

CITY OF LOCUST GROVE

WORKSHOP MEETING AGENDA
Monday, September 16, 2019 - 6:00 P.M.
Public Safety Building - 3640 Highway 42 S.
Locust Grove, GA 30248

CALL TO ORDER Mayor Robert Price

INVOCATION Mayor Robert Price

PLEDGE OF ALLEGIANCE Councilman Taylor

APPROVAL OF THE AGENDA (Action Needed)

PUBLIC COMMENTS/PRESENTATIONS 3 Items

- Introduction of New Officer Matthew Allen
- Introduction of New Officer Jesse Jones
- Commendation for Officer William Honea - Captain Long

PUBLIC HEARING ITEMS 6 Items

1. An Ordinance for the Annexation of 1.2 acres located at 1206 Davis Lake Road (Price Property).
2. An Ordinance for the Rezoning of 1.2 acres located at 1206 Davis Lake Road (Price Property) from RA (Henry County) to RA (City of Locust Grove).
3. An Ordinance for the Annexation of 10 acres located at 387/397 Colvin Drive (Law Property).
4. An Ordinance for the Rezoning of 10 acres located at 387/397 Colvin Drive (Law Property) from RA (Henry County) to RA (City of Locust Grove).
5. An Ordinance to grant a Conditional Use for a Detached Guest Quarters to existing single-family residential lot within the RA (residential-agricultural) zoning district at 91 Bowden Street.
6. An Ordinance to grant a Conditional Use for Financial Institution with drive thru for property zoned OI (office and Institutional) and located at 3300 Highway 42 at the intersection of Market Place Boulevard and SR 42.

NEW BUSINESS/ACTION ITEMS 1 Item

CITY OPERATIONS REPORTS / WORKSHOP DISCUSSION ITEMS (No Actions Needed unless moved to New Business)

Main Street Operations (Monthly Update Report)..... Anna Ogg, Main Street Manager

Public Safety Operations (Monthly Update Report)..... Chief Jesse Patton

Public Works Operations (Monthly Update Report) Director Jack Rose

Administration (Monthly Update Report)..... Bert Foster, Assistant City Manager

Community Development Operations (Monthly Update Report)... Daunté Gibbs, Community Development Director

ARCHITECTURAL REVIEW BOARD (ARB) (Review and Comment Portion Only, Approve at next regular meeting) NONE

CITY MANAGER'S COMMENTS Tim Young

MAYOR'S COMMENTS Mayor Robert Price

EXECUTIVE SESSION - If needed for property acquisition and/or litigation

ADJOURN

ADA Compliance: Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the City Clerk at (770) 957-5043 promptly to allow the City to make reasonable accommodations for those persons.

Public Comment may be limited to no more than ten (10) minutes with up to 3 minutes per requesting applicant to speak. Please register your NAME and ADDRESS prior to the beginning of the meeting with the City Clerk.

POSTED AT CITY HALL - September 11, 2019 at 16:30



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: An ordinance for annexation from Donna Price and Robert Shon Price for annexation of 1.2 +/- acres located at 1206 Davis Lake Road.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: August 28, 2019 – newspaper
August 30, 2019 – sign

Budget Item: No

Date Received: May 2019

Workshop Date: September 16, 2019

Regular Meeting Date: October 7, 2019

Discussion:

A request for annexation of approximately 1.2 acres of property located at 1206 Davis Lake Road (127-01044000). The property is zoned RA (residential agricultural) and will remain so if incorporated into the City.

The application was accepted by the City Council at the June 17, 2019 meeting. The Henry County Board of Commissioners raised no objections to this annexation during their August 6, 2019 meeting.

Recommendation:

I ... in The Grove

Staff recommends approval of this request.

I MOVE TO (approve/deny/table) THE ORDINANCE PERTAINING TO THE REQUEST FROM DONNA PRICE AND ROBERT SHON PRICE FOR ANNEXATION OF 1.2 +/- ACRES LOCATED AT 1206 DAVIS LAKE ROAD.

ORDINANCE NO. _____

AN ORDINANCE TO ANNEX PROPERTY INTO THE CITY OF LOCUST GROVE PURSUANT TO CHAPTER 36 OF TITLE 36 OF *THE OFFICIAL CODE OF GEORGIA ANNOTATED*; TO PROVIDE FOR APPROPRIATE ENTRIES UPON OR ADDITIONS TO THE OFFICIAL MAP OF THE CITY AND ALL OTHER RECORDS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE OF ANNEXATION; AND FOR OTHER PURPOSES

WHEREAS, the City of Locust Grove ("City") is a municipal corporation, duly organized and existing under the laws of the State of Georgia; and,

SECTION 1.

ANNEXATION.

Donna Price and Robert Shon Price (the "Applicant") petitioned the City to annex property located at 1206 Davis Lake Road consisting of approximately 1.2 acres (Parcel ID-127-01044000) located in Land Lot 249 of the 2nd District (the "Property") as shown in the Boundary Survey attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to annex the Property into the City of Locust Grove in May of 2019 as shown in the application attached hereto as **Exhibit B**; and,

WHEREAS, the Mayor and City Council of the City of Locust Grove approved a Resolution accepting the application for annexation on June 17, 2019; and,

WHEREAS, the Henry County Board of Commissioners reviewed the Applicant's request during their August 6, 2019 meeting and raised no objections to said request; and,

WHEREAS, said request has been reviewed by the Mayor and City Council at a Public Hearing held on June 17, 2019 as well as by the City Community Development Director; and,

WHEREAS, the Applicant further requests that the Property retain the same zoning in the City (RA: residential agricultural) that it had in the County (RA: residential agricultural) which will be addressed under a separate action; and,

WHEREAS, notice of this matter (as attached hereto and incorporated herein as **Exhibit C**) has been provided in accordance with applicable state law and local ordinances; and,

WHEREAS, the Mayor and City Council have reviewed and considered the Applicant's request and both the recommendations of the public hearing and City staff as presented in the Report.

SECTION 2.

OFFICIAL MAP AND RECORDS.

The Mayor and City Clerk are hereby directed to make entries upon or additions to the official map of the City and all other records to the extent necessary to reflect the annexation of property contemplated herein.

SECTION 3.

SEVERABILITY.

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of Locust Grove that such adjudications shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect as if the invalid or unconstitutional section, sentence, clause, or phrase were not originally part of the ordinance.

SECTION 4.

REPEAL OF CONFLICTING PROVISIONS.

Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5.

EFFECTIVE DATE OF ANNEXATION.

- A. This ordinance shall take effect immediately. Annexation pursuant to this ordinance shall become effective on the first day of the month following adoption of this ordinance.
- B. Notwithstanding the foregoing, no property located in the annexed area shall be subject to ad valorem taxation by the City until January 1st of the year following the effective dates solely for the purpose of determining enrollment in any independent school system operating in the City.

**THEREFORE, THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY
ORDAINS:**

- () That the Applicant's request for annexation is hereby **APPROVED**.
- () That the Applicant's request in said application is hereby **DENIED**.

SO ORDAINED by the Council of this City this 16TH day of September 2019.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

I.P.F. 2 5.86' 17' E. I.P.F.
207.96'

N. 2.14' E.
294.82'

1.18
ACRES

243.22'
S. 1.54' W. I.P.F.

I.P.F. 96.72' I.P.F.
N. 88° 08' W. I.P.F.

COUNTY ROAD

UN-PAVED ROAD

209.32'
N. 88° 08' W. I.P.F.

112.64' ALONG LAND
LOT LINE TO SOUTH-
EAST CORNER OF
LAND LOT 249

N/E J. R. PRICE

I certify that this plat
has been made from a
field survey and is true
and correct

Joe Rowan
mas.

II II

BASED ON THE INFORMATION SHOWN ON
THIS FLOOD HAZARD BOUNDARY MAPS
FURNISHED BY THE DEPT. OF H.U.D.
THROUGH THE FEDERAL INSURANCE
ADMINISTRATION IT IS MY OPINION
THAT THIS PROPERTY IS OUTSIDE
OF THE FLOOD HAZARD AREA.

Joe Rowan
HENRY COUNTY SURVEYOR

SURVEY MADE FOR:
J. E. PRICE

SCALE: 1" = 60'
DATE: 12-17-84

APPROVED BY:
Joe Rowan

LAND LOT 249
HENRY COUNTY
BY: JOE ROWAN, JR.
HENRY COUNTY SURVEYOR

DRAWN BY: J.R.
REVISED

DISTRICT

DRAWING NUMBER

EXHIBIT B



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-04

ANNEXATION & REZONING

Property Information

Tax ID	127-01044000
Location/address	Land Lot 249 of the 2 nd District 1206 Davis Lake Road
Parcel Size	Approximately 1.2 acres
Current Zoning	RA (County Residential Agricultural) to RA (City Residential Agricultural)
Request	Annex RA-zoned property in unincorporated Henry County into the City of Locust Grove with an RA zoning
Proposed Use	Residential Agricultural
Existing Land Use	Single-family dwelling / Unincorporated Henry County
Future Land Use	Low-Density Residential (unincorporated Henry County)
Recommendation	Approval

Summary

Donna Price and Robert Shon Price of Locust Grove, Georgia are the owners (the "Applicants") of a tract of land located at 1206 Davis Lake Road seek to annex property into the incorporated limits of the City of Locust Grove in Land Lot 249 of the 2nd District (the "Subject Property"). The Subject Property is approximately 1.2 acres in size and contains a single-family residence on site along with accessory structures common to properties used for agricultural purposes.

The Subject Property is zoned RA (residential agricultural) in the unincorporated area of Henry County. It is the intent of the Applicants to retain this RA (residential agricultural) zoning designation in the City of Locust Grove.

The City Council approved a *Resolution* to accept the application for annexation from the Applicants on June 17, 2019. The Director of Planning and Economic Development for Henry County confirmed via e-mail that the request for annexation was presented to the Henry County Board of Commissioners during their regular meeting on August 6, 2019 with no objections.

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-04

ANNEXATION & REZONING

Service Delivery / Infrastructure

Water and Sewer: The Subject Property is currently served by county water and a septic tank and is expected to remain so if annexed into the City. The Subject Property is located within the Tussahaw Creek Watershed Protection Area and must meet the guidelines set forth in *Section 17.04.040* of the Code of Ordinance, City of Locust Grove, Georgia.

Police Services: When the Subject Property is annexed into the city limits, it will be placed on a regular patrol route.

Fire: Fire and emergency services will be performed by Henry County as is the case in other areas of the City.

Transportation Impacts: There are no discernible increases or changes to transportation patterns in the vicinity as a result of this request given the single-family residence is already in existence. Single-family detached dwellings typically generate 9.5 trips on an average weekday¹.

Criteria for Evaluation of Rezoning Request

Section 17.04.315 Procedure for Hearing before City Council.

- (a) All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:
- (1) The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community. Discussion: No impacts on the character of the particular area are anticipated as a result of this request given the zoning on the Subject Property is going from RA-County to RA-City as part of an annexation request.
 - (2) The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this Chapter. Discussion: The request will continue the residential/agricultural use of the Subject Property as it transitions from the unincorporated area of Henry County into the city limits of Locust Grove.
 - (3) Consistency with the Land Use Plan. Discussion: The request is consistent with the County's Future Land Use Plan and development patterns in the immediate areas. It is reasonable to assume changes in the development patterns to higher density and more

¹ Institute of Transportation Engineers. *Trip Generation, 7th Edition, Volume 2 of 3*. Page 269.



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-04

ANNEXATION & REZONING

intensive uses for this area as availability to sanitary sewer is introduced in the near future when the Davis Lake Interceptor comes online.

- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** Discussion: There are no impacts to the City's infrastructure given the lot is already developed under its present zoning and is seeking to establish an equivalent zoning in the City.
- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** Discussion: No impacts are anticipated as a result of granting this request.
- (6) **The impact upon adjacent property owners should the request be approved.** Discussion: There are no plans to change the manner in which the Subject Property is utilized; therefore, impacts on adjacent property owners should be no more than they are at present.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Discussion: Currently, the Subject Property contains a single-family dwelling and detached accessory buildings; all of which are consistent with permitted uses granted by the RA (residential agricultural) zoning district both in the City and unincorporated County.
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.** Discussion: There are no known physical conditions or limitations that could preclude the use of the Subject Property, in fact, there exists a single-family residence on the site in accordance with the permitted uses in the RA zoning district.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** Discussion: The merits are consistent with both the City's zoning ordinance and with future and existing development patterns in the area.

Recommendation

Staff recommends APPROVAL of this request to annex the Subject Property and rezone it to RA (residential agricultural) once in the City.



CITY OF LOCUST GROVE

P. O. Box 900 • Locust Grove, Georgia 30248-0900
Telephone (770) 957-5043 Fax: (770) 954-1223

MAYOR
Robert Price

COUNCIL
Vernon Ashe
Keith Boone
Randy Gardner
Carlos Greer
Otis Hammock
Willie J. Taylor

CITY MANAGER
Tim Young

CITY CLERK
Misty Titshaw

July 5, 2019

Chairwoman June Wood
Henry County Board of Commissioners
140 Henry Parkway
McDonough, GA 30253

Re: *Notice of applications annexation into City of Locust Grove, GA*

*Parcel 1: Christine/Derek Law Tract, 10 +/- acres, Parcel 127-02022000
Parcel 2: Donna/Robert Price Tract, 1.18 acres, Parcel 127-01044000*

Dear Chair Wood:

On behalf of the governing body of the City of Locust Grove ("City"), Henry County is hereby notified that the City has accepted applications for annexation of the above referenced properties pursuant to the 100% Method under O.C.G.A. § 36-36-21.

Attached hereto is a copy of the City's resolution accepting the annexation applications, which attach legal descriptions of the properties and a county tax map identifying the properties. All of the properties to be annexed lie in Henry County and are contiguous with the City boundaries.

Should the properties be annexed, they will be annexed with their current zoning classifications.

Notice is being given to the County pursuant to O.C.G.A. § 36-36-6. Please do not hesitate to contact us if you have any questions.

Sincerely,

Tim Young, City Manager

CC: Cheri Hobson-Matthews, County Manager
Robert Price, Mayor
Smith Welch Webb and White, City Attorney

Attachments

on the Green

RESOLUTION 19-07-057

A RESOLUTION TO ACCEPT AN APPLICATION FROM DONNA PRICE AND ROBERT SHON PRICE FOR ANNEXATION OF 1.2 +/- ACRES PURSUANT TO O.C.G.A. §36-36-20, ET SEQ.; TO CONFIRM THAT THE APPLICATION SATISFIES CERTAIN CONDITIONS UNDER STATE LAW; TO DIRECT THE CITY ATTORNEY TO NOTIFY HENRY COUNTY OF THE PROPOSED ANNEXATION; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

WHEREAS, the City of Locust Grove ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, Georgia law permits municipalities to annex unincorporated areas which are contiguous to their existing corporate limits when annexation takes place, upon the written and signed applications of all of the owners of all of the land to be annexed; and

WHEREAS, Donna Price and Robert Shon Price are the owners (the "Owners") of real property located at 1206 Davis Lake Road (Parcel ID - 127-0104400) in Land Lot 249 of the 2nd District (the "Property"); and,

WHEREAS, the City received an application for annexation (the "Annexation Application") from the Owners, a copy of which is attached hereto as Exhibit "A" and incorporated by reference, and legal descriptions are attached to said application of the lands to be annexed as Exhibit "B"; and

WHEREAS, because a preliminary investigation reveals that the Annexation Application was signed by one hundred percent of the landowners and accompanied by a complete description of the Property to be annexed, that the Property is contiguous to the municipal boundary of the City, that the Property is within the County, and that annexation will not create an unincorporated "island" as contemplated by O.C.G.A. § 36-36-1, et seq. (the "Act"), the Annexation Application and the requested annexation apparently satisfies the requirements of the Act; and

WHEREAS, continued investigation may reveal that annexation of the Property is in the best interests of the residents and property owners of both the area of the proposed annexation and the City; and

WHEREAS, the Property will maintain zoning of RA (residential agricultural); and

WHEREAS, The Mayor and City Council desire to notify the governing body of Henry County of acceptance of the Annexation Application, and to adopt an ordinance ("Annexation Ordinance") expressly authorizing the proposed annexation in order to fully and finally annex the Property into the municipal boundaries of the City;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. **Acceptance of Applications.** The City Clerk is hereby authorized to formally accept the Annexation Application.
2. **Satisfaction of Conditions.** The City hereby confirms that, upon a preliminary investigation, the Annexation Application and the requested annexation apparently satisfies the requirements of the Act.
3. **Notification to County.** The Mayor and City Council now direct the City Attorney to notify the governing body of Henry County of its acceptance of said application in accordance with Section 36-36-6 of the Official Code of Georgia and intent to retain the current zoning classification or classifications of the Property.
4. **Authorization For City Clerk and City Attorney To Prepare Documents.** The City Clerk and City Attorney are authorized to prepare any other documents necessary to effectuate this Resolution.
5. **Consideration of Annexation Ordinance.** The Mayor or City Clerk is hereby authorized to place consideration of the Annexation Ordinance on the agenda for a public meeting of the City Council after all legal requirements have been satisfied.
6. **Effective Date.** This Resolution shall take effect immediately.
7. **Repeal of Inconsistent Provisions.** All resolutions are hereby repealed to the extent they are inconsistent herewith.

THIS RESOLUTION adopted this 1st day of July 2019.



ROBERT S. PRICE, Mayor

ATTEST:



MISTY SPURLING, City Clerk

(seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

**APPLICATION FOR ANNEXATION UNDER
THE ONE HUNDRED PERCENT (100%) METHOD**

Date of Submission: 4/5/2019

To the Mayor and City Council of the City of Locust Grove, Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council annex this territory to the City of Locust Grove, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed is unincorporated an contiguous (as described in O.C.G.A. 36-36-20) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is hereto attached as Exhibit A.

OWNERS NAME(S) PRICE, Robert Shon and
PRICE, Donna

PROPERTY LOCATION 1206 Davis Lake Road
Locust Grove, GA 30248-1206

PHONE NUMBER 404-403-6287

ALTERNATE PHONE 770-957-6330

LAND LOT/DISTRICT 249/2

ACREAGE 1.18

MAP CODE NO. 127-0104400

ZONING CLASSIFICATION RA County

SIGNATURE(S) Rob Shon Price Date April 05, 2019
Donna Price Date 4-5-2019

All property owners must sign as their name appears on the Deed.

EXHIBIT "B"

DOCK #74557
FILED IN OFFICE
10/29/2003
CLERK OF SUPERIOR COURT
HENRY COUNTY, GA

NEW STATE OF GEORGIA
SUPERIOR COURT

DEC 30 2003

MDA

[Signature]
Clerk of Superior Court

SWB FILE NO: 203
Type Policy: none

Return to:

Smith, Welch & British (JDL)
2200 West Henry Court
Mableton, Georgia 30258
(770) 957-3827

DEED ONLY

WARRANTY DEED

STATE OF GEORGIA, HENRY COUNTY.

IN CONSIDERATION OF THE SUM OF _____ DEED OF GIFT _____ to the

paid, DONNA PRICE of the County of Henry, State of Georgia, do hereby sell and convey unto

DONNA PRICE AND ROBERT SEON PRICE, AS JOINT TENANTS WITH FULL

SURVIVORSHIP AND NOT MERELY AS TENANTS IN COMMON of the County of Henry,

State of Georgia, their heirs and assigns, a tract or parcel of land, which is described as follows:

All that tract or parcel of land lying and being in Land Lot 249, 2nd District, Henry County, Georgia, containing 1.13 acres, per plat of survey for J.E. Price by the Rowan, Jr., Henry County Surveyor, dated December 17, 1984, and being more particularly described as follows:

+1

BEGINNING at an iron pin found on the South Line of Land Lot 249, said iron pin being 1,112.64 feet West of the Southeast corner of Land Lot 249; thence North 8 degrees 06 minutes West along the South line of Land Lot 249; thence North 88 degrees 06 minutes West along the South line of Land Lot 249, 209.32 feet to an iron pin found; thence North 2 degrees 14 minutes East 394.82 feet to an iron pin found; thence South 86 degrees 17 minutes East 207.96 feet to an iron pin found; thence South 1 degree 54 minutes West 243.22 feet to an iron pin found and the point of beginning.

THE ABOVE DESCRIBED PROPERTY IS CONVEYED SUBJECT TO ALL EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD, IF ANY.

TO HAVE AND TO HOLD said land and appurtenances unto said DONNA PRICE AND ROBERT SHON PRICE, AS JOINT TENANTS WITH FULL SURVIVORSHIP AND NOT MERELY AS TENANTS IN COMMON, their heirs, executors, administrators, and assigns, in

fee simple.

I warrant the title to said land against the lawful claims of all persons.

In Witness Whereof, I have hereunto set my hand and affixed my seal this the 4th day of December, 2003.

Signed, sealed and delivered in the presence of

[Signature]
Notary Public

Donna Price (SEAL)
DONNA PRICE

[Signature] (SEAL)
Notary Public
My Commission





Summary

Parcel ID 127-01044000
 Location Address 1206 DAVIS LAKE RD
 Mileage Group 0001 (County/Unincorp)
 Property Usage S F RESIDENTIAL (0100)
 Total Acres 1.18
 Landplot / District 249 / 2
 Subdivision
 Lot/Block
 Plat Book
 Plat Page

Exemptions: L3

Owners

PRICE DONNA S
 & ROBERT SHON
 PO BOX 1206
 LOCUST GROVE, GA 30248

Valuation

Assessed Year	2019	2018	2017	2016
Land Value				
Building Value	\$24,400.00	\$22,600.00	\$21,200.00	\$17,500.00
OB/Misc	\$40,000.00	\$24,300.00	\$24,200.00	\$24,000.00
Total Value	\$1,600.00	\$1,600.00	\$1,700.00	\$1,700.00
	\$66,000.00	\$48,500.00	\$47,100.00	\$43,200.00

Assessment Notices 2019

2019 Assessment Notice

Land Information

Land Use
 SMALL AC IMP (000180)

Number of Units
 1.18

Unit Type
 ACRES

Buildings

Building # 1
 ConstructionType SGL FAM
 Actual Year Built 1961
 Effective Area 1,480
 Heated Area 1,480
 Bedrooms 2
 Baths 1
 Wall Height 0

Miscellaneous Data

Description	Length	Width	Units	Year Built
B-45	24	24	384	1965

Sales Information

Sale Date	Deed Book/Page	Sale Price	Instrument	Reason	Grantor	Grantee
12/4/2003	6695-201	\$0	WARRANTY DEED		PRICE DONNA	PRICE DONNA & ROBERT SHON
3/21/2000	3644-290	\$0	YEARS SUPPORT		PRICE WILLIAM R (DECEDENT)	PRICE DONNA S
10/7/1991	1350-295	\$0	QUIT CLAIM	LOVES&AFFEC	PRICE WILLIAM R	PRICE WILLIAM R & DO
1/1/1985	612-331	\$20,000	WARRANTY DEED	FAMILY/GIFT	PRICE J E	PRICE WILLIAM R
1/1/1961	68-592	\$0	WARRANTY DEED			PRICE J E

Map



Generate Owner List by Radius

The Property Address option is unavailable for Henry County

Distance:
100
Feet

Additional mailing label options:

Show parcel id on label

Skip labels:
0

Show address of: Owner Property

Download format:
Address labels (5160)

Download

Sketches

EXHIBIT C

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 957-9161
Fax (770) 339-5869

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which publishes the Henry Herald, published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: 612056
Name and File No.: **PUBLIC HEARING 9/16/19**
a true copy of which is hereto attached, was published in said newspaper on the following date(s):
08/28/19 Wed

Public Hearing Notice
City of Locust Grove
September 16, 2019
6:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

agricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 1206 Davis Lake Road (Parcel ID 127-01044000), containing approximately 1.2 +/- acres in Land Lot 249 of the 2nd District for the purpose of incorporating property in the City limits.

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, September 16, 2019 at 6:00 PM, will conduct public hearings for the purpose of the following:

The public hearing will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Bert Foster
Community Development
Director
City of Locust Grove
828-612056, 8/28

CONDITIONAL USE
CU-19-09-01 Tom Ellis, agent acting on behalf of Group Seven Sixteen, LLC, of Stockbridge, Georgia, requests a conditional use for the purpose of allowing a financial institution (bank) with a drive-through configuration in the O/I (office/institutional) zoning district for property located at 3300 Highway 42 South at the intersection of SR 42 and Market Place Boulevard (Parcel ID - 128-01020001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 2.8 +/- acres.

CU-19-09-02 Steven and Miranda Davis of Locust Grove, Georgia request a conditional use for the purpose of establishing a detached guest quarters on the property located at 91 Bowden Street (Parcel ID - 128-02014001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 3.5 +/- acres.

ANNEXATION AND REZONING
RZ-19-09-03 Christine Law and Derek Law request annexation and rezoning from RA (residential agricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 387 and 387 Calvin Drive (Parcel ID 127-02022000) containing approximately 10.0 +/- acres in Land Lot 232 of the 2nd District for the purpose of incorporating property in the City limits.

RZ-19-09-04 Donna Price and Robert Shon Price request annexation and rezoning from RA (residential ag-

Robert D. McCray, SCNI Vice President of Sales and Marketing

Dawn Ward

By Dawn Ward
Legal Advertising Clerk

Sworn and subscribed before me 08/28/19



[Signature]

Notary Public

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Bert Foster, who, after being duly sworn, testifies as follows:

1.

My name is Bert Foster. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

On the 30th day of August 2019, I, Bert Foster, posted one (1) double-sided sign notifications on the Property advertising a public hearing on the request below to be heard by the Locust Grove City Council on the 16th day of September, 2019 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Said public hearing signs were posted at the following locations:

- A. 3300 Highway 42 South for a Conditional Use @ 1:35
- B. 91 Bowden Street for a Guest Quarters CU @ 1:30
- C. 1206 Davis Lake Road for a rezoning/annexation @ 1:20
- D. 387 and 397 Colvin Drive for a rezoning/annexation @ 1:15

Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference.

FURTHER AFFIANT SAYETH NOT.

This 9th day of September 2019.

Affiant

Sworn and subscribed before me
this 9 day of September, 2019

Markey Moore

Notary Public



Exhibit "A"
Sign Exhibits A through D

PUBLIC

NOTICE

City of Locust Grove

City Council Meeting
Public Hearing Building
3448 Highway 42
Locust Grove, GA 30248

CONDITIONAL USE

Use/Section: To allow a
financial institution with a
drive-thru in the O/I
(office/institutional) district

DATE: September 16, 2019

TIME: 6:00 P.M.

For information, please call
(770) 592-2321 or visit
www.locustgrove.ga.gov

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Building
3846 Highway 42
Locust Grove, GA 30248

CONDITIONAL USE
Use/Section: Detached
Guest Quarters

DATE: September 16, 2019
TIME: 6:00 P.M.

NOTICE

For more information, call
770-224-2300 or visit
www.cityoflocustgrove.com

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Building
2640 Highway 42
Locust Grove, GA 30240

**ANNEXATION &
REZONING**

FROM: County RA (potential agricultural)
TO: City RA (potential agricultural)

DATE: September 16, 2019

TIME: 6:00 P.M.

NOTICE

FOR MORE INFORMATION
CONTACT THE CITY CLERK
AT 706.884.1234

PUBLIC City of Locust Grove
City Council Meeting
Public Hearing Building
1000 Highway 20
Locust Grove, GA 30248

ANNEXATION & REZONING

FROM County 04 jurisdiction
TO City GA residential jurisdiction

DATE: September 18, 2013
TIME: 5:00 P.M.

For more information contact the
City Manager at 706-882-2211 or visit
www.cityoflocustgrove.com

NOTICE



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: An ordinance to rezone approximately 1.2 +/- acres located at 1206 Davis Lake Road.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: August 28, 2019 – newspaper
August 30, 2019 – sign

Budget Item: No

Date Received: May 2019

Workshop Date: September 16, 2019

Regular Meeting Date: October 7, 2019

Discussion:

A request for rezoning of approximately 1.2 acres of property located at 1206 Davis Lake Road (127-01044000). The property is zoned RA (residential agricultural) and will remain so if incorporated into the City.

The application was accepted by the City Council at the June 17, 2019 meeting. The Henry County Board of Commissioners raised no objections to this annexation during their August 6, 2019 meeting.

Recommendation:

I | *... in The Grove*

Staff recommends approval of this request.

I MOVE TO (approve/deny/table) THE ORDINANCE PERTAINING TO THE REQUEST FROM DONNA PRICE AND ROBERT SHON PRICE FOR ANNEXATION OF 1.2 +/- ACRES LOCATED AT 1206 DAVIS LAKE ROAD.

ORDINANCE NO. _____

AN ORDINANCE TO REZONE APPROXIMATELY 1.2 ACRES LOCATED AT 1206 DAVIS LAKE ROAD IN LAND LOT 249 OF THE 2ND DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Locust Grove (“City”) is a municipal corporation, duly organized and existing under the laws of the State of Georgia; and,

WHEREAS, Donna Price and Robert Shon Price (the “Applicants”) of Locust Grove, Georgia, requests rezoning for property located at 1206 Davis Lake Road (Parcel ID – 127-01044000) in Land Lot 249 of the 2nd District (the “Property”) as shown in the Boundary Survey attached hereto as **Exhibit A**; and,

WHEREAS, the Applicants have submitted an application to annex the Property into the City in May of 2019 that is included in the Rezoning Evaluation Report (hereinafter referred to as “Report”) attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, the Mayor and City Council of the City of Locust Grove approved a Resolution accepting the application for annexation on June 17, 2019; and,

WHEREAS, the Mayor and City Council of the City of Locust Grove approved the annexation on September 16, 2019; and,

WHEREAS, the Applicants request that the City Council rezone the Property from RA-County (residential agricultural) to RA-City (residential agricultural); and,

WHEREAS, said request has been reviewed by the Mayor and City Council at a Public Hearing held on June 17, 2019 as well as by the City Community Development Director; and,

WHEREAS, notice of this matter (as attached hereto and incorporated herein as **Exhibit C**) has been provided in accordance with applicable state law and local ordinances; and,

WHEREAS, the Mayor and City Council have reviewed and considered the request and both the recommendations of the public hearing and City staff as presented in the Report; and,

THEREFORE, THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS:

1.

That the request for rezoning is hereby **APPROVED**.

That the request for rezoning is hereby **DENIED**.

2.

That the use of the Property is subject to:

The condition(s) set forth on **Exhibit D** attached hereto and incorporated herein by reference.

The terms of the Development Agreement attached hereto as **Exhibit D** and incorporated herein by reference.

If no **Exhibit D** is attached hereto, then the property is zoned without conditions.

3.

That, if the request is granted, the official zoning map for the City is hereby amended to reflect such zoning classification for the property.

4.

That, if granted, this Ordinance shall become effective immediately subject to the corresponding annexation ordinance under consideration.

SO ORDAINED by the Council of this City this 16th day of September 2019.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

I.P.F. 2
5.86° 17' E.
207.96'

ENGLISH PROP.

N. 2° 14' E.
294.82'

1.18
ACRES

243.22'
S. 1° 54' W.

I certify that this plat
has been made from a
field survey and is true
and correct

Joe Rowan, Jr.

M.S.

II II

W/F J. R. PRICE

I.P.F.

112.64' ALONG LAND
LOT LINE TO SOUTH.
EAST CORNER OF
LAND LOT 249

COUNTY ROAD
UN-PAVED ROAD

209.32'
N. 88° 00' W.
I.P.F.

BASED ON THE INFORMATION SHOWN ON
THE FLOOD HAZARD BOUNDARY MAPS
FURNISHED BY THE DEPT. OF H.U.D.
THROUGH THE FEDERAL INSURANCE
ADMINISTRATION IT IS BY COMMON
THAT THIS PROPERTY IS OUTSIDE
OF THE FLOOD HAZARD AREA.

Joe Rowan, Jr.
HENRY COUNTY SURVEYOR

SURVEY MADE FOR:		DRAWN BY: JR	
J. E. PRICE		REVISED	
SCALE: 1" = 60'	APPROVED BY:	DISTRICT	
DATE: 12-17-84	<i>Joe Rowan, Jr.</i>	2ND	
LAND LOT 249		HENRY COUNTY	
HENRY COUNTY		GEORGIA	
BY: JOE ROWAN, JR.		DRAWING NUMBER	
HENRY COUNTY SURVEYOR			

EXHIBIT B



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-04

ANNEXATION & REZONING

Property Information

Tax ID	127-01044000
Location/address	Land Lot 249 of the 2 nd District 1206 Davis Lake Road
Parcel Size	Approximately 1.2 acres
Current Zoning	RA (County Residential Agricultural) to RA (City Residential Agricultural)
Request	Annex RA-zoned property in unincorporated Henry County into the City of Locust Grove with an RA zoning
Proposed Use	Residential Agricultural
Existing Land Use	Single-family dwelling / Unincorporated Henry County
Future Land Use	Low-Density Residential (unincorporated Henry County)
Recommendation	Approval

Summary

Donna Price and Robert Shon Price of Locust Grove, Georgia are the owners (the "Applicants") of a tract of land located at 1206 Davis Lake Road seek to annex property into the incorporated limits of the City of Locust Grove in Land Lot 249 of the 2nd District (the "Subject Property"). The Subject Property is approximately 1.2 acres in size and contains a single-family residence on site along with accessory structures common to properties used for agricultural purposes.

The Subject Property is zoned RA (residential agricultural) in the unincorporated area of Henry County. It is the intent of the Applicants to retain this RA (residential agricultural) zoning designation in the City of Locust Grove.

The City Council approved a *Resolution* to accept the application for annexation from the Applicants on June 17, 2019. The Director of Planning and Economic Development for Henry County confirmed via e-mail that the request for annexation was presented to the Henry County Board of Commissioners during their regular meeting on August 6, 2019 with no objections.



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-04

ANNEXATION & REZONING

Service Delivery / Infrastructure

Water and Sewer: The Subject Property is currently served by county water and a septic tank and is expected to remain so if annexed into the City. The Subject Property is located within the Tussahaw Creek Watershed Protection Area and must meet the guidelines set forth in *Section 17.04.040* of the Code of Ordinance, City of Locust Grove, Georgia.

Police Services: When the Subject Property is annexed into the city limits, it will be placed on a regular patrol route.

Fire: Fire and emergency services will be performed by Henry County as is the case in other areas of the City.

Transportation Impacts: There are no discernible increases or changes to transportation patterns in the vicinity as a result of this request given the single-family residence is already in existence. Single-family detached dwellings typically generate 9.5 trips on an average weekday¹.

Criteria for Evaluation of Rezoning Request

Section 17.04.315 Procedure for Hearing before City Council.

- (a) **All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:**
- (1) **The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community.** Discussion: No impacts on the character of the particular area are anticipated as a result of this request given the zoning on the Subject Property is going from RA-County to RA-City as part of an annexation request.
 - (2) **The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this Chapter.** Discussion: The request will continue the residential/agricultural use of the Subject Property as it transitions from the unincorporated area of Henry County into the city limits of Locust Grove.
 - (3) **Consistency with the Land Use Plan.** Discussion: The request is consistent with the County's Future Land Use Plan and development patterns in the immediate areas. It is reasonable to assume changes in the development patterns to higher density and more

¹ Institute of Transportation Engineers. *Trip Generation, 7th Edition, Volume 2 of 3*. Page 269.



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-04

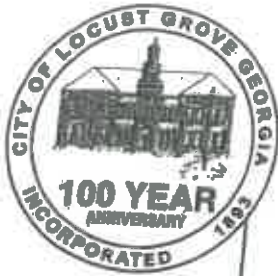
ANNEXATION & REZONING

intensive uses for this area as availability to sanitary sewer is introduced in the near future when the Davis Lake Interceptor comes online.

- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** Discussion: There are no impacts to the City's infrastructure given the lot is already developed under its present zoning and is seeking to establish an equivalent zoning in the City.
- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** Discussion: No impacts are anticipated as a result of granting this request.
- (6) **The impact upon adjacent property owners should the request be approved.** Discussion: There are no plans to change the manner in which the Subject Property is utilized; therefore, impacts on adjacent property owners should be no more than they are at present.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Discussion: Currently, the Subject Property contains a single-family dwelling and detached accessory buildings; all of which are consistent with permitted uses granted by the RA (residential agricultural) zoning district both in the City and unincorporated County.
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.** Discussion: There are no known physical conditions or limitations that could preclude the use of the Subject Property, in fact, there exists a single-family residence on the site in accordance with the permitted uses in the RA zoning district.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** Discussion: The merits are consistent with both the City's zoning ordinance and with future and existing development patterns in the area.

Recommendation

Staff recommends APPROVAL of this request to annex the Subject Property and rezone it to RA (residential agricultural) once in the City.



CITY OF LOCUST GROVE

P. O. Box 900 • Locust Grove, Georgia 30248-0900
Telephone (770) 957-5043 Fax: (770) 954-1223

July 5, 2019

MAYOR
Robert Price

COUNCIL
Vernon Ashe
Keith Boone
Randy Gardner
Carlos Greer
Otis Hammock
Willa J. Taylor

CITY MANAGER
Tim Young

CITY CLERK
Misty Titshaw

Chairwoman June Wood
Henry County Board of Commissioners
140 Henry Parkway
McDonough, GA 30253

Re: Notice of applications annexation into City of Locust Grove, GA

Parcel 1: Christine/Derek Law Tract, 10 +/- acres, Parcel 127-02022000
Parcel 2: Donna/Robert Price Tract, 2.18 acres, Parcel 127-01044000

Dear Chair Wood:

On behalf of the governing body of the City of Locust Grove (City), Henry County is hereby notified that the City has accepted applications for annexation of the above referenced properties pursuant to the 100% Method under O.C.G.A. § 36-36-21.

Attached hereto is a copy of the City's resolution accepting the annexation applications, which attach legal descriptions of the properties and a county tax map identifying the properties. All of the properties to be annexed lie in Henry County and are contiguous with the City boundaries.

Should the properties be annexed, they will be annexed with their current zoning classifications.

Notice is being given to the County pursuant to O.C.G.A. § 36-36-6. Please do not hesitate to contact us if you have any questions.

Sincerely,


Tim Young, City Manager

CC: Cheri Hobson-Matthews, County Manager
Robert Price, Mayor
Smith Welch Webb and White, City Attorney

Attachments



in the Grove

RESOLUTION 19-07-057

A RESOLUTION TO ACCEPT AN APPLICATION FROM DONNA PRICE AND ROBERT SHON PRICE FOR ANNEXATION OF 1.2 +/- ACRES PURSUANT TO O.C.G.A. §36-36-20, ET SEQ.; TO CONFIRM THAT THE APPLICATION SATISFIES CERTAIN CONDITIONS UNDER STATE LAW; TO DIRECT THE CITY ATTORNEY TO NOTIFY HENRY COUNTY OF THE PROPOSED ANNEXATION; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

WHEREAS, the City of Locust Grove ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, Georgia law permits municipalities to annex unincorporated areas which are contiguous to their existing corporate limits when annexation takes place, upon the written and signed applications of all of the owners of all of the land to be annexed; and

WHEREAS, Donna Price and Robert Shon Price are the owners (the "Owners") of real property located at 1206 Davis Lake Road (Parcel ID - 127-01044000) in Land Lot 249 of the 2nd District (the "Property"); and,

WHEREAS, the City received an application for annexation (the "Annexation Application") from the Owners, a copy of which is attached hereto as Exhibit "A" and incorporated by reference, and legal descriptions are attached to said application of the lands to be annexed as Exhibit "B"; and

WHEREAS, because a preliminary investigation reveals that the Annexation Application was signed by one hundred percent of the landowners and accompanied by a complete description of the Property to be annexed, that the Property is contiguous to the municipal boundary of the City, that the Property is within the County, and that annexation will not create an unincorporated "island" as contemplated by O.C.G.A. § 36-36-1, et seq. (the "Act"), the Annexation Application and the requested annexation apparently satisfies the requirements of the Act; and

WHEREAS, continued investigation may reveal that annexation of the Property is in the best interests of the residents and property owners of both the area of the proposed annexation and the City; and

WHEREAS, the Property will maintain zoning of RA (residential agricultural); and

WHEREAS, The Mayor and City Council desire to notify the governing body of Henry County of acceptance of the Annexation Application, and to adopt an ordinance ("Annexation Ordinance") expressly authorizing the proposed annexation in order to fully and finally annex the Property into the municipal boundaries of the City;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. **Acceptance of Applications.** The City Clerk is hereby authorized to formally accept the Annexation Application.
2. **Satisfaction of Conditions.** The City hereby confirms that, upon a preliminary investigation, the Annexation Application and the requested annexation apparently satisfies the requirements of the Act.
3. **Notification to County.** The Mayor and City Council now direct the City Attorney to notify the governing body of Henry County of its acceptance of said application in accordance with Section 36-36-6 of the Official Code of Georgia and intent to retain the current zoning classification or classifications of the Property.
4. **Authorization For City Clerk and City Attorney To Prepare Documents.** The City Clerk and City Attorney are authorized to prepare any other documents necessary to effectuate this Resolution.
5. **Consideration of Annexation Ordinance.** The Mayor or City Clerk is hereby authorized to place consideration of the Annexation Ordinance on the agenda for a public meeting of the City Council after all legal requirements have been satisfied.
6. **Effective Date.** This Resolution shall take effect immediately.
7. **Repeal of Inconsistent Provisions.** All resolutions are hereby repealed to the extent they are inconsistent herewith.

THIS RESOLUTION adopted this 1st day of July 2019.



ROBERT S. PRICE, Mayor

ATTEST:



MISTY SPURLING, City Clerk

(seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

APPLICATION FOR ANNEXATION UNDER
THE ONE HUNDRED PERCENT (100%) METHOD

Date of Submission: 4/5/2019

To the Mayor and City Council of the City of Locust Grove, Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council annex this territory to the City of Locust Grove, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. 36-36-20) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is hereto attached as Exhibit A.

OWNERS NAME(S) PRICE, Robert Shon and
PRICE, Donna

PROPERTY LOCATION 1206 Davis Lake Road
Locust Grove, GA 30248-1206

PHONE NUMBER 404-403-6287

ALTERNATE PHONE 770-957-6330

LAND LOT/DISTRICT 249/2

ACREAGE 1.18

MAP CODE NO. 127-0104400

ZONING CLASSIFICATION RA County

SIGNATURE(S) Robert Shon Price Date April 05, 2019

Donna Price Date 4-5-2019

All property owners must sign as their name appears on the Deed.

EXHIBIT "B"

BOOK 674557
FILED IN OFFICE
JAN 21 1993
HENRY COUNTY, GA
SUPERIOR COURT
HENRY COUNTY, GA

REAL ESTATE TRANSFER TAX
SUPERIOR COURT

REC 50 823

[Signature]
Notary Public

SWR FILE NO: JDL
Type Public: none

Return to: Smith, Walsh & Bishop (JDL)
2200 Page Ferry Court
Mableton, Georgia 30223
(770) 971-5447

DEED ONLY

WARRANTY DEED

STATE OF GEORGIA, HENRY COUNTY.

IN CONSIDERATION OF THE SUM OF DEED OF GIFT to the
part, DONNA PRICE of the County of Henry, State of Georgia, do hereby sell and convey unto
DONNA PRICE AND ROBERT SEON PRICE, AS JOINT TENANTS WITH FULL
SURVIVORSHIP AND NOT MERELY AS TENANTS IN COMMON of the County of Henry,
State of Georgia, their heirs and assigns, a tract or parcel of land, which is described as follows:

All that tract or parcel of land lying and being in Land Lot 245, 2nd District, Henry County,
Georgia, containing 1.13 acres, per plat of survey for J.E. Price by the Norman, Jr., Henry
County Surveyor, dated December 17, 1984, and being more particularly described as
follows:

+1

BEGINNING at an iron pin found on the South Line of Land Lot 249, said iron pin being 1,112.04 feet West of the Southeast corner of Land Lot 249; thence North 3 degrees 05 minutes West along the South line of Land Lot 249; thence North 88 degrees 05 minutes West along the South line of Land Lot 249, 209.32 feet to an iron pin found; thence North 3 degrees 14 minutes East 294.82 feet to an iron pin found; thence South 85 degrees 17 minutes East 287.95 feet to an iron pin found; thence South 1 degree 54 minutes West 243.22 feet to an iron pin found and the point of beginning.

THE ABOVE DESCRIBED PROPERTY IS CONVEYED SUBJECT TO ALL EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD, IF ANY.

TO HAVE AND TO HOLD said land and appurtenances unto said DONNA PRICE AND ROBERT SHON PRICE, AS JOINT TENANTS WITH FULL SURVIVORSHIP AND NOT MERELY AS TENANTS IN COMMON, their heirs, executors, administrators, and assigns, in fee simple.

I warrant the title to said land against the lawful claims of all persons.

In Witness Whereof, I have hereunto set my hand and affixed my seal this the 4th day of December, 2003.

Signed, sealed and delivered in the presence of



Notary Public



DONNA PRICE (SEAL)

Notary Public

My Commission Expires



qPublic.net™ Henry County, GA

Summary

Parcel ID 127-01044000
 Location Address 1206 DAVIS LAKE RD
 Millage Group 0001 (County/Unincorp)
 Property Usage S F RESIDENTIAL (0100)
 Total Acres 1.18
 Landlot / District 249 / 2
 Subdivision
 Lot/Block
 Plat Book
 Plat Page

Exemptions: L3

Owners

PRICE DONNA S
 & ROBERT SHON
 PO BOX 1206
 LOCUST GROVE, GA 30248

Valuation

Assessed Year	2019	2018	2017	2016
Land Value	\$24,400.00	\$22,600.00	\$21,200.00	\$17,500.00
Building Value	\$40,000.00	\$24,300.00	\$24,200.00	\$24,000.00
O&M/acc	\$1,600.00	\$1,600.00	\$1,700.00	\$1,700.00
Total Value	\$66,000.00	\$48,500.00	\$47,100.00	\$43,200.00

Assessment Notices 2019

2019 Assessment Notice

Land Information

Land Use
 SMALL AC IMP (000180)

Number of Units
 1.18

Unit Type
 ACRES

Buildings

Building # 1
 ConstructedType SGL FAM
 Actual Year Built 1961
 Effective Area 1,480
 Heated Area 1,480
 Bedrooms 2
 Baths 1
 Wall Height 0

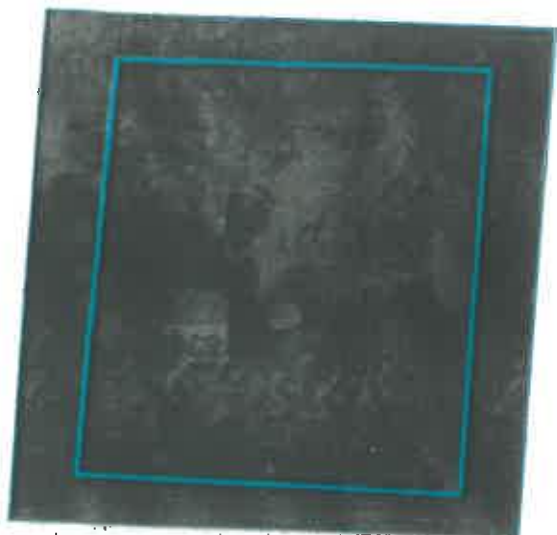
Miscellaneous Data

Description B-45
 Length 24
 Width 24
 Units 384
 Year Built 1965

Sales Information

Sale Date	Deed Book/Page	Sale Price	Instrument	Reason	Grantor	Grantee
12/4/2009	6695-201	\$0	WARRANTY DEED		PRICE DONNA	PRICE DONNA & ROBERT SHON
3/21/2000	3644-290	\$0	YEAR\$ SUPPORT		PRICE WILLIAM R (DECEDENT)	PRICE DONNAS
10/7/1991	1330-295	\$0	QUIT CLAIM	LOVES&AFFEC	PRICE WILLIAM R	PRICE WILLIAM R & DO
1/1/1985	612-331	\$20,000	WARRANTY DEED	FAMILY/GIFT	PRICE J E	PRICE WILLIAM R
1/1/1961	68-592	\$0	WARRANTY DEED			PRICE J E

Map



Generate Owner List by Radius

The Property Address option is unavailable for Henry County

Distance:

100

Feet

Show address of: Owner Property

Download format:

Address labels (5160)

Download

Additional mailing label options:

Show parcel id on label

Skip labels:

0

Sketches

EXHIBIT C

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 957-9161
Fax (770) 339-5869

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which publishes the Henry Herald, published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: 612056
Name and File No.: PUBLIC HEARING 9/16/19
a true copy of which is hereto attached, was published in said newspaper on the following date(s):
08/28/19 Wed

Public Hearing Notice
City of Locust Grove
September 18, 2019
6:00 PM
Locust Grove Public
Safety Building
3848 Highway 42 South
Locust Grove, GA 30248

agricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 1206 Davis Lake Road (Parcel ID 127-01044000) containing approximately 1.2 +/- acres in Land Lot 249 of the 2nd District for the purpose of incorporating property in the City limits.

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, September 18, 2019 at 6:00 PM, will conduct public hearings for the purpose of the following:

The public hearing will be held in the Locust Grove Public Safety Building, located at 3840 Highway 42 South.

Barl Foster
Community Development
Director
City of Locust Grove
828-612056, 8/28

CONDITIONAL USE
CU-19-09-01 Tom Em, agent acting on behalf of Group Seven Skidder, LLC, of Stockbridge, Georgia, requests a conditional use for the purpose of allowing a financial institution (bank) with a drive-through configuration in the OI (office/institutional) zoning district for property located at 3300 Highway 42 South at the intersection of SR 42 and Market Place Boulevard (Parcel ID - 128-01020001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 2.8 +/- acres.

CU-19-09-02 Steven and Miranda Davis of Locust Grove, Georgia request a conditional use for the purpose of establishing a detached guest quarters on the property located at 91 Bowden Street (Parcel ID - 128-02014001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 3.5 +/- acres.

ANNEXATION AND REZONING
RZ-19-09-03 Christine Law and Derek Law request annexation and rezoning from RA (residential agricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 387 and 387 Calvin Drive (Parcel ID 127-02022000) containing approximately 10.0 +/- acres in Land Lot 232 of the 2nd District for the purpose of incorporating property in the City limits.

RZ-19-09-04 Donna Price and Robert Shon Price request annexation and rezoning from RA (residential ag-

Robert D. McCray, SCNI Vice President of Sales and Marketing

by Dawn Ward
Legal Advertising Clerk

sworn and subscribed before me 08/28/19



ary Public

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Bert Foster, who, after being duly sworn, testifies as follows:

1.

My name is Bert Foster. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

On the 30th day of August 2019, I, Bert Foster, posted one (1) double-sided sign notifications on the Property advertising a public hearing on the request below to be heard by the Locust Grove City Council on the 16th day of September, 2019 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Said public hearing signs were posted at the following locations:

- A. 3300 Highway 42 South for a Conditional Use @ 1:35
- B. 91 Bowden Street for a Guest Quarters CU @ 1:30
- C. 1206 Davis Lake Road for a rezoning/annexation @ 1:20
- D. 387 and 397 Colvin Drive for a rezoning/annexation @ 1:15

Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference.

FURTHER AFFIANT SAYETH NOT.

This 9th day of September 2019.



Affiant

Sworn and subscribed before me
this 9 day of September, 2019

Mareya Moore

Notary Public



Exhibit "A"
Sign Exhibits A through D

PUBLIC

City of Locust Grove

City Council Meeting
Public Safety Building
1640 Highway 92
Locust Grove, GA 30248

CONDITIONAL USE

Use/Section: To allow a
financial institution with a
drive-thru in the OI
(office/institutional) district

DATE: September 16, 2019

TIME: 6:00 P.M.

NOTICE

For information, please call
770.632.2331 or visit
www.locustgrove.ga.gov

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Building
3640 Highway 21
Locust Grove, GA 30241

CONDITIONAL USE
Use/Section: Detached
Guest Quarters

DATE: September 16, 2019
TIME: 6:00 P.M.

NOTICE

FOR MORE INFORMATION, CONTACT THE CITY ENGINEER AT (770) 888-1111 OR VISIT WWW.CITYOFLOCUSTGROVE.COM

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Building
1000 Highway 42
Locust Grove, GA 30228

**ANNEXATION &
REZONING**

FRONTAGE IN (please specify)
LOCAL 04 (please specify)

DATE: September 14, 2010
TIME: 6:00 P.M.

NOTICE

FOR MORE INFORMATION
CONTACT THE CITY CLERK
AT (770) 862-1234

PUBLIC City of Laurel Grove
City Council Meeting
Public Hearing
and Review of
Laurel Grove, 2014

**ANNEXATION &
REZONING**
Resolution to annex and rezone
1000 sq. ft. parcel located
1000 sq. ft. parcel located

DATE: September 16, 2014
TIME: 8:00 P.M.

NOTICE www.laurelgrovega.gov



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: An ordinance for annexation from Christine and Derek Law for annexation of 10 +/- acres located at 387 and 397 Colvin Drive.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: August 28, 2019 – newspaper
August 30, 2019 – sign

Budget Item: No

Date Received: April 3, 2019

Workshop Date: September 16, 2019

Regular Meeting Date: October 7, 2019

Discussion:

A request for annexation of approximately 10 acres of property located at 387 and 397 Colvin Drive (127-02022000). The property is zoned RA (residential agricultural) and will remain so if incorporated into the City.

The application was accepted by the City Council at the June 17, 2019 meeting. The Henry County Board of Commissioners raised no objections to this annexation during their August 6, 2019 meeting.

Recommendation:

Staff recommends approval of this request.

I MOVE TO (approve/deny/table) THE ORDINANCE PERTAINING TO THE REQUEST FROM CHRISTINE AND DEREK LAW FOR ANNEXATION OF 10 +/- ACRES LOCATED AT 387 AND 397 COLVIN DRIVE.

ORDINANCE NO. _____

AN ORDINANCE TO ANNEX PROPERTY INTO THE CITY OF LOCUST GROVE PURSUANT TO CHAPTER 36 OF TITLE 36 OF *THE OFFICIAL CODE OF GEORGIA ANNOTATED*; TO PROVIDE FOR APPROPRIATE ENTRIES UPON OR ADDITIONS TO THE OFFICIAL MAP OF THE CITY AND ALL OTHER RECORDS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE OF ANNEXATION; AND FOR OTHER PURPOSES

WHEREAS, the City of Locust Grove (“City”) is a municipal corporation, duly organized and existing under the laws of the State of Georgia; and,

SECTION 1.

ANNEXATION.

Christine and Derek Law (the “Applicant”) petitioned the City to annex property located at 387 and 397 Colvin Drive consisting of approximately 10 acres (Parcel ID-127-02022000) located in Land Lot 232 of the 2nd District (the “Property”) as shown in the Boundary Survey attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to annex the Property into the City of Locust Grove on April 3, 2019 as shown in the application attached hereto as **Exhibit B**; and,

WHEREAS, the Mayor and City Council of the City of Locust Grove approved a Resolution accepting the application for annexation on June 17, 2019; and,

WHEREAS, the Henry County Board of Commissioners reviewed the Applicant’s request during their August 6, 2019 meeting and raised no objections to said request; and,

WHEREAS, said request has been reviewed by the Mayor and City Council at a Public Hearing held on June 17, 2019 as well as by the City Community Development Director; and,

WHEREAS, the Applicant further requests that the Property retain the same zoning in the City (RA: residential agricultural) that it had in the County (RA: residential agricultural) which will be addressed under a separate action; and,

WHEREAS, notice of this matter (as attached hereto and incorporated herein as **Exhibit C**) has been provided in accordance with applicable state law and local ordinances; and,

WHEREAS, the Mayor and City Council have reviewed and considered the Applicant's request and both the recommendations of the public hearing and City staff as presented in the Report.

SECTION 2.

OFFICIAL MAP AND RECORDS.

The Mayor and City Clerk are hereby directed to make entries upon or additions to the official map of the City and all other records to the extent necessary to reflect the annexation of property contemplated herein.

SECTION 3.

SEVERABILITY.

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of Locust Grove that such adjudications shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect as if the invalid or unconstitutional section, sentence, clause, or phrase were not originally part of the ordinance.

SECTION 4.

REPEAL OF CONFLICTING PROVISIONS.

Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5.

EFFECTIVE DATE OF ANNEXATION.

- A. This ordinance shall take effect immediately. Annexation pursuant to this ordinance shall become effective on the first day of the month following adoption of this ordinance.
- B. Notwithstanding the foregoing, no property located in the annexed area shall be subject to ad valorem taxation by the City until January 1st of the year following the effective dates solely for the purpose of determining enrollment in any independent school system operating in the City.

**THEREFORE, THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY
ORDAINS:**

- () That the Applicant's request for annexation is hereby **APPROVED**.
- () That the Applicant's request in said application is hereby **DENIED**.

SO ORDAINED by the Council of this City this 16TH day of September 2019.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

G. L. CRUMBLEY, JR.

LAND LOT
LINE

S. 88° 37' E.

251.12'

M.A.G.

I.P.P.

I.P.P.

III

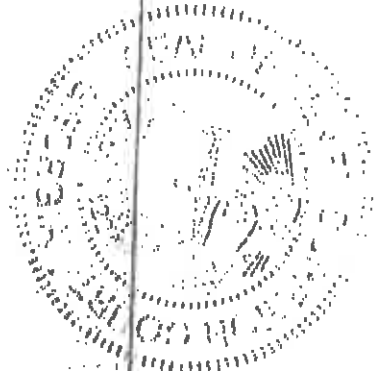
M. T. WILLARD

N. 0° 17' E.
1262.88'

S. 8° 48' E.
1234.70'

COLVIN

10.0
ACRES



152 LOT QUART
282 LOT QUART

COLVIN DRIVE

Filed in office this the 12th
day of November 19 2015
at 10:00 A.M.
Henry A. Harrison
Clerk Superior Court

IS A TRUE AND EXACT COPY OF THE
ORIGINAL WHICH APPEARS OF RECORD
IN THIS OFFICE, BY
Pg 158-103
IN WITNESS WHEREOF I HAVE
THIS 9th DAY OF Sept 2015
Signed and sealed
HENRY A. HARRISON - HENRY SUPERIOR COURT

SUBJECT MADE FOR	
JACK COLVIN	
15200	53263
9-28-80	
LAND LOT 282 2ND DISTRICT	
HENRY COUNTY SURVEYOR	

1500 ft TO CENTER
OF SOUTH BETHANY RD.

EXHIBIT B



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-03

ANNEXATION & REZONING

Property Information

Tax ID	127-02022000
Location/address	Land Lot 232 of the 2nd District 387 and 397 Colvin Drive
Parcel Size	Approximately 10 acres
Current Zoning	RA (County Residential Agricultural) to RA (City Residential Agricultural)
Request	Annex RA-zoned property in unincorporated Henry County into the City of Locust Grove with an RA zoning
Proposed Use	Residential Agricultural
Existing Land Use	Single-family dwelling / Unincorporated Henry County
Future Land Use	Low-Density Residential (unincorporated Henry County)
Recommendation	Approval

Summary

Christine and Derek Law of Locust Grove, Georgia are the owners (the "Applicants") of a tract of land located at 387 and 397 Colvin Drive seek to annex property into the incorporated limits of the City of Locust Grove in Land Lot 232 of the 2nd District (the "Subject Property"). The Subject Property is approximately 10 acres in size and contains a single-family residence on site along with accessory structures common to properties used for agricultural purposes.

The Subject Property is zoned RA (residential agricultural) in the unincorporated area of Henry County. It is the intent of the Applicants to retain this RA (residential agricultural) zoning designation in the City of Locust Grove.

The City Council approved a *Resolution* to accept the application for annexation from the Applicants on June 17, 2019. The Director of Planning and Economic Development for Henry County confirmed via e-mail that the request for annexation was presented to the Henry County Board of Commissioners during their regular meeting on August 6, 2019 with no objections.

Preserving the Past... .. Planning the Future



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-03

ANNEXATION & REZONING

Service Delivery / Infrastructure

Water and Sewer: The Subject Property is currently served by county water and a septic tank and is expected to remain so if annexed into the City. The Subject Property is located within the Tussahaw Creek Watershed Protection Area and must meet the guidelines set forth in *Section 17.04.040* of the Code of Ordinance, City of Locust Grove, Georgia.

Police Services: When the Subject Property is annexed into the city limits, it will be placed on a regular patrol route.

Fire: Fire and emergency services will be performed by Henry County as is the case in other areas of the City.

Transportation Impacts: There are no discernible increases or changes to transportation patterns in the vicinity as a result of this request given the single-family residence is already in existence. Single-family detached dwellings typically generate 9.5 trips on an average weekday¹.

Criteria for Evaluation of Rezoning Request

Section 17.04.315 Procedure for Hearing before City Council.

- (a) All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:
- (1) The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community. Discussion: No impacts on the character of the particular area are anticipated as a result of this request given the zoning on the Subject Property is going from RA-County to RA-City as part of an annexation request.
 - (2) The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this Chapter. Discussion: The request will continue the residential/agricultural use of the Subject Property as it transitions from the unincorporated area of Henry County into the city limits of Locust Grove.
 - (3) Consistency with the Land Use Plan. Discussion: The request is consistent with the County's Future Land Use Plan and development patterns in the immediate areas. It is reasonable to assume changes in the development patterns to higher density and more

¹ Institute of Transportation Engineers. *Trip Generation, 7th Edition, Volume 2 of 3.* Page 269.



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-03

ANNEXATION & REZONING

intensive uses for this area as availability to sanitary sewer is introduced in the near future when the Davis Lake Interceptor comes online.

- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** Discussion: There are no impacts to the City's infrastructure given the lot is already developed under its present zoning and is seeking to establish an equivalent zoning in the City.
- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** Discussion: No impacts are anticipated as a result of granting this request.
- (6) **The impact upon adjacent property owners should the request be approved.** Discussion: There are no plans to change the manner in which the Subject Property is utilized; therefore, impacts on adjacent property owners should be no more than they are at present.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Discussion: Currently, the Subject Property contains a single-family dwelling and detached accessory buildings; all of which are consistent with permitted uses granted by the RA (residential agricultural) zoning district both in the City and unincorporated County.
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.** Discussion: There are no known physical conditions or limitations that could preclude the use of the Subject Property, in fact, there exists a single-family residence on the site in accordance with the permitted uses in the RA zoning district.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** Discussion: The merits are consistent with both the City's zoning ordinance and with future and existing development patterns in the area.

Recommendation

Staff recommends APPROVAL of this request to annex the Subject Property and rezone it to RA (residential agricultural) once in the City.

**APPLICATION FOR ANNEXATION UNDER
THE ONE HUNDRED PERCENT (100%) METHOD**

Date of Submission: 4-3-19 ; Revised 7-8-19

To the Mayor and City Council of the City of Locust Grove, Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council annex this territory to the City of Locust Grove, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. 36-36-20) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is hereto attached as Exhibit A.

OWNERS NAME(S)

Christine Law

Berek Law

PROPERTY LOCATION

387 : 397 Colvin Dr.

Locust Grove, GA 30248

PHONE NUMBER

404-925-2538

ALTERNATE PHONE

470-723-6783

LAND LOT/DISTRICT

232 / 2

ACREAGE

10



MAP CODE NO.

127-02022000

ZONING CLASSIFICATION

RA - residential agricultural

SIGNATURE(S)

Date 7/8/19

Date 7/8/19

All property owners must sign as their name appears on the Deed.

APPLICATION FOR ANNEXATION UNDER THE
SIXTY PERCENT (60%) METHOD
LAND OWNERS ONLY

Date of Submission : 4/3/19

To the Mayor and City Council of Locust Grove, Georgia

1. We, the undersigned, representing not less than 60 percent of the electors resident in the territory described herein and the owners of not less than 60 percent of the real property within the territory described herein, do respectfully request that the City Council of Locust Grove, Georgia, annex the territory described below to the City of Locust Grove, Georgia, said City having a population of 200 or more persons, and extend the city boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C. G. A. 36-36-31) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is attached as Exhibit A.

OWNER NAME(S) Christine Law
Derek Law

PROPERTY LOCATION 387 & 397 Colvin Drive
Locust Grove, GA 30248

PHONE NUMBER 404 925-2538

ALTERNATE PHONE 470-723-6783

LAND LOT/DISTRICT 232 2

ACREAGE 10

MAP CODE NO. _____

ZONING CLASSIFICATION RA

SIGNATURE(S) [Signature] Date 4/3/19
[Signature] Date 4/3/19

All property owners must sign as their name appears on the Deed.
FORM 3

EXHIBIT "B"

01303
0107

1303
Atlanta

WARRANTY DEED

STATE OF Georgia COUNTY OF Henry

THIS INDENTURE, Made the 22nd day of May, in the year one thousand nine hundred ninety-one, between Rex Nix

of the County of Henry, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

Bonnie S. Cox

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 Dollars and 00/100 (10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lots 231 & 232, 2nd District, Henry County, Georgia, containing 2.00 acres, and being part of property shown in Plat Book 5, Page 158, Clerk of Superior Court, Henry County, Georgia, and being more particularly described as follows:

Beginning at a point in the center of Colvin Drive, said point being located 1582.2' East of the intersection of the centerline of Colvin Drive with the centerline of South Bethany Road; thence N 08°48'W for a distance of 674.32' to an iron pin; thence S 83°44'W for a distance of 130.13' to an iron pin; thence N 08°48'W for a distance of 193.15' to an iron pin; thence N 81°12'E for a distance of 200.00' to an iron pin; thence S 08°48'E for a distance of 878.34' to a point in the center of Colvin Drive; thence S 83°44'W along the centerline of Colvin Drive for a distance of 70.07' to the Point of Beginning.

REC'D IN BK 1303
PAGE 107
DATE FILED 6-13-91
JUN 13 3 12 PM '91
S. W. L. Sealed

HENRY COUNTY GEORGIA
REAL ESTATE TRANSFER TAX
PAID \$ 8.00
DATE 6-13-91
S. W. L. Sealed
Clerk of Superior Court

FILED IN OFFICE
CLERK OF SUPERIOR COURT
HENRY COUNTY, GA.

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

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

Sealed and delivered in presence of:
[Signature] (Seal)
[Signature] (Seal)
[Signature] (Seal)
Notary Public, Henry County, Georgia
Notary Public, Clayton County, Georgia
Notary Public, Clayton County, Georgia
Expires September 26, 1994.

8507

RETURN TO:
WESSELS & DIXON, P.C.
175 CORPORATE CENTER DR., STBA
STOCKBRIDGE, GA 30281
14-0233

Doc ID: 019748410003 Type: WD
Recorded: 06/16/2014 at 09:58:45 AM
Fee Amt: \$14.00 Page 1 of 3
Transfer Tax: \$0.00
Henry, GA Clerk of Superior Court
Barbara Harrison Clerk of Court
BK 13572 PG 265-267

DRAW DEED ONLY-NO TITLE SEARCH

JOINT TENANCY
WARRANTY DEED

STATE OF GEORGIA
COUNTY OF HENRY

PT-61 075-20 14 - 3074

Note: Scrivener drafted Deed only at the request of the parties, did not perform a title search and therefore does not warranty in any manner whatsoever the chain of title including but not limited to the following, to wit: the record title holder, liens, judgments, easements or rights of persons in possession thereof.

THIS INDENTURE, made this 18TH day of April in the year of our Lord Two Thousand Fourteen between Christine Marie Law, of the State of Georgia and County of Henry of the first part and Christine Marie Law and Derek A. Law, As Joint Tenants with the Right of Survivorship of the State of Georgia and County of Henry 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 goods and valuable considerations, 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, sell and convey unto the said party of the second part his heirs and assigns:

SEE EXHIBIT 'A' AND EXHIBIT 'B' ATTACHED HERETO AND MADE A PART OF THIS DESCRIPTION HEREIN.

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 the said party of the second part heirs, successors and assigns, forever, IN FEE SIMPLE,

And the said party of the first part, for his heirs, successors, executors and administrators will warrant and forever defend the right and title to the above described property subject to permitted exceptions, unto the said party of the second part, his heirs, successors and assigns, against the lawful claims of all persons owning, holding or claiming by, through or under the party of the first part.

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

Signed, sealed and delivered in the presence of

Unofficial Witness
Notary Public
My Comm. Expires June 30, 2015
HENRY COUNTY, GEO

Christine Marie Law (SEAL)

Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 231 and 232 of the 2nd Land District of Henry County, Georgia, containing 10 acres of land, according to a survey made for Jack Colvin, dated August 29, 1980, as prepared by Joe Rowan, Jr., Henry County, Surveyor of record in Plat Book 8, Page 158, Office of the Clerk of Superior Court, Henry County, Georgia Records, which recorded plat is incorporated herein by reference and made a part of this description

LESS AND EXCEPT that certain Real Property described in Warranty Deed to Orman L. House dated 10/15/1985 and filed for record in Deed Book 664 Page 111 and re-recorded at Deed Book 777 Page 246, Henry County, Georgia Records, which description is incorporated herein by reference thereto

LESS AND EXCEPT that certain Real Property described in Warranty Deed to Bonnie S. Cox dated 05/22/1991 and filed for record in Deed Book 1303 Page 1074, Henry County, Georgia Records, which description is incorporated herein by reference thereto

And

All that tract or parcel of land lying and being in Land Lots 231 and 232 of the 2nd District, Henry County, Georgia, as per plat of survey prepared by W. R. Franks & Associates for George B. Garrison and dated December 4, 1986 and being more particularly described as follows:

TO ASCERTAIN THE TRUE POINT OF BEGINNING, commence at a reference point located at the intersection of the centerline of South Bethany Road with the centerline of Colvin Drive; thence from said reference point in a Easterly direction following the centerline of Colvin Drive a distance of 1,204.0 feet to a point and the TRUE POINT OF BEGINNING; thence North $0^{\circ} 17'$ East a distance of 300.0 feet to an iron pin found; thence North $86^{\circ} 40'$ minutes East a distance of 240.5 feet to an iron pin found; thence South $11^{\circ} 12' 36''$ East a distance of 299.18 feet to a point located on the centerline of Colvin Drive; thence South $83^{\circ} 41'$ West a distance of 60 feet; thence South $86^{\circ} 40'$ West a distance of 240.5 feet to a point and the TRUE POINT OF BEGINNING.

EXHIBIT 'B'

All that tract or parcel of land lying and being in Land Lots 231 and 232, 2nd District, Henry County, Georgia, containing 2.00 acres and being part of property shown in Plat Book 8, page 158, Clerk of Superior Court, Henry County, Georgia and being more particularly described as follows:

Beginning at a point in the center of Colvin Drive, said point being located 1,582.2 feet east of the intersection of the centerline of Colvin Drive with the centerline of South Bethany Road; thence north 08 degrees 48 minutes west for a distance of 674.32 feet to an iron pin; thence south 83 degrees 44 minutes west for a distance of 130.13 feet to an iron pin; thence north 08 degrees 48 minutes west for a distance of 195.15 feet to an iron pin; thence north 81 degrees 12 minutes east for a distance of 200.00 feet to an iron pin; thence south 08 degrees 48 minutes east for a distance of 878.34 feet to a point in the center of Colvin Drive; thence south 83 degrees 44 minutes west along the centerline of Colvin Drive for a distance of 70.07 feet to the Point of Beginning. Being known as 397 Colvin Drive according to the present system of numbering in Henry County, Georgia.



CITY OF LOCUST GROVE

P. O. Box 900 • Locust Grove, Georgia 30248-0900
Telephone (770) 957-5043 Fax: (770) 954-1223

MAYOR
Robert Price

COUNCIL
Vernon Ashe
Keith Boone
Randy Gardner
Carlos Greer
Otis Hammock
Willie J. Taylor

CITY MANAGER
Tim Young

CITY CLERK
Misty Titshaw

July 5, 2019

Chairwoman June Wood
Henry County Board of Commissioners
140 Henry Parkway
McDonough, GA 30253

Re: ~~Notice of applications~~ **annexation into City of Locust Grove, GA**

Parcel 1: Christine/Derek Law Tract, 10 +/- acres, Parcel 127-02022000

Parcel 2: Donna/Robert Price Tract, 118 acres, Parcel 127-01044000

Dear Chair Wood:

On behalf of the governing body of the City of Locust Grove ("City"), Henry County is hereby notified that the City has accepted applications for annexation of the above referenced properties pursuant to the 100% Method under O.C.G.A. § 36-36-21.

Attached hereto is a copy of the City's resolution accepting the annexation applications, which attach legal descriptions of the properties and a county tax map identifying the properties. All of the properties to be annexed lie in Henry County and are contiguous with the City boundaries.

Should the properties be annexed, they will be annexed with their current zoning classifications.

Notice is being given to the County pursuant to O.C.G.A. § 36-36-6. Please do not hesitate to contact us if you have any questions.

Sincerely,

Tim Young, City Manager

CC: Cheri Hobson-Matthews, County Manager
Robert Price, Mayor
Smith Welch Webb and White, City Attorney

Attachments

... in The Grove



CITY OF LOCUST GROVE

P. O. Box 900 • Locust Grove, Georgia 30248-0900
Telephone (770) 957-5043 Fax: (770) 954-1223

MAYOR
Robert Price

COUNCIL
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Randy Gardner
Carlos Greer
Otis Hammock
Willie J. Taylor

CITY MANAGER
Tim Young

CITY CLERK
Misty Titshaw

July 5, 2019

Chairwoman June Wood
Henry County Board of Commissioners
140 Henry Parkway
McDonough, GA 30253

Re: Notice of applications annexation into City of Locust Grove, GA

Parcel 1: Christine/Derek Law Tract, 10 +/- acres, Parcel 127-02022000

Parcel 2: Donna/Robert Price Tract, 1.18 acres, Parcel 127-01044000

Dear Chair Wood:

On behalf of the governing body of the City of Locust Grove ("City"), Henry County is hereby notified that the City has accepted applications for annexation of the above referenced properties pursuant to the 100% Method under O.C.G.A. § 36-36-21.

Attached hereto is a copy of the City's resolution accepting the annexation applications, which attach legal descriptions of the properties and a county tax map identifying the properties. All of the properties to be annexed lie in Henry County and are contiguous with the City boundaries.

Should the properties be annexed, they will be annexed with their current zoning classifications.

Notice is being given to the County pursuant to O.C.G.A. § 36-36-6. Please do not hesitate to contact us if you have any questions.

Sincerely,

Tim Young, City Manager

CC: Cheri Hobson-Matthews, County Manager
Robert Price, Mayor
Smith Welch Webb and White, City Attorney

Attachments

... in The Grove

RESOLUTION 19-07-056

A RESOLUTION TO ACCEPT AN APPLICATION FROM CHRISTINE AND DEREK LAW FOR ANNEXATION OF 10.0 +/- ACRES PURSUANT TO O.C.G.A. §36-36-20, ET SEQ.; TO CONFIRM THAT THE APPLICATION SATISFIES CERTAIN CONDITIONS UNDER STATE LAW; TO DIRECT THE CITY ATTORNEY TO NOTIFY HENRY COUNTY OF THE PROPOSED ANNEXATION; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

WHEREAS, the City of Locust Grove ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, Georgia law permits municipalities to annex unincorporated areas which are contiguous to their existing corporate limits when annexation takes place, upon the written and signed applications of all of the owners of all of the land to be annexed; and

WHEREAS, Christine and Derek Law are the owners (the "Owners") of real property located at 387 and 397 Colvin Drive (Parcel ID -- 127-02022000) in Land Lot 232 of the 2nd District (the "Property"); and,

WHEREAS, the City received an application for annexation (the "Annexation Application") from the Owners, dated April 3, 2019, a copy of which is attached hereto as Exhibit "A" and incorporated by reference, and legal descriptions are attached to said application of the lands to be annexed as Exhibit "B"; and

WHEREAS, because a preliminary investigation reveals that the Annexation Application was signed by one hundred percent of the landowners and accompanied by a complete description of the Property to be annexed, that the Property is contiguous to the municipal boundary of the City, that the Property is within the County, and that annexation will not create an unincorporated "island" as contemplated by O.C.G.A. § 36-36-1, et seq. (the "Act"), the Annexation Application and the requested annexation apparently satisfies the requirements of the Act; and

WHEREAS, continued investigation may reveal that annexation of the Property is in the best interests of the residents and property owners of both the area of the proposed annexation and the City; and

WHEREAS, the Property will maintain zoning of RA (residential agricultural); and

WHEREAS, The Mayor and City Council desire to notify the governing body of Henry County of acceptance of the Annexation Application, and to adopt an ordinance ("Annexation Ordinance") expressly authorizing the proposed annexation in order to fully and finally annex the Property into the municipal boundaries of the City;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. **Acceptance of Applications.** The City Clerk is hereby authorized to formally accept the Annexation Application.
2. **Satisfaction of Conditions.** The City hereby confirms that, upon a preliminary investigation, the Annexation Application and the requested annexation apparently satisfies the requirements of the Act.
3. **Notification to County.** The Mayor and City Council now direct the City Attorney to notify the governing body of Henry County of its acceptance of said application in accordance with Section 36-36-6 of the Official Code of Georgia and intent to retain the current zoning classification or classifications of the Property.
4. **Authorization For City Clerk and City Attorney To Prepare Documents.** The City Clerk and City Attorney are authorized to prepare any other documents necessary to effectuate this Resolution.
5. **Consideration of Annexation Ordinance.** The Mayor or City Clerk is hereby authorized to place consideration of the Annexation Ordinance on the agenda for a public meeting of the City Council after all legal requirements have been satisfied.
6. **Effective Date.** This Resolution shall take effect immediately.
7. **Repeal of Inconsistent Provisions.** All resolutions are hereby repealed to the extent they are inconsistent herewith.

THIS RESOLUTION adopted this 1st day of July 2019.



ROBERT S. PRICE, Mayor

ATTEST:



MISTY SPURLING, City Clerk

(seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

EXHIBIT C

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 957-9161
Fax (770) 339-5869

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which publishes the Henry Herald, published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: 612056
Name and File No.: **PUBLIC HEARING 9/16/19**
a true copy of which is hereto attached, was published in said newspaper on the following date(s):
08/28/19 Wed

Public Hearing Notice
City of Locust Grove
September 16, 2019
8:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

gricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 1206 Davis Lake Road (Parcel ID 127-01044000) containing approximately 1.2 +/- acres in Land Lot 249 of the 2nd District for the purpose of incorporating property in the City limits.

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, September 16, 2019 at 8:00 PM, will conduct public hearings for the purpose of the following:

The public hearing will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Bert Foster
Community Development
Director
City of Locust Grove
828-612056, 8/28

CONDITIONAL USE
CU-19-09-01 Tom Ellis, agent acting on behalf of Group Seven Sixteen, LLC, of Stockbridge, Georgia requests a conditional use for the purpose of allowing a financial institution (bank) with a drive-through configuration in the O/I (office/institutional) zoning district for property located at 3300 Highway 42 South at the intersection of SR 42 and Market Place Boulevard (Parcel ID - 126-01020001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 2.8 +/- acres.

CU-19-09-02 Steven and Miranda Davis of Locust Grove, Georgia request a conditional use for the purpose of establishing a detached guest quarters on the property located at 81 Bowden Street (Parcel ID - 126-02014001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 3.5 +/- acres.

ANNEXATION AND REZONING
RZ-19-09-03 Christine Law and Derek Law request annexation and rezoning from RA (residential agricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 387 and 397 Colvin Drive (Parcel ID 127-02022000) containing approximately 10.0 +/- acres in Land Lot 232 of the 2nd District for the purpose of incorporating property in the City limits.

RZ-19-09-04 Donna Price and Robert Shon Price request annexation and rezoning from RA (residential ag-

Robert D. McCray, SCNI Vice President of Sales and Marketing

By Dawn Ward
Legal Advertising Clerk

Sworn and subscribed before me 08/28/19



Notary Public

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Bert Foster, who, after being duly sworn, testifies as follows:

1.

My name is Bert Foster. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

On the 30th day of August 2019, I, Bert Foster, posted one (1) double-sided sign notifications on the Property advertising a public hearing on the request below to be heard by the Locust Grove City Council on the 16th day of September, 2019 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Said public hearing signs were posted at the following locations:

- A. 3300 Highway 42 South for a Conditional Use @ 1:35
- B. 91 Bowden Street for a Guest Quarters CU @ 1:30
- C. 1206 Davis Lake Road for a rezoning/annexation @ 1:20
- D. 387 and 397 Colvin Drive for a rezoning/annexation @ 1:15

Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference.

FURTHER AFFIANT SAYETH NOT.

This 9th day of September 2019.



Affiant

Sworn and subscribed before me
this 9 day of September, 2019

Mariya Moore

Notary Public



Exhibit "A"
Sign Exhibits A through D

PUBLIC

NOTICE

City of Locust Grove
City Council Meeting
Public Safety Building
3840 Highway 47
Locust Grove, GA 30248

CONDITIONAL USE

Use/Section: To allow a
financial institution with a
drive-thru in the O/I
(office/institutional) district

DATE: September 16, 2019

TIME: 6:00 P.M.

For information, please call:
770-592-2323 or visit:
www.locustgrove-ga.gov

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Meeting
3646 Highway 43
Locust Grove, GA 30244

CONDITIONAL USE
Use/Section: Detached
Guest Quarters

DATE: September 16, 2019
TIME: 8:00 P.M.

For information, visit our
website at www.cityoflocustgrove.com

NOTICE

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Building
8848 Highway 42
Locust Grove, GA 30248

**ANNEXATION &
REZONING**

FROM: County RA (residential agriculture)
TO: City RA (residential agriculture)

DATE: September 16, 2019
TIME: 6:00 P.M.

NOTICE

FOR MORE INFORMATION
CONTACT THE CITY CLERK
AT 770-884-8848

PUBLIC City of Locust Grove
City Council Meeting
Public Hearing
2004 St. Johns St.
Locust Grove, GA 30228

ANNEXATION & REZONING
128 Core 14 parcel updated
2004 St. Johns St. parcel updated

DATE: September 18, 2014
TIME: 6:00 P.M.

NOTICE For more information, please call
770-887-2211 or visit
www.locustgrovega.com



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: An ordinance to rezone approximately 10 +/- acres located at 387 and 397 Colvin Drive.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: August 28, 2019 – newspaper
August 30, 2019 – sign

Budget Item: No

Date Received: May 2019

Workshop Date: September 16, 2019

Regular Meeting Date: October 7, 2019

Discussion:

A request for rezoning of approximately 10 acres of property located at 387 and 397 Colvin Drive (127-02022000). The property is zoned RA (residential agricultural) and will remain so if incorporated into the City.

The application was accepted by the City Council at the June 17, 2019 meeting. The Henry County Board of Commissioners raised no objections to this annexation during their August 6, 2019 meeting.

Recommendation:

I | ... in The Grove

Staff recommends approval of this request.

I MOVE TO (approve/deny/table) THE ORDINANCE PERTAINING TO THE REQUEST FROM DONNA PRICE AND ROBERT SHON PRICE FOR ANNEXATION OF 1.2 +/- ACRES LOCATED AT 1206 DAVIS LAKE ROAD.

ORDINANCE NO. _____

AN ORDINANCE TO REZONE APPROXIMATELY 10 ACRES LOCATED AT 387 AND 397 COLVIN DRIVE IN LAND LOT 232 OF THE 2ND DISTRICT WITHIN THE CITY OF LOCUST GROVE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Locust Grove (“City”) is a municipal corporation, duly organized and existing under the laws of the State of Georgia; and,

WHEREAS, Christine and Derek Law (the “Applicants”) of Locust Grove, Georgia, requests rezoning for property located at 387 and 397 Colvin Drive (Parcel ID – 127-02022000) in Land Lot 232 of the 2nd District (the “Property”) as shown in the Boundary Survey attached hereto as **Exhibit A**; and,

WHEREAS, the Applicants have submitted an application to annex the Property into the City in May of 2019 that is included in the Rezoning Evaluation Report (hereinafter referred to as “Report”) attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, the Mayor and City Council of the City of Locust Grove approved a Resolution accepting the application for annexation on June 17, 2019; and,

WHEREAS, the Mayor and City Council of the City of Locust Grove approved the annexation on September 16, 2019; and,

WHEREAS, the Applicants request that the City Council rezone the Property from RA-County (residential agricultural) to RA-City (residential agricultural); and,

WHEREAS, said request has been reviewed by the Mayor and City Council at a Public Hearing held on June 17, 2019 as well as by the City Community Development Director; and,

WHEREAS, notice of this matter (as attached hereto and incorporated herein as **Exhibit C**) has been provided in accordance with applicable state law and local ordinances; and,

WHEREAS, the Mayor and City Council have reviewed and considered the request and both the recommendations of the public hearing and City staff as presented in the Report; and,

THEREFORE, THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS:

1.

- That the request for rezoning is hereby **APPROVED**.
- That the request for rezoning is hereby **DENIED**.

2.

That the use of the Property is subject to:

- The condition(s) set forth on **Exhibit D** attached hereto and incorporated herein by reference.
- The terms of the Development Agreement attached hereto as **Exhibit D** and incorporated herein by reference.
- If no **Exhibit D** is attached hereto, then the property is zoned without conditions.

3.

That, if the request is granted, the official zoning map for the City is hereby amended to reflect such zoning classification for the property.

4.

That, if granted, this Ordinance shall become effective immediately subject to the corresponding annexation ordinance under consideration.

SO ORDAINED by the Council of this City this 16th day of September 2019.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

G. L. CRUMBLEY, JR.

LAND LOT LINE

S. 88° 37' E.

251.12'

I.P.P.

I.P.P.

M.A.G.



M. T. WILLARD

COLVIN

S. 8° 48' E.
1234.70'

N. 0° 17' E.
1262.88'

10.0
ACRES



152.107' ON LOT
282.107' ON LOT

240.5' Center

207.7'

COLVIN DRIVE

COLVIN DRIVE

ROAD TO CENTER OF SOUTH BETHANY RD

Filed in office this the 12th day of December 1965 at Savannah, Georgia
Barbara A. Harrison
Clerk Superior Court

THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL WHICH APPEARS OF RECORD IN THIS OFFICE. BK Pg. 158-159
IN WITNESS WHEREOF I HAVE
GIVEN MY SEAL AND SIGNATURE
THIS 9th DAY OF Dec 1965
BARBARA A. HARRISON - CLERK SUPERIOR COURT

SURVEY MADE FOR	
JACK COLVIN	
100' x 100'	20' x 20'
4-26-60	0
100' x 100'	20' x 20'
100' x 100'	20' x 20'
HENRY COUNTY, GEORGIA	
BY: JOE ROWAN, JR., SURVEYOR	
2ND DISTRICT	
3263	

EXHIBIT B



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-03

ANNEXATION & REZONING

Property Information

Tax ID	127-02022000
Location/address	Land Lot 232 of the 2 nd District 387 and 397 Colvin Drive
Parcel Size	Approximately 10 acres
Current Zoning	RA (County Residential Agricultural) to RA (City Residential Agricultural)
Request	Annex RA-zoned property in unincorporated Henry County into the City of Locust Grove with an RA zoning
Proposed Use	Residential Agricultural
Existing Land Use	Single-family dwelling / Unincorporated Henry County
Future Land Use	Low-Density Residential (unincorporated Henry County)
Recommendation	Approval

Summary

Christine and Derek Law of Locust Grove, Georgia are the owners (the "Applicants") of a tract of land located at 387 and 397 Colvin Drive seek to annex property into the incorporated limits of the City of Locust Grove in Land Lot 232 of the 2nd District (the "Subject Property"). The Subject Property is approximately 10 acres in size and contains a single-family residence on site along with accessory structures common to properties used for agricultural purposes.

The Subject Property is zoned RA (residential agricultural) in the unincorporated area of Henry County. It is the intent of the Applicants to retain this RA (residential agricultural) zoning designation in the City of Locust Grove.

The City Council approved a *Resolution* to accept the application for annexation from the Applicants on June 17, 2019. The Director of Planning and Economic Development for Henry County confirmed via e-mail that the request for annexation was presented to the Henry County Board of Commissioners during their regular meeting on August 6, 2019 with no objections.



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-03

ANNEXATION & REZONING

Service Delivery / Infrastructure

Water and Sewer: The Subject Property is currently served by county water and a septic tank and is expected to remain so if annexed into the City. The Subject Property is located within the Tussahaw Creek Watershed Protection Area and must meet the guidelines set forth in *Section 17.04.040* of the Code of Ordinance, City of Locust Grove, Georgia.

Police Services: When the Subject Property is annexed into the city limits, it will be placed on a regular patrol route.

Fire: Fire and emergency services will be performed by Henry County as is the case in other areas of the City.

Transportation Impacts: There are no discernible increases or changes to transportation patterns in the vicinity as a result of this request given the single-family residence is already in existence. Single-family detached dwellings typically generate 9.5 trips on an average weekday¹.

Criteria for Evaluation of Rezoning Request

Section 17.04.315 Procedure for Hearing before City Council.

- (a) **All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:**
- (1) **The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community.** Discussion: No impacts on the character of the particular area are anticipated as a result of this request given the zoning on the Subject Property is going from RA-County to RA-City as part of an annexation request.
 - (2) **The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this Chapter.** Discussion: The request will continue the residential/agricultural use of the Subject Property as it transitions from the unincorporated area of Henry County into the city limits of Locust Grove.
 - (3) **Consistency with the Land Use Plan.** Discussion: The request is consistent with the County's Future Land Use Plan and development patterns in the immediate areas. It is reasonable to assume changes in the development patterns to higher density and more

¹ Institute of Transportation Engineers. *Trip Generation, 7th Edition, Volume 2 of 3*. Page 269.



REZONING EVALUATION REPORT

September 16, 2019

FILE: RZ-19-09-03

ANNEXATION & REZONING

intensive uses for this area as availability to sanitary sewer is introduced in the near future when the Davis Lake Interceptor comes online.

- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** Discussion: There are no impacts to the City's infrastructure given the lot is already developed under its present zoning and is seeking to establish an equivalent zoning in the City.
- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** Discussion: No impacts are anticipated as a result of granting this request.
- (6) **The impact upon adjacent property owners should the request be approved.** Discussion: There are no plans to change the manner in which the Subject Property is utilized; therefore, impacts on adjacent property owners should be no more than they are at present.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Discussion: Currently, the Subject Property contains a single-family dwelling and detached accessory buildings; all of which are consistent with permitted uses granted by the RA (residential agricultural) zoning district both in the City and unincorporated County.
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.** Discussion: There are no known physical conditions or limitations that could preclude the use of the Subject Property, in fact, there exists a single-family residence on the site in accordance with the permitted uses in the RA zoning district.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** Discussion: The merits are consistent with both the City's zoning ordinance and with future and existing development patterns in the area.

Recommendation

Staff recommends APPROVAL of this request to annex the Subject Property and rezone it to RA (residential agricultural) once in the City.

**APPLICATION FOR ANNEXATION UNDER
THE ONE HUNDRED PERCENT (100%) METHOD**

Date of Submission: 4-3-19 ; revised 7-8-19

To the Mayor and City Council of the City of Locust Grove, Henry County, Georgia.

1. We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council annex this territory to the City of Locust Grove, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. 36-36-20) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is hereto attached as Exhibit A.

OWNERS NAME(S) Christine Law
Berek Law

PROPERTY LOCATION 397 : 397 Colvin Mr.
Locust Grove, GA 30248

PHONE NUMBER 404-925-2538


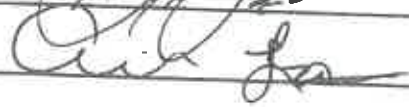
ALTERNATE PHONE 470-723-6783

LAND LOT/DISTRICT 232 / 2

ACREAGE 10

MAP CODE NO. 127-02022000

ZONING CLASSIFICATION RA - residential agricultural

SIGNATURE(S)  Date 7/8/19
 Date 7/8/19

All property owners must sign as their name appears on the Deed.

APPLICATION FOR ANNEXATION UNDER THE
SIXTY PERCENT (60%) METHOD
LAND OWNERS ONLY

Date of Submission :

4/3/19

To the Mayor and City Council of Locust Grove, Georgia

1. We, the undersigned, representing not less than 60 percent of the electors resident in the territory described herein and the owners of not less than 60 percent of the real property within the territory described herein, do respectfully request that the City Council of Locust Grove, Georgia, annex the territory described below to the City of Locust Grove, Georgia, said City having a population of 200 or more persons, and extend the city boundaries to include the same.
2. The territory to be annexed is unincorporated and contiguous (as described in O.C. G. A. 36-36-31) to the existing corporate limits of Locust Grove, Georgia, and the description of such territory is attached as Exhibit A.

OWNER NAME(S)

Christine Law

Derek Law

PROPERTY LOCATION

387 & 397 Polvin Drive

Locust Grove, GA 30248

PHONE NUMBER

404-925-2538

ALTERNATE PHONE

470-723-6783

LAND LOT/DISTRICT

232 2

ACREAGE

10

MAP CODE NO.

ZONING CLASSIFICATION

RA

SIGNATURE(S)



Date

4/3/19



Date

4/3/19

All property owners must sign as their name appears on the Deed.

FORM 3

EXHIBIT "B"

01303
0107

1303-107
Atlanta

WARRANTY DEED

STATE OF Georgia COUNTY OF Henry

THIS INDENTURE, Made the 22nd day of May, in the year one thousand nine hundred ninety-one, between Rex Nix

of the County of Henry, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Bonnie S. Cox

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 Dollars and 00/100 (10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lots 231 & 232, 2nd District, Henry County, Georgia, containing 2.00 acres, and being part of property shown in Plat Book 8, Page 158, Clerk of Superior Court, Henry County, Georgia, and being more particularly described as follows:

Beginning at a point in the center of Colvin Drive, said point being located 1582.2' East of the intersection of the centerline of Colvin Drive with the centerline of South Bethany Road; thence N 08°48'W for a distance of 674.32' to an iron pin; thence S 83°44'W for a distance of 130.13' to an iron pin; thence N 08°48'W for a distance of 195.15' to an iron pin; thence N 81°12'E for a distance of 200.00' to an iron pin; thence S 08°48'E for a distance of 878.34' to a point in the center of Colvin Drive; thence S 83°44'W along the centerline of Colvin Drive for a distance of 70.07' to the Point of Beginning.

REC'D IN BK 1303
PAGE 107
DATE FILED 6-13-91
JUN 13 3 22 PM '91
Saml. S. Sigler
Clerk of Superior Court

HENRY COUNTY GEORGIA
REAL ESTATE TRANSFER TAX
PAID \$ 8.00
DATE 6-13-91
Saml. S. Sigler
Clerk of Superior Court

FILED IN OFFICE
CLERK OF SUPERIOR COURT
HENRY COUNTY, GA.

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

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

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

sealed and delivered in presence of:
CAROL [Signature] (Seal)
[Signature] (Seal)
[Signature] (Seal)
Notary Public, Henry County, Georgia
My Commission Expires September 26, 1994.

8507

RETURN TO:
WESSELS & DIXON, P.C.
175 CORPORATE CENTER DR., STE A
STOCKBRIDGE, GA 30281
14-0233

Doc ID: 018748410003 Type: WD
Recorded: 08/18/2014 at 09:36:46 AM
Fee Amt: \$14.00 Page 1 of 3
Transfer Tax: \$0.00
Henry, GA Clerk of Superior Court
Barbara Harrison Clerk of Court
BK 13572 PG 265-267

DRAW DEED ONLY-NO TITLE SEARCH

JOINT TENANCY
WARRANTY DEED

STATE OF GEORGIA
COUNTY OF HENRY

PT-61 075-20 14 - 3004

Note: Scrivener drafted Deed only at the request of the parties, did not perform a title search and therefore does not warranty in any manner whatsoever the chain of title including but not limited to the following, to wit: the record title holder, liens, judgments, easements or rights of persons in possession thereof.

THIS INDENTURE, made this 18TH day of April in the year of our Lord Two Thousand Fourteen between Christine Marie Law, of the State of Georgia and County of Henry of the first part and Christine Marie Law and Derek A. Law, As Joint Tenants with the Right of Survivorship of the State of Georgia and County of Henry 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 goods and valuable considerations, 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, sell and convey unto the said party of the second part his heirs and assigns;

SEE EXHIBIT 'A' AND EXHIBIT 'B' ATTACHED HERETO AND MADE A PART OF THIS DESCRIPTION HEREIN.

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 the said party of the second part heirs, successors and assigns, forever, IN FEE SIMPLE,

And the said party of the first part, for his heirs, successors, executors and administrators will warrant and forever defend the right and title to the above described property subject to permitted exceptions, unto the said party of the second part, his heirs, successors and assigns, against the lawful claims of all persons owning, holding or claiming by, through or under the party of the first part.

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

Signed, sealed and delivered in the presence of

Unofficial Witness NOTARY
My Comm. Expires June 30, 2015
Notary Public
COUNTY, GEO

Christine Marie Law (SEAL)
Christine Marie Law

Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 231 and 232 of the 2nd Land District of Henry County, Georgia, containing 10 acres of land, according to a survey made for Jack Colvin, dated August 29, 1980, as prepared by Joe Rowan, Jr., Henry County, Surveyor of record in Plat Book 8, Page 158, Office of the Clerk of Superior Court, Henry County, Georgia Records, which recorded plat is incorporated herein by reference and made a part of this description

LESS AND EXCEPT that certain Real Property described in Warranty Deed to Orman L. House dated 10/15/1985 and filed for record in Deed Book 664 Page 111 and re-recorded at Deed Book 777 Page 246, Henry County, Georgia Records, which description is incorporated herein by reference thereto

LESS AND EXCEPT that certain Real Property described in Warranty Deed to Bonnie S. Cox dated 05/22/1991 and filed for record in Deed Book 1303 Page 1074, Henry County, Georgia Records, which description is incorporated herein by reference thereto

And

All that tract or parcel of land lying and being in Land Lots 231 and 232 of the 2nd District, Henry County, Georgia, as per plat of survey prepared by W. R. Franks & Associates for George B. Garrison and dated December 4, 1986 and being more particularly described as follows:

TO ASCERTAIN THE TRUE POINT OF BEGINNING, commence at a reference point located at the intersection of the centerline of South Bethany Road with the centerline of Colvin Drive; thence from said reference point in a Easterly direction following the centerline of Colvin Drive a distance of 1,204.0 feet to a point and the TRUE POINT OF BEGINNING; thence North $0^{\circ} 17'$ East a distance of 300.0 feet to an iron pin found; thence North $86^{\circ} 40'$ minutes East a distance of 240.5 feet to an iron pin found; thence South $11^{\circ} 12' 36''$ East a distance of 299.18 feet to a point located on the centerline of Colvin Drive; thence South $83^{\circ} 44'$ West a distance of 60 feet; thence South $86^{\circ} 40'$ West a distance of 240.5 feet to a point and the TRUE POINT OF BEGINNING.

EXHIBIT "B"

All that tract or parcel of land lying and being in Land Lots 231 and 232, 2nd District, Henry County, Georgia, containing 2.00 acres and being part of property shown in Plat Book 8, page 158, Clerk of Superior Court, Henry County, Georgia and being more particularly described as follows:

Beginning at a point in the center of Colvin Drive, said point being located 1,582.2 feet east of the intersection of the centerline of Colvin Drive with the centerline of South Bethany Road; thence north 08 degrees 48 minutes west for a distance of 674.32 feet to an iron pin; thence south 83 degrees 44 minutes west for a distance of 130.13 feet to an iron pin; thence north 08 degrees 48 minutes west for a distance of 195.15 feet to an iron pin; thence north 81 degrees 12 minutes east for a distance of 200.00 feet to an iron pin; thence south 08 degrees 48 minutes east for a distance of 878.34 feet to a point in the center of Colvin Drive; thence south 83 degrees 44 minutes west along the centerline of Colvin Drive for a distance of 70.07 feet to the Point of Beginning. Being known as 397 Colvin Drive according to the present system of numbering in Henry County, Georgia.



CITY OF LOCUST GROVE

P. O. Box 900 • Locust Grove, Georgia 30248-0900
Telephone (770) 957-5043 Fax: (770) 954-1223

MAYOR
Robert Price

COUNCIL
Vernon Ashe
Keith Boone
Randy Gardner
Carlos Greer
Otis Hammock
Willie J. Taylor

CITY MANAGER
Tim Young

CITY CLERK
Misty Titehew

July 5, 2019

Chairwoman June Wood
Henry County Board of Commissioners
140 Henry Parkway
McDonough, GA 30253

Re: **Notice of applications annexation into City of Locust Grove, GA**

Parcel 1: Christine/Derek Law Tract, 10 +/- acres, Parcel 127-02022000

Parcel 2: Donna/Robert Price Tract, 1118 acres, Parcel 127-01044000

Dear Chair Wood:

On behalf of the governing body of the City of Locust Grove (City), Henry County is hereby notified that the City has accepted applications for annexation of the above referenced properties pursuant to the 100% Method under O.C.G.A. § 36-36-21.

Attached hereto is a copy of the City's resolution accepting the annexation applications, which attach legal descriptions of the properties and a county tax map identifying the properties. All of the properties to be annexed lie in Henry County and are contiguous with the City boundaries.

Should the properties be annexed, they will be annexed with their current zoning classifications.

Notice is being given to the County pursuant to O.C.G.A. § 36-36-6. Please do not hesitate to contact us if you have any questions.

Sincerely,

Tim Young, City Manager

CC: Cheri Hobson-Matthews, County Manager
Robert Price, Mayor
Smith Welch Webb and White, City Attorney

Attachments

... in The Grove



CITY OF LOCUST GROVE

P. O. Box 900 • Locust Grove, Georgia 30248-0900
Telephone (770) 957-5043 Fax: (770) 954-1223

MAYOR
Robert Price

COUNCIL
Vernon Ashe
Keith Boone
Randy Gardner
Carlos Greer
Otis Hammock
Willie J. Taylor

CITY MANAGER
Tim Young

CITY CLERK
Misty Titshaw

July 5, 2019

Chairwoman June Wood
Henry County Board of Commissioners
140 Henry Parkway
McDonough, GA 30253

Re: **Notice of applications annexation into City of Locust Grove, GA**

Parcel 1: Christine/Derek Law Tract, 10 +/- acres, Parcel 127-02022000

Parcel 2: Donna/Robert Price Tract, 1.18 acres, Parcel 127-01044000

Dear Chair Wood:

On behalf of the governing body of the City of Locust Grove ("City"), Henry County is hereby notified that the City has accepted applications for annexation of the above referenced properties pursuant to the 100% Method under O.C.G.A. § 36-36-21.

Attached hereto is a copy of the City's resolution accepting the annexation applications, which attach legal descriptions of the properties and a county tax map identifying the properties. All of the properties to be annexed lie in Henry County and are contiguous with the City boundaries.

Should the properties be annexed, they will be annexed with their current zoning classifications.

Notice is being given to the County pursuant to O.C.G.A. § 36-36-6. Please do not hesitate to contact us if you have any questions.

Sincerely,

Tim Young, City Manager

CC: Cheri Hobson-Matthews, County Manager
Robert Price, Mayor
Smith Welch Webb and White, City Attorney

Attachments

... in The Grove

RESOLUTION 19-07-0576

A RESOLUTION TO ACCEPT AN APPLICATION FROM CHRISTINE AND DEREK LAW FOR ANNEXATION OF 10.0 +/- ACRES PURSUANT TO O.C.G.A. §36-36-20, ET SEQ.; TO CONFIRM THAT THE APPLICATION SATISFIES CERTAIN CONDITIONS UNDER STATE LAW; TO DIRECT THE CITY ATTORNEY TO NOTIFY HENRY COUNTY OF THE PROPOSED ANNEXATION; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WITNESSETH:

WHEREAS, the City of Locust Grove ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, Georgia law permits municipalities to annex unincorporated areas which are contiguous to their existing corporate limits when annexation takes place, upon the written and signed applications of all of the owners of all of the land to be annexed; and

WHEREAS, Christine and Derek Law are the owners (the "Owners") of real property located at 387 and 397 Colvin Drive (Parcel ID - 127-02022000) in Land Lot 232 of the 2nd District (the "Property"); and,

WHEREAS, the City received an application for annexation (the "Annexation Application") from the Owners, dated April 3, 2019, a copy of which is attached hereto as Exhibit "A" and incorporated by reference, and legal descriptions are attached to said application of the lands to be annexed as Exhibit "B"; and

WHEREAS, because a preliminary investigation reveals that the Annexation Application was signed by one hundred percent of the landowners and accompanied by a complete description of the Property to be annexed, that the Property is contiguous to the municipal boundary of the City, that the Property is within the County, and that annexation will not create an unincorporated "island" as contemplated by O.C.G.A. § 36-36-1, et seq. (the "Act"), the Annexation Application and the requested annexation apparently satisfies the requirements of the Act; and

WHEREAS, continued investigation may reveal that annexation of the Property is in the best interests of the residents and property owners of both the area of the proposed annexation and the City; and

WHEREAS, the Property will maintain zoning of RA (residential agricultural); and

WHEREAS, The Mayor and City Council desire to notify the governing body of Henry County of acceptance of the Annexation Application, and to adopt an ordinance ("Annexation Ordinance") expressly authorizing the proposed annexation in order to fully and finally annex the Property into the municipal boundaries of the City;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. **Acceptance of Applications.** The City Clerk is hereby authorized to formally accept the Annexation Application.
2. **Satisfaction of Conditions.** The City hereby confirms that, upon a preliminary investigation, the Annexation Application and the requested annexation apparently satisfies the requirements of the Act.
3. **Notification to County.** The Mayor and City Council now direct the City Attorney to notify the governing body of Henry County of its acceptance of said application in accordance with Section 36-36-6 of the Official Code of Georgia and intent to retain the current zoning classification or classifications of the Property.
4. **Authorization For City Clerk and City Attorney To Prepare Documents.** The City Clerk and City Attorney are authorized to prepare any other documents necessary to effectuate this Resolution.
5. **Consideration of Annexation Ordinance.** The Mayor or City Clerk is hereby authorized to place consideration of the Annexation Ordinance on the agenda for a public meeting of the City Council after all legal requirements have been satisfied.
6. **Effective Date.** This Resolution shall take effect immediately.
7. **Repeal of Inconsistent Provisions.** All resolutions are hereby repealed to the extent they are inconsistent herewith.

THIS RESOLUTION adopted this 1st day of July 2019.


ROBERT S. PRICE, Mayor

ATTEST:


MISTY SPURLING, City Clerk

APPROVED AS TO FORM:

(seal)

City Attorney

EXHIBIT "A"

EXHIBIT C

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 957-9161
Fax (770) 339-5869

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which publishes the Henry Herald, published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: 612056
Name and File No.: **PUBLIC HEARING 9/16/19**
a true copy of which is hereto attached, was published in said newspaper on the following date(s):
08/28/19 Wed

Public Hearing Notice
City of Locust Grove
September 16, 2019
8:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

agricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 1208 Davis Lake Road (Parcel ID 127-01044000) containing approximately 1.2 +/- acres in Land Lot 249 of the 2nd District for the purpose of incorporating property in the City limits.

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, September 16, 2019 at 8:00 PM, will conduct public hearings for the purpose of the following:

The public hearing will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Bert Foster
Community Development
Director
City of Locust Grove
928-612056, 8/28

CONDITIONAL USE
CU-19-09-01 Tom Emb, agent acting on behalf of Group Seven Sixteen, LLC, of Stockbridge, Georgia, requests a conditional use for the purpose of allowing a financial institution (bank) with a drive-through configuration in the C/I (office/institutional) zoning district for property located at 3300 Highway 42 South at the intersection of SR 42 and Market Place Boulevard (Parcel ID - 128-01020001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 2.8 +/- acres.

CU-19-09-02 Steven and Miranda Davis of Locust Grove, Georgia request a conditional use for the purpose of establishing a detached guest quarters on the property located at 91 Bowden Street (Parcel ID - 128-02014001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 3.5 +/- acres.

ANNEXATION AND REZONING
RZ-19-09-03 Christine Law and Derek Law request annexation and rezoning from RA (residential agricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 387 and 387 Colvin Drive (Parcel ID 127-02022000) containing approximately 10.0 +/- acres in Land Lot 232 of the 2nd District for the purpose of incorporating property in the City limits.

RZ-19-09-04 Donna Price and Robert Shan Price request annexation and rezoning from RA (residential ag-

Robert D. McCray, SCNI Vice President of Sales and Marketing

Dawn Ward

By Dawn Ward
Legal Advertising Clerk

Sworn and subscribed before me 08/28/19



[Signature]

Notary Public

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Bert Foster, who, after being duly sworn, testifies as follows:

1.

My name is Bert Foster. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

On the 30th day of August 2019, I, Bert Foster, posted one (1) double-sided sign notifications on the Property advertising a public hearing on the request below to be heard by the Locust Grove City Council on the 16th day of September, 2019 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Said public hearing signs were posted at the following locations:

- A. 3300 Highway 42 South for a Conditional Use @ 1:35
- B. 91 Bowden Street for a Guest Quarters CU @ 1:30
- C. 1206 Davis Lake Road for a rezoning/annexation @ 1:20
- D. 387 and 397 Colvin Drive for a rezoning/annexation @ 1:15

Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference.

FURTHER AFFIANT SAYETH NOT.

This 9th day of September 2019.


Affiant

Sworn and subscribed before me
this 9 day of September, 2019

Markeya Moore

Notary Public



Exhibit "A"
Sign Exhibits A through D

PUBLIC

City of Locust Grove

City Council Meeting
Public Safety Building
3640 Highway 42
Locust Grove, GA 30248

CONDITIONAL USE

Use/Section: To allow a
financial institution with a
drive-thru in the CA
(office/institutional) District

DATE: September 16, 2019

TIME: 6:00 P.M.

NOTICE

For information, please call
(770) 322-2323 or visit
www.locustgrove.ga.gov

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Committee
1840 Highway 42
Locust Grove, GA 30228

CONDITIONAL USE

Use/Section: Detached
Guest Quarters

DATE: September 16, 2019
TIME: 6:00 P.M.

NOTICE

Public Safety Committee
1840 Highway 42
Locust Grove, GA 30228

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Building
3000 Highway 42
Locust Grove, GA 30600

ANNEXATION & REZONING

FROM County M1 (potential application)
TO City A1 (potential application)

DATE: September 18, 2019
TIME: 6:00 P.M.

NOTICE

For more information, please contact
Hiro Theodorou at 770-885-1111
or htheodor@locustgrovega.gov

PUBLIC
City of Locust Grove
City Council Meeting
Public Hearing/Workshop
Site Inspection of
Locust Grove, GA 30248
**ANNEXATION &
REZONING**
Rural Case Alternative #2/3/4/5
1000 M. Westside Highway
DATE: September 16, 2019
TIME: 8:00 AM
NOTICE www.cityoflocustgrove.com

EXHIBIT D



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: **A Conditional Use request for the purpose of adding a detached guest quarters to an existing single-family residence in the RA (Residential Agricultural) zoning district.**

Action Item: **Yes** **No**

Public Hearing Item: **Yes** **No**

Executive Session Item: **Yes** **No**

Advertised Date: **August 28, 2019**

Budget Item: **No**

Date Received: **August 9, 2019**

Workshop Date: **September 16, 2019**

Regular Meeting Date: **October 7, 2019**

Summary:

Steven and Miranda Davis requests conditional use for property located at 91 Bowden Street (Parcel ID 128-02014001) in Land Lot 200 of the 2nd District. The property is 3.48 +/- acres and is currently zoned RA (Residential Agricultural). The request is to permit the addition of a Guest Quarters.

Article VII, Schedule of District Regulations, Section 3-7-142 (3)(b), Uses common to all single-family residential districts, "Guest quarters or employee quarters are a permitted use with an approved conditional use granted by the City of Locust Grove City Council provided that no more than one unit shall be permitted on a lot and this unit shall be in the rear yard. The lot on

which such use is established shall meet the minimum area requirements for a two-family dwelling. These quarters shall not be used as rental property.”

The subject property is located within Tussahaw Creek Reservoir Water Supply Watershed District. All established measures to protect the quality and quantity of the present and future water supply of the city, to minimize the transport of pollutants and sediment to the water supply, and to maintain the yield of the water supply watershed shall apply where applicable.

	<i>Current Zoning</i>	<i>Current Land Use</i>
North	RA (Residential-Agricultural)	Single-Family Residence
South	R2 (Single-Family Residential)	Single-Family Residence
East	RA (Residential-Agricultural) R2 (Single-Family Residential)	Single-Family Residence
West	RA (Residential-Agricultural)	Single-Family Residence

Source: City of Locust Grove Official Zoning Map, adopted 2016

The subject property is located within an existing single-family residential neighborhood, having similar nearby uses.

Recommendation:

STAFF RECOMMENDS APPROVAL OF THE APPLICANTS REQUEST WITH THE FOLLOWING CONDITION:

- 1. The Guest Quarters shall comply with the intent of the Mixed Historic Neighborhood future land use designation having similar architectural style as the existing historic residential buildings of this district.**

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE CONDITIONAL USE REQUEST FOR A DETACHED GUEST QUARTERS IN ACCORDANCE WITH CHAPTER 17.04 OF THE LOCUST GROVE CITY CODE; TO PROVIDE CONDITIONS FOR APPROVAL; TO IDENTIFY A PUBLIC PURPOSE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO PROVIDE FOR SEVERABILITY; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia ("City") adopted Chapter 17.04 ("Chapter") entitled "Zoning Code", and;

WHEREAS, the purpose of the Chapter is to regulate permitted land uses, aesthetics, quality of exterior building materials and to the promotion of health, safety, prosperity and general welfare of the citizens of Locust Grove, and;

WHEREAS, Steven and Miranda Davis ("Applicant") submitted an application for Conditional Use ("Applicant Request") on August 9, 2019, and;

WHEREAS, Steven and Miranda Davis requests conditional use for property located at 91 Bowden Street (Parcel ID 128-02014001) in Land Lot 200 of the 2nd District. The property is 3.48 +/- acres and is currently zoned RA (Residential Agricultural).

WHEREAS, all City and State requirements for legal advertisement and public hearing have been met; and

WHEREAS, the Community Development Department reviewed the request and submitted a report that is part of the public record; and

WHEREAS, the requested conditional use is permitted in the RA zoning district with an approved conditional use; and

WHEREAS, the Board in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this request for architectural review to be in the best interests of the citizens of the City, that this Resolution be adopted.

NOW, THEREFORE BE IT RESOLVED, that the Locust Grove City Council approves the applicant's request with the following condition:

1. The Guest Quarters shall comply with the intent of the Mixed Historic Neighborhood future land use designation having similar architectural style as the existing historic residential buildings of this district.

THIS RESOLUTION adopted this 16th day of September 2019.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(seal)

APPROVED AS TO FORM:

City Attorney



CONDITIONAL USE EVALUATION REPORT

FILE: CU-19-09-02

September 16, 2019

August 9, 2019

DETACHED GUEST QUARTERS

Property Information	
Tax ID	128-02014001
Location/address	91 Bowden Street; west side of Bowden Street east of the intersection of Jackson Street and Bowden Street in Land Lot 200 of the 2nd District
Parcel Size	3.48 +/- acres
Current Zoning	RA (Residential Agricultural)
Request	The applicant is requesting a Conditional Use for the purpose of adding a detached guest quarters to the subject property
Proposed Use	Detached Guest Quarters
Existing Land Use	Single-family residential
Future Land Use	Mixed Historic Neighborhood
Recommendation	Approval with conditions

Summary

Steven and Miranda Davis requests conditional use for property located at 91 Bowden Street (Parcel ID 128-02014001) in Land Lot 200 of the 2nd District. The property is 3.48 +/- acres and is currently zoned RA (Residential Agricultural). The request is to permit the addition of a Guest Quarters.

Article VII, Schedule of District Regulations, Section 3-7-142 (3)(b), Uses common to all single-family residential districts, "Guest quarters or employee quarters are a permitted use with an approved conditional use granted by the City of Locust Grove City Council provided that no more than one unit shall be permitted on a lot and this unit shall be in the rear yard. The lot on which such use is established shall meet the minimum area requirements for a two-family dwelling. These quarters shall not be used as rental property."

The subject property is located within Tussahaw Creek Reservoir Water Supply Watershed District. All established measures to protect the quality and quantity of the present and future water supply of the city, to minimize the transport of pollutants and sediment to the water supply, and to maintain the yield of the water supply watershed shall apply where applicable.



CONDITIONAL USE EVALUATION REPORT

September 16, 2019

August 9, 2019

FILE: CU-19-09-02

DETACHED GUEST QUARTERS

	<i>Current Zoning</i>	<i>Current Land Use</i>
North	RA (Residential-Agricultural)	Single-Family Residence
South	R2 (Single-Family Residential)	Single-Family Residence
East	RA (Residential-Agricultural) R2 (Single-Family Residential)	Single-Family Residence
West	RA (Residential-Agricultural)	Single-Family Residence

Source: City of Locust Grove Official Zoning Map, adopted 2016

The subject property is located within an existing single-family residential neighborhood, having similar nearby uses.

Service Delivery / Infrastructure

Water and Sewer: Water and sanitary sewer services are provided by the City of Locust Grove. There are adequate pressures and flows in the area to serve this request. Any upgrades to the systems resulting from this request will be the responsibility of the Applicant prior to occupancy.

Police Services: The subject property lies in a well-established residential neighborhood. The Locust Grove Police Department will continue to perform regular patrols of the area.

Fire: Fire and emergency services will be performed by Henry County as is similar with other portions of the city.

Transportation Impacts: Staff does not anticipate there being a noticeable impact to the transportation system as a result of granting this request. The subject property is located within an established low-density residential neighborhood having one indirect access point to State Route 42 and an additional access point to Jackson Street.

Criteria for Evaluation of Request

Section 17.04.315 Procedure for Hearing before City Council.

(a) All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:

(1) The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community. Discussion: The request, if granted, will introduce a guest quarters to a general residential neighborhood district. This use is permitted with an approved conditional use. The use will not introduce any character not consistent with the existing character area.



CONDITIONAL USE EVALUATION REPORT

FILE: CU-19-09-02

September 16, 2019

August 9, 2019

DETACHED GUEST QUARTERS

- (2) **The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this Chapter.** Discussion: The request appears consistent with the applicable zoning district, as it is located within the residential agricultural (RA) zoning district with adequate vehicular accessibility and single-family residential parking.
- (3) **Consistency with the Land Use Plan.** Discussion: The request is consistent with the future land use plan for this area; however, a conditional use is required.
- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** Discussion: Impacts on the existing transportation infrastructure will be minor due primarily to the request being located within a low-density residential neighborhood having one indirect access point to State Route 42 and an additional access point to Jackson Street.
- (5) **The impact of the proposed amendment on adjacent thoroughfares, pedestrian and vehicular circulation and traffic volumes.** Discussion: There is little additional impact with this request in terms of vehicular circulation.
- (6) **The impact upon adjacent property owners should the request be approved.** Discussion: Impacts on adjacent property owners should be minimal given the fact that the request is an accessory dwelling use permitted with an approved conditional use in the RA zoning district.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Discussion: The subject property is zoned and already developed for single-family residential use within the RA (Residential Agricultural) zoning district. Any use that is permitted by right or with an approved conditional use in the RA zoning district allows the subject property to be developed as it is presently zoned.
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.** Discussion: This site is already developed as an existing single-family residence. There are no known physical conditions on the property that would preclude the guest quarters from being constructed on the subject property.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** Discussion: The merits are consistent with the City of Locust Grove's zoning ordinance and Future Land Use Map.



CONDITIONAL USE EVALUATION REPORT

FILE: CU-19-09-02

September 16, 2019

August 9, 2019

DETACHED GUEST QUARTERS

Recommendation

Staff recommends approval of the request with the following condition:

1. The Guest Quarters shall comply with the intent of the Mixed Historic Neighborhood future land use designation having similar architectural style as the existing historic residential buildings of this district.

Request for Zoning Map Amendment

Name of Applicant: Steven & Miranda Davis Phone: (404) 271-7509 Date: 8/9/19
 Address Applicant: 6101 Golf View Xing Cell # (404) 271-7509
 City: Locust Grove State: GA Zip: 30248 E-mail: MDavis@strong-rock.com
 Name of Agent: Dusty Brock Phone: (678) 409-9750 Date: 8/9/19
 Address Agent: 3831 Hwy 42 Cell # (678) 409-9750
 City: Locust Grove State: GA Zip: 30248 E-mail: Dusty@brockteam.net

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (PLEASE CHECK THE TYPE OF REQUEST OR APPEAL AND FILL IN ALL APPLICABLE INFORMATION LEGIBLY AND COMPLETELY).

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

Variance Rezoning DRI Review/Concurrent Amendment to the Future Land Use Plan

Request from NA (Current Zoning) to NA (Requested Zoning)

Request from NA (Current Land Use Designation) to NA (Requested Land Use Designation)

For the Purpose of Detached guest quarters (Type of Development)
 Address of Property: 91 Bowden Street

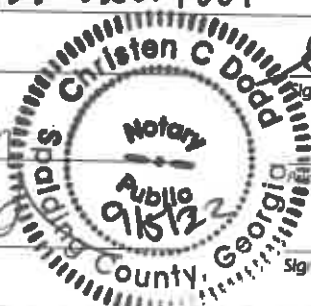
Nearest intersection to the property: Jackson Street & Bowden Street

Size of Tract: 3.48 acre(s), Land Lot Number(s): 200 District(s): 2 2nd

Gross Density: NA units per acre Net Density: NA units per acre

Property Tax Parcel Number: 128-02014001

Witness Signature: Susanna Davenport (Required) Signature of Owner/s: Steven Davis Miranda Davis



Printed Name of Witness: Susanna Davenport Printed Name of Owner/s: Steven Davis Miranda Davis

Notary Signature: Christen Dodd Signature of Agent: Dusty Brock

(For Office Use Only)

Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____ (FEES ARE NON-REFUNDABLE)

Application checked by: _____ Date: _____ Map Number(s): _____

Pre-application meeting: _____ Date: _____

Public Hearing Date: _____

Council Decision: _____ Ordinance: _____

Date Mapped in GIS: _____ Date: _____

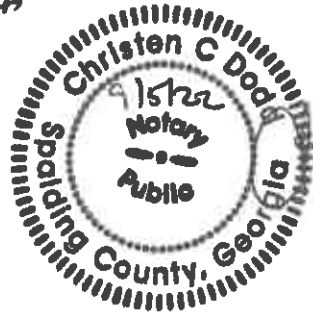
August 6, 2019

To Whom it May Concern:

Please allow Steven and Miranda Davis to file any paperwork necessary to the building process prior to the completed sale of the property 91 Bowden Street Locust Grove, Ga 30248. They will take ownership of the property upon closing, scheduled for August 30, 2019.

Leslie R. Upchurch

Leslie R. Upchurch
Owner
91 Bowden Street
Locust Grove, GA 30248



Christen C. Dodson

Applicant Campaign Disclosure Form

Has the applicant¹ made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?
 Yes ___ No

If **Yes**, the applicant and the attorney representing the applicant must file a disclosure report with the Locust Grove City Clerk within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Council/Planning Commission Member

We certify that the foregoing information is true and correct, this 14 day of August, 2019.

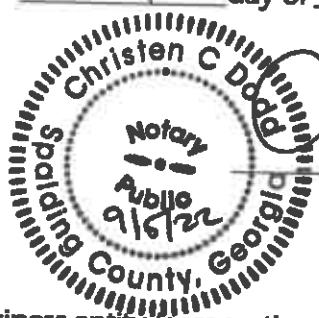
Leslie Upchurch
 Applicant's Name - Printed

Leslie R. Upchurch
 Signature of Applicant

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 14 day of August, 2019



Christen C. Dodd
 Notary Public

¹ Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

Applicant Campaign Disclosure Form

Has the applicant¹ made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?
 Yes ___ No

If **Yes**, the applicant and the attorney representing the applicant must file a disclosure report with the Locust Grove City Clerk within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Council/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Council/Planning Commission Member

We certify that the foregoing information is true and correct, this 14 day of August 2019.

Steven Davis & Miranda Davis
 Applicant's Name - Printed.

[Signature]
 Signature of Applicant

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 14 day of August 2019.



[Signature]
 Notary Public

¹ Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.

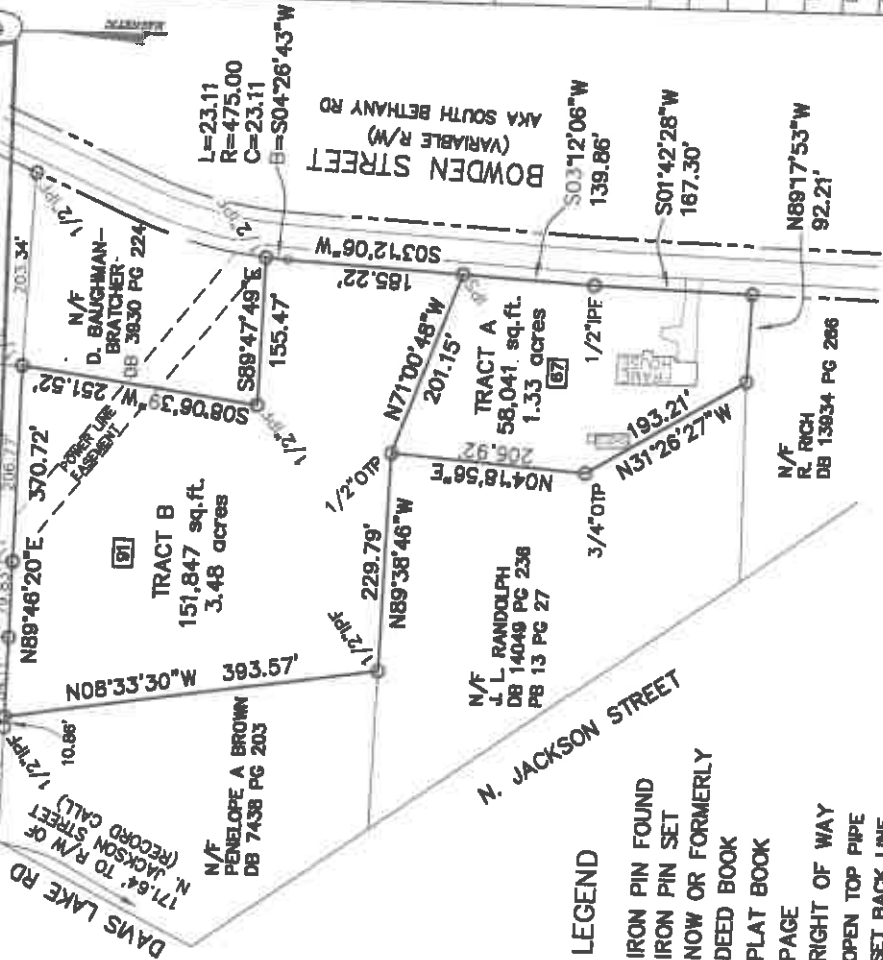
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD BOTH WRITTEN AND UNWRITTEN.
 PLAT ERROR OF CLOSURE = 1' IN 151,612'
 FIELD ERROR OF CLOSURE = N/A - OPEN END
 EQUIPMENT USED TOPCON-GTS
 FIELD WORK COMPLETED 10-27-17

THIS PLAT SUPERCEDES PB 51 PG 238

APPROVED FOR RECORDING

City of Locust Grove
 Community Development Department
 COTTAGE GROVE SUBD
 PB 45 PG 27-27
 N/F BARNES ESTATE
 DB 7308 PG 169
 5/21/19
 Director

Date



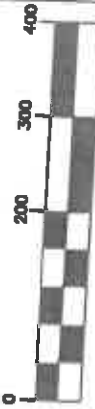
LEGEND

- IPF IRON PIN FOUND
- IPS IRON PIN SET
- N/F NOW OR FORMERLY
- DB DEED BOOK
- PB PLAT BOOK
- PG PAGE
- R/W RIGHT OF WAY
- OTP OPEN TOP PIPE
- SBL SET BACK LINE

THIS PROPERTY IS ZONED RA
 IS ON THE CITY WATER SYSTEM.
 IS ON A PAVED ROAD.
 IS NOT PART OF A SUBDIVISION.
 IS NOT IN A WETLAND AREA.
 IS NOT IN A WATERSHED PROTECTION AREA
 DOES NOT CONTAIN ANY BODIES OF WATER

SETBACKS:
 FRONT 75'
 SIDE 20'
 REAR 40'

REVISED PER CITY COMMENTS 5-13-18



GRAPHIC SCALE (IN FEET)



BURTON &
 ASSOCIATES
 LLC

1740 Hudson Bridge Rd
 Suite: 1226
 Stockbridge, Ga. 30281
 Tel (404) 867-8332
 bdalinc@bellsouth.net

RETRACEMENT SURVEY
 & PARCEL DIVISION
 PARCEL ID#
 A 128-02014000
 B 128-02014001
 CLIENT

LESLIE
 UPCHURCH

LAND LOT(S)	200
DISTRICT(S)	2
CITY	LOCUST GROVE
COUNTY(S)	HENRY
DATE	11-04-17
DRAWN BY	WEB
SCALE	1"=200'
JOB NUMBER	102717UP

THIS BLOCK RESERVED FOR THE CLERK
 OF THE SUPERIOR COURT

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-8-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. 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 15-8-67



GA. REG. LS. NO. 2567
 5-13-19
 DATE

AS PER FLOOD INSURANCE RATE MAP OF HENRY COUNTY, GA. COMMUNITY PANEL NO. 13151C0276D THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD ZONE, DATED 10-06-2016

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 957-9161
Fax (770) 339-5869

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which publishes the Henry Herald, published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: 612056
Name and File No.: **PUBLIC HEARING 9/16/19**
a true copy of which is hereto attached, was published in said newspaper on the following date(s):
08/28/19 Wed

Public Hearing Notice
City of Locust Grove
September 16, 2019
8:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

gricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 1206 Davis Lake Road (Parcel ID 127-01044000) containing approximately 1.2 +/- acres in Land Lot 248 of the 2nd District for the purpose of incorporating property in the City limits.

Notice is hereby given as required by Chapter 86 of Title 38 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, September 16, 2019 at 8:00 PM, will conduct public hearings for the purpose of the following:

The public hearing will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Bert Foster
Community Development
Director
City of Locust Grove
828-612056, 8/28

CONDITIONAL USE
CU-19-09-01 Tom EMB, agent acting on behalf of Group Seven Bldgen, LLC, of Stockbridge, Georgia, requests a conditional use for the purpose of allowing a financial institution (bank) with a drive-through configuration in the O/I (office/institutional) zoning district for property located at 3300 Highway 42 South at the intersection of SR 42 and Market Place Boulevard (Parcel ID - 128-01020001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 2.8 +/- acres.

CU-19-09-02 Steven and Miranda Davis of Locust Grove, Georgia request a conditional use for the purpose of establishing a detached guest quarters on the property located at 81 Bowden Street (Parcel ID - 128-02014001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 3.5 +/- acres.

ANNEXATION AND REZONING

RZ-19-09-03 Christine Law and Derek Law request annexation and rezoning from RA (residential agricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 387 and 387 Colvin Drive (Parcel ID 127-02022000) containing approximately 10.0 +/- acres in Land Lot 232 of the 2nd District for the purpose of incorporating property in the City limits.

RZ-19-09-04 Donna Price and Robert Shon Price request annexation and rezoning from RA (residential ag-

Robert D. McCray, SCNI Vice President of Sales and Marketing

By Dawn Ward
Legal Advertising Clerk

Sworn and subscribed before me 08/28/19



Notary Public

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Bert Foster, who, after being duly sworn, testifies as follows:

1.

My name is Bert Foster. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

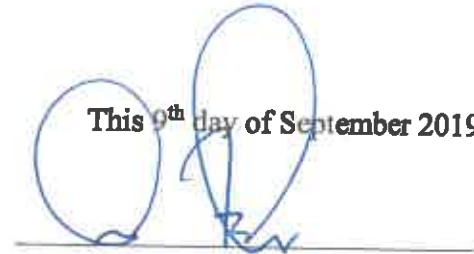
On the 30th day of August 2019, I, Bert Foster, posted one (1) double-sided sign notifications on the Property advertising a public hearing on the request below to be heard by the Locust Grove City Council on the 16th day of September, 2019 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Said public hearing signs were posted at the following locations:

- A. 3300 Highway 42 South for a Conditional Use @ 1:35
- B. 91 Bowden Street for a Guest Quarters CU @ 1:30
- C. 1206 Davis Lake Road for a rezoning/annexation @ 1:20
- D. 387 and 397 Colvin Drive for a rezoning/annexation @ 1:15

Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference.

FURTHER AFFIANT SAYETH NOT.

This 9th day of September 2019.



Affiant

Sworn and subscribed before me
this 9 day of September, 2019

Markeya Moore

Notary Public



Exhibit "A"
Sign Exhibits A through D

PUBLIC

NOTICE

City of Locust Grove

City Council Meeting
Public Safety Building
3640 Highway 42
Locust Grove, GA 30248

CONDITIONAL USE

Use/Section: To allow a
financial institution with a
drive-thru in the O/I
(office/institutional) district

DATE: September 16, 2019

TIME: 6:00 P.M.

For information, please call:
(770) 892-2321 or visit
www.locustgrove.ga.gov

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Building
3640 Highway #2
Locust Grove, GA 30248

CONDITIONAL USE

Use/Section: Detached
Guest Quarters

DATE: September 16, 2019
TIME: 6:00 P.M.

NOTICE

For information please call:
1770-552-2717 or visit
www.locustgrove.ga.gov

PUBLIC

NOTICE

City of Locust Grove
City Council Meeting
Public Safety Building
2940 Highway 43
Locust Grove, GA 30248

ANNEXATION & REZONING

FROM: County RA (potential agricultural)
TO: City RA (potential agricultural)

DATE: September 16, 2019
TIME: 6:00 P.M.

FOR MORE INFORMATION, CONTACT THE CITY ENGINEER AT 770-888-1111 OR VISIT WWW.LGGA.GOV

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Warning
Street Highway 42
Locust Grove, GA 30224

**ANNEXATION &
REZONING**

CCW County RA (residential Agriculture)
TO City RA (residential Agriculture)

DATE: September 18, 2019
TIME: 6:00 P.M.

For information, please call
878-830-2221 or visit
www.locustgrovega.gov

NOTICE



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: **A Conditional Use for the purpose of allowing a drive-thru financial institution.**

Action Item: **Yes** **No**

Public Hearing Item: **Yes** **No**

Executive Session Item: **Yes** **No**

Advertised Date: **August 28, 2019**

Budget Item: **No**

Date Received: **August 5, 2019**

Workshop Date: **September 16, 2019**

Regular Meeting Date: **October 7, 2019**

Summary:

The Office/Institutional zoning district was created to encourage suitable businesses and professional enterprises throughout the City other than retail and restaurants. O/I-zoned properties often serve as transitional areas between properties zoned for single-family residential uses and traditional commercial activities. Permitted uses typically found in the O/I district include churches, medical/dental offices, hair salons, day care centers, and professional offices.

Banks and other financial institutions are in line with this district's stated purpose in that they don't have a traditional retail component; however, they are not identified as permitted uses outright. Consideration should be given for allowing stand-alone financial institutions as permitted uses except in cases where drive-through facilities are proposed. In such instances where drive-through facilities are proposed, Staff recommends classifying these developments as conditional uses. As conditional uses, these requests will

I | *... in The Grove*

require and undergo additional review by the Staff and a public hearing before the Mayor and City Council prior to approval.

Per the City of Locust Grove Zoning Ordinance, as amended, Financial Institution are defined as an institution empowered by a State or Federal charter to receive deposits and make loans, among other things, subject to the regulatory and auditing supervision of the appropriate State or Federal banking authority exclusive of alternative financial services providers such as title loan businesses, short-term loan providers, cash-for-gold stores, refund/paycheck anticipation lenders and pawn shops.

	<i>Current Zoning</i>	<i>Current Land Use</i>
North	RA (Residential-Agricultural)	Single-Family Residence
South	C-2 (General Commercial) C-3 (Heavy Commercial)	Commercial
East	RA (Residential-Agricultural)	Single-Family Residence
West	C-3 (Heavy Commercial)	Commercial

Source: City of Locust Grove Official Zoning Map, adopted 2016

The subject property abuts heavy commercial, general commercial, and single-family residential uses along major thoroughfares, including State Route 42 and Bill Gardner Parkway (arterial road).

Recommendation:

The proposed use will be subject to the recently amended official definition of Financial Institutions by the City Council on September 3rd, 2019. Therefore, Staff recommends approval with the following condition:

1. The development shall meet or exceed the existing architectural, landscaping, lighting, and walkability of the Gateway Town Center.



CONDITIONAL USE EVALUATION REPORT

September 16, 2019

August 5, 2019

FILE: CU-19-09-01

DRIVE-THRU FINANCIAL INSTITUTION

Property Information	
Tax ID	128-01020001
Location/address	3300 Highway 42 South near the intersection of Market Place Blvd. and Highway 42 South in Land Lot 200 of the 2nd District
Parcel Size	2.83 +/- acres
Current Zoning	O/I (Office Institutional)
Request	The applicant is requesting a Conditional Use for the purpose of allowing a drive-thru financial institution
Proposed Use	Drive-thru Financial Institution
Existing Land Use	Vacant
Future Land Use	Office Institutional
Recommendation	Approval

Summary

The Office/Institutional zoning district was created to encourage suitable businesses and professional enterprises throughout the City other than retail and restaurants. O/I-zoned properties often serve as transitional areas between properties zoned for single-family residential uses and traditional commercial activities. Permitted uses typically found in the O/I district include churches, medical/dental offices, hair salons, day care centers, and professional offices.

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Per the City of Locust Grove Zoning Ordinance, as amended, Financial Institution are defined as an institution empowered by a State or Federal charter to receive deposits and make loans, among other things, subject to the regulatory and auditing supervision of the appropriate State or Federal banking authority exclusive of alternative financial services providers such as title loan businesses, short-term loan providers, cash-for-gold stores, refund/paycheck anticipation lenders and pawn shops.



CONDITIONAL USE EVALUATION REPORT

FILE: CU-19-09-01

DRIVE-THRU FINANCIAL INSTITUTION

September 16, 2019

August 5, 2019

	<i>Current Zoning</i>	<i>Current Land Use</i>
North	RA (Residential-Agricultural)	Single-Family Residence
South	C-2 (General Commercial) C-3 (Heavy Commercial)	Commercial
East	RA (Residential-Agricultural)	Single-Family Residence
West	C-3 (Heavy Commercial)	Commercial

Source: City of Locust Grove Official Zoning Map, adopted 2016

The subject property abuts heavy commercial, general commercial, and single-family residential uses along major thoroughfares, including State Route 42 and Bill Gardner Parkway (arterial road).

Service Delivery / Infrastructure

Water and Sewer: Water and sanitary sewer services are provided by the City of Locust Grove. There are adequate pressures and flows in the area to serve this request. Any upgrades to the systems resulting from this request will be the responsibility of the Applicant prior to occupancy.

Police Services: The subject property is located within a well-established the Regional Commercial and Gateway Town Center. The Locust Grove Police Department will continue to perform regular patrols of the area.

Fire: Fire and emergency services will be performed by Henry County as is similar with other portions of the city.

Transportation Impacts: Staff does not anticipate there being a noticeable impact to the transportation system as a result of granting this request. The subject property is located within an established low-density residential neighborhood having one indirect access point to State Route 42 and an additional access point to Jackson Street.

Criteria for Evaluation of Request

Section 17.04.315 Procedure for Hearing before City Council.

(a) All proposed amendments to this chapter or to the official zoning map with required site plans shall be considered at public hearing. The City Council shall consider the following:

- (1) The possible effects of the change in the regulations or map on the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community. Discussion: The request, if granted, will introduce a drive-thru financial institution in the Office Institutional zoning district. This use is permitted with an approved



CONDITIONAL USE EVALUATION REPORT

FILE: CU-19-09-01

DRIVE-THRU FINANCIAL INSTITUTION

September 16, 2019

August 5, 2019

conditional use. The use will not introduce any character not consistent with the existing character of the developing area.

- (2) **The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of this Chapter.** Discussion: The request appears consistent with the applicable zoning district, as it is located within the Office Institutional (O/I) zoning district with adequate vehicular accessibility.
- (3) **Consistency with the Land Use Plan.** Discussion: The request is consistent with the future land use plan for this area; however, a conditional use is required.
- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** Discussion: Impacts on the existing transportation infrastructure will be minor due primarily to the request being located within the existing Gateway Town Center having adequate infrastructural accommodations with an additional access Bill Gardner Pkwy.
- (5) **The impact of the proposed amendment on adjacent thoroughfares, pedestrian and vehicular circulation and traffic volumes.** Discussion: There is little additional impact with this request in terms of vehicular circulation.
- (6) **The impact upon adjacent property owners should the request be approved.** Discussion: Impacts on adjacent property owners should be minimal given the fact that the requested use is permitted with an approved conditional use within the O/I zoning district.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Discussion: The proposed use as a drive-thru financial institution is permitted in the current O/I (Office Institutional) zoning district of the subject property. The subject property is also located near the Regional Commercial corridor and Gateway Town Center, having zoning and future land uses supporting of the proposed use. Any use that is permitted by right or with an approved conditional use in the O/I zoning district allows the subject property to be developed as it is presently zoned.
- (8) **The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.** Discussion: There are no physical conditions specific to topography, drainage, access, size, and shape limit the capability of the subject property to be developed.
- (9) **The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development Commission and City Council may use in furthering the objectives of the Land Use Plan.** Discussion: The merits are consistent with the City of Locust Grove's zoning ordinance and Future Land Use Map.



CONDITIONAL USE EVALUATION REPORT

FILE: CU-19-09-01

DRIVE-THRU FINANCIAL INSTITUTION

September 16, 2019

August 5, 2019

Recommendation

The proposed use will be subject to the recently amended official definition of Financial Institutions by the City Council on September 3rd, 2019. Therefore, Staff recommends approval with the following condition:

1. The development shall meet or exceed the existing architectural, landscaping, lighting, and walkability of the Gateway Town Center.

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE A CONDITIONAL USE REQUEST FOR A DRIVE-THRU FINANCIAL INSTITUTION IN ACCORDANCE WITH CHAPTER 17.04 OF THE LOCUST GROVE CITY CODE; TO PROVIDE CONDITIONS FOR APPROVAL; TO IDENTIFY A PUBLIC PURPOSE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO PROVIDE FOR SEVERABILITY; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia ("City") adopted Chapter 17.04 ("Chapter") entitled "Zoning Code", and;

WHEREAS, the purpose of the Chapter is to regulate permitted land uses, aesthetics, quality of exterior building materials and to the promotion of health, safety, prosperity and general welfare of the citizens of Locust Grove, and;

WHEREAS, Grove Seven Sixteen, LLC ("Applicant") submitted an application for Conditional Use ("Applicant Request") on August 5, 2019, and;

WHEREAS, Grove Seven Sixteen, LLC requests a conditional use for property located at 3300 Highway 42 South (Parcel ID 128-01020001) in Land Lot 200 of the 2nd District. The property is 2.83 +/- acres and is currently zoned O/I (Office Institutional).

WHEREAS, all City and State requirements for legal advertisement and public hearing have been met; and

WHEREAS, the Community Development Department reviewed the request and submitted a report that is part of the public record; and

WHEREAS, the requested conditional use is permitted in the O/I zoning district with an approved conditional use; and

WHEREAS, the Board in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this request for architectural review to be in the best interests of the citizens of the City, that this Resolution be adopted.

NOW, THEREFORE BE IT RESOLVED, that the Locust Grove City Council approves the applicant's request with the following condition:

1. The development shall meet or exceed the existing architectural, landscaping, lighting, and walkability of the Gateway Town Center.

THIS RESOLUTION adopted this 16th day of September 2019.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(seal)

APPROVED AS TO FORM:

City Attorney



Overview



Legend

-  Parcels
-  Roads

Parcel ID	131A01040000	Class	R	Owner	GDC I GA 6 LP	Land Value:	\$35,000					
Property Address	1159 HARTWELL RD	Acres	n/a	Address	5755 DUPREE DR STE 130 ATLANTA GA 30327	Building Value:	\$0	Last 2 Sales				
District	City/LocustGrove						Misc Value:	\$0	Date	Price	Reason	Qual
							Total Value:	\$35,000	8/25/2017	\$4,494,000	CORPORATE U	Q
									7/30/2015	\$3,012,500	n/a	Q

Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County Courthouse or can be determined by employing the services of a licensed surveyor.

Data created: 9/6/2019
Last Data Uploaded: 9/5/2019 10:23:01 PM

Developed by  **Schneider**
GEO SPATIAL

AUG 1 2019

in The Grove

Request for Zoning Map Amendment

City of Locust Grove
Community Development

Name of Applicant: GROVE SEVEN SIXTEEN, LLC Phone: 404-444-3278 Date: 8/5/19

Address Applicant: 115 EAGLE SPRINGS DRIVE Cell #: 404-444-3278

City: STOCKBRIDGE State: GA Zip: 30281 E-mail: SSJONESMO@GMAIL.COM

Name of Agent: TOM ELLIS Phone: 404-444-3278 Date: 8/5/19

Address Agent: 245 COUNTRY CLUB DRIVE, SUITE 300-D Cell #: 404-444-3278

City: STOCKBRIDGE State: GA Zip: 30281 E-mail: TOMELLIS@ATLANTA-SOUTHINC.COM

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS: (PLEASE CHECK THE TYPE OF REQUEST OR APPEAL AND FILL IN ALL APPLICABLE INFORMATION LEGIBLY AND COMPLETELY).

Concept Plan Review Conditional Use Conditional Exception Modifications to Zoning Conditions

Variance Rezoning DRI Review/Concurrent Amendment to the Future Land Use Plan

Request from _____ to _____
(Current Zoning) (Requested Zoning)

Request from _____ to _____
(Current Land Use Designation) (Requested Land Use Designation)

For the Purpose of drive-thru financial institution
(Type of Development)

Address of Property: 3300 HIGHWAY 42 S

Nearest intersection to the property: MARKET PLACE + HIGHWAY 42

Size of Tract: 2.83 acre(s), Land Lot Number(s): 200 District(s): 2nd

Gross Density: N/A units per acre Net Density: N/A units per acre

Property Tax Parcel Number: 128-0102001 (Required)

Joan Cook
Witness Signature

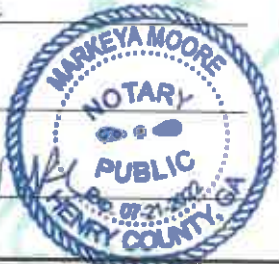
[Signature]
Signature of Owner/s

Joan Cook
Printed Name of Witness

TOM H. ELLIS see letter
Printed Name of Owner/s from owner

Markeya Moore
Notary

[Signature]
Signature of Agent



(For Office Use Only)

Total Amount Paid \$ _____ Cash _____ Check # _____ Received by: _____ (FEES ARE NON-REFUNDABLE)

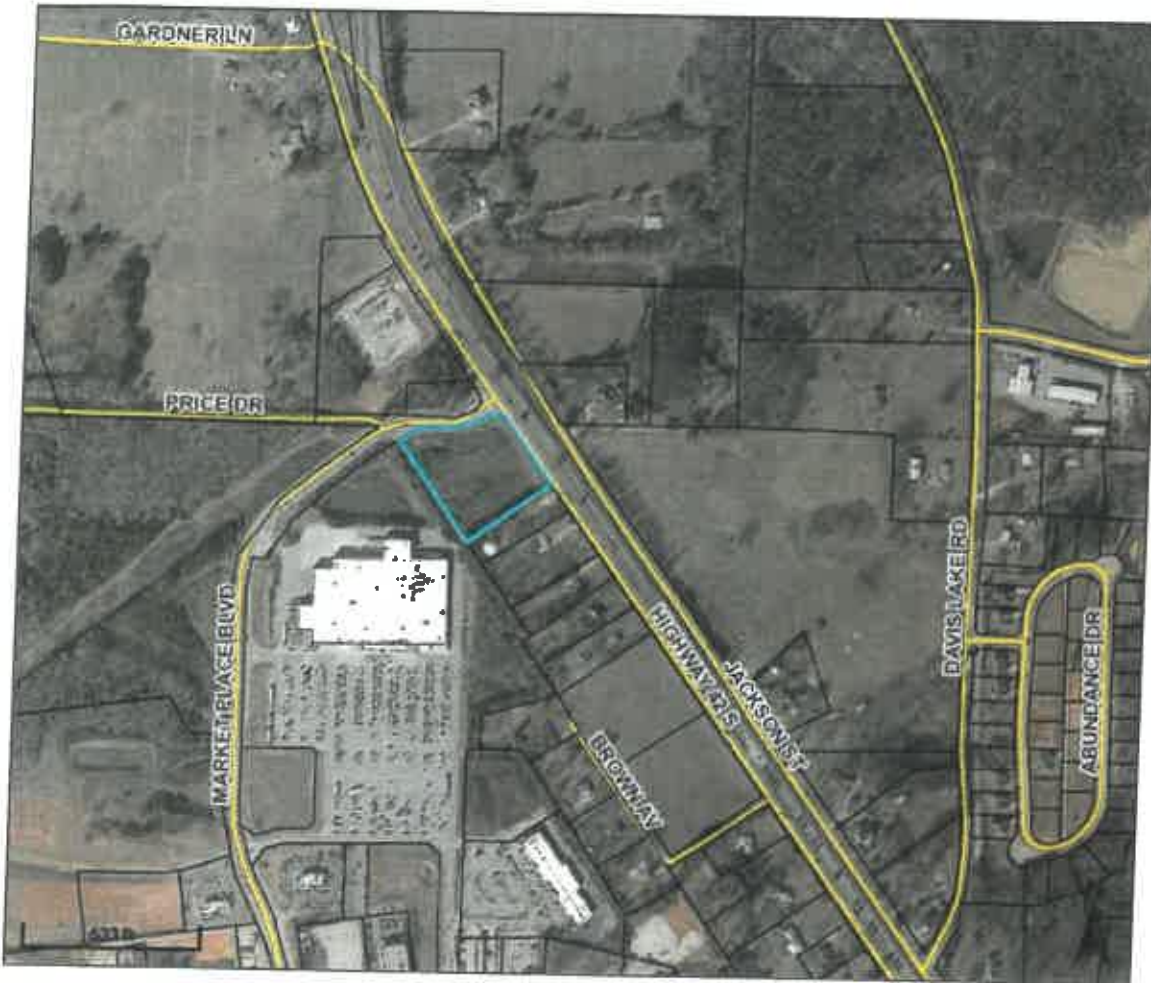
Application checked by: _____ Date: _____ Map Number(s): _____

Pre-application meeting: _____ Date: _____

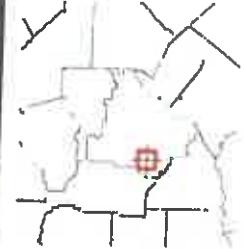
Public Hearing Date: _____

Council Decision: _____ Ordinance: _____

Date Mapped in GIS: _____ Date: _____



Overview



Legend

-  Parcels
-  Roads

Parcel ID	128-01020001	Class	C	Owner	PGP PROPERTIES INC	Land Value:	\$593,400				
Property Address	3300 HIGHWAY 42 S	Acreage	2.838	Address	1760 PEACHTREE ST STE 100	Building Value:	\$0	Last 2 Sales			
District	City/LocustGrove				ATLANTA GA 30309	Misc Value:	\$0	Date	Price	Reason	Qual
						Total Value:	\$593,400	11/9/2015	\$138,000	OTHER	U
								12/2/2014	\$400,000	DUND	U
										POWER	

Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County Courthouse or can be determined by employing the services of a licensed surveyor.

Date created: 6/21/2019
 Last Data Uploaded: 8/20/2019 10:14:20 PM

Developed by  **Schneider**
 GEOSPATIAL

VICINITY MAP - N.T.S.



GENERAL NOTES

1. The City of Decatur, Georgia, is hereby certifying that the following information is true and correct to the best of its knowledge and belief, based on the information provided to it by the applicant and the City's records.

2. The City of Decatur, Georgia, is hereby certifying that the following information is true and correct to the best of its knowledge and belief, based on the information provided to it by the applicant and the City's records.

3. The City of Decatur, Georgia, is hereby certifying that the following information is true and correct to the best of its knowledge and belief, based on the information provided to it by the applicant and the City's records.

4. The City of Decatur, Georgia, is hereby certifying that the following information is true and correct to the best of its knowledge and belief, based on the information provided to it by the applicant and the City's records.

5. The City of Decatur, Georgia, is hereby certifying that the following information is true and correct to the best of its knowledge and belief, based on the information provided to it by the applicant and the City's records.

CERTIFICATION OF OWNERSHIP & DEDICATION

I, Eric S. Zorn, AS TRUSTEE OF WAL-MART REAL ESTATE BUSINESS TRUST, 1001 SE 10th Street, Pensacola, FL 32506, do hereby certify that the following information is true and correct to the best of my knowledge and belief, based on the information provided to me by the applicant and my records.

10-27-10

RECEIVED
AUG 1 2019
City of Locust Grove
Community Development

OWNER / SUBMITTER

ERIC S. ZORN, AS TRUSTEE
OF WAL-MART REAL ESTATE
BUSINESS TRUST
1001 SE 10th STREET
PENSACOLA, FL 32506

OWNER

STLC, LLC
19241 BRINDHAM HIGHWAY
ALPHARETTA, GA 30004

OWNER

SH INVESTMENTS ONE, LLC
1720 PEACHTREE STREET
SUITE 150
ATLANTA, GA 30309

OWNER

LOCUST GROVE MEDICAL COMPLEX, LLC
1720 PEACHTREE STREET
SUITE 150
ATLANTA, GA 30309

AREA CHART

TRACT	OWNER	ACRES	SQ. FT.	ZONING
1	ERIC S. ZORN, AS TRUSTEE OF WAL-MART REAL ESTATE BUSINESS TRUST	22.5102	990,633	C2/C3
2	STLC, LLC	18.4960	811,764	C2
3	SH INVESTMENTS ONE, LLC	37.9526	1,651,992	C2
4	LOCUST GROVE MEDICAL COMPLEX, LLC	50.00	2,178,000	ZONED
5	LOCUST GROVE MEDICAL COMPLEX, LLC	1.8777	81,853	C2
6	LOCUST GROVE MEDICAL COMPLEX, LLC	2.4074	113,679	C2
7	LOCUST GROVE MEDICAL COMPLEX, LLC	2.8332	123,632	C2
8	LOCUST GROVE MEDICAL COMPLEX, LLC	1.6894	73,521	C2
9	LOCUST GROVE MEDICAL COMPLEX, LLC	1.6735	72,790	C2
TOTAL		100.4794	4,376,888	

APPROVED FOR RECORDING

10/30/19

SUPERVISOR/ENGINEER CERTIFICATION

[Signature]



Wolverton Associates
Professional Engineers & Architects
1001 Peachtree Street, N.E., Suite 1500
Atlanta, Georgia 30309
www.wolvertonassociates.com

INITIAL SUBDIVISION PLAT OF
MARKET PLACE AT LOCUST GROVE FOR:
ERIC S. ZORN, AS TRUSTEE OF WAL-MART REAL ESTATE
BUSINESS TRUST; STLC, LLC; SH INVESTMENTS ONE, LLC;
LOCUST GROVE MEDICAL COMPLEX, LLC
LAND LOTS 200, 201 AND 217, OF THE 2ND DISTRICT
CITY OF LOCUST GROVE, HENRY COUNTY, GEORGIA

DATE: 10/28/2018
SCALE: 1" = 100'
SHEET NUMBER: 03-146
SHEETS: 1 OF 8 SHEETS

MATCH LINE SEE SHEET 4

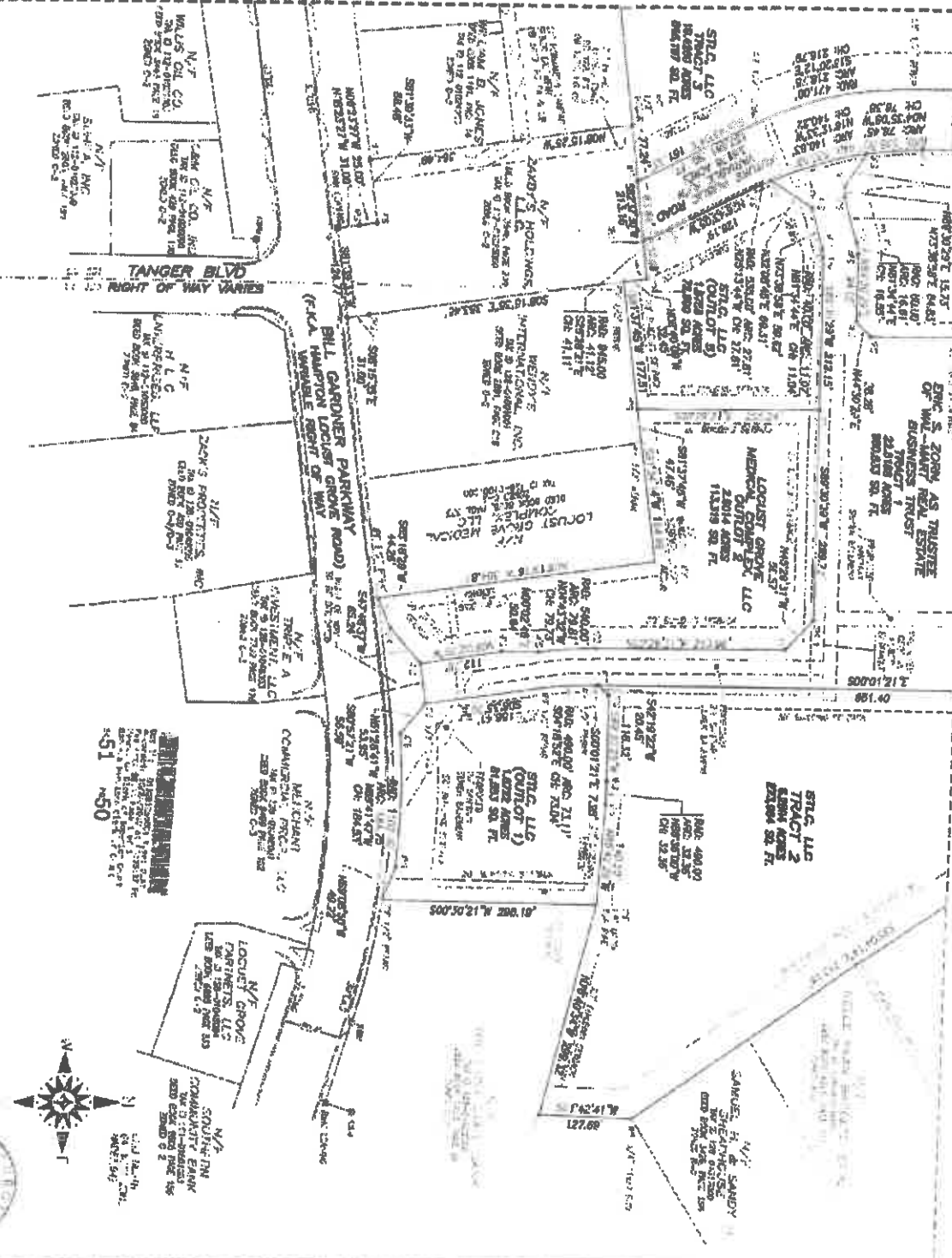
MATCH LINE SEE SHEET 2



APPROVED FOR RECORDING



SEE SHEET 1 FOR LEGEND



INITIAL SUBDIVISION PLAT OF
MARKET PLACE AT LOCUST GROVE FOR:
 ERIC S. ZORN, AS TRUSTEE OF WAL-MART REAL ESTATE
 BUSINESS TRUST; STLK, LLC; SHI INVESTMENTS ONE, LLC;
 LOCUST GROVE MEDICAL COMPLEX, LLC.
 LAND LOTS 200, 201 AND 217, OF THE 2nd DISTRICT
 CITY OF LOCUST GROVE HENRY COUNTY GEORGIA

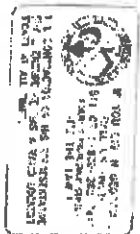
W
Wolverton & Associates
 Civil Engineering • Land Surveys
 117 Laurel Avenue • Suwanee, GA, Georgia 30074
 Phone: 770-226-1111 • Fax: 770-226-1101
 www.wolverton-associates.com

REVISIONS BY

DESIGNER: **AMW**
 CHECKED BY: **JWT**
 DATE: **10/28/2018**
 SCALE: **1" = 100'**
 SHEET NUMBER: **03-145**

3

OF 8 SHEETS



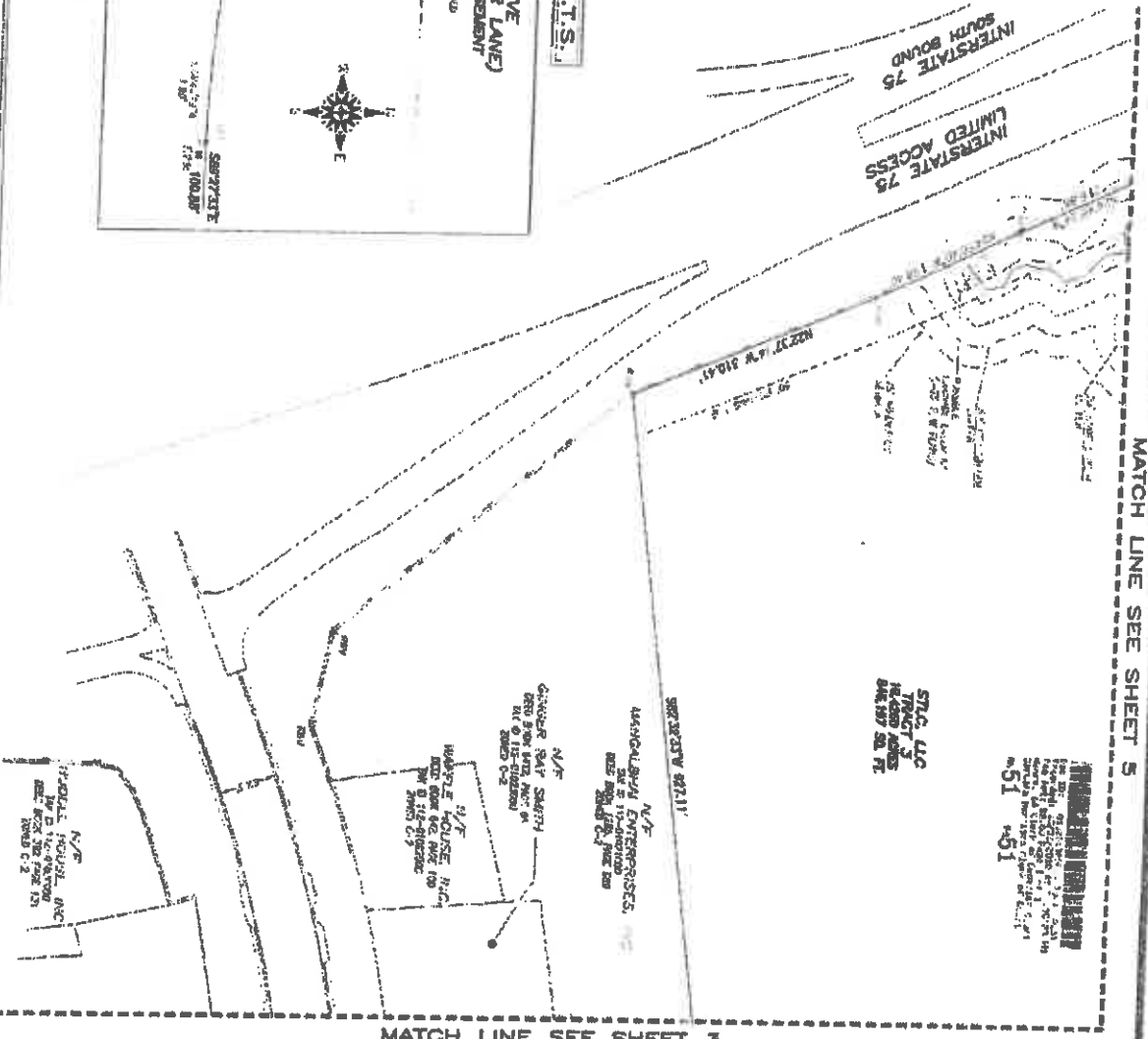
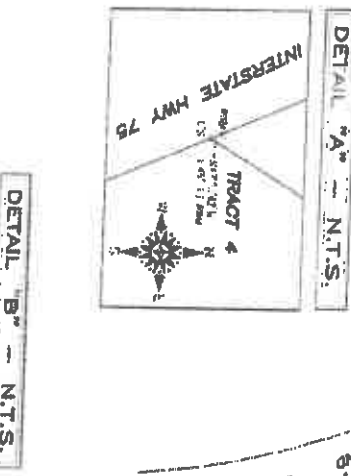
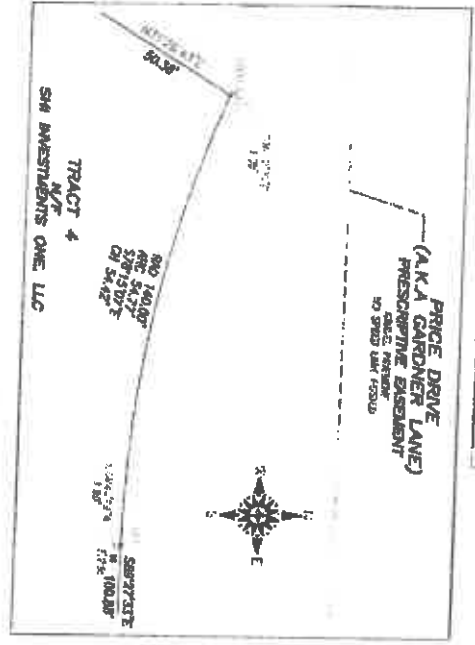
APPROVED FOR RECORDING

[Signature]

SEE SHEET 1 FOR LEGEND

100' 200' 300'

1" = 100'



INITIAL SUBDIVISION PLAT OF MARKET PLACE AT LOCUST GROVE FOR: ERIC S. ZORN, AS TRUSTEE OF WAL-MART REAL ESTATE BUSINESS TRUST; STLC, LLC; SHI INVESTMENTS ONE, LLC; LOCUST GROVE MEDICAL COMPLEX, LLC. LAND LOTS 200, 201 AND 217, OF THE 2ND DISTRICT CITY OF LOCUST GROVE HENRY COUNTY, GEORGIA

Wolverton & Associates

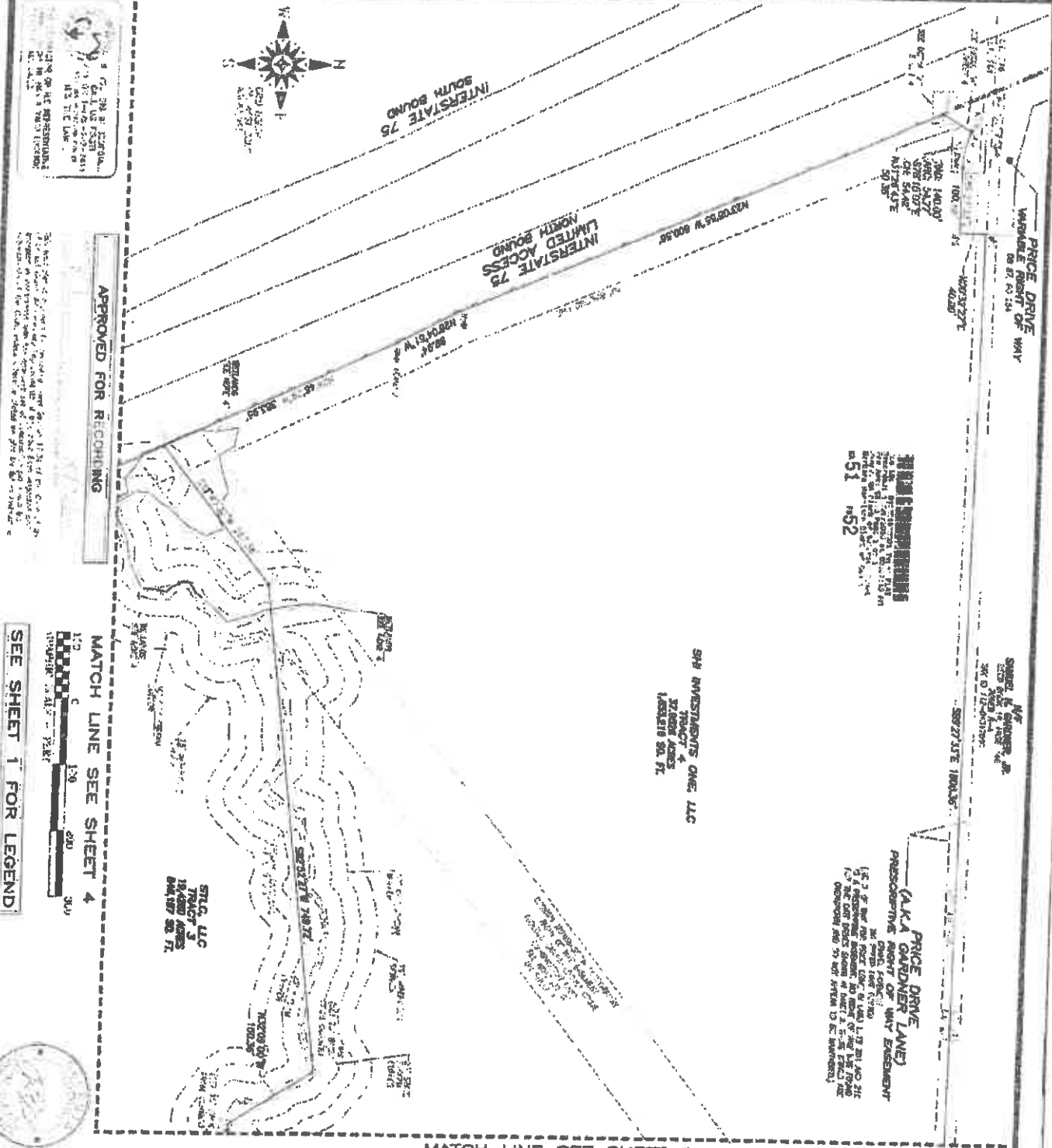
Surveying Engineers & Land Surveyors

1005 N. Peachtree Dunwoody Rd., Suite 100, Atlanta, GA 30328

Phone: 404.414.4400 Fax: 404.414.4401

www.wolverton-associates.com

DESIGNED BY	AAW
CHECKED BY	JMT
DATE	10/28/2010
SHEET NUMBER	1 of 100
JOB NO.	03-145
4	
OF 8 SHEETS	



1. THE STATE OF GEORGIA
 COUNTY OF HENRY
 2. THE CITY OF LOCUST GROVE
 3. THE 2ND DISTRICT
 4. THE 100' WIDE
 5. THE 100' WIDE



APPROVED FOR RECORDING

MATCH LINE SEE SHEET 4
 SEE SHEET 1 FOR LEGEND
 1" = 100'
 0 100 200 300
 MATCH LINE SEE SHEET 2



INITIAL SUBDIVISION PLAT OF
MARKET PLACE AT LOCUST GROVE FOR:
 ERIC S. ZORN, AS TRUSTEE OF WAL-MART REAL ESTATE
 BUSINESS TRUST; STLC, LLC; SHI INVESTMENTS ONE, LLC;
 LOCUST GROVE MEDICAL COMPLEX, LLC.
 LAND LOTS 200, 201 AND 217, OF THE 2ND DISTRICT
 CITY OF LOCUST GROVE, HENRY COUNTY, GEORGIA

Wolverton & Associates
 Surveying Engineers & Land Surveyors
 4000 Peachtree Dunwoody Road, Suite 100, Atlanta, GA 30328
 Phone: 404-412-4411
 Fax: 404-412-4412
 www.wolverton.com

REVISIONS	BY

DRAWN BY: AMW
 CHECKED BY: JMT
 DATE: 10/28/2010
 SCALE: 1" = 100'
 JOB NO: 03-145
 SHEET NUMBER: 5
 OF 5 SHEETS



CITY OF LOCUST GROVE

P. O. Box 900 • Locust Grove, Georgia 30248-0900
Telephone (770) 957-5043 Fax: (770) 954-1223

MAYOR
Robert Price

COUNCIL
Vernon Ashe
Keith Boone
Randy Gardner
Carlos Greer
Otis Hammock
Willie J. Taylor

CITY MANAGER
Tim Young

CITY CLERK
Misty Titshaw

August 8, 2019

GROUP SEVEN SIXTEEN, LLC
Attn: Mr. Tom Ellis
245 Country Club Drive
Suite 300-D
Stockbridge, GA 30281

RE: 3300 Highway 42 South
Water and Sewer Availability

Dear Mr. Ellis:

The City of Locust Grove (the "City") does provide water service to the above-referenced property (the "Property") via an existing 12" line located along Market Place Boulevard and an 8" line along State Route 42. Sanitary sewer service is available via existing lines in the Walmart development.

The City provides water and sanitary sewer services on a first-come, first served basis. Prior to occupancy, the developer will be responsible for making any necessary upgrades to the systems in order to provide proper pressures and flows to the Property.

The information contained in this letter will remain in effect for a period of 365 days from the date of this letter unless otherwise notified in writing by the City. Any deviation from the information contained in the Letter of Intent, dated July 31, 2019, shall automatically void the information provided herein and shall require a separate re-evaluation by the City.

Please do not hesitate to contact me directly at 770-957-5043 if you need additional information.

Kind regards,

A handwritten signature in black ink that reads "Jack Rose".

Jack Rose
Director, Public Works

CC: Conditional Use File

in The Grove

ATLANTA SOUTH COMMERCIAL PROPERTIES, INC.

July 31, 2019

Bert Foster, AICP
Director
Community Development Department
City of Locust Grove
P.O. Box 900
Locust Grove, GA 30248

RE: 2.83 acres, Out Lot 3, Market Place and Highway 42

Mr. Foster,

As the representative for Group Seven Sixteen, LLC., which has the property under contract from the current owner, PGP Properties, Inc., I am authorized to request for the change in use for the above described 2.83 acres.

It is the intent of the new owners to develop the property into two uses. The portion of the property that fronts Highway 42 will be a 2,000-3,000 square foot branch bank building. The back portion of the property will be developed as an approximately 15,000 single story medical office building.

We are requesting a change in the conditional use of the property to allow for the drive thru function for the branch bank facility under the current zoning.

Thank you in advance for your attention to this matter and we look forward to working with the City of Locust Grove on this project.

Sincerely,



Tom H. Ellis
President

CC: Dr. Sheryl Simpson-Jones, managing member Group Seven Sixteen, LLC

RECEIVED

AUG 1 2019

City of Locust Grove
Community Development

Applicant Campaign Disclosure Form

Has the applicant¹ made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to a member of the Locust Grove City Council and/or Mayor who will consider the application?
Yes ___ No X

If Yes, the applicant and the attorney representing the applicant must file a disclosure report with the Henry County Board of Commissioners within ten (10) days after this application is first filed. Please supply the following information that will be considered as the required disclosure:

Commissioner/Planning Commission Member Name	Dollar amount of Campaign Contribution	Description of Gift \$250 or greater given to Board Member

We certify that the foregoing information is true and correct, this 5 day of Aug 2013.

GROUP SEVEN SIXTYEEN, LLC
Applicant's Name - Printed

[Signature]
Signature of Applicant

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this _____ day of _____, 2013.

[Signature]
Notary Public

¹ Applicant means any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association, or trust) applying for rezoning or other action.



Parcel ID	128-01020001	Class	C	Owner	PGP PROPERTIES INC	Land Value:	\$593,400					
Property Address	3300 HIGHWAY 42 S	Acreeage	2.838	Address	1760 PEACHTREE ST STE 100 ATLANTA GA 30309	Building Value:	\$0	Last 2 Sales				
District	City/LocustGrove							Date	Price	Reason	Qual	
							Misc Value:	\$0	11/9/2015	\$138,000	OTHER	U
							Total Value:	\$593,400	12/2/2014	\$400,000	DUND	U
											POWR	

Parcel lines depicted on the maps do not reflect a true and exact representation of property boundaries and should not be relied upon for said purpose. Property boundary lines are depicted on recorded plats available at the Henry County Courthouse or can be determined by employing the services of a licensed surveyor.

Date created: 8/5/2019
 Last Data Uploaded: 7/16/2019 11:42:21 PM

Developed by  **Schneider**
 GEOSPATIAL

PGP Properties, Inc.

1760 Peachtree Street STE 100

Atlanta, GA 30309

July 31, 2019

RE: City of Locust Grove Conditional Use Application

3300 Highway 42 N

Locust Grove, GA 30248

To Whom It May Concern:

The owner, PGP Properties, Inc. hereby authorizes Tom Ellis of Atlanta South Commercial Properties Inc to be the authorized agent to represent them in the Conditional Use application for this property.

Thank you,

PGP Properties Inc.

BY: PGP Properties, Inc. By: 
Shi Shailendra

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 957-9161
Fax (770) 339-5869

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which publishes the Henry Herald, published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: 612056
Name and File No.: **PUBLIC HEARING 9/16/19**
a true copy of which is hereto attached, was published in said newspaper on the following date(s):
08/28/19 Wed

Public Hearing Notice
City of Locust Grove
September 16, 2019
8:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248

Notice is hereby given as required by Chapter 68 of Title 36 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, September 16, 2019 at 8:00 PM, will conduct public hearings for the purpose of the following:

CONDITIONAL USE
CU-19-09-01 Tom Ellis, agent acting on behalf of Group Seven Sbdco, LLC, of Stockbridge, Georgia, requests a conditional use for the purpose of allowing a financial institution (bank) with a drive-through configuration in the O/I (office/institutional) zoning district for property located at 3300 Highway 42 South at the intersection of SR 42 and Market Place Boulevard (Parcel ID - 128-01020001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 2.8 +/- acres.

CU-19-09-02 Steven and Miranda Davis of Locust Grove, Georgia request a conditional use for the purpose of establishing a detached guest quarters on the property located at 91 Rowden Street (Parcel ID - 128-02014001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 3.5 +/- acres.

ANNEXATION AND REZONING
RZ-19-09-03 Christine Law and Derek Law request annexation and rezoning from RA (residential agricultural) in unincorporated Henry County, to RA (residential agricultural) within the City of Locust Grove for property located at 367 and 367 Colvin Drive (Parcel ID 127-02022000) containing approximately 10.0 +/- acres in Land Lot 232 of the 2nd District for the purpose of incorporating property in the City limits.

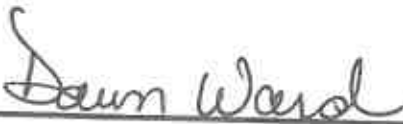
RZ-19-09-04 Donna Price and Robert Shon Price request annexation and rezoning from RA (residential ag-

ricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 1208 Davis Lake Road (Parcel ID 127-01044000) containing approximately 1.2 +/- acres in Land Lot 248 of the 2nd District for the purpose of incorporating property in the City limits.

The public hearing will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Bert Foster
Community Development Director
City of Locust Grove
928-612056, 8/26

Robert D. McCray, SCNI Vice President of Sales and Marketing



By Dawn Ward
Legal Advertising Clerk

Sworn and subscribed before me 08/28/19



Notary Public

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 957-9161
Fax (770) 339-5869

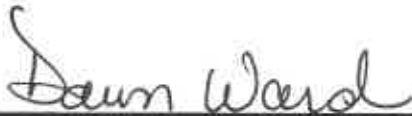
PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

Personally appeared before the undersigned, a notary public within and for said county and state, Robert D. McCray, Vice President of SCNI, which publishes the Henry Herald, published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **612056**
Name and File No.: **PUBLIC HEARING 9/16/19**
a true copy of which is hereto attached, was published in said newspaper on the following date(s):
08/28/19 Wed

Robert D. McCray, SCNI Vice President of Sales and Marketing



By Dawn Ward
Legal Advertising Clerk

Sworn and subscribed before me 08/28/19



Notary Public

**Public Hearing Notice
City of Locust Grove
September 16, 2019
6:00 PM
Locust Grove Public
Safety Building
3640 Highway 42 South
Locust Grove, GA 30248**

Notice is hereby given as required by Chapter 66 of Title 36 of the Official Code of Georgia Annotated ("Zoning Procedures Law") and Section 17.04 of the Code of Ordinances, City of Locust Grove, Georgia, that the Locust Grove City Council, on Monday, September 16, 2019 at 6:00 PM, will conduct public hearings for the purpose of the following:

CONDITIONAL USE

CU-19-09-01 Tom Ellis, agent acting on behalf of Group Seven Sixteen, LLC, of Stockbridge, Georgia requests a conditional use for the purpose of allowing a financial institution (bank) with a drive-through configuration in the O/I (office/institutional) zoning district for property located at 3300 Highway 42 South at the intersection of SR 42 and Market Place Boulevard (Parcel ID - 128-01020001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 2.8 +/- acres.

CU-19-09-02 Steven and Miranda Davis of Locust Grove, Georgia request a conditional use for the purpose of establishing a detached guest quarters on the property located at 91 Bowden Street (Parcel ID - 128-02014001) in Land Lot 200 of the 2nd District of Locust Grove, Georgia, and consisting of approximately 3.5 +/- acres.

ANNEXATION AND REZONING

RZ-19-09-03 Christine Law and Derek Law request annexation and rezoning from RA (residential agricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 387 and 397 Colvin Drive (Parcel ID 127-02022000) containing approximately 10.0 +/- acres in Land Lot 232 of the 2nd District for the purpose of incorporating property in the City limits.

RZ-19-09-04 Donna Price and Robert Shon Price request annexation and rezoning from RA (residential ag-

ricultural) in unincorporated Henry County to RA (residential agricultural) within the City of Locust Grove for property located at 1206 Davis Lake Road (Parcel ID 127-01044000) containing approximately 1.2 +/- acres in Land Lot 249 of the 2nd District for the purpose of incorporating property in the City limits.

The public hearing will be held in the Locust Grove Public Safety Building, located at 3640 Highway 42 South.

Bert Foster
Community Development Director
City of Locust Grove
928-612056, 8/28

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Bert Foster, who, after being duly sworn, testifies as follows:

1.

My name is Bert Foster. I am over twenty-one years of age and competent to give this, my affidavit, based upon my personal knowledge.

2.

On the 30th day of August 2019, I, Bert Foster, posted one (1) double-sided sign notifications on the Property advertising a public hearing on the request below to be heard by the Locust Grove City Council on the 16th day of September, 2019 at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Said public hearing signs were posted at the following locations:

- A. 3300 Highway 42 South for a Conditional Use @ 1:35
- B. 91 Bowden Street for a Guest Quarters CU @ 1:30
- C. 1206 Davis Lake Road for a rezoning/annexation @ 1:20
- D. 387 and 397 Colvin Drive for a rezoning/annexation @ 1:15

Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference.

FURTHER AFFIANT SAYETH NOT.

This 9th day of September 2019.



Affiant

Sworn and subscribed before me
this 9 day of September, 2019

Mareya Moore

Notary Public



Exhibit "A"
Sign Exhibits A through D

PUBLIC

City of Locust Grove

City Council Meeting
Public Safety Building
3640 Highway 42
Locust Grove, GA 30248

CONDITIONAL USE

Use/Section: To allow a
financial institution with a
drive-thru in the O/I
(office/institutional) district

DATE: September 16, 2019

TIME: 6:00 P.M.

NOTICE

For information, please call
(770) 492-2327 or visit
www.locustgrove-ga.gov

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Building
3640 Highway 42
Locust Grove, GA 30248

CONDITIONAL USE
Use/Section: Detached
Guest Quarters

DATE: September 16, 2019
TIME: 6:00 P.M.

NOTICE

For information, please call
770-522-2222 or visit
www.locustgrove.ga.gov

PUBLIC

City of Locust Grove
City Council Meeting
Public Safety Building
3946 Highway 42
Locust Grove, GA 30248

ANNEXATION & REZONING

FROM: County RA (residential agricultural)
TO: City RA (residential agricultural)

DATE: September 16, 2019
TIME: 6:00 P.M.

NOTICE

For more information, please contact
City Planning & Zoning
www.cityoflocustgrove.com

PUBLIC

City of Lochust Grove
City Council Meeting
Public Hearing Building
2002 Highway 52
Lochust Grove, GA 30548

ANNEXATION & REZONING

FROM County 22 (residential agricultural)
TO City 24 (residential agricultural)

DATE: September 15, 2018
TIME: 6:00 P.M.

For information, please call
770-542-8281 or visit
www.lochustgrove.gov

NOTICE

ORDINANCE NO. _____

TO AMEND TITLE 17 ENTITLED "ZONING", CHAPTER 17.04 ENTITLED "ZONING CODE ADOPTED", SECTION 17.04.131(3-7-151) ENTITLED "OI: OFFICE/INSTITUTIONAL DISTRICT ADOPTED AS AMENDED" OF THE CODE OF ORDINANCES OF THE CITY OF LOCUST GROVE TO PROVIDE FOR PERMITTED USES AND CONDITIONAL USES IN THE OFFICE/INSTITUTIONAL ZONING DISTRICT WITHIN THE CITY OF LOCUST GROVE; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

SECTION 1. Section 17.04.131 OI: Office/Institutional is hereby amended by adding new Section 17.04.131(b)(13) "Permitted Uses" to read as follows:

(13) Financial institutions without drive-through facilities. For the purpose of this amendment, "Financial institution" means an institution empowered by a State or Federal charter to receive deposits and make loans, among other things, subject to the regulatory and auditing supervision of the appropriate State or Federal banking authority exclusive of alternative financial services providers such as title loan businesses, short-term loan providers, cash-for-gold stores, refund/paycheck anticipation lenders and pawn shops.

SECTION 2. Section 17.04.131 OI: Office/Institutional is hereby further amended by adding new Section 17.04.131(d)(3) "Conditional Uses" to read as follows:

(3) Financial institutions with drive-through facilities. For the purpose of this amendment, "Financial institution" means an institution empowered by a State or Federal charter to receive deposits and make loans, among other things, subject to the regulatory and auditing supervision of the appropriate State or Federal banking authority exclusive of alternative financial services providers such as title loan businesses, short-term loan providers, cash-for-gold stores, refund/paycheck anticipation lenders and pawn shops.

SECTION 3. **Codification.** This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 4. **Severability.** In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of Locust Grove that such adjudications shall in no manner affect the other sections, sentences, clauses, or phases of this ordinance which shall remain in full force and effect as if the invalid or unconstitutional section, sentence, clause or phrase were not originally part of the ordinance.

SECTION 5. Repeal of conflicting provisions. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. Effective date. This ordinance shall become effective immediately upon its adoption by the Mayor and the City Council of Locust Grove.

SO ORDAINED this 3rd day of September 2019.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(seal)

APPROVED AS TO FORM:

City Attorney