City of Holly Springs

Date: Thursday, September 5, 2019

Location: 3235 Holly Springs Pkwy.

City Council Work Session
Agenda
7:00p.m., Council Chambers

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

"Veterans of U.S. military services may proudly salute the flag while not in uniform based on a change in the governing law on 25 July 2007."

III. INVOCATION

IV. PUBLIC COMMENTS

V. NEW BUSINESS

A. Discuss Stormwater Facility Maintenance Agreements
Presented By: Zachary Arnold, Stormwater Coordinator

B. Discuss a quote for street sweeping services
Presented By: Ron Carter, Facilities Manager

C. Discuss A-08-2019, annexation of 5.39 +/- acres located off of Marble Quarry Road, Cherokee County, GA, tax parcel 050 of tax plat 15N14
Presented By: Nancy Moon, Community Development Director

D. Discuss MA-09-2019, rezoning of 11.07 +/- acres located off of Marble Quarry Road, Holly Springs, GA, tax parcel 050 of tax plat 15N14, R-40, Single Family Residential Estate (County) and R-20, Single Family Residential to TND, Traditional Neighborhood Development (City)
Presented By: Nancy Moon, Community Development Director

E. Discuss CUP-01-2019, a conditional use permit for an Auto Service Establishment for property located on Holly Springs Parkway, Cherokee County, GA, tax parcels 085A and 089 of tax plat 15N16

Presented By: Nancy Moon, Community Development Director

F. Discuss CUP-02-2019, a conditional use permit for a Massage Therapy Establishment for property located on Mountain Brook Drive, Cherokee County, GA, tax parcel 019A of tax plat 93N02
Presented By: Nancy Moon, Community Development Director

G. Discuss the Third Amendment of the Workforce Innovation and Opportunity Contract
Presented By: Robert H. Logan, City Manager

H. Discuss the 2019 Annual Renewal Service Agreement between the Cherokee Office of Economic Development and the City of Holly Springs
Presented By: Robert H. Logan, City Manager

I. Discuss a proposal for the Town Center Project Sanitary Sewer Addition
Presented By: Robert H. Logan, City Manager

J. Discuss a proposal for the Town Center Project Industrial Culvert Replacement
Presented By: Robert H. Logan, City Manager

VI. REPORTS

VII. ADJOURNMENT

COUNCIL AGENDA REPORT

FROM: **Zachary Arnold**

CC: **City Clerk**
Public Information

SUBJECT: Approval of Stormwater Maintenance Agreements for the following developments:

North Main
Wellstar Health System

DATE: **August 27, 2019** **COUNCIL MEETING DATE:** **September 5, 2019**

RECOMMENDATION

Approval of Stormwater Maintenance Agreements.

STAFF ANALYSIS

Staff recommends approval of the Stormwater Maintenance Agreements for the following developments:

North Main
Wellstar Health System

CONCURRENCES

Staff

FISCAL IMPACT

N/A

ALTERNATIVES

Denial

ATTACHMENTS

Agreements

STORMWATER FACILITY MAINTENANCE AGREEMENT
CITY OF HOLLY SPRINGS, GEORGIA

THIS AGREEMENT, made and entered into this 25th day of July, 2019, by and between OHC Holly Spring TH LLC, hereinafter called the "Landowner", and the City of Holly Springs, Georgia, hereinafter called the "City". WITNESSETH, that WHEREAS, the Landowner is the owner of certain real property described as (Tax Map/Parcel Identification Number) 15N16094A & 15N16100 as recorded by deed in the land records of Cherokee County, Georgia, Deed Book _____ Page _____, hereinafter called the "Property".

WHEREAS, the Landowner is proceeding to build on and develop the property; and WHEREAS, the Site Plan/Subdivision Plan known as North Main, hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for control of stormwater within the confines of the Property; and

WHEREAS, the City and the Landowner, its successors and assigns, including any homeowners association, agree that the health, safety, and welfare of the residents of the City of Holly Springs, Georgia, require that on-site stormwater management facilities be constructed and maintained on the Property; and

WHEREAS, the City requires that on-site stormwater management facilities as shown on the Plan be constructed and adequately maintained by the Landowner, it successors and assigns, including any homeowners association.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site stormwater management facilities shall be constructed by the Landowner, its successors and assigns, in accordance with the plans and specifications identified in the Plan.

MAINTENANCE AGREEMENT

SO AGREED this _____ day of _____, 20 _____.

PROPERTY OWNER
PARTNERSHIP

_____

Name of Corporation: _____, A Georgia Corporation
Printed or Typed Name

By: _____
Signature

Attest: _____
Signature of Witness

_____
Typed or Printed Name

_____
Typed or Printed Name

Title: _____
(President or Vice President)

Title: _____
(Corporate Secretary or Corporate Secretary Assistant)

(CORPORATE SEAL)

HOLLY SPRINGS, GEORGIA

Attest: _____
City Clerk

By: _____
Mayor

(CITY SEAL)

MAINTENANCE AGREEMENT

SO AGREED this _____ day of _____, 20_____

PROPERTY OWNER
INDIVIDUAL OR PROPERTY OWNED JOINTLY
BY SEVERAL INDIVIDUALS

_____

By: _____
Signature

Attest: _____
Signature of Witness

_____
Typed or Printed Name

_____
Typed or Printed Name

By: _____
Signature

Attest: _____
Signature of Witness

_____
Typed or Printed Name

_____
Typed or Printed Name

Title: _____

(SEAL)

(Notary Public)

HOLLY SPRINGS, GEORGIA

Attest: _____
City Clerk

By: _____
Mayor

(CITY SEAL)

STORMWATER FACILITY MAINTENANCE AGREEMENT
CITY OF HOLLY SPRINGS, GEORGIA

THIS AGREEMENT, made and entered into this 15th day of May, 2018, by and between Northside Health System, Inc., hereinafter called the "Landowner", and the City of Holly Springs, Georgia, hereinafter called the "City". WITNESSETH, that WHEREAS, the Landowner is the owner of certain real property described as (Tax Map/Parcel Identification Number) _____ as recorded by deed in the land records of Cherokee County, Georgia, Deed Book _____ Page _____, hereinafter called the "Property".

WHEREAS, the Landowner is proceeding to build on and develop the property; and WHEREAS, the Site Plan/Subdivision Plan known as _____, hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for control of stormwater within the confines of the Property; and

WHEREAS, the City and the Landowner, its successors and assigns, including any homeowners association, agree that the health, safety, and welfare of the residents of the City of Holly Springs, Georgia, require that on-site stormwater management facilities be constructed and maintained on the Property; and

WHEREAS, the City requires that on-site stormwater management facilities as shown on the Plan be constructed and adequately maintained by the Landowner, it successors and assigns, including any homeowners association.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site stormwater management facilities shall be constructed by the Landowner, its successors and assigns, in accordance with the plans and specifications identified in the Plan.

2. The Landowner, its successors and assigns, including any homeowners association, shall adequately maintain the stormwater management facilities. This includes all pipes, channels, or other conveyances built to convey stormwater to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as good working condition so that these facilities are performing their design functions. The appropriate Maintenance Activity Schedule(s) and Stormwater Structural Control Maintenance Checklist(s) found in the *Georgia Stormwater Management Manual* are to be used to establish what good working condition is acceptable to the City.

3. The Landowner, its successors and assigns, shall inspect the stormwater management facilities and submit an inspection report annually. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facilities, berms, outlet structures, pond areas, access roads, etc. Deficiencies shall be noted in the inspection report.

4. The Landowner, its successors and assigns, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the stormwater management facilities whenever the City deems necessary. The City shall provide the Landowner, its successors and assigns, copies of the inspection findings and a directive to commence with the repairs if necessary.

5. In the event the Landowner, its successors and assigns, fails to maintain the stormwater management facilities in good working condition acceptable to the City, the City may enter upon the Property and take whatever steps necessary to correct deficiencies identified in the inspection report and to charge the costs of such repairs to the Landowner, its successors and assigns. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Landowner outside the easement for the stormwater management facilities. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the City.

6. In the event the City pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Landowner, its successors and assigns, shall reimburse the City, or shall forfeit any required bond, upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City hereunder. If not paid within the prescribed time period, the City shall secure a lien against the real property in the amount of such costs. The actions described in this section are in addition to and not in lieu of any and all legal remedies available to the City as a result of the Landowner's failure to maintain the facilities.

7. This agreement imposes no liability of any kind whatsoever on the City, and the Landowner agrees to hold the City harmless from any liability in the event the stormwater management facilities fail to operate properly.

8. This Agreement shall be recorded among the land records of the Clerk of Superior Court of Cherokee County, Georgia prior to the final plat being recorded, and the final plat shall contain a reference to the deed book and page where the Agreement is recorded. This Agreement shall constitute a covenant running with the land, and shall be binding on the Landowner, its administrators, executors, assigns, heirs, and any other successors in interests, including any homeowners association.

9. This Agreement may be enforced by proceedings at law or in equity by or against the parties hereto and their respective successors in interest.

10. Invalidation of any one of the provisions of this Agreement shall in no way effect any other provisions, and all other provisions shall remain in full force and effect.

MAINTENANCE AGREEMENT

SO AGREED this 15th day of May, 20 18

PROPERTY OWNER
CORPORATION

Name of Corporation: WELLSTAR HEALTH SYSTEM, A Georgia Corporation
Printed or Typed Name

By: _____
Signature

JOSEPH L. BRYWCZYNSKI
Typed or Printed Name

Title: Senior Vice President Health Care Parks Development
(President, Vice President)

Attest: _____
Signature of Witness

Leo E. Reichert
Typed or Printed Name

Title: Secretary
(Corporate Secretary or Corporate Secretary Assistant)

(CORPORATE SEAL)

WELLSTAR HEALTH SYSTEM, INC CORPORATE SEAL GEORGIA 1984

Legal Approved

HOLLY SPRINGS, GEORGIA

Attest: _____
City Clerk

By: _____
Mayor

(CITY SEAL)

City of Holly Springs
Ron Carter, Facilities Manager
3237 Holly Springs Parkway
Holly Springs, Georgia 30115

Dear Ron Carter,

You recently requested pricing information from our company. Here is our quote:

Service	Rate Per Sweep	Estimated cost
SCA will provide street sweeping for the City of Holly Springs in various neighborhoods as directed by the City.	$6,500.00	$6,500.00
No charge if the City can supply SCA with a place to dump.	Disposal $21.00 per ton	No Charge
	Total	$6,500.00
	Fuel Surcharge 8%	$520.00
	Grand total	**$7,020.00**
	Service Date	ASAP Upon Service Agreement

Thank you for giving us the opportunity to bid for your business. We have been in business since 1988 and have established a reputation for quality. We look forward to showing you that it is well deserved.

Thank You,

Shellie Waites III
General Manager, Austell GA

P.S. If you would like to discuss items in this quote, or if you need any additional information, please call me personally at (770) 261-0878 or email me at Swaites@sweepingcorp.com

COUNCIL AGENDA REPORT

FROM: **Nancy Moon**

CC: **City Clerk**
Public Information

SUBJECT: **A-08-2019,** applicant requests annexation of 5.39 +/- acres located off of Marble Quarry Road, Cherokee County, GA, tax parcel 050 of tax plat 15N14

MA-09-2019, applicant requests rezoning of 11.07 +/- acres located off of Marble Quarry Road, Holly Springs, GA, tax parcel 050 of tax plat 15N14, R-40, Single Family Residential Estate (County) and R-20, Single Family Residential (City) to TND, Traditional Neighborhood Development (City)

DATE: **August 30, 2019** **COUNCIL MEETING DATE:** **September 5, 2019**

RECOMMENDATION

Applicant, Brad Cooper, Blue River Development, has requested annexation of approximately 5.39+/- acres located off of Marble Quarry Road, tax parcel 050 of tax plat 15N14. Part of this property is already located within the City of Holly Springs.

The applicant has also requested rezoning of 11.07+/- acres, from R-40, Single Family Residential Estate (County) and R-20, Single Family Residential (City) to TND, Traditional Neighborhood Development (City), for the development of the property as a single-family detached and townhome community with 89 units. This property is split by Marble Quarry Road. The proposed density is 8.0 units per acre with 65 townhomes planned for the northern portion of the property and 24 single-family detached homes planned for the southern portion of the property. Proposed elevations and a conceptual plan are included in the application.

A. Existing Land Use and Zoning Classification of Nearby Property

ADJACENT ZONING		ADJACENT DEVELOPMENT	
NORTH:	R-20	**NORTH:**	Church/Cemetery
SOUTH:	R-20/TND	**SOUTH:**	SFR/Manous Manor Subdivision
EAST:	R-20	**EAST:**	SFR/Childer's Acres Subdivision
WEST:	R-20/TND	**WEST:**	Holly Springs Place Subdivision/Manous Manor Subdivision

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 single family residential and a church/cemetery. In addition, the property is adjacent I-575 and to property containing a power line easement and in close proximity to substations located off of the old Holly Street (Georgia Transmission Corporation, Cobb EMC, and Georgia Power). The proposed use for a single-family residential development would be compatible with the uses in the surrounding area. However, surrounding density is less dense than the proposed.

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. Surrounding subdivisions consist of single-family residential uses. Manous Manor was approved with TND zoning at a gross density of 2.96 units per acre.

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 permitted to develop with those uses associated with the R-40 and R-20 zoning districts consisting of single-family homes with minimum lot sizes of 40,000 and 20,000 square feet, respectively.

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?

   Although this request will generate additional traffic and use of utilities, the rezoning request will not result in a use that would cause an excessive or burdensome use of utilities or other public services. No traffic impact study was required for this development. The City Engineer has reviewed this plan and made the following recommendations:

   1. **Improve Old Holly Springs Road to current City standard Residential 1 with curb and gutter and drainage. Realign the intersection of Old Holly Springs Road with Marble Quarry to tie in at ninety degrees.**
   2. **Only one access to Marble Quarry will be granted for the east side development.**
   3. **Sidewalks and streetlights shall be installed along all frontage of Marble Quarry on both sides of the street as well as internal to the subdivision.**

   The Cherokee County School District has estimated that the proposed 89 units would provide a student impact of 65 students. The school mitigation fee should be coordinated with the Cherokee County School District.

   A letter from Cherokee County Water and Sewerage Authority has been received stating that there is adequate capacity available.

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 identifies this property with the character areas of Traditional Neighborhoods and Suburban Neighborhoods. The Traditional Neighborhood character area corresponds with residential blocks within the originally settled area of

Holly Springs, surrounding the town center, and within portions of newly created communities designed under a neotraditional or mixed-use framework. A key characteristic of the traditional neighborhood is the rectangular or square block, lot, and street pattern, as developmentally possible due to geography and terrain. Acceptable uses are primarily single-family residences (stick-built, excluding manufactured homes) and some civic-institutional uses such as churches. Some other forms of housing such as duplexes and accessory apartments and townhouses may be permitted. Furthermore, neighborhoods serving retail and service uses may also be approved.

Application: Existing and new single-family residential neighborhoods with or without a mixed-use component.

Primary Future Land Uses: Single-family residential with neighborhood commercial, office, and government uses, and parks, recreation, greenways, and trails.

Zoning Districts: PD-R, TND, NC, OI, GV, MXD-1, MXD-2

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 development, consisting of residential use, conforms with the future development map and proposed density, as well as, the following policies:

   a) Residential Uses. Use the character areas and the Future Land Use Map (FLUM) to guide residential growth, steering appropriate densities to suitable locations. (8.1, #3)

   b) Traditional Neighborhood Development. Promote traditional neighborhood and mixed-use developments in appropriate areas, which could include commercial, multi-family, and single-family sections within the same project area. (8.1, #4)

c) **Annexation. Consider municipal boundary expansion opportunities as unincorporated property owners petition for annexation. (8.1, #9).**

d) **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. (8.1, #22)**

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.

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 surrounding area consists of single-family residential development. The northern section of the property is adjacent to I-575, a major arterial road, as well as a cemetery. Although the southern section of the property is planned for suburban neighborhood, it is adjacent to property already zoned TND, Traditional Neighborhood Development and is adjacent to property containing a power line easement.

C. Cherokee County Comments

Cherokee County reviewed the application at its July 2, 2019 Commission meeting and staff received comments in a letter dated July 8, 2019. They agreed upon the consistency with both the City's and County's future development plans. The primary issues were related to "…the increased traffic at the intersection of Marble Quarry Road and Holly Street, the challenge of locating and accessing some of the townhomes in case of an emergency due to the configuration of streets and alleys and the need for a fire flow test to ensure enough water pressure for firefighting." The engineering department encouraged reviewing the intersection of Holly Street and Marble Quarry Road for impacts from the subdivision. The Fire and Emergency Services Department was concerned about the visibility of addresses. This comment was based upon a previous plan which was subsequently amended to the plan that is currently within the packet.

D. Public Information Meeting

The applicant held a public information meeting on June 26, 2019. Concerns noted at the meeting from area residents included location of the creek and underground springs, trees, increased traffic, no apartments, location of detention pond, impact to property values, and water run-off and drainage. They also wanted to know why this location was selected and would rather see 1-6 large custom homes be located on the site. In addition, area residents wanted the entrance location to be reviewed and felt that it was not a good location since it was at the top of a small hill without an adequate line of site. (see attached report)

E. Summary

The proposed development is in conformity with the Future Development Map, as well as, the objectives of the Comprehensive Plan. Surrounding development consists of single-family residential uses and similar zoning with close proximity to I-575, power line easements and substations, and a cemetery. However, the majority of the surrounding developments contains less density and approval of a project with less density may be more acceptable.

F. Staff Recommendation

Annexation
Staff recommends **APPROVAL** to annex the 5.39+/- acres.

Rezoning
Staff recommends **APPROVAL** to rezone 11.07 acres+/- acres to **TND, Traditional Neighborhood Development with the following stipulations**:

1. Owner /developer shall establish a mandatory homeowner's association for the project and shall submit all restrictive covenants and homeowner's documents for review by the Community Development Director prior to final plat approval.
2. Owner/developer shall coordinate with the City of Holly Springs Community Development Director and Arborist regarding open space, recreation areas, and landscaping.
3. Architectural styling of all structures shall be approved by the Community Development Director. Front facades shall be constructed with a combination of at least two of the following materials: brick, stone, cement shake, cedar shake, board & batten, a cementitious material, such as Hardiplank, one of which to be brick or stone. Architectural shingles shall be offered as an option. No vinyl siding shall be permitted.
4. Heated square footage of all residential dwelling units shall be a minimum of 1,600 square feet.
5. 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.
6. Development shall be limited to a maximum density of 8.0 units per acre or no more than 89 units.
7. All residential building lots shall be of a fee simple nature.
8. Building setback lines shall be as follows:
    i. Front: 15 feet from property line, the distance from back of sidewalk to garage door shall be a minimum of 20 feet, 40 feet from the centerline of the road to the structure
    ii. Side: 10 feet end units, 0 adjacent to an alley
    iii. Corner Side: 0 feet, 25 feet from the centerline of the road to the structure
    iv. Rear: 20 feet
    v. Separation Between Structures: 20 feet
9. As requested by the Cherokee County School District, the owner/developer shall coordinate the school mitigation fee with the Cherokee County School district.
10. Owner/developer shall improve the old section of Holly Street to City standards for a Residential 1 street with curb and gutter and drainage. The intersection of Old Holly Street should be realigned to tie into Marble Quarry Road at a 90-degree angle.

11. All required improvements to Marble Quarry Road, including, but not limited to deceleration/acceleration lanes, left turn lanes, and entrances shall be installed by the owner/developer and be coordinated with the City Engineer.
12. Only one entrance on Marble Quarry Road to the east side of the development shall be granted.
13. Owner/developer shall be responsible for the installation of sidewalks, decorative street lamps, accel/decel lanes and curb and gutter along the road frontage of Marble Quarry Road, 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.
14. In addition to the zoning requirements of the TND, Traditional Neighborhood Development zoning districts all development shall follow the design guidelines as outlined in the Holly Springs Zoning Ordinance, Article 19, Design Guidelines for Model Zoning Districts.

E. Planning Commission Recommendation

Planning Commission conducted a public hearing on August 8, 2019. Public comments included concerns about the development being inconsistent with the character of the area, increased traffic, impact to schools, and property values. A request for a 50' buffer adjacent to the residential property was made. Planning Commission voted to recommend **APPROVAL** with staff stipulations of the Rezoning request (3-0).

F. Final Staff Recommendation

Based on additional meetings with the applicant and property owners subsequent to the Planning Commission Public Hearing, staff recommends the following:

Annexation
Staff recommends **APPROVAL** to annex the 5.39+/- acres.

Rezoning
Staff recommends **APPROVAL** to rezone 11.07 acres+/- acres to **TND, Traditional Neighborhood Development with the following stipulations**:

1. Owner /developer shall establish a mandatory homeowner's association for the project and shall submit all restrictive covenants and homeowner's documents for review by the Community Development Director prior to final plat approval.
2. Owner/developer shall coordinate with the City of Holly Springs Community Development Director and Arborist regarding open space, recreation areas, and landscaping.
3. Architectural styling of all structures shall be approved by the Community Development Director. Front facades shall be constructed with a combination of at least two of the following materials: brick, stone, cement shake, cedar shake, board & batten, a cementitious material, such as Hardiplank, one of which to be brick or stone. Architectural shingles shall be offered as an option. No vinyl siding shall be permitted.
4. Heated square footage of all residential dwelling units shall be a minimum of 1,600 square feet.
5. 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.

6. Development shall be limited to a total of no more than 60 units. The single-family detached component on the southern tract shall consist of no more than 24 units. The northern tract shall be developed with townhomes and/or single-family detached dwellings consisting of no more than 36 units.
7. All residential building lots shall be of a fee simple nature.
8. Building setback lines shall be as follows:
    i. Front: 15 feet from property line, the distance from back of sidewalk to garage door shall be a minimum of 20 feet, 40 feet from the centerline of the road to the structure
    ii. Side: 10 feet end units, 0 adjacent to an alley
    iii. Corner Side: 0 feet, 25 feet from the centerline of the road to the structure
    iv. Rear: 20 feet
    v. Separation Between Structures: 20 feet
9. As requested by the Cherokee County School District, the owner/developer shall coordinate the school mitigation fee with the Cherokee County School district.
10. Owner/developer shall improve the old section of Holly Street to City standards for a Residential 1 street with curb and gutter and drainage. The intersection of Old Holly Street should be realigned to tie into Marble Quarry Road at a 90-degree angle.
11. All required improvements to Marble Quarry Road, including, but not limited to deceleration/acceleration lanes, left turn lanes, and entrances shall be installed by the owner/developer and be coordinated with the City Engineer.
12. Only one entrance on Marble Quarry Road to the east side of the development shall be granted.
13. Owner/developer shall be responsible for the installation of sidewalks, decorative street lamps, accel/decel lanes and curb and gutter along the road frontage of Marble Quarry Road, 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.
14. In addition to the zoning requirements of the TND, Traditional Neighborhood Development zoning districts all development shall follow the design guidelines as outlined in the Holly Springs Zoning Ordinance, Article 19, Design Guidelines for Model Zoning Districts.

CONCURRENCES

Planning Commission

FISCAL IMPACT

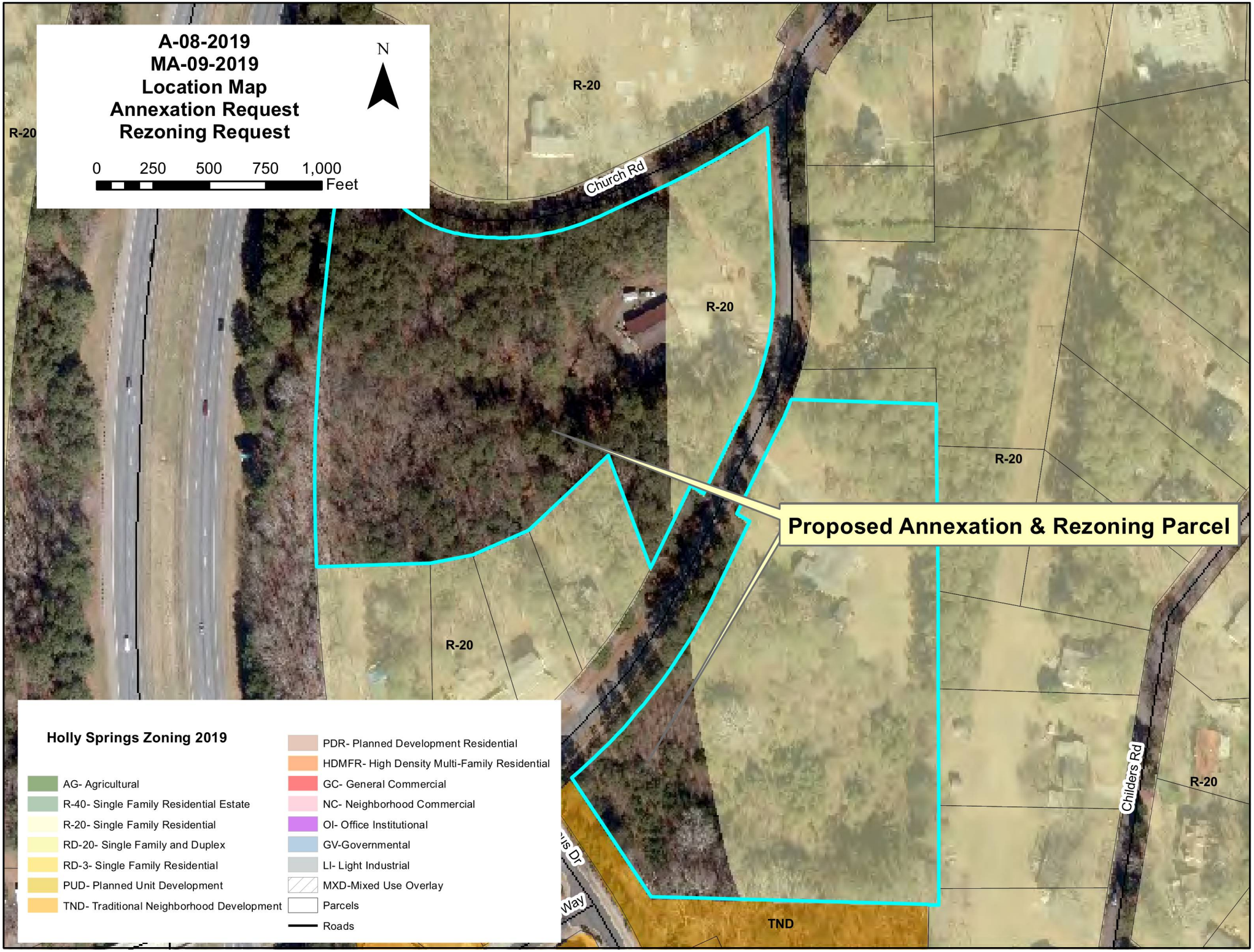
N/A

ALTERNATIVES

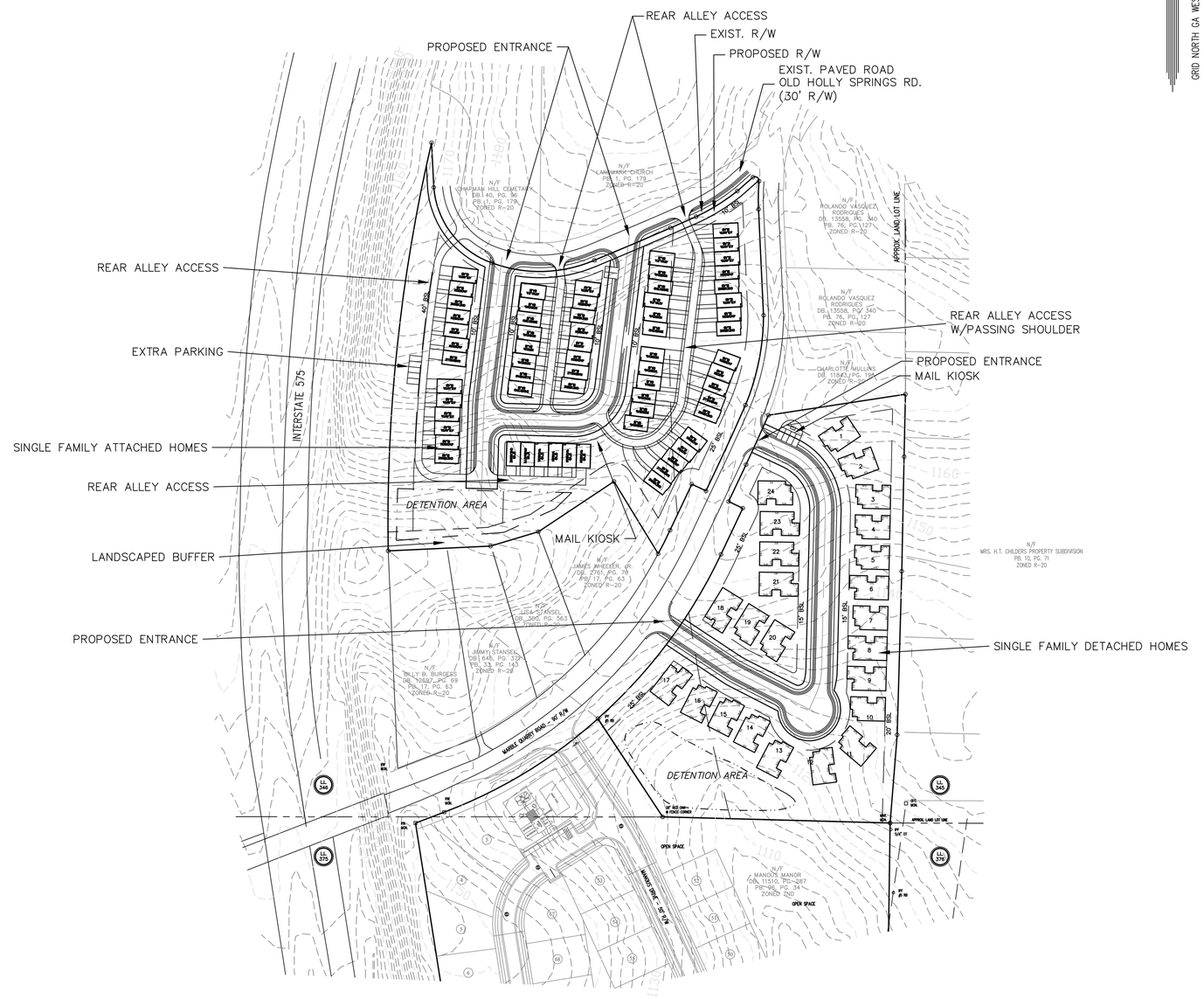
Denial

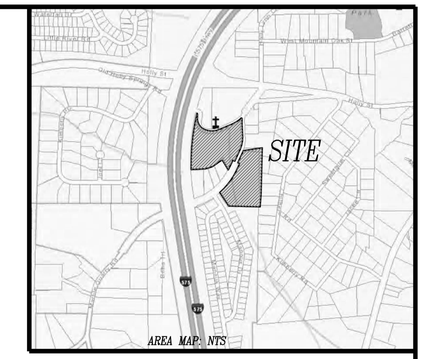
ATTACHMENTS

Application
Location Map


A-08-2019
MA-09-2019
Location Map
Annexation Request
Rezoning Request
N
0 250 500 750 1,000
Feet
R-20
Church Rd
R-20
R-20
R-20
R-20
R-20
Proposed Annexation & Rezoning Parcel
Childers Rd
R-20
TND
Holly Springs Zoning 2019
AG- Agricultural
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
Roads

BLUE RIVER
DEVELOPMENT, LLC
BROKERAGE | DEVELOPMENT | CONSULTING





FLOOD INFORMATION:

HIS PROPERTY IS NOT LOCATED WITHIN A FEMA 100 YEAR FLOOD ZONE ACCORDING TO FEMA MAP PANEL 13057C0242D DATED: SEPT. 29, 2006.

BOUNDARY SURVEY PROVIDED BY CLIENT. PERFORMED BY GASKINS FOR FLORRIE JO BAILEY, SIGNED BY DARRELL D. RAINES ON JAN. 11, 2019.
TOPOGRAPHIC INFORMATION BASED ON CHEROKEE COUNTY GIS DATA
THE INFORMATION ON THIS CONCEPTUAL PLAN IS COMPILED FROM THE DATA PROVIDED AND REFERENCED HERE BY CENTERLINE SURVEYING AND LAND PLANNING, INC.

OWNER OF RECORD:

FLORRIE JO BAILEY
TIN: 15N14 050
PIN: 15-0346-0008
1530 MARBLE QUARRY RD.
CANTON, GA. 30115
DB. 60, PG. 325

APPLICANT:

BLUE RIVER DEVELOPMENT, LLC.
6845 SHILOH RD. EAST , STE. D-3
ALPHARETTA, GA. 30005

24 HR. CONTACT:

BRAD COOPER
(404) 797-7325
BCOOPER@BLUERIVERDEVELOPMENT.COM

GENERAL SITE NOTES

PROPOSED USE: SINGLE FAMILY RESIDENTIAL
CURRENT ZONING - R-40 (CHEROKEE COUNTY)
CURRENT ZONING - R-20 (CITY OF HOLLY SPRINGS)
PROPOSED ZONING - TND
TOTAL AREA - 11.07 ACS
TRACT 1 - 5.89 ACS, TRACT 2- 5.18 ACS.

PROPOSED SITE REQUIREMENTS

TOTAL RESIDENTIAL ATTACHED UNITS PROPOSED - 65
TOTAL RESIDENTIAL DETACHED UNITS PROPOSED - 24
PROPOSED DENSITY - 8 U/A

DETACHED BUILDING SETBACK REQUIREMENTS:

FRONT - 15 FT. DETACHED UNITS
REAR -20 FT.
SIDE - 5' FT. (10' BETWEEN UNITS)

ATTACHED BUILDING SETBACK REQUIREMENTS:

SIDE STREET - 0/25 FT.
SEPARATION BETWEEN STRUCTURES - 20 FT
** FIRST DISTANCE REFERS TO DISTANCE FROM PUBLIC R/W AND THE SECOND REFERS TO DISTANCE FROM C/L OF ROAD.*

GRAPHIC SCALE

-100 0 50 100 200

(IN FEET)
1 inch = 100' ft.

REZONING CONCEPTUAL PLAN FOR:

MARBLE QUARRY RD.

A RESIDENTIAL COMMUNITY BY
BLUE RIVER DEVELOPMENT, LLC

LAND LOT 346 OF THE
15TH DISTRICT, 2ND SECTION
CHEROKEE COUNTY, GEORGIA

centerline
Surveying and Land Planning, Inc.
1301 SHILOH ROAD, SUITE 1210, KENNESAW, GA. 30144
PHONE: (770) 424-0028 FAX: (770) 424-2399

DRAWN BY: DP		DATE: 5-20-19	
CHECKED BY: DP		DRAWING NO.: REZONING	
JOB NO.: 519001		SHEET 1 OF 1	
NO.	DATE	REVISION DESCRIPTION	BY
1	7-8-19	PER STAFF RECOMMENDATIONS	DP

THE ATLANTA
FRONT ELEVATION A-1

THE ATLANTA
FRONT ELEVATION A-2

THE ATLANTA
FRONT ELEVATION A-3

THE CHEYENNE
FRONT ELEVATION A-1

THE CHEYENNE
FRONT ELEVATION A-2

THE CHEYENNE
FRONT ELEVATION A-3

THE JACKSON
FRONT ELEVATION A-1

THE JACKSON
FRONT ELEVATION A-2

THE JACKSON
FRONT ELEVATION A-3

THE AUSTIN
FRONT ELEVATION A-1

THE AUSTIN
FRONT ELEVATION A-2

THE AUSTIN
FRONT ELEVATION A-3

THE NASHVILLE
FRONT ELEVATION A-1

THE NASHVILLE LOT 8
FRONT ELEVATION A-2

THE NASHVILLE
FRONT ELEVATION A-3

NOTE: TOWNHOMES SHALL BE ATTACHED. GRAPHIC TO ILLUSTRATE ARCHITECTURAL STYLES AND FACADE OPTIONS.

BLUE RIVER
DEVELOPMENT, LLC
GENERAL | DEVELOPMENT | CONSULTING

OPEN DAILY

4212

FRIGIDAIRE

A-08-2019

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: June 7 2019

Applicant's Name: Brad Cooper

Corporation Name: Blue River Development

Mailing Address: 3810 Windermere Parkway, Suite 504 Cumming GA 30041

Phone: 404-797-7325

Email: bcooper@blueriverdevelopment.com

PROPERTY OWNER INFORMATION

Property Owner(s): Bailey, Florrie Jo

Mailing Address: PO Box 631 Holly Springs GA 30142

Phone:

Email:

PROPERTY INFORMATION

Tax Map #: 015N14-00000-050-000-0000 Parcel #: 15N14 050

Land Lot(s)/District: L346 L 1 Dist 15

Physical Address: 1619 Marble Quarry Rd., Canton GA 30115

Property Location Description: Total area- 11.07 acres, Tract 1: 5.89 and Tract 2: 5.18 acres

1619 Marble Quarry Road Canton GA 30115

Current Zoning: Cherokee County-R40, City of Holly Springs R-20

(Attach additional sheets, if necessary)

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).

The proposed development will consist of 89 townhomes. The new community has been carefully designed to preserve existing natural site features. The development will compliment existing adjacent communities. Please see the attached zoning application for additional site information.

(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.

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.

Property Owner Name (Please Print)

Property Owner Signature | Date

Property Owner Name (Please Print)

Rodney T. Bailey POA for Jo C. Bailey
Property Owner Signature | Date 6-3-19

Rodney T. Bailey POA for Jo C. Bailey
Property Owner Name (Please Print)

Property Owner Signature | Date

Cynthia G Poole
Notary (form must be notarized)

CYNTHIA G POOLE
MY COMMISSION EXPIRES
APR 30 2021
CHEROKEE CO., GEORGIA
NOTARY PUBLIC

Received by: _____
City of Holly Springs, Georgia

Date: _____

APPLICANT & PROPERTY OWNERS SIGNATURE SECTION

Brad Cooper
Applicant Name (Please Print)

Blue River Development, LLC
Corporation Name (Please Print)

Managing Principal
Title (Please Print)

Applicant Signature

June 6. 2019
Date

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

Bailey, Florrie Jo
Property Owner Name (Please Print)

Property Owner Signature

Date

Property Owner Name (Please Print)

Property Owner Signature

Date

Property Owner Name (Please Print)

Property Owner Signature

Date

Laura Zorko
Notary (form must be notarized)

LAURA ZORKO
My Commission Expires
NOTARY PUBLIC
09-17-2021
FORSYTH COUNTY, GEORGIA

Received by: _____
City of Holly Springs, Georgia

Date: _____

City of Holly Springs

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a U. S. citizen or legal permanent resident at least eighteen (18) years old.
X YES ____NO or *IF NOT:*

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. *A photo static copy of the applicant's alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.**

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Signature _____ Date June 6, 2019

Managing Principal
Title

Blue River Development, LLC
Legal Company Name

3810 Windermere Parkway Suite 504
Company Address

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that Brad Cooper is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

SUBSCRIBED AND SWORN BEFORE ME ON THIS
6th DAY OF June, 2019

Laura Zorko
Notary Public

AFFIX SEAL

LAURA ZORKO
My Commission Expires
NOTARY PUBLIC
09-17-2021
FORSYTH COUNTY, GEORGIA

*All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2.

City of Holly Springs

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

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The applicant is a U. S. citizen or legal permanent resident at least eighteen (18) years old.
✓ YES ____NO or *IF NOT:*

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. *A photo static copy of the applicant's alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.**

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Rodney T. Bailey POA for Jo C. Bailey
Signature

6-10-2019
Date

Owner
Title

Legal Company Name

P.O. Box 631 Holly Springs, GA 30142
Company Address

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that Rodney T. Bailey is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

SUBSCRIBED AND SWORN BEFORE ME ON THIS
10th DAY OF June, 2019

Cynthia G Poole
Notary Public

AFFIX SEAL

CYNTHIA G POOLE
MY COMMISSION EXPIRES
APR 30 2021
CHEROKEE CO., GEORGIA
NOTARY PUBLIC

*All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2.

City of Holly Springs

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a U. S. citizen or legal permanent resident at least eighteen (18) years old.
✓ YES ____NO or *IF NOT:*

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. *A photo static copy of the applicant's alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.**

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Signature _____ Date 6-10-19

Title PRINCIPAL

Legal Company Name CENTERLINE SURVEYING & LAND PLANNING

Company Address 1301 SHILOH RD. STE, 1210 KENNESAW, GA 30144

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that DOUG PATTEN is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

SUBSCRIBED AND SWORN BEFORE ME ON THIS 10th DAY OF June, 2019

Notary Public

Jamie L Olson
Notary Public, Paulding County, Georgia
My Comm. Expires 04/11/2021

AFFIX SEAL

*All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2.

DEED ONLY: NO TITLE CERTIFICATION

BOOK 886 PAGE 9

Georgia, Cherokee County

Filed in office this 27 day of July 90

at 12:50 M. Recorded in Book 886 Page

this 30 day of July 90

Annette Fleming

Clerk Superior Court

NEW ERA PRINT, DALLAS, GA.

WARRANTY DEED

STATE OF GEORGIA, CHEROKEE **County.**

THIS INDENTURE, made this 20th day of JULY

in the year of our Lord One Thousand Nine Hundred and NINETY

between FLORRIE JO BAILEY, AS EXECUTRIX UNDER THE LAST WILL AND TESTAMENT OF DOUGLAS L. BAILEY, DECEASED

of the State of GEORGIA and County of CHEROKEE of the first part

and FLORRIE JO BAILEY

of the State of GEORGIA and County of CHEROKEE of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN ($10.00) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, her heirs and assigns, all that tract or parcel of land lying and being in

All that tract or parcel of land lying and being the Fifteenth (15th) District, Second (2nd) Section, Cherokee County, Georgia, and being a portion of Land Lot No. Three Hundred Forty Six (346), and being within the City of Holly Springs, being more fully and particularly described as follows:

BEGINNING at an iron pin which is located at a point formed by the intersection of the South right-of-way of Old Holly Springs Road (40 foot right-of-way) and the West right-of-way of Holly Street, a.k.a., Marble Quarry Road (40 foot right-of-way); thence running South (S04 degrees 15 minutes 40 seconds E) along the West right-of-way of said Marble Quarry Road for a distance of 155.3 feet to a point; thence running South (S10 degrees 03 minutes 15 seconds W) along said right-of-way for a distance of 168.1 feet to a point; thence running South (S24 degrees 22 minutes 05 seconds W) along said West right-of-way for a distance of 144.8 feet to an iron pin; thence running West (N65 degrees 37 minutes 55 seconds W) for a distance of 25.0 feet to a concrete monument; thence running South (S24 degrees 22 minutes 05 seconds W) for a distance of 81.40 feet to a concrete monument; thence running South (S26 degrees 02 minutes 40 seconds W) for a distance of 41.9 feet to an iron pin; thence running North (N32 degrees 09 minutes 06 seconds W) for a distance of 135.3 feet to an iron pin; thence running Southwesterly (S55 degrees 41 minutes 20 seconds W) for a distance of 144.9 feet to an iron pin; thence running Southwesterly (S72 degrees 31 minutes 25 seconds W) for a distance of 80.0 feet to an iron pin; thence running Southwesterly (S71 degrees 29 minutes 05 seconds W) for a distance of 49.9 feet to an iron pin; thence running West (N86 degrees 55 minutes 00 seconds W) for a distance of 115.7 feet to a concrete monument and the East right-of-way of I-575; thence running North (N04 degrees 59 minutes 40 seconds E) along the East right-of-way of said I-575 for a distance of 625.2 feet to an iron pin which is located at the intersection of the East right-of-way of said I-575 and the Southwest right-of-way of said Old Holly Springs Road; thence running South (S36 degrees 37 minutes 20 seconds E) along said right-of-way of Old Holly Springs Road for a distance of 235.1 feet to a point; thence running East (N84 degrees 12 minutes 00 seconds E) along the South right-of-way of said Old Holly Springs Road for a distance of 144.7 feet to a point; thence running East (N66 degrees 21 minutes 40 seconds E) along the South right-of-way of said road for a distance of 134.7 feet to a point; thence running Northeasterly (N56 degrees 28 minutes 30 seconds E) along said right-of-way for a distance of 164.3 feet to an iron pin which is the POINT OF BEGINNING.

Said tract containing 5.82 acres and being described in accordance with a plat of survey prepared for Douglas L. Bailey by W.E. Clonts, G.R.L.S. #2166, dated 12-21-87, and being recorded in Plat Book 39, Page 88, Cherokee County, Georgia Deed Records; said plat being incorporated herein and made a part hereof by reference thereto.

The Grantor herein is the duly qualified Executrix Under the Last Will and Testament of Douglas L. Bailey, deceased, having been issued Letters Testamentary by the Cherokee County, Georgia Probate Court on July 11, 1990. Said Executrix hereby assents to the devise of the above described property under the terms of said Will, so that full fee simple title thereto is vested in the Grantee herein.

CHEROKEE COUNTY, GA.
REAL ESTATE TRANSFER TAX
PAID — 0 — 2
DATE 7-27-90

Annette Fleming
CLERK OF SUPERIOR COURT

Return Florrie Jo Bailey PO Box 631, Holly Springs Ga 30142

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of her the said party of the second part, her heirs and assigns forever, IN FEE SIMPLE.

And the said party of the first part, for her heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said party of the second part, her heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and affixed her seal, the day and year above written.

Signed, sealed and delivered in the presence of

Judith S. Bagby
WITNESS

Barbara L. Biddle
NOTARY PUBLIC
Notary Public, Pickens County, Georgia
My Commission Expires Jan. 11, 1981

Florrie Jo Bailey (Seal)
FLORRIE JO BAILEY, AS EXECUTRIX
~~UNDER THE LAST WILL AND TESTAMENT~~ (Seal)
OF DOUGLAS L. BAILEY, DECEASED (Seal)
(Seal)
(Seal)

Form No. 25

WARRANTY DEED

FROM

FLORRIE JO BAILEY, AS EXEC. UNDER THE LAST WILL AND TESTAMENT OF DOUGLAS L. BAILEY, DECEASED
P.O. Box 631
Holly Springs, Ga. 30142

TO

FLORRIE JO BAILEY
P.O. Box 631
Holly Springs, Ga. 30142

..., 19...

Georgia, ... County

Clerk's Office Superior Court.

Filed for Record at ..... o'clock ..... M.

..., 19...

Recorded in Book ....., Folio .....

..., 19...

..., Clerk

Rec. 7-30-90

POWER OF ATTORNEY

STATE OF GEORGIA

COUNTY OF CHEROKEE

I, FLORRIE JO BAILEY, of Cherokee County, Georgia, hereby appoint RODNEY T. BAILEY, my true and lawful attorney in fact for me and in my name, place, and stead, and for my use and benefit;

To exercise, do or perform any act, right, power, duty or obligation whatsoever that I now have or may acquire the legal right, power, or capacity to exercise do, or perform in connection with, arising out of, or relating to any person, item, thing, transaction, business property, real or personal, tangible or intangible, or matter whatsoever;

To ask, demand, sue for, recover, collect, receive, and hold and possess all such sums of money, debts, dues, bonds, notes, checks, drafts, accounts, deposits, legacies, bequests, devises, interests, dividends, stock certificates, certificates of deposit, annuities, pension and retirement benefits, insurance benefits and proceeds, documents of title, choices in action, personal and real property, intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated, as are now, or shall hereafter become due, owing, payable owned, or belonging to me or in which I have or may acquire an interest, and to have, use, and take all lawful ways and means and legal and equitable remedies, procedures, and writs in my name for the collection and recovery thereof,

BAGBY AND BAGBY, P.C.
ATTORNEYS AT LAW
[illegible] GORDON ST
P. O. BOX 85
DALLAS GEORGIA 30132
PHONE 445-2727
FAX PHONE 443-9203

and to compromise, settle and agree for the same and to make, execute, and deliver for me and in my name all endorsements, acquittances, releases, receipts, or other sufficient discharges for the same;

To lease, purchase, exchange, and acquire, and to bargain, contract, and agree for the lease, purchase, exchange and acquisition of, and to take, receive, and possess any real or personal property whatsoever, intangible or tangible, or interest therein, on such terms and conditions, and under such covenants, as said attorney in fact shall deem proper;

To improve, repair, maintain, manage, insure, rent, lease, sell, release, convey, subject to liens, mortgage, and hypothecate, and in any way or manner deal with all or any part of any real or personal property, intangible and tangible whatsoever, or any interest therein, which I now own or may hereafter acquire, for me and in my name, and under such terms and conditions, and under such covenants as said attorney shall deem proper;

To engage in and transact any and all lawful business of whatever nature or kind for me and in my name.

To sign, endorse, execute, acknowledge, deliver, receive, and possess such applications, contracts, agreements, options, covenants, deeds, conveyances, trust deeds, security agreements, bills of sale, leases, mortgages, assignments, insurance policies, bills of lading, warehouse receipts, documents of title, bills, bonds, debentures,

BAGBY AND BAGBY, P.C.
ATTORNEYS AT LAW
100 N. GRIFFIN ST.
P. O. BOX 88
DALLAS, GEORGIA 30132
(404) 445-2727
FAX (404) 445-9203

checks, drafts, bills of exchange, notes, stock certificates, proxies, warrants, commercial paper, receipts, withdrawal receipts and deposit instruments relating to accounts or deposits in, or certificates of deposit of bank, savings and loan or associations, proofs of loss, evidence of debts, releases, and satisfaction of mortgages, judgments, liens, security agreements, and other debts and obligations, and such other instruments in writing of whatever kind and nature as may be necessary or proper in the exercise of the rights and powers herein granted.

I grant to my said attorney in fact full power and authority to do and perform all and every act and thing whatsoever requisite, necessary, and proper to be one in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present with full power of substitution or revocation, hereby ratifying and confirming all that my said attorney in fact, or his substitute or substitutes shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

This instrument is to be construed and interpreted as a general power of attorney. The enumeration of specific items, acts, rights, or powers herein does not limit or restrict, and is not to be construed or interpreted as limiting or restricting the general powers herein granted to said attorney in fact.

The rights, powers, and authority of said attorney in

Y AND BAGBY, P.C.
ATTORNEYS AT LAW

fact to exercise any and all of the rights and powers herein granted shall commence and be in full force and effect on the 20th day of July, 19 90, and such rights, powers, and authority shall remain in full force and effect thereafter until revoke by me in writing or upon my death.

Florrie Jo Bailey
FLORRIE JO BAILEY

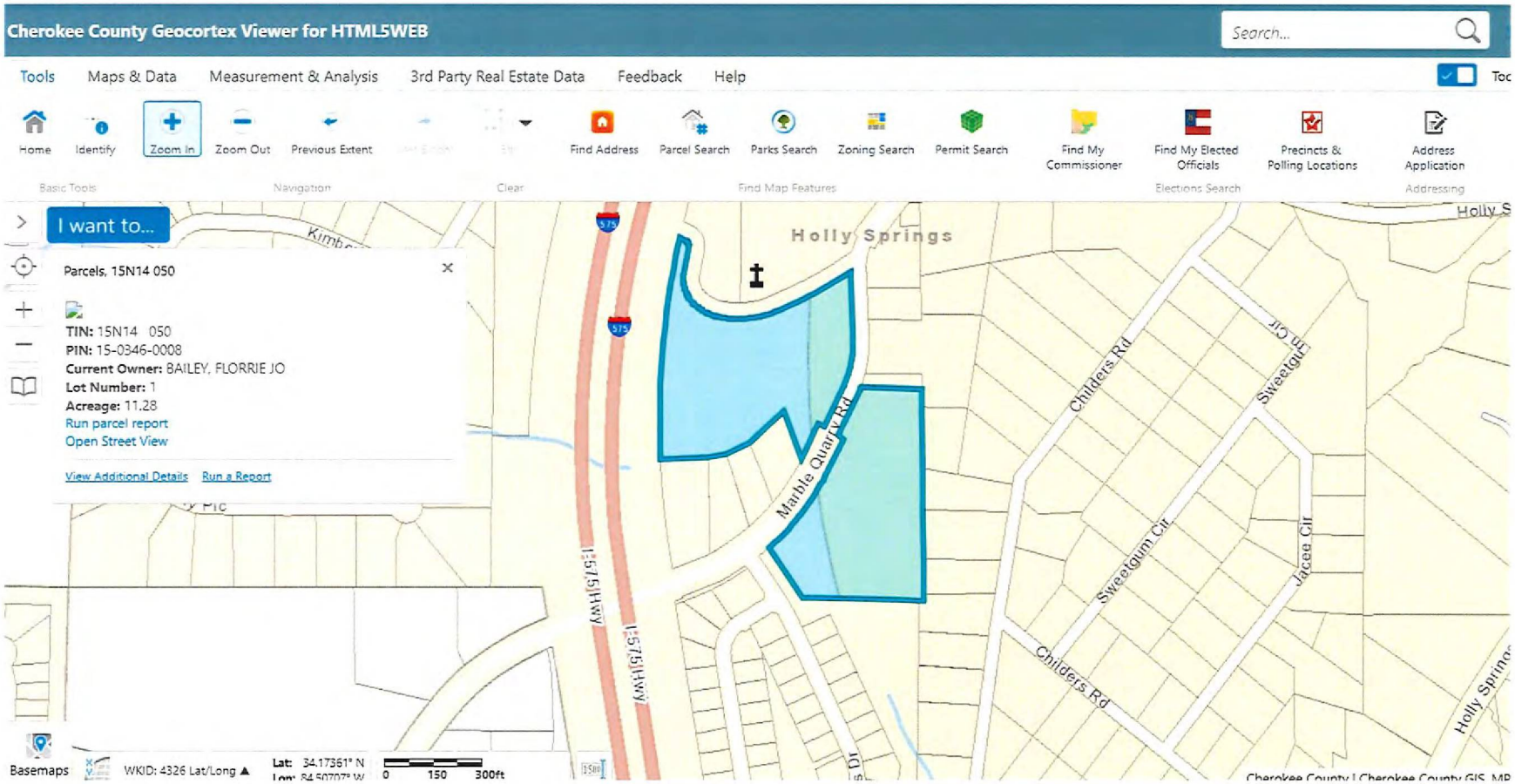
Signed, sealed and delivered in the presence of the undersigned this the 20th day of July, 19 90.

Walter S. Bagby
WITNESS

Barbara C. Biddle
NOTARY PUBLIC

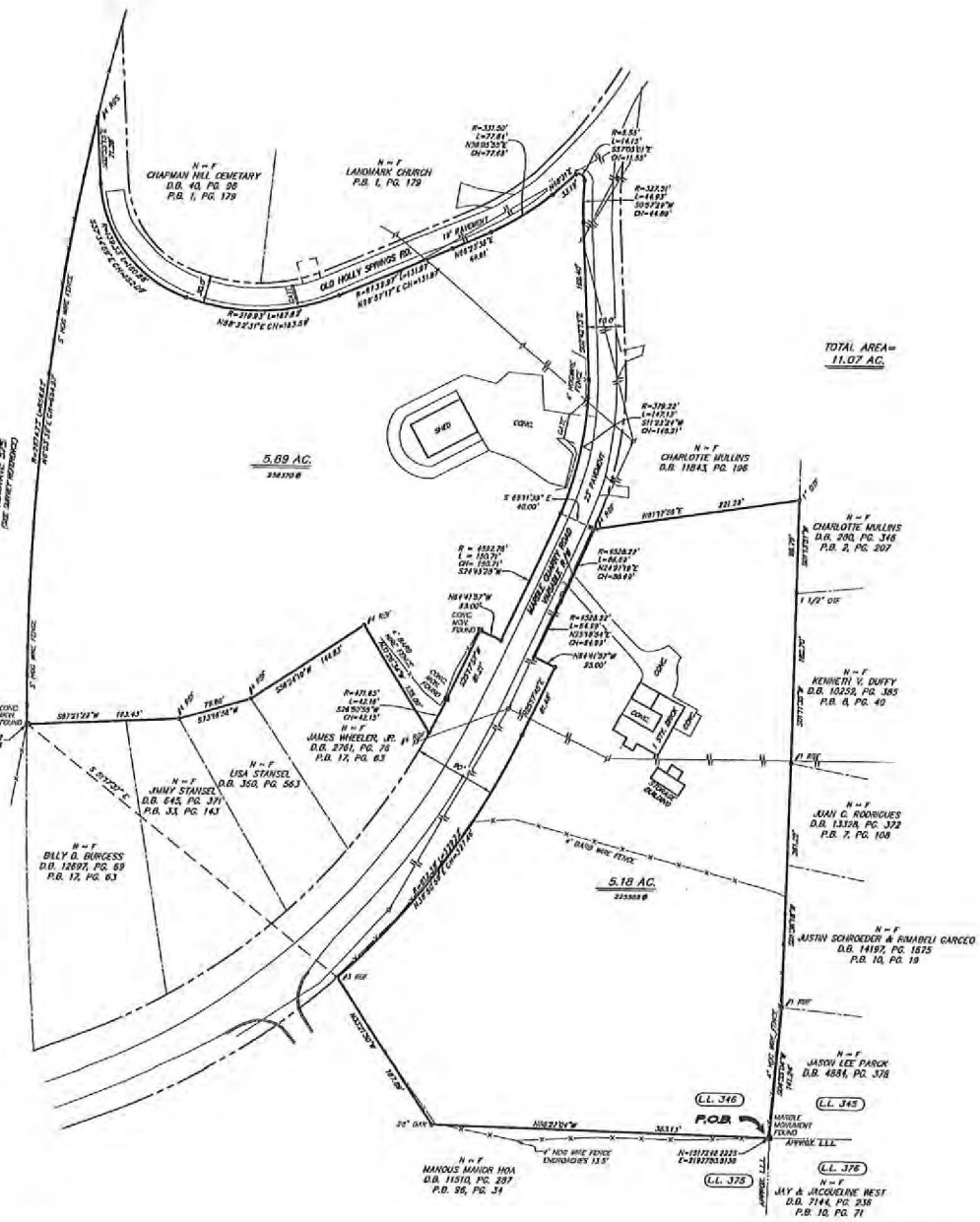
Notary Public, Paulding County, Georgia
My Commission Expires Jan. 11, 1991

BAGBY AND BAGBY, P.C.
ATTORNEYS AT LAW
100 W. GRIFFIN ST.
P. O. BOX 85
DALLAS, GEORGIA 30132
(404) 445-2727
FAX# (404) 443-9203


Cherokee County Geocortex Viewer for HTML5WEB
Search...
Tools
Maps & Data
Measurement & Analysis
3rd Party Real Estate Data
Feedback
Help
Home
Identify
Zoom In
Zoom Out
Previous Extent
Find Address
Parcel Search
Parks Search
Zoning Search
Permit Search
Find My Commissioner
Find My Elected Officials
Precincts & Polling Locations
Address Application
Basic Tools
Navigation
Clear
Find Map Features
Elections Search
Addressing
I want to...
Parcels, 15N14 050
TIN: 15N14 050
PIN: 15-0346-0008
Current Owner: BAILEY, FLORRIE JO
Lot Number: 1
Acreage: 11.28
Run parcel report
Open Street View
View Additional Details
Run a Report
Holly Springs
Marble Quarry Rd
Childers Rd
Sweetgum Cir
Jacee Cir
I575 HWY
Basemaps
WKID: 4326 Lat/Long
Lat: 34.17361° N
0
150
300ft

THIS BOX RESERVED FOR CLERK OF SUPERIOR COURT

LEGEND	
P.P.– POWER POLE	C.B.– CATCH BASIN
L.P.– LIGHT POLE	R.C.P.– REINFORCED CONCRETE PIPE
F.H.– FIRE HYDRANT	C.M.P.– CORRUGATED METAL PIPE
M.H.– SANITARY SEWER MANHOLE	F.F.E.– FINISHED FLOOR ELEVATION
W.M.– WATER METER	WV WATER VALVE
G.M.– GAS METER	S.C.O. SEWER CLEAN OUT
RBS– REINFORCING BAR SET	TELEPHONE MANHOLE
RBF– REINFORCING BAR FOUND	U/G ELECTRICAL LINE
CTF– CRIMP TOP PIPE FOUND	OVERHEAD POWER LINES
OTF– OPEN TOP PIPE FOUND	HW–HEADWALL
R/W MON.– RIGHT-OF-WAY MONUMENT	PBX POWERBOX
TYPE OF FENCE	W WATER LINE
J.B.– JUNCTION BOX	U UNDERGROUND TELEPHONE LINE
D.I.– DROP INLET / YARD INLET	G GAS LINE



SURVEY NOTES:

1.) ALL DISTANCES ON SURVEY ARE HORIZONTAL DISTANCES.

2.) ALL DISTANCES ON SURVEY ARE SHOWN AS "GROUND" DISTANCES.

3.) ALL DISTANCES ON SURVEY ARE EXPRESSED IN U.S. SURVEY FEET.

4.) ALL ANGULAR DIRECTIONS ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS. IF MINUTES AND SECONDS ARE NOT SHOWN, IT IS TO BE UNDERSTOOD THAT MINUTES ARE 00 AND SECONDS ARE 00.

5.) NO CEMETERIES OBSERVED WHILE SURVEYING PROPERTY.

6.) CREEKS RUNNING THROUGH THE PROPERTY ARE CONSIDERED STATE WATERS AND ARE SUBJECT TO BUFFERS.

LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED. THIS DRAWING DEPICTS UNDERSTANDING AND NOT SHOWN. THIS PLAT IS INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY NUMBER # 130424 , MAP NUMBER # 13057C0312 G DATED SEPTEMBER 26, 2006 .

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL INCODOLITE AND ELECTRONIC DISTANCE METER. LINEAR PRECISION OF TRAVERSE : 1/ 24,834 ; ANGULAR ERROR: 1" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/278,639 . MATTERS OF TITLE ARE EXCEPTED.

SURVEYOR REFERENCES:
D.B. 60 PG. 325

G.D.O.T. R/W PLANS
FEDERAL AID PROJECT
I-575-1(1).07 PHASE 2
DATED 1/23/1978
LAST REVISED: 8/25/1981

CURRENT OWNER:
FLORRIE JO BAILEY
ZONED: R-40 (AS PER TAX ASSESSORS INFO.)
TOTAL ACREAGE = 11.07 ACRES

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 43-15-67.

GEORGIA REGISTERED 2403 LAND SURVEYOR MARRELL D. RAINEY

1/11/19
DATE

GPS NOTES:

1.) HORIZONTAL DATUM IS NAD 83.
VERTICAL DATUM IS NAVD 88.

2.) THE NORTHING, EASTING, AND ELEVATION OF THE STARTING POINTS FOR THIS SURVEY WERE OBTAINED UTILIZING A TRIMBLE R800 GPS RECEIVER WITH A TRIMBLE TSC3 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A CELL PHONE FROM THE EGPS SOLUTIONS REAL TIME NETWORK. THE TECHNIQUE USED WAS RTK CORRECTED MEASUREMENTS FROM THE TRIMBLE VRS REAL TIME NETWORK OPERATED BY EGPS SOLUTIONS, INC. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL.

60 0 60 120
SCALE IN FEET

REVISIONS

Gaskins
ENGINEERING ARCHITECTURE LAND SURVEYING CONSULTING

FIELD DATE: 01/07/2019	DRAWN BY: MRK
OFFICE DATE: 1/11/19	CHECKED BY: DGR
SCALE: 1"=60'	FILE: G:/BKD/CHEROKEE

RETRACEMENT SURVEY FOR:

FLORRIE JO BAILEY
1619 MARBLE QUARRY ROAD
TAX PARCEL 15N14 050

LOCATED IN L.L. 346
15th DISTRICT, 2nd SECTION
CHEROKEE COUNTY, GA.

MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

Adopted by Mayor and Council on February 23, 2006

For Application Procedures, See p. 8

APPLICATION MA- 09-2019 June 7, 2019

APPLICATION CUP-_____

HEARING DATE July 11, 2019

DATE OF APPLICATION_____

APPLICANT Blue River Development
Brad Cooper

OWNER_____
(If other that applicant)

ADDRESS 3810 Windermere Parkway Suite 504
Cumming, GA

ADDRESS_____

ZIP CODE 30041 PHONE 404-797-7325

ZIP CODE_____ PHONE_____

EMAIL bcooper@blueriverdevelopment.com

SIGNATURE_____

SIGNATURE_____

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

PRESENT ZONING DISTRICT(S) R-40 Cherokee County R-20 City of Holly Springs

REQUESTED ZONING DISTRICT PD-RTND

REQUESTED CONDITIONAL USE(S) Single Family Residential

PROPERTY LOCATION/ADDRESS 1619 Marble Quarry Rd., Canton GA 30115

MAP NUMBER 15N14 050

PARCEL NUMBER(S) 15N14 050

LAND LOT(S) 1 L346 L 1 Dist 15

DISTRICT(S) 15 SECTION(S) 346

ACREAGE 11.07 SEWAGE DISPOSAL TYPE_____ UTILITIES AVAILABLE ALL

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:

The proposed development consists of approximately 89 town homes. The community will be connected by sidewalks and accented with open spaces and natural planting buffers.

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application:

- ✓ WARRANTY DEED
- ✓ TAX DOCUMENTATION
- ✓ SURVEY PLAT BY REGISTERED SURVEYOR
- ✓ 10 COPIES OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR INDIVIDUAL FOLDED TO 8.5"x11" (SEE p.7 FOR REQUIREMENTS)
- ✓ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ___ FOR CONDITIONAL USE REQUESTS, COMPLIANCE WITH SECTION 5.4
- ___ FOR CONDITIONAL USE REQUESTS, COMPLETE ATTACHMENT B
- ___ FILING FEE$_____ RECEIPT#_____ CHECK#_____

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION:		CITY COUNCIL DECISION:	
APPROVED _____	STIPULATIONS_____	APPROVED _____	STIPULATIONS_____
DISAPPROVED _____	TABLED _____	DISAPPROVED _____	TABLED _____

MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

Adopted by Mayor and Council on February 23, 2006

For Application Procedures, See p. 8

APPLICATION MA-_____ APPLICATION CUP-_____

HEARING DATE_____ DATE OF APPLICATION_____

APPLICANT_____ OWNER Rodney T. Bailey POA for Jo C. Bailey
(If other that applicant)

_____ _____

ADDRESS_____ ADDRESS_____

_____ _____

ZIP CODE_____PHONE_____ ZIP CODE_____PHONE_____

EMAIL_____

SIGNATURE_____ SIGNATURE Rodney T. Bailey POA for Jo C. Bailey

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_____

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:_____

_____

_____

_____

_____

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

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- ___ TAX DOCUMENTATION
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- ___ FOR CONDITIONAL USE REQUESTS, COMPLETE ATTACHMENT B
- ___ FILING FEE$_____ RECEIPT#_____ CHECK#_____

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION:		CITY COUNCIL DECISION:	
APPROVED _____	STIPULATIONS_____	APPROVED _____	STIPULATIONS_____
DISAPPROVED _____	TABLED _____	DISAPPROVED _____	TABLED _____

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, the proposed zoning use will compliment the adjacent sites and their current uses.

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

No, the proposed zoning will not adversely affect the existing uses or usability of the adjacent properties. The proposed zoning will be a positive addition to the existing communities and neighboring developments.

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned? The discussed property's current zoning does not provide the level of economical potential of the proposed zoning.

(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?

The proposed zoning has been carefully planned and all potential impacts taken into account. There will be no additional burdens to the street traffic, transportation facilities, utilities, public safety, or schools.

(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 proposed zoning is in full conformity to the Future Land Development Map and Future Land Use Map.

(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 zoning is in full conformity with all policies, objectives, and visions set forth by the Comprehensive Plan and all other adopted policies.

(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 planning has taken into account the protection of existing areas where drainage, soil erosion/sedimentation, flooding, air quality, and water quality/quantity are a concern.

(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 existing/changing conditions only provide positive feedback supporting the approval for this zoning proposal.

Per 14.5-7 of the City of Holly Springs Zoning Ordinance, **Applicant Report for Rezoning and Conditional Use Permit Requests**, as relevant and determined by the Zoning Administrator, all applicants must submit the following in addition to any standing requirements for requests for zoning changes*:

1. A plan of the general location of the proposed buildings by reference to a plan or drawing and an indication of the use to be made of each and every building;
2. Architectural, façade and materials to be utilized as compared to the zoning requirements for the current and proposed zoning district;
3. The percentage of development maintained as open space and/or recreation areas and impervious surfaces;
4. If application exceeds 150 residential units and/or exceeds 100,000 square feet of commercial area, the applicant is required to submit a transportation impact study to be designed by an appropriate transportation professional;
5. Preliminary tree protection plan and buffer standards;
6. Preliminary storm water retention plan.

*Per 14.5-8 of the City of Holly Springs Zoning Ordinance, **Application Submittal Requirements Waived**, When determined by the Community Development Director to be unnecessary or irrelevant to the application submitted, the requirements listed in this section may be waived; however, if determined to be of significant importance to the decision process at any time after the application has been accepted, the Community Development Director, Planning Commission, or City Council may request the submission of these items or other information as deemed relevant during the decision making process.

Complete the following section, if applicable.

Residential

Minimum house size:_____sq. ft.

Exterior façade:_____

Maximum number of units:_____

Anticipated start date:March 2020

Anticipated completion date:April 2020

Commercial

Number of buildings:_____

Maximum square footage:_____sq. ft.

Number of stories:_____

Total number of employees:_____

Exterior façade:_____

Anticipated start date:_____

Anticipated completion date:_____

ATTACHMENT A

DISCLOSURE

Please answer the following questions. If the answer to any of the following questions is "yes", you may be required under O.C.G.A. 36-67A, to provide further information.

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 ___X___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 ___X___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 ___X___NO

D.) Within two (2) years immediately preceding this application, have you made campaign contribution (s) or given gifts to public officials aggregating $250.00 or more?

_____YES ___X___NO

June 6 2019	Brad Cooper	
DATE	APPLICANT NAME PRINTED	APPLICANT SIGNATURE

Laura Zorko
NOTARY

Seal:

LAURA ZORKO
My Commission Expires
NOTARY PUBLIC
09-17-2021
FORSYTH COUNTY, GEORGIA

ATTACHMENT A

DISCLOSURE

Please answer the following questions. If the answer to any of the following questions is "yes", you may be required under O.C.G.A. 36-67A, to provide further information.

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 contribution (s) or given gifts to public officials aggregating $250.00 or more?

_____YES ____✓____NO

6-10-2019
DATE

Rodney T. Bailey POA for Jo C. Bailey
~~APPLICANT~~ NAME PRINTED
Owner

Rodney T. Bailey POA for Jo C. Bailey
~~APPLICANT~~ SIGNATURE
Owner

Cynthia G Poole
NOTARY

Seal:

CYNTHIA G POOLE
MY COMMISSION EXPIRES
APR 30 2021
CHEROKEE CO., GEORGIA
NOTARY PUBLIC

ATTACHMENT A

DISCLOSURE

Please answer the following questions. If the answer to any of the following questions is "yes", you may be required under O.C.G.A. 36-67A, to provide further information.

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 contribution (s) or given gifts to public officials aggregating $250.00 or more?

_____YES ____✓____NO

6-10-19	DOUG PATTEN	
DATE	APPLICANT NAME PRINTED	APPLICANT SIGNATURE

NOTARY

Seal: Jamie L Olson
Notary Public, Paulding County, Georgia
My Comm. Expires 04/11/2021

DEED ONLY: NO TITLE CERTIFICATION

BOOK 886 PAGE 9

Georgia, Cherokee County

Filed in office this 27 day of July 90

at 12:50 M. Recorded in Book 886 Page 9

this 30 day of July 90

Annette Fleming

Clerk Superior Court

NEW ERA PRINT, DALLAS, GA.

WARRANTY DEED

STATE OF GEORGIA, CHEROKEE **County.**

THIS INDENTURE, made this 20th day of JULY

in the year of our Lord One Thousand Nine Hundred and NINETY

between FLORRIE JO BAILEY, AS EXECUTRIX UNDER THE LAST WILL AND TESTAMENT OF DOUGLAS L. BAILEY, DECEASED

of the State of GEORGIA and County of CHEROKEE of the first part

and FLORRIE JO BAILEY

of the State of GEORGIA and County of CHEROKEE of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of TEN ($10.00) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, her heirs and assigns, all that tract or parcel of land lying and being in

All that tract or parcel of land lying and being the Fifteenth (15th) District, Second (2nd) Section, Cherokee County, Georgia, and being a portion of Land Lot No. Three Hundred Forty Six (346), and being within the City of Holly Springs, being more fully and particularly described as follows:

BEGINNING at an iron pin which is located at a point formed by the intersection of the South right-of-way of Old Holly Springs Road (40 foot right-of-way) and the West right-of-way of Holly Street, a.k.a., Marble Quarry Road (40 foot right-of-way); thence running South (S04 degrees 15 minutes 40 seconds E) along the West right-of-way of said Marble Quarry Road for a distance of 155.3 feet to a point; thence running South (S10 degrees 03 minutes 15 seconds W) along said right-of-way for a distance of 168.1 feet to a point; thence running South (S24 degrees 22 minutes 05 seconds W) along said West right-of-way for a distance of 144.8 feet to an iron pin; thence running West (N65 degrees 37 minutes 55 seconds W) for a distance of 25.0 feet to a concrete monument; thence running South (S24 degrees 22 minutes 05 seconds W) for a distance of 81.40 feet to a concrete monument; thence running South (S26 degrees 02 minutes 40 seconds W) for a distance of 41.9 feet to an iron pin; thence running North (N32 degrees 09 minutes 06 seconds W) for a distance of 135.3 feet to an iron pin; thence running Southwesterly (S55 degrees 41 minutes 20 seconds W) for a distance of 144.9 feet to an iron pin; thence running Southwesterly (S72 degrees 31 minutes 25 seconds W) for a distance of 80.0 feet to an iron pin; thence running Southwesterly (S71 degrees 29 minutes 05 seconds W) for a distance of 49.9 feet to an iron pin; thence running West (N86 degrees 55 minutes 00 seconds W) for a distance of 115.7 feet to a concrete monument and the East right-of-way of I-575; thence running North (N04 degrees 59 minutes 40 seconds E) along the East right-of-way of said I-575 for a distance of 625.2 feet to an iron pin which is located at the intersection of the East right-of-way of said I-575 and the Southwest right-of-way of said Old Holly Springs Road; thence running South (S36 degrees 37 minutes 20 seconds E) along said right-of-way of Old Holly Springs Road for a distance of 235.1 feet to a point; thence running East (N84 degrees 12 minutes 00 seconds E) along the South right-of-way of said Old Holly Springs Road for a distance of 144.7 feet to a point; thence running East (N66 degrees 21 minutes 40 seconds E) along the South right-of-way of said road for a distance of 134.7 feet to a point; thence running Northeasterly (N56 degrees 28 minutes 30 seconds E) along said right-of-way for a distance of 164.3 feet to an iron pin which is the POINT OF BEGINNING.

Said tract containing 5.82 acres and being described in accordance with a plat of survey prepared for Douglas L. Bailey by W.E. Clonts, G.R.L.S. #2166, dated 12-21-87, and being recorded in Plat Book 39, Page 88, Cherokee County, Georgia Deed Records; said plat being incorporated herein and made a part hereof by reference thereto.

The Grantor herein is the duly qualified Executrix Under the Last Will and Testament of Douglas L. Bailey, deceased, having been issued Letters Testamentary by the Cherokee County, Georgia Probate Court on July 11, 1990. Said Executrix hereby assents to the devise of the above described property under the terms of said Will, so that full fee simple title thereto is vested in the Grantee herein.

CHEROKEE COUNTY, GA.
REAL ESTATE TRANSFER TAX
PAID 0-2
DATE 7-27-90

Annette Fleming
CLERK OF SUPERIOR COURT

Florrie Jo Bailey
PO Box 631, Holly Springs Ga
30142

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of her the said party of the second part, her heirs and assigns forever, IN FEE SIMPLE.

And the said party of the first part, for her heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said party of the second part, her heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and affixed her seal, the day and year above written.

Signed, sealed and delivered in the presence of

WITNESS

NOTARY PUBLIC

Notary Public, Fulton County, Georgia
My Commission Expires Jan. 11, 1983

Form No. 25

Florrie Jo Bailey (Seal)
FLORRIE JO BAILEY, AS EXECUTRIX
~~UNDER THE LAST WILL AND TESTAMENT~~ (Seal)
OF DOUGLAS L. BAILEY, DECEASED (Seal)
(Seal)
(Seal)

WARRANTY DEED

FROM

FLORRIE JO BAILEY, AS EXEC. UNDER THE LAST WILL AND TESTAMENT OF DOUGLAS L. BAILEY, DECEASED
P.O. Box 631
Holly Springs, Ga. 30142

TO

FLORRIE JO BAILEY
P.O. Box 631
Holly Springs, Ga. 30142

, 19

Georgia, County

Clerk's Office Superior Court.

Filed for Record at o'clock M.

, 19

Recorded in Book , Folio

, 19

, Clerk

Rec. 7-30-90

2018 Property Tax Statement

Bill No.	Due Date	*Total Due*
2018-19977	11/15/2018	$0.00

Sonya Little
Cherokee County Tax Commissioner
2780 Marietta Hwy

Canton , GA 30114

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

BAILEY, FLORRIE JO
P O BOX 631
HOLLY SPRINGS , GA 30142

Map: 15N14 050
Location: 1619 MARBLE QUARRY RD

Payment Good through: 05/22/2019

Print Date : 05/22/2019

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 3% Merchant Fee charged. (This fee is not collected by Cherokee County.)

Tax Payer: BAILEY, FLORRIE JO
Map Code: 15N14 050 REAL
Description: L 346 L 1 DIST 15
Location: 1619 MARBLE QUARRY RD
Bill No: 2018-19977
District: CITY OF HOLLY SPRINGS 004

Phone: (678)-493-6400 Fax: (678)-493-6423

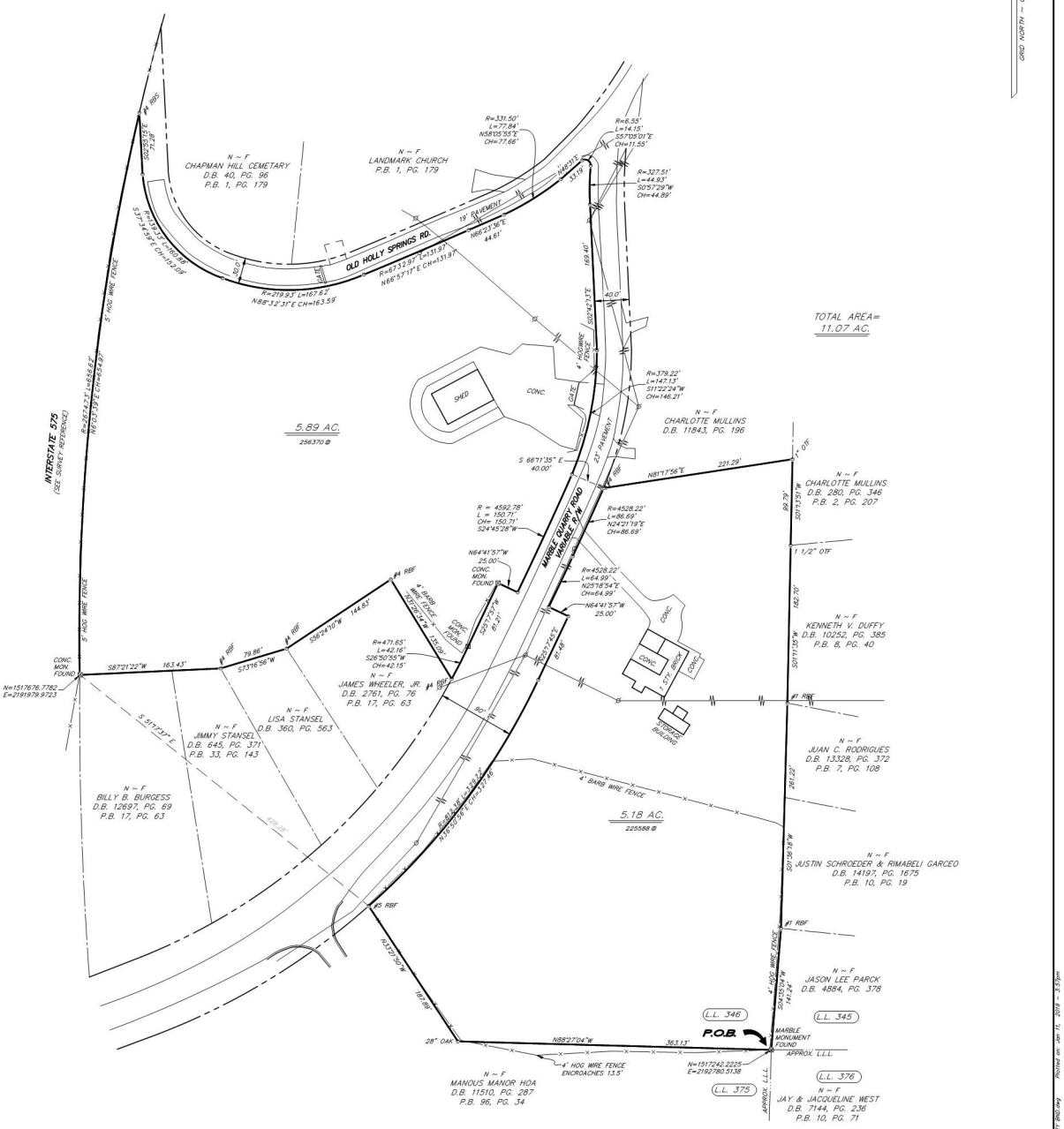
Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date		Payment Good through	Exemptions
91,500.00	175,000	11.2800	266,500	11/15/2018			05/22/2019	SC ELHS
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
COUNTY M&O	266,500.00	106,600.00	5,000.00	101,600.00	5.366	545.19	0.00	$545.19
PARKS BOND	266,500.00	106,600.00	0.00	106,600.00	0.503	53.62	0.00	$53.62
TOTALS					5.869	598.81	$0.00	$598.81

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	$598.81
Penalty	0.00
Interest	0.00
Other Fees	0.00
Previous Payments	598.81
Back Taxes	0.00
Total Due	**$0.00**
Paid Date	09/17/2018

THIS BOX RESERVED FOR CLERK OF SUPERIOR COURT

LEGEND	
P.P.– POWER POLE	C.B.– CATCH BASIN
L.P.– LIGHT POLE	R.C.P.– REINFORCED CONCRETE PIPE
F.H.– FIRE HYDRANT	C.M.P.– CORRUGATED METAL PIPE
M.H.– SANITARY SEWER MANHOLE	F.F.E.– FINISHED FLOOR ELEVATION
W.M.– WATER METER	WATER VALVE
G.M.– GAS METER	C.O. SEWER CLEAN OUT
RBS– REINFORCING BAR SET	TELEPHONE MANHOLE
RBF– REINFORCING BAR FOUND	–E––E–UNDERGROUND ELECTRICAL LINE
CTF– CRIMP TOP PIPE FOUND	OVERHEAD POWER LINES
OTF– OPEN TOP PIPE FOUND	HW.–HEADWALL
R/W MON.– RIGHT–OF–WAY MONUMENT	POWERBOX
–X––TYPE OF FENCE	–W––W–WATER LINE
J.B.– JUNCTION BOX	–T––T–UNDERGROUND TELEPHONE LINE
D.I.– DROP INLET / YARD INLET	–G––G–GAS LINE



SURVEY NOTES:

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SURVEYOR REFERENCES:
D.B. 60 PG. 325

G.D.O.T. R/W PLANS
FEDERAL AID PROJECT
I–575–1(1).07 PHASE 2
DATED: 1/23/1978
LAST REVISED: 8/25/1981

CURRENT OWNER:
FLORRIE JO BAILEY
ZONED: R–40 (AS PER TAX ASSESSORS INFO.)
TOTAL ACREAGE = 11.07 ACRES

LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED. THUS DEEMING THEM UNDETERMINED AND NOT SHOWN. THIS PLAT IS INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN AND IS IN ZONE X ACCORDING TO F.E.M.A. (F.I.A.) COMMUNITY NUMBER # 130424 MAP NUMBER # 13057C0242 D DATED SEPTEMBER 29, 2006

THIS PLAT IS PREPARED FROM A FIELD SURVEY USING A FIVE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER - LINEAR PRECISION OF TRAVERSE - 1/30,694 ANGULAR ERROR 1" PER POINT. THE TRAVERSE WAS ADJUSTED USING THE COMPASS RULE. LINEAR PRECISION OF THIS PLAT: 1/378,828 MATTERS OF TITLE ARE EXCEPTED.

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

GEORGIA REGISTERED 2403 LAND SURVEYOR DARRELL D. RAINES

1/11/19
DATE

GPS NOTES:

1.) HORIZONTAL DATUM IS NAD 83.
VERTICAL DATUM IS NAVD 88.

2.) THE NORTHING, EASTING, AND ELEVATION OF THE STARTING POINTS FOR THIS SURVEY WERE OBTAINED UTILIZING A TRIMBLE 5800 GPS RECEIVER WITH A TRIMBLE TSC2 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A CELL PHONE FROM THE EGPS SOLUTIONS REAL TIME NETWORK. THE TECHNIQUE USED WAS RTK CORRECTED MEASUREMENTS FROM THE TRIMBLE VRS REAL TIME NETWORK OPERATED BY EGPS SOLUTIONS, INC. THE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POINTS UTILIZED IN THIS SURVEY WERE 0.04 FT. HORIZONTAL AND 0.07 FT. VERTICAL AT THE 95% CONFIDENCE LEVEL.

60 0 60 120
SCALE IN FEET

REVISIONS

Gaskins
ENGINEERING•SURVEYING•PLANNING•CONSULTING•CONSTRUCTION MGMT

Marietta Office
1266 Powder Springs Rd
Marietta, GA 30064
Phone: (770) 424-7368

LSF# 789
www.gaskinsinc.com

Canton Office
147 Reinhardt College Pkwy
Ste. 3 Canton, GA 30114
Phone: (770) 479-9698

FIELD DATE: 01/07/2019	DRAWN BY: KRK
OFFICE DATE: 1/11/19	CHECKED BY: DDR
SCALE: 1"=60'	FILE: G:/BND/CHEROKEE

RETRACEMENT SURVEY FOR:

FLORRIE JO BAILEY
1619 MARBLE QUARRY ROAD
TAX PARCEL 15N14 050

LOCATED IN L.L. 346
15th DISTRICT, 2nd SECTION
CHEROKEE COUNTY, GA.

Drawing name: G:_BND\CHEROKEE\1315_STAR\MARBLE QUARRY ROAD-BLL VERTICAL\DWG\MARBLE QUARRY ROAD.dwg Plotted on Jan 11, 2019 - 3:53pm
Notes By:kdgore

qPublic.net™ Cherokee County, GA

Summary

Parcel Number	15N14 050
Location Address	1619 MARBLE QUARRY RD
Legal Description	L 346 L 1 DIST 15 (Note: Not to be used on legal documents)
Property Class	A-Agricultural (Note: This is for tax purposes only. Not to be used for zoning.)
Tax District	04-Holly Springs
Millage Rate	35.947
Acres	11.28
Neighborhood	HOLLY SPNGS/SIXES (RURAL)

View Map

Area Sales Report

Recent Sales in Area | Recent Sales in Neighborhood

Valuation

		2017	2016
	Previous Value	$244,000	$220,800
	Land Value	$175,000	$156,900
+	Building Value	$89,900	$83,500
+	Accessory Value	$3,600	$3,600
=	**Fair Market Value**	**$268,500**	**$244,000**

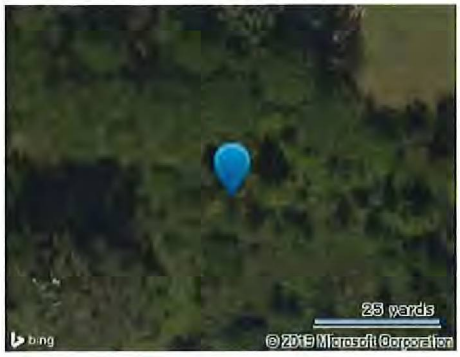
The Cherokee County Chief Appraiser makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.

Developed by Schneider GEOSPATIAL

Last Data Upload: 5/22/2019, 10:14:51 AM

Version 2.2.19

1619 Marble Quarry Rd, Canton, GA 30115, Cherokee County



3	2,460	491,357	N/A
Beds	Bldg Sq Ft	Lot Sq Ft	Sale Price
2	1959	SFR	01/1961
Baths	Yr Built	Type	Sale Date

Owner Information

Owner Name:	**Bailey Florrie Jo**	Tax Billing Zip:	**30142**
Tax Billing Address:	**Po Box 631**	Tax Billing Zip+4:	**0631**
Tax Billing City & State:	**Holly Springs, GA**		

Location Information

Township:	**County District 15**	Zoning:	**R40**
School District:	**1301110**	Flood Zone Code:	**X**
Census Tract:	**907.02**	Flood Zone Panel:	**13057C0242D**
Carrier Route:	**R058**	Flood Zone Date:	**09/29/2006**
Neighborhood Code:	**12000**		

Tax Information

Tax ID:	**015N14-00000-050-000-0000**	% Improved:	**34%**
Parcel ID:	**15N14 050**	Tax Area:	**004**
Alt APN:	**421**	Tax Appraisal Area:	**004**
Lot No.:	**1**	County Tax:	**$599**
Legal Description:	**L 346 L 1 DIST 15**		

Assessment & Tax

Assessment Year	2018	2017	2016
Assessed Value - Total	$106,600	$107,400	$97,600
Assessed Value - Land	$70,000	$70,000	$62,760
Assessed Value - Improved	$36,600	$37,400	$34,840
YOY Assessed Change ($)	-$800	$9,800	
YOY Assessed Change (%)	-0.74%	10.04%	
Market Value - Total	$266,500	$268,500	$244,000
Market Value - Land	$175,000	$175,000	$156,900
Market Value - Improved	$91,500	$93,500	$87,100

Tax Year	**Total Tax**	**Change ($)**	**Change (%)**
2016	$585		
2017	$1,316	$730	124.74%
2018	$1,325	$9	0.67%

Characteristics

Land Use - Universal:	**SFR**	Finished Basement Area:	**680**
Land Use - State:	**A4a1**	Unfinished Basement Area:	**340**
Land Use - County:	**Single Family Resid**	Bsmt Finish:	**Finished**
Lot Acres:	**11.28**	Fireplaces:	**1**
Lot Area:	**491,357**	Floor Cover:	**Carpet**
Lot Frontage:	**450**	Heat Type:	**Forced Air**
# of Buildings:	**1**	Heat Fuel Type:	**Gas**
Year Built:	**1959**	Cooling Type:	**Central**
Effective Year Built:	**1965**	Interior Wall:	**Drywall**
Style:	**Ranch**	Exterior:	**Brick**

Courtesy of Stacey Capogrossi, First Multiple Listing Service

The data within this report is compiled by [illegible] and private sources. This data is deemed reliable, but not guaranteed. The accuracy of the data contained herein should be independently verified by the recipient of this report with the appropriate county or municipality.

Property Detail

Generated on 05/14/2019

Building Sq Ft:	**2,460**	Roof Material:	**Asphalt**
Gross Area:	**4,896**	Parking Type:	**Detached Garage**
Above Gnd Sq Ft:	**1,780**	Garage Type:	**Detached Garage**
Ground Floor Area:	**1,780**	Garage Sq Ft:	**2,400**
Bedrooms:	**3**	Patio Type:	**Patio**
Total Baths:	**2**	Patio/Deck 1 Area:	**840**
Full Baths:	**2**	Porch:	**Finished/Open Porch**
Basement Type:	**Partial Finished**	Porch Type:	**Finished/Open Porch**
Basement Sq Feet:	**1,020**	Porch 1 Area:	**400**

Features

Feature Type	Unit	Size/Qty	Width	Depth	Year Built
Garage	S	2,400	60	40	1970
Storage	S	490	35	14	1960
Con Paving	S	1,440	12	120	1980

Building Description	Building Size
Patio	840
Bsmt Unfinished	340
Bsmt Finished	680
Carpt Fin	500
Base	1,780
Utility Unfin	260
Prch Opn Fin	400
Prch Enc Unf Unh	96

Estimated Value

RealAVM™ (1):	**$256,100**	Confidence Score (2):	**69**
RealAVM™ Range:	**$235,612 - $276,588**	Forecast Standard Deviation (3):	**8**
Value As Of:	**05/04/2019**		

(1) RealAVM™ is a CoreLogic® derived value and should not be used in lieu of an appraisal.

(2) The Confidence Score is a measure of the extent to which sales data, property information, and comparable sales support the property valuation analysis process. The confidence score range is 60 - 100. Clear and consistent quality and quantity of data drive higher confidence scores while lower confidence scores indicate diversity in data, lower quality and quantity of data, and/or limited similarity of the subject property to comparable sales.

(3) The FSD denotes confidence in an AVM estimate and uses a consistent scale and meaning to generate a standardized confidence metric. The FSD is a statistic that measures the likely range or dispersion an AVM estimate will fall within, based on the consistency of the information available to the AVM at the time of estimation. The FSD can be used to create confidence that the true value has a statistical degree of certainty.

Last Market Sale & Sales History

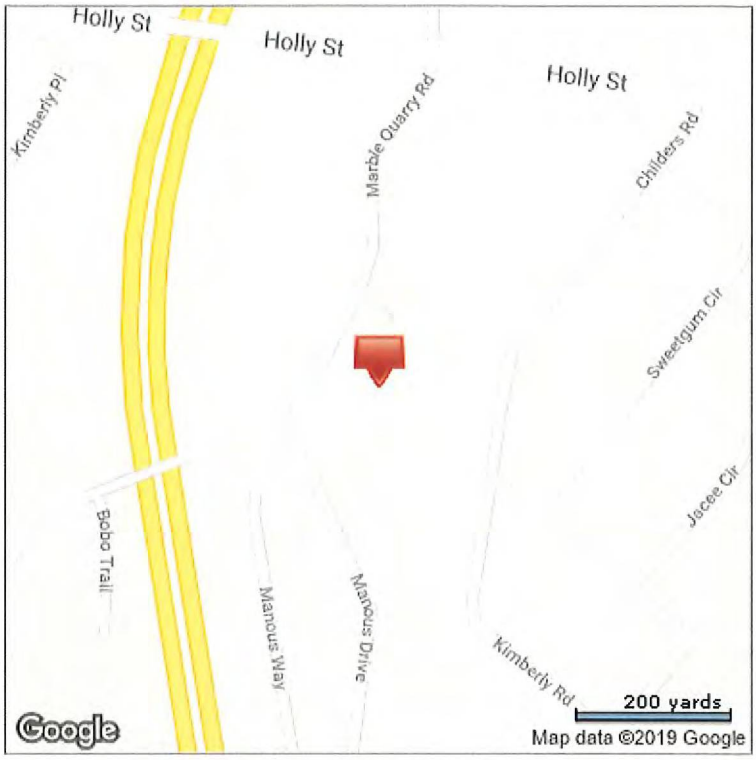
Settle Date:	**01/1961**	Deed Book & Page:	**60-325**
Multi/Split Sale:	**Multiple**	Deed Type:	**Warranty Deed**

Sale/Settlement Date	01/1961
Deed Book & Page	60-325
Document Type	Warranty Deed
Buyer Name	Bailey Florrie Jo

Courtesy of Stacey Capogrossi, First Multiple Listing Service

The data will [illegible] this report is supplied by CoreLogic [illegible] and private sources. The data is deemed reliable, but not guaranteed. The accuracy of the data contained herein [illegible] independently verified by the recipient of the report with the appropriate [illegible] party.

Property Map



*Lot Dimensions are Estimated

City of Holly Springs

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a U. S. citizen or legal permanent resident at least eighteen (18) years old.
____YES ____NO or *IF NOT:*

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. *A photo static copy of the applicant's alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.**

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Signature _____ Date June 6 2019

Member
Title

Blue River Development, LLC
Legal Company Name

3810 Windermere Parkway Suite 504 Cumming GA 30041
Company Address

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that _____ is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

SUBSCRIBED AND SWORN BEFORE ME ON THIS
6th DAY OF June, 2019

Laura Zorko
Notary Public

AFFIX SEAL

LAURA ZORKO
My Commission Expires
NOTARY PUBLIC
09-17-2021
FORSYTH COUNTY, GEORGIA

*All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2.

City of Holly Springs

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a U. S. citizen or legal permanent resident at least eighteen (18) years old.
✓ YES ____NO or *IF NOT:*

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. *A photo static copy of the applicant's alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.**

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Rodney T. Bailey POA for Ann C. Bailey
Signature

6-10-2019
Date

Owner
Title

Legal Company Name

P.O. Box 631 Holly Springs, GA 30142
Company Address

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that Rodney T. Bailey is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

SUBSCRIBED AND SWORN BEFORE ME ON THIS
10th DAY OF June, 2019

Cynthia G Poole
Notary Public

AFFIX SEAL:

CYNTHIA G POOLE
MY COMMISSION EXPIRES
APR 30 2021
CHEROKEE CO., GEORGIA
NOTARY PUBLIC

*All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2.

City of Holly Springs

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a U. S. citizen or legal permanent resident at least eighteen (18) years old.
✓ YES ____NO or *IF NOT:*

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. *A photo static copy of the applicant's alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.**

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Signature _____ Date 6-10-19

Title PRINCIPAL

Legal Company Name CENTERLINE SURVEYING & LAND PLANNING

Company Address 1301 SHILOH RD. STE, 1210 KENNESAW, GA 30144

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that DOUG PATTEN is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

SUBSCRIBED AND SWORN BEFORE ME ON THIS 10th DAY OF June, 2019

Notary Public

Jamie L Olson
Notary Public, Paulding County, Georgia
My Comm. Expires 04/11/2021

AFFIX SEAL

*All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2.

LEGAL DESCRIPTION - TRACT 1 ANNEXATION

All that tract or parcel of land lying and being located in Land Lot 346 of the 15th District, 2nd Section Cherokee County, Georgia, and being more particularly described as follows;

To find the **TRUE POINT OF BEGINNING**; Beginning at a marble monument found located at the common corner of Land Lots 346, 345, 375 and 376, thence running along the common land lot line of Land Lots 346 and 375 N.88°27'04"W., for a distance of 363.13 feet to a point; thence running N.33°29'39"W., for a distance of 187.89 feet to a point located on the southeasterly right of way of Marble Quarry Road - having a variable right of way; thence running N.51°17'37"W., for a distance of 428.28 feet to a point located on the eastern right of way of Interstate 575 said point being the **TRUE POINT OF BEGINNING**; thence running along the curvature of said right of way along a curve to the right for an arc length of 656.62 feet (said curve being subtended by a chord bearing of N.06°03'39"E., for a distance of 654.97 feet having a radius of 2674.73 feet) to a point; thence running along the right of way of Old Holly Springs Road – 30 right of way S.02°55'15"E., for a distance of 71.28 feet to a point; thence continue running along the right of way and the curvature of a curve to the left for an arc length of 160.88 feet (said curve being subtended by a chord bearing of S.37°34'59"E., for a distance of 152.09 feet having a radius of 139.33 feet) to a point; thence running along the curvature of a curve to the left for an arc length of 167.62 feet (said curve being subtended by a chord bearing of N.88°32'31"E., for a distance of 163.59 feet having a radius of 219.93 feet) to a point; thence running along the curvature of a curve to the left for an arc length of 131.97 feet (said curve being subtended by a chord bearing of n.66°57517"E., for a distance of 131.97 feet having a radius of 6732.97 feet) to a point thence running N.66°23'36"E., for a distance of 5.26 feet to a point; thence running along the curvature of a curve to the left for an arc length of 460.31 feet (said curve being subtended by a chord bearing of S.00°47'14"E., for a distance of 459.86 feet having a radius of 2991.21 feet) to a point located on the northwesterly right of way of Marble Quarry Road - having a variable right of way; thence running along said right of way S.25°17'57"W., for a distance of 27.27 feet to a point; thence running along the curvature of a curve to the right for an arc length of 42.16 feet (said curve being subtended by a chord bearing of N.26°50'55"W., for a distance of 42.15 feet having a radius of 471.65 feet) to a point; thence running N.31°26'34"W., for a distance of 135.09 feet to a point; thence running S.56°24'10"W., for a distance of 144.83 feet to a point; thence running S.73°16'59"W., for a distance of 79.86 feet to a point; thence running S.87°21'22"W., for a distance of 163.43 feet to a point said being the **POINT OF BEGINNING**.

END OF DESCRIPTION.

LEGAL DESCRIPTION - TRACT 2 ANNEXATION

All that tract or parcel of land lying and being located in Land Lot 346 of the 15th District, 2nd Section Cherokee County, Georgia, and being more particulrly described as follows;

To find the **TRUE POINT OF BEGINNING**; Beginning at a marble monument found located at the common corner of Land Lots 346, 345, 375 and 376, thence running along the common land lot line of Land Lots 346 and 375 N.88°27'04"W., for a distance of 254.81 feet to a point; said point being the **TRUE POINT OF BEGINNING**; thence running N.88°27'04"W., for a distance of 108.99 feet to a point; thence running N.33°21'50"W., for a distance of 186.43 feet to a point located on the southeasterly right of way of Marble Quarry Road - having a variable right of way; thence running along the curvature of said right of way along a curve to the left for an arc length of 223.73 feet (said curve being subtended by a chord bearing of N.40°32'31"E., for a distance of 223.51 feet having a radius of 812.38 feet) to a point; thence running S.11°25'20"E., for a distance of 335.87 feet to a point to the **POINT OF BEGINNING**.

END OF DESCRIPTION.

Cherokee County Water & Sewerage Authority

May 30, 2019

RE: Water & Sewerage Availability (Tax Map 15N14, Parcel 050)

To Whom It May Concern:

Please be advised that Cherokee County Water & Sewerage Authority presently has a 6" PVC water main on the West side of Marble Quarry Road East and West of the subject property.

Sewer is available to the South of the subject property. The acquisitions of easements to manholes or lift stations will be the responsibility of the developer.

The capacity for Rose Creek Wastewater Treatment Facility is 6.0 MGD and the Authority is presently treating 3.5 MGD. The Fitzgerald Creek Treatment Facility is 5.0 MGD and the Authority is presently treating 3.0 MGD.

There is presently no moratorium for water or sewer connections on the Authority System. Sewer connections are available on first pay, first serve basis. However, plans for any development must be submitted and approved by the Authority prior to any water or sewer connection application being accepted for processing. Also existing infrastructure, size and location, must be verified by developer/engineer/contractor prior to submittal to Cherokee County Water and Sewerage Authority.

If you have any questions, please don't hesitate to call me.

Sincerely,

Bradley M. Payne

Bradley M. Payne
Construction Office Supervisor

CC: Dwayne Fowler
Garry Hensley
Jeff Hooper

P. O. Box 5000 ~ Canton, Georgia 30114 ~ 770-479-1813

CHEROKEE COUNTY
PLANNING & ZONING
1130 Bluffs Parkway • Canton, Georgia 30114
678-493-6101 • Fax 678-493-6111
www.cherokeega.com

July 8, 2019

Nancy Moon
Community Development Director
City of Holly Springs
3237 Holly Springs Parkway
Holly Springs, GA 30115

RE: A-08-2019; Blue River Development – 1619 Marble Quarry Road

Dear Nancy:

The annexation case A-08-2019; Blue River Development was on the agenda of the regular meeting of the Cherokee County Board of Commissioners on July 2, 2019. The case involves 5.389 acres of parcel 15N14 050 located at 1619 Marble Quarry Road. The balance of the 11.07 acre property is already located within the city limits of Holly Springs.

The applicant is proposing to rezone the whole property from Single Family Residential (R-40 & R-20) to Traditional Neighborhood Development (TND) to develop it for 89 townhomes. The overall density for the development would be 8.04 dua. The application does not appear to include any concurrent variances. The attached Staff Analysis provides more detail so that all of this information can be relayed to the Holly Springs City Council and Planning Commission prior to the public hearing on July 11, 2019. We hope this letter and the attached staff comments can begin a dialog about the impacts of this project.

Based on the Staff Analysis and the discussion at the Commission meeting, the Board of Commissioners voted (5-0) to convey their concerns about this annexation application. Their primary issues are related to the increased traffic at the intersection of Marble Quarry Road and Holly Street, the challenge of locating and accessing some of the townhomes in case of an emergency due to the configuration of streets and alleys and the need for a fire flow test to ensure enough water pressure for fire fighting. First, the Engineering Department recommends having the applicant evaluate the intersection of Marble Quarry Road and Holly Street to see if the increased traffic will justify any intersection improvements. Second, some of the townhomes

shown on the site plan are located as much as 80 feet from a street that can be used by fire apparatus, which could impede fire response and make locating the correct address difficult. In addition, some of the units do not have a clear road frontage, which makes assigning addresses during development challenging. Finally, Marble Quarry Road only appears to have a 6 inch diameter water line, which may not allow sufficient fire flow through hydrants at this location so a fire flow test needs to be conducted.

Feel free to reach out to me if you have any questions about these staff comments. Please keep us updated on any significant changes to the proposal so we can offer revised comments.

Sincerely,

Margaret Stallings

Margaret Stallings, AIA, AICP
Principal Planner

CC: Christy Black, County Clerk
Jerry Cooper, County Manager
Rob Logan, City Manager
Jeff Watkins, Director of Planning and Zoning

STAFF REVIEW AND ANALYSIS OF ANNEXATION REQUEST

Per O.C.G.A. § 36-36-113 (set forth in full at the end of this document for your ease of reference), a land use objection can be made by majority vote of the Board of Commissioners in the event of a material increase in burden upon the County which is quantifiable and otherwise meets the requirements of the statute. In order for a land use objection to be considered timely, it must be completed in time for the BOC to vote upon it in open session and served upon the annexing municipality within 30 days of receipt of notice of annexation via statutory overnight delivery or certified mail, return receipt requested

City		Holly Springs	
Case Number	A-08-2019	Applicant	Blue River Development
Receipt of Annexation Notice Date			6/17/2019
Holly Springs Public Hearing			7/11/2019
Meeting date the Board of Commissioners must decide whether to object.			7/2/2019
30 day period to object expires on			7/17/2019
City Council Review & Decision			8/5, 8/19/2019

Staff is requested to review the application for annexation and provide a response to the following questions.

		Yes	No
Is the property to be annexed contiguous to city jurisdictional boundary?		X	
Development Map designation	Neighborhood Living		
Surrounding / Contiguous City Future Development Map	Traditional Neighborhood/Suburban Neighborhood		
Surrounding County Future Development Map	Neighborhood Living		
Does this annexation create an "island" of unincorporated land?			X

1) If the application is granted will there be a material increase in burden upon the County directly related to :	Yes	No
a) the proposed change in zoning or land use?		X
b) the proposed increase in density?		X
c) infrastructure demands related to the proposed change in zoning or land use?		X

STAFF REVIEW AND ANALYSIS OF ANNEXATION REQUEST

2) Will delivery of services be affected by the annexation?	Yes	No
		X
If the answer to (2) is yes, is the affect on delivery of services directly related to		
a) the proposed change in zoning or land use?		
b) the proposed increase in density?		
c) infrastructure demands related to the proposed change in zoning or land use?		
Note: Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in items (a), (b), and/or (c) of Section 1 above.		

3) If there is a material increase in burden caused by items (a), (b), and/or (c) of Section 1 above, can your department provide evidence of any financial impact?	Yes	No
		X
If the answer to (3) is yes, please provide the evidence		

4) Does the proposed change in zoning or land use result in a substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use?	Yes	No
	X	
If the answer to (4) is no, does the proposed change in zoning or land use result in:	Yes	No
a) a use which significantly increases the net cost of infrastructure?		
b) a use which significantly diminishes the value or useful life of a capital outlay project, as such term is defined in O.C.G.A. 48-8-110, which is furnished by the county to the area to be annexed?		

STAFF REVIEW AND ANALYSIS OF ANNEXATION REQUEST

If the answer to 4(a) or 4(b) is yes, then:	Yes	No
c) Does the proposed change in zoning or land use differ substantially from the existing uses suggested for the property by the county's comprehensive land use plan?		
d) Does the proposed change in zoning or land use differ substantially from the existing uses permitted for the property pursuant to the county's zoning ordinance or its land use ordinances?		

Comments:

Planning and Land Use

This application includes 5.389 acres at 1619 Marble Quarry Road to be annexed and rezoned from R-40 to TND. This property is divided into two tracts (Tract 1- 5.89 acres, Tract 2- 5.18 acres) totaling 11.07 acres on either side of Marble Quarry Road. After the initial notification, the City provided the 5.389 acreage for the annexation and legal descriptions of these unincorporated areas. The applicant is proposing to develop the whole property for 89 townhomes. The density of the overall development would be 8 dua (dwelling units per acres).

This property currently falls within the county's Neighborhood Living character area, which has a suggested residential density of 3 to 8 dua, based on the 2018 Cherokee County Comprehensive Plan. According to the Holly Springs Future Development Map, tract 1 falls within their Traditional Neighborhood Character Area (up to 8 dua) while tract 2 is within Suburban Neighborhood (up to 3 dua). This development appears to be consistent with both Cherokee County and Holly Springs Future Development Maps.

This property is already an unincorporated island, therefore there would be no impact on unincorporated property owners.

Engineering

The applicant is proposing to access the site from Marble Quarry Road; on a portion of the roadway that is currently maintained by the City of Holly Springs. The parcels are unincorporated islands on Marble Quarry Road. The City of Holly Springs will be responsible for permitting any entrance requirements for the proposed application.

The City may want to consider having the applicant review the adjacent intersection of Marble Quarry Road and Holly Street to determine if the additional traffic generated by this application will justify any improvements to the intersection such as the installation of right-turn lane or left-turn lane. The intersection of Holly Street and Marble Quarry Road is maintained by the City of Holly Springs.

Fire and Emergency Services

The proposed project shall meet the requirements of state residential, building and fire codes paying close attention to the International Fire Code (IFC 2012) for Fire Apparatus Access to the buildings. In the current proposed plan, it appears there are buildings that are not fronting a street with as much as 80' from the street to the residence. This could also be an issue locating them in an emergency. The rear alley is not approved for fire department access as it is only 14' wide with unacceptable turning radius on several of the rear alley access streets. We recommend that the Cherokee County Fire Marshal's Office have an opportunity to review the final site plan to determine if fire department access is appropriate.

There is a 6" water line along Marble Quarry Road. We would recommend a water flow study be conducted to ensure the appropriate fire flow is available. Without knowing the details of the proposed buildings, it would be difficult to determine the Fire Flow for those buildings.

STAFF REVIEW AND ANALYSIS OF ANNEXATION REQUEST

O.C.G.A. § 36-36-113. Reasons for objection to annexation

(a) The county governing authority may by majority vote object to the annexation because of a material increase in burden upon the county directly related to any one or more of the following:

(1) The proposed change in zoning or land use;

(2) Proposed increase in density; and

(3) Infrastructure demands related to the proposed change in zoning or land use.

(b) Delivery of services may not be a basis for a valid objection but may be used in support of a valid objection if directly related to one or more of the subjects enumerated in paragraphs (1), (2), and (3) of subsection (a) of this Code section.

(c) The objection provided for in subsection (a) of this Code section shall document the nature of the objection specifically providing evidence of any financial impact forming the basis of the objection and shall be delivered to the municipal governing authority by certified mail or statutory overnight delivery to be received not later than the end of the thirtieth calendar day following receipt of the notice provided for in Code Section 36-36-111.

(d) In order for an objection pursuant to this Code section to be valid, the proposed change in zoning or land use must:

(1) Result in:

(A) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; or

(B) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project, as such term is defined in Code Section 48-8-110, which is furnished by the county to the area to be annexed; and

(2) Differ substantially from the existing uses suggested for the property by the county's comprehensive land use plan or permitted for the property pursuant to the county's zoning ordinance or its land use ordinances.

Marble Quarry Road Public Information Hearing (6/27/19)

Location: 7675 Vaughn Road Woodstock, GA

Time: 6pm

Summary of information presented:

- Subject property is within future land use plan and complies with said plan
- Subject property will be annexed into city of Holly Springs
- Landscape buffers have been incorporated in design to help provide buffer between current residents and subject site
- Site plan is concept plan and can/will be adjusted as needed to address concerns from residents and city
- Subject site will have two entrances to help alleviate some of the increased traffic concerns
- Attached townhomes will be constructed on subject site
- The proposed town home community will have a HOA that includes landscaping and maintenance throughout the community as well as exterior home maintenance including in HOA fees. This will keep the proposed development in tip top shape and aesthetically pleasing
- Since townhomes are a higher cost per sqft it is likely that the existing resident property values will increase post development
- Townhomes will be rear entry so that garage and cars are in the rear of the home and not along the street. This creates more a park like feel
- The townhomes that are to be constructed shall have a 1600sqft minimum
- This site was selected because the existing property owner has passed away and the family put the property on the market
- Project will have a detention pond that controls the flow of water and is design to not hold/retain water. The detention pond will also help address the existing drainage issues

Summary of issues stated by attendees:

- There is creek behind the subject property with underground springs that should have building setbacks
- Concerned with the number of trees to be taken down during development
- Increased traffic will be an issue. Traffic is already an issue around the subject property
- Residents wanted to make sure that apartments will not be built on subject property
- Concern with detention pond becoming a pond or mud hole
- How will future development impact existing resident's property values
- Residents are currently experiencing some water run off and drainage issues from subject property and are concerned that the issue will be more significant after development
- Residents wanted to know why this location was selected
- Residents would rather see 1-6 large custom homes on the subject site
- Residents stated that new land cannot be created, and they did not choose to live next to a medium density townhome development
- Manis Manor was originally designed with (2) entrances but they ended up with one.

- The proposed entrance is not in a good location as it is located at the top of a small hill and does not have adequate line of sight.

BLUE RIVER
DEVELOPMENT, LLC
BROKERAGE | DEVELOPMENT | CONSULTING

AFFIDAVIT – PUBLIC INFORMATION MEETING

Project Title: 1619 Marble Quarry Rd, Canton, GA 30115

The undersigned certifies that the neighborhood public information meeting was conducted at the following location and time:

June 26, 2019, 6:00 p.m.
Hickory Flat Community Center
7675 Vaughn Road, Canton, GA 30115

Sam Eslami
Signature

Vice President
Title

I hereby certify that Sam Eslami is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

SUBSCRIBED AND SWORN BEFORE ME ON THIS

25th DAY OF June, 2019

LAURA ZORKO
NOTARY PUBLIC
My Commission Expires 09-17-2021
FORSYTH COUNTY, GEORGIA
AFFIX SEAL

Notary Public

June 19, 2019

To: AREA HOMEOWNERS

RE: REZONING OF PROPERTY: This letter is to inform you that a Rezoning application(s) have been submitted to the City of Holly Springs Planning Division on a tract of land within 1,000 feet of your property.

APPLICANTS NAME:	Blue River Development, LLC
ZONING CHANGE:	Cherokee County R-40, City of Holly Springs R-20 to City of Holly Springs TND
STREET LOCATION:	1619 Marble Quarry Road, Canton, GA 30115
PROPERTY SIZE:	11.07 ACRES +/-
PROPOSED DEVELOPMENT:	Single Family Residences
CONTACT PERSON:	Brad Cooper Blue River Development, LLC 3810 Windermere Parkway, Suite 504 Cumming, GA 30041 Phone: 404-797-7325 bcooper@blueriverdevelopment.com

Dear valued neighbors,
I am pleased to advise that we have filed an application to rezone the above referenced. The public meeting will be held:

June 26, 2019
6:00 p.m.
Hickory Flat Community Center
7675 Vaughn Road, Canton, GA 30115

Respectfully yours,

Brad Cooper,
Blue River Development, LLC

COUNCIL AGENDA REPORT

FROM: **Nancy Moon**

CC: **City Clerk**
Public Information

SUBJECT: **CUP-01-2019,** applicant requests a conditional use permit for an Auto Service Establishment for property located on Holly Springs Parkway, Cherokee County, GA, tax parcels 085A and 089 of tax plat 15N16

DATE: **August 27, 2019** **COUNCIL MEETING DATE:** **September 5, 2019**

RECOMMENDATION

Applicant, JR Holly Springs, LLC, has requested a Conditional Use Permit for an Auto Service Establishment, for property located on Holly Springs Parkway, parcels 085A and 089 of tax plat 15N16. The property is zoned GC, General Commercial. The applicant proposes to construct an Express Oil Change and Tire Engineers adjacent to the O'Reilly Auto Parts business that is currently under construction. See attached site plan for the proposed location and layout. Proposed materials include glass and masonry. The Holly Springs Parkway Model Zoning District will require 75% brick and/or stone when visible from a city-maintained right-of-way and 50% brick and/or stone when not visible from a city-maintained right-of-way. Compliance with other architectural standards of the Holly Springs Parkway Model Zoning District should be considered at the time of site plan and building permit approval. A proposed elevation of the structure is also attached. The projected opening date for this business will be April of 2020.

A. <u>Existing Land Use and Zoning Classification of Nearby Property</u>

ADJACENT ZONING		ADJACENT DEVELOPMENT	
NORTH:	R-40 (County) GC	**NORTH:**	Cemetery Kroger Shopping Center
SOUTH:	TND	**SOUTH:**	Future Single Family Residential
EAST:	GC	**EAST:**	Kroger Shopping Center
WEST:	R-40	**WEST:**	SFR

B. <u>Zoning Proposal Review Standards; Study Required for Amendment</u>

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

The use is an allowed use by the issuance of a Conditional Use Permit in the GC zoning district. Surrounding development consists of commercial and single-family residential development.

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

   The development of the property should not adversely affect the existing use or usability of adjacent or nearby property. A buffer will be required adjacent to the residential uses.

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

   The property is zoned GC and this use is an allowed use subject to conditional use permit approval. As currently zoned, all permitted uses within the GC zoning district would be allowed.

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?

   This request will not result in a use that would cause an excessive or burdensome use of utilities, streets, or other public services. It will have no impact on the local school system. The site is already under development and will provide the appropriate infrastructure.

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 identifies this area as Parkway Corridor. This character area follows Holly Springs Parkway and also encompasses land around interchanges of I-575. It also characterizes State Route 140 (Hickory Flat Highway), an arterial that traverses Cherokee County and is an emerging commercial Corridor. East Cherokee Drive at the intersections of Hickory Road and State Route 140 is also designated as "Parkway Corridor." 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, multi-family residential

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

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?

   This zoning proposal and conditional use permit request is in conformity with the policies and intent of the Comprehensive Plan. The request is consistent with the City's "Future Development Map" which projects commercial uses for the immediate area. Furthermore,

the proposal 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. (8.1, #1).**

b) **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. (8.1, #22).**

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.

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 site is located within an area that is developing both commercially and residentially and is adjacent to an auto parts establishment that is currently under construction.

C. Conditional Use Proposal Review Standards

Under Attachment B in the application, the City asks each CUP applicant to complete 16 questions related to the proposed use. The applicant has completed these questions and they are attached in the Conditional Use Permit application.

The Conditional Use Permit for an Auto Service Establishment requires the following regulations to be met:

5.4-7 Auto Service Establishments- Auto Service Establishments shall include minor auto service activities, including but not limited to oil changes, tune-ups, brakes, and other similar activities and/or uses; provided that Auto Service Establishments shall not include activities classified and defined by the Zoning Ordinance as auto repair. The purpose of this Section is to mitigate the negative effects of potential noise, fumes, litter, harmful run-off, contaminates, spillage, impervious surfaces, parking problems and to ensure compatibility with adjacent uses and surrounding neighborhoods and businesses. In addition to an application for a conditional use permit, the applicant shall submit evidence sufficient to demonstrate compliance, and at all times thereafter remain compliant with the following standards:

a.) For those establishments proposed for the GC-General Commercial Zoning District, or a LI-Light Industrial District; not an established and platted LI- Light Industrial Park:

   1. The minimum land area set aside and exclusively devoted to Auto Service Establishments shall total to at least 0.75 acre.

   2. All storage, parts, waste materials and/or inoperative vehicles and all service activities shall be carried out and/or accommodated entirely within enclosed buildings.

3. All buildings shall be located at least 50 feet from adjacent street right-of-way lines.

4. All exterior public parking, maneuver and driveway areas shall be constructed with an all-weather-paved surface surrounded by a raised curb.

5. Aisles, drives and access-ways shall be adequately designed for vehicle movement and access for service and/or emergency vehicles.

6. Auto Service Establishments shall not be located within 500 feet of a parcel zoned for residential use.

   The site plan included within the application depicts the building closer than 500 feet to the adjacent property which is zoned and being developed for residential use.

7. Garage doors or bays shall neither front nor lay in the line of sight of parcels zoned for residential use. All garage and bay doors shall not front a major street.

   The garage doors are shown with the bays facing Holly Springs Parkway. The applicant has stated the following with regards to the bay doors:

   > *Due to the fact that their competitor (Pep Boys Service Center) less than 1/2 mile to the north on the same street has their bays facing Holly Springs Pkwy., Express Oil believes that the city requiring them to rotate their building will put them at a competitive disadvantage. Furthermore, due to the curvature of Holly Springs Pkwy. at this location, we believe that the bays will be MORE visible to the Holly Springs Pkwy. traffic if the building is rotated than they are as shown on the proposed site plan.*

8. Proximity to restaurants and food service establishments should be considered and reviewed.

D. Summary

The proposed conditional use permit request for an Auto-Service Establishment is an allowed use within the GC, General Commercial zoning district, subject to compliance with the applicable regulations. Surrounding zoning and land uses are compatible with the proposed land use. The development is in compliance with the Future Development Map and with the objectives of the Comprehensive Plan.

E. Planning Commission Recommendation

Planning Commission conducted a public hearing on August 8, 2019. No public comments were made. Planning Commission voted to recommend **APPROVAL** of the Conditional Use Permit request (3-0) including the staff stipulations with the addition of the site being developed in accordance with the approved site plan.

F. Staff Recommendation

Based on the preceding analysis, Staff recommends **APPROVAL** of the Conditional Use Permit for an **Auto Service Establishment** with the following stipulations.

1. Lighting shall be environmentally sensitive, with applicant 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.

2. Owner/Developer shall coordinate with the Community Development Director and the City Arborist regarding landscaping.

3. All improvements to Holly Springs Parkway shall be provided as per determination and recommendation of the City Engineer.

4. Owner/Developer shall be responsible for the installation of sidewalks, decorative street lamps, and curb and gutter along the road frontage of Holly Springs Parkway, 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.

5. In addition to the zoning requirements of the GC zoning district and the established regulations for an Auto Service Establishment, all development shall follow the design guidelines as outlined in the Holly Springs Zoning Ordinance, Article 19, Design Guidelines for Model Zoning Districts.

6. Applicant shall coordinate the location of the building with the City Engineer and Community Development Director and make every effort to locate the building as far away from the adjacent residentially zoned property as possible.

7. Architectural design shall be consistent with the O'Reilly Auto Parts building adjacent to this site, to include parapets and screening of HVAC equipment.

8. A 40' landscaped buffer with screening in compliance with Article 9, Buffer Requirements, of the Zoning Ordinance shall be installed adjacent to the residentially zoned property.

9. Frontage landscaping along Holly Springs Parkway shall be coordinated with the City Arborist to provide additional screening of the bay doors

10. Development shall be in accordance with the approved site plan.

CONCURRENCES

Planning Commission

FISCAL IMPACT

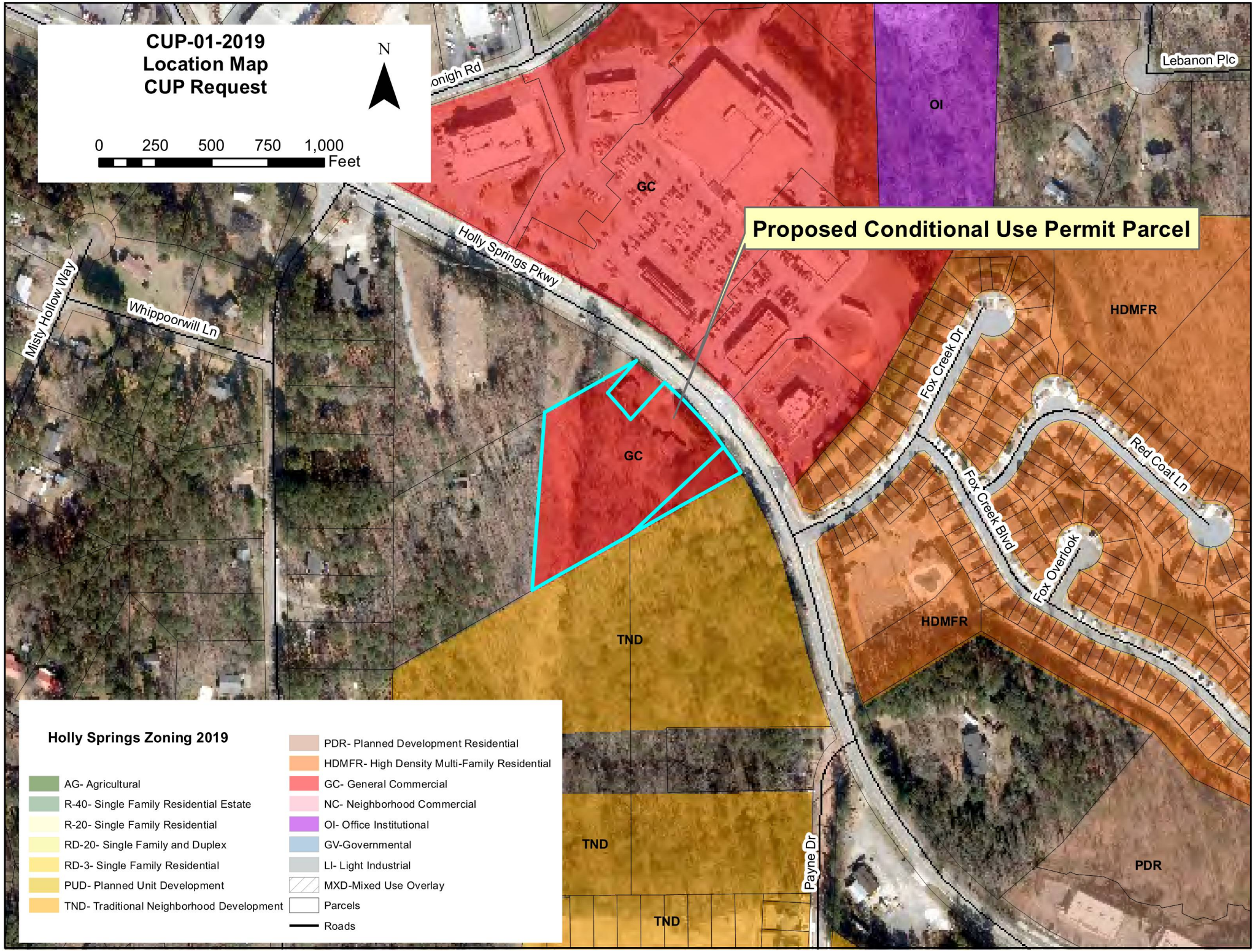
N/A

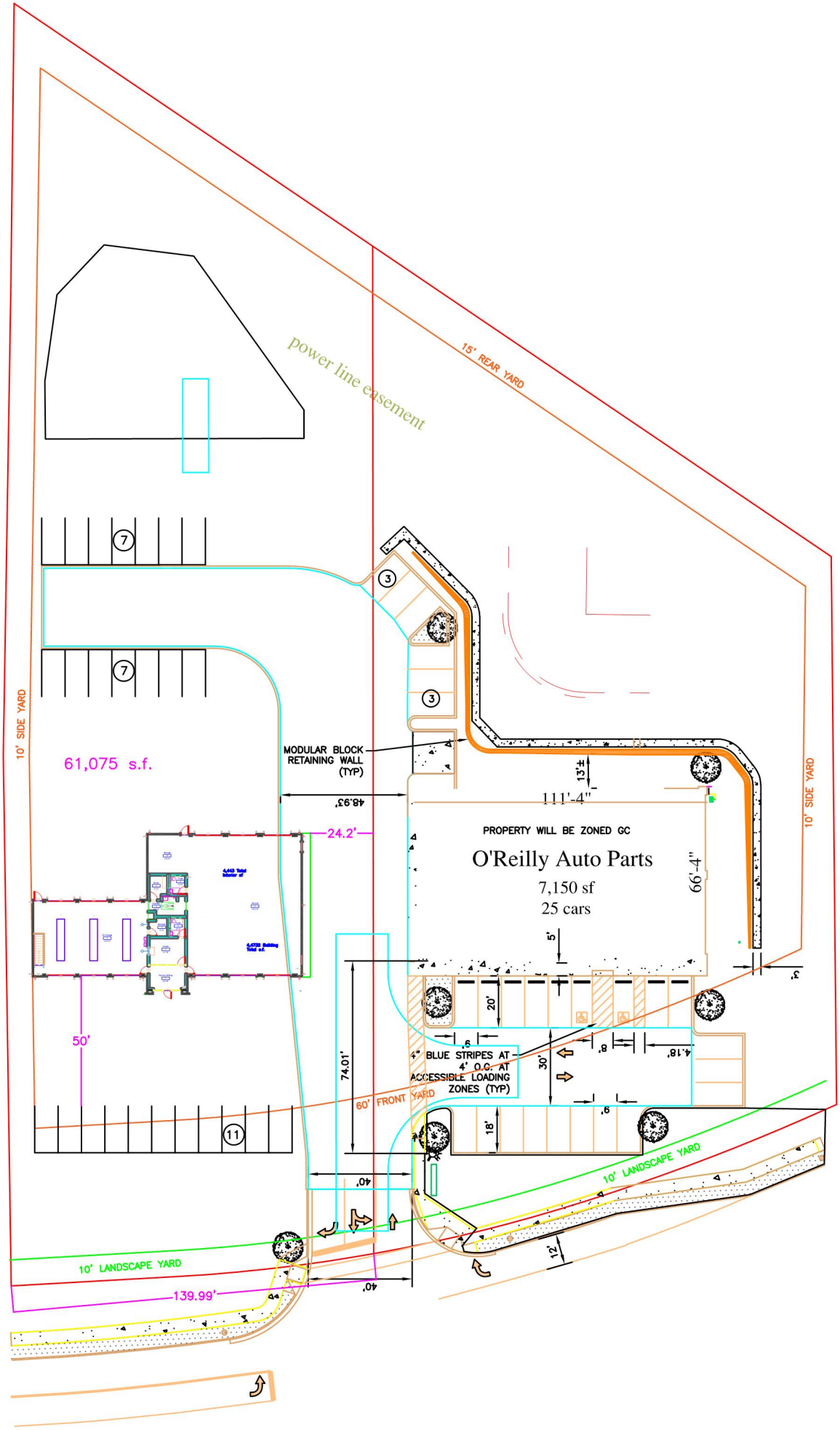
ALTERNATIVES

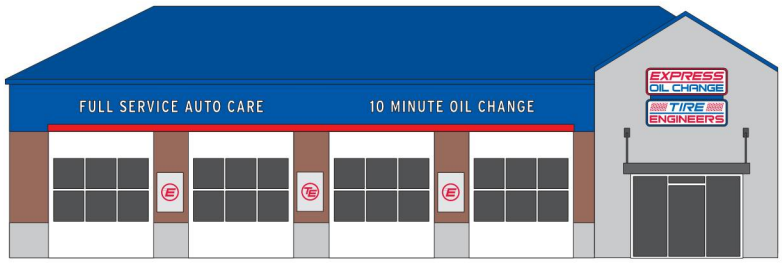
Denial

ATTACHMENTS

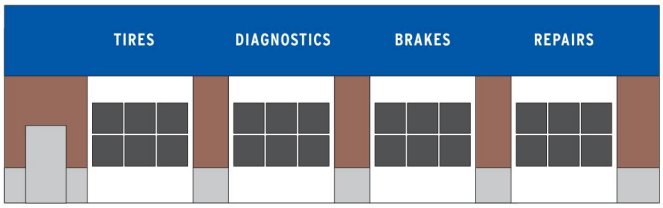
Application
Location Map

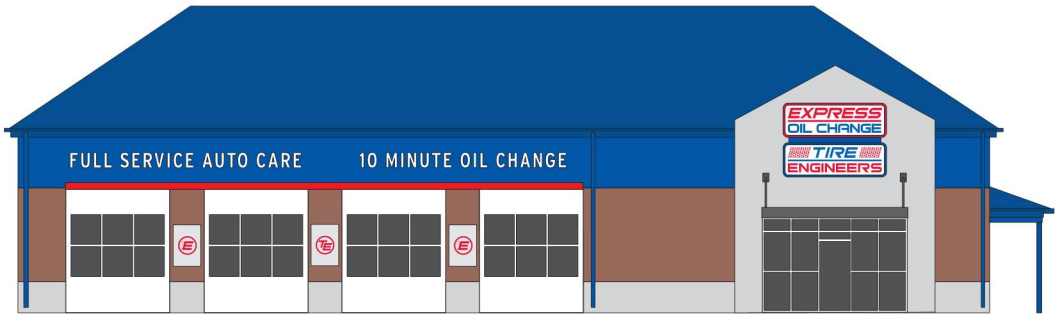

CUP-01-2019
Location Map
CUP Request
N
0 250 500 750 1,000
Feet
Holly Springs Zoning 2019
AG- Agricultural
R-40- Single Family Residential Estate
R-20- Single Family Residential
RD-20- Single Family and Duplex
RD-3- Single Family Residential
PUD- Planned Unit Development
TND- Traditional Neighborhood 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
Roads
Proposed Conditional Use Permit Parcel
Lebanon Plc
OI
GC
GC
HDMFR
HDMFR
TND
TND
TND
PDR
Holly Springs Pkwy
Misty Hollow Way
Whippoorwill Ln
Fox Creek Dr
Fox Creek Blvd
Red Coat Ln
Fox Overlook
Payne Dr

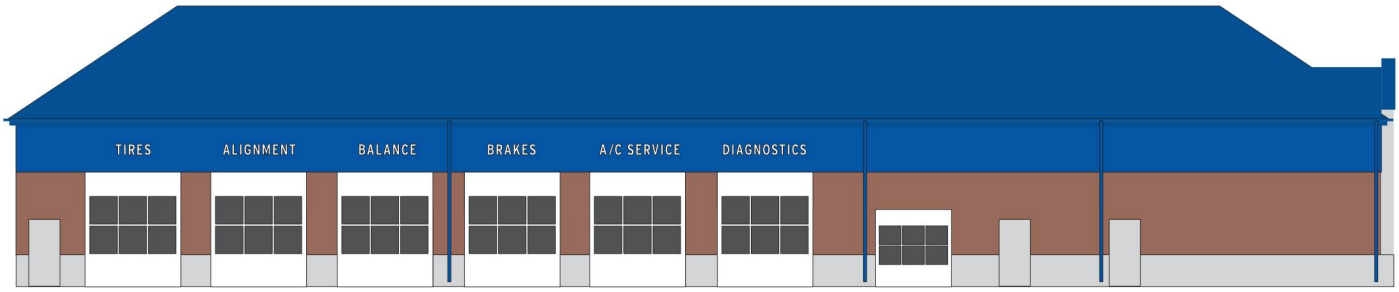

power line easement
15' REAR YARD
10' SIDE YARD
10' SIDE YARD
61,075 s.f.
MODULAR BLOCK RETAINING WALL (TYP)
48.93'
24.2'
50'
PROPERTY WILL BE ZONED GC
O'Reilly Auto Parts
7,150 sf
25 cars
111'-4"
66'-4"
13'±
5'
3'
20'
30'
18'
9'
8'
4.18'
74.01'
4" BLUE STRIPES AT 4' O.C. AT ACCESSIBLE LOADING ZONES (TYP)
60' FRONT YARD
10' LANDSCAPE YARD
10' LANDSCAPE YARD
40'
40'
139.99'
12'
7
7
3
3
11



Back Building







MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

Adopted by Mayor and Council on February 23, 2006

For Application Procedures, See p. 8

APPLICATION MA-_____ APPLICATION CUP- 01-2019

HEARING DATE_____ DATE OF APPLICATION_____

APPLICANT JR Holly Springs LLC

ADDRESS 3800 St. Elmo Ave., Ste. 329
Chattanooga, TN

ZIP CODE 37409 PHONE 423 821 7558

EMAIL dkellyetal@outlook.com

SIGNATURE_____

OWNER_____
(If other that applicant)

ADDRESS_____

ZIP CODE_____ PHONE_____

SIGNATURE_____

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

PRESENT ZONING DISTRICT(S) GC REQUESTED ZONING DISTRICT_____

REQUESTED CONDITIONAL USE(S) Automotive service ~~center~~ establishment

PROPERTY LOCATION/ADDRESS Holly Springs Pkwy. next to O'Reilly Auto Parts and across from Kroger

MAP NUMBER 15N11e PARCEL NUMBER(S) 085A & 089

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

ACREAGE 1.43 ac. SEWAGE DISPOSAL TYPE City UTILITIES AVAILABLE Sewer, water, electricity and natural gas

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:
Proposed new construction of an Express Oil Change & Tire Engineers location.

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application:

- ✓ WARRANTY DEED
- ✓ TAX DOCUMENTATION
- ✓ SURVEY PLAT BY REGISTERED SURVEYOR
- ✓ 10 COPIES OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR INDIVIDUAL FOLDED TO 8.5"x11" (SEE p.7 FOR REQUIREMENTS)
- ✓ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ✓ FOR CONDITIONAL USE REQUESTS, COMPLIANCE WITH SECTION 5.4
- ✓ FOR CONDITIONAL USE REQUESTS, COMPLETE ATTACHMENT B
- ___ FILING FEE$_____ RECEIPT#_____ CHECK#_____

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION:		CITY COUNCIL DECISION:	
APPROVED _____	STIPULATIONS_____	APPROVED _____	STIPULATIONS_____
DISAPPROVED _____	TABLED _____	DISAPPROVED _____	TABLED _____

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? This development will be suitable with adjacent and nearby properties because the adjacent and nearby properties are either of similar zoning and use or, if they are not, are adequately naturally screened and/or buffered by existing vegetation and/or easements.

(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property? The proposed use will not adversely affect the existing use or usability of adjacent or nearby properties due to the existing compatible uses (retail auto parts, grocery store, fast food restaurant) of some of the adjacent or nearby properties as well as the existing natural buffers and easements that are present now between the subject property and adjacent or nearby residentially zoned properties.

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned? Since the property is already zoned GC, the economic use will not be affected by the proposed use.

(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? The existing infrastructure, as improved by the developer with turn lanes in Holly Springs Pkwy., the extension of public sewer across HS Pkwy., and the installation of a fire hydrant should be adequate and not cause an excessive or burdensome use on them. Furthermore, these improvements were approved by the city prior to their installation and inspected and approved afterwards.

(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 current GC zoning is in conformity with the policy and intent if the adopted FDM and FLUM and the proposed use conforms to the nearby and adjacent existing uses of retail auto parts sales, grocery store and fast food restaurants.

(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, the current GC zoning is in conformity with the policies, objectives, and vision set forth by the Comprehensive Plan.

(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? Drainage, soil erosion, sedimentation, flooding, water quality and quantity have been addressed by the master storm water detention pond that has already been installed for this development. The proposed development should actually help improve air quality as vehicles are made more efficient with the service this business provides.

(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? Obviously, we are all aware of the tremendous growth Holly Springs is experiencing, both on a residential and commercial level. The fact that there is a new O'Reilly Auto Parts store next door to this proposed development, a large slope easement/buffer on it's south side and a wide electrical transmission line easement to act as a buffer on it's west side give supporting grounds for approval.

Per 14.5-7 of the City of Holly Springs Zoning Ordinance, **Applicant Report for Rezoning and Conditional Use Permit Requests**, as relevant and determined by the Zoning Administrator, all applicants must submit the following in addition to any standing requirements for requests for zoning changes*:

1. A plan of the general location of the proposed buildings by reference to a plan or drawing and an indication of the use to be made of each and every building;
2. Architectural, façade and materials to be utilized as compared to the zoning requirements for the current and proposed zoning district;
3. The percentage of development maintained as open space and/or recreation areas and impervious surfaces;
4. If application exceeds 150 residential units and/or exceeds 100,000 square feet of commercial area, the applicant is required to submit a transportation impact study to be designed by an appropriate transportation professional;
5. Preliminary tree protection plan and buffer standards;
6. Preliminary storm water retention plan.

*Per 14.5-8 of the City of Holly Springs Zoning Ordinance, **Application Submittal Requirements Waived**, When determined by the Community Development Director to be unnecessary or irrelevant to the application submitted, the requirements listed in this section may be waived; however, if determined to be of significant importance to the decision process at any time after the application has been accepted, the Community Development Director, Planning Commission, or City Council may request the submission of these items or other information as deemed relevant during the decision making process.

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:____1_____

Maximum square footage:_____sq. ft.

Number of stories:____1_____

Total number of employees:_____

Exterior façade:_____Masonry_____

Anticipated start date:_10.01.19_____

Anticipated completion date:_04.01.20_____

ATTACHMENT A

DISCLOSURE

Please answer the following questions. If the answer to any of the following questions is "yes", you may be required under O.C.G.A. 36-67A, to provide further information.

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 ___X___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 ___X___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 ___X___NO

D.) Within two (2) years immediately preceding this application, have you made campaign contribution (s) or given gifts to public officials aggregating $250.00 or more?

_____YES ___X___NO

07.05.19	David Kelly	
DATE	APPLICANT NAME PRINTED	APPLICANT SIGNATURE

7-8-19

NOTARY

Seal:

LISA E. VAUGHN
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF HAMILTON

ATTACHMENT B

For Conditional Use Permit Requests, please answer the following questions on a separate sheet of paper.

1. Please verify that the proposed use complies with all of the additional stipulations by use, if any, as set forth by Section 5.4, Article 5. It does.

2. State the proposed business name, brand, flag, and/or franchise. Express Oil Change & Tire Engineers

3. Explain in detail what services the proposed conditional use business will provide. Passenger vehicle oil changes, minor repairs & new tire sales and installation.

4. Has a business plan or model been completed for this proposed conditional use business? Yes.

5. Why was this specific location chosen for this proposed establishment? Because the proposed use fits well with the existing surrounding uses. Those being: retail auto parts sales, grocery store and restaurants.

6. What is the projected date that the proposed conditional use business will open? 04.01.20

7. How many employees are expected to work at the proposed conditional use business? 6, initially. 9 when at maximum capacity.

8. What are the expected hours of operation for the proposed conditional use business? 8am - 6pm, Monday - Saturday. Closed on Sundays.

9. What licensing requirements, if any, are mandated by the state for this business to operate? Do the proprietors of this business already possess these credentials? None required.

10. Does the proposed conditional use business conform with the nearby uses already in existence? Yes, the nearby commercial uses are compatible and there is sufficient buffer yar and/or easement areas between the proposed use and nearby residential uses

11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available? Yes, Express Oil does a feasibility study on each location.

12. Will the proposed conditional use business create a nuisance or disturbance to nearby or adjacent properties? No.

13. Is the proposed conditional use business a service that is similar or will overlap a nearby establishment already in existence? No, existing auto service businesses are at or exceed capacit

14. Will the services provided by the proposed conditional use business complement and correspondent well with the intended character of the respective zoning district area? Yes.

15. Will the business have adequate facilities and parking to accommodate the proposed use? Yes.

16. If in the Neighborhood Commercial District (NC), could nearby neighborhood residents and local pedestrians be expected to frequent this proposed business establishment without the use of an automobile? N/A

City of Holly Springs

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a U. S. citizen or legal permanent resident at least eighteen (18) years old.
_X_ YES ____ NO or *IF NOT:*

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. *A photo static copy of the applicant's alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.**

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Signature: _____ Date: 07.05.19

Title: Member

Legal Company Name: JR Holly Springs LLC

Company Address: 3800 St. Elmo Ave., Ste. 329, Chattanooga, TN 37409

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that David Kelly is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

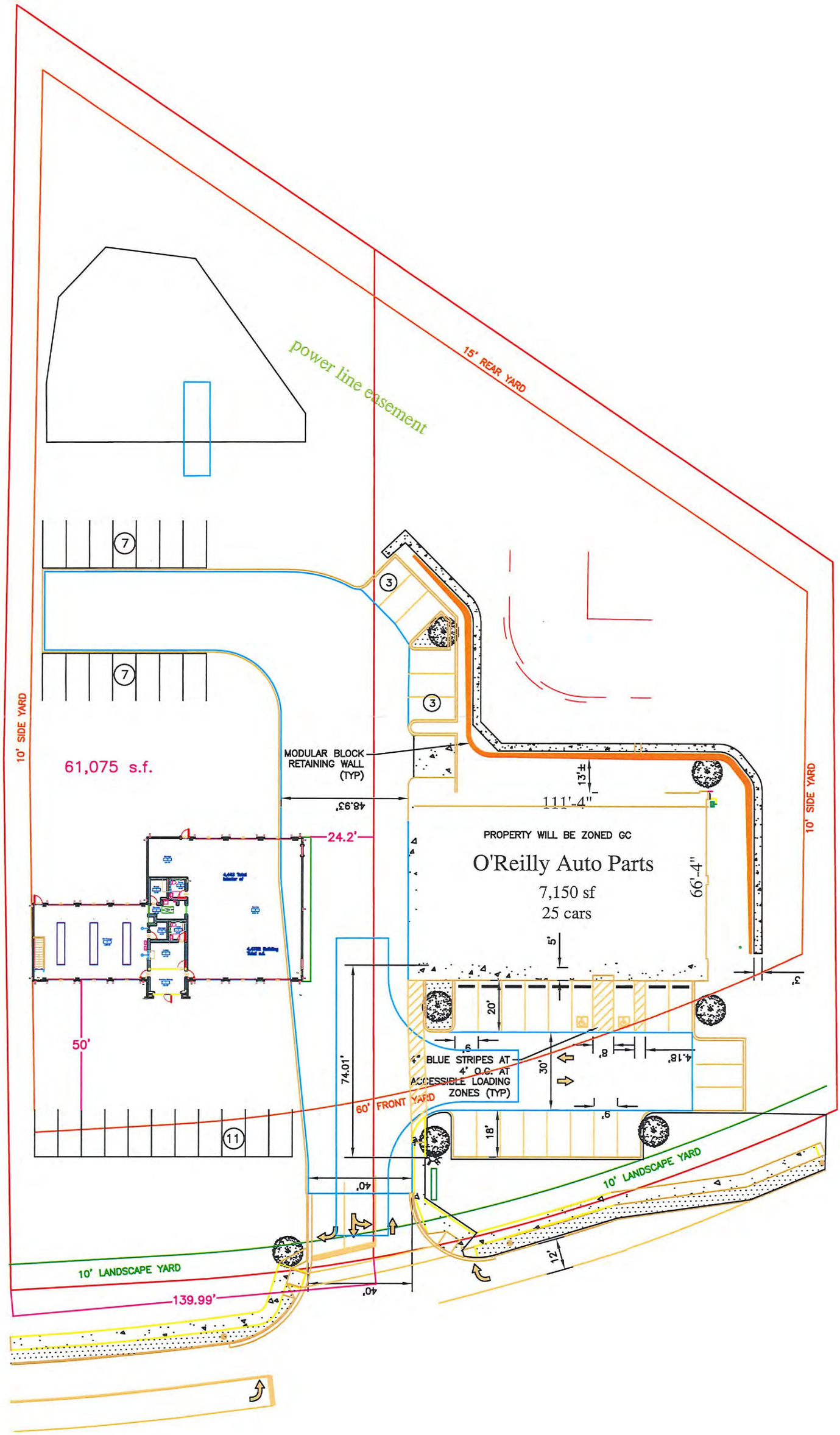
SUBSCRIBED AND SWORN BEFORE ME ON THIS 8th DAY OF July, 2019

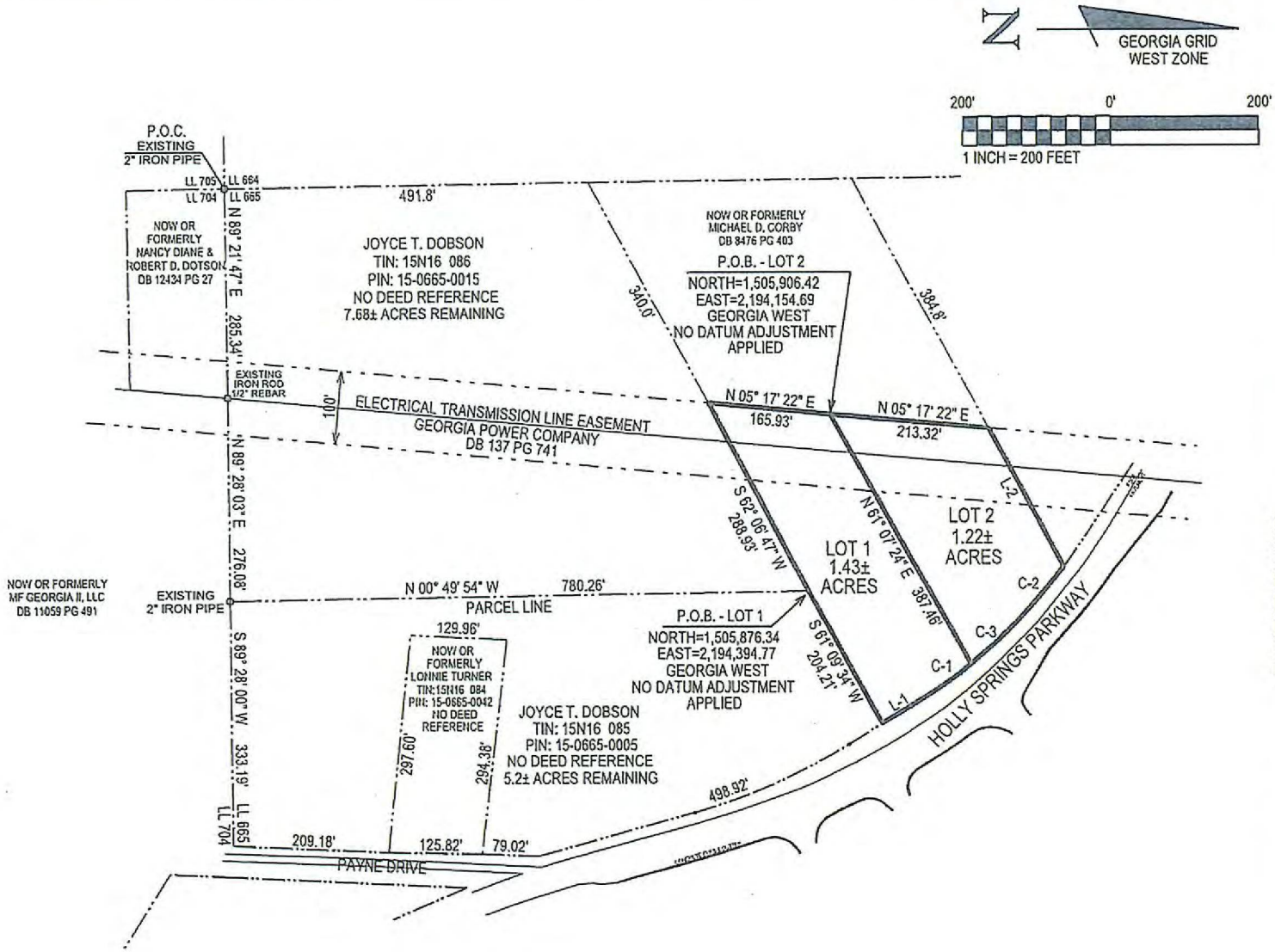
Notary Public

STATE OF TENNESSEE NOTARY PUBLIC COUNTY OF HAMILTON

AFFIX SEAL

*All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2.


power line easement
15' REAR YARD
10' SIDE YARD
10' SIDE YARD
61,075 s.f.
MODULAR BLOCK RETAINING WALL (TYP)
48.93'
24.2'
50'
PROPERTY WILL BE ZONED GC
O'Reilly Auto Parts
7,150 sf
25 cars
111'-4"
66'-4"
13'±
5'
3'
20'
30'
18'
8'
4.18'
9'
4" BLUE STRIPES AT 4' O.C. AT ACCESSIBLE LOADING ZONES (TYP)
74.01'
60' FRONT YARD
40'
40'
12'
10' LANDSCAPE YARD
10' LANDSCAPE YARD
139.99'
7
7
3
3
11



CURVE DATA

LINE	ARC	RADIUS	DELTA	BEARING	DISTANCE
CURVE C-1	75.96'	633.00'	06° 52' 32"	S 35° 29' 00" E	75.92'
CURVE C-2	99.87'	876.73'	06° 31' 35"	S 49° 41' 40" E	99.81'
CURVE C-3	82.97'	633.00'	07° 30' 36"	S 42° 40' 28" E	82.91'

LINE DATA

LINE	BEARING	DISTANCE
LINE L-1	S 32° 02' 44" E	67.10'
LINE L-2	N 61° 50' 55" E	212.43'

EXHIBIT DRAWING

BWSC
BARGE WAGGONER SUMNER & CANNON, INC.
PLANNERS
ENGINEERS AND SURVEYORS
LANDSCAPE ARCHITECTS
110 Market Street, Suite 200 Chattanooga, Tennessee 37402
PHONE 423-756-3025 FAX 423-756-8177

LOTS 1 & 2 - TURNER TOONIGH SUBDIVISION
DEED BOOK ___, PAGE ___
PLAT BOOK ___, PAGE ___

LAND LOT 665, 15TH DISTRICT, 2ND SECTION
HOLLY SPRINGS, CHEROKEE COUNTY, GEORGIA

DR.	CHK.	DATE	DESCRIPTION
TMH	BCH	12-05-18	ORIGINAL ISSUE

SHEET 1
OF 1 SHEET
FILE NO. 36019-03

DEED BOOK:14142 PG:2940
Filed: 12/28/2016 10:45 AM CFN: 28-2016-046988
Rec: $14.00 TRANSFER TAX $449.00

Patty Baker, Clerk of Superior Court Cherokee Cty, GA

EXECUTRICES' DEED

STATE OF GEORGIA
COUNTY OF CHEROKEE

THIS INDENTURE made this 16th day of December, 2016 between **CHERYL DIANNE BELL FULLER** and **BARBARA ANN DRUMMOND**, as Co-Executrcies of the last will and testament of **SARAH LOU TURNER**, late of State of Georgia and County of Cherokee, deceased (hereinafter collectively called "Grantors"), and **JR HOLLY SPRINGS LLC**, a Georgia limited liability company (hereinafter called "Grantee"), the words Grantors and Grantee to include their respective heirs, successors and assigns where the context requires or permits.

WITNESSETH:

THAT the Grantors (acting under and by virtue of the power and authority contained in the said will, the same having been duly probated and recorded in the Court of Probate of Cherokee County, Georgia as Case Number 2015ES0700) for and in consideration of the sum of Ten and 00/100 Dollars ($10.00) and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, at or before the sealing and delivery of these presents, has granted, bargained sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto Grantee all that tract or parcel of land described in EXHIBIT "A" attached hereto and made a part hereof.

SUBJECT TO Access Easement Agreement recorded in Deed Book 4732, page 83 in the Office of the Clerk of Superior Court of Cherokee, County, Georgia.

SUBJECT TO Georgia Power Company recorded in Deed Book 137, page 741 in the aforesaid Clerk's Office.

TAXES for the year 2016 have been paid by Grantor.

TO HAVE AND TO HOLD said tract or parcel of land with all and singular rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining to the proper use, benefit and behoof of the Grantee forever in fee simple, in as full and ample a manner as the same was held, possessed and enjoyed or might have been held, possessed and enjoyed by the deceased, Sarah Lou Turner.

IN WITNESS WHEREOF, each Grantor herein has hereunto set hand and seal as of the day and year first above written.

Cheryl Dianne Bell Fuller

Cheryl Dianne Bell Fuller, Co-Executrix

Barbara Ann Drummond

Barbara Ann Drummond, Co-Executrix

Unofficial Witness:

Marsha Turner

Signed, sealed and delivered in presence of:

Stefanie Browning

Notary Public

STEFANIE BROWNING
MY COMMISSION EXPIRES
JULY
06
2018
CHEROKEE CO., GEORGIA
NOTARY PUBLIC

My commission expires:
July 6, 2018

EXHIBIT "A"

LEGAL DESCRIPTION

Being all of the Sara Lou Turner property as shown by the following Tax Parcel Information: TIN: 15N16 089 / PIN: 15-0665-0024, property is described in Deed Book 3085, Page 115 and Deed Book 3085, Page 116, located in Land Lot 665, 15th District and 2nd Section of Holly Springs, Cherokee County, Georgia, said property being more particularly described as follows:

COMMENCING at an existing 2 inch diameter iron pipe which marks the Southwest corner of Land Lot 665;

THENCE North 89 degrees, 21 minutes, 47 seconds East a distance of 285.34 feet along the South line of Land Lot 665 to an existing iron rod, one-half inch in diameter;

THENCE North 89 degrees, 28 minutes, 03 seconds East a distance of 276.08 feet along the South line of Land Lot 665 to an existing 2 inch diameter iron pipe;

THENCE North 00 degrees, 49 minutes, 54 seconds West a distance of 780.26 feet to a point located at Georgia State Grid Coordinates of North=1,505,876.34 and East=2,194,394.77, West Zone, coordinates based on North American Datum 1983 (NAD 83) all bearings are based on said system, all distances are horizontal ground, said location marks the POINT OF BEGINNING;

THENCE South 62 degrees, 06 minutes, 47 seconds West a distance of 288.93 feet to located on the Western margin of the Georgia Power Company Electrical Transmission Line Easement;

THENCE North 05 degrees, 17 minutes, 22 seconds East a distance of 379.25 feet along the Western margin of a Georgia Power Company Electrical Transmission Line Easement to a point

THENCE North 61 degrees, 50 minutes, 55 seconds East a distance of 212.43 feet to a point located on the Western margin of Holly Springs Parkway;

THENCE with a curve to the right (clockwise) along the Western margin of Holly Springs Parkway an arc distance of 3.22 feet, having a radius of 876.73 feet, a delta angle of 00 degrees, 12 minutes, 37 seconds and a chord of South 52 degrees, 51 minutes, 09 seconds East a distance of 3.22 feet to a point which marks the Northeast corner of the Jeffry Lance Turner property as described in Deed Book 11674, Page 126 and shown on plat of record in Plat Book 44, Page 16;

THENCE South 44 degrees, 18 minutes, 45 seconds West a distance of 92.16 feet along the Northern boundary of the Jeffry Lance Turner property to a point;

THENCE South 41 degrees, 18 minutes, 37 seconds East a distance of 66.52 feet along the Western boundary of the Jeffry Lance Turner property to point;

THENCE North 46 degrees, 45 minutes, 19 seconds East a distance of 103.20 feet along the Southern boundary of the Jeffry Lance Turner property to a point located on the Western margin of Holly Springs Parkway;

THENCE with a curve to the right (clockwise) along the Western margin of Holly Springs Parkway an arc distance of 25.66 feet, having a radius of 876.73 feet, a delta angle of 01 degrees, 40 minutes, 37 seconds and a chord of South 47 degrees, 16 minutes, 11 seconds East a distance of 25.66 feet to the point of compound curve;

THENCE with a curve to the right (clockwise) the Western margin of Holly Springs Parkway an arc distance of 158.93 feet, having a radius of 633.00 feet, a delta angle of 14 degrees, 23 minutes, 09 seconds and a chord of South 39 degrees, 14 minutes, 15 seconds East a distance of 158.52 feet to the point of tangency;

THENCE South 32 degrees, 02 minutes, 44 seconds East a distance of 5.39 feet the Western margin of Holly Springs Parkway to a point;

THENCE South 44 degrees, 05 minutes, 47 seconds West a distance of 210.00 feet to the POINT OF BEGINNING.

DEED BOOK:14142 PG:2937
Filed: 12/28/2016 10:45 AM CFN: 28-2016-046987
Rec: $14.00 TRANSFER TAX $50.00

Patty Baker, Clerk of Superior Court Cherokee Cty, GA

AFTER RECORDING RETURN TO:

Title Insurance Company of Chattanooga
7405 Shallowford Road, Suite 540
Chattanooga, Tennessee 37421

GENERAL WARRANTY DEED

STATE OF GEORGIA)
COUNTY OF CHEROKEE)

THIS INDENTURE made as of the 16th day of December, 2016, between JEFFRY LANCE TURNER, a resident of Cherokee County, Georgia hereinafter referred to as Grantor, and JR HOLLY SPRINGS LLC, a Georgia limited liability company, hereinafter referred to as Grantee.

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration in hand paid, the receipt and sufficiency of which are hereby acknowledged, does hereby sell, assign, transfer and convey unto Grantee, the land located in Cherokee County, Georgia more particularly in Exhibit "A" attached hereto and made a part hereof:

SUBJECT TO Access Easement Agreement recorded in Deed Book 4732, page 83 in the Office of the Clerk of Superior Court of Cherokee, County, Georgia.

SUBJECT TO Georgia Power Company recorded in Deed Book 137, page 741 in the aforesaid Clerk's Office.

SUBJECT TO taxes for the year 2016, which shall be paid by Grantee.

TO HAVE AND TO HOLD the said real estate unto Grantee, its successors and assigns, forever in fee simple. Grantor covenants and represents that Grantor is lawfully seized and possessed of said real estate, that Grantor has full power and lawful authority to sell and convey the same, that title to said property is free, clear and unencumbered, except as hereinabove set forth, and that Grantor will forever warrant and defend the same against all lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has executed this deed as of the _____ day of December, 2016.

Signed, sealed and delivered in the presence of:

Jeffry Lance Turner

Unofficial Witness Marsha Fowler

Stefanie Browning
Notary Public

My Commission Expires:
July 6, 2018

[NOTARIAL SEAL]

STEFANIE BROWNING
MY COMMISSION EXPIRES
JULY
06
2018
CHEROKEE CO., GEORGIA
NOTARY PUBLIC

EXHIBIT "A"
LEGAL DESCRIPTION

Being all of the Jeffry Lance Turner property as shown by the following Tax Parcel Information: TIN: 15N16 090 C / PIN: 15-0665-0056, property is described in Deed Book 11674, Page 126 and shown on plat of record in Plat Book 44, Page 16, located in Land Lot 665, 15th District and 2nd Section of Holly Springs, Cherokee County, Georgia, said property being more particularly described as follows:

COMMENCING at an existing 2 inch diameter iron pipe which marks the Southwest corner of Land Lot 665;

THENCE North 89 degrees, 21 minutes, 47 seconds East a distance of 285.34 feet along the South line of Land Lot 665 to an existing iron rod, one-half inch in diameter;

THENCE North 89 degrees, 28 minutes, 03 seconds East a distance of 276.08 feet along the South line of Land Lot 665 to an existing 2 inch diameter iron pipe;

THENCE North 00 degrees, 49 minutes, 54 seconds West a distance of 780.26 feet to a point;

THENCE North 44 degrees, 05 minutes, 47 seconds East a distance of 210.00 feet to a point located on the Western margin of Holly Springs Parkway;

THENCE North 32 degrees, 02 minutes, 44 seconds West a distance of 5.39 feet along the Western margin of Holly Springs Parkway to the point of curvature;

THENCE with a curve to the left (counterclockwise) along the Western margin of Holly Springs Parkway an arc distance of 158.93 feet, having a radius of 633.00 feet, a delta angle of 14 degrees, 23 minutes, 09 seconds and a chord of North 39 degrees, 14 minutes, 15 seconds West a distance of 158.52 feet to the point of compound curve;

THENCE with a curve to the left (counterclockwise) along the Western margin of Holly Springs Parkway an arc distance of 25.66 feet, having a radius of 876.73 feet, a delta angle of 01 degrees, 40 minutes, 37 seconds and a chord of North 47 degrees, 16 minutes, 11 seconds West a distance of 25.66 feet to a point located at Georgia State Grid Coordinates of North=1,506,171.91 and East=2,194,418.92, West Zone, coordinates based on North American Datum 1983 (NAD 83) all bearings are based on said system, all distances are horizontal ground, said location marks the POINT OF BEGINNING;

THENCE South 46 degrees, 45 minutes, 19 seconds West a distance of 103.20 feet to a point;

THENCE North 41 degrees, 18 minutes, 37 seconds West a distance of 66.52 feet to a point;

THENCE North 44 degrees, 18 minutes, 45 seconds East a distance of 92.16 feet to a point located on the Western margin of Holly Springs Parkway;

THENCE with a curve to the right (clockwise) along the Western margin of Holly Springs Parkway an arc distance of 70.99 feet, having a radius of 876.73 feet, a delta angle of 04 degrees, 38 minutes, 21 seconds and a chord of South 50 degrees, 25 minutes, 40 seconds East a distance of 70.97 feet to the POINT OF BEGINNING.

2018 Property Tax Statement

City of Holly Springs
P.O. Box 990
Holly Springs, GA, 30142
770-345-5536

Make Check or Money Order Payable to:

City of Holly Springs

Bill Number	Due Date	*Total Due*
2018-09312	12/20/2018	$290.85

Map: 15N16 089 **Payment Good through:** 12/20/2018

Location: 5382 OLD HWY 5

If you have sold this property, forward the bill to the new owner and fax a copy of the settlement statement to 770-345-0209. If you have an escrow, forward the tax bill to your mortgage company as soon as possible. Pursuant to state law (O.C.G.A. 48-2-40) interest will be added to this bill monthly if the balance is not paid by the due date. Pursuant to state law (O.C.G.A. 48-2-44) penalties will also be added to the unpaid balance beginning 120 days after the due date. Pay online at www.hollyspringsepay.com This payment channel is provided as a convenient

JR Holly Springs LLC

001004

City of Holly Springs 11/12/2018

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
11/1/2018	Bill	2018 prop tax HolSpr	198.58	198.58		198.58
11/1/2018	Bill	2018 prop tax HolSpr	290.85	290.85		290.85
					Check Amount	489.43

Holly Springs - 7850 O 489.43

2018 Property Tax Statement

City of Holly Springs
P.O. Box 990
Holly Springs, GA, 30142
770-345-5536

Make Check or Money Order Payable to:

City of Holly Springs

JR HOLLY SPRINGS LLC
3804 ST ELMO AV
STE 103
CHATTANOOGA, TN 37409

Bill Number	Due Date	*Total Due*
2018-09311	12/20/2018	$198.58

Map: 15N16 090 C **Payment Good through:** 12/20/2018

Location: 5356 OLD HWY 5

If you have sold this property, forward the bill to the new owner and fax a copy of the settlement statement to 770-345-0209. If you have an escrow, forward the tax bill to your mortgage company as soon as possible. Pursuant to state law (O.C.G.A. 48-2-40) interest will be added to this bill monthly if the balance is not paid by the due date. Pursuant to state law (O.C.G.A. 48-2-44) penalties will also be added to the unpaid balance beginning 120 days after the due date. Pay online at www.hollyspringsepay.com This payment channel is provided as a convenient alternative to appearing in person to pay the bill. A separate fee for providing this convenience will be added to the balance. Customers will have the option to accept this fee or cancel the transaction prior to final payment.

You may pay this bill online at www.hollyspringsepay.com

Tax Payer: JR HOLLY SPRINGS LLC
Map Code: 15N16 090 C REAL
Description: LL 665 DIST. 15
Location: 5356 OLD HWY 5
Bill No: 2018-09311
District: 004

Land Value	Building Value	Acres	Fair Market Value
$21,000.00	$25,800.00	.1500	$46,800.00

		Minus	Adjusted	Taxable	Millage	Gross

This is to inform you that your taxes remain unpaid and are now delinquent, please remit the amount below. Interest has been added and will continue to accrue on the 16th of each month hereafter. A $35.00 collection fee will be added to this bill on February 16th, as it will be turned over to a collection agency. A 5% penalty will be added on the remaining balance after 120 days, then an additional 5% on the remaining balance every 120 days, but not to exceed 20%. If you have an escrow account, please call your mortgage company.

In addition, if taxes are not paid within (60) days of this letter on the property located in Cherokee County, Georgia, a Fi.Fa. will be recorded in the General Execution Docket of the Clerk of Court. A Fi.Fa. will remain in effect for seven years, this execution gives notice of a lien against your property. This will be listed by credit reporting agencies and may adversely affect your credit rating.

Your immediate attention is required to this matter to prevent further charges levied against your property. If you have any questions regarding this matter please call 678-493-6402 or 678-493-6406.

If you have filed bankruptcy please disregard this collection notice and advise this office of your case number at 678-493-6433.
If you have paid these taxes prior to receiving this letter, please disregard.

Tax Year	Bill No	Due Date	Tax	Interest	Penalty	Other Fees	Paid Amt	Current Due
2018	62932	11/15/2018	473.97	9.28	0.00	0.00	0.00	483.25
Map: 15N16 090 C							Tax Due:	483.25

Balance listed above is good through February 15th , please call for current balance if paying after that date.

INTENT TO FIFA NOTICE CHEROKEE , GA Taxpayer: JR HOLLY SPRINGS LLC

JR Holly Springs LLC **001008**

Cherokee County Tax Commissioner

1/22/2019

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
1/16/2019	Bill	2018 tax due Holly S	483.25	483.25		483.25
					Check Amount	483.25

Holly Springs - 7850 O 2018 tax bill 62932 5356 Old Hwy 5 Holly Spring 483.25

TO REORDER CALL 708-613-2452 OR VISIT www.carouselchecks.com.

This is to inform you that your taxes remain unpaid and are now delinquent, please remit the amount below. Interest has been added and will continue to accrue on the 16th of each month hereafter. A $35.00 collection fee will be added to this bill on February 16th, as it will be turned over to a collection agency. A 5% penalty will be added on the remaining balance after 120 days, then an additional 5% on the remaining balance every 120 days, but not to exceed 20%. If you have an escrow account, please call your mortgage company.

In addition, if taxes are not paid within (60) days of this letter on the property located in Cherokee County, Georgia, a Fi.Fa. will be recorded in the General Execution Docket of the Clerk of Court. A Fi.Fa. will remain in effect for seven years, this execution gives notice of a lien against your property. This will be listed by credit reporting agencies and may adversely affect your credit rating.

Your immediate attention is required to this matter to prevent further charges levied against your property. If you have any questions regarding this matter please call 678-493-6402 or 678-493-6406.

If you have filed bankruptcy please disregard this collection notice and advise this office of your case number at 678-493-6433.
If you have paid these taxes prior to receiving this letter, please disregard.

Tax Year	Bill No	Due Date	Tax	Interest	Penalty	Other Fees	Paid Amt	Current Due
2018	62930	11/15/2018	89.19	1.75	0.00	0.00	0.00	90.94
Map: 15N16 085 A							Tax Due:	90.94

Balance listed above is good through February 15th , please call for current balance if paying after that date.

INTENT TO FIFA NOTICE CHEROKEE , GA Taxpayer: JR HOLLY SPRINGS LLC

JR Holly Springs LLC **001009**

Cherokee County Tax Commissioner

1/22/2019

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
1/16/2019	Bill	2018 tax due Holly S	90.94	90.94		90.94
				Check Amount		90.94

Holly Springs - 7850 O 2018 tax bill 62930 Hwy 5 Holly Springs 90.94

TO REORDER CALL 708-613-2452 OR VISIT www.carouselchecks.com.

This is to inform you that your taxes remain unpaid and are now delinquent, please remit the amount below. Interest has been added and will continue to accrue on the 16th of each month hereafter. A $35.00 collection fee will be added to this bill on February 16th, as it will be turned over to a collection agency. A 5% penalty will be added on the remaining balance after 120 days, then an additional 5% on the remaining balance every 120 days, but not to exceed 20%. If you have an escrow account, please call your mortgage company.

In addition, if taxes are not paid within (60) days of this letter on the property located in Cherokee County, Georgia, a Fi.Fa. will be recorded in the General Execution Docket of the Clerk of Court. A Fi.Fa. will remain in effect for seven years, this execution gives notice of a lien against your property. This will be listed by credit reporting agencies and may adversely affect your credit rating.

Your immediate attention is required to this matter to prevent further charges levied against your property. If you have any questions regarding this matter please call 678-493-6402 or 678-493-6406.

If you have filed bankruptcy please disregard this collection notice and advise this office of your case number at 678-493-6433.
If you have paid these taxes prior to receiving this letter, please disregard.

Tax Year	Bill No	Due Date	Tax	Interest	Penalty	Other Fees	Paid Amt	Current Due
2018	62932	11/15/2018	473.97	9.28	0.00	0.00	0.00	483.25
Map: 15N16 090 C							Tax Due:	483.25

Balance listed above is good through February 15th , please call for current balance if paying after that date.

INTENT TO FIFA NOTICE CHEROKEE , GA Taxpayer: JR HOLLY SPRINGS LLC

JR Holly Springs LLC **001008**

Cherokee County Tax Commissioner

Date	Type	Reference	Original Amt.	Balance Due	1/22/2019 Discount	Payment
1/16/2019	Bill	2018 tax due Holly S	483.25	483.25		483.25
					Check Amount	483.25

Holly Springs - 7850 O 2018 tax bill 62932 5356 Old Hwy 5 Holly Spring 483.25

TO REORDER CALL 708-613-2452 OR VISIT www.carouselchecks.com.

This is to inform you that your taxes remain unpaid and are now delinquent, please remit the amount below. Interest has been added and will continue to accrue on the 16th of each month hereafter. A $35.00 collection fee will be added to this bill on February 16th, as it will be turned over to a collection agency. A 5% penalty will be added on the remaining balance after 120 days, then an additional 5% on the remaining balance every 120 days, but not to exceed 20%. If you have an escrow account, please call your mortgage company.

In addition, if taxes are not paid within (60) days of this letter on the property located in Cherokee County, Georgia, a Fi.Fa. will be recorded in the General Execution Docket of the Clerk of Court. A Fi.Fa. will remain in effect for seven years, this execution gives notice of a lien against your property. This will be listed by credit reporting agencies and may adversely affect your credit rating.

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If you have filed bankruptcy please disregard this collection notice and advise this office of your case number at 678-493-6433.
If you have paid these taxes prior to receiving this letter, please disregard.

Tax Year	Bill No	Due Date	Tax	Interest	Penalty	Other Fees	Paid Amt	Current Due
2018	62931	11/15/2018	768.68	15.05	0.00	0.00	0.00	783.73
Map: 15N16 089							Tax Due:	783.73

Balance listed above is good through February 15th , please call for current balance if paying after that date.

INTENT TO FIFA NOTICE CHEROKEE , GA Taxpayer: JR HOLLY SPRINGS LLC

JR Holly Springs LLC

001010

Cherokee County Tax Commissioner 1/22/2019

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
1/16/2019	Bill	2018 tax due Holly S	783.73	783.73		783.73
					Check Amount	783.73

Holly Springs - 7850 O 2018 tax bill 62931 5326 Old Hwy 5 Holly Spring 783.73

TO REORDER CALL 708-613-2452 OR VISIT www.carouselchecks.com.

COUNCIL AGENDA REPORT

FROM: **Nancy Moon**

CC: **City Clerk**
Public Information

SUBJECT: **CUP-02-2019,** applicant requests a conditional use permit for a Massage Therapy Establishment for property located on Mountain Brook Drive, Cherokee County, GA, tax parcels 019A of tax plat 93N02

DATE: **August 27, 2019** **COUNCIL MEETING DATE:** **September 5, 2019**

RECOMMENDATION

Applicant, Lisa Greene, has requested a Conditional Use Permit for a Massage Therapy Establishment, for property located on Holly Springs Parkway, parcel 019A of tax plat 93N02. The property is zoned GC, General Commercial. The applicant proposes to operate a Massage Therapy establishment, working out of one office located within this suite. The applicant will focus more on neuromuscular and sports therapy.

A. Existing Land Use and Zoning Classification of Nearby Property

ADJACENT ZONING		ADJACENT DEVELOPMENT	
NORTH:	GC	**NORTH:**	Mountain Brook Offices
SOUTH:	GC/GV	**SOUTH:**	Mountain Brook Offices/L.R. Tippens Education Center
EAST:	GC	**EAST:**	Mountain Brook Offices
WEST:	GV	**WEST:**	Cherokee County School System Offices

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?

   The use is an allowed use by the issuance of a Conditional Use Permit in the GC zoning district. The applicant will only be occupying one office in the suite.

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

The property is already developed and the approval of this request will not adversely affect the existing use or usability of adjacent or nearby property.

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

   The property is zoned GC and this use is an allowed use subject to conditional use permit approval. As currently zoned, all permitted uses within the GC zoning district would be allowed.

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?

   This request will not result in a use that would cause an excessive or burdensome use of utilities, streets, or other public services. The site is already developed and will have no impact on the local school system.

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 identifies this area as Employment. This character area corresponds with the institutional properties such as county schools, as well as office parks, business/industrial parks, and government properties. Within these areas, truck traffic is frequent, and individual institutional or light industrial establishments are not necessarily connected with one another. In addition, light industrial businesses such as warehousing, wholesale trade, manufacturing, and other similar uses may be appropriate.

   Application: Existing and new industrial and office parks, government, and institutional properties

   Primary Future Land Uses: office, industrial, institutional, commercial

   Zoning Districts: PD-C, PD-I, OI, LI, GV

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?

   This zoning proposal and conditional use permit request is in conformity with the policies and intent of the Comprehensive Plan. The request is consistent with the City's "Future Development Map" which projects commercial uses for the immediate area. Furthermore, the proposal 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. (8.1, #1).

   b) 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. (8.1, #22).

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?

   No further development is planned with the approval of this application.

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 site is already developed as an office park and the use would not be detrimental to this area.

C. Conditional Use Proposal Review Standards

Under Attachment B in the application, the City asks each CUP applicant to complete 16 questions related to the proposed use. The applicant has completed these questions and they are attached in the Conditional Use Permit application.

The Conditional Use Permit for a Massage Therapy Establishment requires the following regulations to be met:

5.4-30 Massage Therapy and Bodywork Therapy Establishments. All applicants seeking to practice Massage Therapy and/or operate a Bodywork Therapy Establishment and Day Spa shall, in addition to an application for a conditional use permit, when applicable, shall submit evidence sufficient to demonstrate compliance, and at all times thereafter remain compliant with the following standards:

a.) Massage Therapy, Massage Therapy Establishments, Bodywork Therapy, and Bodywork Therapy Establishments are conditional uses in the City of Holly Springs and are required to apply for and receive a Conditional Use permit from the City Council after complying with Article IX, Chapter 22 of the Code of the City of Holly Springs; except as provided in "(b)."

b.) Massage Therapy in compliance with Article IX, Chapter 22 of the Code of the City of Holly Springs, is considered a permitted use under the following conditions:

   1. Massage Therapy Ancillary Services, defined as:

      i. Massage Therapists working under the supervision of a State of Georgia licensed cosmetologist, as an ancillary use for a hair salon. See "(d)" below; and

      ii. Massage Therapists working under the supervision of a State of Georgia licensed physician, chiropractor, or physical therapist, providing massage therapy as an ancillary use to the primary business activities ("medical ancillary use"). Under this use, no more than one (1) massage therapist shall be employed to every one (1) State of Georgia licensed physician, chiropractor, or physical therapist, up to three (3) massage therapists.

   2. Massage Therapy Ancillary Services are not considered massage therapy establishments and upon revocation, dissolution, or expiration of the primary business activity occupation tax permit, the massage therapy activities shall cease and the

business site shall not be considered a legally non-conforming location for massage therapy.

c.) All Massage Therapy uses, conditional and permitted, and all bodywork therapy uses shall provide evidence that the proposed premises, whether new construction, renovation, or remodel, shall meet the following standards:

1. The premises proposed for the establishment shall be in compliance with all applicable and current building, fire, electrical, plumbing, public health, safety, and zoning laws, as amended; and

2. Adequate equipment for disinfecting and sterilizing any instrument used for massage shall be provided; and

3. In addition to the minimum lighting required by the applicable building code, at least one (1) artificial light of not less than sixty (60) watts shall be provided in each enclosed room or booth of the massage establishment and shall be lit during the administration of massage; and

4. Hot and cold running water shall be available on the premises; and

5. Closed cabinets shall be utilized for the storage of clean linens; and

6. Dressing and toilet facilities shall be available for customers in compliance with applicable building codes, now and as amended.

7. All walls, ceilings, floors, steam or vapor rooms and other physical facilities for the establishment shall be kept in good repair and maintained in a clean and sanitary condition; and

8. Sanitary towels and linens shall be provided for customers receiving massage services and shall be laundered following use by each individual customer; and

9. Two way or reversible mirrors are expressly prohibited; and

10. Doors. All front, reception, hallway or front exterior doors (except back or rear exterior doors used for employee entrance to and exit from the massage establishment) shall be unlocked during business hours, unless some other arrangement related to safety has been made with the police department. No massage may be given within any cubicle, room, booth or any area, which is fitted with a door capable of being locked, unless the only door is an exterior door.

11. Dark, smoky, or otherwise opaque glass is prohibited for all windows on any portion of the structure façade. Lightly tinted or shaded glass is permitted unless the reflective qualities completely eliminate the visibility into the structure; and

12. If a facility is proposed for construction or if the exterior of an existing structure is proposed for remodeling as part of a renovation to house the establishment, applicant must provide conceptual design drawings of the front, rear, and side facades of the structure proposed to house the massage establishment. Said façade designs must

comply with the codes of the City of Holly Springs. All façade and exterior designs must be submitted to the Mayor and Council for final and binding approval with the Conditional Use Permit (CUP); and

13. A floor plan of the proposed facility must also be submitted, identifying general layout of the establishment and, where applicable, the features required by this code section.

14. Prior to the issuance of a Certificate of Occupancy (C.O.) or occupational tax permit for the establishment or use, the Chief Building Official must inspect the premises to ensure compliance with this code section for all uses under this article.

d.) Massage Therapy Services (as a hair salon ancillary service). A massage therapist holding an active state massage therapy license issued by the Georgia Board of Massage Therapy may operate and perform services as an ancillary service offered by a hair salon or establishment primarily in the business of providing hair-related services as defined under the "Cosmetology Establishments" definition, Article 2. Said massage therapist shall operate under the direct supervision of a State of Georgia licensed cosmetologist, with current occupation taxes paid to the City of Holly Springs, under the following conditions:

1. The massage therapist seeking to operate as an ancillary service under the supervision of a State of Georgia licensed cosmetologist must first comply with Article IX, Chapter 22, of the Official Code of the City of Holly Springs; and

2. The State of Georgia licensed cosmetologist seeking to employ a massage therapist as an ancillary service to their primary business function, must possess a valid business license from the City of Holly Springs, with current occupation taxes paid. The primary business function of the cosmetology establishment shall be a hair salon or principally provide hair-related services as defined under the "Cosmetology Establishments" definition; and

3. A hair salon or hair-related services establishment shall employ a minimum of two (2) full-time employees or independent contractors <u>not</u> engaged in providing massage services to be eligible to hire one (1) full-time massage therapist. Additionally, said establishment shall employ no more than one (1) full-time massage therapist for every two (2) full time employees or independent contractors, up to a maximum of three (3) full-time massage therapists. (ex.- two full time non-massage therapist employees or independent contractors = one massage therapist; four full time non- massage therapist employees or independent contractors = two massage therapists; six full time non-massage therapist employees or independent contractors = three massage therapists).

4. Each massage therapist employed by a hair salon or hair-related services establishment, under the direct supervision of a State of Georgia licensed cosmetologist, shall also be required to apply for and receive a business license from the City of Holly Springs, paying the requisite occupation taxes. Said occupational taxes shall be paid yearly to remain current.

5. Hair salons or hair-related establishments seeking to employ more than three (3) massage therapists, shall be considered "Massage Therapy Establishments" and are required to apply for and seek a conditional use permit from the Mayor and City Council.

6. All other facility requirements under "c." above shall also be required prior to issuance of the C.O. or occupational tax permit.

D. Summary

The proposed conditional use permit request for a Massage Therapy Establishment is an allowed use within the GC, General Commercial zoning district, subject to compliance with the applicable regulations. Surrounding zoning and land use is compatible with the proposed land use. The development is in compliance with the Future Development Map and with the objectives of the Comprehensive Plan.

E. Planning Commission Recommendation

Planning Commission conducted a public hearing on August 8, 2019. No public comments were made. Planning Commission voted to recommend **APPROVAL** of the Conditional Use Permit request (3-0).

F. Staff Recommendation

Based on the preceding analysis, Staff recommends **APPROVAL** of the Conditional Use Permit for an **Massage Therapy Establishment** with the following stipulations.

CONCURRENCES

Planning Commission

FISCAL IMPACT

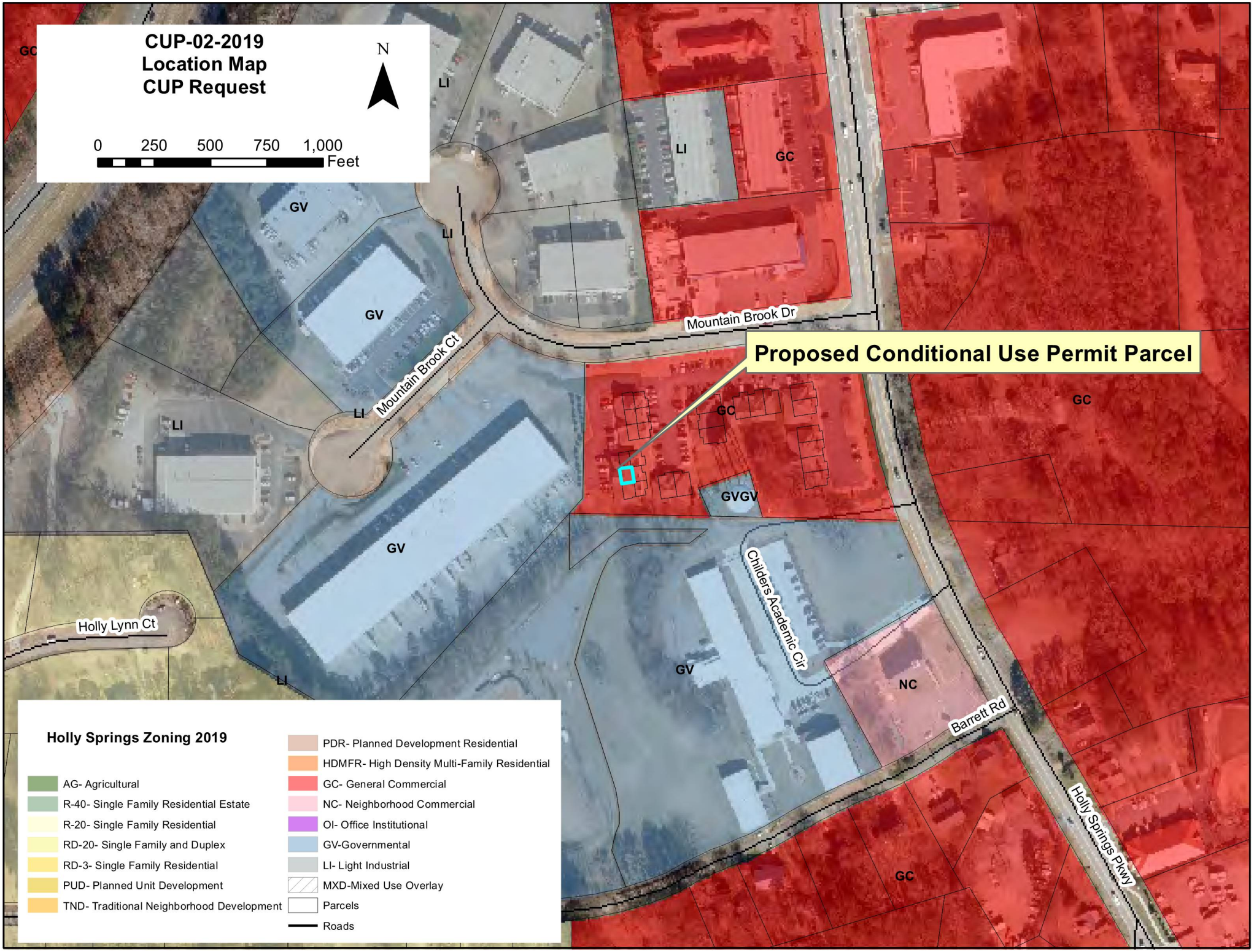
N/A

ALTERNATIVES

Denial

ATTACHMENTS

Application
Location Map


CUP-02-2019
Location Map
CUP Request
N
0 250 500 750 1,000
Feet
Proposed Conditional Use Permit Parcel
Mountain Brook Dr
Mountain Brook Ct
Holly Lynn Ct
Childers Academic Cir
Barrett Rd
Holly Springs Pkwy
GC
LI
GV
GVGV
NC
Holly Springs Zoning 2019
AG- Agricultural
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
Roads

MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

Adopted by Mayor and Council on February 23, 2006

For Application Procedures, See p. 8

APPLICATION MA-_____ APPLICATION CUP- 02-2019

HEARING DATE_____ DATE OF APPLICATION July 17, 2019

APPLICANT Lisa Greene

OWNER ~~Lisa Greene~~ Micheal Wardrip
(If other that applicant)

ADDRESS 507 Gold Shore Lane, Canton GA

ADDRESS 1841 Bluff Dr Myrtle Beach, SC 29582

ZIP CODE 30114 PHONE 972-989-3228 ZIP CODE_____ PHONE 678-697-6213

EMAIL lisa@nmtsports.com

SIGNATURE Lisa Greene SIGNATURE_____

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 113 Mountain Brook ~~Rd~~ Drive, Holly Springs GA

MAP NUMBER 93 N02 PARCEL NUMBER(S) 019A

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

ACREAGE_____ SEWAGE DISPOSAL TYPE_____ UTILITIES AVAILABLE_____

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:
CUP for Massage Therapy establishment

(COMPLETE ON ATTACHED PAPER IF NECESSARY)

The following information must be provided with completed application:

- ___ WARRANTY DEED
- ___ TAX DOCUMENTATION
- ___ SURVEY PLAT BY REGISTERED SURVEYOR
- ___ 10 COPIES OF SITE DEVELOPMENT PLAN BY REGISTERED SURVEYOR INDIVIDUAL FOLDED TO 8.5"x11" (SEE p.7 FOR REQUIREMENTS)
- ___ CAMPAIGN CONTRIBUTION DISCLOSURE STATEMENT (ATTACHMENT A)
- ___ FOR CONDITIONAL USE REQUESTS, COMPLIANCE WITH SECTION 5.4
- ___ FOR CONDITIONAL USE REQUESTS, COMPLETE ATTACHMENT B
- ___ FILING FEE$_____ RECEIPT#_____ CHECK#_____

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION:		CITY COUNCIL DECISION:	
APPROVED _____	STIPULATIONS_____	APPROVED _____	STIPULATIONS_____
DISAPPROVED _____	TABLED _____	DISAPPROVED _____	TABLED _____

MAP AMENDMENT (REZONING) AND CONDITIONAL USE PERMIT APPLICATION

Adopted by Mayor and Council on February 23, 2006 *For Application Procedures, See p. 8*

APPLICATION MA-_____ APPLICATION CUP-_____

HEARING DATE_____ DATE OF APPLICATION July 17, 2019

APPLICANT Lisa Greene

OWNER ~~[illegible]~~ Micheal Wardrip
(If other that applicant)

ADDRESS 507 Gold Shore Lane, Canton GA

ADDRESS 1841 Bluff Dr Myrtle Beach, SC 29582

ZIP CODE 30114 PHONE 972-989-3228 ZIP CODE_____ PHONE 678-697-6213

EMAIL lisa@nmtsports.com

SIGNATURE Lisa Greene SIGNATURE_____

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 113 Mountain Brook ~~Rd~~ Drive, Holly Springs GA SUITE 104

MAP NUMBER 93 N02 PARCEL NUMBER(S) 019A

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

ACREAGE_____ SEWAGE DISPOSAL TYPE_____ UTILITIES AVAILABLE_____

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:
CUP for Massage Therapy establishment

(COMPLETE ON ATTACHED PAPER IF NECESSARY)
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- ___ FOR CONDITIONAL USE REQUESTS, COMPLIANCE WITH SECTION 5.4
- ___ FOR CONDITIONAL USE REQUESTS, COMPLETE ATTACHMENT B
- ___ FILING FEE$_____ RECEIPT#_____ CHECK#_____

(APPLICANT DO NOT WRITE BELOW THIS LINE)

PLANNING COMMISSION RECOMMENDATION:		CITY COUNCIL DECISION:	
APPROVED _____	STIPULATIONS_____	APPROVED _____	STIPULATIONS_____
DISAPPROVED _____	TABLED _____	DISAPPROVED _____	TABLED _____

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? NO

(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property? NO

(3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned? NO

(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?
NO

(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)?
yes

(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?
NO

(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? NO

Per 14.5-7 of the City of Holly Springs Zoning Ordinance, **Applicant Report for Rezoning and Conditional Use Permit Requests**, as relevant and determined by the Zoning Administrator, all applicants must submit the following in addition to any standing requirements for requests for zoning changes*:

1. A plan of the general location of the proposed buildings by reference to a plan or drawing and an indication of the use to be made of each and every building;
2. Architectural, façade and materials to be utilized as compared to the zoning requirements for the current and proposed zoning district;
3. The percentage of development maintained as open space and/or recreation areas and impervious surfaces;
4. If application exceeds 150 residential units and/or exceeds 100,000 square feet of commercial area, the applicant is required to submit a transportation impact study to be designed by an appropriate transportation professional;
5. Preliminary tree protection plan and buffer standards;
6. Preliminary storm water retention plan.

*Per 14.5-8 of the City of Holly Springs Zoning Ordinance, **Application Submittal Requirements Waived**, When determined by the Community Development Director to be unnecessary or irrelevant to the application submitted, the requirements listed in this section may be waived; however, if determined to be of significant importance to the decision process at any time after the application has been accepted, the Community Development Director, Planning Commission, or City Council may request the submission of these items or other information as deemed relevant during the decision making process.

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.

Office Building ~~Star~~ complex

Number of stories:_____

Total number of employees:_____1_____

Exterior façade:_____

Anticipated start date:_8/1/19_

Anticipated completion date:_____

ATTACHMENT A

DISCLOSURE

Please answer the following questions. If the answer to any of the following questions is "yes", you may be required under O.C.G.A. 36-67A, to provide further information.

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 contribution (s) or given gifts to public officials aggregating $250.00 or more?

_____YES ___✓___NO

July 18, 2019 — DATE

Lisa Greene — APPLICANT NAME PRINTED

Lisa Greene — APPLICANT SIGNATURE

Rebecca Regnerus — NOTARY

Seal: REBECCA REGNERUS NOTARY PUBLIC My Comm. Expires 01/30/2023 CHEROKEE COUNTY, GA

City of Holly Springs

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a U. S. citizen or legal permanent resident at least eighteen (18) years old.
____YES ____NO or *IF NOT*

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. *A photo static copy of the applicant's alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.**

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Signature

07-22-2019
Date

MICHAEL A WARDRIP
~~Title~~ NAME

Legal Company Name

1841 BLUFF DRIVE, MYRTLE BEACH, SC 29577
Company Address

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that Michael A. Wardrip is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

SUBSCRIBED AND SWORN BEFORE ME ON THIS
22 DAY OF July, 2019

Notary Public

AFFIX SEAL

*All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2.

CHRISTOPHER JAY RIVAS
COMM. EXP.
NOTARY
PUBLIC
01/26/2028
SOUTH CAROLINA

ATTACHMENT B

For Conditional Use Permit Requests, please answer the following questions on a separate sheet of paper.

1. Please verify that the proposed use complies with all of the additional stipulations by use, if any, as set forth by Section 5.4, Article 5.
   - It does.
2. State the proposed business name, brand, flag, and/or franchise.
   - NMT Sports
3. Explain in detail what services the proposed conditional use business will provide.
   - A client will arrive with specific body pain. I will use my knowledge, 9 years of experience, vibracussor, cups and/or hands to eliminate their body discomfort while they are wearing gym clothes, they will be wearing clothes during the whole session.
4. Has a business plan or model been completed for this proposed conditional use business?
   - No
5. Why was this specific location chosen for this proposed establishment?
   - It's centrally located between my house, my clients and my client's gyms.
6. What is the projected date that the proposed conditional use business will open?
   - Was August 1, but now it is looking like it'll be September 1, 2019
7. How many employees are expected to work at the proposed conditional use business?
   - 1
8. What are the expected hours of operation for the proposed conditional use business?
   - By appointment only
9. A. What licensing requirements, if any, are mandated by the state for this business to operate?
   - **License Massage Therapist**

   B. Do the proposed conditional use business already possesses these credentials? ~ **Yes**

10. Does the proposed conditional use business conform with the nearby uses already in existence?
    - Yes
11. Was a feasibility study conducted that provides evidence that the local market demands such a business use? Or is such a study available?
    - No
12. Will the proposed conditional use business create a nuisance or disturbance to nearby or adjacent properties?
    - No
13. Is the proposed conditional use business a service that is similar or will overlap a nearby establishment already in existence?
    - No
14. Will the services provided by the proposed conditional use business complement and correspondent will with the intended character of the respective zoning district area?
    - No
15. Will the business have adequate facilities and parking to accommodate the proposed use?
    - Yes

16. If in the Neighborhood Commercial District (NC), could nearby neighborhood residents and local pedestrians be expected to frequent this proposed business establishment without the use of an automobile?
    - N/A

City of Holly Springs

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE)

Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a U. S. citizen or legal permanent resident at least eighteen (18) years old.
✓ YES ____NO or *IF NOT:*

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. *A photo static copy of the applicant's alien card issued by the Department of Homeland Security or other federal immigration agency must be included with this document.**

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Lisa Greene
Signature

July 18, 2019
Date

Owner
Title

NMT Sports
Legal Company Name

507 Gold Shore Ln Canton GA 30114
Company Address

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**)

I hereby certify that Lisa Greene is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

SUBSCRIBED AND SWORN BEFORE ME ON THIS
18 DAY OF July, 2019

Rebecca Regnerus
Notary Public

REBECCA REGNERUS
NOTARY
AFFIX SEAL
My Comm. Expires
01/30/2023
PUBLIC
CHEROKEE COUNTY, GA

*All applicants must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2.

Deed Book **10270** Pg **257**
Filed and Recorded 6/25/2008 8:51:30 AM

Transfer Tax $101.90
Patty Baker
Clerk of Superior Court Cherokee Cty, GA

Return Recorded Document to:
SMARR & ASSOCIATES, LLC
1431 RIVERSTONE PARKWAY
SUITE 130
CANTON, GA 30114

JOINT TENANCY WITH SURVIVORSHIP
WARRANTY DEED

STATE OF GEORGIA,

COUNTY OF CHEROKEE File #: 08-1257

This Indenture made this 12th day of June, 2008 between **STEVEN S. BRUCE** , of the County of COBB, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **MICHAEL A. WARDRIP and KAY BUSBY WARDRIP** , as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" 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 other 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 Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 272 OF THE 15TH DISTRICT, 2ND SECTION, CHEROKEE COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS BUILDING 200, SUITE (A/K/A UNIT) 104, AS PER PLAT RECORDED AT CONDOMINIUM PLAT BOOK 1, PAGE 36, WITH CONDOMINIUM PLANS RECORDED AT FOLDER NO. 36, CONDOMINIUM CABINET 1, CHEROKEE COUNTY, GEORGIA RECORDS; TOGETHER WITH A 18.85% UNDIVIDED INTEREST IN AND TO THE COMMON AREA, SUBJECT TO THAT CERTAIN "DECLARATION OF CONDOMINIUM FOR THE OFFICES AT MOUNTAIN BROOK, A CONDOMINIUM" AS RECORDED, BEGINNING AT DEED BOOK 4298, PAGE 359, CHEROKEE COUNTY, GEORGIA RECORDS. SAID PLATS PLANS AND DECLARATIONS ARE INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE.

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

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

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 whomsoever.

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:

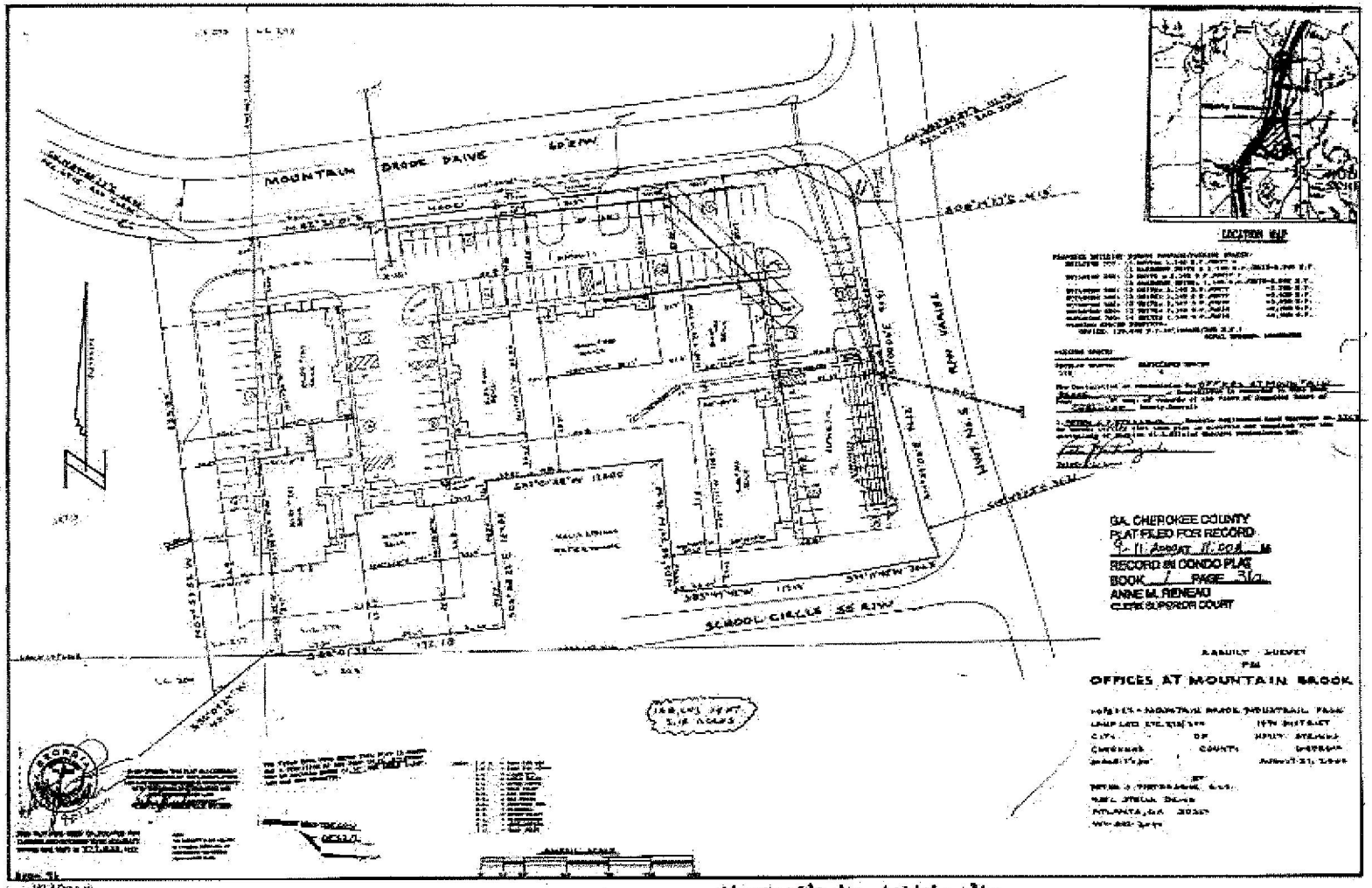
Witness

Notary Public

KATHRYN L. ARNETT NOTARY PUBLIC GEORGIA EXPIRES OCT 19, 2009 CHEROKEE COUNTY

(Seal)
STEVEN S. BRUCE

Steven S. Bruce (Seal)



Please Check page 310

See Condominium Bk. 4298 page 357

Rental Agreement

1. Parties: The parties to this Agreement are Kay and Michael Wardrip, hereinafter called "Owner," and NMTSports, hereinafter called "Tenant." The Owner's address is: 1841 Bluff Drive, Myrtle Beach, SC 29582.

2. Property: Owner hereby lets the following property to Tenant for the term of this Agreement: The real property known as 113 Mountain Brook Drive, Suite 104, Canton, GA 30115, under the following arrangements: One private office in Suite 104, including available furnishings as needed/available.

3. Term: This agreement shall run for the period of March 18, 2019 to April 1, 2020. At the end of such period, no notice is required for continuation on a month-to-month basis. Termination after the initial term shall require 30 days prior notice by either party to this agreement..

4. Rent: The monthly rental for the property as described above shall be $345.00/mo. Rents are due and payable by check or bank transfer by the 1st day of each month. Rent for partial months shall be prorated based on the number of days in that month.

5. Utilities: Owner agrees to furnish the following services and/or utilities: electric, local phone, fax, Internet, waiting room and all other common areas in the office suites. VOIP phone service and other similar technologies are allowed as long as they do not add charges for phone or Internet service.

In Addition It Is Agreed:

1. Tenant shall not lease, sublease, or assign the premises without prior written consent of Owner.

2. Owner may enter the premises at reasonable times for inspection, maintenance, or repair. Except in case of emergency or abandonment, the Owner shall give Tenant reasonable notice of such entry.

3. Tenant agrees to occupy the premises and keep the same in good condition, reasonable wear and tear excepted, and not make any alterations thereon without the written consent of the Owner.

4. Tenant agrees not to maintain a public nuisance or use the premises in any manner not deemed acceptable by community standards. It is understood in a shared space that Tenants will mutually respect each others' need for privacy, and on behalf of their respective clients.

5. Tenant, at end of this Agreement, shall vacate and return property in the same condition that it was received, less reasonable wear and tear, and other damages beyond the Tenant's control.

6. Tenant and/or assigns should assure the office suite is locked if last to leave.

We, the undersigned, approve this Rental Agreement:

Owner:	Tenant:
MICHAEL WARDRIP	Lisa Greene
Name	Name
	Lisa Greene
Signature	Signature
3-11-2019	March 11, 2019
Date	Date

STATE OF GEORGIA
BRAD RAFFENSPERGER, Secretary of State
Georgia Board of Massage Therapy
LICENSE NO. MT006760
Lisa Marie Lovett

507 Gold Shore Ln
Canton GA 30114

Massage Therapist

EXP DATE - 10/31/2020 Status: Active
Issue Date: 06/25/2010

Above is your wall certificate license. A pocket-sized license card is below.

Please make note of the expiration date on your license. It is your responsibility to renew your license before it expires. Please notify the Board if you have a change of address.

Wall certificates suitable for framing are available at cost, see board fee schedule. To order a wall certificate, please order from the web site – www.sos.state.ga.us/plb.

Please refer to Board Rules for any continuing education requirements your profession may require.

Georgia State Board of Professional Licensing
237 Coliseum Drive
Macon GA 31217
Phone: (478) 207-2440
Toll Free: (844) 753-7825
www.sos.state.ga.us/plb

Lisa Marie Lovett
507 Gold Shore Lane
Canton GA 30114

STATE OF GEORGIA
BRAD RAFFENSPERGER, Secretary of State
Georgia Board of Massage Therapy
License No. MT006760
Lisa Marie Lovett

507 Gold Shore Ln
Canton GA 30114

Massage Therapist

EXP DATE - 10/31/2020 Status: Active
Issue Date: 06/25/2010

amta | certificate of insurance

american massage therapy association

AMTA Member ID#: 1259746
Lisa Marie Greene
507 Gold Shore Ln
Canton, GA 30114-6329

AMTA Member Classification: PROF W

Enrolled Member Effective Date: 04/01/2019-03/31/2020

Coverage for enrolled member's business is limited to claims arising from enrolled member's professional services.
Business Name:

Administered By:
Healthcare Providers Service Organization
Affinity Insurance Services, Inc.
159 East County Line Road
Hatboro, PA 19040-1218

Insurance Company:
Columbia Casualty Company
A CNA Company

TYPE OF INSURANCE	MASTER POLICY NUMBER	LIMITS *(per enrolled member)*
Professional Liability Occurrence Coverage	**0289955556**	**$2,000,000 each claim/$6,000,000 aggregate** Subject to the Master Policy Aggregate

Coverage is afforded to AMTA Members for a period of 12 months concurrent with the Enrolled Member Effective Date or until membership is terminated or expires. Student Enrolled membership expires on the last day of the month in which the Student Enrolled Member graduates. No coverage is afforded to Student Enrolled Members for providing massage therapy services outside of school sanctioned and directed activities. If the AMTA Master Policy is non-renewed or cancelled, the AMTA Member's coverage under this policy will terminate upon the expiration of the Enrolled Member Effective Date and will not be renewed. The Master Policy Aggregate may be reduced by claims paid on behalf of other insureds.

ADDITIONAL COVERAGES *(Included in Professional Liability Limits specified above)*

- General Liability
- Products Liability
- Host Liquor Liability
- Personal Injury Liability
- Good Samaritan Liability
- Malplacement Liability
- Fire & Water Legal Liability *(subject to $100,000 sub limit)*

COVERAGE EXTENSIONS	COVERAGE EXTENSION LIMITS
License Protection	$10,000 per proceeding / $25,000 aggregate
Defendant Expense Benefit	$10,000 aggregate
Deposition Representation	$2,500 per deposition / $5,000 aggregate
Assault (excluding Texas)	$10,000 per incident / $25,000 aggregate
Medical Payments	$2,000 per person / $100,000 aggregate
First Aid	$2,500 aggregate
Damage to Property of Others	$10,000 aggregate

This material is intended to provide a general overview of the products and services offered. Coverage for enrolled member's business is limited to claims arising from enrolled member's professional services. Only the policy can provide the actual terms, coverage's, amounts, conditions and exclusions. **Please contact HPSO at 1-888-253-1474 directly for a free copy of the complete policy.**

HPSO®
Healthcare Providers Service Organization

AMTA Coverage

AMTA Members are covered for professional services for which the enrolled member is licensed, certified, accredited or professionally trained to perform as a massage therapist. Student Enrolled Members are covered only for those services for which the Student Enrolled Member is professionally trained to perform while engaged in school sanctioned and directed activities. If an enrolled member practices in any jurisdiction which governs massage therapy services, then massage therapy services means those services for which the enrolled member is licensed, certified, accredited, trained or qualified to perform within the scope of practice recognized by the governmental regulatory agency responsible for maintaining the standards of the profession of massage therapy. Professional services also means the enrolled member's massage therapy services while acting as a member of a formal accreditation, standards review, or similar professional board or committee, including the directives of such board or committee.

As an AMTA enrolled member covered by the AMTA insurance program, enrolled members are responsible for and expected at all times to be familiar and current with all laws, regulations, etc. in their state of practice that govern their profession as a massage therapist.

Modality Exclusions

Any acts, errors or omissions involving the activities designated below are excluded. This list is subject to review and change by AMTA.

Colon hydrotherapy, nutritional or dietary counseling, personal training, pilates, religious healing, procedures that use fire, cupping therapy with use of heat, ear candling, saunas, sun tanning treatments other than topical tanning lotions or sprays, procedures which penetrate the skin or body cavities either manually or with other methods of intrusion other than manual soft tissue manipulation of the oral or nasal cavities.

Diagnosis, prescription, or service in the capacity of any other profession or branch of healthcare or medicine for which a license to practice is required by law including chiropractic, dentistry, dermatology, naprapathy, naturopathy, nursing, orthopedics, osteopathy, physical therapy, podiatric, psychiatry, psychology or psychotherapy.

Additional Information

An AMTA membership card in conjunction with this notice should serve as acceptable evidence of insurance to anyone requesting proof of your professional liability coverage. If you have any additional questions concerning the AMTA Professional Liability Insurance Plan, please call our insurance administrator, HPSO, toll free at 1-888-253-1474. We are dedicated to giving you the best service possible and thank you for the opportunity to provide this insurance and membership to you. Please also feel free to call AMTA with questions or comments.

Reporting Claims

Please call HPSO toll free at 1-888-253-1474 for claim reporting procedures or refer to the AMTA Professional Liability Benefits Guide.

Additional Insured Requests

Please call HPSO toll free at 1-888-253-1474 for additional insured requests.

This program is underwritten by Columbia Casualty Company, a CNA company and is offered through the Healthcare Providers Service Organization Risk Purchasing Group. This material is intended to provide a general overview of the products and services offered. Only the policy can provide the actual terms, coverage's, amounts, conditions and exclusions.

MARRIAGE CERTIFICATE

STATE OF GEORGIA **COUNTY OF CHEROKEE**

This Certifies that BENJAMIN EDWARD GREENE

and LISA MARIE LOVETT *were united in the*

HOLY BONDS OF MATRIMONY

by CYNTHIA CALVERT-TROSCLAIR, MINISTER

on the 12th *day of* April, *in the year of our Lord,* 2013

As appears of record in my office in Marriage Record Book 2013

Page 184 *This* 19th *day of* April 2013

JUDGE, PROBATE COURT, CANTON, GA

GEORGIA
CORPORATIONS DIVISION

GEORGIA SECRETARY OF STATE
BRAD RAFFENSPERGER

HOME (/)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name:	**NMT SPORTS INC**	Control Number:	**12035990**
Business Type:	**Domestic Profit Corporation**	Business Status:	**Active/Compliance**
Business Purpose:	**NONE**		
Principal Office Address:	**270 Carpenter Dr, Suite 540, Atlanta, GA, 30328**	Date of Formation / Registration Date:	**4/25/2012**
State of Formation:	**Georgia**	Last Annual Registration Year:	**2019**

REGISTERED AGENT INFORMATION

Registered Agent Name: **Greene, Lisa**

Physical Address: **270 Carpenter Dr, Suite 540, Atlanta, GA, 30328, USA**

County: **Fulton**

OFFICER INFORMATION

Name	Title	Business Address
Ben Edward Greene	CFO	507 Gold Shore Lane, Canton, GA, 30114, USA
Lisa Marie Greene	CEO	270 Carpenter Dr, Suite 540, Atlanta, GA, 30328, USA
Margaret Goss	Secretary	705 Sierra Court, Canton, GA, 30114, USA

Back Filing History Name History Return to Business Search

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STATE OF GEORGIA

Secretary of State

Corporations Division
313 West Tower
2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

ANNUAL REGISTRATION

Electronically Filed
Secretary of State
Filing Date: 1/17/2019 6:18:07 PM

BUSINESS INFORMATION

CONTROL NUMBER	12035990
BUSINESS NAME	NMT SPORTS INC
BUSINESS TYPE	Domestic Profit Corporation
EFFECTIVE DATE	01/17/2019

PRINCIPAL OFFICE ADDRESS

ADDRESS	270 Carpenter Dr, Suite 540, Atlanta, USA

REGISTERED AGENT

NAME	ADDRESS	COUNTY
Greene, Lisa	270 Carpenter Dr, Suite 540, Atlanta, GA, 30328, USA	Fulton

OFFICERS INFORMATION

NAME	TITLE	ADDRESS
Ben Edward Greene	CFO	507 Gold Shore Lane, Canton, USA
Lisa Marie Greene	CEO	270 Carpenter Dr, Suite 540, Atlanta, USA
Margaret Goss	SECRETARY	705 Sierra Court, Canton, USA

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE	Lisa Greene
AUTHORIZER TITLE	Officer

ARC Contract
Number WD1814.3

THIRD AMENDMENT OF WORKFORCE INNOVATION AND OPPORTUNITY ACT CONTRACT

THIS AGREEMENT is entered into as of this 29th day of June 2019, by and between City of Holly Springs of Holly Springs, Georgia (hereinafter referred to as the "Contractor") and the Atlanta Regional Commission, (hereinafter referred to as "ARC").

WITNESSETH THAT

WHEREAS, the parties hereto did enter into an agreement dated July 1, 2017, in which the Contractor agreed to perform certain services for ARC and ARC agreed to compensate the Contractor for the performance of such services, all as more fully set forth in said contract; and

WHEREAS, the parties have previously amended said contract as of 06/29/18; and 03/01/19; and

WHEREAS, the parties wish to amend said contract in certain respects as set forth herein below.

WHEREAS, the Workforce Investment Act was reauthorized by the United States Congress through the passage of the Workforce Innovation and Opportunity Act on July 22, 2014 resulting in changes in nomenclature.

NOW, therefore and in consideration of the mutual benefits to the parties, the parties agree that said contract is hereby amended as follows:

1. Pages D-1 and F-1 through F-4, dated 03/01/19, are hereby deleted in their entirety, and substituted in lieu thereof are revised pages D-1 and F-1 through F-4, dated 07/01/19, copies of which are attached hereto.
2. Pages A-1 through A-3, C-1 through C-15, and E-1 through E-4, dated 07/01/18, are hereby deleted in their entirety, and substituted in lieu thereof are revised pages A-1 through A-3, C-1 through C-1S, and E-1 through E-4, dated 07/01/19, copies of which are attached hereto.
3. All references to "Georgia Work Ready Online Participant Portal (also called Virtual One-Stop)," or "GWROPP/VOS" shall be replaced by "WorkSource Portal" or "VOS" respectively.
4. Paragraph 3, *Time of Performance*, is hereby revised so that the third sentence shall read, "All services required hereunder shall be completed on or before June 30, 2020."

Except as specifically modified hereinabove, the remainder of said contract shall remain in full force and effect.

IN WITNESS WHEREOF, the Contractor and ARC have hereunto agreed effective as of the date first above written.

ATTEST:

CITY OF HOLLY SPRINGS

_____

By: _____

Title: _____

ARC Contract
Number WD1814.3

ATTEST:

ATLANTA REGIONAL COMMISSION

By: _____
Executive Director

By: _____
Chairman

CONTRACT GENERAL OVERVIEW

I. **General**: The work to be accomplished by the Contractor is in support of the following ARC Subelements:

ARC Cost Center	Cost Center Title	FAIN Number
804CB	PY17 WIOA Out of School Youth Program	AA-30743-17-55-A-13
904CB	PY18 WIOA Out of School Youth Program	AA-32361-18-55-A-13
004CB	**PY19 WIOA Out of School Youth Program**	**AA-33224-19-55-A-13**

II. **Area Covered**: The Contractor shall perform all the necessary services provided under this Contract within the WorkSource Atlanta Regional Area (also known as Local Workforce Development Area 07), which is comprised of Cherokee, Clayton, Douglas, Fayette, Henry, Gwinnett, and Rockdale Counties. The specific geographic focus area for Contractor services may be further defined within this Contract, Exhibits, or under direction by ARWDB staff.

III. **Work and Services**: The Contractor shall do, perform and carry out in a satisfactory and proper manner as determined by ARC the following work and services:

A. **General Provisions**

The Contractor shall perform all work and services in a manner consistent with Georgia's Workforce Innovation and Opportunity Act Plan; Federal Workforce Innovation and Opportunity Act as revised or amended; Federal Final Regulations (20 CFR Part 652 and Parts 660 through 671) for the LWDA; and, any relevant ARC instructions or formal communications.

B. **Specific Provisions**

The Contractor shall do, perform and carry out the work and/or services described in Exhibits listed in the Table of Contents, attached hereto and made a part hereof.

Compensation and Method of Payment

I. Compensation Information

A. Compensation: In no event will the total compensation and/or reimbursement, if any, to be paid to the contractor under this contract exceed the sum of **$518,072**. Contractor's invoices for payment will detail charges to be applied to each ARC funding source. In no event will charges applied to each funding source exceed the maximum amounts per funding source, or be used before or after the start and ending dates for each funding source, as listed and detailed on page E-4 and attached hereto and made a part of this contract.

B. Authorized Expenditures: The amount of total compensation and/or reimbursement referred to in paragraph IA above, **$518,072** represents full funding of this contract, and is contingent upon such amount being made available to ARC by the Technical College System of Georgia – Workforce Development in the form of grant contract. At the time of execution of this contract, full funding may not be available. Therefore, the contractor is authorized to incur cost and seek reimbursement only up to a maximum total of **$518,072**, as shown on page F-4:

Increases in authorized expenditures may be made up to the full funding amount. Any such authorizations shall be in writing and made between the parties hereto.

II. Method of Payment:

A. The Contractor shall be entitled to receive payments on the following basis. As of the last day of each month during the existence of this contract, the Contractor shall submit to ARC an invoice requesting payment for all appropriate work and services completed during that month. The invoice shall also contain completed, signed and approved staff time sheets. The form of such invoice shall be determined by ARC.

Upon the basis of its audit, review, and approval of such invoice, and its review and approval of the monthly reports called for in the paragraph concerning "Reports" in the main body of the contract ARC will, based on the invoice(s) described above, make payments to the Contractor, but not more often than once a month, unless otherwise approved by ARC. Invoices shall be numbered consecutively and submitted each month until the project is completed.

Contractor's monthly invoices are to be received by ARC no later than the 10th day of the month following the reporting period. Invoices received after the 10th day of the month may not be processed for payment until the 5th day of the following month. Invoices received on time, without error and within budget shall be processed within 30 days from ARC's receipt of the invoice. ARC may,

at its discretion, disallow payment of all or part of an invoice not in conformance with any of the terms of this contract, as determined by ARC.

ARC will not be responsible for payments delayed due to, but not limited to, acts of nature, power outages, etc. ARC will make every attempt to process payments as soon as possible after such situations are resolved.

While ARC highly recommends that the contractor maintain its expenditures within its approved budget and budget line items, ARC does recognize that budgets are estimates and may be subject to change. As a result, ARC shall take into consideration any requests for budget modifications. Approval of such modifications, both cost and no-cost modifications, shall be determined by final approval of ARC and, if necessary, Technical College System of Georgia – Workforce Division.

All approved budget modification requests that change the overall budget (increase or decrease), must be amended to the contract.

The Contractor may be notified by ARC, in writing, on any decision by ARC to make no-cost modifications to the Contractor's budget made by ARC.

ARC will not permit any budget modifications that would cause funding to be used for any other purposes other than those consistent with the original purpose for which this budget was approved, unless otherwise approved by ARC. ARC does reserve the right to approve and disapprove requests that may be allowable, but not required by Federal, State, local and ARC laws and policies.

B. Final Payment: Upon the completion of all work and services under this contract and the submittal of a final invoice, ARC shall pay all compensation due to the Contractor, less the total of all previous payments made.

Contractor's final closeout invoice must be received by ARC no later than 15 calendar days after the project completion date specified in Paragraph 3 of the contract. Any cost or obligations not claimed on the closeout invoices shall be deemed to be waived and the limit of ARC's liability shall be reduced accordingly without any further notice to Contractor. ARC may, at its discretion, disallow payment of all or part of a final invoice not in conformance with any of the terms of this contract, as determined by ARC.

No advances shall be made under this contract

C. Payment Cycle: Payments from ARC are on a "net 30 day" basis, subject to availability of appropriate funding, and as described in Paragraph (II)(A) Method of Payment on page F-1 and F-2.

III. Completion of Project: It is agreed that in no event will the maximum compensation and reimbursement, if any, to be paid to the Contractor under this contract exceed the amount specified on page F-1, Paragraph (I)(A), and that the Contractor expressly agrees that

they shall do, perform, and carry out in satisfactory and proper manner, as determined by ARC, all of the work and services described in Exhibits A through D of this contract.

IV. Other Requirements: In the case of a cost-reimbursable contract, in addition to the requirements in the main body of the Contract concerning "Requirements of Concerned Funding Agency," Contractor agrees to comply with and shall be bound by the applicable terms and conditions of all State and Federal laws or regulations governing and defining allowable costs and associated procurement standards, including, but not limited to, U.S. Office of Management and Budget 2 CFR Part 200, Uniform Guidance (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), or 29 CFR Part 97, as appropriate. All such documents are available for inspection in the offices of ARC and are hereby made a part of this contract as fully as if the same were attached hereto.

The Contractor further agrees that, if costs incurred by the Contractor are not in conformity with the above requirements and are subsequently disallowed as a result of a review or an audit either pursuant to paragraph concerning "Audits" in the main body of the contract, by ARC, the Concerned Funding Agency, the Comptroller General of the United States, or any of their duly authorized representatives, then, upon written demand by ARC, the Contractor shall promptly reimburse ARC in full for such disallowed costs.

V. Financial Management System: The Contractor certifies that its financial management system currently complies and will continue to comply with all of the standards for financial management systems specified in 29 CFR Part 97, or 2 CFR Part 200, as appropriate.

VI. CFDA: 17.259

Cost Reimbursement Budget

I. GENERAL INFORMATION

Contractor Name: **City of Holly Springs/Cherokee FOCUS**

Contract Number: **WD1814.3**

Contract Period: **July 1, 2017 - June 30, 2020**

Maximum Funds Available: **$ 518,072**

Funding Period Beginning	**7/1/2017**	**7/1/2018**	**7/1/2018**		
Funding Period Ending	**6/30/2019**	**6/30/2020**	**6/30/2020**		
II. BUDGET CATEGORIES	**Youth Out of School 804CB**	**Youth Out of School 904CB**	**Youth Out of School 004CB**		**Total**
A. General Youth Services					
1. Personnel Salaries	106,093	72,293	49,152		227,538
2. Personnel Benefits	8,154	6,876			15,030
3. Operations					-
4. Facilities					-
5. Participant Activities/Support		325	73,728		74,053
6. Other	28,100	54,050			82,150
Total General Youth Services	**142,347**	**133,544**	**122,880**		**398,771**
B. Work Experience					
1. Personnel Salaries	33,520		13,056		46,576
2. Personnel Benefits	1,225				1,225
3. Operations					-
4. Facilities					-
5. Participant Activities/Support	51,916		19,584		71,500
6. Other					-
Total Work Experience	**86,661**	**-**	**32,640**		**119,301**
Total	**229,008**	**133,544**	**155,520**		**518,072**

CHEROKEE OFFICE OF | ECONOMIC DEVELOPMENT

2019 Annual Renewal Service Agreement

Cherokee Office of Economic Development & City of Holly Springs

Cherokee Office of Economic Development (COED) in a continued collaboration with GIS Planning, Inc. is proud to offer the ZoomProspector software on our website for economic development site-selection analyses. As part of this agreement, the municipalities within Cherokee County may choose to renew access to this information on their websites. COED will provide weekly updates to sites/building information for website (www.cherokeega.org) which automatically update City economic development - site/building links as well.

The ZoomProspector functionality includes the following features:

- **Available Property Site Selection** – website users will be able to review available commercial property within the city limits.
- **Property Reports** – web site users will be able to generate property reports for available properties
- **Dynamic Demographic Analysis** – web site users will be able to generate user-defined demographic analysis from any available property within the Project Geography.
- **License of Demographic Data from Applied Geographic Solutions** – data will include demographics, consumer expenditures, and business/workforce data.
- **Dynamic Business Reports** – web site users will be able to generate user-defined business reports from any available property within Project Geography.
- **Dynamic Mapping** – web site users will have the ability to zoom in/out, pan and identify information on the map.
- **Online Management System for Real Estate Professionals to List Properties** – website users who are authorized real estate professionals marketing available commercial property will be able to add, delete and update information about their properties through a user-friendly web page or site using a login and password system.
- **Staff Online Management System** – COED staff will have access to property data for addition, deletion, and maintenance. Staff will also use the application services and/or web site to give real estate professional access to use the application services for the purpose of reviewing, adding, deleting, and updating information about their properties.

Staff can also generate reports for the City based on requests that were filled or incomplete for target area analysis of buildings/sites.

- **City and County Zoning Data with Mapping Layers** – web site users will have the ability to identify both City, and County zoning classifications on the map.
- **Business Park Mapping Layer** – Layers include larger business park boundaries.
- **Live Feed** – active live feed of properties from RealMassive
- **Mobile Site -** for viewing properties and information on a mobile device.
- **COED may update data two (2) times per year.**

City Participation with GIS Planning on website

Annual Renewal Fee:

Under 5000 population - $1000

5001-10,000 - $2000

10,001 – 15,000 - $3000

15,000+ - $4000

City of Holly Springs agrees to one-year participation at $3,000 with the Cherokee Office of Economic Development.

Please send payment to:
Development Authority of Cherokee County
One Innovation Way
Woodstock, GA 30188

City of Holly Springs

By: _____

Name (Print): _____

Title: _____

Date: _____

Cherokee Office of Economic Development

By: _____

Name (Print): _____

Title: _____

Date: _____

Georgia Development PARTNERS

ESTIMATE

Holly Springs Town Center Sewer Addition
8/28/2019

	Unit	Quantity	Unit Price	Total for Item
Clearing and Pile Up	AC	0.74	$10,000.00	$7,400.00
Silt Fence Type C	LF	1,466.00	$3.67	$5,380.22
Temporary Grassing	AC	0.74	$1,154.00	$853.96
Stripping	CY	537.00	$2.43	$1,304.91
Cover Dirt for Sewer Line	CY	1,112.00	$4.95	$5,504.40
8" PVC SDR 35 (0-10)	LF	250.00	$19.84	$4,960.00
8" PVC SDR 35 (12-14)	LF	98.00	$23.27	$2,280.46
8" PVC SDR 35 (14-16)	LF	217.00	$25.84	$5,607.28
8" PVC SDR 26 (16-18)	LF	118.00	$28.84	$3,403.12
6" PVC SDR 35 (0-10)	LF	91.00	$19.12	$1,739.92
Sanitary Sewer Manhole Complete to 6 VF	EA	6.00	$1,762.00	$10,572.00
48" Riser	VF	50.15	$212.00	$10,631.80
Safety Platform	EA	1.00	$1,121.00	$1,121.00
Inverts	EA	6.00	$750.00	$4,500.00
8" Boots	EA	10.00	$123.00	$1,230.00
6" Boots	EA	2.00	$123.00	$246.00
8" Plugs	EA	2.00	$149.00	$298.00
Tie Into Existing	EA	1.00	$1,800.00	$1,800.00
Outside Drop	EA	1.00	$3,507.00	$3,507.00
Lateral Stub Out (with 2" Marker Pipe)	EA	14.00	$350.00	$4,900.00
6" Clean Out	EA	1.00	$372.55	$372.55
Disconnect from Septic/ Connect to Sewer	EA	1.00	$776.44	$776.44
Bedding Stone	TN	155.00	$38.00	$5,890.00
Wire and Tape	LS	1.00	$494.00	$494.00
Trench Safety	LS	1.00	$3,500.00	$3,500.00
Testing	LF	774.00	$2.75	$2,128.50
		Grand Total		**$90,401.56**

Notes:
Plans by SEI dated 8-5-19.
No residual rock is included.
Traffic Control is not included.
GDP priced SDR 26 and SDR 35 per plans, GDP will not be responsible for material and depth issues.
Anything not specifically noted is considered excluded.

300 Galleria Parkway SE, Atlanta, Georgia 30339
(O) 404.228.6949 | (F) 404.228.5478

Georgia Development PARTNERS

ESTIMATE

Holly SpringsTown Center Industrial Culvert Replacement
8/20/2019

	Unit	Quantity	Unit Price	Total for Item
Mobilization	LS	1.00	$1,500.00	$1,500.00
Clearing	LS	1.00	$1,750.00	$1,750.00
Silt Fence Type C	LF	531.00	$2.50	$1,327.50
Permanent Grassing	AC	0.76	$1,980.00	$1,504.80
Sawcutting	LF	496.00	$3.50	$1,736.00
Concrete Removal	SF	1,452.00	$2.42	$3,513.84
Remove 15" RCP	LF	407.00	$10.00	$4,070.00
Dumpster	EA	2.00	$375.00	$750.00
36" RCP Class 5	LF	242.00	$101.47	$24,555.74
24" RCP Class 3	LF	165.00	$49.66	$8,193.90
48" Headwall	EA	2.00	$1,257.69	$2,515.38
36" Headwall (GDOT 1125)	EA	2.00	$1,769.37	$3,538.74
Rip Rap	TN	36.00	$55.00	$1,980.00
Concrete Driveway Replacement	SF	1,452.00	$6.88	$9,989.76
#57 Stone Replace Over Top of Gravel Drive at Parking Pad	TN	20.00	$38.00	$760.00
Install GAB with Rollers (Wet) - to smooth entrance	TN	45.00	$36.00	$1,620.00
	Grand Total			**$69,305.66**

Notes:
Plans by SEI dated 7-26-19.
No surveying included.
No testing included.
Bypass puming not included, $950 per day if needed.
Dust control not included, $750 if needed.
Anything not specifically noted is considered excluded.

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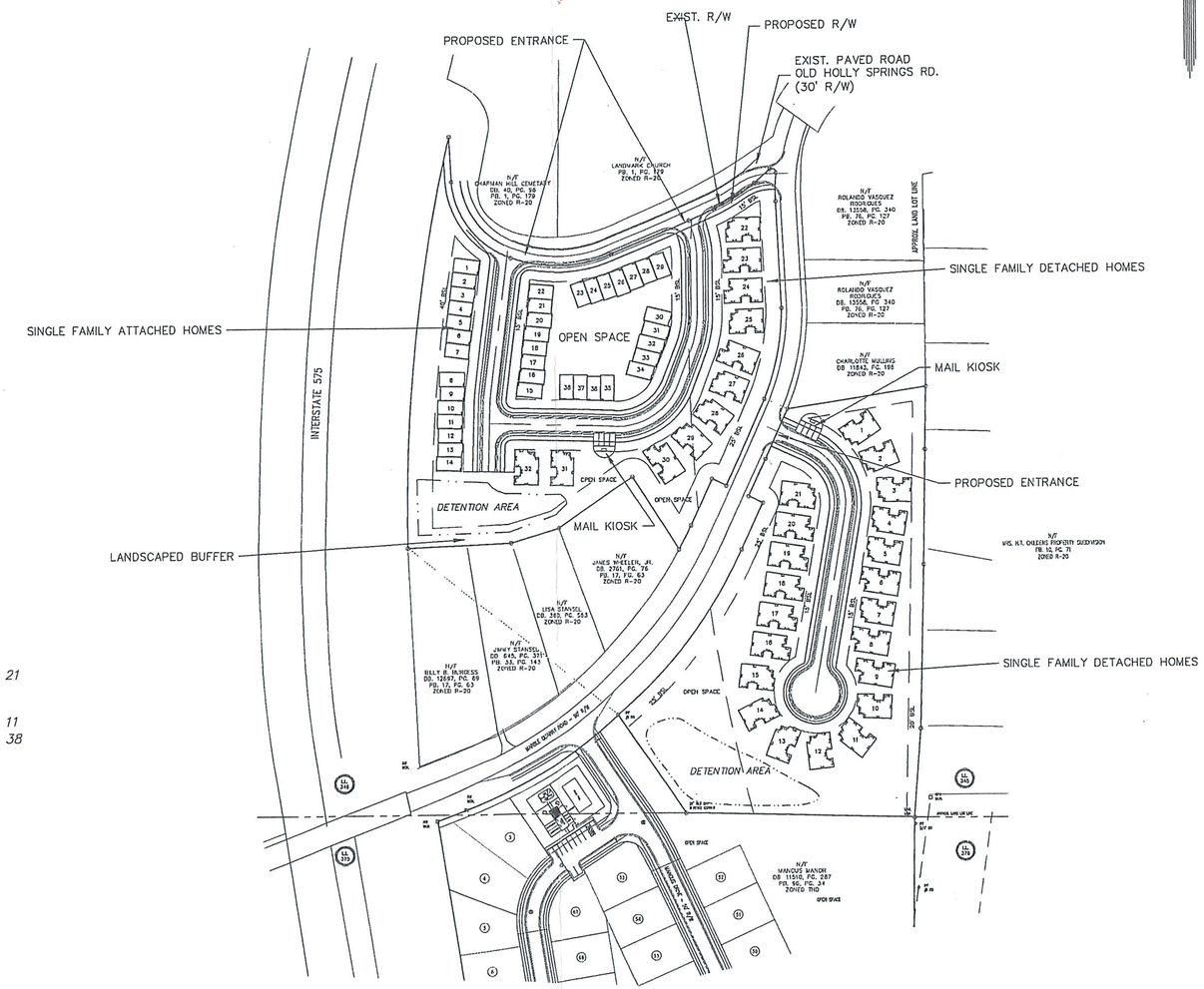
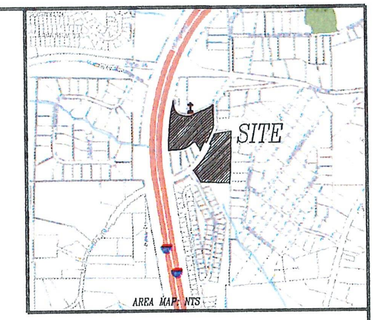
BLUE RIVER DEVELOPMENT, LLC
BROKERAGE | DEVELOPMENT | CONSULTING





FLOOD INFORMATION:

HIS PROPERTY IS NOT LOCATED WITHIN A FEMA 100 YEAR FLOOD ZONE ACCORDING TO FEMA MAP PANEL 13057C0242D DATED: SEPT. 29, 2006.

BOUNDARY SURVEY PROVIDED BY CLIENT. PERFORMED BY GASKINS FOR FLORRIE JO BAILEY, SIGNED BY DARRELL D. RAINES ON JAN. 11, 2019.
TOPOGRAPHIC INFORMATION BASED ON CHEROKEE COUNTY GIS DATA
THE INFORMATION ON THIS CONCEPTUAL PLAN IS COMPILED FROM THE DATA PROVIDED AND REFERENCED HERE BY CENTERLINE SURVEYING AND LAND PLANNING, INC.

GENERAL SITE NOTES

PROPOSED USE: SINGLE FAMILY RESIDENTIAL
CURRENT ZONING – R-40 (CHEROKEE COUNTY)
CURRENT ZONING – R-20 (CITY OF HOLLY SPRINGS)
PROPOSED ZONING – TND
TOTAL AREA – 11.07 ACS
TRACT 1 – 5.89 ACS, TRACT 2– 5.18 ACS.
TOTAL LOTS PROPOSED – 70
PROPOSED DENSITY – 6.32 U/A

PROPOSED SITE REQUIREMENTS TRACT 2 – 5.18 ACS

TOTAL SINGLE FAMILY RESIDENTIAL DETACHED UNITS PROPOSED – 21

PROPOSED SITE REQUIREMENTS TRACT 1 – 5.89 ACS

TOTAL SINGLE FAMILY RESIDENTIAL DETACHED UNITS PROPOSED – 11
TOTAL SINGLE FAMILY RESIDENTIAL ATTACHED UNITS PROPOSED – 38

DETACHED BUILDING SETBACK REQUIREMENTS:

FRONT – 15 FT. DETACHED UNITS
REAR –20 FT.
SIDE – 5' FT. (10' BETWEEN UNITS)

OWNER OF RECORD:

FLORRIE JO BAILEY
TIN: 15N14 050
PIN: 15-0346-0008
1530 MARBLE QUARRY RD.
CANTON, GA. 30115
DB. 60, PG. 325

APPLICANT:

BLUE RIVER DEVELOPMENT, LLC.
6845 SHILOH RD. EAST , STE. D-3
ALPHARETTA, GA. 30005

24 HR. CONTACT:

BRAD COOPER
(404) 797-7325
BCOOPER@BLUERIVERDEVELOPMENT.COM

GRAPHIC SCALE
-100 0 50 100 200
(IN FEET)
1 inch = 100' ft.

REZONING CONCEPTUAL PLAN FOR:

MARBLE QUARRY RD.

A RESIDENTIAL COMMUNITY BY BLUE RIVER DEVELOPMENT, LLC

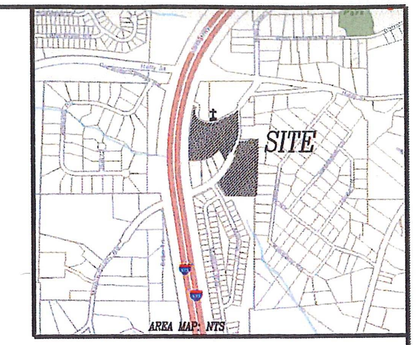
LAND LOT 346 OF THE 15TH DISTRICT, 2ND SECTION CHEROKEE COUNTY, GEORGIA

centerline
Surveying and Land Planning, Inc.
1201 SHILOH ROAD, SUITE 1210, KENNESAW, GA. 30144
PHONE: (770) 424-0028 FAX: (770) 424-2399

DRAWN BY: DP		DATE: 5-20-19	
CHECKED BY: DP		DRAWING NO.: REZONING	
JOB NO.: 519001		SHEET 1 OF 1	
NO.	DATE	REVISION DESCRIPTION	BY
1	7-8-19	PER STAFF RECOMMENDATIONS	DP
2	9-5-19	PER STAFF COMMENTS	DP

BLUE RIVER
DEVELOPMENT, LLC
BROKERAGE | DEVELOPMENT | CONSULTING

GRID NORTH GA WEST ZONE



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CURRENT ZONING – R-20 (CITY OF HOLLY SPRINGS)
PROPOSED ZONING – TND
TOTAL AREA – 11.07 ACS
TRACT 1 – 5.89 ACS, TRACT 2– 5.18 ACS.

PROPOSED SITE REQUIREMENTS

TOTAL RESIDENTIAL ATTACHED UNITS PROPOSED – 65
TOTAL RESIDENTIAL DETACHED UNITS PROPOSED – 24
PROPOSED DENSITY – 8 U/A

DETACHED BUILDING SETBACK REQUIREMENTS:

FRONT – 15 FT. DETACHED UNITS
REAR –20 FT.
SIDE – 5' FT. (10' BETWEEN UNITS)

ATTACHED BUILDING SETBACK REQUIREMENTS:

SIDE STREET – 0/25 FT.
SEPARATION BETWEEN STRUCTURES – 20 FT
** FIRST DISTANCE REFERS TO DISTANCE FROM PUBLIC R/W AND THE SECOND REFERS TO DISTANCE FROM C/L OF ROAD.*

GRAPHIC SCALE

-100 0 50 100 200

(IN FEET)
1 inch = 100' ft.

REZONING CONCEPTUAL PLAN FOR:

MARBLE QUARRY RD.

A RESIDENTIAL COMMUNITY BY
BLUE RIVER DEVELOPMENT, LLC

LAND LOT 346 OF THE
15TH DISTRICT, 2ND SECTION
CHEROKEE COUNTY, GEORGIA

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