



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 of 6.29 +/- acres located on Highway 42 and Canup Road (Parcel ID: 147-01003009 and 163-01001001) in Land Lot 130 of the 2nd District.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: August 30, 2023

Budget Item: No

Date Received: July 3, 2023

Workshop Date: September 18, 2023

Regular Meeting Date: October 2, 2023

Discussion:

Five Rivers North, LLC has submitted an application requesting annexation of a 6.29 +/- acre tract (Parcel IDs 147-01003009 and 163-0100100) in Land Lot 130 of the 2nd District, located on Highway 42 and Canup Road. The zoning of the subject property will remain M-1 (Light Manufacturing) the City of Locust Grove's equivalent to unincorporated Henry County's M-1 (Light Manufacturing) zoning district. The future land use designation will remain Low-Density Residential within the incorporated boundaries of Locust Grove. The Applicant is utilizing the 100% method per O.C.G.A. §36-36-20. The Henry County Board of Commissioners raised no objections to this annexation during their August 1, 2023 meeting.

Recommendation:

The annexation request meets the legal requirements per Georgia Annexation Law O.C.G.A. 36-36-11 and received no objection from the Henry County Board of Commissioners at their August 1, 2023 meeting. Therefore, staff recommends APPROVAL of the applicants request to annex the subject property into the City of Locust Grove with the City of Locust Grove equivalent zoning district of M-1 (Light Manufacturing) and Future Land Use designation of LD (Low Density Residential).

ORDINANCE NO. _____

AN ORDINANCE TO ANNEX APPROXIMATELY 6.29+/- ACRES LOCATED ON HIGHWAY 42 AND CANUP ROAD IN LAND LOT 130 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, Five Rivers North, LLC, of Stockbridge, GA, (the “Applicant”) petitioned the City to annex and rezone property located on Highway 42 and Canup Road consisting of 6.29+/- acres (Parcel ID: 147-01003009 and 163-01001001) located in Land Lot 130 of the 2nd District (the “Property”) attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to annex and rezone the subject Property into the City of Locust Grove on July 3, 2023, as shown in the staff report attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, the City of Locust Grove provided notice of the annexation to the Henry County Board of Commissioners on July 6, 2023 by certified mail; and,

WHEREAS, the Henry County Board of Commissioners reviewed the Applicant’s request during their August 1, 2023 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 September 18, 2023 as well as by the City Community Development Director; and,

WHEREAS, the Applicant requested that the Property retain the same zoning in the City (M-1 Light Manufacturing) that they had in the County (M-1 Light Manufacturing), 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.

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

1.

- That the request for annexation is hereby **APPROVED**.
- That the request for annexation 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 2nd day of October 2023.

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: 07/03/2023

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) FIVE RIVERS NORTH, LLC

PROPERTY LOCATION CANUP DRIVE @ Hwy 42/23

PHONE NUMBER 404-210-6017 - CJ

ALTERNATE PHONE 404-429-6046 - Balinar

LAND LOT/DISTRICT 130/2nd

ACREAGE 6.14

MAP CODE NO. 163-01001001 + 147-01003009

ZONING CLASSIFICATION M-1

SIGNATURE(S) *Cherish Smith* Date 7-3-2023

_____ Date _____

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

FORM 1

RECEIVED
JUL 03 2023
City of Locust Grove
Community Development
Regina Smith



ANNEXATION APPLICATION

The enclosed forms have been compiled for your convenience in cases where land owners desire to annex property into the incorporated city limits of the City of Locust Grove.

All applicants for annexation must complete FORM 1 in its entirety.

--ALSO--

- If you and/or anyone else reside(s) on the property for which you are seeking annexation, please complete FORM 2.
- If no one resides on the property for which you are seeking annexation, please complete FORM 3.

Additional required information:

- A copy of the recorded deed for the subject property.
- A legal description of the subject property.
- A plat of the subject property, prepared by a professional surveyor, licensed in Georgia.

Please submit the above-noted information to the following location:

Office of the City Manager
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

For questions regarding the annexation process, please call 770-957-5043

NIA

**APPLICATION FOR ANNEXATION UNDER
THE SIXTY PERCENT (60%) METHOD
LAND OWNERS AND ELECTORS**

Date of Submission: _____

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 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 description of such territory is attached as **Exhibit A**.

OWNERS NAME(S)

PROPERTY LOCATION

PHONE NUMBER

ALTERNATE PHONE

LAND LOT/DISTRICT

ACREAGE

MAP CODE NO.

ZONING CLASSIFICATION

SIGNATURE(S)

_____ **Date** _____

_____ **Date** _____

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

FORM 2

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

Date of Submission : 07/03/2023

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) FIVE RIVERS NORTH, LLC

PROPERTY LOCATION CANUD DRIVE @ Hwy 42/23

PHONE NUMBER 404-210-6017-CJ

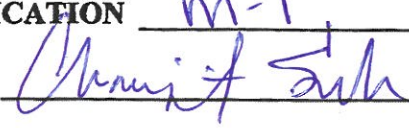
ALTERNATE PHONE 404-429-6846-Balihar

LAND LOT/DISTRICT 130/2nd

ACREAGE 6.14

MAP CODE NO. 163-01001001 + 147-01003009

ZONING CLASSIFICATION M-1

SIGNATURE(S)  **Date** 7-3-2023

Date _____

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

FORM 3

BK: 19262 PG: 757-760
Filed and Recorded
May-17-2023 09:34:46AM
DOC#: D2023-011273
Real Estate Transfer Tax Paid \$1,723.00
0752023003304
SABRIYA HILL
CLERK OF SUPERIOR COURT Henry County GA.

Deed Doc: WD
Recorded 05/09/2023 02:21PM
Georgia Transfer Tax Paid : \$53.30
Morgan Ward
Clerk Superior Court, BUTTS County, Ga.
Bk 00991 Pg 0384-0387

PT-61-018-2023-000416

SWWW-J FILE NO.: 712023.0318

Return To: SMITH, WELCH, WEBB & WHITE, LLC
ATTORNEYS AT LAW
117 BROOKWOOD AVENUE
JACKSON, GA 30233
(770)775-3188

RECEIVED IN OFFICE
HENRY COUNTY
CLERK OF SUPERIOR COURT
2023 MAY 16 PM 2:34

WARRANTY DEED

STATE OF GEORGIA, BUTTS COUNTY

IN CONSIDERATION OF THE SUM OF ONE DOLLAR AND OTHER CONSIDERATIONS DOLLARS to us paid We, ROBERT HOUSE and CORNER LOT, INC., as their interests may appear, of the County of Butts, do hereby sell and convey unto FIVE RIVERS NORTH, LLC, of the County of Henry, its heirs and assigns, a tract or parcel of land, which is described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

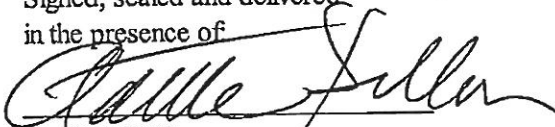
THE ABOVE DESCRIBED PROPERTY IS CONVEYED SUBJECT TO ALL EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD, IF ANY.


TO HAVE AND TO HOLD said land and appurtenances unto said FIVE RIVERS NORTH, LLC, its heirs, executors, administrators, and assigns, in fee simple.

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

In Witness Whereof, We have hereunto set our hands and affixed our seals this the 8th day of May, 2023.

Signed, sealed and delivered
in the presence of


Unofficial Witness

 (SEAL)
ROBERT HOUSE

 (SEAL)
Notary Public

CORNER LOT, INC.

My commission expires

BY:  (SEAL)
ROBERT S. HOUSE, PRESIDENT



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EXHIBIT "A"

~~TRACT ONE: 435 COUNTY LINE ROAD, CONTAINING 2.514 ACRES~~

~~THE CERTAIN IMPROVED REALTY LOCATED IN LAND LOT 127 OF THE 2ND LAND DISTRICT OF BUTTS COUNTY, GEORGIA CONTAINING 2.514 ACRES AS SHOWN ON PLAT OF SURVEY OF SAME PREPARED BY JOE ROWAN, DATED 3/16/1995 AND RECORDED IN PLAT BOOK 12, PAGE 805, BUTTS COUNTY, GEORGIA RECORDS. MAP/PARCEL #00080 040 A00.~~

~~ALSO CONVEYED HEREWITH IS A 1980 REDMAN BOANZA MANUFACTURED HOME, VIN #11510965, WHICH IS PERMANENTLY AFFIXED TO THE ABOVE DESCRIBED PROPERTY.~~

* **TRACT TWO: HWY 42 & CANUP ROAD, CONTAINING 5 ACRES**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130 OF HENRY COUNTY, GEORGIA, CONTAINING 5 ACRES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE EASTERN MARGIN OF DEAN PATRICK ROAD CONVERGES WITH THE SOUTHERN MARGIN OF U.S. 23 AND GEORGIA HIGHWAY 42 AND TRAVELING THENCE SOUTH 67 DEGREES 31 MINUTES EAST A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTH 4 DEGREES 35 MINUTES WEST A DISTANCE OF 839.1 FEET TO A POINT; THENCE NORTH 88 DEGREES 18 MINUTES WEST 246.2 FEET TO A POINT; THENCE NORTH 2 DEGREES 38 MINUTES EAST 605.0 FEET TO AN IRON PIN; THENCE NORTH 18 DEGREES 17 MINUTES EAST 318.1 FEET ALONG THE EASTERN MARGIN OF DEAN PATRICK ROAD TO THE POINT OF BEGINNING.

SAID TRACT OF PROPERTY IS SHOWN AS "TRACT 2" ON A PLAT OF SURVEY PREPARED BY T. A. CARMICHAEL, JR., DATED JANUARY 16, 1978, AND RECORDED IN PLAT BOOK 7, PAGE 70, HENRY COUNTY, GEORGIA RECORDS. MAP/PARCEL #163-01001001.

* **TRACT THREE: 1.4 ACRES**

ALL THAT TRACT OR PARCEL OF LAND LYING, SITUATE AND BEING IN LAND LOT 130 OF THE 2ND LAND DISTRICT OF HENRY COUNTY, GEORGIA, CONTAINING 1.4 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE EASTERN MARGIN OF DEAN PATRICK ROAD, A/K/A CANUP ROAD, CONVERGES WITH THE SOUTHERN MARGIN OF U.S. 23 AND GEORGIA HIGHWAY 42, THENCE SOUTH 18 DEGREES 17 MINUTES WEST 318.1 FEET ALONG THE EASTERN MARGIN OF THE DEAN PATRICK (CANUP) ROAD TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 2 DEGREES 38 MINUTES WEST 605.0 FEET TO AN IRON PIN WHICH IS LOCATED ON THE SOUTHERN LAND LOT LINE OF LAND LOT 130; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTHERN LAND LOT LINE OF LAND LOT 130 192.6 FEET, MORE OR LESS, TO THE EASTERN RIGHT OF WAY OF DEAN PATRICK (CANUP) ROAD; THENCE NORTHEASTERLY ALONG THE EASTERN RIGHT OF WAY OF SAID ROAD TO THE POINT OF BEGINNING. SAID PROPERTY IS FURTHER DESCRIBED IN ACCORDANCE WITH A PLAT OF SURVEY DATED JANUARY 16, 1978, PREPARED BY T. A. CARMICHAEL, JR., AND RECORDED IN PLAT BOOK 7, PAGE 70, OFFICE OF CLERK, HENRY SUPERIOR COURT. SAID TRACT IS DESCRIBED ON SAID PLAT AS THE WILSON PROPERTY AND IS LOCATED ADJACENT TO AND WEST OF TRACT 2 DESCRIBED ON SAID SURVEY. SAID

EXHIBIT "A" – CONTINUED

PROPERTY IS TRIANGULAR IN SHAPE AND IS A PORTION OF THAT PROPERTY DEEDED TO GEORGE L. WILSON FROM C. S. ROGERS AND V. B. PRATER BY WARRANTY DEED DATED AUGUST 24, 1953, RECORDED IN DEED BOOK 48, PAGE 145, OFFICE OF CLERK, HENRY SUPERIOR COURT, GEORGIA RECORDS. MAP/PARCEL #147-01003009.

~~TRACT FOUR: COUNTY LINE ROAD, CONTAINING 3.00 ACRES~~

~~ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130 OF THE 2ND LAND DISTRICT OF HENRY COUNTY, GEORGIA, AND BEING 3.00 ACRES AS SHOWN ON A PLAT OF SURVEY PREPARED FOR GLEN GLADIS AND PREPARED BY WALTER F. PRINCE, GA. R.L.S. #2808, DATED JULY 12, 2005, AND RECORDED AT PLAT BOOK 43, PAGE 300A, HENRY COUNTY, GEORGIA RECORDS. MAP/PARCEL #162-01004-003.~~

~~TRACT FIVE: HWY 42 SOUTH, CONTAINING 12.205 ACRES~~

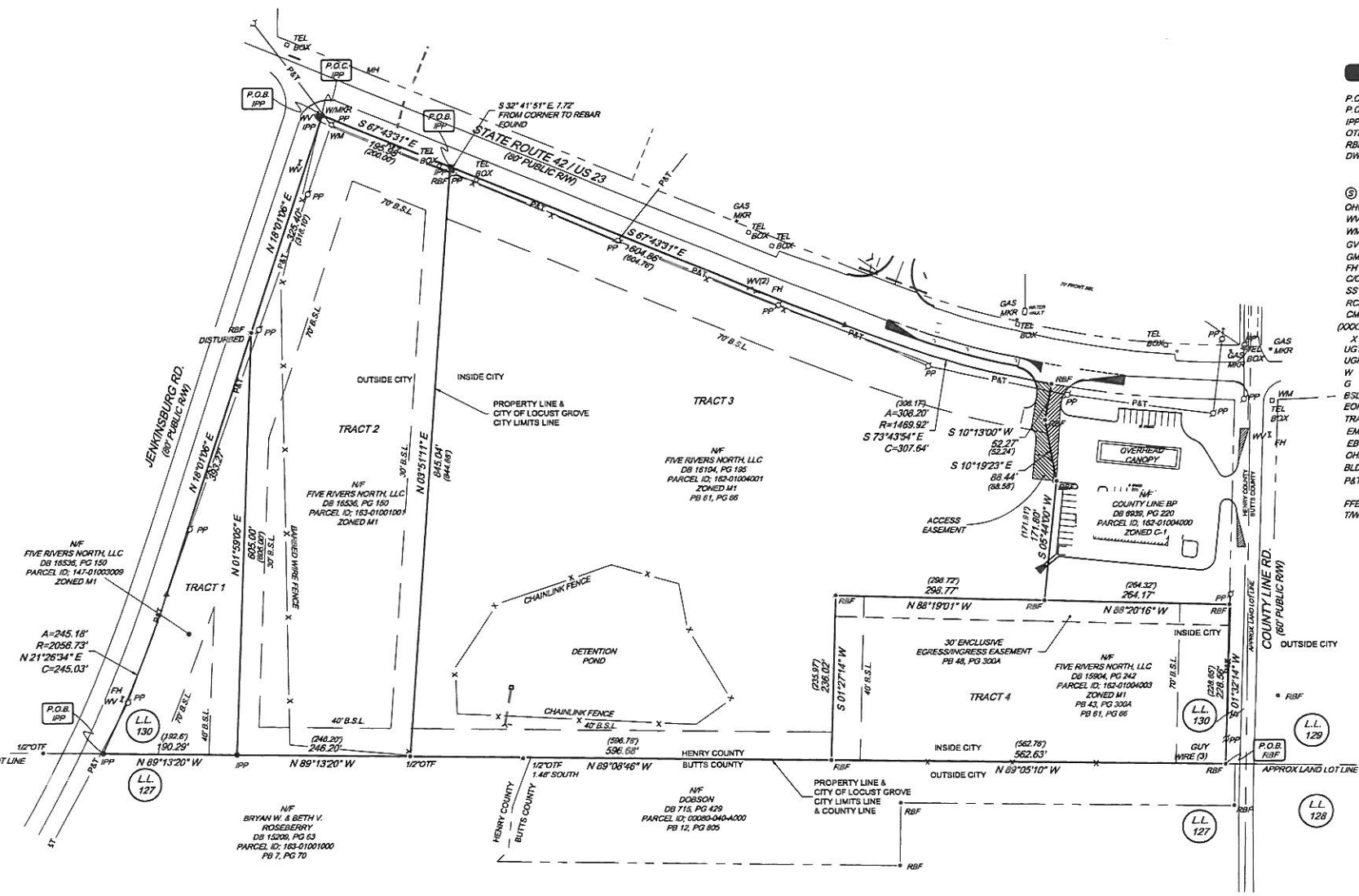
~~ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130, OF THE 2ND LAND DISTRICT, OF HENRY COUNTY, GEORGIA, AND BEING 12.205 ACRES, AS SHOWN ON A PLAT OF SURVEY PREPARED FOR PHILLIP CORBIN, PREPARED BY WALTER F. PRINCE, G.R.L.S. #2808, DATED APRIL 24, 2006, WHICH SAID PLAT OF SURVEY IS INCORPORATED HEREIN AND BY REFERENCE THERETO BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO. MAP/PARCEL #162-01004001.~~

EXHIBIT "A" - CONTINUED

All that tract or parcel of land lying and being in Land Lot 130, of the 2nd District, of Henry County, Georgia, and being 12.205 Acres, as shown on a plat of survey prepared for Philip Corbin, prepared by Walter F. Prince, G.R.L.S. #2806, dated April 24, 2006, which said plat of survey is incorporated herein and by reference thereto being more particularly described as follows:

Beginning at an iron pin placed on the Southern right-of-way line of U.S. Highway 23/Ga. Highway 42 (an 80-foot right-of-way), said iron pin being 263.38 feet Westerly, as measured along said right-of-way line, from its intersection with the Western right-of-way line of County Line Road (a 60-foot right-of-way); thence, and leaving the Southern right-of-way line of U.S. Highway 23/Ga. Highway 42, South 10 degrees 09 minutes 28 seconds West, 52.23 feet to an iron pin placed; thence proceeding South 10 degrees 14 minutes 40 seconds East, 88.53 feet to an iron pin placed; thence proceeding South 05 degrees 47 minutes 12 seconds West, 171.83 feet to an iron pin found; thence proceeding North 88 degrees 19 minutes 47 seconds West, 298.59 feet to an iron pin found; thence proceeding South 01 degree 31 minutes 34 seconds West, 235.91 feet to an iron pin found on the common land lot line of Land Lots 130 and 127 and dividing line between Henry and Butts Counties; thence proceeding, along said common land lot and county line, North 89 degrees 06 minutes 15 seconds West, 596.59 feet to an iron pin found; thence, and leaving said common land lot and county line, North 03 degrees 50 minute 41 seconds East, 845.50 feet to an iron pin found on the Southwestern right-of-way line of U.S. Highway 23/Ga. Highway 42; thence proceeding, along said right-of-way line, South 67 degrees 37 minutes 57 seconds East, 345.56 feet to a point; thence, and continuing along said right-of-way line, South 67 degrees 58 minutes 58 seconds East, 247.31 feet to a point; thence, and continuing along said right-of-way line, in a Southeasterly direction and following the curvature thereof to the left along the arc of a curve to the right of a chord having been subtended, an arc distance of 320.77 feet to an iron pin placed, (said arc having a radius of 1,404.33 feet and said chord having a bearing of South 73 degrees 16 minutes 32 seconds East, a chord distance of 320.07 feet), and said iron pin being the Point of Beginning.

Together With all of Grantor's right, title and interest in and to that certain perpetual 30-foot exclusive easement for the purpose of ingress and egress conveyed to Grantor by Limited Warranty Deed from Walter Concrete Company, Inc. filed for record in the Office of the Clerk of Superior Court, Henry County, Georgia, and more particularly described as a 30-foot Exclusive Egress/Ingress Easement on a plat of survey of record at Plat Book 43, Page 300-A, of the Henry County, Georgia Records. The description of said easement as set forth under said recorded plat of survey is incorporated herein by reference and made a part hereof, with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging. Parcel 162-1004001



LEGEND	
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
IPP	12" REBAR & PLASTIC CAP PLACED
OTF	OPEN TOP PIPE FOUND
RBF	REBAR FOUND
DWCB	DOUBLE WING CATCH BASIN
	LIGHT POLE
	POWER POLE
S	SANITARY SEWER MANHOLE
OHJ	OVERHEAD POWER SVC LINE
WV	WATER VALVE
WM	WATER METER
GV	GAS VALVE
GM	GAS METER
FH	FIRE HYDRANT
CO	CLEAN OUT
SS	SANITARY SEWER LINE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
(XXX)X	DEEDED DISTANCES
X	SPOT ELEVATIONS
UGT	UNDERGROUND TELEPHONE
UGP	UNDERGROUND POWER
W	WATER MAIN
G	GAS MAIN
BL	BUILDING SETBACK LINE
EOP	EDGE OF PAVEMENT
TRANS	TRANSMISSION LINE
EM	ELECTRIC METER
EB	ELECTRIC BOX
OMP	OVERHEAD POWER
BLDG	BUILDING
P&T	OVERHEAD POWER & TELEPHONE
FFE	FINISH FLOOR ELEVATION
TW	TOP OF WALL

PREPARED FOR

SURVEYOR'S CERTIFICATION
 This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDED INFORMATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-8-67.
 04-10-2023
 James R. Green P.L.S. #2543 DATE

RETRACEMENT SURVEY		OF	
PROPERTY INFORMATION		DRAWING INFORMATION	
LAND LOTS:		DATE:	REVISIONS
DISTRICT:		SCALE:	
SECTION:		DWN:	
COUNTY:		CHECK:	
STATE:		JOB No.:	
CITY:		FILE:	

AREA SUMMARY	
TRACT 1	1.24 ACRES (54,074 S.F.)
TRACT 2	5.01 ACRES (218,466 S.F.)
TRACT 3	12.19 ACRES (531,094 S.F.)
TRACT 4	3.00 ACRES (130,712 S.F.)
TOTAL AREA	21.44 ACRES (934,346 S.F.)

FOR THE FIRM
 METRO ENGINEERING & SURVEYING CO., INC.
 GA. L.S.P. #00530

METRO ENGINEERING & SURVEYING CO., INC.
 SURVEYORS - ENGINEERS - PHOTOGRAMMETRISTS
 PROVIDING PROFESSIONAL SERVICE SINCE 1947
 1459 Highway 20 West - McDonough, Georgia 30253
 Phone: 770-707-0777 - Fax: 770-707-0753
 www.metro-engineering.com

SURVEYORS NOTES

- CLOSURE STATEMENT**
- THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 21,593 FEET AND AN ANGULAR ERROR OF 1.9 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.
 - THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND ITS ACCURACY IS 1 FOOT IN 262,328 FEET.
- EQUIPMENT AND FIELD SURVEY STATEMENT**
- LINEAR MEASUREMENTS AND ANGULAR MEASUREMENTS OBTAINED USING A LEICA TS16 TOTAL STATION
 - FIELD SURVEY PERFORMED ON 08/18/2023.
- FLOOD ZONE**
- BASED ON GRAPHICAL INTERPRETATION, THIS PROPERTY IS SITUATED IN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOODPLAIN) AS DEPICTED BY THE NFIP FLOOD INSURANCE RATE MAP NO. 1315102850D HAVING AN EFFECTIVE DATE OF OCTOBER 08, 2013. USER OF THIS INFORMATION IS CAUTIONED THAT A MORE PRECISE FLOOD DELINEATION MAY BE NECESSARY.
- ZONING**
- PROPERTY IS ZONED M-1 (LIGHT MANUFACTURING DISTRICT), FOR THE CITY OF LOCUST GROVE AND HENRY COUNTY.
- BUILDING SETBACKS:
 FRONT = 70 FEET RIGHT OF WAY LINE
 SIDE = NONE, EXCEPT 30 FEET ON CORNER LOTS
 REAR = 40 FEET
 - MAXIMUM BUILDING HEIGHT: 75 FEET (CITY OF LOCUST GROVE)
 - MAXIMUM BUILDING HEIGHT: UNLIMITED FOR NEW DEVELOPMENT, 75 FEET FOR ALL OTHER SITUATIONS (HENRY COUNTY)
 - SEWAGE SYSTEM: SEPTIC TANK PERMITTED OR PUBLIC SEWER SYSTEM
 - WATER SYSTEM: COUNTY WATER SYSTEM
 - SURVEYOR MAKES NO WARRANTY AS TO THE EFFECT OF ZONING TO THE CURRENT OR FUTURE USE OF THE SUBJECT PROPERTY. USER OF THIS MAP IS HEREBY CAUTIONED TO CONSULT THE APPROPRIATE GOVERNING BODY FOR FINAL INTERPRETATION CONCERNING ZONING.

LEGAL DESCRIPTION

TRACT 1
 ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130, 2ND DISTRICT, HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A REBAR & PLASTIC CAP PLACED AT THE EASTERN RIGHT OF WAY INTERSECTION OF JENKINSBURG ROAD (HAVING A 60' RIGHT OF WAY) WITH THE SOUTH LINE OF LAND LOT 130; THENCE FOLLOWING SAID RIGHT OF WAY THE FOLLOWING METES AND BOUNDS, WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 245.16', WITH A RADIUS OF 3068.77'; WITH A CHORD BEARING OF N 21°29'34" E, WITH A CHORD LENGTH OF 245.03'; THENCE N 18°10'18" E FOR A DISTANCE OF 383.27 FEET TO A REBAR FOUND; THENCE LEAVING SAID RIGHT OF WAY S 01°38'05" W FOR A DISTANCE OF 606.00 FEET REBAR & PLASTIC CAP PLACED; THENCE N 89°13'20" W FOR A DISTANCE OF 190.29 FEET REBAR & PLASTIC CAP PLACED; AND THE POINT OF BEGINNING.
 THE ABOVE DESCRIBED PROPERTY CONTAINS 1.241 ACRES (54,074 SQ. FT.)

TRACT 2
 ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130, 2ND DISTRICT, HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A REBAR & PLASTIC CAP PLACED AT THE RIGHT OF WAY INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF JENKINSBURG ROAD (HAVING A 60' RIGHT OF WAY) WITH THE SOUTHERN RIGHT OF WAY LINE OF STATE ROUTE 42 US 23 (HAVING A 60' RIGHT OF WAY); THENCE RUNNING ALONG SAID RIGHT OF WAY LINE S 87°43'31" E FOR A DISTANCE OF 195.88 FEET TO A REBAR & PLASTIC CAP PLACED; THENCE LEAVING SAID RIGHT OF WAY S 02°51'11" W FOR A DISTANCE OF 845.00 FEET TO A 12" OPEN TOP PIPE FOUND; THENCE N 89°13'20" W FOR A DISTANCE OF 246.20 FEET TO A REBAR & PLASTIC CAP PLACED; THENCE N 01°59'02" E FOR A DISTANCE OF 606.00 FEET TO A REBAR FOUND ON THE EASTERN RIGHT OF WAY LINE OF JENKINSBURG ROAD (HAVING A 60' RIGHT OF WAY); THENCE FOLLOWING SAID RIGHT OF WAY N 18°10'18" E FOR A DISTANCE OF 325.40 FEET TO A REBAR & PLASTIC CAP PLACED; AND THE POINT OF BEGINNING.
 THE ABOVE DESCRIBED PROPERTY CONTAINS 5.015 ACRES (218,466 SQ. FT.)

TRACT 3
 ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130, 2ND DISTRICT, HENRY COUNTY, CITY OF LOCUST GROVE, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT A REBAR & PLASTIC CAP PLACED AT THE RIGHT OF WAY INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF JENKINSBURG ROAD (HAVING A 60' RIGHT OF WAY) WITH THE SOUTHERN RIGHT OF WAY LINE OF STATE ROUTE 42 US 23 (HAVING A 60' RIGHT OF WAY); THENCE RUNNING ALONG SAID RIGHT OF WAY LINE S 87°43'31" E FOR A DISTANCE OF 195.88 FEET TO A REBAR & PLASTIC CAP PLACED AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT OF WAY THE FOLLOWING METES AND BOUNDS: S 87°43'31" E FOR A DISTANCE OF 804.98 FEET TO A CALCULATED POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 308.20', WITH A RADIUS OF 1409.82'; WITH A CHORD BEARING OF S 74°54'54" E, WITH A CHORD LENGTH OF 307.64'; THENCE LEAVING SAID RIGHT OF WAY S 10°13'00" W FOR A DISTANCE OF 52.27 FEET TO A REBAR FOUND; THENCE S 10°19'23" E FOR A DISTANCE OF 88.44' TO A REBAR FOUND; THENCE S 02°51'11" W FOR A DISTANCE OF 845.00 FEET TO A REBAR FOUND; THENCE N 89°13'20" W FOR A DISTANCE OF 190.29 FEET TO A REBAR FOUND; THENCE N 03°51'11" E FOR A DISTANCE OF 845.00 FEET TO A REBAR & PLASTIC CAP PLACED ON THE SOUTHERN RIGHT OF WAY LINE OF STATE ROUTE 42 US 23 (HAVING A 60' RIGHT OF WAY) AND THE POINT OF BEGINNING.
 THE ABOVE DESCRIBED PROPERTY CONTAINS 12.192 ACRES (531,094 SQ. FT.)

TRACT 4
 ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130, 2ND DISTRICT, HENRY COUNTY, CITY OF LOCUST GROVE, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A REBAR FOUND AT THE RIGHT OF WAY INTERSECTION OF THE WESTERN RIGHT OF WAY LINE OF COUNTY LINE ROAD (HAVING A 60' RIGHT OF WAY) WITH THE SOUTH LINE OF LAND LOT 130; THENCE LEAVING SAID RIGHT OF WAY N 02°51'11" W FOR A DISTANCE OF 845.00 FEET TO A REBAR FOUND; THENCE N 01°27'14" E FOR A DISTANCE OF 236.02 FEET TO A REBAR FOUND; THENCE S 88°19'01" W FOR A DISTANCE OF 296.77 FEET TO A REBAR FOUND; THENCE S 02°51'11" E FOR A DISTANCE OF 845.00 FEET TO A REBAR FOUND; THENCE N 03°51'11" E FOR A DISTANCE OF 845.00 FEET TO A REBAR & PLASTIC CAP PLACED ON THE WESTERN RIGHT OF WAY LINE OF COUNTY LINE ROAD (HAVING A 60' RIGHT OF WAY); THENCE FOLLOWING SAID RIGHT OF WAY S 01°32'14" W FOR A DISTANCE OF 228.56 FEET TO A REBAR FOUND AND THE POINT OF BEGINNING.
 THE ABOVE DESCRIBED PROPERTY CONTAINS 3.001 ACRES (130,712 SQ. FT.)

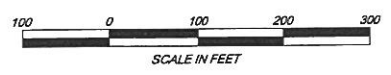


EXHIBIT B



Property Information

Tax ID	147-01003009 & 163-01001001
Location/address	Land Lot 130 of the 2 nd district/ Highway 42 and Canup Road
Parcel Size	6.29+/- acres
Current Zoning	County M-1 (Light Manufacturing)
Request	Annex M-1 (Light Manufacturing) zoned property from unincorporated Henry County into the City of Locust Grove with an equivalent M-1 (Light Manufacturing) zoning
Proposed Use	Gravel Truck Parking
Existing Land Use	Vacant/undeveloped
Future Land Use	County Low-Density Residential (unincorporated Henry County)
Recommendation	Approval

Summary

Five Rivers North, LLC has submitted an application requesting annexation of a 6.29 +/- acre tract located on Highway 42 and Canup Road (Parcel ID # 147-01003009 and 163-01001001). The zoning of the subject property will remain M-1 (Light Manufacturing) which is the City of Locust Grove’s equivalent to unincorporated Henry County’s M-1 (Light Manufacturing) zoning district. The future land use designation will remain the equivalent Low Density Residential designation within the incorporated boundaries of Locust Grove. The Applicant is utilizing the 100% method per O.C.G.A. §36-36-20. The Henry County Board of Commissioners raised no objections to this annexation during their August 1, 2023 meeting.

Service Delivery / Infrastructure

Water and Sewer: According to the City of Locust Grove Public Works Department, the subject property is not currently located within the City’s water and sanitary sewer service areas. No facilities requiring water or sewer services are shown on the proposed site plan.



FILE: AX-23-07-03

ANNEXATION

Police Services: If 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 because of this annexation request. The applicant intends to develop the subject property in the future as part of a gravel truck parking lot. The subject property is located within an area of existing industrial and commercial development and will likely serve existing truck traffic. The truck and oversized vehicle entrance/exit location shall be located on Highway 42, with emergency and passenger vehicle access only on County Line Road.

Criteria for Evaluation of Annexation 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.** No impacts on the character of the area are anticipated as a result of this request given the zoning on the Subject Property is going from M-1 County to M-1 City as part of an annexation request. The surrounding properties are primarily industrial/commercial in use and character, with some County RA (Residential Agricultural) properties located to the south and west.
 - (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.** The request will continue the current Industrial uses 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.** If the annexation is approved, the Subject Property would maintain the Future Land Use designation of Low Density Residential matching the current County Future Land Use Designation and rural/ low density character of County properties to the south and west of the subject property. The current zoning designation of the Subject Property (M-1 Light Manufacturing) will determine permitted uses.



ANNEXATION EVALUATION REPORT September 18, 2023

FILE: AX-23-07-03

ANNEXATION

- (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** No water/sewer is shown on the proposed site plan and the subject parcels do not have access to City water/sanitary sewer service. No impact is anticipated at this time.
- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** No immediate impacts are anticipated from granting this annexation request. The proposed use as a gravel parking lot will likely serve existing truck traffic traveling to and from nearby industrial developments. The proposed truck parking facility may improve circulation in extant private parking lots within the City by providing drivers with an alternative option.
- (6) **The impact upon adjacent property owners should the request be approved.** Should the annexation request be approved, there will be no change to how the Subject Property can be developed as it is being rezoned from County M-1 (Light Manufacturing) to City M-1 (Light Manufacturing). Much of the surrounding area has already been developed for industrial use or is designated for future industrial use. Any impact to the adjoining County RA (Residential Agricultural) parcels can be mitigated by buffering, lighting, and security as required by the M-1 zoning ordinance.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Currently, the subject property may be developed into permitted uses granted by the M-1 (Light Manufacturing) 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.** There are no known physical conditions or limitations that could preclude the use of 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.** The merits are consistent with both the City's zoning ordinance, future and existing development patterns in the area.

Recommendation

The annexation request meets the legal requirements per Georgia Annexation Law O.C.G.A. 36-36-11 and received no objection from the Henry County Board of Commissioners at their August 1, 2023 meeting. Therefore, staff recommends APPROVAL of the applicant's request to annex the subject property into the City of Locust Grove with the City of Locust Grove equivalent zoning district of M-1 (Light Manufacturing) and Future Land Use designation of Low Density Residential.



City of Locust Grove

P.O. Box 900 Locust Grove, Georgia 30248-0900

Telephone (770) 957—5043 Fax: 1-866-364-0996

MAYOR

Robert Price

COUNCIL

Keith Boone

Rudy Breedlove

Carlos Greer

Rod Shearouse

Willie J. Taylor

Vincent Williams

CITY MANAGER

Tim Young

CITY CLERK

Misty Spurling

July 6, 2023

Henry County Board of Commissioners
At attention: Carlot a Harrell, Chair
140 Henry Parkway
McDonough, GA 30253

RE: Annexation of 6.14 +/- acres (Parcel ID's: 163-01001001 & 147-01003009) located at Canup Drive at Highway 42.

Dear Chair Harrell:

The City of Locust Grove has accepted an application on July 6, 2023, for annexation of the following property:

6.14 +/- acres (Parcel ID's: 163-01001001 & 147-01003009) located at Canup Drive at Highway 42. The annexation request comes from Five Rivers North, LLC.

The subject property will be contiguous to the existing City Limits and is being annexed by the 100% Method with no planned change in zoning other than a classification of the same M-1 (Light Manufacturing) zoning district and Future Land Use designation of Low Density Residential in the City of Locust Grove as is equivalent in Henry County.

Utilities will be provided by the Henry County Water Authority per the most recent Service Delivery Strategy agreement with the Henry County Water Authority or the City of Locust Grove.

This notice is being provided to you in accordance with Agreement Section 4. H. 4 and O.C.G.A. § 36-36-111 of the acceptance of the application for your consideration and comment.

Should you need any further information on this matter, please feel free to contact me at (770) 957-5043.

Respectfully,

Tim Young, City Manager

Cc: Cheri Hobson-Mat hews, County Manager
Nancy Rowan, Henry County At orney
Andy Welch, City At orney
Locust Grove City Council
Henry County Water Authority
Henry County Tax Assessors

EXHIBIT C

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Mr. Brian Fornal who, after being duly sworn, testifies as follows:

1.

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

2.

Five Rivers North, LLC, of Stockbridge, GA has submitted an application for annexation and rezoning of 6.29+/- acres into the City of Locust Grove; Parcels 147-01003009 and 163-01001001; in Land Lot 130 of the 2nd District.

3.

On the 31st day of August 2023, I, Brian Fornal, posted double-sided sign notifications on the subject parcel advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 18th day of September at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibits "A" and "B" respectively and incorporated herein by reference. The public hearing signs were posted at the following locations:

1. One double-sided sign posted at 3:15 PM on the east side of Canup Road, on 8/31/23.
2. One double-sided sign posted at 3:20 PM on the south side of Highway 42, east of Canup Road, on 8/31/23.

FURTHER AFFIANT SAYETH NOT.

This 11th day of September 2023.


Affiant

Sworn and subscribed before me
this 11th day of September, 2023

Markeya Moore

Notary Public



Exhibit "A"



Exhibit "B"



Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 951-9161
Fax (770) 339-5869

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

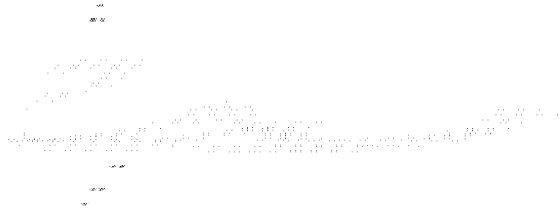
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **362375**

Name and File No.: **PUBLIC HEARING 9/18/2023**

a true copy of which is hereto attached, was published in said newspaper on the following date(s):

08/30/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/30/2023



Notary Public
My commission expires 03/03/2026

Ad text :
Hdh2186
gpn16

Public Hearing Notice
City of Locust Grove
September 18, 2023
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 18, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

ANNEXATION

AX 23-07-03 Five Rivers North, LLC has submitted an application requesting annexation of a 6.29 +/- acre tract (Parcel IDs 147-01003009 and 163-01001001 in Land Lot 130 of the 2nd District, located on Highway 42 and Canup Road. The zoning of the subject property will remain M-1 (Light Manufacturing) the City of Locust Grove's equivalent to unincorporated Henry County's M-1 (Light Manufacturing) zoning district. The future land use designation will remain Low-Density Residential within the incorporated boundaries of Locust Grove.

CONDITIONAL USE

CU-23-08-01 Hummingbird Trucking of Atlanta, GA requests a Conditional Use for 10 +/- acres located on Walker Crossing (Parcel ID # 147-01003011) in Land Lot 130 of the 2nd District for the purpose of developing a gravel truck parking lot.

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

Daunt? Gibbs
Community Development
Director -
City of Locust Grove
8:30, 2023

EXHIBIT D



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 6.29 +/- acres located on Highway 42 and Canup Road (Parcel ID: 147-01003009 and 163-01001001) in Land Lot 130 of the 2nd District from M-1 (Light Manufacturing) unincorporated Henry County to M-1 (Light Manufacturing) City of Locust Grove.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: August 30, 2023

Budget Item: No

Date Received: July 3, 2023

Workshop Date: September 18, 2023

Regular Meeting Date: October 2, 2023

Discussion:

Five Rivers North, LLC has submitted an application requesting annexation of a 6.29 +/- acre tract (Parcel IDs 147-01003009 and 163-01001001) in Land Lot 130 of the 2nd District, located on Highway 42 and Canup Road. The zoning of the subject property will remain M-1 (Light Manufacturing) the City of Locust Grove's equivalent to unincorporated Henry County's M-1 (Light Manufacturing) zoning district. The future land use designation will remain Low-Density Residential within the incorporated boundaries of Locust Grove. The Applicant is utilizing the 100% method per O.C.G.A.

§36-36-20. The Henry County Board of Commissioners raised no objections to this annexation during their August 1, 2023 meeting.

Recommendation:

The annexation request meets the legal requirements per Georgia Annexation Law O.C.G.A. 36-36-11 and received no objection from the Henry County Board of Commissioners at their August 1, 2023 meeting. Therefore, staff recommends APPROVAL of the applicant's request to annex and rezone the subject property into the City of Locust Grove with the City of Locust Grove equivalent zoning district of M-1 (Light Manufacturing) and Future Land Use designation of LD (Low Density Residential).

ORDINANCE NO. _____

AN ORDINANCE TO REZONE APPROXIMATELY 6.29+/- ACRES LOCATED ON HIGHWAY 42 AND CANUP ROAD IN LAND LOT 130 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, Five Rivers North, LLC, of Stockbridge, GA, (the “Applicant”) petitioned the City to annex and rezone property located on highway 42 and Canup Road consisting of 6.29 +/- acres (Parcel ID: 147-01003009 and 163-01001001) located in Land Lot 130 of the 2nd District (the “Property”) attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request to annex and rezone the subject Property into the City of Locust Grove on July 3, 2023, as shown in the staff report attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, THE City of Locust Grove provided notice of the annexation to the Henry County Board of Commissioners on July 6, 2023 by certified mail; and,

WHEREAS, the Henry County Board of Commissioners reviewed the Applicant’s request during their August 1, 2023 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 September 18, 2023 as well as by the City Community Development Director; and,

WHEREAS, the Applicant requested that the Property retain the same zoning in the City (M-1 Light Manufacturing) that they had in the County (M-1 Light Manufacturing); 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.

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 2nd day of October 2023.

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: 07/03/2023

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) FIVE RIVERS NORTH, LLC

PROPERTY LOCATION CANUP DRIVE @ Hwy 42/23

PHONE NUMBER 404-210-6017 - CJ

ALTERNATE PHONE 404-429-6046 - Balinar

LAND LOT/DISTRICT 130/2nd

ACREAGE 6.14

MAP CODE NO. 163-01001001 + 147-01003009

ZONING CLASSIFICATION M-1

SIGNATURE(S) *Christina Smith* Date 7-3-2023

_____ Date _____

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

FORM 1

RECEIVED
JUL 03 2023
City of Locust Grove
Community Development
Regina Smith



ANNEXATION APPLICATION

The enclosed forms have been compiled for your convenience in cases where land owners desire to annex property into the incorporated city limits of the City of Locust Grove.

All applicants for annexation must complete FORM 1 in its entirety.

--ALSO--

- If you and/or anyone else reside(s) on the property for which you are seeking annexation, please complete FORM 2.
- If no one resides on the property for which you are seeking annexation, please complete FORM 3.

Additional required information:

- A copy of the recorded deed for the subject property.
- A legal description of the subject property.
- A plat of the subject property, prepared by a professional surveyor, licensed in Georgia.

Please submit the above-noted information to the following location:

Office of the City Manager
City of Locust Grove
3644 Highway 42
Locust Grove, GA 30248

For questions regarding the annexation process, please call 770-957-5043

NIA

**APPLICATION FOR ANNEXATION UNDER
THE SIXTY PERCENT (60%) METHOD
LAND OWNERS AND ELECTORS**

Date of Submission: _____

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 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 description of such territory is attached as **Exhibit A**.

OWNERS NAME(S)

PROPERTY LOCATION

PHONE NUMBER

ALTERNATE PHONE

LAND LOT/DISTRICT

ACREAGE

MAP CODE NO.

ZONING CLASSIFICATION

SIGNATURE(S)

_____ **Date** _____

_____ **Date** _____

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

FORM 2

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

Date of Submission : 07/03/2023

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) FIVE RIVERS NORTH, LLC

PROPERTY LOCATION CANUD DRIVE @ Hwy 42/23

PHONE NUMBER 404-210-6017-CJ

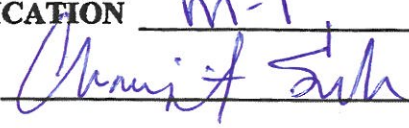
ALTERNATE PHONE 404-429-6846-Balihar

LAND LOT/DISTRICT 130/2nd

ACREAGE 6.14

MAP CODE NO. 163-01001001 + 147-01003009

ZONING CLASSIFICATION M-1

SIGNATURE(S)  **Date** 7-3-2023

_____ **Date** _____

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

FORM 3

BK: 19262 PG: 757-760
Filed and Recorded
May-17-2023 09:34:46AM
DOC#: D2023-011273
Real Estate Transfer Tax Paid \$1,723.00
0752023003304
SABRIYA HILL
CLERK OF SUPERIOR COURT Henry County GA.

Deed Doc: WD
Recorded 05/09/2023 02:21PM
Georgia Transfer Tax Paid : \$53.30
Morgan Ward
Clerk Superior Court, BUTTS County, Ga.
Bk 00991 Pg 0384-0387

PT-61-018-2023-000416

SWWW-J FILE NO.: 712023.0318

Return To: SMITH, WELCH, WEBB & WHITE, LLC
ATTORNEYS AT LAW
117 BROOKWOOD AVENUE
JACKSON, GA 30233
(770)775-3188

RECEIVED IN OFFICE
HENRY COUNTY
CLERK OF SUPERIOR COURT
2023 MAY 16 PM 2:34

WARRANTY DEED

STATE OF GEORGIA, BUTTS COUNTY

IN CONSIDERATION OF THE SUM OF ONE DOLLAR AND OTHER CONSIDERATIONS DOLLARS to us paid We, ROBERT HOUSE and CORNER LOT, INC., as their interests may appear, of the County of Butts, do hereby sell and convey unto FIVE RIVERS NORTH, LLC, of the County of Henry, its heirs and assigns, a tract or parcel of land, which is described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

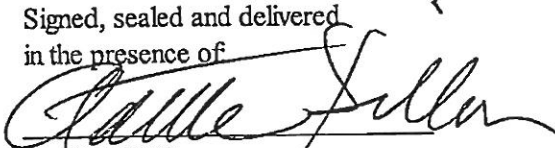
THE ABOVE DESCRIBED PROPERTY IS CONVEYED SUBJECT TO ALL EASEMENTS AND RESTRICTIVE COVENANTS OF RECORD, IF ANY.

TO HAVE AND TO HOLD said land and appurtenances unto said FIVE RIVERS NORTH, LLC, its heirs, executors, administrators, and assigns, in fee simple.

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

In Witness Whereof, We have hereunto set our hands and affixed our seals this the 8th day of May, 2023.


Signed, sealed and delivered
in the presence of


Unofficial Witness


Notary Public

My commission expires




ROBERT HOUSE (SEAL)

CORNER LOT, INC.

BY: 
ROBERT S. HOUSE, PRESIDENT (SEAL)



192

EXHIBIT "A"

~~TRACT ONE: 435 COUNTY LINE ROAD, CONTAINING 2.514 ACRES~~

~~THE CERTAIN IMPROVED REALTY LOCATED IN LAND LOT 127 OF THE 2ND LAND DISTRICT OF BUTTS COUNTY, GEORGIA CONTAINING 2.514 ACRES AS SHOWN ON PLAT OF SURVEY OF SAME PREPARED BY JOE ROWAN, DATED 3/16/1995 AND RECORDED IN PLAT BOOK 12, PAGE 805, BUTTS COUNTY, GEORGIA RECORDS. MAP/PARCEL #00080 040 A00.~~

~~ALSO CONVEYED HEREWITH IS A 1980 REDMAN BOANZA MANUFACTURED HOME, VIN #11510965, WHICH IS PERMANENTLY AFFIXED TO THE ABOVE DESCRIBED PROPERTY.~~

* **TRACT TWO: HWY 42 & CANUP ROAD, CONTAINING 5 ACRES**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130 OF HENRY COUNTY, GEORGIA, CONTAINING 5 ACRES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE EASTERN MARGIN OF DEAN PATRICK ROAD CONVERGES WITH THE SOUTHERN MARGIN OF U.S. 23 AND GEORGIA HIGHWAY 42 AND TRAVELING THENCE SOUTH 67 DEGREES 31 MINUTES EAST A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTH 4 DEGREES 35 MINUTES WEST A DISTANCE OF 839.1 FEET TO A POINT; THENCE NORTH 88 DEGREES 18 MINUTES WEST 246.2 FEET TO A POINT; THENCE NORTH 2 DEGREES 38 MINUTES EAST 605.0 FEET TO AN IRON PIN; THENCE NORTH 18 DEGREES 17 MINUTES EAST 318.1 FEET ALONG THE EASTERN MARGIN OF DEAN PATRICK ROAD TO THE POINT OF BEGINNING.

SAID TRACT OF PROPERTY IS SHOWN AS "TRACT 2" ON A PLAT OF SURVEY PREPARED BY T. A. CARMICHAEL, JR., DATED JANUARY 16, 1978, AND RECORDED IN PLAT BOOK 7, PAGE 70, HENRY COUNTY, GEORGIA RECORDS. MAP/PARCEL #163-01001001.

* **TRACT THREE: 1.4 ACRES**

ALL THAT TRACT OR PARCEL OF LAND LYING, SITUATE AND BEING IN LAND LOT 130 OF THE 2ND LAND DISTRICT OF HENRY COUNTY, GEORGIA, CONTAINING 1.4 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE EASTERN MARGIN OF DEAN PATRICK ROAD, A/K/A CANUP ROAD, CONVERGES WITH THE SOUTHERN MARGIN OF U.S. 23 AND GEORGIA HIGHWAY 42, THENCE SOUTH 18 DEGREES 17 MINUTES WEST 318.1 FEET ALONG THE EASTERN MARGIN OF THE DEAN PATRICK (CANUP) ROAD TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 2 DEGREES 38 MINUTES WEST 605.0 FEET TO AN IRON PIN WHICH IS LOCATED ON THE SOUTHERN LAND LOT LINE OF LAND LOT 130; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTHERN LAND LOT LINE OF LAND LOT 130 192.6 FEET, MORE OR LESS, TO THE EASTERN RIGHT OF WAY OF DEAN PATRICK (CANUP) ROAD; THENCE NORTHEASTERLY ALONG THE EASTERN RIGHT OF WAY OF SAID ROAD TO THE POINT OF BEGINNING. SAID PROPERTY IS FURTHER DESCRIBED IN ACCORDANCE WITH A PLAT OF SURVEY DATED JANUARY 16, 1978, PREPARED BY T. A. CARMICHAEL, JR., AND RECORDED IN PLAT BOOK 7, PAGE 70, OFFICE OF CLERK, HENRY SUPERIOR COURT. SAID TRACT IS DESCRIBED ON SAID PLAT AS THE WILSON PROPERTY AND IS LOCATED ADJACENT TO AND WEST OF TRACT 2 DESCRIBED ON SAID SURVEY. SAID

EXHIBIT "A" – CONTINUED

PROPERTY IS TRIANGULAR IN SHAPE AND IS A PORTION OF THAT PROPERTY DEEDED TO GEORGE L. WILSON FROM C. S. ROGERS AND V. B. PRATER BY WARRANTY DEED DATED AUGUST 24, 1953, RECORDED IN DEED BOOK 48, PAGE 145, OFFICE OF CLERK, HENRY SUPERIOR COURT, GEORGIA RECORDS. MAP/PARCEL #147-01003009.

~~TRACT FOUR: COUNTY LINE ROAD, CONTAINING 3.00 ACRES~~

~~ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130 OF THE 2ND LAND DISTRICT OF HENRY COUNTY, GEORGIA, AND BEING 3.00 ACRES AS SHOWN ON A PLAT OF SURVEY PREPARED FOR GLEN GLADIS AND PREPARED BY WALTER F. PRINCE, GA. R.L.S. #2808, DATED JULY 12, 2005, AND RECORDED AT PLAT BOOK 43, PAGE 300A, HENRY COUNTY, GEORGIA RECORDS. MAP/PARCEL #162-01004-003.~~

~~TRACT FIVE: HWY 42 SOUTH, CONTAINING 12.205 ACRES~~

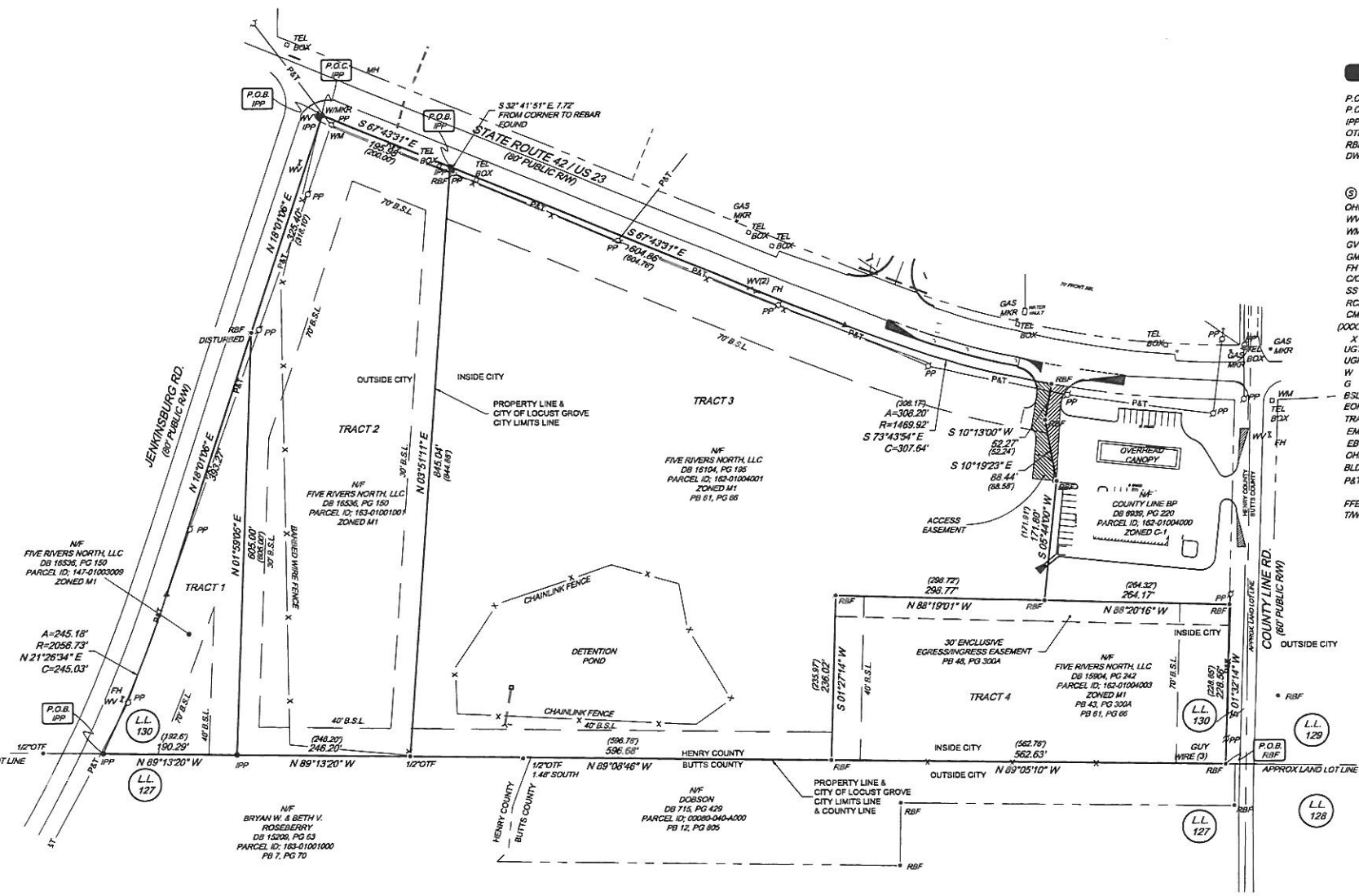
~~ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130, OF THE 2ND LAND DISTRICT, OF HENRY COUNTY, GEORGIA, AND BEING 12.205 ACRES, AS SHOWN ON A PLAT OF SURVEY PREPARED FOR PHILLIP CORBIN, PREPARED BY WALTER F. PRINCE, G.R.L.S. #2808, DATED APRIL 24, 2006, WHICH SAID PLAT OF SURVEY IS INCORPORATED HEREIN AND BY REFERENCE THERETO BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO. MAP/PARCEL #162-01004001.~~

EXHIBIT "A" - CONTINUED

All that tract or parcel of land lying and being in Land Lot 130, of the 2nd District, of Henry County, Georgia, and being 12.205 Acres, as shown on a plat of survey prepared for Philip Corbin, prepared by Walter F. Prince, G.R.L.S. #2806, dated April 24, 2006, which said plat of survey is incorporated herein and by reference thereto being more particularly described as follows:

Beginning at an iron pin placed on the Southern right-of-way line of U.S. Highway 23/Ga. Highway 42 (an 80-foot right-of-way), said iron pin being 263.38 feet Westerly, as measured along said right-of-way line, from its intersection with the Western right-of-way line of County Line Road (a 60-foot right-of-way); thence, and leaving the Southern right-of-way line of U.S. Highway 23/Ga. Highway 42, South 10 degrees 09 minutes 28 seconds West, 52.23 feet to an iron pin placed; thence proceeding South 10 degrees 14 minutes 40 seconds East, 88.53 feet to an iron pin placed; thence proceeding South 05 degrees 47 minutes 12 seconds West, 171.83 feet to an iron pin found; thence proceeding North 88 degrees 19 minutes 47 seconds West, 298.59 feet to an iron pin found; thence proceeding South 01 degree 31 minutes 34 seconds West, 235.91 feet to an iron pin found on the common land lot line of Land Lots 130 and 127 and dividing line between Henry and Butts Counties; thence proceeding, along said common land lot and county line, North 89 degrees 06 minutes 15 seconds West, 596.59 feet to an iron pin found; thence, and leaving said common land lot and county line, North 03 degrees 50 minute 41 seconds East, 845.50 feet to an iron pin found on the Southwestern right-of-way line of U.S. Highway 23/Ga. Highway 42; thence proceeding, along said right-of-way line, South 67 degrees 37 minutes 57 seconds East, 345.56 feet to a point; thence, and continuing along said right-of-way line, South 67 degrees 58 minutes 58 seconds East, 247.31 feet to a point; thence, and continuing along said right-of-way line, in a Southeasterly direction and following the curvature thereof to the left along the arc of a curve to the right of a chord having been subtended, an arc distance of 320.77 feet to an iron pin placed, (said arc having a radius of 1,404.33 feet and said chord having a bearing of South 73 degrees 16 minutes 32 seconds East, a chord distance of 320.07 feet), and said iron pin being the Point of Beginning.

Together With all of Grantor's right, title and interest in and to that certain perpetual 30-foot exclusive easement for the purpose of ingress and egress conveyed to Grantor by Limited Warranty Deed from Walter Concrete Company, Inc. filed for record in the Office of the Clerk of Superior Court, Henry County, Georgia, and more particularly described as a 30-foot Exclusive Egress/Ingress Easement on a plat of survey of record at Plat Book 43, Page 300-A, of the Henry County, Georgia Records. The description of said easement as set forth under said recorded plat of survey is incorporated herein by reference and made a part hereof, with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging. Parcel 162-1004001



LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- IPP 12" REBAR & PLASTIC CAP PLACED
- OTF OPEN TOP PIPE FOUND
- RBF REBAR FOUND
- DWCB DOUBLE WING CATCH BASIN
- LIGHT POLE
- POWER POLE
- SS SANITARY SEWER MANHOLE
- OHV OVERHEAD POWER SVC LINE
- WV WATER VALVE
- WM WATER METER
- GV GAS VALVE
- GM GAS METER
- FH FIRE HYDRANT
- CO CLEAN OUT
- SS SANITARY SEWER LINE
- RCP REINFORCED CONCRETE PIPE
- CMP CORRUGATED METAL PIPE
- (XXX)X DEEDED DISTANCES
- X SPOT ELEVATIONS
- UGT UNDERGROUND TELEPHONE
- UGP UNDERGROUND POWER
- W WATER MAIN
- G GAS MAIN
- BL BUILDING SETBACK LINE
- EOP EDGE OF PAVEMENT
- TRANS TRANSMISSION LINE
- EM ELECTRIC METER
- EB ELECTRIC BOX
- OHP OVERHEAD POWER
- BLDG BUILDING
- OHP OVERHEAD POWER & TELEPHONE
- FFE FINISH FLOOR ELEVATION
- TW TOP OF WALL

PREPARED FOR

SURVEYOR'S CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-8-67. 04-10-2023 James R. Green P.L.S. #2543 DATE

RETRACEMENT SURVEY

PROPERTY INFORMATION	
LAND LOTS:	
DISTRICT:	
SECTION:	
COUNTY:	
STATE:	
CITY:	

DRAWING INFORMATION	
DATE:	REVISIONS
SCALE:	
DWN:	
CHECK:	
JOB No.:	
FILE:	

AREA SUMMARY	
TRACT 1	1.24 ACRES (54,074 S.F.)
TRACT 2	5.01 ACRES (218,466 S.F.)
TRACT 3	12.19 ACRES (531,094 S.F.)
TRACT 4	3.00 ACRES (130,712 S.F.)
TOTAL AREA	21.44 ACRES (934,346 S.F.)

SURVEYOR'S NOTES

- CLOSURE STATEMENT**
- THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 21,693 FEET AND AN ANGULAR ERROR OF 1.9 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.
 - THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND ITS ACCURACY IS 1 FOOT IN 262,328 FEET.
- EQUIPMENT AND FIELD SURVEY STATEMENT**
- LINEAR MEASUREMENTS AND ANGULAR MEASUREMENTS OBTAINED USING A LEICA TS16 TOTAL STATION
 - FIELD SURVEY PERFORMED ON 08/16/2023.
- FLOOD ZONE**
- BASED ON GRAPHICAL INTERPRETATION, THIS PROPERTY IS SITUATED IN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOODPLAIN) AS DEPICTED BY THE NFIP FLOOD INSURANCE RATE MAP NO. 1315102850D, HAVING AN EFFECTIVE DATE OF OCTOBER 08, 2013. USER OF THIS INFORMATION IS CAUTIONED THAT A MORE PRECISE FLOOD DELINEATION MAY BE NECESSARY.
- ZONING**
- PROPERTY IS ZONED M-1 (LIGHT MANUFACTURING DISTRICT), FOR THE CITY OF LOCUST GROVE AND HENRY COUNTY.
- BUILDING SETBACKS:
 - FRONT = 70 FEET RIGHT OF WAY LINE
 - SIDE = NONE, EXCEPT 30 FEET ON CORNER LOTS
 - REAR = 40 FEET
 - MAXIMUM BUILDING HEIGHT: 75 FEET (CITY OF LOCUST GROVE)
 - MAXIMUM BUILDING HEIGHT: UNLIMITED FOR NEW DEVELOPMENT, 75 FEET FOR ALL OTHER SITUATIONS (HENRY COUNTY)
 - SEWAGE SYSTEM: SEPTIC TANK PERMITTED OR PUBLIC SEWER SYSTEM
 - WATER SYSTEM: COUNTY WATER SYSTEM
 - SURVEYOR MAKES NO WARRANTY AS TO THE EFFECT OF ZONING TO THE CURRENT OR FUTURE USE OF THE SUBJECT PROPERTY. USER OF THIS MAP IS HEREBY CAUTIONED TO CONSULT THE APPROPRIATE GOVERNING BODY FOR FINAL INTERPRETATION CONCERNING ZONING.

- UTILITIES**
- OVERHEAD AND UNDERGROUND UTILITIES THAT ARE SHOWN HEREON ARE BASED UPON FIELD SURFACE OBSERVATIONS AND AVAILABLE INFORMATION ON HAND AT THE TIME OF THE SURVEY. ONLY UTILITIES THAT WERE VISIBLE AND ACCESSIBLE WERE MEASURED. SITE EXCAVATION WAS NOT PERFORMED IN ANY WAY TO MEASURE ANY SUBSURFACE UTILITY OR FEATURE OF ANY TYPE. NOTICE IS HEREBY GIVEN THAT "KNOW WHATS BELOW" CALL BEFORE YOU DIG "UTILITY LOCATION SERVICE (811)" SHOULD BE NOTIFIED PRIOR TO ANY EXCAVATION OF THE SITE.
- STREAMS, BODIES OF WATER, & WETLANDS**
- ALL STREAMS, BODIES OF WATER, AND WETLANDS MAY BE SUBJECT TO STATE, COUNTY, AND LOCAL BUFFERS OR RESTRICTIONS. SURVEYOR MAKES NO INTERPRETATION REGARDING THESE BUFFERS OR RESTRICTIONS. USER OF THIS MAP IS CAUTIONED TO CONSULT WITH THE APPROPRIATE GOVERNING AUTHORITIES CONCERNING POSSIBLE BUFFERS OR RESTRICTIONS.
- ARCHAEOLOGICAL & HISTORIC**
- UNLESS SHOWN HEREON, NO CEMETERIES, ARCHAEOLOGICAL, OR ARCHITECTURAL LANDMARKS ARE KNOWN TO EXIST ON THIS SITE. HOWEVER, SURVEYOR HAS NOT EXCAVATED THE SITE OR CONSULTED WITH A QUALIFIED PROFESSIONAL IN THIS FIELD FOR ABSOLUTE CONFORMATION.
- CERTIFICATION**
- THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE FOR THE CLIENT NAMED HEREON AND REPRESENTS A SPECIFIC SCOPE OF SERVICES.
- REFERENCES**
- DEED BOOK 0938, PAGE 221
 - PLAT BOOK 7, PAGE 70
 - PLAT BOOK 12, PAGE 808
 - PLAT BOOK 43, PAGE 300A
 - PLAT BOOK 61, PAGE 66
 - OTHER REFERENCES SHOWN HEREON.
- HORIZONTAL DATUM**
- HORIZONTAL AND VERTICAL DATUM WAS ESTABLISHED USING RTK GPS METHODS WITH CORRECTIONS FROM THE LEICA "MARTNET" GPS REFERENCE NETWORK. HORIZONTAL DATUM IS GEORGIA STATE PLANE, WEST ZONE, NAD83.

LEGAL DESCRIPTION

TRACT 1

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130, 2ND DISTRICT, HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR & PLASTIC CAP PLACED AT THE EASTERN RIGHT OF WAY INTERSECTION OF JENKINSBURG ROAD (HAVING A 60' RIGHT OF WAY) WITH THE SOUTH LINE OF LAND LOT 130; THENCE FOLLOWING SAID RIGHT OF WAY THE FOLLOWING METES AND BOUNDS, WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 245.16', WITH A RADIUS OF 3068.77'; WITH A CHORD BEARING OF N 21°29'34" E, WITH A CHORD LENGTH OF 245.03'; THENCE N 18°10'18" E FOR A DISTANCE OF 383.27 FEET TO A REBAR FOUND; THENCE LEAVING SAID RIGHT OF WAY S 01°38'05" W FOR A DISTANCE OF 606.00 FEET REBAR & PLASTIC CAP PLACED; THENCE N 89°13'20" W FOR A DISTANCE OF 190.29 FEET REBAR & PLASTIC CAP PLACED; AND THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY CONTAINS 1.241 ACRES (54,074 SQ. FT.)

TRACT 2

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130, 2ND DISTRICT, HENRY COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR & PLASTIC CAP PLACED AT THE RIGHT OF WAY INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF JENKINSBURG ROAD (HAVING A 60' RIGHT OF WAY) WITH THE SOUTHERN RIGHT OF WAY LINE OF STATE ROUTE 42 US 23 (HAVING A 60' RIGHT OF WAY); THENCE RUNNING ALONG SAID RIGHT OF WAY LINE S 87°43'31" E FOR A DISTANCE OF 185.88 FEET TO A REBAR & PLASTIC CAP PLACED; THENCE LEAVING SAID RIGHT OF WAY S 02°15'11" W FOR A DISTANCE OF 446.00 FEET TO A 12" OPEN TOP PIPE FOUND; THENCE N 89°13'20" W FOR A DISTANCE OF 246.20 FEET TO A REBAR & PLASTIC CAP PLACED; THENCE N 01°59'02" E FOR A DISTANCE OF 606.00 FEET TO A REBAR FOUND ON THE EASTERN RIGHT OF WAY LINE OF JENKINSBURG ROAD (HAVING A 60' RIGHT OF WAY); THENCE FOLLOWING SAID RIGHT OF WAY N 18°10'18" E FOR A DISTANCE OF 325.40 FEET TO A REBAR & PLASTIC CAP PLACED, AND THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY CONTAINS 5.015 ACRES (218,466 SQ. FT.)

TRACT 3

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130, 2ND DISTRICT, HENRY COUNTY, CITY OF LOCUST GROVE, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A REBAR & PLASTIC CAP PLACED AT THE RIGHT OF WAY INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF JENKINSBURG ROAD (HAVING A 60' RIGHT OF WAY) WITH THE SOUTHERN RIGHT OF WAY LINE OF STATE ROUTE 42 US 23 (HAVING A 60' RIGHT OF WAY); THENCE RUNNING ALONG SAID RIGHT OF WAY LINE S 87°43'31" E FOR A DISTANCE OF 185.88 FEET TO A REBAR & PLASTIC CAP PLACED AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT OF WAY THE FOLLOWING METES AND BOUNDS: S 87°43'31" E FOR A DISTANCE OF 804.86 FEET TO A CALCULATED POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 388.20', WITH A RADIUS OF 1469.82'; WITH A CHORD BEARING OF S 73°43'54" E, WITH A CHORD LENGTH OF 307.64'; THENCE LEAVING SAID RIGHT OF WAY S 10°13'00" W FOR A DISTANCE OF 52.27 FEET TO A REBAR FOUND; THENCE S 10°19'23" E FOR A DISTANCE OF 88.44' TO A REBAR FOUND; THENCE S 02°15'11" W FOR A DISTANCE OF 446.00 FEET TO A REBAR FOUND; THENCE N 89°13'20" W FOR A DISTANCE OF 190.29 FEET TO A REBAR FOUND; THENCE N 03°11'11" E FOR A DISTANCE OF 845.04 FEET TO A REBAR & PLASTIC CAP PLACED ON THE SOUTHERN RIGHT OF WAY LINE OF STATE ROUTE 42 US 23 (HAVING A 60' RIGHT OF WAY) AND THE POINT OF BEGINNING.

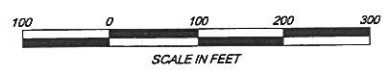
THE ABOVE DESCRIBED PROPERTY CONTAINS 12.192 ACRES (531,094 SQ. FT.)

TRACT 4

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 130, 2ND DISTRICT, HENRY COUNTY, CITY OF LOCUST GROVE, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR FOUND AT THE RIGHT OF WAY INTERSECTION OF THE WESTERN RIGHT OF WAY LINE OF COUNTY LINE ROAD (HAVING A 60' RIGHT OF WAY) WITH THE SOUTH LINE OF LAND LOT 130; THENCE LEAVING SAID RIGHT OF WAY N 02°15'11" W FOR A DISTANCE OF 562.63 FEET TO A REBAR FOUND; THENCE N 01°27'14" E FOR A DISTANCE OF 236.77 FEET TO A REBAR FOUND; THENCE S 88°19'01" W FOR A DISTANCE OF 264.17 FEET TO A REBAR FOUND; THENCE S 02°15'11" W FOR A DISTANCE OF 446.00 FEET TO A REBAR FOUND; THENCE N 89°13'20" W FOR A DISTANCE OF 190.29 FEET TO A REBAR FOUND; THENCE N 03°11'11" E FOR A DISTANCE OF 845.04 FEET TO A REBAR & PLASTIC CAP PLACED ON THE WESTERN RIGHT OF WAY LINE OF COUNTY LINE ROAD (HAVING A 60' RIGHT OF WAY); THENCE FOLLOWING SAID RIGHT OF WAY S 01°32'14" W FOR A DISTANCE OF 228.56 FEET TO A REBAR FOUND AND THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY CONTAINS 3.001 ACRES (130,712 SQ. FT.)



FOR THE FIRM
METRO ENGINEERING & SURVEYING CO., INC.
GA L.S.F. #25538



James R. Green

EXHIBIT B



REZONING EVALUATION REPORT

September 18, 2023

FILE: RZ-23-07-04

REZONING

Property Information

Tax ID	147-01003009 & 163-01001001
Location/address	Land Lot 130 of the 2 nd district/ Highway 42 and Canup Road
Parcel Size	6.29+/- acres
Current Zoning	County M-1 (Light Manufacturing)
Request	Annex and rezone M-1 (Light Manufacturing) zoned property from unincorporated Henry County into the City of Locust Grove with an equivalent M-1 (Light Manufacturing) zoning
Proposed Use	Gravel Truck Parking
Existing Land Use	Vacant/undeveloped
Future Land Use	County Low Density Residential (unincorporated Henry County)
Recommendation	Approval

Summary

Five Rivers North, LLC has submitted an application requesting annexation of a 6.29 +/- acre tract located on Highway 42 and Canup Road (Parcel ID # 147-01003009 and 163-01001001). The zoning of the subject property is currently M-1 (Light Manufacturing) within unincorporated Henry County. The proposed rezoning is to City's equivalent zoning district of M-1 (Light Manufacturing). The future land use designation will remain the equivalent Low Density Residential (LD) designation within the incorporated boundaries of Locust Grove. The Applicant is utilizing the 100% method per O.C.G.A. §36-36-20. The Henry County Board of Commissioners raised no objections to this annexation during their August 1, 2023 meeting.

Service Delivery / Infrastructure

Water and Sewer: According to the City of Locust Grove Public Works Department, the subject property is not currently located within the City's water and sanitary sewer service areas. No facilities requiring water or sewer services are shown on the proposed site plan.

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

Preserving the Past...Planning the Future



REZONING EVALUATION REPORT

September 18, 2023

FILE: RZ-23-07-04

REZONING

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 because of this annexation and rezoning request. The applicant intends to develop the subject property in the future as part of a gravel truck parking lot. The subject property is located within an area of existing industrial and commercial development and will likely serve existing truck traffic. The truck and oversized vehicle entrance/exit location shall be located on Highway 42, with emergency and passenger vehicle access only on County Line Road.

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.** 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 being rezoned from M-1 (unincorporated Henry County) to M-1 (City of Locust Grove) 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.** The request will continue the current Industrial uses 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.** If the annexation is approved, the Subject Property would maintain the Future Land Use designation of Low Density Residential matching the current County Future Land Use Designation and rural/ low density character of County properties to the south and west of the subject property. The Future Land Use Designation will be adjusted according to the appropriate zoning designation during the upcoming Comprehensive Plan update.
 - (4) **The potential impact of the proposed amendment on City infrastructure including water and sewerage systems.** No water/sewer is shown on the proposed site plan and the subject parcels do not have access to City water/sanitary sewer service. No impact is anticipated at this time.



REZONING EVALUATION REPORT

September 18, 2023

FILE: RZ-23-07-04

REZONING

- (5) **The impact of the proposed amendment on adjacent thoroughfares and pedestrian vehicular circulation and traffic volumes.** No immediate impacts are anticipated from granting this annexation and rezoning request. The proposed use as a gravel parking lot will likely serve existing truck traffic traveling to and from nearby industrial developments. The proposed truck parking facility may improve circulation in extant private parking lots within the City by providing drivers with an alternative option.
- (6) **The impact upon adjacent property owners should the request be approved.** Should the annexation request be approved, there will be no change to how the Subject Property can be developed as it is being rezoned from County M-1 (Light Manufacturing) to City M-1 (Light Manufacturing). Much of the surrounding area has already been developed for industrial use or is designated for future industrial use. Any impact to the adjoining County RA (Residential Agricultural) parcels can be mitigated by buffering, lighting, and security as required by the M-1 zoning ordinance.
- (7) **The ability of the subject land to be developed as it is presently zoned.** Currently, the subject property may be developed into permitted uses granted by the M-1 (Light Manufacturing) 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.** There are no known physical conditions or limitations that could preclude the use of 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.** The merits are consistent with both the City's zoning ordinance, future and existing development patterns in the area.

Recommendation

Taking into consideration that the annexation request meets all of the legalities required by the Georgia Annexation Law, staff recommends APPROVAL of the applicants request to rezone the subject property into the City of Locust Grove from M-1 (Light Manufacturing) unincorporated Henry County to M-1 (Light Manufacturing) City of Locust Grove, as part of the applicant's annexation request.



City of Locust Grove

P.O. Box 900 Locust Grove, Georgia 30248-0900

Telephone (770) 957—5043 Fax: 1-866-364-0996

MAYOR

Robert Price

COUNCIL

Keith Boone

Rudy Breedlove

Carlos Greer

Rod Shearouse

Willie J. Taylor

Vincent Williams

CITY MANAGER

Tim Young

CITY CLERK

Misty Spurling

July 6, 2023

Henry County Board of Commissioners
At attention: Carlot a Harrell, Chair
140 Henry Parkway
McDonough, GA 30253

RE: Annexation of 6.14 +/- acres (Parcel ID's: 163-01001001 & 147-01003009) located at Canup Drive at Highway 42.

Dear Chair Harrell:

The City of Locust Grove has accepted an application on July 6, 2023, for annexation of the following property:

6.14 +/- acres (Parcel ID's: 163-01001001 & 147-01003009) located at Canup Drive at Highway 42. The annexation request comes from Five Rivers North, LLC.

The subject property will be contiguous to the existing City Limits and is being annexed by the 100% Method with no planned change in zoning other than a classification of the same M-1 (Light Manufacturing) zoning district and Future Land Use designation of Low Density Residential in the City of Locust Grove as is equivalent in Henry County.

Utilities will be provided by the Henry County Water Authority per the most recent Service Delivery Strategy agreement with the Henry County Water Authority or the City of Locust Grove.

This notice is being provided to you in accordance with Agreement Section 4. H. 4 and O.C.G.A. § 36-36-111 of the acceptance of the application for your consideration and comment.

Should you need any further information on this matter, please feel free to contact me at (770) 957-5043.

Respectfully,

Tim Young, City Manager

Cc: Cheri Hobson-Mat hews, County Manager
Nancy Rowan, Henry County Attorney
Andy Welch, City Attorney
Locust Grove City Council
Henry County Water Authority
Henry County Tax Assessors

EXHIBIT C

Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 951-9161
Fax (770) 339-5869

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

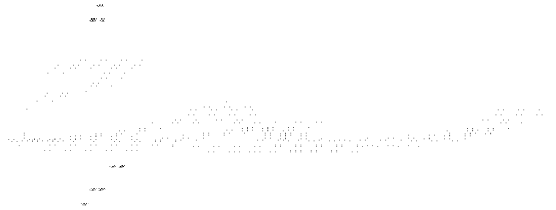
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **362375**

Name and File No.: **PUBLIC HEARING 9/18/2023**

a true copy of which is hereto attached, was published in said newspaper on the following date(s):

08/30/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/30/2023



Notary Public
My commission expires 03/03/2026

Ad text :
Hdh2186
gpn16

Public Hearing Notice
City of Locust Grove
September 18, 2023
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 18, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

ANNEXATION

AX 23-07-03 Five Rivers North, LLC has submitted an application requesting annexation of a 6.29 +/- acre tract (Parcel IDs 147-01003009 and 163-01001001 in Land Lot 130 of the 2nd District, located on Highway 42 and Canup Road. The zoning of the subject property will remain M-1 (Light Manufacturing) the City of Locust Grove's equivalent to unincorporated Henry County's M-1 (Light Manufacturing) zoning district. The future land use designation will remain Low-Density Residential within the incorporated boundaries of Locust Grove.

CONDITIONAL USE

CU-23-08-01 Hummingbird Trucking of Atlanta, GA requests a Conditional Use for 10 +/- acres located on Walker Crossing (Parcel ID # 147-01003011) in Land Lot 130 of the 2nd District for the purpose of developing a gravel truck parking lot.

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

Daunt? Gibbs
Community Development
Director -
City of Locust Grove
8:30, 2023

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Mr. Brian Fornal who, after being duly sworn, testifies as follows:

1.

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

2.

Five Rivers North, LLC, of Stockbridge, GA has submitted an application for annexation and rezoning of 6.29+/- acres into the City of Locust Grove; Parcels 147-01003009 and 163-01001001; in Land Lot 130 of the 2nd District.

3.

On the 31st day of August 2023, I, Brian Fornal, posted double-sided sign notifications on the subject parcel advertising a public hearing on the above requests to be heard by the Locust Grove City Council on the 18th day of September at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibits "A" and "B" respectively and incorporated herein by reference. The public hearing signs were posted at the following locations:

1. One double-sided sign posted at 3:15 PM on the east side of Canup Road, on 8/31/23.
2. One double-sided sign posted at 3:20 PM on the south side of Highway 42, east of Canup Road, on 8/31/23.

FURTHER AFFIANT SAYETH NOT.

This 11th day of September 2023.


Affiant

Sworn and subscribed before me
this 11th day of September, 2023

Markeya Moore

Notary Public



Exhibit "A"



Exhibit "B"



EXHIBIT D



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: Conditional Use Request to allow gravel-surfaced truck/tractor-trailer parking on Walker Crossing (Parcel ID #147-01003011).

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: August 30, 2023

Budget Item: N/A

Date Received: July 26, 2023

Workshop Date: September 18, 2023

Regular Meeting Date: October 2, 2023

Discussion:

Hummingbird Trucking of Atlanta, GA requests a Conditional Use for 10+/- acres located on Walker Crossing (Parcel ID # 147-01003011) in Land Lot 130 of the 2nd District for the purpose of developing a gravel truck parking lot.

Recommendation:

Staff recommends approval of the request with the following conditions:

- 1) All entry/exit points to the truck parking area shall be secured with fencing, gates, and/or security.
- 2) In addition to required buffering, the applicant shall install opaque privacy fencing eight (8) feet in height around the perimeter of the parking lot.
- 3) The applicant shall coordinate with the LGPD for the installation of flock cameras.
- 4) The gravel surface shall be kept in a neat and orderly fashion at all times and is

subject to an annual inspection from the City Code Enforcement Officer.

- 5) No tractor-trailer or any other vehicle shall be occupied overnight.**
- 6) Security cameras shall be installed with occasional checks by the City of Locust Grove Code Enforcement to ensure compliance with no overnight sleeping is maintained. Camera recordings shall be maintained on record for no less than 30 days.**

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE A CONDITIONAL USE FOR APPROXIMATELY 10+/- ACRES LOCATED ON WALKER CROSSING (PARCEL ID # 147-01003011 IN LAND LOT 130 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, Hummingbird Trucking of Atlanta, GA requests a Conditional Use for 10 +/- acres located on Walker Crossing (Parcel ID # 147-01003011) in land lot 130 of the 2nd District (the “Property), attached hereto as **Exhibit A**; and,

WHEREAS, the Applicant filed a request for a Conditional Use on July 26, 2023 as shown in the application attached hereto and incorporated herein by reference as **Exhibit B**; and,

WHEREAS, the Applicant’s request has been reviewed by the Mayor and City Council at a Public Hearing held on September 18, 2023, as well as by the City Community Development Director; and,

WHEREAS, the Applicant requested a Conditional Use for the purpose of developing a gravel truck parking lot; 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 Staff Report.

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

1.

- That the request for Conditional Use 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.

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 2nd day of October 2023.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Request for Zoning Map Amendment

Name of Applicant Hummingbird Trucking, LLC Phone: _____ Date: _____

Address Applicant: 5708 Harrier Ln Cell # _____

City: Atlanta State: Georgia Zip: 30349 E-mail: hummingbirdtrucking@gmail.com

Name of Agent Moore Bass Consulting, Inc. Phone: 770-914-9394 Date: _____

Address Agent: 1350 Keys Ferry Court Cell # _____

City: McDonough State: Georgia Zip: 30253 E-mail: ssakvongkhamhane@moorebass.com * *receipt*

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 Truck parking.
(Type of Development)

Address of Property: Walker Crossing

Nearest intersection to the property: HWY 42 S

Size of Tract: 10.00 acre(s), Land Lot Number(s): 130, District(s): 2 2nd _____

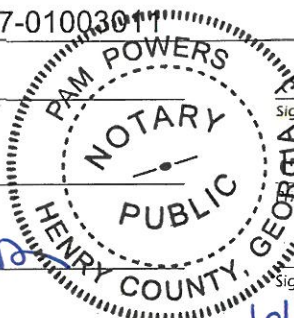
Gross Density: _____ units per acre Net Density: _____ units per acre

Property Tax Parcel Number: 147-01003011 (Required)

Witness Signature: Shay Sakvongkhamhane Signature of Owner/s: Anthony Brown

Printed Name of Witness: Shay Sakvongkhamhane Printed Name of Owner/s: Humming Bird Trucking LLC / Anthony Brown

Notary: Pam Powers Signature of Agent: Shay Sakvongkhamhane



(For Office Use Only)

Total Amount Paid \$ 1000 Cash _____ Check # 1229 Received by: [Signature] 7/26/23 (FEES ARE NON-REFUNDABLE)

Application checked by: A. Williams Date: 7/26/23 Map Number(s): _____

Pre-application meeting: _____ Date: _____

Public Hearing Date: _____

Council Decision: _____ Ordinance: _____

Date Mapped in GIS: _____ Date: _____

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 30th day of June, 2023.

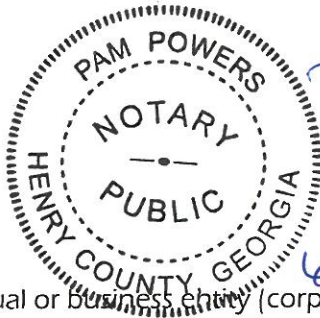
Hummingbird Trucking LLC / Anthony Brown
Applicant's Name - Printed

Anthony Brown
Signature of Applicant

Applicant's Attorney, if applicable - Printed

Signature of Applicant's Attorney, if applicable

Sworn to and subscribed before me this 30th day of June, 2023.



Pam Powers
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.

July 13, 2023

Locust Grove City Council
3640 Highway 42
Locust Grove, Georgia 30248

RE: Walker Crossing Truck Parking
Parcel ID#: 147-01003011
Letter of Intent for Conditional Use Application

To Whom It May Concern:

This letter is being written to confirm that I am the owner of the above-referenced property. Further, I am aware of the proposed rezoning request, and I authorize Moore Bass Consulting and/or their agents to represent this request on my behalf.

Sincerely,

A. Brown
Anthony Brown
Hummingbird Trucking, LLC



- LAND USE PLANNING
- CIVIL ENGINEERING
- LAND SURVEYING
- LANDSCAPE ARCHITECTURE
- CONSTRUCTION ADMINISTRATION
- DRONE LIDAR SURVEYING & MAPPING

ATLANTA | 770.914.9394
TALLAHASSEE | 850.222.5678
moorebass.com

July 5, 2023

Locust Grove City Council
3640 Highway 42
Locust Grove, Georgia 30248

RE: Walker Crossing Truck Parking
Parcel ID#: 147-01003011
Letter of Intent for Conditional Use Application

To Whom It May Concern:

This document is intended to serve as the Letter of Intent for the Conditional Use of the above-referenced property located on the west side of Walker Crossing, within the city limits of Locust Grove, Georgia.

The subject property consists of approximately 10 +/- acres of land. The proposed intent is to develop the property into a gravel truck parking lot. No sewer or water will be required to serve this project.

If you have any questions concerning the above or if any additional information is required, please do not hesitate to call me at (770) 914-9394.

Sincerely,

Alex McCart, P.E.
Moore Bass Consulting, Inc.

**LEGAL DESCRIPTION
WALKER CROSSING PROPERTY
HENRY COUNTY
PORTION OF TAX ID: 147-01003001**

ALL THAT TRACT, OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 159, 130, & 131 OF THE 2ND DISTRICT, HENRY COUNTY, GEORGIA, CONTAINING 9.98 ACRES (434,883 SQ. FT.) AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL FOUND IN A ROCK AT THE LAND LOT CORNER COMMON TO LAND LOTS 158, 159, 130, AND 131; THENCE ALONG THE WEST LINE OF LAND LOT 159 N00°34'54"E A DISTANCE OF 195.57 FEET TO A ½" REBAR SET; THENCE LEAVING SAID LAND LOT LINE N89°45'25"E A DISTANCE OF 532.77 FEET TO A ½" REBAR FOUND ALONG THE WESTERLY RIGHT-OF-WAY OF WALKER CROSSING (60' PRIVATE R/W); THENCE ALONG SAID RIGHT-OF-WAY ON A CURVE TO THE LEFT AN ARC DISTANCE OF 136.84 FEET (SAID CURVE BEING SUBTENDED BY A BEARING S41°52'56"E, A CHORD LENGTH OF 136.26 FEET, AND A RADIUS OF 429.26 FEET) TO A POINT; THENCE S51°00'52"E A DISTANCE OF 102.44 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 358.42 (SAID CURVE BEING SUBTENDED BY A BEARING S23°25'07"E, A CHORD LENGTH OF 344.72 FEET, AND A RADIUS OF 372.08 FEET) TO A POINT; THENCE S04°10'38"W A DISTANCE OF 158.92 FEET TO A ½" REBAR SET; THENCE LEAVING THE RIGHT-OF-WAY OF WALKER CROSSING N89°25'19"W A DISTANCE OF 228.82 FEET TO THE CENTERLINE OF A CREEK BRANCH; THENCE MEANDERING ALONG SAID CREEK BRANCH THE FOLLOWING CALLS:

S70°13'02"W A DISTANCE OF 18.60 FEET;

S00°57'04"W A DISTANCE OF 28.84 FEET;

S20°41'17"W A DISTANCE OF 14.16 FEET;

S07°12'09"W A DISTANCE OF 39.99 FEET;

S26°29'22"E A DISTANCE OF 11.55 FEET;

S75°09'23"W A DISTANCE OF 11.21 FEET;

S00°02'36"E A DISTANCE OF 20.34 FEET TO A POINT ALONG THE RIGHT-OF-WAY OF NORFOLK SOUTHERN RAILROAD (150' R/W); THENCE LEAVING SAID CREEK, ALONG SAID RIGHT-OF-WAY N51°26'44"W A DISTANCE OF 905.11 FEET TO A ½" REBAR FOUND ALONG THE NORTHERLY LAND LOT LINE OF LAND LOT 131; THENCE ALONG SAID LAND LOT LINE, LEAVING THE NORFOLK SOUTHERN RIGHT-OF-WAY S89°11'58"E A DISTANCE OF 137.97 FEET TO **THE POINT OF BEGINNING.**

Zoning Application Checklist

PLEASE COMPLETE THIS FORM WHEN ACCEPTING ALL REZONING, CONDITIONAL USE, VARIANCE, MODIFICATIONS TO ZONING APPLICATIONS, AND FUTURE LAND USE PLAN AMENDMENTS. ATTACH THE CHECKLIST TO THE APPLICATION AND SIGN.

ALL DOCUMENTS ARE REQUIRED IN ORDER TO ACCEPT APPLICATION

REQUIRED ITEMS	COPIES	PROCEDURE	CHECK
Application Form	01	<ol style="list-style-type: none"> 1. Signed and notarized by owner. Original signature 2. In lieu of owner's signature, applicant has signed and notarized 3. A copy of "Contract", "Power of Attorney" or "Lease" 	✓
Applicant Disclosure Form	01	Required for all applicants filed whether yes or no and must be notarized	✓
Letter of Ownership	01	Letter stating that the owner is aware of the zoning request and owns the property in question	✓
Letter of Intent	01	Must clearly state the proposed use and development intent	✓
Legal Description	01	Legal Description of property to be considered for zoning action. Must be submitted as part of ordinance of rezoning, conditional use, variance, etc.	✓
Conceptual Site Plan(s) (24" x 36" max.)	01	Must show minimum details: Buildings, setbacks, buffers, road frontage, correct scale, north arrow, present zoning classification, topographic information to show elevation and drainage, location and extent of required buffers, proposed lot layout. For PD zoning, applicant must submit all additional paperwork as established in Chapter 17.04 of the Code of Ordinances.	✓
Survey Plat (8 1/2" x 11" minimum, 17" by 22" maximum)	01	Subject Property, prepared and sealed within the last ten years by a professional engineer, landscape architect or land surveyor registered in the State of Georgia. Said survey plat shall: 1) indicate the complete boundaries of the subject property and all buildings and structures existing therein; 2) Include a notation as to whether or not any portion of the subject property is within the boundaries of the 100-year floodplain; and 3) Include a notation as to the total acreage or square footage of the subject property Electronic copies via PDF and/or AutoCad are required, if available.	✓
Letter from the Henry County Water Authority (HCWA)	01	This letter of availability must accompany application at the time of submittal. For city water and/or sewer service, the availability and suitability will be determined in the rezoning evaluation by staff. Follow procedure from HCWA. For City Water/Sewer, Fill out form attached.	N/A
Letter from the Henry Co. Environmental Health Department (if property is not on sewer)	01	This letter of availability must accompany application at the time of submittal. This is required if on septic system.	N/A

CITY OF LOCUST GROVE
770-957-5043

REC#: 00573170 7/26/2023 2:38 PM
OPER: RF TERM: 341
REF#: ck#1229
PAID BY:

TRAN: EPL EPL Payments
 INV-00000079 1,000.00CR
 SAKVONGKHAMHANE, SHAY
 CAINVOICEFEE 1,000.00CR

TENDERED: 1,000.00 CHECK
APPLIED: 1,000.00-

CHANGE: 0.00



City of Locust Grove, Georgia Community Development Department

Residential Building Permit Checklist

- _____ The Applicant/General Contractor shall file with the Community Development Department three (3) sets of house plans, including dimensions, window and door sizes, and elevations.
- _____ Residential Building Permit Application filled out completely and signed.
- _____ A house location plan that includes erosion and sedimentation control measures and pertinent flood information (if required).
- _____ Completed and signed *Site Plan Affidavit*
- _____ Proof of payment for the Development Impact Fees.
- _____ Proof of payment for the Water and Sewer Impact and Tap Fees.
- _____ If the project is on septic, a copy of the approved septic permit.
- _____ Contractor Affidavits (one for each permitted trade) **with original signatures** .
- _____ Completed and signed *Erosion Control Affidavit*
- _____ Submit valid copies of the General and Trade Contractors' State Licenses, Occupational Tax Certificates (Business Licenses), and Drivers Licenses.
- _____ A boundary survey (plat) of the property.
- _____ Completed *Residential Land Disturbance (RLD) Permit* application.
- _____ A FEMA Flood Elevation Certificate if the lot contains a minimum elevation requirement.
- _____ Copy of Landscape Plan, if required.

All applications must be completed in full to be accepted for processing.

The items listed above must accompany **each** application in order to be accepted for processing.

If you have questions, please contact the Community Development Department at 770.692.2321

I HAVE READ AND UNDERSTAND ALL OF THE ABOVE REQUIREMENTS

Signed

Date



**City of Locust Grove, Georgia
Community Development Department
Residential Building Permit & Combined Trades**

Date: _____

Notice: Approved plans, consisting at a minimum of dimensioned floor plans and elevations, required at time of submittal.

Job Address: _____

Subdivision: _____

Property Owner: _____ Address: _____

General Contractor: _____ Phone: _____

SUBCONTRACTOR INFORMATION

<u>NAME/BUSINESS</u>	<u>STATE LICENSE #/ EXP. DATE</u>	<u>PHONE</u>
Electrical: _____	_____	_____
Plumbing: _____	_____	_____
Mechanical: _____	_____	_____

Notice: The use of subcontractors, other than those listed above, in conjunction with this permit without formal amendment to the permit application may result in a Stop Work Order, a fine, and/or any other measures, including the revocation of the permit.

BUILDING INFORMATION

Front Elevation Material: _____ Rear Elevation Material: _____

Right Elevation Material: _____ Left Elevation Material: _____

No. of trees to be planted: _____

Type of Construction: _____ # Rooms: _____ # Bedrooms: _____ # Baths: _____

Stories: _____ Zoning: _____ Sewer or Septic: _____ (if septic, provide septic permit # _____)

Total Sq. Footage: _____ Heated: _____ Unheated: _____ Estimated Cost of Construction: _____

THE APPLICANT SHALL BE RESPONSIBLE FROM THE DATE OF THIS PERMIT, OR FROM THE TIME OF THE BEGINNING OF THE FIRST WORK, WHICHEVER SHALL BE THE EARLIER, FOR ALL INJURY OR DAMAGE OF ANY KIND RESULTING FROM THIS WORK, WHETHER FOR BASIC SERVICES OR ADDITIONAL SERVICES, TO PERSONS OR PROPERTY. THE APPLICANT SHALL EXONERATE, INDEMNIFY AND SAVE HARMLESS THE CITY OF LOCUST GROVE FROM AND AGAINST ALL CLAIMS OR ACTIONS, AND ALL EXPENSES INCIDENTAL TO THE DEFENSE OF ANY SUCH CLAIMS, LITIGATION AND ACTIONS, BASED UPON OR ARISING OUT OF DAMAGE OR INJURY (INCLUDING DEATH) TO PERSONS OR PROPERTY CAUSED BY OR SUSTAINED IN CONNECTION WITH THE PERFORMANCE OF THIS PERMIT OR BY CONDITIONING CREATED THEREBY OR ARISING OUT OF OR IN ANY WAY CONNECTED WITH WORK PERFORMED UNDER THE PERMIT OR FOR ANY AND ALL CLAIMS FOR DAMAGES UNDER THE LAWS OF THE UNITED STATES OR OF GEORGIA ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE ACQUISITION OF AND CONSTRUCTION UNDER THE PERMIT AND SHALL ASSUME AND PAY FOR, WITHOUT COST TO THE CITY OF LOCUST GROVE, THE DEFENSE OF ANY AND ALL CLAIMS, LITIGATIONS, AND ACTIONS SUFFERED THROUGHOUT ANY ACT OR OMISSION OF THE APPLICANT OR ANY SUBCONTRACTOR OR ANYONE DIRECTLY OR INDIRECTLY EMPLOYED UNDER THE SUPERVISION OF ANY OF THEM.

I HEREBY CERTIFY THAT I HAVE EXAMINED AND UNDERSTAND ALL INFORMATION ON THIS APPLICATION AND THAT THE ABOVE STATEMENTS AND INFORMATION SUPPLIED BY ME ARE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING WORK TO BE PERFORMED SHALL BE COMPILED WITH WHETHER SPECIFIED HEREIN OR NOT.

PRINT NAME

APPLICANT'S SIGNATURE

DATE

DO NOT COMPLETE THE FOLLOWING – OFFICE USE ONLY

SETBACKS: LEFT: _____ RIGHT: _____ FRONT: _____ REAR: _____ COST OF PERMIT: _____
PERMIT ISSUED BY: _____ DATE: _____



City of Locust Grove, Georgia
Community Development Department

Site Plan Affidavit

Date: _____

Builder's Name: _____

Builder's Phone: _____ Email: _____

Building/Site Address: _____

Subdivision Name: _____ Lot/Block: _____

Owner's Name: _____

Owner's Address: _____

Owner's Phone: _____ Email: _____

I hereby approve and affirm to the City of Locust Grove that the Building and/or Structure will be located on the property as it is shown on the submitted Site Plan. I further acknowledge that any deviation from the proposed and approved location may create a non-conforming lot and/or structure which could preclude the use of the Building and/or Structure until the nonconformance is corrected.

Signature: _____

Printed Name: _____



**City of Locust Grove, Georgia
Community Development Department**

Erosion Control Affidavit

This affidavit must be submitted at time of development permit application.

Project Name: _____ Phase/Unit: _____

Job Site Address: _____

City: _____ State: _____ Zip: _____

Company Phone: _____ Other Phone: _____

24 Hour Contact Person: _____ Phone: _____

My signature hereto signifies that I am the person responsible for compliance with *Chapter 15.28* (Soil Erosion and Sediment Control Ordinance). I hereby acknowledge that Best Management Practices (BMPs) must be used to control soil erosion on my job site which includes at a minimum the following:

1. Installation and regular maintenance of silt barriers (i.e. silt fences, hay bales, etc.) in those areas where water exits the job site; and
2. Installation and regular maintenance of a stone (1.5" – 3.5") driveway entrance/exit pad (20' wide X 50' deep X 6" thick) to minimize the tracking of mud into the street; and
3. Removal of mud from the street or adjacent property immediately following any such occurrence; and
4. Maintenance and removal of mud from detention ponds and sediment basins; and
5. Conduct no land disturbing activities within 50 feet of the banks of streams, lakes, wetlands, etc. (i.e. "state waters") or greater where required; and
6. Provide temporary vegetation and/or mulch in exposed critical disturbed areas.

I hereby further acknowledge that The Community Development Inspection Staff may refuse to make development inspections, may issue stop work orders, and may issue summons to appear in City Court for failure to comply with erosion control requirements.

Signature: _____ Date Signed: _____

Printed Name: _____ Title: _____



City of Locust Grove, Georgia
Community Development Department

Residential Land Disturbance (RLD) Permit Application

Site plans must be submitted that contain the following information:

1. Property boundaries of the subject lot
2. Location and width of all Right-of-Ways
3. Location of easements and required buffers
4. Location of tree preserve areas
5. Direction of drainage
6. Location of all erosion control devices and BMPs.
7. Setbacks
8. Proposed and existing structure locations and sizes (in square feet)
9. Driveway location
10. Flood plain information

Date: _____

Contractor's Name: _____

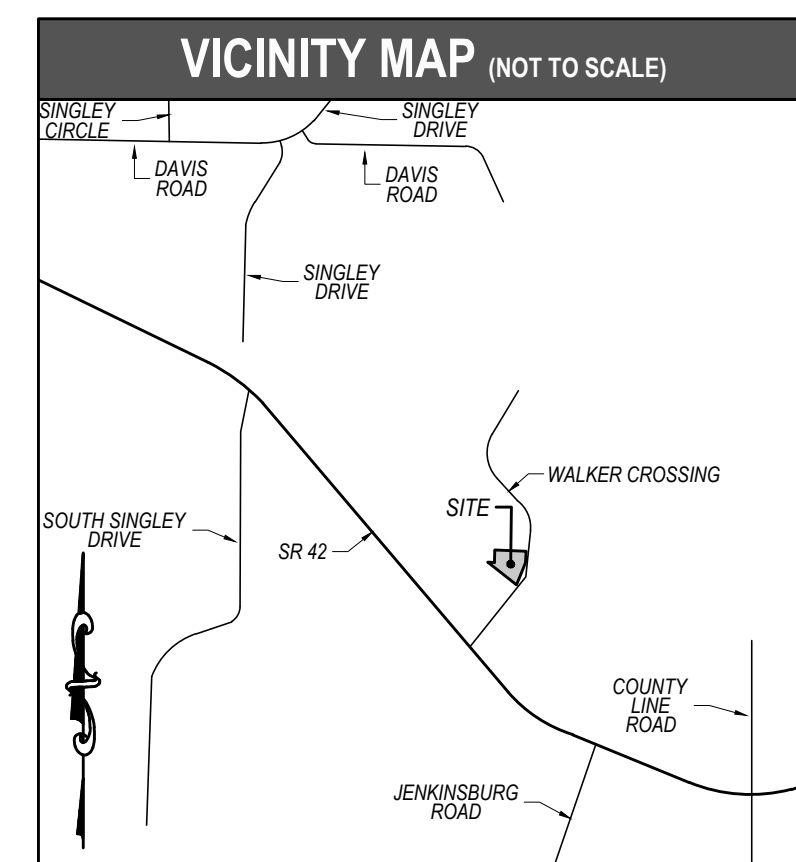
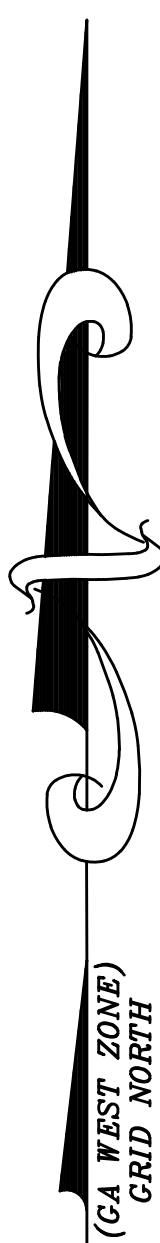
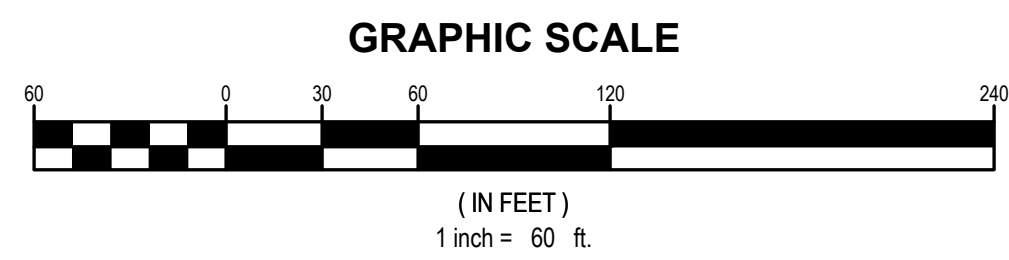
Contractor's Phone: _____ Email: _____

Building/Site Address: _____

Subdivision Name: _____ Lot/Block: _____

Permittee Type (circle one): **PRIMARY** **SECONDARY** **TERTIARY**

Project Type (circle one): **STAND ALONE** **INFRASTRUCTURE** **COMMON DEV.**



Moore Bass Consulting, Inc.

- Civil Engineering
- Land Surveying
- Development Consulting
- Landscape Architecture
- Environmental Permitting

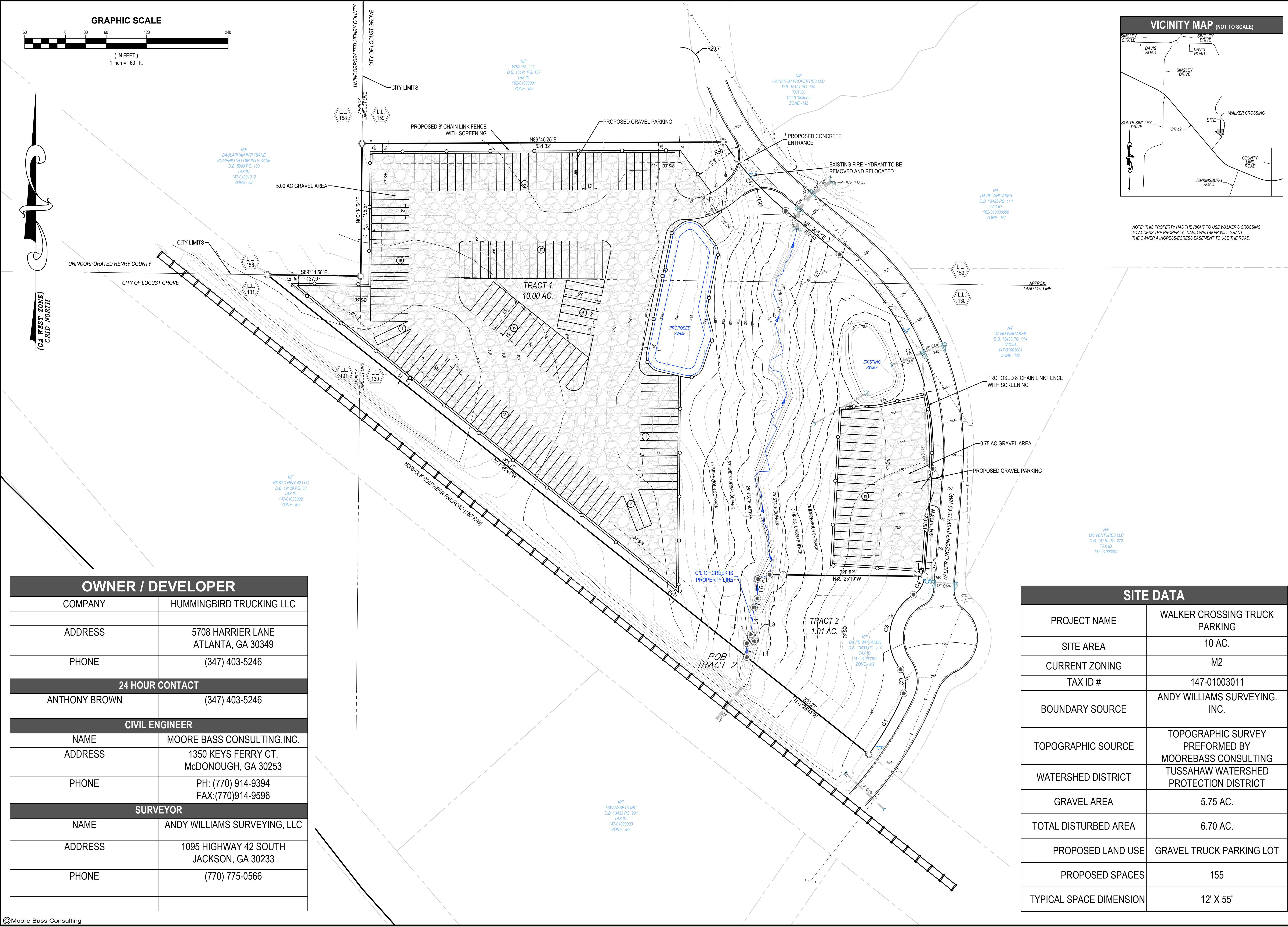
www.moorebass.com
TALLAHASSEE • ATLANTA

1350 Keys Ferry Court
McDonough, GA 30253
770.914.9394

PROJECT NAME
WALKER CROSSING TRUCK PARKING
WALKER KING
LOCUST GROVE, GA 30248

CLIENT NAME
HUMMINGBIRD TRUCKING LLC
5708 HARRIER LANE
ATLANTA, GA 30348

NOTE: THIS PROPERTY HAS THE RIGHT TO USE WALKER'S CROSSING TO ACCESS THE PROPERTY. DAVID WHITAKER WILL GRANT THE OWNER A INGRESS/EGRESS EASEMENT TO USE THE ROAD.



OWNER / DEVELOPER	
COMPANY	HUMMINGBIRD TRUCKING LLC
ADDRESS	5708 HARRIER LANE ATLANTA, GA 30349
PHONE	(347) 403-5246
24 HOUR CONTACT	
ANTHONY BROWN	(347) 403-5246
CIVIL ENGINEER	
NAME	MOORE BASS CONSULTING, INC.
ADDRESS	1350 KEYS FERRY CT. McDONOUGH, GA 30253
PHONE	PH: (770) 914-9394 FAX: (770) 914-9596
SURVEYOR	
NAME	ANDY WILLIAMS SURVEYING, LLC
ADDRESS	1095 HIGHWAY 42 SOUTH JACKSON, GA 30233
PHONE	(770) 775-0566

SITE DATA	
PROJECT NAME	WALKER CROSSING TRUCK PARKING
SITE AREA	10 AC.
CURRENT ZONING	M2
TAX ID #	147-01003011
BOUNDARY SOURCE	ANDY WILLIAMS SURVEYING, INC.
TOPOGRAPHIC SOURCE	TOPOGRAPHIC SURVEY PERFORMED BY MOOREBASS CONSULTING
WATERSHED DISTRICT	TUSSAHAW WATERSHED PROTECTION DISTRICT
GRAVEL AREA	5.75 AC.
TOTAL DISTURBED AREA	6.70 AC.
PROPOSED LAND USE	GRAVEL TRUCK PARKING LOT
PROPOSED SPACES	155
TYPICAL SPACE DIMENSION	12' X 55'

REVISIONS	
-----------	--

DATE	7/17/2023
CONTRACT #	A3877.0001
DRAWN BY	LW

The Drawings, Specifications and other documents prepared by Moore Bass Consulting, Inc. (MBC) for this Project are instruments of MB for use solely with respect to the Project and, unless otherwise provided, MB shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.

1350 KEYS FERRY COURT
McDONOUGH, GA 30253
531-8172

SEAL

**PRELIMINARY
NOT FOR CONSTRUCTION**

SHEET TITLE

**CONCEPTUAL
MASTER
PLAN**

SHEET

1.0

EXHIBIT B



CONDITIONAL USE EVALUATION REPORT

September 18, 2023

FILE: CU-23-08-01

TRUCK PARKING – GRAVEL LOT

Property Information	
Tax ID	147-01003011
Location/address	Walker Crossing
Parcel Size	10 +/- acre
Current Zoning	M-2 (General Industrial)
Request	The applicant is requesting a Conditional Use to develop the property as a gravel truck parking lot
Proposed Use	Gravel Truck Parking Lot
Existing Land Use	Vacant/Undeveloped
Future Land Use	Industrial
Recommendation	Approval with conditions

Summary

Hummingbird Trucking of Atlanta, GA requests conditional use for property located on Walker Crossing (Parcel ID 147-01003011) in Land Lot 130 of the 2nd District. The property consists of 10 +/- acres and is currently zoned M-1-(Light Manufacturing). The applicant requests a Conditional Use for the purpose of developing the subject parcel for use as a gravel surfaced tractor-trailer parking lot.

Tractor-trailer & oversized vehicle parking is permitted with an approved Conditional Use within the M-1 (Light Manufacturing) and M-2 (General Industrial) zoning districts and is consistent with the Industrial Future Land Use Map designation of the subject property. Chapter 15.44.060 of the Locust Grove Code of Ordinances includes a provision for gravel parking within the M-1 (Light Manufacturing) and M-2 (Heavy Manufacturing) zoning districts, only, with an approved Conditional Use granted by the City of Locust City Council.

	<i>Current Zoning</i>	<i>Current Land Use</i>
North	M-2 (General Industrial)	Industrial
South	M-2 (General Industrial)	Industrial
East	M-2 (General Industrial)	Industrial
West	RA Henry County (Residential Agricultural)	Vacant/Undeveloped

Source: City of Locust Grove Official Zoning Map, updated 2023

The area surrounding the subject property is primarily designated for General Industrial uses. The adjacent undeveloped property to the west is located within unincorporated Henry County and is



CONDITIONAL USE EVALUATION REPORT

FILE: CU-23-08-01

September 18, 2023

TRUCK PARKING – GRAVEL LOT

currently zoned RA (Residential Agricultural). The abutting properties to the north, east, and south currently feature industrial uses such as waste disposal, manufacturing, and recycling.

Service Delivery / Infrastructure

Water and Sewer: No facilities requiring water or sewer services are shown on the proposed site plan.

Police Services: 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: The subject property is located within an area of existing industrial development and will likely serve existing truck traffic. The truck entrance/exit location shall be located on Walker Crossing.

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. The request is consistent with the existing and future character and use of the surrounding properties located within the City.

(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. The request is consistent with the applicable zoning district, as it is located within the M-2 (General Industrial) zoning district.

(3) Consistency with the Land Use Plan. The request is consistent with the future land use plan for this area; however, a conditional use from the Locust Grove City Council is required for all truck parking lots.

(4) The potential impact of the proposed amendment on City infrastructure including water and sewerage systems. No water/sewer is shown on the proposed site plan and the subject parcels do not have access to City water/sanitary sewer service. No impact is anticipated.



CONDITIONAL USE EVALUATION REPORT

FILE: CU-23-08-01

September 18, 2023

TRUCK PARKING – GRAVEL LOT

(5) The impact of the proposed amendment on adjacent thoroughfares, pedestrian and vehicular circulation and traffic volumes. There is little additional impact with this request in terms of vehicular circulation, as the parking lot will likely be serving existing truck traffic. The proposed truck parking facility may improve circulation in extant private parking lots within the City by providing drivers with an alternative option. The concept plan depicts a total of 155 truck parking spaces.

(6) The impact upon adjacent property owners should the request be approved. Most of the surrounding area has already been developed for industrial use or is designated for future industrial use. Any impact to the adjoining parcels, particularly those zoned County RA (Residential Agricultural) can be mitigated by buffering, lighting, and security. Please refer to the conditions listed below.

(7) The ability of the subject land to be developed as it is presently zoned. The subject property is zoned M-2 (General Industrial). Any use that is permitted by right or with an approved conditional use in the M-2 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. There are no known physical conditions on the property that would preclude development.

(9) The merits of the requested change in zoning relative to any other guidelines and policies for development which the Community Development staff and City Council may use in furthering the objectives of the Land Use Plan. The merits are consistent with the City of Locust Grove's zoning ordinance and Future Land Use Map. The proposed truck parking will also fulfill an existing need for more formalized truck parking locations within the City.

Recommendation

Staff recommends approval of the request with the following conditions:

- 1) All entry/exit points to the truck parking area shall be secured with fencing, gates, and/or security.
- 2) In addition to required buffering, the applicant shall install opaque privacy fencing eight (8) feet in height around the perimeter of the parking lot.
- 3) The applicant shall coordinate with the LGPD for the installation of flock cameras.
- 4) The gravel surface shall be kept in a neat and orderly fashion at all times and is subject to an annual inspection from the City Code Enforcement Officer.
- 5) No tractor-trailer or any other vehicle shall be occupied overnight.
- 6) Security cameras shall be installed with occasional checks by the City of Locust Grove Code



CONDITIONAL USE
EVALUATION REPORT

September 18, 2023

FILE: CU-23-08-01

TRUCK PARKING – GRAVEL LOT

Enforcement to ensure compliance with no overnight sleeping is maintained. Camera recordings shall be maintained on record for no less than 30 days.

EXHIBIT C

AFFIDAVIT OF SIGN POSTING

Personally appeared, before the undersigned officer duly authorized to administer oaths, Mr. Brian Fornal, who, after being duly sworn, testifies as follows:

1.

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

2.

Hummingbird Trucking of Atlanta, GA requests a Conditional Use for 10+/- acres located on Walker Crossing (Parcel ID # 147-01003011) for the purpose of developing a gravel truck parking lot.

3.

On the 31st day of August 2023, I, Brian Fornal posted double-sided sign notifications on the subject parcel advertising a public hearing on the above request to be heard by the Locust Grove City Council on the 18th day of September at 6:00 p.m. at the Locust Grove Public Safety Building, 3640 Highway 42, Locust Grove, Georgia 30248. Photographs of same are attached hereto as Exhibit "A" and incorporated herein by reference. The public hearing signs were posted at the following locations:

1. Double-sided sign posted at 3:27 PM on the west side of Walker Crossing on the south portion of the parcel on 8/31/23
2. Double-sided sign posted at 3:31 PM on the west side of Walker Crossing on the north portion of the parcel on 8/31/23

FURTHER AFFIANT SAYETH NOT.

This 11th day of September 2023.


Affiant

Sworn and subscribed before me
this 11th day of September, 2023


Notary Public



Exhibit "A"



Exhibit "B"



Henry Herald

38 Sloan Street
McDonough, Georgia 30253

Phone (770) 951-9161
Fax (770) 339-5869

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF HENRY

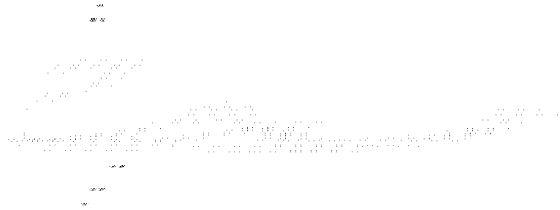
Personally appeared before the undersigned, a notary public within and for said county and state, Douglas W. Crow, Vice President of Operations, Times Journal Inc., which published the Henry Herald, Published at McDonough, County of Henry, State of Georgia, and being the official organ for the publication of legal advertisements for said county, who being duly sworn, states on oath that the report of

Ad No.: **362375**

Name and File No.: **PUBLIC HEARING 9/18/2023**

a true copy of which is hereto attached, was published in said newspaper on the following date(s):

08/30/2023



Douglas W. Crow, Vice President of Operations, Times Journal Inc.

Sworn and subscribed to me 08/30/2023



Notary Public
My commission expires 03/03/2026

Ad text :
Hdh2186
gpn16

Public Hearing Notice
City of Locust Grove
September 18, 2023
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 18, 2023, at 6:00 PM, will conduct public hearings for the purpose of the following:

ANNEXATION

AX 23-07-03 Five Rivers North, LLC has submitted an application requesting annexation of a 6.29 +/- acre tract (Parcel IDs 147-01003009 and 163-01001001 in Land Lot 130 of the 2nd District, located on Highway 42 and Canup Road. The zoning of the subject property will remain M-1 (Light Manufacturing) the City of Locust Grove's equivalent to unincorporated Henry County's M-1 (Light Manufacturing) zoning district. The future land use designation will remain Low-Density Residential within the incorporated boundaries of Locust Grove.

CONDITIONAL USE

CU-23-08-01 Hummingbird Trucking of Atlanta, GA requests a Conditional Use for 10 +/- acres located on Walker Crossing (Parcel ID # 147-01003011) in Land Lot 130 of the 2nd District for the purpose of developing a gravel truck parking lot.

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

Daunt? Gibbs
Community Development
Director -
City of Locust Grove
8:30, 2023

EXHIBIT D

- 1) All entry/exit points to the truck parking area shall be secured with fencing, gates, and/or security.
- 2) In addition to required buffering, the applicant shall install opaque privacy fencing eight (8) feet in height around the perimeter of the parking lot.
- 3) The applicant shall coordinate with the LGPD for the installation of flock cameras.
- 4) The gravel surface shall be kept in a neat and orderly fashion at all times and is subject to an annual inspection from the City Code Enforcement Officer.
- 5) No tractor-trailer or any other vehicle shall be occupied overnight.
- 6) Security cameras shall be installed with occasional checks by the City of Locust Grove Code Enforcement to ensure compliance with no overnight sleeping is maintained. Camera recordings shall be maintained on record for no less than 30 days.



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 approve the final plat for Peeksville Landing Subdivision, a single-family residential subdivision – located on Peeksville Road (Parcels # 129-01068000).**

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: No

Date Received: September 13, 2023

Workshop Date: September 18, 2023

Regular Meeting Date: N/A

Discussion:

Capshaw Development Company, LLC of McDonough, GA submitted the final plat for Peeksville Landing Subdivision, located on Peeksville Road (Parcel ID 129-01068000). The general concept is 49 single-family residential lots.

Applicant/Developer:

**Capshaw Development Company, LLC
450 Racetrac Road
McDonough, GA 30252**

Project Data:

- **Location = Peeksville Road**
- **Gross Acreage = 22.405 acres**
- **Property zoning = R-3 (Single Family Residential)**
- **Lot Count = 49**
- **Open Space = 1.9 Acres**
- **Minimum Lot Size = 12,000 sq. ft.**
- **Minimum Lot Width = 80 ft.**
- **Minimum House Size = 1,750 sq. ft. heated minimum for single story
2,200 heated minimum for multi-story**
- **Setbacks:**
 - **Front = 40'**
 - **Side = 10'**
 - **Rear = 30'**

Applicable Zoning Conditions:

1. **That an additional 15 feet of ROW be donated along Peeksville Road for future transportation improvements. [Comment: This is what has been the practice in the past along LG-Griffm Road and along Bill Gardner Parkway.]**
2. **That a left-turning lane be performed for the entrance on Peeksville Road to determine if there is a need to allow separation of turning traffic at that street cut.**
3. **That an acceleration/deceleration lane be constructed at the Peeksville Road entrance due to the street classification of Peeksville as Major Arterial.**
4. **That a left-turning lane analysis is conducted taking into effect the current and future projected traffic volumes along Peeksville Road for construction of a left- turning lane. Analysis shall also consider traffic generated by adjoining tracts in accordance with recommended land use in the future. Methodology shall be submitted to the Director of Community Development and the city's engineer for review prior to beginning said analysis to determine the projected volumes both internally and accepted volumes for Peeksville Road, to determine the proper assignment method for such volumes, and the accepted thresholds for the need of the left-turning lane.**
5. **That the required open space is placed along the westernmost property line, with additional separation from any adjoining agricultural use through use of landscaped earthen berms or additional plantings that create a year-long visual opaque buffer at a minimum height of 6 feet. Any walking trail shall be placed a minimum of 20 feet from the westernmost property line.**

Recommendation:

Staff recommends APPROVAL of the Peeksville Landing subdivision final plat.



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 approve the final plat for River Oaks Subdivision, a single-family residential subdivision – located on Locust Grove-Griffin Road (Parcels # 130-01025000).**

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

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

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

Advertised Date: **N/A**

Budget Item: **No**

Date Received: **September 13, 2023**

Workshop Date: **September 18, 2023**

Regular Meeting Date: **N/A**

Discussion:

River Oaks Land, LLC of Monroe, GA submitted the final plat for River Oaks Subdivision, located on Locust Grove-Griffin Road (Parcel ID 130-01025000). The general concept is 150 single-family residential lots.

Applicant/Developer:
River Oaks Land, LLC
P.O. Box 1796
Monroe, GA 30655

Project Data:

- **Location = Locust Grove-Griffin Road**
- **Gross Acreage = 58.18 acres**
- **Property zoning = PR-4 (Planned Residential District)**
- **Lot Count = 150**
- **Open Space = 33.4 Acres**
- **Minimum Lot Size = 9,000 sq. ft.**
- **Minimum Lot Width = 75 ft.**
- **Minimum House Size = 1,750 sq. ft. heated minimum for single story
2,200 heated minimum for multi-story**
- **Setbacks:**
 - **Front = 25'**
 - **Side = 10'**
 - **Rear = 20'**

Applicable Zoning Conditions from Locust Grove Station PODs A-G approved written narrative.

Recommendation:

Staff recommends APPROVAL of the River Oaks subdivision final plat.



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248

Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: Special Event Permit request from Sharon Dewberry on behalf of Shorty's BBQ & Corley's Barber Shop for a fundraiser event for Community Bible Fellowship.

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: NA

Budget Item: NA

Date Received: September 14, 2023

Workshop Date: N/A

Regular Meeting Date: September 18, 2023

Discussion:

Applicant:

Sharon Dewberry

On behalf of Shorty's BBQ & Corley's Barber Shop

3904 Hwy. 42

Locust Grove, GA 30248

Staff received a request for a Special Events Permit from Sharon Dewberry on behalf of Shorty's BBQ & Corley's Barber Shop seeking permission to host a Cornhole Tournament fundraiser event for Community Bible Fellowship Church on October 7, 2023 at the Cleveland Street Park from 8:00 a.m. to 6:00 p.m.

- Music and entertainment
 - **Announcement of winners**
- Food and drink prepared and consumed on-site
 - **None**
- Event location(s)
 - **186 Cleveland Street – City of Locust Grove Park**
- The duration of the event (including set up and break down)
 - **October 7, 2023 (8am – 6pm)**
- Contact information for the person who will be onsite during the event
 - **John Dewberry – (770) 313-1780**
 - **Jonathan Dennard (770) 617-7269**
- Which merchants will have booths at the event?
 - **None**
- Permission from property owner at site:
 - **Permission to host the special event on City Property coincides with the approval of the Special Event permit request by the City of Locust Grove City Council.**

Comments:

None

Recommendation:

STAFF RECOMMENDS APPROVAL OF THE SPECIAL EVENT REQUEST MADE BY SHARON DEWBERRY ON BEHALF OF SHORTY'S BBQ & CORLEY'S BARBER SHOP TO HOST A CORNHOLE TOURNAMENT FUNDRAISER EVENT FOR COMMUNITY BIBLE FELLOWSHIP.



City of Locust Grove
Community Development

SEP 14 2023

RECEIVED

SPECIAL EVENTS PERMIT APPLICATION

Applicant: Sharon Dewberry / Shorty BBQ	Submission Date:
Organization: Community Bible Fellowship Church	Event Date(s)*: 10/17/2023
Type of Event: Cornhole & Tournament	Event Time(s): 7 AM - 6 PM

*Please provide the following information a **minimum of fifteen (15) days** prior to the event date.

This request will be placed on the next available City Council agenda for a hearing.

The applicant (or designated representative) must attend this hearing.

Applicant's local address:	3904 Hwy 42 Locust Grove GA 30248
Location of the Event:	Park on Cleveland Street
Name and telephone number of onsite contact who will be onsite for the duration of the event.	John Dewberry 770-313-1780 Jonathan Bernard 770-617-7269
Description of the nature of the special event:	Fundraiser event for Community Bible Fellowship
Identify sponsors and/or merchants participating in the event.	Shorty's BBQ & more, LLC Corley's Barber Shop
Identify types of goods to be sold*, if any *Additional permits may be required	(NO goods will be sold on City Property)
Duration of the event (including setup and take down)	8 AM - 6 PM
Description of music/entertainment*: *City's Noise Ordinance prohibits loud music/voices after midnight.	(Announcement of winners)

Additional required information:

- Written permission from the property owner
- Legible copy of the applicant's driver's license (or other State issued ID)
- If the event is a road race, attach a proposed route for review and approval
 - List number of police officers/public works staff requested – additional fees may apply
- If the event is for a non-profit organization wishing to waive the fees, proof of the organization's non-profit status must be submitted.
- Complete the attached "Georgia Bureau of Investigation – Georgia Crime Information Center Consent Form" for a background check.
- Complete the attached "E-Verify Affidavit"
- Complete the attached "Affidavit Verifying Status for Receipt of Public Benefits"
- All fees are payable to the City of Locust Grove as follows:
 - \$150 for fundraisers, community outreach events,
 - \$250 for temporary for-profit events

Signature: Sharon Dewberry

Date: 9/14/2023



E-VERIFY AFFIDAVIT
Locust Grove, GA

E-verify Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)

By executing this affidavit, the undersigned private employer verifies its compliance with O.C.G.A. § 36-60-6(d), stating affirmatively that the individual, firm or corporation has registered with and utilizes the federal work authorization program commonly know as E-Verify, or any subsequent replacement in O.C.G.A. § 36-60-6(d). Furthermore, the undersigned applicant verifies one of the following with respect to my application for the above mentioned document:

- 1. (a) _____ The individual, firm or corporation employed more than ten (10) employees.
- (b) X _____ The individual, firm or corporation employed ten (10) or fewer employees.

If the employer selected 1(a) please fill out Section 2 below.

2. The undersigned private employer attests that its federal work authorization user identification number and date of authorization are listed below:

_____ Federal Work Authorization User Identification Number

_____ Date of Authorization

I hereby declare under penalty of perjury that the foregoing is true and correct.

Sharon Dewberry
Signature of Authorized Officer or Agent

Sharon Dewberry
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ DAY OF _____, 20____

NOTARY PUBLIC
My Commission Expires: _____



AFFIDAVIT VERIFYING STATUS for RECEIPT OF PUBLIC BENEFITS
O.C.G.A. § 50-36-1(e)(2) AFFIDAVIT

By executing this affidavit under oath, as an applicant for the City of Locust Grove, Georgia public benefit (defined below), as supplemented by resolution of the City Council, and as referenced in O.C.G.A. § 50-36-1, I am stating the following with respect to my application to the City of Locust Grove:

X I am a United States citizen.

OR

_____ I am a legal permanent resident 18 years of age or older, or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.*

I understand that "public benefit" includes but is not limited to: Adult education; Authorization to conduct a commercial enterprise or business; Authorization to conduct activities regulated by local government such as flea markets, peddlers, sidewalk vendors, massage therapy, bingo games, adult entertainment, pawn shops, day cares, etc.; Business certificate, license, or registration; Business loan; Cash allowance; Contract for materials or services; Disability assistance or insurance; Down payment assistance; Energy assistance; Food stamps; Gaming license; Health benefits; Housing allowance, grant, guarantee, or loan; Home occupation certificate, license, license and registration; Loan guarantee; Medicaid; Occupational license; Professional license; Registration of a regulated business; Rent assistance or subsidy; Retirement benefits; State grant or loan; State identification card; Tax certificate required to conduct a commercial business; Temporary assistance for needy families (TANF); Unemployment insurance; Vehicles for Hire certificate or license; and Welfare to work.

Sharon Dewberry
Name of natural person applying on behalf of individual, business, corporation, partnership or other private entity
3904 Hwy 42 Locust Grove GA 30248
PO Box 1074 Hampton GA 30228
Address of applicant named above
770-313-2741
Telephone Number
Shanty's B B & More / Bible Fellowship Church Fundraiser
Name of individual, business, corporation, partnership or other private entity for whom application is being made
Community
Category of Public Benefit

In making the above representations under oath, I understand that any person who knowing and willfully makes a false, fictitious or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20.

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
_____ DAY OF _____ 20____

Sharon Dewberry 9/14/2023
Signature of Applicant Date
Sharon Dewberry
Printed Name

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

*Alien Registration Number for Non-citizens