



City of Holly Springs

Date: Wednesday, February 16, 2022
Location: 3235 Holly Springs Parkway

Downtown Development Authority Work Session Agenda 6:00 p.m.

I. CALL TO ORDER

II. OATH OF OFFICE

- Scott Owen
- Ryan Smith

III. NEW BUSINESS

- A. Approve/deny December 15, 2021 meeting minutes
- B. Discuss and approve/deny a First Amendment to Agreement for Sale and Purchase of Real Property between Walton Holly Springs, LLC and the Downtown Development Authority of Holly Springs
Presented By: Robert H. Logan, City Manager
- C. Discuss and approve/deny a Certificate of Appropriateness for case number MA-02-2022, applicant, SDH Atlanta, LLC
Presented By: Nancy Moon, Community Development Director

IV. REPORTS

V. ADJOURNMENT

Holly Springs Downtown Development Authority
Meeting Minutes
December 15, 2021

Members Present: Chairman Ollie Evans, Phyllis Long, Treasurer Scott Owen, Ryan Smith, and Councilman Kyle Whitaker.

Members Absent: Secretary Guillermo Sanabia.

Staff Present: City Manager Robert H. Logan, Economic Development Director/Assistant City Clerk Erin Honea, and Capt. Casey Barton.

Ollie Evans called the meeting to order.

Phyllis Long made a motion to approve an Agreement for the Sale and Purchase of Lots between the Downtown Development Authority of Holly Springs and Stonecrest Homes GA, LLC, and consented to by the City of Holly Springs, Georgia and authorize the Chairman to execute the agreement and the Treasurer to attest the agreement. Ryan Smith seconded the motion. Motion carried 5-0.

Ryan Smith made a motion to approve August 18, 2021 Downtown Development Authority meeting minutes. Phyllis Long seconded the motion. Motion carried 5-0.

Phyllis Long made a motion to approve November 17, 2021 Downtown Development Authority meeting minutes. Scott Owen seconded the motion. Motion carried 5-0.

Economic Development Director/Asst. City Clerk Erin Honea announced that the November Downtown Development Authority and Main Street financial reports were in the packet.

Scott Owen made a motion to adjourn. Phyllis Long seconded the motion. Motion carried 5-0.

Meeting adjourned.

Respectfully Submitted.

Ollie Evans, Chairman

Attest:

Erin Honea, Economic Development Director/Assistant City Clerk

**FIRST AMENDMENT TO
AGREEMENT FOR SALE AND PURCHASE OF REAL PROPERTY**

THIS FIRST AMENDMENT TO AGREEMENT FOR SALE AND PURCHASE OF REAL PROPERTY (this “First Amendment”) is made and entered into this ____ day of February, 2022 by and between WALTON HOLLY SPRINGS, LLC, a Georgia limited liability company (hereinafter referred to as “Purchaser”) and DOWNTOWN DEVELOPMENT AUTHORITY OF HOLLY SPRINGS (hereinafter referred to as “Seller”).

W I T N E S S E T H:

WHEREAS, Stonecrest Homes GA, LLC, a Georgia limited liability company (“Stonecrest Homes”) and Seller entered into that certain Agreement for Sale and Purchase of Real Property dated as of August 18, 2021 (hereinafter referred to as the “Purchase Agreement”), pursuant to which the Seller agreed to sell to Stonecrest Homes certain real property located in Land Lots 306, 307, 342, and 343, 15th District, City of Holly Springs, Cherokee County, Georgia (the “Property”);

WHEREAS, Stonecrest Homes transferred and assigned all of its rights and obligations under the Purchase Agreement to Purchaser pursuant to that certain Assignment and Assumption of Purchase Agreement dated November 1, 2021; and

WHEREAS, the parties are desirous of amending certain terms and provisions of the Purchase Agreement, as hereinafter provided.

NOW, THEREFORE, for and in consideration of the mutual covenants set forth herein and the sum of Ten and No/100 Dollars (\$10.00) in hand paid by Purchaser to Seller, the receipt and sufficiency of which is hereby acknowledged, Purchaser and Seller hereby amend the Purchase Agreement as follows:

1. Recitals. The recitals set forth above are incorporated herein by reference as part of this First Amendment.
2. Defined Terms. All capitalized terms used herein shall have the meanings ascribed to those terms in the Purchase Agreement, unless otherwise specified herein.
3. Conflicting Provisions. Where conflicting, the terms and provisions of this First Amendment shall supersede and control over those set forth in the Purchase Agreement.
4. Inspection Period. Seller and Purchaser hereby extend the Contingency Deadline until Monday, April 11, 2022, at 5:00 p.m.
5. Counterparts. The parties agree to accept this First Amendment as fully executed upon receipt of counterpart signatures via facsimile or electronic mail. This First Amendment, and any amendment hereto, may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which shall, together, constitute one and the same instrument.

6. All other terms and conditions of the Purchase Agreement will remain the same and unchanged. By execution of this First Amendment, the Seller and Purchaser affirm that the Contingency Deadline has not expired and that the Purchase Agreement is in full force and effect. Any termination of the Purchase Agreement prior to the date of this First Amendment shall be null and void. Further, any termination or expiration of the Contingency Deadline prior to the date of this First Amendment shall be null and void.

IN WITNESS WHEREOF, the parties have executed this First Amendment under seal as of the date indicated above.

SELLER:

**DOWNTOWN DEVELOPMENT AUTHORITY
OF HOLLY SPRINGS**

By: _____
Name: _____
Title: _____

Attest: _____
Name: _____
Title: _____

PURCHASER:

WALTON HOLLY SPRINGS, LLC, a Georgia
limited liability company

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM BY:

**ATTORNEY FOR THE CITY OF HOLLY
SPRINGS, GEORGIA**

By: _____
Name: _____
Title: _____



STAFF ANALYSIS

FROM: Nancy Moon

SUBJECT: MA-02-2022, applicant requests Certificate of Appropriateness for a townhome development consisting of 2.38 +/- acres located off Holly Springs Parkway, Holly Springs, GA, tax parcel 051 of tax plat 93N00

DATE: February 15, 2022 **DOWNTOWN DEVELOPMENT AUTHORITY MEETING DATE:** February 16, 2022

BACKGROUND FOR DDA RECOMMENDATION

The proposed project is located within the Town Center District, an area that encompasses more than the area that is currently under construction by the City. As such, new developments and redevelopments require review by the DDA. This will be the first application requiring review by the DDA. The Town Center district permits mixed-use developments with review by staff and the DDA; however, single-use developments are required to comply with the underlying zoning, as well. The proposed development consists of only one use—single-family residential (townhomes). Subsequently, the development requires rezoning resulting in review and recommendation from the Planning Commission, as well as, review by the DDA. The DDA recommendation should be based on how appropriate the architecture and overall development conform to the goals/design of the Town Center district. Below is the staff analysis for the rezoning of the property from R-20, Single Family Residential (minimum 20,000 sq. ft. lot area) to TND, Traditional Neighborhood Development for the development of 14 town homes. Additional information for consideration by DDA is included near the end of the report.

STAFF ANALYSIS

Applicant, SDH Atlanta, LLC, has requested rezoning of 2.38+/- acres, tax parcels 051 of tax plat 93N00, from R-20, Single Family Residential to TND, Traditional Neighborhood Development. The applicant proposes a residential development consisting of 14 residential townhome units with a proposed gross density of 5.88 units per acre. Proposed amenities include a pocket park. Buffers will be required adjacent to less dense residential properties unless otherwise approved. The applicant has proposed a 20' undisturbed buffer with a 10' setback on the northern property line (30' buffer required). Currently, storage buildings are being utilized adjacent to this property. The adjacent property along the southern property line is zoned GC and does not require a buffer however, a pocket park is located along this property line. The rear of the property contains a stream with the associated buffers. The applicant has requested a stream buffer variance to the impervious area buffer (the outer 25' of the total 75' buffer) for the construction of a turn-around to meet the fire code providing less impact than crossing the stream to construct the turn-around. This request was approved by the Development Review Committee. While the proposed project is less acreage than is required by a TND development (10 acres), it is located within the Town

Center district which does allow for more dense development on smaller lots. A conceptual site plan, as well as proposed elevations, have been provided for the development.

A. Existing Land Use and Zoning Classification of Nearby Property

ADJACENT ZONING		ADJACENT DEVELOPMENT	
NORTH:	R-20	NORTH:	Single Family Residential/Rental/Storage
SOUTH:	GC	SOUTH:	Single Family Residential
EAST:	GC	EAST:	Single Family Residential/ Office/Commercial
WEST:	R-20	WEST:	Single Family Residential

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, commercial, and office uses. The proposed development, consisting of single-family attached townhomes, is more dense than what is immediately adjacent; however, other uses in the area would be classified as a more intensive use, i.e. commercial/office uses and this proposal would act as a transition from those type of uses to the less dense residential areas.

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

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

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

The property, as currently zoned, would be allowed to develop with those uses associated with the R-20 zoning districts consisting of single-family residential uses. In addition, this property is located within the Town Center district providing additional opportunities for development.

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 generate additional traffic and use of utilities. Since the unit count is under 25, the Cherokee County School District (CCSD) views the impact as negligible and they do not calculate the impacts.

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 area of Town Center. This character area consists of a compact area corresponding with the City's downtown. Acceptable uses include residences, businesses, offices, civic buildings and uses, entertainment space, institutional, and mixed-use developments. In addition, this character area is proposed to incorporate redevelopment and revitalization objectives of a compact, pedestrian-friendly downtown. Within this character area, participation of other agencies such as the Downtown Development Authority and/or the Planning and Zoning Commission will be required in terms of development planning.

Application: Holly Springs Town Center

Primary Future Land Uses: Mix of uses including commercial, office, government, residential, and park.

Zoning Districts: PD-C, NC, GC, OI, GV, MXD-1, MXD-2

Density/Intensity: High density residential uses up to 16 units/acre in mixed-use center

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 single-family residential use townhomes, is in compliance with the vision and objectives of the Community Agenda, primarily as follows:

- a) 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)**
- b) Density. Consider increased residential densities for property adjacent to arterials and urban collectors. As properties are distanced further from arterials, urban collectors, and more intense uses, residential densities should decrease. (8.1, #8)**
- c) Architectural Requirements. Utilize the adopted architectural requirements for the various character areas of the city, seeking to refine and enhance these requirements, as needed. Consistently enforce architectural regulations to promote a uniform and harmonious quality of development within respective character areas. (8.1, #11)**

- d) **Environmentally Sensitive Areas.** Encourage development to use environmentally sensitive areas as buffers between differing land uses where appropriate. (8.1, #15)
 - e) **Housing Options.** Promote an adequate range of safe, affordable, inclusive, and resource efficient housing in the community. This may be achieved by encouraging development of a variety of housing types, sizes, costs, and densities in each neighborhood; promoting programs to provide housing for residents of all socio-economic backgrounds, including affordable mortgage finance options; instituting programs to address homelessness issues in the community; or coordinating with local economic development programs to ensure availability of adequate workforce housing in the community. (8.2, #1)
 - f) **Town Center.** Protect and enhance the community's unique qualities. This may be achieved by maintaining the downtown as a focal point of the community; fostering compact, walkable, mixed-use development; protecting and revitalizing historic areas of the community; encouraging new development that is compatible with the traditional features of the community; or protecting scenic and natural features that are important to defining the community's character. (9.1, #1, Quality Community Objective, #5).
 - g) **Redevelop and revitalize the Holly Springs downtown.** (9.1, #2)
 - h) **Provide opportunities to live in the town center by promoting diverse dwelling opportunities, including detached dwellings on smaller lots, townhouses, condominiums, lofts/apartments, and accessory dwelling units.** (9.1, #3)
7. Whether an impact is expected on the environment, including, but not limited to, drainage, soil erosion, and sedimentation, flooding, air quality, and water quality and quantity?

The development of the property will be held to the environmental development standards for all local, state, and federal requirements. Engineering design and approval will meet all standards. The applicant applied for a variance to the stream buffer ordinance to allow a turn-around to be constructed within the impervious buffer area (outer 25' of the 75' buffer). This variance was approved by the Development Review Committee on February 10, 2022.

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 proposed project is in close proximity to the Town Center area, currently under development. This project will provide an additional type of housing not currently available within the immediate area, as well as, provide an additional customer base for which the Town Center can provide services.

C. Summary

The proposed use does fit within the goals and projected land use of the City's Comprehensive Plan. This project should provide an adequate transition from the more intense uses within the Town Center to the less intense residential uses as the distance from the Town Center increases. It is within walking distance to the new Town Center development, currently under construction.

D. Planning Commission Recommendation

Planning Commission conducted a public hearing on February 10, 2022. Public comments made during the meeting were related to traffic issues on Holly Springs Parkway and Holly Street. Planning Commission recommended **APPROVAL** (4-1) with staff stipulations of the request to rezone the property to **TND, Traditional Neighborhood Development**. Staff/Planning Commission recommended stipulations are as follows:

1. A master association shall be formed which shall include all component parts of the project. The master association shall be responsible for the oversight, upkeep, and maintenance of the entrance areas, signage, private infrastructure, detention areas, mail kiosk, amenity areas, common areas, open space areas, other common recreational areas, and all landscaping and plantings contained within the community.
2. The master association to be formed hereunder shall have architectural design regulations which shall control and coordinate all principal and accessory buildings within the project, as well as items such as project entrance signage, signage for individual units, signage within amenity areas, common areas, open space areas, other common recreational areas and the like to protect and maintain the quality and integrity of the development. The yard areas around each unit shall be fully sodded/landscaped and maintained by the mandatory homeowners' association.
3. All restrictive covenants and association documents shall be submitted for review by the Community Development Director prior to final plat approval.
4. All units within the proposed community shall be "for sale" units. The Declaration of Restrictive Covenants shall restrict the number of units which can be leased at any one time to no more than twenty percent.
5. Density shall be limited to a maximum gross density of 5.88 units per acre, or a maximum of 14 fee simple single-family residential townhome dwelling units.
6. The architectural style shall be of craftsman type and the exterior facade shall consist of brick, stone, stacked stone, cedar shake type and/or Hardi-plank and combinations thereof, one of which must be brick or stone, and follow the design guidelines as outlined in the Holly Springs Zoning Ordinance, Article 19, Design Guidelines for Model Zoning Districts. Additional review and approval by the Town Center Architect shall be required.
7. Gutters shall blend with the architectural style of the buildings, consistent with the master covenants as established by the master association.
8. Garage doors shall be setback a minimum of 20 feet from the back of sidewalks.

9. Signage at the entrance point shall be ground based, monument style, in compliance with Article 10, Signs and Outdoor Advertising and shall complement the high quality, architectural vision and style of the proposed homes. The entrance areas shall be professionally designed, landscaped and maintained.
10. 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.
11. Owner/developer shall coordinate with the Community Development Director and the City Arborist regarding open space, recreation areas, and landscaping.
12. The required undisturbed and/or planted buffer on the northern property line may be reduced to 20 feet.
13. Entrance design and improvements to Holly Springs Parkway shall be provided as per determination and recommendation of the City Engineer.
14. All construction and employee vehicles and equipment will be parked, and otherwise located, on the property during development of infrastructure and construction of residences and shall not be parked on or along Holly Springs Parkway. There will be no stacking of vehicles along any roadway waiting for entry onto the property.

E. Additional Information for DDA

Projects located within the Town Center district have different architectural requirements and, in addition to review by DDA, are reviewed by the Town Center Architect. The proposed elevations were sent to the architect and his comments are included in the packet. The applicant met with the Town Center Architect and City staff to discuss the recommended changes. The applicant is in the process of revising the elevations and providing a more detailed color/materials schematic. The applicant would like the full approval of the DDA for this project; however, all of the changes may not be possible for this meeting. The applicant may request that the application be tabled.

F. Staff Recommendation

Staff recommends **APPROVAL** of the **Certificate of Appropriateness** subject to approval of the Town Center Architect.

*** The recommendations made herein are the opinions of the City of Holly Springs Staff and do not constitute a final decision. The Holly Springs City Council makes the final decision on all rezoning applications at their regularly scheduled meeting. Any site plan submitted as a part of this application is not considered approved and must go through the normal civil site plan review by the City of Holly Springs Community Development Department to ensure compliance with City regulations.*

MA-02-2022
Location Map
Rezoning Request

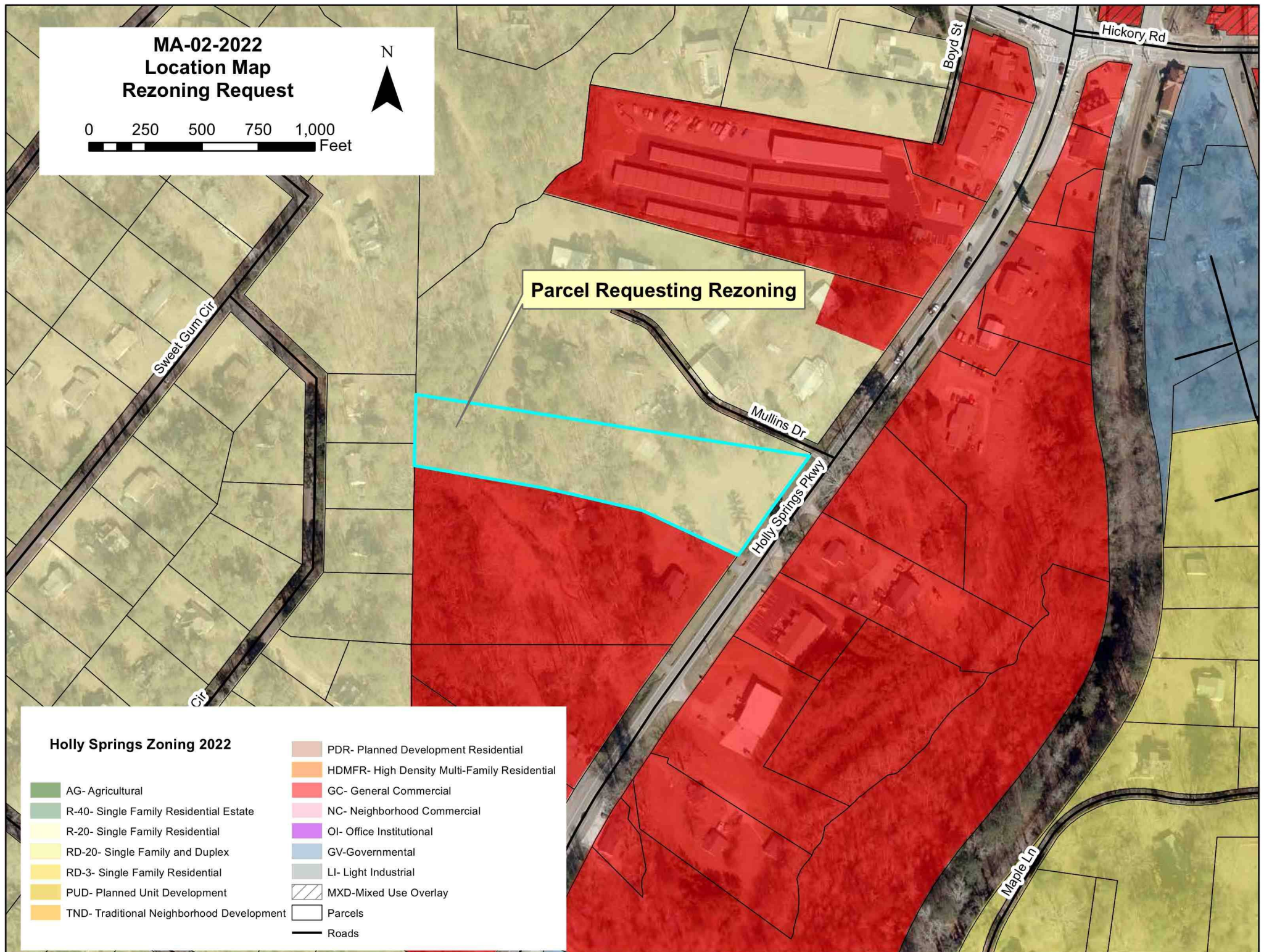
0 250 500 750 1,000 Feet



Parcel Requesting Rezoning

Holly Springs Zoning 2022

	AG- Agricultural		PDR- Planned Development Residential
	R-40- Single Family Residential Estate		HDMFR- High Density Multi-Family Residential
	R-20- Single Family Residential		GC- General Commercial
	RD-20- Single Family and Duplex		NC- Neighborhood Commercial
	RD-3- Single Family Residential		OI- Office Institutional
	PUD- Planned Unit Development		GV- Governmental
	TND- Traditional Neighborhood Development		LI- Light Industrial
			MXD- Mixed Use Overlay
			Parcels
			Roads



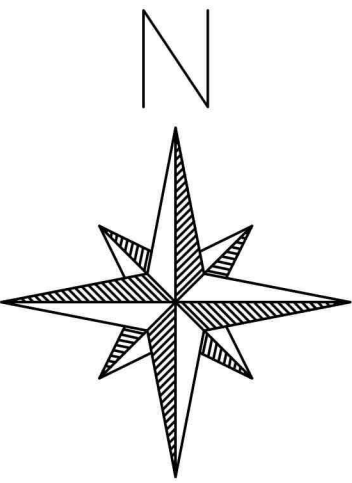
100-YEAR FLOOD STATEMENT:
THIS PROPERTY DOES NOT LIE WITHIN
THE 1% ANNUAL FEMA FLOODPLAIN
(100-YEAR FLOOD). PER FIRM 13057C
0242E, DATED JUNE 7TH, 2019

VARIANCE:
1. REDUCE 30' BUFFER ALONG NORTH
PROPERTY LINE BY 10' TO A 20'
BUFFER.

GENERAL SITE NOTES
TIN NUMBER: 93N00 051
PIN NUMBER: 15-0344-0015
LOCATION: 3365 HOLLY SPRINGS PARKWAY
LAND LOT 344, 15TH DISTRICT, 2ND SECTION
CURRENT ZONING = GC (COMMERCIAL)
PROPOSED ZONING = TND (TRADITIONAL NEIGHBORHOOD
DEVELOPMENT)
PROPOSED USE = TOWNHOUSES
SITE AREA TO BE DEVELOPED = 2.383 ACRES

ZONING REQUIREMENTS (TND)
1. MINIMUM OPEN SPACE 20%
2. MAX BUILDING COVERAGE IS 20%
3. FRONT SETBACK=15', SIDE SETBACK=5', REAR=20'
4. SEPARATION B/W BUILDINGS = 20'
5. MAX 8 UNITS ATTACHED.

PROPOSED SITE
TOTAL RESIDENTIAL UNITS PROPOSED = 14 UNITS
PROVIDED OPEN SPACE=1.51 (63.50%)
PROPOSED BUILDING COVERAGE=16.10%
IMPERVIOUS AREA=0.87 ACRES (36.50%)
PROPOSED ROAD LENGTH = 675± L.F.
PROPOSED DENSITY = 5.87 UNITS/ACRE



VICINITY MAP



Group
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Cartersville, Ga 30120
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baileycivilgroup.com

FOR SMITH DOUGLAS
110 VILLAGE TRAIL SUITE 215
WOODSTOCK, GA 30188
PROJECT 3365 HOLLY SPRINGS PKWY
3365 HOLLY SPRINGS PKWY
HOLLY SPRINGS, GA

SHEET TITLE
SITE PLAN

SHEET NUMBER
C201

PROJECT NUMBER
21164

DATE
JANUARY 21TH, 2022

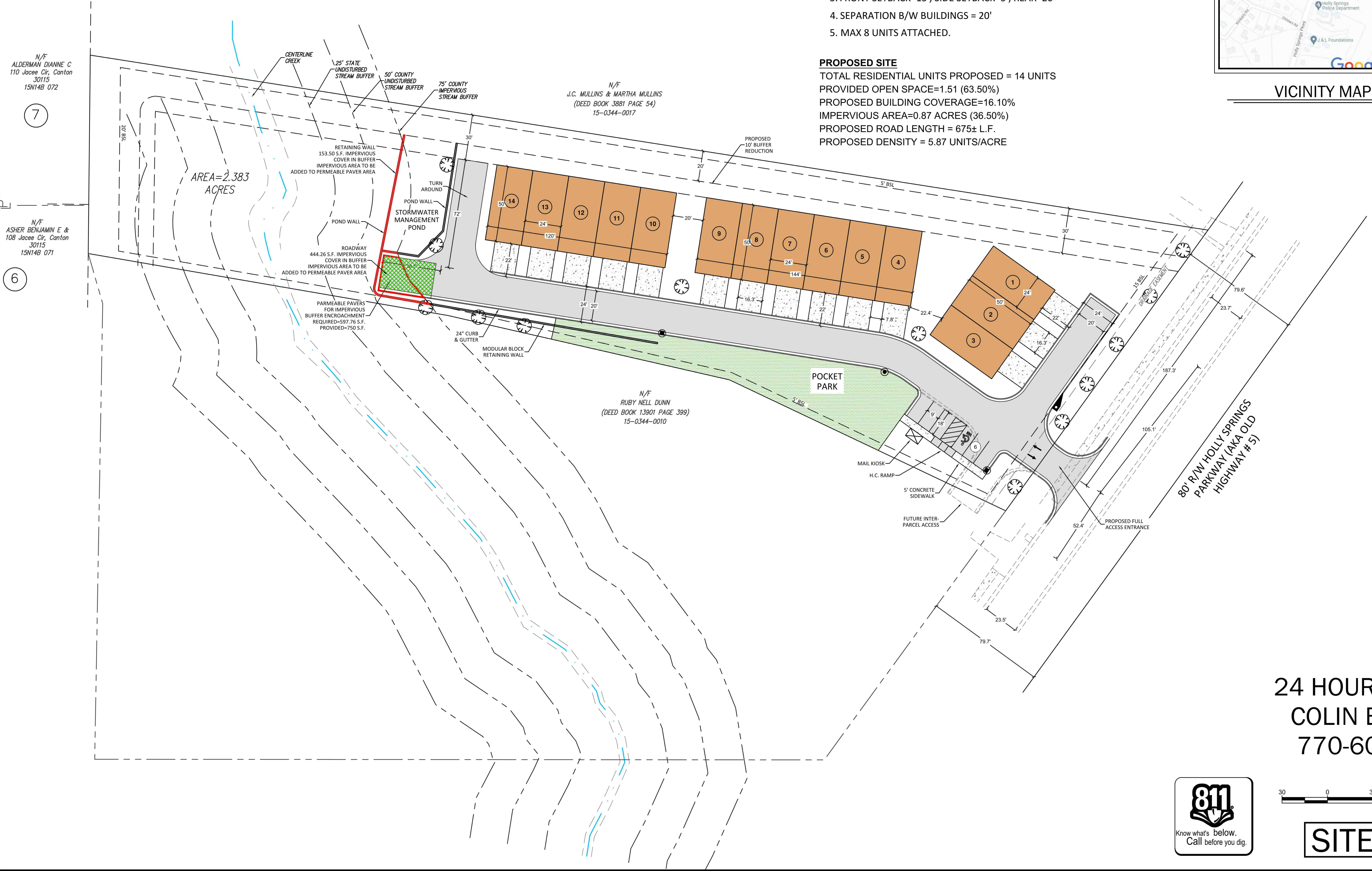
REVISIONS

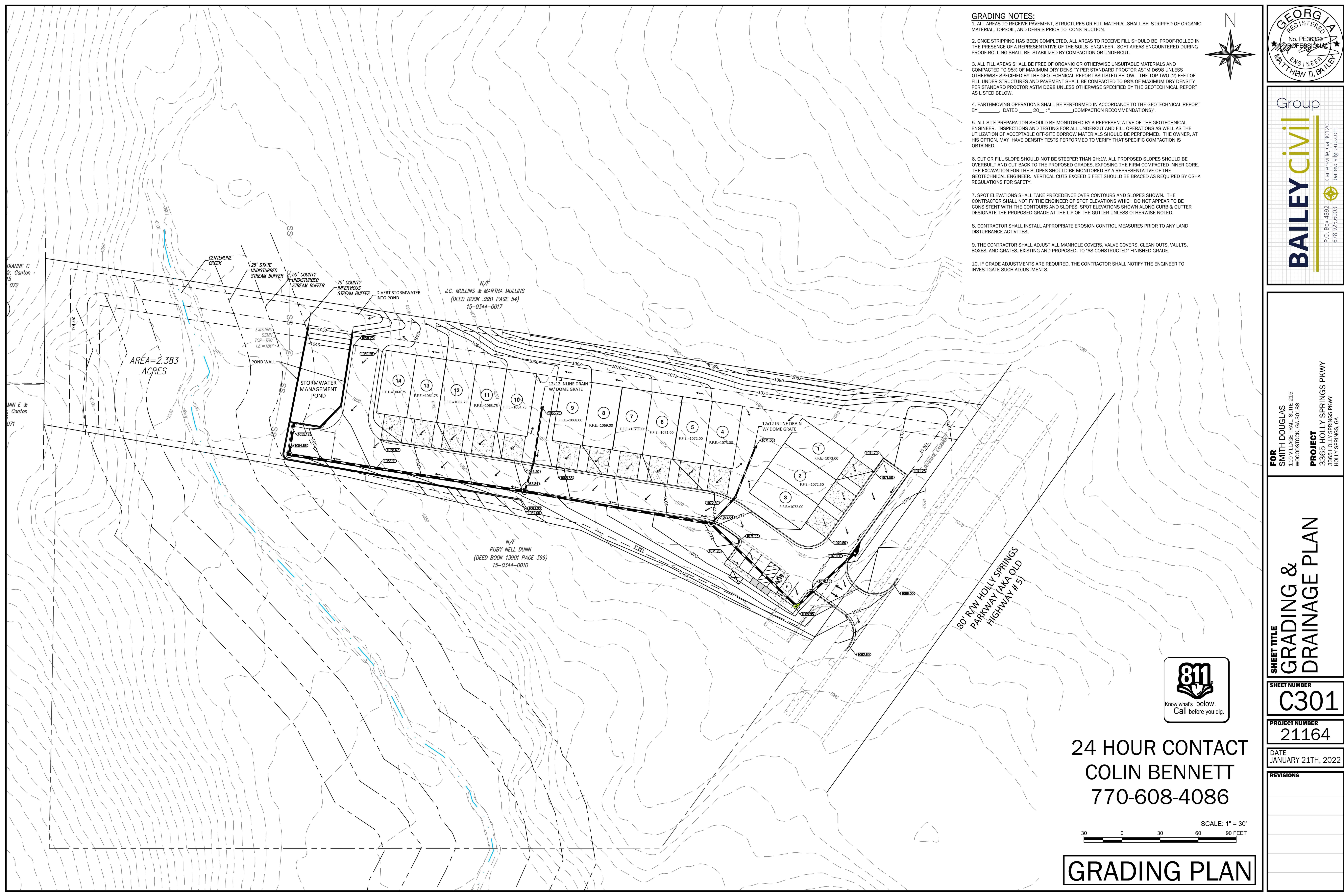
24 HOUR CONTACT
COLIN BENNETT
770-608-4086



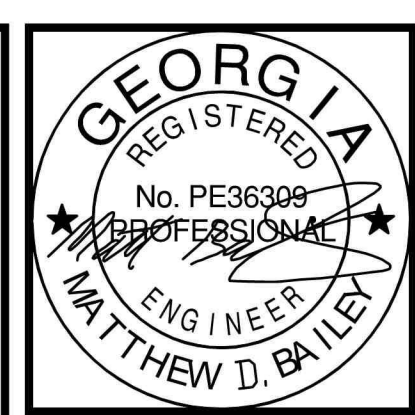
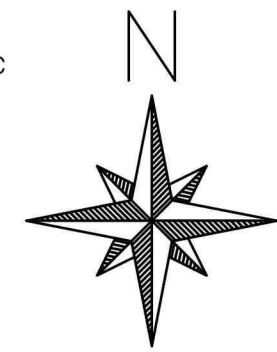
SCALE: 1" = 30'
30 0 30 60 90 FEET

SITE PLAN





- GRADING NOTES:**
1. ALL AREAS TO RECEIVE PAVEMENT, STRUCTURES OR FILL MATERIAL SHALL BE STRIPPED OF ORGANIC MATERIAL, TOPSOIL, AND DEBRIS PRIOR TO CONSTRUCTION.
 2. ONCE STRIPPING HAS BEEN COMPLETED, ALL AREAS TO RECEIVE FILL SHOULD BE PROOF-ROLLED IN THE PRESENCE OF A REPRESENTATIVE OF THE SOILS ENGINEER. SOFT AREAS ENCOUNTERED DURING PROOF-ROLLING SHALL BE STABILIZED BY COMPACTION OR UNDERCUT.
 3. ALL FILL AREAS SHALL BE FREE OF ORGANIC OR OTHERWISE UNSUITABLE MATERIALS AND COMPACTED TO 95% OF MAXIMUM DRY DENSITY PER STANDARD PROCTOR ASTM D698 UNLESS OTHERWISE SPECIFIED BY THE GEOTECHNICAL REPORT AS LISTED BELOW. THE TOP TWO (2) FEET OF FILL UNDER STRUCTURES AND PAVEMENT SHALL BE COMPACTED TO 98% OF MAXIMUM DRY DENSITY PER STANDARD PROCTOR ASTM D698 UNLESS OTHERWISE SPECIFIED BY THE GEOTECHNICAL REPORT AS LISTED BELOW.
 4. EARTHMOVING OPERATIONS SHALL BE PERFORMED IN ACCORDANCE TO THE GEOTECHNICAL REPORT BY _____ DATED ____/____/____ (COMPACTION RECOMMENDATIONS).
 5. ALL SITE PREPARATION SHOULD BE MONITORED BY A REPRESENTATIVE OF THE GEOTECHNICAL ENGINEER. INSPECTIONS AND TESTING FOR ALL UNDERCUT AND FILL OPERATIONS AS WELL AS THE UTILIZATION OF ACCEPTABLE OFF-SITE BORROW MATERIALS SHOULD BE PERFORMED. THE OWNER, AT HIS OPTION, MAY HAVE DENSITY TESTS PERFORMED TO VERIFY THAT SPECIFIC COMPACTION IS OBTAINED.
 6. CUT OR FILL SLOPE SHOULD NOT BE STEEPER THAN 2H:1V. ALL PROPOSED SLOPES SHOULD BE OVERBUILT AND CUT BACK TO THE PROPOSED GRADES, EXPOSING THE FIRM COMPACTED INNER CORE. THE EXCAVATION FOR THE SLOPES SHOULD BE MONITORED BY A REPRESENTATIVE OF THE GEOTECHNICAL ENGINEER. VERTICAL CUTS EXCEED 5 FEET SHOULD BE BRACED AS REQUIRED BY OSHA REGULATIONS FOR SAFETY.
 7. SPOT ELEVATIONS SHALL TAKE PRECEDENCE OVER CONTOURS AND SLOPES SHOWN. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF SPOT ELEVATIONS WHICH DO NOT APPEAR TO BE CONSISTENT WITH THE CONTOURS AND SLOPES. SPOT ELEVATIONS SHOWN ALONG CURB & GUTTER DESIGNATE THE PROPOSED GRADE AT THE LIP OF THE GUTTER UNLESS OTHERWISE NOTED.
 8. CONTRACTOR SHALL INSTALL APPROPRIATE EROSION CONTROL MEASURES PRIOR TO ANY LAND DISTURBANCE ACTIVITIES.
 9. THE CONTRACTOR SHALL ADJUST ALL MANHOLE COVERS, VALVE COVERS, CLEAN OUTS, VAULTS, BOXES, AND GRATES, EXISTING AND PROPOSED, TO "AS-CONSTRUCTED" FINISHED GRADE.
 10. IF GRADE ADJUSTMENTS ARE REQUIRED, THE CONTRACTOR SHALL NOTIFY THE ENGINEER TO INVESTIGATE SUCH ADJUSTMENTS.



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FOR SMITH DOUGLAS
110 VILLAGE TRAIL SUITE 215
WOODSTOCK, GA 30188

PROJECT 3365 HOLLY SPRINGS PKWY
3365 HOLLY SPRINGS PKWY
HOLLY SPRINGS, GA

SHEET TITLE
GRADING & DRAINAGE PLAN

SHEET NUMBER
C301

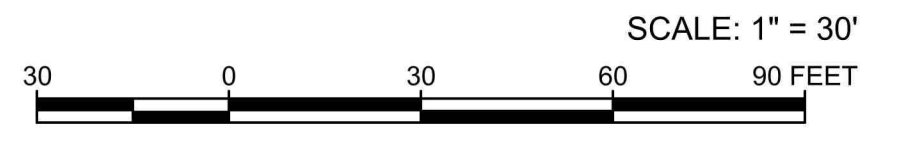
PROJECT NUMBER
21164

DATE
JANUARY 21TH, 2022

REVISIONS



24 HOUR CONTACT
COLIN BENNETT
770-608-4086



GRADING PLAN



Group
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Cartersville, GA 30120
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678.925.6003

FOR
SMITH DOUGLAS
110 VILLAGE TRAIL SUITE 215
WOODSTOCK, GA 30188
PROJECT
3365 HOLLY SPRINGS PKWY
HOLLY SPRINGS, GA

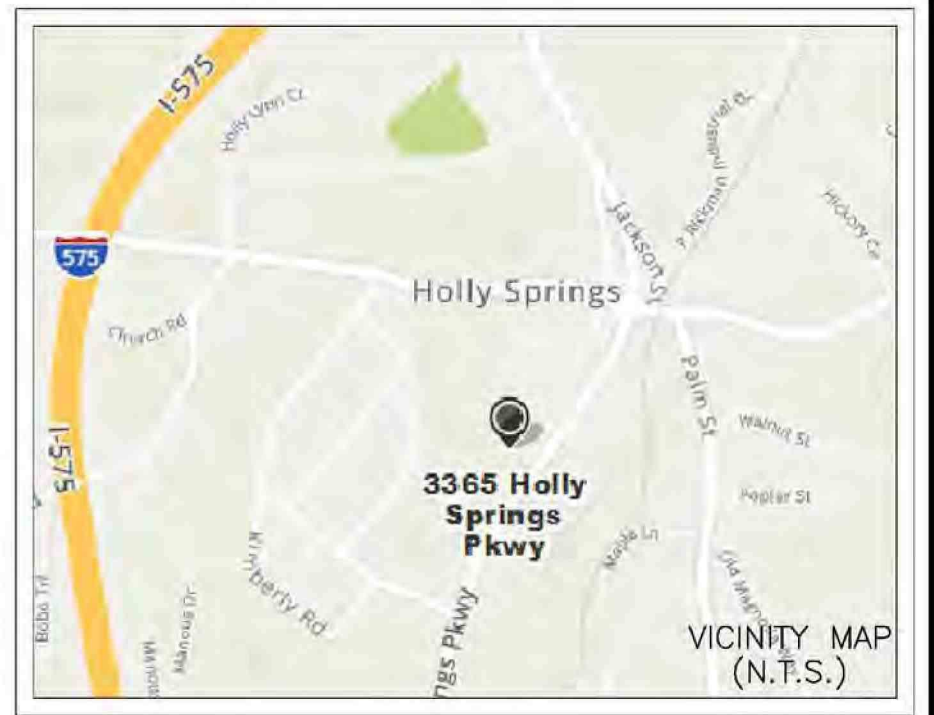
SHEET TITLE
BOUNDARY SURVEY

SHEET NUMBER
C101

PROJECT NUMBER
21164

DATE
JANUARY 21ST, 2022

REVISIONS



LEGAL DESCRIPTION
3365 Holly Springs Parkway, Holly Springs, Georgia 30115
All that tract or parcel of land lying and being in Land Lot 143, 15th District, DeKalb County, Georgia, and being more particularly described as follows:
Commencing at the corner common to Land Lots 344, 345, 376 & 377; thence North along the West line of Land lot 344 a distance of 329.75 feet to an axle found and THE TRUE POINT OR PLACE OF BEGINNING; From this established Point of Beginning continue along said Land lot Line North 00°44'57" East a distance of 130.90 feet to a 1/2 inch rebar found; thence South 89°57'18" East a distance of 746.61 feet to a "X" found in concrete on the Northwesterly right-of-way of Holly Springs Parkway; thence along said right-of-way South 35°56'07" West a distance of 228.27 feet to an axle found; thence leaving said right-of-way North 64°29'53" West a distance of 201.74 feet to an axle found; thence North 76°58'58" West a distance of 190.53 feet to an axle found; thence North 80°04'24" West a distance of 240.96 feet to THE TRUE POINT OR PLACE OF BEGINNING.
Said tract or parcel of land containing 2.383 acres.

NOTES:
FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A 5 SECOND THEODOLITE AND AN ELECTRONIC DISTANCE METER.
THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 74,176 FEET AND AN ANGULAR ERROR OF 04 SECONDS PER ANGLE. POINT AND WAS ADJUSTED BY LEAST SQUARES.
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,208,976 FEET.
ALL IRON PINS LABELED AS SET OR FOUND (IPS OR IPF) ARE 1/2" REBAR RODS, (ALL 1/2" REBAR W/ CAP)
INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON.

NOTES:
UNLESS STATED OTHERWISE HEREON, ONLY EVIDENCE OF EASEMENTS OR STRUCTURES THERETO WHICH ARE READILY APPARENT FROM A CASUAL ABOVE GROUND VIEW OF PREMISES ARE SHOWN. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO THE EXISTENCE OF ANY EASEMENT NOT DISCOVERED FROM MY CASUAL ABOVE GROUND VIEW OF THE PREMISES.
UNLESS STATED OTHERWISE HEREON, THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR LOSS RELATING TO ANY MATTER THAT MIGHT BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.
THIS PLAT OF SURVEY MAKES NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OF ANY EASEMENTS OF ANY TYPE. NO ABSTRACT OR TITLE SEARCH WAS PERFORMED TO DISCOVERED THE EXISTENCE OF ANY EASEMENTS.
ONLY ACTS OF POSSESSIONS, IF ANY, THAT ARE VISIBLE FROM CASUAL INSPECTION OF THE PROPERTY ARE SHOWN HEREON. NO WARRANTY OR GUARANTEE IS IMPLIED AS TO THE EXISTENCE OF ACTS OF POSSESSION BY THE ADJOINERS TO THE LANDS SHOWN AND DESCRIBED. HEREON.
UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT IMPACT ON THE USE OF THE PREMISES WERE NOT LOCATED. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THE PREMISES.
REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SIGNED, DATED, AND SEALED WITH A SURVEYOR'S SEAL.

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 COMPLES 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.

SURVEYOR'S CERTIFICATION
TO: "SHD ATLANTA LLC, FIRST AMERICAN TITLE INSURANCE COMPANY, AND MCMICHAEL & GRAY, PC"
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS: 1-4, 6(a), 7(a), 7(b), 7(c), 7(d), 8, 9, 13, 14, 16 & 17 OF TABLE "A" THEREOF.
THE FIELDWORK WAS COMPLETED ON NOVEMBER 24, 2021.
DATE OF PLAT OR MAP: DECEMBER 15, 2021.

LEGEND
R/W RIGHT-OF-WAY
N/F ADJOINING OWNERSHIP
BC BACK OF CURB
BSL BUILDING SETBACK LINE
CB CATCH BASIN
CO CLEAN-OUT
CONC CONCRETE
COR CORNER
C&G CURB & GUTTER
EP EDGE OF PAVEMENT
IPF 1/2" REBAR
IPF 1/2" REBAR W/ CAP
LP LIGHT POLE
OTF OPEN TOP PIPE
PL PROPERTY LINE
PP POWER POLE
PB DEED BOOK
P.B. PLAT BOOK
P.G. PAGE
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
RB REBAR
SSMH SANITARY SEWER MANHOLE
WM WATER METER
WV WATER VALVE
- - - OVERHEAD UTILITY LINES

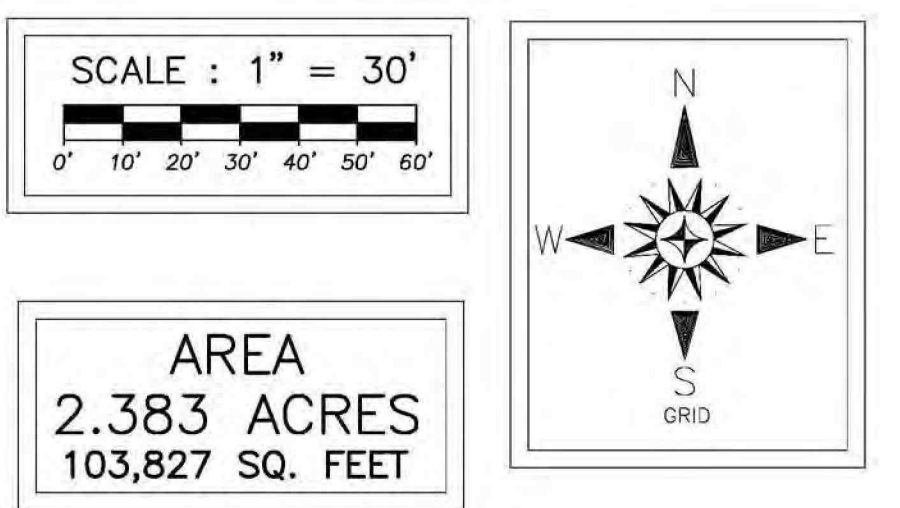
LEGAL REFERENCES
D.B. 14346, PG. 1922
P.B. 118, PG. 2050

OFFICE: 12/15/2021
BY: DWJ
FIELD: 11/24/2021
BY: WHJ
SCALE: 1"=30'
SHEET # 1 OF 1
21385



ADAM & LEE LAND SURVEYING
5640 GA. HWY. 20 S.
LOGANVILLE, GA. 30052 (770)554-8995
www.adamandlee.com FAX=(770)554-8134

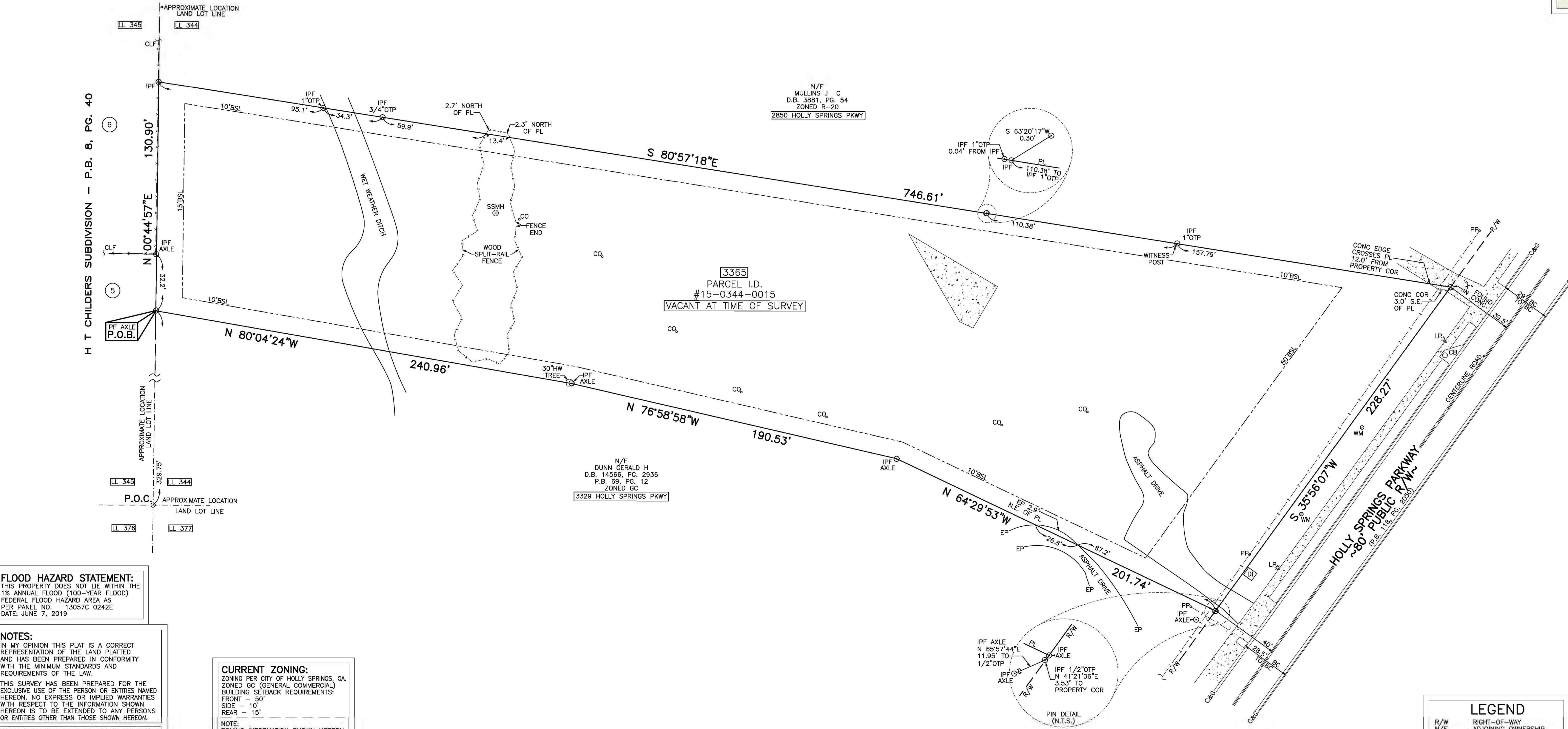
PROJECT DESCRIPTION: ALTA/NSPS SURVEY FOR:
SHD ATLANTA LLC,
FIRST AMERICAN TITLE INSURANCE COMPANY,
AND MCMICHAEL & GRAY, PC
3365 HOLLY SPRINGS PARKWAY, HOLLY SPRINGS, GEORGIA 30115
COUNTY: CHEROKEE DISTRICT: 15TH
LAND LOT: 344 SECTION: 2ND



AREA
2.383 ACRES
103,827 SQ. FEET

THIS BLOCK RESERVED FOR
THE CLERK OF THE SUPERIOR COURT

THIS BLOCK RESERVED FOR
THE CLERK OF THE SUPERIOR COURT



FLOOD HAZARD STATEMENT:
THIS PROPERTY DOES NOT LIE WITHIN THE
1% ANNUAL FLOOD (100-YEAR FLOOD)
FEDERAL FLOOD HAZARD AREA AS
PER PANEL NO. 13057C 0242E
DATE: JUNE 7, 2019

NOTES:
IN MY OPINION THIS PLAT IS A CORRECT
REPRESENTATION OF THE LAND PLATTED
AND HAS BEEN PREPARED IN CONFORMITY
WITH THE MINIMUM STANDARDS AND
REQUIREMENTS OF THE LAW.
THIS SURVEY HAS BEEN PREPARED FOR THE
EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED
HEREON. NO EXPRESS OR IMPLIED WARRANTIES
WITH RESPECT TO THE INFORMATION SHOWN
HEREON IS TO BE EXTENDED TO ANY PERSONS
OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

THERE WAS NO OBSERVED EVIDENCE OF SITE
USE AS A SOLID WASTE DUMP, SUMP OR
SANITARY LANDFILL.

THERE WAS NO EVIDENCE OF RECENT EARTH MOVING
WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS
OBSERVED IN THE PROCESS OF CONDUCTING
THE FIELDWORK.

THERE WAS NO EVIDENCE OF PROPOSED CHANGES
IN STREET.

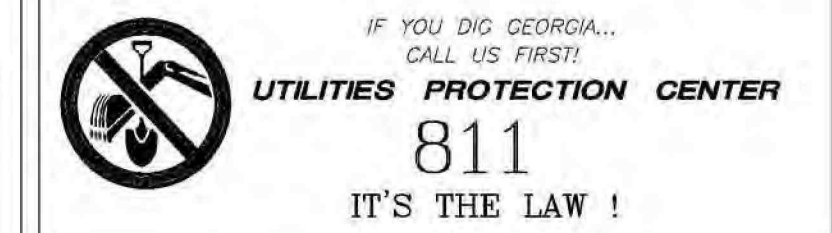
THERE WAS NO EVIDENCE OF RECENT STREET OR
SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED
IN THE PROCESS OF CONDUCTING THE FIELDWORK.

NOTE: CERTIFICATION TO SUCCESSORS AND/OR ASSIGNS
EXTENDED TO ONLY ONE YEAR AFTER DATE OF SURVEY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE
TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA
AS SET FORTH BY IN CHAPTER 180-7 OF THE RULES OF
THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN
THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

CURRENT ZONING:
ZONING PER CITY OF HOLLY SPRINGS, GA.
ZONED GC (GENERAL COMMERCIAL)
BUILDING SETBACK REQUIREMENTS:
FRONT - 50'
SIDE - 10'
REAR - 15'
NOTE:
ZONING INFORMATION SHOWN HEREON
TAKEN FROM ZONING MAPS AND
MUNICODC.COM ONLINE LIBRARY.
NO ZONING REPORT PROVIDED FOR
THIS SURVEY.

THE EXISTING UTILITIES SHOWN ON THIS PLAN WERE OBTAINED FROM
VARIOUS UTILITY COMPANIES, VARIOUS GOVERNMENTAL AGENCIES, AND
ABOVE GROUND OBSERVATION. THE SURVEYOR AND/OR ENGINEER MAKE
NO CLAIM TO THE COMPLETENESS OF THIS INFORMATION. THE SIZE,
LOCATION, OR ADDITIONAL UTILITIES MAY BE UNCOVERED UPON
EXCAVATION. PRIOR TO BEGINNING ANY EARTH DISTURBING ACTIVITIES,
THE UTILITY PROTECTION SERVICE FOR THIS AREA MUST BE NOTIFIED.



REVISIONS
CHANGE TO SRC
DWJ 01/10/2022

* REVISE AND RESUBMIT
- REVIEWED BY CALDWELL CLINE 2/10/22

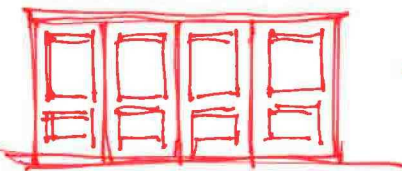
SHUTTERS ON
DOUBLE WINDOWS
TO BE 24"
MINIMUM WIDTH

VENT ON
WINDOW



ADD CANYON
OR TRELLIS
OVER GARAGE
DOORS THAT
FACE HOLLY
SPRINGS
PARKWAY

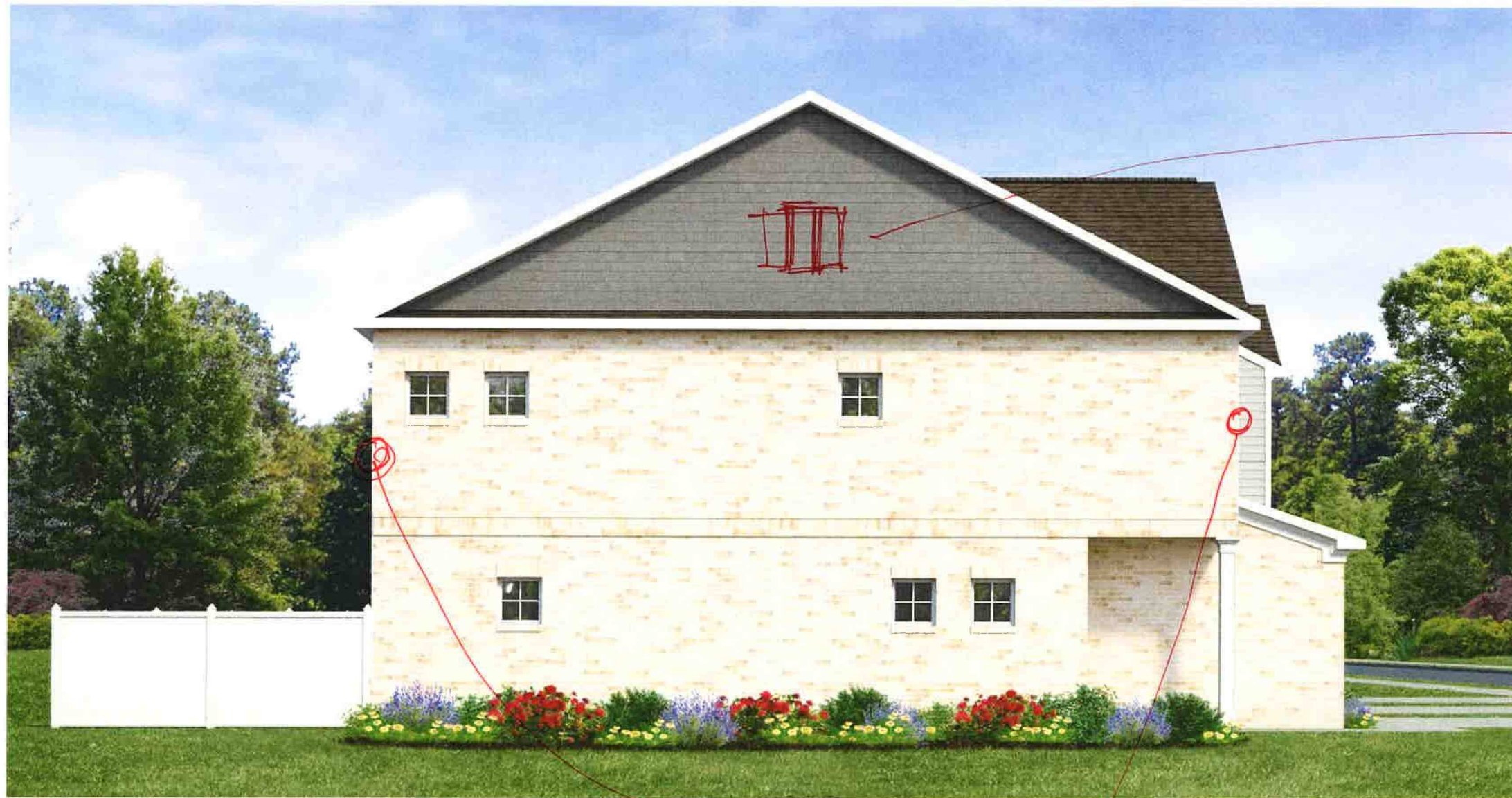
ALL GARAGE DOORS
TO BE "CARRIAGE"
STYLE DOORS
(NO PANEL
DOORS AS SHOWN)



ADD COLUMN'S
OR 1/2 COLUMNS
@ ENTRY

COVER DOOR
W/ 1/2 COL.

* SUBMIT ALL
COLUMNS AND MATERIALS
FOR APPROVAL PRIOR
TO INSTALLATION



ADD
WINDOW
TO BREAK
UP GABLE

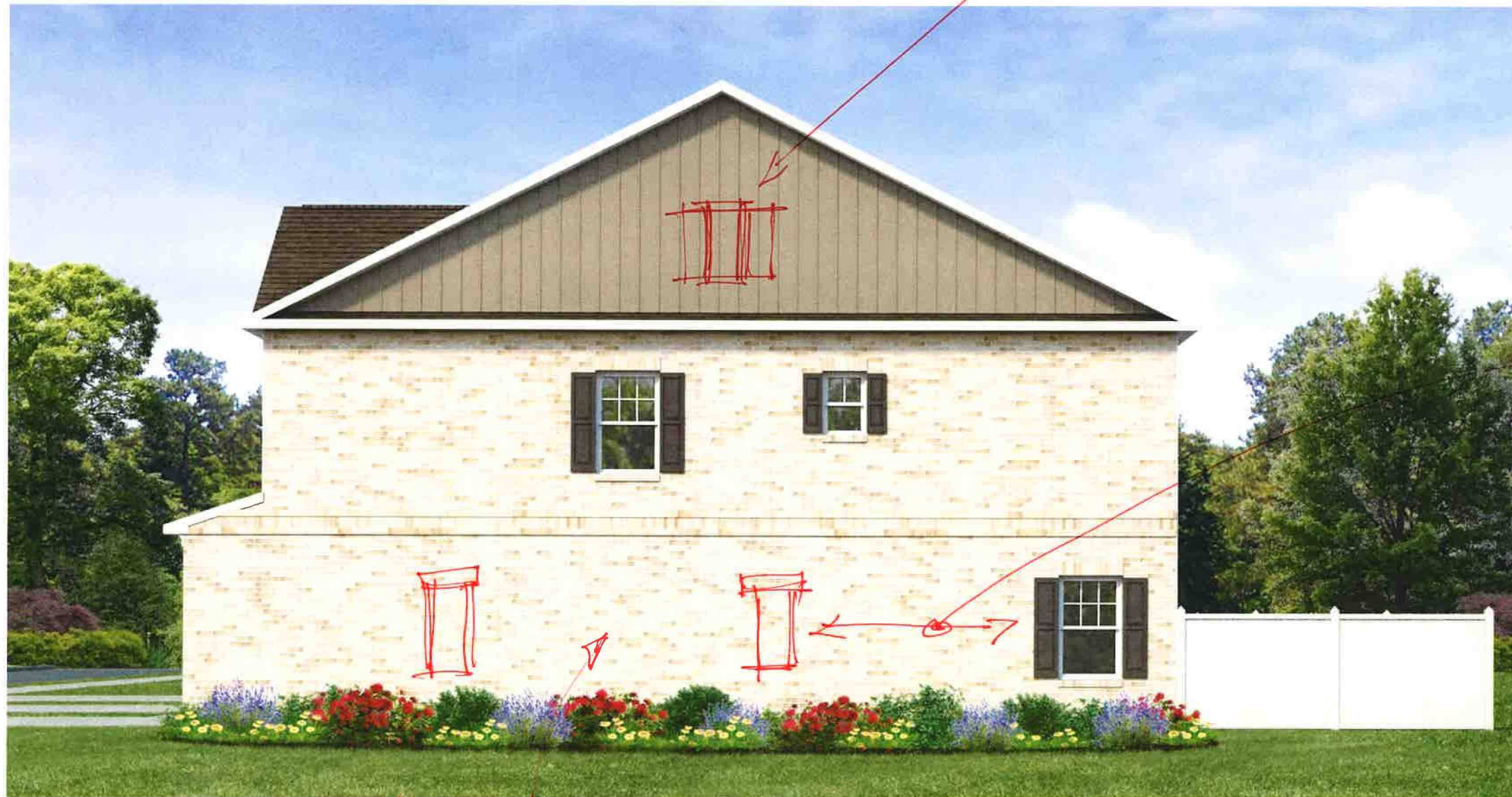
* ALL
MATERIAL
CHANGES MUST
BE MADE ON
INSIDE CORNERS

CAN'T CHANGE MATERIALS ON
OUTSIDE CORNERS



MUTTONS IN
ALL WINDOWS
& SIDES.

SEE INTERIOR CHANGE
NOTES.



ADD FALSE
SHUTTERS OR WINDOWS
TO BREAK UP THIS
LARGE MASS OF
UNINTERRUPTED MATERIAL

* SEE MATERIAL CHANGE NOTES

THERE SHOULD
BE NO MORE
THAN 20' OF
UNBROKEN
STONE MATERIAL

ADD WINDOW

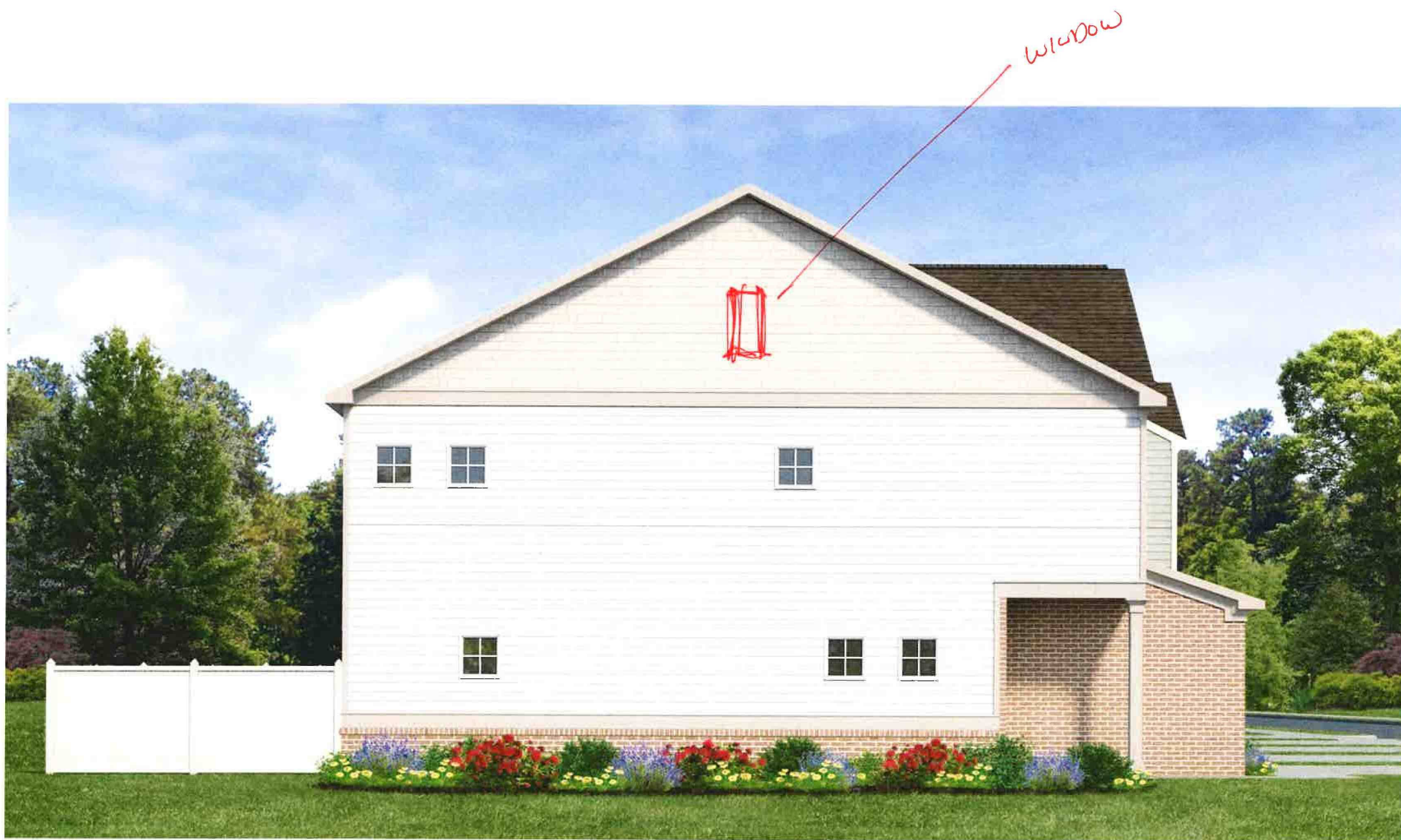
VENT or
WINDOW

SEE DBL. WINDOW
SHUTTER NOTES



* SEE MATERIAL
CHANGE NOTES.

CHALKING
WORKS



SEE MATERIAL
CHANGE NOTE



MUTTONS - ALL
4 SIZES.



BRING UP SIDING EXPANSION



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- 02-2022

APPLICATION CUP- _____

HEARING DATE _____

DATE OF APPLICATION 1/4/2022

APPLICANT SDH Atlanta, LLC

OWNER Cardace Ray Whitlock
(If other than applicant)

ADDRESS 110 Village Trail
Ste. 215, Woodstock, GA

ADDRESS 115 Palm Street
Canton, GA

ZIP CODE 30188 PHONE _____

ZIP CODE 30115 PHONE 770-364-4588

EMAIL Cbennett@smhldouglas.com

SIGNATURE [Signature]

SIGNATURE [Signature]

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

PRESENT ZONING DISTRICT(S) R-20 REQUESTED ZONING DISTRICT TND

REQUESTED CONDITIONAL USE(S) Residential

PROPERTY LOCATION/ADDRESS 3365 Holly Springs Parkway, Canton, GA 30115

MAP NUMBER 93N001 PARCEL NUMBER(S) 051

LAND LOT(S) 344 DISTRICT(S) 15 SECTION(S) 2

ACREAGE 2.38 SEWAGE DISPOSAL TYPE sewer UTILITIES AVAILABLE water, sewer, electricity, gas

DESCRIPTION OF PROPOSED DEVELOPMENT AND/OR CONDITIONAL USE REQUEST:

Version of TND zoning to allow 15 townhomes on
subject property

(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 FEES _____ 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? The area has a mixture of commercial and residential uses. The property is contained in the Town Center land use designation and is close to the development of the first phase of the creation of the Town Center. The use is totally compatible with this new development.

(2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property? The proposed townhome community will not negatively affect the 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 currently zoned R-20 and the market for the narrow property for R-20 uses is limited. The use for townhomes is more consistent with the Town Center land use designation.

(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 relatively small townhome community will not create an excessive or burdensome use of the public 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 proposed use is consistent with the Town Center land use designation.

(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 proposal to bring housing close to the newly created Town Center area is consistent with the city's goal of creating a vibrant downtown .

(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 will work with the existing environment to ensure that water quality and other environmental considerations are protected.

(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 Town Center is just starting to be developed and this changing condition supports the proposal to add more housing to this area.

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: 1700 sq. ft.

Exterior façade: masonry and concrete or Fiber cement siding

Maximum number of units: 18

Anticipated start date: Not sure

Anticipated completion date: Not sure

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 ☒ 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

1-24-22
DATE

Candace Durham Whitlock
APPLICANT NAME PRINTED

Candace Durham Whitlock
APPLICANT SIGNATURE

Doreen K. Collis
NOTARY

Seal:



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

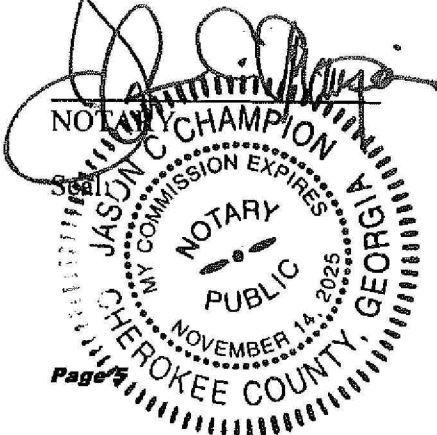
D.) Within two (2) years immediately preceding this application, have you made campaign contribution (s) or given gifts to public officials aggregating \$250.00 or more?

_____ YES ✓ _____ NO

1/7/2022
DATE

Parks F. Huff, Attorney for the Applicant
APPLICANT NAME PRINTED

[Signature]
APPLICANT SIGNATURE



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

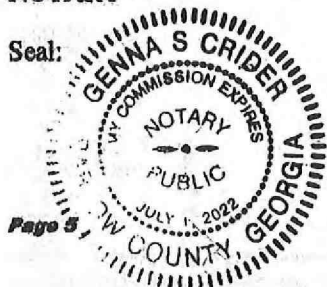
1/10/22
DATE

Scott Bowles
APPLICANT NAME PRINTED

SCMB
APPLICANT SIGNATURE

[Signature]
NOTARY

Seal:



TO THE MAYOR AND MEMBERS OF THE CITY COUNCIL
CITY OF HOLLY SPRINGS, GEORGIA

CONSTITUTIONAL CHALLENGE

COMES NOW, SDH Atlanta, LLC and the property owners, hereinafter referred to collectively as the Applicant, and asserts the following, to-wit:

1.

By application to which this exhibit relates, Applicant has applied for rezoning from R-20 to TND with a stream buffer variance for certain real property lying and being in City of Holly Springs, Georgia, a more particular description and delineation of the subject property, hereafter referred to as the "property", being set forth in said application.

2.

The application for rezoning of the property seeks to amend the existing zoning of R-20 to TND for a proposed residential development that consists of fifteen (15) single-family residences .

3.

The existing zoning without the proposed zoning modification and variance is unconstitutional in that they deprive the Applicant under and pursuant to Article 1, Section I, Paragraph I and II of the Georgia Constitution of 1983 and the Equal Protection and Due Process clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States. This deprivation of property without due process violates constitutional prohibitions against the taking of private property without just compensation.

4.

The existing zoning limitations without the proposed amendments violates the Applicant's right to the unfettered use of the property in that the existing zoning classification does not bear a substantial relation to the public health, safety, morality or general welfare and is, therefore, confiscatory and void. Further, said classifications are unconstitutional in that they are arbitrary and unreasonable, resulting in relatively little gain or benefit to the public, while inflicting serious injury and loss upon the Applicant.

5.

The City of Holly Springs Zoning Ordinance is further unconstitutional in that the procedures contained therein pertaining to the public hearing held in connection with zoning applications also violates the aforementioned constitutional provisions in that said procedures contain the lack of procedural and evidentiary safeguards, do not restrict evidence received to the issues at hand and are controlled wholly and solely by political considerations rather than the facts and considerations required by law.

6.

Pursuant to O.C.G.A. §§ 36-11-1 and 36-33-5, please consider this your notice that as of today's date the Owner/Applicant is contending that the City of Holly Springs' unconstitutional zoning classification of the property has caused damages to the Owner/Applicant. As a direct and proximate result of the unconstitutional zoning classification, the Owner/Applicant has suffered and will continue to suffer monetary damages in the nature of attorney's fees and costs, interest and other expenses on pending loans on the property, loss of income from the property and other related damages. This amount cannot be calculated to an exact certainty, however, the Owner/Applicant will

assist the City by providing whatever additional information, if any, the City feels is necessary to adequately investigate this claim. If the Owner/Applicant does not receive a timely request for additional information, it will be presumed that the City does not require any additional information and can make a determination within the allowed statutory period.

Respectfully submitted, this the 7th day of January, 2022.

SAMS, LARKIN & HUFF, LLP



By: _____

PARKS F. HUFF
Attorney for Applicant
Ga. Bar No. 375010

CERTIFICATE REGARDING CORPORATE AUTHORITY TO PURSUE REZONING

1.

My name is Scott Bowles. I am the officer who is delegated the responsibility for authenticating records of **SDH ATLANTA, LLC**, a Domestic Limited Liability Company ("Applicant Company"). I am of legal age and suffer from no disabilities which would affect my competence to give this Certificate which is being given on my own personal knowledge for use with respect to the Applicant Company's Rezoning Application regarding certain real property owned by the Titleholder located in the City of Holly Springs, Cherokee County, Georgia.

2.

In accordance with the Requirements for completing a City of Holly Springs Rezoning Application, I hereby attest on behalf of the Applicant Company that an authorized representative of Applicant Company has reviewed the Rezoning Application and related documents which are being filed simultaneously therewith on behalf of the Applicant Company (collectively, the "Rezoning Application") to which this Certificate is attached and hereby certify:

- (a) That corporate seal or facsimile affixed to the Rezoning Application is in fact the seal of the Applicant Company or a true facsimile thereof; and
- (b) That the officer or other representative of the Applicant Company who executed the Rezoning Application does in fact occupy the official position indicated, that the position that the signer occupies has the authority to execute the Rezoning Application on behalf of the Applicant Company, and that the signature of said officer or other representative is genuine; and
- (c) That the execution of the Rezoning Application and the filing of the Rezoning Application on behalf of the Applicant Company by the officer or other representative of the Applicant Company has been duly authorized by the Applicant Company.

SDH ATLANTA, LLC

By: SMB

Print Name: Scott Bowles

Its: President

Genna S Crider
Notary Public

Date 1/10/2022



2021 Property Tax Statement

Sonya Little
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114

Bill No.	Due Date	Current Due	Prior Payment	Back Taxes	*Total Due*
2021-114970	11/15/2021	\$0.00	\$567.17	\$0.00	Paid 11/15/2021

Map: 93N00 051

Printed: 01/05/2022

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

Location: 3365 HOLLY SPRINGS PW

WALLACE CLYDIA JOANN & STANCIL PATRICI
ONZELL DUNN & DUNN WINSTON CLARK &
MCARTHUR ELSIE CAROL DUNN
PO BOX 653
HOLLY SPRINGS, GA 30142

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

RETURN THIS PORTION WITH PAYMENT

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

Sonya Little
Cherokee County Tax Commissioner
2780 Marietta Hwy
Canton, GA 30114



Tax Payer: WALLACE CLYDIA JOANN & STANCIL PATRICI

Map Code: 93N00 051 Real

Description: LL 377; 15TH D

Location: 3365 HOLLY SPRINGS PW

Bill No: 2021-114970

District: 04A

Building Value	Land Value	Acres	Fair Market Value	Due Date	Billing Date	Payment Good through	Exemptions		
0.00	56,500.00	2.3800	\$56,500.00	11/15/2021					
Entity	Adjusted FMV	Net Assessment	Exemptions	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax	
COUNTY M&O	\$56,500	\$22,600	\$0	\$22,600	5.212000	\$117.79	\$0.00	\$117.79	
PARKS BOND	\$56,500	\$22,600	\$0	\$22,600	0.434000	\$9.81	\$0.00	\$9.81	
SCHOOL BOND	\$56,500	\$22,600	\$0	\$22,600	1.250000	\$28.25	\$0.00	\$28.25	
SCHOOL M&O	\$56,500	\$22,600	\$0	\$22,600	18.200000	\$411.32	\$0.00	\$411.32	
TOTALS					25.096000	\$567.17	\$0.00	\$567.17	

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	\$567.17
Penalty	\$0.00
Interest	\$0.00
Other Fees	\$0.00
Previous Payments	\$567.17
Back Taxes	\$0.00
Total Due	\$0.00
Paid Date	11/15/2021

DEED BOOK:14346 PG:1922 Filed: 04/04/2019 08:32 AM Clerk File Number: 28-2019-009810

Rec: \$10.00 TRANSFER TAX \$305.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 6885630914 SubmitterID: 0466245412

After recording Return to:
 Thomas & Brown, LLC
 241 Heritage Walk
 Woodstock, GA 30188
 File No. 19-0633W

LIMITED WARRANTY DEED

STATE OF GEORGIA
 COUNTY OF CHEROKEE

THIS INDENTURE, Made this 3rd day of April, 2019 between

Clydia Joann Dunn Wallace, Patricia Onzell Dunn Stancil, Winston Clark Dunn, and Elsie Carol
 Dunn McArthur

as party or parties of the first part, (hereinafter referred to as "Grantor") and

Candace Ray Whitlock

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

WITNESSETH: That Grantor for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good consideration in
 hand paid at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained,
 sold, aliened, confirmed and conveyed, and by these presents does grant, bargain, sell alien, confirm and convey unto the said Grantee,
 the following described property, to wit:

All that tract or parcel of land lying and being in Land Lot 344 of the 15th District and 2nd Section of
 Cherokee County, Georgia, being 2.38 acres as per survey for Clydia Joann Dunn Wallace, Patricia
 Onzell Dunn Stancil, Winston Clark Dunn and Elsie Carol Dunn McArthur prepared by Wilde Land
 Surveying, P.C., David E. Mitchell, Georgia Registered Land Surveyor #2665, dated March 18, 2019,
 recorded in Plat Book 118, page 2050, Cherokee County, Georgia Records, which plat is
 incorporated herein by reference thereto.

Parcel ID #93N00 051.

Subject to all covenants, conditions, zoning ordinance, restrictions and easements of record.

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

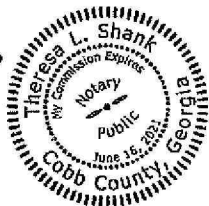
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against
 the lawful claims and demands of all persons claiming, by, through or under the above named Grantor, but against none other.

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

Signed, sealed and delivered in the
 presence of:

Barbara Munro
 Unofficial Witness

Notary Public



Clydia Joann Dunn Wallace (SEAL)
 Clydia Joann Dunn Wallace
Patricia Onzell Dunn Stancil (SEAL)
 Patricia Onzell Dunn Stancil
Winston Clark Dunn (SEAL)
 Winston Clark Dunn
Elsie Carol Dunn McArthur
 Elsie Carol Dunn McArthur



**Downtown Development Authority
As of December 31, 2021**

Revenues	December 2021 Transactions	2021 Budget	YTD Transactions	% of Annual Budget
Prior Year Fund Balance	-	4,650	-	0.00%
Interest Revenue	-	350	-	0.00%
TOTAL REVENUES	\$ -	\$ 5,000	\$ -	0.00%

Expenditures				
Dues & Fees	-	500	290	58.00%
Training	-	250	500	200.00%
General Supplies & Materials	-	-	69	100%
Water & Sewer	-	-	3,949	100%
Other Expenditures	-	250	-	0.00%
Stormwater Fees	-	2,500	-	0.00%
Sponsorships	-	1,500	-	0.00%
TOTAL EXPENDITURES	\$ -	\$ 5,000	\$ 4,808	96.16%

Holly Springs Downtown Development Authority

Treasurer's Report

December 2021

Opening Balance: \$ 78,791.88

Less: Cash Disbursements

DATE	CHECK #	VENDOR	AMOUNT	DESCRIPTION
12/6/2021	1413	City of Holly Springs	\$ (3,949.44)	Stormwater fees
12/6/2021	1414	Dept of Community Affairs	\$ (50.00)	Training for Guillermo Sanabia
Total			\$ (3,999.44)	

Add: Deposits & Other Credits

Total \$ -

Ending Bank Balance \$ 74,792.44

Plus Certificate of Deposit \$ 36,348.83

Total Funds \$ 111,141.27



**Main Street Board
Budget To Actual Comparison Report
As of December 31, 2021**

Revenues	December 2021 Transactions	2021 Amended Budget	YTD Transactions	% of Annual Budget
Business & Occupation Licenses	-	47,527	54,567	114.81%
Alcohol Beverage Licenses	-	25,000	25,000	100.00%
Alcohol Pouring Permits	1,020	5,000	4,290	85.80%
Donations From Private Sources	-	20,000	-	0.00%
Miscellaneous/Registrations/Booth Fees	-	5,000	-	0.00%
Rents and Royalties	-	5,000	5,000	100.00%
Interest Revenue	-	50	5	10.04%
TOTAL REVENUES	\$ 1,020	\$ 107,577	\$ 88,862	82.60%

Expenditures				
Salaries & Wages	5,927	52,189	51,426	98.54%
Overtime	-	1,000	-	0.00%
Employee Benefits - Medical	14	16,715	14,906	89.18%
Employee Benefits- Dental	-	368	839	228.03%
Employee Benefits-Add Life	-	147	147	100.00%
Employee Benefits-Disability	-	598	598	100.07%
FICA	350	3,298	3,033	91.98%
Medicare	82	771	709	92.00%
Employee Benefits-Retirement	393	5,661	4,718	83.34%
Unemployment	-	50	32	64.90%
Workers Comp Insurance	-	230	185	80.62%
Communications	-	1,200	560	46.64%
Travel	-	600	-	0.00%
Dues and Fees	-	1,500	1,180	78.66%
Education and Training	-	750	750	99.93%
Contract Labor	1,000	5,000	1,300	26.00%
Supplies-Special Events	-	15,000	292	1.94%
Payments to Other Agencies	-	2,500	-	0.00%
TOTAL EXPENDITURES	\$ 7,766	\$ 107,577	\$ 80,676	74.99%