



**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**COUNCIL ANNOUNCEMENTS:**

**PUBLIC COMMENTS: (20 minutes maximum)**

**CONSENT AGENDA:**

**Minutes**

- A. October 13, 2022 Work Session
- B. October 18, 2022 Mayor/Council Meeting

**Resolution**

- A. GR-2022-12 2022 Law Enforcement Training Grant

**ANNEXATION / ZONING:**

- A. **Ordinance 2022-24 Annex Victory Street Property  
(Tabled at the August 2, 2022 and October 18, 2022 Council Meeting)**  
AN ORDINANCE ANNEXING ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- B. **Ordinance 2022-25 Zone Victory Street Property  
(Tabled at the August 2, 2022 and October 18, 2022 Council Meeting)**  
AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**PUBLIC HEARING(S):**

**Annexation/Zoning Items**

- A. Request from **Atlantic Leasing, LLC** to annex two tracts totaling 1.0± acre located on the west side of Hudgins Street and the east side of Browns Bridge Avenue, north of Browns Bridge Road (a/k/a **1411 Hudgins Street and 1506 Browns Bridge Avenue**) and to establish a zoning of General Business (G-B). **Ward Number: Five.** Tax Parcel Number: 00-123-008-003A and 028. **Request: Combining properties.**
  - Proposed Annexation Ordinance 2022-34
  - Proposed Zoning Ordinance 2022-35

- B. Request from **William B. Stark Jr.** for a special use on a 1.0± acre tract located on the north side of Washington Street between West Academy Street and West Avenue (a/k/a **614 Washington Street, NW**), having a zoning of Neighborhood Business (N-B). **Ward Number: Four.** Tax Parcel Number(s): 01-026-001-043. **Request: Five residential duplexes.**

- Proposed Zoning Resolution ZR-2022-07

**CITY MANAGER ISSUES:**

**CITY ATTORNEY ISSUES:**

**CITY CLERK ISSUES**

**EXECUTIVE SESSION:**

**ADJOURNMENT:**

Final: Monday, October 31, 2022, 9:15 AM



# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

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**Item Created:** October 26, 2022  
**Date Submitted:** October 26, 2022  
**Final Approval Date:** October 27, 2022  
**Presenter:** Denise Jordan, City Clerk  
**Item of Business:** October 13, 2022 Work Session  
**Meeting Date:** November 1, 2022

---

**Purpose of Request:**

The purpose of this request is to allow the governing body to approve the minutes from the referenced meeting.

**Facts & Issues / History & Background:**

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

**Department Recommendation:**

Approve the minutes accepting edits as presented.

**Department Director:**

Bryan Lackey

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

None



# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

---

**Item Created:** October 26, 2022  
**Date Submitted:** October 27, 2022  
**Final Approval Date:** October 27, 2022  
**Presenter:** Denise Jordan, City Clerk  
**Item of Business:** October 18, 2022 Mayor/Council Meeting  
**Meeting Date:** November 1, 2022

---

**Purpose of Request:**

The purpose of this request is to allow the governing body to approve the minutes from the referenced meeting.

**Facts & Issues / History & Background:**

Draft minutes were distributed to the governing body, City Manager, City Attorney and Department Directors for comments/corrections.

**Department Recommendation:**

Approve the minutes accepting edits as presented.

**Department Director:**

Bryan Lackey

---

**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

---

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

None





# CITY OF GAINESVILLE

## Mayor/Council Agenda Request

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**Item Created:** October 27, 2022  
**Date Submitted:** October 28, 2022  
**Final Approval Date:** October 28, 2022  
**Presenter:** Jay Parrish, Chief of Police  
**Item of Business:** GR-2022-12 2022 Law Enforcement Training Grant  
**Meeting Date:** November 1, 2022

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**Purpose of Request:**  
To accept the grant funding.

**Facts & Issues / History & Background:**  
The 2022 Law Enforcement Training Grant Committee has indicated that the Gainesville Police Department will receive \$100,000.

**Department Recommendation:**  
To accept the grant funding.

**Department Director:**  
Jay Parrish

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**If funding is involved, are funds approved within the current budget?** Yes  
**Amount Requested:** **Sources of Funds:** Grant

**Finance Comments:** 100,000

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**Administrative Comments:**

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**Attachments:**  
1. GR-2022-12 Law Enforcement Training Grant

**RESOLUTION GR-2022-12**

**2022 LAW ENFORCEMENT TRAINING GRANT**

**WHEREAS**, the 2022 Law Enforcement Training Grant Committee has selected the Gainesville Police Department to receive grant funding; and

**WHEREAS**, the 2022 Law Enforcement Training Grant Committee has indicated that the Gainesville Police Department will receive \$100,000; and

**WHEREAS**, the Gainesville Police Department has needs which are related to the purchase of equipment, supplies, and travel directly related to training in Use of Force, De-escalation/Mental Health, Officer Mental Health, and School Safety.

**NOW, THEREFORE, BE IT RESOLVED THAT** the governing body for the City of Gainesville hereby authorizes the acceptance of said funds awarded by the 2022 Law Enforcement Training Grant Committee.

**Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**W. Samuel Couvillon, Mayor**

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

**ATTEST:**

\_\_\_\_\_  
**Denise O. Jordan, City Clerk**



## CITY OF GAINESVILLE

### Mayor/Council Agenda Request

---

**Item Created:** October 27, 2022

**Date Submitted:** October 28, 2022

**Final Approval Date:** October 28, 2022

**Presenter:** Abb Hayes, City Attorney

**Item of Business:** **Ordinance 2022-24 Annex Victory Street Property (Tabled at the August 2, 2022 and October 18, 2022 Council Meeting)**  
AN ORDINANCE ANNEXING ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Meeting Date:** November 1, 2022

---

**Purpose of Request:**

To address the zoning request previously tabled at the August 2, 2022 and October 18, 2022 Mayor/Council Meeting.

**Facts & Issues / History & Background:**

The City of Gainesville is proposing to annex all of Victory Street which is currently zoned Residential-II (R-II) in the County and is located within the Limestone Parkway Overlay Zone. Victory Street is a narrow two-lane road approximately 20 feet wide with no sidewalks. Upon annexation, the road will be improved to City standards to address vehicular/pedestrian access and safety to include widening the right-of-way and road bed, installation of curb, gutters, sidewalks, decorative street lights, street trees and on-street parallel parking. The improvements will be constructed and paid for by the developer of the proposed commercial grocery retail center within the adjacent Limestone Greenway mixed-use development to provide secondary access. The additional land needed to widen Victory Street will be dedicated by the adjacent commercial land owner to the City of Gainesville and maintained as a public street. The adjacent uses include New Holland Mill residential community and future commercial uses within the Limestone Greenway mixed-use development.

**Department Recommendation:**

Approve the Ordinance as presented.

**Department Director:**

Rusty Ligon

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. Proposed Ordinance 2022-24 COG Victory St annex ord
2. Location Maps
3. Plat
4. Architectural Renderings

Passed: \_\_\_\_\_

**AN ORDINANCE**

**No. 2022-24**

**AN ORDINANCE ANNEXING ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:**

**SECTION I**

That from and after the passage of this Ordinance the following described lands are and shall be annexed into the existing corporate limits of the City of Gainesville, Georgia, so that said lands shall constitute a part of the land within the corporate limits of the City of Gainesville, Georgia, as fully and completely as if the limits had been so defined by the General Assembly of Georgia.

**Legal Description**

All that tract or parcel of land lying and being in Land Lot 133, 9th Land District, City of Gainesville, Hall County, Georgia as shown on a sketch and description prepared by Patton Land Surveying, LLC, for the City of Gainesville, dated May 25th, 2022 and being more particularly described as follows:

Commencing at the Centerline Intersection of State Route 365 (Business) (Jesse Jewell Parkway) (varying width right-of-way) and U.S. Highway 11 (State Route 129) (Limestone Parkway) (varying width right-of-way) (having a coordinate value of Northing: 1568809.49 Easting: 2408275.75 based on the Georgia State Plane Coordinate System, North American Datum of 1983/1990 adjustment, Georgia West Zone;

Thence South 36 degrees 09 minutes 54 seconds West for a distance of 874.72 feet to the point of intersection of the Northerly right-of-way line of said Jesse Jewell Parkway with the Westerly right-of-way line of Victory Street (32' wide right-of-way) and said point being the TRUE POINT OF BEGINNING:

Thence leaving said Jesse Jewell Parkway and following the Westerly right-of-way line of said Victory Street the following courses:

Thence North 20 degrees 54 minutes 06 seconds West for a distance of 321.56 feet to a point; Thence along a curve to the left having a radius of 1457.31 feet and an arc length of 124.63 feet, being subtended by a chord of North 23 degrees 21 minutes 06 seconds West for a distance of 124.59 feet to a point; Thence along a curve to the left having a radius of 23748.56

## **ORDINANCE NO. 2022-24**

feet and an arc length of 232.38 feet, being subtended by a chord of North 26 degrees 04 minutes 55 seconds West for a distance of 232.38 feet to a point;

Thence continuing along the Westerly right-of-way line of said Victory Street and the Northerly extension thereof, the following course:

Thence North 26 degrees 21 minutes 44 seconds West for a distance of 233.08 feet to a point on the Easterly right-of-way line of said Victory Street;

Thence following the Easterly right-of-way line of said Victory Street the following courses:

Thence along a curve to the right having a radius of 63.31 feet and an arc length of 66.75 feet, being subtended by a chord of South 56 degrees 31 minutes 01 seconds East for a distance of 63.71 feet to a point; Thence South 26 degrees 21 minutes 44 seconds East for a distance of 177.99 feet to a point; Thence along a curve to the right having a radius of 23780.55 feet and an arc length of 232.69 feet, being subtended by a chord of South 26 degrees 04 minutes 55 seconds East for a distance of 232.69 feet to a point; Thence along a curve to the right having a radius of 1489.31 feet and an arc length of 127.37 feet, being subtended by a chord of South 23 degrees 21 minutes 06 seconds East for a distance of 127.33 feet to a point; Thence South 20 degrees 54 minutes 06 seconds East for a distance of 226.23 feet to a 1/2" rebar pin set;

Thence leaving the Easterly right-of-way of said Victory Street and following the Southeasterly extension of the Easterly right-of-way of said Victory Street the following course:

Thence South 20 degrees 54 minutes 06 seconds East for a distance of 95.24 feet to a point;

Thence leaving said Southeasterly extension the following course:

Thence South 68 degrees 54 minutes 52 seconds West for a distance of 32.00 feet to a point and said point being the POINT OF BEGINNING.

Said property contains 0.66 acres more or less.

## **SECTION II**

The Community and Economic Development Department of the City of Gainesville is directed to make and file with the Department of Community Affairs of the State of Georgia a certified copy of this Ordinance together with a plat describing lands annexed to the City of Gainesville by this Ordinance.

## **SECTION III**

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

## **SECTION IV**

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that

## **ORDINANCE NO. 2022-24**

such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

### **SECTION V**

The effective date of this Ordinance shall be the first day of the month following approval by the governing body of the City of Gainesville, Georgia.

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**W. Samuel Couvillon, Mayor**

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

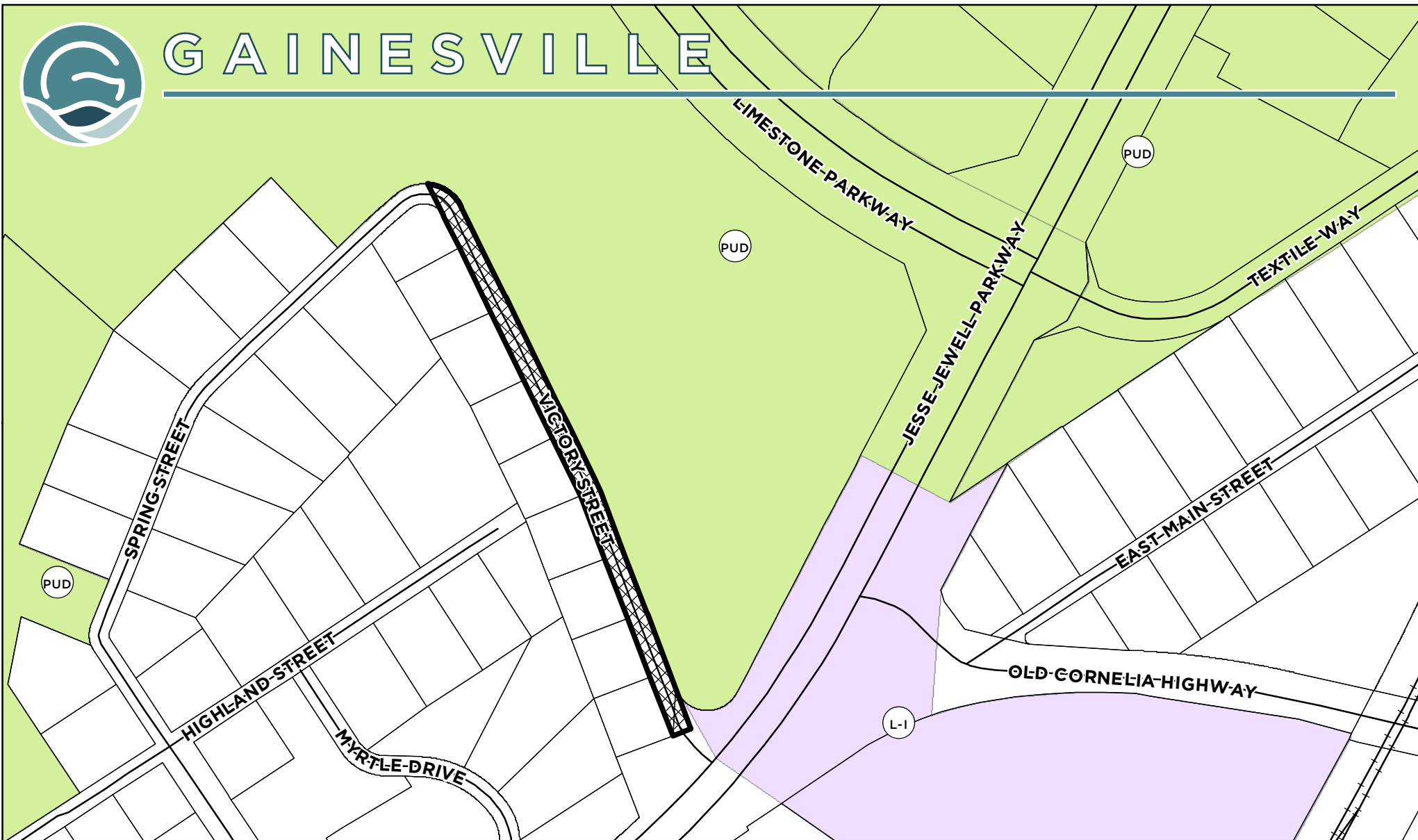
**ATTEST:**

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**Denise O. Jordan, City Clerk**



# GAINESVILLE



Applicant:

**CITY OF GAINESVILLE**

## ANNEXATION REQUEST

Subject Property Address:

Tax Parcel:

Request:

Annex all of Victory Street ROW (+/- 0.66 AC) with a zoning of Planned Unit Development (P-U-D)



Subject Property



Meeting Date: 07/12/2022

Map Prepared: 06/02/2022

0 100 200 300 400 Feet

SCALE: 1" = 200'





# GAINESVILLE



Applicant: **CITY OF GAINESVILLE**

**ANNEXATION REQUEST**

Request:

Annex all of Victory Street ROW (+/- 0.66 AC) with a zoning of Planned Unit Development (P-U-D)

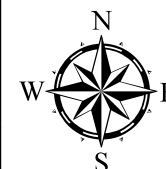
Subject Property Address:

Tax Parcel:



Subject Property

Aerial from 2021



Meeting Date: 07/12/2022

Map Prepared: 06/02/2022

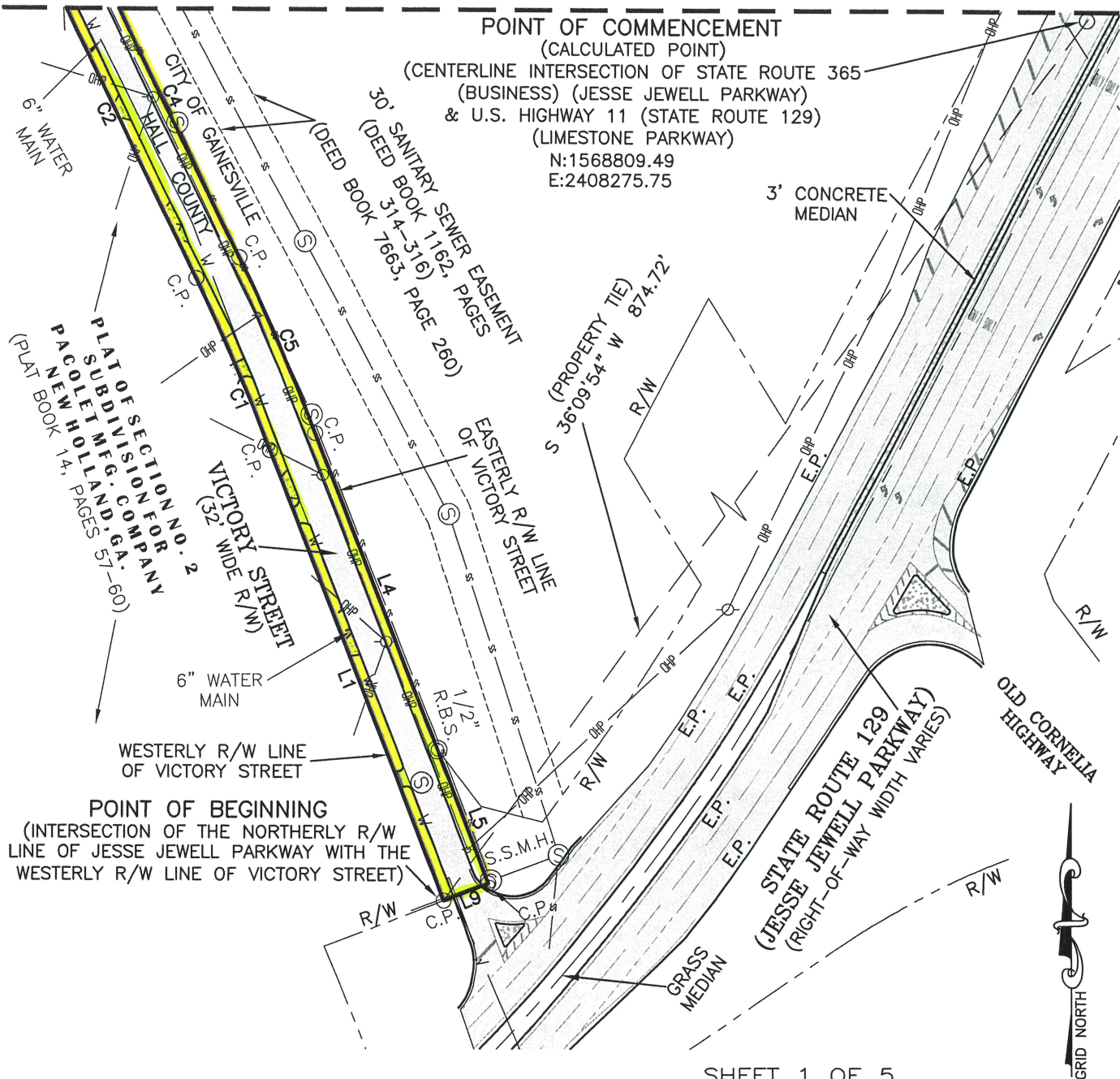
0 100 200 300 400 Feet

SCALE: 1" = 200'



\* SEE SHEET 3 FOR LINE &  
CURVE TABLE

MATCH LINE "A" (SEE SHEET 2 OF 5)



SHEET 1 OF 5



LAND SURVEYING, LLC  
REGISTERED PROFESSIONAL  
LAND SURVEYORS  
P.O. BOX 256  
GAINESVILLE, GA. 30503  
PHONE: (770) 532-6492  
www.pattonsurveying.com

LAND SURVEYING FIRM CERTIFICATE OF  
AUTHORIZATION NUMBER LSF 001029

SKETCH & LEGAL DESCRIPTION FOR:

**CITY OF GAINESVILLE**  
(VICTORY STREET ANNEXATION)

- LOCATED IN -

**LAND LOTS 133**  
**9TH LAND DISTRICT**  
**CITY OF GAINESVILLE**  
**HALL COUNTY, GEORGIA**



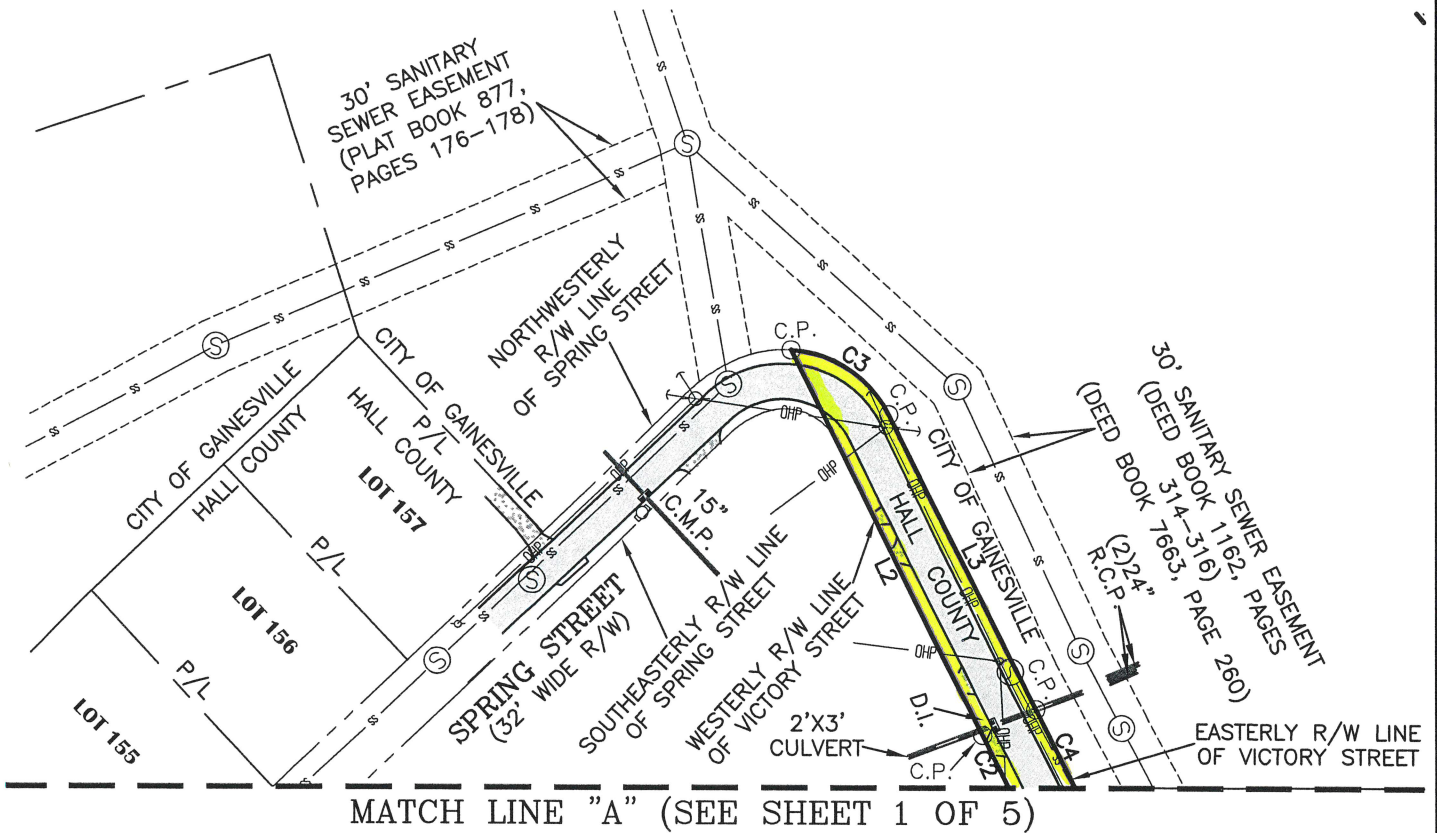
HALL COUNTY SURVEYOR

SCALE:  
1" = 100'

DATE:  
05/25/2022

21-259.02-VICTORY-STREET.dwg  
JN. 21-259

\* SEE SHEET 3 FOR LINE &  
CURVE TABLE



MATCH LINE "A" (SEE SHEET 1 OF 5)

SHEET 2 OF 5



LAND SURVEYING, LLC  
REGISTERED PROFESSIONAL  
LAND SURVEYORS  
P.O. BOX 256  
GAINESVILLE, GA. 30503  
PHONE: (770) 532-6492  
www.pattonsurveying.com

LAND SURVEYING FIRM CERTIFICATE OF  
AUTHORIZATION NUMBER LSF 001029

SKETCH & LEGAL DESCRIPTION FOR:  
**CITY OF GAINESVILLE**  
(VICTORY STREET ANNEXATION)

- LOCATED IN -

**LAND LOTS 133**  
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**CITY OF GAINESVILLE**  
**HALL COUNTY, GEORGIA**



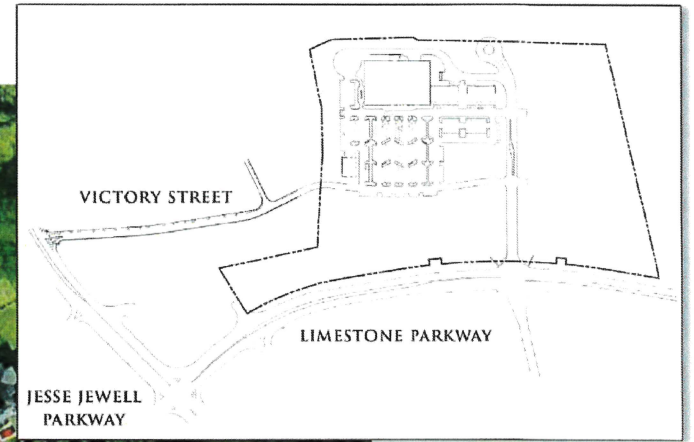
HALL COUNTY SURVEYOR

SCALE:  
1" = 100'

DATE:  
05/25/2022

21-259.02-VICTORY-STREET.dwg  
JN. 21-259

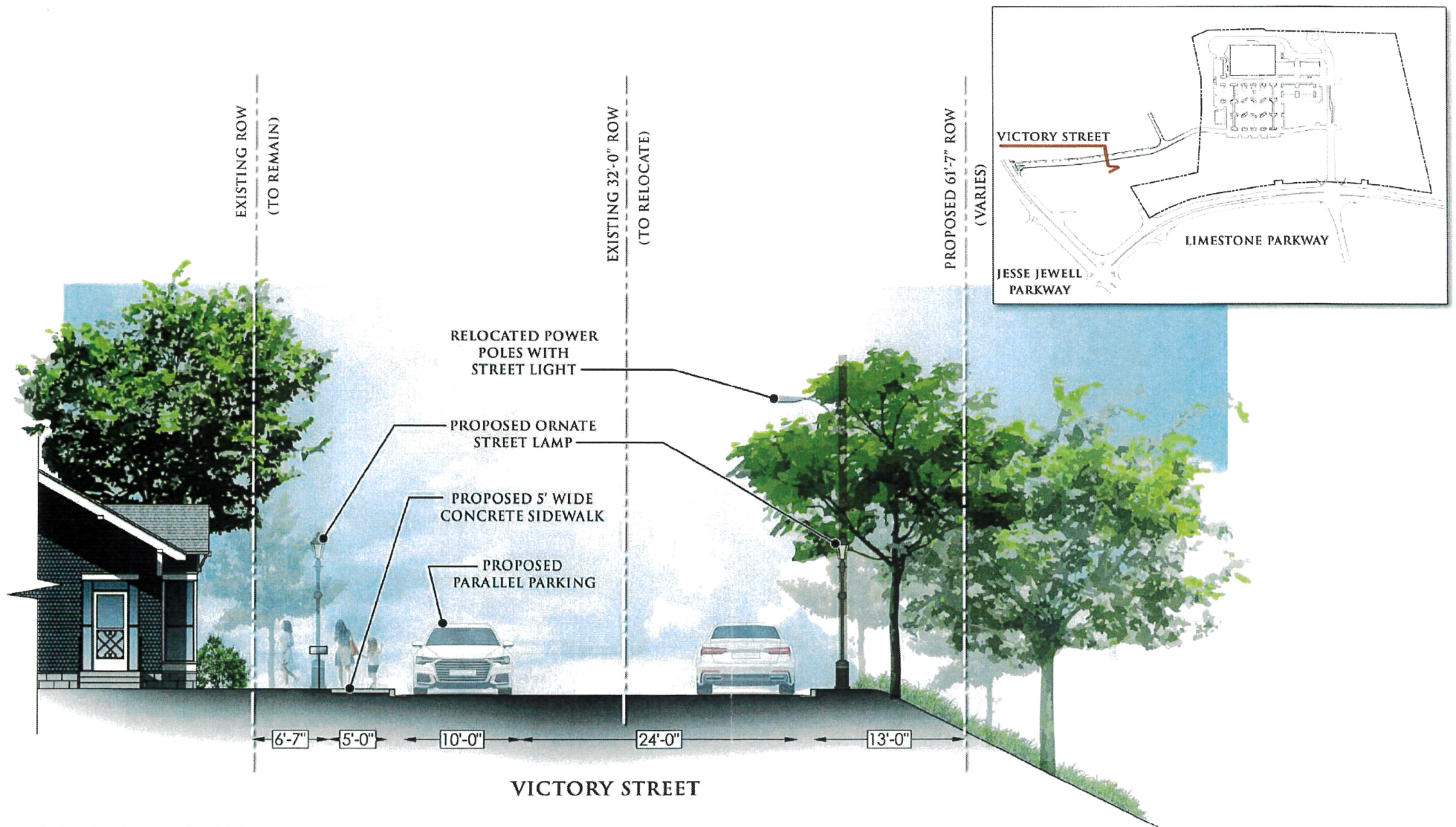




## LIMESTONE GREENWAY

VICTORY STREET ROADWAY SECTION  
 GAINESVILLE, GEORGIA  
 04.01.2022





## LIMESTONE GREENWAY

VICTORY STREET ROADWAY SECTION  
GAINSVILLE, GEORGIA  
04.01.2022



## CITY OF GAINESVILLE

### Mayor/Council Agenda Request

---

**Item Created:** October 27, 2022

**Date Submitted:** October 28, 2022

**Final Approval Date:** October 28, 2022

**Presenter:** Abb Hayes, City Attorney

**Item of Business:** **Ordinance 2022-25 Zone Victory Street Property  
(Tabled at the August 2, 2022 and October 18, 2022 Council Meeting)**  
AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Meeting Date:** November 1, 2022

---

**Purpose of Request:**

To address the zoning request previously tabled at the August 2, 2022 and October 18, 2022 Mayor/Council Meeting.

**Facts & Issues / History & Background:**

The City of Gainesville is proposing to annex all of Victory Street which is currently zoned Residential-II (R-II) in the County and is located within the Limestone Parkway Overlay Zone. Victory Street is a narrow two-lane road approximately 20 feet wide with no sidewalks. Upon annexation, the road will be improved to City standards to address vehicular/pedestrian access and safety to include widening the right-of-way and road bed, installation of curb, gutters, sidewalks, decorative street lights, street trees and on-street parallel parking. The improvements will be constructed and paid for by the developer of the proposed commercial grocery retail center within the adjacent Limestone Greenway mixed-use development to provide secondary access. The additional land needed to widen Victory Street will be dedicated by the adjacent commercial land owner to the City of Gainesville and maintained as a public street. The adjacent uses include New Holland Mill residential community and future commercial uses within the Limestone Greenway mixed-use development.

**Department Recommendation:**

Approve the Ordinance 2022-25 with conditions as presented.

**Department Director:**

Rusty Ligon

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**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

---

**Attachments:**

1. Proposed Ordinance 2022-25 COG Victory St zon ord
2. Exhibit A
3. Location Maps
4. Plat
5. Architectural Renderings

Passed: \_\_\_\_\_

**AN ORDINANCE**

**No. 2022-25**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON ALL OF VICTORY STREET RIGHT-OF-WAY CONSISTING OF 0.66± ACRE, LOCATED BETWEEN JESSE JEWELL PARKWAY AND SPRING STREET AT THE TIME OF ANNEXATION AS PLANNED UNIT DEVELOPMENT, WITH CONDITIONS (P-U-D-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:**

**SECTION I**

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **Planned Unit Development, with conditions (P-U-D-c)**.

**Conditions**

- 1. Prior to a Certificate of Occupancy being issued for the adjacent grocery retail shopping center, Victory Street shall be improved to meet City of Gainesville standards as depicted on Exhibit “A” entitled “Victory Street Roadway Section”, per the approval of the Gainesville Public Works Director.**
- 2. No commercial delivery trucks with 10 wheels or more shall be allowed to access Victory Street. Signage restricting thru truck traffic shall be installed near the intersection of Victory Street and Jesse Jewell Parkway and near the entrance of the future commercial access driveway, per the approval of the Gainesville Public Works Director.**

**Legal Description**

All that tract or parcel of land lying and being in Land Lot 133, 9th Land District, City of Gainesville, Hall County, Georgia as shown on a sketch and description prepared by Patton Land Surveying, LLC, for the City of Gainesville, dated May 25th, 2022 and being more particularly described as follows:

Commencing at the Centerline Intersection of State Route 365 (Business) (Jesse Jewell Parkway) (varying width right-of-way) and U.S. Highway 11 (State Route 129) (Limestone Parkway) (varying width right-of-way) (having a coordinate value of Northing: 1568809.49 Easting: 2408275.75 based on the Georgia State Plane Coordinate System, North American Datum of 1983/1990 adjustment, Georgia West Zone;



## **ORDINANCE NO. 2022-25**

Thence South 36 degrees 09 minutes 54 seconds West for a distance of 874.72 feet to the point of intersection of the Northerly right-of-way line of said Jesse Jewell Parkway with the Westerly right-of-way line of Victory Street (32' wide right-of-way) and said point being the TRUE POINT OF BEGINNING:

Thence leaving said Jesse Jewell Parkway and following the Westerly right-of-way line of said Victory Street the following courses:

Thence North 20 degrees 54 minutes 06 seconds West for a distance of 321.56 feet to a point; Thence along a curve to the left having a radius of 1457.31 feet and an arc length of 124.63 feet, being subtended by a chord of North 23 degrees 21 minutes 06 seconds West for a distance of 124.59 feet to a point; Thence along a curve to the left having a radius of 23748.56 feet and an arc length of 232.38 feet, being subtended by a chord of North 26 degrees 04 minutes 55 seconds West for a distance of 232.38 feet to a point;

Thence continuing along the Westerly right-of-way line of said Victory Street and the Northerly extension thereof, the following course:

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Thence South 68 degrees 54 minutes 52 seconds West for a distance of 32.00 feet to a point and said point being the POINT OF BEGINNING.

Said property contains 0.66 acres more or less.

## **SECTION II**

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

## **SECTION III**

## **ORDINANCE NO. 2022-25**

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

### **SECTION IV**

The effective date of this Ordinance shall be the first day of the month following approval by the governing body of the City of Gainesville, Georgia.

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**W. Samuel Couvillon, Mayor**

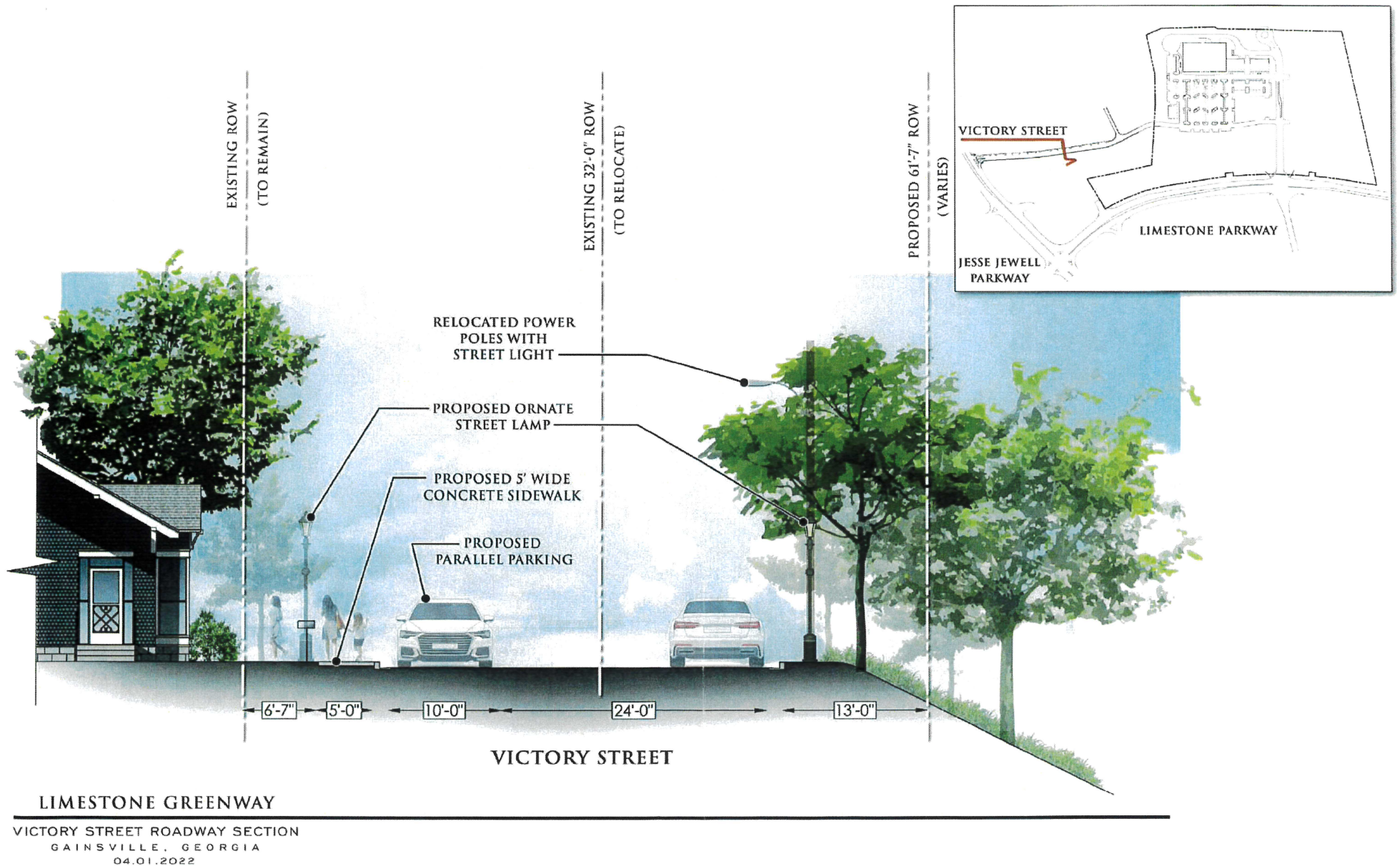
This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

**ATTEST:**

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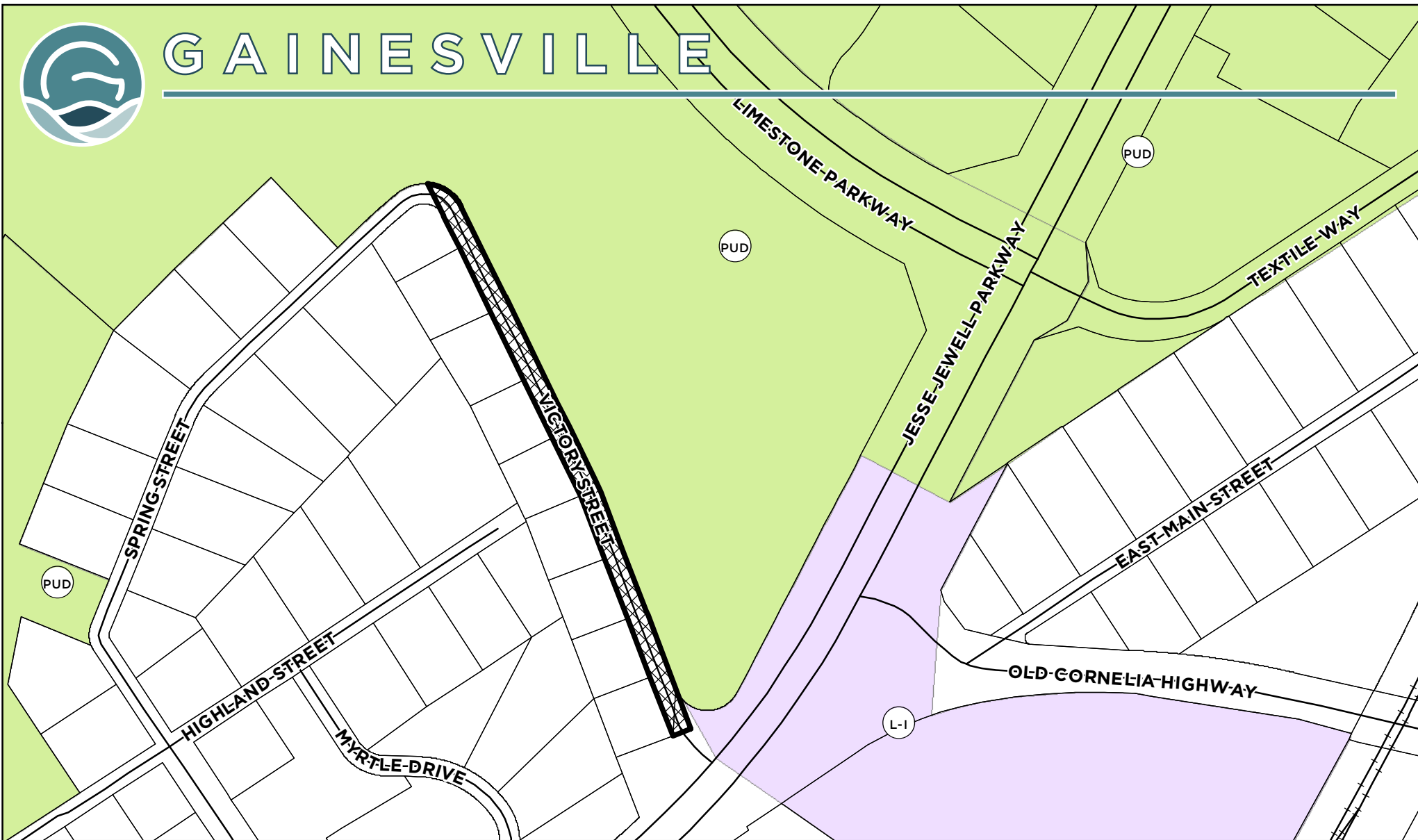
**Denise O. Jordan, City Clerk**

# Exhibit "A"





# GAINESVILLE



Applicant:

**CITY OF GAINESVILLE**

## ANNEXATION REQUEST

Subject Property Address:

Tax Parcel:

Request:

Annex all of Victory Street ROW (+/- 0.66 AC) with a zoning of Planned Unit Development (P-U-D)



Subject Property



Meeting Date: 07/12/2022

Map Prepared: 06/02/2022

0 100 200 300 400 Feet

SCALE: 1" = 200'





# GAINESVILLE



Applicant: **CITY OF GAINESVILLE**

**ANNEXATION REQUEST**

Request:

Annex all of Victory Street ROW (+/- 0.66 AC) with a zoning of Planned Unit Development (P-U-D)

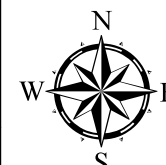
Subject Property Address:

Tax Parcel:



Subject Property

Aerial from 2021



Meeting Date: 07/12/2022

Map Prepared: 06/02/2022

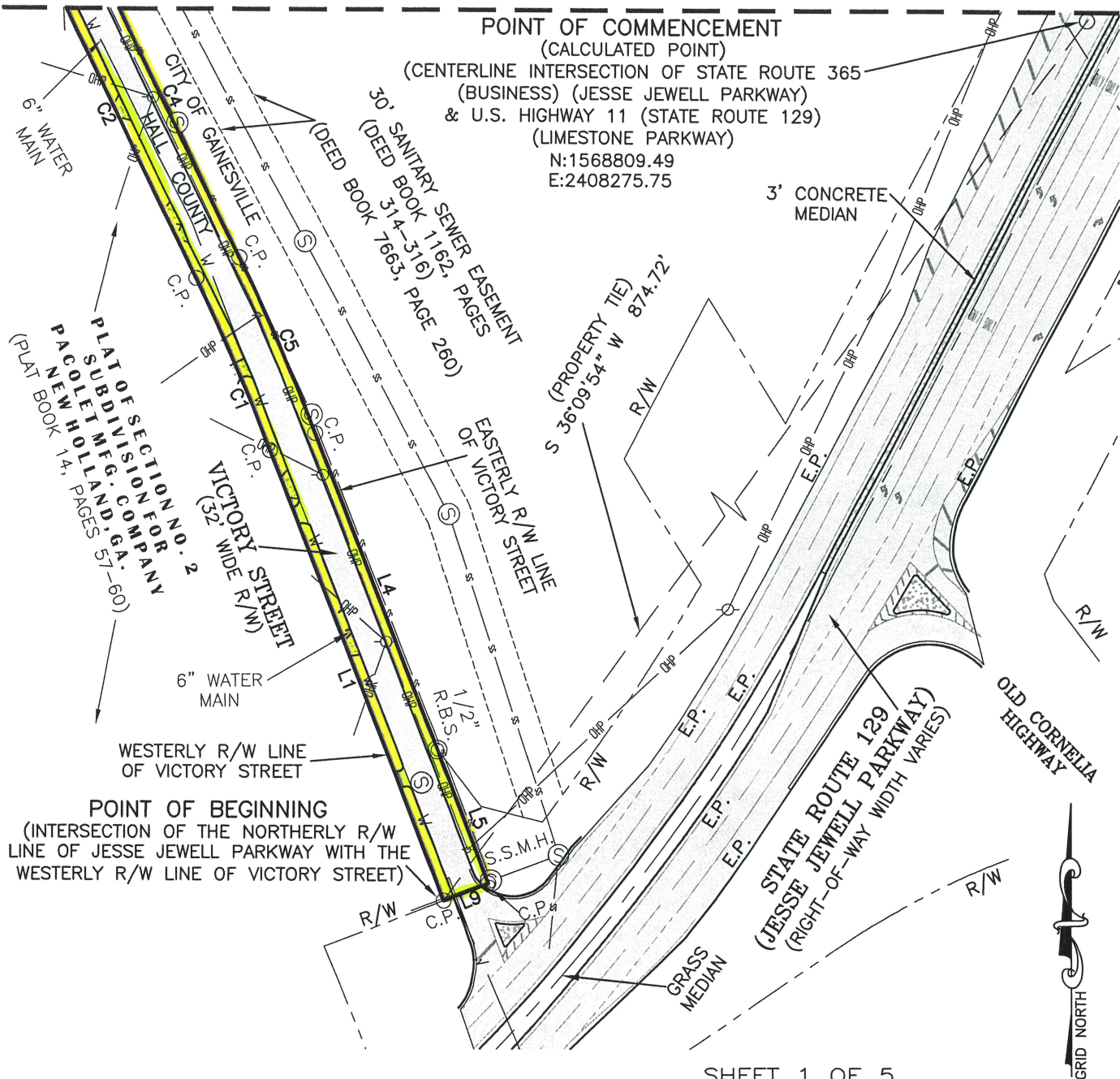
0 100 200 300 400 Feet

SCALE: 1" = 200'



\* SEE SHEET 3 FOR LINE &  
CURVE TABLE

MATCH LINE "A" (SEE SHEET 2 OF 5)



SHEET 1 OF 5



LAND SURVEYING, LLC  
REGISTERED PROFESSIONAL  
LAND SURVEYORS  
P.O. BOX 256  
GAINESVILLE, GA. 30503  
PHONE: (770) 532-6492  
www.pattonsurveying.com

LAND SURVEYING FIRM CERTIFICATE OF  
AUTHORIZATION NUMBER LSF 001029

SKETCH & LEGAL DESCRIPTION FOR:

**CITY OF GAINESVILLE**  
(VICTORY STREET ANNEXATION)

- LOCATED IN -

**LAND LOTS 133**  
**9TH LAND DISTRICT**  
**CITY OF GAINESVILLE**  
**HALL COUNTY, GEORGIA**



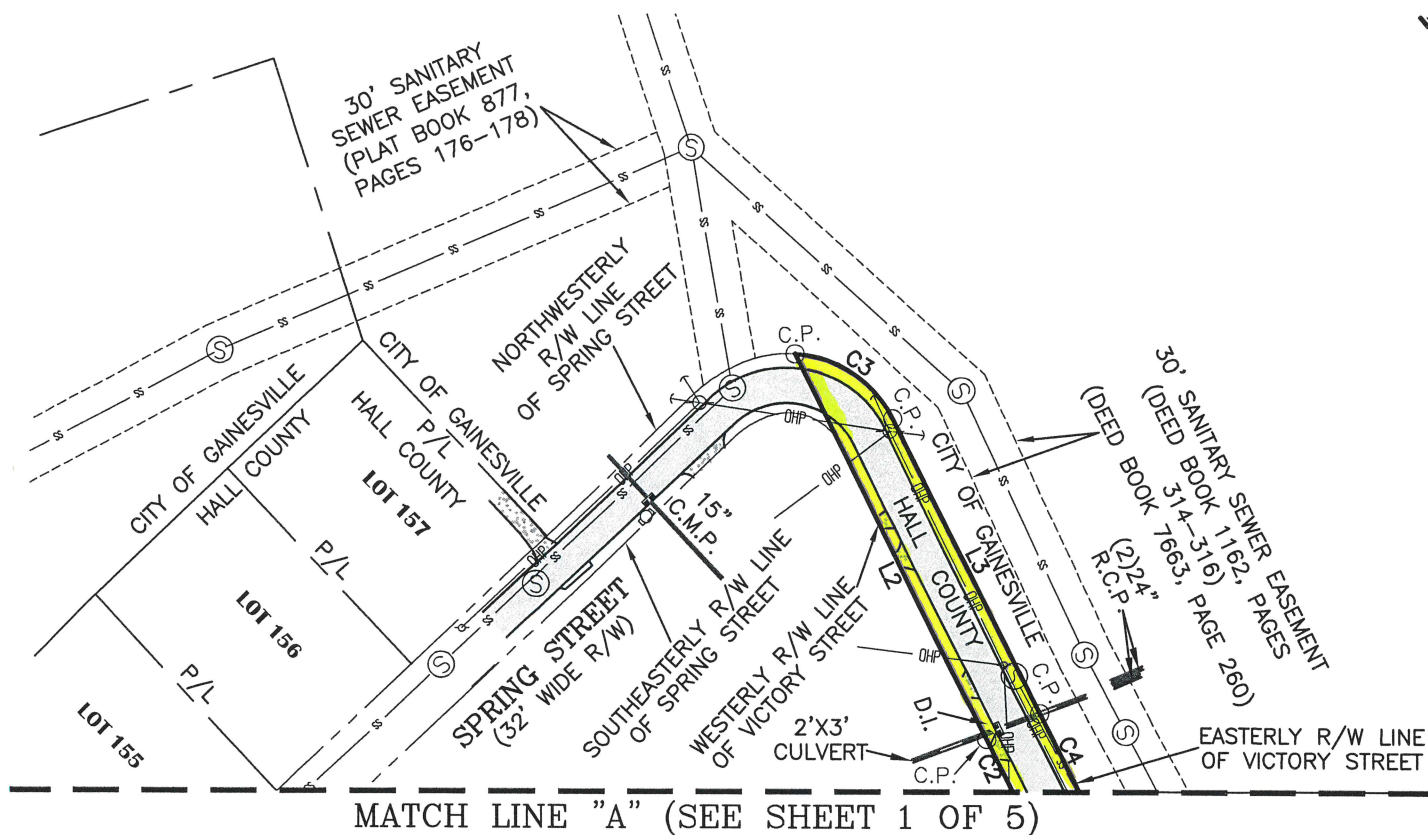
HALL COUNTY SURVEYOR

SCALE:  
1" = 100'

DATE:  
05/25/2022

21-259.02-VICTORY-STREET.dwg  
JN. 21-259

\* SEE SHEET 3 FOR LINE &  
CURVE TABLE



MATCH LINE "A" (SEE SHEET 1 OF 5)

SHEET 2 OF 5



LAND SURVEYING, LLC  
REGISTERED PROFESSIONAL  
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P.O. BOX 256  
GAINESVILLE, GA. 30503  
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**HALL COUNTY, GEORGIA**



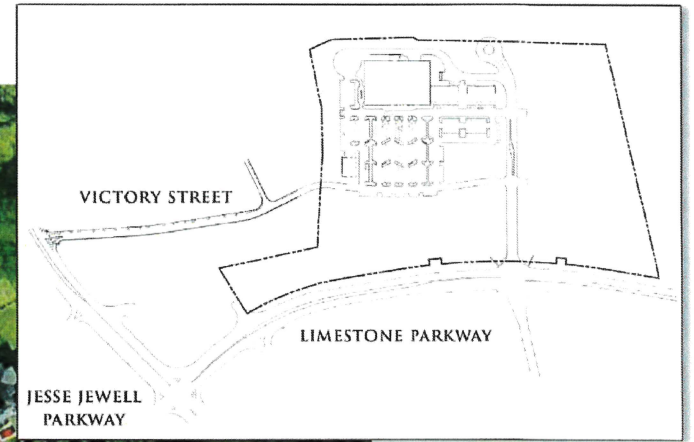
HALL COUNTY SURVEYOR

SCALE:  
1" = 100'

DATE:  
05/25/2022

21-259.02-VICTORY-STREET.dwg  
JN. 21-259

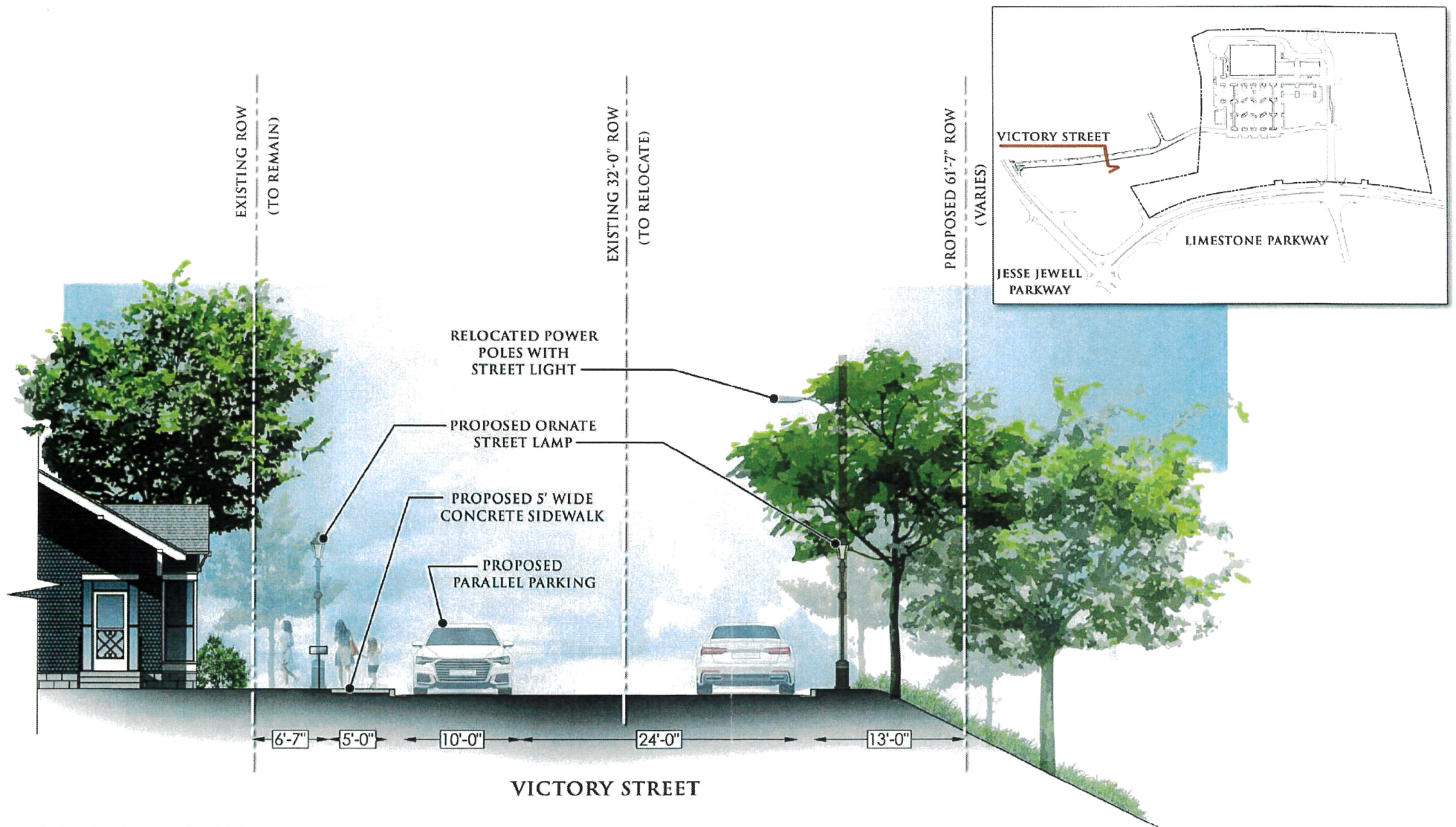




## LIMESTONE GREENWAY

VICTORY STREET ROADWAY SECTION  
GAINESVILLE, GEORGIA  
04.01.2022





## LIMESTONE GREENWAY

VICTORY STREET ROADWAY SECTION  
GAINSVILLE, GEORGIA  
04.01.2022





## CITY OF GAINESVILLE

### Mayor/Council Agenda Request

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**Item Created:** October 27, 2022

**Date Submitted:** October 27, 2022

**Final Approval Date:** October 27, 2022

**Presenter:** Abb Hayes, City Attorney

**Item of Business:** Request from **Atlantic Leasing, LLC** to annex two tracts totaling 1.0± acre located on the west side of Hudgins Street and the east side of Browns Bridge Avenue, north of Browns Bridge Road (a/k/a **1411 Hudgins Street and 1506 Browns Bridge Avenue**) and to establish a zoning of General Business (G-B). **Ward Number: Five**. Tax Parcel Number: 00-123-008-003A and 028. **Request: Combining properties.**

**Meeting Date:** November 1, 2022

---

**Purpose of Request:**

To conduct a public hearing regarding the zoning request as presented at the October 11, 2022 Planning and Appeals Board Meeting.

**Facts & Issues / History & Background:**

The applicant is proposing to annex the subject properties with a zoning of General Business (G-B). Both properties are zoned Residential-I (R-I) and are adjacent to the city limits to the south and east. The property located at 1411 Hudgins Street is 0.51± acre in size and the property located at 1506 Browns Bridge Avenue is 0.49± acre in size. The intent is to combine the two properties with the adjacent Jim Hardman auto dealership property. No other use is proposed at this time. Both properties previously contained a single-family home and have since been cleared, grassed and fenced. The adjacent properties include the Jim Hardman car dealership and single-family homes.

**Department Recommendation:**

Staff and PAB recommended approval with two conditions. See the PAB Recommendation report for details and excerpts from the meeting minutes.

**SAMPLE MOTIONS:**

Approval of Ordinance 2022-34:

I move to approve the ordinance to annex the subject property for combining properties as presented.

Approval of Ordinance 2022-35:

I move to approve the ordinance to establish zoning as General Business (G-B) with two conditions as presented.

Denial of the Request:

I move to deny the request.

**Department Director:**

Rusty Ligon

---

**If funding is involved, are funds approved within the current budget?** No

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

---

**Administrative Comments:**

---

**Attachments:**

1. Combined Legal Ad
2. PAB Recommendation Report
3. Proposed Annexation Ordinance 2022-34
4. Proposed Zoning Ordinance 2022-35
5. Location Maps
6. Narrative
7. Survey
8. Pictures



Ralph L. Taylor, III  
Hunt & Taylor Law  
Group, LLC  
1001 Riverside Drive,  
Suite A Gainesville, GA  
30501  
770-831-7770  
770-532-6128 (Fax)  
**1 1 1 9 0 3**  
**9/14,21,28,10/5**



NOTICE OF SECOND DUI  
CONVICTION WITHIN 5  
YEARS  
TO BE PUBLISHED  
NAME: TURNER ASHBY  
BLALOCK  
CITY: GAINESVILLE, GA  
COUNTY: HALL  
ZIP CODE: 30506  
ARREST DATE:  
07/15/2022  
ARREST TIME: 08:53 PM  
ARREST LOCATION:  
PRICE ROAD @ PRICE DR  
DISPOSITION: GUILTY  
Hall County Superior &  
State Court  
Charles Baker, Clerk  
225 Green Street, SE  
Gainesville, GA 30501  
PUBLISHED PURSUANT  
TO O.C.G.A. 40-6-391A1  
2022SR5096N  
**112495 9/21**

#### Name Changes

Hall County Superior  
Court  
Notice of Name Change  
– Alan Mijangos  
CIVIL ACTION FILE NO:  
2022CV1417C  
NOTICE TO CHANGE  
NAME OF A MINOR  
CHILD  
In Re: Alan Mijangos,  
a minor child, Petition  
of Irma Florentina  
Mijangos Martinez for  
Declaratory Judgment  
and for Name Change of  
a Minor Child to change  
the name of her minor  
child born in 2009,  
from Alan Mijangos to  
Alan Castillo Mijangos;  
Petition filed by Weaver  
Law Firm on August  
10th, 2022 on behalf  
of Petitioner in the Hall  
County Superior Court.  
Pursuant to O.C.G.A. §  
19-12-2, any interested  
party wishing to file an  
objection to said name  
change has 30 d11ays  
from the date of filing to  
register said complaint  
with the court.  
By order of the Court for  
service by publication  
dated August 10th,  
2022, you are hereby  
notified that on August  
10th, 2022, Irma  
Florentina Mijangos  
Martinez, filed a  
Petition for Declaratory  
Judgment and for Name  
Change of a Minor Child  
in the Superior Court of  
Hall County, Georgia.  
You are required to file  
an answer in writing to  
said Complaint with the  
Clerk of the Superior  
Court, and to serve  
same upon Petitioner's  
attorney, Destin M.  
Gillum, P.O. Box  
414, Gainesville, Georgia  
30503, within sixty (60)  
days from the date of  
the first publication  
date.  
**111722 9/7, 14, 21, 28**

HALL COUNTY  
SUPERIOR COURT  
STATE OF GEORGIA  
Civil Action Case  
Number 2022CV1563A  
NOTICE OF PETITION  
TO CHANGE NAME OF  
ADULT  
Jose Guadalupe  
Saldana Cisneros filed  
a petition in the Hall  
County Superior Court  
on August 31, 2022,  
to change the name from  
Jose Guadalupe Saldana  
Cisneros to Kassandra  
Guadalupe Saldana  
Cisneros. Any interested  
party has the right to  
appear in this case and  
file objections within 30  
days after the Petition  
was filed.  
Dated 08/31/2022  
Petitioner, Pro Se  
Name: Jose G. Saldana  
Cisneros  
Address: 2932 Gillsville  
Hwy Gainesville, GA  
30507  
Phone (day) (770)369-  
2943  
**111801 9/7, 14, 21, 2 8**

IN THE SUPERIOR COURT  
OF HALL COUNTY STATE  
OF GEORGIA  
In Re The Name Change  
of, Rebecca Preiss,  
Petitioner.  
CIVIL ACTION  
FILE NO. 2022CV1407W  
NOTICE OF PETITION  
TO NAME CHANGE OF  
ADULT  
I, REBECCA PREISS  
filed a petition in the  
Superior Court of Hall  
County on 9th day of  
August, 2022 to change  
my name from REBECCA  
JANE PREISS to REBECCA  
JANE ELKINS. Any

interested party has the  
right to appear in the  
case and file objections  
within 30 days after the  
petition was filed.  
Signed this 12th day of  
August  
Prepared by:  
The Law Office of Natalie  
K. Howard, LLC  
3675 Crestwood  
Parkway NW  
Suite 400  
Duluth, GA 30096  
Office: 678-252-2150  
Fax: 678-252-2183  
nhoward@nkhlegal.com  
**111787 9/7, 14, 21, 28**

IN THE SUPERIOR COURT  
OF HALL COUNTY STATE  
OF GEORGIA  
IN RE: The Name Change  
of  
LINDSEY SAMANTHA  
PARKER, Petitioner  
CIVIL ACTION FILE NO:  
2 0 2 2 - C V - 1 5 9 6 W  
NOTICE OF PETITION  
TO CHANGE NAME OF  
ADULT

An action was filed in the  
Superior Court of Hall  
County on September  
7, 2022, to change the  
Petitioner's name as  
follows:  
Petitioner's Name:  
LINDSEY SAMANTHA  
PARKER Desired New  
Name: Lindsey  
Parker Winslett  
Any interested party  
has the right to appear  
in this case and file  
objection before  
the Final Judgment is  
ordered in this case.  
This 7th day of  
September, 2022.  
LYDIA J. SARTAIN, P.C.  
303 Jesse Jewell  
Parkway, SE Suite 200  
Gainesville, GA 30501  
(470) 252-5001  
dwinslett@lydiajsartain.  
com  
/s/ Drew Winslett  
Drew Winslett  
Georgia Bar No. 361875  
Attorney for Petitioner  
**112033**  
**9/14,21,28,10/5**

SUPERIOR COURT OF  
HALL COUNTY  
STATE OF GEORGIA  
In re the Name Change  
of Child(ren):  
Evan Ledbetter  
Hali Ledbetter  
Petitioner,  
v.  
Aubrey Dodson  
CIVIL ACTION FILE NO.:  
2022CV1441W  
NOTICE OF FILING  
PETITION TO CHANGE  
NAME(S) OF MINOR  
CHILD(REN)  
A petition was filed in  
the Superior Court of  
Hall County on August  
12, 2022 to change the  
name of the following  
minor child(ren):  
From Evan Ledbetter  
Proposed New Name  
Evan Dodson  
Any interested party  
has the right to appear  
in this case and file  
objections within the  
timeprescribed in OCGA  
see. 19-12-1(0)02) and  
(3).  
Dated: 8/12/22  
Hali Ledbetter Petitioner  
Pro se  
Name: Hali Ledbetter  
Address: 5410 Green  
Hunter Ln Gainesville,  
GA 30501  
Phone: 678-316-2016  
Email: hali.1992@yahoo.  
com  
**111523 8/31, 9/7,14,21**

SUPERIOR COURT OF  
HALL COUNTY  
STATE OF GEORGIA  
In re the Name Change  
of Child(ren):  
Jensen Ledbetter  
Hali Ledbetter  
Petitioner,  
v.  
Aubrey Dodson  
CIVIL ACTION FILE NO.:  
2022CV1441W  
NOTICE OF FILING  
PETITION TO CHANGE  
NAME(S) OF MINOR  
CHILD(REN)  
A petition was filed in  
the Superior Court of  
Hall County on August  
12, 2022 to change the  
name of the following  
minor child(ren):  
From Jensen Ledbetter  
Proposed New Name  
Jensen Dodson  
Any interested party  
has the right to appear  
in this case and file  
objections within the  
timeprescribed in OCGA  
see. 19-12-1(0)02) and  
(3).  
Dated: 8/12/22  
Hali Ledbetter Petitioner  
Pro se  
Name: Hali Ledbetter  
Address: 5410 Green  
Hunter Ln Gainesville,  
GA 30501  
Phone: 678-316-2016  
Email: hali.1992@yahoo.  
com  
**111522 8/31, 9/7,14,21**

SUPERIOR COURT HALL  
COUNTY  
STATE OF GEORGIA  
In re the Name Change  
of  
Peyton Shane Wehunt,  
Petitioner  
Civil Action File NO.:  
2022CV1634C  
NOTICE OF PETITION

TO CHANGE NAME OF  
ADULT  
An action was filed in the  
Superior Court of Hall  
County on September  
9th, 2022 to change the  
Petitioner's names as  
Follows:  
Petitioner's name:  
Peyton Shane Wehunt  
Desired new name:  
Peyton Shelby West  
Any interested party  
has the right to appear  
in this case and file  
objection before the  
final judgment is  
ordered in this case.  
Dated: 9/9/22  
Peyton Wehunt  
Petitioner Pro se  
Name: Peyton Shane  
Wehunt  
Address: 3326 Campus  
Point Circle Gainesville,  
GA 30504  
Phone: 678-936-2220  
E m a i l :  
p e t y o n g o e s w e s t @  
outlook.com  
**112172**  
**9/14, 28, 10/5, 12**

#### Public Hearings

NOTICE OF PLANNING  
AND APPEALS BOARD  
PUBLIC HEARING  
Notice is hereby given  
that the Gainesville  
Planning and Appeals  
Board will conduct  
a public hearing on  
Tuesday, October 11,  
2022 at 5:30 p.m. in  
the Gainesville Justice  
Center (Municipal  
Courtroom at the Public  
Safety Complex), 701  
Queen City Parkway  
in Gainesville on the  
following requests:  
1) Request from Atlantic  
Leasing, LLC to annex  
two tracts totaling 1.0±  
acre located on the  
west side of Hudgins  
Street and the east  
side of Browns Bridge  
Avenue, north of  
Browns Bridge Road  
(a/k/a 1411 Hudgins  
Street and 1506 Browns  
Bridge Avenue) and to  
establish a zoning of  
General Business (G-B).  
Ward Number: Five  
Tax Parcel  
Number(s): 00-123-008-  
003A and 028  
Request: Combining  
properties  
2) Request from William  
B. Stark Jr. for a special  
use on a 1.0± acre tract  
located on the north  
side of Washington  
Street between West  
Academy Street and  
West Avenue (a/k/a  
614 Washington Street,  
NW), having a zoning of  
Neighborhood Business  
(N-B).  
Ward Number: Four  
Tax Parcel Number(s):  
01-026-001-043  
Request: Five residential  
duplexes  
NOTICE OF PUBLIC  
HEARING ON PROPOSED  
AMENDMENTS TO THE  
GAINESVILLE ZONING  
MAP  
Notice is hereby given  
that the Gainesville City  
Council will conduct  
a public hearing on  
Tuesday, November  
1, 2022 at 5:30 p.m. in  
the Gainesville Justice  
Center (Municipal  
Courtroom at the Public  
Safety Complex), 701  
Queen City Parkway  
in Gainesville on the  
following requests:  
1) Request from Atlantic  
Leasing, LLC to annex  
two tracts totaling 1.0±  
acre located on the  
west side of Hudgins  
Street and the east  
side of Browns Bridge  
Avenue, north of  
Browns Bridge Road  
(a/k/a 1411 Hudgins  
Street and 1506 Browns  
Bridge Avenue) and to  
establish a zoning of  
General Business (G-B).  
Ward Number: Five  
Tax Parcel  
Number(s): 00-123-008-  
003A and 028  
Request: Combining  
properties2) Request  
from William B. Stark  
Jr. for a special use  
on a 1.0± acre tract  
located on the north  
side of Washington  
Street between West  
Academy Street and  
West Avenue (a/k/a  
614 Washington Street,  
NW), having a zoning of  
Neighborhood Business  
(N-B).  
Ward Number: Four  
Tax Parcel Number(s):  
01-026-001-043  
Request: Five residential  
duplexes  
Additional information  
is available from the  
Community and  
Economic Development  
Department, Planning  
Division, by calling 770-  
531-6570.  
NOTE: In accordance  
with Georgia law,  
anyone who wishes to  
express opposition to  
the proposed zoning  
action, and has made,  
within two years  
immediately preceding  
the filing of the  
proposed zoning action,  
campaign contributions

aggregating \$250  
or more to a local  
government official  
who will consider  
the application, shall  
file a disclosure of  
contribution(s) with the  
Planning Division at  
least five (5) days prior  
to the first reading of the  
proposed zoning action  
by the City Council.  
(OCGA § 36-67A-3 3 (c)).  
**112363 9/21**

PUBLIC MEETING  
NOTICE  
The Town of Braselton  
will hold a Public  
Hearing on October  
6, 2022 at 4:00 pm in  
the Braselton Police  
and Municipal Court  
Facility located at 5040  
Highway 53 to discuss  
the 2023-2027 Capital  
Improvement Element  
update for Braselton. The  
purpose of this hearing  
is to inform the public  
about the objective of  
the plan and the process  
to be followed in the  
preparation of the plan  
update, as well as to  
elicit community input  
on needs and goals.  
Questions concerning  
this plan update should  
be directed to Jennifer  
Scott, Town Manager at  
706-654-5720 or email  
jscott@braselton.net.  
**112370 9/21**

The City of Buford  
Planning and Zoning  
Board will meet on  
Tuesday, October 11,  
2022 at 7:00 p.m. at  
Buford City Hall, 2300  
Buford Highway, Buford,  
Georgia 30518 and the  
Buford City Commission  
will meet on Monday,  
October 7, 2022 at 7:00  
p.m. at Buford City  
Arena, 2795 Sawnee  
Avenue, Buford, Georgia  
30518 to consider a  
special use permit at  
1046 Parkway Court,  
Suites A, B, C, D, and E for  
Powerstroke Specialty,  
LLC. The special use  
permit requested is to  
allow Ford diesel  
pickup truck repair and  
restoration  
**112236**  
**9/21,28,10/5,12,19, 26**

#### Public Sales/Auctions

Notice of Public Auction  
Notice of Public Auction  
Boardwalk Storage-  
Clermont, pursuant to  
the "Self Service Storage  
Act" (1981 Alabama  
Acts, Number 81-769,  
page 1321 and Section  
1), hereby gives Notice  
of Sale under said act,  
to wit. Notice of Public  
Auction. Boardwalk  
Storage - Clermont  
Will be holding a  
public auction online  
at Lockerfox.com On  
October 06, 2022 @  
11:30 am Only credit  
cards will be accepted.  
All sales are final and  
the units must be  
cleaned out completely  
in 48 hours. A 100.00  
cash cleaning deposit  
is required and will be  
refunded upon unit  
inspection. Unit must  
be clean of all items and  
swept.  
We currently have 1  
unit(s) available: Unit  
B19/26 Lisa LaValley  
770-983-5453 - 6720  
Cleveland Highway,  
Clermont, GA 30527  
112113 9/21,28

Auction of General  
Household &  
Commercial Goods  
Lotta Space Storage  
3825 Old Flowery  
Branch Rd  
Oakwood, GA 30566  
Phone: 770-297-1708  
Wednesday, October 5,  
2022 12:00 Noon

C02 LUZ ARMENDARIZ,  
C12 BENJAMIN DAVIS,  
C13 CHERYL  
SCUPAKUS, D08  
CHERYL SCKUPAKUS,  
F04 KIMBERLY PAYNE  
VENTURA, I02 TREY  
PLACEK, I06 MA DURAN,  
I30 PATTY YATES,  
J01 TRACY POWELL, J13  
CHRIS HULSEY,  
J16 PATRICIA  
UNDERWOOD, K10  
RASHAD LASHLEY,  
K12 MYA REID, K21  
ABRAHAM KHAIPPE,  
K63 SEAN POE, K64  
CHERYL SCKUPAKUS,  
L02 BELINDA JOHNSON,  
L14 PENNY MILLWOOD,  
L19 CELENA RHYMER,  
M11 MARIO DAVIS

Georgia Code, Article 5,  
Section 10-4-2010, et.  
seq. JMA AB2904, AU  
3877 Terms of Sale: Cash,  
15% Buyer Premium  
**111552**  
**9/7,14,21,28,10/1**

Auction of General  
Household &  
Commercial Goods  
North Lanier Storage  
5335 Browns Bridge  
Road  
Gainesville, GA 30504  
Phone: 678-321-8000  
Wednesday, October 5,  
2022 10:00AM

39 Cora Lanning, 51  
Hannah Day, 63 Teresa  
Morris, 98  
Christopher  
Standridge, A30 Roger  
Jackson, B116 Rex Martin, B145  
Rhoshonda Powell,  
B150 James Womack,  
B152 Barry Jenkins,  
B160 Sharon Parkman,  
C02 Melissa Karcher,  
C03 Linda Shane, C04  
Janette Tozer, D55  
Nanette Gossette

Georgia Code, Article 5,  
Section 10-4-2010, et.  
seq. JMA AB2904, AU  
3877 Terms of Sale: Cash,  
15% Buyer Premium  
**111551**  
**9/7,14,21,28,10/2**

Auction on Sept. 29th  
at 11am at OakRidge  
Mini Storage 3736  
Old Flowery Branch  
Rd. Oakwood. Unit  
15 Oletta Griffin, Unit  
94 Sheri Moschella  
both(20ft long units).  
contain household  
goods and will be sold  
to the highest bidder.  
Questions Call OakRidge  
Storage 7705321733  
**112313 9/21, 28**

Notice is hereby given  
that on September  
23, 2022 at 10:00 AM  
First Place Storage, 912  
Gainesville Highway,  
Ste. A, Buford, GA 30518,  
the undersigned will  
sell at public auction  
by competitive bidding  
on www.bid13.com  
the following personal  
belongings stored at  
this facility. All sales are  
paid in cash only and all  
items must be removed  
from the unit within72  
hours.  
Management reserves  
the right to withdraw  
any unit from sale.  
Unit No: B021  
Name: MICHAEL SMOCK  
Address: 6A  
STONEHENGE DRIVE  
BUFORD, GEORGIA  
30518

Unit No: B108  
Name: KARL KAUTTER  
Adress: 4977 LANIER  
ISLAND PKWY  
BUFORD, GEORGIA  
30518

Unit No: B232  
N a m e : M I R I A M  
CONCEPCION  
Address: 3925 BARK  
CAMP PLACE  
GAINESVILLE, GEORGIA  
30506  
General description of  
goods: Household and  
miscellaneous items  
**112076 9/14, 21**

NOTICE OF PUBLIC SALE  
Sunrise Cove Marina will  
sell at public auction  
the below described  
property on October 1,  
2022, at 5715 Flat Creek  
Rd, Gainesville, GA  
30504 at 11:00 A.M.

Notice is hereby given  
to Quincy Cobb that a  
2004, 27' Rinker Cruiser,  
with all attachments,  
riggings, fixtures,  
equipment, personality,  
improvements and  
contents located at  
5725 Flat Creek Rd,  
Gainesville, GA in which  
they are listed as owners,  
has been abandoned.

Notice is hereby given  
to Quincy Cobb that a  
1995, 42' Trojan Cruiser,  
with all attachments,  
riggings, fixtures,  
equipment, personality,  
improvements and  
contents located at  
5725 Flat Creek Rd,  
Gainesville, GA in which  
they are listed as owners,  
has been abandoned

Notice is hereby  
given to Benjamin  
Chastain that a 1973,  
30' Pearson Sailboat,  
with all attachments,  
riggings, fixtures,  
equipment, personality,  
improvements and  
contents located at  
5725 Flat Creek Rd,  
Gainesville, GA in which  
they are listed as owners,  
has been abandoned

Notice is hereby  
given to Maryann  
Buckner that a 1978,  
25' Ericson Sailboat,  
with all attachments,  
riggings, fixtures,  
equipment, personality,  
improvements and  
contents located at  
5725 Flat Creek Rd,  
Gainesville, GA in which  
they are listed as owners,  
has been abandoned

who is in possession of  
said vessels. Proceeds  
will be used to satisfy  
debt created by account  
holders to Sunrise Cove  
Marina. All boats sold  
"as is". Payment must be  
made by certified funds  
at time of purchase.  
For further information,  
please contact Janice  
Wagner at 770-536-  
8599.  
**112386 9/21, 28**

Notice of Sale. Notice  
is Hereby given that My  
Storage Space, intends  
to sell the personal  
property described  
below to enforce a  
lien imposed on said  
property pursuant  
to the Georgia Self-  
Storage Facility Act,  
Georgia Code Section  
10-4-210 to 10-4-215.  
The undersigned will  
sell at public sale by  
competitive bidding  
on Thursday, October  
6, 2022 at 10:00AM on  
the premises where said  
property is being stored  
and which is located  
at, My Storage Space,  
5671 Wayne Dr, Flowery  
Branch, GA 30542,  
County of Hall, State of  
Georgia. 770-967-2130.  
The personal property  
found in units: B6 Leta  
Robinson: B33 Leta  
Robinson: C12 Shane  
Sims: C41 Shane Sims:  
B36 Debra Whitley. All  
sales are Cash Only  
and all items must be  
removed from the unit  
within 48 hours. All  
items are sold as is. Sale  
is subject to cancellation  
and Tenant has the right  
to redeem prior to sell.  
General description of  
goods: Household and  
miscellaneous items.  
**112371 9/21, 28**

Notice of Sale. Notice  
is Hereby given that  
Northeast Georgia  
Storage Center LLC,  
intends to sell the  
personal property  
described below to  
enforce a lien imposed  
on said property  
pursuant to the Georgia  
Self-Storage Facility Act,  
Georgia Code Section  
10-4-210 to 10-4-215.  
The undersigned will  
sell at public sale by  
competitive bidding  
on Friday, September  
30th at 09:00am on the  
premises where said  
property is being stored  
and which is located  
at, Northeast Georgia  
Storage Center, 1980  
Delta Drive, Gainesville  
Georgia 30501, County  
of Hall, State of Georgia.  
770-536-5173. The  
personal property found  
in units: A033- Stephen  
Huger- electrical  
components, files;  
A061-Mauryssa Brooks-  
weights, clothes; B026-  
Geraldine Longstreet-  
home goods, chafers;  
B016- Felicia Marsh-  
Chest Freezer, Refrig,  
furniture; C005-Taylor  
Marett- Furniture, Chest,  
Boxes; D034- Katalin  
Nagy- Furniture, Boxes,  
Household items; D028-  
Cynthia Humphries- Roll  
top Desk, furniture,TV's,  
Beds; J011-Jammie  
Pinkston-Furniture,  
Household items; K012-  
Mysha Parks- Totes,  
Suitcase; K010-Anthony  
Moss- Tools, Totes, Rug,  
Jack; B038- Thomas  
Mims- Files, Boxes, Office  
Furniture. Purchases  
must be made with  
cash. All items are sold  
as is. Sale is subject to  
cancellation and Tenant  
has the right to redeem  
prior to sale.  
**112034 9/14, 21**

NOTICE OF PUBLIC SALE  
Sunrise Cove Marina will  
sell at public auction  
the below described  
property on October 1,  
2022, at 5715 Flat Creek  
Rd, Gainesville, GA  
30504 at 11:00 A.M.

Notice of Self Storage  
Sale

Please take notice Mid-  
gard Self Storage -  
Gainesville GA at 1405  
NW McEver Rd Gaines-  
ville GA, 30504 intends  
to hold a public sale to  
sell the property stored  
in the following units  
stored at the Facility. The  
public sale to the highest  
bidder will occur at an  
online auction via www.  
storageauctions.com on  
10/12/2022 at 1:00pm.  
Unless stated otherwise  
the description of the  
contents are household  
goods and furnishes-  
ings. Lportia B Haynes  
unit #2014; Kathryn  
Lounell Regina Scott  
unit #2090; Karen Wa-  
ters unit #B227; Nelson  
Gonzalez unit #D136;  
Kendall E Carnes unit  
#F138; Terica Tanisha N  
Martin unit #F149; Ha-  
noi Acosta Santiago unit  
#G120. All property is  
being stored at the above  
self-storage facility. This  
sale may be withdrawn at  
any time without notice.

Certain terms and condi-  
tions apply. See manager  
for details.  
**112308 9/21, 28**

Notice of Self Storage  
Sale  
Please take notice  
Midgard Self Storage  
- Gainesville2 at 2779  
Dawsonville Hwy,  
Gainesville, GA 30506  
intends to hold a public  
sale to sell the property  
stored in the following  
units stored at the  
Facility. The public sale  
will occur at an online  
auction via www.  
storageauctions.com on  
10/12/2022 at 1:00pm.  
Unless stated otherwise  
the description of the  
contents are household  
goods and furnishings.  
Glenda Saucier unit  
#174; Darchele N  
Barnard unit #362;  
Jason M Ayers units  
#4, #420 & #421; Erik  
Mosqueda units #487 &  
#642; Kimberly Mincey  
unit #637. All property  
is being stored at the  
above self-storage  
facility. This sale may be  
withdrawn at any time  
without notice. Certain  
terms and conditions  
apply. See manager for  
details.  
**112307 9/21, 28**

Pursuant to the Georgia  
Self-Service Storage  
Facility Act, notice  
is hereby given that SS  
Flowery Branch,  
LLC d/b/a Simply Self  
Storage at 6121 Spout  
Springs Road, Flowery  
Branch GA 30542 will  
sell at public auction  
the personal property  
in the below-listed  
occupants' leased unit(s)  
to satisfy the owner's  
lien. The personal  
property stored therein  
by the following  
occupants may include  
but is not limited to  
general household,  
office and personal  
items, furniture, boxes,  
clothes, and appliances.  
The unit(s) will be  
sold at public auction  
through online auction  
services of www.  
storageauctions.com  
with bids opening at  
10/13/22 at 12:00pm  
and closing on 10/20/22  
at 12:00pm. Unit  
158 – Jeff Chassey –  
Refrigerator, Unit 468  
– Deborah Kirkpatrick  
– Furniture, Boxes,  
clothes.  
**112028 9/21, 28**

#### Probate Notices

IN THE PRO BATE COURT  
OF HALL COUNTY STATE  
OF GEORGIA  
IN RE:  
RICHARD CHARLES  
BELLOW, DECEASED  
ESTATE NO. E-22-522  
NOTICE OF PETITION  
TO FILE FOR YEAR'S  
SUPPORT  
The petition of Marilyn  
Therese Schorn-  
Bellows, for a year's  
support from the estate  
of  
Richard Charles.  
Bellows, deceased, for  
decendent's (surviving  
spouse), having been  
duly filed, all interested  
persons are hereby  
notified to show cause,  
if any they have, on  
or before October  
7th,2022, why said  
petition' should not be  
granted. »  
All objections to the  
petition must be in  
writing, setting forth  
the grounds of any  
such  
objections, and must  
be filed on or before  
the time stated in the  
preceding sentence. All  
objections  
should be sworn to  
before a notary public  
or before a probate  
court clerk, and filing  
fees be  
tendered with your  
objections, unless you  
qualify to file as an  
indigent party. Contact  
probate court personnel  
for the required  
amount of filing fees.  
If any objections are  
filed, a hearing will be  
**111838 9/7,14,21,28**  
(address) 116 Spring  
Street SE, First  
Floor, Gainesville,  
Georgia) (scheduled  
at a later date). If no  
objections are filed the  
petition may be granted  
without ~ hearing.  
Patty Walters Laine  
Judge of the Probate Co  
urt  
By: Cohnren Williams  
Clerk of the Probate Co  
urt  
116 Spring Street SE,  
First Floor,  
Gainesville, GA 30501  
Address  
770-535-9710 Ext 7011  
Telephone Number

IN THE PROBATE COURT  
OF HALL COUNTY STATE  
OF GEORGIA  
INRE: ESTATE OF  
JOHN BRUCE a/k/a



|                                                          |                                                                                              |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------|
| <b>Applicant and Property Owner</b> .....                | Atlantic Leasing, LLC                                                                        |
| <b>Location</b> .....                                    | 1411 Hudgins Street<br>1506 Browns Bridge Avenue                                             |
| <b>Request</b> .....                                     | Annex, with G-B zoning                                                                       |
| <b>Total Acres</b> .....                                 | 1.0± acres total<br>0.51± acre- 1411 Hudgins Street<br>0.49± acre- 1506 Browns Bridge Avenue |
| <b>Ward</b> .....                                        | Five                                                                                         |
| <b>Proposed Use</b> .....                                | Combining properties                                                                         |
| <b>Planning Division Staff Recommendation</b> .....      | <b>Approval, with conditions</b>                                                             |
| <b>Planning &amp; Appeals Board Recommendation</b> ..... | <b>Approval, with conditions</b>                                                             |
| <b>Date</b> .....                                        | October 11, 2022                                                                             |

**2018** – A request by REB Land Development, LLC to rezone a 2.744± acres tract located at 621 Lakeshore Drive from Residential-I (R-I) to General Business (G-B) for a multi-tenant retail, office and restaurant was withdrawn.

**2017-** A request by Gainesville Market, LLC for a special use within General Business (G-B) zoning on a 5.0± acres located at 600 Shallowford Road was approved with conditions for a commercial outdoor recreational facility.

**2017** – A request by Masy Seng to annex a 0.19 ± acre tract with a zoning of General Business (G-B) located at 593 and 597 Shallowford Road was conditionally approved for a donut shop.

### **Analysis**

**(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?**

The subject properties consist of a grassed area and fencing which serves as a buffer to the adjacent residential homes. The applicant desires to bring all of the property under one jurisdiction with the same zoning. There is no change in use proposed.

**(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?**

The proposal will function in a similar manner as it currently does in the County. The properties previously contained single-family homes that were demolished by the property owner. According to the applicant, additional buffer trees will be planted within a 10-foot wide buffer strip next to the existing fence. However, the proposed zoning of G-B would allow for the expansion of the existing car dealership if proposed in the future.

**(3) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?**

The Future Development Map for the City of Gainesville places the property located at 1506 Browns Bridge Road within the *Commercial* land use category and 1411 Hudgins Street within the *Multi-family Residential* land use category. The Commercial land use category includes areas focused on retail, office, and or other commercial service activities such as grocery stores, banks, restaurants, hotels and automotive-related businesses. The Multi-family Residential land use category includes areas containing or planned for single-family attached or multi-family housing at densities at a minimum of four dwelling units per acre.

As well, the Character Area map for the City of Gainesville places the subject property within the *West Side* character area. Land uses allowed in the West Side include higher density residential, mixed-use, commercial, light industrial, public and institutional and parks and recreation.

**(4) Are there substantial reasons why the property cannot or should not be used as currently zoned?**

The applicant desires to have all of the property owned by Atlantic Leasing, LLC (Jim Hardman) under one jurisdiction and zoning of General Business (G-B). This appears to be reasonable as the adjacent larger property operated within the city limits under a zoning of G-B.

**(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?**

The change from County jurisdiction to City jurisdiction should not substantially affect public facilities or services at this time. The Gainesville Fire and Police Departments currently respond to adjacent and nearby properties and the nearest City of Gainesville Fire Station #1 is approximately 1.7 miles from the subject property. No impacts to the City school system are anticipated.

**(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?**

The subject properties will be combined with the larger parent tract that fronts Brown Bridge Road. Properties fronting Browns Bridge Road are expected to remain commercial. The residential properties located along Hudgins Street and Browns Bridge Avenue have been established since the 1950's and 1960's and provide for affordable single-family housing. It is staff's opinion that the proposal appears to be consistent with existing and expected uses for the area.

**(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?**

Based on the existing use of the subject properties and their proximity to the existing car dealership, the proposal appears to promote a reasonable balance between the promotion of the public health, safety, morality, or general welfare, and the right to unrestricted use of property.

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**Recommendation**

The Planning Division staff is recommending **conditional approval** of this annexation request with **General Business (G-B)** zoning, based on the Comprehensive Land Use Plan and the adjacent commercial land use.

**Conditions**

1. Prohibited uses for the subject property shall include adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, hookah lounge, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.
2. A staggered row of evergreen trees consisting of a mixture of Cryptomeria, Thuja Green Giant Arborvitae, Eastern Red Cedar and/or Holly trees shall be required within the buffer area adjacent to the single-family properties to the north. The location, size and type of buffer trees shall be subject to the approval of the Community and Economic Development Department Director.

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**Excerpts from the October 11, 2022 PAB Meeting Minutes**

**Applicant Presentation:** Jim Hardman, 1592 Browns Bridge Road, stated he purchased the two properties years ago. Mr. Hardman purchased the property and said the house wasn't worth restoring and he had spent \$18,000 to abate the asbestos and contained a pool that had not been used in forty years. Mr. Hardman stated he demolished the house at Browns Bridge Avenue but had contained two levels that was divided into five apartments which was



built without any permits/approvals. He stated with the properties combined, it would make it just over 5 acres, which is a General Motors requirement.

**FAVOR:** None

**OPPOSE:** None

**There was a motion to recommend conditional approval of the annexation request for combining properties and establish zoning as General Business (G-B) with the following conditions:**

**Conditions**

- 1. Prohibited uses for the subject property shall include adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, hookah lounge, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**
- 2. A staggered row of evergreen trees consisting of a mixture of Cryptomeria, Thuja Green Giant Arborvitae, Eastern Red Cedar and/or Holly trees shall be required within the buffer area adjacent to the single-family properties to the north. The location, size and type of buffer trees shall be subject to the approval of the Community and Economic Development Department Director.**

Motion made by Board Member White

Motion seconded by Board Member Martin

**Vote – 6 favor, 1 absent (Carter)**

Passed: \_\_\_\_\_

**AN ORDINANCE**

**No. 2022-34**

**AN ORDINANCE ANNEXING TWO TRACTS TOTALING 1.0± ACRE LOCATED ON THE WEST SIDE OF HUDGINS STREET AND THE EAST SIDE OF BROWNS BRIDGE AVENUE, NORTH OF BROWNS BRIDGE ROAD (A/K/A 1411 HUDGINS STREET AND 1506 BROWNS BRIDGE AVENUE) ADJACENT TO BUT NOT NOW WITHIN THE CORPORATE LIMITS OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:**

**SECTION I**

That from and after the passage of this Ordinance the following described lands are and shall be annexed into the existing corporate limits of the City of Gainesville, Georgia, so that said lands shall constitute a part of the land within the corporate limits of the City of Gainesville, Georgia, as fully and completely as if the limits had been so defined by the General Assembly of Georgia.

**Legal Description**

**Tract 2**

All that tract or parcel of land lying and being in Land Lot 170, 9<sup>th</sup> Land District, Hall County, Georgia being more fully shown and delineated as Tract-2 on a Survey for Atlantic Leasing, LLC prepared by Patton Land Surveying, Chris M. Patton, Georgia Registered Land Surveyor No. 2647 having a survey date of August 31, 2011 and having a last revised plat date of August 03, 2022, and being more particularly described as follows:

To locate the TRUE POINT OF BEGINNING commence at a concrete monument found on the northern right of way of State Route No. 369, a/k/a Browns Bridge Road (being 40 feet from the centerline) and the eastern right-of-way of Browns Bridge Avenue (right-of-way varies) and said point being the POINT OF BEGINNING,

Thence leaving said State Route No. 369, a/k/a Browns Bridge Road (being 40 feet from the centerline) and following along the eastern right of way of Browns Bridge Avenue (right-of-way varies at this point) in a north westerly direction the following courses:

Thence North 53 degrees 01 minutes 23 seconds West for a distance of 36.01 feet to a ½ inch crimp top pin found at a disturbed concrete monument found (being 20 feet from the centerline of Browns Bridge Avenue); Thence North 30 degrees 43 minutes 41 seconds West for a distance of 211.47 feet to a ½ inch crimp top pin found (being 20 feet from

## ORDINANCE NO. 2022-34

the centerline of Browns Bridge Avenue) ; Thence North 30 degrees 50 minutes 06 seconds West for a distance of 100.00 feet to a  $\frac{3}{4}$  inch crimp top pin found at a brick column (20 feet from the centerline of Browns Bridge Avenue) and said point being the TRUE POINT OF BEGINNING;

Thence following along the eastern right of way of said Browns Bridge Avenue (having a 40 feet right-of-way) in a north westerly direction the following course:

Thence North 31 degrees 20 minutes 00 seconds West for a distance of 150.01 feet to a nail found at the base of a disturbed  $\frac{1}{2}$  inch open top pin found; Thence leaving said Browns Bridge Avenue (having a 40 feet right-of-way) the following courses:

Thence North 60 degrees 37 minutes 36 seconds East for a distance of 142.53 feet to a  $\frac{1}{2}$  inch rebar pin found; Thence South 30 degrees 53 minutes 47 seconds East for a distance of 30.64 feet to a  $\frac{3}{4}$  inch crimp top pin found; Thence South 31 degrees 19 minutes 44 seconds East for a distance of 89.92 feet to a 1 inch open top pin found; Thence South 31 degrees 19 minutes 44 seconds East for a distance of 29.00 feet to a  $\frac{1}{2}$  inch crimp top pin found; Thence South 60 degrees 26 minutes 44 seconds West for a distance of 142.27 feet to a  $\frac{3}{4}$  inch crimp top pin found at a brick column and said point being the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 21,305 square feet or 0.49 acres more or less.

### Tract 5

All that tract or parcel of land lying and being in Land Lot 170, 9<sup>th</sup> Land District, Hall County, Georgia being more fully shown and delineated as Tract-5 on a survey for Atlantic Leasing, LLC prepared by Patton Land Surveying, Chris M. Patton, Georgia Registered Land Surveyor No. 2647 having a survey date of August 31, 2011 and having a last revised plat date of August 03, 2022, and being more particularly described as follows:

To locate the TRUE POINT OF BEGINNING commence at a  $\frac{1}{2}$  inch crimp top pin found on the northern right-of-way of State Route No. 369, a/k/a Browns Bridge Road (being 40 feet from the centerline) and the western right-of-way of Hudgins Street (right-of-way varies) and said point being the POINT OF BEGINNING.

Thence leaving said State Route No. 369, a/k/a Browns Bridge Road (being 40 feet from the centerline) and following along the western right-of-way of Hudgins Street (right-of-way varies at this point) in a northerly direction the following courses:

Thence North 07 degrees 32 minutes 31 seconds East for a distance of 27.83 feet to a  $\frac{1}{2}$  inch crimp top pin found; Thence North 33 degrees 13 minutes 50 seconds West for a distance of 169.71 feet to a P.K. Nail Found; Thence North 56 degrees 46 minutes 10 seconds East for a distance of 19.36 feet to a P.K. Nail Found (15 feet from the centerline of Hudgins Street); Thence North 33 degrees 13 minutes 50 seconds West for a distance of 202.88 feet to a  $\frac{1}{2}$  inch crimp top pin found (15 feet from the centerline of Hudgins Street); Thence North 32 degrees 45 minutes 28 seconds West for a distance of 90.00 feet to a  $\frac{3}{4}$  inch crimp top pin found (15 feet from the centerline of Hudgins Street); Thence North 32 degrees 56 minutes 43 seconds West for a distance of 89.99 feet to a  $\frac{3}{4}$  inch crimp top pin found (15 feet from the centerline of Hudgins Street) and said point being the TRUE POINT OF BEGINNING;



## **ORDINANCE NO. 2022-34**

Thence leaving the western right-of-way of said Hudgins Street (having a 30 foot of right-of-way) the following courses:

Thence North 68 degrees 46 minutes 43 seconds East for a distance of 252.31 feet to a  $\frac{3}{4}$  inch crimp top found at the base of chain link fence corner; Thence North 31 degrees 11 minutes 32 seconds West for a distance of 38.33 feet to a 1 inch open top pin found; Thence North 30 degrees 52 minutes 52 seconds West for a distance of 50.98 feet to a  $\frac{3}{4}$  inch crimp top pin found; Thence North 68 degrees 48 minutes 32 seconds East for a distance of 249.63 feet to a calculated point located on the western right-of-way of Hudgins Street; Thence following said Hudgins Street (having a 30 foot right-of-way) the following course: Thence South 32 degrees 43 minutes 06 seconds East for a distance of 89.68 feet to a  $\frac{3}{4}$  inch crimp top pin found and said point being the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 22,076 square feet or 0.51 acres more or less.

The annexation is to include all that portion of the right-of-way known as Hudgins Street located between the subject property and the existing city limits as shown on the location map.

### **SECTION II**

The Community and Economic Development Department of the City of Gainesville is directed to make and file with the Department of Community Affairs of the State of Georgia a certified copy of this Ordinance together with a plat describing lands annexed to the City of Gainesville by this Ordinance.

### **SECTION III**

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

### **SECTION IV**

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

### **SECTION V**

The effective date of this Ordinance shall be the first day of the month following approval by the governing body of the City of Gainesville, Georgia.

**ORDINANCE NO. 2022-34**

**W. Samuel Couvillon, Mayor**

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

**ATTEST:**

---

**Denise O. Jordan, City Clerk**

Passed: \_\_\_\_\_

**AN ORDINANCE**

**No. 2022-35**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF GAINESVILLE, GEORGIA BY ESTABLISHING THE ZONING ON TWO TRACTS TOTALING 1.0± ACRE LOCATED ON THE WEST SIDE OF HUDGINS STREET AND THE EAST SIDE OF BROWNS BRIDGE AVENUE, NORTH OF BROWNS BRIDGE ROAD (A/K/A 1411 HUDGINS STREET AND 1506 BROWNS BRIDGE AVENUE) AT THE TIME OF ANNEXATION AS GENERAL BUSINESS, WITH CONDITIONS (G-B-c); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:**

**SECTION I**

That from and after the passage of this Ordinance the following described lands shall be zoned and so designated on the Zoning Map of the City of Gainesville as **General Business, with conditions (G-B-c)**.

**Conditions**

- 1. Prohibited uses for the subject property shall include adult novelty stores, group homes, crisis centers, adult entertainment centers, pawn shops, dollar-type stores, massage parlors, hookah lounge, tobacco or vaping stores, gas station/convenience stores, tire stores, auto parts stores, marine sales or repair stores, automated or non-automated car washes, truck stops, coin-laundry facilities, tattoo parlors, psychics, fortune tellers, clairvoyants and the like.**
- 2. A staggered row of evergreen trees consisting of a mixture of Cryptomeria, Thuja Green Giant Arborvitae, Eastern Red Cedar and/or Holly trees shall be required within the buffer area adjacent to the single-family properties to the north. The location, size and type of buffer trees shall be subject to the approval of the Community and Economic Development Department Director.**

**Legal Description**

**Tract 2**

All that tract or parcel of land lying and being in Land Lot 170, 9<sup>th</sup> Land District, Hall County, Georgia being more fully shown and delineated as Tract-2 on a Survey for Atlantic Leasing, LLC prepared by Patton Land Surveying, Chris M. Patton, Georgia Registered Land Surveyor No. 2647 having a survey date of August 31, 2011 and having a last revised plat date of August 03, 2022, and being more particularly described as follows:

## ORDINANCE NO. 2022-35

To locate the TRUE POINT OF BEGINNING commence at a concrete monument found on the northern right of way of State Route No. 369, a/k/a Browns Bridge Road (being 40 feet from the centerline) and the eastern right-of-way of Browns Bridge Avenue (right-of-way varies) and said point being the POINT OF BEGINNING,

Thence leaving said State Route No. 369, a/k/a Browns Bridge Road (being 40 feet from the centerline) and following along the eastern right of way of Browns Bridge Avenue (right-of-way varies at this point) in a north westerly direction the following courses:

Thence North 53 degrees 01 minutes 23 seconds West for a distance of 36.01 feet to a ½ inch crimp top pin found at a disturbed concrete monument found (being 20 feet from the centerline of Browns Bridge Avenue); Thence North 30 degrees 43 minutes 41 seconds West for a distance of 211.47 feet to a ½ inch crimp top pin found (being 20 feet from the centerline of Browns Bridge Avenue); Thence North 30 degrees 50 minutes 06 seconds West for a distance of 100.00 feet to a ¾ inch crimp top pin found at a brick column (20 feet from the centerline of Browns Bridge Avenue) and said point being the TRUE POINT OF BEGINNING;

Thence following along the eastern right of way of said Browns Bridge Avenue (having a 40 feet right-of-way) in a north westerly direction the following course:

Thence North 31 degrees 20 minutes 00 seconds West for a distance of 150.01 feet to a nail found at the base of a disturbed ½ inch open top pin found; Thence leaving said Browns Bridge Avenue (having a 40 feet right-of-way) the following courses:

Thence North 60 degrees 37 minutes 36 seconds East for a distance of 142.53 feet to a ½ inch rebar pin found; Thence South 30 degrees 53 minutes 47 seconds East for a distance of 30.64 feet to a ¾ inch crimp top pin found; Thence South 31 degrees 19 minutes 44 seconds East for a distance of 89.92 feet to a 1 inch open top pin found; Thence South 31 degrees 19 minutes 44 seconds East for a distance of 29.00 feet to a ½ inch crimp top pin found; Thence South 60 degrees 26 minutes 44 seconds West for a distance of 142.27 feet to a ¾ inch crimp top pin found at a brick column and said point being the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 21,305 square feet or 0.49 acres more or less.

### Tract 5

All that tract or parcel of land lying and being in Land Lot 170, 9<sup>th</sup> Land District, Hall County, Georgia being more fully shown and delineated as Tract-5 on a survey for Atlantic Leasing, LLC prepared by Patton Land Surveying, Chris M. Patton, Georgia Registered Land Surveyor No. 2647 having a survey date of August 31, 2011 and having a last revised plat date of August 03, 2022, and being more particularly described as follows:

To locate the TRUE POINT OF BEGINNING commence at a ½ inch crimp top pin found on the northern right-of-way of State Route No. 369, a/k/a Browns Bridge Road (being 40 feet from the centerline) and the western right-of-way of Hudgins Street (right-of-way varies) and said point being the POINT OF BEGINNING.

Thence leaving said State Route No. 369, a/k/a Browns Bridge Road (being 40 feet from



## **ORDINANCE NO. 2022-35**

the centerline) and following along the western right-of-way of Hudgins Street (right-of-way varies at this point) in a northerly direction the following courses:

Thence North 07 degrees 32 minutes 31 seconds East for a distance of 27.83 feet to a ½ inch crimp top pin found; Thence North 33 degrees 13 minutes 50 seconds West for a distance of 169.71 feet to a P.K. Nail Found; Thence North 56 degrees 46 minutes 10 seconds East for a distance of 19.36 feet to a P.K. Nail Found (15 feet from the centerline of Hudgins Street); Thence North 33 degrees 13 minutes 50 seconds West for a distance of 202.88 feet to a ½ inch crimp top pin found (15 feet from the centerline of Hudgins Street); Thence North 32 degrees 45 minutes 28 seconds West for a distance of 90.00 feet to a ¾ inch crimp top pin found (15 feet from the centerline of Hudgins Street); Thence North 32 degrees 56 minutes 43 seconds West for a distance of 89.99 feet to a ¾ inch crimp top pin found (15 feet from the centerline of Hudgins Street) and said point being the TRUE POINT OF BEGINNING;

Thence leaving the western right-of-way of said Hudgins Street (having a 30 foot of right-of-way) the following courses:

Thence North 68 degrees 46 minutes 43 seconds East for a distance of 252.31 feet to a ¾ inch crimp top found at the base of chain link fence corner; Thence North 31 degrees 11 minutes 32 seconds West for a distance of 38.33 feet to a 1 inch open top pin found; Thence North 30 degrees 52 minutes 52 seconds West for a distance of 50.98 feet to a ¾ inch crimp top pin found; Thence North 68 degrees 48 minutes 32 seconds East for a distance of 249.63 feet to a calculated point located on the western right-of-way of Hudgins Street; Thence following said Hudgins Street (having a 30 foot right-of-way) the following course: Thence South 32 degrees 43 minutes 06 seconds East for a distance of 89.68 feet to a ¾ inch crimp top pin found and said point being the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 22,076 square feet or 0.51 acres more or less.

The annexation is to include all that portion of the right-of-way known as Hudgins Street located between the subject property and the existing city limits as shown on the location map.

### **SECTION II**

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

### **SECTION III**

If any portion of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

### **SECTION IV**

**ORDINANCE NO. 2022-35**

The effective date of this Ordinance shall be the first day of the month following approval by the governing body of the City of Gainesville, Georgia.

---

**W. Samuel Couvillon, Mayor**

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Ordinance was adopted as stated and will be recorded in the official minutes.

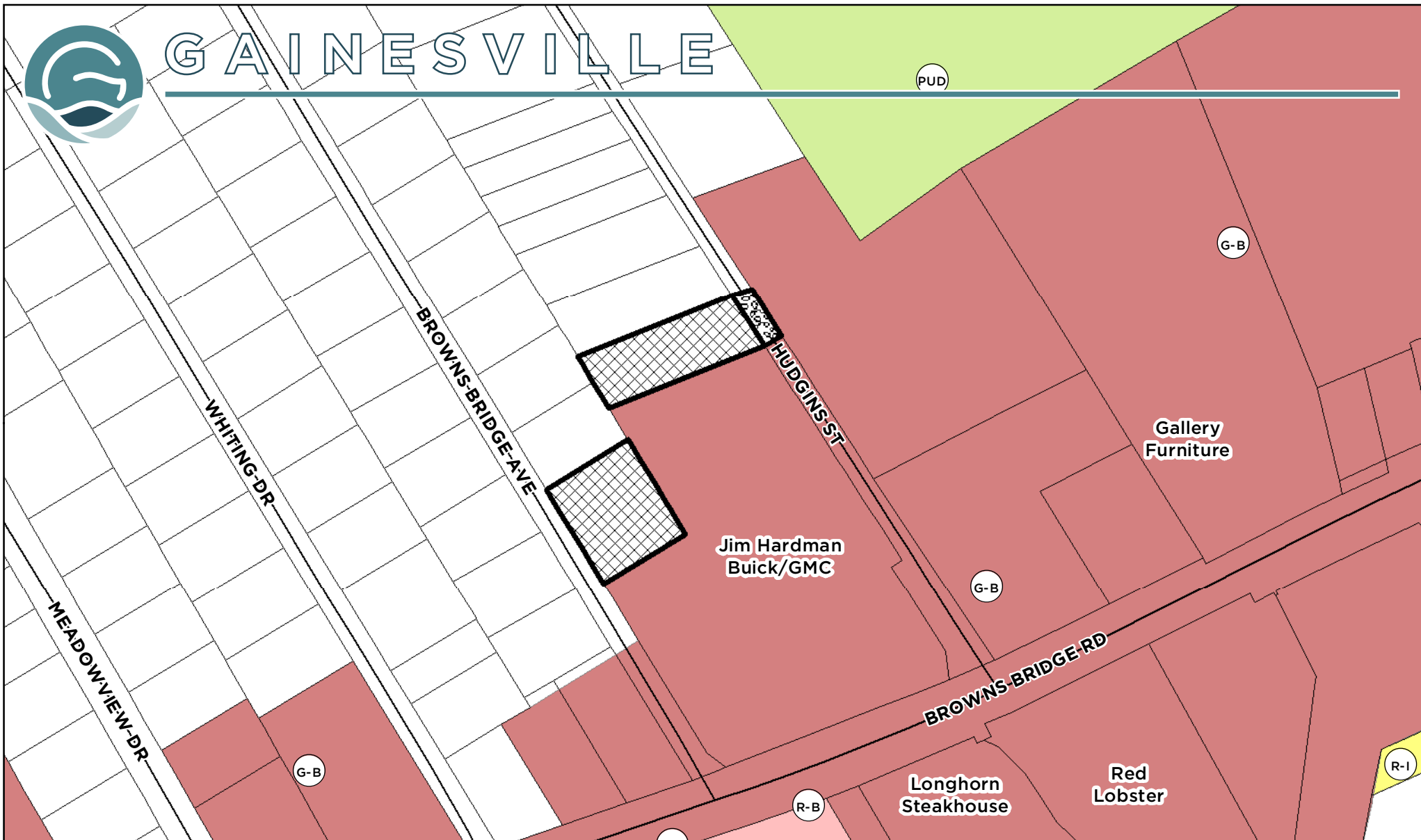
**ATTEST:**

---

**Denise O. Jordan, City Clerk**



# GAINESVILLE



Applicant: **ATLANTIC LEASING, LLC**

## ANNEXATION REQUEST

Subject Property Address:  
1411 Hudgins Street &  
1506 Browns Bridge Avenue

Tax Parcel:  
00123 008003A &  
00123 008028

Request:

Annex two tracts totaling +/- 1 AC with General Business (G-B) zoning to combine lots with adjacent property.



Subject Property



ROW to be Annexed



Meeting Date: 10/11/2022

Map Prepared: 08/25/2022

0 100 200 300 400 Feet

SCALE: 1" = 200'





# GAINESVILLE



Applicant:

**ATLANTIC LEASING, LLC**

## ANNEXATION REQUEST

Subject Property Address:

1411 Hudgins Street &  
1506 Browns Bridge Avenue

Tax Parcel:

00123 008003A &  
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Request:

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Subject Property



ROW to be Annexed

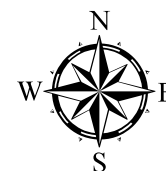
Aerial from 2021

Meeting Date: 10/11/2022

Map Prepared: 08/25/2022

0 100 200 300 400 Feet

SCALE: 1" = 200'





Narrative for Annexation Request  
1411 Hudgins Street and 1506 Browns Bridge Avenue

I would like to annex 1411 Hudgins Street (0.51 acres) and 1506 Browns Bridge Avenue (0.49 acres) and combine both properties with the adjacent property located at 1592 Browns Bridge Road (Jim Hardman Buick GMC) with a zoning request of General Business (G-B).

I have installed a black coated chain link fence with privacy slats along the outer boundaries adjacent to the existing residential properties. I also will be planting a landscape buffer along the adjacent residential properties in the fall of this year.

A 10' wide buffer will be provided to include the existing privacy fence and landscape buffer.

I am not proposing any curb cuts for access or any site improvements at this time, but merely want to combine the properties so that I have one contiguous piece of property.







**1411 Hudgins Street**





**1506 Browns Bridge Ave**





## CITY OF GAINESVILLE

### Mayor/Council Agenda Request

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**Item Created:** October 27, 2022  
**Date Submitted:** October 27, 2022  
**Final Approval Date:** October 27, 2022  
**Presenter:** Abb Hayes, City Attorney  
**Item of Business:** Request from **William B. Stark Jr.** for a special use on a 1.0± acre tract located on the north side of Washington Street between West Academy Street and West Avenue (a/k/a **614 Washington Street, NW**), having a zoning of Neighborhood Business (N-B). **Ward Number: Four.** Tax Parcel Number(s): 01-026-001-043. **Request: Five residential duplexes.**  
**Meeting Date:** November 1, 2022

---

#### **Purpose of Request:**

To conduct a public hearing regarding the zoning request as presented at the October 11, 2022 Planning and Appeals Board Meeting.

#### **Facts & Issues / History & Background:**

The applicant is proposing a special use within Neighborhood Business (N-B) zoning to allow five duplex apartments for a total of 10 units. The property contains no structures and is heavily wooded. According to the applicant's concept plan, each unit will be designed as a two-story residence and approximately 1,300 square feet in size with 2 bedrooms and 2.5 bathrooms and 2 parking spaces per unit. Access will be provided off of Washington Street. The exterior of the proposed duplex structures will include a mixture of vertical and horizontal Hardie board (fiber cement) siding. The adjacent properties include the Gainesville Business Center office complex, Towne Creek Apartments, Rochester & Associates, CASA and the Intowne Business Center.

#### **Department Recommendation:**

Staff and PAB recommended approval with three conditions. See the PAB Recommendation report for details and excerpts from the meeting minutes.

#### **SAMPLE MOTIONS:**

Approval of Resolution ZR-2022-07:

I move to approve the resolution to allow five residential duplexes within the Neighborhood Business (N-B) zoning district with three conditions as presented.

Denial of the Request:

I move to deny the request.

#### **Department Director:**

Rusty Ligon

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**If funding is involved, are funds approved within the current budget? No**

**Amount Requested:**

**Sources of Funds:**

**Finance Comments:**

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**Administrative Comments:**

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**Attachments:**

1. Combined Legal Ad
2. PAB Recommendation Report
3. Proposed Resolution ZR-2022-07
4. Exhibit: Architectural Renderings - Elevation A Option A & B
5. Exhibit: Architectural Rendering - Elevation B-C Composite
6. Location Maps
7. Narrative
8. Site plan
9. Survey



Ralph L. Taylor, III  
Hunt & Taylor Law  
Group, LLC  
1001 Riverside Drive,  
Suite A Gainesville, GA  
30501  
770-831-7770  
770-532-6128 (Fax)  
**1 1 1 9 0 3**  
**9/14,21,28,10/5**



NOTICE OF SECOND DUI  
CONVICTION WITHIN 5  
YEARS  
TO BE PUBLISHED  
NAME: TURNER ASHBY  
BLALOCK  
CITY: GAINESVILLE, GA  
COUNTY: HALL  
ZIP CODE: 30506  
ARREST DATE:  
07/15/2022  
ARREST TIME: 08:53 PM  
ARREST LOCATION:  
PRICE ROAD @ PRICE DR  
DISPOSITION: GUILTY  
Hall County Superior &  
State Court  
Charles Baker, Clerk  
225 Green Street, SE  
Gainesville, GA 30501  
PUBLISHED PURSUANT  
TO O.C.G.A. 40-6-391A1  
2022SR5096N  
**112495 9/21**

#### Name Changes

Hall County Superior  
Court  
Notice of Name Change  
– Alan Mijangos  
CIVIL ACTION FILE NO:  
2022CV1417C  
NOTICE TO CHANGE  
NAME OF A MINOR  
CHILD  
In Re: Alan Mijangos,  
a minor child, Petition  
of Irma Florentina  
Mijangos Martinez for  
Declaratory Judgment  
and for Name Change of  
a Minor Child to change  
the name of her minor  
child born in 2009,  
from Alan Mijangos to  
Alan Castillo Mijangos;  
Petition filed by Weaver  
Law Firm on August  
10th, 2022 on behalf  
of Petitioner in the Hall  
County Superior Court.  
Pursuant to O.C.G.A. §  
19-12-2, any interested  
party wishing to file an  
objection to said name  
change has 30 d11ays  
from the date of filing to  
register said complaint  
with the court.  
By order of the Court for  
service by publication  
dated August 10th,  
2022, you are hereby  
notified that on August  
10th, 2022, Irma  
Florentina Mijangos  
Martinez, filed a  
Petition for Declaratory  
Judgment and for Name  
Change of a Minor Child  
in the Superior Court of  
Hall County, Georgia.  
You are required to file  
an answer in writing to  
said Complaint with the  
Clerk of the Superior  
Court, and to serve  
same upon Petitioner's  
attorney, Destin M.  
Gillum, P.O. Box  
414, Gainesville, Georgia  
30503, within sixty (60)  
days from the date of  
the first publication  
date.  
**111722 9/7, 14, 21, 28**

HALL COUNTY  
SUPERIOR COURT  
STATE OF GEORGIA  
Civil Action Case  
Number 2022CV1563A  
NOTICE OF PETITION  
TO CHANGE NAME OF  
ADULT  
Jose Guadalupe  
Saldana Cisneros filed  
a petition in the Hall  
County Superior Court  
on August 31, 2022, to  
change the name from  
Jose Guadalupe Saldana  
Cisneros to Kassandra  
Guadalupe Saldana  
Cisneros. Any interested  
party has the right to  
appear in this case and  
file objections within 30  
days after the Petition  
was filed.  
Dated 08/31/2022  
Petitioner, Pro Se  
Name: Jose G. Saldana  
Cisneros  
Address: 2932 Gillsville  
Hwy Gainesville, GA  
30507  
Phone (day) (770)369-  
2943  
**111801 9/7, 14, 21, 2 8**

IN THE SUPERIOR COURT  
OF HALL COUNTY STATE  
OF GEORGIA  
In Re The Name Change  
of, Rebecca Preiss,  
Petitioner.  
CIVIL ACTION  
FILE NO. 2022CV1407W  
NOTICE OF PETITION  
TO NAME CHANGE OF  
ADULT  
I, REBECCA PREISS  
filed a petition in the  
Superior Court of Hall  
County on 9th day of  
August, 2022 to change  
my name from REBECCA  
JANE PREISS to REBECCA  
JANE ELKINS. Any

interested party has the  
right to appear in the  
case and file objections  
within 30 days after the  
petition was filed.  
Signed this 12th day of  
August  
Prepared by:  
The Law Office of Natalie  
K. Howard, LLC  
3675 Crestwood  
Parkway NW  
Suite 400  
Duluth, GA 30096  
Office: 678-252-2150  
Fax: 678-252-2183  
nhoward@nkhlegal.com  
**111787 9/7, 14, 21, 28**

IN THE SUPERIOR COURT  
OF HALL COUNTY STATE  
OF GEORGIA  
IN RE: The Name Change  
of

LINDSEY SAMANTHA  
PARKER, Petitioner  
CIVIL ACTION FILE NO:  
2 0 2 2 - C V - 1 5 9 6 W  
NOTICE OF PETITION  
TO CHANGE NAME OF  
ADULT

An action was filed in the  
Superior Court of Hall  
County on September  
7, 2022, to change the  
Petitioner's name as  
follows:  
Petitioner's Name:  
LINDSEY SAMANTHA  
PARKER Desired New  
Name: Lindsey  
Parker Winslett  
Any interested party  
has the right to appear  
in this case and file  
objection before  
the Final Judgment is  
ordered in this case.  
This 7th day of  
September, 2022.  
LYDIA J. SARTAIN, P.C.  
303 Jesse Jewell  
Parkway, SE Suite 200  
Gainesville, GA 30501  
(470) 252-5001  
dwinslett@lydiajsartain.  
com  
/s/ Drew Winslett  
Drew Winslett  
Georgia Bar No. 361875  
Attorney for Petitioner  
**112033**  
**9/14,21,28,10/5**

SUPERIOR COURT OF  
HALL COUNTY  
STATE OF GEORGIA  
In re the Name Change  
of Child(ren):  
Evan Ledbetter  
Hali Ledbetter  
Petitioner,  
v.  
Aubrey Dodson  
CIVIL ACTION FILE NO.:  
2022CV1441W  
NOTICE OF FILING  
PETITION TO CHANGE  
NAME(S) OF MINOR  
CHILD(REN)  
A petition was filed in  
the Superior Court of  
Hall County on August  
12, 2022 to change the  
name of the following  
minor child(ren):  
From Evan Ledbetter  
Proposed New Name  
Evan Dodson  
Any interested party  
has the right to appear  
in this case and file  
objections within the  
timeprescribed in OCGA  
see. 19-12-1(0)02) and  
(3).  
Dated: 8/12/22  
Hali Ledbetter Petitioner  
Pro se  
Name: Hali Ledbetter  
Address: 5410 Green  
Hunter Ln Gainesville,  
GA 30501  
Phone: 678-316-2016  
Email: hali.1992@yahoo.  
com  
**111523 8/31, 9/7,14,21**

SUPERIOR COURT OF  
HALL COUNTY  
STATE OF GEORGIA  
In re the Name Change  
of Child(ren):  
Jensen Ledbetter  
Hali Ledbetter  
Petitioner,  
v.  
Aubrey Dodson  
CIVIL ACTION FILE NO.:  
2022CV1441W  
NOTICE OF FILING  
PETITION TO CHANGE  
NAME(S) OF MINOR  
CHILD(REN)  
A petition was filed in  
the Superior Court of  
Hall County on August  
12, 2022 to change the  
name of the following  
minor child(ren):  
From Jensen Ledbetter  
Proposed New Name  
Jensen Dodson  
Any interested party  
has the right to appear  
in this case and file  
objections within the  
timeprescribed in OCGA  
see. 19-12-1(0)02) and  
(3).  
Dated: 8/12/22  
Hali Ledbetter Petitioner  
Pro se  
Name: Hali Ledbetter  
Address: 5410 Green  
Hunter Ln Gainesville,  
GA 30501  
Phone: 678-316-2016  
Email: hali.1992@yahoo.  
com  
**111522 8/31, 9/7,14,21**

SUPERIOR COURT HALL  
COUNTY  
STATE OF GEORGIA  
In re the Name Change  
of  
Peyton Shane Wehunt,  
Petitioner  
Civil Action File NO.:  
2022CV1634C  
NOTICE OF PETITION

TO CHANGE NAME OF  
ADULT  
An action was filed in the  
Superior Court of Hall  
County on September  
9th, 2022 to change the  
Petitioner's names as  
Follows:  
Petitioner's name:  
Peyton Shane Wehunt  
Desired new name:  
Peyton Shelby West  
Any interested party  
has the right to appear  
in this case and file  
objection before the  
final judgment is  
ordered in this case.  
Dated: 9/9/22  
Peyton Wehunt  
Petitioner Pro se  
Name: Peyton Shane  
Wehunt  
Address: 3326 Campus  
Point Circle Gainesville,  
GA 30504  
Phone: 678-936-2220  
E m a i l :  
p e t y o n g o e s w e s t @  
outlook.com  
**112172**  
**9/14, 28, 10/5, 12**

#### Public Hearings

NOTICE OF PLANNING  
AND APPEALS BOARD  
PUBLIC HEARING  
Notice is hereby given  
that the Gainesville  
Planning and Appeals  
Board will conduct  
a public hearing on  
Tuesday, October 11,  
2022 at 5:30 p.m. in  
the Gainesville Justice  
Center (Municipal  
Courtroom at the Public  
Safety Complex), 701  
Queen City Parkway  
in Gainesville on the  
following requests:  
1) Request from Atlantic  
Leasing, LLC to annex  
two tracts totaling 1.0±  
acre located on the  
west side of Hudgins  
Street and the east  
side of Browns Bridge  
Avenue, north of  
Browns Bridge Road  
(a/k/a 1411 Hudgins  
Street and 1506 Browns  
Bridge Avenue) and to  
establish a zoning of  
General Business (G-B).  
Ward Number: Five  
Tax Parcel  
Number(s): 00-123-008-  
003A and 028  
Request: Combining  
properties  
2) Request from William  
B. Stark Jr. for a special  
use on a 1.0± acre tract  
located on the north  
side of Washington  
Street between West  
Academy Street and  
West Avenue (a/k/a  
614 Washington Street,  
NW), having a zoning of  
Neighborhood Business  
(N-B).  
Ward Number: Four  
Tax Parcel Number(s):  
01-026-001-043  
Request: Five residential  
duplexes  
NOTICE OF PUBLIC  
HEARING ON PROPOSED  
AMENDMENTS TO THE  
GAINESVILLE ZONING  
MAP  
Notice is hereby given  
that the Gainesville City  
Council will conduct  
a public hearing on  
Tuesday, November  
1, 2022 at 5:30 p.m. in  
the Gainesville Justice  
Center (Municipal  
Courtroom at the Public  
Safety Complex), 701  
Queen City Parkway  
in Gainesville on the  
following requests:  
1) Request from Atlantic  
Leasing, LLC to annex  
two tracts totaling 1.0±  
acre located on the  
west side of Hudgins  
Street and the east  
side of Browns Bridge  
Avenue, north of  
Browns Bridge Road  
(a/k/a 1411 Hudgins  
Street and 1506 Browns  
Bridge Avenue) and to  
establish a zoning of  
General Business (G-B).  
Ward Number: Five  
Tax Parcel  
Number(s): 00-123-008-  
003A and 028  
Request: Combining  
properties2) Request  
from William B. Stark  
Jr. for a special use  
on a 1.0± acre tract  
located on the north  
side of Washington  
Street between West  
Academy Street and  
West Avenue (a/k/a  
614 Washington Street,  
NW), having a zoning of  
Neighborhood Business  
(N-B).  
Ward Number: Four  
Tax Parcel Number(s):  
01-026-001-043  
Request: Five residential  
duplexes  
Additional information  
is available from the  
Community and  
Economic Development  
Department, Planning  
Division, by calling 770-  
531-6570.  
NOTE: In accordance  
with Georgia law,  
anyone who wishes to  
express opposition to  
the proposed zoning  
action, and has made,  
within two years  
immediately preceding  
the filing of the  
proposed zoning action,  
campaign contributions

aggregating \$250  
or more to a local  
government official  
who will consider  
the application, shall  
file a disclosure of  
contribution(s) with the  
Planning Division at  
least five (5) days prior  
to the first reading of the  
proposed zoning action  
by the City Council.  
(OCGA § 36-67A-3 3 (c)).  
**112363 9/21**

#### PUBLIC MEETING NOTICE

The Town of Braselton  
will hold a Public  
Hearing on October  
6, 2022 at 4:00 pm in  
the Braselton Police  
and Municipal Court  
Facility located at 5040  
Highway 53 to discuss  
the 2023-2027 Capital  
Improvement Element  
update for Braselton. The  
purpose of this hearing  
is to inform the public  
about the objective of  
the plan and the process  
to be followed in the  
preparation of the plan  
update, as well as to  
elicit community input  
on needs and goals.  
Questions concerning  
this plan update should  
be directed to Jennifer  
Scott, Town Manager at  
706-654-5720 or email  
jscott@braselton.net.  
**112370 9/21**

The City of Buford  
Planning and Zoning  
Board will meet on  
Tuesday, October 11,  
2022 at 7:00 p.m. at  
Buford City Hall, 2300  
Buford Highway, Buford,  
Georgia 30518 and the  
Buford City Commission  
will meet on Monday,  
October 7, 2022 at 7:00  
p.m. at Buford City  
Arena, 2795 Sawnee  
Avenue, Buford, Georgia  
30518 to consider a  
special use permit at  
1046 Parkway Court,  
Suites A, B, C, D, and E for  
Powerstroke Specialty,  
LLC. The special use  
permit requested is to  
allow Ford diesel  
pickup truck repair and  
restoration  
**112236**  
**9/21,28,10/5,12,19, 26**

#### Public Sales/Auctions

Notice of Public Auction  
Notice of Public Auction  
Boardwalk Storage-  
Clermont, pursuant to  
the "Self Service Storage  
Act" (1981 Alabama  
Acts, Number 81-769,  
page 1321 and Section  
1), hereby gives Notice  
of Sale under said act,  
to wit. Notice of Public  
Auction. Boardwalk  
Storage - Clermont  
Will be holding a  
public auction online  
at Lockerfox.com On  
October 06, 2022 @  
11:30 am Only credit  
cards will be accepted.  
All sales are final and  
the units must be  
cleaned out completely  
in 48 hours. A 100.00  
cash cleaning deposit  
is required and will be  
refunded upon unit  
inspection. Unit must  
be clean of all items and  
swept.  
We currently have 1  
unit(s) available: Unit  
B19/26 Lisa LaValley  
770-983-5453 - 6720  
Cleveland Highway,  
Clermont, GA 30527  
112113 9/21,28

Auction of General  
Household &  
Commercial Goods  
Lotta Space Storage  
3825 Old Flowery  
Branch Rd  
Oakwood, GA 30566  
Phone: 770-297-1708  
Wednesday, October 5,  
2022 12:00 Noon

C02 LUZ ARMENDARIZ,  
C12 BENJAMIN DAVIS,  
C13 CHERYL  
SCUPAKUS, D08  
CHERYL SCKUPAKUS,  
F04 KIMBERLY PAYNE  
VENTURA, I02 TREY  
PLACEK, I06 MA DURAN,  
I30 PATTY YATES,  
J01 TRACY POWELL, J13  
CHRIS HULSEY,  
J16 PATRICIA  
UNDERWOOD, K10  
RASHAD LASHLEY,  
K12 MYA REID, K21  
ABRAHAM KHAIPPE,  
K63 SEAN POE, K64  
CHERYL SCKUPAKUS,  
L02 BELINDA JOHNSON,  
L14 PENNY MILLWOOD,  
L19 CELENA RHYMER,  
M11 MARIO DAVIS

Georgia Code, Article 5,  
Section 10-4-2010, et.  
seq. JMA AB2904, AU  
3877 Terms of Sale: Cash,  
15% Buyer Premium  
**111552**  
**9/7,14,21,28,10/1**

Auction of General  
Household &  
Commercial Goods  
North Lanier Storage  
5335 Browns Bridge  
Road  
Gainesville, GA 30504  
Phone: 678-321-8000  
Wednesday, October 5,  
2022 10:00AM

39 Cora Lanning, 51  
Hannah Day, 63 Teresa  
Morris, 98  
Christopher  
Standridge, A30 Roger  
Jackson, B116 Rex Martin, B145  
Rhoshonda Powell,  
B150 James Womack,  
B152 Barry Jenkins,  
B160 Sharon Parkman,  
C02 Melissa Karcher,  
C03 Linda Shane, C04  
Janette Tozer, D55  
Nanette Gossette

Georgia Code, Article 5,  
Section 10-4-2010, et.  
seq. JMA AB2904, AU  
3877 Terms of Sale: Cash,  
15% Buyer Premium  
**111551**  
**9/7,14,21,28,10/2**

Auction on Sept. 29th  
at 11am at OakRidge  
Mini Storage 3736  
Old Flowery Branch  
Rd. Oakwood. Unit  
15 Oletta Griffin, Unit  
94 Sheri Moschella  
both(20ft long units).  
contain household  
goods and will be sold  
to the highest bidder.  
Questions Call OakRidge  
Storage 7705321733  
**112313 9/21, 28**

Notice is hereby given  
that on September  
23, 2022 at 10:00 AM  
First Place Storage, 912  
Gainesville Highway,  
Ste. A, Buford, GA 30518,  
the undersigned will  
sell at public auction  
by competitive bidding  
on www.bid13.com  
the following personal  
belongings stored at  
this facility. All sales are  
paid in cash only and all  
items must be removed  
from the unit within72  
hours.  
Management reserves  
the right to withdraw  
any unit from sale.  
Unit No: B021  
Name: MICHAEL SMOCK  
Address: 6A  
STONEHENGE DRIVE  
BUFORD, GEORGIA  
30518

Unit No: B108  
Name: KARL KAUTTER  
Adress: 4977 LANIER  
ISLAND PKWY  
BUFORD, GEORGIA  
30518

Unit No: B232  
N a m e : M I R I A M  
CONCEPCION  
Address: 3925 BARK  
CAMP PLACE  
GAINESVILLE, GEORGIA  
30506  
General description of  
goods: Household and  
miscellaneous items  
**112076 9/14, 21**

NOTICE OF PUBLIC SALE  
Sunrise Cove Marina will  
sell at public auction  
the below described  
property on October 1,  
2022, at 5715 Flat Creek  
Rd, Gainesville, GA  
30504 at 11:00 A.M.

Notice is hereby given  
to Quincy Cobb that a  
2004, 27' Rinker Cruiser,  
with all attachments,  
riggings, fixtures,  
equipment, personality,  
improvements and  
contents located at  
5725 Flat Creek Rd,  
Gainesville, GA in which  
they are listed as owners,  
has been abandoned.

Notice is hereby given  
to Quincy Cobb that a  
1995, 42' Trojan Cruiser,  
with all attachments,  
riggings, fixtures,  
equipment, personality,  
improvements and  
contents located at  
5725 Flat Creek Rd,  
Gainesville, GA in which  
they are listed as owners,  
has been abandoned

Notice is hereby  
given to Benjamin  
Chastain that a 1973,  
30' Pearson Sailboat,  
with all attachments,  
riggings, fixtures,  
equipment, personality,  
improvements and  
contents located at  
5725 Flat Creek Rd,  
Gainesville, GA in which  
they are listed as owners,  
has been abandoned

Notice is hereby  
given to Maryann  
Buckner that a 1978,  
25' Ericson Sailboat,  
with all attachments,  
riggings, fixtures,  
equipment, personality,  
improvements and  
contents located at  
5725 Flat Creek Rd,  
Gainesville, GA in which  
they are listed as owners,  
has been abandoned

If not redeemed within  
the prescribed time  
for all costs imposed  
on said vessels herein  
shall be disposed of by  
public sale outlined in  
Georgia Law, O.C.G.A.  
11-1-201. They have  
ten days from the first  
posting of this notice  
to contact Sunrise Cove

who is in possession of  
said vessels. Proceeds  
will be used to satisfy  
debt created by account  
holders to Sunrise Cove  
Marina. All boats sold  
"as is". Payment must be  
made by certified funds  
at time of purchase.  
For further information,  
please contact Janice  
Wagner at 770-536-  
8599.  
**112386 9/21, 28**

Notice of Sale. Notice  
is Hereby given that My  
Storage Space, intends  
to sell the personal  
property described  
below to enforce a  
lien imposed on said  
property pursuant  
to the Georgia Self-  
Storage Facility Act,  
Georgia Code Section  
10-4-210 to 10-4-215.  
The undersigned will  
sell at public sale by  
competitive bidding  
on Thursday, October  
6, 2022 at 10:00AM on  
the premises where said  
property is being stored  
and which is located  
at, My Storage Space,  
5671 Wayne Dr, Flowery  
Branch, GA 30542,  
County of Hall, State of  
Georgia. 770-967-2130.  
The personal property  
found in units: B6 Leta  
Robinson: B33 Leta  
Robinson: C12 Shane  
Sims: C41 Shane Sims:  
B36 Debra Whitley. All  
sales are Cash Only  
and all items must be  
removed from the unit  
within 48 hours. All  
items are sold as is. Sale  
is subject to cancellation  
and Tenant has the right  
to redeem prior to sell.  
General description of  
goods: Household and  
miscellaneous items.  
**112371 9/21, 28**

Notice of Sale. Notice  
is Hereby given that  
Northeast Georgia  
Storage Center LLC,  
intends to sell the  
personal property  
described below to  
enforce a lien imposed  
on said property  
pursuant to the Georgia  
Self-Storage Facility Act,  
Georgia Code Section  
10-4-210 to 10-4-215.  
The undersigned will  
sell at public sale by  
competitive bidding  
on Friday, September  
30th at 09:00am on the  
premises where said  
property is being stored  
and which is located  
at, Northeast Georgia  
Storage Center, 1980  
Delta Drive, Gainesville  
Georgia 30501, County  
of Hall, State of Georgia.  
770-536-5173. The  
personal property found  
in units: A033- Stephen  
Huger- electrical  
components, files;  
A061-Mauryssa Brooks-  
weights, clothes; B026-  
Geraldine Longstreet-  
home goods, chafers;  
B016- Felicia Marsh-  
Chest Freezer, Refrig,  
furniture; C005-Taylor  
Marett- Furniture, Chest,  
Boxes; D034- Katalin  
Nagy- Furniture, Boxes,  
Household items; D028-  
Cynthia Humphries- Roll  
top Desk, furniture,TV's,  
Beds; J011-Jammie  
Pinkston-Furniture,  
Household items; K012-  
Myesha Parks- Totes,  
Suitcase; K010-Anthony  
Moss- Tools, Totes, Rug,  
Jack; B038- Thomas  
Mims- Files, Boxes, Office  
Furniture. Purchases  
must be made with  
cash. All items are sold  
as is. Sale is subject to  
cancellation and Tenant  
has the right to redeem  
prior to sale.  
**112034 9/14, 21**

Notice of Self Storage  
Sale  
  
Please take notice Mid-  
gard Self Storage -  
Gainesville GA at 1405  
NW McEver Rd Gaines-  
ville GA, 30504 intends  
to hold a public sale to  
sell the property stored  
in the following units  
stored at the Facility. The  
public sale to the highest  
bidder will occur at an  
online auction via www.  
storageauctions.com on  
10/12/2022 at 1:00pm.  
Unless stated otherwise  
the description of the  
contents are household  
goods and furnishes-  
ings. Lportia B Haynes  
unit #2014; Kathryn  
Lounell Regina Scott  
unit #2090; Karen Wa-  
ters unit #B227; Nelson  
Gonzalez unit #D136;  
Kendall E Carnes unit  
#F138; Terica Tanisha N  
Martin unit #F149; Ha-  
noi Acosta Santiago unit  
#G120. All property is  
being stored at the above  
self-storage facility. This  
sale may be withdrawn at  
any time without notice.

Certain terms and condi-  
tions apply. See manager  
for details.  
**112308 9/21, 28**

Notice of Self Storage  
Sale  
Please take notice  
Midgard Self Storage  
- Gainesville2 at 2779  
Dawsonville Hwy,  
Gainesville, GA 30506  
intends to hold a public  
sale to sell the property  
stored in the following  
units stored at the  
Facility. The public sale  
will occur at an online  
auction via www.  
storageauctions.com on  
10/12/2022 at 1:00pm.  
Unless stated otherwise  
the description of the  
contents are household  
goods and furnishings.  
Glenda Saucier unit  
#174; Darchele N  
Barnard unit #362;  
Jason M Ayers units  
#4, #420 & #421; Erik  
Mosqueda units #487 &  
#642; Kimberly Mincey  
unit #637. All property  
is being stored at the  
above self-storage  
facility. This sale may be  
withdrawn at any time  
without notice. Certain  
terms and conditions  
apply. See manager for  
details.  
**112307 9/21, 28**

Pursuant to the Georgia  
Self-Service Storage  
Facility Act, notice  
is hereby given that SS  
Flowery Branch,  
LLC d/b/a Simply Self  
Storage at 6121 Spout  
Springs Road, Flowery  
Branch GA 30542 will  
sell at public auction  
the personal property  
in the below-listed  
occupants' leased unit(s)  
to satisfy the owner's  
lien. The personal  
property stored therein  
by the following  
occupants may include  
but is not limited to  
general household,  
office and personal  
items, furniture, boxes,  
clothes, and appliances.  
The unit(s) will be  
sold at public auction  
through online auction  
services of www.  
storagetreasures.com  
with bids opening at  
10/13/22 at 12:00pm  
and closing on 10/20/22  
at 12:00pm. Unit  
158 – Jeff Chassey –  
Refrigerator, Unit 468  
– Deborah Kirkpatrick  
– Furniture, Boxes,  
clothes.  
**112028 9/21, 28**

#### Probate Notices

IN THE PRO BATE COURT  
OF HALL COUNTY STATE  
OF GEORGIA  
IN RE:  
RICHARD CHARLES  
BELLOW, DECEASED  
ESTATE NO. E-22-522  
NOTICE OF PETITION  
TO FILE FOR YEAR'S  
SUPPORT  
The petition of Marilyn  
Therese Schorn-  
Bellows, for a year's  
support from the estate  
of  
Richard Charles.  
Bellows, deceased, for  
decendent's (surviving  
spouse), having been  
duly filed, all interested  
persons are hereby  
notified to show cause,  
if any they have, on  
or before October  
7th,2022, why said  
petition' should not be  
granted. »  
All objections to the  
petition must be in  
writing, setting forth  
the grounds of any  
such  
objections, and must  
be filed on or before  
the time stated in the  
preceding sentence. All  
objections  
should be sworn to  
before a notary public  
or before a probate  
court clerk, and filing  
fees be  
tendered with your  
objections, unless you  
qualify to file as an  
indigent party. Contact  
probate court personnel  
for the required  
amount of filing fees.  
If any objections are  
filed, a hearing will be  
**111838 9/7,14,21,28**  
(address) 116 Spring  
Street SE, First  
Floor, Gainesville,  
Georgia) (scheduled  
at a later date). If no  
objections are filed the  
petition may be granted  
without ~ hearing.  
Patty Walters Laine  
Judge of the Probate Co  
urt  
By: Cohnren Williams  
Clerk of the Probate Co  
urt  
116 Spring Street SE,  
First Floor,  
Gainesville, GA 30501  
Address  
770-535-9710 Ext 7011  
Telephone Number

IN THE PROBATE COURT  
OF HALL COUNTY STATE  
OF GEORGIA  
INRE: ESTATE OF  
JOHN BRUCE a/k/a



**GAINESVILLE PLANNING and APPEALS BOARD  
RECOMMENDATION**

**Applicant**.....William B. Stark Jr  
**Property Owner**.....Frankie Luna  
**Location**.....614 Washington Street, NW  
**Request**.....Special use request within N-B zoning  
**Total Acres** .....1.0± acres tract  
**Ward**.....Four  
**Proposed Use**.....Five residential duplexes  
**Planning Division Staff Recommendation**.....**Approval, with conditions**  
**Planning & Appeals Board Recommendation**.....**Approval, with conditions**  
**Date** .....October 11, 2022

---

▪ **Applicant's Proposal and Background Information**

The applicant is proposing a special use within Neighborhood Business (N-B) zoning to allow five duplex apartments for a total of ten residential units. The property is currently undeveloped and is partially wooded. According to the applicant's concept plan, each unit will be designed as a two-story residence and approximately 1,300 square feet in size with 2 bedrooms and 2.5 bathrooms and 2 surface level parking spaces per unit. Access will be provided off of Washington Street. The applicant is exploring whether an access easement will be allowed to the rear of the property to access to Oak Street. The exterior of the proposed duplex structures will include a mixture of vertical and horizontal Hardie board (fiber cement) siding.

▪ **Adjacent Land Use and Zoning**

| Location | Use                                                    | Zoning                                                      |
|----------|--------------------------------------------------------|-------------------------------------------------------------|
| North    | Towne Creek Apartments and offices fronting Oak Street | Planned Unit Development (P-U-D) and General Business (G-B) |
| South    | Intowne Business Center and CASA office                | Neighborhood Business (N-B)                                 |
| East     | Gainesville Business Center office complex             | Neighborhood Business (N-B)                                 |
| West     | Towne Creek Apartments                                 | Planned Unit Development (P-U-D)                            |

▪ **Other Departmental Comments**

There were no other departmental comments regarding this request.

▪ **Zoning History**

**2022** - A request by Ricky and Janice Hames to rezone a 0.24± acre tract located at 721 Oak Street, NW from General Business (G-B) to Residential-I (R-I) was conditionally approved for a single-family residence.

**2021** - A request by Dave Odom to rezone a 0.50± acre tract located at 341 and 361 Oak Street, NW, from General Business (G-B) to Planned Unit Development (P-U-D) was conditionally approved for mixed-use residential and commercial.

**2020** – A request by Juan Luna for a special use within Neighborhood Business (N-B) zoning on a 1.66± acres tract located at 0, 903, 915, 919, 921, 925 and 927 Washington Street, NW was conditionally approved for twenty apartments.

**2018** – A request by KRM 2016, LLC for a special use within Neighborhood Business (N-B) zoning on a 0.82± acre tract located at 520 Washington Street, NW was conditionally approved for five duplex apartments.

▪ **Staff Analysis**

**(1) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property?**

The proposed residential use appears to be supported by the mixture of surrounding uses and zoning districts. The surrounding uses include offices, single-family and multi-family residential with zonings Planned Unit Development (P-U-D), Neighborhood Business (N-B) and General Business (G-B).

**(2) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property?**

The proposed use should have minimal affects to the surrounding and nearby properties as the proposed development is small in scale as it includes only 10 residential units. The property is currently unused. Sufficient parking, storm water detention and landscaping will be provided that will improve the function and aesthetics of the property. Any traffic generated should be minimal given the scale of the project but additional turning movements on Washington Street will occur given that the property is undeveloped. There appears to be sufficient sight distance for the proposed driveway.

**(3) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan?**

The Future Development Map for the City of Gainesville places the subject property within the *General Mixed Use* land use category. This category includes areas containing or planned for a mixture of land uses including office, neighborhood retail, and detached or attached residential.

According to the Character Area map for the City of Gainesville, the subject property is located within the westside of the *Central Core* Character Area known as the “*Five Points*” area of Gainesville. The Central Core character area is the historic heart of Gainesville, centered on the Square and extending to the east, west and south. Land uses allowed within this area include higher density single-family residential and multi-family residential. Specifically, diverse new housing opportunities are encouraged targeting mixed-income, high quality multi-family housing.

**(4) Are there substantial reasons why the property cannot or should not be used as currently zoned?**

The property is zoned Neighborhood Business (N-B) which is intended for neighborhood scale commercial and office uses, but allows residential where appropriate as a special use. The property has historically functioned as a residential use which previously contained a single-family home that was demolished approximately 20 years ago. The proposed development will

provide for quality housing downtown and is within N-B zoning density range of 10 dwelling units per acre.

**(5) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire protection?**

City water, sewer and public safety services are currently provided to the property. Gainesville Fire Station #1 is located off of Queen City Parkway and is approximately 1.0± mile from the subject property.

The proposal will slightly increase ingress and egress traffic movements along Washington Street. According to the Institute of Transportation Engineers (ITE) Trip Generation Handbook (9th Edition), the duplex apartments on average could generate 67± new trips per day, 6± A.M. and 7± P.M. peak hour trips.

The proposed use will have minimal impact on the Gainesville City School System given there are only 10 residential units proposed. Nearby larger residential developments such as the Towne Creek Apartments have children that attend City schools which are provided bus service.

**(6) Is the proposed use supported by new or changing conditions not anticipated by the Comprehensive Plan or reflected in the existing zoning on the property or surrounding properties?**

The Comprehensive Plan identifies the need for quality housing within the downtown area. The subject property is conducive for residential purposes as it is situated within an area that is walkable to numerous offices, retail, restaurant and public uses. Development along the Washington Street corridor has consisted of small specialty shops, professional offices, as well as multi-family residential and limited single-family residential.

**(7) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property?**

Based on the Comprehensive Plan and the adjacent mixture of uses, the proposed special use request with the recommended conditions appears to reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property.

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▪ **Additional Special Use Criteria**

**(1) The type of street providing access to the subject property is adequate to serve the proposed Special Use.**

Washington Street serves as a connector road between the downtown central business district and the Lakeshore Mall/Dawsonville Highway regional shopping district. The existing street is adequate to serve the proposed development. Additionally, the developer will be required to address solid waste services and a mail kiosk placement on project site.

**(2) Access into and out of the property adequately provides for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles.**

The applicant's concept plan appears to provide for sufficient access for pedestrian safety, parking and access for emergency vehicles.



- (3) Public facilities such as schools, water or sewer utilities, and police or fire protection are adequate to serve the Special Use.**

The existing public facilities are adequate to serve the proposed use given its small scale.

- (4) Refuse, service, parking and loading areas on the property are located and screened to protect other properties in the area from such adverse effects as noise, light, glare or odor.**

The proposed residential use is less intense than the neighboring uses. According to the concept plan, there appears to be sufficient parking and landscaping provided to reduce any impacts on adjacent properties. It is intended that individual trash receptacles will be provided for each duplex home.

- (5) The hours and manner of operation of the Special Use have no adverse effects on other properties in the area.**

The proposal is for residential duplex apartments which by nature are considered less intense than some office/commercial uses. The duplex units will be occupied throughout all hours of the day which is similar to nearby properties.

- (6) The height, size and location of the buildings or other structures proposed on the property are compatible with the height, size or location of buildings or other structures on neighboring properties.**

The proposed duplex homes will be two story. The height, size and location of the proposed structures appear consistent with other structures located along Washington Street which include a variety of residential, office, semi-public and commercial uses.

▪ **Staff Recommendation**

The Planning Division staff is recommending **conditional approval** of this Special Use request based on the Comprehensive Plan and the adjacent mixture of uses.

**Conditions**

- 1. The development shall be generally consistent with the site plan and the architectural style of the two elevation drawings labeled "A" Elevation- Option A and "B-C Composite" Elevation submitted with this special use application. In addition, the roof shall be constructed with architectural shingles and the front and two sides of each duplex building shall be constructed with a minimum 3-foot tall watermark of brick or stone material.**
- 2. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**
- 3. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.**

---

## Excerpts from the October 11, 2022 PAB Meeting Minutes

**Applicant Presentation:** **Bradley Dunckel** with Rochester & Associates, 425 Oak Street, representing Bill Stark & Stark Properties said the property has been vacant for many years. He stated the demand for rental housing continues to increase and recognized the need for this type of product. Mr. Dunckel explained it would be more of a roommate plan rather than a family unit with two bedrooms upstairs of the same size for possibly college students or young professionals. He agrees with the conditions recommended by the planning staff.

**FAVOR:** None

**OPPOSE:** None

There was a motion to recommend conditional approval of the special use request for five residential duplexes having a zoning of Neighborhood Business (N-B) with the following conditions:

### Conditions

1. The development shall be generally consistent with the site plan and the architectural style of the two elevation drawings labeled “A” Elevation- Option A and “B-C Composite” Elevation submitted with this special use application. In addition, the roof shall be constructed with architectural shingles and the front and two sides of each duplex building shall be constructed with a minimum 3-foot tall watermark of brick or stone material.
2. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a building permit. All required access / traffic / sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.
3. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.

Motion made by Board Member Martin

Motion seconded by Board Member Delgado

**Vote – 6 favor, 1 absent (Carter)**

**RESOLUTION ZR-2022-07**

**APPROVAL OF A REQUEST FOR A SPECIAL USE  
SUBJECT TO APPROVAL BY THE CITY COUNCIL**

**WHEREAS**, under **Chapter 9-6-2 Neighborhood Business (N-B)** zoning district of the Unified Land Development Code of the City of Gainesville, Georgia; **Section 9-6-2-2 Permitted and Special Uses** allows for a *dwelling, two-family (duplex)* subject to City Council approval after review and recommendation by the Gainesville Planning and Appeals Board; and

**WHEREAS**, an application has been received from **William B. Stark, Jr.** to allow *five residential duplexes* within a Neighborhood Business (N-B) zoning district identified as follows:

**01-026-001-043  
614 Washington Street, NW  
Ward Four**

**WHEREAS**, the application has been evaluated under any criteria specified in the aforesaid section; and

**WHEREAS**, the **Gainesville Planning and Appeals Board**, held a public hearing regarding this matter on **October 11, 2022**.

**NOW, THEREFORE, BE IT RESOLVED THAT** the governing body for the City of Gainesville hereby approves the applicant's request for a special use permit as stated above and subject to all the terms of the Unified Land Development Code with the following condition:

**Conditions**

- 1. The development shall be generally consistent with the site plan and the architectural style of the two elevation drawings labeled "A" Elevation- Option A and "B-C Composite" Elevation submitted with this special use application. In addition, the roof shall be constructed with architectural shingles and the front and two sides of each duplex building shall be constructed with a minimum 3-foot tall watermark of brick or stone material.**
- 2. All access point design for the subject property shall be submitted for review by the Gainesville Public Works Director, and approval of said design shall be required prior to issuance of a building permit. All required access/traffic/sidewalk improvements associated with the proposed development shall be at the full expense of the developer/property owner.**
- 3. An updated as-built boundary survey/plat of the subject property, indicating all improvements required for the proposed use, shall be recorded prior to obtaining a Certificate of Occupancy.**



**RESOLUTION ZR-2022-07**

**NOW, THEREFORE, BE IT RESOLVED THAT** the governing body for the City of Gainesville hereby approves the applicant's request for a special use permit as stated above and subject to all the terms of the Unified Land Development Code.

**Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**W. Samuel Couvillon, Mayor**

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Resolution was adopted as stated and will be recorded in the official minutes.

**ATTEST:**

\_\_\_\_\_  
**Denise O. Jordan, City Clerk**



**Stark Properties  
22' Wide Duplex  
"A" Elevation - Option B**

07.28.22

GMD-GA 22046



The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan / floor plan changes, etc.)  
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**Stark Properties  
22' Wide Duplex  
"A" Elevation- Option A**

07.28.22

GMD-GA 22046



The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, unit plan / floor plan changes, etc.)  
© 2022 gmd design group of ga, inc.



"C"

"B"

IX6 Fascia  
IX6 Frieze  
IX4 Trim  
IX8 Band

**Pinegrove Partners  
22' Wide Duplex  
"B-C Composite" Elevation**

07.26.22

GMD-GA22046

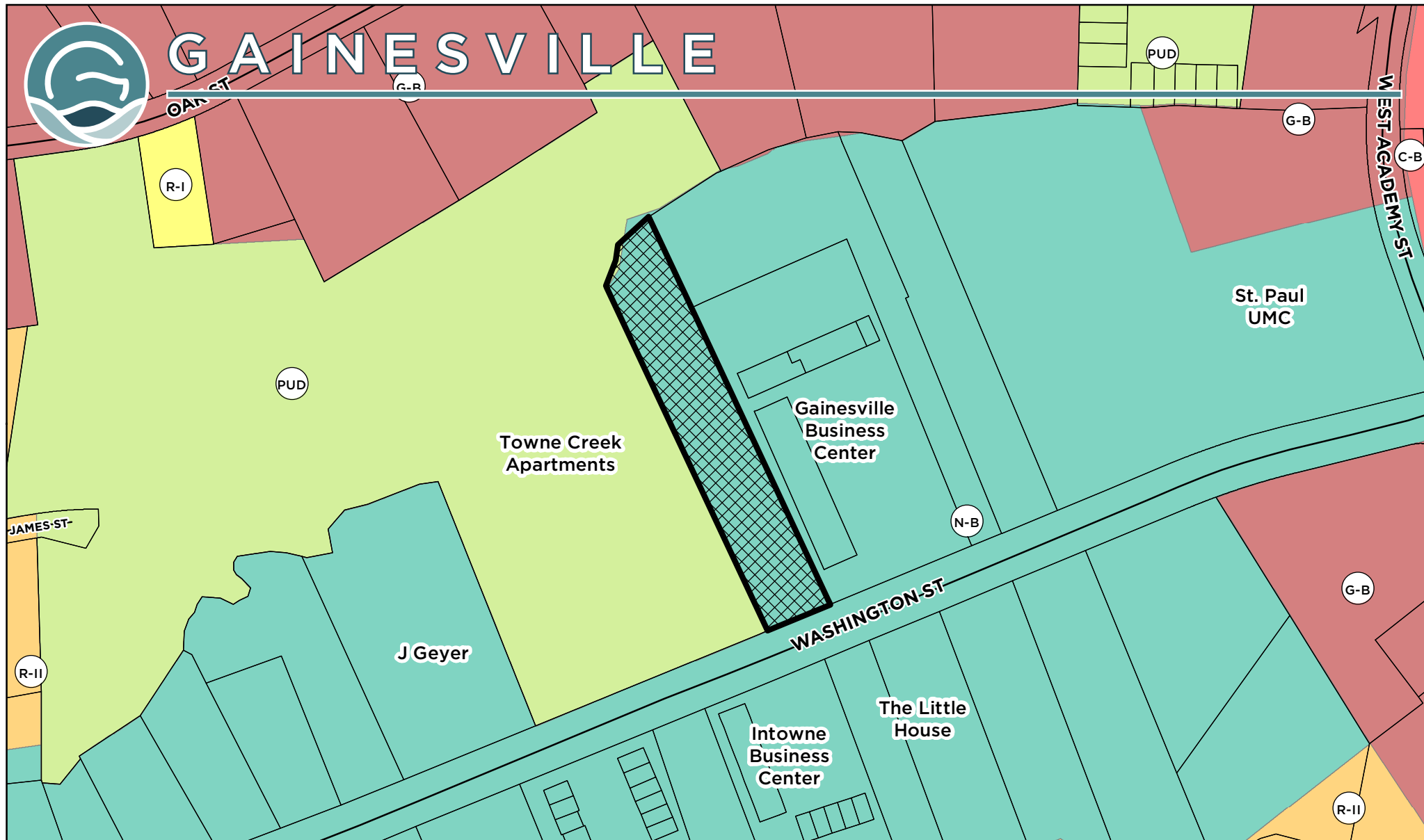


The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, standards, and MEP design requirements, unit price / floor plan changes, etc.)  
©2022 gmdesigngroup of ga, inc.





# GAINESVILLE



Applicant: **WILLIAM B. STARK, JR.**

## SPECIAL USE REQUEST

Subject Property Address:  
614 Washington Street, NW

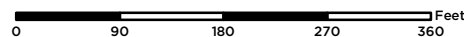
Tax Parcel:  
01-026-001-043

Request:

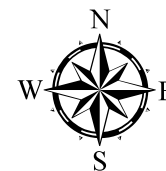
Special use on a 1.0+/- acre tract within Neighborhood Business (N-B) zoning district for five residential duplexes



Subject Property



SCALE: 1" = 167'



Meeting Date: 10/11/2022

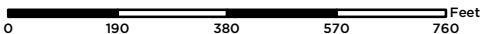
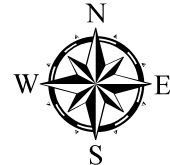
Map Prepared: 09/07/2022





# GAINESVILLE



|                                                        |                               |                                                                                                                                 |                                                                                                        |
|--------------------------------------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Applicant: <b>WILLIAM B. STARK, JR.</b>                |                               | Request:<br>Special use on a 1.0+/- acre tract within Neighborhood Business (N-B) zoning district for five residential duplexes |                                                                                                        |
| <b>SPECIAL USE REQUEST</b>                             |                               |                                                                                                                                 |                                                                                                        |
| Subject Property Address:<br>614 Washington Street, NW | Tax Parcel:<br>01-026-001-043 |  Subject Property                          | Aerial from 2021                                                                                       |
| Meeting Date: 10/11/2022                               | Map Prepared: 09/07/2022      |  SCALE: 1" = 333'                          | <br>Page 65 of 68 |



# 614 Washington Street

## Redevelopment Narrative

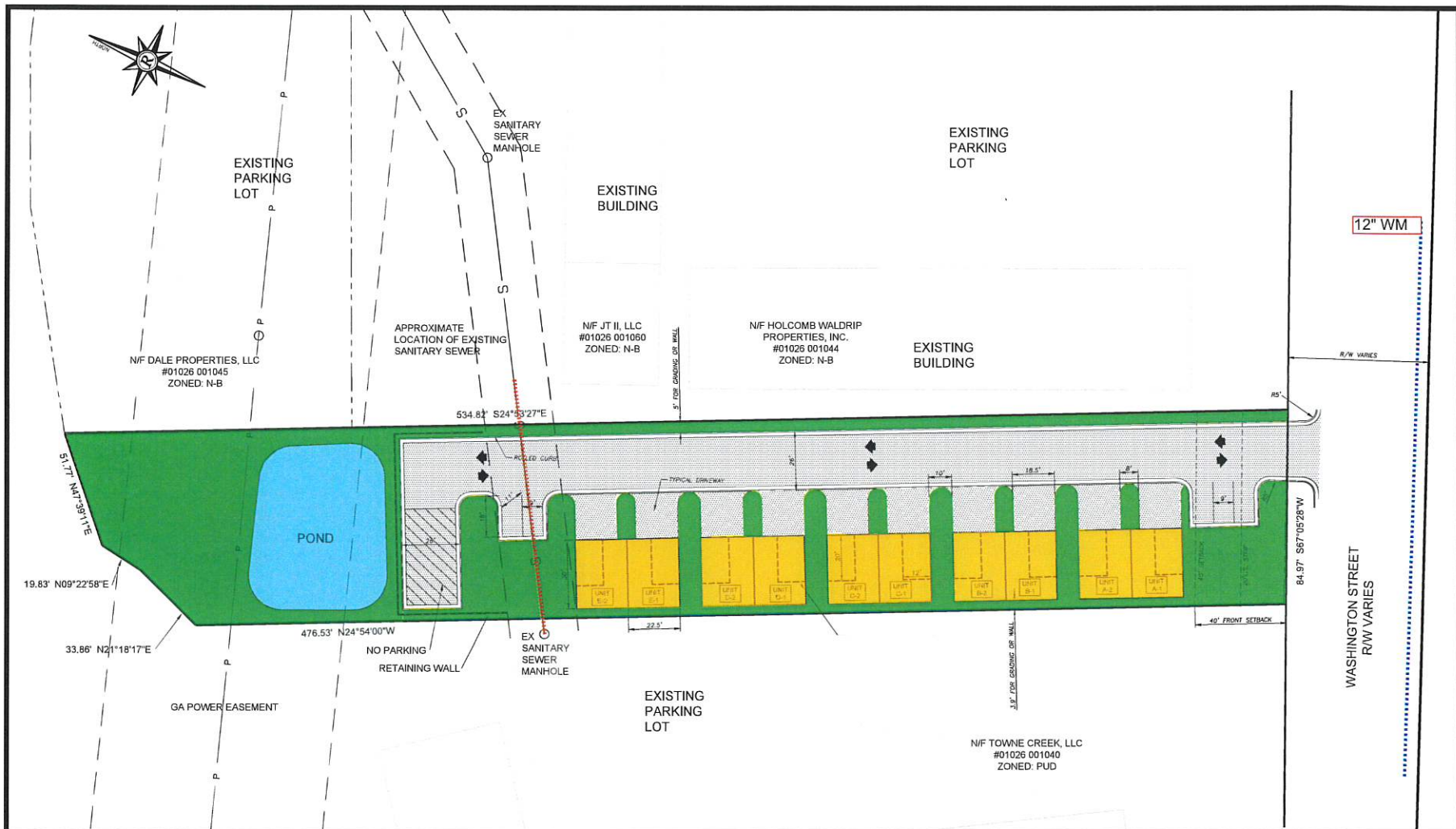
There is currently no onsite structure or building. The legal address is 614 Washington St NW Gainesville, GA and is +/- 1 acres. The application for a special use permit will be used to develop 5 single family duplexes (10 total units) on the said property. This development is designed to provide a safe and livable environment for Gainesville citizens working in and around the downtown area. A zoning change is not needed, and there are no physical or environmental impacts to the adjoining property owners.

Since Washington street is predominantly residential with a handful of commercial parcels mixed in, there will be no negative impacts burdens to public facilities and services. Each 2 story building will be approximately 2,600 SF and each unit will be 1,300 SF of heated space with 2 bedrooms, 2.5 bathrooms, and 2 parking spaces per unit. This design will attract all demographics including single adults, young couples, older couples, and small families. The tenants will enter and exit off Washington Street with a proposed exit option through the property on Oak Street.

All public services including schools, fire department, police department, and local hospitals and medical care clinics are all adequate to serve this proposed use. The height and size of the units will be consistent with the adjoining and surrounding multi family and office buildings. The desire of this development is to provide appealing housing that is walking distance from the historical Gainesville Square and to be built in a way that is safe and enjoyable to the tenants as well as the community.

614 Washington St has been sitting empty for some time now. The proposed duplex homes will provide and encourage a healthy lifestyle as walking and biking to nearby restaurants and attractions will be possible. As many multi-family and large apartment complexes are being constructed around Gainesville, there is a need for smaller residential developments that are centrally located to Downtown and the surrounding businesses.





#### APPLICANT INFORMATION:

WEST AVENUE PARTNERS, LLC.  
FRANK SIMPSON  
425 SPRING STREET, SE #200  
GAINESVILLE, GA 30501

#### PROPERTY NOTES:

- BOUNDARY AND SITE DATA TAKEN FROM SURVEY PERFORMED BY TOWNE CREEK & ASSOCIATES, DATED 3/16/1994.
- NO FLOODPLAIN PRESENT ON SITE (FIRM OR HALL FUTURE FLOOD).
- PROPERTY ZONING: N-B (NEIGHBORHOOD BUSINESS)  
EXISTING USE: VACANT  
PROPOSED USE: MULTIFAMILY RES. (DUPLEXES)
- DIMENSIONAL REQUIREMENTS:  
BUILDING COVERAGE: 6,750 SF (15.58%)  
IMPERVIOUS AREA: 23,181 SF (53.2%)  
Minimum Lot Width = 75'  
Maximum Density = 12 units per acre (1.00 x 12 = 12.00)  
UNITS PROPOSED = 10  
FLOORS PROPOSED = 2
- SETBACKS:  
Front = 40'  
Side = none  
Rear = none
- PARKING REQUIRED:  
Duplex = 2 per unit min., 3 per unit max.  
10 UNITS = 20 SPACES REQUIRED  
25 SPACES PROVIDED (8' x 16')

TRASH SERVICE TO BE PROVIDED BY ROLLOUT CANS

| HATCH LEGEND |                                |
|--------------|--------------------------------|
|              | STANDARD DUTY ASPHALT PAVEMENT |
|              | BUILDING                       |

ZONING PLAN  
FOR:  
**614 WASHINGTON  
STREET DUPLEXES**  
DWD 411  
CITY OF GAINESVILLE, HALL, GA

| NO. | DATE | DESCRIPTION |
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