

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #:

PH #:

Property Taxes & Code Violations Verified

Fee Paid Initial:

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta." Please note that a 3% convenience fee will be added to all credit card transactions.
5. Applications will be accepted on the designated submittal dates between the hours of 8:30 AM and 3:30 PM.
6. If you have any questions regarding this form, please contact the Community Development Department by calling 678-297-6070.

Contact Information:

Contact Name: Southvine Homes LLC

Telephone: 7706928463

Address: 3010 Royal Boulevard S

Suite: 170

City: Alpharetta

State: GA

Zip: 30022

Fax: _____

Mobile Tel: 770-616-8609

Email: alex@southvinehomes.com

Subject Property Information:

Address: 0 Blake Road

Current Zoning: AG

District: 1

Section: 2

Land Lot: 917

Parcel ID: 12 314009170200

Proposed Zoning: R15

Current Use: Vacant Land

This Application For *(Check All That Apply):*

Conditional Use

Master Plan Amendment

Comprehensive Plan Amendment

Rezoning

Master Plan Review

Variance

Public Hearing

Exception

Other *(Specify):* _____

APPLICANT REQUEST AND INTENT

What is the proposed use(s) of the property?

Single Family Subdivision

Applicant's Request (Please itemize the proposal):

To rezone the property from AG to R-15
Concurrent variances to reduce the lot width from 100' to 80' and
reduce side setbacks from 10' to 5' (20' separation between foundations)

Applicant's Intent *(Please describe what the proposal would facilitate):*

Approving this Application will allow Applicant to develop a subdivision containing nine single family detached homes

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Kathleen S. Fowler Telephone: _____
Address: 9615 Cove Point Drive Suite: _____
City Gainesville State: GA Zip: 30506

Authorization:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Alpharetta, Georgia.

As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Special Use |
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Conditional Use |
| <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Master Plan |
| <input type="checkbox"/> Land Use Application | <input type="checkbox"/> Other |

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: Southvine Homes LLC Telephone: 770-692-8463
Address: 3010 Royal Boulevard S Suite: 170
City Alpharetta State: GA Zip: 30022

So Sworn and Attested:

Owner Signature: Kathleen S. Fowler Date: 8-16-24

Notary:

Notary Signature: Karley Yancey Date: 8/16/2024



DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent: Kathleen S. Fowler

Subject Public Hearing Case: Hampton Hall/ Blake Road

Campaign Contribution Information:

Please provide the requested information for each contribution with a dollar amount or value of \$250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution as been made.

If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official: N/A Position: N/A

Description of Contribution: None Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-1.

Signature: Kathleen S. Fowler

Date: 8-22-24

DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant in support of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent: Southvine Homes LLC

Subject Public Hearing Case: Hampton Hall/ Blake Road

Campaign Contribution Information:

Please provide the requested information for each contribution with a dollar amount or value of \$250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution has been made.

If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official: N/A Position: N/A

Description of Contribution: None Value: _____

Description of Contribution: _____ Value: _____

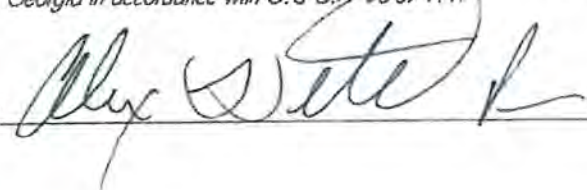
Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-1.

Signature: 

Date: 8-25-24

DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent: Alex Tetterton

Subject Public Hearing Case: Hampton Hall/ Blake Road

Campaign Contribution Information:

Please provide the requested information for each contribution with a dollar amount or value of \$250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution as been made.

If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official: N/A Position: N/A

Description of Contribution: None Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-1

Signature: 

Date: 8-15-24

DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent: Southvine Homes LLC

Subject Public Hearing Case: Hampton Hall Extension

Campaign Contribution Information:

Please provide the requested information for each contribution with a dollar amount or value of \$250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution as been made.

If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official: Fergal Brady Position: Councilmember

Description of Contribution: check Value: \$500

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-1.

Signature: 

Date: 8-21-2024

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

See Letter of Intent

How will this proposal affect the use and value of the surrounding properties?

See Letter of Intent

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.

See Letter of Intent

What would be the increase to population and traffic if the proposal were approved?

See Letter of Intent

What would be the impact to schools and utilities if the proposal were approved?

See Letter of Intent

How is the proposal consistent with the Alpharetta Comprehensive Plan; particularly the Future Land Use Map?

See Letter of Intent

Are there existing or changing conditions which affect the development of the property and support the proposed request?

See Letter of Intent

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

BOARD OF ZONING APPEALS REVIEW CRITERIA

Please respond to the following ONLY if you are applying for a zoning variance.

Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography? Please describe them.

See Letter of Intent

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? Please explain.

See Letter of Intent

Are there conditions that are peculiar to the subject property? Please describe them in detail.

See Letter of Intent

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Please defend your response.

See Letter of Intent

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

CITIZEN PARTICIPATION FORM - PART A

This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Alpharetta without a completed Citizen Participation Form - Part A will not be accepted.

Public Hearing or Project Name: Hampton Hall Extension

Contact Name: Don Rolader Telephone: 770-4442-0330

The following people will be notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified. Use additional pages as needed.

See Exhibit A attached hereto

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Method by which these individuals will be contacted. Please mark all that apply. *If you select "Other," please provide a description of the method of contact that will be used.*

- | | |
|--|--|
| <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Personal Visits |
| <input type="checkbox"/> Telephone | <input type="checkbox"/> Group Meeting |
| <input type="checkbox"/> Email | <input type="checkbox"/> Other <i>(Please Specify)</i> |

Please describe the method(s) by which these individuals will have the opportunity to respond or contact the applicant with questions or concerns about the proposal.

Individuals may respond by mail, email, text, telephone call or request personal visits or group meetings

Owner

Steven Wood & Leanne K
Richard Carson & Pamela
Roger & Karin Lee
Jill & Victor Williams
Eric & Lisa Drake
David & Natascha Mariner
Kara & Danny Hall
Josephine Caswell
James & Tracy Eick
Matthew & Kathryn Curry
Lenard & Robin Silverman
Dennis & Cristin Kallaher
Neal & Jodi Roberts
Namman & Sabeen Spall
Tyrone & Sonja Mayo
James & Rochelle Wainer
John & Rhiannon Adams
Thomas Ginn Lewis
Steven & Wendy Fenner
Sean Richards
Ann Peace
Jae Park
Dayton & Lindsey Shuman
Maroun Bousarkis
Dale & Nancy Nunnelley
John & Jacqueline Green
Warren Wiltz
Peter & Jessica Stewart
Zhu Xu Family Living Trust
Hyo Jin Park
Patrick & Meghan Ryan
Amrut & Ritu Khatri
Ron & Helena Wallach
Saurabh Garg & Karishma Goel
Dejuna Jackson Brown
David Lin & Hsing Tan
Anthony & Adrienne Posillico
Hampton Hall Community Association
Hampton Hall Community Association
Irina Alperovich
Yubao Wu & Zhang Xiaoyuan
Liu Zhu Gao
Changling Dong
Ripple & Trusha Parikh
Hamida & Fahim Thawer
Tceretian & Polina Iurii
Jessica Clough
Drew & Karina Vorhies

Address

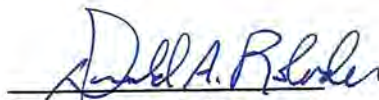
1430 Hampton Hill Drive
1420 Hampton Hill Drive
1410 Hampton Hill Drive
8175 High Hampton Chase
8185 High Hampton Chase
8195 High Hampton Chase
8205 High Hampton Chase
8215 High Hampton Chase
1515 Highview Pine Pass
1525 Highview Pine Pass
1535 Highview Pine Pass
1545 Highview Pine Pass
1530 Highview Pine Pass
1520 Highview Pine Pass
1510 Highview Pine Pass
8245 High Hampton Chase
1605 Ridge Haven Run
1615 Ridge Haven Run
1625 Ridge Haven Run
1610 Ridge Haven Run
1600 Ridge Haven Run
8285 High Hampton Chase
8300 High Hampton Chase
8280 High Hampton Chase
8270 High Hampton Chase
8180 High Hampton Chase
210 Beacon Knoll Drive
300 Beacon Knoll Drive
8260 High Hampton Chase
8250 High Hampton Chase
8240 High Hampton Chase
410 Blake Road
420 Blake Road
430 Blake Road
440 Blake Road
450 Blake Road
460 Blake Road
434 Blake Road
433 Blake Road
120 Starboard Way
130 Starboard Way
140 Starboard Way
150 Starboard Way
160 Starboard Way
170 Starboard Way
180 Starboard Way
175 Starboard Way
165 Starboard Way

Vicki Sarris	155 Starboard Way
Miranda Staub & Anthony Dillon	145 Staboard Way
Venkat Goteti & Hema Viswanatham	135 Starboard Way
Arun Subramanian & Arthi Parthasarathy	3325 Mainstay Place
Alireza Arabnia & Samira Borgheirazavi	3335 Mainstay Place
Jung Lee & Kyoung Eun	3345 Mainstay Place
Dan Razieli & Sivan Lev	3355 Mainstay Place
Qingshun & Joanne Hou	3365 Mainstay Place
Elizabeth Schell	3375 Mainstay Place
Heather Jones	400 Sailmaker Circle
Shannon & Derek Nichols	410 Sailmaker Circle
Seife Teklu	415 Salimaker Circle
Juyeon Won & Mihye Shin	425 Sailmaker Circle
Obieze & Natalya Mmeje	435 Salimaker Circle
Richard Kim & Jenny Ha	445 Salimaker Circle
Xiaoli Sun & Lei Chen	455 Sailmaker Circle
Jill & Michael Bertolani	465 Sailmaker Circle
HPA Borrower	475 Sailmaker Circle
John & Bianca Giddens	485 Sailmaker Circle
Benu Santosh	450 Sailmaker Circle
Nachammai Subbukumar & Subramanian Muthukumar	440 Sailmaker Circle
Yasha & Zenaeda Zavulunov	420 Sailmaker Circle
Christopher & Kimberly Russo	430 Sailmaker Circle
Anshul & Vibhuti Garg	405 Sailmaker Circle
Hadi Wahba & Dalit Shani	10790 Waters Road
Pradip & Heena Dalwadi	3353 Carverton Lane
Hamid Mashinchi	3363 Carverton Lane
Oak Mills Homeowners Association	0 Carverton Lane
Ruth & Bryan Fornell	3373 Carverton Lane
Ying Wang Zhong	3383 Carverton Lane
John & Lindsay Demboski	3393 Carverton Lane
Behnaz Shojaat & Ashar Hassanipak	3403 Carverton Lane
Kuifu Lou & Yafen Tan	3356 Carverton Lane
Richard Wernick	3366 Carverton Lane
Khaled Abboud	3376 Carverton Lane
Hamid & Robab Mashinchi	3386 Carverton Lane
Keriman Guven	3396 Carverton Lane
Kurt & Hong David Living Trust	3406 Carverton Lane
Benjamin & Jill Sams	8170 High Hampton Chase
Timothy & Lisa Davey	115 Haven Bluff
Aditya & Shabina Uppal	125 Haven Bluff
David & Judith Burke	135 Haven Bluff
Malcom & Susan Mccollum	130 Haven Bluff
Shu Dong & Ling Pan	120 Haven Bluff
Johnathan & Terri Evans	110 Haven Bluff
Michael & Karen Gottschalk	8150 High Hampton Chase
Sylvia Vargas	8140 High Hampton Chase

HAMPTON HALL EXTENSION TAX CERTIFICATION

The undersigned certifies that the taxes have been paid on Fulton County Tax Parcel 12 314009170200 through tax year 2023 as follows:

Fulton County	\$2933.28 PAID
City of Alpharetta	\$462.30 PAID



Donald A. Rolader
August 21, 2024

The undersigned further certifies that no existing code violation citations are on file against the subject property.



Donald A. Rolader
August 29, 2024

LEGAL DESCRIPTION OF ANNEXED PROPERTY
HAMPTON HALL - BLAKE ROAD PROPERTY

all that tract and parcel of land lying and being in Land Lot 917 of the 1st District and 2nd Section of Fulton County, Georgia, containing five and two hundredths (5.02) acres and being particularly shown and delineated on plat of survey of a portion of the Stephen T. Spruill Estate property made by Joseph C. King, Land Surveyor, dated April 20, 1969, as follows, to-wit:

BEGINNING on the southeastern side of Blake Road 877.25 feet southwesterly, as measured along the southeastern side of Blake Road, from the intersection of the southeastern side of Blake Road with the northwestern side of Waters Road; running thence southwesterly 530.1 feet along the southeastern side of Blake Road to an iron pin at the west line of Land Lot 917; thence south 0 degrees 12 minutes east 389.15 feet along said Land Lot Line to an axle at the southwest corner of said Land Lot; thence north 89 degrees 6 minutes 30 seconds east 455 feet along the south line of said Land Lot; thence north 4 degrees 5 minutes 30 seconds east 533.55 feet to the southeastern side of Blake Road at the point of beginning; being shown on the plat aforesaid as Tract 7.

All that tract or parcel of land lying or being in Land Lot 917, 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

Beginning at an axle found at the common corner of Land Lots 901, 902, 917, and 918, said point having State Plane Coordinates of North 1,470,474.17, East 2,267,205.16, Georgia West Zone, said point being the True Point of Beginning; thence along the Westerly line of Land Lot 917 North 00 degrees 32 minutes 13 seconds East, a distance of 81.36 feet to a 1/2 inch rebar found; thence North 00 degrees 34 minutes 38 seconds East, a distance of 100.27 feet to a 1/2 inch rebar found; thence North 00 degrees 35 minutes 18 seconds East, a distance of 204.89 feet to a 1/2 inch rebar found (capped LSF 839) on the Southerly right-of-way of High Hampton Chase (50 foot right-of-way); thence along said right-of-way North 68 degrees 46 minutes 36 seconds East, a distance of 101.21 feet to a point; thence along a curve to the right, said curve having an arc length of 163.67 feet with a radius of 750.00 feet, being subtended by a chord bearing of North 75 degrees 02 minutes 15 seconds East, a distance of 163.35 feet to a point; thence North 81 degrees 17 minutes 22 seconds East, a distance of 89.95 feet to a point; thence along a curve to the left, said curve having an arc length of 178.16 feet with a radius of 361.62 feet, being subtended by a chord bearing of North 67 degrees 10 minutes 32 seconds East, a distance of 176.37 feet to a 1/2 inch rebar found (capped RLS 3033); thence leaving said right-of-way South 05 degrees 30 minutes 15 seconds West, a distance of 188.76 feet to a 1/2 inch rebar found; thence South 05 degrees 26 minutes 02 seconds West, a distance of 364.58 feet to a 5/8 inch rebar found on the Southerly line of Land Lot 917; thence along said Land Lot Line North 89 degrees 26 minutes 22 seconds West, a distance of 75.97 feet to a 1/2 inch rebar found; thence North 89 degrees 34 minutes 29 seconds West, a distance of 193.53 feet to a 1/2 inch rebar found; thence North 89 degrees 31 minutes 45 seconds West, a distance of 143.06 feet to a 1/2 inch rebar found; thence North 89 degrees 50 minutes 02 seconds West, a distance of 42.33 feet to an axle found at the common corner of Land Lots 901, 902, 917, and 918, said point being the True Point of Beginning.

Said tract of land contains 5.051 Acres.

ROLADER & ROLADER, P.C.
ATTORNEYS & COUNSELORS AT LAW
P.O. Box 277
MARBLE HILL, GEORGIA 30148
(770) 442-0330
Physical Address: 200 Foothills Pkwy.
Marble Hill, Georgia 30148
www.roladerandrolader.com

DONALD A. ROLADER
don@roladerandrolader.com

D.W. "Pete" ROLADER
1924 – 2011

August 29, 2024

Ms. Kathi Cook, Director
Community Development Department
City of Alpharetta
2 Park Plaza
Alpharetta, Georgia 30004

Re: Application of Southvine Homes LLC for 5.051 Acres located on High Hampton Chase for (i) Rezoning from AG to R-15; and (ii) three (3) concurrent variances to UDO Section 2.2.9, being (1) a lot width reduction from 100' to 80', (2) a side yard setback reduction from 10' to 5' with a minimum foundation separation of 20', and (3) a front setback reduction from 35' to 30'.

Dear Kathi:

Please accept this letter as the Letter of Intent of my client Southvine Homes LLC in support of the above referenced application for rezoning (from AG to R-15) and for the concurrent variances listed above.

The project contemplates developing a single family detached home subdivision on the Property. They will represent a mixture of products and architectural styles. They will contain a minimum floor area of 3600 square feet, and the maximum height of the structures shall not exceed 35 feet, in compliance with the UDC requirements.

The density of the project will be 1.79 units per acre which is in keeping with surrounding residential densities. The site plan shows nine total R-15 lots on the 5.051 acre tract. Surrounding residential developments are zoned CUP on the west (Hampton Hall Unit II), R-15 (Hampton Hall Phase VII) and R-12 (Waters Landing) on the south, and CUP on the east (Oak Mills and Hampton Hall Unit IV). High Hampton Chase is the northern boundary of the Property.

The Property is presently zoned AG and is a vacant outparcel surrounded by attractive single family development. The property has no economic use as agricultural land and does not fit in with the surrounding uses. The Future Land Use Map designates the property as Low Density Residential and that use is supported by the Comprehensive Plan.

If approved, this project will create a small new single family subdivision which is in conformity with surrounding uses and in compliance with the Future Land Use Map and the Comprehensive Plan. It will be served by Fulton County sanitary sewer and storm water detention will be managed onsite. The site plan indicates a 40 foot landscape buffer along the western, southern and eastern property boundaries. A description of the buffer and the parts to be disturbed is set out in proposed Condition 5. on Page Six of this Letter of Intent. The buffer is far more substantial than the rear lot setbacks on abutting subdivisions or setbacks mandated by Code requirements.

The voluntary imposition of the 40 foot landscape buffer necessitates the grant of three variances.

First, a variance is requested to reduce the lot width from 100 feet to 80 feet, to allow for the creation of desirable lots for home placement where the usable lot area is substantially reduced by the imposition of the 40 foot rear buffer. The result of the grant of the variance is to create basically the same available area for home construction as on a lot not affected by the larger buffer.

Second, a variance is requested to reduce the side yard setback from 10 feet to 5 feet, with a minimum house foundation separation of 20 feet. As stated above, granting this variance permits construction within the same available area of the lots as would a lot not affected by the larger than required by code rear setback.

Third, a reduction of the front setback from 35 feet to 30 feet is requested. With a 40 foot rear setback, building area is reduced substantially. Reducing the front setback to 30 feet allows Applicant to recover some building area and move the homes farther from abutting residences.

In summary, Applicant's request is for rezoning from AG to R-15 with three concurrent variances. The project is not intended to be phased. Applicant is in discussion with the Hampton Hall HOA and contemplates making the subdivision a part of the Hampton Hall development. A trip generation report is attached to the Application as a separate document. The small size of the development limits the impact on the Fulton County School System. There are sufficient utilities available at the location to serve the need created by the new home construction (sewer, water, electricity).

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

This Application is for a single family subdivision zoned R-15. The Property is surrounded by single family subdivisions zoned CUP, R-15 and R-12. The proposed use is compatible and complies with the Comprehensive Plan and Future Land Use Map.

How will this proposal affect the use and value of the surrounding properties?

Developing a new single family subdivision under R-15 standards should serve to increase the value of surrounding properties which are developed as single family subdivisions. The use is compatible and should have no adverse effect on the use of surrounding properties.

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.

No. The property is totally surrounded by low density residential subdivisions. This property cannot violate that pattern of use and create a use under the current zoning (AG) which is economically reasonable. The property use needs to conform to the surrounding uses to be viable.

What would be the increase in population and traffic if the proposal were approved?

The nine lot subdivision should generate approximately 35 new occupants. See the trip generation report for traffic generated by the development.

What would be the impact to schools and utilities if the proposal were approved?

Due to the small size of the subdivision (9 homes), the impact on public schools will be minimal. There are sufficient public utility services available to serve the new subdivision (water, sewer, electricity).

How is the proposal consistent with the Alpharetta Comprehensive Plan; particularly the Future Land Use Map?

The proposed use is consistent with both. The area is designated for low density residential development. This Application is for an R-15 zoning with 9 lots at a density of 1.79 units per acre which is in compliance with the Future Land use Map.

Are there existing or changing conditions which affect the development of the property and support the proposed request?

This 5 acre property was not incorporated into any of the surrounding subdivisions as they were developed. It is now an island of vacant land in the middle of three subdivisions. It makes good land use policy to develop this tract compatibly and include it in an existing subdivision.

BOARD OF ZONING APPEALS REVIEW CRITERIA

Preliminary Statement: Applicant has agreed to two voluntary conditions with Staff (concessions). Applicant has agreed to a 40' landscape buffer on the east, south and west perimeters of the property which buffers affect and restrict the allowable building area of every lot. The standard setback in R-15 against R-12, R-15 and CUP is a 5' landscape strip. Applicant has agreed to not have any lots having driveway access and frontage on High Hampton Chase, even though such lots are permitted in the R-15 Zoning district. These two voluntary conditions (the "Voluntary Conditions") dramatically affect the Applicant's ability to develop the lots if the three variances are not granted. The variances have been discussed with Staff.

Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape or topography?

Response: Yes

Lot width reduction The Voluntary Conditions create extraordinary and exceptional conditions restricting development of nine lots if the variance is not granted, reducing the lot yield and affecting the building area of the lots.

Side setback reduction Same response as above.

Front setback reduction Same response as above. Additionally, reducing the front lot setback allows the homes to be located farther from abutting neighbors.

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? Please explain.

Response: Yes

Lot width reduction Since Applicant has agreed to the Voluntary Conditions which exceed Code requirements, applying R-15 standard setbacks would create unnecessary hardships making development of a quality R-15 subdivision economically not feasible. Building area on each lot would be decreased. Granting the requested variances allows Applicant to consent to the Voluntary Conditions and develop an R-15 subdivision.

Side setback reduction Same response as above

Front setback reduction Same response as above

Are there conditions that are particular to the subject property? Please describe them in detail.

Response: Yes

Lot width reduction Do to Applicant's agreement to the Voluntary Conditions, the subject property is imposed with setback and lot location requirements which are in excess of R-15 Code requirements and are therefore particular to the subject property. The grant of the requested variances allows Applicant to develop an R-15 subdivision in compliance with the Voluntary Conditions and otherwise in compliance with R-15 requirements. Without the requested variances, Applicant cannot develop the proposed subdivision.

Side setback reduction Same response as above

Front setback reduction Same response as above.

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Please defend your response.

Response: No

Lot width reduction Granting the requested variances allows the Applicant to develop a quality, well planned R-15 subdivision compatible with surrounding subdivisions. Granting the variances will cause no detriment to the public good nor will it in any manner impair the purpose and intent of the Zoning Code. The effect of the variances will be to benefit surrounding homeowners with larger setbacks and a street view with no new homes facing or accessing the existing public street. There are no negative impacts created by the grant of the requested variances.

City of Alpharetta, Georgia
August 29, 2024
Page Seven

CONCLUSION

The Applicant respectfully requests that the Alpharetta City Council grant the requested rezoning and the variances as submitted. We look forward to working with Council and Staff towards the development of a desirable subdivision.

Sincerely,



Donald A. Rolader

CC: Alex Tetterton
Alan Neal



City of Alpharetta
 2 Park Plaza
 Alpharetta, GA 30009
 Phone: 678-297-6000
<http://www.alpharetta.ga.us>

Receipt#: 52153
 Date: 8/30/2024

Payment Receipt

Invoice #	Case Type	Case Number	Sub Type
	PHAPP	PHA240041	

Tender Type/Description	Amount
CHECK- Check	1,525.00
Sub Total:	1,525.00

Fees:

Fees Code / Description	Amount
P-ADFEE- Public Hearing App - Advertising Fee	325.00
P-RZ-SFD- Rezoning Fee - Single Family Detached	450.00
P-VARIANCE- Public Hearing App - Variance	750.00
Sub Total:	1,525.00

Total Amount Due: 1,525.00
Total Payment: 1,525.00

*His Hands Tree Preservation, LLC.
PO Box. 441241
Kennesaw, GA. 30160
Phone: (404) 661-2700
Email: HisHandsTP@gmail.com
ISA Certified Arborist WI-0338AT
ISA Certified Tree Worker
ISA Qualified Tree Risk Assessor*

SPECIMEN TREE REPORT

*Tree Inventory
High Hampton Chase
Alpharetta, GA*

Prepared For:

**Southvine Homes
Mr. Alex Tetterton
3010 Royal Boulevard
Suite 170
Alpharetta, GA. 30022**

Assessor:

**Robert Brettschneider
His Hands Tree Preservation, LLC
Owner
ISA Certified Arborist #WI-0338AT
ISA Certified Tree Worker
ISA Qualified Tree Risk Assessor**

On February 15, 2024, Robert Brettschneider, Owner of His Hands Tree Preservation and an International Society of Arboriculture (ISA) Certified Arborist, conducted the onsite tree assessment and inventory. This assessment aimed to verify sizes and evaluate the biological and structural health of the specimen trees, trees of quality, tree groupings, and boundary/shared trees.

On August 20, 2024, an onsite visit was completed with the City of Alpharetta Arborist to discuss the Specimen trees. During that meeting, we determined that several multi-trunked trees were individual trees to be inventoried separately. Multi-trunk trees were measured at the narrowest point below the fork, and each stem was reported as well. The pith test was used to determine if it is one tree or multiple trees. When the lines cross above ground, it's one tree. If it crosses below ground, it's two trees

All specimen-sized trees were assessed for insect infestations, disease pressures, structural defects, biological decline, and overall health. A health and structural assessment was performed as a visual ground assessment and documented in the report.

Trees were identified with ribbons in the field.

Pink indicates the tree to be dead, dying, or has a high risk associated with it.

Yellow indicates the tree is a specimen tree.

Green indicates a tree grouping or a tree of quality.

The following criteria per the City of Alpharetta Unified Development Code were used to determine Boundary/Shared Trees or Specimen Tree statuses. Determining a tree's specimen status is ultimately up to the City of Alpharetta Arborist and staff.

Specimen Tree: any tree that qualifies for special consideration for preservation due to its size, type, condition, location, or historical significance and which also meets the minimum size criteria set forth below.

- *Pine Trees:* 30-inch diameter or larger for trees in the Pinus (Pine) genus.
- *Coniferous Trees:* 20" diameter or larger for trees in the Cedrus (deodar cedar), Thuja (Arborvitae), or other ecologically similar trees.
- *Overstory Trees:* 30-inch diameter or larger for trees in the Liquidambar (Sweetgum) or Liriodendron (Tulip poplar) genus, 20-inch diameter or larger for trees in the Fagus (Beech), Nyssa (Tupelo), Diospyros (Persimmon), Sassafras (Sassafras), or other ecologically similar trees, 20-inch diameter or larger for Magnolia grandiflora (Southern magnolia) and those cultivars that generally reach a mature height over 40 feet, 24-inch diameter or larger for trees in all other genera.
- *Understory Trees:* 8-inch diameter or larger genera and 10-inch diameter or larger for Oxydendron arboretum (Sourwood).
- *Trees of Quality and Tree Groupings or Groves:* are trees that warrant protection or preservation based upon the size, condition, special interest, character, etc.

Side setback reduction Same response as above.

Front setback reduction Same response as above.

REQUESTED CONDITIONS

- 1) Single family lots will have a minimum lot width of 80'.
- 2) Each unit shall contain a minimum of 3600 square feet with a height limit of 35 feet.
- 3) Single family lots shall have a side setback of 5', with a minimum separation of 20' between foundations, and a front setback of 30'.
- 4) New utilities interior to the site shall be placed underground.
- 5) The east and west boundaries of the site shall have an undisturbed landscape buffer of 40', except for disturbance necessary for street entry, storm water detention pond/drainage and utility installation. The exterior 30' of the buffer, except for the southern boundary, shall be undisturbed. The interior 10' may be disturbed for necessary site development purposes, and shall be restored to buffer standards, where disturbed, prior to the issuance of the first certificate of occupancy for a dwelling. The entire southern buffer may be disturbed as necessary, and shall be restored to buffer standards prior to the issuance of the first CO for a home. The buffers are shown on Exhibit A attached.

PRESERVATION OF RIGHTS

It is the position of the Applicant that the Alpharetta Zoning Ordinance, in limiting the property to the uses allowed under the current AG zoning is unconstitutional in that it destroys the marketability of the property and renders the property economically unfeasible, and such zoning therefore constitutes a taking of property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the Constitution of the United States, as well as Article 1, Section 1, Paragraph 1; Article 1, Section 3, Paragraph 1(a); and Article 3, Section 6, Paragraph 2 of the Constitution of the State of Georgia (1983). To zone this property with any intervening conditions less than requested would be unconstitutional, would render the property unusable and would constitute the taking of Applicant's property without just and adequate compensation and without due process of law in violation of the provisions of the United States and Georgia Constitutions cited in this paragraph. The same effect would occur by imposing conditions in restraint of trade, onerous, burdensome, unconstitutional, or unnecessary conditions on the property. The denial of this request would bear no reasonable relation to the health, safety, morals or welfare of the public.

Table and Report:

The table below summarizes the updated inventory and assessment of the specimen trees on this site. Scott Hall has previously inventoried the trees on August 15, 2018. His report and numbers were used to identify the trees and areas on the plan. When trees needed to be added, they were inventoried at #710.

Several changes will be documented in the below inventory.
The table contents contain the following information.

Tree ID: The specific metal identification tag on the tree.

Tree Size: The size of the tree measured at 3.5 feet on the trunk gives the diameter size.

Tree Species: Identifies the genus and species of each tree.

Condition Rating: The condition rating comprises three distinct qualities: health, structure, and form.

- *Health:* Tree health (vigor) includes evaluation of the crown density, foliage color, leaf size, annual shoot growth, disease infections, insect infestations, the presence of injuries, and shoot dieback symptoms.
- *Structural:* The tree structural evaluation includes assessing tree features impacting the structural integrity. These conditions may have the presence of codominant stems, weak branch attachments, decay indicators, root collar burial, dead and dying branches, low live crown ratio, visual cavities, and other conditions of concern.
- *Form:* The tree form considers the tree's growth habit – its symmetry, shape, or silhouette. The form is also based on the tree species, site conditions, proximity to other trees or structures, and management history.

The condition ratings are categorized as good, fair, and poor.

- *Good:* The vigor is normal for the species. There is no significant damage due to diseases or pests. Any twig dieback, defoliation, or discoloration is minor. It has a well-developed structure. The defects are minor and can be corrected. There are minor asymmetries/deviations from species norm.
- *Fair:* The tree has a reduced vigor. Damage from insects or diseases is significant and associated with defoliation but is not likely fatal. Twig dieback, defoliation, discoloration, and/or dead branches may comprise up to 50% of the crown. The tree has a single defect of a significant nature or multiple moderate defects. The defects are not practical to correct or would require multiple treatments over several years. The tree form has major asymmetries/deviations from species norm and/or intended use. The functions and/or aesthetics are compromised.
- *Poor:* The tree is unhealthy and declining in appearance. Poor vigor. Low foliage density and poor foliage color are present. The tree has a potentially fatal pest infestation. Has an extensive twig and/or branch dieback. The tree has a single serious defect or multiple significant defects. Recent change in tree orientation. The structural problems cannot be corrected and may fail at any time. The tree form is largely asymmetric/abnormal and distracts from the intended use and/or aesthetics significantly.

Specimen Tree: An “X” identifies that the City of Alpharetta Arborist would consider the specimen tree a non-recompense.

Suitability for Preservation: This categorizes a tree’s potential to be an asset to the project following development. While this rating is future-focused, it is based on the species, current size, current condition, and species tolerance to construction. This rating is not based on specific construction plans or anticipated impacts on the tree.

The preservation ratings are categorized as high, medium, and low.

- *High:* A tree that is in good condition, has a long remaining lifespan, is desirable, and a species that can tolerate construction damage.
- *Moderate:* A tree with a moderate rating is between the High and Low ratings. They have conditions or qualities that could be mitigated with arboriculture treatments (pruning, pest management, soil management, or supplemental irrigation).
- *Low:* A tree in poor condition, has a short remaining lifespan, has poor aesthetics, is intolerant of construction damage, or is an invasive species tree.

The species tolerance ratings were taken from Coder, Kim D. 2021. Tree Tolerance of Site Development Activities. University of Georgia, Warnell School of Forestry & Natural Resources Outreach Publication WSFNR21-45C. Pp.6

Tree Grouping: There are several trees located along the roadway that would be considered a tree grouping. These trees are identified in the table below. None of the parking lot trees were considered a tree grouping based on the poor condition of health and other structural defects.

Tree of Quality: A tree that merits special consideration due to historical significance, ideal shape, and structure, or uniqueness of the species as determined by the Director. Except as otherwise provided in Section 3.2., Trees of Quality will be treated as specimen trees for preservation credits, and every alternative should be evaluated to save these trees.

The above observations, discussion, and recommendations are based on my professional experience and education. It is important to note that trees are natural living things, and it is impossible to predict when a tree may die or fail, especially when impacted by construction, human intervention, natural causes, or other means.

Thank you for the opportunity to assist you with this project. Please let me know if you have any questions. I can be contacted by email at hishandstp@gmail.com.



Robert D. Brettschneider
His Hands Tree Preservation, LLC.
Owner
ISA Certified Arborist WI-0338 AT
ISA Certified Tree Worker
ISA Qualified Tree Risk Assessor
Certified Pesticide Applicator GA #04207

Table Key and Results:

The bold type indicated a specimen tree.

Italic type indicates a boundary or shared tree.

TG - Identifies a grouping of trees.

TQ – Identifies a tree of quality.

B - #: Identifies trees that are boundary or shared.

A, B, C – These are previously inventoried trees that are to be considered individual trees.

Table: Trees on site

Tree ID	Diameter	Tree Species	Condition			Specimen Tree	Tree of Quality Tree Grouping	Suitability for Preservation	Comments
			Biological Health (Vigor)	Structural	Form				
<u>125</u> <u>715</u>	16	Red Maple	Fair	Fair	Fair	No	TQ	Moderate	Missing tag #125 Re-numbered #715 Severe girdling roots. Tree Care Prescription
126			-	-	-	-	-	-	See tree #716. Tree was previously mis-identified as a Beech.
127	6	Beech	Good	Good	Good	No	TQ	High	Off-site boundary tree. No impacts to occur based on tree diameter and distance from property line.
128	5	Beech	Good	Good	Good	No	TQ	High	None. Tree Care Prescription
129	6	Beech	Good	Good	Good	No	TQ	High	None. Tree Care Prescription
130-A	15	Sweetgum	Poor	Fair	Fair	No	No	Low	Severe canopy decline and dieback. Suggest Removal
130-B	21	Sweetgum	Poor	Fair	Fair	No	No	Low	Severe canopy decline and dieback. Suggest Removal

Tree ID	Diameter	Tree Species	Condition			Specimen Tree	Tree of Quality Tree Grouping	Suitability for Preservation	Comments
			Biological Health (Vigor)	Structural	Form				
131	22	Tulip Poplar	Fair	Fair	Fair	No	No	NA	Does not meet specimen size criteria. Suggest Removal
132	9	Beech	Good	Good	Good	No	TQ	High	None. Tree Care Prescription
133	15	White Oak	Poor	Fair	Fair	No	TG	Moderate	None. Suggest Removal
134-A	9	Tulip Poplar	Fair	Poor	Poor	No	No	Moderate	4 Co-Dom. Leaders with weak unions w/ significant decay in the center of these unions. This equates to a High Risk of failure. Suggest Removal
134-B	10	Tulip Poplar	Fair	Poor	Poor	No	No	Moderate	4 Co-Dom. Leaders with weak unions w/ significant decay in the center of these unions. This equates to a High Risk of failure. Suggest Removal
134-C	14	Tulip Poplar	Fair	Poor	Poor	No	No	Moderate	4 Co-Dom. Leaders with weak unions w/ significant decay in the center of these unions. This equates to a High Risk of failure. Suggest Removal
134-D	8	Tulip Poplar	Fair	Poor	Poor	No	No	Moderate	4 Co-Dom. Leaders with weak unions w/ significant decay in the center of these unions. This equates to a High Risk of failure. Suggest Removal
135	20	Tulip Poplar	-	-	-	-	-	-	The tree is dead and failed. Suggest Removal

Tree ID	Diameter	Tree Species	Condition			Specimen Tree	Tree of Quality Tree Grouping	Suitability for Preservation	Comments
			Biological Health (Vigor)	Structural	Form				
136	15	White Oak	Fair	Fair	Fair	No	TG	Low	Previous failures along this property line indicate root loss and a High-risk rating. Suggest Removal
137	28	Tulip Poplar	-	-	-	-	-	-	Boundary tree was removed by tree owner.
138	16	Red Maple	Fair	Poor	Poor	No	No	Low	6 Co-Dom. leaders with weakened unions. Poor pruning from the adjacent property owner removed 15% canopy. Canopy decline. Girdling roots. Suggest Removal
139	39	Tulip Poplar	Poor	Poor	Poor	No	No	Dead	The tree is dead. Suggest Removal
140	26	Elm	Fair	Poor	Fair	No	No	Low	V-Unions with seams/split. Suggest Removal
141	33	Water Oak	Good	Fair	Fair	Yes	No	Moderate	Co-Dom leaders. Vines Tree Care Prescription
142	26	Red Oak	Good	Good	Fair	Yes	No	Moderate	Deadwood in lower canopy. Tree Care Prescription
<u>143</u> 720	29	Willow Oak	Good	Good	Fair	Yes	No	Moderate	Tag missing, re-numbered. Deadwood in lower canopy. Tree Care Prescription
144	15	Dogwood	Poor	Poor	Poor	No	No	-	The tree is dead. Suggest Removal

Tree ID	Diameter	Tree Species	Condition			Specimen Tree	Tree of Quality Tree Grouping	Suitability for Preservation	Comments
			Biological Health (Vigor)	Structural	Form				
145-A	21	Tulip Poplar	Good	Fair	Fair	No	No	Moderete	Co-Dom leaders leaders with weakened unions.
145-B	24	Tulip Poplar	Good	Fair	Fair	No	No	Moderete	Co-Dom leaders leaders with weakened unions.
145-C	25	Tulip Poplar	Good	Fair	Fair	No	No	Moderete	Co-Dom leaders leaders with weakened unions.
146-A	18	Tulip Poplar	Good	Fair	Fair	No	No	Moderete	Co-Dom leaders leaders with weakened unions.
146-B	19	Tulip Poplar	Good	Fair	Fair	No	No	Moderete	Co-Dom leaders leaders with weakened unions.
147-A	9	Ash	Fair	Fair	Poor	No	No	Low	Canopy dieback and decline. EAB is likely. Suggest Removal
147-B	14	Ash	Fair	Fair	Poor	No	No	Low	Canopy dieback and decline. EAB is likely. Suggest Removal
147-C	18	Ash	Fair	Fair	Poor	No	No	Low	Canopy dieback and decline. EAB is likely. Suggest Removal
148-A	18	Tulip Poplar	Good	Fair	Fair	No	No	Moderete	Co-Dom leaders leaders with weakened unions.
148-B	20	Tulip Poplar	Good	Fair	Fair	No	No	Moderete	Co-Dom leaders leaders with weakened unions.
149	12	Dogwood	Poor	Poor	Poor	No	No	Low	The tree is dead. Suggest Removal
150	19	Dogwood	Poor	Poor	Poor	No	No	Low	The tree is dead. Suggest Removal
151	16	Southern Magnolia	Fair	Fair	Poor	No	No	Moderate	Does not meet specimen size criteria. Not in a tree grouping. Does not meet the tree of quality based on poor form. Suggest Removal

Tree ID	Diameter	Tree Species	Condition			Specimen Tree	Tree of Quality Tree Grouping	Suitability for Preservation	Comments
			Biological Health (Vigor)	Structural	Form				
710	13	Red Oak	Fair	Fair	Fair	No	TG	Low	Previous failures along the property line indicate root loss and a High-risk rating. Suggest Removal
711	21	Red Oak	Poor	Poor	Fair	No	TG	Low	Decay at the base indicates root loss and a High-risk rating. Suggest Removal
712	12	Red Oak	Fair	Fair	Fair	No	TG	Low	Previous failures along the property line indicate root loss and a High-risk rating. Suggest Removal
713	10	Beech	Good	Good	Good	No	TQ	High	None. Tree Care Prescription
714	8	Beech	Good	Good	Good	No	TQ	High	None. Tree Care Prescription
<u>715</u> 125									See tree #125
<u>716</u> 126	13	Southern Magnolia	Good	Good	Good	No	TQ	High	None. Tree Care Prescription
717	16	Black Cherry	Fair	Fair	Fair	Yes	No	Low	*Discussed with City Arborist and does not meet standards. Suggest Removal
718	9,15,22	Black Cherry	Fair	Fair	Poor	Yes	No	Low	The tree has beginning stages of decline of the canopy with this type and age class of tree. V-Unions with seams/split. Suggest Removal



Tree ID	Diameter	Tree Species	Condition			Specimen Tree	Tree of Quality Tree Grouping	Suitability for Preservation	Comments
			Biological Health (Vigor)	Structural	Form				
719	25	Red Oak	Fair	Fair	Good	Yes	No	Moderate	None. Tree Care Prescription
<u>720</u> 143									See tree #143

Photos





















Map



Location Map

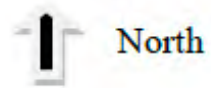


EXHIBIT A

PROJECT DATA

8200 High Hampton Chase, Alpharetta, Georgia, 30022

8200 High Hampton Chase, Alpharetta, Georgia, 30022



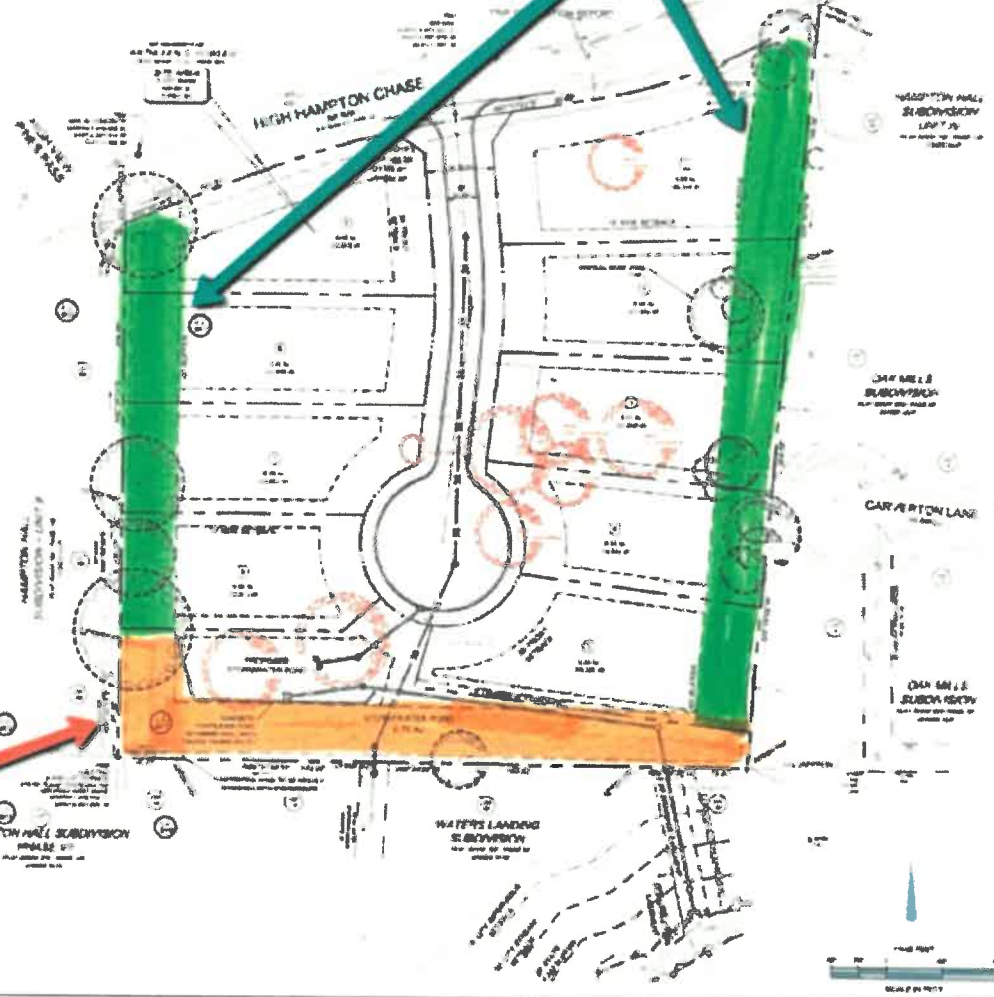
GEORGIA
PLANNING MAP FROM 2008

Table with columns for 'Highly Sensitive Resource Inventory' and 'Project Characteristics'. It lists various environmental and project details.

Table with columns for 'Tree Inventory' and 'Tree Data'. It lists tree species, sizes, and locations on the site.

The Buffer will only apply to this "Green Area"

the southern side of lot 5 and the detention lot will be replanted due to infrastructure



Administrative and regulatory information including the FORESITE GROUP logo, project title 'HAMPTON HALL REZONING', and zoning plan details 'REZONING PLAN C-1'.