Via Hand Delivery

Lisa Hines, Executive Assistant to City Council City of Roswell 38 Hill Street Roswell, GA 30075

Dear Ms. Hines:

Attached is the text of a letter that I have written to Councilmembers Dippolito, Wynn, Price, Igleheart, Orlans, and Diamond regarding a proposal to rezone a tract of land on Rucker Road.

I would appreciate your assistance in seeing that this letter is delivered to the Councilmembers on my behalf.

Please contact me at the mailing address, phone number, or email address below with any questions regarding this correspondence. Thank you for your consideration.

Sincerely,

Anthony Russell, Crabapple Registry HOA President 12198 Limeridge Court

Alpharetta (Roswell city), GA 30004 678-234-6039, russella@bellsouth.net

I am a resident, property owner, and taxpayer in the City of Roswell. My home is in the Crabapple Registry subdivision which is located on Rucker Road.¹

Concern:

I am writing to voice my deepest opposition to a city planning commission recommendation made at the planning commission meeting on August 16, 2011. The decision that impacts our neighborhood was part of a broader recommendation regarding an Ashton Woods Homes rezoning request for the Spruill properties located just to the east of Crabapple Registry on Rucker Road (see attached 'Ashton Woods revised plan'). The planning commission voted to recommend the construction of a connection road between the proposed Ashton Woods subdivision and Crabapple Registry. The road would be built on what is now an open area between a home and detention pond. This area is used as green space and play space for our children and the easement on this land has expired as explained below.

Impact:

The construction of this road will negatively impact our subdivision. The addition of the road will:

- Destroy an area that is used by children for play (see attached picture)
- Increase traffic on Limeridge Court
- Adversely impact the safety of the children of Crabapple Registry due to the loss of play space and the increased traffic
- Destroy green space and mature trees which may lead to increased storm water run off.

Next Steps:

The rezoning request is to be voted on at the city council meeting on Monday, September 12, 2011. We are respectfully requesting that you approve the amended site plan proposed by Ashton Woods but eliminate the connection to Limeridge Court.

Crabapple Registry HOA has also retained legal counsel and will be exploring further legal options through the attorney regarding the connection road and the planning commission decision.

Additional Facts and Impact

We ultimately believe that the planning commission recommendation is not in the best interest of our community and is invalid due to the expiration of the time period on which the road could be constructed.

¹ Crabapple Registry is a small, tight-knit neighborhood of 26 homes that was built by Pulte Homes in 2005 and completed in early 2006. The development has a single, cul-de-sac street (Limeridge Court). There are over 30 children that reside in the neighborhood.

- The plat for Crabapple Registry (attached) shows on page 2, note 31 that the easement to construct any connection road has expired. The note reads "future street B to be constructed before issuance of building permit for lot 16." Lot 16 (12191 Limeridge Court) is the residence of Sreeman and Neelima Jannu, and their two children. The Jannu family has lived in this home since purchasing it in December 2005 from the builder, Pulte Homes. The Jannus' understanding and indeed all Crabapple Registry homeowners' understanding when purchasing our homes was that there was a finite window in which this road could be constructed, as documented on the subdivision plat that was filed with Fulton County in 2005.
- Construction of the road will cause a loss of privacy for the Jannu family and the Shin family (12194 Limeridge Court) whose home faces the proposed intersection of Limeridge Court and the connection road.
- Impacted homeowners, and indeed all Crabapple Registry homeowners, could realize a negative impact to their property values if the connection road is constructed and green space is lost. This is especially troubling considering the real estate market declines of the past several years.
- Finally, the destruction of the green space and addition of a connection road will be detrimental to the Crabapple Registry "community." This is a gathering space for our residents and play space for our children. We all envisioned this as a permanent green space when we made the decision to purchase our homes based on our understanding of the easement expiration contained in the plat.

For background information, we initially met with Ashton Woods on July 6, 2011 and again on August 9, 2011 to voice our opposition to their original site plan (see attached 'Ashton Woods original plan'). Their original plan provided for access to their subdivision solely via Limeridge Court (through a connection road to be built beside lot 16 on the expired easement). The original Ashton Woods plan had no direct access to Rucker Road. The original plan also had a stub road to eventually connect to the Restoration Church of God to the east of on Rucker Road. In response to our opposition and their review of the Crabapple Registry plat, Ashton Woods amended their proposal to include their own access to Rucker Road and eliminate the connection to Limeridge Court and the Restoration Church of God. We fully supported this plan and as a result agreed in principle to allow Ashton Woods to connect to the Crabapple Registry detention pond by enlarging the pond on to their property. Also, at the planning commission meeting, a resident of the North Farms subdivision (to the north of the Spruill/Ashton Woods property and Crabapple Registry) spoke on behalf of homeowners there in support of the revised plan so long as the plan did not negatively impact their subdivision from a drainage perspective. Our HOA president has since met with this resident to North Farms to show him our detention pond, how the pond is maintained, and that the collection of water in the pond does not cause a drainage impact to their subdivision.² Indeed,

² Mr. Dan Osman from North Farms erroneously commented during the planning commission meeting that the Crabapple Registry detention pond is not properly maintained, and is full of trash.

the construction of the Ashton Woods subdivision will positively impact North Farms since the Spruill property currently does not have detention facilities and the Ashton Woods proposal would call for construction of a detention pond at the south side of the subdivision and enlargement of the Crabapple Registry detention pond onto the Spruill/Ashton Woods property.

The revised Ashton Woods plan provides space for two additional homes over their original plan. This will positively impact the City of Roswell's tax base. Further, the recommended connection road will nullify the agreement between Ashton Woods and Crabapple Registry regarding the expansion of the Crabapple Registry detention pond. This will result in the loss of at least three Ashton Woods home sites for the construction of the road and a separate detention facility. This is clearly not in the best interest of the City of Roswell. Further, the forced connection between the proposed development and Limeridge Court overall seems unnecessary as it would only connect two streets. It seems unfair to require connection to Limeridge Court and not require connectivity to the Restoration Church of God. In addition, the planning commission seemed concerned during their August 16, 2011 meeting that not requiring connectivity would be in contravention of the Atlanta Regional Commission. However, the Roswell Planning and Zoning Director commented during the meeting that ARC would view this as a local decision to require or not require connectivity. Those in attendance at the August 16, 2011 meeting also noted that this was the first meeting for several new members of the planning commission. The connection road construction impacts first and foremost the residents of Crabapple Registry. As such, it seems that our requests should be weighed primarily over any other considerations.

In fact, just last week Mayor Wood wrote an article for the Alpharetta/Roswell Revue and News titled "Big-city Roswell continues to provide <u>small-town quality of life</u>." The article states that Roswell is a great place to live despite the tremendous growth from 2,000 citizens at the time of the Mayor's childhood, and that the same culture and character remain. Further, Roswell has been recognized as the best place to raise a family in the United States. The construction of a connection road on current green space and play space will certainly affect all families in Crabapple Registry and negatively impact the <u>quality of life</u> for all residents of Crabapple Registry for the many reasons discussed above.

The rezoning request is to be voted on at the city council meeting on Monday, September 12, 2011. We are respectfully requesting that you approve the amended site plan proposed by Ashton Woods <u>but</u> eliminate the connection to Limeridge Court.

This statement was inaccurate. Crabapple Registry HOA contracts with their landscape maintenance provider (Crabapple Landscape Experts, contact Bond Morgan, 678-313-0556) for the pond to be cleared twice annually. Crabapple Registry homeowners have <u>never</u> witnessed the pond overflowing or otherwise even filling to the point that it spills into the storm water system.

Please contact me at the mailing address, phone number, or email address below with any questions regarding this correspondence. Thank you for your consideration.

Sincerely.

Anthony Russell, Crabapple Registry HOA

President

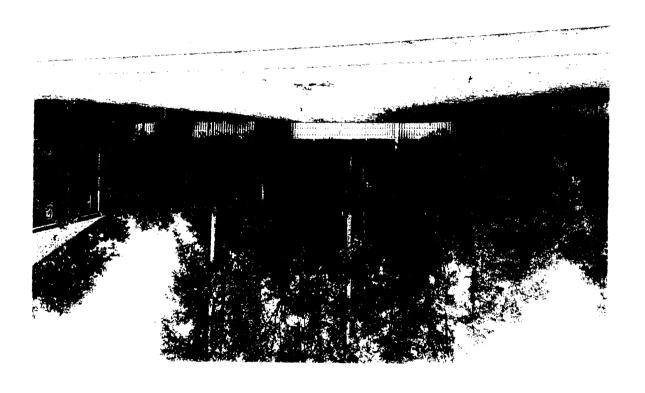
12198 Limeridge Court

Alpharetta (Roswell city), GA 30004 678-234-6039, russella@bellsouth.net

Enclosures: Photos of green space

Crabapple Registry plat

Ashton Woods revised site plan Ashton Woods original site plan



FINAL PLAT APPROVAL
THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENT AND COMMINITY DEVELOPMENT OF FULTON
COUNTY, GEORGIA, CERTIFIES THAT THIS PLAT COMPLIES WITH THE FULTON COUNTY
ZONING RESOLUTION, CONDITIONS OF ZONING, AND THE 2003 FULTON
COUNTY SUBDIVISION REQULATIONS AS AMENDED.

FOR THE DIRECTOR, DEPARTMENT OF ENVIRONMENT & COMMUNITY DEVELOPMENT DATE

FLOOD HAZARD
THE INTERMEDIATE REGIONAL FLOOD (I.R.F.) AREAS SHOWN HEREON WERE
GETERMINED BY THE PROFESSIDNAL ENGINEER WHOSE STAMP AND SIGNATUPE
ARE AFFIXED HERETD. FULTON COUNTY OCES NOT, BY APPROVING THIS
AREA AFFIXED HERETD. FULTON COUNTY OCES NOT, BY APPROVING THIS
FLAT, WARRANT THEIR ACCURACY NOR IMPLY THAT LAND OUTSIDE THE AREA
OF FLOOD HAZARD SHOWN WILL BE FREE FROM FLOODING OR FLOOD DAMAGE.
FURTHER, FULTON COUNTY OCES NOT, BY APPROVING THIS PLAT NOR
ACCEPTING THE PUBLIC IMPROVEMENTS THEREIN. ASSIME MAINTENANCE OF
ACCEPTING THE PUBLIC IMPROVEMENTS THEREIN. ASSIME MAINTENANCE
OF MACHINE SHALL SHOULD THE REFERENCE OF ALLOT OR PARCEL
LAND UPON WHIGH THEY EXIST. THE OWNER OF A LOT OR PARCEL THAT
OF OUTSIDE AND THE SHALL SHOULD SHOULD SHOULD THE
LEVALUATION OF THE INITIATION OF ANY IMPROVEMENTS TO THE
LOT OR PARCEL. THE SITE PLAN SHALL INICIOE THE LOCATION AND
ELEVATION OF THE IR.F. WITHIN THE LOT OR PARCEL AND THE XISTING
AND PROFOSED IMPROVEMENTS. A PROPOVAL OF THE SITE PLAN BY FULTON
COUNTY, IS REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

DRAINAGE
THE OWNER OF RECORD, ON BEHALF OF HIMSELF (ITSELF) AND ALL
SUCCESSORS IN INTREST, SPECIFICALLY RELEASES FULTON COUNTY FROM
ANY AND ALL LIABILITY AND RESPONSIBILITY FOR FLOCOING OR EROSION
FROM STORM DRAINS OF FROM FLOODING FROM HIGH WATER OF MATURAL
CSTABLISHED FOR THE SOLE PURPOSE OF ADMINISTRATE OF MATURAL
CSTABLISHED FOR THE SOLE PURPOSE OF ADMINISTRATE OF THE EMERCENCY
PROTECTION OF THE FREE FLOW OF SURPACE WATERS ALONG ALL
WATERCOURSES AS ESTABLISHED BY THESE RECULATIONS AND THE DIRECTOR
OF THE DEPARTMENT OF PUBLIC WORKS. SAID DIRECTOR MAY CONDUCT
EMERGENCY MAINTENANCE OPERATIONS WITHIN THIS EASEMENT WHERE
REGULATION OF THE SOLE OFFICE OF THE SOLE OF THE S

SLOPE EASEMENT THIS PLAT IS APPROVED WITH THE UNDERSTANDING THAT EASEMENT IS GRANTED TO FULTON COUNTY ALONG ALL ROAD FRONTAGE FOR THE PURPOSE OF SLOP ING CUTS AND FILLS AS FOLLOWS.

NOT LESS THAN 3 TO 1 SLOPE - NOT LESS THAN 2 TO 1 SLOPE

FULTON COUNTY HEALTH DEPARTMENT

THIS SUBDIVISION, AS SHOWN, IS APPROVED UPON THE CONDITION THAT SEWAGE DISPOSAL AND WATER SUPPLY FACTIFIES ARE IN COMPLIANCE WITH APTICLES & D. SEWAGE FLEDGES, AND DRINKING WATER SUPPLY OF FULTON COUNTY HEALTH DEPTH FECULATIONS AND IN ACCORDANCE WITH THE REQUIPERS HIS SELOW:

WATER SUPPLY
PUBLIC WATER SUPPLY
DINDIVIOUAL WATER SUPPLIES

SU WAGE DUSPOSAL DESTINATION SANTIANS

SERVICE REQUIREMENTS-S/D TYPE
TYPE "A"
TYPE "B"

4-20-05

REVISION DATE FULTON COUNTY HEAL H DEPARTMENT

OWNERS ACKNOWLEDGMENT
(STATE OF GEORGIA) (COUNTY OF FULTON)
THE OWNER OF RECORD OF THE LAND SHOWN ON THIS TLAT AND WHOSE NAME
IS SUBSCRIBED THERETO, IN PERSON OR THROUGH A DULY AUTHORIZED
AGENT, HERETY ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTION
SURVEY, DEDICATES TO FULTON COUNTY THE COMPLETE OWNERSHIP AND USE
CONSTRUCTED IN ACCORDANCE WITH THIS PLAT, AND DEDICATES TO THE USE
OF THE PUBLIC FOREVER THE FOLLOWING:

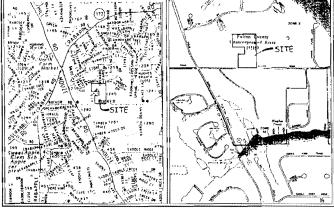
PUBLIC STREETS PUBLIC SEWER EASEMENTS PUBLIC DRAINAGE EASEMENTS PUBLIC PARKS / OPEN SPACE

PULTE HOME CORPORATION - SUBDIVIDER

U.7.05

PULTE HOME CORPORATION- OWNER

4.7-05



LOCATION MAP / FLOOD MAP

PEF. AERO ATLAS

*939.17" ALONG THE RIGHT OF WAY OF RUCKER ROAD TO THE INTERSECTION WITH THE RIGHT OF WAY OF HOUZE ROAD.

**543.73' ALONG THE RIGHT OF WAY OF RUCKER ROAD TO THE INTERSECTION WITH THE RIGHT OF WAY OF SPRING PLACE LANE.

FLOOD HAZARD NOTE THIS PROPERTY DOES NOT LIE WITHIN A 180 YEAR FLOOD HAZARD THIS PROPERTY DOES NOT LIE WITHIN A 180 YEAR FLOOD HAZARD ZONE AS DEFINED BY THE FLEMA. FLOOD INSUPANCE RATE MAP OF MAP OF FULTON COUNTY, GEORGIA, COMMUNITY PANEL NUMBER 13121C0053 E DATED JUNE 22, 1998.

FULTON COUNTY PROJECT No. 04038 CPR

INFORMATION REGARDIN THE REPUTED PRESENCE, SIZE, CHARACTER AND UNDERGROUND UTILITIES AND STRUCTURES IS IS NO CERTAINTY OF THE ACCURACY OF THIS SHOWN HEREON, THER NEDRMATION AND IT S IALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWNG, THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTUTIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON. PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON, SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTRICATION BY THE SURVEYOR NAMING SAID PERSON.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN I FOOT IN 381,160 FEET.

THIS PLAT HAS BEEN PREHARED USING A TRIMBLE 5503 ROBOTIC TOTAL STATION.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF (1) FOOT IN 57.427 FEET AND AN ANGULAR ERROR OF 8 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE

OWNER /DEVELOPER

PULTE) HOME CORPORATION

3805 CRESTWOOD PKWY S U I T E 5 O O DULUTH, GEORGIA 30096 MAIT WILLIAMS: (770) 381-3450

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Travis Pruitt & Associates, Inc.

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FOR THE FIRM TRAVIS PRUITT & ASSOC., INC.



PEPTIFICATE AS TO RECORDING
HMS IS TO CERTIFY THAT THIS
HMAT HAS SEEN RECORDED IN
PLAT BOOK 2 PAGE
IN TULTON COUNTY RECORDS
IN TULTON COUNTY RECORDS
ON 2005

M Rogedora FERK, SUPERIOR COURT FULTON COUNTY, GEORGIA



UNE 22 1998

NATIONAL FLOOD INSURANCE PROGRAM

235 137 Willeland

FINAL PLAT for:

CRABAPPLE REGISTRY (F.K.A. RUCKER ROAD EAST)

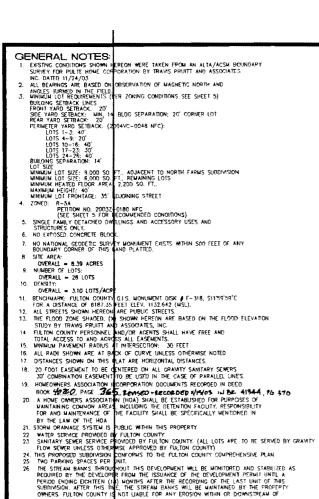
LAND LOT 1240 TAX PARCEL ID Nos. 22-3870-1240-032 2ND. DISTRICT - 2ND. SECTION FULTON COUNTY, GEORGIA **JANUARY 13, 2005**



4317 Park Drive - Suite 400 Norcross, Georgia 30093 Phone; (770)416-7511 Fax: (770)416-6759 www.travispruitt.com

DRWN BY:RF CHKD BY:PC JN:03537.5 CN: 03537fp_ob FN:116-C-2272FP

sheet



L92	25.88	512'57'38"E
1,93	23.15	N12'57'38"W

LOT	AREA CHA	RT
LOT NUMBER	50. FT.	ACPES
1	17,112	0.39
2	6,867	0.16
3	11,510	0.27
4	6,035	0.14
5	6,026	0.14
6	6,189	0.14
7	6,063	0.14
8	6,023	0.14
9	9.595	0.22
10	12,352	0.28
31	16,197	0.37
12	13,713	0.31
13	16,539	0.38
14	12,286	0.28
15	10,425	0.24
16	6,668	0.15
17	6,356	0.15
18	5,356	0.15
19	5,714	0.15
20	6,605	0.15
21	6,348	0.15
22	7,770	0.18
23	7,404	0.17
24	9,746	0.22
25	10,312	0.24
26	15,722	0.36
	SUMMARY	
AREA IN LOTS		
AREA IN ROW		
TOTAL AREA	365,34	9 839

EASEMENT LINE TABLE

LINE LENGTH BEARING

L68 28.21 S82'02'04"W L69 38 17 S88'21'09"W

175 176

L78

LBB

L89

18.62 N31'57'21"W 12.17 N59'41'21"W

172.70 \$00'20'35"W

91.33 N22'14'52'W

93.43 N22'14'52"V

21.94 N31'57'21"W 3.61 N59'41'21"W

34.15 NO6'24'32'E

5.97 \$73'24'24"W 26.11 \$06'24'32"W

4.01 N8413'10"W

28.86 \$82'02'04"W 16.90 588°21°09"W

28.19 N421513 W

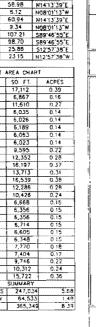
29.43 \$42'15'13"E

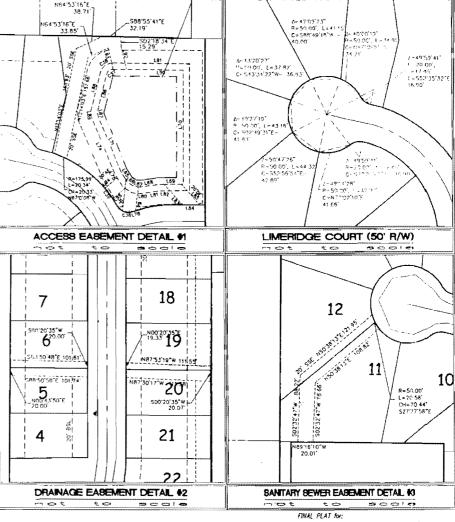
27.17 N89'39'25"W

4.03 \$88'21'09"W 192.38 S00'20'35"W

N59'41'21"W

N841310"W





DH-HOLDS

PLEASE NOTE THAT A CERTIFICATE OF OCCUPANCY HOLD MAY BE PLACED ON YOUR BUILDING PERMIT TO VERIFY THAT YOU HAVE COMPILED WITH YOUR SUBMITTED SITE PLAN. A SITE INSPECTION MAY BE REQUIRED.

SITE PLAN IS REQUIRED SHOWING BUILDING AND DRIVEWAY LOCATION WITH DIMENSIONS OF THE LOT, SHOW ALL DH-A STRUCTURES, SETBACKS, EASEMENTS, SPECIMEN TREES, BUFFERS AND PUBLIC INFRASTRUCTURE.

SITE PLAN REQUIRED SHOWING EXISTING AND PROPOSED CONTOUR GRADES, EROSION CONTROL MEASURES, ITEMS IN A AND 8 ABOVE. A RECISTERED LICENSED PROFESSIONAL ENGINEER, LICENSED LANDSCAPE ARCHITECT OR RECISTIRED SURVEYOR MUST SIGN AND SEAL THE PLANS

ELEVATION, IRF ELEVATION AND CONTOUR LINE, 25 AND 100 YEAR ELEVATIONS OF THE DETENTION FACILITY, TOP OF BANK FOR STREAMS, DRAINAGE DITCH AND ITEMS FOR DH-A HOLDS AS STATED ABOVE, A FINAL ELEVATION CERTIFICATE MUST BE COMPLETED BY THE PROPERTY OWNER OR REPRESENTATIVE. AND SUBMITTED TO THE COUNTY BUILDING PERMIT DISSION AT THE TIME THE LOWEST FLOOR/FIRST FLOOR (REFERENCE

SITE PLAN IS REQUIRED SHOWING MINIMUM FINISHED FLOOR

LEVEL) IS ESTABLISHED, PRIOR TO FURTHER CONSTRUCTION OF THE BUILDING

11/16/200-

CRABAPPLE REGISTRY (F.K.A. RUCKER ROAD EAST)

LAND LOT 1240 TAX PARCEL ID Nos. 22-3870-1240-032 2ND. DISTRICT - 2ND. SECTION FULTON COUNTY, GEORGIA **JANUARY 13, 2005**



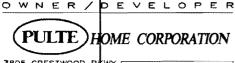
4317 Park Drive - Suite 400 Norcross, Georgia 30093 Phone: (770)416-7511 Fax: (770)416-6759 www.travispruitt.com



FOR THE FIRM TRAVIS PRUITT & ASSOC., INC.

DRWN BY:RF CHKD BY:PC JN: 03537.5 CN: 03537/p_ab FN:116-C-2272FP

heet n 2



55213'22'W - 12.31'

3805 CRESTWOOD PRWY DULUTH, GEORGIA 30096 MATT WILLIAMS: (770) 381-3450

24.54 20.00' S49'22'43"W - 23.03'

ENTRANCE MONUMENT SIGN REQUIRES SEPARATE PERMIT.

EASEMENT CURVE TABLE CURVE LENGHT RADIUS CHORD
C36 14.85 20.00 \$8519'39"E - 14.51'

13.26 10.00

CERTIFICATE AS TO RECORDING THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN RECORDED IN PLAT BOOK 27/ PAGE /3/OF FULTON COUNTY RECORDS ON 2005

MRAGIGAIR

CLERK SUPERIOR COURT

CHINANCE MUNUMENT SION PREDIFIES SEPARATE PERMIT.
RETAINING WALL RECURES EXPARATE PERMIT.
LOTS 16-26 WILL CARRY DI-C HOLDS FOR GRADING PLAN TO SHOW LOT DRAINAGE, HALF
TO THE FROMT, HALF TO THE REAR.
ALL UTLINES TO BE UMBER PROUND. FUTURE STREET B TO BE CONSTRUCTED BEFORE ISSURANCE OF BUILDING PERMIT FOR LOT 16.

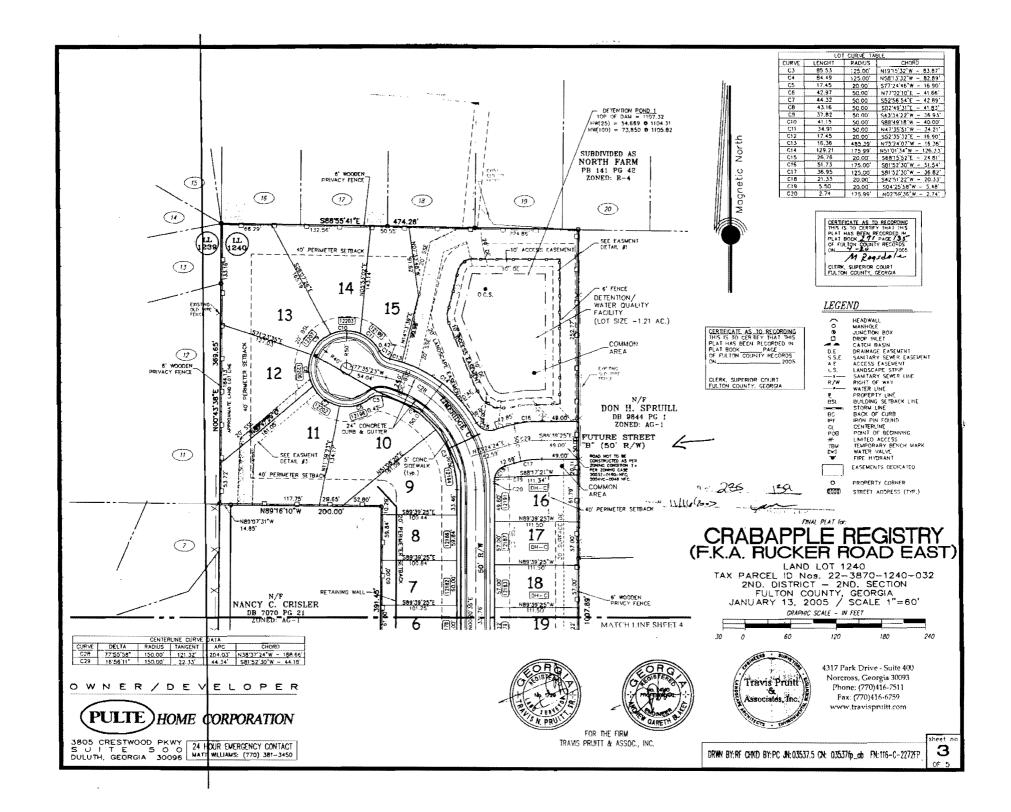
24 HOUR EMERGENCY CONTACT

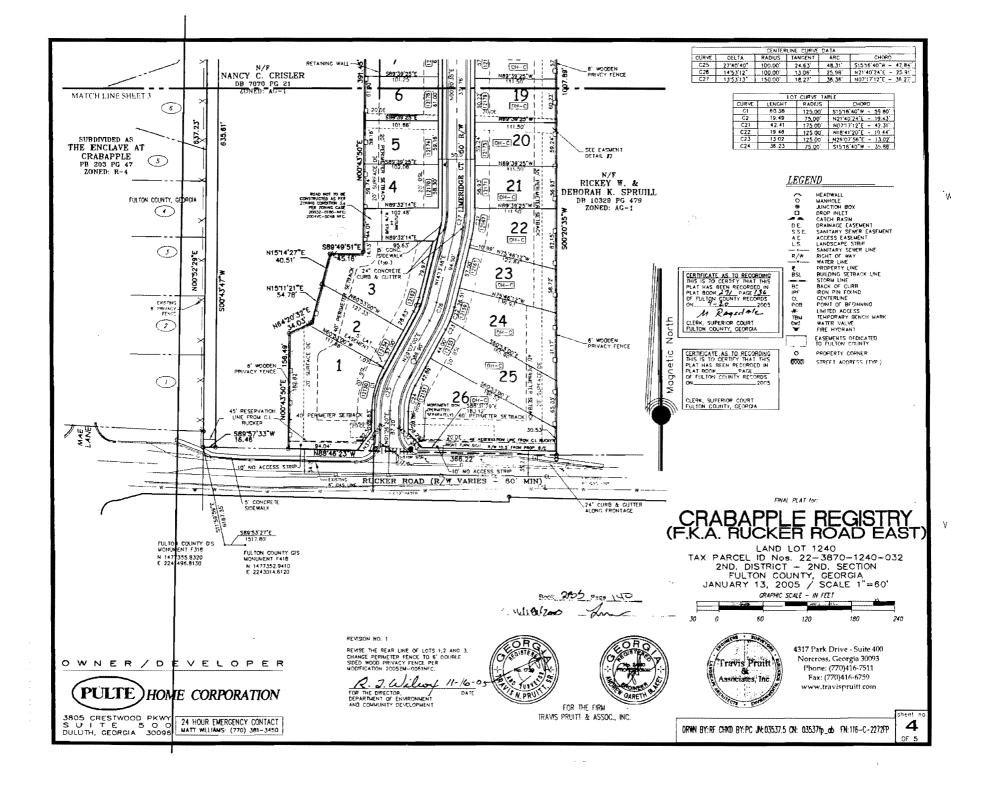
CERTIFICATE AS TO RECORDING

PLAT HAS BEEN RECORDED IN PLAT BOOK PAGE OF FULTON COUNTY RECORDS

CLERK, SUPERIOR COURT FULTON COUNTY, GEORGIA

ONLY THE DIRECTOR, OR THE SPECIFIC APPOINTEE REPRESENTING THE DIRECTOR, MAY RELEASE THIS TYPE OF HOLD, A GENERAL HOLD FOR A SPECIFIC PURPOSE NOT PREVIOUSLY COVERED BY THE PROCEEDING. EXPLANATION BELOW





de Hole - "If we could ask for the

Commission Chair Randel - "All right. I'll make a motion to approve it at 26 units with the stubbed road platted out and the requirement of the builder to disclose that to the purchaser and the County contragent on the stormwater plan Did I cover everything? Is that all the condition

Commissioner Laws - "Second. Second."

Commission Chair Bandel - "Whoops. I'm sorry, Steve, before we vute."

Mr. Steve Cover - "I just want to claifly the — the situation with the stub road. I meen, certainly platting it is obey but there should be some type of financial commitment as well. It can be in a variety of forms. But that the memory is there to

Commission Chair Readel - 'Oksy I'll smead my motion to any everything I said before, including monies in an excret for the future construction of that. Do I have

Commissioner Lows - "I've seconded it."

Commission Chair Haudel - "Okay, All right. All right. Any other discussion on that? Okay, Plause vote. Okay, That does carry, Thank you. Next item."

A motion was made by Commission Caster Handel and seconded by Commissioner Lowe to approve as 16 mile (sols), sholy each road as green space as piet, with requirement to disclose that is to be puckaser, include CQ contingent on the foremetter plan, and include monate is at excrewing fature construction. The motion carried by a vote of 5-8-6. Commission Chris Hassiel, Vinc. Chest Brotill, and Germinatoner Pitts, Lawe, and Extension wind you. Commissioner Pitts,

There being no objections, Petitions 2003, 9188 and 2864VC 8046 were approved subject to the following Zoning Resolution, Recommended Conditions, and Legal Description:

> 20037-0186 NPC PETTION No. 2004VC-0048 NPC

RECOMMENDED CONDITIONS

REGULAR MEETING, APRIL 7, 28

ditions shall be provided as part of the Storm dopressi sheet flow or

- A draft of the isopection and Maintenance Agreement required by OCGA Section 26-278 shall be rulnglitted to the Department of Public Works with the
- ion and Maintenance Agreement shall provide that all storm water soldetention facility puties control structures shall be inspected. The Inspection and Mainte ographed and cleaned of a monthly basis, by the owner. The Inspection photographed and cleaned on a monthly maste, by the owner. The important and Maintanance report for all prorm water management/decention Scalibles he prepared by a linear water management/decention Scalibles he served to the proposed by a linear served to complete the submitted to the SWAP. The samual report shall include tomptily impactions, photographs, and documentation of the cleaning of storm water management/decent ballibles outlet domitor introduced to storm water management/decent ballibles outlet domitor introduced to the served of the served to the served of the served of the served of the served of the served on the served of t
- The required Inspection and Maintenance Agreement shall be recorded with the Clerk of Superior Court prior to issuance of an LDP, Orating Permit or Enallding Permit associated with the development.
- rived to submit, along with the application for so The engineer/developer is rejoired to submit, along with the application for so LDF, signed documentations verifying approval of the Storm Water Concept
- Where proof parting areas (Including access sinles) are proposed to exceed 5,000 square feet, the storage vater management facilities shall be designed to remove politoness such as vit, gress and other actorobible fluids that early lack from whileles. A description of the storm water management facilities proposed to achieve the removal of such politoness shall be submitted with the Shorm Water Concapt Plan.
- With the spolication for an LDF, provide documentation (such wron the application for the LLF, provide documentation (each as oriented cross-sections, centralite perfile, etc.) discribing the geometry of all mixturing natural streams, crocks, or draws within the proposed development boundary and provide details on the Storm Water Memograment Plan of the post-development channel beautiful princing memories.
- The developer/coginess shall demonstrate in the County by engineering analysis submitted with the LIFE application, that the discharge rest and relacity at the storm water knowl leaving the site is restricted to exceed, 57% of the pre-divelopment conditions for the 1-year frequency storm event, up to and including the test (101-year frequency storm event, or to and including the test (101-year frequency storm event.)

If this petition is approved by the Board of Commissioners, it should be approved R-5A (Residential)) CONDITIONAL subject to the owner's agreement to the following connersard conditions. Where these conditions conflict with the stipulations and offerings of Intent, these conditions shall supersede unless specifically timulated by the Board of Commiss

- To the restor's agreement to restrict the use of the subject property as follows:
- Single finally detached dwellings and eccessory user and structures.
 - No more than 25 76 total dwelling units, at a maximum density of 2-82 7 98 units per sore, whichever is less based on the total screage roped
 - Provide a minimum lot size of 9,000 square feet for lots shutting North Farms Subdivision, and 6,000 square that for all other lots.
 - d. The minimum heated floor area per dwelling unit shall be 2,200 square feet.
- To the owner's agreement to abide by the following:
 - To the revised sits plan submitted to the Department of Environment and monthly Development on Merch 11, 2004. Said site plan is concepcommonty Development of routin 11, 2000. Same time piece is conceptual only and must meet or exceed the requirements of the Zooling Resolutions and otherwise conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted hereis, compliance with all conditions shall be in piece prior

04-392 To comply with the 2003 Subdivision Regulations of Pulson County, Courses

- 04.393 All areas which are not part of an individual lot and held in common shall be accessible and shall be maintained by a mandatory homeoverse association. All years which are not per of an marricons are not need in commitment in a security and shall be majoritated by a standardly homeomers accordantly in whose proposed documents of incorporation shall be submitted to the Director of the Department of Environment and Community Development for review and approval prior to the recording of the first final plat.
- To the owner's agreement to the following site development possible
 - No more than I existences on Rucker Road. Ourb out location and allgreenest are subject to the approval of the Pulton County Traffic Engineer
 - No lot shall be allowed direct scenes to Rucker Road

facilities shall be conveyed in order to prevent de

maintained after the development.

RECULAR MEETING, APRIL 7, 1944

Reduce the required 40-floot perimeter sertrack for into 4 thm 4, and 17 thm 23 as shown on the site plan (2004VC-004R NPC).

The developer/angineer, as part of the capacity analysis required in condition 5.d, shall specifically address the capacity of the existing downstream storms pipe drainage system, which starts between lot 8, 95 North Farm Drive and 315 North Farm Drive of the North Farm Subdivision. The analysis shall

Jiah North Feith Derive on the North Feith Subdivision. The analysis shall demonstrate to the County that the proposed development describing and outed discharge into the downstream drainage system does not impact the current hydraulic grade live. The capacity mention is shall address measurement of all storm water that Elows to this location. In addressing the measurement

be how flows from various sources and the proposed storm water

manutes area to conveye to avoir to prevent derivatives in honorary, a specifically including the house on 315 North Farm Drive. The milbyris sty II identify the downstream adjacent properties pre and port-development 100-year floodplatm and for any post-development floodplatm increase, and developer shall soquire the applicable offsite drainage exactment to

developer anal society on apprenies or passe commerce concerned. The post development surface writer tunnel flow through adjuvent properties. The post development surface writer tunnel flowing the site unto Rucker Road right-of-way, shall be measuaged by the development surface with the tunnel of the development and current interns weather measurement conditions in the road right-of-way are

dopment storm water flows, the analysis shall identify and

Stuh road along the east property line as shown on the site plan reference in condition 1.s. shall be shown on the final plat, but shall set be constructed until father pand is determined by the Department of Environment and namentary Development or Department of Public Works.

- Construction funds for the stub road shall be provided by the applicant, and shall be deposited in an excrum account with the Public Works Department.
- Provide a 6-foot vinyl costed chain link finos along the uset, north and went property lines. All fitness shall require a respecte fluiding permit and unless otherwise noted herein, compliance with all conditions associated with the construction of said fence shall be in place prior to the insurance of the first

To the owner's agreement to abide by the following requirements, dedication an

Reserve for Falton County along the necessary property frontage of the following readways, prior to the approval of a Land Disturbance permit, a sufficient lend as necessary to provide for contribution with the Comprehensive Plan. All building sethants lines shall be measured from deficiation but it no time shall a building be client allowed fasted the area of recevition. All required leadways strips and buffers that state the area of receivation. All required leadways strips and buffers that strends the measurement lines in the the reservation lines in the the required collections at the properties of the required collections and the properties of the required collections and the reservation. on buffer. At a minimum, 10 feat of the required lendscape strip or buffer shall be located outside the area of reservation. All required true plantings per Article 4.23 shall be planed within the portion of the landscape strip or buffer that lies outside the area of reservation.

45 feet from centerline of Rucker Road.

- Dedicate at no cost to Fulion County slong the entire property frontage, prior to the approval of a Land Disturbance Permit, nufficient had as necessary to provide the following rights-of-way, and dedicate at no cost to Fulton County such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all aborting road improvements, as well as allow the accessary communities carements while the rights-of-way are
 - 10 feet from centerline of Rucker Road.
- Provide a deceleration last for each project estrance or as may be required by e Fulton County Traffic Engineer

Provide a traffic impact mitigation plan to reduce the number of webicular rise sentented by the development to the Fulton County Traffic Engineer at uips generated by the develop the concept review phase.

To the owner's agreement to abite by the fellowing:

- Prior to submitting the application for a Land Distorbance Form'lt (LDP) with the Department of Environment and Community Development, Development Review Division, arrange to meet with the Fulton County Traffic Engineer. A rigated copy of the results of these meetings will be required to be sub-along with the application for a Land Dirturbance Permit.
- Prior to submitting the application for an LDP, arrange at on-rise evaluation of axisting specimen translated, buffers, and tree protection zones within the property boundaries with the Pulson County Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for an LDP.
- Prior to entenditing the application for an LDP, the developer/engineer shall prior to transmitting the approximate to the contract the Public Works Department, Water Services Division, and arrange to meet on-eith with an engineer from the Surface Water Menagoment Program (SWMP), who is responsible for review of Storm Water Concept
- Prior to submitting the application for an LDP, the developer and/or engineer shall suboult to the SWMP, through the Development Review Division, project Storm Water Concept Plen. This concept plan thell indicate the preliminary location of the storm water management facilities intended to running the quality and quantity of sterm water. The concept plan shall specifically address the existing downstream off-site drainings conveyance system(s) that the proposed development surface runoff will burpact, and the discharge path(s) from the outlet of the storm water management facilities to the off-site drainage system(s) and/or appropriate receiving waters. As past the Storm Water Concept Plan submittal, a preliminary capacity analysis shall he performed by the engineer on the off-site drainage system(s) prints o community. The capacity analysis shall determine the capacity of all existing constraint points, such as pipes, culverts, sto, the point in the stream character where the 25 year storm peak flow is the greatest percentage of the channel especity, and the hydraulic grade elevation at those points. The critics capacity points thall be selected hased upon the engineer's field observation professional judgment and limited field survey data.
- Where storm water currently drains by sheet flow and it is persposed to be Where storm weter currently drains by sheet flow and it is proposed to occllected so and/or discharged at a point, the discharge from the storm water management facility outlet shall minute pre-development, sheat flow conditions. A description of the method proposed to echieve post-

64 REGULAR MEETING, AFRIL 7, 1984

65 REGULAR MEETING, APRIL 7, 2004

C'RTIFICATE AS TO RECORDING
TO IS TO CERTIFY THAT HIS
PLAT HAS BEEN RECORDED, IN
PLAT BOOK 17 PACE 197
OF FULTON COUNTY RECORDS
OH 2005 M Rapsdake CLERK, SUPERIOR COURT FULTON COUNTY, GEORGIA

OWNER / DEVELOPER

HOME CORPORATION

3805 CRESTWOOD PKWY S U I T E 5 O O DULUTH, GEORGIA 30096 MATT WILLIAMS: (770) 381-3450

DULDING SETBACK LINES

BULDING SETBACK LINES

FRONT YARD SETBACK SO

SET AND SETBACK SINE, 14' BLDG SEPARATION, 20' COPMER LOTFRAN FARD SETBACK. MINIMUM LOT REQUIREMENTS (PER ZONING CONDITIONS) PERIMETER YARO SETBACK: (2004VC-0048 NFC)-LOTS 1-3 40 LOTS 4-9; 20' LOTS 10-15: 40' LOTS 17-23: 30' LOTS 24-26: 40' BUILDING SEPARATION: 14' MINIMUM LOT SIZE: 9,000 SQ. FT. AQUADENT TO NORTH MINION TOT ISSUE SUBDISC FT. ADJAINS TO NEW FARMS SUBDISCISON MINIMUM LOT SIZE: 8,000 SQ. FT. REMAINING LOTS MANNUM HEATED FLOOR AREA: 2,200 SQ. TT. MAXMUM HEIGHT AD MINIMUM LOT FRONTAGE: 35' ADJOINING STPEET

APPROVAL CONDITIONAL - 2004YC-0048 NEC

CRABAPPLE REGISTRY (F.K.A. RUCKER ROAD EAST)

LAND LOT 1240

TAX PARCEL ID Nos. 22-3870-1240-032 2ND. DISTRICT - 2ND. SECTION FULTON COUNTY, GEORGIA JANUARY 13, 2005



4317 Park Drive - Suite 400

FOR THE FIRM TRAVIS PRUITT & ASSOC., INC.

Book 283 Page 141

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Norcross, Georgia 30093 Phone: (770)416-7511 Fax: (770)416-6759 www.travispruitt.com

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DRYMN BY:RF CHKO BY:PC JN:03537.5 CN: 03537fp_db FN:116-C-2272FP

REGULAR MEETING, APRIL 7, 2004

67 REGULAR MEETING, APRIL 7, 2884

