

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY
 Case #: PH-25-08
 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. If applications will not be accepted.
3. Prior to filing and submitting your application, please check all information supplied on the following pages to ensure that all applications will not be accepted.
 N/A
 304-268-3768
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 submission 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:

Zoned R-22; current use is vacant land

Contact Name: Sameron Heath Telephone: 770-471-4751
 Address: Ivan Allen Jr Blvd Suite: 400
 City: Atlanta State: GA Zip: 30308 Fax: _____
 Mobile Tel: _____ Email: cheath@drbgroup.com

Subject Property Information:

Address: 265 Charlotte Drive Current Zoning: R-22
 District: 2 Section: 2 Land Lot: 1245 Parcel ID: 22 434012450230
 Proposed Zoning: _____ Current Use: _____
 240-527-6213

This Application For (Check All That Apply):

- | | | |
|--|--|---|
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Master Plan Amendment | <input type="checkbox"/> Comprehensive Plan Amendment |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Master Plan Review | |
| <input type="checkbox"/> Variance | <input checked="" type="checkbox"/> Public Hearing | |
| <input type="checkbox"/> Exception | <input checked="" type="checkbox"/> Other (Specify): _____ | |

APPLICANT REQUEST AND INTENT

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

See approved Zoning Case Z-24-13

Applicant's Request (Please itemize the proposal):

Request is to modify zoning condition #7 and eliminate the curb and gutter requirement along Charlotte Drive.

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

Eliminating the curb and gutter requirement along Charlotte Drive will allow for aesthetic consistency across subdivisions along the immediately adjacent portions of Charlotte Drive, it will match DRB's proposed zoning site plan (including tree save), and will reduce the unnecessary financial burden on the Developer.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

as Executor Under the
Last Will and
Testament of Carroll
Emmett Byers

Contact Name: John Joseph Smith

Telephone: 404-481-5067

Address: 241 Lake Forrest Lane, NE

Suite: _____

City Atlanta

State: GA

Zip: 30342

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 (amendment) | <input type="checkbox"/> Conditional Use |
| <input 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: DRB Group Georgia, LLC

Telephone: 240-527-6213

Address: 55 Ivan Allen Jr. Blvd.

Suite: 400

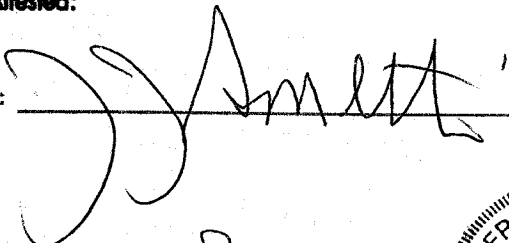
City Atlanta

State: GA

Zip: 30308

So Sworn and Attested:

Owner Signature: _____

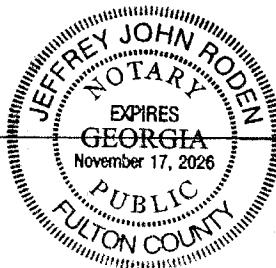
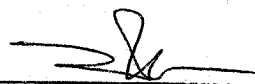


Date: _____

2/13/25

Notary: _____

Notary Signature: _____



Date: _____

02/13/2025

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: DRB Group Georgia, LLC

Subject Public Hearing Case: Amendment to zoning conditions to eliminate curb and gutter requirement along Charlotte Drive

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: _____

Description of Contribution: _____ 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: 2/11/25

DISCLOSURE FORM

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Name of Applicant or Opponent: John Joseph Smith as Executor Under the Last Will and Testament of Carroll Emmett Byers

Subject Public Hearing Case: Amendment to zoning conditions to eliminate curb and gutter requirement along Charlotte Drive

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Description of Contribution: N/A Value: _____

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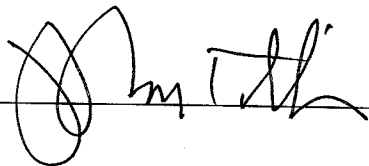
Description of Contribution: N/A Value: _____

NONE

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: _____

2/23/25

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.

N/A

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

N/A

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

N/A

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.

N/A

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: 12265 Charlotte Drive
Contact Name: DRB Group Georgia, LLC Telephone: 240-527-6213

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.

All property owners within 500 feet of the property will be

notified by letter regarding the application and given

Applicant's contact information to discuss the proposal.

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 checked="" type="checkbox"/> Telephone | <input type="checkbox"/> Group Meeting |
| <input checked="" type="checkbox"/> Email | <input type="checkbox"/> Other (Please Specify) |

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.

The owners contacted will be given Applicant's contact information to discuss and answer questions about the proposal prior to the hearing.



February 3, 2025

RE: Letter of Intent
Rezoning Amendment to Case Z-24-13 – Elimination of Curb and Gutter Requirement
along Charlotte Drive

Dear City of Alpharetta,

DRB Group Georgia, LLC (“DRB”) is requesting an Amendment to the approved zoning conditions of Case Z-24-13. The proposed language of Condition #7 is to be:

“Developer shall dedicate right-of-way, if necessary, and improve the Charlotte Drive streetscape with a minimum 6’ planter (planted with street trees), minimum 5’ sidewalk, and decorative pedestrian lighting. Streetscape modifications shall be permitted for the purpose of tree preservation or utility conflicts, with final approval by Staff.”

On the night of October 21, 2024, DRB received rezoning approval of case Z-24-13 which proposed a luxury subdivision containing 41 single-family detached, for sale homes located at 12265 Charlotte Drive. DRB and the City partnered closely to develop a subdivision plan that satisfied the City’s vision of land use for the area.

Upon DRB immediately pursuing a land disturbance permit following the zoning approval, it became evident that there was a misunderstanding between DRB and the City around zoning condition #7 which required curb and gutter to be installed along Charlotte Drive. The final site plan provided by DRB in the zoning application coincides with the remaining approved zoning conditions but did not show such curb and gutter improvements as that was never the intention of the development.

Throughout the rezoning journey, the City and DRB worked together to create a neighborhood that would have aesthetic consistency with the subdivision across the street. Examples of this include the five homes facing Charlotte Drive and the 4-board fence along the neighborhood’s street frontage. Additionally, both parties prioritized maintaining the rural feel along Charlotte Drive and used alternative designs to increase existing tree save in the front yards of those future homes facing Charlotte Drive. The immediately adjacent communities were not subject to the curb and gutter requirement along Charlotte Drive so DRB believes this would not only take away from the aesthetic consistency and impact originally intended tree save areas, but also place unnecessary and unintended financial burden on the development.

DRB needs to rectify the misunderstanding as soon as possible as the company faces strict contractual obligations with the current owner around the Closing on the property, and development commencement is eminent upon receiving land disturbance permit approval.

55 Ivan Allen Jr. Blvd. NW, Suite 400, Atlanta, Georgia 30308 | DRBgroup.com





DRB believes this Zoning Amendment is in the best interest of both parties and thanks you for your consideration of this application.

Sincerely,

Cameron Heath

Cameron Heath
Land Entitlements Manager
DRB Group Georgia, LLC

Charlotte Drive

Coming from Rucker Rd





