



Board of Zoning Appeals - Public Hearing

Monday, March 30, 2026

5:00 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of a meeting or the facilities, are required to promptly contact the City's ADA Coordinator Brandon Rakestraw at 770.443.8110 ext. 1401 to allow the city to make reasonable accommodations for those persons.

AGENDA

CALL TO ORDER

MINUTES APPROVAL

1. Consideration to approve the 2/23/2026 Meeting Minutes.

RECOGNITION OF VISITORS

None

REPORTS

None

OLD BUSINESS

None

NEW BUSINESS

2. DSV-2026-02, Cross Development / Jake Seaton (Applicant), Foresite Group, LLC. / Justin Carter & Nathan Spence (Representative), and Dallas Land, LLC. (Titleholder), has applied and seeks a Development Standards Variance for property legally known as 166 Thomas B. Murphy Drive, Dallas, GA. 30132; Tax Parcel I.D. No. 138.3.1.053.0000 located in Land Lot: 378 in the 2nd District and 3rd Section of Paulding County.

ADJOURNMENT



Board of Zoning Appeals - Public Hearing

Monday, February 23, 2026

5:00 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of a meeting or the facilities, are required to promptly contact the City's ADA Coordinator Brandon Rakestraw at 770.443.8110 ext. 1401 to allow the city to make reasonable accommodations for those persons.

MINUTES

CALL TO ORDER

PRESENT

Commissioner Brad Wood
Commissioner Mike Cason
Commissioner Jeff Cole

MINUTES APPROVAL

1. Consideration to approve the 11/17/2025 Meeting Minutes.

Motion to approve the 11/17/2025 Meeting minutes.

Motion made by Commissioner Wood, Seconded by Commissioner Cason.

Voting Yea: Commissioner Wood, Commissioner Cason, Commissioner Cole

RECOGNITION OF VISITORS

None

REPORTS

None

OLD BUSINESS

None

NEW BUSINESS

2. DSV-2026-01, CROE Properties, LLC. (Applicant), Jerry Johnson, PE (Representative), and Chris Roe (Titleholder), has applied and seeks a Development Standards Variance for property legally known as 105 White Park Drive, Dallas, GA 30132; Tax Parcel I.D No. 148.2.1.002.0000 located in Land Lot: 455 in the 2nd District and 3rd Section of Paulding County.

It was noted for the record that Jerry Johnson, P.E., is no longer serving as the representative for this application. The Applicant submitted additional documentation and is representing himself.

Jerry Johnson spoke in favor of application DSV-2026-01.

Motion to approve application DSV-2026-01.

Motion made by Commissioner Wood, Seconded by Commissioner Cole.
Voting Yea: Commissioner Wood, Commissioner Cason, Commissioner Cole

ADJOURNMENT

Motion to adjourn.

Motion made by Commissioner Wood, Seconded by Commissioner Cole.
Voting Yea: Commissioner Wood, Commissioner Cason, Commissioner Cole

Secretary

Date



**ZONING BOARD OF APPEALS STAFF
DOCUMENT - DEVELOPMENT STANDARD
VARIANCE APPLICATION NO. DSV-2026-02**

<p align="center">HEARING DATE Item 2. Zoning Board of Appeals: 03/30/2026 at 5:00pm</p>
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DEVELOPMENT STANDARD VARIANCE APPLICATION AND DOCUMENTS:

- DSV-2025-01-Development Standard Variance – Staff Document
- Attachment A: DSV-2025-01-Development Standard Variance Application
- Attachment B: DSV-2025-01-Boundary Survey / Legal Description
- Attachment C: DSV-2025-01-Warranty Deed
- Attachment D: DSV-2025-01-Notice of Public Hearing – Legal Notice
- Attachment E: DSV-2025-01-Letter of Intent
- Attachment F: DSV-2025-01-Site Plan
- Attachment G: DSV-2025-01-Unified Development Code: Chapter VII – Development Standards; Sec. 7.05 – Landscape Standards; 12) Buffer Yard Requirements; b) Buffer Yard Standards, and Chapter VIII – Supplementary Conditions for Specific Uses; Sec. 8.12 – Outdoor Sales, Display, and Storage Standards; 4) Outdoor Storage; a) General Standards that are applicable to all outdoor storage.

DEVELOPMENT STANDARD VARIANCE REQUEST:

APPLICATION No. DSV-2026-02:

Applicant: ***Jake Seaton, Cross Development***
 Applicant Address: ***4317 Marsh Ridge Road***
 City: ***Carrollton*** State: ***Texas*** Zip: ***75010***

Representative: ***Justin Carter & Nathan Spence, Foresite Group, LLC.***
 Representative Address: ***51 12th Street South***
 City: ***Birmingham*** State: ***Alabama*** Zip: ***35233***

Titleholder: ***Dallas Land, LLC.***
 Titleholder Address: ***5080 Peachtree Blvd., Suite 210***
 City: ***Atlanta*** State: ***Georgia*** Zip: ***30341***

Location of Property: ***166 Thomas B. Murphy Drive, Dallas, GA. 30132***
 Tax Parcel ID No.: ***138.3.1.053.0000***
 Land Lot(s): ***378*** District: ***2nd*** Section: ***3rd***
 Intended Use of Property: ***Medium-Density–Commercial: Vehicle Repair & Service, Major***
 Proposed Unit Count: ***Single Building Construction***
 Zoning District: ***C-2 Medium-Density–Commercial (City)***



**ZONING BOARD OF APPEALS STAFF
DOCUMENT - DEVELOPMENT STANDARD
VARIANCE APPLICATION NO. DSV-2026-02**

HEARING DATE	Item 2.
Zoning Board of Appeals:	
03/30/2026 at 5:00pm	

Setbacks & Lot Requirements:

Minimum Lot Size – 2.5 acres overall parcel; Minimum Lot Width – 150ft. overall parcel; Minimum Lot Frontage – 50ft.; Maximum Building Height – (Principal 60ft.) (Accessory – 26ft.); Front Setback – 35ft.; Side Setback – (Principal – 30ft.) (Accessory – 10ft/30ft.); Rear Setback – (Principal – 45ft.) (Accessory – 15ft/45ft.); Minimum Distance from Structure on Same Lot – 10ft.; Minimum Ground Floor Area (Per Unit) – (1 Story – n/a) (2+ Story – n/a); Total Minimum Living Area (Per Unit) – n/a; Minimum Living Area Façade Width – n/a; Maximum Lot Coverage (structures and buildings) – 50%; Maximum Lot Coverage (all impervious surfaces) – 80%

Unified Development Code Chapter(s) & Section(s):

- 1- Chapter VII – Development Standards; Sec. 7.05 – Landscape Standards; 12) Buffer Yard Requirements; b) Buffer Yard Standards*
- 2- Chapter VIII – Supplementary Conditions for Specific Uses; Sec. 8.12 – Outdoor Sales, Display, and Storage Standards; 4) Outdoor Storage; a) General Standards that are applicable to all outdoor storage.*

Detailed Description of Variance(s) Applied For:

- (1) Applicant requests a reduction of the 10’ landscape buffer along the east property line from 10’ to 0’ at the noted encroachment area only per the site plan provided with this variance application. Landscape buffer will remain 10’ in width along east property for all unaffected areas.*
- (2) Applicant is requesting permission to exceed the outdoor storage requirement of 25% of the building footprint specified in Sec. 8.12;4) a). Applicant plans to provide 60 storage spaces, thus exceeding the maximum 25% threshold. Applicant will provide opaque screening per the UDC requirements. This includes but is not limited to 7’ tall fencing and evergreen screen.*

STAFF COMMENTS:

Cross Development / Jake Seaton (Applicant), Foresite Group, LLC. / Justin Carter & Nathan Spence (Representative), and Dallas Land, LLC. (Titleholder), has applied and seeks a Development Standards Variance for property legally known as 166 Thomas B. Murphy Drive,



**ZONING BOARD OF APPEALS STAFF
DOCUMENT - DEVELOPMENT STANDARD
VARIANCE APPLICATION NO. DSV-2026-02**

<p align="center">HEARING DA Item 2. Zoning Board of Appeals: 03/30/2026 at 5:00pm</p>
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Dallas, GA. 30132; Tax Parcel I.D. No. **138.3.1.053.0000** located in Land Lot: **378** in the **2nd** District and **3rd** Section of Paulding County.

Properties that border the site to the south, east, and west are within the city limits of Dallas.

A. Existing land use and zoning classification of nearby property:

ADJACENT ZONING

NORTH: Railroad Right-of-Way

EAST: C-2 (City)

WEST: I-1 (City)

SOUTH: C-2 (City)

ADJACENT DEVELOPMENT

NORTH: Railroad Property abutting Public ROW Hardee Street

EAST: Medium-Density – Commercial: Undeveloped

WEST: Light Industrial: Commercial Business

SOUTH: Medium-Density – Commercial: Strip Center

B. Variance impact on adjacent properties

- *None – Surrounding properties are of equal permitted land use. Adjacent property to north is owned by Norfolk Southern Railroad. All properties to west, north and south are developed. Subject property will provide adequate screening per the buffer requirements in the city’s Unified Development Code.*

C. Adverse effect on the usability of adjacent or nearby property

- *None – Surrounding properties to west, north, and south are developed. The single property to the east that is undeveloped is of equal permitted land use.*

D. Proposal cause excessive or burdensome use of streets, transportation facilities, utilities, schools

- *None – proposed permitted land use will have no effect.*

E. Supported by current conditions

- *Site plan is in compliance with all other buffer and outdoor storage requirements.*
- *Site plan conforms with all other development and design requirements.*
- *Existing Public Water supply via Paulding County Water System. Additional capacity isn’t needed.*
- *Existing Public Sanitary Sewer connection via City of Dallas. Additional capacity isn’t needed.*



ZONING BOARD OF APPEALS STAFF
DOCUMENT - DEVELOPMENT STANDARD
VARIANCE APPLICATION NO. DSV-2026-02

HEARING DATE: 03/30/2026 at 5:00pm
Zoning Board of Appeals:
Item 2.

- *Public Roadway connection via Thomas B. Murphy Drive. Access point (curb cut) exists on site. Outparcel access was constructed with original development of surrounding property.*

F. 2022 Comprehensive Plan

Conforms to the 2022-2027 Paulding County Joint Comprehensive Plan as being within the Commercial character area, per the future development map shown on page 99.

STAFF RECOMMENDATIONS:

Based on the preceding analysis, Community Development staff recommends approval of the Development Standards Variance request with the following stipulations.

1. Landscape buffer yard area along east property line shall remain 10-foot in width in all areas except for the area noted on site plan. All other landscape buffer requirements shall be compliant with Sec. 7.05; 12); b).
2. Outdoor storage on the property shall adhere to and be fully compliant with Sec. 8.12; 4) a) i) & iv).

Unless explicitly stated herein, all other lot, development, design, and architectural standards shall comply as written in the City of Dallas Code of Ordinances.

The findings made herein are the opinions of the City of Dallas, Community Development staff and do not constitute a final decision. The City of Dallas, Zoning Board of Appeals, make the final decision on all applications.



Development Standards Variance Application

Application No. DSV - 2026 - 02

(PAGE 1 of 12)

HEARING DATES
Zoning Board of Appeals
03-30-26 6:00 PM
Item 2.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Jake Seaton, Cross Development

Address: 4317 Marsh Ridge Rd

City: Carrollton

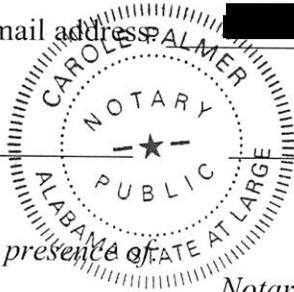
State: TX

Zip: 75010

Phone: ([REDACTED])

E-mail address: [REDACTED]

Applicant's Signature



Jake Seaton

Printed Name of Signatory

Signed, sealed and delivered in the presence of

Notary Commission Expires:

Notary Public Signature

The 27th day of January, 2026.

SEAL:

Representative: (If Applicable) Justin Carter & Nathan Spence, Foresite Group, LLC

Address: 51 12th Street South

City: Birmingham

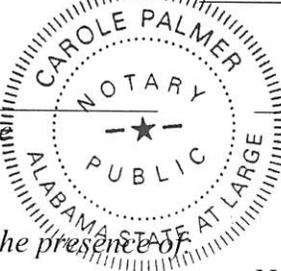
State: AL

Zip: 35233

Phone: [REDACTED]

E-mail address: [REDACTED]

Representative's Signature



Justin Carter

Printed Name of Signatory

Signed, sealed and delivered in the presence of

Notary Commission Expires:

Notary Public Signature

The 27th day of January, 2026.

SEAL:

CITY STAFF ONLY:

TIME/DATE STAMP:

FILED WITH COMMUNITY DEVELOPMENT: FEB 3RD, 2026

APPLICATION ACCEPTANCE DATE: FEB 25TH, 2026

DIRECTOR:

(SIGNATURE)

(DATE)

2/25/2026



Development Standards Variance Application

Application No. DSV - 2026-02

(PAGE 2 of 12)

Item 2.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Dallas Land, LLC

(Each Titleholder must have a separate, complete form, with notarized signatures)

Address: 5080 Peachtree Blvd, Suite 210

City: Atlanta

State: GA

Zip: 30341

Phone: [REDACTED]

E-mail address: [REDACTED]

[Signature]
Titleholder's Signature

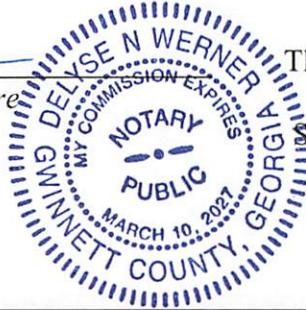
T.J. Connolly Manager
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires: 3/10/2027

[Signature]
Notary Public Signature

The 23rd day of January, 2026.



SEAL:

Property / Variance Information:

****ONLY (1) ONE DEVELOPMENT STANDARD VARIANCE WILL BE CONSIDERED FOR APPROVAL PER APPLICATION****

Development Standard: Chapter: 7 Section: 5(12)(b) Unified Development Code Standard: Yes No

Standard: 10' Landscape buffer

Present Zoning Classification: C-2 (Commercial Density)

Land Lot(s): 378, _____, _____, _____, _____ District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 138.3.1.053.000, _____ Total Acreage: 1.91

Location of Property: 166 Thomas B. Murphy Drive, Dallas, GA 30132 (East of Nathan Dean Blvd & North of US-278)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of variance request (including reason for request; how it will be consistent with applicable section(s) of the city's UDC): Reduction of Landscape buffer along the east property line from 10' to 0'. We are encroaching into the landscape buffer with a proposed driveway, fence, and retaining wall. We are requesting this variance due to the existing vegetation between our property and the railroad (Sec. 7.05(12)(b)). We will provide the same level of screening as the code requirement.

Additional Tax Parcel I.D. No.(s) _____

Additional Land Lots here: _____, _____, _____, _____, _____, _____

Additional Development Standard Variance (Application Numbers - List all): _____



Development Standards Variance Application

Application No. DSV - 2026 - 02

(PAGE 2 of 12)

Item 2.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Titleholder: Dallas Land, LLC

(Each Titleholder must have a separate, complete form, with notarized signatures)

Address: 5080 Peachtree Blvd, Suite 210

City: Atlanta

State: GA

Zip: 30341

Phone: [REDACTED]

E-mail address: [REDACTED]

[Signature]
Titleholder's Signature

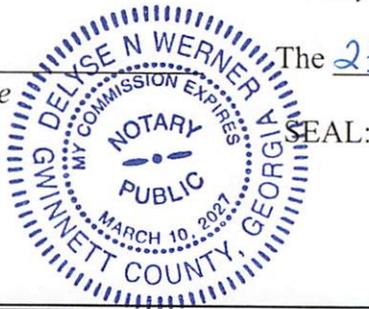
T.J. Connolly, Manager
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Commission Expires: 3/10/2027

[Signature]
Notary Public Signature

The 23rd day of January, 2026.



Property / Variance Information:

****ONLY (1) ONE DEVELOPMENT STANDARD VARIANCE WILL BE CONSIDERED FOR APPROVAL PER APPLICATION****

Development Standard: Chapter: 8 Section: 8.12.4.a Unified Development Code Standard: Yes No

Standard: Outdoor Storage of 25% of the building footprint.

Present Zoning Classification: C-2 (Commercial Density)

Land Lot(s): 378, _____, _____, _____, _____ District(s): 2nd Section(s): 3rd

Tax Parcel I.D. Number(s): 138.3.1.053.000, _____ Total Acreage: 1.91

Location of Property: 166 Thomas B. Murphy Drive, Dallas, GA 30132 (East of Nathan Dean Blvd & North of US-278)
(Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road))

Detailed description of variance request (including reason for request; how it will be consistent with applicable section(s) of the city's UDC): Requesting a variance to exceed the outdoor storage requirements of 25% of the building footprint specified under Ch. 8 Sec. 8.12.4. We are providing 60 storage spaces that exceed the 25% of the building footprint requirement. Due to the nature of the proposed business, it is integral that a minimum of 60 storage spaces are provided. These cars will be heavily screened and will meet requirements specified in Ch. 8 Sec. 8.12.4.a.i including a 7' tall fence.

Additional Tax Parcel I.D. No.(s) _____

Additional Land Lots here: _____, _____, _____, _____, _____, _____

Additional Development Standard Variance (Application Numbers - List all): _____



SIGN FEE

Separate check for **sign fee** of \$50.00 for each sign(s), which is non-refundable. If signs are not removed from the property by the 15th day following Public Hearings, City of Dallas (or their representative) has permission to remove the signs from property. It is the Applicant's responsibility to pick up and post signs provided by the Community Development Department. Signs must be posted in clear view along **each** road frontage with no obstacles blocking the view of the petitioned property as required by State law.

Applicants should not attach the notice signs to any natural vegetation, existing signage or utility structures and signs may not be posted in the right-of-way. Failure to post and maintain signs continuously will prohibit consideration of the application at any scheduled public hearing. It is the responsibility of the applicant to ensure that signs remain posted throughout the advertising period, **including the day of the public hearings.**

Signs must be posted on the property by 8:00 AM 30 days prior to the date of the public hearing and remain posted throughout the advertising period, including the day of the public hearings. **FAILURE TO MEET THIS REQUIREMENT WILL RESULT IN THE APPLICATION BEING WITHDRAWN AND WILL REQUIRE SUBMISSION OF A NEW APPLICATION AND PAYMENT OF FEES.**

DEVELOPMENTS OF REGIONAL IMPACT (DRI)

The State of Georgia, Department of Community Affairs has established specific thresholds for the identification of Developments of Regional Impact (DRI). DRI Tiers and Development Thresholds are used to determine if the proposed project meets or exceeds any of the development thresholds. If the proposed project meets or exceeds any of the development thresholds, a DRI Review must be conducted prior to scheduling a public hearing for the Planning Commission. The rules and procedures for a DRI Review are available in the Planning & Zoning Division Office or at <https://www.dca.ga.gov/local-government-assistance/planning/regional-planning/developments-regional-impact>.

Is this request part of a Development of Regional Impact? No Yes

DRI Application # (if applicable) _____

I HAVE READ AND UNDERSTAND EACH OF THE REQUIREMENTS AND NOTES.

Signature of Applicant: 

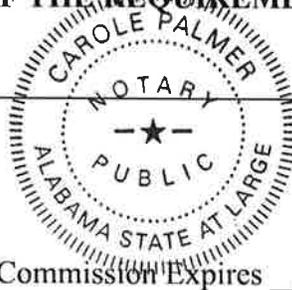
Date: 1/27/2026

Signed, sealed and delivered in the presence of:

My Commission Expires 2028

Notary Public Signature: 

(SEAL)



****MAKE CHECKS PAYABLE TO CITY OF DALLAS****



AUTHORIZATION OF TITLEHOLDER

I, Timothy J Connolly as manager of Dallas Land, LLC, being duly sworn upon his/her oath, being of sound mind and legal age, deposes and states that he/she is the owner of the property which is subject of this application, as is shown in the records of Paulding County, Georgia.

He/she authorizes the person named below to act as applicant in the pursuit of a request for Development Standard Variance.

I hereby authorize the City of Dallas – Community Development Department to inspect the premises which are subject of the application.

Name of Applicant Jake Seaton, Cross Development

Address 4317 Marsh Ridget Rd

City Carrollton State TX Zip 75010

Email [REDACTED]

Phone [REDACTED]

Name of Titleholder Timothy J Connolly as manager of Dallas Land, LLC

Address 5080 Peachtree Blvd, Suite 210

City Atlanta State GA Zip 30341

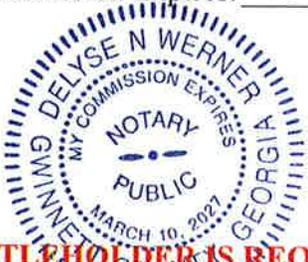
Email [REDACTED] Phone [REDACTED]

Jake Seaton, Manager
Signature of Titleholder

Signed, sealed and delivered in the presence of:

Delyse N. Werner My Commission Expires: 3/10/2027
Notary Public Signature

Seal:



*** A SEPARATE AUTHORIZATION OF TITLEHOLDER IS REQUIRED TO BE COMPLETED BY EACH TITLEHOLDER ***



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT, REPRESENTATIVE, AND TITLEHOLDER**

Applicant Name¹: Jake Seaton, Cross Development

Reference: Application filed on _____, 20____

to obtain a Development Standard Variance for property described as follows: _____
Commercial development of an auto body shop at 166 Thomas B. Murphy Drive, Dallas, GA 30132

All Individuals and business entities² have a property interest³ in said properties are as follows:

Has the applicant made, within two years immediately preceding the filing of this application for special exception, campaign contributions aggregating \$250 or more, or made gifts having in the aggregate a value of \$250 or more to a member or members of the City Council, Planning Commission or Zoning Board of Appeals (or any local government official) who will consider this application? No Yes

If "Yes" to the above, O.C.G.A. § 36-67A-3 requires applicant to file a disclosure report within 10 days after the rezoning application is filed. Please provide the following information which will be considered as the required disclosure:

Name and official position of the local government official to whom the campaign contribution/gift was made:

The dollar amount of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of this application and the date of each such contribution:

An enumeration and description of each gift having a value of \$250 or more made by the applicant to the local government official during the two years immediately preceding the filing of this application:

Please attach additional sheet if necessary.

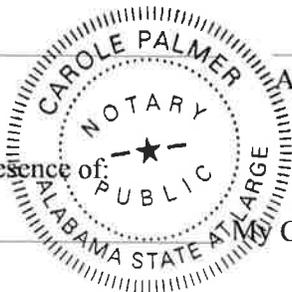
I certify that the foregoing information is true and correct, this 27th day of January, 2026

Jake Seaton

Applicant's Signature

Applicant's Name Printed

Signed, sealed and delivered in the presence of:



Notary Public Signature

Commission Expires

2028

City of Dallas - Community Development Department cannot advise anyone on how to complete this form. Applicants may want to confer with an attorney for guidance.

A SEPARATE DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS FORM IS REQUIRED BY EACH APPLICANT, REPRESENTATIVE, AND TITLEHOLDER

¹Applicant means any person who applies for any application, any attorney or other person representing or acting on behalf of the applicant, and the titleholder/owner of the property.
²Business entity - Corporation, partnership, limited partnership, firm, enterprise, franchise, association or trust.
³Property interest - Direct or indirect ownership, including any percentage of ownership less than total ownership.



**PROPERTY/FINANCIAL DISCLOSURE REPORT BY APPLICANT,
REPRESENTATIVE, AND TITLEHOLDER**

Does any member of the City Council, Planning Commission, or Zoning Board of Appeals have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property? No Yes

If yes, describe the nature and extent of such interest: _____

Does any member of the City Council, Planning Commission, or Zoning Board of Appeals have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property? No Yes

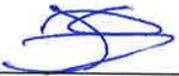
If yes, describe the nature and extent of such interest: _____

Does any member of the City Council, Planning Commission, or Zoning Board of Appeals have a spouse, mother, father, brother, sister, son or daughter who has any interest as described above? No Yes

If yes, describe the relationship and the nature and extent of such interest: _____

If the answer to any of the above is "Yes", as required by O.C.G.A §36-67A-2, the member of the City Council, Planning Commission, or Zoning Board of Appeals must immediately disclose the nature and extent of such interest, in writing to the City Council, City of Dallas, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

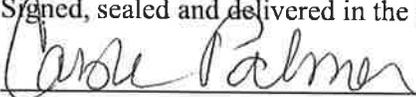
I certify that the foregoing information is true and correct, this 27th day of January, 2026.



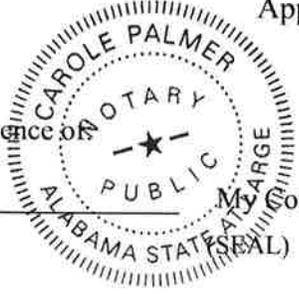
Applicant's Signature¹

Jake Seaton

Applicant's Name Printed

Signed, sealed and delivered in the presence of


Notary Public Signature



My Commission Expires: 2028

***A SEPARATE PROPERTY/FINANCIAL DISCLOSURE REPORT IS REQUIRED TO BE
COMPLETED BY EACH APPLICANT, REPRESENTATIVE, AND TITLEHOLDER ***

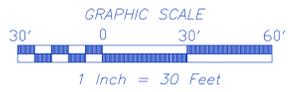
¹Applicant means any person who applies for any application, any attorney or other person representing or acting on behalf of the applicant, and the titleholder/owner of the property.

LAND LOT 377 LAND LOT 378

P.O.C.

1/2" REBAR FND

ARC:237.64'
RAD:2810.33'
CH:237.57'

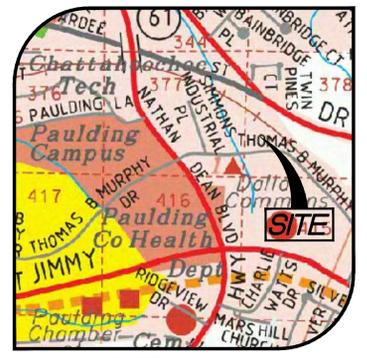
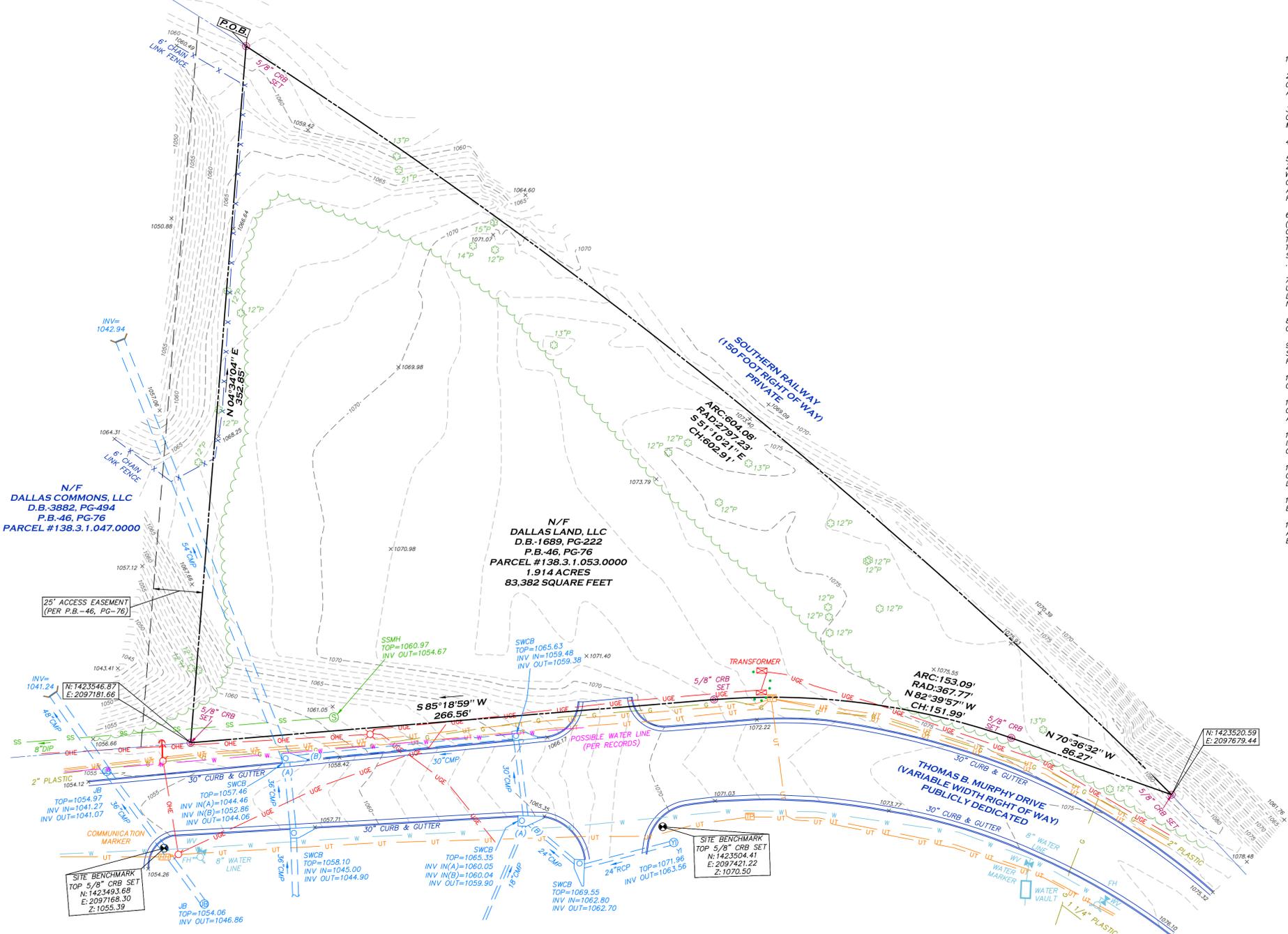


LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 378, IN THE 2ND DISTRICT, IN THE 3RD SECTION, PAULDING COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 1/2-INCH REBAR FOUND AT THE INTERSECTION OF THE COMMON LAND LOT LINE OF LAND LOTS 377, 378 AND THE SOUTHWESTERLY RIGHT OF WAY OF SOUTHERN RAILWAY (HAVING A 150 FOOT, PRIVATE RIGHT OF WAY); THENCE LEAVING SAID COMMON LAND LOT LINE AND CONTINUING ALONG SAID RIGHT OF WAY OF SOUTHERN RAILWAY ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 2810.33 FEET, WITH AN ARC DISTANCE OF 237.64 FEET, WITH A CHORD BEARING SOUTH 59 DEGREES 48 MINUTES 10 SECONDS EAST, AND A CHORD DISTANCE OF 237.57 FEET TO A 5/8-INCH CAPPED REBAR SET; SAID 5/8-INCH CAPPED REBAR BEING THE TRUE POINT OF BEGINNING. THENCE CONTINUING ALONG SAID RIGHT OF WAY OF SOUTHERN RAILWAY ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 2797.23 FEET, WITH AN ARC DISTANCE OF 604.08 FEET, WITH A CHORD BEARING SOUTH 51 DEGREES 10 MINUTES 21 SECONDS EAST, AND A CHORD DISTANCE OF 602.91 FEET TO A 5/8-INCH CAPPED REBAR SET ON THE NORTHERLY RIGHT OF WAY OF THOMAS MURPHY DRIVE (HAVING A VARIABLE WIDTH, PUBLICLY DEDICATED RIGHT OF WAY); THENCE LEAVING SAID RIGHT OF WAY OF SOUTHERN RAILWAY AND CONTINUING ALONG SAID RIGHT OF WAY OF THOMAS MURPHY DRIVE THE FOLLOWING COURSES AND DISTANCES: NORTH 70 DEGREES 39 MINUTES 32 SECONDS WEST A DISTANCE OF 86.27 FEET TO A 5/8-INCH CAPPED REBAR SET; ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 367.77 FEET, WITH AN ARC DISTANCE OF 153.09 FEET, WITH A CHORD BEARING NORTH 82 DEGREES 39 MINUTES 57 SECONDS WEST, AND A CHORD DISTANCE OF 151.99 FEET TO A 5/8-INCH CAPPED REBAR SET; SOUTHWEST 18 MINUTES 59 SECONDS WEST A DISTANCE OF 266.56 FEET TO A 5/8-INCH CAPPED REBAR SET; THENCE LEAVING SAID RIGHT OF WAY OF THOMAS MURPHY DRIVE NORTH 04 DEGREES 34 MINUTES 04 SECONDS EAST A DISTANCE OF 352.85 FEET TO A 5/8-INCH CAPPED REBAR SET, SAID 5/8-INCH CAPPED REBAR BEING THE TRUE POINT OF BEGINNING. SAID TRACT OR PARCEL OF LAND CONTAINING 1.914 ACRES (83,382 SQUARE FEET).

N/F DALLAS COMMONS, LLC
D.B. 3882, PG-494
P.B. 46, PG-76
PARCEL #138.3.1.047.0000

N/F DALLAS LAND, LLC
D.B. 1689, PG-222
P.B. 46, PG-76
PARCEL #138.3.1.053.0000
1.914 ACRES
83,382 SQUARE FEET



VICINITY MAP SURVEY NOTES

- 1) PROPERTY SHOWN HEREON WAS SURVEYED OCTOBER 29, 2025.
2) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1" IN 35,847' WITH AN ANGULAR ERROR OF 3.22 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.
3) A SOKKIA IX TOTAL STATION, CARLSON BRK7 GPS RECEIVER, AND CARLSON SURVEYOR+ DATA COLLECTOR WERE USED FOR FIELD SURVEY MEASUREMENTS.
4) THIS PLAT HAS A MAP CLOSURE OF 1" IN 401,355'.
5) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X ON FLOOD INSURANCE RATE MAP NO. 1322300137C, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 29, 2006, FOR COMMUNITY NUMBER 130147, IN PAULDING COUNTY UNINCORPORATED AREA, STATE OF GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
6) BEARING BASIS (NAD83(2011), GA WEST) AND VERTICAL DATUM (NAVD83, GEOID18) FOR THIS SURVEY WERE ESTABLISHED USING A CARLSON BRK7 GPS RECEIVER UTILIZING GPUS-S FOR POST PROCESSING. THE RELATIVE POSITIONAL ACCURACY, AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY, IS .03 FEET HORIZONTAL AND .05 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL.
7) UTILITIES SHOWN PER MARKINGS PLACED BY UTILITY-MARKING, L.L.C.. UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST. PROFESSIONAL LAND SURVEYORS MAKES NO GUARANTEE AS TO THE EXISTENCE OR NON-EXISTENCE OF SAID UTILITIES.
8) NO OBSERVED EVIDENCE OF CEMETERIES, GRAVESITES, AND/OR BURIAL GROUNDS AT TIME OF SURVEY.
9) PROPERTY SHOWN HEREON LIES WITHIN THE RECORD DESCRIPTION AS STATED IN GENERAL WARRANTY DEED RECORDED IN DEED BOOK 1689, PAGE 222, PAULDING COUNTY RECORDS.
10) NO ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON WERE OBSERVABLE AT TIME OF SURVEY.
11) AT THE TIME OF THE SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
12) AT THE TIME OF THE SURVEY THERE WERE NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES OR OBSERVABLE EVIDENCE OF STREET OR SIDEWALK REPAIRS.
13) AT THE TIME OF THE SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
14) SUBJECT PROPERTY HAS DIRECT ACCESS TO THOMAS MURPHY DRIVE, BEING A PUBLICLY DEDICATED RIGHT OF WAY.
15) SUBJECT PROPERTY IS CONTIGUOUS TO ALL ADJACENT PROPERTIES AND RIGHTS OF WAY. NO GAPS, GORES, OR OVERLAPS ARE KNOWN TO EXIST.

LEGEND table listing symbols for PROPERTY LINE, OVERHANG/AWNING, RECORD CALLS, BUILDING SETBACK LINE, INDEX CONTOUR, MINOR CONTOUR, SPOT ELEVATION, WATER LINE, OVERHEAD UTILITY LINE, GAS LINE, SANITARY SEWER LINE, UNDERGROUND ELECTRIC LINE, FENCE LINE, UNDERGROUND TELEPHONE LINE, STORM DRAIN PIPE, WATER VALVE, WATER METER, FIRE HYDRANT, GAS METER, GAS VALVE, CLEAN OUT, SANITARY SEWER MANHOLE, YARD INLET, REINFORCED CONCRETE PIPE, CORRUGATED METAL PIPE, FLOW DIRECTION, SINGLE-WING CATCH BASIN, JUNCTION BOX, TELEPHONE PEDESTAL, COMMUNICATIONS HAND HOLE, REBAR, CAPPED REBAR, FOUND, POWER METER, GUY WIRE, UTILITY POLE, LIGHT POLE, SIGN, BOLLARD, HARD WOOD TREE, PINE TREE.

SURVEYOR'S CERTIFICATION: THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.G.C.A. SECTION 15-6-67.



ADAM T. BRATTON, GEORGIA RLS# 3489, DATE OF PLAT OR MAP: NOVEMBER 04, 2025

- UTILITY CONTACTS: WATER (CITY OF DALLAS), PAULDING COUNTY, GAS (ATLANTA GAS LIGHT), POWER (GEORGIA DOT, GEORGIA POWER, GREYSTONE POWER CORP), COMMUNICATION (ATT/D, COMCAST, VERIZON BUSINESS, PARKER FIBERNET, LLC, PAULDING COUNTY DOT, ZAYO FIBER SOLUTIONS).

SURVEY REFERENCES: 1) REVISED SUBDIVISION PLAT OF DALLAS COMMONS, LAND TITLE SURVEY MINIMUM STANDARD DETAIL PREPARED BY KELLY PROFESSIONAL ASSOCIATES, INC. DATED MARCH 17, 2004 AND RECORDED IN PLAT BOOK 46, PAGE 76, PAULDING COUNTY RECORDS.

ZONING: PER ITEMS 6(A) AND 6(B) OF THE 2021 ALTA/NSPS LAND TITLE SURVEY MINIMUM STANDARD DETAIL REQUIREMENTS, SETBACKS AND OTHER ZONING RESTRICTIONS/REQUIREMENTS CANNOT BE LISTED UNLESS A ZONING REPORT OR LETTER STATING SAID RESTRICTIONS/REQUIREMENTS IS PROVIDED.

PROFESSIONAL LAND SURVEYORS, LLC, 317 GRASSDALE ROAD, CARTERSVILLE, GA 30120, 770-334-8186, WWW.PLS.US, INFO@PLS.US, GEORGIA C.O.A.: L5F001380

PREPARED FOR: CROSS DEVELOPMENT

BOUNDARY & TOPOGRAPHIC SURVEY OF: 150 THOMAS B. MURPHY DRIVE, DALLAS, GEORGIA 30132, PARCEL #138.3.1.053.0000

REVISIONS table, STATE: GEORGIA, COUNTY: PAULDING, DISTRICT: 2ND, LAND LOT: 378, SECTION: 3RD, DATE: NOVEMBER 04, 2025, JOB #: 255443, SCALE: 1"=30', DRAWN BY: H. FISHER



BK 1689PG0222

PAULDING COUNTY, GEORGIA
COURTS
CLERK'S OFFICE
04 JUL 19 AM 10:49
TREVA W. SHELTON
CLERK
PAULDING COUNTY COURTS

AFTER RECORDING, RETURN TO:

Michael J. Hay, Esq.
ANDERSEN, TATE, MAHAFFEY & MCGARITY, P.C.
Post Office Box 2000
Lawrenceville, Georgia 30046
File #7466.20137 (WP)

PAULDING COUNTY, GA
REAL ESTATE TRANSFER TAX
PAID \$ 0
DATE 7-19-04
TREVA W. SHELTON
CLERK SUPERIOR COURT

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF PAULDING

THIS INDENTURE, Made this 16th day of July, 2004, between

**INDUSTRIAL BUILDING AUTHORITY (A.K.A. THE PAULDING COUNTY
INDUSTRIAL BUILDING AUTHORITY)**

as party or parties of the first part, hereinafter called Grantor, and

DALLAS LAND, LLC, a Georgia limited liability company

as parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 378 of the 2nd District, 3rd Section, Paulding County, Georgia as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference

Said property is conveyed subject to the permitted title exceptions as described on Exhibit "B" attached hereto and by reference made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of Grantor and all others claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

**INDUSTRIAL BUILDING AUTHORITY
(A.K.A. THE PAULDING COUNTY
INDUSTRIAL BUILDING AUTHORITY)**

[Signature]

Unofficial Witness

By: *[Signature]* (SEAL)
Name: C.B. FAIR, III
Title: CHAIRMAN

[Signature]

Notary Public

[NOTARY]

ATTEST
By: *[Signature]* (SEAL)
Name: LLOYD B. TESATER, JR.
Title: PRESIDENT

RECORDED 7-23 20 04
TREVA W. SHELTON, CLERK
SUPERIOR COURT, PAULDING CO.

BK 1689PG0224

EXHIBIT "A"
OUTLOT #5
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 378 of the 2nd District, 3rd Section, Paulding County, Georgia, being designated as Outlot #5 containing 1.91 acres according to a Parcel Exhibit for Dallas Commons prepared by Kelly Professional Associates, Inc., Gerard L. Kelly, G.R.L.S. No. 2352, dated March 17, 2004, as last revised July 7, 2004, and being more particularly described according to said Parcel Exhibit as follows:

To find the TRUE PLACE OR POINT OF BEGINNING, commence at a point marked by an iron pin found located at the intersection of the southwesterly right-of-way line of Southern Railway (150' R/W) and the land lot line common to Land Lots 377 and 378, run thence along the aforesaid right-of-way line along the arc of a curve to the right a distance of 237.66 feet to a point, said point being the TRUE PLACE OR POINT OF BEGINNING, said arc having a radius of 2,797.07 feet and being subtended by a chord bearing and distance of South 60 degrees 19 minutes 25 seconds East 237.59 feet.

From the TRUE PLACE OR POINT OF BEGINNING as thus established, continue thence along the aforesaid right-of-way line of Southern Railway along the arc of a curve to the right a distance of 604.07 feet to a point located on the proposed northerly right-of-way line of proposed Thomas B. Murphy Drive, said arc having a radius of 2,797.07 feet and being subtended by a chord bearing and distance of South 51 degrees 42 minutes 09 seconds East 602.90 feet; leaving the aforesaid right-of-way line of Southern Railway, run thence along the aforesaid proposed right-of-way line of proposed Thomas B. Murphy Drive North 71 degrees 10 minutes 06 seconds West 86.26 feet to a point; continuing along the aforesaid proposed right-of-way line, run thence along the arc of a curve to the left a distance of 153.12 feet to a point, said arc having a radius of 365.00 feet and being subtended by a chord bearing and distance of North 83 degrees 11 minutes 10 seconds West 152.00 feet; continuing along the aforesaid proposed right-of-way line, run thence South 84 degrees 47 minutes 46 seconds West a distance of 266.56 feet to a point; leaving the aforesaid proposed right-of-way line, run thence North 04 degrees 02 minutes 36 seconds East a distance of 352.82 feet to a point located on the aforesaid southwesterly right-of-way line of Southern Railway, said point being the TRUE PLACE OR POINT OF BEGINNING.

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Taxes for the year 2004 and subsequent years not yet due and payable, and any additional taxes, interest, and/or penalties which may be assessed for prior tax years by virtue of adjustment, re-appraisal, re-assessment, appeal, or other amendment to the tax records of the city or county in which the subject property is located.
2. Easement from J.T. Lee to Georgia Power Company, dated August 11, 1937, recorded September 24, 1937 in Mortgage Record Book DD, Page 2, aforesaid records [Pursuant to letter dated January 21, 2004, Georgia Power Company claims no further interest in the aforesaid easement except the right to operate, maintain, rebuild and renew its existing facilities, under all terms and conditions of its easement, within its presently maintained right-of-way].
3. Pipeline Easement from Paulding County Industrial Building Authority to City of Dallas, Georgia, dated February 4, 1983, filed for record March 8, 1983 in Deed Book 38, Page 736, aforesaid records.
4. Southern Railway is a limited access right of way.

Direction	Name	Address	Parcel
North	N/A (Railroad)	N/A (Railroad)	Parcel 138.4.2.026.0000
East	Aiken Family Recovable Trust	1488 Cochran Ridge Road, C/O Thomas & Marcia Aiken, Hiram, GA 30141	Parcel 138.3.1.054.0000
South	Paulding County Construction	249 Constitution Boulevard, Dallas, GA 30132	Parcel 138.3.4.016.0000
	The Kroger Co.	1014 Vine Street, Property Tax 7th Floor, Cincinnati, OH 45202	Parcel 138.3.4.032.0000
West	Dallas Commons	PO Box 7078 Warner Robins, GA 31095	Parcel 138.3.1.047.0000
Property	Dallas Land, LLC	5080 Peachtree Boulevard, Suite 210, C/O Connolly Realty Services, Atlanta, GA 30341	Parcel 138.3.1.053.0000

CITY OF DALLAS
PUBLIC HEARING NOTIFICATION
LEGAL NOTICE
DEVELOPMENT STANDARDS VARIANCE
DSV-2026-02

Cross Development / Jake Seaton (Applicant), *Foresite Group, LLC. / Justin Carter & Nathan Spence* (Representative), and *Dallas Land, LLC.* (Titleholder), has applied and seeks a Development Standards Variance for property legally known as **166 Thomas B. Murphy Drive, Dallas, GA. 30132**; Tax Parcel I.D. No. **138.3.1.053.0000** located in Land Lot: **378** in the **2nd** District and **3rd** Section of Paulding County.

The public hearing for the Zoning Board of Appeals will be held on **Monday, March 30, 2026** at **5:00pm**. The public hearing will be conducted in the Council Chambers of the City of Dallas, City Hall, at 129 East Memorial Drive, Dallas, GA 30132.

Per O.C.G.A 36-67A-3; Opponents to the above actions are required to submit a disclosure report five days before the first public hearing. For questions or concerns, contact the Community Development Department at 770.443.8110 x 1401

This the 5th day of March, 2026.

Cross Development / Jake Seaton (Applicant)

Dallas Land, LLC. (Titleholder)



February 25, 2026

Justin Carter - Representative
Foresite Group, LLC.
51 12th Street South
Birmingham, AL. 35233
(via email only [REDACTED])

Subject: Notice Development Standards Variance
Application Acceptance: Jake Seaton, Cross
Development - Applicant; Dallas Land, LLC. -
Titleholder; Tax Parcel I.D. No.
138.3.1.053.0000; 166 Thomas B. Murphy
Dr., Dallas, GA. 30132

Dear Mr. Carter:

I am writing to inform you that we have carefully reviewed your Development Standard Variance application for property located at and formally known as 166 Thomas B. Murphy Dr., Dallas, GA. 30132; Tax Parcel I.D. No. 138.3.1.053.0000, submitted to the City of Dallas, Georgia. We are pleased to confirm that your application is deemed complete. This letter serves as an acknowledgment that your submission has met all the necessary requirements for consideration.

Your application will be carried forth in accordance with O.C.G.A. §36-66-4 via posting in the local newspaper, *The Dallas New Era*, at least (15) fifteen but not more than (45) forty-five days prior to your scheduled hearing date. A copy of the legal notice is attached as “Exhibit A” for your records.

The Zoning Board of Appeals will hold a public hearing to consider the foregoing matter on *Monday, March 30, 2026, at 5:00 PM*. The public hearing will be conducted in the Council Chambers of the City of Dallas, City Hall, at 129 East Memorial Drive, Dallas, Georgia 30132.

Applications are evaluated based on Chapter XI; Sec. 11.06 – Development Standards Variance procedures found within the city’s (UDC) Unified Development Code. In no case shall any variance to the terms of the city’s UDC be authorized without the approval of the Zoning Board of Appeals.



THE CITY OF
DALLAS
GEORGIA

CITY OF DALLAS, GEORGIA
Office of Community Development
129 E. Memorial Dr. Dallas, GA 30132
Director – Brandon Rakestraw
brakestraw@dallas-ga.gov
www.dallasga.gov

Item 2.

The city will supply written notice to all surrounding property owners in accordance with O.C.G.A. §36-66-4(g), via certified mail prior to your hearing date. A template copy of the written notice is attached as “Exhibit B” for your records.

Moreover, as part of the Zoning Procedures Law, public notification signs shall be placed in public view at the property. One (1) sign was placed at the property on March 5, 2026. Please ensure the sign remains as placed throughout this process. The sign can be removed following the conclusion of this development standard variance request.

Should any additional information or clarification be required prior to the hearing, we will contact you promptly. In the meantime, we encourage you to reach out to our office if you have any questions or concerns.

We appreciate your interest, and I look forward to working with you through this process.

Sincerely yours,

Brandon Rakestraw
Community Development Director

cc: Bryce Atcheson, Assistant Director – Community Development

Enclosure: Exhibit A: Legal Notice
Exhibit B: Surrounding Property Owner Notification Letter



**PUBLIC HEARING NOTIFICATION
DEVELOPMENT STANDARDS VARIANCE
DSV-2026-02**

Dear Surrounding Property Owners:

Cross Development / Jake Seaton (Applicant), *Foresite Group, LLC. / Justin Carter & Nathan Spence* (Representative), and *Dallas Land, LLC.* (Titleholder), has applied and seeks a Development Standards Variance for property legally known as *166 Thomas B. Murphy Drive, Dallas, GA. 30132*; Tax Parcel I.D. No. *138.3.1.053.0000* located in Land Lot: *378* in the *2nd* District and *3rd* Section of Paulding County.

The public hearing for the Zoning Board of Appeals will be held on *Monday, March 30, 2026* at *5:00pm*. The public hearing will be conducted in the Council Chambers of the City of Dallas, City Hall, at 129 East Memorial Drive, Dallas, GA 30132.

Per O.C.G.A 36-67A-3; Opponents to the above actions are required to submit a disclosure report five days before the first public hearing. For questions or concerns, contact the Community Development Department at 770.443.8110 x 1401

This the 5th day of March, 2026.

Cross Development / Jake Seaton (Applicant)

Dallas Land, LLC. (Titleholder)

Sincerely yours,

Brandon Rakestraw
Community Development Director

January 28, 2026

**Re: Letter of Intent – Caliber Collision Dallas, GA
Brandon Rakestraw
Director
City of Dallas
129 East Memorial Drive
Dallas, GA 30132**

The parcel located at 166 Thomas B Murphy Drive, Dallas, GA 30132 is proposed to be developed as a Caliber Collision. The proposed development will include a roughly 14,500 SF auto-body repair facility with a parking lot and other supporting infrastructure. Two separate variances are requested for this development.

We are requesting a variance to reduce the landscape buffer along the east property line from 10' to 0'. We are encroaching into the landscape buffer with a proposed driveway, fence, and retaining wall. We are requesting this variance due to the existing vegetation between our property and the railroad (Sec. 7.05(12)9b)). We will provide the same level of screening as the code requirement.

In addition, we are requesting a variance to exceed the outdoor storage requirements of 25% of the building footprint (Sec. 8.12(4)(4a)). We are providing 60 storage spaces that exceed the 25% of the building footprint requirement. Due to the nature of the proposed business, it is integral that a minimum of 60 storage spaces are provided. These cars will be heavily screened and will meet the requirements (Sec. 8.12(4)(4a.i)) including a 7' tall fence.

An approval of these variances would not result in any impairment of the public good. Thank you for your time and consideration.

Sincerely,

Foresite Group, LLC.



Micah Hatley, PE
Project Manager

- SITE NOTES:**
- 1) ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED PARKING LOT ARE SHOWN AT THE FACE OF CURB. ALL PROPOSED DIMENSIONS USED TO SHOW THE GEOMETRIC LAYOUT OF THE PROPOSED BUILDING LOCATION ARE GIVEN AT THE OUTSIDE FACE OF THE BUILDING CORNERS. ALL CURB RADII ARE GIVEN AT THE FACE OF CURB.
 - 2) CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THE EXISTING CONDITIONS IN THE FIELD AND THE SURVEY SHOWN ON THE PLANS BEFORE PROCEEDING WITH ANY NEW CONSTRUCTION.
 - 3) CONTRACTOR IS RESPONSIBLE FOR CORRECT HORIZONTAL AND VERTICAL ALIGNMENT OF ALL TIES BETWEEN PROPOSED AND EXISTING PAVEMENTS, CURB AND GUTTER, SIDEWALKS, WALLS, AND UTILITIES.
 - 4) SEE ARCHITECTURAL PLANS FOR BUILDING FLOOR PLAN DIMENSIONS, DOOR LOCATIONS, SITE LIGHTING PLAN, AND OTHER ARCHITECTURAL DETAILS.
 - 5) ALL BUFFERS, TREE SAVE AREAS, AND UNDISTURBED AREAS SHALL BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
 - 6) ALL CONSTRUCTION RELATED PERMITS DURING THE CONSTRUCTION PHASE OF THIS PROJECT ARE THE RESPONSIBILITY OF THE OWNER. ALL EROSION, SEDIMENT CONTROL AND TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO ANY GRADING.
 - 7) CITY OF DALLAS ACCEPTS NO RESPONSIBILITY FOR THE AMERICANS WITH DISABILITIES ACT (ADA), EXCEPT FOR NOTIFICATION REQUIREMENT. THE OWNER/DEVELOPER IS SOLELY RESPONSIBLE FOR COMPLIANCE FOR SAID ACT.
 - 8) CONTRACTOR SHALL COORDINATE WITH THE CITY/COUNTY JURISDICTION AND WATER AND SEWER JURISDICTION INSPECTORS REGARDING ALL CERTIFICATE OF OCCUPANCY REQUIREMENTS AND COORDINATE WITH THE ENGINEER APPROXIMATELY 8 WEEKS PRIOR TO ANTICIPATED CERTIFICATE OF OCCUPANCY DATE REGARDING ANY ITEMS REQUIRING APPROVAL OR CERTIFICATIONS BY THE ENGINEER.
 - 9) CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
 - 10) REFER TO ARCHITECTURAL PLANS FOR SITE LIGHTING ELECTRICAL PLAN.
 - 11) ALL GENERAL CONTRACTOR WORK TO BE COMPLETED (EARTHWORK, FINAL UTILITIES, AND FINAL GRADING) BY THE MILESTONE DATE IN PROJECT DOCUMENTS.
 - 12) CONTRACTOR SHALL REFER TO ARCHITECTS PLANS & SPECIFICATIONS FOR ENTRY LOCATION OF ALL WATER, SEWER SERVICE ELECTRICAL, TELEPHONE & GAS SERVICE. CONTRACTOR SHALL COORDINATE INSTALLATION OF UTILITIES IN SUCH A MANNER AS TO AVOID CONFLICTS & ASSURE PROPER DEPTHS ARE ACHIEVED AS WELL AS COORDINATING WITH THE REGULATORY AGENCY AS TO THE LOCATION & TIE-INS/CONNECTIONS TO THEIR FACILITIES.
 - 13) THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL AREAS INDICATED TO REMAIN UNDISTURBED OR TO REMAIN AS BUFFERS. ALL PROPERTY CORNERS, & REPLACING ALL PINS ELIMINATED OR DAMAGED DURING CONSTRUCTION.
 - 14) CONTRACTOR IS RESPONSIBLE FOR REPAIRS OR DAMAGE TO ANY EXISTING IMPROVEMENTS DURING CONSTRUCTION, SUCH AS, BUT NOT LIMITED TO, DRAINAGE, UTILITIES, PAVEMENT, STRIPING, CURB, ETC., REPAIRS SHALL BE EQUAL TO OR BETTER THAN EXISTING CONDITIONS.
 - 15) THE SOURCE OF THE WATER SUPPLY WILL BE PAULDING COUNTY WATER SYSTEM.
 - 16) THE SOURCE OF THE SANITARY SEWER SYSTEM WILL BE DALLAS UTILITIES.

KEY PLAN, SYMBOL LEGEND, & DETAIL REFERENCE

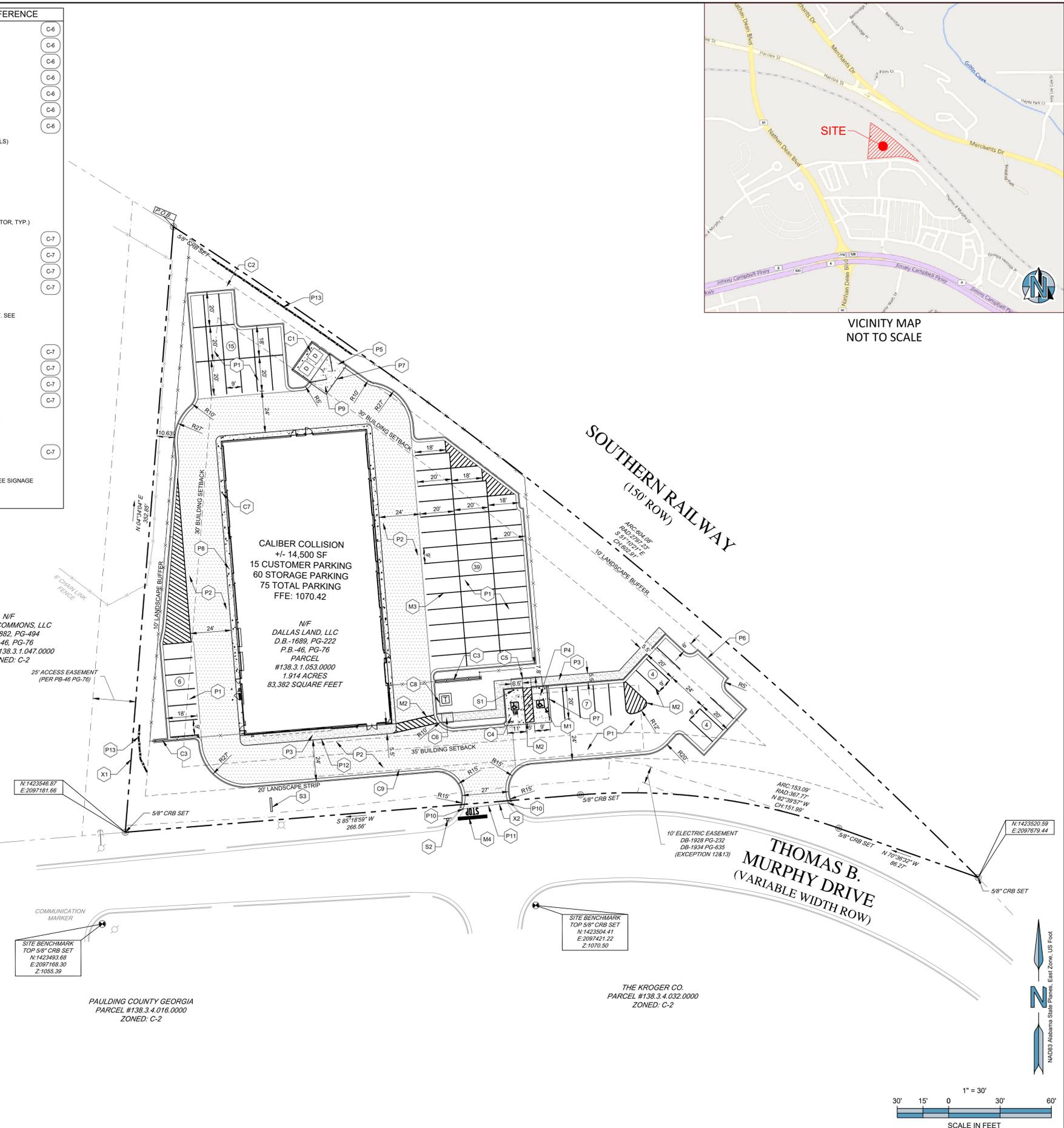
P1	STANDARD DUTY ASPHALT PAVING (TYP.)	C-6
P2	HEAVY DUTY ASPHALT PAVING (TYP.)	C-6
P3	CONCRETE SIDEWALK PAVING (TYP.)	C-6
P4	STANDARD DUTY CONCRETE PAVING (TYP.)	C-6
P5	HEAVY DUTY CONCRETE PAVING (TYP.)	C-6
P6	24" CONCRETE CURB AND GUTTER (TYP.)	C-6
P7	CONCRETE / ASPHALT TRANSITION (TYP.)	C-6
P8	2' WIDE CONCRETE APRON (SEE STRUCTURAL PLANS FOR DETAILS)	C-6
P9	DUMPSTER PAD (SEE STRUCTURAL PLANS FOR DETAILS)	C-6
P10	TIE-IN CURB FLUSH WITH EXISTING	C-7
P11	TIE-IN PAVEMENT FLUSH WITH EXISTING	C-7
P12	6" HEADER CURB (TYP.)	C-7
P13	PROPOSED RETAINING WALL (TO BE DESIGN-BUILD BY CONTRACTOR, TYP.)	C-7
M1	ACCESSIBLE PARKING SPACE WITH INTERNATIONAL SYMBOL OF ACCESSIBILITY PARKING SPACE MARKING	C-7
M2	CROSSWALK STRIPING	C-7
M3	PARKING STRIPING	C-7
M4	24" STOP BAR AND "STOP" LABEL STRIPING	C-7
C1	DUMPSTER (SEE ARCHITECTURAL PLANS FOR DETAILS)	C-7
C2	CHAIN-LINK SECURITY FENCE WITH VINYL STRIPS (7' MIN. HEIGHT, SEE ARCHITECTURAL PLANS FOR DETAILS, TYP.)	C-7
C3	SLIDING GATE (SEE ARCHITECTURAL PLANS FOR DETAILS)	C-7
C4	ACCESSIBLE PARKING	C-7
C5	PARALLEL ACCESSIBLE CURB RAMP	C-7
C6	RETURN CURB ACCESSIBLE RAMP	C-7
C7	BOLLARD (TYP.)	C-7
T	TRANSFORMER ON 7x7' CONCRETE PAD	C-7
C9	PROPOSED UNDERGROUND DETENTION POND	C-7
S1	BOLLARD ACCESSIBLE SIGNAGE (TYP.)	C-7
S2	R1-1 "STOP" SIGN	C-7
S3	MONUMENT SIGN (TO BE PERMITTED BY OTHER). SEE SIGNAGE PACKAGE FOR DETAILS.	C-7
X1	EXISTING PROPERTY LINE (TYP.)	C-7

SITE DATA

PROJECT:	AUTO-BODY SHOP WITH ASSOCIATED INFRASTRUCTURE
ZONING:	C-2 (COMMERCIAL DENSITY)
FUTURE LAND USE DESIGNATION:	C-2 (COMMERCIAL DENSITY)
PARCEL IDENTIFICATION NUMBER:	138.3.1.053.000
TOTAL SITE AREA:	1.91 AC.
DISTURBED AREA:	1.90 AC.
IMPERVIOUS SURFACE AREA MAXIMUM (%):	1.53 AC. (80.0%)
IMPERVIOUS SURFACE AREA PROPOSED (%):	1.19 AC. (62.3%)
PERVIOUS SURFACE AREA PROPOSED (%):	0.72 AC. (37.7%)
LANDSCAPE STRIP - FRONT:	35 FT
LANDSCAPE STRIP - SIDE:	30 FT
LANDSCAPE STRIP - REAR:	30 FT
BUILDING SETBACK - FRONT:	35 FT
BUILDING SETBACK - SIDE:	10 FT
BUILDING SETBACK - REAR:	10 FT
BUILDING FLOOR AREA:	14,500 S.F.
BUILDING HEIGHT:	26
BUILDING HEIGHT (MAX.):	60
PARKING RATIO REQUIRED - SERVICE & STORAGE:	3 SPACES / BAY
PARKING MAX. ALLOWED (CUSTOMER SPACES):	21 SPACES
PARKING PROVIDED (CUSTOMER SPACES):	15 SPACES
PARKING PROVIDED (STORAGE):	60 SPACES
ACCESSIBLE PARKING REQUIRED:	2 SPACES
ACCESSIBLE PARKING PROVIDED:	2 SPACES
MINIMUM PARKING STALL DIMENSION:	9' X 18'
PROPOSED PARKING STALL DIMENSION:	9' X 20' AND 9' X 18'

LINE LEGEND

---	PROPERTY LINE
---	PROPOSED BUILDING WALLS
---	PROPOSED CURB AND GUTTER
---	PROPOSED CHAINLINK FENCE
---	PROPOSED RETAINING WALL



ENGINEER:

FORESITE group

Foresite Group, LLC
51 12th Street South
Birmingham, AL 35233

205.397.0370
1.844.272.0997
www.foresitegroup.net

DEVELOPER:

CROSS development

CROSS DEVELOPMENT
4317 MARSH RIDGE
CARROLLTON, TX 75010
(727) 348-1240

CONTACT: JAKE SEATON

CALIBER COLLISION
RESTORING THE RHYTHM OF YOUR LIFE

160 THOMAS B MURPHY DRIVE
DALLAS, GA 30132
LAND LOT 378, DISTRICT 2, SECTION 3
PARCEL #: 138.3.1.053.000

PROJECT:

SEAL:

REGISTERED PROFESSIONAL ENGINEER
No. PE052609
MICHAEL C. HATLEY

01/21/2026

REVISIONS	DATE

PROJECT MANAGER: NRS
DRAWING BY: CAH
JURISDICTION: DALLAS, GA
DATE: 2026-01-21
TITLE:

SITE PLAN

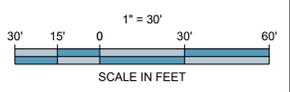
SHEET NUMBER: **C-3**

COMMENTS: NOT RELEASED FOR CONSTRUCTION

JOB/FILE NUMBER: 1641.042

GEORGIA811
Utilities Protection Center, Inc.

Know what's below.
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1/20/2025 12:09:30 PM By: JUSTIN CARTER
 PROJECT: 160 THOMAS B MURPHY DRIVE, DALLAS, GA
 DRAWING: CALIBER COLLISION SITE PLAN

Sec. 7.05 – LANDSCAPING STANDARDS

- 1) **PURPOSE.** The purpose of this section is to provide minimum standards for landscaping that visually enhances development, defines circulation routes, reduces heat and glare in parking areas, and provides screening between incompatible land uses.
- 2) **APPLICABILITY.** This section shall apply to new property development and any expansion of existing legally conforming sites or structures that exceeds thirty-five percent (35%) in conformance with *Section 1.04 – Applicability and Compliance*.
- 3) **GENERAL REQUIREMENT FOR SUBMITTAL.** Any property to which this section applies shall submit a landscape plan as part of the Development Plan or Plat review process. Landscape plans shall be prepared and sealed by a professional landscape architect registered in the State of Georgia, unless waived by the Director. The landscape plan shall contain the following information:
 - a) Plans shall be prepared on 24"x36" sheets at a scale no less than 1" = 50' to indicate all types of proposed landscaping improvements and shall include the following minimum information:
 - i) North arrow and scale.
 - ii) The name of applicant/owner.
 - iii) The name, address and phone number of the person or firm responsible for the preparation of the plan.
 - iv) The dates the plans are submitted and/or revised.
 - v) All existing and proposed buildings and other structures, paved areas, planted areas, underground utilities, utility poles, fire hydrants, light standards, signs, fences and other permanent features to be added and/or retained on the site.
 - vi) All existing plant material to be removed or retained and all new landscaping materials to be installed.
 - vii) All existing and proposed streets, sidewalks, curbs and gutters, railroad tracks, drainage ditches and other public or semi-public improvements within and immediately adjacent to the site.
 - viii) All property lines and easements.
 - ix) Any other information which is deemed appropriate by the Director.
 - x) Details shall be shown for the planting of the types of trees, shrubs and ground cover within the buffer yard or landscaped area.
 - xi) North arrow and scale.
 - xii) The name of applicant/owner.
 - xiii) The name, address and phone number of the person or firm responsible for the preparation of the plan.
 - xiv) The dates the plans are submitted and/or revised.

- xv) All existing and proposed buildings and other structures, paved areas, planted areas, underground utilities, utility poles, fire hydrants, light standards, signs, fences and other permanent features to be added and/or retained on the site.
 - xvi) All existing plant material to be removed or retained and all new landscaping materials to be installed.
 - xvii) All existing and proposed streets, sidewalks, curbs and gutters, railroad tracks, drainage ditches and other public or semi-public improvements within and immediately adjacent to the site.
 - xviii) All property lines and easements.
 - xix) Any other information which is deemed appropriate by the Director.
 - xx) Details shall be shown for the planting of the types of trees, shrubs and ground cover within the buffer yard or landscaped area.
- 4) APPROVAL.
- a) No site or Development Plan required under this Zoning Ordinance shall receive secondary approval unless a buffer yard and landscape plan has been submitted and approved.
 - b) No final approval of the Land Disturbance Permit shall be granted unless the following criteria are fully satisfied with regard to the approved buffer yard and landscape plan:
 - i) Such plan has been fully implemented on the site; or
 - ii) Such plan, because of seasonal conditions, cannot be implemented immediately, but has been guaranteed by a postponed improvement agreement in accordance with *Subsection 7.05(5)(h) – Assurance of Installation/Completion*.
- 5) GENERAL LANDSCAPING STANDARDS. Buffer yard and landscape materials shall consist of the following items as indicated below. The proposed landscape materials should complement the form of the existing vegetation, as well as the development’s general design and architecture. The cultural conditions (shade, sun, moisture, and location of planted material) should be considered in selecting plant materials.
- a) Maintenance of Landscaping and Buffer yards. All landscape materials shall be installed and maintained according to accepted nursery industry procedures.
 - i) The owner of the property shall be responsible for the continued property maintenance of all landscaping materials and buffer yards, and shall keep them in a proper, neat and orderly appearance, free from refuse and debris at all times.
 - ii) All unhealthy or dead plant material shall be replaced within one (1) year, or by the next planting period, whichever comes first.
Violation of these installation and maintenance provisions shall be grounds for the Community Development department to: fine the owner of the property in

violation of the conditions of the Improvement Location Permit; require replacement of the landscape

material; or institute legal proceedings to enforce the provisions of this section. Landscape materials are intended to grow, spread and mature over time. Landscaping materials used to fulfill requirements of this chapter may not be topped or otherwise treated so as to reduce overall height. Pruning, limbing-up, topping, and other inhibiting measures

including removal may only be practiced to ensure the public safety or to preserve the relative health of the material involved.

- b) Buffer yard and Landscaping Establishment. Once the landscape plan has been approved by the Planning & Zoning Commission or its designee and established by the owner, it may not be used, disturbed or altered in any way that would decrease its effectiveness for any purpose.
- c) Earthen Mounds. Earth mounds shall be physical barriers that block or screen the view, similar to a hedge, fence or wall. Mounds shall be constructed using approved fill and with a maximum slope of 3:1 (run:rise) and planted with proper and adequate plant materials to prevent erosion. A difference in elevation between areas requiring screening does not constitute an existing earth mound and shall not be considered as fulfilling any screening requirement.
- d) Plant Material. Artificial plants are prohibited. All plant materials shall be living plants and shall meet the following requirements. Plant materials used in conformance with the provisions of this chapter shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations.
- e) Ground Cover. Any part or portion of a nonfarm parcel that is not used for structures, loading or parking spaces, sidewalks, etc., shall be landscaped or left in a natural state that complies with the applicable ordinances of the City of Dallas. If landscaped, it shall be planted with an all-season ground cover and with trees and shrubs in accordance with the requirements of this Ordinance and in keeping with the natural surroundings.
- f) Preservation of Existing Vegetation. Any existing vegetation that is retained, and that meets the species and location requirements of this section, may be counted towards fulfilling the minimum landscaping requirements, subject to the approval of the Community Development Director. No construction activity of any kind shall take place within the area defined by the drip-line of any vegetation that is to be retained and counted as fulfilling these requirements.

- i) Prohibition of Clear Cutting. Clear-cutting is defined as: The removal of trees from a forested area to the extent that there is a clear danger of soil erosion and depositing of eroded soil upon adjacent land, public roads, private roads, or into adjacent waterways. The removal of all trees from a forested area at one time, without regard to species, quality, age or spacing shall be deemed clear-cutting. Clear cutting of trees shall be prohibited other than for the following areas and purposes, all of which must be described to the City Engineer on a drawing previous to start of clearing:

- (1) For the placement and maintenance of a building within thirty feet (30') of each exterior wall,
- (2) For the installation of a private septic system,
- (3) A twenty-foot (20') wide (or width as allowed by other regulation) path for construction of a roadway from a public road or easement to the principal.

Protected Trees. Consistent with the expressed purposes of this subsection, all persons shall make reasonable efforts to preserve and retain any existing, healthy, self-supporting trees, referred to as "protected trees." The minimum size of trees to be protected: deciduous trees- six (6) inch caliper; evergreen trees - eight (8) inch caliper; and ornamental trees - two (2)

inch caliper. No person shall take out, destroy, cause to be destroyed, move or remove any protected tree in preparation for development activity without first obtaining a Land Disturbance Permit from the Community Development department.

- (4) To further encourage the preservation of existing trees, each protected tree that is preserved and is greater than eight (8) inches in caliper may be counted toward the required landscape materials at a rate of two (2) required shade or evergreen trees or four (4) required ornamental trees. Preserved trees may not count toward the caliper inches required for mitigation of any trees removed.
- (5) Exemptions. The requirements of this subsection shall be followed except:
 - (a) During a period of emergency, such as a tornado, ice storm, flood or any other such extreme act of nature;
 - (b) If the failure to remove a tree would constitute an imminent danger to the environment, property, public health, safety, or welfare due to the hazardous or dangerous condition of such tree;
 - (c) For necessary tree removal by a public agency or utility company within plotted or dedicated utility easements;
 - (d) In an area upon which a permanent structure is located or

- will be located within a lot building area for all zoning districts;
- (e) With respect to trees on developed single-family lots;
 - (f) With respect to trees of less than twelve (12) caliper inches on all lots less than 20,000 sq. ft.;
 - (g) With respect to dead, substantially injured, diseased or damaged trees;
 - (h) Government agencies, tree farms, nurseries and agricultural uses shall be exempt from this subsection provided tree removal is consistent with normal and regular business activity.
- (6) Requirements for Development Plans. All applications for a Land Disturbance Permit or Development Plan Review that will require removal of protected trees shall include a protected tree plan or indicate on the demolition, grading and landscape plans the following:
- (a) A scale map or a plot plan showing the proposed development and noting the location of all protected trees. Tree stands may be outlined giving species and category of trees.
 - (b) Notations regarding which protected trees are to be removed, replaced, or are requested to be counted toward landscaping requirements.
 - (c) Methods of protection.
- g) Measurement Standards. All new trees required to be planted by this Ordinance shall be measured as follows:
- i) All broadleaf / deciduous trees shall be two and one-half (2½) inches in diameter (DBH- Diameter at Breast Height) at the time of planting, measured at six (6) inches above the root ball.
 - ii) All evergreen conifers shall be four (4) feet in height at the time of planting, measured from the top of the root ball.
All shrubs shall be twenty-four (24) inches in height at the time of planting, measured from ground level.
- h) Assurance of Installation/Completion. Plant material used for buffer yards, medians, entrances, ponds, or street or subdivision perimeter landscaping shall be designated as “Common Area” or as a landscape easement on the landscape plan(s), and shall be installed prior to the recording of the plat of the subdivision. A final Certificate of Occupancy shall not be issued until all landscaping shown on the landscape plan has been installed. A temporary Certificate of Occupancy may be issued for the property for a period of up to six (6) months as weather conditions permit landscape installation, provided that the developer shall submit a financial guarantee in the

amount of one-hundred thirty-five percent (135%) of the installed cost of landscaping when planting has to be delayed.

- i) Bonding. The applicant shall also have the option of posting a bond equal to one-hundred fifty percent (150%) of the material and installation costs identified on the plan if the installation of buffer yard and landscaping materials are to be completed at the end of a project. This bond will permit the City to contract the installation of the approved landscape plan, with the applicant's landscape contractor, at the required "prevailing wage rate" should the applicant fail to install the landscape plan within one (1) complete growing season. The "Prevailing wage rate" is the rate at which the City must pay a contractor to provide services for the City. If the applicant desires bonding, the applicant shall revise the cost annually to account for increases in costs of labor and materials.
 - j) Utility Easement Conflicts. Required plant material shall be located in areas exclusive of drainage and utility easements and overhead utilities. Plant material shall not be placed in the road/street right-of-way without permission from the City Engineer.
- 6) PARKING AREA LANDSCAPING
- a) Perimeter Landscaping for Off-Street Parking Areas. All parking lots, including parking spaces (excluding interior drives and loading/unloading areas), shall be separated from all public or private street rights-of-way by a landscape screen that is a minimum of twenty (20) feet in width. Parking areas adjacent to other developed parcels shall require a planting area that is a minimum ten (10) feet in width. Trees shall be provided for interior drives per *Subsection 7.05(8) – Street Tree Planting Requirements*. Screening may consist of any of the following options or a combination:
 - i) Planting. A minimum of one (1) tree shall be provided for every thirty (30) linear feet of landscaped area. The trees may be a combination of deciduous and evergreen. The tree requirement may be reduced or eliminated if street trees are provided per *Subsection 7.05(8)* and are within thirty (30) feet of the edge of the parking area. In addition, a minimum of one (1) shrub shall be provided at a minimum of every three (3) feet in order to form a continuous screen a minimum of thirty-six (36) inches high within two (2) years of planting. The spacing may be wider than three feet depending on shrub selection and with approval by the Director. A minimum of fifty percent (50%) of the required shrubs shall be evergreen; or
 - ii) Landscape Berm. A landscaped berm that is a minimum of three (3) feet in height shall be provided along the length of the

landscaped area. Trees shall be provided and shrubs where the berm tapers to less than thirty-six (36) inches to maintain a continuous screening height of thirty-six (36) inches.

- b) Perimeter Landscaping for Off-Street Parking Lots adjacent to Residential Uses or Zoning Districts. Parking lots shall be screened adjacent to the residential use or zoning district to a minimum height of four (4) feet in accordance with the appropriate buffer yard as determined by *Table 7.8: Applicable Buffer Yard Types* and *Table 7.9: Buffer Yard Types Description*.
- c) Interior Landscaping for Off-Street Parking Areas. Parking areas (including loading, unloading and storage areas) containing more than twenty-five (25) vehicular parking spaces, shall provide interior landscaping in addition to the previously required perimeter landscaping. Interior landscaping may be contained in peninsulas or islands.
- i) Landscaping area. Five percent (5%) of vehicular use area shall be landscaped. However:
- (1) Minimum area. The minimum landscape area permitted shall be one-hundred eighty (180) square feet with trees planted a minimum of four (4) feet from the curb or the edge of the pavement;
 - (2) Distribution. The required landscape areas are to be adequately dispersed throughout the off-street parking areas; and
 - (3) Ground Cover. Shrubs, ground cover, and other live plant material shall be used to fill the rest of the interior landscaped area.
- ii) Maximum Spaces. The maximum number of permitted parking spaces is the minimum required number of spaces plus ten percent (10%).
- (1) For proposed parking lots of more than one-hundred (100) parking spaces that exceed the maximum number of permitted spaces (see *Subsection 7.02(26)a* above), the Zoning Board of Appeals may increase the minimum amount of required interior landscaping by five percent (5%), and may require that the additional paved area be constructed with pervious pavement.
- iii) A minimum of one (1) broadleaf/deciduous tree providing shade at maturity shall be provided for every one-hundred eighty (180) square feet of landscaped area. To obtain minimum desired coverage, the maximum spacing between required canopy trees

- shall be one-hundred (100) feet.
- (1) As trees mature, trees shall have a clear trunk to at least five (5) feet above the ground, and the remaining plant material shall be maintained not to exceed three and one-half (3½) feet in height.
 - iv) Vehicle overhang. Parked vehicles may hang over the interior landscaped area no more than two (2) feet, as long as concrete or other wheel stops are provided to insure no greater overhang or penetration of the landscaped area.
- 7) RESIDENTIAL LANDSCAPING. Landscaping as stated below shall be required for all single- and multifamily subdivision development, and developments under the horizontal property regime prior to the issuance of a Certificate of Occupancy. Extensions of up to one-hundred twenty (120) days may be granted to take advantage of optimal planting conditions.
- a) Major Subdivision Perimeter Landscaping. Landscaping plant material shall be provided on the perimeter of major subdivision development when adjacent to a public right-of-way as follows:
 - i) A twenty (20) foot wide landscape area adjacent to the road or right-of-way shall be provided. The landscaping shall be designated as “common area” or placed in a landscape easement. All attempts should be made to avoid conflicts with drainage and utility easements that would prevent the installation of landscape materials in accordance with the Ordinance.
 - ii) Trees shall be provided at a minimum rate of five (5) trees per one-hundred (100) linear feet of perimeter planting. Trees shall be staggered throughout the planting area and no two (2) trees shall be closer than twenty (20) feet. Perimeter plantings shall be a roughly equal mix of deciduous canopy trees and evergreen trees. Up to twenty-five percent (25%) of the trees may be of the ornamental type for color and accent.
 - iii) Shrubs shall be provided at a minimum rate of ten (10) per one-hundred (100) linear feet of perimeter planting. Medium to large shrubs are encouraged in the twenty (20) foot wide landscape area.
 - iv) Calculation. Trees and shrubs shall be prorated and rounded up to the nearest whole number for every foot over the initial one-hundred (100) feet.
 - v) Planting Pattern. It is suggested that the required trees and shrubs be at least fifty percent (50%) evergreen, planted in clusters or irregular patterns, and shall be combined with perimeter fences,

- walls, or mounds as detailed below.
- b) Subdivision Perimeter Fences / Walls / Mounds. One of the following landscaping options shall be required in addition to the plant material specified above in *Subsection 7.05(7)*.
 - i) Decorative perimeter fences/walls shall be combined with plant material and shall be constructed of masonry, stone, wood, or decorative metal. Fences/walls constructed of synthetic materials that simulate natural materials will also be considered. Fences/walls shall be at least thirty-six (36) inches in height, but not over seventy-two (72) inches in height. Transparent (open) or opaque fences/walls may be used. Fencing/walls may only be provided by the developer and only located in the area designated as “common area” or “landscape easement.” Landscaping may be placed on the right-of-way side of the fence/wall, outside of the public right-of-way.
 - ii) Mounds. Mounds shall be combined with plant material, as described above, and may include fencing. Mounds shall be located in an area designated as “Common Area” or “landscape easement.” Mounds shall be a minimum of three (3) feet in height. Maximum side slope shall not exceed a three to one (3:1) ratio. Continuous mounds (levee look) are not permitted.
 - c) Common Area. Where a Common Area is designated on the plat or Development Plan of a residential project, a Property or Homeowner’s Association shall be formed and shall be required to provide necessary maintenance to said common areas as per *Subsection 7.13(3)(h)*.
 - d) Individual Lot Landscaping. The minimum landscape package for front and side yards shall be consistent with *Table 7.7: Individual Residential Lot Landscaping* and the following:
 - i) The minimum number of shrubs required is a total for the side and front yard combined, not for each yard individually.
 - ii) Lots that have existing trees in the front yard that meet the required minimum shall not be required to plant additional trees. In order for the existing trees to qualify as an existing tree it must be a minimum size of two (2) inch caliper measured six (6) inches above the existing ground elevation at the base of the tree and be part of the finish landscape package upon completion of the residence and the final lot grading.
 - iii) In addition to the above requirements, landscape packages for corner lots shall include a street side-yard (which shall be defined as the yard fronting the street on the side of the house that does not face the street) plan of one (1) evergreen tree and twelve (12) shrubs.

- iv) All trees shall be planted such that upon maturation the branches and limbs shall not interfere with the adjacent property use. Any tree becoming such a nuisance shall be trimmed or cut back to eliminate the nuisance by the property owner.
- v) Plant material shall be placed out of the Sight Visibility Triangle at intersections as per *Section 7.04 – Sight Visibility*. There should be a clear visibility zone between thirty-six (36) inches and nine (9) feet maintained by the property owner.
- vi) Trees shall not be planted in the right-of-way.
- vii) Townhome developments that feature multiple side-by-side units on one parcel shall adhere to the standards within *Table 7.7: Individual Residential Lot Landscape* for the TH Zone.

Table 7.7: Individual Residential Lot Landscape			
Zoning District	Number of Trees	Minimum Number of Shrubs	Front Yard Sod
R-1	3	12	no
R-2	2	10	yes
R-3	2	10	yes
TH	2	10	yes

For PUDs, single-family residential developments shall comply with the requirements of the zoning district most closely reflective of the density of development contained in this subsection.

- 8) STREET TREE PLANTING REQUIREMENT. The following are street tree planting requirements for all districts:
 - a) Requirements. Trees along public streets shall be planted in such a manner, type, quality and location as approved by the City Council and the same requirement shall apply to all streets with or without undeveloped frontage.
 - i) One (1) street tree shall be placed every forty (40) to sixty (60) feet outside of the right-of- way per the City Engineer, but within five (5) feet of the edge of the right of way in order to contribute to the streetscape.
 - ii) The tree location is to be at least twenty (20) feet from fire hydrants or utility poles.
 - iii) A suitable tree is to be used when planting under or within ten (10) lateral feet of overhead utility wires which will not affect the transmission or service of overhead utility services, subsurface drains, driveways, sidewalks, and underground utilities. Refer to *Table 7.12: Trees for Planting on Streets and Highways that*

- Minimize Conflict with Overhead Utilities* for suitable trees.
- iv) The developers shall be required to maintain the trees for one (1) year after the trees are planted and shall replace any tree which dies within such one (1)-year guarantee period. Upon completion of a street planting, the landscape contractor shall contact the Director or his/her designee for a preliminary inspection. The guarantee period shall begin after the approval by the Community Development Director. A final inspection shall be made at the end of the guarantee period. All trees not exhibiting a healthy, vigorous growing condition, as determined by the City’s inspection, shall be promptly replaced at the expense of the developer.
 - v) Replacement Trees. A person who removes, damages or causes to be removed a public tree from tree lawn or other public place shall be required to replace the tree at his or her own expense. The replacement tree shall be a species from Table 7.13: Trees for Planting on Streets, Highways, and Parking Lots or Table 7.14: Trees for Planting on Streets and Highways that Minimize Conflict with Overhead Utilities.
- 9) RETENTION POND LANDSCAPING. Shrubs and emergent vegetation are encouraged to be planted on pond perimeters. These plants may be exempt from minimum required plant sizes set forth in *Subsection 7.05(5)*. The use of this plant material is more desirable than nonnative manicured turf in order to provide color, filter runoff, limit waterfowl, and improve water quality.
- a) Choose plant material that is native to Georgia.
 - b) Pond edge seed mixes are available from local suppliers. Pond edge landscaping may also be established from seed.
 - c) Maintenance shall be consistent as it may take up to three (3) years to mature.
 - d) Plant denser ground covers around outfall and drainage outlets to control erosion and stabilize the ground.
- 10) WASTE CONTAINERS/ RECYCLING CONTAINERS / SERVICE STRUCTURES SCREENING REQUIREMENTS.
- With the exception of single-family residential districts, no owner, tenant or occupant of any lot in any district may store, place, or keep, or permit to be stored, placed or kept on that lot, any combination of dumpsters, compactors, grease dumpsters or any other waste or garbage containers (hereinafter referred to as “containers”), that exceed a total of one-hundred twenty (120) gallons in capacity, outside an enclosed building, except for collection purposes as is otherwise permitted in this Ordinance, unless the following conditions are met.
- a) The containers shall be located on a concrete pad that is enclosed by a three-sided structure constructed of masonry construction or wood

sufficient to provide complete visual screening of the containers to a height of twelve (12) inches above the top of the containers. The unit shall be constructed with materials similar to the principal structure. The structures shall not be located closer than twenty (20) feet from any dwelling on an adjacent residential lot. The structure shall not project into or be located on a front or side yard. It may be located in a rear yard but shall be not less than five (5) feet from any rear or side lot lines. On corner lots the enclosure can sit no closer to the street than the building itself.

- b) Any service structure that can be seen from the first floor of a residence or from any street shall be screened. Structures may be grouped together; however, screening height requirements shall be based upon the tallest of the structures. "Service Structures" shall include, but not be limited to: loading docks, propane tanks, dumpsters, electrical transformers, utility vaults which extend above ground, ground-mounted utility equipment and any electrical or other equipment or elements providing service to a building or a site.
- i) Location of screening. There shall be a continuous planting, hedge, fence or wall of earth, having one-hundred percent (100%) opacity, which would enclose any service structure on all sides, unless such structures must be frequently moved or accessed, in which case screening on all but one side is required. The average height of the screening material shall be six (6) feet or one (1) foot greater than the height of the enclosed structure, whichever is greater, but shall not, in any case, be required to exceed ten (10) feet in height.
- (1) Whenever a service structure is located next to a building wall, perimeter landscaping material, or off-street parking area landscaping material, such walls or screening material may fulfill the screening requirement set out in *Subsection 7.05(6)*. Whenever service structures are screened by plant material, such material may count towards the fulfillment of required interior or perimeter landscaping. Whenever a service structure is screened by a wall or fence, such wall or fence shall be constructed of the same materials as the building which it services.
- ii) Curbs to protect screening material. Whenever screening material is placed around any dumpster or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided within the screening material on those sides where there is such

- material. The curbing shall be at least one (1) foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.
- c) If the opening of the unit is in sight of the public right-of-way, it shall be covered by a door constructed of a solid material which shall remain closed when not in use, and it shall be maintained in good condition.
- 11) MECHANICAL EQUIPMENT BUFFERING STANDARDS. Mechanical equipment materials and buffering standards applicable to the multifamily residential and nonresidential zoning districts:
- a) Ground Level. All outdoor storage areas for completed products manufactured on-site, production materials, building-mounted utilities, outdoor refrigeration units and mechanical equipment located on the ground shall be screened consistent with the following requirements. In no instance shall this be interpreted as applying to merchandise for sale that is temporarily or seasonally placed outdoors.
- i) Fencing. A minimum six (6) feet tall, one-hundred percent (100%) opaque fence of wood, brick, or stone construction shall completely screen the area from the view of public streets and adjacent properties. Opaque six (6) feet tall gates shall be provided to access the facility. The gates shall generally remain closed, except when immediate access to the area is required.
- ii) Landscape Screening. Evergreen planting shall be provided around the exterior perimeter of the required fencing.
- (1) Evergreen shrubs shall be a minimum of two (2) feet tall at the time of planting, and planted at a maximum of three (3) feet on center. Wider spacing may be permitted depending on the species and upon approval of the Director.
- b) Roof-mounted. All roof-top equipment, such as HVAC units, shall be screened from the view of all public streets by parapets, dormers, or other screens. The material of all such screens shall be consistent with the exterior materials used on the facade of the structure.
- 12) BUFFER YARD REQUIREMENTS. The following requirements shall pertain to buffering a new use from an existing adjacent use or district as described below. The purpose of these buffering and screening standards is to lessen the potential conflicts between the possible uses in one zoning district and those uses in adjacent districts through the use of setbacks and landscaping. The potential degree of conflict between the uses determines the extent of the buffer required.
- a) Applicability.
- i) Screening areas shall be provided for the purpose of minimizing the friction between incompatible land uses and improving the

- aesthetic and functional quality of new development;
- ii) Where vegetative and/or topographic conditions that provide a natural screening and buffer exist prior to development of properties in question, every effort shall be made to retain such conditions. In such cases, additional screening may not be required, provided that provision is made for maintenance of such areas; and
 - iii) The City Council may waive the requirement for a wall, fence or greenbelt if equivalent screening is provided by existing or planned parks, parkways, and recreation areas or by topography or other natural conditions.
- b) Buffer Yard Standards. The buffer yard standards only apply along the property lines where the two dissimilar uses or zoning classifications meet as specified in *Table 7.8: Applicable Buffer Yard Types*. The required buffer yards shall be installed despite the presence of streets, alleys, and other features. Existing mature vegetation may be credited towards required buffering. When a dissimilar land use locates next to an established residential land use within the same zoning classification, buffering and screening standards per *Table 7.9: Buffer Yard Types Description* for Buffer Yard Type 2 shall apply.
- i) Responsibility. The developer or owner of the property being developed or otherwise changed in use is responsible for installing the buffer yard at the time of that development or change. The adjacent property owner shall not have to participate in installing the buffer yard.
 - ii) Buffer Yard Location. All required buffer yard areas shall be provided entirely on the subject property and shall be in addition to setbacks required by this Ordinance.
 - iii) Planting Location. Required buffer yard trees may be placed either at regular intervals or in irregular patterns representing a natural landscape. However, no two (2) buffer yard trees (excluding evergreen trees) shall be placed closer than twenty (20) feet to one another. No buffer yard or required landscape materials shall be placed within any easement, right-of-way, or septic field.
 - iv) Tree Size. All broadleaf / deciduous trees must have at least a two and one-half (2½) inch caliper measured at six (6) inches above the top of the root ball, and all evergreen conifers must be a minimum of four (4) feet in height measured from the top of the root ball when planted.
 - v) Ground Cover. All portions of the buffer yard not planted with trees, shrubs or other landscaped materials shall be covered with grass or other ground-covering vegetation. Landscaping stone or

- other non-vegetative surfaces may not be substituted for ground-covering vegetation unless otherwise approved by the Director.
- vi) Application. No landscaping required by this section may be used to satisfy the minimum requirements of any other provisions of this Ordinance unless approved by the Director.
 - vii) Maintenance. All landscape materials must be properly maintained, and kept in a neat and orderly appearance, free from all debris and refuse.
 - (1) All plant material which is unhealthy or dead, in the opinion of the Community Development Director, shall be replaced by the end of the next spring or fall planting season.
 - (2) Landscape materials are intended to grow, spread and mature over time. Pruning, limbing-up, topping and other growth-inhibiting measures may only be used to ensure the public safety and/or health of the vegetation.
 - c) Buffer Yard Widths. The buffer yard requirement shall not be included as part of the minimum setback requirements unless approved by the Director. Plant material shall be selected from *Tables 7.13 - 7.20* unless approved by the Director.
- 13) MODIFICATION. The Planning & Zoning Commission, City Council or Zoning Board of Appeals shall have the authority to modify any of the requirements of this section in accordance with *Subsection 2.02(9)(a) ix*.

Table 7.8: Applicable Buffer Yard Types

		New Residential Development						New Commercial Development					New Industrial Development	
		R-1	R-2	R-3	TH	MF1	MF2	CBD	MXU	C-1	C-2	OMI	I-1	I-2
Existing Residential	R-1	-	1	1	2	3	3	3	3	3	4	3	4	4
	R-2		-	1	1	2	3	3	3	3	4	3	4	4
	R-3			-	1	2	3	3	3	3	4	3	4	4
	TH				-	1	2	3	3	3	3	3	4	4
	MF1					-	1	2	2	2	3	2	3	4
	MF2						-	2	2	2	3	2	3	4
	CBD							-	1	1	1	1	3	4
Existing Commercial	MXU								-	1	1	1	3	4
	C-1									-	1	1	2	4
	C-2										-	1	2	4
	OMI											-	2	4
Existing Industrial	I-1												-	3
	I-2													-

When a dissimilar land use locates next to an established residential land use within the same zoning classification, buffering and screening standards per Table 7.7: Buffer Yard Types Description for Buffer Yard Type 2 shall apply.

Table 7.9: Buffer Yard Types Description	
Type 1	Buffer width - Ten (10) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.10: Unit Value of Landscaping Material which equals or exceeds a unit value of 3.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 2.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least fifty percent (50%) of the unit value shall be derived from deciduous shade trees (overstory).
Type 2	Buffer width - Twenty (20) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 4.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 3.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least twenty-five percent (25%) of the unit value shall be derived from deciduous shade trees (overstory). A minimum fifty percent (50%) of the trees and shrubs shall be evergreen species. Earthen mounds are encouraged to gain additional height.
Type 3	Buffer width - Thirty (30) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 5.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 4.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped), provided that at least ten percent (10%) of the unit value shall be derived from Deciduous Shade Trees (overstory) or deciduous ornamental trees (understory). A minimum fifty percent (50%) of the trees and shrubs shall be evergreen species. Earthen mounds shall be incorporated into the buffer yard design.
Type 4	Buffer width - Seventy-five (75) feet. The buffer yard shall contain an opaque fence/wall a minimum of eight (8) feet in height. An undulating earthen mound may be substituted but the average maintained height with plant material shall be eight (8) feet. Any combination of materials selected from the Landscape Materials Categories listed in Table 7.8: Unit Value of Landscaping Material which equals or exceeds a unit value of 5.0 for each one hundred (100) linear feet, along any exterior roadway, and unit value or 4.0 for each one hundred (100) linear feet of adjoining property (developed or undeveloped). Seventy-five percent (75%) of the unit value shall be derived from evergreen trees. Fifty percent (50%) of required landscaping shall be on the adjacent property side of the fence.

Table 7.10: Unit Value of Landscape Material	
Time of Planting	Value
Deciduous Tree (Overstory) (2 1/2" caliper)	0.75
Evergreen Tree (9' tall)	0.75
Deciduous Ornamental Tree (Understory) (1 1/2" caliper)	0.50
Evergreen Tree (4' tall)	0.50
Evergreen Shrub - Narrow Spread (4" tall)	0.25
Hedge Plant (24" - 30" tall)	0.05
Earthen Mound (3' tall)	0.50
Earthen Mound (6' tall)	1.00
Earthen Mound (9' tall)	1.50

Sec. 8.12 – OUTDOOR SALES, DISPLAY, AND STORAGE STANDARDS

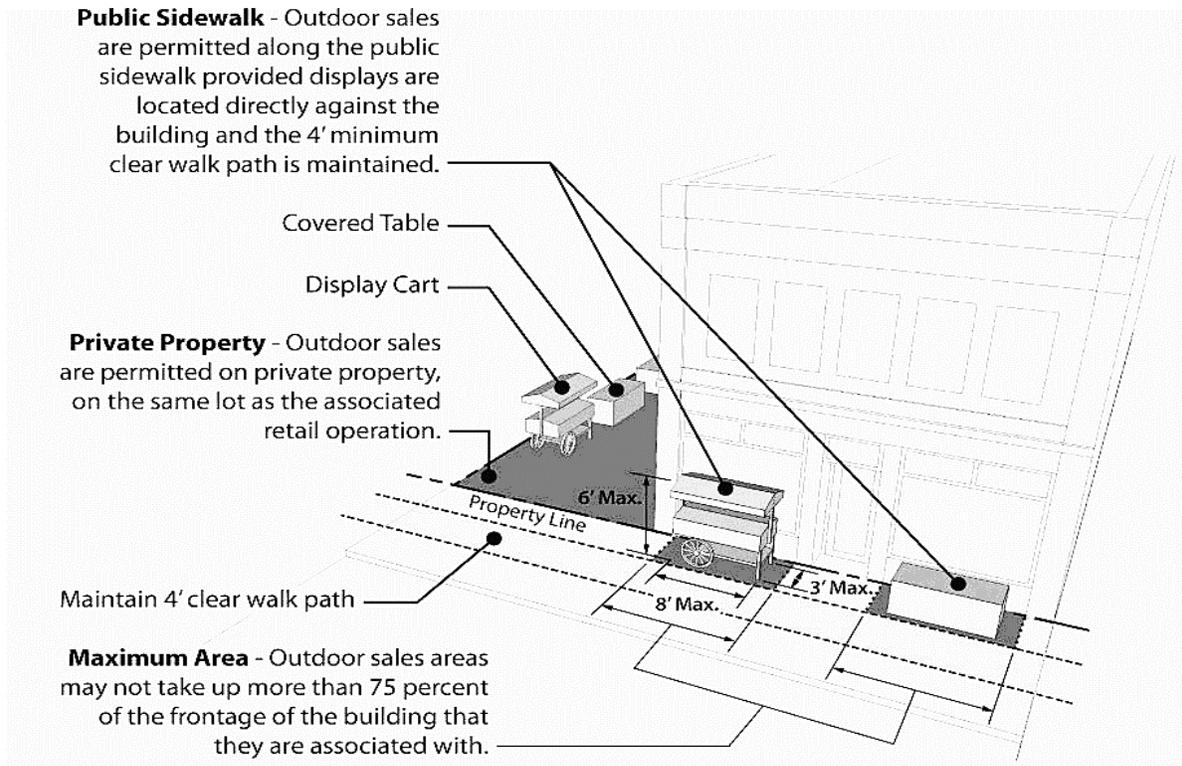
- 1) GENERAL PROVISIONS. The following shall apply to all districts whether the use is permitted, Special Exception, accessory, or temporary:
 - a) Approved and documented permanent outdoor sales, display, and storage areas shall be permitted accessory uses, tied to the primary use.
 - b) Outdoor sales, display, and storage shall not be located in any setbacks, easements, right-of-way, or off-street parking or loading areas.
 - i) Motor vehicle sales and display may be permitted in off-street parking areas.
 - c) Lighting shall comply with *Section 7.12 – Outdoor Lighting*.
- 2) Outdoor sales, display, and storage shall be located behind the front or exterior wall of the main building facing any street and shall comply with all lot requirements of this ordinance and with intersection visibility standards as set forth in *Section 7.04 – Sight Visibility*.

Table 8.4: Open Storage by District and Location	
Base District	Permissibility of Open Storage
Central Business District (CBD), Mixed Use (MXU), and Light Commercial (C-1)	All storage must be within an enclosed building except as specified for accessory outdoor display (limited to garden centers, plant nurseries, and lumber supply areas for home centers). Accessory outdoor display is subject to screening standards and to review and approval of a Special Use Permit.
Office, Medical Institutional (OMI), All Residential (R-1, R-2, R-3, MF-1, MF-2)	All storage, except as specified in this section, must be within an enclosed building, carport, or loading area.
Commercial, Medium Density (C-2) and Light Industrial (I-1)	Not permitted in front or street-facing side yards. Permitted in interior side and rear yards, or outside of required yards, subject to the standards of this Section.
Heavy Industrial (I-2)	Permitted anywhere on a lot, subject to the standards of this Section.

- 3) SALES AND DISPLAY AREAS. Outdoor sales and display areas in compliance with the following requirements may be permitted in association with retail commercial uses.
 - a) All outdoor sales and display areas, regardless of size, shall be hard-surfaced, dust-free pavement and take into consideration soil conditions and traffic loading. Pervious pavements and pavers including durable materials, suitable for parking such as cobblestones, brick, concrete formed blocks or cut stone, the system of which is specifically installed and designed for vehicular loads shall also be considered. Sales and display areas shall be of concrete, asphaltic pavement, or other

- permanent paving material and shall be maintained in good condition.
- b) The max area for outdoor sales and display shall not exceed ten (10%) percent of the primary structure or primary tenant space.
- c) Every approved permanent outdoor sales and display area shall be in close proximity to the facade of the primary structure.
- d) Screening shall be provided for outdoor sales and display area that are greater than five-hundred (500) square feet in size to reduce visibility of the outdoor sales and displays from the parking lot and primary roadways by installing a minimum twenty-four (24) inch opaque wall constructed from the same building material as the primary structure, and integrated into the design of the primary structure. The wall may be topped with a transparent fence.
- e) Outdoor sale and display of merchandise within an area of five-hundred (500) square feet or less shall not block handicapped parking areas, parking lot access aisles, and shall maintain a forty- eight (48) inch clearance on all sidewalks.
- f) A Type 1 landscaped buffer yard as described in *Table 7.8: Applicable Buffer Yard Types and Table 7.9: Buffer Yard Types Description* may also be used. Plant material may be clustered for better view of displays.

Figure 8.1: Outdoor Sales Areas



- 4) **OUTDOOR STORAGE.** Outdoor storage, in compliance with the requirements of this section is a permitted use and shall be considered primary or accessory to the principal use.
- a) General Standards that are applicable to all outdoor storage.
 - i) Screening. Outdoor storage of the types described below shall be screened with an opaque fence, split face block wall, continuous evergreen screen, or a combination of the three. The screen must measure a minimum of seven (7) feet in height. The fences or walls shall be compatible with or constructed from the same building material as the primary structure, and integrated into the design of the primary structure.
 - ii) Primary. Outdoor storage shall be permitted as a primary part of a permitted use in the I-1 and I-2 zoning districts. A building must be present on the lot and utilized by the business that has the outdoor storage.
 - iii) Accessory. Outdoor storage is accessory to a permitted principal use in all nonresidential districts when it does not exceed the greater of twenty-five (25%) of the building footprint or six hundred (600) square feet. All outdoor storage areas shall be paved.
 - iv) All outdoor storage areas shall be paved. Construction equipment and farm equipment rental, and heavy equipment dealership uses are exempt from paving, but shall install gravel in all exterior equipment display and/or storage areas
 - b) Bulk Storage.
 - i) In any district in which bulk storage is permitted, structures, buildings, or aboveground tanks used for bulk storage of flammable or explosive liquids, gases, or other materials, shall be located no closer than fifty (50) feet to the property line.
 - ii) Additional information regarding evidence of safety measures may be required in order to determine the public safety therein.
- 5) **VEHICLE DISPLAY AND SALES.** Motor vehicle dealerships shall be exempt from *Subsection 8.13(2-3)*. the following regulations shall apply:
- a) Perimeter Landscaping
 - i) Any combination of materials selected from the landscape Materials Categories listed in *Table 7.10: Unit Value of Landscaping Material* which equals or exceeds a unit value of two-point- five (2.5) for each one-hundred (100) linear feet, along any exterior roadway, provided that at least fifty (50%) percent of the unit value shall be derived from Deciduous Shade trees (overstory) or

- Deciduous ornamental trees (understory).
- ii) Any combination of materials selected from the landscape Materials Categories listed in *Table 7.10: Unit Value of Landscaping Material* which equals or exceeds a unit value of 6 for each one-hundred (100) linear feet, along any property that is zoned or used as residential, provided that at least fifty (50%) percent of the unit value shall be derived from evergreen trees and Shrubs or earthen Mounds.
 - b) Preparation, Repair, and Maintenance. The outdoor display, storage and parking of vehicles for sale shall be allowed, provided that all preparation, repair and maintenance of the vehicles shall be enclosed.
 - i) Special Lot Standards:
 - (1) Minimum Front Setback: twenty-five (25) feet
 - (2) Minimum Side Setback: ten (10) feet
 - (3) Minimum Rear Setback: fifteen (15) feet
 - c) All outdoor sales and display areas, regardless of size, shall be hard-surfaced. Pavement type and thickness shall be approved by the City Engineer, taking into consideration soil conditions and traffic loading. Pavers may also be used if approved by the City Engineer. Pavers shall include durable materials, suitable for parking such as cobblestones, brick, concrete formed blocks or cut stone, the system of which is specifically installed and designed for vehicular loads. Sales and display areas shall be of concrete, asphaltic pavement, or other permanent paving material and shall be maintained in good condition.
 - d) No outdoor storage shall occur within any setback, easement, or right-of-way.
 - 6) MODIFICATION. The Planning & Zoning Commission, Zoning Board of Appeals and City Council shall have the authority to modify any of the requirements of this section in accordance with *Subsection 2.02(9)(a) ix*.