CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR C	V-25-06		
PH #:			
Property Taxes & Code Violations Verified			
Fee Pai	d Initial:		

COMMUNITY DEVELOPMENT DEPARTMENT

2 Park Plaza

ALPHARETTA, GA 30009

This page should be the first page in each of your completed application packets. 2. It is preferred that all responses be typed. | ω e applications will not be accepted. Prior to ot ng and submitting your applic please check all information supplied on the following pages to ensure that all respon: \rightarrow e complete and accurate. Inco applications will not be accepted. Payment of all applicable fees must be mad ne time of application. Payment may be made via cash, credit cord (American Express, "City of Alpharetta." Please note that a 3% convenience fee will be added to all credit Master Card or Visal, or check made paya card transactions. Applications will be accepted on the design submittal dates between the hours of 8:30 AM and 3:30 PM. If you have any questions regarding this fo ease contact the Community Development Department by calling 678-297-6070. Contact Info N on: Contact Nan of Cameron Heath 770-471-4751 Telephone: Ivan Allen Jr Blvd Suite: 400 Zip: 30308 Fax: Email: cheath@drbgroup.com Mobile Tel: Information: Subject Prop Current Zoning: R-22 265 Charlotte Drive Address: Parcel ID: 22 434012450230 Section: 2

This Application For /Check All That Apply!

Current Use:

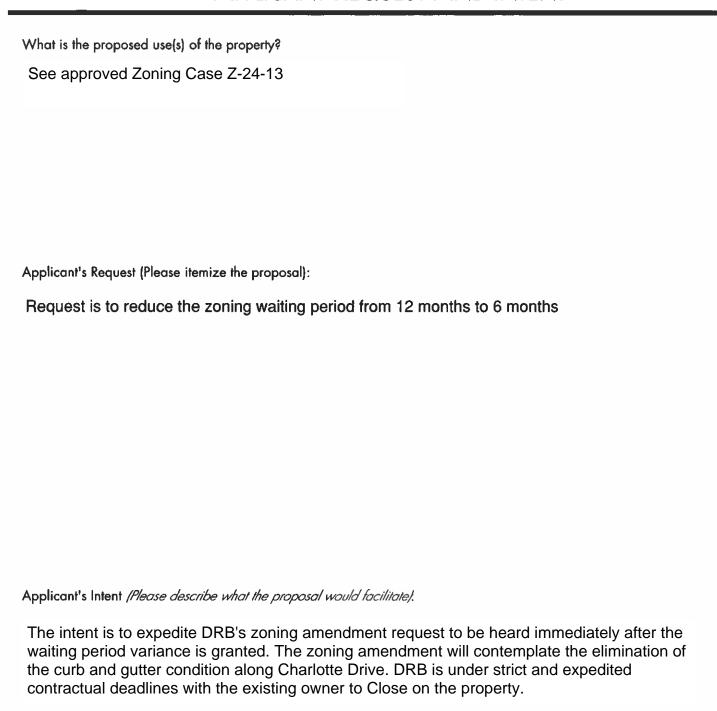
Proposed Zo

Exception

ils Application for [Check All Indi Apply].		
Conditional Use	Master Plan Amendment	Comprehensive Plan Amendment
Rezoning	Master Plan Review	
Variance	Public Hearing	

Other

APPLICANT REQUEST AND INTENT



PROPERTY OWNER AUTHORIZATION as Executor Under the Property Owner Information: Last Will and Contact Name: John Joseph Smith Testament of Carroll Telephone: 404-481-5067 **Emmett Byers** 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. Annexation Special Use Rezoning (amendment) Conditional Use Variance Master Plan Land Use Application П Other Property Owner's Authorized Applicant (if applicable): DRB Group Georgia, LLC Name of Authorized Applicant: Telephone: 240-527-6213 Address: 55 Ivan Allen Jr. Blvd. Suite: Atlanta State: GA City Zip: 30308 So Sworn and Attested: Owner Signature: Notary:

Notary Signature:

Date: 02/13 12025

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: Variance to reduce the City 12 month waiting period after rezoning approval to 6 months

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:

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.

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Signature:		Date:	11/ 23

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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: Variance to reduce the City 12 month waiting period after rezoning approval to 6 months

Campaign Contribution Information:

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Value:

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Value:

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Value:

Value:

Value:

Value:

Campaign Contribution Information:

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Signature:

Date:

2/13/2,

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.

No

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

Yes. The curb and gutter condition along Charlotte Drive was not contemplated in DRB's zoning site plan and would impact the originally intended tree save in the area. Furthermore, this condition was not required on the other recently approved subdivisions along Charlotte Drive creating a unnecessary financial burden on DRB's development and reduct the "rural and consistant feel" that DRB and the City intended to maintain along Charlotte Drive.

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

This curb and gutter condition is peculiar to the subject property in that it does not match existing immediately adjacent communities along Charlotte Drive.

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.

No, the public will not be harmed by the elimination of the curb and gutter along Charlotte Drive. DRB will still be installing a 6 foot planter and 5 foot sidewalk at the back of the ROW for safe walking along this road, mirroring the subdivision across the street.

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 notific adjoining property owners MUST	ed of this app. be notified. U	lication and provided informations lse additional pages as needed.	on describing the sub	iect proposal. Please note that ALL		
All property owners within 500	0 feet of the	property will be				
notified by letter regarding the	application a	and given				
Applicant's contact information	on to discuss	s the proposal.				
Method by which these individuals the method of contact that will be	s will be conta <i>used.</i>	cted. Please mark all that apply	ı. If you select "Other,	" please provide a description of		
Letter		Personal Visits				
Telephone		Group Meeting				
Email		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

Proposed Variance to City 12 Month Waiting Period Requirement for Zoning Decisions on the Same Property

Dear City of Alpharetta,

DRB Group Georgia, LLC ("DRB") is requesting a variance to the City of Alpharetta's 12 month waiting period requirement for zoning decisions on the same property. DRB is a pursuing a reduction of the waiting period from 12 months to 6 months, which matches the Georgia State Law.

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 site plan provided by DRB in the zoning process coincides with the remaining conditions but did not show such curb and gutter improvements. DRB is pursuing a separate application to elaborate on the context and intent of the elimination of the curb and gutter requirement but needs to rectify the misunderstanding as soon as possible. The company faces strict contractual obligations with the current owner around the Closing on the property, and DRB's development commencement is eminent upon receiving land disturbance permit approval.

DRB believes this variance request 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





