

# MEMORANDUM



To: Honorable Mayor and City Council  
Billy Beckett, City Manager  
Planning Commission  
Jeanette Marchiafava, City Clerk  
Alice Wakefield, Director of Community Development  
Daniel Drake, PE, AICP, Director of Public Works  
Sara Leaders, Transportation Planning  
Mark Law, Arborist  
Deb Harrell, Public Safety  
Melissa Henderson, Fire Marshal  
Outside Agencies

From: Robyn MacDonald, Planner, Community Development

Date: September 11, 2008

Re: Preliminary Zoning Agenda **Community Zoning Information Meeting (CZIM)**  
**Wednesday, September 24, 2008 - 7:00 PM at City Hall**

**Mayor and City Council**  
**Monday, October 20, 2008 - 6:00 PM at City Hall**

Please submit any comments you have regarding the following cases to Robyn MacDonald, 678-242-2540, by **September 24, 2008**.

Please be advised, the material details of the rezoning and use petitions received on or before the September 4, 2008 submittal deadline are as follows:

**REZONINGS/USE PERMITS**

<b>Agenda Item/ Location/Applicant</b>	<b>Request</b>
<p><b>ZM08-06/VC08-06</b> 765 &amp; 785 Mid-Broadwell Road Milton, Georgia 30004 Sally Rich-Kolb</p>	<p>1) To modify Condition 2.a. and 4.b. of RZ03-140 (ZM06-011 NFC), to modify the site plan and to remove the requirement that the owner dedicate to Fulton County (City of Milton) the necessary right-of-way to provide a connector road from Broadwell Road to Mid-Broadwell Road prior to attaining an LDP, or as may be approved by the Director of Public Works. The applicant is also requesting a concurrent variance to reduce parking from 58 to 39 spaces (Article 18 Section 2.1).</p>
<p><b>ZM08-07</b> 12659 Itaska Walk Milton, Georgia 30004 Denson McKoy</p>	<p>1) To modify Condition 3.a. of RZ03-156 to reduce the side set back from 10 ft. to 4 ft along the north property line and to reduce the rear set back from 20 ft. to 8 ft.</p>

**PROPERTY INFORMATION**

<b>ADDRESS</b>	765 & 785 Mid-Broadwell Road
<b>DISTRICT, LAND LOT</b>	2/2, 1134
<b>OVERLAY DISTRICT</b>	Crabapple Crossroads
<b>EXISTING ZONING</b>	C-1 (Community Business) Z05-072/VC05-160
<b>EXISTING USE</b>	Retail (1,673 sq. ft.)
<b>PROPOSED USE</b>	Retail (12,800 sq. ft.)

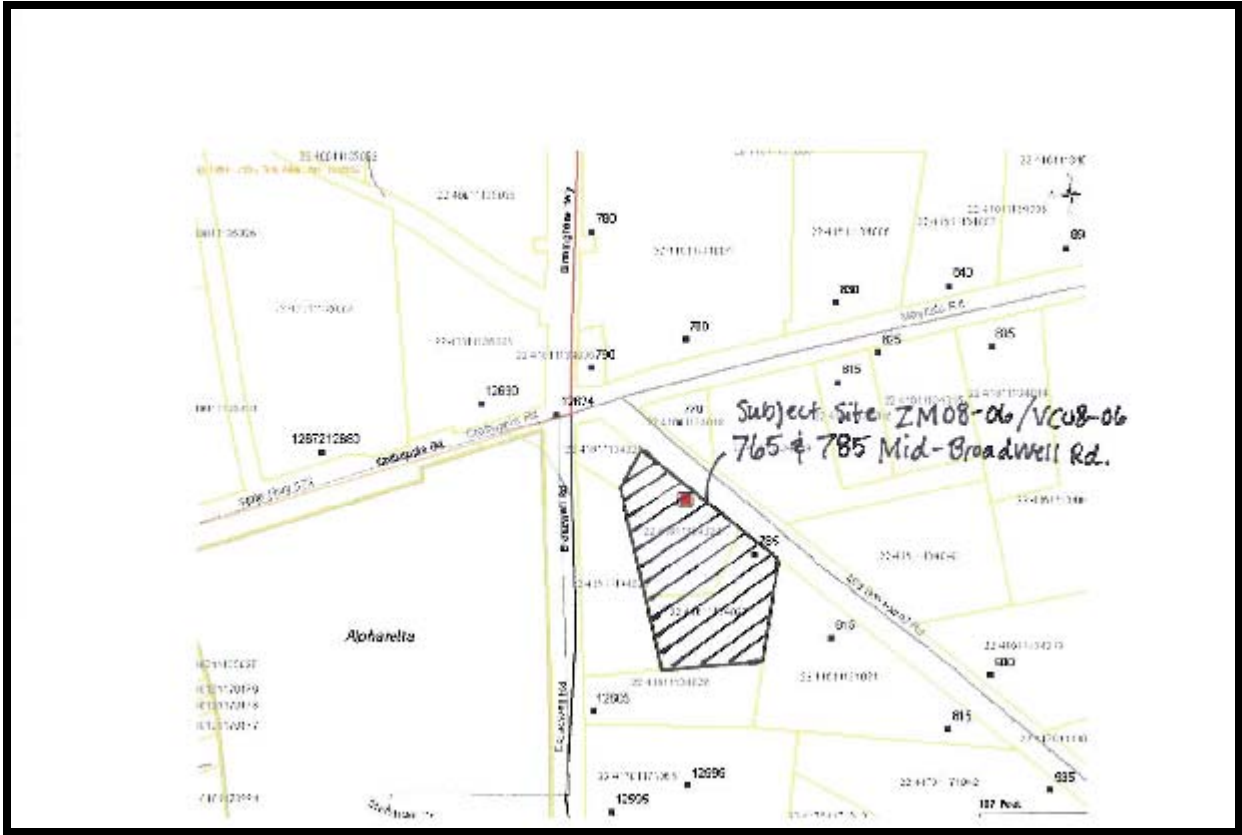
**PETITIONER** Sally Rich-Kolb  
**ADDRESS** 765 & 785 Mid-Broadwell Road  
**PHONE** 770-448-3860

**APPLICANT'S REQUEST:**

- 1) To modify Condition 2.a. and 4.b. of RZ03-140 (ZM06-011 NFC), to modify the site plan and to remove the requirement that the owner dedicate to Fulton County (City of Milton) the necessary right-of-way to provide a connector road from Broadwell Road to Mid-Broadwell Road prior to attaining an LDP, or as may be approved by the Director of Public Works. The applicant is also requesting a concurrent variance to reduce parking from 58 to 39 spaces (Article 18 Section 2.1).

# LOCATION MAP

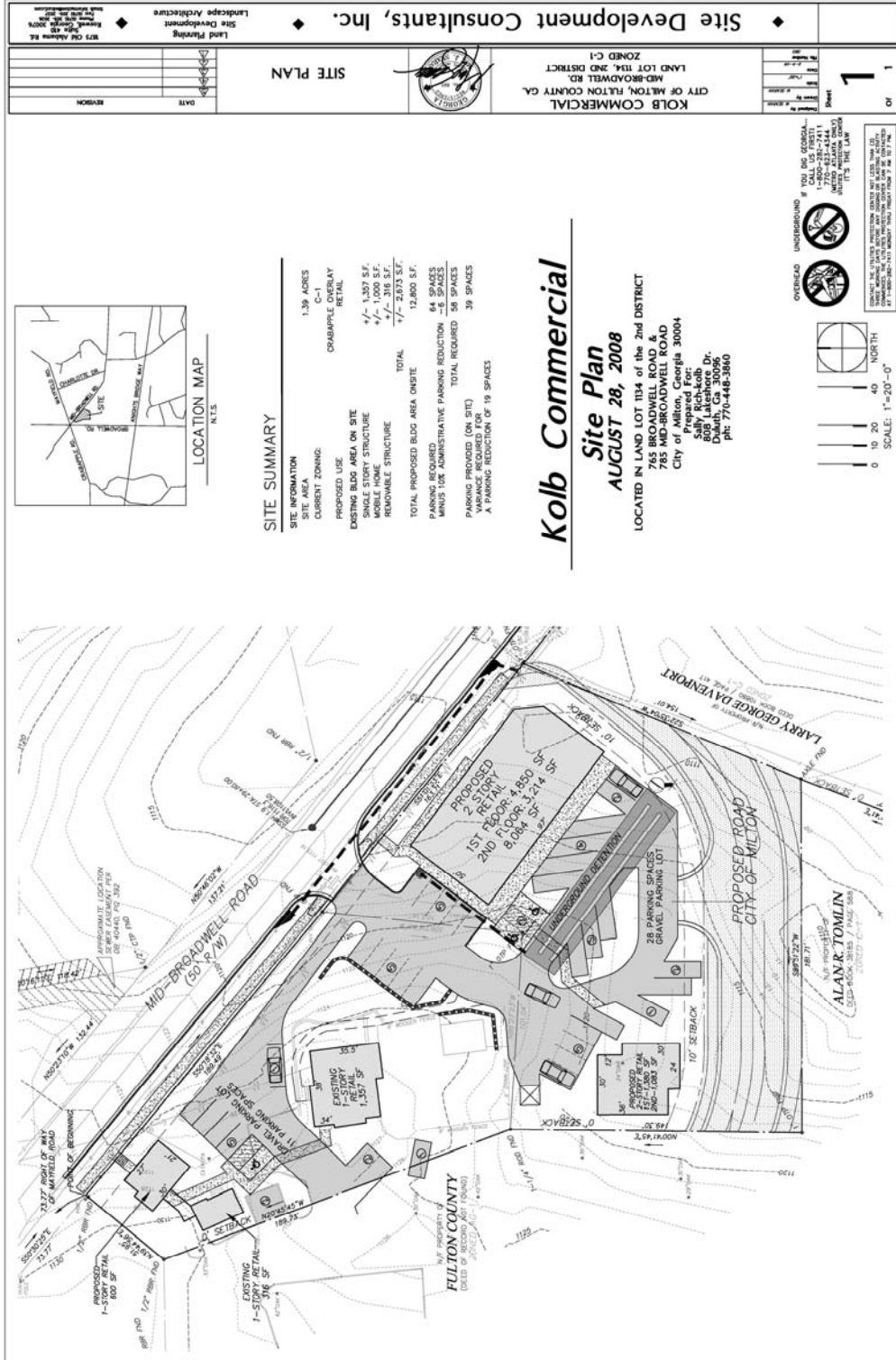
ZM08-06/VC08-06



# SITE PLAN

Submitted September 2, 2008

ZM08-06/VC08-06



## SITE SUMMARY

**SITE INFORMATION**  
 SITE AREA: 1.39 ACRES  
 CURRENT ZONING: C-1  
 CRANMAPLE OVERLAY: RETAIL  
 PROPOSED USE: RETAIL  
 EXISTING BLDG AREA ON SITE: +/- 1,357 S.F.  
 SINGLE STORY STRUCTURE: +/- 1,000 S.F.  
 MOBILE HOME: +/- 316 S.F.  
 REMOVABLE STRUCTURE: +/- 2,073 S.F.  
**TOTAL**: +/- 2,073 S.F.  
 TOTAL PROPOSED BLDG AREA ON SITE: 12,800 S.F.  
 PARKING REQUIRED: 64 SPACES  
 MANUS FOR ADMINISTRATIVE PARKING REDUCTION: 16 SPACES  
**TOTAL REQUIRED**: 48 SPACES  
 PARKING PROVIDED (ON SITE): 48 SPACES  
 VARIANCE REQUIRED FOR A PARKING REDUCTION OF 19 SPACES

## Kolb Commercial

**Site Plan**  
**AUGUST 28, 2008**

LOCATED IN LAND LOT 1134 OF THE 2ND DISTRICT  
 765 BROADWELL ROAD &  
 785 MID-BROADWELL ROAD  
 City of Milton, Georgia 30004  
 Prepared For:  
 Alan R. Tomlin  
 808 Lakeshore Dr.  
 Dunwoody, GA 30015  
 PH: 770-448-3360

Site Development Consultants, Inc. Land Planning Site Development Landscape Architecture  
 1775 Old Alabama Rd. Suite 200 Marietta, GA 30066  
 Phone: 770-448-3360  
 Fax: 770-448-3361  
 www.site-development.com

**SITE PLAN**

CITY OF MILTON, FULTON COUNTY GA.  
 KOLB COMMERCIAL  
 LAND LOT 1134, 2ND DISTRICT  
 ZONED C-1

Sheet **1** of 1

DATE: REVISION:

OVERHEAD UNDERGROUND  
 IF CALL US FIRST...  
 770-448-3361  
 770-448-3361  
 WE'LL BE THERE!  
 IT'S THE LAW

0 10 20 40 NORTH

SCALE: 1"=20'-0"

ALAN R. TOMLIN  
 808 LAKESHORE DR.  
 DUNWOODY, GA 30015  
 PH: 770-448-3360

# LETTER OF INTENT

Submitted September 2, 2008

ZM08-06/VC08-06

ZM08-06/  
VC08-06

*To whom it may concern:*

*This letter of appeal is for two modifications to the zoning conditions dated 12/5/05 for case number 2005Z-0072 and 2005VC-0160. One modification is to change the date from December 5, 2005 to the date when the second modification, to eliminate the dedication of the necessary right-of-way to provide a connector road, is obtained.*

*The applicant would like the committee to eliminate this dedication in lieu of a different location, one which is more in line with what is needed according to the letter attached from Abbie Jones. Last year, when she was Director of Transportation, the general thought was that a connector road from Mid-Broadwell to Broadwell should go straight down between my property and Larry Davenport's and then up to connect to Marstrow Rd. which would take cars from Mid-Broadwell to the other side of the main intersection and onto Crabapple Rd. Also, Mrs. Jones thought that the dedication of this right-of-way on my property would make the curb cut on the Crabapple Community Center's property too close to the intersection of Crabapple / Mayfield / Birmingham Hwy.*

*Mrs. Jones also thought that this condition was unreasonable since it was her feeling that Milton would never build this road there nor have the money in the near future to build it nor would want it to come through the center's property. She thought a reasonable solution to this was to dedicate the necessary right-of-way but under the condition that it would be eliminated after a one or two year period once the future road locations were identified. I do not know if the proper road placements have been identified nor do I know if Milton will ever have the money to build it; therefore, I am asking that it be eliminated as a condition now in order to plan and develop this property.*

**RECEIVED**

**SEP 02 2008**

City of Milton  
Community Development

*I would also like for you to take into consideration the amount of right of way needed. A road in this location would not be a primary nor even a secondary road since it dead ends into Broadwell. Because of that, the 50 ft. right of way is not an amount "necessary" and although standard, there is nothing standard about Crabapple. Roads, this close to the intersection, should have an alley designation requiring a smaller amount right of way taken thus leaving developers more area to develop while keeping Crabapple's historic feel.*

*Thank you for your consideration of these modifications.  
Sincerely,*

*Sally Rich-Kolb*

*Sally Rich-Kolb*

**PROPERTY INFORMATION**

<b>ADDRESS</b>	12659 Itaska Walk
<b>DISTRICT, LAND LOT</b>	2/2, 1136
<b>OVERLAY DISTRICT</b>	Crabapple Crossroads
<b>EXISTING ZONING</b>	MIX (RZ03-156)
<b>EXISTING USE</b>	Single-family
<b>PROPOSED USE</b>	Single-family

<b>PETITIONER</b>	Denson McKoy
<b>ADDRESS</b>	12659 Itaska Walk
<b>PHONE</b>	770-778-2885

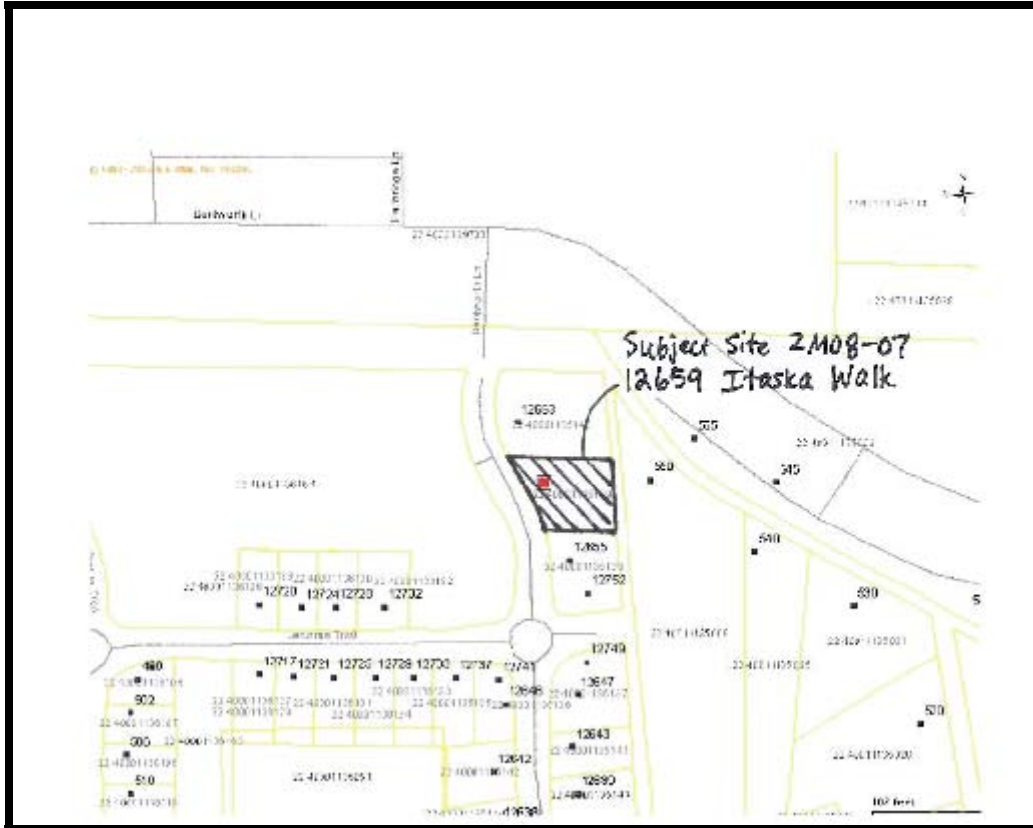
**APPLICANT'S REQUEST:**

- 1) To modify Condition 3.a. of RZ03-156 to reduce the side set back from 10 ft. to 4 ft along the north property line and to reduce the rear set back from 20 ft. to 8 ft.



# LOCATION MAP

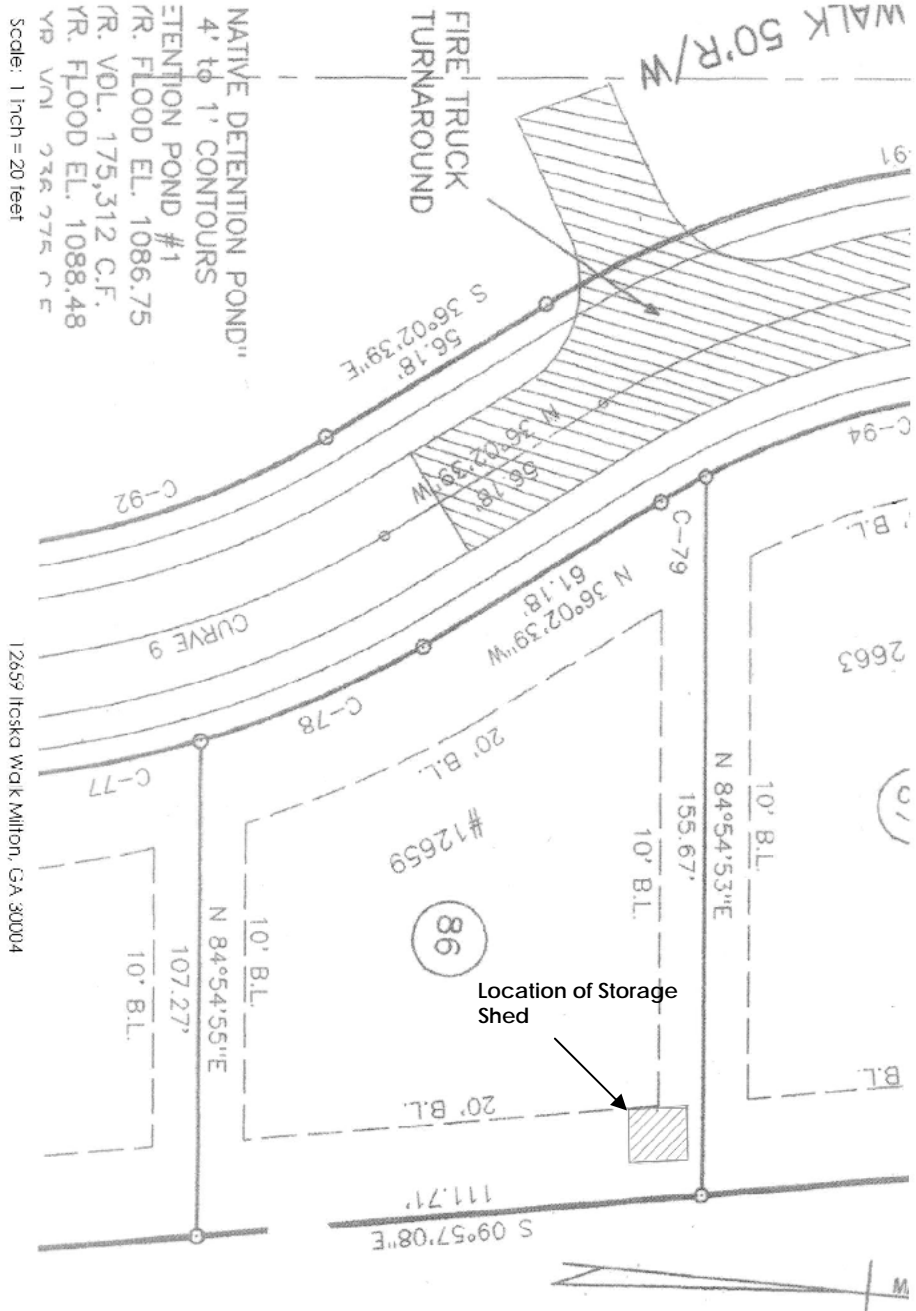
Submitted September 4, 2008  
ZM08-07



# SITE PLAN

Submitted September 4, 2008

ZM08-07



ZM08-07

RECEIVED  
SEP 04 2008  
City of Milton  
Community Development

LETTER OF INTENT  
Submitted September 4, 2008  
ZM08-07

Aug 22 08 12:07p

Susan McKay

770-657-2002

p 2

8-22-08

City of Milton  
City Council

RECEIVED  
SEP 04 2008  
City of Milton  
Community Development

I am requesting a modification  
of condition 3a of R-03-156  
currently zoned MIX to reduce the  
side set back from 10 ft. to 4 ft.  
along the north property line and to  
reduce the rear from 20 ft. to 15 ft  
along the east Prop.  
Thank you for your consideration  
of this matter.

ZM08-07

Sincerely,  
DANSON C. MCKAY,  
Home owner  
Lot # 86.

# MEMORANDUM



To: Honorable Mayor and City Council  
Billy Beckett, City Manager  
Planning Commission  
Jeanette Marchiafava, City Clerk  
Alice Wakefield, Director of Community Development  
Daniel Drake, PE, AICP, Director of Public Works  
Sara Leaders, Transportation Planning  
Mark Law, Arborist  
Deb Harrell, Public Safety  
Melissa Henderson, Fire Marshal  
Outside Agencies

From: Robyn MacDonald, Planner, Community Development

Date: September 11, 2008

Re: Preliminary Zoning Agenda **Community Zoning Information Meeting (CZIM)  
Wednesday, September 24, 2008 - 7:00 PM at City Hall**

**Design Review Board (DRB)  
Tuesday, October 7, 2008 – 6:00 PM at City Hall**

**Planning Commission  
Tuesday, October 28, 2008 - 7:00 PM at City Hall**

**Mayor and City Council  
Monday, November 17, 2008 - 6:00 PM at City Hall**

Please submit any comments you have regarding the following cases to Robyn MacDonald, 678-242-2540, by **October 1, 2008**.

Please be advised, the material details of the rezoning and use petitions received on or before the September 4, 2008 submittal deadline are as follows:

**REZONINGS/USE PERMITS**

<b>Agenda Item/ Location/Applicant</b>	<b>Request</b>
U08-06 13365 Arnold Mill Road Milton, Georgia 30075 Extreme Mulch, Jeremiah Smith	1) To obtain a use permit for a landscaping business on 3.75 acres with a 2,000 sq. ft. office, 2,000 sq. ft. pole barn, and storage for mulch at a density of 1,066.67 sq. ft. per acre (Article 19.4.27).

**PROJECT NAME**  
Extreme Mulch

**PROPERTY INFORMATION**

<b>ADDRESS</b>	13365 Arnold Mill Road
<b>DISTRICT, LAND LOT</b>	2/2
<b>OVERLAY DISTRICT</b>	Northwest Fulton Overlay
<b>EXISTING ZONING</b>	AG-1
<b>PROPOSED ZONING</b>	AG-1
<b>ACRES</b>	3.75
<b>EXISTING USE</b>	Office building and pole barn
<b>PROPOSED USE</b>	Use Permit for Landscaping Business

**OWNER** Henry J. Yarbrough  
**ADDRESS** 271 Yellow Creek Road  
Ball Ground, Georgia 30107

**PETITIONER/REPRESENTATIVE** Extreme Mulch, Jeremiah Smith  
**ADDRESS** 13365 Arnold Mill Road  
Milton, Georgia 30075  
**PHONE** 770-362-2504

**INTENT**

To obtain a use permit for a landscaping business on 3.75 acres with a 2,000 sq. ft. office, 2,000 sq. ft. pole barn, and storage for mulch at a density of 1,066.67 sq. ft. per acre (Article 19.4.27).



# SITE PLAN

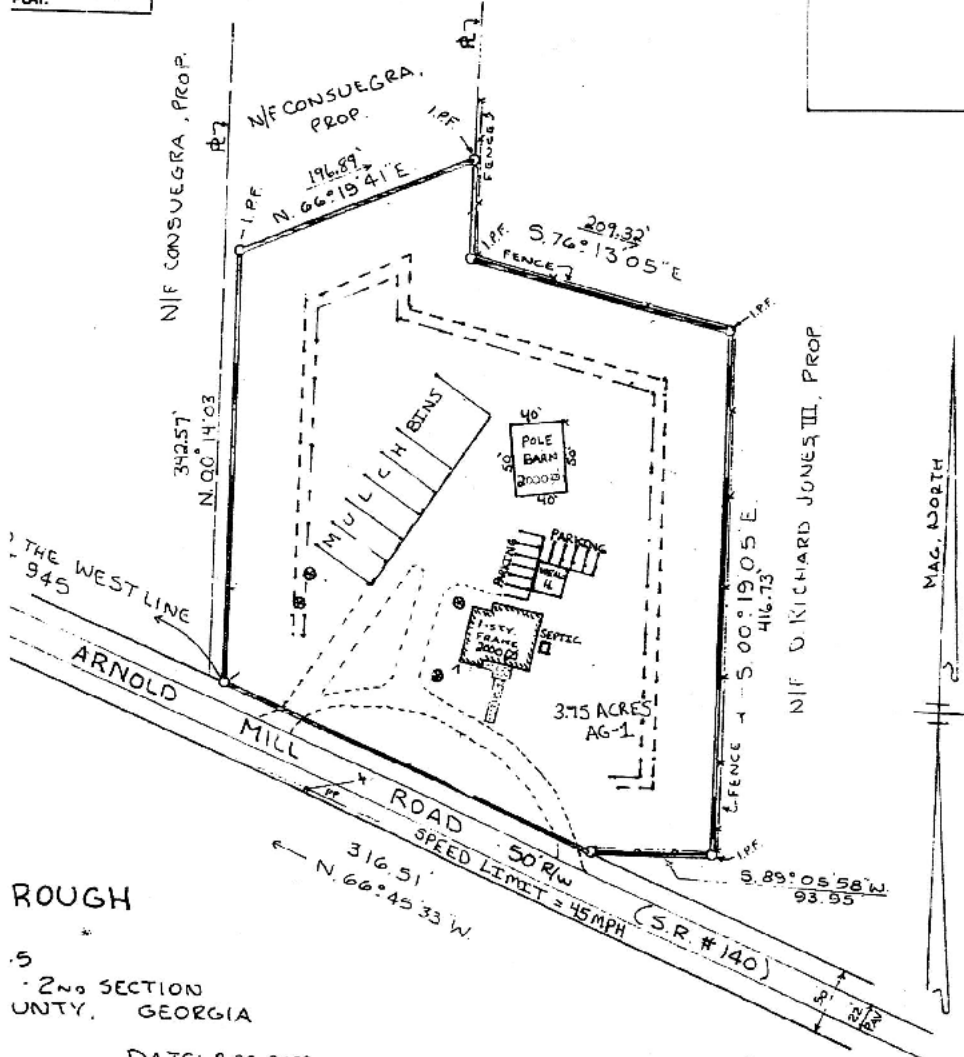
Submitted September 4, 2008

U08-06

THE LINEAR AND ITS USED IN THE PLAT.

**LEGEND**

- - - 50' BUFFER
- - - DRIVE WAY
- ⊙ LARGE OAKS
- - - 10' LANDSCAPE STRIP



ROUGH

.5  
- 2nd SECTION  
UNTY, GEORGIA

DATE: 8-28-2008

200 300 400 500  
ASSOCIATES  
TTA HWY., SUITE A-1  
300 76

RECEIVED

SEP 04 2008

U08-06

**FLOOD HAZARD NOTE:** This property is not contained within the limits of a flood-hazard area as defined by the U. S. Dept. of Housing and Urban Dev. and/or U.S. Army Corps of Engineers.



# LETTER OF INTENT

Submitted September 4, 2008

U08-06



PO Box 1788  
Woodstock, GA 30188  
Office# 770-880-9048  
Fax# 678-205-4246

**RECEIVED**

SFP 04 2008

City of Milton  
Community Development

September 3, 2008

Dear City of Milton,

We are writing this letter to inform you of our business (Extreme Mulch LLC) and how we intend to use the 3.75 acres located at 13365 Arnold Mill Rd., Milton, GA 30075, currently zoned AG-1.

We are applying for a special use permit for the purpose of running our landscape mulching business. Currently there is a 2000 sqft house, a well house, and a 50' X 40' Pole Barn located on the property. We do not wish to add any other buildings or change the current look and/or grade of the property. We would like to put in mulch bins to hold the mulch, which will not be seen from the adjacent properties due to the wooded buffers already in place. We do not sell to the general public; we are a delivery and install company only. Our hours of operation are from 7:00am to 5:00pm and we currently have four employees.

Thank you for taking the time to review our request. If you have any questions or concerns please do not hesitate to call.

Sincerely,

*Jeremiah Smith*

Jeremiah Smith  
Extreme Mulch LLC  
Office# 770-880-9048  
Cell# 770-362-2504  
Fax# 678-205-2426

**U08-06**