202 Tribble Gap Road · Suite 200 · Cumming, GA 30040 178 S Main Street · Suite 310 · Alpharetta, GA 30009 Phone 770.781.4100

MilesHansford.com

LU24070002 JZ24070003

Joshua A. Scoggins jscoggins@MilesHansford.com

### RESERVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS

Applicant: Carter Engineer Consultants, Inc.

Owner: Glenda Sells

Subject Property: 91.26 Acres Designated as Walton County Tax Parcel(s):

C0950002 & C0950002C00

Current Zoning: A2 – Rural Estate District

Proposed Zoning: R1OSC – Single-Family Residential Open Space Conservation

**Overlay District** 

Proposed Use: Subdivisions, Residential

Application: Rezoning & Character Area Map Amendment

ROW Access: Hwy 138 (SR 138)
Governing Jurisdiction: Walton County

This Reservation of Constitutional and Other Legal Rights ("the Reservation") is intended to supplement and form a part of the land use application (including any request for zoning, special use permit, site plan approval, and variances) (collectively, the "Application") of the Applicant and the Owner of the Subject Property (collectively, the "Owner") and to put the Governing Jurisdiction on notice of the Owner's assertion of its constitutional and legal rights.

The Owner has filed a timely application, has provided all required information and has submitted the appropriate application fees. The Application meets all judicial and statutory requirements for approval.

The Owner objects to the standing of any opponents who are not owners of land adjoining the Subject Property and to the consideration by the Governing Jurisdiction of testimony or evidence presented by any party without standing in making its decision regarding the Application. The Owner also objects to the consideration of testimony or evidence that is hearsay, violates any applicable rules of procedure or evidence, or that is presented by any party who fails to comply with notice and campaign disclosure requirements.

The Current Zoning (and/or zoning conditions) imposed on the Subject Property is unconstitutional and deprives the Subject Property and all viable economic use thereof. The Proposed Use is the only viable economic use of the Subject Property, and the Governing Jurisdiction has deemed this Application necessary to allow the Proposed Use. As such, the Owner files this Application for the purpose of allowing the Proposed Use to be constructed and operated under the Current Zoning (and/or zoning conditions and requesting variances), and to exhaust administrative remedies in the event the Application is denied. As such, the filing of this Application is not an admission of the need for any such approval of the Owner's right to develop the Subject Property. The Owner reserves the right to challenge the Current Zoning and any zoning conditions and other restrictions affecting the Subject Property.

Denial of the Application or approval of the Application in any form that is different than as requested by the Owner will impose a disproportionate hardship on the Owner of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property other than as proposed by the Application and no resulting benefit to the public from denial of or modification to the Application.



Any provisions in the applicable land use, subdivision, and/or zoning ordinances (collectively the "Zoning Ordinance") that classify, or may classify, the Subject Property into any of the non-requested zoning or use classifications, including the Proposed Zoning District and Proposed Use at a density or intensity less than that requested by the Owner, are unconstitutional in that they constitute a taking of the Owner's and Owner's property rights without first paying fair, adequate, and just compensation for such rights in violation of Article I, Section III, Paragraph I of the Georgia Constitution of 1983, as amended and the Fifth and Fourteenth Amendments to the Constitution of the United States.

The Subject Property is suitable for development as proposed in the Application and it is not suitable for development under any other zoning classification, use, or at a density or intensity less than that requested by the Owner. Failure to approve the Application as requested by the Owner would be an unreasonable application of local land use authority, which bears no relationship to the public health, safety, morality or general welfare and would constitute an arbitrary and capricious abuse of discretion in violation of Article I, Section I, Paragraph I of the Georgia Constitution of 1983, as amended and the Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States.

A refusal by the Governing Jurisdiction to approve the Application as requested by the Owner will prohibit the only viable economic use of the Subject Property, will be unconstitutional and will discriminate in an arbitrary, capricious and unreasonable manner between the Owner and the owners of similarly situated properties in violation of Article I, Section I, Paragraph II of the Georgia Constitution of 1983, as amended, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Governing Jurisdiction to approve the Application as requested by the Owner without the consent of persons elected to the governing body of the Governing Jurisdiction will amount to an unlawful delegation of the Governing Jurisdiction's authority, in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, as amended.

Furthermore, the Governing Jurisdiction cannot lawfully impose more restrictive standards on the Subject Property's development than are presently set forth in the Zoning Ordinance. Any conditions or other restrictions imposed on the Subject Property without the consent of the Owner that do not serve to reasonably ameliorate the negative impacts of the development are invalid and void. The imposition of improvements or design requirements unnecessary to facilitate the proposed development constitute an illegal impact fee, an unconstitutional condemnation, or both. As such, the Owner reserves the right to challenge any such conditions, restrictions, or design requirements.

The Owner asserts that it has expended substantial sums and significantly changed its economic position in reliance upon versions of the Zoning Ordinance that allow the development of the Subject Property as proposed by the Owner. As such, the Owner has acquired vested rights to develop the Subject Property and the filing of this Application shall not constitute a waiver of those vested rights.

Finally, the Owner asserts that the current Zoning Ordinance, Character Area Map, Future Development Map and Comprehensive Plan were not adopted in compliance with the laws or constitutions of the State of Georgia or of the United States, and a denial of the Owner's request based upon provisions illegally adopted will deprive the Owner of due process under the law.



By filing this Reservation, the Owner reserves all rights and remedies available to it under the United States Constitution, the Georgia Constitution, all applicable federal, state, and local laws and ordinances, and in equity.

The Owner respectfully requests that the Application be approved as requested in the manner shown on the Application, which is incorporated herein by reference. This Reservation forms an integral part of the Application, and we ask that this Reservation be included with the Owner's other Application materials. The Owner reserves the right to amend and supplement this Reservation at any time.

Sincerely,

Joshua A. Scoggins Attorney for Applicant & Owner



# Planning and Development Department Case Information

Case Number: LU24070002 and Z24070003

Meeting Dates: Planning Commission 08-01-2024

Board of Commissioners 09-10-2024

Applicant:
Carter Engineering Consultants Inc
1010 Commerce Drive

Bogart, Georgia 30622

Owner: Glenda Sells

902 High Shoal Drive Monroe, Georgia 30655

Current Zoning: A2

Request: Land Use Change from Highway Corridor to Neighborhood Residential

and Rezone 91.26 acres from A2 to R1OSC for a 63 lot residential

subdivision

<u>Address</u>: Hwy 138 & 1185 Hwy 138, Monroe, Georgia 30655

Map Number: C0950002 & C0950002C00

Site Area: 91.26 acres

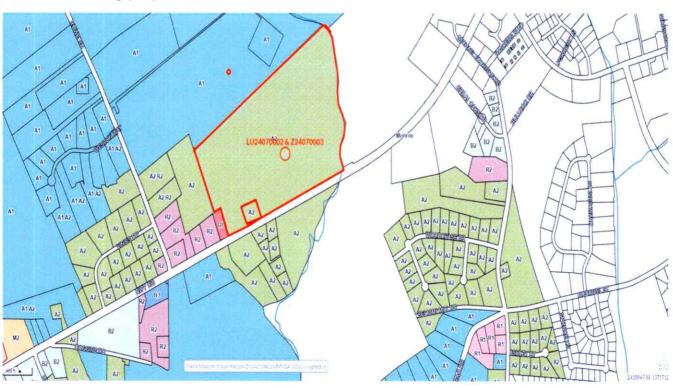
Character Area: Highway Corridor

District 5: Commissioner: Jeremy Adams Planning Commission -Tim Hinton

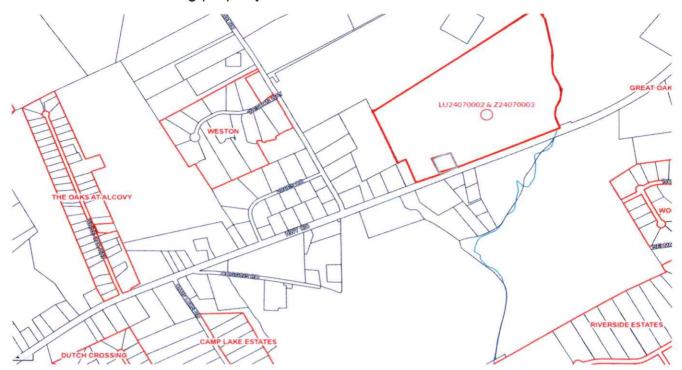
Existing Site Conditions: Property consists of 91.26 acres total. Parcel C0950002 is on Highway 138 and is 89.76 acres and Parcel C0950002C00 is 1185 Highway 138 and is 1.50 acres. 1185 Highway 138 has a house on the property and house will be removed.



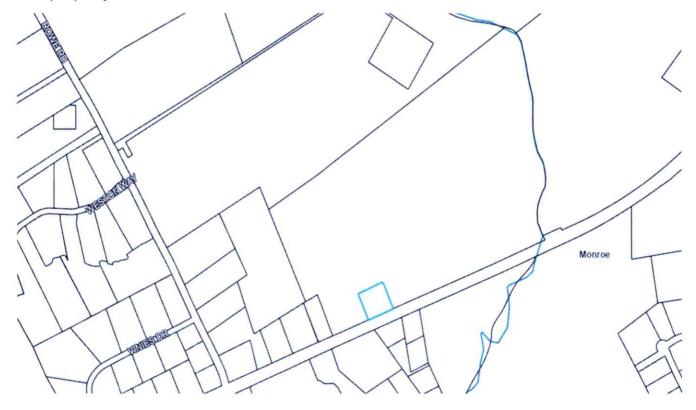
The surrounding properties are zoned A2.



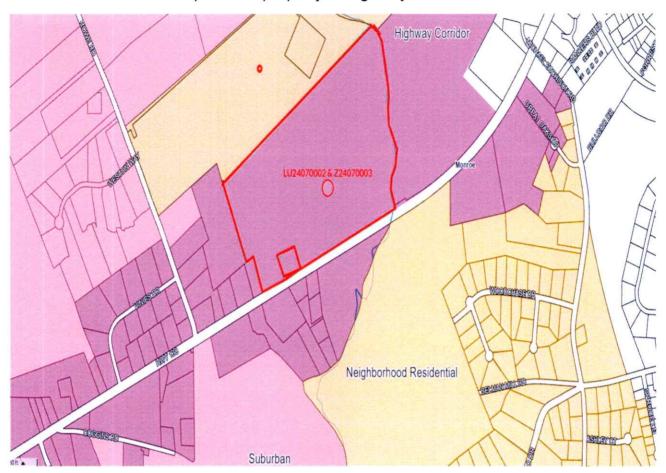
# Subdivisions surrounding property:



The property is not located in a Watershed.



The Future Land Use Map for this property is Highway Corridor.



# **History:**

Z05090010	Alcovy Sports/Family	A-2 to O-I	C095-5 spl	Approved Cond.
	Chiropratic	Med Office 1.0	1185 Ga Hwy 138	

This property was split off of 1185 Ga Hwy 138.

# **Staff Comments/Concerns:**

# **Comments and Recommendations from various Agencies:**

Public Works: Public Works has no issue with approval of this request.

Sheriffs' Department: No comment received.

<u>Water Authority:</u> This area is served by an existing 8" diameter water main along Hwy 138. (static pressure: 105 psi, Estimated fire flow available: 1,050 gpm @ 20 psi). A new water main will be required to distribute water within the development. Please coordinate with WCWD.

E-mail from Morris Jordan: DOT is replacing the bridge on Hwy 138 over the Alcovy. This project may or may not be impacted by that project. Walton County has a water main on the opposite side of 138, at a minimum the project will require boring 138 to tie into the existing main. While it is not believed to be an issue, we have not reviewed the project to see if any additional work on the existing 8" line and a vault that is being abandoned due to the DOT work would require additional work by the developer.

Fire Marshal Review: Shall comply with all current codes and ordinances set forth by State Fire Safety Minimums, NFPA, International Fire Code, Georgia Accessibility Code and Walton County Ordinances. Fire Hydrants shall be located within 500 ft. along the roadway. Road width shall be 26' FOC to FOC cul-de-sacs shall be 96' minimum and radii shall be 28' minimum.

Fire Department Review: Added Fire and EMS response due to added population.

Board of Education: No comment received.

DOT Comments: This will require GDOT coordination.

<u>City of Monroe:</u> No effect to City of Monroe's utilities.

### PC ACTION 8/1/2024:

LU24070002 & Z24070003-Land Use Change from Highway Corridor to Neighborhood Residential and Rezone 91.26 acres from A2 to R1OSC for a residential subdivision-Applicant: Carter Engineering Consultants Inc/Owner: Glenda Sells-Property located on Hwy 138 & 1185 Hwy 138/Map/Parcels C0950002 & 2C00-District 5.

Presentation: Paul Mitchell, Attorney at Law, represented the case for the Applicant and the builder. He stated that they are asking for an open space subdivision on 91.26 acres. The first thing is the Amendment to the Character Area Map from Highway Corridor to Suburban and the second thing is to rezone from A2 to R1OSC for a subdivision with 63 lots. On the east side of the property there is a stream and on the north is a utility easement. OSC is really essential to making a vibrant community. The houses will be in the low \$500,000 value and these will be beautiful homes and are compatible with the neighboring zonings in the area. There will be 63 lots and the

minimum lot size would be .6 acres. The houses would be a minimum of 2,200 sq. ft. They are offering more open space than is required by the code. They are allotting 30.65 acres of open space and only 22 acres is required. Tim Hinton asked about any amenities for the size there and there will no amenities, only open space. Timothy Kemp verified 91.26 acres and 63 homes and that is 1.44 units per acre and conserve areas around the sides. Timothy Kemp also said that DOT will address the entrance and that is a lot of traffic. Mr. Kemp stated personally this is a very dangerous place and an engineer should be looking at the traffic.

Speaking: Lisa Anderson who lives at 1230 Highway 138. She has owned this property since 1971 and is not opposed to a subdivision but she would rather it remain A1 or A2 and be 1 ½ acres for the lots. She has spoken to Mr. Prather about the size of the homes, and he stated that the homes would be 3,000 sq. ft. plus but now is being told they are 2,200 sq. ft. and they will be farm style homes. She would like to see a combination of stone and brick and minimum clearing there because of the river and has concerns about what is going in the river when there is major flooding. She knows that there is a GDOT project that will begin in 2025 and will finish in 2027 to build a new bridge. There will be a temporary bridge on the south side and if that takes place at the same time as this development, this will be a lot going on. She got the 2023 numbers and there are about 20,400 cars a day on that road and the estimated trip is 6, this would add 378 more vehicles entering and leaving on this highway. She would like the board to deny the R1OSC subdivision and require 3,000 sq. ft. homes with a combination of hardy plank, stone and brick and minimal trees to be removed from the property.

Jere Rowe who lives at 1320 Highway 138 spoke. He and his sister have 12 acres in a trust beside this property and the property has been in his family since 1930. The application stated that the property is not in a watershed, but you can see water standing on the property all year long and now 63 septic tanks will be put on the property and whatever goes downhill slopes to the river. He stated that the Alcovy River is the cleanest river in the state. He asked if you left the property zoned as A2 then how many houses can you build there. Mr. Hinton stated it would be about 60 houses. Mr. Rowe stated he has concerns about the standard review questions 3 and 4. This property is directly off Highway 138 and he is concerned about the site distance issues. He went out and measured it and it is about 573 feet. He said that if you turn out going toward Monroe at 55 mph there is only 7 seconds to get out on Highway 138. He stated that not a lot of time you can get out on Highway 138 especially with 3 schools in the area and there are 3 schools on Highway 138. He stated that 2,040 trucks are going down Highway 138 and this is a dangerous place for entrance. He stated that every wreck that an accident happens on the Highway that the EMT's and Fire Department have to be called and that adds 378 vehicles a day to the road not counting the trash trucks, buses. He said that the state permits the driveways, but the county has to deal with the problems. He stated that one of the questions was about helping the welfare of the public. He thinks not. He said question 5 says adjacent properties support this and he said that nobody asked him, and it does not match up and is This property is not in town and what the completely out of character area. subdivisions that have been compared to; they are in the city limits. He also said that the water that does not drain into the river will come to their property.

Rebuttal: Mr. Mitchell stated that water issues are always a concern as well as stormwater issues. It is their legal duty to control storm water on their site and the water quality will be engineered and ensured. Adding more homes may be an overburden but it opens the door to new neighbors. He has heard the thoughtful concerns of the people, but this subdivision has not been built yet and these people will be members of the community and they will have strict rules as to the building.

Logan Moss spoke, and he works with homebuilders. The house sizes were 2,000 minimum up to 3,000 sq. ft. with a side entry garage. He had a rendering that showed the beautiful houses but didn't get to show his power point. The houses will have a 24-inch water table and have stone and stucco. He grew up hunting on the Alcovy River and he wants to keep it intact. The pond will not only make the river clearer, but they will control sediment and you will not see any different clarity of the river. As far as traffic is concerned on Highway 138 there will be a de-cell lane there and they will be working with DOT. As for as the amenity area spaced off in the development, there will be pocket parks which is more beneficial than pickleball courts and will have walking trails. As far as R1OSC comparing to the A2 zoning, they are just asking for 3 more lots.

Tim Hinton said as far as site entrance, the engineer will work on plans for this and what the plans are for houses, the 24" water table is a step above, and houses will have hardy plank, board and baton and no vinyl siding and side garages.

Tim Hinton said that as OSC conveying the thought process – he is fond of that zoning because it sets aside open space where areas are not touched during development stages. It also allows us to have a smaller area and increase the density and this is consistent with current zoning there. The problem is with A2 zoning you would have to be impeding on more acreage. Mr. Hinton said that with the open space concept they don't go in and strip all the trees. As far as concerns for water, this is regulated at the State & Federal level and as to traffic, there are children born every day and need a place to live and you have to try to manage the traffic in the best way possible.

Recommendation: Tim Hinton made a motion to recommend approval with the following conditions 1. The minimum square footage for a single floor home is 2,200 and two stories 2,500 square foot. 2. Side entry garage only 3. 60 lots instead of 63 lots. with a second by Josh Ferguson. Timothy Kemp and Michelle Trammell voted against it and Tim Hinton, Josh Ferguson, Terry Eison, and John Pringle voted to approve it. The motion carried 4 to 2.)

# **Character Area Map Amendment**

# Application # LU24070002

Planning Comm. Meeting Date <u>08-01-2024</u> at 6:00PM held at **WC Board of Comm. Meeting Room**Board of Comm. Meeting Date <u>09-10-2024</u> at 6:00PM held at **WC Historical Court House**You or your agent must be present at both meetings

***Please Type or Print Legibly***	
<b>Map/Parcel</b> C0950002, C0950002C00	
Applicant Name/Address/Phone #	Property Owner Name/Address/Phone
Carter Engineering Consultants, Inc.	Glenda Sells
1010 Commerce Drive	902 High Shoals Drive
Bogart, GA 30622	Monroe, GA 30655
	(If more than one owner, attach Exhibit "A")
Phone #	Phone #
E-mail Address: jessica@carterengineering.co	om
Location: Highway 138 பாத் கியு 138	Acreage91.26
Existing Character Area: Highway Corridor	
Proposed Character Area: Suburban Neigh	hborhood Residential
Is this a Major or Minor amendment to the plan? Note: Major amendments to the plan DO NOT b	Minor ecome effective until approved by RDC and DCA
Is the property located within a watershed protect	ction overlay district? No
Proposed Development: X_Single-family	_Multi-familyCommercialIndustrial
Proposed Zoning: R1 OSC Number of Lots:	63 Minimum Lot Size: 0.6
Public Sewer: Provider:	Septic Tank:X
The above statements and accompanying materials are co and zoning personnel to enter upon and inspect the propert Development Ordinance.  O7/08  Signature  Date	mplete and accurate. Applicant hereby grants permission for planning y for all purposes allowed and required by the Comprehensive Land  /2024  \$ 250.00 Fee Paid

# Rezone Application # Z24070003 Application to Amend the Official Zoning Map of Walton County, Georgia

Planning Comm. Meeting Date 08-01-2024 at 6:00	PM held at WC Historical Court House, 111 S. Broad St, Monroe, Ga (2 <sup>nd</sup> Floor)
Board of Comm Meeting Date <u>09 বচ-২০২৭</u> at 6:00F	
You or your agent must b	pe present at both meetings
Map/Parcel C0950002, C0950002C00 Map/Parcel	
Applicant Name/Address/Phone #	Property Owner Name/Address/Phone
Carter Engineering Consultants, Inc.	Glenda Sells
1010 Commerce Drive	902 High Shoals Drive
Bogart, GA 30622	Monroe, GA 30655
E-mail address: jessica@carterengineering.com	(If more than one owner, attach Exhibit "A")
Phone # 770-725-1200	Phone #
Phone #	Zoning R1 OSC Acreage 91.26
Existing Use of Property: Vacant & Residen	tial
Existing Structures: 2,057 s.f. residence	
The purpose of this rezone is Developer wishes t	o rezone for construction of a residential
subdivision - 63 lots	
Property is serviced by the following:	
Public Water: X Provider: Walton County	
Public Sewer: Provider:	Septic Tank: X
and zoning personnel to enter upon and inspect the property for	ete and accurate. Applicant hereby grants permission for planning rall purposes allowed and required by the Comprehensive Land
Development Ordinance. 07/03/20	s 550.00
Signature Date	Fee Paid
	ced and removed by P&D Office ter Board of Commissioners meeting
Office Use Only:	ter board or commissioners meeting
Existing Zoning A 2 Surrounding Zonin	ig: North AJ South A2 East City of West A2-DI
Comprehensive Land Use: Lighway Corridor	DRI Required? YN
Commission District: 5- Jereny Adams Water	rshed:TMP
	3
I hereby withdraw the above application	Date

### AUTHORIZATION BY PROPERTY OWNER

I swear that I am the property owner of the property which is the subject matter of the attached Petition for Rezoning/Conditional Use Application, as is shown in the records of Walton County, Georgia.

I authorize the named below to act as Applicant in the pursuit of a Petition for Rezoning/Conditional Use Application.

Name of Applicant:	Carter Engineering (	Consultants, Inc.	
Address:	1010 Commerce Dri	ve, Bogart, GA 30622	
Telephone:	770-725-1200		
Location of Property:	Highway 138		PORTURALISMO
			100-100 PM
Map/Parcel Number:	C0950002, C095000	02C00	
Current Zoning:	A2	Requested Zoning:	R1 OSC
Mondo	D. Sells		
Property Owner Signa	ture	Property Owner Signature	
Print Name: Glenda	Sells	Print Name:	
Address: 902 Highwa	ay Shoal Drive	Address:	walle
Phone #: 770 -		Phone #:	
Personally appeared be	efore me and who swear	rs	
that the information co	ontained in this authoriz he best of his/her knowl	ation	
1	`		

# Article 4, Part 4, Section 160 Standard Review Questions:

# <u>Provide written documentation addressing each of the standards listed below:</u>

1. Existing uses and zoning of nearby property;

The existing property is a vacant agricultural property in the Rural Estate District and zoned A2. Bordering properties are Rural Estate District A2, Rural Estate District A1, Office-Institutional District O-I, Two-Family Residential R2, and General Business District B3.

2. The extent to which property values are diminished by the particular zoning restrictions;

The current zoning of A2 does not allow the developer to achieve the required density. The R1 OSC Overlay District allows for a minimum 0.6 acre lot while A2 zoning allows for a minimum 1.5 acre lot. The developer requires the additional density to justify the purchase and subsequent development costs.

3. The extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public;

The Monroe, Walton County area has been rapidly expanding and is predicted to grow at a rate of 1.49% annually per the Comprehensive Plan 2022-2026. The rezone will create a new single family subdivision including 63 lots ranging from 0.67 to 1.67 acres. The subdivision will also create a new tax base.

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner;

As previously mentioned, the public receives a new single family subdivision creating 63 additional residences and Walton County receives a new tax base.

Without the rezone, the developer would only be able to achieve less than half the proposed density, which would not justify the development.

	The current A2 zoning allows for a subdivision, but does not allow the develop
	to achieve the required denisty needed to justify the development. The subject
•	and adjacent properties support a subdivision of the proposed density.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property

The property features one existing residence. The remainder of the lot has been fallow agricultural property since the late 1980s. The nearby subdivision at Woodchase Drive was constructed around 1993.

# CONCEPTUAL SITE PLANS

RIVERSIDE ESTATES FOR

-- 770,725 1200 -- 770,725 1204 www.cartareng-naering.c

# CONSTRUCTION ENTRANCE

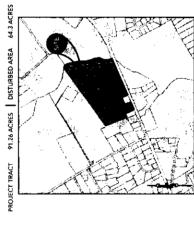
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STITEVE TOR
CARTER ENGINEERING
TOTO COMMERCE DRAFE
BOUGHT OR 80622
CONFACT 20725-1200
MICHAR, FOLEY, GA N.S. 87346

A RICHATE (1)
MY HOME COMMUNITES
THO TALUS SHEE AACH
BOGART, GA 30422
CONTACT 404-13-5414
CGERTY WATKINS



# SITE DESIGN & ENGINEERING SHEET INDEX

SHEET TITLE	COVER SHEET	GENERAL NOTES	EXISTING SITE PLAN / DEMO PLAN	SITE PLAN	SUITABLE SOIL PLAN
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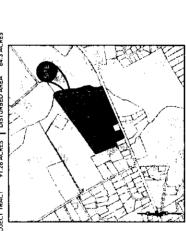
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# MHC OF GEORGIA, LLC

# PROJECT LOCATION MONROE, GA, 30655

33.7880 NORTH

# PARCEL ID NUMBER C0950002, C0950002C00



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CONCEPTUAL SITE PLANS

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RIVERSIDE ESTATES

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ROJECT NUMBER 24002MHCG

# CONCEPTUAL SITE PLANS

RIVERSIDE ESTATES FOR

# MHC OF GEORGIA, LLC

PROJECT LOCATION HIGHWAY 138 MONROE, GA, 30655

# CONSTRUCTION ENTRANCE

33.7880 NORTH -83.7535 WEST

# PARCEL ID NUMBER C0950002, C0950002C00

PROJECT CONSULTANTS AND CONTACT INFORMATION

OWNER DEVELOPER
MIC OF GEORGALILC
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SITE DESIGN & ENGINEERING SHEET INDEX

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RIVERSIDE ESTATES

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SITE LOCATION MAP

NOT FOR CONSTRUCTION

DESIGN BENCHMARK 50% DD OWNER REVIEW

DRAWING STATUS

CARTER ENGINEERING
1910 COMNERCE DRIVE
BOGART, GA 30622
CONTACT 770,725 1200
MICHAEL FOLEY, GA RES 13396 URVEYOR

A M CHITECT
MY HOME COMMUNIES
THE TAUS STREE, MO
BOGART, GA 30622
CONTACT 404-313-SH4
CORTIX WATENS

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ROKCTNUMBER 24002MHCG

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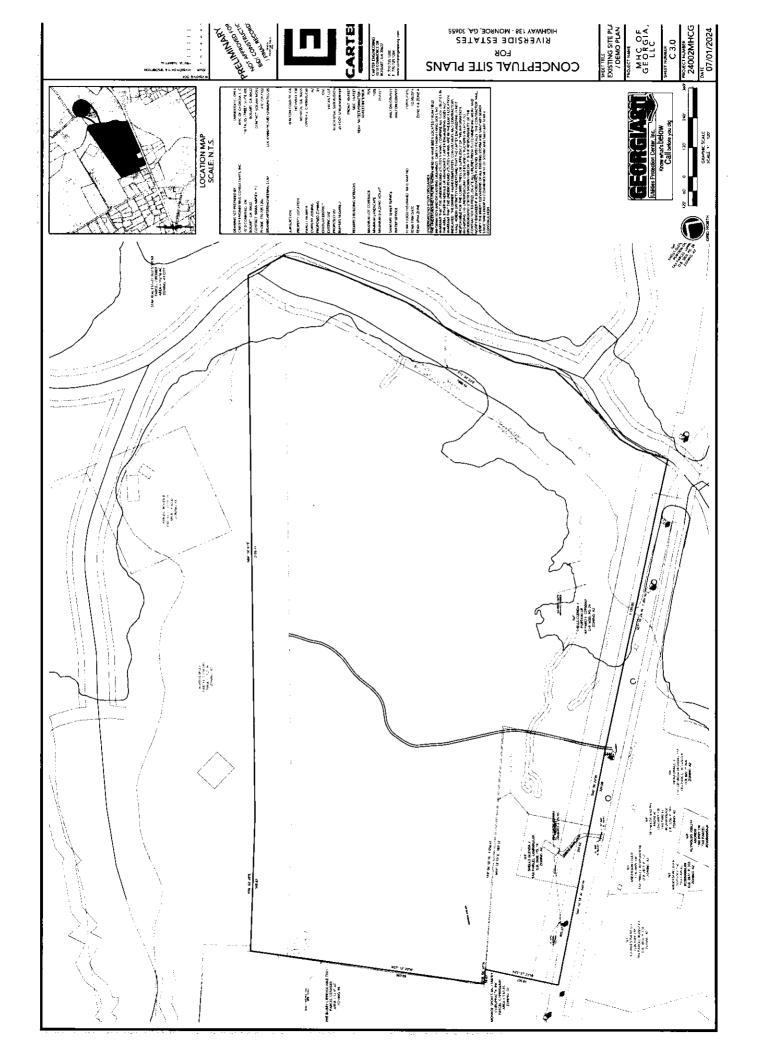
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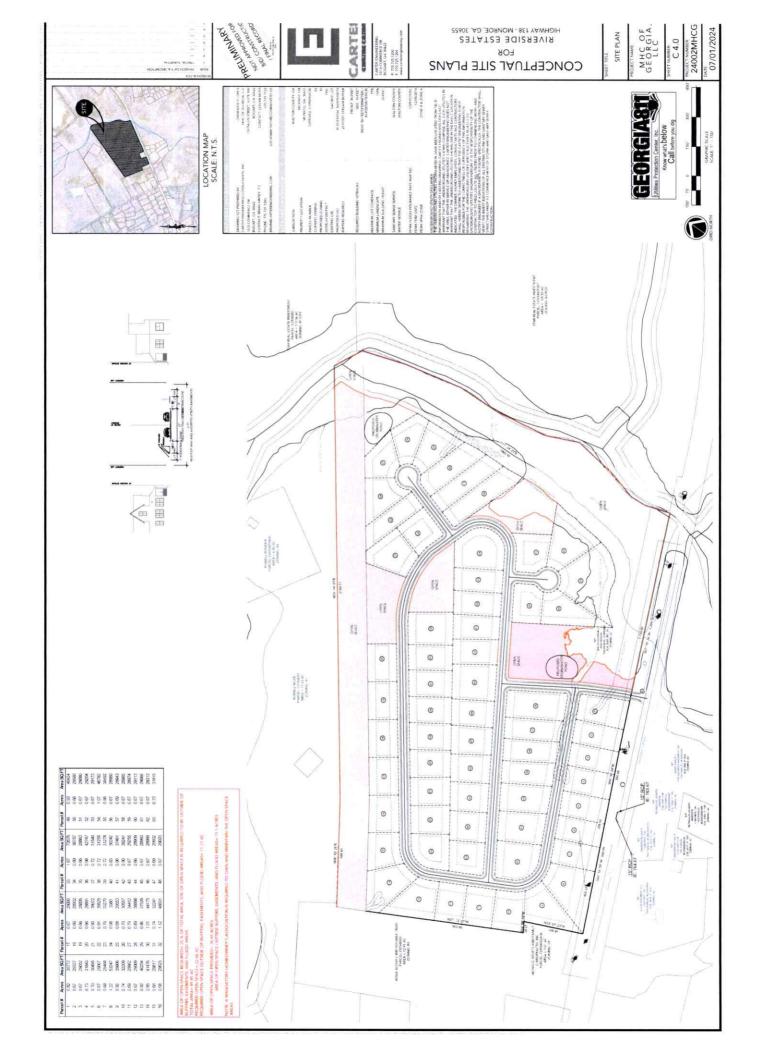
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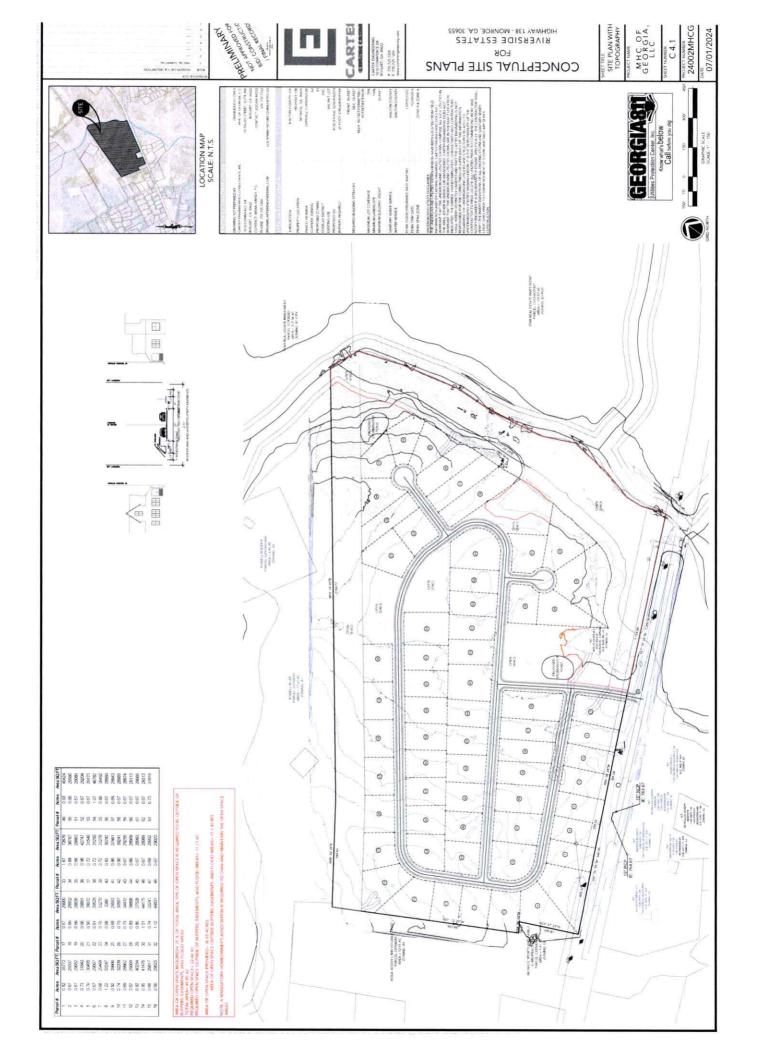
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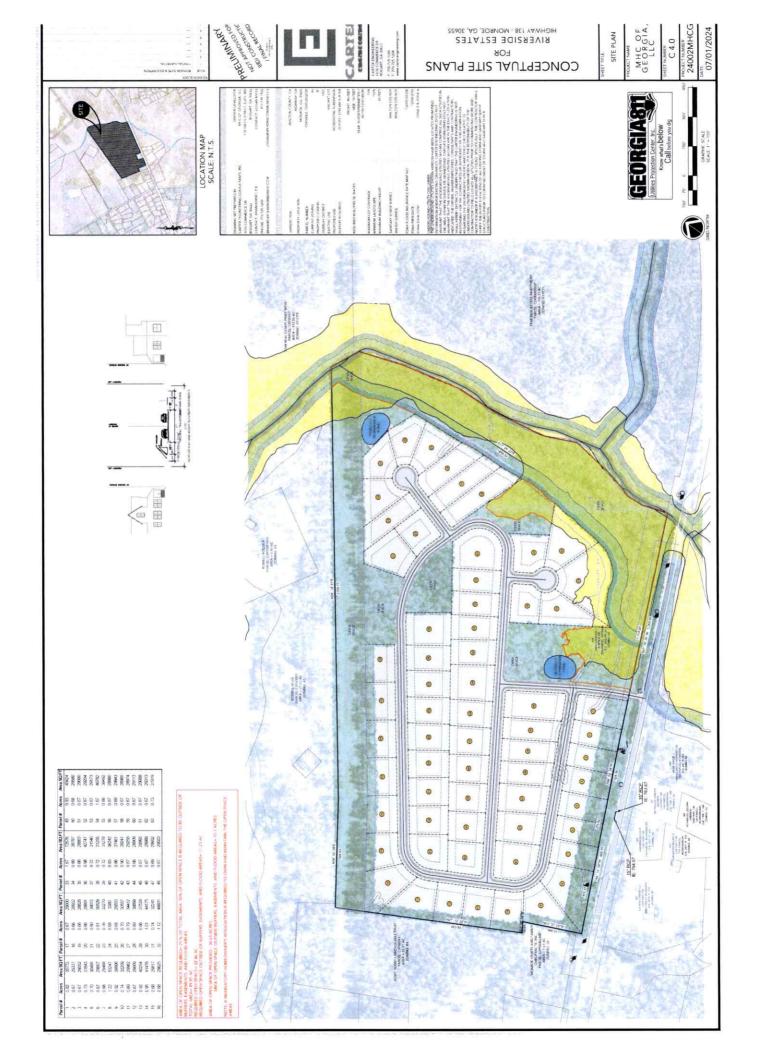
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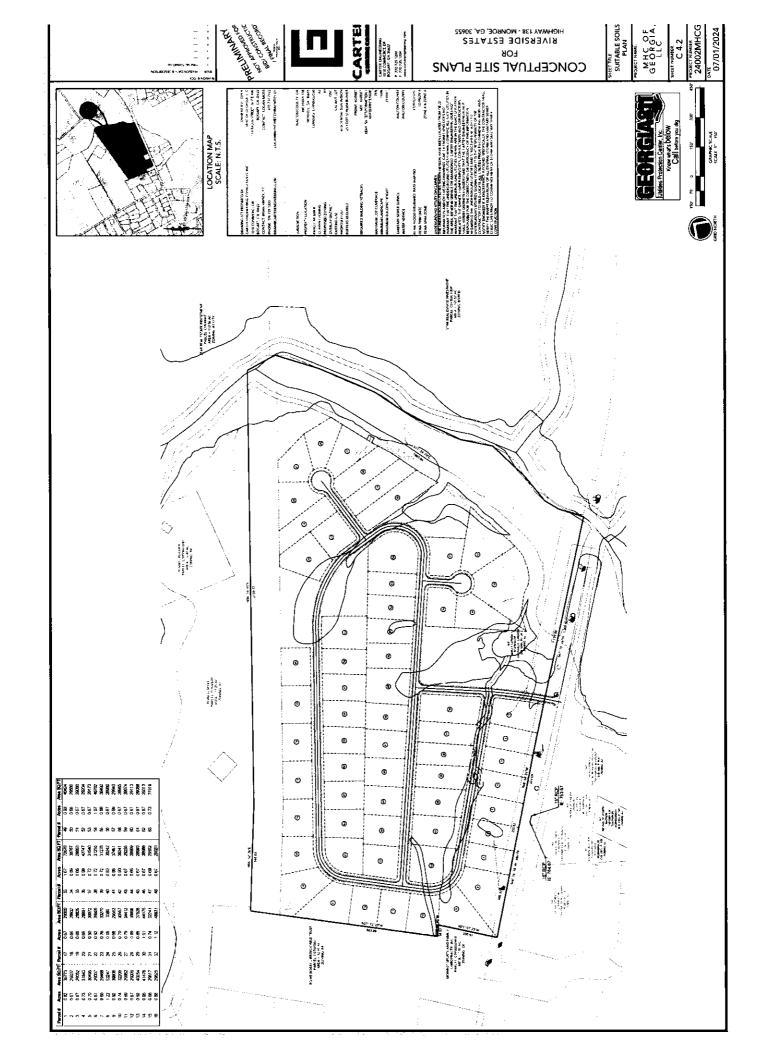
CONCEPTUAL SITE PLANS
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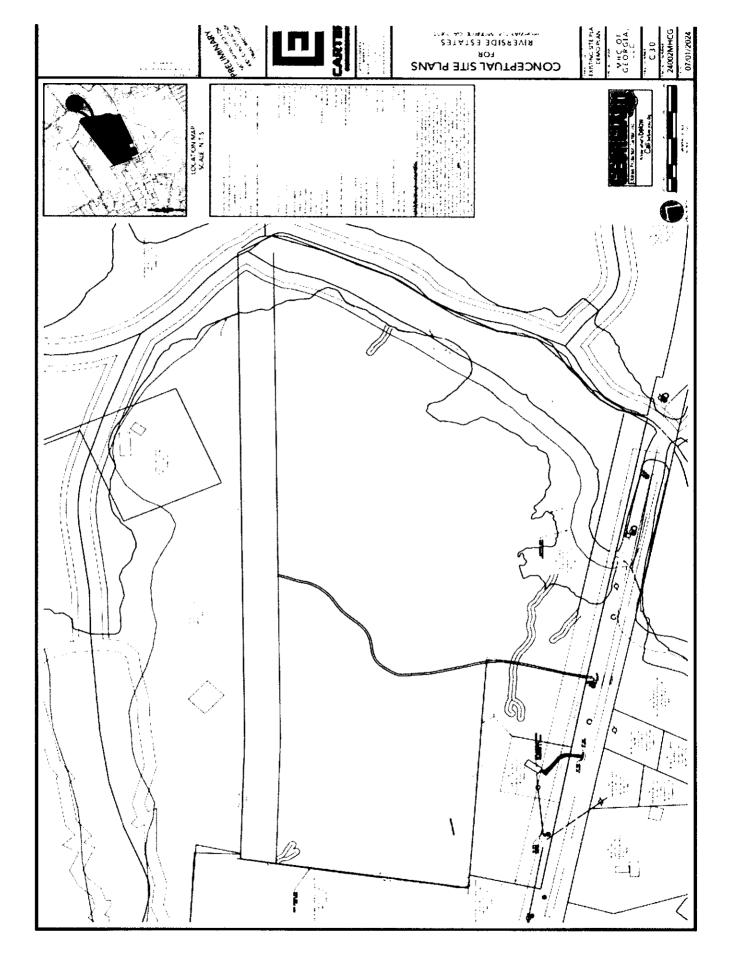
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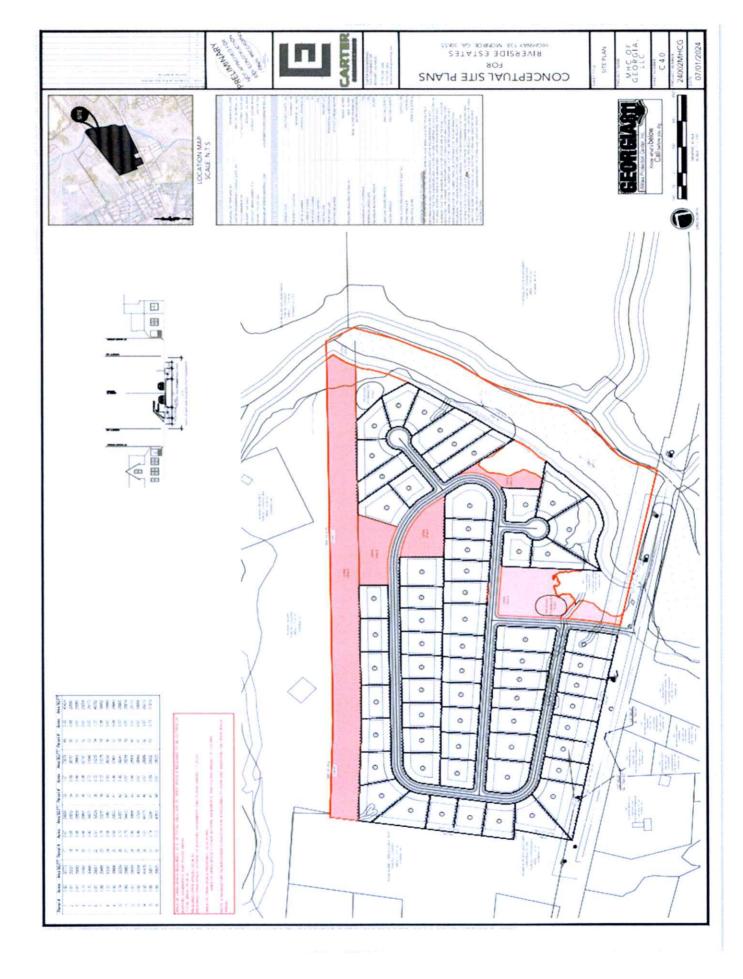
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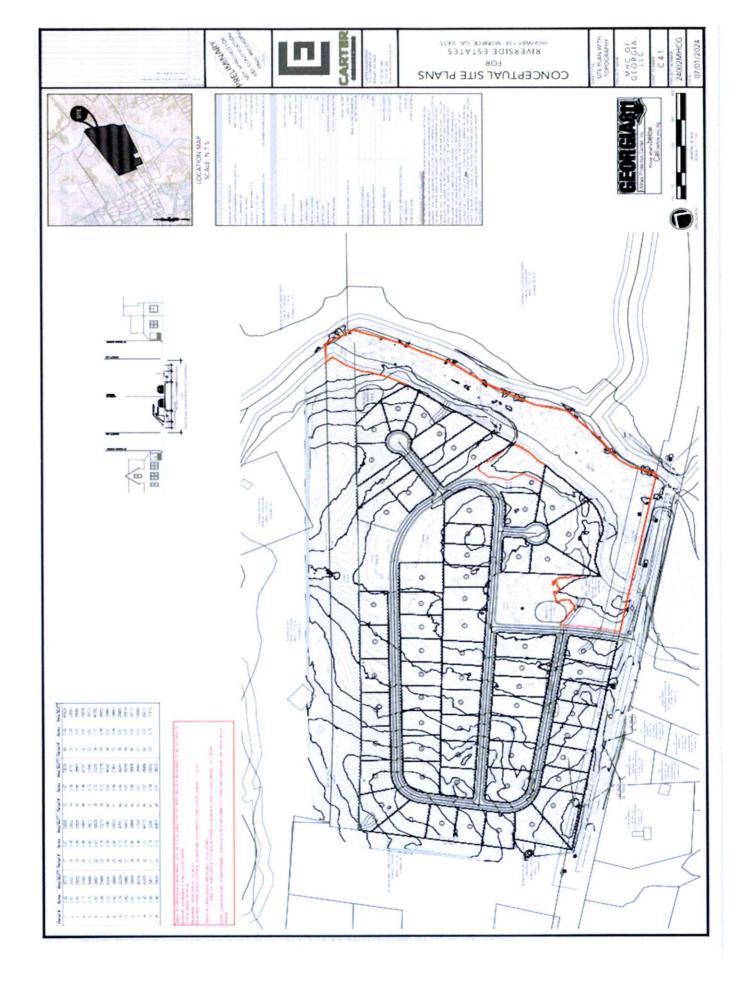
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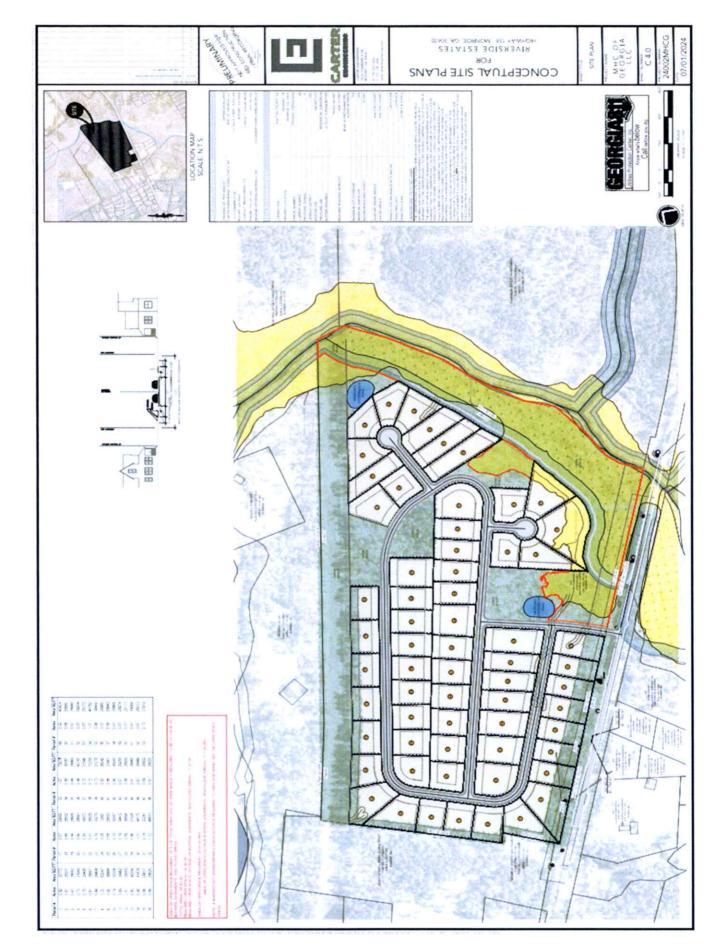
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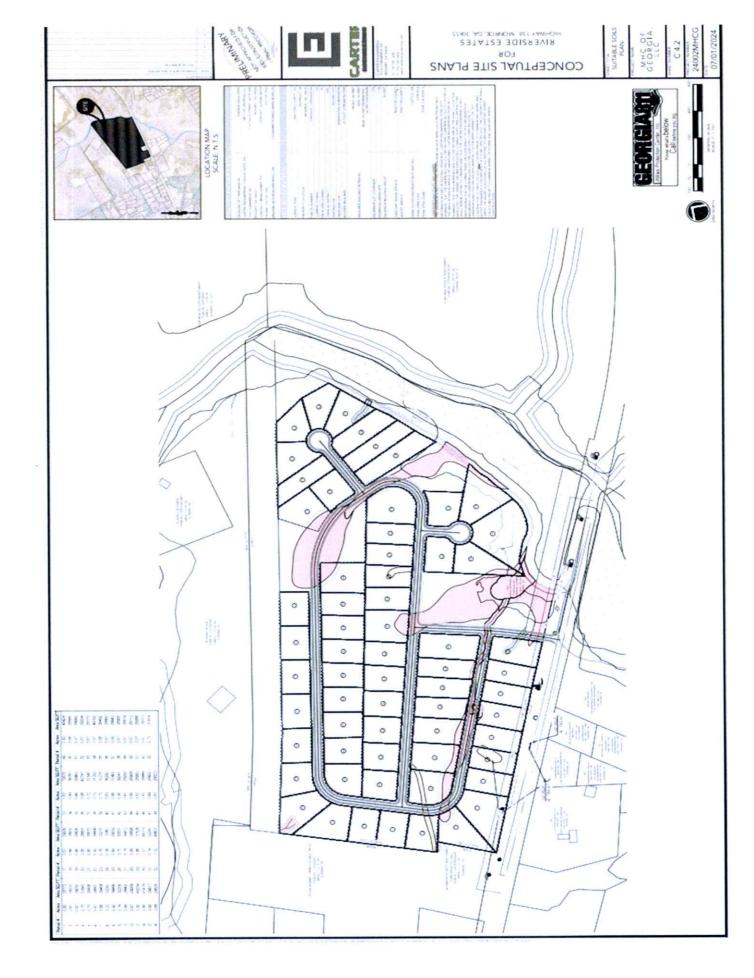


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# CONCEPTUAL SITE PLANS

# RIVERSIDE ESTATES FOR

# MHC OF GEORGIA, LLC

PROJECT LOCATION HIGHWAY 838 MONHOR, CA, 2025

CONSTRUCTION ENTRANCE 13.75.55 WEST

PARCEL ID NUMBER



# SITE DESIGN & ENGINEERING SHEET INDEX COVER SHEET GENERAL NOTES EXISTING SITE HAN / DEMO PLAN SITE PLAN SUITABLE SOL PLAN SHEET TITLE SHEET NUMBER. 2 2 2 3 3

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COVER



DESIGN BENCHMARK 50% DD OWNER REVIEW DRAWING STATUS NOT FOR CONSTRUCTION

SITE LOCATION MAP NOT TO SCALE



# Letter of Intent

For

# **Riverside Estates**

Hwy 138 Monroe, GA 30655 (Parcel No(s). C0950002, C0950002C00)

Prepared By:
Carter Engineering Consultants
1010 Commerce Drive.
Suite 100
Bogart, GA 30622
July 2024





## Introduction

The property referenced as Tax Parcel No(s). C0950002, C0950002C00 are currently owned by Glenda Sells. The current owner and the developer, My Home Communities, have a contract to purchase the two properties pending approval of this rezone request. The property is currently zoned A2, and the developer wishes to rezone to include the R1 Open Space Community (OSC) Overlay to achieve the required density for a proposed subdivision. A new rezone request has been submitted for approval.

# Site

The site is located off HWY 138 in Walton County, Georgia. The property is comprised of approximately 89.8-acres. The properties feature one existing building that will be demolished during the construction of the subdivision.

The property is bordered by a residential A1 tract to the north, B3 PCD to the East, A2 to the west and Hwy 138 to the south.

# Development

The developer proposes to construct a single-family residence subdivision that will include 63 single-family 0.6-acre minimum lots, green-space, and roads / infrastructure for the proposed subdivision. The development will provide 30.65 acres of open space. The required open space it 22.5 acres.

### Access

The site will be accessed from HWY 138. A deceleration lane will be completed as part of the development. Access to HWY138 will be permitted by GA DOT. The proposed subdivision will feature a new 24-foot access drive off HWY 138 that will service the 63 single-family lots.

# **Setbacks**

According to the Walton County Land Development Ordinance, the building setbacks for a property zoned R1 within the OSC Overlay with public water and private on-site septic systems are defined as: Front Building Setback = 40 feet, Side Building Setback = 15 feet, and Rear Building Setback = 40 feet.



# **Traffic**

The proposed single-family residence subdivision will have a moderate affect of the traffic along HWY 138. The estimated average daily trips (ADT) are 6 trips per residence, and the estimate number of trips during peak hours is 4 trips.

# Water Supply

The water supply for the proposed subdivision will be provided by Walton County.

# Sewage Disposal

Sewage disposal for the proposed subdivision will be provided by individual private septic systems located within each lot. A preliminary soil survey was conducted to determine site feasibility, and lots are not shown within areas defined by poor soils.

### **Utilities**

The utilities needed to serve the site are proposed to be underground. The proposed development will require electricity, water, and telephone / data lines. Each of these utilities can be connected at HWY 138.

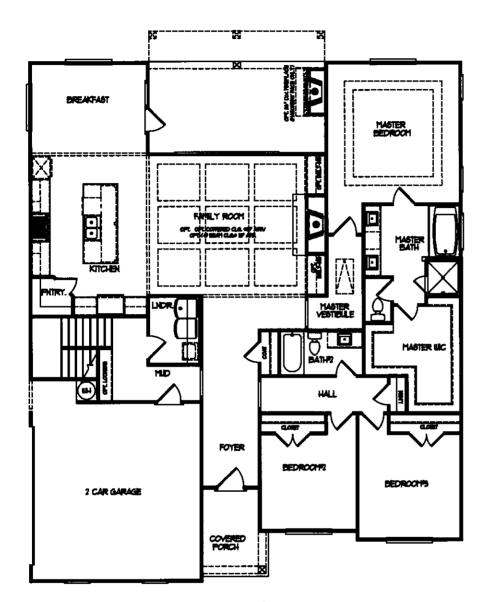
# Solid Waste

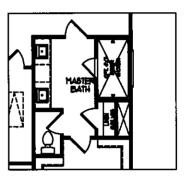
Garbage collection will be by private contracts with a trash can on the property.

# Type of Ownership

Once developed, the subdivision lots will be privately owned, while the development, greenspace, amenity areas, and stormwater detention facilities will be governed by a homeowner's association. The roads within the proposed subdivision will be owned and maintained by Walton County.

# THE BLACKBURN





Opt. Super Shower

Main Level

# THE BLACKBURN



Front Elevation A

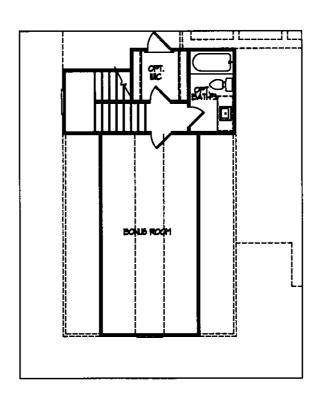


Front Elevation B



Front Elevation C

# THE BLACKBURN



**Upper Level** 

### **BRENTWOOD 2**



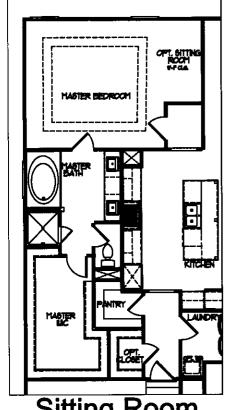
Front Elevation A

**Front Elevation B** 

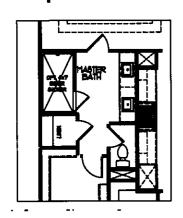


Front Elevation C

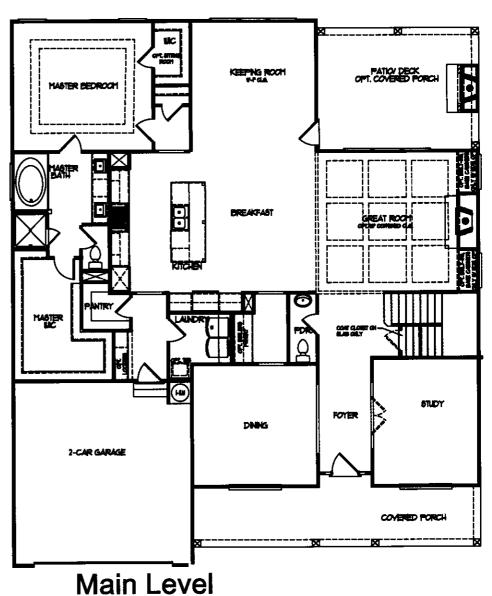
### **BRENTWOOD 2**



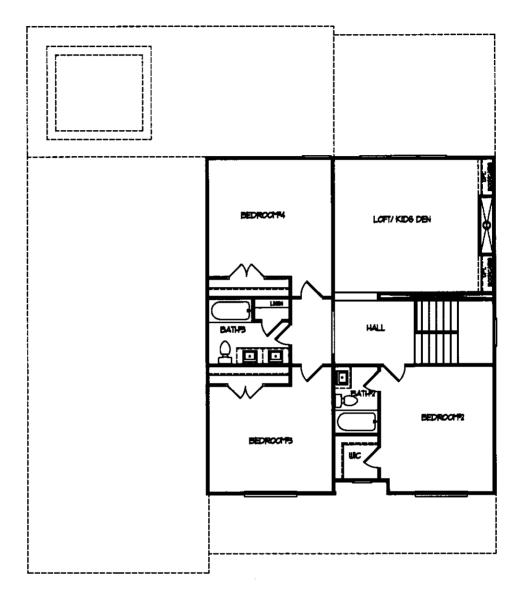
Sitting Room Opt.



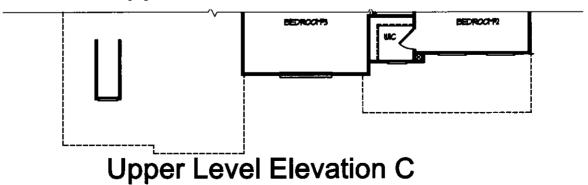
Super Shower Opt.



# **BRENTWOOD 2**



Upper Level Elevation A & B



#### THE PRESERVE





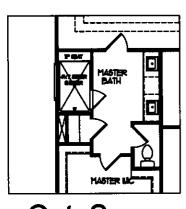
Front Elevation A

**Front Elevation B** 

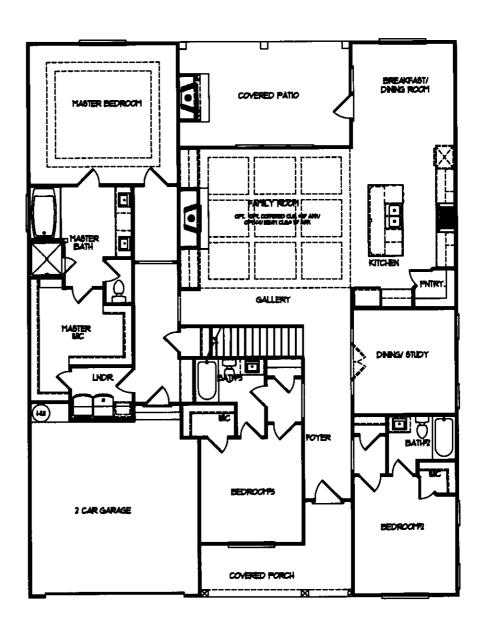


Front Elevation C

#### THE PRESERVE

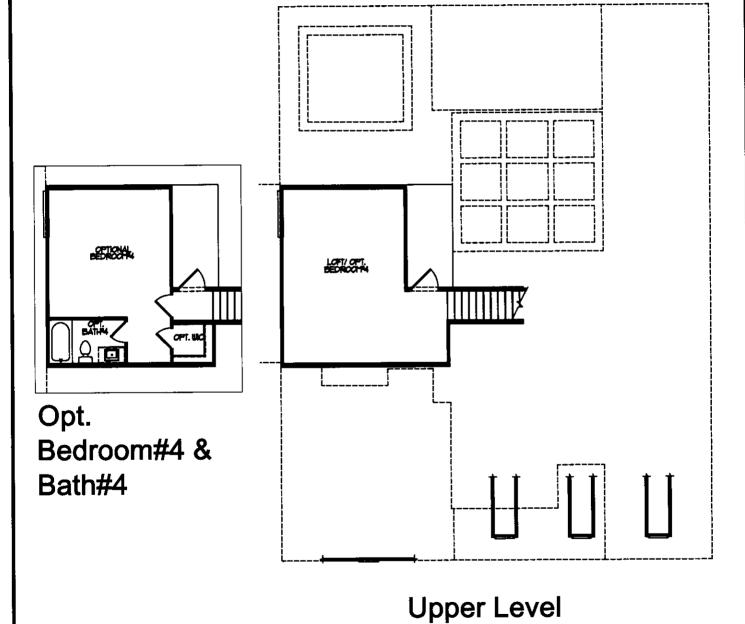


Opt. Super Shower



**Main Level** 

### THE PRESERVE



### THE REMINGTON





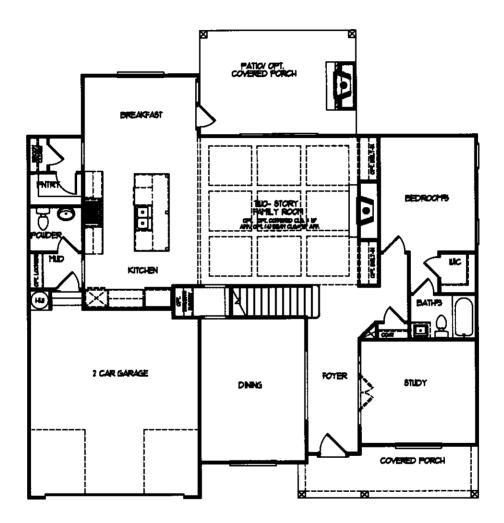
Front Elevation A

Front Elevation B

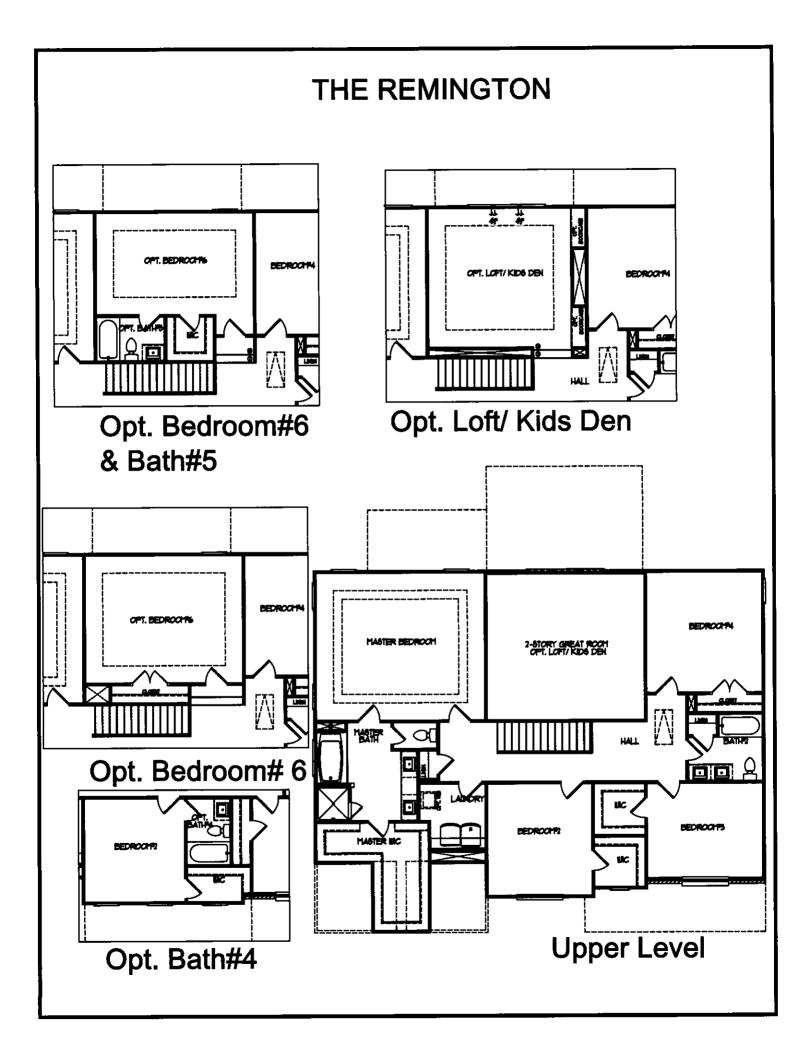


Front Elevation C

# THE REMINGTON



Main Level



### THE WESTLEIGH





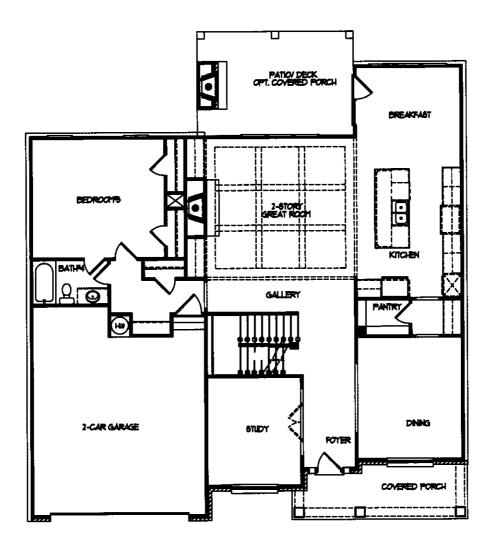
Front Elevation A

Front Elevation B



Front Elevation C

# THE WESTLEIGH



Main Level

# THE WESTLEIGH

