

**Mayor**  
Steven W. Miller

**Council Members**  
Kevin Moore  
Dee Phillips  
Kyle Whitaker  
Jeff Wilbur  
Michael Roy Zenchuk II



## City of Holly Springs

Post Office Box 990  
Holly Springs, GA 30142  
www.hollyspringsga.us  
Office: 770-345-5536 – Fax: 770-345-0209

**City Attorney**  
Robert M. Dyer

**City Manager**  
Robert Logan

**City Clerk**  
Karen Norred

October 11, 2022

David W. Hacker, CCIM  
Piedmont Real Estate Group, Inc.

**RE: Tax Parcel 15N10 018**

Dear Mr. Hacker:

This letter certifies that the property referenced above, specifically, Tax Parcel **15N10 018** is zoned **LI, Light Industrial**. Please find attached a copy of the rezoning ordinance including stipulations for this property. In addition, I have attached copy of the LI Zoning District Uses.

If you need further information, please do not hesitate to contact me at 770-345-5533.

Sincerely,

Nancy Moon  
Community Development Director  
City of Holly Springs, Georgia

ANNEXATION ORDINANCE

A-12-07

An Ordinance to annex property in the City of Holly Springs, Georgia, pursuant to Chapter 36 of Title 36 of the Official Code of Georgia Annotated (O.C.G.A.); to provide an effective date of said annexation and zoning; and for other purposes.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOLLY SPRINGS:

The following area contiguous to the City of Holly Springs is hereby annexed and zoned into and is made part of said City:

Section 1

+/- 37.65 acres, identified as parcel 018 of map# 15N10, Land Lots 636, 637, 660, and 661 of the 15<sup>th</sup> District, 2<sup>nd</sup> Section of Cherokee County, located on the south side of Sixes Road along I-575. More particularly identified by "Exhibit A," the tax plat identifying the subject tract (attached).

Section 2

Upon annexation, this tract shall be zoned LI- Light Industrial District with zoning conditions attached as approved by the Cherokee County Board of Commissioners with Resolution 99-R-44 for Case# 98-11-077 on June 08, 1999, incorporated and attached hereto as "Exhibit B."

Section 3

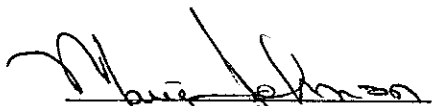
This ordinance shall become effective on the 1<sup>st</sup> day of September 2007.

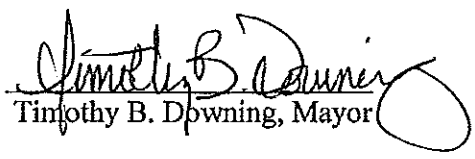
Section 4

The City Clerk of the City of Holly Springs is hereby instructed to send certified copies of this ordinance, along with a map of the area annexed to the Georgia Department of Community Affairs; the Cherokee County Board of Commissioners; and the United States Justice Department within thirty (30) days after the effective date of the annexation as set forth in section 3 above.

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

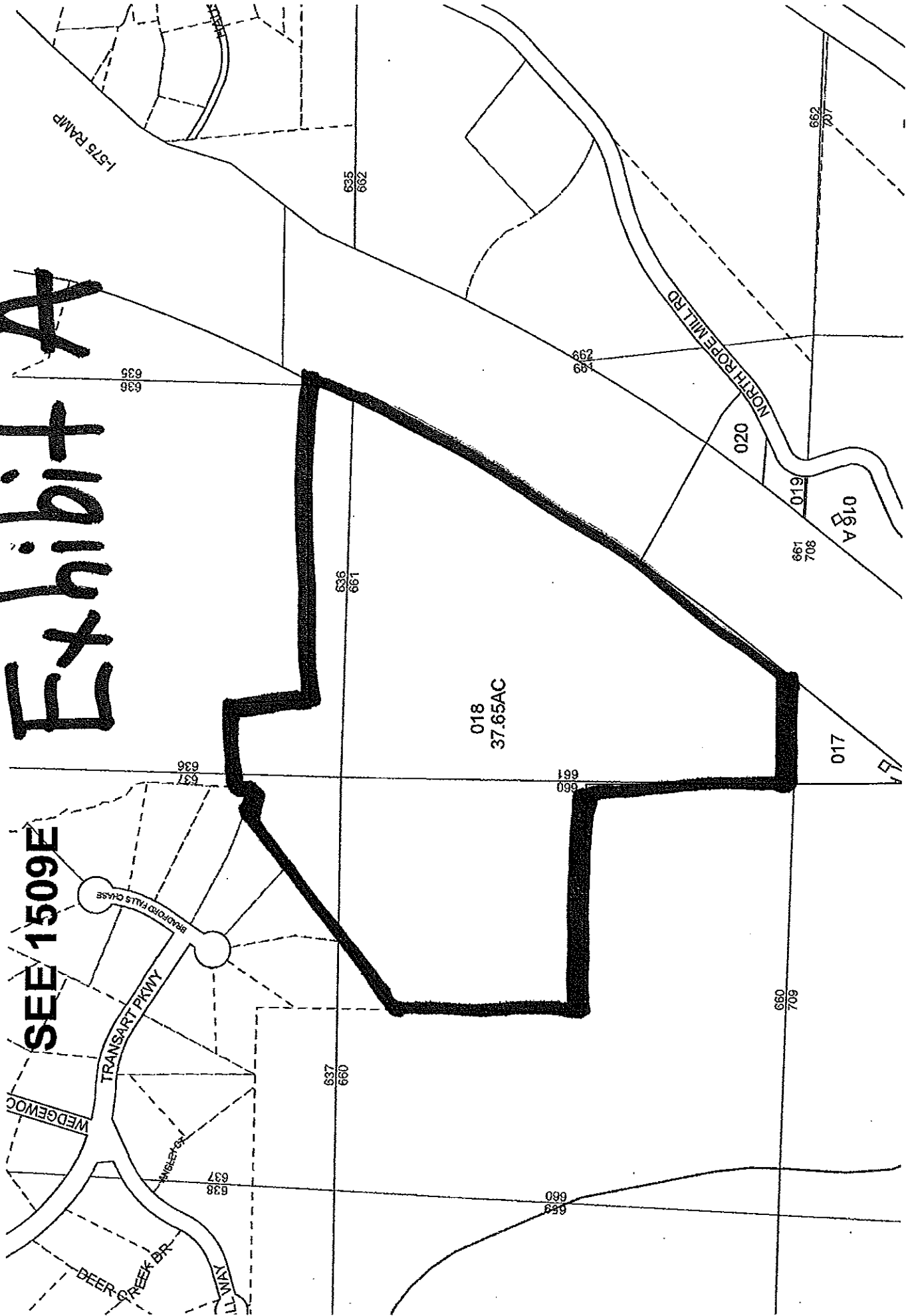
Approved this 20<sup>th</sup> day of August, 2007, by the Mayor and City Council of the City of Holly Springs, Georgia.

  
Marie Johnson, City Clerk

  
Timothy B. Downing, Mayor

Seal:

# Exhibit A



# EXHIBIT B

## RESOLUTION 99-R-44

CASE # 98-11-077

Group Realty/MBC Partners, L.P.

A resolution ~~denying~~/approving the rezoning of the following described property:

46.99 acres located in land lot(s) 590, 635, 636, 637, 660, 661 of the 15th district, 2nd section of Cherokee County, Georgia, and indicated as parcel(s) 3, 4, 5 on tax map 15N15; ~~parcel 18~~ on tax map 15N10 and part of parcel 083 on tax map 15N09.

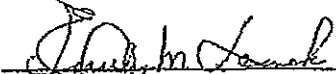
WHEREAS, it hereby is found and determined that a petition to change the zone of the above described property from R-40 and LI to GC, LI and R-40 was filed on October 30, 1998.

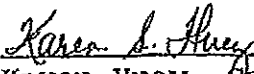
Proposed Use: Industrial, Commercial and Residential

WHEREAS, it likewise is found that the Cherokee County Municipal Planning Commission, after notice as required by law, did conduct a public hearing upon such change of zone on Tuesday, April 13, 1999 in the Jury Assembly Room of the Cherokee County Justice Center. Recommendation from the Planning Commission is to approve with conditions.

NOW THEREFORE, be it resolved by the Cherokee County Board of Commissioners that the above described property ~~is now~~ is now located in the ~~GC, LI, R40 w/conditions~~ district, and the Cherokee County Planner hereby is directed to change/~~not to change~~ the district maps accompanying and being part of the rezoning resolution.

Adopted this 8th day of June, 1999

  
Emily Lemcke, Chairman

  
Karen Huey, County Clerk

\*Said conditions are as follows:

- 1) All of the attached conditions are imposed.
- 2) The site plan as submitted by the developer is made a condition with the road location to be approved by the adjacent property owner.
- 3) Appropriate measure will be taken ensure storm water management.

**GROUP REALTY/MBC PARTNERS**

**CASE #98-11-077**

**ZONING CONDITIONS**

- 1) Provide Georgia D.O.T. permit approval.
- 2) Access to Sixes Road shall be coordinated with the Sixes Road improvements program and said access shall be approved by Cherokee County Engineering Department.
- 3) Commercial and Industrial zoned parcels shall have no metal buildings.
- 4) The proposed access road will be completed prior to any other construction activity with the exception of refurbishing the existing Transart building.
- 5) All light industrial setbacks that border residential property will be seventy-five (75) feet; fifty (50) feet will be undisturbed and the remaining twenty-five (25) feet, if disturbed, will be replanted.
- 6) Transart Parkway will be terminated by a cul-de-sac.
- 7) Exterior lighting will be downcast, low-intensity lighting.
- 8) All buildings are limited to a height limit of two (2) stories and thirty-six (36) feet.
- 9) All freestanding signage will be monument style with a height limit of eight (8) feet.
- 10) All exterior building veneers will be brick or stucco.
- 11) Prohibition of hazardous materials.
- 12) Development shall be consistent with Cherokee Business Park buffer guidelines.

## Conditions of Zoning

98-11-077

The following businesses/industries in addition to Cherokee County zoning guidelines are prohibited:

• **ACTIVITY NOT PERMITTED ON LIGHT INDUSTRIAL PARCELS:**

- *NO AUTOMOBILE REPAIR & BODY SHOP*
- *NO FREIGHT BUS STATION*
- *NO DRY CLEANING PLANT OR LAUNDRY*
- *NO COMMERCIAL PARKING LOT*
- *NO RADIO TV OR COMMUNICATION TOWER*  
(except as per FCC Regulation)
- *NO MANUFACTURED HOME TRAILER SERVICE OR REPAIR*
- *NO BOTTLE GAS STORAGE & DISTRIBUTION CENTER*
- *NO INDUSTRIAL EQUIPMENT RENTAL*
- *NO EQUIPMENT STORAGE YARD*
- *NO TEMPORARY WRECKAGE SERVICE OR STORAGE*
- *NO BOTTLING PLANT*
- *NO INERT WASTES LANDFILL*
- *NO DOG KENNEL*
- *NO FEED OR FUEL YARD*
- *NO LIVERY STABLE*
- *NO POULTRY OR BEEF KILLING*
- *NO TIRE RETREADING OR RECAPPING*
- *NO BATTERY MANUFACTURE*
- *NO DRILLING, MINING, QUARRYING*
- *NO EXPLORING FOR OR REMOVING OIL OR OTHER HYDROCARBONS, MINERALS, GRAVEL, OR EARTH OR REFINING OR PROCESSING OF SAME.*
- *NO PUBLIC UTILITIES*
- *NO PRIVATE SEWAGE TREATMENT FACILITIES*

Covenant Section 2.1.2. Italicized businesses are restricted in the Covenants. Additional restrictions are requested to further reduce impact on nearby residential property.

• **BUSINESSES NOT PERMITTED ON THE GENERAL COMMERCIAL PARCELS:**

- *NO SAWMILLS*
- *NO AUTO REPAIR & BODY SHOP*
- *NO VEHICLE SALES*
- *NO BUILDING MATERIAL SALES*
- *NO GROCERY STORE*
- *NO LIQUOR-BEER, PACKAGE STORE*
- *NO MANUFACTURED HOME SALES*
- *NO PLANNED SHOPPING CENTER*

### Conditions of Zoning

98-11-077

- NO BAR, COCKTAIL LOUNGE, TAVERN
- NO BUS STATION
- NO CARWASH
- NO COMMERCIAL CLUBS & LOUNGES
- NO LAUNDRY COIN OPERATED OR PICKUP
- NO COMMERCIAL PARKING LOT
- NO RADIO TV OR COMMUNICATION TOWER  
(except as per FCC Regulation)
- NO RAILROAD STATION
- NO WAREHOUSE SALES
- NO WRECKAGE SERVICE OR STORAGE
- NO PUBLIC UTILITIES
- NO PRIVATE SEWAGE TREATMENT

### Conditions of Zoning

~~98-11-077~~

No noxious or offensive trade or activity shall be carried on upon any Parcel or any part of the Property, nor shall anything done thereon which may be, or may become, an annoyance or nuisance to the neighborhood or which shall in any way interfere with the quiet enjoyment by each Parcel owner of its respective Parcel or Parcels *and residents of The Falls of Cherokee or any current/future residents within a reasonable audible/sensory distance.*

*Italicized added by Toontigh Neighbors.*



**5.2-9 LIGHT INDUSTRIAL, LI**

**A) Purpose:** A district established where limited manufacturing, assembling, wholesaling, warehousing, and other uses are permitted.

**B) Permitted Uses:** The uses listed below are permitted in the LI District, only after compliance with additional article requirements, if any. The Zoning Administrator, prior to the issuance of an occupational tax license, shall verify compliance with article requirements and all other local, state, and federal regulations, and said business establishment shall at all times thereafter remain compliant with these requirements and the Code of the City of Holly Springs:

<b><u>Permitted Uses:</u></b>	<b><u>Article</u></b>
Agric. Business, Cooperatives	
Agricultural Implementation Sales and Service	
Ambulance Service	
Animal Hospitals and Veterinary Clinics (Including Large Animal)	5.4-2
Appliance Repair	
Athletic Club, Facilities	
Auto Laundry or Car Wash Establishments	5.4-4
Auto Leasing Establishments	5.4-5
Auto Repair Establishments	5.4-6
Auto Service Establishments	5.4-7
Automobile Sales- New	5.4-8
Automotive Parts	
Bait Sales	
Bank, Branches	
Boat Sales Facility and Storage	
Bottled Gas, Storage, and Distribution	
Bottling Plant	
Broadcasting Studio, Radio-TV	
Builder's Equipment	
Building Materials Sales, Enclosed for Retail or Wholesale	
Business Office Space	
Café	
Carpet or Rug Sales Shop & Storage	
Carpenter Shop, Wood Working	
Cesspool Builders- Sales and Service	
Convenience Food Stores, with or without Gasoline Pumps	
Distribution Center	
Equipment Rental Services Establishment	
Equipment Sales & Repair	
Emissions Testing Facility	5.4-17
Fire Station	
Food Preparation and Delivery Service	
General Merchandise Repair	5.4-19
Governmental Buildings	
Greenhouse, Nursery, Landscaping	5.4-21

Ice Manufacturer	
Industrial Park Planned	
Imported Goods Warehouse	
Kennel Establishments	5.4-26
Laboratory Research Facilities	5.4-27
Locker, Frozen Food or Cold Storage	
Machine Shop	
Manufactured Home Sales	
Manufacturing, Processing or Assembly Operations	
Manufacturing of Malt Beverages, Wine or Distilled Spirits <sup>43</sup>	
Parking Lot, Automobile	
Printing or Engraving Store	
Publishing and Reproducing Establishment	
Radio/TV Sales and Repairs	
Radio/TV- Transmitter, Studio	
Recreation Facilities (Indoor)	
Recreational Parks	
Storage, Inside	
Storage Yard, Equipment	
Surface transportation terminals	
Taxi Service	
Taxidermist	
Tire Sales & Service	
Tire Sales/Retreading and Capping Establishment	
Textile Manufacturing Plants	
Utility Substations	
Vehicle for Hire	
Warehousing	
Welding	
Wholesale Trade with Warehouses	5.4-43

**C) Uses Not Otherwise Classified:**

Certain uses proposed that cannot be classified as a permitted use in the Light Industrial Zoning District, or any other zoning district, must receive a conditional use permit from Mayor and Council, prior to the issuance of an occupational tax license. The conditional use process is outlined in subsection D, below, and follows the Zoning Procedures outlined in Article 14.

**D) Conditional Uses:**

Any person requesting a permit under this Section shall submit an application and shall submit sufficient evidence demonstrating compliance with standards contained herein, as applicable.<sup>44</sup> In considering the application for a conditional use, the Mayor and Council shall be guided by the following standards:

---

<sup>43</sup> Amended by City Council, Ord 03-2018, 06/18/2018

<sup>44</sup> Amended by City Council with text amendment TA-02-2013, 05/20/2013

It is found and declared that there exist uses and activities that have potentially serious objectionable and deleterious effects on the public health, safety, morals and welfare and that it is in the public interest to introduce special regulation of such uses and activities to abate or eliminate adverse effects contributing to a blighting or downgrading of surrounding neighborhoods and businesses. It is the purpose of this Section, therefore, to safeguard the best interests of the citizens of the City of Holly Springs, to protect and enhance the quality of the environment, and to promote the public health, safety and welfare by achieving the following:

- A.** Providing appropriately located areas for the various uses listed herein to meet the needs of the City.
- B.** Supporting development compatibility with surrounding uses and neighborhoods while suggesting uniqueness and character.
- C.** Protecting the property values of existing business developments from inappropriately located uses and to enhance the investment of residents and business owners.
- D.** Encouraging uses to be grouped.

The provisions of this Section shall prevail over conflicting provisions of any other Article or Section of the City Code, except Article 12, *Non-Conforming Uses*, and shall supplement any other applicable regulations and ordinances.

There are some conditional uses which may be permitted but must also meet additional stipulations in order to apply for a permit. The Zoning Administrator shall consider the application and evidence of compliance with such additional stipulations as stated in each respective article. The conditional uses which must meet additional stipulations within the Light Industrial District, and the Article where the additional stipulations are found are:

<b><u>Conditional Uses:</u></b>	<b><u>Article</u></b>
Accessory Uses and Structures	3.5
Auto Auction Establishment	5.4-3
Automobile Sales- Used	5.4-9
Cell Towers	6
Cemetery	5.4-12
Churches, Synagogues	5.4-13
Driving Range, Golf	5.4-16
Gasoline Service Stations	5.4-18
Heavy Industrial Uses	
Junk Vehicle Storage	5.4-24
Junkyard	5.4-25
Multi-Tenant Building	5.4-32
Sawmills and Lumber Yards	5.4-38
Self-Storage Establishments <sup>45</sup>	5.4-40
Truck, Tractor, Large Equipment Sales	

---

<sup>45</sup> Amended by City Council with text amendment, 06/18/2008

**D) Height, Area and Bulk Regulations:**

Minimum Lot Area (sq. ft.)	1.0 acre
Minimum Lot Dimensions	100' Min. Lot Width
Minimum Yard Setback	
Front Arterial	50'
Collector	40'
Local	40'
Side	25'
Rear	25'

**Maximum Building Height**

Height shall not exceed the capability of adequate fire protection provided by the Fire Department.

\*Septic tank approval is made by the City when the Cherokee County Environmental Department regulations are met and satisfied.

**E) Lighting:**

When a non-residential zoning district or other use, if outside lighting is utilized, such lighting shall be established in such a way that no direct light shall cast over or into any property line nor adversely affect neighboring properties.

**F) All non-residential zoning districts:**

All outside storage areas and accessory structures must be located on the same lot and to the side or rear of the principal use at least 15 feet from the side or rear lot lines and may not be located within 25 feet of any residential property. A solid fence or wall no less than 8 feet height must screen storage areas. A maximum of 25% of the total lot area may be used for such purpose. All accessory structures must be architecturally compatible with the principal structure.