

STATE OF GEORGIA

COUNTY OF HALL

**RESOLUTION OBJECTING TO THE CITY OF FLOWERY BRANCH'S
ANNEXATION OF THE PROPERTY OF JOY STRICKLAND PEARSON,
TRUSTEE OF THE DOROTHY P. STRICKLAND REVOCABLE LIVING TRUST
DATED JUNE 18, 2008, KNOWN AS HALL COUNTY TAX PARCEL 15046 000001**

WHEREAS, Hall County has received a notice of filing with the City of Flowery Branch of a petition for annexation of the property of Joy Strickland Pearson, Trustee of the Dorothy P. Strickland Revocable Living Trust Dated June 18, 2008, located at 4381 Hog Mountain Road, Flowery Branch, Georgia 30542 and bearing Hall County Tax Parcel Number 15046 000001 (the "Subject Property"); and

WHEREAS, the annexation petition seeks to rezone the Subject Property from Hall County's designation of Agricultural-Residential 1 (AR-1) to the City of Flowery Branch's designation of Mixed-Use Development District (MU); and

WHEREAS, the proposed annexation and rezoning of the Subject Property, constituting 155.192 ± acres, for the development of a four-hundred-and-twelve (412) unit residential subdivision on the Subject Property, represents a substantially more intense and significantly different use of the property than allowed by Hall County's existing residential zoning of the property; and

WHEREAS, the proposed annexation, rezoning, and proposed use of the Subject Property as a high-density residential subdivision would cause a substantial increase in the intensity of the allowable use of the Subject Property; and

WHEREAS, the proposed annexation, rezoning, and proposed use of the Subject Property as a high-density residential subdivision would cause a dramatic deviation from the current low to moderate density of development in the immediate area; and

WHEREAS, the proposed annexation, rezoning, and proposed use of the Subject Property as high-density residential subdivision would create a significant increase in the demand on local infrastructure; and

WHEREAS, the Hall County Board of Commissioners has carefully reviewed the annexation and rezoning request, and the Board has determined that annexation, rezoning, and the proposed use of the Subject Property as a high-density residential subdivision is not in the best interest of the residents of Hall County; and

WHEREAS, the Official Code of Georgia Annotated provides a procedure for resolving annexation disputes (O.C.G.A. § 36-36-110 et seq.); and

WHEREAS, the Board of Commissioners wishes to avail itself of the remedies provided by the annexation dispute resolution process as a result of its objection to this annexation and rezoning request;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF HALL COUNTY DOES HEREBY OBJECT to the City of Flowery Branch's annexation and rezoning of Hall County Tax Parcel 15046 000001, as requested by the applicant, Grand Communities, LLC, and the property owner, Joy Strickland Pearson, Trustee of the Dorothy P. Strickland Revocable Living Trust Dated June 18, 2008. This objection is based upon a material increase in burden on Hall County's infrastructure demands, an increase in density in the local area, and a significant deviation from the current use of the Subject Property directly related to the proposed change in zoning and land use.

Based upon the information presented in the application for annexation provided to Hall County, the County specifically objects to the proposed change in zoning and land use that would result from the annexation as follows:

The application for annexation of the Subject Property, approximately 155.192 ± acres, describes a rezoning from Hall County's Agricultural-Residential I (AR-1) District to the City of Flowery Branch's Mixed Use Development District (MU) for the development of a four-hundred-and-twelve (412) unit residential subdivision. Hall County attaches Flowery Branch's revised Notice of Intent of Annexation, the amended application for annexation and rezoning, and the supporting documents served upon Hall County. *See Exhibit A.* The Subject Property is bordered on the north by the City of Flowery Branch's Highway-Business district and Hall County's Planned Residential Development district, on the south by Hall County's AR-1 and R-1 zoning, on the east by Hall County's AR-1 district, and on the west by the Flowery Branch's Institutional District.

The proposed high-density residential subdivision to be developed on the Subject Property would directly contrast with the surrounding and existing uses permitted by Hall County. The County's existing AR-1 zoning of the property permits detached single-family dwelling units for agricultural or residential uses at a low density (approximately 1 unit per acre), as shown in Section 3.2 of Hall County's Uniform Development Code, Appendix A of the Official Code of Hall County. *See Exhibit B.* The County's current recommended density for the Subject Property of 1 dwelling unit per acre would be drastically increased by the proposed annexation and rezoning of the property to the City of Flowery Branch's MU, which would allow a maximum of five (5) units per acre as shown in Article 8 of Flowery Branch's Zoning Ordinance, Appendix C of the City's Code of Ordinances. *See Exhibit C.* Per the site plan provided by the applicant, Grand Communities, LLC, the proposed high-density residential subdivision would feature a density average of 2.65 units per acre. Construction of the proposed development, therefore, would be out of character with the Subject Property's immediate neighbors and would interfere with the existing landowners' quiet enjoyment of

their properties through overcrowding and by upsetting their expectation of a lower density usage in the area. Further, the rise in density would result in substantially increased traffic on local roads in the immediate vicinity of the Subject Property. The applicant has not proposed any road improvements that would sufficiently ameliorate the increase in traffic volume and the related infrastructure costs associated with increased road congestion. Thus, the proposed change in zoning and land use contained in the application for annexation would create a large material increase in burden upon Hall County directly related to the proposed change in zoning and land use.

Finally, the proposed change in zoning and land use as described in the application for annexation of the Subject Property would result in a substantial increase in the intensity of the allowable use of the property as well as a change to significantly different allowable uses of the property. An aerial photograph of the area immediately surrounding the proposed annexation shows that there are no high-density residential subdivisions near the Subject Property. *See* Exhibit D. A review of the City of Flowery Branch's zoning ordinance for MU shows more permitted uses, including commercial uses, with a higher density than that allowed by Hall County's current zoning of the Subject Property. These alternative uses provide for more intense uses of the Subject Property than intended by Hall County and would allow for significantly different uses of the property than currently allowed; moreover, there is nothing to prevent the Subject Property from being converted to these other uses in the future following its annexation and rezoning.

For the foregoing reasons, the members of the Board of Commissioners have executed this objection to the annexation petition of Grand Communities, LLC, and Joy Strickland Pearson, Trustee of the Dorothy P. Strickland Revocable Living Trust Dated June 18, 2008, regarding Hall County Tax Parcel 15046 000001 this the 22nd day of May, 2025.

[SIGNATURES ON FOLLOWING PAGE]

HALL COUNTY BOARD OF COMMISSIONERS

By: _____
David Gibbs, Chairman

By: _____
Kathy Cooper, Commissioner, District 1

By: _____
Billy Powell, Commissioner, District 2

By: _____
Gregg Poole, Commissioner, District 3

By: _____
Jeff Stowe, Commissioner, District 4

ATTEST:

By: _____
Jennifer Rivera, Commission Clerk

(SEAL)

APPROVED AS TO FORM:

By: _____
William J. Linkous, III, County Attorney



February 19th, 2025
April 4th, 2025 (revised)

Hall County Board of Commissioners
2875 Browns Bridge Road
Gainesville, GA 30504
c/o Jennifer Rivera, Commission Clerk

Re: Notification of Intent to Annex, Rezone, and Apply Variances for Land Located in Hall County

Honorable Members of the Hall County Board of Commissioners:

This letter is intended to inform the Hall County Board of Commissioners that the applicant for the proposed development at the subject site has petitioned the City to request a delay in the upcoming public hearing. Please note the following:

- The request for public hearing delay to June 5th, 2025 was sent via email on March 31st, 2025
- Additional variance application has been submitted subsequent to the original notification. The variance will be reviewed concurrently with the annexation and rezoning requests.
 - Allow 100 percent of the residential portion of the project be served by front loaded garages. [Zoning Ordinance Section 8.4(d)].
- The public hearing has been rescheduled for June 5th, 2025.
- The size, survey, and concept plan for the development remain unchanged.

Please be advised that the City of Flowery Branch, Georgia, by the authority vested in the Mayor and City Council of Flowery Branch, Georgia by Article 2 of Chapter 36, Title 36, of the Official Code of Georgia Annotated, intends to annex the property hereinafter described by ordinance at a regular meeting of the Mayor and City Council.

This letter has been sent to you by certified mail, return receipt requested, within thirty (30) business days of acceptance of a complete application for annexation by the City of Flowery Branch, in accordance with O.C.G.A. § 36-36-9 and after receipt of the application for zoning pursuant to O.C.G.A. § 36-36-111.

The property to be annexed, rezoned and variance applied is shown on the enclosed map and is described as follows:

4381 Hog Mountain Road, tax parcel identification number 15046 000001.

Pursuant to O.C.G.A. § 36-36-111, a complete copy of the annexation, rezoning and variance applications are also enclosed.



Pursuant to O.C.G.A § 36-36-7 and O.C.G.A § 36-36-9, you must notify the Mayor and City Council of the City of Flowery Branch, in writing and by certified mail, return receipt requested, or statutory overnight delivery, return receipt requested, of any county facilities or property located within the properties to be annexed, within five (5) business days of receipt of this letter.

Pursuant to O.C.G.A § 36-66-4 a public hearing on zoning of the property to be considered for annexation as Flowery Branch MU (Mixed Use) will be held June 5th, 2025. The Public Hearing will be advertised for at least 30 days and no more than 45 days ahead of the meeting. When the meeting is scheduled, it will be at 6:00 PM in the City of Flowery Branch City Council Chamber located at 5410 Pine Street, Flowery Branch, GA 30542. If the county has a valid objection under O.C.G.A § 36-36-113, in accordance with the objection and resolution process, you must notify the city governing authority within forty-five (45) calendar days of receipt of this notice. Such notice of objection must be made by verifiable delivery and include documentation of the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection.

Sincerely,

Chris McCrary

Director of Planning and Community Development

City of Flowery Branch

cmccrary@flowerybranchga.org

CM/

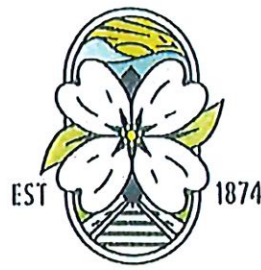
Enclosures: Survey of property to be considered for Annexation and Rezoning

Rezoning Site Plan

Annexation Application

Rezoning Application

Variance Application



February 19th, 2025

Hall County Board of Commissioners
2875 Browns Bridge Road
Gainesville, GA 30504
c/o Jennifer Rivera, Commission Clerk

Re: Notification of Intent to Annex and Rezone Land Located in Hall County

Honorable Members of the Hall County Board of Commissioners:

Please be advised that the City of Flowery Branch, Georgia, by the authority vested in the Mayor and City Council of Flowery Branch, Georgia by Article 2 of Chapter 36, Title 36, of the Official Code of Georgia Annotated, intends to annex the property hereinafter described by ordinance at a regular meeting of the Mayor and City Council.

This letter has been sent to you by certified mail, return receipt requested, within thirty (30) business days of acceptance of a complete application for annexation by the City of Flowery Branch, in accordance with O.C.G.A. § 36-36-9 and after receipt of the application for zoning pursuant to O.C.G.A. § 36-36-111.

The property to be annexed and rezoned is shown on the enclosed map and is described as follows:
4381 Hog Mountain Road, tax parcel identification number 15046 000001.

Pursuant to O.C.G.A. § 36-36-111, a complete copy of the annexation and rezoning application is also enclosed.

Pursuant to O.C.G.A. § 36-36-7 and O.C.G.A. § 36-36-9, you must notify the Mayor and City Council of the City of Flowery Branch, in writing and by certified mail, return receipt requested, or statutory overnight delivery, return receipt requested, of any county facilities or property located within the properties to be annexed, within five (5) business days of receipt of this letter.



Hall County Board of Commissioners
Consideration of Annexation and Rezoning
February 19th, 2025
Page 2 of 2

Pursuant to O.C.G.A § 36-66-4 a public hearing on zoning of the property to be considered for annexation as Flowery Branch MU (Mixed Use) will be held April, 3, 2025. The Public Hearing will be advertised for at least 30 days and no more than 45 days ahead of the meeting. When the meeting is scheduled, it will be at 6:00 PM in the City of Flowery Branch City Council Chamber located at 5410 Pine Street, Flowery Branch, GA 30542. If the county has a valid objection under O.C.G.A § 36-36-113, in accordance with the objection and resolution process, you must notify the city governing authority within forty-five (45) calendar days of receipt of this notice. Such notice of objection must be made by verifiable delivery and include documentation of the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection.

Sincerely,
Chris McCrary
Director of Planning and Community Development
City of Flowery Branch
cmccrary@flowerybranchga.org
CM/
Enclosures: Survey of property to be considered for Annexation and Rezoning
Rezoning Site Plan
Annexation and Rezoning Application



ANNEXATION APPLICATION

Date: 12/10/2024

Address of Request: 4381 Hog Mountain Road, Flowery Branch, GA 30542

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

City Clerk Signature: _____

Applicant Information

Name: Grand Communities, LLC

Address: 202 Tribble Gap Road, Suite 200, Cumming, GA 30040

E-mail address: eunderwood@mleshansford.com / tfisher@mleshansford.com

Phone number: 770-781-4100

Signature: 

Property owner information (if different than the applicant)
Joy Strickland Pearson, Trustee of the Dorothy P.
Property owner (please print): Strickland Revocable Living Trust Dated June 18, 2008

Signature of property owner: _____



ANNEXATION APPLICATION

Date: _____

Address of Request:

4381 Hog Mountain Road, Flowery Branch, GA 30542

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

City Clerk Signature: _____

Applicant Information

Name: Grand Communities, LLC

Address: 202 Tribble Gap Road, Suite 200, Cumming, GA 30040

E-mail address: eunderwood@mileschansford.com / tfisher@mileschansford.com

Phone number: 770-781-4100

Signature: _____

Property owner information (if different than the applicant)

Joy Strickland Pearson, Trustee of the Dorothy P.

Property owner (please print): Strickland Revocable Living Trust Dated June 18, 2008

Signature of property owner: Joy Strickland Pearson
12-15-24





Property Information

Tax Map Number: 15046 000001

Current Zoning: Agricultural Residential 1 District (AR-1) Total Acres: 155.23

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

Proposed City of Flowery Branch Zoning: Mixed Use Development District (MU)

Proposed City of Flowery Branch Character Area: Mixed Use

Current Use: Agricultural

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

Voting Rights Act Information

Resident Population: N/A Housing Units: N/A Other Buildings: N/A

Race Population %: White N/A Black N/A Hispanic N/A Other N/A

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

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



Conflict of Interest Disclosure

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

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

N/A

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

N/A

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

N/A

Disclosure of Campaign Contributions

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

Elected Officials Name

Amount of Description of Gift

N/A



REZONING APPLICATION

Date: 12/10/2024

Address of Request: 4381 Hog Mountain Road, Flowery Branch, GA 30542

Tax Map # 15046 000001 Current Zoning: AR-1

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

Currently a conforming use? Yes

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

Applicant Information

Name: Grand Communities, LLC

Address: 202 Tribble Gap Road, Suite 200, Cumming, GA 30040

E-mail address: eunderwood@mileschansford.com/tfisher@mileschansford.com

Phone number: 770-781-4100

Signature: [Signature]

Notary: [Signature]



STATE OF GEORGIA
COUNTY OF FLOWERY BRANCH
NOTARY PUBLIC
My Commission Expires 12/31/2025
Notary ID: 123456789



Property owner information (if different than the applicant)

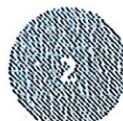
Property owner (please print): Joy Strickland Pearson, Trustee of the Dorothy P. Strickland Revocable Living Trust Dated June 18, 2008

Signature of property owner: Joy Strickland Pearson

Notary Seal:



Rezoning Application





Property owner information (if different than the applicant)
Joy Strickland Pearson, Trustee of the Dorothy P. Strickland
Property owner (please print): Revocable Living Trust dated June 18, 2008
Signature of property owner: _____

Notary:

Property Information

Tax Map Number: 15046 000001
Current Zoning: Agricultural Residential 1 District (AR-1) Total Acres: 155.23
Is this property located within the city-limits of Flowery Branch? No
Proposed City of Flowery Branch Zoning: Mixed Use Development District (MU)
Current Use: Agricultural

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

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

- Legal description
- Current survey of property



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

Conflict of Interest Disclosure

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

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

N/A

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

N/A

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

N/A



Disclosure of Campaign Contributions

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

Elected Officials Name	Amount of Description of Gift
N/A	

CITY STAFF ONLY

Application Received By: _____

Date: _____ Total Fee: _____



VARIANCE APPLICATION

Address of Request: 4381 Hog Mountain Road, 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:

See Letter of Intent attached.

Applicant: Grand Communities, LLC

Address: 202 Tribble Gap Road, Suite 200, Cumming, GA 30040

E-mail address: eunderwood@mlleshansford.com / tfisher@mlleshansford.com

Phone number: 770-781-4100

Signature: *Curtis Mann*

Notary Seal:



JAMES MANN
Notary Public, Kentucky
State At Large
My Commission Expires
April 20, 2017
License No. 00000000000000000000000000000000



Property owner information (if different than the applicant)
Joy Strickland Pearson, Trustee of the Dorothy P. Strickland
Property owner (please print): Revocable Living Trust dated June 18, 2008

Signature of property owner: Joy Strickland Pearson

Notary: Robert S. Holt
Notary Public



Variance Application





Conflict of Interest Disclosure

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

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

N/A

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

N/A

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

N/A

Disclosure of Campaign Contributions

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

Elected Officials Name

Amount of Description of Gift

N/A



Miles Hansford, LLC
ATTORNEYS AT LAW

202 Tribble Gap Road • Suite 200 • Flowery Branch, GA 30040
178 S Main Street • Suite 310 • Alpharetta, GA 30009
Phone 770.781.4100

MilesHansford.com

J. Ethan Underwood
eunderwood@MilesHansford.com

**LETTER OF INTENT REGARDING LAND USE APPLICATION AND STATEMENT OF DEVELOPMENT
STATISTICS**

Applicant:	Grand Communities, LLC
Subject Property:	155.23 Acres Designated as Hall County Tax Parcel(s): 15046 000001
Current Zoning:	AG-1 – Agricultural Residential 1 District (Hall County)
Proposed Zoning:	MU – Mixed Use Development District (City of Flowery Branch)
Proposed Use:	296 Dwellings, Single-Family Detached; 136 Dwellings, Single- Family Attached
Application:	Annexation, Rezoning, Variance, and Amendment to the Comprehensive Plan
ROW Access:	Hog Mountain Road
Governing Jurisdiction:	City of Flowery Branch

This statement is intended to comply with the application procedures established by the Zoning Ordinance of the Governing Jurisdiction (the "Zoning Ordinance"), the Governing Jurisdiction's Petition for Annexation, Application for Zoning, and other applicable Ordinances and Standards. The Applicant incorporates all statements made in the Application for Public Hearing by the Applicant (the "Application"). Any zoning request, special use permit, petition for annexation, and variance application submitted concurrently with the Application is also incorporated herein by this reference. The Application sets forth a preliminary development plan for the Subject Property, to evaluate the proposed development and its zoning classification, based upon factors set forth by the Governing Jurisdiction. The Applicant has provided all required information and has submitted the appropriate application fees. The requested Application meets all judicial and statutory requirements for approval.

Specifically, the Applicant requests the following:

- a) Annex the Subject Property into the City of Flowery Branch.
- b) Rezone the Subject Property from Agricultural Residential 1 District (AG-1) (Hall County) to Mixed Use Development District (MU) (City of Flowery Branch).
- c) If necessary, Amend the Comprehensive Plan to designate the Subject Property as Mixed Use.
- d) Variance:
 1. Allow 100 percent of the residential portion of the project to be served by front loaded garages. [Zoning Ordinance § 8.4(d)].



Miles Hansford, LLC
ATTORNEYS AT LAW

Page 2 of 2

STATEMENT OF DEVELOPMENT STATISTICS

The Applicant request that the following Development Statistics be approved as part of the Application. The Site Plan, Survey, and other materials submitted concurrently with the Application are incorporated as part of the Development Statistics.

A Development Statistics Matrix is attached and Incorporated as "Exhibit A" hereto.

CONCLUSION

The Applicant respectfully requests that the Application, as requested by the Applicant, be approved. The Applicant also reserves the right to amend this Letter of Intent and the Application by supplementing further responses and documents.

Sincerely,

Ethan Underwood
Attorney for Applicant

[illegible]

Sec. 3.2. - Agricultural Residential 1 (AR-1)

3.2.1. Intent

To provide for locations within the county to be developed and reserved for agricultural, residential, and compatible commercial or recreational purposes.

3.2.2. Uses

As defined in Article 7 (Use Provisions), Sec. 7.2 (Allowed Use Table).

3.2.3. Dimensional Standards

See Table 3.2.1 for district standards and Sec. 2.1 (Measurements and Exceptions) for additional requirements.

Table 3.2.1. AR-1 Dimensional Standards

Site	
Density:	1 dwelling per lot
Site coverage:	35% max.
Lots	
Lot area: (note 1)	43,560 sq. ft. min. when serviced by public water 65,340 sq. ft. min. otherwise
Lot frontage (regular street, cul-de-sac):	50 ft. min.
Lot width (curved street):	See 2.1.3.E.
Yards	
Front yard:	40 ft. min. or average per Sec. 2.1.4.C.
Side yard:	15 ft. min.
Rear yard:	25 ft. min.

Building Height	
Maximum:	50 feet
Table Notes: 1. Lots of record as of December 9, 1991, 2 acres in size or less which are serviced by public water and a private septic system may be subdivided into lots at least 30,000 square feet in area through the minor subdivision process.	

3.2.4. Overlay Compliance

See [Article 6](#) (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

3.2.5. Other Standards

See [Article 2](#) (Rules Common to All Districts), [Article 7](#) (Use Provisions) and [Article 8](#) (Site Development) for additional standards which may be applicable.

Building Height	
Maximum:	50 feet
<p>Table Notes:</p> <ol style="list-style-type: none">1. Lots of record as of December 9, 1991, 2 acres in size or less which are serviced by public water and a private septic system may be subdivided into lots at least 30,000 square feet in area through the minor subdivision process.	

3.2.4. Overlay Compliance

See [Article 6](#) (Special and Overlay Districts) for additional or alternative standards which may be applicable in overlay districts.

3.2.5. Other Standards

See [Article 2](#) (Rules Common to All Districts), [Article 7](#) (Use Provisions) and [Article 8](#) (Site Development) for additional standards which may be applicable.

ARTICLE 8. - MIXED-USE DEVELOPMENT DISTRICT

*Footnotes:**— (6) —*

Editor's note— Ord. No. 694, § 1(Exh. A), adopted June 1, 2023, repealed and readopted Article 8 to read as set out herein. Former Article 8, §§ 8.1—8.11 pertained to PUD, Planned Unit Development District, and derived from Ord. No. 657, § 1(Exh. A), adopted Dec. 16, 2021.

Sec. 8.1. - Description and Intent.

This zoning district is intended to implement certain residential and mixed-use developments in a way that meets objectives that cannot necessarily be accomplished by conventional residential zoning districts. It is specifically intended to primarily implement the "mixed use - neighborhood" character area.

(Ord. No. 694, § 1(Exh. A), 6-1-2023)

Sec. 8.2. - Objectives.

The Mixed-Use Development District is intended to meet the following objectives:

- (a) Allow mixes of land uses that are not elsewhere permitted in conventional zoning districts.
- (b) Permit a broader mix of residential housing types, including detached and attached dwellings, and specific commercial uses to be developed in one cohesive development.
- (c) Allow the development of tracts of land as single developments that are planned neighborhoods or communities, including residential and commercial uses that help to make up a community.
- (d) Preserve the natural amenities of the land through maintenance of conservation areas and open spaces within developments.
- (e) Provide a more desirable living environment than would be possible through the strict application of conventional residential zoning requirements.
- (f) Ensure that the design of building forms is interrelated and architecturally harmonious.

(Ord. No. 694, § 1(Exh. A), 6-1-2023)

Sec. 8.3. - Character.

Design of detached single-family neighborhoods and residential communities in the MU district may follow principles of conventional suburban subdivision design which include curvilinear streets with some cul-de-sacs. However, MU districts are intended to differ from conventional subdivisions in that they provide greater pedestrian access and interconnections between and among units of the neighborhood. This district

is primarily envisioned to apply to urban and suburban areas with sanitary sewer and public water service, though it may be used to provide for imaginative site arrangements in rural areas at exurban/rural densities.

Chart 8.1 Permitted Uses

Dwelling, single-family detached, fee simple
Dwelling, townhome, single-family attached
Dwelling, two-family, duplexes
Dwelling, multi-family, apartment, attached residential condominium
Home Occupation (office use only)
Commercial uses as allowed per the Neighborhood Shopping District

Chart 8.2 Dimensional Requirements

Requirement (measurement unit)	MU
Maximum density (units per acre)	50 acres or less - 6 50+ acres - 5
Minimum lot width, single-family detached (feet)	50
Minimum heated floor area per dwelling unit (square feet)	1,200
Minimum width of natural buffer abutting R-1, R-2, or R-3 district (feet)	None
Minimum landscape strip required along rights-of-way for any nonresidential use if permitted (width in feet)	25

Is primarily envisioned to apply to urban and suburban areas with sanitary sewer and public water service, though it may be used to provide for imaginative site arrangements in rural areas at exurban/rural densities.

Chart 8.1 Permitted Uses

Dwelling, single-family detached, fee simple
Dwelling, townhome, single-family attached
Dwelling, two-family, duplexes
Dwelling, multi-family, apartment, attached residential condominium
Home Occupation (office use only)
Commercial uses as allowed per the Neighborhood Shopping District

Chart 8.2 Dimensional Requirements

Requirement (measurement unit)	MU
Maximum density (units per acre)	50 acres or less - 6 50+ acres - 5
Minimum lot width, single-family detached (feet)	50
Minimum heated floor area per dwelling unit (square feet)	1,200
Minimum width of natural buffer abutting R-1, R-2, or R-3 district (feet)	None
Minimum landscape strip required along rights-of-way for any nonresidential use if permitted (width in feet)	25

Minimum landscape strip required along rights-of-way for any apartment or condominium (multi-family residential) use (width in feet)	25
Minimum landscape strip required along side property lines for any nonresidential use if permitted (width in feet)	25
Minimum landscaped open space	See Article 10

(Ord. No. 694, § 1(Exh. A), 6-1-2023)

Sec. 8.4. - Design Requirements.

The following requirements are a part of the rezoning approval process. Substantial deviation from, or inconsistency with, the guidelines in this Section shall be grounds for denial of a rezoning to the MU district.

- (a) Open spaces. Open spaces such as town greens and public squares, within developed portions of the development, should be located and designed to add to the visual amenities of the development. Greens and squares shall be spatially defined and distributed throughout the development so that no lot is more than a walking distance of 1,500 feet from a green, square, park or open space. Greens and squares should not be less than 8,000 square feet in area. A mix of peripheral as well as internal green space shall be provided. If two MUs are developed next to each other, there should be contiguous open space between the two MU's.
- (b) Greenspace. Preserve patches of high-quality habitat, as large and circular as possible, feathered at the edges, and connected by wildlife corridors. When continuous greenspace corridors cannot be provided or must be broken up for road access or other valid reasons, patches should be retained as "stepping stones" for wildlife corridors.
- (c) Residential portion of the project must include a minimum of 50 percent single-family detached homes.
- (d) A minimum of 50 percent of the residential portion of the project must be served by rear loaded, alley fed, two-car garages.
- (e) All structures are required to meet all design and material requirements of the zoning ordinance.
- (f) Additional requirements when the development exceeds 35 residential units:
 1. Outdoor activities space such as neighborhood pocket park(s). Pedestrian-friendly paving should be used.

Placement:

- Outdoor activities space should be designed at a location well connected with most residential units.
- Those semi-public uses should be located adjacent to outdoor activities space.
- Sidewalks shall be constructed at least 8 feet wide but not exceed 15 feet wide.

2. Landscape.

- An additional enhanced landscape area of not less than 3 percent of the total property shall be provided. This area shall consist of accent plant materials including a minimum of 10 percent shrubs and 15 percent annuals or perennials. This area should also achieve 75 percent coverage within 3 years of planting while following nursery recommended spacing.
- Bioswales or any storm water retention solution should be considered as part of landscaping design.
- Fountains, drinking fountains, sculptures or other public art, decorative hardscape feature are encouraged.
- Underground sprinkler systems are required.
- Parking areas and sidewalks shall be illuminated.
- Natural green space should be located to ensure maximum exposure to sunlight.

3. Parking.

- Automobile parking, PTV parking, and bicycle parking, shall be provided.

4. Amenities.

- Outdoor benches shall be provided 1 for every 100 linear feet of sidewalk. It is encouraged to use creative outdoor table set, designer benches, or swing set as outdoor furniture enrichment.
- Trash and recycling cans shall be provided 1 for every 100 linear feet of sidewalk.
- Recreational facilities, dog run/exercise areas and health/fitness facilities should be considered.

(g) See also Article 10 of this Zoning Ordinance.

(Ord. No. 694, § 1(Exh. A), 6-1-2023)

- Outdoor activities space should be designed at a location well connected with most residential units.
- Those semi-public uses should be located adjacent to outdoor activities space.
- Sidewalks shall be constructed at least 8 feet wide but not exceed 15 feet wide.

2. Landscape.

- An additional enhanced landscape area of not less than 3 percent of the total property shall be provided. This area shall consist of accent plant materials including a minimum of 10 percent shrubs and 15 percent annuals or perennials. This area should also achieve 75 percent coverage within 3 years of planting while following nursery recommended spacing.
- Bioswales or any storm water retention solution should be considered as part of landscaping design.
- Fountains, drinking fountains, sculptures or other public art, decorative hardscape feature are encouraged.
- Underground sprinkler systems are required.
- Parking areas and sidewalks shall be illuminated.
- Natural green space should be located to ensure maximum exposure to sunlight.

3. Parking.

- Automobile parking, PTV parking, and bicycle parking, shall be provided.

4. Amenities.

- Outdoor benches shall be provided 1 for every 100 linear feet of sidewalk. It is encouraged to use creative outdoor table set, designer benches, or swing set as outdoor furniture enrichment.
- Trash and recycling cans shall be provided 1 for every 100 linear feet of sidewalk.
- Recreational facilities, dog run/exercise areas and health/fitness facilities should be considered.

(g) See also Article 10 of this Zoning Ordinance.

(Ord. No. 694, § 1(Exh. A), 6-1-2023)

City of Flowery Branch Annexation - Grand Communities, LLC

