#### STATE OF GEORGIA

#### COUNTY OF HALL

# RESOLUTION OBJECTING TO THE CITY OF BUFORD'S ANNEXATION OF THE PROPERTIES OF CIV FRIENDSHIP BUSINESS PARK II, LLC KNOWN AS HALL COUNTY TAX PARCELS 08153 000017, 08153 000012, 08153 000016, 08153 000009, AND 08153 000008

WHEREAS, Hall County has received a notice of the filing with the City of Buford of petitions for the annexation of the properties of CIV Friendship Business Park II, LLC (by applicant Matt Brune, VP of Development, for Seefried Industrial Properties) located at 0 Bennett Road, 4556 Bennett Road, 4616 Bennett Road, 4740 Bennett Road, and 4764 Bennett Road, and bearing Hall County Tax Parcel Numbers 08153 000017, 08153 000012, 08153 000016, 08153 000009, and 08153 000008, respectively (the "Subject Properties"); and

WHEREAS, the annexation petitions seek to rezone the Subject Properties from Hall County's designation of Agricultural-Residential III (AR-III) to the City of Buford's designation of M-1 Light Industry; and

WHEREAS, the City of Buford has failed to properly notify Hall County by verifiable delivery that the City intends to take action on the annexation and rezoning requests within 30 days of their acceptance as required under O.C.G.A. § 36-36-111; and

WHEREAS, the two proposed warehouse distribution facilities to be constructed by Seefried Industrial Properties following the proposed annexation and rezoning of the Subject Properties represent a substantially more intense and significantly different use of the properties than allowed by Hall County's existing residential zoning of the properties; and

WHEREAS, the proposed annexation and rezoning of the Subject Properties is inconsistent with Hall County's Comprehensive Plan and Future Land Development Map; and

WHEREAS, the area has developed with residential properties adjacent to and across from the Subject Properties, and the area is substantially residential in character; and

WHEREAS, the Hall County Board of Commissioners has carefully reviewed the annexation and rezoning requests, and the Board has determined that annexation and rezoning to an industrial classification is not in the best interest of the residents of Hall County; and

WHEREAS, the Georgia Code provides a procedure for resolving annexation disputes; and

WHEREAS, the Board of Commissioners wishes to avail itself of the remedies provided by the annexation dispute resolution process as a result of its objection to these annexation and rezoning requests;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF HALL COUNTY DOES HEREBY OBJECT to the City of Buford's annexation and rezoning of Hall County Tax Parcels 08153 000017, 08153 000012, 08153 000016, 08153 000009, and 08153 000008 as requested by the owner CIV Friendship Business Park II, LLC and applicant Seefried Properties. This objection is based upon a material increase in burden on Hall County directly related to the proposed change in zoning and land use.

Based upon the information presented in the applications for annexation provided to Hall County, the County specifically objects to the proposed change in zoning and land use that would result from the annexations as follows:

The applications for annexation of the Subject Properties, approximately 49.93 acres in total, describe a rezoning from Hall County's AR-III District to the City of Buford's M-1 Light Industry District for the construction of two warehouse distribution facilities of approximately 434,320 square feet in total. Hall County attaches the five applications for annexation and supporting documents served upon Hall County. See Exhibit A. These massive warehouse distribution facilities would be in stark contrast to the uses permitted by Hall County's AR-III zoning of the Subject Properties. The County's existing AR-III zoning of the Subject Properties would permit single-family detached dwelling units for agricultural or residential uses at a low density as shown on the attached Chapter 17.110 of the Official Code of Hall County. See Exhibit B. This change in both zoning and land use as proposed in the applications for annexation would create a large material increase in burden upon Hall County directly related to the proposed change in zoning and land use.

Specifically, the proposed change in zoning and land use as described in the applications for annexation of the Subject Properties would result in a substantial change in the intensity of the allowable use of the properties as well as a change to a significantly different allowable use of the properties. An aerial photograph of the area immediately surrounding the proposed annexations shows that there are no commercial or industrial buildings adjacent to the Subject Properties, let alone any buildings that approach the size of the massive warehouse distribution buildings proposed by the applicant. See Exhibit C. Although the applicant states that parcels to the west of the Subject Properties are zoned M-1 by the City of Buford, there has been no industrial or commercial development of those properties to date and the parcels to the north, east, and south of the Subject Properties are zoned AR-III and will remain so. Critically, the requested annexations and rezoning would leave two adjacent parcels with single-family residences, Hall County Tax Parcels 08153 000002C and 08153 000002 B, unreasonably close to the proposed locations of the warehouse distribution facilities. The first parcel mentioned, 08153 000002C with a street address of 4602 Bennett Road, is enveloped on three of its sides by the Subject Properties. If the proposed change in zoning and land use is allowed, that parcel will be dangerously close to permitted

industrial uses on the Subject Properties that are wholly inconsistent with that parcel's existence as a residential property in the County's AR-III zoning district. See Exhibit D.

Significantly, the proposed use of the Subject Properties as locations for two warehouse distribution facilities would result in a multitude of large tractor-trailer trucks idling at the facilities for long periods of time and during the overnight hours. The diesel fumes and noises from the engines, air brakes, and backing signals would disrupt the neighboring homeowners' quiet enjoyment of their property. These noises might also be in violation of Hall County's applicable loud noise ordinances under Chapter 8.80 of the Official Code of Hall County. See Exhibit E. Further, there would be significantly increased traffic into and out of the area from various transporters, employees, and contractors, which would disturb the peace and quiet of the neighbors and substantially increase road traffic on Bennett Road. Although Seefried Properties has proposed road improvements to the immediate area in the form of a signalized intersection at Friendship and North Bogan Roads as well as an additional drive to Bennett Road, these proposed changes only signify the applicant's awareness of the increase in traffic volume and the significant increase in infrastructure demands on Hall County associated with the proposed change in zoning and land use of the Subject Properties.

Additionally, the proposed change in zoning and land use of the Subject Properties from AR-III to light industrial use by the City of Buford would be significantly different from the single-family residential uses currently permitted by Hall County on the properties. Moreover, upon the Subject Properties' annexation and rezoning, there would be nothing to prevent the property owner from converting the properties or selling them for development into a seemingly limitless variety of industrial and commercial operations (including, but not limited to, a heavy truck fueling station, truck terminal, auto body repair shop, building material storage yard, and/or aircraft landing field) whose existence and operation would be wholly inconsistent with the residential character of the surrounding properties. *See* Art XIII, Sec. 1310 of the City of Buford Zoning Ordinance, Exhibit F.

Finally, the proposed change in zoning and land use would also differ from the existing uses suggested for the Subject Properties by Hall County's 2017-2037 Comprehensive Land Use Plan. As shown on the attached Hall County Future Development Map, the Land Use Plan designates the Subject Properties for Residential uses. *See* Exhibit G. The attached description of Residential uses seeks to preserve established residential neighborhoods. The description of Residential uses notes that future development will continue to be detached, single-family homes at moderate densities.

For the foregoing reasons, the members of the Board of Commissioners have executed this objection to the annexation petitions of CIV Friendship Business Park, II, LLC regarding Hall County Tax Parcels 08153 000017, 08153 000012, 08153 000016, 08153 000009, and 08153 000008 this the 9<sup>th</sup> day of February, 2023.

## HALL COUNTY BOARD OF COMMISSIONERS

	By: Richard Higgins, Chairman
	By: Kathy Cooper, Commissioner, District 1
	By: Billy Powell, Commissioner, District 2
	By: Gregg Poole, Commissioner, District 3
	By: Jeff Stowe, Commissioner, District 4
ATTEST:	
By: Jennifer Rivera, Commission Cler	<u></u>
(SEAL)	
APPROVED AS TO FORM:	
By:	 ttornev



Planning & Zoning Department

## CITY OF BUFORD

Planning & Zoning Department 2300 Buford Highway Buford, GA 30518 (770) 945-6761

#### APPLICATION FOR ANNEXATION

Tax Map Number: 08153-000017 Date: 11-29-22			
Present Zoning: AR-III Requested Zoning: M-1			
Address of subject property: 0 Bennett Rd			
Owner of property: CIV Friendship Business Park II, LLL (represented by Matt  Brune - Seefried Properties)			
Telephone number: 404-233-0204 cell: 404-405-4052 email: mattbrune@seefriedproperties.com			
Housing Units: 0 Existing / 0 Proposed Other Buildings: 0 Existing / 2 Proposed			
A. Submit copy of recorded survey.			
B. Subject property Description - A legal description (deed) and plat.			
C. Petition Requesting Annexation – Owners must complete Petition Requesting Annexation. (Exhibit A)			
D. Authorization By Property Owner – Owners must complete certifying property ownership (Exhibit B)			
Fees - annexation with same/similar zoning - \$350; annexation with rezoning - \$800.00.			
Authorization to inspect premises – I hereby authorize the Buford City Commission, the Planning Commission and their staff to inspect the premises which is the subject of this annexation application.  Signature - Owner  Signature - Owner			
Plat # 451			
For office use only: Application received: 1-2-23 Date Annexation will become effective and official: Fee received: \$ 300.00			

## Exhibit A

## PETITION REQUESTING ANNEXATION

## CITY OF BUFORD, GEORGIA

	DATE_	11-29-22
TO THE CITY COMMISSION OF THE CITY OF I	BUFORD, (	BEORGIA
1. The undersigned, as owner of all real property of requests that the City Commission annex this territor the City boundaries to include the same.	the territory y to the City	described herein, respectfully yof Buford, Georgia, and extend
2. The territory to be annexed abuts the existing bour description of such territory area is as follows:	ndary of Bu	aford, Georgia, and the
Address/Location of Property:		
0 Bennett Rd		
Tax Map Number: 08153-000017		
See description attached.		
3. It is requested that this territory to be annexed sha	ll be zoned:	M-1
For the following reasons:		
To allow for the development of two ind	lustrial d	istribution facilities
WHEREFORE, the Petitioners pray that the City Conpursuant to the provisions of the Acts of the General Laws, 1946, do by proper ordinance annex said proper Georgia.	Assembly o exty to the C	f the State of Georgia, Georgia, lity Limits of the City of Buford,
-		Owner(s)

## Exhibit B

## AUTHORIZATION BY PROPERTY OWNER

## Application for Annexation

as shown in the records of Hall County, Georgia. Selow to act as applicant in the pursuit of an annexation request of	I authorize the person named
Name of Applicant: Seefried Industrial Properties - Mar	tt Brune VP Development
Address:3333 Riverwood Parkway, Suite 200	
Atlanta, Ga 30339	
Telephone number: 404-405-4052 cell:	<del></del>
Email address:	
Signature of Owner	

#### AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BUFORD

APPLICANT Seefried Industrial Properties ADDRESS 3333 Riverwood Pkwy SE Suite 200 Atlanta, GA ZIP 30339	PROPERTY OWNERCIV Friendship Business Park II, LLC ADDRESS 1717 McKinney Ave, Suite 1900  Dallas, TX ZIP 75202
PHONE NUMBER 404-405-4052	PHONE NUMBER
CONTACT PERSON Matt Br	rune
ADDRESS OF PROPERTY 0 Bennett Rd	
PRESENT ZONING DISTRICT_AR-III	REQUESTED ZONING DISTRICT_M-1
CITY OF BUFORD LIMITS: YESNO	х
LAND DISTRICT 08 LAND LOT 153	
PROPOSED USE Development of a two buildi	ng industrial/warehouse park.
RESIDENTIAL	NON-RESIDENTIAL
NUMBER OF LOTS/DWELLING UNITS_N/A	NUMBER OF BUILDINGS/LOTS2
DWELLING UNIT SIZE (SQ. FT.) N/A	SQUARE FEET434,320
JUSTIFICATION FO	R REZONING
PLEASE DEMONSTRATE THE NEED FOR THE REQUES Rezoning of the property to M-1 would all A light industrial/warehouse buildings. Friendship and N. Bogan roads will be pro-	low for the development of two class Improvements to the intersection at
SIGNATURE OF APPLICANT DATE  Multhur K. Bruw - V.P. Development  TYRED OR PRINTED NAME AND TITLE  Deling alf Carte Hoodel 12.6.202  NOTARY PUBLIC DATE	SIGNATURE OF OWNER DATE  TYRED OR PRINTED NAME AND TITLE  NOTARY PUBLIC DATE  DATE
I HEREBY CERTIFY THAT THE ABOVE INFORMATION LAW.  SIGNATURE  JELING LYCE THE ABOVE INFORMATION DATE  DATE	IS TRUE AND CORRECT UNDER PENALTY OF
PLANNING DEPARTM	
CASE # 1-23-03 DATE RECEIVED (-2-23 RECEIVED	
	2.10-12

## REZONING APPLICANT'S RESPONSE

#### STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 1702 of the 2000 City of Buford Zoning Ordinance, the commissioners find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary.

Heces	Saiy.
(A)	Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:
<u> </u>	e proposed use is suitable with the adjacent parcels to the west which are
zo	ned M-1. Property will have direct access to major thoroughfare with close
pr	oximity to I-985 through the adjacent M-1 development. This makes it itable for industrial and commercial uses.
su	
(B)	Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
No	adverse impacts anticipated.
<del></del>	
(C)	Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
The	e AR-III zoning does not allow for the highest and best use of
	e property,
(D)	Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools:
No	excessive of burdensome use anticipated.
(E)	Whether the zoning proposal is in conformity with the policy and intent of the land use plan:
	e 2040 Future Land Use Map identifies the subject parcel as
Co	mmercial/Industrial.
(F)	Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:
	interchange between SR 347 and Interstate 985 greatly improve access to the
sit	e.

#### **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Buford Board of Commissioners.

	NO	(yes/no)
Signature of Applicant		12-6-22 Date
Type or Print Name	N.	

If the answer is yes, please complete the following section:

Name and Official position of government official	Contribution (list all which aggregate to \$250 or more)	Date contribution was made (within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.



November 29, 2022

Kim Wolfe City of Buford 2300 Buford Highway Buford, GA 30518

RE: Letter of Intent

Seefried Industrial Properties -Friendship Business Park 4764, 4740, 4626, 0, and 4556 Bennett Road

Dear Ms. Wolfe:

Seefried Industrial Properties is applying to annex and rezone 49.93 acres located at 4764, 4740, 4626, 0, and 4556 Bennett Road in unincorporated Hall County. The site is five existing parcels (08153 000008, 08153 000009, 08153 000012, 08153 000016 and 08153 000017) which are all currently zoned Hall County AR-III. M-1 (Light Industrial) zoning is proposed for the property.

Following the annexation and rezoning, Seefried Industrial Properties is proposing to construct two warehouse/distribution facilities totaling 434,320 square feet. The proposed construction will utilize a signalized intersection at Friendship Road and North Bogan Roads. An additional drive will be added to Bennett Road.

The parcels on the west are zoned M-1. The parcels to the north, east and south of the subject property are currently zoned AR-III. As currently zoned, the property does not have reasonable economic use. The proposed project will not cause an excessive or burdensome use of the existing streets based on the proposed improvements. The proposed use will have a minimal impact on the utilities and schools.

The proposed project will require three variances. One to allow tilt-up concrete construction, a second to allow modular block retaining walls in the front yard, and a third to allow for grading and replanting in the residential zoning buffers.

Sincerely,

Seefried Industrial Properties

Matt Brune, PE

Senior Development Manager

#### **LEGAL DESCRIPTION: WE-FLIP TRACT 4-A**

All that tract or parcel of land lying and being in Land Lot 153 of the 8th Land District, Hall County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #21-003; Drawing/File #21-003), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

To find the POINT OF BEGINNING, COMMENCE at a 1" open top pipe found at the intersection of the common line of Land Lots 152 and 153 with the westerly right-of-way line of Bennett Road (60' public R/W per Plat Book 781, Page 192A);

THENCE proceeding along said westerly right-of-way line of Bennett Road the following courses and distances, South 44 degrees 41 minutes 53 seconds East for a distance of 107.35 feet to a point;

THENCE along a curve to the right having a radius of 1237.49 feet for an arc length of 207.56 feet, being subtended by a chord of South 40 degrees 09 minutes 46 seconds East for a distance of 207.32 feet to a point;

THENCE along a curve to the right having a radius of 381.39 feet for an arc length of 144.85 feet, being subtended by a chord of South 24 degrees 28 minutes 39 seconds East for a distance of 143.98 feet to a point;

THENCE South 12 degrees 46 minutes 18 seconds East for a distance of 93.98 feet to a 1/2" rebar found;

THENCE along a curve to the right having a radius of 2937.46 feet for an arc length of 218.43 feet, being subtended by a chord of South 09 degrees 53 minutes 32 seconds East for a distance of 218.38 feet to a point;

THENCE South 07 degrees 45 minutes 25 seconds East for a distance of 67.43 feet to a 1/2" rebar found;

THENCE South 07 degrees 45 minutes 56 seconds East for a distance of 87.76 feet to a point;

THENCE along a curve to the left having a radius of 4404.71 feet for an arc length of 300.77 feet, being subtended by a chord of South 09 degrees 52 minutes 32 seconds East for a distance of 300.71 feet to a 1/2" rebar found;

THENCE along a curve to the left having a radius of 4404.71 feet for an arc length of 42.82 feet, being subtended by a chord of South 12 degrees 06 minutes 37 seconds East for a distance of 42.82 feet to a point;

THENCE South 12 degrees 23 minutes 15 seconds East for a distance of 153.35 feet to a 1/2" rebar found;

THENCE South 12 degrees 21 minutes 00 seconds East for a distance of 29.27 feet to a 1/2" rebar found;

THENCE South 12 degrees 22 minutes 38 seconds East for a distance of 300.08 feet to a 1/2" rebar found, said 1/2" rebar found being the POINT OF BEGINNING.

THENCE continuing along said westerly right-of-way line of Bennett Road South 12 degrees 39 minutes 00 seconds East for a distance of 118.07 feet to a 1/2" iron pin set;

THENCE departing said westerly right-of-way line of Bennett Road, South 62 degrees 05 minutes 39 seconds West for a distance of 384.20 feet to a point;

THENCE South 27 degrees 28 minutes 54 seconds West for a distance of 637.29 feet to a computed point at or near the centerline of a small stream;

THENCE proceeding along the centerline of said small stream the following courses and distances: North 08 degrees 59 minutes 46 seconds West for a distance of 9.82 feet to a computed point;

THENCE North 69 degrees 37 minutes 31 seconds West for a distance of 36.27 feet to a computed point;

THENCE North 09 degrees 13 minutes 38 seconds West for a distance of 31.49 feet to a computed point;

THENCE North 74 degrees 06 minutes 00 seconds West for a distance of 24.46 feet to a computed point;

THENCE North 10 degrees 26 minutes 24 seconds West for a distance of 23.60 feet to a computed point;

THENCE North 73 degrees 33 minutes 30 seconds West for a distance of 40.84 feet to a computed point;

THENCE North 31 degrees 01 minutes 55 seconds West for a distance of 24.01 feet to a computed point;

THENCE North 43 degrees 25 minutes 21 seconds West for a distance of 27.46 feet to a computed point;

THENCE North 57 degrees 18 minutes 13 seconds West for a distance of 28.11 feet to a computed point;

THENCE North 85 degrees 07 minutes 42 seconds West for a distance of 27.13 feet to a computed point;

THENCE North 26 degrees 34 minutes 30 seconds West for a distance of 26.16 feet to a computed point;

THENCE North 55 degrees 25 minutes 41 seconds West for a distance of 39.70 feet to a computed point;

THENCE South 68 degrees 09 minutes 32 seconds West for a distance of 34.67 feet to a computed point;

THENCE North 69 degrees 10 minutes 31 seconds West for a distance of 46.70 feet to a computed point;

THENCE North 73 degrees 34 minutes 11 seconds West for a distance of 18.81 feet to a computed point;

THENCE North 86 degrees 28 minutes 23 seconds West for a distance of 27.51 feet to a computed point;

THENCE North 12 degrees 26 minutes 02 seconds West for a distance of 16.18 feet to a computed point;

THENCE North 36 degrees 18 minutes 59 seconds West for a distance of 19.35 feet to a computed point;

THENCE North 75 degrees 25 minutes 17 seconds West for a distance of 71.36 feet to a computed point;

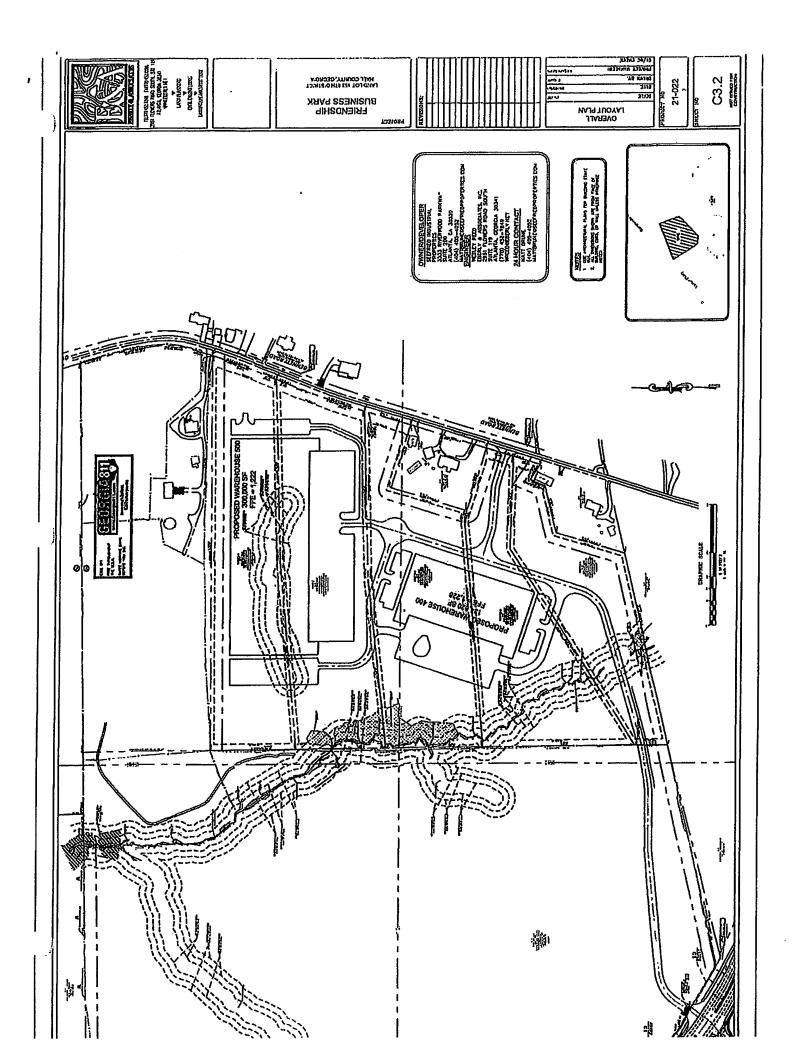
THENCE departing the centerline of said small stream North 35 degrees 14 minutes 56 seconds West for a distance of 15.79 feet to a 1/2" iron pin set;

THENCE North 55 degrees 35 minutes 49 seconds East for a distance of 924.94 feet to a 1/2" rebar found;

THENCE North 77 degrees 17 minutes 35 seconds East for a distance of 32.01 feet to a 1/2" rebar and cap found;

THENCE North 77 degrees 18 minutes 06 seconds East for a distance of 268.29 feet to a 1/2" rebar found on sald westerly right-of-way line of Bennett Road, sald 1/2" rebar found being the POINT OF BEGINNING.

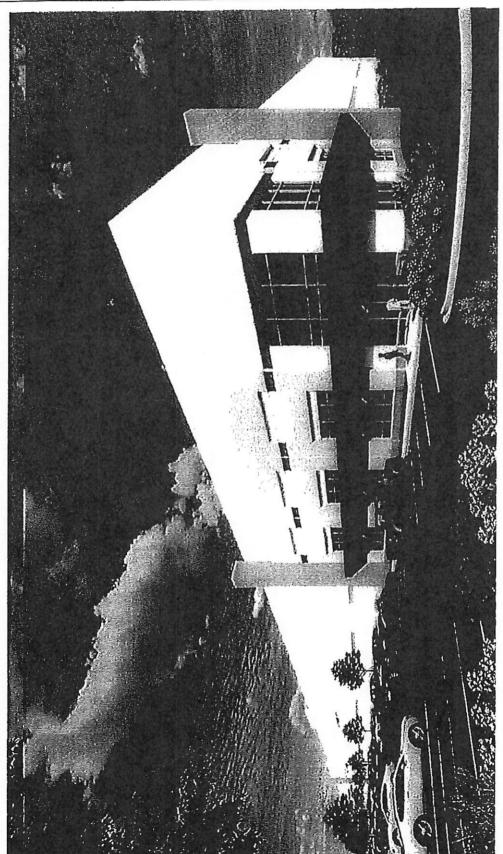
Said tract or parcel of land contains 6.704 acres or 292,052 square feet and is a portion of the same tracts or parcels of land as described in Plat Book 781, Page 192, Hall County, Georgia records.

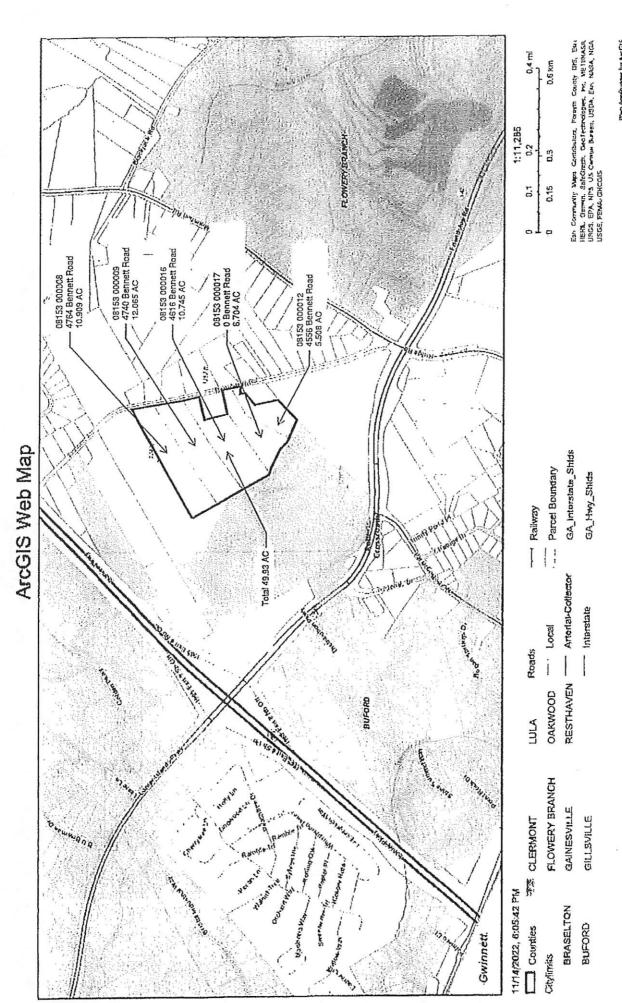




A-211

FRIENDSHIP BUSINESS PARK ENTRY VIEW







CITY OF BUFORD

Planning & Zoning Department 2300 Buford Highway Buford, GA 30518 (770) 945-6761 Planning & Zoning Departmo:

#### APPLICATION FOR ANNEXATION

Tax Map Number: 08153-000012 Date: 11-29-22			
Present Zoning: AR-III Requested Zoning: M-1			
Address of subject property: 4556 Bennett Rd  CIV Friendship Business Park II, LLL (represented by Matt			
Owner of property: Brune - Seefried Properties)			
Telephone number: 404-233-0204 cell: 404-405-4052 email: mattbrune@seefriedproperties.com			
Housing Units: 0 Existing / 0 Proposed Other Buildings: 0 Existing / 2 Proposed			
<ul> <li>A. Submit copy of recorded survey.</li> <li>B. Subject property Description – A legal description (deed) and plat.</li> </ul>			
<ul> <li>C. Petition Requesting Annexation – Owners must complete Petition Requesting Annexation.</li> <li>(Exhibit A)</li> </ul>			
<ul> <li>D. Authorization By Property Owner – Owners must complete certifying property ownership (Exhibit B)</li> </ul>			
Fees - annexation with same/similar zoning - \$350; annexation with rezoning - \$800.00.			
Authorization to inspect premises — I hereby authorize the Buford City Commission, the Planning Commission and their staff to inspect the premises which is the subject of this annexation application.			
Signature - Owner Signature- Owner			
Plat # 650			
For office use only:			
Application received: 1-2-23  Date Annexation will become effective and official:			
Fee received: \$ 800.00			

#### Exhibit A

## PETITION REQUESTING ANNEXATION

## CITY OF BUFORD, GEORGIA

DATE\_

Respectfully submitted,

Owner(s)

TO THE CITY COMMISSION OF THE CITY OF BUFORD, GEORGIA
1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Commission annex this territory to the City of Buford, Georgia, and extend the City boundaries to include the same.
2. The territory to be annexed abuts the existing boundary of Buford, Georgia, and the description of such territory area is as follows:
Address/Location of Property:
4556 Bennett Rd
Tax Map Number:
See description attached.
3. It is requested that this territory to be annexed shall be zoned:
For the following reasons:
To allow for the development of two industrial distribution facilities
WHEREFORE, the Petitioners pray that the City Commission of the City of Buford, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia, Laws, 1946, do by proper ordinance annex said property to the City Limits of the City of Buford, Georgia.

#### Exhibit B

#### **AUTHORIZATION BY PROPERTY OWNER**

## Application for Annexation

	County, Georgia. I authorize the pursuit of an annexation request of this property in the pursuit of an annexation request of this property.	
	fried Industrial Properties - Matt Brune V	P Development
Address: 3333 River	wood Parkway, Suite 200	
Atlanta, G	a 30339	
Telephone number:	4-405-4052cell:	
Email address: mattbru	ne@seefriedproperties.com	
	100h	
	Signature of Owner	
	Signature of Owner	
	Signature of Owner	······································
	Signature of Owner	

#### AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BUFORD

ADDRESS3333 Riverwood Pkwy SE Suite 200 Atlanta, GA ZIP 30339			
PHONE NUMBER 404-405-4052	PHONE NUMBER		
CONTACT PERSON Matt Brune			
ADDRESS OF PROPERTY 4556 Bennett Rd			
PRESENT ZONING DISTRICT AR-III	REQUESTED ZONING DISTRICT M-1		
CITY OF BUFORD LIMITS: YES NO	<u>x</u>		
LAND DISTRICT 08 LAND LOT 153			
PROPOSED USE Development of a two buildi	ng industrial/warehouse park,		
RESIDENTIAL	NON-RESIDENTIAL		
NUMBER OF LOTS/DWELLING UNITS_N/A	NUMBER OF BUILDINGS/LOTS 2		
DWELLING UNIT SIZE (SQ. FT.) N/A	SQUARE FEET434,320		
<u>JUSTIFICATION FO</u>	OR REZONING		
PLEASE DEMONSTRATE THE NEED FOR THE REQUES Rezoning of the property to M-1 would al A light industrial/warehouse buildings. Friendship and N. Bogan roads will be pr	low for the development of two class Improvements to the intersection at		
SIGNATURE OF APPLICANT DATE  Matthew & Brun J. P. Derusymus  TYPED OR PRINTED NAME AND TITLE	SIGNATURE OF OWNER DATE  TYPED ON PRINTED NAME AND TITLE  NOTARY PUBLIC DATE  DATE  DATE  DATE  DATE  DATE  DATE		
HEREBY CERTIFY THAT THE ABOVE INFORMATION  CAY.  SIGNATURE  LACE THORSE DATE  DATE			
PLANNING DEPARTM	IENT USE ONLY		
case# <u>7-33-9</u> date received <u>(^2-23</u> recei	ved by <u>w</u> receipt <u>30342</u> fee <u>800.00</u> 2-14-27 3-6-2-3		

#### **REZONING APPLICANT'S RESPONSE**

## STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 1702 of the 2000 City of Buford Zoning Ordinance, the commissioners find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as

necess	eary.
(A)	Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:
pro	e proposed use is suitable with the adjacent parcels to the west which are sed M-1. Property will have direct access to major thoroughfare with close eximity to I-985 through the adjacent M-1 development. This makes it table for industrial and commercial uses.
(B)	Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
No	adverse impacts anticipated.
	Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:  AR-III zoning does not allow for the highest and best use of property.
(D) No	Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools: excessive of burdensome use anticipated.
	Whether the zoning proposal is in conformity with the policy and intent of the land use plan:
	2040 Future Land Use Map identifies the subject parcel as mercial/Industrial.
·	Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:
site	interchange between SR 347 and Interstate 985 greatly improve access to the

## **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Buford Board of Commissioners.

	NO	(yes/no)
Signature of Applicant		12-6-22 Date
Type or Print Name	in	

If the answer is yes, please complete the following section:

Name and Official position of government official	Contribution (list all which aggregate to \$250 or more)	Date contribution was made (within last two years)
	P	
	· · · · · · · · · · · · · · · · · · ·	

Attach additional sheets if necessary to disclose or describe all contributions.



November 29, 2022

Kim Wolfe City of Buford 2300 Buford Highway Buford, GA 30518

RE: Letter of Intent Seefried Industrial Properties -Friendship Business Park 4764, 4740, 4626, 0, and 4556 Bennett Road

Dear Ms. Wolfe:

Seefried Industrial Properties is applying to annex and rezone 49.93 acres located at 4764, 4740, 4626, 0, and 4556 Bennett Road in unincorporated Hall County. The site is five existing parcels (08153 000008, 08153 000009, 08153 000012, 08153 000016 and 08153 000017) which are all currently zoned Hall County AR-III. M-1 (Light Industrial) zoning is proposed for the property.

Following the annexation and rezoning, Seefried Industrial Properties is proposing to construct two warehouse/distribution facilities totaling 434,320 square feet. The proposed construction will utilize a signalized intersection at Friendship Road and North Bogan Roads. An additional drive will be added to Bennett Road.

The parcels on the west are zoned M-1. The parcels to the north, east and south of the subject property are currently zoned AR-III. As currently zoned, the property does not have reasonable economic use. The proposed project will not cause an excessive or burdensome use of the existing streets based on the proposed improvements. The proposed use will have a minimal impact on the utilities and schools.

The proposed project will require three variances. One to allow tilt-up concrete construction, a second to allow modular block retaining walls in the front yard, and a third to allow for grading and replanting in the residential zoning buffers.

Sincerely,

Seefried Industrial Properties

Matt Brune, PE

Senior Development Manager

#### **LEGAL DESCRIPTION: WE-FLIP TRACT 5-A**

All that tract or parcel of land lying and being in Land Lot 153 of the 8th Land District, Hall County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #21-003; Drawing/File #21-003), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

To find the POINT OF BEGINNING, COMMENCE at a 1" open top pipe found at the intersection of the common line of Land Lots 152 and 153 with the westerly right-of-way line of Bennett Road (60' public R/W per Plat Book 781, Page 192A);

THENCE proceeding along said westerly right-of-way line of Bennett Road the following courses and distances, South 44 degrees 41 minutes 53 seconds East for a distance of 107.35 feet to a point;

THENCE along a curve to the right having a radius of 1237.49 feet for an arc length of 207.56 feet, being subtended by a chord of South 40 degrees 09 minutes 46 seconds East for a distance of 207.32 feet to a point;

THENCE along a curve to the right having a radius of 381.39 feet for an arc length of 144.85 feet, being subtended by a chord of South 24 degrees 28 minutes 39 seconds East for a distance of 143.98 feet to a point;

THENCE South 12 degrees 46 minutes 18 seconds East for a distance of 93.98 feet to a 1/2" rebar found;

THENCE along a curve to the right having a radius of 2937.46 feet for an arc length of 218.43 feet, being subtended by a chord of South 09 degrees 53 minutes 32 seconds East for a distance of 218.38 feet to a point;

THENCE South 07 degrees 45 minutes 25 seconds East for a distance of 67.43 feet to a 1/2" rebar found;

THENCE South 07 degrees 45 minutes 56 seconds East for a distance of 87.76 feet to a point;

THENCE along a curve to the left having a radius of 4404.71 feet for an arc length of 300.77 feet, being subtended by a chord of South 09 degrees 52 minutes 32 seconds East for a distance of 300.71 feet to a 1/2" rebar found;

THENCE along a curve to the left having a radius of 4404.71 feet for an arc length of 42.82 feet, being subtended by a chord of South 12 degrees 06 minutes 37 seconds East for a distance of 42.82 feet to a point;

THENCE South 12 degrees 23 minutes 15 seconds East for a distance of 153.35 feet to a 1/2" rebar found;

THENCE South 12 degrees 21 minutes 00 seconds East for a distance of 29.27 feet to a 1/2" rebar found;

THENCE South 12 degrees 22 minutes 38 seconds East for a distance of 300.08 feet to a 1/2" rebar found;

THENCE South 12 degrees 39 minutes 00 seconds East for a distance of 118.07 feet to a 1/2" iron pin set, said 1/2" iron pin set being the POINT OF BEGINNING.

THENCE continuing along said westerly right-of-way line of Bennett Road South 12 degrees 39 minutes 00 seconds East for a distance of 118.07 feet to a 1" open top pipe found;

THENCE departing said westerly right-of-way line of Bennett Road, North 84 degrees 47 minutes 09 seconds West for a distance of 75.31 feet to a 1/4" rebar found:

THENCE South 06 degrees 45 minutes 42 seconds East for a distance of 69.70 feet to a 1/2" rebar found;

THENCE South 46 degrees 46 minutes 58 seconds West for a distance of 199.50 feet to a 1/2" rebar found;

THENCE South 12 degrees 43 minutes 52 seconds East for a distance of 300.01 feet to a 1/4" rebar found;

THENCE South 46 degrees 48 minutes 10 seconds West for a distance of 401.06 feet to a 1/2" Iron pin set;

THENCE North 47 degrees 55 minutes 39 seconds West for a distance of 50.95 feet to a computed point at or near the centerline of a small stream;

THENCE proceeding along the centerline of said small stream the following courses and distances: North 83 degrees 27 minutes 53 seconds West for a distance of 14.54 feet to a computed point;

THENCE North 21 degrees 54 minutes 26 seconds West for a distance of 44.84 feet to a computed point;

THENCE South 75 degrees 45 minutes 56 seconds West for a distance of 34.96 feet to a computed point;

THENCE North 54 degrees 38 minutes 50 seconds West for a distance of 84.16 feet to a computed point;

THENCE North 89 degrees 37 minutes 53 seconds West for a distance of 18.81 feet to a computed point;

THENCE North 81 degrees 02 minutes 57 seconds West for a distance of 12.27 feet to a computed point;

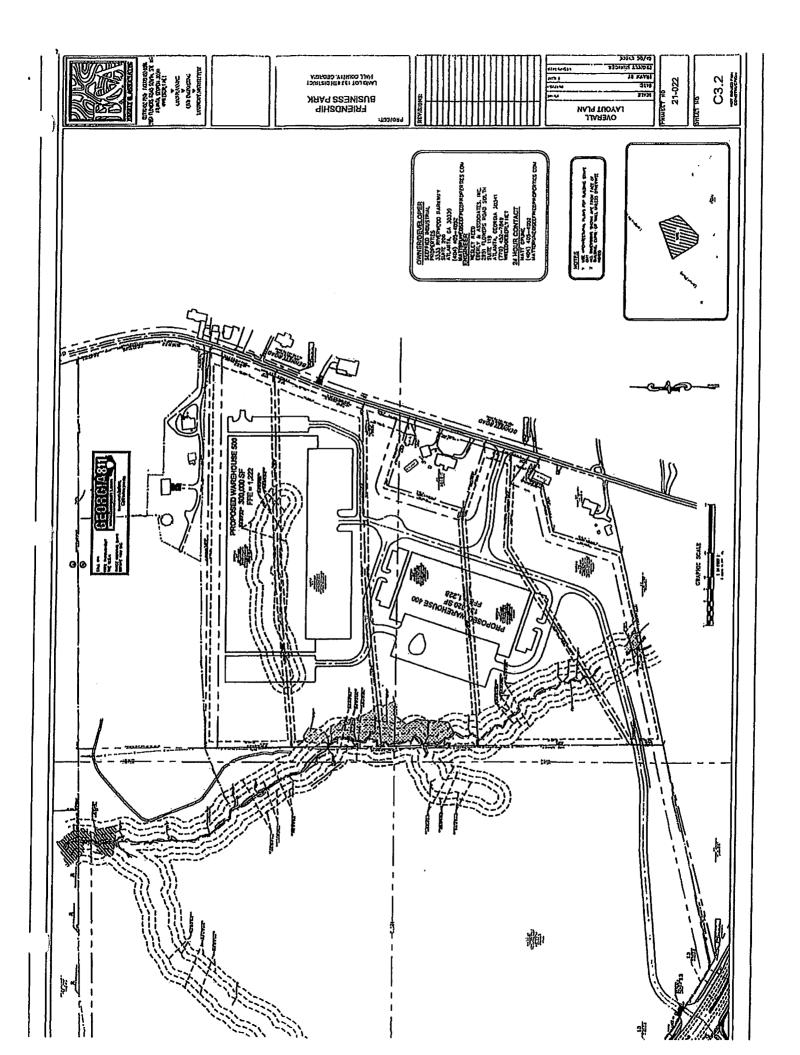
THENCE North 64 degrees 05 minutes 27 seconds West for a distance of 19.19 feet to a computed point;

THENCE North 08 degrees 59 minutes 46 seconds West for a distance of 8.35 feet to a computed point;

THENCE departing the centerline of said small stream North 27 degrees 28 minutes 54 seconds East for a distance of 637.29 feet to a point;

THENCE North 62 degrees 05 minutes 39 seconds East for a distance of 384.20 feet to a 1/2" iron pin set on said westerly right-of-way line of Bennett Road, said 1/2" iron pin set being the POINT OF BEGINNING.

Said tract or parcel of land contains 5.508 acres or 239,911 square feet and is a portion of the same tracts or parcels of land as described in Plat Book 781, Page 192, Hall County, Georgia records.





ENTRY VIEW

ArcGIS Web Map 08153 000008 4764 Bennett Road 10.909 AC 08153 000009 4740 Bennett Road 12.065 AC 08153 000016 4616 Bennett Road 10.745 AC 08\*53 000017 0 Bennett Road 6.704 AC 08153 000012 4556 Bennett Road 5.508 AC FLOWERY BRANCH BUFORD Gwinnett 11/14/2022, 6:05:42 PM 1:11.285 Counties CLERMONT LULA Roads 0,2 0,4 mi Railway Citylimits FLOWERY BRANCH OAKWOOD 0.15 0.3 D.S KIM Parcel Boundary BRASELTON GAINESVILLE RESTHAVEN Arterial-Collector GA\_Interstate\_Shids Est. Community Wass Contributors, Fortyth County GHS, Est. BUFORD HERE, Garrin, SafeGrigh, Geotethnologies, Inc. Me IDNASA. 118GS, EPA, HPS US C-MUN BLEBRI, USDA, EN-NASA, NGA GILLSVILLE - Interstate GA\_Hwy\_Shids

USGS, FENA, GHCGIS

## RECEIVED JAN 0 6 2023

CITY OF BUFORD

Planning & Zoning Department 2300 Buford Highway Buford, GA 30518 (770) 945-6761

Planning & Zoning Department

#### APPLICATION FOR ANNEXATION

Tax Map Number: Date:	-29-22
Present Zoning: Requested Zoning	; <u>M-1</u>
Address of subject property: 4616 Bennett Rd  CIV Friendship Business Park II, LLL (r.	enresented by Matt
Owner of property: Brune - Seefried Properties)	
Telephone number: 404-233-0204 cell: 404-405-4052 ema	il:mattbrune@seefriedproperties.com
Housing Units:0 Existing / 0 Proposed Other Buildings:0 H	Existing / 2 Proposed
A. Submit copy of recorded survey.	
B. Subject property Description - A legal description (deed) and plat.	
C. Petition Requesting Annexation – Owners must complete Petition R (Exhibit A)	equesting Annexation.
D. Authorization By Property Owner - Owners must complete certifyin (Exhibit B)	g property ownership
Fees - annexation with same/similar zoning - \$350; annexation with rez	oning - \$800,00.
Authorization to inspect premises — I hereby authorize the Buford City Commission and their staff to inspect the premises which is the subject of	
Signature - Owner Signature- Owner	
Plat	\$ 662
For office use only:	
Application received: <u>「つんつみろ</u> Date Annexation will become effective and official:	
Fee received: \$ 500.00	

#### Exhibit A

## PETITION REQUESTING ANNEXATION

## CITY OF BUFORD, GEORGIA

DATE11-29-22
TO THE CITY COMMISSION OF THE CITY OF BUFORD, GEORGIA
1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Commission annex this territory to the City of Buford, Georgia, and exter the City boundaries to include the same.
2. The territory to be annexed abuts the existing boundary of Buford, Georgia, and the description of such territory area is as follows:
Address/Location of Property:
4616 Bennett Rd
Tax Map Number:
See description attached.
3. It is requested that this territory to be annexed shall be zoned:
For the following reasons:
To allow for the development of two industrial distribution facilities
WHEREFORE, the Petitioners pray that the City Commission of the City of Buford, Georgia, pursuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia Laws, 1946, do by proper ordinance annex said property to the City Limits of the City of Buford Georgia.  Respectfully submitted,  Owner(s)
Owner(s)

#### Exhibit B

#### **AUTHORIZATION BY PROPERTY OWNER**

## · Application for Annexation

	perty which is the subject matter of the attached application to the person named it of an annexation request of this property.
Name of Applicant:Seefried Inde	ustrial Properties - Matt Brune VP Development
Address: 3333 Riverwood Park	way, Suite 200
Atlanta, Ga 30339	
Telephone number:	cell:
Email address:mattbrune@seefri	TMM.
3	Signature of Owner
\$	Signature of Owner
Ē	Signature of Owner
Ī	Signature of Owner

#### AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BUFORD

APPLICANT Seefried Industrial Properties ADDRESS 3333 Riverwood Pkwy SE Suite 200 Atlanta, GA ZIP 30339	PROPERTY OWNERCIV Friendship Business Park II, LLC ADDRESS 1717 McKinney Ave, Suite 1900  Dallas, TX ZIP 75202
PHONE NUMBER 404-405-4052	PHONE NUMBER
CONTACT PERSON Matt Br	une
ADDRESS OF PROPERTY 4616 Bennett Rd	
PRESENT ZONING DISTRICT_AR-III	REQUESTED ZONING DISTRICT_M-1
CITY OF BUFORD LIMITS: YES NO	<u> </u>
LAND DISTRICT 08 LAND LOT 153	PARCEL 000016 ACREAGE 10.745
PROPOSED USE Development of a two building	ng industrial/warehouse park.
RESIDENTIAL	NON-RESIDENTIAL
NUMBER OF LOTS/DWELLING UNITS_N/A	NUMBER OF BUILDINGS/LOTS 2
DWELLING UNIT SIZE (SQ. FT.) N/A	SQUARE FEET 434,320
JUSTIFICATION FOI	REZONING
PLEASE DEMONSTRATE THE NEED FOR THE REQUES Rezoning of the property to M-1 would all A light industrial/warehouse buildings. Friendship and N. Bogan roads will be pro	low for the development of two class Improvements to the intersection at
	SIGNATURE OF OWNER DATE  TYPED OR PRINTED NAME AND RITLE  LIGHTLE LUGCH TX OTEL 12. (6. 2022)  NOTARY PUBLIC DATE
I HEREBY CERTIFY THAT THE ABOVE INFORMATION CAY.  SELILLE CYCLE TRODE 12.Co. 25  SIGNATURE DATE	T TOWN AND AND PHONES
PLANNING DEPARTMI	ENT USE ONLY
CASE # [] DATE RECEIVED 1-1-13 RECEIVED	PED BY WW RECEIPT 3382 FEE 800-00 2-14-03 3-6-13

#### **REZONING APPLICANT'S RESPONSE**

#### STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 1702 of the 2000 City of Buford Zoning Ordinance, the commissioners find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary.

necessa	ry.
	Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:
	proposed use is suitable with the adjacent parcels to the west which are
	d M-1. Property will have direct access to major thoroughfare with close
-	imity to I-985 through the adjacent M-1 development. This makes it
	able for industrial and commercial uses.
	Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
No a	adverse impacts anticipated.
ľ	Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
	AR-III zoning does not allow for the highest and best use of
the	property.
Ò	Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools:
p The	Whether the zoning proposal is in conformity with the policy and intent of the land use plan:  2040 Future Land Use Map identifies the subject parcel as mercial/Industrial.
d d	Whether there are other existing or changing conditions affecting the use and evelopment of the property which give supporting grounds for either approval or isapproval of the zoning proposal:  Interchange between SR 347 and Interstate 985 greatly improve access to the
site.	

## **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Buford Board of Commissioners.

	No	(yes/no)
Signature of Applicant	*	12 - 6 - 22 ·
Type or Print Name	ب	

If the answer is yes, please complete the following section:

Name and Official position of government official	Contribution (list all which aggregate to \$250 or more)	Date contribution was made (within last two years)
***************************************		
	•	

Attach additional sheets if necessary to disclose or describe all contributions.



November 29, 2022

Kim Wolfe City of Buford 2300 Buford Highway Buford, GA 30518

RE: Letter of Intent Seefried Industrial Properties -Friendship Business Park 4764, 4740, 4626, 0, and 4556 Bennett Road

Dear Ms. Wolfe:

Seefried Industrial Properties is applying to annex and rezone 49.93 acres located at 4764, 4740, 4626, 0, and 4556 Bennett Road in unincorporated Hall County. The site is five existing parcels (08153 000008, 08153 000009, 08153 000012, 08153 000016 and 08153 000017) which are all currently zoned Hall County AR-III. M-1 (Light Industrial) zoning is proposed for the property.

Following the annexation and rezoning, Seefried Industrial Properties is proposing to construct two warehouse/distribution facilities totaling 434,320 square feet. The proposed construction will utilize a signalized intersection at Friendship Road and North Bogan Roads. An additional drive will be added to Bennett Road.

The parcels on the west are zoned M-1. The parcels to the north, east and south of the subject property are currently zoned AR-III. As currently zoned, the property does not have reasonable economic use. The proposed project will not cause an excessive or burdensome use of the existing streets based on the proposed improvements. The proposed use will have a minimal impact on the utilities and schools.

The proposed project will require three variances. One to allow tilt-up concrete construction, a second to allow modular block retaining walls in the front yard, and a third to allow for grading and replanting in the residential zoning buffers.

Sincerely,

Seefried Industrial Properties

Matt Brune, PE

Senior Development Manager

#### **LEGAL DESCRIPTION: WE-FLIP TRACT 3-A**

All that tract or parcel of land lying and being in Land Lot 153 of the 8th Land District, Hall County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #21-003; Drawing/File #21-003), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

To find the POINT OF BEGINNING, COMMENCE at a 1" open top pipe found at the Intersection of the common line of Land Lots 152 and 153 with the westerly right-of-way line of Bennett Road (60' public R/W per Plat Book 781, Page 192A);

THENCE proceeding along said westerly right-of-way line of Bennett Road the following courses and distances: South 44 degrees 41 minutes 53 seconds East for a distance of 107.35 feet to a point;

THENCE along a curve to the right having a radius of 1237.49 feet for an arc length of 207.56 feet, being subtended by a chord of South 40 degrees 09 minutes 46 seconds East for a distance of 207.32 feet to a point;

THENCE along a curve to the right having a radius of 381.39 feet for an arc length of 144.85 feet, being subtended by a chord of South 24 degrees 28 minutes 39 seconds East for a distance of 143.98 feet to a point;

THENCE South 12 degrees 46 minutes 18 seconds East for a distance of 93.98 feet to a 1/2" rebar found;

THENCE along a curve to the right having a radius of 2937.46 feet for an arc length of 218.43 feet, being subtended by a chord of South 09 degrees 53 minutes 32 seconds East for a distance of 218.38 feet to a point;

THENCE South 07 degrees 45 minutes 25 seconds East for a distance of 67.43 feet to a 1/2" rebar found;

THENCE South 07 degrees 45 minutes 56 seconds East for a distance of 87.76 feet to a point;

THENCE along a curve to the left having a radius of 4404.71 feet for an arc length of 300.77 feet, being subtended by a chord of South 09 degrees 52 minutes 32 seconds East for a distance of 300.71 feet to a 1/2" rebar found, said 1/2" rebar found being the POINT OF BEGINNING.

THENCE continuing along said westerly right-of-way line of Bennett Road the following courses and distances: along a curve to the left having a radius of 4404.71 feet for an arc length of 42.82 feet, being subtended by a chord of South 12 degrees 06 minutes 37 seconds East for a distance of 42.82 feet to a point;

THENCE South 12 degrees 23 minutes 15 seconds East for a distance of 153.35 feet to a 1/2" rebar found;

THENCE departing said westerly right-of-way line of Bennett Road, South 77 degrees 15 minutes 34 seconds West for a distance of 270.06 feet to a 1/2" rebar found;

THENCE South 12 degrees 40 minutes 56 seconds East for a distance of 329.14 feet to a rebar and cap found;

THENCE South 77 degrees 17 minutes 35 seconds West for a distance of 32.01 feet to a 1/2" rebar found;

THENCE South 55 degrees 35 minutes 49 seconds West for a distance of 951.28 feet to a 1/2" rebar found;

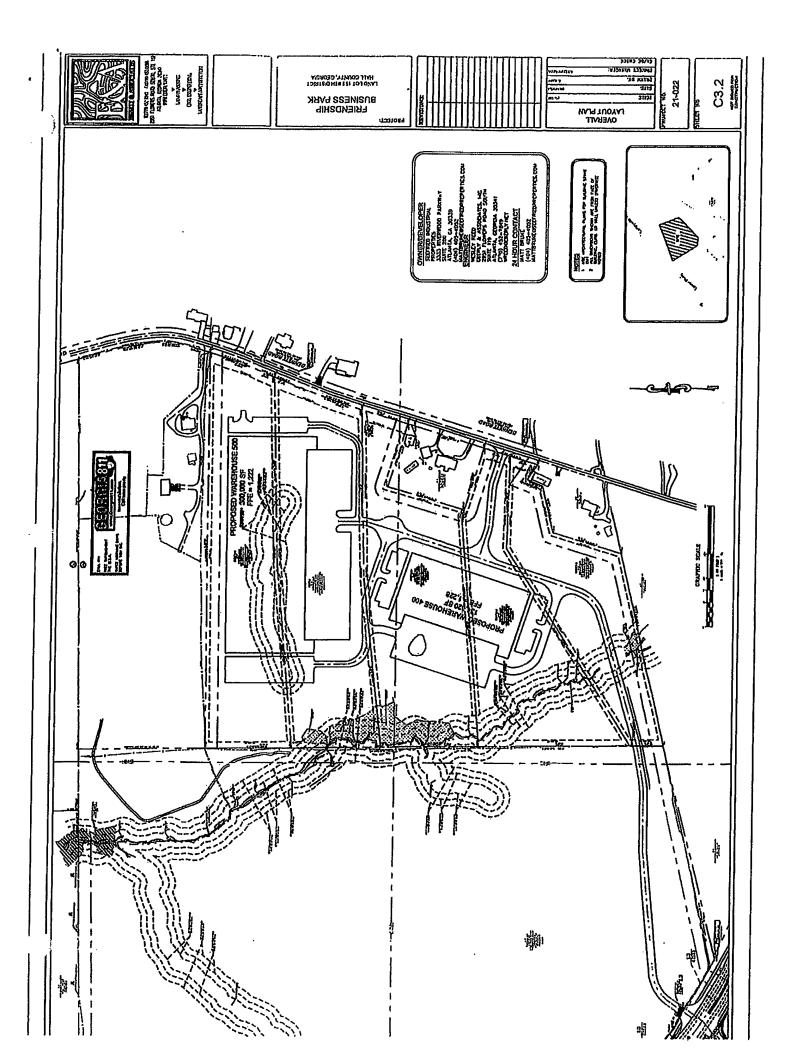
THENCE North 29 degrees 50 minutes 56 seconds West for a distance of 399.86 feet to a point;

) iday

THENCE North 54 degrees 07 minutes 39 seconds East for a distance of 699.94 feet to a point;

THENCE North 58 degrees 55 minutes 38 seconds East for a distance of 697.26 feet to a 1/2" rebar found on said westerly right-of-way line of Bennett Road, said 1/2" rebar found being the POINT OF BEGINNING.

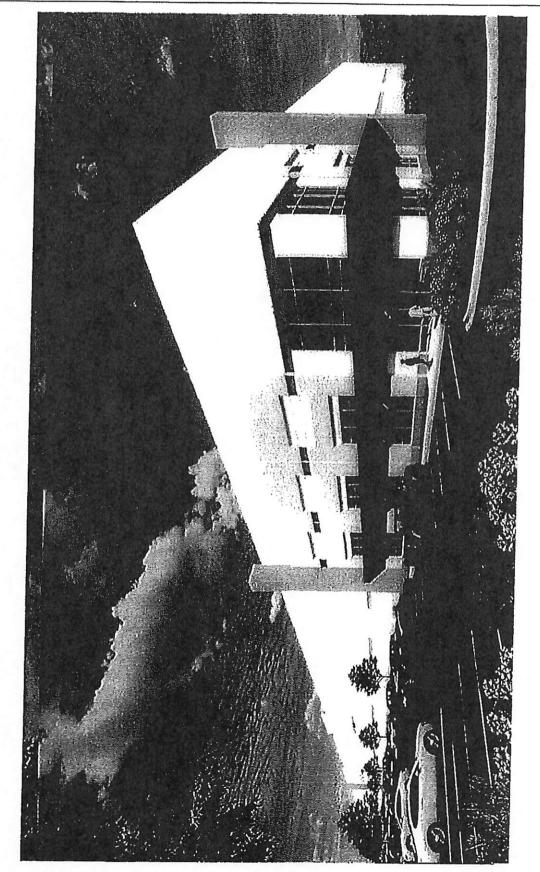
Said tract or parcel of land contains 10.745 acres or 468,046 square feet and is a portion of the same tracts or parcels of land as described in Plat Book 781, Page 192, Hall County, Georgia records.

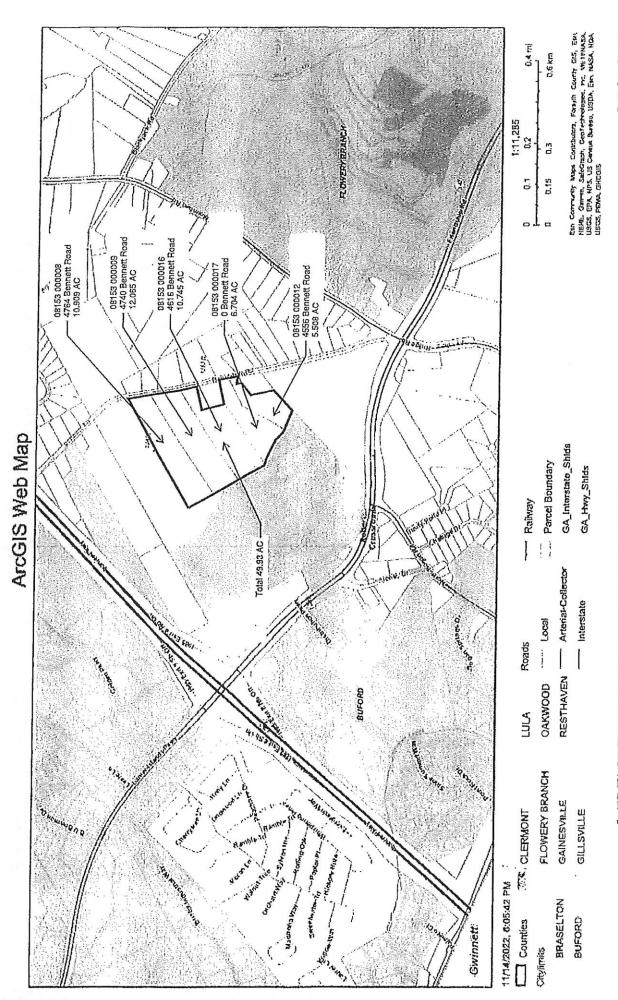




ENTRY VIEW

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CITY OF BUFORD

Planning & Zoning Department 2300 Buford Highway Buford, GA 30518 (770) 945-6761 Planning & Zoning Department

### APPLICATION FOR ANNEXATION

Tax Map Number:	08153-000009	Date:	11-29-22
Present Zoning:	R-III	_ Requested Zon	ning: M-1
	roperty: 4740 Bennett Rd CIV Friendship Business	Park II, LLL	(represented by Matt
	Brune - Seefried Proper		-
Telephone number:	404-233-0204 cell: 404	1-405-4052	email:mattbrune@seefriedproperties.com
Housing Units: 0 E	Existing / 0 Proposed O	ther Buildings:	0 Existing / 2 Proposed
A. Submit copy of re	ecorded survey.		
B. Subject property l	Description – A legal descripti	on (deed) and pla	at.
C. Petition Requestin (Exhibit A)	ng Annexation – Owners must	complete Petitio	n Requesting Annexation.
D. Authorization By (Exhibit B)	Property Owner – Owners mu	st complete certi	fying property ownership
Fees - annexation wit	th same/similar zoning - \$350;	annexation with	rezoning - \$800.00,
Commission and their	ect premises — I hereby author r staff to inspect the premises v	which is the subj	ect of this annexation application.
Signature - Owner		Signature-Own	er
		β	lat 4 653
For office use only: Application received: Date Annexation will Fee received: \$ 200	become effective and official:		
Lee leceiven. & Son			

### Exhibit A

### PETITION REQUESTING ANNEXATION

### CITY OF BUFORD, GEORGIA

3	DATE 11-23-22
TO THE CITY COMMISSION OF THE CITY OF BUI	FORD, GEORGIA

1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Commission annex this territory to the City of Buford, Georgia, and extend the City boundaries to include the same.

	The territory to be annexed abuts the existing boundary of Buford, Georgia, and the scription of such territory area is as follows:
	Address/Location of Property:
	4740 Bennett Rd
	Tax Map Number:
	See description attached.
3.	It is requested that this territory to be annexed shall be zoned:
	For the following reasons:
	To allow for the development of two industrial distribution facilities
pw La	HEREFORE, the Petitioners pray that the City Commission of the City of Buford, Georgia, suant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia, ws, 1946, do by proper ordinance annex said property to the City Limits of the City of Buford, orgia.
	Respectfully submitted.
	Owner(s)
	O 111404 (D)

### Exhibit B

### AUTHORIZATION BY PROPERTY OWNER

### Application for Annexation

as shown in the records of Hall County, Georgia. I authorise to act as applicant in the pursuit of an annexation request of this	
Name of Applicant: Seefried Industrial Properties - Matt B	rune VP Development
Address:3333 Riverwood Parkway, Suite 200	
Atlanta, Ga 30339	
Telephone number:404-405-4052cell:	
Email address:	•
Signature of Owner	

### AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BUFORD

APPLICANT Seefried Industrial Properties ADDRESS 3333 Riverwood Pkwy SE Suite 200 Atlanta, GA ZIP 30339	PROPERTY OWNERCIV Friendship Business Park II, LLC ADDRESS 1717 McKinney Ave, Suite 1900 Dallas, TX ZIP 75202
PHONE NUMBER 404-405-4052	PHONE NUMBER
CONTACT PERSON Matt Br	rune
ADDRESS OF PROPERTY 4740 Bennett Rd	
PRESENT ZONING DISTRICT AR-III	REQUESTED ZONING DISTRICT_M-1
CITY OF BUFORD LIMITS: YESNO:	X
LAND DISTRICT 08 LAND LOT 153	PARCEL 000009 ACREAGE 12.065
PROPOSED USE Development of a two buildi	ng industrial/warehouse park.
RESIDENTIAL	NON-RESIDENTIAL
NUMBER OF LOTS/DWELLING UNITS_ N/A	NUMBER OF BUILDINGS/LOTS 2
DWELLING UNIT SIZE (SQ. FT.) N/A	SQUARE FEET434,320
JUSTIFICATION FO	R REZONING
PLEASE DEMONSTRATE THE NEED FOR THE REQUES Rezoning of the property to M-1 would al A light industrial/warehouse buildings. Friendship and N. Bogan roads will be pro-	low for the development of two class Improvements to the intersection at
PYRED OR PRINTED NAME AND TITLE  Deliu a 1100 a Hort of 12. (0.2022	SIGNATURE OF OWNER DATE  FYPED OR PRINTED NAME AND TITLE  NOTARY PUBLIC DATE  DATE
I HEREBY CERTIFY THAT THE ABOVE INFORMATION	IS TRUE AND CORRECT UNDER PENALTY OF
SIGNATURE LYCG TA OLE 12.6.2000  PLANNING DEPARTMENT	Notary Public, State of 16263  Comm. Expires 09-26-2023  Notary ID 132189530
CASE# <u>2-23-05</u> DATE RECEIVED <u>(-2-23</u> RECEIV	PED BY W RECEIPT 30362 FEE 800.00 3-6-3-3

### **REZONING APPLICANT'S RESPONSE**

### STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 1702 of the 2000 City of Buford Zoning Ordinance, the commissioners find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

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necess	eary.
(A)	Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:
zor	e proposed use is suitable with the adjacent parcels to the west which are need M-1. Property will have direct access to major thoroughfare with close eximity to I-985 through the adjacent M-1 development. This makes it table for industrial and commercial uses.
(B)	Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:  adverse impacts anticipated.
	Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:  AR-III zoning does not allow for the highest and best use of property.
(D)	Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools: excessive of burdensome use anticipated.
(E)	Whether the zoning proposal is in conformity with the policy and intent of the land use plan:  e 2040 Future Land Use Map identifies the subject parcel as mmercial/Industrial.
(F)	Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:  interchange between SR 347 and Interstate 985 greatly improve access to the e.
<del> </del>	

, delay

### **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Buford Board of Commissioners.

<b>W</b> )0.	(yes/no)
DM.	12-6-22
Signature of Applicant	Date
Type or Print Name	-

If the answer is yes, please complete the following section:

Name and Official position of government official	Contribution (list all which aggregate to \$250 or more)	Date contribution was made (within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.



November 29, 2022

Kim Wolfe City of Buford 2300 Buford Highway Buford, GA 30518

RE: Letter of Intent

Seefried Industrial Properties -Friendship Business Park 4764, 4740, 4626, 0, and 4556 Bennett Road

Dear Ms. Wolfe:

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The parcels on the west are zoned M-1. The parcels to the north, east and south of the subject property are currently zoned AR-III. As currently zoned, the property does not have reasonable economic use. The proposed project will not cause an excessive or burdensome use of the existing streets based on the proposed improvements. The proposed use will have a minimal impact on the utilities and schools.

The proposed project will require three variances. One to allow tilt-up concrete construction, a second to allow modular block retaining walls in the front yard, and a third to allow for grading and replanting in the residential zoning buffers.

Sincerely,

Seefried Industrial Properties

Matt Brune, PE

Senior Development Manager

### **LEGAL DESCRIPTION: WE-FLIP TRACT 2**

All that tract or parcel of land lying and being in Land Lot 153 of the 8th Land District, Hall County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #21-003; Drawing/File #21-003), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

To find the POINT OF BEGINNING, COMMENCE at a 1" open top pipe found at the intersection of the common line of Land Lots 152 and 153 with the westerly right-of-way line of Bennett Road (60' public R/W per Plat Book 781, Page 192A);

THENCE proceeding along said westerly right-of-way line of Bennett Road the following courses and distances, South 44 degrees 41 minutes 53 seconds East for a distance of 107.35 feet to a point;

THENCE along a curve to the right having a radius of 1237.49 feet for an arc length of 207.56 feet, being subtended by a chord of South 40 degrees 09 minutes 46 seconds East for a distance of 207.32 feet to a point;

THENCE along a curve to the right having a radius of 381.39 feet for an arc length of 144.85 feet, being subtended by a chord of South 24 degrees 28 minutes 39 seconds East for a distance of 143.98 feet to a point;

THENCE South 12 degrees 46 minutes 18 seconds East for a distance of 93.98 feet to a 1/2" rebar found;

THENCE along a curve to the right having a radius of 2937.46 feet for an arc length of 218.43 feet, being subtended by a chord of South 09 degrees 53 minutes 32 seconds East for a distance of 218.38 feet to a point;

THENCE South 07 degrees 45 minutes 25 seconds East for a distance of 67.43 feet to a 1/2" rebar found, said 1/2" rebar found being the POINT OF BEGINNING.

THENCE continuing along said westerly right-of-way line of Bennett Road the following courses and distances: South 07 degrees 45 minutes 56 seconds East for a distance of 87.76 feet to a point;

THENCE along a curve to the left having a radius of 4404.71 feet for an arc length of 300.77 feet, being subtended by a chord of South 09 degrees 52 minutes 32 seconds East for a distance of 300.71 feet to a 1/2" rebar found:

THENCE departing said westerly right-of-way line of Bennett Road South 58 degrees 55 minutes 38 seconds West for a distance of 697.26 feet to a point;

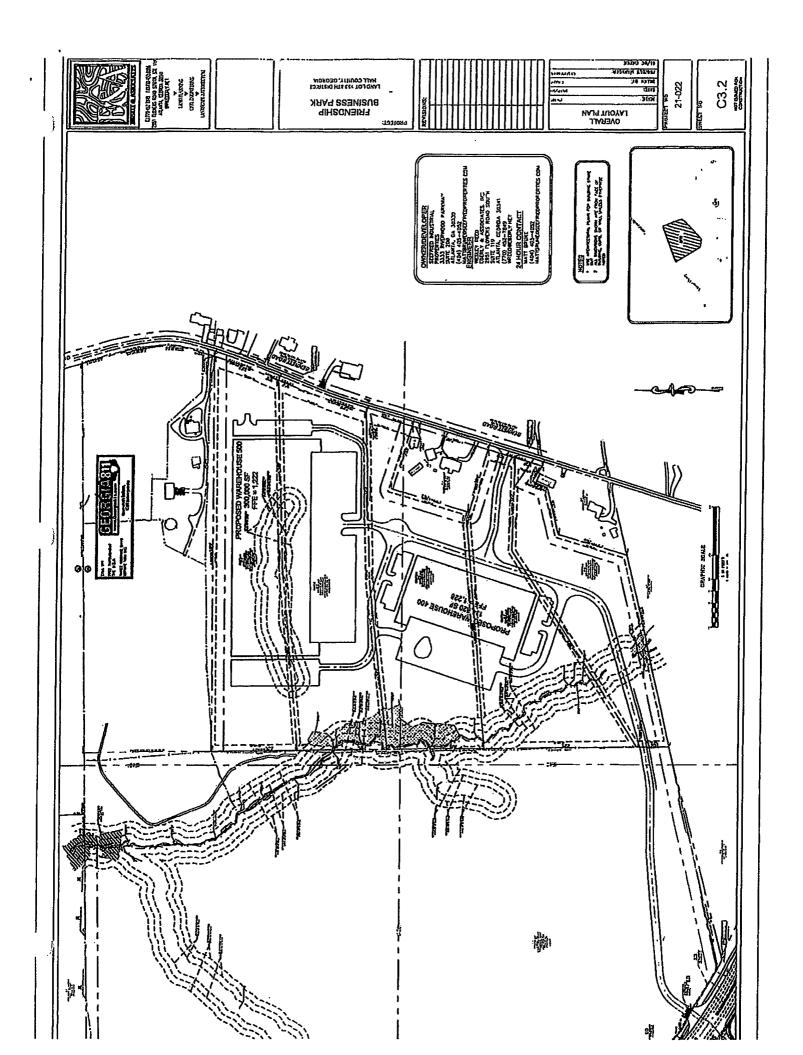
THENCE South 54 degrees 07 minutes 39 seconds West for a distance of 699.94 feet to a point:

THENCE North 29 degrees 50 minutes 56 seconds West for a distance of 368.19 feet to a 1/2" rebar found;

THENCE North 55 degrees 14 minutes 52 seconds East for a distance of 766.40 feet to a point;

THENCE North 58 degrees 45 minutes 34 seconds East for a distance of 765.52 feet to a 1/2" rebar found on said westerly right-of-way line of Bennett Road, said 1/2" rebar found being the POINT OF BEGINNING.

Said tract or parcel of land contains 12.065 acres or 525,541 square feet and is a portion of the same tracts or parcels of land as described in Plat Book 781, Page 192, Hall County, Georgia records.

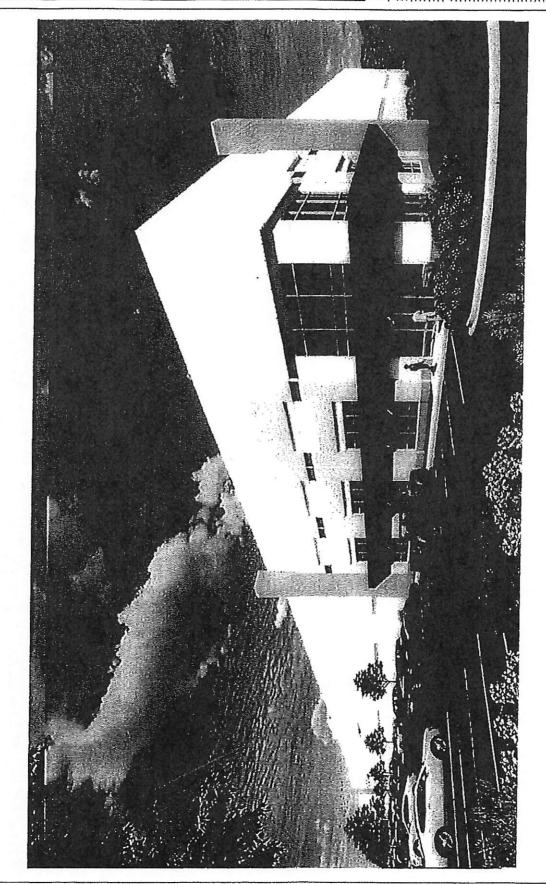


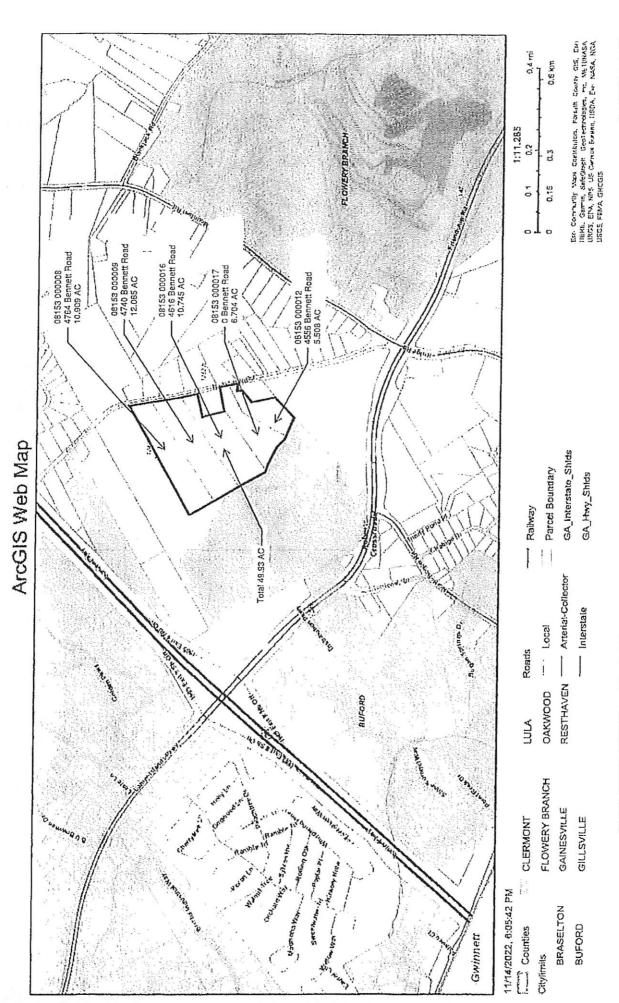


FRIENDSHIP BUSINESS PARK

ENTRY VIEW

A-211
NOT ISSUED FOR CONSTRUCTION





Est., NGGA, NGGA, USGS, SEMA JEST Community Days Committees, Forwith Courty GS, & Organismodi/Jee, Thruston Est., HERE, Garmin Salcismodi, Good contropy, Delician Jeeps, NFS US Community Days Committees, Forwith GSG, & Organismodi/Jee, Thruston Est., HERE, Garmin Salcismobi, Good Contropy, NETHANGA, USGS, EPA, NFS US Community Days Committees, Forwith GSG, FORMING Courty GSS, & Organismodi/Jee, Thruston Courty GSS, FORMING Courty GSS, PORGA (PARISMODIA) DAYS COMMUNITY COURTY COURT



CITY OF BUFORD

Planning & Zoning Department 2300 Buford Highway Buford, GA 30518 (770) 945-6761 Planning & Zoning Department

### APPLICATION FOR ANNEXATION

Tax Map Number: 08153-000008	Date: 11-29-22
Present Zoning: AR-III	Requested Zoning: M-1
Address of subject property: 4764 Bennett Rd	
Owner of property: CIV Friendship Business Brune - Seefried Propert	Park II, LLL (represented by Matt ies)
Telephone number: 404-233-0204 cell: 404-	email: mattbrune@seefriedproperties.com
Housing Units: 0 Existing / 0 Proposed Oth	ner Buildings: 0 Existing / 2 Proposed
A. Submit copy of recorded survey.	
B. Subject property Description - A legal description	n (deed) and plat.
C. Petition Requesting Annexation - Owners must c (Exhibit A)	omplete Petition Requesting Annexation.
D. Authorization By Property Owner - Owners must (Exhibit B)	t complete certifying property ownership
Fees - annexation with same/similar zoning - \$350; a	nnexation with rezoning - \$800.00.
Authorization to inspect premises – I hereby authorized Commission and their staff to inspect the premises with the commission and their staff to inspect the premises with the commission and their staff to inspect the premises with the commission and their staff to inspect the premises with the commission and their staff to inspect the premises with the commission and their staff to inspect the premises with the commission and their staff to inspect the premises with the commission and their staff to inspect the premises with the commission and their staff to inspect the premises with the commission and their staff to inspect the premises with the commission and the com	
Signature - Owner	Signature- Owner
	Plat \$ 654
For office use only: Application received: (-2.23 Date Annexation will become effective and official: Fee received: \$ 904,00	
T.CC TCCCTACH. & OPPORT	

### Exhibit A

### PETITION REQUESTING ANNEXATION

### CITY OF BUFORD, GEORGIA

DATE	11-29-22

### TO THE CITY COMMISSION OF THE CITY OF BUFORD, GEORGIA

- 1. The undersigned, as owner of all real property of the territory described herein, respectfully requests that the City Commission annex this territory to the City of Buford, Georgia, and extend the City boundaries to include the same.

escription of such territory area is as follows:	
Address/Location of Property:	
4764 Bennett Rd	
Tax Map Number:	
See description attached.	
It is requested that this territory to be annexed shall be zoned:	
For the following reasons:	
To allow for the development of two industrial distribution facilities	S
HEREFORE, the Petitioners pray that the City Commission of the City of Buford, Georgia arsuant to the provisions of the Acts of the General Assembly of the State of Georgia, Georgia, 1946, do by proper ordinance annex said property to the City Limits of the City of Beorgia.  Respectfully submitted,	orgia,
Owner(s)	

### Exhibit B

### AUTHORIZATION BY PROPERTY OWNER

### Application for Annexation

as shown in the records of Hall County, Georgia. I authorize the person named below to act as applicant in the pursuit of an annexation request of this property.
Name of Applicant: Seefried Industrial Properties - Matt Brune VP Development
Address:3333 Riverwood Parkway, Suite 200
Atlanta, Ga 30339
Telephone number:cell:
Email address:
Signature of Owner /
Signature of Owner
Signature of Owner

### AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BUFORD

APPLICANT Seefried Industrial Properties ADDRESS3333 Riverwood Pkwy SE Suite 200	
Atlanta, GA ZIP 30339	Dallas, TX ZIP 75202
PHONE NUMBER 404-405-4052	PHONE NUMBER
CONTACT PERSON Matt Bi	rune
*	
ADDRESS OF PROPERTY 4764 Bennett Rd	
PRESENT ZONING DISTRICT_AR-III	REQUESTED ZONING DISTRICT M-1
CITY OF BUFORD LIMITS: YES NO	<u>x</u>
LAND DISTRICT 08 LAND LOT 153	PARCEL 000008 ACREAGE 10.909
PROPOSED USE_ Development of a two buildi	ng industrial/warehouse park.
RESIDENTIAL	NON-RESIDENTIAL
NUMBER OF LOTS/DWELLING UNITS_N/A	NUMBER OF BUILDINGS/LOTS 2
DWELLING UNIT SIZE (SQ. FT.) N/A	SQUARE FEET434,320
<u>JUSTIFICATION FO</u>	R REZONING
PLEASE DEMONSTRATE THE NEED FOR THE REQUES Rezoning of the property to M-1 would al A light industrial/warehouse buildings.  Friendship and N. Bogan roads will be pr	low for the development of two class Improvements to the intersection at
Man / R 12-7-22  SIGNATURE OF APPLICANT DATE  MATHEW K Brun - V. P. Development  TYPED OR PRINTED NAME AND TITLE	SIGNATURE OF OWNER DATE  DY-5002 CONCERN  TYRED OR PRINTED NAME AND TITLE
NOTARY PUBLIC DATE	NOTARY PUBLIC PLATE DATE DATE
HEREBY CERTIFY THAT THE ABOVE INFORMATION LAW.  DELing LYCLE Prode 12.6.20  SIGNATURE DATE	SELINA AYCA RHODES Notary Public, State of Texas Comm. Expires 09-26-2023 Notary ID 132189530
PLANNING DEPARTM	ENT USE ONLY
CASE # 2-23-0 BATE RECEIVED 1-2-23 RECEIVED	VED BY WY RECEIPT 303 43 FEE SEO. 40
	<b>り~ねっぺり</b>

### **REZONING APPLICANT'S RESPONSE**

### STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

Pursuant to section 1702 of the 2000 City of Buford Zoning Ordinance, the commissioners find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary.

necessai	ry.
C	Whether the zoning proposal will permit a use that is suitable in view of the use and levelopment of adjacent and nearby property:
The	proposed use is suitable with the adjacent parcels to the west which are
zone	d M-1. Property will have direct access to major thoroughfare with close
	imity to I-985 through the adjacent M-1 development. This makes it
suit	able for industrial and commercial uses.
	Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:
No a	dverse impacts anticipated.
	Whether the property to be affected by the zoning proposal has a reasonable economic se as currently zoned:
The A	AR-III zoning does not allow for the highest and best use of
the p	property.
0	Whether the zoning proposal will result in a use which will or could cause an excessive r burdensome use of existing streets, transportation facilities, utilities or schools:
p The	/hether the zoning proposal is in conformity with the policy and intent of the land use lan: 2040 Future Land Use Map identifies the subject parcel as ercial/Industrial.
de di	Thether there are other existing or changing conditions affecting the use and evelopment of the property which give supporting grounds for either approval or sapproval of the zoning proposal:
	nterchange between SR 347 and Interstate 985 greatly improve access to the
site.	

### **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Buford Board of Commissioners.

-	NO (yes/no)
Signature of Applicant	12-6-22 Date
Type or Print Name	14N

If the answer is yes, please complete the following section:

Name and Official position of government official	Contribution (list all which aggregate to \$250 or more)	Date contribution was made (within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.



November 29, 2022

Kim Wolfe City of Buford 2300 Buford Highway Buford, GA 30518

RE: Letter of Intent
Seefried Industrial Properties -Friendship Business Park
4764, 4740, 4626, 0, and 4556 Bennett Road

Dear Ms. Wolfe:

Seefried Industrial Properties is applying to annex and rezone 49.93 acres located at 4764, 4740, 4626, 0, and 4556 Bennett Road in unincorporated Hall County. The site is five existing parcels (08153 000008, 08153 000009, 08153 000012, 08153 000016 and 08153 000017) which are all currently zoned Hall County AR-III. M-1 (Light Industrial) zoning is proposed for the property.

Following the annexation and rezoning, Seefried Industrial Properties is proposing to construct two warehouse/distribution facilities totaling 434,320 square feet. The proposed construction will utilize a signalized intersection at Friendship Road and North Bogan Roads. An additional drive will be added to Bennett Road.

The parcels on the west are zoned M-1. The parcels to the north, east and south of the subject property are currently zoned AR-III. As currently zoned, the property does not have reasonable economic use. The proposed project will not cause an excessive or burdensome use of the existing streets based on the proposed improvements. The proposed use will have a minimal impact on the utilities and schools.

The proposed project will require three variances. One to allow tilt-up concrete construction, a second to allow modular block retaining walls in the front yard, and a third to allow for grading and replanting in the residential zoning buffers.

Sincerely,

Seefried Industrial Properties

Matt Brune, PE

Senior Development Manager

### LEGAL DESCRIPTION: WE-FLIP TRACT 1-A

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THENCE along a curve to the right having a radius of 381.39 feet for an arc length of 144.85 feet, being subtended by a chord of South 24 degrees 28 minutes 39 seconds East for a distance of 143.98 feet to a point;

THENCE South 12 degrees 46 minutes 18 seconds East for a distance of 93.98 feet to a 1/2" rebar found, said 1/2" rebar found being the POINT OF BEGINNING.

THENCE continuing along said westerly right-of-way line of Bennett Road the following courses and distances, along a curve to the right having a radius of 2937.46 feet for an arc length of 218.43 feet, being subtended by a chord of South 09 degrees 53 minutes 32 seconds East for a distance of 218.38 feet to a point;

THENCE South 07 degrees 45 minutes 25 seconds East for a distance of 67.43 feet to a 1/2" rebar found;

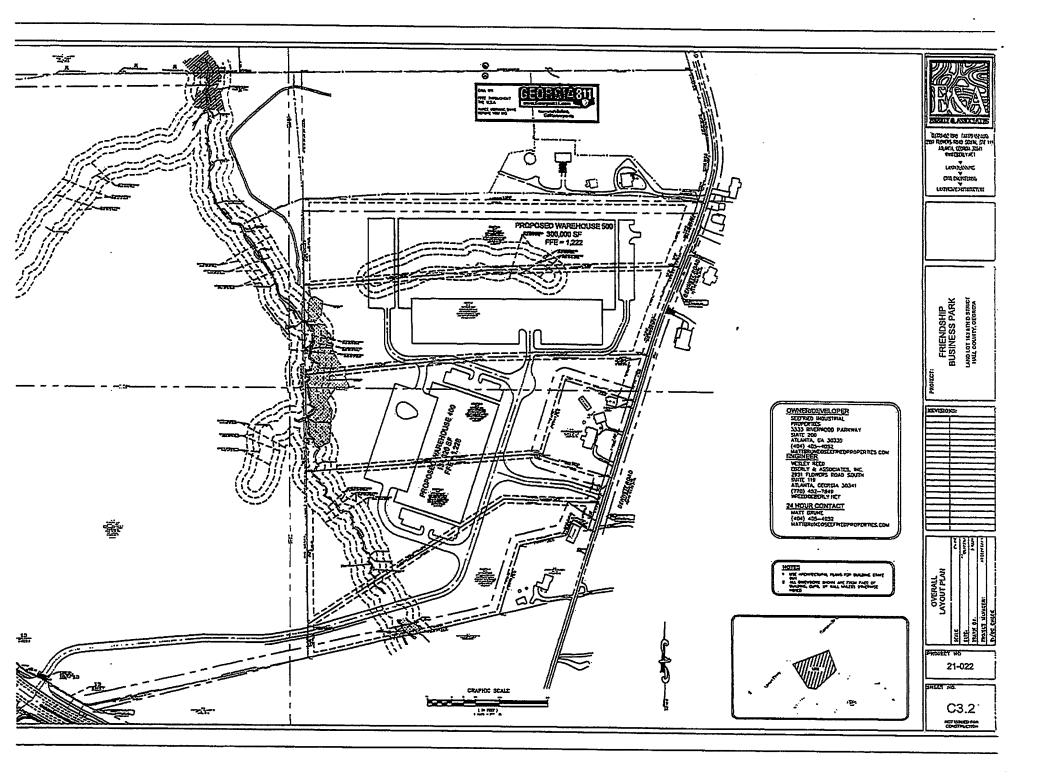
THENCE departing said westerly right-of-way line of Bennett Road South 58 degrees 45 minutes 34 seconds West for a distance of 765.52 feet to a computed point;

THENCE South 55 degrees 14 minutes 52 seconds West for a distance of 766.40 feet to a 1/2" rebar found;

THENCE North 29 degrees 55 minutes 57 seconds West for a distance of 358.58 feet to a 1/2" rebar found;

THENCE North 60 degrees 23 minutes 16 seconds East for a distance of 1629.32 feet to a 1/2" rebar found on said westerly right-of-way line of Bennett Road, said 1/2" rebar found being the POINT OF BEGINNING.

Said tract or parcel of land contains 10.909 acres or 475,193 square feet and is a portion of the same tracts or parcels of land as described in Plat Book 781, Page 192, Hall County, Georgia records.

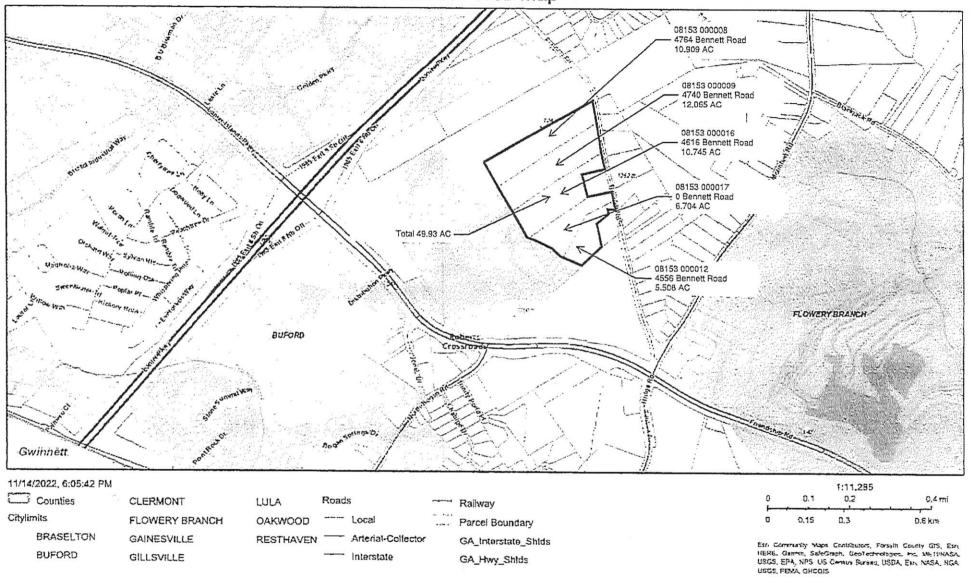




FRIENDSHIP BUSINESS PARK

ENTRY VIEW

### ArcGIS Web Map



### **EXHIBIT B**

### CHAPTER 17.110. - AGRICULTURAL- RESIDENTIAL-III DISTRICT (AR-III) 17.110.010. - Permitted uses.

Uses permitted in the AR-III district include:

- A. Agricultural, horticultural [uses] and/or farm winery.
- B. Accessory farm uses including the sale of products grown on the premises and the keeping of livestock or poultry.
- C. Residences:
- 1. Site-built single-family detached dwelling units.
- 2. Class A single-family manufactured home.
- 3. Class A single-family industrialized dwelling units.
- D. Non-commercial accessory residential uses, including but not limited to a private garage, detached home workshop, swimming pool, or greenhouse, all of which shall be incidental to the use of the property as a residence.
- E. Home offices.
- F. Churches and other places of worship, but excluding cemeteries.
- G. County uses including parks and playgrounds, but excluding cemeteries.
- H. [Deleted 1-13-92.]
- I. Substations for electrical transformers, gas regulators and telephone subscriber carrier sites, provided the conditions of chapter 17.210 are met.
- J. Minor subdivisions.
- K. Sawmills used to process timber grown and harvested on the property where it is processed, provided the conditions of chapter 17.210 are met.
- L. Family day care home.
- M. Construction trailer, provided the conditions of chapter 17.210 are met.
- N. Community residences, provided the conditions of chapter 17.210 are met.

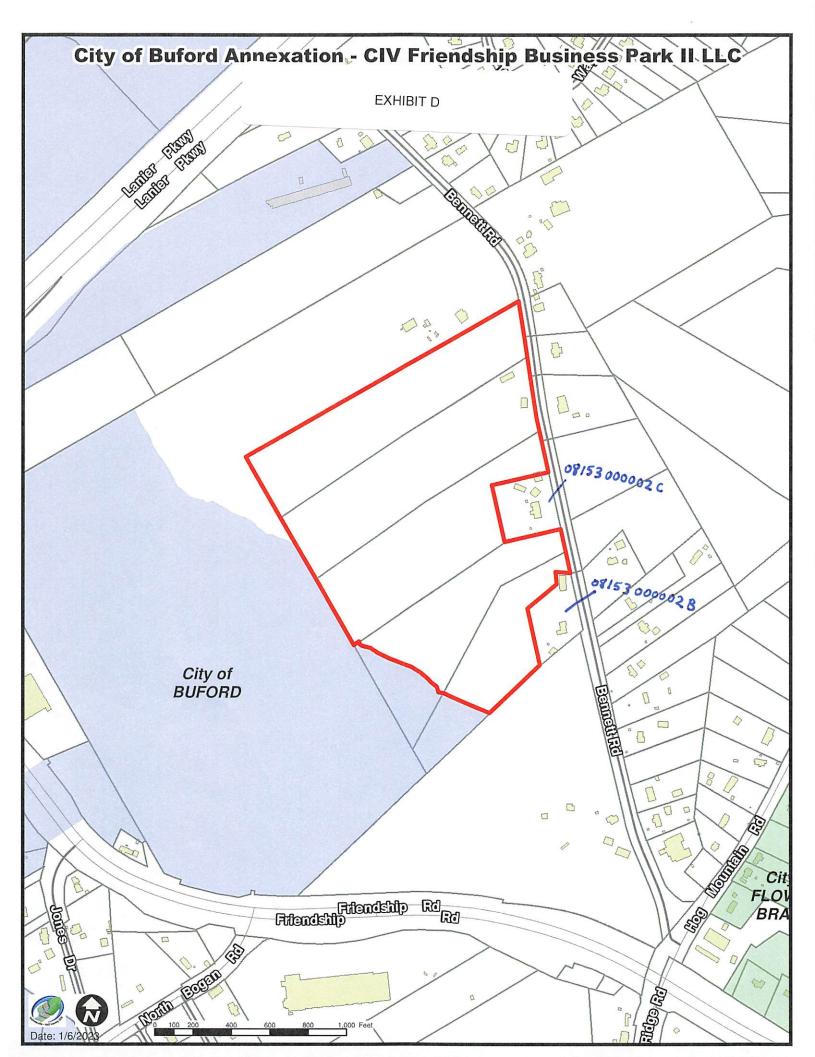
- O. Home occupations, provided the conditions of chapter 17.210 are met.
- P. Transient occupancy of a vacation home provided all requirements of chapter 17.216 are met.

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### **CHAPTER 8.80 – NOISE CONTROL**

### 8.80.010. - Loud noises prohibited.

It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual sound or noise which unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others in Hall County, Georgia, and which is audible to a person of normal hearing ability more than 100 feet from the point of origin of this sound or noise.

(Res. of 5-13-91, § 1; Code 1991, § 8.28.010)

### 8.80.020. - Unlawful noises designated.

The following are declared to be loud, disturbing and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive:

- A. Horns, signaling devices. The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public area in the county except as a danger warning, the creation of any unreasonable loud or harsh sound by means of any signaling device and the sounding of any device for any unnecessary and unreasonable period of time.
- B. Radios, phonographs, similar devices. The using of, operating of, or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph or other machine or device for any producing or reproducing of sound in a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with a louder volume than is reasonably necessary for the convenient hearing for the person who is in the room, vehicle, or chamber in which this machine or device is operated, and who is a voluntary listener thereto. The operation of the set, instrument, phonograph, machine or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 100 feet from the room, building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- C. Loudspeakers, amplifiers for advertising. The using of, operating of, or permitting to be played, used or operated, any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.
- D. Yelling, shouting, etc. Yelling, shouting, hooting, whistling or singing on the public streets so as to annoy or disturb the quiet, comfort, or repose of persons in any office, dwelling, hotel or other type of residence or of any persons in the vicinity.
- E. Noisy animals or birds. Anyone who keeps or maintains an animal or bird that unreasonably disturbs the comfort or repose of any person or persons because the animal or bird is emitting frequent or long continued sound or noise, and who continues to keep, maintain, or allow any animal or bird to so disturb the comfort or repose of any person or persons shall be deemed in

violation of this section. This section shall apply to horses, livestock, poultry and other farm animals, provided they are maintained in accordance with the governing authority's zoning regulations or ordinances, with the following exception: Multiple roosters being raised on other than a bona-fide farm are subject to this section. Existing roosters are exempt until September 30, 2004.

- F. Steam whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work, as a warning of fire or danger, or upon request of proper county authorities.
- G. Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary or moving internal combustion engine or motor boat except through a muffler or other device which will effectively prevent loud or explosive noises therefrom. Such are not in any event to annoy or disturb the quiet, comfort or repose of persons in any office, dwelling, hotel or other type of residence or of any persons in the vicinity.
- H. School, courts, places of worship, hospitals. The creation of any excessive noise on any street adjacent to any school, instruction [institution] of learning, place of worship or court while in use, or adjacent to any hospital which unreasonably interferes with the normal operation of that institution, or which disturbs or unduly annoys patients in the hospital, provided that conspicuous signs are displayed in those streets indicating a school, hospital or court is adjacent thereto.
- I. Hawkers, peddlers, vendors. The shouting and crying of peddlers, hawkers and vendors which disturb the peace and quiet of the neighborhood.
- J. Noise to attract attention. The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale.
- K. Sound trucks. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other commercial purposes. The use of sound trucks for non-commercial purposes during hours and in places and with volume as would constitute this use as [is] a public nuisance.

### <u>ARTICLE XIII USE PROVISIONS</u>

### Section 1310. M-1 Light Industry District

The M-1 Light Industry District is comprised of lands that are located on or have ready access to a major street or state highway and are well adapted to industrial development but whose proximity to residential or commercial districts makes it desirable to limit industrial operations and processes to those that are not objectionable by reason of the emission of noise, vibration, smoke, dust, gas, fumes, odors or radiation and that do not create fire or explosion hazards or other objectionable conditions.

With the M-1 Light Industry District, the following uses are permitted:

- 1. Baking plants.
- 2. Building material or other outdoor storage yards, other than junk yards, if they meet the following requirements:
  - a. They shall not be located within a required front yard.
  - b. They shall be screened by a solid fence at least six (6) feet high.
  - c. If an outdoor storage yard is established in connection with a permitted building, it shall meet the above requirements.
- 3. Accessory uses such as retail business and service establishments. In addition to the limitations on "accessory use" imposed under "Article III, Definitions" such permitted accessory uses specifically exclude retail business, offices, and service establishments that could be construed as principal uses and include only those uses that are primarily intended for and used by patrons or occupants of the principal use to which said establishment is accessory.
- 4. Cold storage plants.
- 5. Soft drink bottling and distributing plants.
- 6. Wholesaling and warehousing.
- 7. Similar industries that meet the standards of this zoning district.
- 8. Aircraft landing field.
- 9. Newspaper and printing plants.

- 10. Offices or office parks.
- 11. Automobile internet sales.
  - a. No outside storage of vehicles for sale or sales lots.

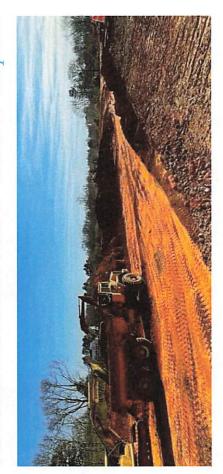
Within the M-1 Light Industry District, the following uses may be permitted as a Special Use, subject to the approval of the Board of Commissioners after receiving recommendations from the Planning Director and Planning Commissioner and after a public hearing, if the conditions, including a site plan, and such other appropriate stipulated conditions that the Board of Commissioners may require are met:

- 1. Mini-warehouses.
- 2. Financial services/institutions.
- 3. Heavy Truck Fueling Station.
  - a. There is a distinction in the fueling industry regarding the nature of the customers served: one level of station serves primarily the automobiles used by the general public, and a second level serves primarily the heavy trucks used by the trucking industry.
  - b. These regulations are intended to provide uniform criteria for fueling stations to address: 1) the outdoor nature of their primary activity; 2) the generation of noise, or air pollution, 3) the aesthetic impact on adjacent properties; 4) the intensive vehicular demands for ingress and egress both on-site and off-site on City streets; 5) the reduction of pedestrian-vehicular conflict; and 6) environmental issues, including, but not limited to, the disposal or handling of volatile chemicals.
  - c. A heavy truck fueling station is a Special Use in an M-1 Light Industrial District and located only on an Arterial or Collector Street as defined by the Buford Development Regulations Section 6.3.2, Table 6B.
  - d. The heavy truck fueling station is designed to serve heavy, semi-tractor, or similar trucks. The site is designed for larger turning movements and higher canopy heights.
  - e. Heavy truck fueling station site area shall be no less than 1 acre. The site design shall be of adequate size and design for unobstructed large turning movements and appropriate areas designed for refueling.

- f. The heavy truck fueling station may or may not contain a convenience or retail store.
- g. Heavy truck fueling stations are not intended to be a place for resting, idling or overnight stay. The facility is only for refueling and retail sales, if any.
- h. Heavy truck fueling stations may be upgraded, replaced or redeveloped, including an increase in building size, on the existing site with approval of a Special Use Permit.
- i. New heavy truck fueling stations must be located at least ½-mile from any existing heavy truck fueling station. The ½-mile measurement must be taken without regard to the City limits of Buford and is measured to the property line, regardless of where the fuel pumps are located on the site.
- j. Reductions to the offset distances to the nearest Heavy Truck Fueling Station shall be considered on a case by case basis for sites only within the corridors of I-985 and SR 20 (Buford Drive), I-985 and SR 347 (Lanier Islands Parkway). The Interstate Corridors includes parcels, and portions thereof, within a 1000' radius as measured from the centerline of both the North and South Bound exit lanes at the intersections. Within the Interstate Corridors, Heavy Truck Fueling Stations must be located at least 500 feet from any existing Heavy Truck Fueling Station within or outside of the Interstate Corridors. New Heavy Truck Fueling Stations outside of the Interstate Corridors shall be subject to the offset distance in Paragraph (2.g.) of this Section whether inside or outside of the corridor
- 4. Hotels and motels.
- 5. Day care facilities.
- 6. Churches, temples and synagogues.
  - a. The building shall be less than 100,000 square feet.
  - b. Church operations shall not interfere or have similar hours with existing industrial/office operations.
- 7. Truck terminals.
- 8. Telecommunications towers.

- 9. Office/warehouse condominiums.
- 10. Auto Body Repair Shops.

# FUTURE DEVELOPMENT GUIDE Chapter 4



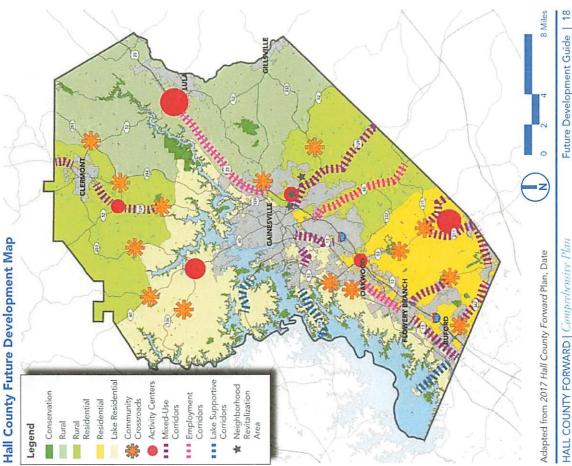
A key component of the comprehensive planning process is the creation of the Future Development Guide The guide includes the Future Development Map, which depicts unique Character Areas that describe the type of development and land uses desired for particular areas. This guide – in addition to the goals and strategies presented in Chapter 3 – explains and helps illustrate the 'community vision' for growth and development in Hall County.

## The Future Development Guide includes the three section shown below:

- Future Development Map
- Character Area-Based Planning
  - Character Area Policy

### Future Development Map

The Future Development Map is used to identify the geographic location of the Character Areas within Hall County. The Character Areas are described in detail later in this chapter. The Future Development Map is intended to help guide decision making related to the physical location of development and where the most development patterns for a 20-year planning horizon, it is important that it is regularly reviewed to determine if amendments are needed based on changing market and demographic trends or local goals. At a minimum, appropriate scale and intensity of development should occur. While the map recommends land uses and the plan is required by the Georgia Department of Community Affairs to be updated every five years.



### Residential

Intent: PRESERVE established neighborhoods and CREATE new residential development consistent with surrounding suburban densities.

General Characteristics: Residential Areas are characterized by moderate-density residential development and neighborhoods. Street networks are defined by curvilinear streets and green space is largely provided on individual lots but neighborhood open space and/or park amenities may also be provided. Pedestrian connectivity is moderate, where sidewalks may be internal to a neighborhood but may not currently connect nearby parks and schools.

Future development will continue to be detached, single-family homes at moderate densities, with opportunities for variations in housing size and types through the Planned Development District zoning classification.

New development should provide opportunities for open space/greenspace, including shared areas for the benefit of residents and ample tree cover.

Application: Residential Areas are located in South Hall County. This area is located inside the County's sewer service area and is currently served by public sewer or will have access to it as infrastructure continues to be installed by the County.

### **Primary Future Land Uses**

- · Moderate density residential uses
- Greenways and trails
- Civic benefit uses such as community centers, libraries, places of worship and schools

### Implementation Strategies (see Chapter 3)

- SED 1.4
- DP 2.1, DP 2.2, DP 3.1, DP 3.2, DP 3.4, DP 4.1, DP 5.1, DP 5.2, DP 6.2
- RC 3.1, RC 3.3

### **DESIGN PRINCIPLES**

### Infrastructure









Note: Images are for example purposes only and may not be located in unincorporated Hall County.