



ZA3962 - STAFF INFORMAL REVIEW

Notice to Applicant: The informal recommendations are not binding upon the applicant or the County, but are intended to serve as a guide and to advise the applicant in advance of the formal Proposal for Board Consideration of any issues which will or may subsequently be presented to the Planning Commission and Board of Commissioners. The information presented by the County Staff is intended to be used by the applicant during the Applicant Work Time to ensure the applicant is aware of all issues prior to submitting a Proposal for Board Consideration.

PROJECT SUMMARY:

Applicant is requesting to rezone from Commercial Business District (CBD) to Highway Business District (HB) on 1.524 acres with a Conditional Use Permit (CUP) for a major automobile services establishment and a vehicle sales dealership in existing buildings totaling 7,857 sq. ft. with 23 parking spaces.

CONCURRENT REQUESTS (E.G. VARIANCES/CUPS):

Applicant is requesting a variance to 1. Reduce the front setback adjacent to the existing structure only from 40 ft. to 6.5 ft. (UDC Table 12.2); 2. Reduce the side setback along the eastern property boundary adjacent to the northernmost existing structure only from 15 ft. to 14 ft. (UDC Table 12.2); 3. Reduce the zoning setback along the eastern property boundary adjacent to the southernmost existing structure only from 50 ft. to 36 ft. (UDC Table 12.2); 4. Reduce the zoning buffer along the eastern property boundary adjacent to the southernmost existing structure only from 40 ft. to 36 ft. (UDC Table 12.2); 5. Reduce the front landscape strip from 10 ft. to 0 ft. (UDC Table 12.2).

CONTACT INFORMATION:

Applicant:

Lazaros Papadopoulos and Lee Economy
1955 Wilkie Road
Alpharetta GA 30004

Owner(s):

Lazaros Papadopoulos
Lee Economy

Attorney Representation:

Lipscomb, Johnson, Sleister, Dailey &
Smith, LLP
Sean Courtney - Attorney
112 North Main Street
Cumming GA 30040

IMPORTANT DATES:

APPLICATION FOR ZONING REVIEW

Date Submitted: 03/04/2020

Zoning Review Meeting Date: 04/01/2020

PROPERTY INFORMATION:

LOCATION:

The property is located approximately 310 ft. south of Canton Highway approximately 860 ft. west of its intersection with Bethelview Road. This property is also located immediately south of property known as 2393 Canton Highway, Cumming, GA 30040.

SITE CHARACTERISTICS:

Existing structures

BOC District: 1

Current Zoning: CBD

Tax Map & Parcel #'s (PINs):

DRI: No

Watershed: Big Creek

076-009, 076-179

REQUESTED ACTION:

Proposed Zoning: HB

Proposed # of Lots:

Min Lot Size:

Units or Lots /Acre:

Min. Heated Floor Area:

Total Acreage: 1.5240

Proposed # of Parking: 23

**Commercial Square
Footage:** 7,857

Method of Sewage Disposal:

Septic

**Location & Distance to
Sewer/Septic Access:**

On subject property

STAFF COMMENTS & POSSIBLE ZONING CONDITIONS:

PLANNING COMMENTS:

This property is designated within the Campground Character Area partially inside the Highway 20 Community Node.

The property is located within the Buford Highway Overlay District as well as the Peachtree Parkway-Bethelview Road Overlay District. The subject property must comply with the Buford Highway Overlay District regulations.

On March 19, 2020 the Board of Commissioners adopted a resolution to provide for the operation of Forsyth County during the public emergency of the coronavirus pandemic. The resolution directs the postponement of all public hearings for 60 days or extension thereof.

It shall be a violation to park vehicles for sale, rent, or lease in customer parking or unloading areas. Outside loudspeakers shall not be permitted (UDC 16-4.4).

The outside storage or display of vehicles, equipment, and merchandise to be rented, leased, or sold, shall be visible along no more than thirty percent (30%) of the frontage of the property abutting the highway or major street, excluding approved driveway entrances and exits (UDC 12-10.9).

The applicant must address all of the following site plan modifications prior to submitting for Board Consideration:

1. Correct graphic scale; show and label setbacks/buffers correctly in accordance with graphic scale.

City of Cumming: None.

Building Inspections: Building plans are required per the procedure outlined on our website; this project will require a Commercial Plan Review.

Business License: Future businesses will need to apply for a business license.

Health Department: Applicant will need to contact the Environmental Health office at 770-781-6909 for an existing septic system evaluation prior to applying for building permits.

Board of Education: None.

POSSIBLE PLANNING CONDITIONS:

1. Development shall be substantially in accordance with the site plan on file in the Department.
2. A Site Development permit shall be obtained prior to the use of the property as a vehicle sales dealership and a major automobile services establishment.
3. All vehicles on the subject property shall be parked in designated parking spaces.

ARBORIST COMMENTS:

None.

ENGINEERING COMMENTS:

Review Date: 01/02/20

Road Name: S.R. 20 (Canton Highway) Classification: Major Arterial
Existing R/W: 100 Proposed R/W: Per GDOT Road Improvement Project PI-0002862

Traffic Considerations:

Anticipated Traffic Generation Rates from S/D: N/A

No traffic study will be required unless recommended improvements are not incorporated into construction plans.

Recommended Improvements: As required by Georgia DOT and/or Forsyth County Ordinance #101.

Stormwater Considerations: All developments must comply with Ordinance 75, Stormwater Management and Ordinance 55, Flood Damage Prevention.

POSSIBLE ENGINEERING CONDITIONS:

1. Owner/Developer shall dedicate right of way on S.R. 20 (Canton Hwy.) per GDOT Road Improvement Project PI-0002862 or when needed for road improvement projects as determined by GDOT and/or Forsyth County Department of Engineering. Contact Tim Evans, GDOT District 7B Project Manager, for current right-of-way information. tievans@dot.ga.gov , 404-631-1555

STATE WATERS COMMENTS:

There are no state waters present.

WATER & SEWER COMMENTS:

Review Date: 19 March 2020
Road Name: 2393 Canton Highway
Water Service and Location: City Service Area.
Receiving Sewer WRF: City Service Area.
Comments: None.

POSSIBLE WATER & SEWER CONDITIONS:

None.

NRCS COMMENTS:

None.

INFORMAL RECOMMENDATION:

Based upon the information submitted in this application:

Supportive.

PROCEDURES:

Please be aware of the following important information:

APPLICANT WORK TIME INFORMATION

Your Applicant Work Time starts on **04/02/2020** and will extend through **09/28/2020**. During the Applicant Work Time, it is the applicant's responsibility to fully implement the public participation plan. It is also in the applicant's best interest to try to work with both the Planning Commissioner and the District Commissioner. Staff is also available to answer any questions about the process and to assist in any way.

POSTING ORANGE PUBLIC PARTICIPATION SIGNS

You must post your orange public participation signs by **04/02/2020**, and submit your notarized affidavits the following day. The sign affidavit with photos shall be submitted to the Department of Planning & Community Development by 5:00 p.m. on the 2nd business day after the Zoning Review Meeting. The submittal may be either hand-delivered or scanned and emailed to the Zoning Administrator with all appropriate documentation.

FINISHING APPLICANT WORK TIME (OPTIONS)

Once in the Applicant Work Time process, the Applicant can choose one of three (3) options:

(1) Submit a Proposal for Board Consideration - Although it is not required, it is recommended that you schedule an appointment with the Zoning Administrator to submit your Proposal for Board Consideration.

(2) Make a Major Change to the Application - If the applicant chooses to modify the original application for any of the below specified reasons, the applicant may have to resubmit an Application for Zoning Review.

- (a) Any change which results in a more intense land use;
- (b) Any change in method of sewage treatment;
- (c) Any change in use or housing type;
- (d) Any change in the boundary of the subject property (not including minor surveying inconsistencies);
- (e) Adding variances or conditional uses;
- (f) 10% or greater increase in the number of lots;
- (g) 10% or greater increase in the density;
- (h) 10% or greater decrease in the amount of open space; or
- (i) As specified by the Director.

(3) Withdraw the Application - Anytime during the Applicant Work Time, an applicant can withdraw the application without prejudice.

QUESTIONS

If you have any questions about the Unified Development Code, the process, or anything else, please contact the Department of Planning & Community Development at (770) 781-2115 ext. 4568. It is in everyone's best interest to ask early in the process.