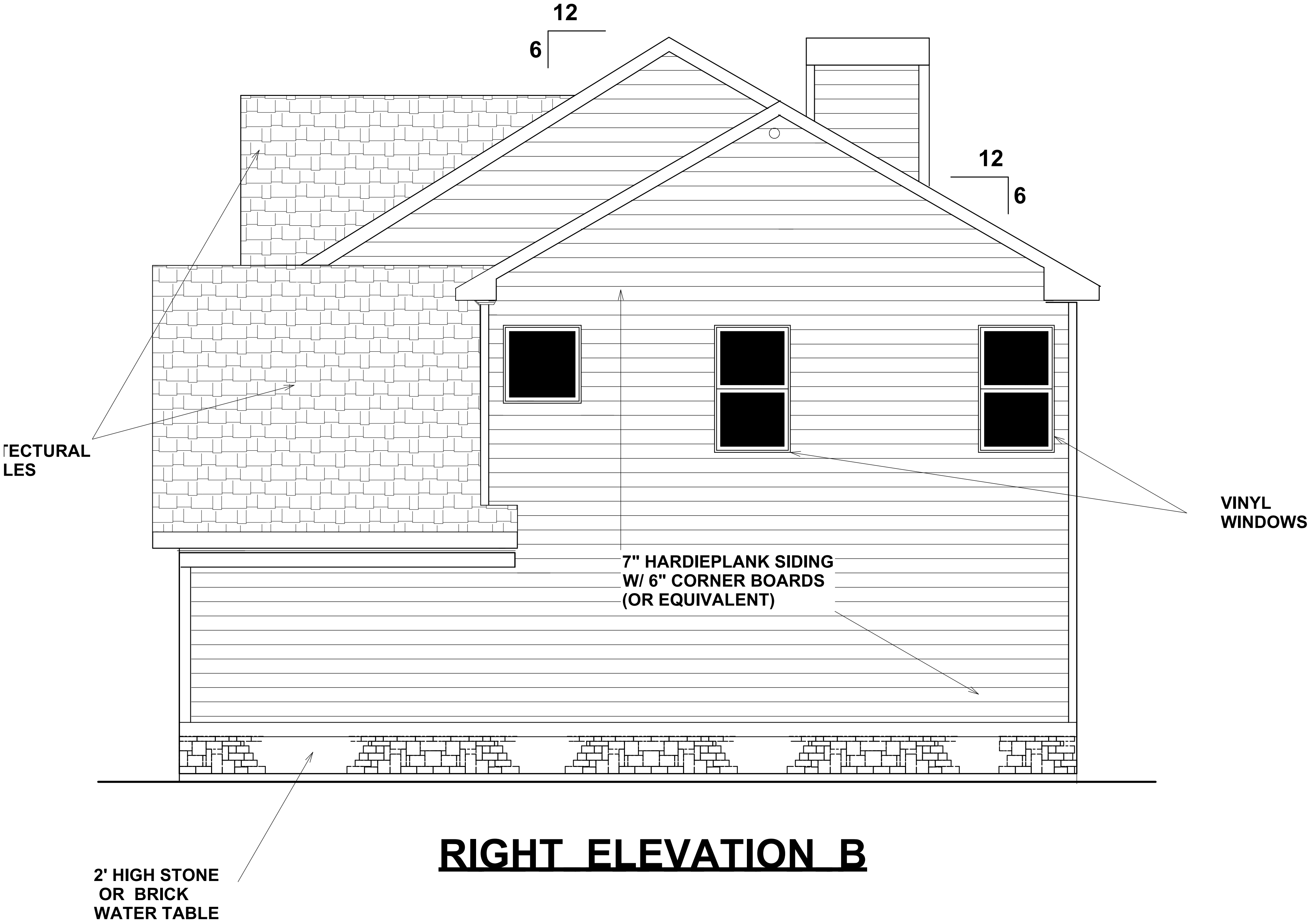
10/17/2024

SCALE:

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SHEET:

A-7



RIGHT ELEVATION B

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NO.	DESCRIPTION	BY	DATE

1958

GRIFFIN II

LOT #

DATE:

10/17/2024

SCALE:

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SHEET:

A-8