



202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

J. Ethan Underwood
cunderwood@mhtlegal.com

October 6, 2017

Re: MKW Capital, LLC – ZA3862

Dear Neighbors:

Our firm is representing MKW Capital, LLC (the "Applicant") in its effort to rezone approximately 104.31 acres from Agricultural District (A1), Single Family Community Residential District (CR1) and Single Family Residential Restricted District (R2R) to Single Family Residential District (RES2) Conservation for the purpose of developing a single family residential conservation subdivision.

The Applicant is also requesting the following variances:

1. UDC § 11-3.3 [and by reference Table 11.2(b)] & UDC § 19-3.3(G)(1) - a variance of 15 feet to reduce the exterior buffer from 25 feet to 10 feet.

Enclosed is a copy of the conceptual site plan depicting the subject property and the proposed project. Additional information about this application may be obtained at <http://estatus.forsythco.com>.

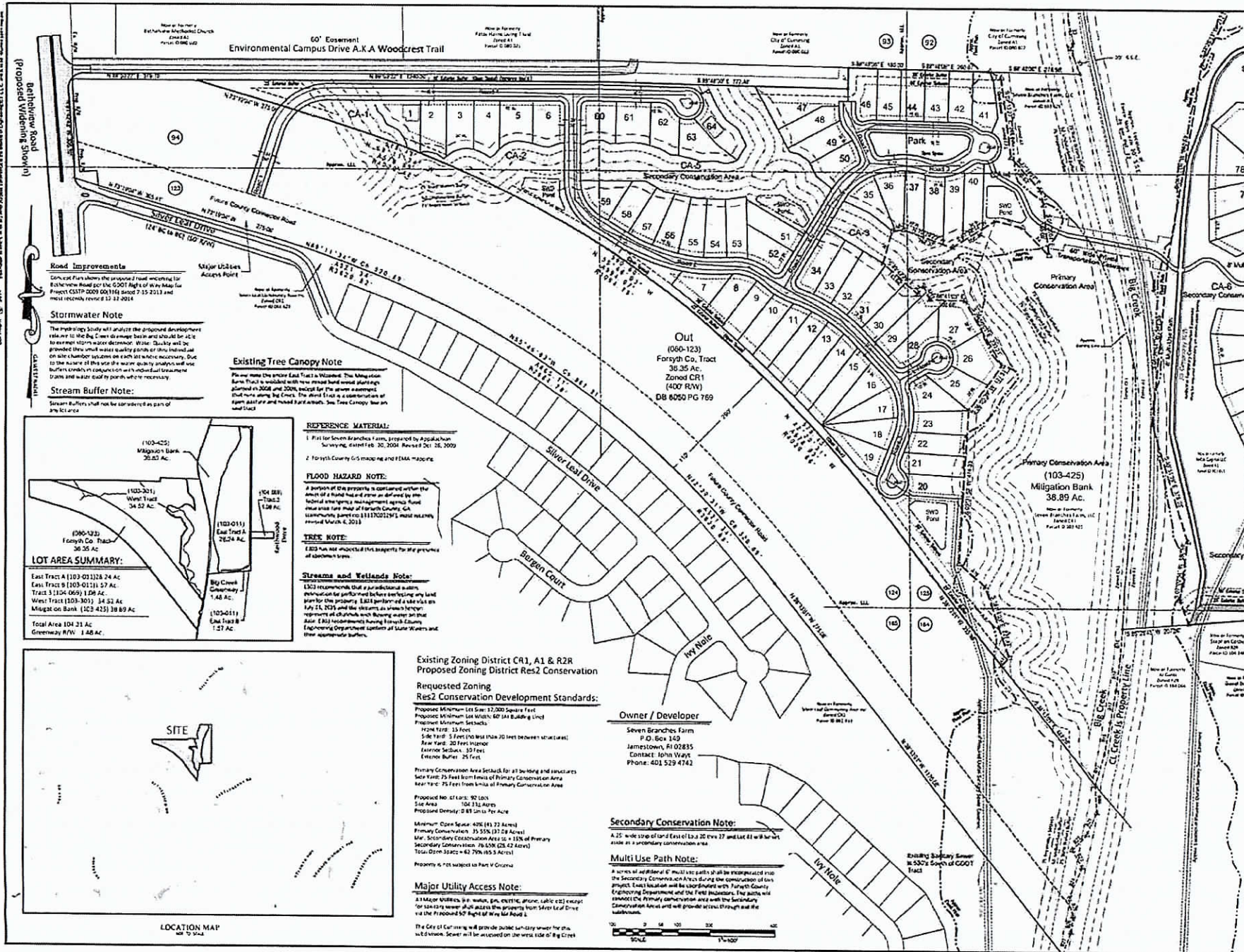
A public participation meeting will be held on October 18, 2017 at 6:30PM at the Fowler Park Community Room located at 4110 Carolene Way, Cumming, GA 30040. This meeting is not the public hearing. Its purpose is to provide neighbors and interested parties the opportunity to meet with the Applicant, ask questions and voice concerns regarding this application.

The Applicant is committed to keeping the public informed during the approval process. If you have any questions, comments or concerns, please contact our office.

Sincerely,

Ethan Underwood

Enclosure



Engineering
E303
Stream Restoration

M&L Conservation Group (d/b/a) Inc.

MKW Capital, LLC

114 North Main Street, Suite B, Cumming, GA 30040
Phone: 770-442-0500
www.mkwcapital.com

Civil Engineering, Land Surveying,
Stream and Wetland Restoration

114 North Main Street, Suite B, Cumming, GA 30040
Phone: 770-442-0500
www.mkwcapital.com

Sheet No. 1 of 2

Project Number
15-3994

REFERENCE MATERIAL:

1. Part for Seven Branches Farm, prepared by Agricultural Surveying, dated Feb. 30, 2004. Revised Feb. 30, 2009.
2. Forsyth County GIS Mapping and FEMA Mapping.

FLOOD HAZARD NOTE:

A portion of this property is contained within the Flood Hazard Zone as defined by the Federal Emergency Management Agency Flood Insurance Rate Map of Forsyth County, GA. Community Number 1117022129, dated March 6, 2013.

TREE NOTE:

1.813 has not inspected this property for the presence of specimen trees.

Streams and Wetlands Note:

1.813 recommends that a professional survey be performed prior to performing any land plan for this property. 1.813 performed a site visit on July 21, 2019, and the stream is shown in the report. All of the stream is shown in the report. All of the stream is shown in the report. All of the stream is shown in the report.

**Existing Zoning District CR1, A1 & R2R
Proposed Zoning District Res2 Conservation**

**Requested Zoning
Res2 Conservation Development Standards:**

Proposed Minimum Lot Size: 12,000 Square Feet
Proposed Minimum Lot Width: 60 Feet (Building Footprint)
Proposed Minimum Setbacks:
Front Yard: 15 Feet
Side Yard: 5 Feet (no less than 20 feet between structures)
Rear Yard: 20 Feet (Interior)
Front Setback: 35 Feet
Rear Setback: 25 Feet

Primary Conservation Area Setback: for all building and structures
Setback: 25 Feet from limits of Primary Conservation Area
Rear Yard: 25 Feet from limits of Primary Conservation Area

Proposed No. of Lots: 92 Lots
Site Area: 104.732 Acres
Proposed Density: 0.89 units per Acre

Minimum Open Space: 40% (41.892 Acres)
Primary Conservation: 35.55% (37.09 Acres)
Min. Secondary Conservation Area: 10% (10.473 Acres)
Secondary Conservation: 76.50% (79.62 Acres)
Total Open Space: 46.70% (48.883 Acres)

Property is not subject to Part IV of Ordinance

Major Utility Access Note:

A Major Utility Access Note, including gas, electric, phone, cable, etc., except for sewer, shall address the property from Silver Leaf Drive via the Proposed 50' Right of Way for Road 1.

The City of Cumming will provide public utility sewer for this subdivision. Sewer will be accessed on the west side of Big Creek.

Owner / Developer

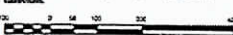
Seven Branches Farm
P.O. Box 140
Jamestown, RI 02835
Contact: John Wray
Phone: 401-529-4742

Secondary Conservation Note:

A 25' wide strip of land East of Lot 30 and Lot 31 will be set aside as a secondary conservation area.

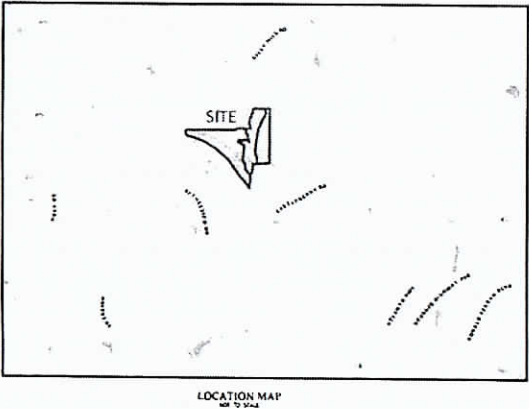
Multi Use Path Note:

A series of additional 6' multi use paths shall be incorporated into the Secondary Conservation Areas during the construction of this project. These paths will be coordinated with Forsyth County Engineering Department and the Field Inspectors. The paths will connect the Primary Conservation Area with the Secondary Conservation Area and will provide access through and the subdivisions.



LOT AREA SUMMARY:

East Tract A (103-0112) 24.24 Ac.
East Tract B (103-0111) 57.47 Ac.
Tract 1 (103-006) 1.09 Ac.
West Tract (103-301) 34.52 Ac.
Mitigation Bank (103-425) 38.89 Ac.
Total Area 104.21 Ac.
Greenway R/W: 1.57 Ac.



LOCATION MAP
NOT TO SCALE

**Civil Engineering, Land Surveying,
Stream and Wetland Restoration**
111 Maple Ridge Street, Suite 200, Orem, UT 84057
Phone: 770-442-0000
www.mkwcapital.com

ALLOTTED

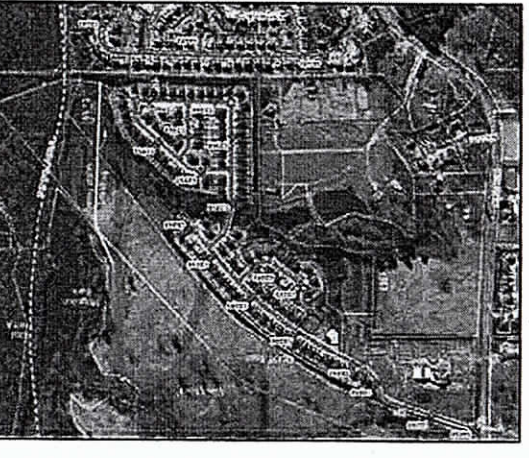
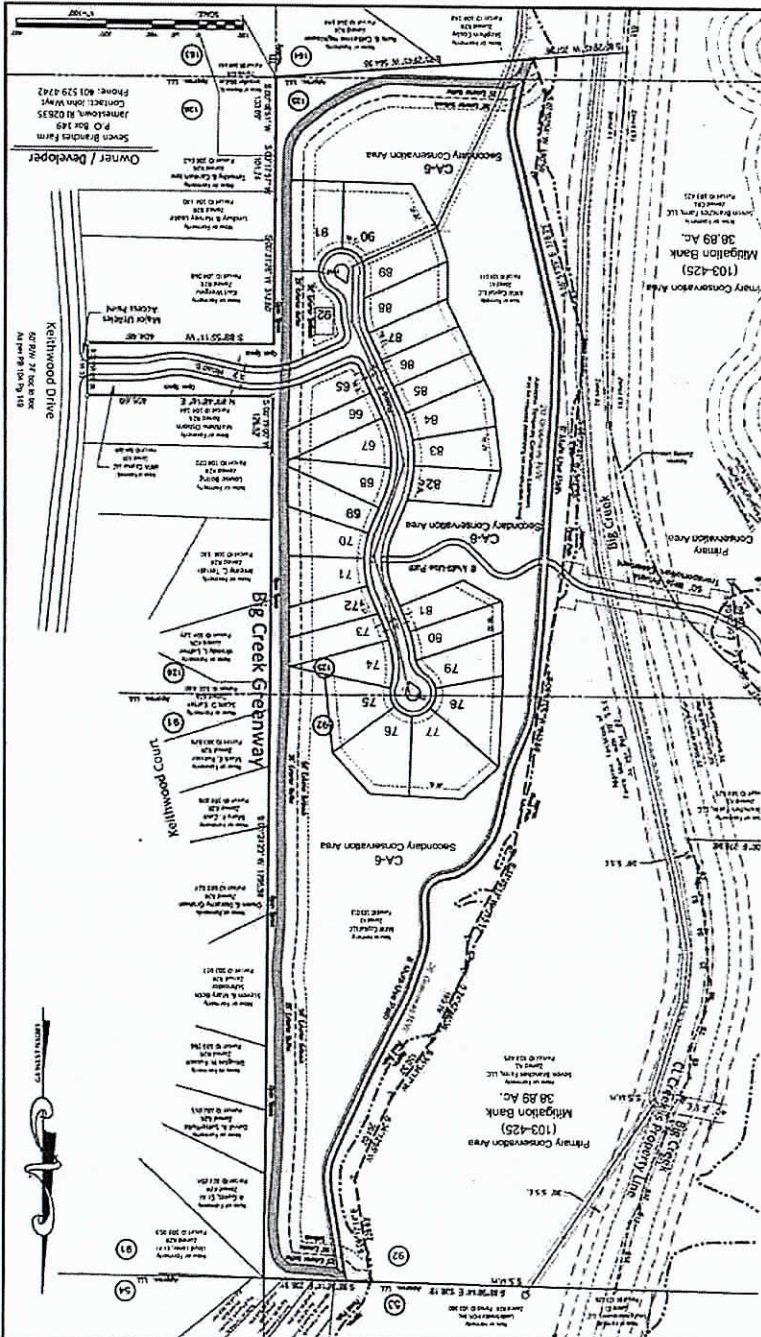
ALLOTMENT	OWNER	ACRES
1	SEVEN BRANCHES FARM	1.00
2	SEVEN BRANCHES FARM	1.00
3	SEVEN BRANCHES FARM	1.00
4	SEVEN BRANCHES FARM	1.00
5	SEVEN BRANCHES FARM	1.00
6	SEVEN BRANCHES FARM	1.00
7	SEVEN BRANCHES FARM	1.00
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97	SEVEN BRANCHES FARM	1.00
98	SEVEN BRANCHES FARM	1.00
99	SEVEN BRANCHES FARM	1.00
100	SEVEN BRANCHES FARM	1.00



Utah State License No. 12345
David L. Smith
Professional Engineer

Conservation Zoning Exhibit for:
MKW Capital, LLC
Project Name: [Redacted]

Project Name: [Redacted]
Project Location: [Redacted]



City of Cumming Sewer Utility Map
The proposed land use is shown on the City of Cumming Sewer Utility Map. The map shows the sewer main line and the proposed land use area. The proposed land use area is shown in red. The sewer main line is shown in blue. The map is dated 10/1/2010.

Outfall Sanitary Sewer Design Note
The proposed land use is shown on the City of Cumming Sewer Utility Map. The map shows the sewer main line and the proposed land use area. The proposed land use area is shown in red. The sewer main line is shown in blue. The map is dated 10/1/2010.

Stormwater Note
The proposed land use is shown on the City of Cumming Sewer Utility Map. The map shows the sewer main line and the proposed land use area. The proposed land use area is shown in red. The sewer main line is shown in blue. The map is dated 10/1/2010.

Typical Lot for Zoning Purpose Only
The typical lot for zoning purpose only is shown on the City of Cumming Sewer Utility Map. The map shows the sewer main line and the proposed land use area. The proposed land use area is shown in red. The sewer main line is shown in blue. The map is dated 10/1/2010.

Location Map
The location map shows the project area in relation to the surrounding area. The project area is shown in red. The surrounding area is shown in blue. The map is dated 10/1/2010.

Lot Area Summary
The lot area summary shows the total area of the project. The total area is 1.00 acre. The map is dated 10/1/2010.

Stream Buffer Note
The stream buffer note shows the stream buffer area. The stream buffer area is shown in red. The stream is shown in blue. The map is dated 10/1/2010.

Property Line Table

Property Line Table	Property Line Table	Property Line Table
1	1.00	1.00
2	1.00	1.00
3	1.00	1.00
4	1.00	1.00
5	1.00	1.00
6	1.00	1.00
7	1.00	1.00
8	1.00	1.00
9	1.00	1.00
10	1.00	1.00
11	1.00	1.00
12	1.00	1.00
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14	1.00	1.00
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44	1.00	1.00
45	1.00	1.00
46	1.00	1.00
47	1.00	1.00
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92	1.00	1.00
93	1.00	1.00
94	1.00	1.00
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96	1.00	1.00
97	1.00	1.00
98	1.00	1.00
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Requested Zoning
The requested zoning is shown on the City of Cumming Sewer Utility Map. The map shows the sewer main line and the proposed land use area. The proposed land use area is shown in red. The sewer main line is shown in blue. The map is dated 10/1/2010.

Existing Zoning District CR1, A1 & R2
The existing zoning district is shown on the City of Cumming Sewer Utility Map. The map shows the sewer main line and the proposed land use area. The proposed land use area is shown in red. The sewer main line is shown in blue. The map is dated 10/1/2010.

Stream Buffer Note
The stream buffer note shows the stream buffer area. The stream buffer area is shown in red. The stream is shown in blue. The map is dated 10/1/2010.

Conservation Zoning Standards
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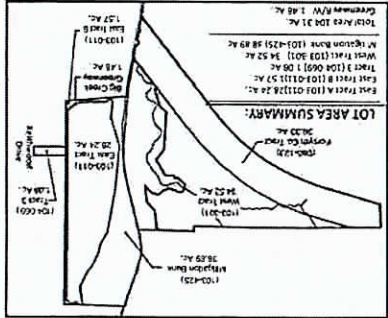
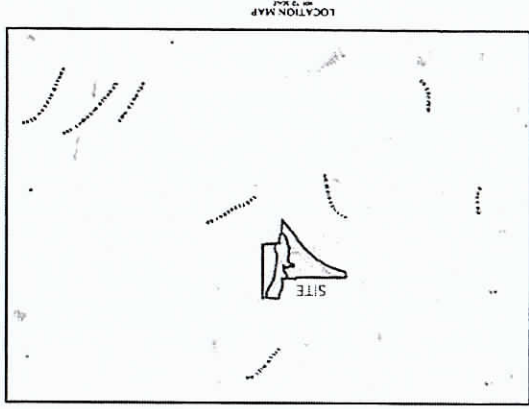
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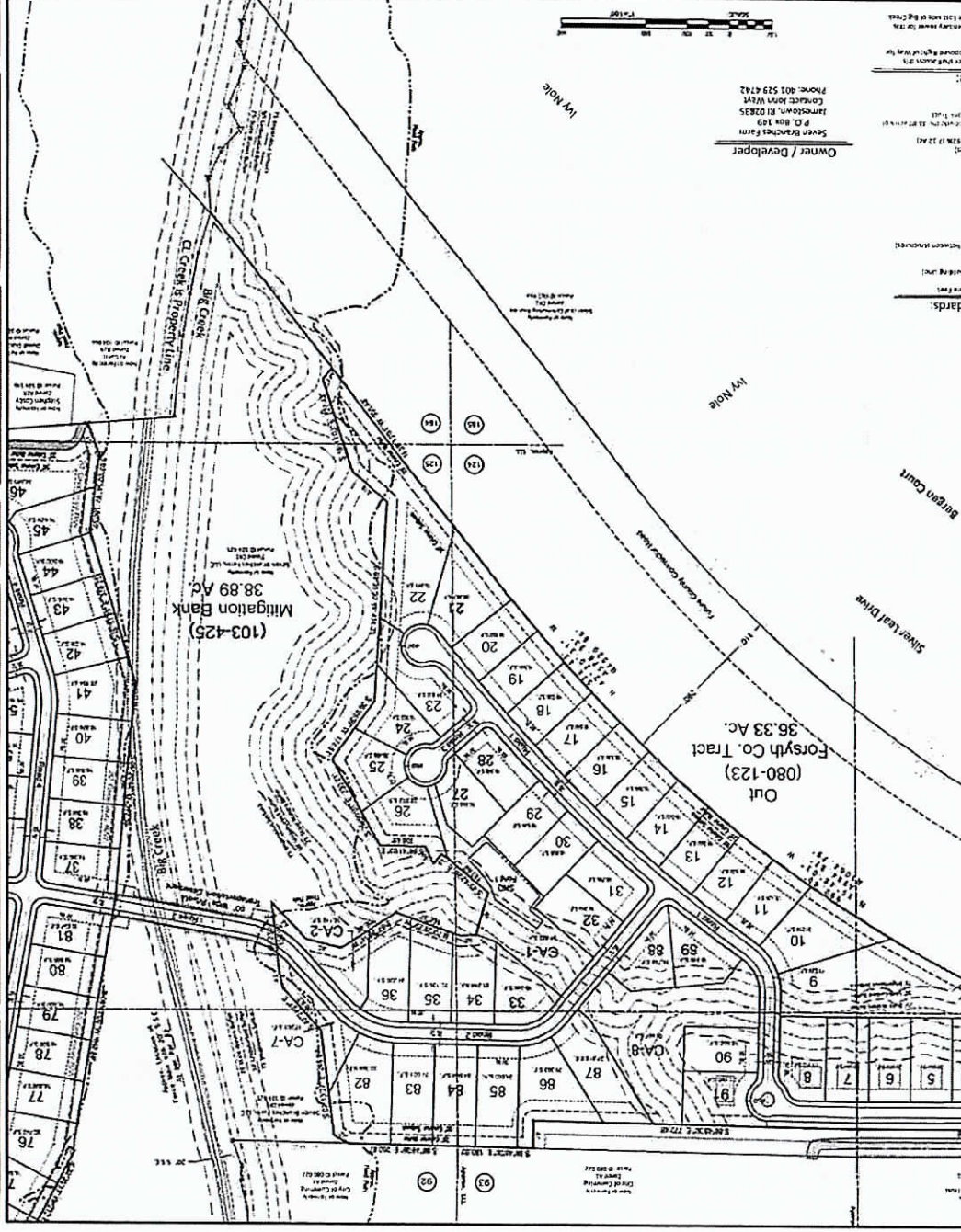
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[illegible]

Existing Zoning District (R1)	Proposed Zoning District (R2)	Requested Zoning	Res2 Development Standard
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[illegible]

Owner / Developer
Seven Branches Farm
P.O. Box 149
Jamestown, RI 02835
Contact John Weyt
Phone: 401 529 4742

My Note

**Civil Engineering, Land Surveying,
Stream and Wetland Restoration**
118 North Main Street, Suite A, Cumming, Ga. 30040
Phone: 770-426-1017
Fax: 770-426-1018
E-mail: info@earthrestoration.com
Web: www.earthrestoration.com

REVISION:		DATE
REVISION:		DATE
1	Added per 2004 Code, but there was nothing in it	10/27/04
2	Added Item 1 per 2004 Code, but there was nothing in it	10/27/04

Revolving Crime for
Yield Plan
MKW Capital, LLC

Engineering E303



Public Notice Sign Affidavit

Application # _____	FOR STAFF USE ONLY Received By: _____	DATE/TIME/STAMP 17 OCT 6 PM 2:46
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This transmittal shall be used to submit all sign affidavits for all applications that require the posting of either an orange public participation sign or a yellow public hearing sign. Those applications include: rezonings (ZA), conditional use permits (CP), home occupation permits (HP), sketch plats (SP), variances (VA), appeals of administrative decisions (AP), appeals of zoning board of appeals decisions (AV), and zoning condition amendments (AZ).

POSTING REQUIREMENTS FOR ZA, CP, HP, & SP APPLICATIONS:

A. Orange Public Participation Signs:

The Unified Development Code (UDC) of Forsyth County requires the landowner, applicant, or authorized representative to place an orange public participation sign(s) on the subject property. In order to insure that the correct information is included on the public participation sign, the Planning & Community Development Department will prepare the sign(s) and present it to the applicant at the Zoning Review Meeting. It is the applicant's responsibility to place the sign(s) on the subject property at least ten (10) days prior to the date of the public participation meeting and to maintain the sign(s), where the term "maintain" means that any and all meetings and/or application changes shall be updated on the sign. A signed affidavit with a dated photo of the sign(s) placing said sign(s) against a verifiable property landmark shall be submitted to the Planning & Community Development Department within two (2) business days after the Zoning Review Meeting. Failure to submit the affidavit shall result in the Board Consideration submittal being incomplete until all posting requirements are met.

B. Yellow Public Hearing Signs:

See A as noted below.

POSTING REQUIREMENTS VA, AP, AV, & AZ APPLICATIONS:

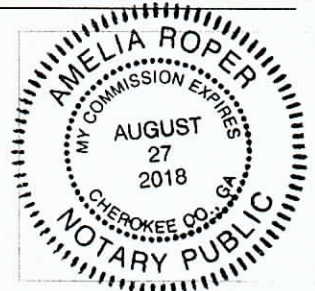
A. Yellow Public Hearing Signs:

The Unified Development Code (UDC) of Forsyth County requires the landowner, applicant, or authorized representative to place the yellow public hearing sign(s) on the subject property at least twenty-one (21), but not more than forty-five (45) days prior to the public hearing. In order to insure that the correct information is included on the public hearing sign, the Planning & Community Development Department will prepare the sign(s) and present it to the applicant once county staff has determined that all other submittal requirements are verified complete. It is the applicant's responsibility to place the sign(s) on the subject property and to maintain the sign(s) through the public hearing date. The term "maintain" means that the sign shall remain standing, be readable, and be updated regarding any changes to the date of the public hearing. A signed affidavit with a dated photo of the sign(s) placing said sign(s) against a verifiable property landmark shall be submitted to the Planning & Community Development Department by the deadline as communicated by staff. Failure to submit the affidavit shall result in the public hearing being postponed until all posting requirements are complete. The applicant shall be responsible for removal of all public notice signs, which is to occur no later than three (3) days after the final motion or date of withdrawal. Failure to do so will result in a fine of one hundred dollars (\$100) per day until the sign(s) are removed.

Application #	ZA3862	Number of Signs Posted:	3
		Date Signs were Posted:	10/5/17

The undersigned has personally appeared before me, a Notary Public, and states upon oath that he/she understands the above requirements and has posted each of the required public notification signs in compliance with the requirements set forth in the Unified Development Code (UDC).

Printed Name of Applicant: MKW Capital, LLC Date: 10/5/17
Signature of Applicant: [Signature] Date: 10/5/17
Signature of Notary: Amelia Roper Date: 10/5/17



PUBLIC PARTICIPATION

- Application #: **ZA 3862**
- Applicant Name: **MKW CAPITAL, LLC**
- Contact #: **770-781-4100**

■ Description of Request:

REQUEST TO REMOVE FENCE ALONG ROAD TO FUSZ CONSERVATION MIDDLEWOOD TRAIL VARIANTE TO REMOVE THE EXTERIOR BUFFER FROM 25 FT TO 10 FT

PUBLIC PARTICIPATION MEETING

- Date: **October 18, 2017**
- Time: **10:30 PM**
- Location: **Fowler Park Community Center**
4110 Card Lane Way, Cumming, GA 30041



For further information,
please contact the applicant or
visit the Forsyth County website at
<http://www.forsythga.com>

PUBLIC PARTICIPATION

■ Application #: ZA3862

■ Applicant Name:

MKW CAPITAL, LLC

■ Contact #: 770-781-4100

■ Description of Request:

REQUEST TO REZONE FROM A1, C1 AND R2R
TO RES2 CONSERVATION SUBDIVISION WITH
VARIANCE TO REDUCE THE EXTERIOR
BUFFER FROM 25 FT. TO 10 FT.

PUBLIC PARTICIPATION MEETING

■ Date: October 18, 2017

■ Time: 6:30 PM

■ Location: Fowler Park Community
1110 Carolina Way, Cumming, GA 30008



For further information,
please contact the applicant or
visit the Forsyth County website at
<http://www.forsythco.com>

Thursday, October 5, 2017 16:33:36

PUBLIC PARTICIPATION

- Application #: ZA3862
- Applicant Name:
MKW CAPITAL, LLC
- Contact #: 770-781-4100
- Description of Request:
REQUEST TO REZONE FROM A1, CR1 AND R2R
TO RES2 CONSERVATION SUBDIVISION WITH
VARIANCE TO 1. REDUCE THE EXTERIOR
BUFFER FROM 25 FT. TO 10 FT.

PUBLIC PARTICIPATION MEETING

- Date: October 18, 2017
- Time: 6:30 P.M.
- Location: Fowler Park Community Room
4110 Carolene Way, Cumming, GA 30040



For further information,
please contact the applicant or
visit the Forsyth County website at
<http://www.forsythga.com>

Thursday, October 5, 2017 15:50:25

PUBLIC PARTICIPATION

■ Application #: ZA3862

■ Applicant Name:

MKW CAPITAL, LLC

■ Contact #: 770-781-4100

■ Description of Request:

REQUEST TO REZONE FROM A1, CR1 AND R2R
TO RES2 CONSERVATION SUBDIVISION WITH
VARIANCE TO 1. REDUCE THE EXTERIOR
BUFFER FROM 25 FT. TO 10 FT.

PUBLIC PARTICIPATION MEETING

■ Date: October 18, 2017

■ Time: 6:30 P.M.

■ Location: Fowler Park Community Room
410 Campbell Way, Cumming, GA 30040



For further information,
please contact the applicant or
visit the Forsyth County website at
<http://www.forsythga.com>

Thursday, October 5, 2017 15:50:50

PUBLIC PARTICIPATION

- Application #: ZA3862
- Applicant Name:
MKW CAPITAL, LLC
- Contact #: 770.781.4100
- Description of Request:
REQUEST TO REZONE FROM A1, CR1 AND R2R
TO RES2 CONSERVATION SUBDIVISION WITH
VARIANCE TO 1. REDUCE THE EXTERIOR
BUFFER FROM 25 FT. TO 10 FT.

PUBLIC PARTICIPATION MEETING

- Date: October 18, 2017
- Time: 6:30 P.M.
- Location: Fowler Park Community Room
4110 Carderke Way, Cumming, GA 30010



For further information,
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1110 Caroline Way, Cumming, GA 30040



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Thursday, October 5, 2017 16:16:40