



Planning and Zoning Commission Public Hearing

Holly Springs Public Safety Building, Council Chambers
3235 Holly Springs Pkwy, Holly Springs, GA 30115
Thursday, December 18, 2025 | 7:00 PM

Chris Adams | Adrian Dekker - Chair | Mike Grayeski - Vice Chair | Eric Huminski | Andy Norris

AGENDA

I. CALL TO ORDER

II. PUBLIC HEARING RULES

III. OLD BUSINESS/PUBLIC HEARING

- A. **CUP-06-2025**, applicant, Dennie Blackburn, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2200 Holly Springs Parkway, Holly Springs, GA, tax parcel 301 of tax plat 15N14.

IV. NEW BUSINESS/PUBLIC HEARING

- A. **A-03-2025**, applicants, Rebecca Eadie and Suzanne Graham, request annexation of 4.22 +/- acres located off of Hembredge Road, Cherokee County, GA, tax parcel 002 of tax plat 15N14C, and tax parcels 025 and 026 of tax plat 15N13D.
- B. **MA-07-2025**, applicants, Rebecca Eadie and Suzanne Graham, request rezoning of 4.22 +/- acres located off of Hembredge Road tax parcel 002 of tax plat 15N14C from GC, General Commercial (County) to GC, General Commercial (City) and tax parcels 025 and 026 of tax plat 15N13D from R-20, Single Family Residential (County) to GC, General Commercial (City).
- C. **DW-01-2025**, applicant, Idletown Development Inc., requests a design waiver from the requirements of the Holly Springs Development Regulations, Section 4.0 Residential and Non-Residential Development Standards, 4.22 Mailbox Kiosk, C. Design Standards, for property located off of Palm Street, Holly Springs, GA, tax parcels 094 and 095 of tax plat 15N15 and tax parcel 082A of tax plat 15N15A.
- D. **V-03-2025**, applicant, Underwood Scoggins, LLC on behalf of PR Land Investments, LLC, requests a variance from the Holly Springs Zoning Ordinance, Article 9, Buffer Requirements, and Article 5, District Uses and Regulations, 5.2-5 High Density Multi-Family Residential, D – Height, Area and Bulk Regulations for property located off of New Light Road, Holly Springs, GA, tax parcel 390 of tax plat 15N20.

V. REPORTS/COMMENTS

VI. ADJOURNMENT

ITEM REPORT

AGENDA ITEM NUMBER: III.A.



FROM: Nancy Moon, Community Development Director

MEETING DATE: December 18, 2025

AGENDA ITEM: CUP-06-2025, applicant, Dennie Blackburn, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2200 Holly Springs Parkway, Holly Springs, GA, tax parcel 301 of tax plat 15N14.

EXECUTIVE SUMMARY:

Applicant, Dennie Blackburn, requests a conditional use permit for CBD, Hemp, THC, and/or Tobacco Specialty Store for property located at 2200 Holly Springs Parkway, Holly Springs, GA, tax parcel 301 of tax plat 15N14. This established business is an ancillary use within Walmart. With the recent changes in state law and the most recent amendment to the zoning ordinance regarding these types of establishments, the City Council did not grandfather the sale of any THC or hemp products. This CUP application requests to add the sale of Hemp to their existing business license.

Since a number of CUP requests have been submitted, the criteria regarding these types of establishments will be addressed for all cases in the following table:

				Required Distance			
	Business Name	Type	Requested Use	Religious Institution (>1,000 ft.)	Day Care Center (>1,000 ft)	School (>1,000 ft.)	CBD, Hemp, THC, and/or Tobacco Specialty Store (>5,000 ft.)
				Actual Distance			
CUP-02-2025	Hickory Market	Ancillary	THC	3,019	6,736	6,746	6,541

CUP-03-2025	PJ's Hop-In	Ancillary	Hemp/THC	1,523	3,982	1,173	540
CUP-04-2025	Ole 5 Vapor	Primary	Hemp/THC	2,355	5,740	873	5,866
CUP-05-2025	Maximum Vapor	Primary	Hemp/THC	2,177	6,018	1,832	>5,000
CUP-06-2025	Walmart	Ancillary	Hemp	1,718	3,153	2,764	907
CUP-07-2025	Delta Depot	Primary	Hemp/THC	1,259	588	1,299	5,866
CUP-08-2025	Kwick Mart	Ancillary	Hemp/THC	288	2,442	138	2,016

Since these are existing stores wishing to add hemp or THC to their existing licensing, there are a number of options with regard to the approval or denial of these CUP requests:

- 1) Full CUP approval for all CBD, Hemp, THC and Tobacco products;
- 2) CUP approval for just the Tobacco and CBD/Denial of the sale of Hemp and THC.
- 3) Denial of the CUP request for Hemp and THC but grandfather the sale of Tobacco and CBD with the grandfathered use staying nonconforming.

In addition, the CUP approval, if approved in any form, could be restricted to just the current owner of the business. In general, a Conditional Use Permit approval runs with the land.

Planning Commission Recommendation

The Planning Commission conducted a public hearing on November 13, 2025. The applicant was unable to attend the meeting and the Planning Commission tabled the application to the December 2025 meeting.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Location Map
2. Application

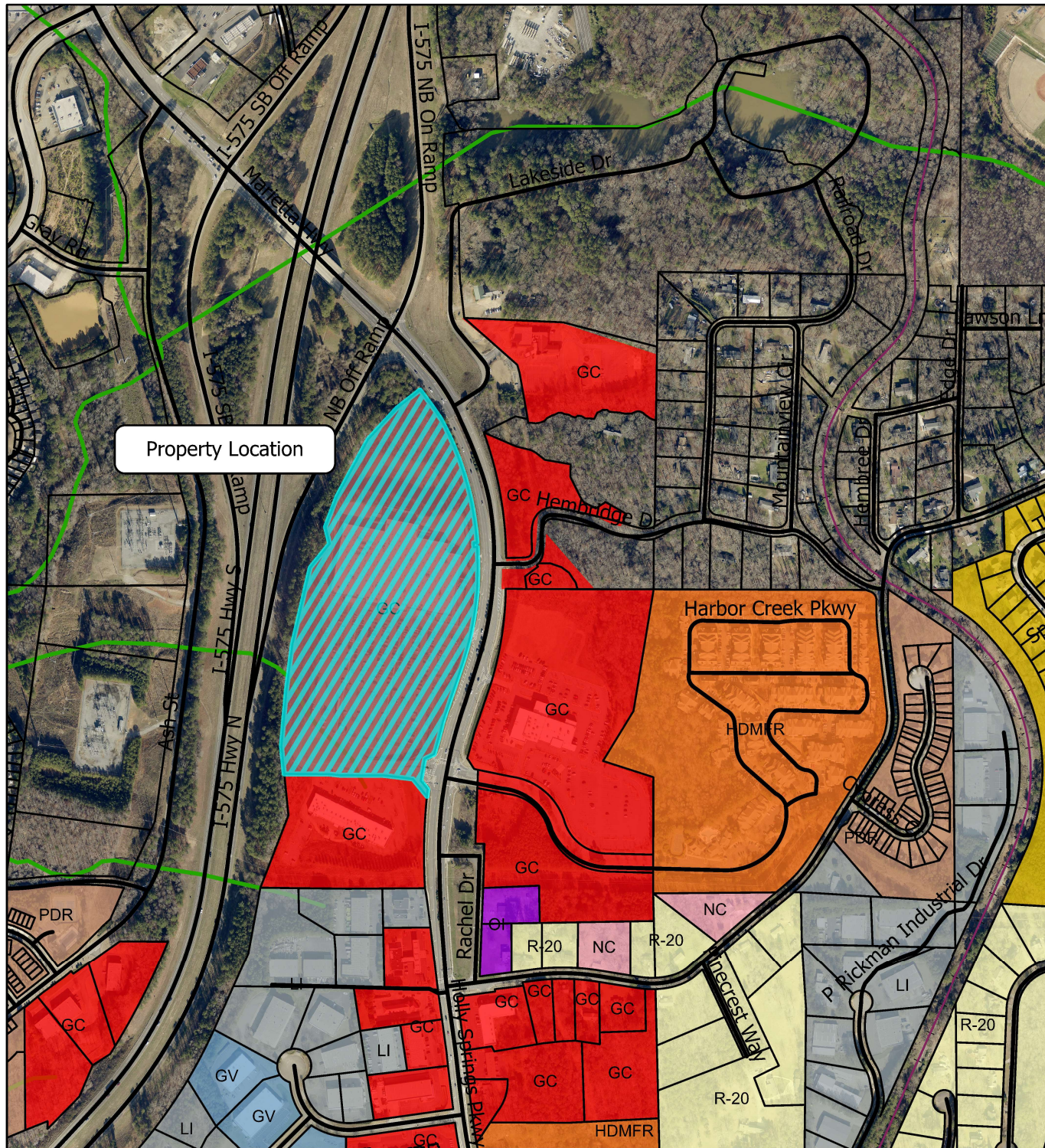
RECOMMENDATION:

The staff recommendation is to deny the Conditional Use Permit request to add Hemp to the business license, but grant a Conditional Use Permit for the grandfathered uses of Tobacco and CBD.

CONCURRENCES:

City Manager

CUP-06-2025 Location Map



Property Location

—+— Railroad

Zoning 2025

ZONING

AG- Agricultural

R-80- Estate Residential

R-40- Single Family
Residential Estate

R-20- Single Family
Residential

RD-20- Single Family and
Duplex

RD-3- Single Family
Residential

PUD- Planned Unit
Development

TND- Traditional
Neighborhood
Development

PDR- Planned
Development Residential

HDMFR- High Density
Multi-Family Residential

GC- General Commercial

NC- Neighborhood
Commercial

OI- Office Institutional

GV- Governmental

LI- Light Industrial

MXD- Mixed Use Overlay

Parcels_Oct 2025

Streets_Oct 2025

Streets_Oct 2025





MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures. See p. 7

APPLICATION MA- _____ APPLICATION **CUP-06-2025**

HEARING DATE _____ DATE OF APPLICATION _____

APPLICANT Dennie Blackburn-Senior Licensing Analyst OWNER Sarah Little-Assistant Secretary
(If other than applicant)

ADDRESS 1 Customer Drive, MS #0500 ADDRESS 1 Customer Drive, MS #0500
Bentonville, AR Bentonville, AR

ZIP CODE 72716-0500 PHONE 479-652-3811 ZIP CODE 72716-0500 PHONE 479-371-2081

EMAIL complic@wal-mart.com or dennie.blackburn@walmart.com EMAIL complic@wal-mart.com

SIGNATURE Dennie Blackburn SIGNATURE S Little

APPLICANT OR REPRESENTATIVE MUST ATTEND MEETING OR APPLICATION WILL NOT BE CONSIDERED

PRESENT ZONING DISTRICT(S) _____ REQUESTED ZONING DISTRICT _____

REQUESTED CONDITIONAL USE(S) _____

PROPERTY LOCATION/ADDRESS 2200 Holly Springs PKWY, Holly Springs, GA 30115

MAP NUMBER _____ PARCEL NUMBER(S) _____

LAND LOT(S) _____ DISTRICT(S) _____ SECTION(S) _____

ACREAGE _____ SEWAGE DISPOSAL TYPE _____ UTILITIES AVAILABLE _____

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST: _____
ORD-05-2025 We want to be in compliance, but we are not sure if we sell any hemp items at this time. A list can be
Provided at a later date if we find that we do sell these items.

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application:

- ☒ WARRANTY DEED
- ☐ TAX DOCUMENTATION Nancy is going to look this up for us
- ☐ SURVEY PLAT BY REGISTERED SURVEYOR Nancy is going to look this up for us
- ☐ ~~PLANS (22 X 34) OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR~~ ~~PDF~~
~~COPY OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR~~
- ☐ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ☐ ATTACHMENT B (CONDITIONAL USE PERMIT REQUESTS ONLY)
- ☐ N/A WATER/SEWER AVAILABILITY LETTER FROM CCWSA (CHEROKEE COUNTY WATER AND SEWERAGE AUTHORITY)

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION: APPROVED _____ STIPULATIONS _____ DISAPPROVED _____	CITY COUNCIL DECISION: APPROVED _____ STIPULATIONS _____ DISAPPROVED _____
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FILING FEES _____	RECEIPT# _____	CHECK# _____
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ITEM REPORT

AGENDA ITEM NUMBER: IV.A.



FROM: Nancy Moon, Community Development Director

MEETING DATE: December 18, 2025

AGENDA ITEM: A-03-2025, applicants, Rebecca Eadie and Suzanne Graham, request annexation of 4.22 +/- acres located off of Hembredge Road, Cherokee County, GA, tax parcel 002 of tax plat 15N14C, and tax parcels 025 and 026 of tax plat 15N13D.

EXECUTIVE SUMMARY:

Applicants, Rebecca Eadie and Suzanne Graham, request annexation of 4.22 +/- acres located off of Hembredge Road, Cherokee County, GA, tax parcel 002 of tax plat 15N14C, and tax parcels 025 and 026 of tax plat 15N13D. The property is currently zoned GC, General Commercial (County) and R-20, Single Family Residential (County). The applicants are requesting to rezone the property to GC, General Commercial (City). The two parcels on the eastern side of this property are part of a residential subdivision, Hembredge Hills, that was platted in 1964. These two parcels have never developed.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Location Map
2. Application

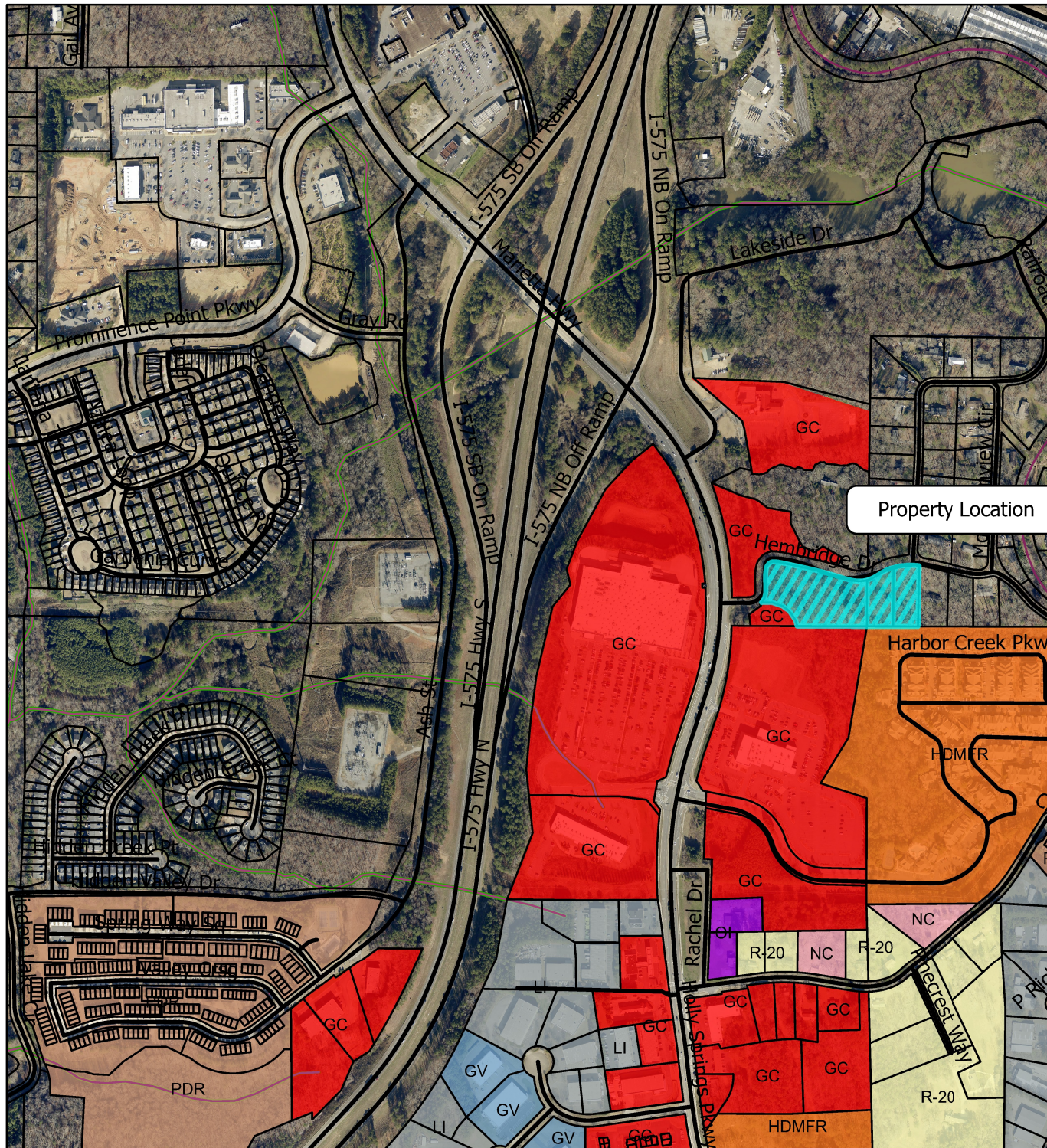
RECOMMENDATION:

The staff recommendation is approval of the annexation request.

CONCURRENCES:

City Manager

A-03-2025/MA-07-2025 Location Map



— Railroad

Zoning 2025

ZONING

AG- Agricultural

R-80- Estate Residential

R-40- Single Family
Residential Estate

R-20- Single Family
Residential

RD-20- Single Family and
Duplex

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LI- Light Industrial

MXD- Mixed Use Overlay

Parcels_Oct 2025

Streets_Oct 2025

Streets_Oct 2025





City of Holly Springs, Georgia

Petition for Annexation

100% Method

Please completed one petition per parcel; duplicate this form as needed. Please print or type.

APPLICANT INFORMATION

Date: October 1, 2025

Applicant's Name: _____

Corporation Name: _____

Mailing Address: _____

Phone: _____

Email: _____

PROPERTY OWNER INFORMATION

Property Owner(s): Rebecca Eadie and Suzanne Graham

Mailing Address: 2218 Hogliver Road, Carrollton, GA 30117

Phone: [REDACTED] / [REDACTED]

Email: [REDACTED] [REDACTED]

PROPERTY INFORMATION

Tax Map #: 15N14C Parcel #: 002 15N13D-025, 15N13D-026

Land Lot(s)/District: 15N

Physical Address: 125 Hembredge Dr, 201 Hembredge Dr, 255 Hembredge Dr.

Property Location Description: Property located on Hembredge Drive

Current Zoning: County GC and R20

(Attach additional sheets, if necessary)

City GC

Has an application for rezoning, special use, or variance been applied for in the County within the past five (5) years? NO If "yes," please provide complete explanation and details in the space below:

(attach additional sheets, if necessary)

Describe the proposed development for the property in question should the annexation be approved, including the appropriate City zoning classification desired. (NOTE: Any annexation request requiring a rezoning in the City will need to be made on the appropriate rezoning request forms for the City of Holly Springs. This annexation petition does not complete the requirements for making a rezoning request).

Rezoning to City GC for future Commercial
development.

(attach additional sheets, if necessary)

SUBMITTAL CHECKLIST

The following exhibits must be attached to this Annexation Petition:

- D A copy of the most recent warranty deed or equivalent conveyance of ownership for the property to be annexed;
- D A copy of the Cherokee County Tax Plat, illustrating the property to be annexed;
- D Complete the Applicant & Property Owner(s) Signature Sections, following page;
- D Any additional information requested by City Officials.

Geocortex Essentials Parcel Report

Cherokee County, GA

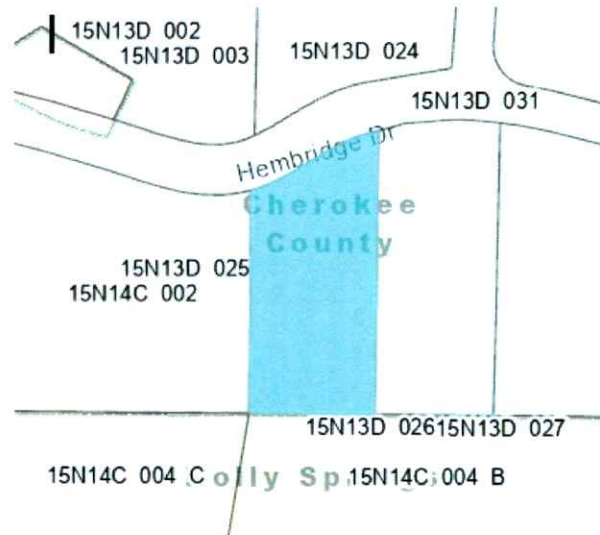
TIN: 15N13D 025

Report generated 10/3/2025 10:21:12 AM



Vicinity Map

1: 17,748.16



Tax parcel highlighted in cyan

1: 2,329.03

Tax Parcel Information

Owner: EADIE FRANK H SR & ANNETTE M

Property Address: 201 Hembridge Dr, Canton 30115

Subdivision: Hembredge Hills

TIN: 15N13D 025

PIN: 15-0199-0032

Mailing Address: 285 HEMBRIDGE DR, CANTON, GA 30115

Acreage: 0

Lot #: 18

PB/PG:

DB/PG:

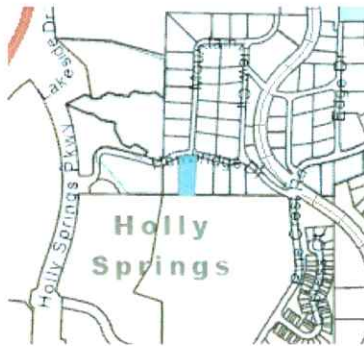
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Geocortex Essentials Parcel Report

Cherokee County, GA

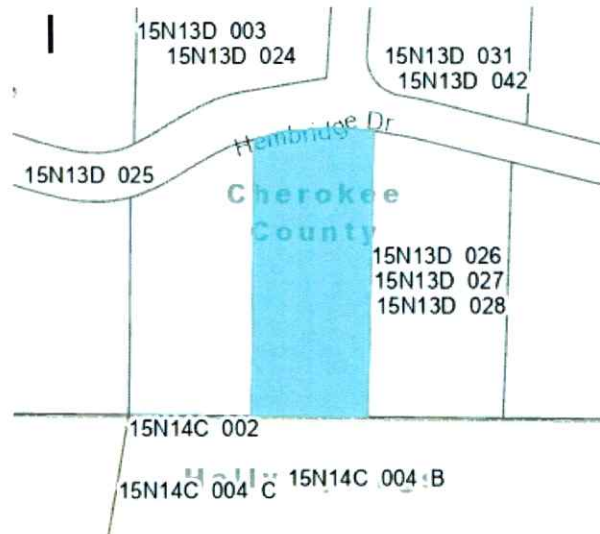
TIN: 15N13D 026

Report generated 10/3/2025 10:21:49 AM



Vicinity Map

1: 17,833.58



Tax parcel highlighted in cyan

1: 2,383.82

Tax Parcel Information

Owner: EADIE FRANK H SR & ANNETTE M

Property Address: 255 Hembridge Dr, Canton 30115

Subdivision: Hembredge Hills

TIN: 15N13D 026

PIN: 15-0199-0001

Mailing Address: 285 HEMBRIDGE DR, CANTON, GA 30115

Acreage: 0

Lot #: 17

PB/PG:

DB/PG:

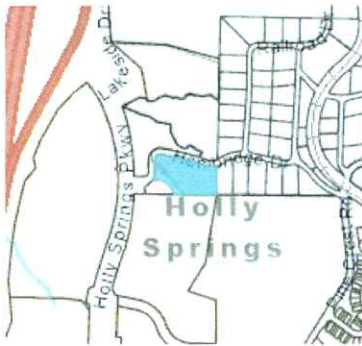
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Geocortex Essentials Parcel Report

Cherokee County, GA

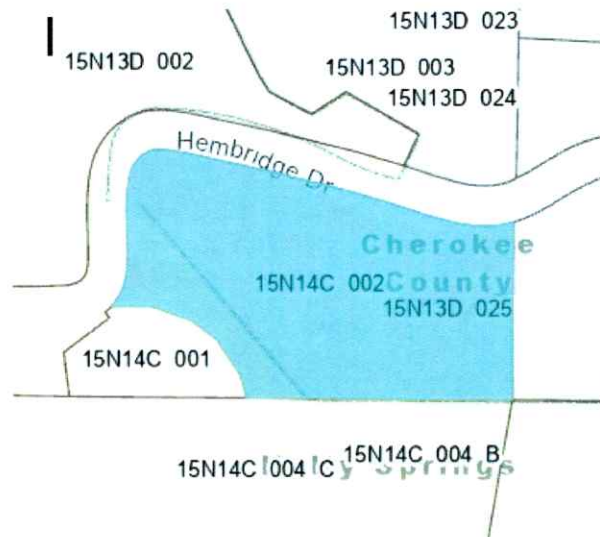
TIN: 15N14C 002

Report generated 10/3/2025 10:14:40 AM



Vicinity Map

1: 18,209.02



Tax parcel highlighted in cyan

1: 2,925.43

Tax Parcel Information

Owner: EADIE FRANK H SR & ANNETTE M

Property Address: 125 Hembridge Dr, Canton 30115

Subdivision:

TIN: 15N14C 002

PIN: 15-0200-0005

Mailing Address: 285 HEMBRIDGE DR, CANTON, GA 30115

Acreage: 2.6

Lot #: -

PB/PG:

DB/PG:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

O'KELLEY & SOROHAN
Philip Erickson, Esq.
2170 Satellite Blvd.. Ste. 375
Duluth, Georgia 30097

STATE OF GEORGIA

COUNTY OF CHEROKEE

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 19 day of NOV, 2009, by ANNETTE EADIE S(hereinafter the "Grantor"), and FRANK H. EADIE SR. and ANNETTE M. EADIE, as Trustees of the 2009 Eadie Family Revocable Trust (hereinafter the "Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid by Grantee, the receipt of which is hereby acknowledged, does hereby remise, release and quitclaim unto Grantee forever, all the right, title, interest, claim and demand which Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Cherokee, State of Georgia, common known as an abandoned road as more particularly described on Exhibit "A" attached hereto and hereby made a part hereof.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances and improvements thereunto belonging or in anywise appertaining, in all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set his hand and affixed his seal the day and year above written.



Annette M. Eadie (SEAL)
ANNETTE EADIE

Signed, sealed and delivered
in the presence of:

Paul L. Carter
Unofficial Witness
Paul L. Carter
Notary Public
My Commission Expires:
(Notarial Seal)

O'KELLEY & SOROHAN
Philip Erickson, Esq.
2170 Satellite Blvd.. Ste. 375
Duluth, Georgia 30097

EXHIBIT A LEGAL DESCRIPTION

THIS PLAT WAS CALCULATED FOR ERROR AND IS
ACCURATE TO BETTER THAN 1: 100,000
EQUIPMENT USED ON THIS PROJECT WAS A TRIMBLE 5600

LEGEND

These standard symbols will
be found in the drawing.

IPF ● IRON PIN FOUND
IPS ○ IRON PIN SET
Δ CHANGE IN COURSE

A=17.35'
R=64.36'
Δ=15°26'43"
C LEN=17.30'
BRG=N30°00'15"E

A=11.32'
R=64.36'
Δ=10°04'33"
C LEN=11.30'
BRG=N42°45'53"E

LINE	BEARING	DISTANCE
L1	S89°51'40"E	44.74'
L2	S70°16'24"E	57.99'
L3	S53°17'48"E	45.48'
L4	S33°27'37"E	58.64'
L5	S15°48'24"E	43.00'
L6	N87°59'56"W	16.66'
L7	N14°30'26"W	35.75'
L8	N33°27'37"W	53.52'
L9	N53°17'48"W	40.62'
L10	N70°16'24"W	53.16'
L11	N89°51'40"W	50.76'
L12	N87°59'56"W	16.66'
L13	N12°43'11"W	28.75'
L14	N33°27'37"W	48.15'
L15	N53°17'48"W	35.76'
L16	N70°16'24"W	48.33'
L17	N89°51'40"W	49.74'
L18	N42°11'29"W	9.04'

HEMBREDGE HILLS
ROAD 40' R/W

152.75' TO R/W OF
CANTON HIGHWAY

ABANDONED ROAD
RACHEL DRIVE 30' R/W

N/F
DR W.L. LESTER ESTATE

3,639 SQ. FT.
0.08 ACRES

N/F
MRS. FRANK N. EADIE

GRAPHIC SCALE



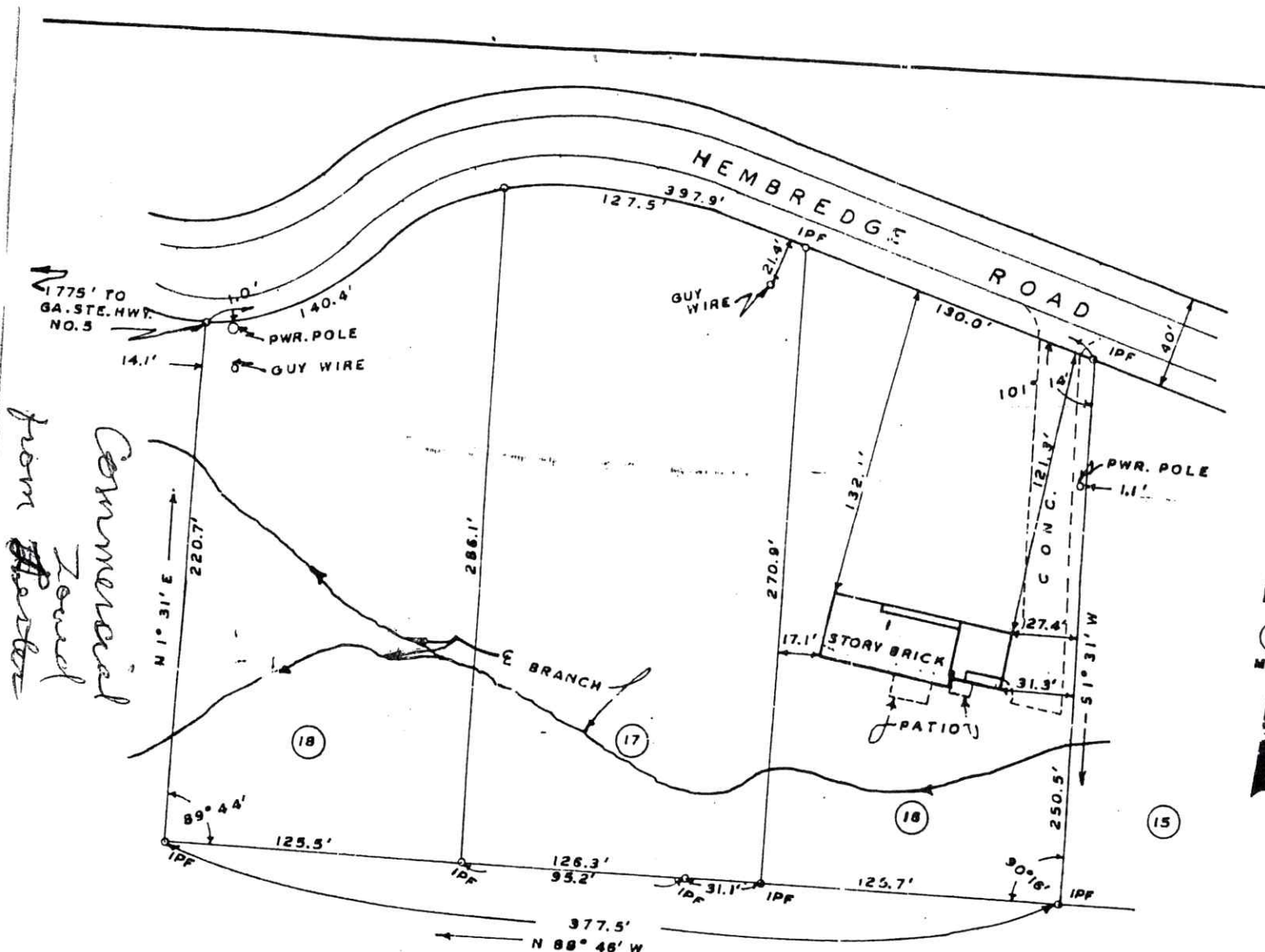
N/F
HOLLY SPRINGS, L.L.C.

IPF
#4RB

IPF
1/2" OT

O'KELLEY & SOROHAN
Philip Erickson, Esq.
2170 Satellite Blvd.. Ste. 375
Duluth, Georgia 30097

EXHIBIT A LEGAL DESCRIPTION



*Commercial
Zoned
from Master*

SURVEY
PROPERTY OF
FRANK H. EADIE & ANNETTE M. EADIE
LOTS 16-17 & 18 — HEMBREDGE HILLS
LAND LOT 199 — 15TH. DISTRICT — 2ND SECTION
CHEROKEE COUNTY, GEORGIA
AUGUST 7, 1968
CHAS. H. FAULKNER, C.E., SURVEYOR, GA. REG. NO. 498
JAY HALL, ASSOCIATE

SCALE 1" = 50'

In my opinion, this map is a correct
representation of the facts as shown
and has been prepared in accordance
with the minimum standards and regulations
of law.

ITEM REPORT

AGENDA ITEM NUMBER: IV.B.



FROM: Nancy Moon, Community Development Director

MEETING DATE: December 18, 2025

AGENDA ITEM: MA-07-2025, applicants, Rebecca Eadie and Suzanne Graham, request rezoning of 4.22 +/- acres located off of Hembredge Road tax parcel 002 of tax plat 15N14C from GC, General Commercial (County) to GC, General Commercial (City) and tax parcels 025 and 026 of tax plat 15N13D from R-20, Single Family Residential (County) to GC, General Commercial (City).

EXECUTIVE SUMMARY:

Applicants, Rebecca Eadie and Suzanne Graham, request rezoning of 4.22 +/- acres located off of Hembredge Road tax parcel 002 of tax plat 15N14C from GC, General Commercial (County) to GC, General Commercial (City) and tax parcels 025 and 026 of tax plat 15N13D from R-20, Single Family Residential (County) to GC, General Commercial (City). There are no plans for development at this time. The owners want to annex and rezone all three parcels to GC for better marketability. The adjacent parcel to the west of this property is within the city and zoned GC, General Commercial.

Cherokee County Comments

The Cherokee County Board of Commissioners discussed this case at the December 2, 2025, meeting. The City has not received any correspondence from the Cherokee County Board of Commissioners at this time.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Location Map
2. Staff Analysis
3. Application
4. CCSD Response

RECOMMENDATION:

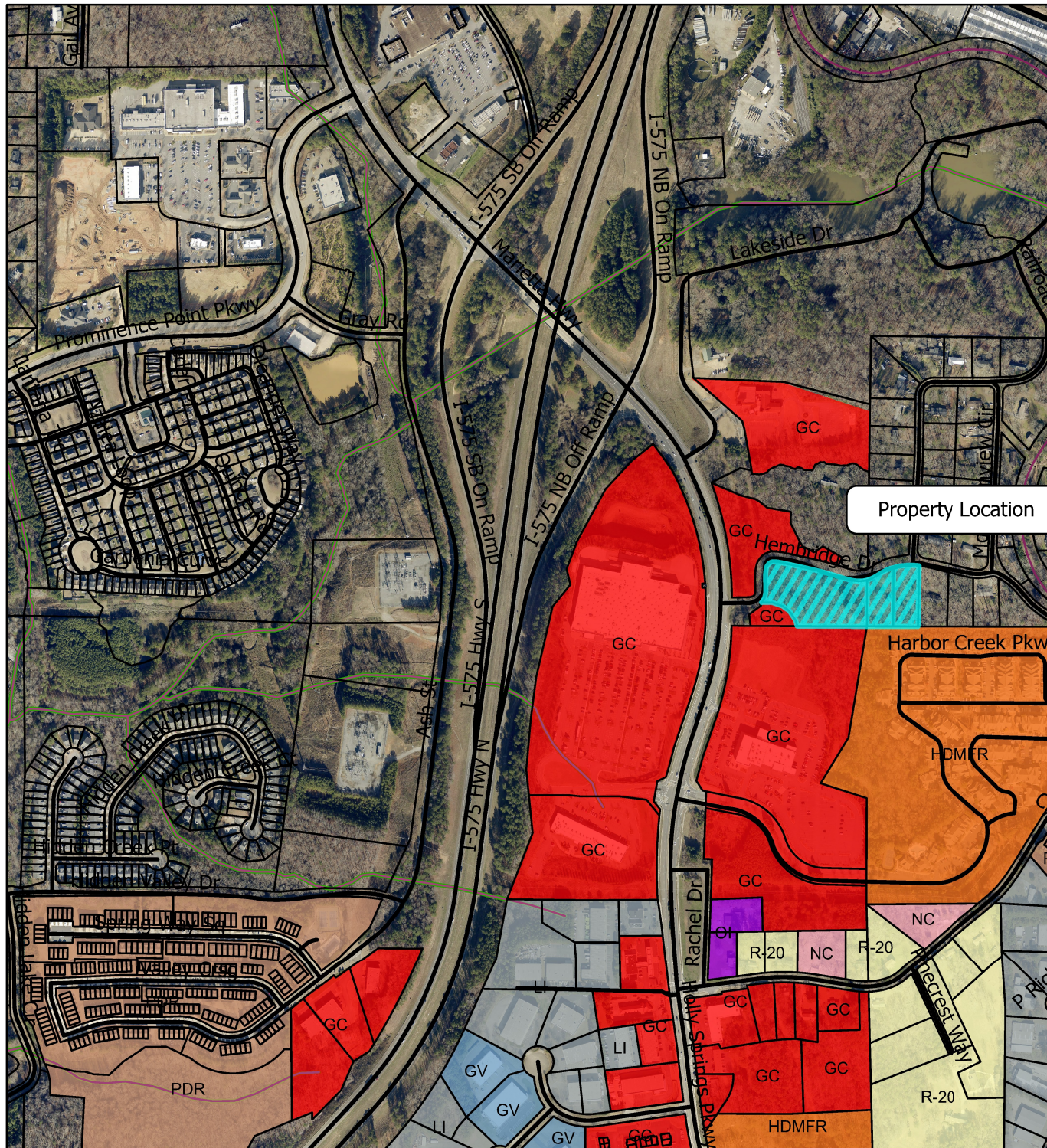
The staff recommendation is approval of the request to rezone the property to GC, General Commercial with the following stipulations:

1. Applicant shall maintain the required 40' undisturbed buffer along the eastern property line and the required 20' undisturbed buffer along the southern property line adjacent to Harbor Creek Apartments.
2. Future lighting shall be environmentally sensitive, with the owner making every effort to ensure that lighting is as unobtrusive as possible, utilizing fully-shielded LED lamps in compliance with the International Dark Sky Association, or equivalent organization.
3. The following uses shall be prohibited:
 - a. Adult Entertainment
 - b. Agricultural Implement Sales and Service
 - c. Ambulance Service
 - d. Amusement parks
 - e. Animal hospitals/clinics with outdoor kennels
 - f. Auditorium
 - g. Auto Repair
 - h. Auto Service
 - i. Big Box Commercial Retail Structures
 - j. Boat Sales Facility
 - k. Bowling Alley
 - l. Brew Pub
 - m. Cash, Check Cashing, and Pawn Establishments
 - n. CBD and Hemp Oil Retail Establishments
 - o. Cellular phone towers
 - p. Fast food restaurant with a drive-thru
 - q. Funeral Homes and Mortuaries
 - r. Go-kart, motor bike track
 - s. Laundering Establishments
 - t. Membership Club Warehouse
 - u. Parking Lot, Automobile
 - v. Tattoo Parlors and Body Piercing Establishments
 - w. Tire sales with outdoor storage
 - x. Used Vehicle Sales, Lease, or Rental
4. All future development shall comply with the Holly Springs Parkway Model Zoning District Guidelines.

CONCURRENCES:

City Manager

A-03-2025/MA-07-2025 Location Map



— Railroad

Zoning 2025

ZONING

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R-80- Estate Residential

R-40- Single Family
Residential Estate

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Duplex

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OI- Office Institutional

GV-Governmental

LI- Light Industrial

MXD-Mixed Use Overlay

Parcels_Oct 2025

Streets_Oct 2025

Streets_Oct 2025



Staff Analysis

A. Existing Land Use and Zoning Classification of Nearby Property

ADJACENT ZONING		ADJACENT DEVELOPMENT	
NORTH:	GC GC (County)	NORTH:	Undeveloped Undeveloped
SOUTH:	GC HDMFR	SOUTH:	Nissan Harbor Creek Apartments
EAST:	R-20 (County)	EAST:	Hembredge Hills Subdivision
WEST:	GC	WEST:	Undeveloped

B. Zoning Proposal Review Standards; Study Required for Amendment

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property?

Surrounding development in the area includes retail uses, a church, single-family residential, car dealership, and apartments. The proposed use of the property under the GC, General Commercial zoning district is compatible with the surrounding uses. Appropriate buffers would need to be in place for the adjacent residential property.

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property?

The development of this property should not cause a substantial adverse effect on adjacent or nearby properties with regards to existing uses or usability.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned?

The property, as currently zoned, would be allowed to develop with those uses associated within the GC, General Commercial and R-20, Single Family Residential zoning districts.

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, public safety, or schools?

Depending on the use, additional traffic and use of utilities will be increased; however, the development will follow all design regulations. The more intense uses will be restricted and/or require approval of a Conditional Use Permit. Since the proposed use is a commercial use, the school system will not be impacted.

5. Whether the zoning proposal is in conformity with the policy and intent of the adopted Future Development Map (FDM) and Future Land Use Map (FLUM)?

The Future Development Map classifies this property for development within the Parkway Corridor and Suburban Neighborhood character areas. The Parkway Corridor character area follows Holly Springs Parkway and also encompasses land around interchanges of I-575. The Parkway Corridor is intended to provide primarily a commercial service function, i.e. retail sales, services, and offices, while maintaining quality development standards and sensitive transition to the Holly Springs Town Center. It also includes a high density multi-family residential component.

Application: Existing and new commercial and high density multifamily residential

Primary Future Land Uses: office, retail, service, high density multifamily residential

Zoning Districts: HDMFR, PD-C, NC, GC, OI, GV

The Suburban Neighborhood character area corresponds with conventional suburban subdivisions with approximately 1/3 acre to 1-acre lots that have curvilinear streets. Houses are set back from the road, and lots are spacious. Streets are built to a relatively wide standard when compared with traditional neighborhoods. Connectivity is not necessarily provided, although an objective of this character area is to provide for pedestrian activity and connections among subdivisions to provide more of a true “neighborhood” feel, as opposed to each tract being developed without consideration of connecting to abutting properties.

Another key objective for this character area is the provision of connected open spaces that are permanently protected. With such protected open space, it is possible for this character area to preserve a more rural, open-space feel if conservation lands are set aside and scenic view analyses are incorporated into development plans. Acceptable uses include single-family residences, stick-built (excluding manufactured homes), along with supportive civic, institutional, and recreational uses. These areas are served by public water supply but not necessarily sanitary sewer service.

Application: Existing and new single-family residential neighborhoods.

Primary Future Land Uses: Single-family detached residential

Zoning Districts: R-40, R-30, R-20, PD-R, TND

6. Whether the zoning proposal is in conformity with the policies, objectives, and vision set forth by the Community Agenda (Comprehensive Plan) and other adopted policy documents?

The proposed commercial use of the property is in compliance with the vision and objectives of the Community Agenda, primarily as follows:

- a) **Commercial Uses. Use the character areas and the Future Development Map (FDM) to guide commercial growth and expansion for office/institutional, general commercial, and industrial opportunities. (9.1, #1)**

- b) **Commercial-Less Intense Uses.** Encourage the expansion of neighborhood commercial and office/institutional development containing compatible and complimentary uses that do not detract from the city's established residential areas. (9.1, #2)
 - c) **Annexation.** Consider municipal boundary expansion opportunities as unincorporated property owners petition for annexation. (9.1, #9)
 - d) **Expansion Areas.** Extend character areas and future land uses logically beyond adopted maps, as the city grows through annexation. (9.1, #10)
 - e) **Land Use Decisions.** Use the Future Development Map (FDM) as a guide when making land use decisions (map amendment requests) and reviewing other development proposals. (9.1, #22)
 - f) **Economic Prosperity.** Encourage development or expansion of businesses and industries that are suitable for the community. Factors to consider when determining suitability include job skills required; long-term sustainability; linkages to other economic activities in the region; impact on the resources of the area; or prospects for creating job opportunities that meet the needs of a diverse local workforce. (Quality Community Objective, #1).(9.3, #1)
 - g) **Commercial Expansion.** Through land use and annexation policies increase opportunities for all commercial uses, including but not limited to: general commercial, office/institutional, neighborhood commercial, and industrial. (9.3, #15)
 - h) **When a rezoning or conditional use permit proposal is received in a transitional part of the corridor, the proposal should be carefully regulated, through conditions of rezoning or special use approval, to ensure that building height, building placement, intensities, densities, location of parking, placement of accessory uses, buffers, tree protection, landscaping, exterior lighting, site amenities and other site planning features are compatible with protected neighborhoods. "Compatible" means that the characteristics of different land uses, or activities located near each other are in harmony and without conflict. (10.4, #2).**
7. Whether an impact is expected on the environment, including, but not limited to, drainage, soil erosion, and sedimentation, flooding, air quality, and water quality and quantity?

The development of the property will be held to the environmental development standards for all local, state, and federal requirements. Engineering design and approval will meet all standards.

8. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?

The adjacent property in an area with multiple parcels zoned and/or developed with commercial uses. Part of the property is already zoned commercial and the remaining two properties are in a subdivision that was platted in 1964. These two parcels were never developed. Appropriate buffers will help to screen any commercial development.



MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

For Application Procedures, See p. 7

APPLICATION MA- 07-2025

APPLICATION CUP- _____

HEARING DATE December 18, 2025

DATE OF APPLICATION Oct. 1, 2025

APPLICANT _____

OWNER Rebecca Eadie

(If other than applicant)
Suzanne Graham *

ADDRESS _____

ADDRESS 2218 Hog Liver Road

Carrollton, GA 30117

ZIP CODE _____ PHONE _____

ZIP CODE 30117 PHONE [REDACTED]

EMAIL _____

EMAIL [REDACTED]

SIGNATURE _____

SIGNATURE Suzanne E. Graham Rebecca Eadie

A. Eadie

APPLICANT OR REPRESENTATIVE MUST ATTEND MEETING OR APPLICATION WILL NOT BE CONSIDERED

PRESENT ZONING DISTRICT(S) City GC, County GC + EX REQUESTED ZONING DISTRICT GC

REQUESTED CONDITIONAL USE(S) _____

PROPERTY LOCATION/ADDRESS 125, 201 + 255 Hembredge Road

MAP NUMBER 15N14C PARCEL NUMBER(S) 002

LAND LOT(S) 15N13D + 15N13D DISTRICT(S) 15 SECTION(S) 2

ACREAGE _____ SEWAGE DISPOSAL TYPE _____ UTILITIES AVAILABLE _____

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:

Rezoning to City for future commercial use

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application:

- ☐ WARRANTY DEED
- ☐ TAX DOCUMENTATION
- ☐ SURVEY PLAT BY REGISTERED SURVEYOR
- ☐ 1 LARGE COPY (22" x 34") OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR ☐ 1 PDF COPY OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR
- ☐ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ☐ ATTACHMENT B (CONDITIONAL USE PERMIT REQUESTS ONLY)
- ☐ WATER/SEWER AVAILABILITY LETTER FROM CCWSA (CHEROKEE COUNTY WATER AND SEWERAGE AUTHORITY)

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION:

APPROVED _____ STIPULATIONS _____

DISAPPROVED _____

CITY COUNCIL DECISION:

APPROVED _____ STIPULATIONS _____

DISAPPROVED _____

FILING FEES _____ RECEIPT# _____ CHECK# _____

Application Information

Please print or type answers, using additional paper or a separate sheet of paper, if necessary.

(1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property? yes, largely commercial area.

(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property? no, largely commercial area

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned? one is commercial property already. Adjacent lots are R-30 Never developed.

(4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, public safety, or schools? Adjacent to four lane road. Should not cause burden.

(5) Whether the zoning proposal is in conformity with the policy and intent of the adopted Future Development Map (FDM) and Future Land Use Map (FLUM)?

BC property does conform to FDM & FLUM. (2) back parcels never developed.

(6) Whether the zoning proposal is in conformity with the policies, objectives, and vision set forth by the Community Agenda (Comprehensive Plan) and other adopted policy documents?

yes

(7) Whether an impact is expected on the environment, including, but not limited to, drainage, soil erosion, and sedimentation, flooding, air quality, and water quality and quantity?

All state and local regulations will be followed.

(8) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?

In general both commercial and residential have continued to grow.

Complete the following section, if applicable.

Residential

Minimum house size: _____ sq. ft.

Exterior façade: _____

Maximum number of units: _____

Anticipated start date: _____

Anticipated completion date: _____

Commercial

Number of buildings: _____

Maximum square footage: _____ sq. ft.

Number of stories: _____

Total number of employees: _____

Exterior façade: _____

Anticipated start date: _____

Anticipated completion date: _____

Must be completed by applicant, all owners, and any other person wishing to speak at the public hearing, i.e., engineer, surveyor, etc...

ATTACHMENT A

DISCLOSURE

Please answer the following questions.

A.) Are you, or anyone else with a property interest in the property, a member of the City of Holly Springs Planning and Zoning Commission or City of Holly Springs Council?

_____ YES _____ ☒ NO

B.) Does an official of such public bodies have any financial interest in any business entity, which has a property interest in the subject property?

_____ YES _____ ☒ NO

C.) Does a member of the family of such official have an interest in the subject property as described in (A) and (B)?

_____ YES _____ ☒ NO

D.) Within two (2) years immediately preceding this application, have you made campaign contributions aggregating \$250.00 or more?

_____ YES _____ ☒ NO

If yes, in accordance with O.C.G.A. 36-67A-3, you are required to provide the following information at least five calendar days prior to the Public Hearing:

Public Official's Name: _____

Official Position: _____

Dollar Amount of Contribution: _____

Description of Contribution: _____

Date of Contribution: _____

If you have made more than one campaign contribution, please add an additional sheet which lists the above details of **each** campaign contribution.

Oct 1, 2025 Rebecca A. Eadie
DATE NAME PRINTED

Rebecca A. Eadie
SIGNATURE

Oct 1, 2025 Suzanne E. Graham

Suzanne E. Graham

APPLICANT & PROPERTY OWNERS SIGNATURE SECTION

Applicant Name (Please Print)

Corporation Name (Please Print)

Title (Please Print)

Applicant Signature

Date

ALL PROPERTY OWNERS (GRANTEES) MUST SIGN BELOW AS INCLUDED ON THE ATTACHED DEED OR CONVEYANCE.

Rebecca L. Eadie

Property Owner Name (Please Print)

Rebecca L. Eadie

Property Owner Signature

October 1, 2025
Date

Suzanne E. Graham

Property Owner Name (Please Print)

Suzanne E. Graham

Property Owner Signature

October 1, 2025
Date

Property Owner Name (Please Print)

Property Owner Signature

Date

Marybeth Latham 10-01-25

Notary (form must be notarized)

Notarized - Rebecca Eadie and Suzanne Graham



Received by: _____

City of Holly Springs, Georgia

Date: _____

Geocortex Essentials Parcel Report

Cherokee County, GA

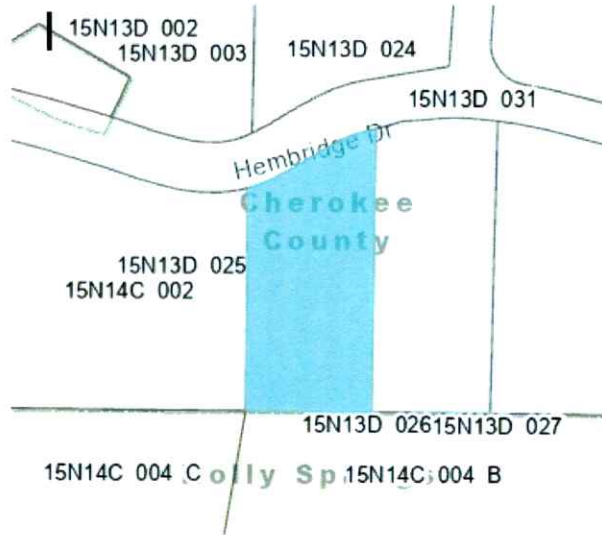
TIN: 15N13D 025

Report generated 10/3/2025 10:21:12 AM



Vicinity Map

1: 17,748.16



Tax parcel highlighted in cyan

1: 2,329.03

Tax Parcel Information

Owner: EADIE FRANK H SR & ANNETTE M

Property Address: 201 Hembridge Dr, Canton 30115

Subdivision: Hembredge Hills

TIN: 15N13D 025

PIN: 15-0199-0032

Mailing Address: 285 HEMBRIDGE DR, CANTON, GA 30115

Acreage: 0

Lot #: 18

PB/PG:

DB/PG:

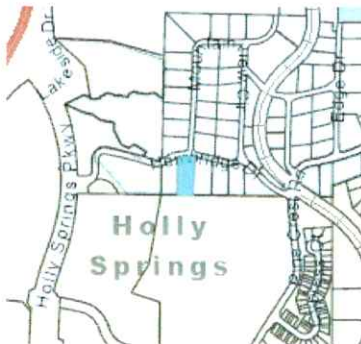
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Geocortex Essentials Parcel Report

Cherokee County, GA

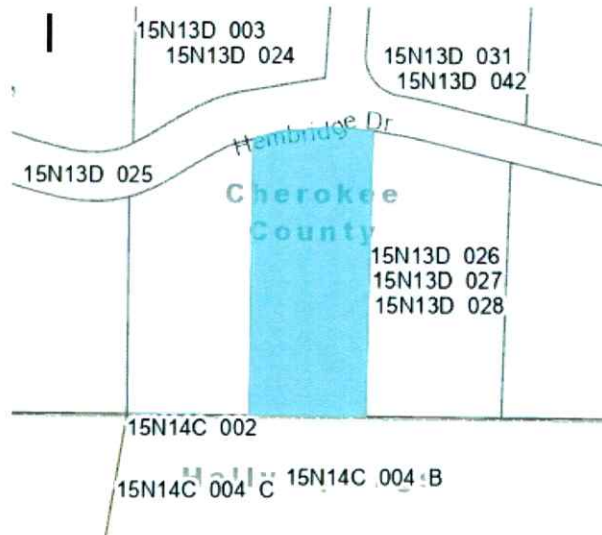
TIN: 15N13D 026

Report generated 10/3/2025 10:21:49 AM



Vicinity Map

1: 17,833.58



Tax parcel highlighted in cyan

1: 2,383.82

Tax Parcel Information

Owner: EADIE FRANK H SR & ANNETTE M

Property Address: 255 Hembridge Dr, Canton 30115

Subdivision: Hembredge Hills

TIN: 15N13D 026

PIN: 15-0199-0001

Mailing Address: 285 HEMBRIDGE DR, CANTON, GA 30115

Acreage: 0

Lot #: 17

PB/PG:

DB/PG:

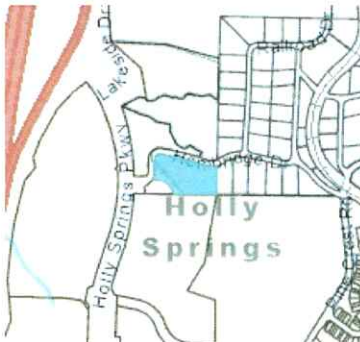
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Geocortex Essentials Parcel Report

Cherokee County, GA

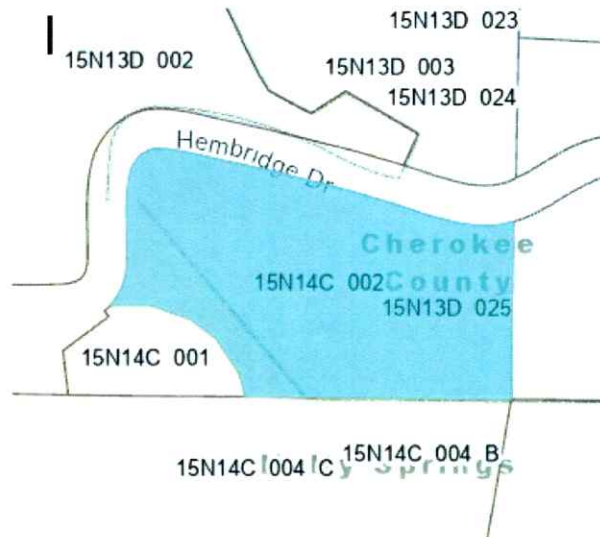
TIN: 15N14C 002

Report generated 10/3/2025 10:14:40 AM



Vicinity Map

1: 18,209.02



Tax parcel highlighted in cyan

1: 2,925.43

Tax Parcel Information

Owner: EADIE FRANK H SR & ANNETTE M

Property Address: 125 Hembridge Dr, Canton 30115

Subdivision:

TIN: 15N14C 002

PIN: 15-0200-0005

Mailing Address: 285 HEMBRIDGE DR, CANTON, GA 30115

Acreage: 2.6

Lot #: -

PB/PG:

DB/PG:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

O'KELLEY & SOROHAN
Philip Erickson, Esq.
2170 Satellite Blvd.. Ste. 375
Duluth, Georgia 30097

STATE OF GEORGIA

COUNTY OF CHEROKEE

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 19 day of NOV, 2009, by ANNETTE EADIE S(hereinafter the "Grantor"), and FRANK H. EADIE SR. and ANNETTE M. EADIE, as Trustees of the 2009 Eadie Family Revocable Trust (hereinafter the "Grantee").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid by Grantee, the receipt of which is hereby acknowledged, does hereby remise, release and quitclaim unto Grantee forever, all the right, title, interest, claim and demand which Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Cherokee, State of Georgia, common known as an abandoned road as more particularly described on Exhibit "A" attached hereto and hereby made a part hereof.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances and improvements thereunto belonging or in anywise appertaining, in all the estate, right, title, interest, lien, equity and claim whatsoever of Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set his hand and affixed his seal the day and year above written.



Annette M. Eadie (SEAL)
ANNETTE EADIE

Signed, sealed and delivered
in the presence of:

Paul L. Carter
Unofficial Witness
Paul L. Carter
Notary Public
My Commission Expires:
(Notarial Seal)

O'KELLEY & SOROHAN
Philip Erickson, Esq.
2170 Satellite Blvd.. Ste. 375
Duluth, Georgia 30097

EXHIBIT A

LEGAL DESCRIPTION

THIS PLAT WAS CALCULATED FOR ERROR AND IS
ACCURATE TO BETTER THAN 1:100,000
EQUIPMENT USED ON THIS PROJECT WAS A TRIMBLE 5600

LEGEND

These standard symbols will
be found in the drawing.

IPF ● IRON PIN FOUND
IPS ○ IRON PIN SET
Δ CHANGE IN COURSE

LINE	BEARING	DISTANCE
L1	S89°51'40"E	44.74'
L2	S70°16'24"E	57.99'
L3	S53°17'48"E	45.48'
L4	S33°27'37"E	58.64'
L5	S15°48'24"E	43.00'
L6	N87°59'56"W	16.66'
L7	N14°30'26"W	35.75'
L8	N33°27'37"W	53.52'
L9	N53°17'48"W	40.62'
L10	N70°16'24"W	53.16'
L11	N89°51'40"W	50.76'
L12	N87°59'56"W	16.66'
L13	N12°43'11"W	28.75'
L14	N33°27'37"W	48.15'
L15	N53°17'48"W	35.76'
L16	N70°16'24"W	48.33'
L17	N89°51'40"W	49.74'
L18	N42°11'29"W	9.04'

A=17.35'
R=64.36'
Δ=15°26'43"
C LEN=17.30'
BRG=N30°00'15"E

A=11.32'
R=64.36'
Δ=10°04'33"
C LEN=11.30'
BRG=N42°45'53"E

HEMBREDGE HILLS
ROAD 40' R/W

152.73' TO R/W OF
CANTON HIGHWAY

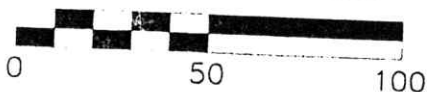
ABANDONED ROAD
RACHEL DRIVE 30' R/W

N/F
DR W.L. LESTER ESTATE

3,639 SQ. FT.
0.08 ACRES

N/F
MRS. FRANK N. EADIE

GRAPHIC SCALE



N/F
HOLLY SPRINGS, L.L.C.

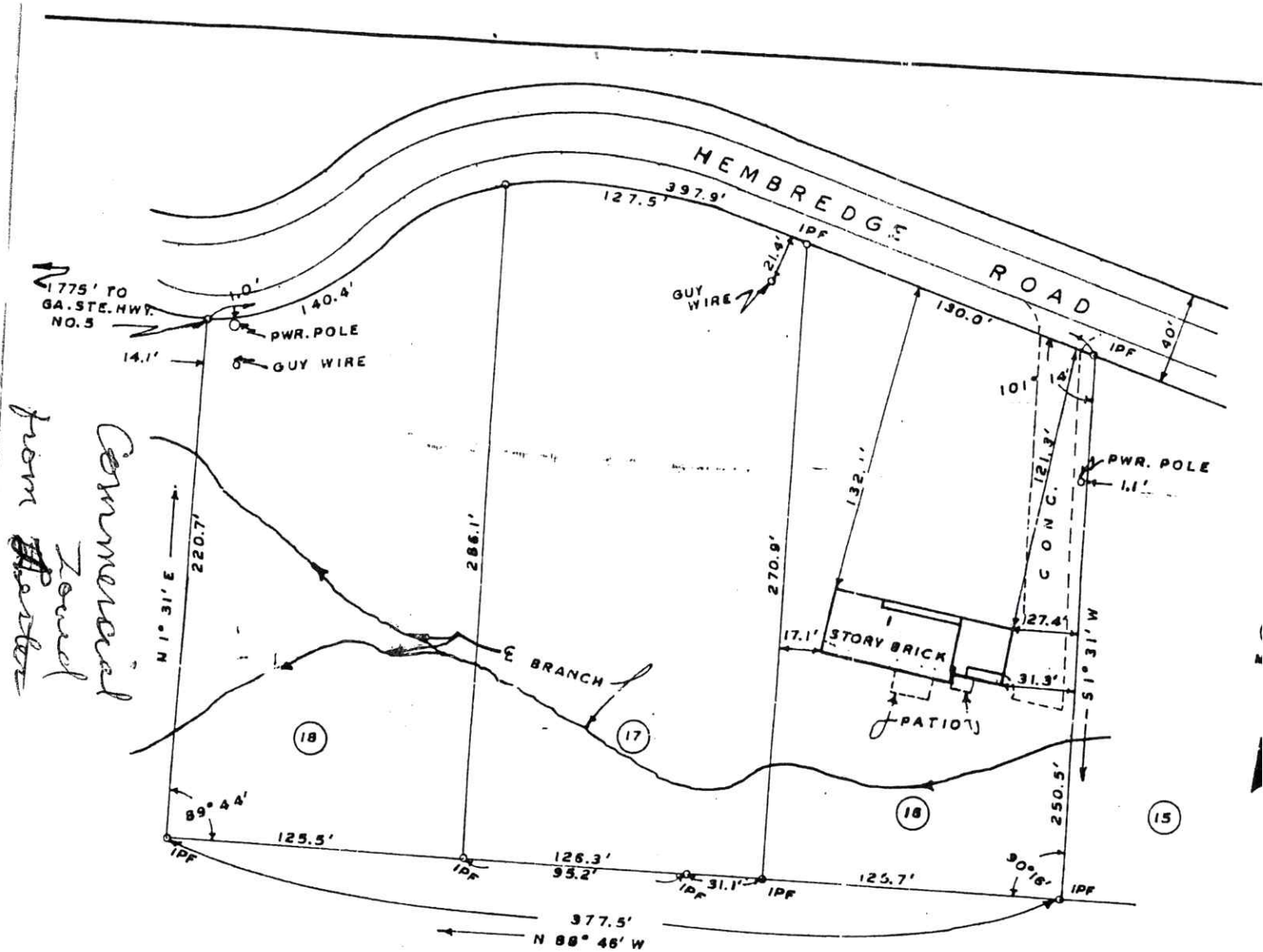
IPF
#4RB

IPF
1/2" OT

O'KELLEY & SOROHAN
Philip Erickson, Esq.
2170 Satellite Blvd.. Ste. 375
Duluth, Georgia 30097

EXHIBIT A

LEGAL DESCRIPTION



SURVEY
PROPERTY OF
FRANK H. EADIE & ANNETTE M. EADIE
LOTS 16-17 & 18 — HEMBREDGE HILLS
LAND LOT 199 — 15TH DISTRICT — 2ND SECTION
CHEROKEE COUNTY, GEORGIA
AUGUST 7, 1968
CHAS. H. FAULKNER, C.E., SURVEYOR, GA. REG. NO. 498
JAY HALL, ASSOCIATE

SCALE 1" = 50'

In any case, the plat is a correct representation of the land as surveyed and shown on the ground. The survey was made in accordance with the minimum standards and regulations of the law.

O'KELLEY & SOROHAN
Philip Erickson, Esq.
2170 Satellite Blvd.. Ste. 375
Duluth, Georgia 30097

EXHIBIT A

LEGAL DESCRIPTION

the 15th District
2nd Section of Cherokee County, Georgia, and being in original Land Lot No. 199
in said district and section and being subdivision Lots # 15, 17, & 18 in Hembredge
Hills Subdivision as shown by plat of survey recorded in Plat Book 4, pages 102 and
103 of the Plat Records of Cherokee County, Georgia, said plat is incorporated
herein and made a part of this description.

all that tract or parcel of land lying and being in the 15th
District and 2nd Section of Cherokee County, Georgia, in original
Land Lot No. 199 as shown by plat made by Lat Ridgway, Registered
Surveyor No. 92, recorded in Plat Book 2, Page 387, of Cherokee
County Plat Records, and being Subdivision Lot Nos. 17 and 18
of the Hembredge Hills Subdivision, as shown by plat recorded
in Plat Book 3, Page 50, of Cherokee County Plat Records, revised
and recorded 8-14-64 in Book 3, Page 93, and revised and recorded
9-5-64 in Book 3, Page 100, of Cherokee County Plat Records.

the 15th District and 2nd
Section of Cherokee County, Georgia, in original Land Lot No. 199, and known as Lot
No. 16 of the Hembredge Hills Subdivision as shown by plat recorded in Plat Book 3,
Page 327, of Cherokee County Plat Records.

RESTRICTIONS

It is covenanted and agreed between the Grantor and the Grantees that this deed
is delivered and accepted with the agreement, covenant, and understanding that neither
the Grantees, nor their successors in title, shall use said property for any business or
commercial use, or for any other purposes than for residential purposes, and that the
Grantees, nor their successors, shall build more than one (1) residence on said lot, and
no residence shall contain less than 1,150 square feet main floor living space, excluding
carport, storage areas, and basements. It is further agreed that any house erected
upon said lot shall be constructed of brick, brick veneer, rock or flagstone only, and it
is further agreed that no shell, prefabricated, cement block, cement, or similar type
house shall at any time be erected upon said premises, and that any residence erected
shall be at least 40 feet from any street which joins said lot. It is further agreed that
neither the Grantees, nor their successors in title, shall at any time keep upon said
premises any livestock, hogs, or poultry.

O'KELLEY & SOROHAN
Philip Erickson, Esq.
2170 Satellite Blvd., Ste. 375
Duluth, Georgia 30097

EXHIBIT A

LEGAL DESCRIPTION

in the 15th District and
2nd Section of Cherokee County, Georgia and being a portion of Land Lot No. 200
and being more particularly described as follows:

BEGINNING at an iron pin located in the Southeast corner of Land Lot No. 200;
thence along the original line and barbwire fence North 87 degrees 45 minutes
West 320 feet to an iron pin located on the easterly right of way of Old Canton
to Marietta Highway; thence following said right of way in a northerly and north-
westerly direction a distance of 250 feet to an iron pin located at a point formed
by the intersection of the northerly right of way of Old Canton to Marietta Highway
with the easterly right of way of Hembredge Road; thence in a northerly and
easterly direction along the right of way of Hembredge Road a distance of 665
feet to an iron pin located on the North and South land lot line East of Land Lot
No. 200; thence South 1 degree 30 minutes West along the aforesaid land lot line
a distance of 221.5 feet to the point of beginning.

For a more detailed description of the metes and bounds of the property herein
conveyed specific reference is hereby made to plat of survey by Lat Ridgway,
Registered Surveyor, dated August 30, 1974 and recorded in Plat Book 10,
Page 144, deed records, Cherokee County, Georgia.

From: [Mitch Hamilton](#)
To: [Nancy Moon](#)
Subject: Re: Notice of Annexation A-03-2025
Date: Friday, November 7, 2025 2:08:07 PM
Attachments: [Outlook-cd4dcw1k.png](#)

Nancy, received.

We do not have any comments for this case.

Thank You,
Mitch Hamilton
Director, Planning/Facilities/Compliance
Division of Support Services



200 Mountain Brook Ct Canton, GA 30115
770.721.8450 Tel 770.720.6288 Fax

<https://link.edgepilot.com/s/ce2e276e/fnU4ucvOz02dc24Kc0x6sQ?u=http://www.cherokee.k12.ga.us/>

Confidentiality notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Thank you.

From: Nancy Moon <nmoon@hollyspringsga.us>
Sent: Monday, November 3, 2025 3:12 PM
To: Mitch Hamilton <Mitch.Hamilton@cherookeek12.net>
Subject: Notice of Annexation A-03-2025

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Pursuant to state law, this is to notify you of an annexation application for the City of Holly Springs. In addition, pursuant to state law, the property is identified in the attached document along with the proposed use and public hearing dates.

Thanks,

Nancy Moon, AICP
Community Development Director
City of Holly Springs

(770)345-5536
nmoon@hollyspringsga.us

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

CAUTION! - This email originated outside of our organization. Use extreme caution before opening attachments or clicking on any links. Make sure you know the sender and expect to receive email from them.

ITEM REPORT

AGENDA ITEM NUMBER: IV.C.



FROM: Nancy Moon, Community Development Director

MEETING DATE: December 18, 2025

AGENDA ITEM: DW-01-2025, applicant, Idletown Development Inc., requests a design waiver from the requirements of the Holly Springs Development Regulations, Section 4.0 Residential and Non-Residential Development Standards, 4.22 Mailbox Kiosk, C. Design Standards, for property located off of Palm Street, Holly Springs, GA, tax parcels 094 and 095 of tax plat 15N15 and tax parcel 082A of tax plat 15N15A.

EXECUTIVE SUMMARY:

The applicant, Idletown Development Inc., requests a design waiver from the requirements of the Holly Springs Development Regulations, Section 4.0 Residential and Non-Residential Development Standards, 4.22 Mailbox Kiosk, C. Design Standards, for property located off of Palm Street, Holly Springs, GA, tax parcels 094 and 095 of tax plat 15N15 and tax parcel 082A of tax plat 15N15A.

This property is located within the Idletown Subdivision. The original design that was submitted consisted of just the metal structure for the cover for the mailbox kiosk. After being informed that it did not meet the design standards, the applicant chose to construct the structure as shown in the attached picture, without full approval, stating that it could be made compatible by adding the brick border/wall on three sides. The architectural review committee determined that it was not in compliance with ordinance requirements. The applicant is requesting to vary the design of the mailbox kiosk structure. Per Section 4.0 Residential and Non-Residential Development Standards, 4.22 Mailbox Kiosk, C. Design Standards:

1. Mailbox kiosks shall be compatible with other streetscape elements and be architecturally enhanced with building materials and details typical of the architectural style of the neighborhood/development.

Analysis

In considering a waiver request, the Planning & Zoning Commission shall make any decision based on the following physical considerations:

a. the waiver is reasonable in light of the project's size, location, layout, topography, or other geographic feature;

The request is reasonable; however, it would not be consistent with the design of the homes. Stipulation 7 of the rezoning ordinance specific to this property, MA-07-2020, states:

The architectural style, composition and design of the homes shall be constructed with high quality, blended building materials and the exterior facade shall consist of brick, stone, stacked stone, cedar shake type and/or Hardi- plank and combinations thereof, one of which must be brick or stone, and follow the design guidelines as outlined in the Holly Springs Zoning Ordinance, Article 19, Design Guidelines for Model Zoning Districts. No vinyl materials shall be used on the exterior of the homes.

Topography and other geographic features are not relevant to this request.

b. the waiver will not result in any adverse impact on other properties in the applicable model zoning district;

This property is located in the East Residential Model Zoning District. As such, it carries very similar requirements regarding architecture as noted above. Per Article 19, Design Guidelines for Model Zoning Districts, 19.10-3 Architectural Design, B. Materials (a) Quality & Consistency, the following is noted:

All facades should receive high-quality and properly installed materials, finishes and detailing. Construction material, finishes and detailing should incorporate glass and brick, stone, architectural block, stucco, and wood, with combining these finishes both allowed and encouraged. The use of vinyl and masonite should be limited and pre-approved by the Building Department. Information on the type of material must be included with the site plan at time of plan review. Material Changes. To retain a sense of solidity, the consistent use of materials on all elevations is encouraged.

The current design of the kiosk does not conform to the required design of the residential structures.

c. the waiver will not result in any adverse impact on the City's application of the design guidelines to other properties in the applicable model-zoning district.

Since the adoption of the Mailbox Kiosk Ordinance, the City has required all structures to be consistent with the residential structures. Although there is a brick border/wall around three sides of the area, the structure consists of exposed metal posts with an inverted metal roof. This would set a precedent for allowing the metal structures to be installed.

The applicant has also responded to the above considerations—see attached application.

FISCAL IMPACT:

N/A

ATTACHMENTS:

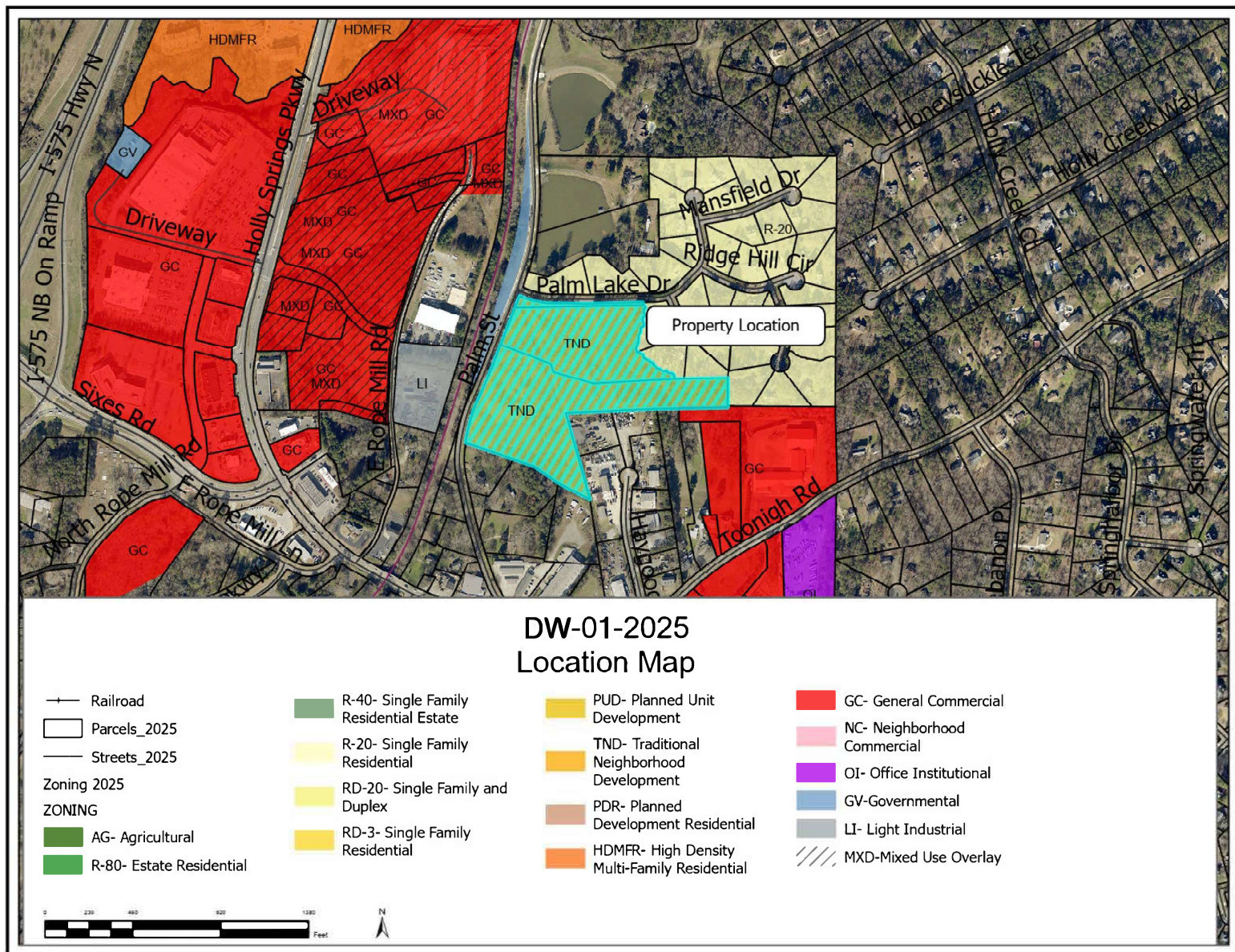
1. Location Map
2. Current Photo of Mail Kiosk
3. Application

RECOMMENDATION:

The staff recommendation is denial of the Design Waiver.

CONCURRENCES:

City Manager
Architectural Review Committee





PUBLIC NOTICE
Case # D-201-2025
Purpose Change of name
The Department of the State
Department of the State
Department of the State
Department of the State
Department of the State
Date December 16, 2025
Time 10:00 AM
Holly Springs Village Center
3000 Holly Springs Parkway
Holly Springs, NC 27540
For information
Call (919) 444-1111

PERMITTING ONLY
FOR ABILITY 2296
PERMITTING ONLY 2296

DAVID PEARSON COMMUNITIES, INC.

2000 First Drive, Suite 400
Marietta, GA 30062
(770) 770-321-5032

Nancy Moon, AICP

Community Development Director
City of Holly Springs
(770)345-5536
nmoon@hollyspringsga.us

Re: Idletown – Holly Springs Zoning Case MA-07-2020

Nancy,

Please allow this document to serve as an official request to The City of Holly Springs. We respectfully request we be allowed to present additional information to the appropriate Council that would allow for the updating of the previously presented Architectural Standards for the referenced project.

We would like to be scheduled for the next available opportunity to present this information.

Thank You,



Doug Patten, CPESC/CESSWI
Director of Land Development

David Pearson Communities, Inc.
[2000 First Drive, Ste. 400](#)
[Marietta, Ga. 30062](#)
doug@davidpearsoncommunities.com
Ofc. [770-321-5032](#) Cell [770-294-1974](#)



DESIGN WAIVER APPLICATION

Application DW- 01-2025

Hearing Date _____

Date of Application 8-6-25

Applicant IDLETOWN DEV. INC

Owner IDLETOWN DEV. INC
(If other than Applicant)

Address 2000 FIRST DR., STE 400
MARIETTA, GA

Address 2000 FIRST DR., STE 400
MARIETTA, GA

Zip Code 30062 Phone 770-294-1974 Zip Code 30062 Phone 770-294-1974

Email: DOUG R. DAVID PEARSON COMMUNITIES Email: DOUG R. DAVID PEARSON COMMUNITIES
.com .com

Signature Dy Rdt

Signature Dy Rdt

Address/Location of Property 1991 & 1903 PALM ST.

Tax Map/Parcel 15N15, 15N15A - 094-095-082A

Description of Design Waiver Requested

THE MAIL KIOSK WAS CONSTRUCTED ON SITE.
MAIL KIOSK APPEARS TO HAVE APPROPRIATE MATERIALS
BUT DOESN'T MEET ARCH. DESIGN OF HOUSING EXPECTED

Justification/Reason for Request THIS DESIGN IS SPECIFIC PROVEN
TO HAVE LONGEVITY AND LOW MAINTENANCE FOR THE
HOMES - WE USE IT IN ALL OUR DEVELOPMENTS
IT IS A MODERN FARMHOUSE NEW DESIGN WITH THE
SPECIFIED MATERIALS AS APPROVED BY COUNCIL

***** Attach additional sheets as needed *****

The following information must be attached to completed application:

- ☒ Warranty Deed
- ☒ Tax Documentation
- ☒ Survey Plat by Registered Surveyor
- ☒ Site Development Plan by Registered Surveyor
- ☒ Completed Attachment A

Do Not Write Below Line

Planning Commission Decision

Approved _____

Denied _____

Stipulations _____

Attachment A

In considering a waiver request, the Planning and Zoning Commission shall make any decision for approval based on specific criteria as listed below. Please respond to each with regards to the request for a waiver.

- 1) The waiver is reasonable in light of the project's size, location, layout, topography, or other geographic feature.

THE KIOSK IS INTERIOR OF THIS PRIVATE GATED
COMMUNITY AS DEPICTED ON ZONING PLAN.

- 2) The waiver will not result in any adverse impact on other properties in the applicable model zoning district.

NO. - IT CANNOT BE SEEN FROM ANY OF THE
SURROUNDING PROPERTIES DUE TO LOCATION
INTERIOR DEVELOPMENT AND SIGNIFICANT
FENCES, LANDSCAPING AND ACCESS IS GATED.

- 3) The waiver will not result in any adverse impact on the City's application of the design guidelines to other properties.

IT SHOULDN'T AS STATED THIS IS A
PRIVATE GATED COMMUNITY - VERY SPECIFIC
IN LOCATION AND DESIGN.



TRAVERSE CLOSURE - 1:82.234
 TOTAL ANGULAR ERROR - 31 SECONDS
 ADJUSTMENT - COMPASS RULE
 EQUIPMENT - TRIMBLE SS ROBOTIC TOTAL STATION
 PLAT CLOSURE - 1:170.915
 DATE OF FIELD WORK - FEBRUARY 2, 2021

TRACT CONTAINS:
 815.58 ACRES
 (497,685 SQ. FT.)

CURRENT PROPERTY ZONING:
 ZONED - U (LIGHT INDUSTRIAL)

LL SETBACK REQUIREMENTS:
 FRONT - 40'
 SIDE - 25'
 REAR - 25'

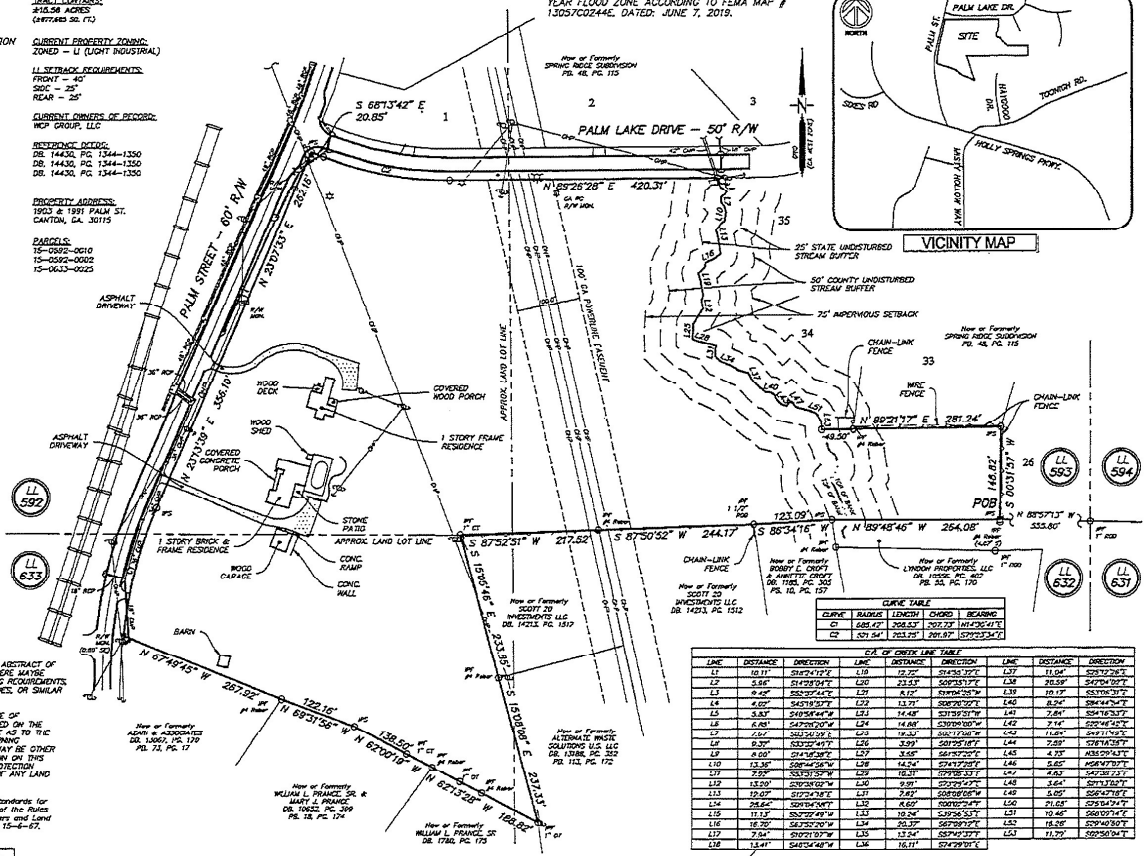
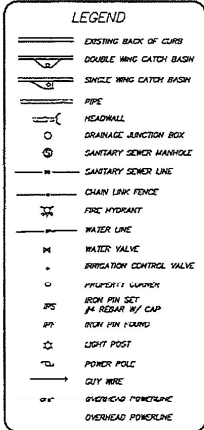
CURRENT ORDERS OF RECORD:
 WCP GROUP, LLC

DEEDS:
 DB: 14430, PC: 1344-1350
 DB: 14430, PC: 1344-1350
 DB: 14430, PC: 1344-1350

PROPERTY ADDRESS:
 1903 R 1891 PALM ST.
 CANTON, GA 30115

PARCELS:
 15-0052-0010
 15-0052-0002
 15-0613-0023

THIS PROPERTY IS NOT LOCATED WITHIN A FEMA 100
 YEAR FLOOD ZONE ACCORDING TO FEMA MAP #
 1305700244E, DATED: JUNE 7, 2019.

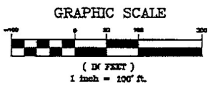


THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THEREFORE, ALL MATTERS OF TITLE ARE EXCEPTED. THESE MATTERS, OTHER EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, ZONING REQUIREMENTS, AGREEMENTS, RESERVATIONS, RESTRICTIONS, OWNERSHIP ISSUES, OR SIMILAR MATTERS OF PUBLIC RECORD NOT EXPRESSED HEREON.

INFORMATION REGARDING THE PRESENCE, LOCATION, AND SIZE OF UNDERGROUND UTILITIES AS SHOWN ON THIS SURVEY IS BASED ON THE VISIBLE GROUND APPROPRIATELY, AND NO ASSURANCE IS MADE AS TO THE ACCURACY OR INFORMATION OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES HEREON. THERE MAY BE OTHER UTILITIES LOCATED ON THIS PROPERTY WHICH ARE NOT SHOWN ON THIS SURVEY. PER GEORGIA LAW, THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE NOTIFIED PRIOR TO THE COMMENCEMENT OF ANY LAND DISTURBANCE ACTIVITY OF ANY NATURE.

This survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia as set forth in Chapter 18B-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Trust Act O.C.G.A. 15-6-67.

THE DRAWING AND ANY COPIES THEREOF ARE THE PROPERTY OF CENTERLINE SURVEYING AND LAND PLANNING, INC. AND SHALL NOT BE REPRODUCED OR COPIED IN WHOLE OR IN PART, OR OTHERWISE USED WITHOUT PERMISSION FROM CENTERLINE SURVEYING AND LAND PLANNING, INC. NO WARRANTY, EXPRESS OR IMPLIED, IS DEEMED TO ANY PARTIAL THIRD PARTY.



BOUNDARY RETRACEMENT SURVEY FOR:
DAVID PEARSON COMMUNITIES
 PROPERTY IS LOCATED IN LAND LOTS 592, 593, 632 & 633
 IN THE 15TH DISTRICT, 2ND SECTION
 IN THE CITY OF HOLLY SPRINGS
 CHEROKEE COUNTY, GEORGIA
 SCALE: 1"=100' DATE: MARCH 17, 2021

NO.	REVISIONS	Date



centerline
 Surveying and Land Planning, Inc.
 1301 SHELBOURD ROAD, SUITE 1210, KENNESAW, GA 30144
 PHONE: (770) 424-0028 FAX: (770) 424-2339

PROJECT No. 1220022B

LSE#001296

Sheet No. 1 of 1

REZONING ORDINANCE

An ordinance to approve an application for rezoning in the City of Holly Springs, Georgia, concerning 15.72+/- acres, identified as tax parcels 094 and 095 of tax plat 15N15 and tax parcel 082A of tax plat 15N15A, Land Lots 592, 593, and 633 of the 15th District of Cherokee County, from LI, Light Industrial and R-20, Single Family Residential to TND, Traditional Neighborhood Development; and

WHEREAS, an application was properly submitted to the City of Holly Springs Planning and Zoning Commission by Manor Restorations, LLC, requesting rezoning in the City of Holly Springs, Georgia, concerning 15.72+/- acres, identified as tax parcels 094 and 095 of tax plat 15N15 and tax parcel 082A of tax plat 15N15A, Land Lots 592, 593, and 633 of the 15th District of Cherokee County, from LI, Light Industrial and R-20, Single Family Residential to TND, Traditional Neighborhood Development; and

WHEREAS, after balancing the interest of the community in promoting public health, safety, morality, or general welfare against the right of the property owner to unrestricted use of the property,

The Council of the City of Holly Springs hereby ordains that:

Section 1

The application for rezoning in the City of Holly Springs, concerning 15.72+/- acres, identified as tax parcels 094 and 095 of tax plat 15N15 and tax parcel 082A of tax plat 15N15A, Land Lots 592, 593, and 633 of the 15th District of Cherokee County, is hereby rezoned from LI, Light Industrial and R-20, Single Family Residential to TND, Traditional Neighborhood Development; and

Section 2

The approval of this application has the following stipulations attached:

1. A master association shall be formed which shall include all component parts of the project. The master association shall be responsible for the oversight, upkeep, and maintenance of the entrance areas, signage, private infrastructure, detention area, mail kiosk, amenity areas, common areas, open space areas, other common recreational areas, and all landscaping and plantings contained within the community.
2. The master association to be formed hereunder shall have architectural design regulations which shall control and coordinate all principal and accessory buildings within the project, as well as items such as project entrance signage, signage for individual units, signage within amenity areas, private infrastructure including detention, common areas, mail kiosk, landscaping, open space areas, other common recreational areas and the like to protect and maintain the quality and integrity of the development. The yard areas around each unit shall be fully sodded/landscaped and maintained by the mandatory homeowner's association.
3. All restrictive covenants and association documents shall be submitted for review by the Community Development Director prior to final plat approval. Covenants shall contain

rules and regulations applicable to the proposed residential community, including notification/acknowledgement of adjacent, existing Light Industrial property and use.

4. Development shall comply substantially with the conceptual plan as submitted and entitled, "REZONING CONCEPTUAL PLAN FOR IDLE TOWNE", dated 11-2-2020 with revision date of 10-18-21.
5. All units within the proposed community shall be "for sale" units. The Declaration of Restrictive Covenants shall restrict the number of units which can be leased at any one time to no more than ten percent.
6. Density shall be limited to a maximum density of 4.0 units per acre, or a maximum of 63 fee simple single-family residential detached dwelling units.
7. The architectural style, composition and design of the homes shall be constructed with high quality, blended building materials and the exterior facade shall consist of brick, stone, stacked stone, cedar shake type and/or Hardi-plank and combinations thereof, one of which must be brick or stone, and follow the design guidelines as outlined in the Holly Springs Zoning Ordinance, Article 19, Design Guidelines for Model Zoning Districts. No vinyl materials shall be used on the exterior of the town homes. The minimum heated floor area shall be 1,700 square feet.
8. Gutters shall blend with the architectural style of the buildings, consistent with the master covenants as established by the master association.
9. The garage door shall be setback a minimum of 20 feet from the back of the sidewalk.
10. Signage at the entrance point shall be ground based, monument style, in compliance with Article 10, Signs and Outdoor Advertising and shall complement the high quality, architectural vision and style of the proposed homes. The entrance areas shall be professionally designed, landscaped, and maintained.
11. Lighting shall be environmentally sensitive, with developer making every effort to ensure that lighting is as unobtrusive as possible, utilizing fully-shielded LED lamps in compliance with the International Dark Sky Association, or equivalent organization.
12. Owner/developer shall coordinate with the Community Development Director and the City Arborist regarding open space, recreation areas, and landscaping. The development shall provide a minimum of 20 percent of the site as open space/recreational use and will provide a community amenity area to include pool, clubhouse, fire pit and community garden.
13. Resident and guest parking provisions shall be provided per City Code to eliminate the potential for on street parking within the community.
14. Entrance design and improvements to Palm Street shall be provided as per determination and recommendation of the City Engineer. There shall be no public access to Palm Lake Drive. However, an emergency vehicle access shall be provided on Palm Lake Drive equipped with a gate and "Knox Box".
15. Development shall contain private streets, twenty-four (24) feet in width, from back-of-curb to back-of-curb and shall be gated. Internal sidewalks within the development shall be installed as noted on the conceptual plan as submitted and entitled, "REZONING

CONCEPTUAL PLAN FOR IDLE TOWNE”, dated 11-2-2020 with revision date of 10-18-21; however, sidewalks shall not be required in any areas in which the sidewalk conflicts with any guest parking requirements.

16. Sidewalks, decorative street lamps, and curb and gutter, shall be installed along the road frontage of Palm Street, as applicable, and shall conform to the design of the Holly Springs LCI Project 0008961, Pedestrian Improvements, as well as, the requirements of the Holly Springs Parkway District, as stated in Article 19, Design Guidelines for Model Zoning District.
17. All construction and employee vehicles and equipment will be parked, and otherwise located, on the property during development of infrastructure and construction of residences and shall not be parked on or along Palm Street or Palm Lake Drive. There will be no stacking of vehicles along any roadway waiting for entry onto the property.
18. Development and construction hours for the proposed project shall comply with City of Holly Springs Noise Ordinance provisions including no work on Sundays.
19. To the extent blasting is required on the Site, any blasting will be performed only on Monday-Friday between the hours of 9:00 a.m. and 3:00 p.m. and a 24-hour notice must be given in writing to any occupied residence within 1000 feet of the Site.
20. All setbacks, landscape and buffer areas may be penetrated for purposes of access, utilities and stormwater management; including, but not limited to, drainage and detention facilities and any and all slopes or other required engineering features of the foregoing. Any disturbed areas, including areas shown as perimeter setbacks on the conceptual zoning plan, shall be restored with comparable plantings as allowed by the City of Holly Springs or any utility provider. Developer, along with the City Arborist’s approval, shall ensure that the screening in the buffer area is adequate to provide appropriate screening in compliance with Article 9, Buffer Requirements of the Holly Springs Zoning Ordinance. Encroachment into any stream buffer shall follow the procedures of the City of Holly Springs Stream Buffer Ordinance and the City of Holly Springs Zoning Ordinance.
21. The development shall provide a minimum of 20 percent of the site as open space/recreational use and will provide a community amenity area to include pool, clubhouse, fire pit and community garden.
22. Developer shall explore the option of directing the stormwater overflow to the new existing drainage system on Palm Street, subject to all local, state, and federal laws with the approval of the City Engineer.
23. All utilities servicing the residences within the proposed community shall be located underground.
24. As requested by the Cherokee County School District, the developer shall provide a School Mitigation Fee of \$471 per unit constructed and such fee shall be paid prior to the issuance of each building permit.
25. A privacy fence, 6-8 feet in height, shall be installed along the common property line between the development and parcel 15N15A 114.

Section 3

This ordinance shall become effective October 18, 2021, upon approval by Mayor and City Council.

Section 4

The Community Development Director of the City of Holly Springs, Georgia, is hereby instructed to make any and all appropriate changes to the Official Zoning Map of Holly Springs, necessitated by the action described in Section 1 above; however, said changes to the Official Zoning Map of Holly Springs are effective concurrent with the effective date identified in Section 3 above, whether or not they have been physically made and represented.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Adopted the 18th day of October, 2021, by the Mayor and City Council of the City of Holly Springs, Georgia.

CITY OF HOLLY SPRINGS



Steven W. Miller, Mayor

Attest:



Karen Norred, City Clerk
(Seal)



ITEM REPORT

AGENDA ITEM NUMBER: IV.D.



FROM: Nancy Moon, Community Development Director

MEETING DATE: December 18, 2025

AGENDA ITEM: V-03-2025, applicant, Underwood Scoggins, LLC on behalf of PR Land Investments, LLC, requests a variance from the Holly Springs Zoning Ordinance, Article 9, Buffer Requirements, and Article 5, District Uses and Regulations, 5.2-5 High Density Multi-Family Residential, D – Height, Area and Bulk Regulations for property located off of New Light Road, Holly Springs, GA, tax parcel 390 of tax plat 15N20.

EXECUTIVE SUMMARY:

Applicant, Underwood Scoggins, LLC on behalf of PR Land Investments, LLC, requests a variance from the Holly Springs Zoning Ordinance, Article 9, Buffer Requirements, and Article 5, District Uses and Regulations, 5.2-5 High Density Multi-Family Residential, D – Height, Area and Bulk Regulations for property located off of New Light Road, Holly Springs, GA, tax parcel 390 of tax plat 15N20. The property is zoned HDMFR, High Density Multi-Family Residential and consists of 2.93 acres. The property was annexed in 2002 and was approved for HDMFR with a density of 10 units per acre. The proposal includes 23 townhomes. A proposed site plan is attached.

The applicant is requesting the following variances:

- a. Reduce minimum buffer width between HDMFR and PDR along northern property line from 40 feet to 10 feet [Zoning Ord. Table 9.4].
- b. Reduce minimum buffer width between HDMFR and R-40 along eastern property line from 50 feet to 10 feet [Zoning Ord. Table 9.4; Zoning Ord. § 9.2].
- c. Allow playground, walking trails, and a community fire pit as alternatives to listed amenities to satisfy amenity requirement [Zoning Ord. § 5.2-5(D)].
- d. Reduce minimum lot width from 100 feet to 20 feet [Zoning Ord. § 5.2-5(D)].
- e. Reduce side yard setback from 15 feet to 1.75 feet [Zoning Ord. § 5.2-5(D)].
- f. Reduce rear yard setback from 35 feet to 10 feet [Zoning Ord. § 5.2-5(D)].
- g. Increase maximum lot coverage from 35% to 60% [Zoning Ord. § 5.2-5(D)].

	Required (ft.)	Requested (Variance)	Percent Variance
Buffer Variance			
Northern Property Line (HDMFR to PDR)	40	10.0 (30)	75
This property line abuts the Sagebrook subdivision property line, the majority of which, is open space and the detention pond. Only a small portion of the property line abuts a lot with a residence. The portion of the development adjacent to this lot contains open space.			
Eastern Property Line (HDMFR to R-40)	50	10 (40)	80
This property line abuts Greystone Village. The property is an odd-shaped lot and, as such, has many constraints to the setbacks. The buffer is required to be an undisturbed and/or landscaped buffer. In addition, a fence along the property line could be required for additional screening.			
Amenity Variance			
Vary Required Amenities (3)	Pool, tennis, fitness center/clubhouse, walking trails, basketball courts, volleyball courts	Playground, walking trails, community fire pit	66.66
This variance request is necessary due to the size of the lot and number of units on the property. With only 23 units, the costs and maintenance of the amenities are not justifiable. The normal minimum lot size for this zoning district is 5 acres.			
Dimensional Requirements			
Lot width	100	20	100 foot requirement would apply to entirety of the property
The HDMFR district usually consists of apartment buildings or townhomes that are rental units. The 100 foot requirement would apply to the site in its entirety.			
Side Yard Setback	15	1.75 (13.25)	88.33
Again, the sideyard setback applies to the entire site, however, assuming the buffer reduction is approved, Lot 9 would need the variance.			
Rear Yard Setback	35	10 (25)	71.43
Assuming the 10' buffer is approved on the rear (eastern) property line, the setback is			

being asked to be reduced to 10' for a total of 20' from the property line.			
Maximum Lot Coverage	35	60 (25)	71.43
The layout shown for each lot is typical of a townhome community with the townhome taking up the majority of the lot and greenspace and amenities provided elsewhere in the development.			

VARIANCE REQUIREMENTS

The Zoning Ordinance requires the Planning Commission to only issue a variance if the conditions listed below exist:

1. That the special circumstances or conditions applying to the building, structure or land in question are peculiar to such premises and do not apply generally to other buildings, structures, or land in the vicinity.

Each application is evaluated on its own merit and specific circumstances. The lot is shaped oddly and has approval for a higher density than is usual for the area. These two factors create constraints that would not be applicable to other parcels.

2. That the granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.

The property is already zoned with an approval of 10 units per acre. The development as proposed would be less than what is permitted and the variances would allow the property to be developed with housing similar to what is available in the surrounding area.

3. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.

All properties located within the HDMFR zoning district are bound by the regulations of the Holly Springs Zoning Ordinance and the stipulations approved at the time of rezoning of the property. Each case is evaluated separately.

4. That the condition from which relief or a variance is sought did not result from willful action by the applicant.

The variance is being requested prior to any development. The rezoning and stipulation on the property were in place prior to the property being considered for development.

5. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

The variance requested is the minimum required to construct the building as shown on the provided plans. The alternative to being able to build under the current stipulations would be to construct an apartment building, which is within the rights and permitted uses of the property.

6. The variance is not a request to permit a use of land, buildings or structures which is not permitted by right in the district involved.

The request does not pertain to the use of the property, only to the lot requirements and amenities required.

7. That the authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, increase the danger of fire, imperil public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City.

No negative impacts are anticipated from the variance request as proposed.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Location Map
2. Site Plan
3. Application

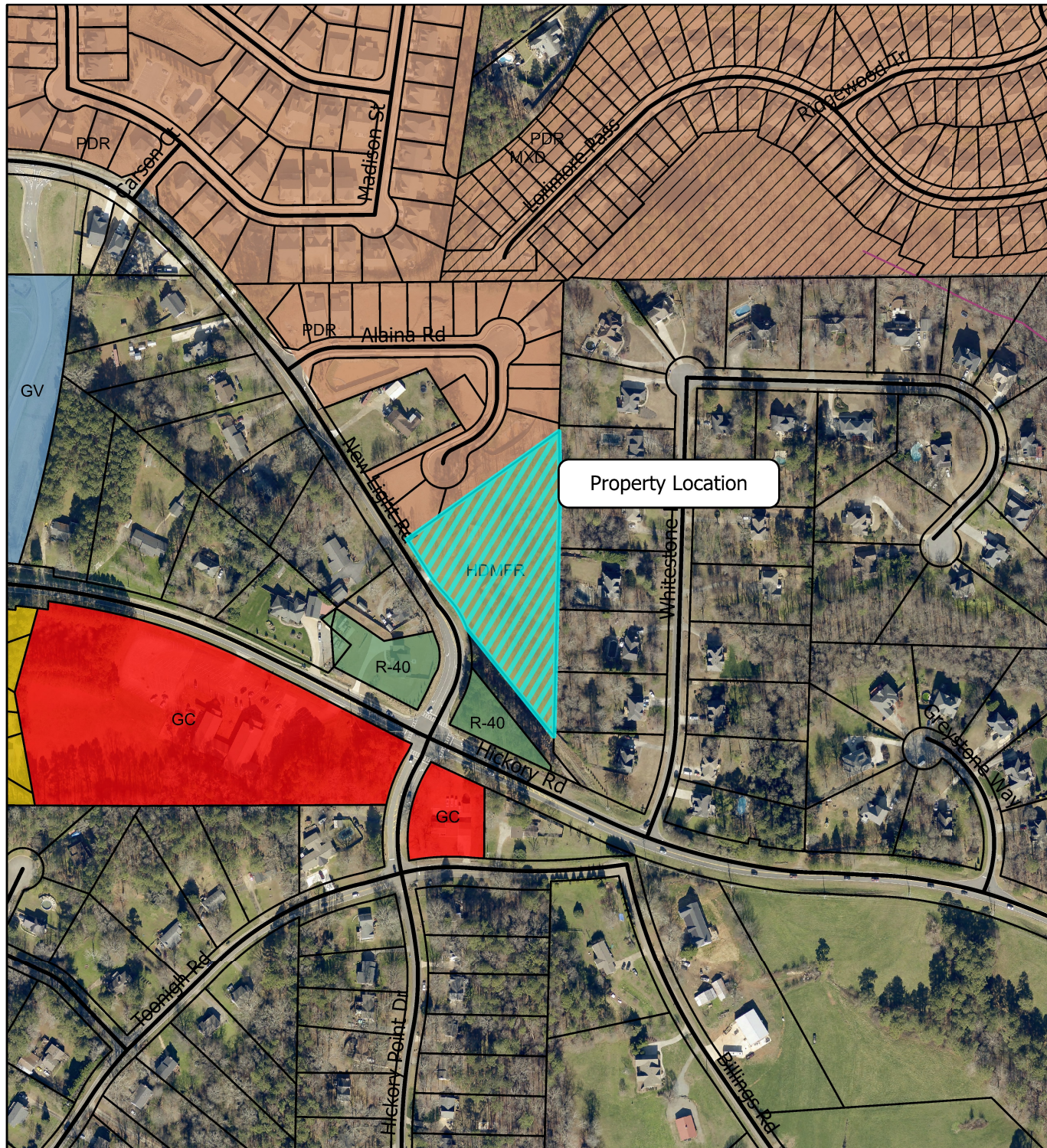
RECOMMENDATION:

N/A

CONCURRENCES:

N/A

V-03-2025 Location Map



—+— Railroad

Zoning 2025

ZONING

AG- Agricultural

R-80- Estate Residential

R-40- Single Family
Residential Estate

R-20- Single Family
Residential

RD-20- Single Family and
Duplex

RD-3- Single Family
Residential

PUD- Planned Unit
Development

TND- Traditional
Neighborhood
Development

PDR- Planned
Development Residential

HDMFR- High Density
Multi-Family Residential

GC- General Commercial

NC- Neighborhood
Commercial

OI- Office Institutional

GV- Governmental

LI- Light Industrial

MXD- Mixed Use Overlay

Parcels_Oct 2025

Streets_Oct 2025

Streets_Oct 2025







VARIANCE/APPEAL/SPECIAL EXCEPTION APPLICATION

City of Holly Springs, Georgia

V- 03-2025 SE- _____ AP- _____

Hearing Date _____

Date of Application _____

Applicant Underwood Scoggins, LLC on behalf of:
PR Land Investments, LLC

Owner John M. Westbrook
(If other than Applicant)

Address 202 Tribble Gap Road, Ste. 200

Address 234 New Light Road

Cumming, GA

Canton, GA

Zip Code 30040 Phone 470.995.1776

Zip Code 30115 Phone _____

Email eunderwood@underwoodscoggins.com/
nmorris@underwoodscoggins.com

Email _____

Signature *J. Eigel*

Signature _____

*** APPLICANT OR REPRESENTATIVE MUST ATTEND MEETING OR APPLICATION WILL NOT BE CONSIDERED**

Present Zoning District HD-MFR Acreage 3.12

Land Lot(s) 336 District(s) 15th Section(s) 2nd

Map Number 15N20 Parcel Number 390

Address/Location of Property 234 New Light Road, Canton, GA 30115

Description/Type of Request (Variance, Appeal, Special Exception) See attached.

Justification/Reason for Request (please also respond to the attached conditions) See attached.

- ☒ Two (2) copies of the plat or drawing illustrating the appeals request; please provide a pdf of the plat if available.
- ☒ Warranty Deed or similar conveyance;
- ☒ Documentation verifying that ad valorem taxes are current;
- ☒ Filing fee of \$500.00, check payable to the City of Holly Springs. Check# 2042

Do Not Write Below Line

Board of Appeals Decision

Approved

Denied

Tabled



VARIANCE/APPEAL/SPECIAL EXCEPTION
APPLICATION

City of Holly Springs, Georgia

V- 03-2025 SE- _____ AP- _____

Hearing Date _____

Date of Application _____

Applicant Underwood Scoggins, LLC on behalf of:
PR Land Investments, LLC

Owner John M. Westbrook
(If other than Applicant)

Address 202 Tribble Gap Road, Ste. 200

Address 234 New Light Road

Cumming, GA

Canton, GA

Zip Code 30040 Phone 470.995.1776

Zip Code 30115 Phone _____

Email eunderwood@underwoodscoggins.com/
nmorris@underwoodscoggins.com

Email _____

Signature _____

Signature [Signature]

*** APPLICANT OR REPRESENTATIVE MUST ATTEND MEETING OR APPLICATION WILL NOT BE CONSIDERED**

Present Zoning District HD-MFR Acreage 3.12

Land Lot(s) 336 District(s) 15th Section(s) 2nd

Map Number 15N20 Parcel Number 390

Address/Location of Property 234 New Light Road, Canton, GA 30115

Description/Type of Request (Variance, Appeal, Special Exception) See attached.

Justification/Reason for Request (please also respond to the attached conditions) See attached.

☐ Two (2) copies of the plat or drawing illustrating the appeals request; please provide a pdf of the plat if available.

☐ Warranty Deed or similar conveyance;

☐ Documentation verifying that ad valorem taxes are current;

☐ Filing fee of \$500.00, check payable to the City of Holly Springs. Check# _____

Do Not Write Below Line

Board of Appeals Decision

Approved

Denied

Tabled



REVISED October 21, 2025

LETTER OF INTENT REGARDING LAND USE APPLICATION

Applicant:	PR Land Investments, LLC
Subject Property:	Approximately 3.12 Acres Designated as Cherokee County Tax Parcel(s): 15N20 390
Current Zoning:	HDMFR – High Density Multi-Family Residential District
Proposed Zoning:	HDMFR – High Density Multi-Family Residential District
Proposed Use:	23 dwellings, Single-Family Townhouses
Application:	Variance
ROW Access:	New Light Road
Governing Jurisdiction:	City of Holly Springs, Georgia

This statement is intended to comply with the application procedures established by the Zoning Ordinance of the Governing Jurisdiction (the “Zoning Ordinance”), the Governing Jurisdiction’s Application for Use Permit, and other applicable Ordinances and Standards. The Applicant incorporates all statements made in the Application for Public Hearing by the Applicant (the “Application”). Any zoning request, special use permit, petition for annexation, and variance application submitted concurrently with the Application is also incorporated herein by this reference. The Application sets forth a preliminary development plan for the Subject Property, to evaluate the proposed development and its zoning classification, based upon factors set forth by the Governing Jurisdiction. The Applicant has provided all required information and has submitted the appropriate application fees. The requested Application meets all judicial and statutory requirements for approval.

The Subject Property is approximately 3.12 acres, more or less, and located at 234 New Light Road, Canton, Georgia 30114. On December 16, 2002, the Subject Property was annexed into the City of Holly Springs, zoned as HD-MFR, with the condition that the 10 units per acre allowed by the Cherokee County zoning at the time be considered as an allowable non-conforming use. Currently, the Subject Parcel remains undeveloped. The Applicant proposes 23 dwellings, Single-Family Townhouses.

Specifically, the Applicant requests the following:

- 1. Reduce minimum buffer width between HDMFR and PDR along northern property line from 40 feet to 10 feet [Zoning Ord. Table 9.4].**
- 2. Reduce minimum buffer width between HDMFR and R-40 along eastern property line from 50 feet to 10 feet [Zoning Ord. Table 9.4; Zoning Ord. § 9.2].**
- 3. Allow playground, walking trails, and a community fire pit as alternatives to listed amenities to satisfy amenity requirement [Zoning Ord. § 5.2-5(D)].**

4. Reduce minimum lot width from 100 feet to 20 feet [Zoning Ord. § 5.2-5(D)].
5. Reduce side yard setback from 15 feet to 1.75 feet [Zoning Ord. § 5.2-5(D)].
6. Reduce rear yard setback from 35 feet to 10 feet [Zoning Ord. § 5.2-5(D)].
7. Reduce maximum lot coverage from 35% to 90% [Zoning Ord. § 5.2-5(D)].

The Applicant respectfully requests that the Application, as requested by the Applicant, be approved.

The Applicant also reserves the right to amend this Letter of Intent and the Application by supplementing further responses and documents.

Sincerely,



Ethan Underwood
Attorney for Applicant

REVISED October 21, 2025

VARIANCE CONDITIONS RESPONSE

Applicant:	PR Land Investments, LLC
Subject Property:	Approximately 3.12 Acres Designated as Cherokee County Tax Parcel(s): 15N20 390
Current Zoning:	HDMFR – High Density Multi-Family Residential District
Proposed Zoning:	HDMFR – High Density Multi-Family Residential District
Proposed Use:	23 dwellings, Single-Family Townhouses
Application:	Variance
ROW Access:	New Light Road
Governing Jurisdiction:	City of Holly Springs, Georgia

This statement is intended to comply with the application procedures established by the Zoning Ordinance of the Governing Jurisdiction (the “Zoning Ordinance”), the Governing Jurisdiction’s Application for Use Permit, and other applicable Ordinances and Standards. The Applicant incorporates all statements made in the Application for Public Hearing by the Applicant (the “Application”). Any zoning request, special use permit, petition for annexation, and variance application submitted concurrently with the Application is also incorporated herein by this reference. The Application sets forth a preliminary development plan for the Subject Property, to evaluate the proposed development and its zoning classification, based upon factors set forth by the Governing Jurisdiction. The Applicant has provided all required information and has submitted the appropriate application fees. The requested Application meets all judicial and statutory requirements for approval.

The Subject Property is approximately 3.12 acres, more or less, and located at 234 New Light Road, Canton, Georgia 30114. On December 16, 2002, the Subject Property was annexed into the City of Holly Springs, zoned as HDMFR, with the condition that the 10 units per acre allowed by the Cherokee County zoning at the time be an allowable non-conforming use. Currently, the Subject Parcel remains undeveloped.

Strict enforcement of the current performance standards would substantially reduce the buildable area of the Subject Property, making it infeasible to develop the Proposed Use. The only viable alternative use of the Subject Property unless the requested variances are approved would be the construction of an apartment building, which is less compatible with the surrounding single-family residential neighborhoods.

The Applicant is instead proposing a development of 23 dwellings, Single-Family Townhouses. This lower-density housing type better transitions to adjacent residential districts, reduces impacts on infrastructure

and traffic, and provides a product that aligns more closely with the established character of the area. To achieve this design, relief from the buffer requirements is necessary.

Specifically, the Applicant requests the following:

Variances:

1. **Reduce minimum buffer width between HDMFR and PDR along northern property line from 40 feet to 10 feet [Zoning Ord. Table 9.4].**
2. **Reduce minimum buffer width between HDMFR and R-40 along eastern property line from 50 feet to 10 feet [Zoning Ord. Table 9.4; Zoning Ord. § 9.2].**
3. **Allow playground, walking trails, and a community fire pit as alternatives to listed amenities to satisfy amenity requirement [Zoning Ord. § 5.2-5(D)].**
4. **Reduce minimum lot width from 100 feet to 20 feet [Zoning Ord. § 5.2-5(D)].**
5. **Reduce side yard setback from 15 feet to 1.75 feet [Zoning Ord. § 5.2-5(D)].**
6. **Reduce rear yard setback from 35 feet to 10 feet [Zoning Ord. § 5.2-5(D)].**
7. **Reduce maximum lot coverage from 35% to 90% [Zoning Ord. § 5.2-5(D)].**

VARIANCE #1: Reduce minimum buffer width between HDMFR and PDR along northern property line from 40 feet to 10 feet [Zoning Ord. Table 9.4].

1. **The special circumstances or conditions applying to the building, structure or land in question are peculiar to such premises and do not apply generally to other building, structures or land in the vicinity.**

The Subject Property is uniquely situated in that it was annexed into the City of Holly Springs in 2002 with the express condition that its density rights under Cherokee County's former zoning be preserved as a legal non-conforming use. This circumstance does not generally apply to other parcels in the area.

The Applicant is seeking to develop the Subject Property as townhouses, rather than as multi-family apartments. The only viable alternative use of the Subject Property unless the requested variances are approved would be the construction of an apartment building, which is less compatible with the surrounding single-family residential neighborhoods.

However, strict enforcement of the current performance standards would, making it infeasible to develop the Proposed Use. The Subject Property's shape, size, and topography and adjacency to existing residential zoning districts create unusual conditions that substantially reduce the buildable area of the Subject Property and limit the feasible development of the Subject Property unless the requested variance is approved. In particular, but without limitation, the Subject Property is triangular in shape which results in buffers and setbacks compressing the building envelope more than other land shapes in the vicinity.

2. **The granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.**

The requested variance allows the Applicant to develop the Subject Property in a manner that is consistent with its vested rights to develop the proposed number of residential units while also providing a housing type more compatible with the surrounding character of the area. Adequate landscaping and building separation will be provided to protect adjacent properties.

- 3. Granting the variance requested would not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.**

The variance would not grant the Applicant any special privilege denied to others. Rather, it permits development that aligns with the density already vested on the Subject Property while minimizing impacts on neighboring parcels. Other properties are not subject to the same annexation condition or constrained by the same buffers and setbacks resulting from the size, shape, and topography of the Subject Property.

- 4. That the condition from which relief or a variance is sought did not result from willful action by the applicant.**

The hardship arises from conditions established at the time of annexation and from the size, shape, and topography of the Subject Property, and not from any willful action by the Applicant.

- 5. The variance requested is the minimum that will make possible the legal use of the land, building or structure.**

The requested variance is the minimum variance that allows the Applicant to accommodate the Proposed Use on the Subject Property. The only viable alternative use of the Subject Property unless the requested variance is approved would be the construction of an apartment building, which is less compatible with the surrounding single-family residential neighborhoods.

- 6. The variance is not a request to permit a use of land, buildings or structures which is not permitted by right in the district involved.**

The variance does not permit a use otherwise prohibited in the Current Zoning district. The Applicant proposes a use that is permitted by right within the Current Zoning district. The request relates solely to a dimensional performance standard.

- 7. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, morals, or general welfare of the inhabitants of the City.**

Authorizing the requested variance will not impair access to light or air, increase congestion, or otherwise harm public health, safety, or welfare. Instead, it supports a thoughtful design that reduces overall density impacts, lessens potential traffic, and provides a housing form that better

transitions to the adjoining properties, ensuring compatibility and better protection of the established character and property values of the surrounding community.

VARIANCE #2: Reduce minimum buffer width between HDMFR and R-40 along eastern property line from 50 feet to 10 feet [Zoning Ord. Table 9.4; Zoning Ord. § 9.2].

- 1. The special circumstances or conditions applying to the building, structure or land in question are peculiar to such premises and do not apply generally to other building, structures or land in the vicinity.**

The Subject Property is uniquely situated in that it was annexed into the City of Holly Springs in 2002 with the express condition that its density rights under Cherokee County's former zoning be preserved as a legal non-conforming use. This circumstance does not generally apply to other parcels in the area.

The Applicant is seeking to develop the Subject Property as townhouses, rather than as multi-family apartments. The only viable alternative use of the Subject Property unless the requested variances are approved would be the construction of an apartment building, which is less compatible with the surrounding single-family residential neighborhoods.

However, strict enforcement of the current performance standards would, making it infeasible to develop the Proposed Use. The Subject Property's shape, size, and topography and adjacency to existing residential zoning districts create unusual conditions that substantially reduce the buildable area of the Subject Property and limit the feasible development of the Subject Property unless the requested variance is approved. In particular, but without limitation, the Subject Property is triangular in shape which results in buffers and setbacks compressing the building envelope more than other land shapes in the vicinity.

- 2. The granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.**

The requested variance allows the Applicant to develop the Subject Property in a manner that is consistent with its vested rights to develop the proposed number of residential units while also providing a housing type more compatible with the surrounding character of the area. Adequate landscaping and building separation will be provided to protect adjacent properties.

- 3. Granting the variance requested would not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.**

The variance would not grant the Applicant any special privilege denied to others. Rather, it permits development that aligns with the density already vested on the Subject Property while minimizing impacts on neighboring parcels. Other properties are not subject to the same annexation condition or constrained by the same buffers and setbacks resulting from the size, shape, and topography of the Subject Property.

- 4. That the condition from which relief or a variance is sought did not result from willful action by the applicant.**

The hardship arises from conditions established at the time of annexation and from the size, shape, and topography of the Subject Property, and not from any willful action by the Applicant.

- 5. The variance requested is the minimum that will make possible the legal use of the land, building or structure.**

The requested variance is the minimum variance that allows the Applicant to accommodate the Proposed Use on the Subject Property. The only viable alternative use of the Subject Property unless the requested variance is approved would be the construction of an apartment building, which is less compatible with the surrounding single-family residential neighborhoods.

- 6. The variance is not a request to permit a use of land, buildings or structures which is not permitted by right in the district involved.**

The variance does not permit a use otherwise prohibited in the Current Zoning district. The Applicant proposes a use that is permitted by right within the Current Zoning district. The request relates solely to a dimensional performance standard.

- 7. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, morals, or general welfare of the inhabitants of the City.**

Authorizing the requested variance will not impair access to light or air, increase congestion, or otherwise harm public health, safety, or welfare. Instead, it supports a thoughtful design that reduces overall density impacts, lessens potential traffic, and provides a housing form that better transitions to the adjoining properties, ensuring compatibility and better protection of the established character and property values of the surrounding community.

VARIANCE #3: Allow playground, walking trails, and a community fire pit as alternatives to listed amenities to satisfy amenity requirement [Zoning Ord. § 5.2-5(D)].

- 1. The special circumstances or conditions applying to the building, structure or land in question are peculiar to such premises and do not apply generally to other building, structures or land in the vicinity.**

The Subject Property is a smaller subdivision where the proposed scale and density make it impractical to provide large-scale amenities such as a pool, tennis courts, or a clubhouse. Unlike larger developments, the property's size and anticipated resident population cannot sustain the cost of maintaining such amenities, and instead favor more modest, family-oriented amenities

such as a playground, walking trails, and a fire pit, which are better suited to the project's character and design.

2. The granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.

Strict application of the amenity requirement would preclude the Applicant from providing amenities that are appropriate and functional for smaller-scale subdivision, effectively requiring facilities that are disproportionate to the community. The requested variance allows the Applicant to develop the Subject Property with meaningful amenities while ensuring the property can be developed and maintained in a manner that is both feasible and consistent with the surrounding character of the area.

3. Granting the variance requested would not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.

The variance would not grant the Applicant any special privilege denied to others. Other local subdivisions offer recreational and social spaces appropriate for their scale, and the proposed playground, walking trails, and community fire pit will fulfill the intent of the Zoning Ordinance without conferring any special privileges that are denied to other properties of the district in which the Applicant's property is located.

4. That the condition from which relief or a variance is sought did not result from willful action by the applicant.

The hardship arises from the Zoning Ordinances's requirement mandating amenities that are not reasonably suited to a small-scale development of this size, rather than from any action of the Applicant. The Applicant has worked to design amenities appropriate to the proposed use's character and needs, rather than omitting amenities altogether.

5. The variance requested is the minimum that will make possible the legal use of the land, building or structure.

The Applicant is not seeking to eliminate amenities, but only to substitute equivalent facilities that meet the community's recreational and social needs. Allowing a playground, walking trails, and a fire pit in place of three of the listed amenities is the minimum relief necessary to satisfy the ordinance's intent while making development of the Proposed Use feasible.

6. The variance is not a request to permit a use of land, buildings or structures which is not permitted by right in the district involved.

The variance does not permit a use not otherwise allowed in the HDMFR district. Residential subdivisions with community amenities are permitted by right in the district, and the Applicant merely requests flexibility as to which specific amenities may be provided to serve residents.

- 7. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, morals, or general welfare of the inhabitants of the City.**

Authorizing this variance will not impair access to light or air, increase congestion, or otherwise harm public health, safety, or welfare. Instead, the proposed playground, walking trails, and fire pit will enhance community health, safety, and quality of life by fostering outdoor recreation and neighborhood interaction, thereby advancing the ordinance's goals in a manner that is well-suited to the development's scale while ensuring compatibility with the character and property values of the surrounding community.

VARIANCE #4: Reduce minimum lot width from 100 feet to 20 feet [Zoning Ord. § 5.2-5(D)].

- 1. The special circumstances or conditions applying to the building, structure or land in question are peculiar to such premises and do not apply generally to other building, structures or land in the vicinity.**

The Subject Property is uniquely situated in that it was annexed into the City of Holly Springs in 2002 with the express condition that its density rights under Cherokee County's former zoning be preserved as a legal non-conforming use. This circumstance does not generally apply to other parcels in the area.

The Applicant is seeking to develop the Subject Property as townhouses, rather than as multi-family apartments. The only viable alternative use of the Subject Property unless the requested variances are approved would be the construction of an apartment building, which is less compatible with the surrounding single-family residential neighborhoods.

However, strict enforcement of the current performance standards would, making it infeasible to develop the Proposed Use. The Subject Property's shape, size, and topography and adjacency to existing residential zoning districts create unusual conditions that substantially reduce the buildable area of the Subject Property and limit the feasible development of the Subject Property unless the requested variance is approved. In particular, but without limitation, the Subject Property is triangular in shape which results in buffers and setbacks compressing the building envelope more than other land shapes in the vicinity.

- 2. The granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.**

The requested variance allows the Applicant to develop the Subject Property in a manner that is consistent with its vested rights to develop the proposed number of residential units while also providing a housing type more compatible with the surrounding character of the area. Adequate landscaping and building separation will be provided to protect adjacent properties.

- 3. Granting the variance requested would not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.**

The variance would not grant the Applicant any special privilege denied to others. Rather, it permits development that aligns with the density already vested on the Subject Property while minimizing impacts on neighboring parcels. Other properties are not subject to the same annexation condition or constrained by the same buffers and setbacks resulting from the size, shape, and topography of the Subject Property.

- 4. That the condition from which relief or a variance is sought did not result from willful action by the applicant.**

The hardship arises from conditions established at the time of annexation and from the size, shape, and topography of the Subject Property, and not from any willful action by the Applicant.

- 5. The variance requested is the minimum that will make possible the legal use of the land, building or structure.**

The requested variance is the minimum variance that allows the Applicant to accommodate the Proposed Use on the Subject Property. The only viable alternative use of the Subject Property unless the requested variance is approved would be the construction of an apartment building, which is less compatible with the surrounding single-family residential neighborhoods.

- 6. The variance is not a request to permit a use of land, buildings or structures which is not permitted by right in the district involved.**

The variance does not permit a use otherwise prohibited in the Current Zoning district. The Applicant proposes a use that is permitted by right within the Current Zoning district. The request relates solely to a dimensional performance standard.

- 7. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, morals, or general welfare of the inhabitants of the City.**

Authorizing the requested variance will not impair access to light or air, increase congestion, or otherwise harm public health, safety, or welfare. Instead, it supports a thoughtful design that reduces overall density impacts, lessens potential traffic, and provides a housing form that better transitions to the adjoining properties, ensuring compatibility and better protection of the established character and property values of the surrounding community.

VARIANCE #5: Reduce side yard setback from 15 feet to 1.75 feet [Zoning Ord. § 5.2-5(D)].

- 1. The special circumstances or conditions applying to the building, structure or land in question are peculiar to such premises and do not apply generally to other building, structures or land in the vicinity.**

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However, strict enforcement of the current performance standards would, making it infeasible to develop the Proposed Use. The Subject Property's shape, size, and topography and adjacency to existing residential zoning districts create unusual conditions that substantially reduce the buildable area of the Subject Property and limit the feasible development of the Subject Property unless the requested variance is approved. In particular, but without limitation, the Subject Property is triangular in shape which results in buffers and setbacks compressing the building envelope more than other land shapes in the vicinity.

- 2. The granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.**

The requested variance allows the Applicant to develop the Subject Property in a manner that is consistent with its vested rights to develop the proposed number of residential units while also providing a housing type more compatible with the surrounding character of the area. Adequate landscaping and building separation will be provided to protect adjacent properties.

- 3. Granting the variance requested would not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.**

The variance would not grant the Applicant any special privilege denied to others. Rather, it permits development that aligns with the density already vested on the Subject Property while minimizing impacts on neighboring parcels. Other properties are not subject to the same annexation condition or constrained by the same buffers and setbacks resulting from the size, shape, and topography of the Subject Property.

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The hardship arises from conditions established at the time of annexation and from the size, shape, and topography of the Subject Property, and not from any willful action by the Applicant.

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- 6. The variance is not a request to permit a use of land, buildings or structures which is not permitted by right in the district involved.**

The variance does not permit a use otherwise prohibited in the Current Zoning district. The Applicant proposes a use that is permitted by right within the Current Zoning district. The request relates solely to a dimensional performance standard.

- 7. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, morals, or general welfare of the inhabitants of the City.**

Authorizing the requested variance will not impair access to light or air, increase congestion, or otherwise harm public health, safety, or welfare. Instead, it supports a thoughtful design that reduces overall density impacts, lessens potential traffic, and provides a housing form that better transitions to the adjoining properties, ensuring compatibility and better protection of the established character and property values of the surrounding community.

VARIANCE #6: Reduce rear yard setback from 35 feet to 10 feet [Zoning Ord. § 5.2-5(D)].

- 1. The special circumstances or conditions applying to the building, structure or land in question are peculiar to such premises and do not apply generally to other building, structures or land in the vicinity.**

The Subject Property is uniquely situated in that it was annexed into the City of Holly Springs in 2002 with the express condition that its density rights under Cherokee County's former zoning be preserved as a legal non-conforming use. This circumstance does not generally apply to other parcels in the area.

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However, strict enforcement of the current performance standards would, making it infeasible to develop the Proposed Use. The Subject Property's shape, size, and topography and adjacency to existing residential zoning districts create unusual conditions that substantially reduce the

buildable area of the Subject Property and limit the feasible development of the Subject Property unless the requested variance is approved. In particular, but without limitation, the Subject Property is triangular in shape which results in buffers and setbacks compressing the building envelope more than other land shapes in the vicinity.

2. The granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.

The requested variance allows the Applicant to develop the Subject Property in a manner that is consistent with its vested rights to develop the proposed number of residential units while also providing a housing type more compatible with the surrounding character of the area. Adequate landscaping and building separation will be provided to protect adjacent properties.

3. Granting the variance requested would not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.

The variance would not grant the Applicant any special privilege denied to others. Rather, it permits development that aligns with the density already vested on the Subject Property while minimizing impacts on neighboring parcels. Other properties are not subject to the same annexation condition or constrained by the same buffers and setbacks resulting from the size, shape, and topography of the Subject Property.

4. That the condition from which relief or a variance is sought did not result from willful action by the applicant.

The hardship arises from conditions established at the time of annexation and from the size, shape, and topography of the Subject Property, and not from any willful action by the Applicant.

5. The variance requested is the minimum that will make possible the legal use of the land, building or structure.

The requested variance is the minimum variance that allows the Applicant to accommodate the Proposed Use on the Subject Property. The only viable alternative use of the Subject Property unless the requested variance is approved would be the construction of an apartment building, which is less compatible with the surrounding single-family residential neighborhoods.

6. The variance is not a request to permit a use of land, buildings or structures which is not permitted by right in the district involved.

The variance does not permit a use otherwise prohibited in the Current Zoning district. The Applicant proposes a use that is permitted by right within the Current Zoning district. The request relates solely to a dimensional performance standard.

7. The authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, increase the danger of fire,

imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, morals, or general welfare of the inhabitants of the City.

Authorizing the requested variance will not impair access to light or air, increase congestion, or otherwise harm public health, safety, or welfare. Instead, it supports a thoughtful design that reduces overall density impacts, lessens potential traffic, and provides a housing form that better transitions to the adjoining properties, ensuring compatibility and better protection of the established character and property values of the surrounding community.

VARIANCE #7: Reduce maximum lot coverage from 35% to 90% [Zoning Ord.§ 5.2-5(D)].

- 1. The special circumstances or conditions applying to the building, structure or land in question are peculiar to such premises and do not apply generally to other building, structures or land in the vicinity.**

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- 2. The granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.**

The requested variance allows the Applicant to develop the Subject Property in a manner that is consistent with its vested rights to develop the proposed number of residential units while also providing a housing type more compatible with the surrounding character of the area. Adequate landscaping and building separation will be provided to protect adjacent properties.

- 3. Granting the variance requested would not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.**

The variance would not grant the Applicant any special privilege denied to others. Rather, it permits development that aligns with the density already vested on the Subject Property while minimizing impacts on neighboring parcels. Other properties are not subject to the same annexation condition or constrained by the same buffers and setbacks resulting from the size, shape, and topography of the Subject Property.

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The hardship arises from conditions established at the time of annexation and from the size, shape, and topography of the Subject Property, and not from any willful action by the Applicant.

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The Applicant respectfully requests that the Application, as requested by the Applicant, be approved. The Applicant also reserves the right to amend this Letter of Intent and the Application by supplementing further responses and documents.

Sincerely,



Ethan Underwood
Attorney for Applicant

RETURN RECORDED DEED TO:
Smith, Ronick & Corbin, LLC
750 Hammond Drive, Building Eleven
Atlanta, GA 30328
(404) 256.9000 ext. 236

Deed Book **10837** Pg **36**
Filed and Recorded 11/9/2009 4:12:31 PM

Re: File #099557A/Westbrook

Transfer Tax \$0.00
Patty Baker
Clerk of Superior Court Cherokee Cty, GA

W A R R A N T Y D E E D

STATE OF GEORGIA

COUNTY OF FULTON

This Indenture made this 28th day of OCTOBER, in the year Two Thousand and Nine, between Penny H. Westbrook of the county of Cherokee, State of Georgia, as party or parties of the first part, hereinafter called Grantors, and John M. Westbrook as party or parties of the second part, hereinafter called Grantee (the words "Grantors" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.)

W I T N E S S E T H that: Grantor, for and in consideration of the sum of TEN and 00/100's (\$10.00) Dollars and of the good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts 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:

GRANTOR HEREBY CONVEYS ALL OF HER ½ INTEREST IN AND TO:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 336, 15TH DISTRICT, 2ND SECTION, CHEROKEE COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF LAND LOT 336 AND THE NORTHEASTERLY RIGHT-OF-WAY OF NEW LIGHT ROAD (60 FOOT R/W) AKA NEW LIGHT CHURCH ROAD; THENCE PROCEEDING NORTH 39 DEGREES, 07 MINUTES, 00 SECONDS WEST A DISTANCE OF 238.37 FEET TO A POINT; THENCE PROCEEDING NORTH 35 DEGREES, 52 MINUTES, 00 SECONDS WEST ALONG THE NORTHEASTERLY RIGHT-OF-WAY OF NEW LIGHT ROAD A DISTANCE OF 179.97 TO A POINT; THENCE PROCEEDING NORTH 32 DEGREES, 35 MINUTES, 58 SECONDS WEST ALONG THE NORTHEASTERLY RIGHT-OF-WAY OF NEW LIGHT ROAD FOR A DISTANCE OF 142.05 FEET TO AN IRON PIN; THENCE NORTH 54 DEGREES 19 MINUTES 10 SECONDS EAST 122.28 FEET TO A POINT; THENCE NORTH 54 DEGREES 36 MINUTES 24 SECONDS EAST 168.3 FEET TO A POINT; THENCE NORTH 54 DEGREES 10 MINUTES 19 SECONDS EAST 150.46 FEET TO AN IRON PIN ON THE EAST LAND LOT LINE OF LAND LOT 336, 15TH DISTRICT, 2ND SECTION, COBB COUNTY, GEORGIA; THENCE SOUTH 02 DEGREES 07 MINUTES 00 SECONDS WEST 707.81 FEET TO AN IRON PIN AND THE POINT OF BEGINNING.

SAID PROPERTY BEING FURTHER DESCRIBED ON A PLAT OF SURVEY PREPARED BY KENCO SURVEYING., INC FOR JOHN M. WESTBROOK AND PENNY WESTBROOK DATED 2-1-94 WHICH PLAT IS INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE.

THIS DEED is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD this said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anyways 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 all persons claiming by, through and under Grantor.

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Witness
Notary Public
My Commission Expires
RICHARD T. SMITH, JR.
NOTARY PUBLIC
DEALB COUNTY, GEORGIA
MAY 11, 2014
(seal)

Penny H. Westbrook
Penny H. Westbrook

2024 Property Tax Statement

Denise Mastroserio
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114

Make Check or Money Order Payable to:
Cherokee County Tax Commissioner

WESTBROOK JOHN M

234 NEW LIGHT RD
CANTON, GA 30115

RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*
2024-124495	11/15/2024	\$0.00	\$379.14	\$0.00	Paid 11/07/2024

Map: 15N20 390

Printed: 08/25/2025

Location: 234 NEW LIGHT RD

If you have sold this property, fax a copy of the settlement statement to 678-493-6423. If you have an escrow forward tax bill to your mortgage company as soon as possible. Interest will accrue at the rate prescribed by law starting November 16th and the 16th of each month until paid. The penalty will accrue at the rate prescribed by law. ** Pay online at www.cherokeega.com ** Please note: There is a 2.5 % Merchant fee for Visa, MasterCard & Discover. There is a 3% Merchant Fee charged for American Express. (These Merchant fees are not collected by Cherokee County.)

Denise Mastroserio
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114



Tax Payer: WESTBROOK JOHN M
Map Code: 15N20 390 Real
Description: LL 336 DIST 15 PB 10 PG 170
Location: 234 NEW LIGHT RD
Bill No: 2024-124495
District: 004

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good through	Exemptions
187,140.00	143,800.00	3.0000	\$330,940.00	11/15/2024			L03
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Credit	Net Tax
STATE TAX	\$330,940	\$132,376	\$2,000	\$130,376	0.000000	\$0.00	\$0.00
COUNTY M&O	\$330,940	\$132,376	\$65,736	\$66,640	5.153000	\$0.00	\$343.40
SCHOOL M&O	\$330,940	\$132,376	\$132,376	\$0	16.450000	\$0.00	\$0.00
SCHOOL BOND	\$330,940	\$132,376	\$132,376	\$0	1.500000	\$0.00	\$0.00
PARKS BOND	\$330,940	\$132,376	\$0	\$132,376	0.270000	\$0.00	\$35.74
Holly Springs HB463	\$330,940	\$132,376	\$132,376	\$0	0.000000	\$0.00	\$0.00
Holly Springs Fire Distr	\$330,940	\$132,376	\$0	\$132,376	0.000000	\$0.00	\$0.00
INS PREMIUM CREDIT	\$330,940	\$132,376	\$65,736	\$66,640	0.000000	\$0.00	\$0.00
TOTALS					23.373000	\$0.00	\$379.14

If you need to - change your mailing address / are a new resident / person 62 or older and/or disabled you should call the Tax Assessors office at 678-493-6120 to find out about qualifications for exemptions. April 1 of each year is the deadline to apply with The Tax Assessors Office for any exemptions. If you feel your property value is too high, you should file a return with the Tax Assessor's Office no later than April 1st.

Current Due	\$379.14
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$379.14
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/07/2024



J. Ethan Underwood
eunderwood@underwoodscoggins.com

September 26, 2025

CAMPAIGN DISCLOSURE

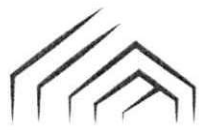
Applicant:	PR Land Investments, LLC
Subject Property:	Approximately 3.12 Acres Designated as Cherokee County Tax Parcel(s): 15N20 390
Current Zoning:	HDMFR – High Density Multi-Family Residential District
Proposed Zoning:	HDMFR – High Density Multi-Family Residential District
Proposed Use:	6 dwellings, Single-Family Detached and 24 dwellings, Two-Family
Application:	Variance
ROW Access:	New Light Road
Governing Jurisdiction:	City of Holly Springs, Georgia

Please be advised that Underwood Scoggins, LLC has not given campaign contributions to any City of Holly Springs government officials.

This letter constitutes the disclosure of campaign contributions with respect to the above-referenced application and forms a part of such application.

Sincerely,

Ethan Underwood
Attorney for Applicant



J. Ethan Underwood
eunderwood@underwoodscoggins.com

September 26, 2025

RESERVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS

Applicant:	PR Land Investments, LLC
Subject Property:	Approximately 3.12 Acres Designated as Cherokee County Tax Parcel(s): 15N20 390
Current Zoning:	HDMFR – High Density Multi-Family Residential District
Proposed Zoning:	HDMFR – High Density Multi-Family Residential District
Proposed Use:	6 dwellings, Single-Family Detached and 24 dwellings, Two-Family
Application:	Variance
ROW Access:	New Light Road
Governing Jurisdiction:	City of Holly Springs, Georgia

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

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

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

The Current Zoning (and/or zoning conditions) of the Subject Property is unconstitutional and deprives the Subject Property and all viable economic use thereof. The Proposed Use is the only viable economic use of the Subject Property, and the Governing Jurisdiction has deemed this Application necessary to allow the Proposed Use. As such, the Applicant and Owner file this Application for the purpose of changing the Current Zoning (and/or zoning conditions and requesting variances) to facilitate the Proposed Use, and to exhaust administrative remedies in the event the Application is denied. As such, the filing of this application is not an admission of the need for any such approval of the Applicant’s right to develop the

property. The Applicant and Owner reserve the right to challenge the Current Zoning and any zoning conditions and other restrictions affecting the Subject Property.

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

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

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

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

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

Furthermore, the Governing Jurisdiction cannot lawfully impose more restrictive standards on the Subject Property’s development than are presently set forth in the Zoning Ordinance. Any conditions or other restrictions imposed on the Subject Property without the consent of the Applicant and Owner that do not serve to reasonably ameliorate the negative impacts of the development are invalid and void. The

imposition of improvements or design requirements unnecessary to facilitate the proposed development constitute an illegal impact fee, an unconstitutional condemnation, or both. As such, the Applicant and Owner reserve the right to challenge any such conditions, restrictions, or design requirements.

The Applicant and Owner assert that each has expended substantial sums and significantly changed its economic position in reliance upon versions of the Zoning Ordinance that allow the development of the Subject Property as proposed by the Applicant. As such, the Applicant has acquired vested rights to develop the property and the filing of this Application shall not constitute a waiver of those vested rights. Finally, the Applicant and Owner assert that the current Zoning Ordinance, Character Area Map, Future Development Map and Comprehensive Plan were not adopted in compliance with the laws or constitutions of the State of Georgia or of the United States, and a denial of the Applicant's request based upon provisions illegally adopted will deprive the Applicant and Owner of due process under the law.

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

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

Sincerely,



Ethan Underwood
Attorney for Applicant

REVISED October 21, 2025

RESERVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS

Applicant:	PR Land Investments, LLC
Subject Property:	Approximately 3.12 Acres Designated as Cherokee County Tax Parcel(s): 15N20 390
Current Zoning:	HDMFR – High Density Multi-Family Residential District
Proposed Zoning:	HDMFR – High Density Multi-Family Residential District
Proposed Use:	23 dwellings, Single-Family Townhouses
Application:	Variance
ROW Access:	New Light Road
Governing Jurisdiction:	City of Holly Springs, Georgia

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

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Ethan Underwood
Attorney for Applicant