



POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6809

PLANNING AND ZONING
DIRECTOR
Beth Garmon

Hall County Government

PLANNING AND ZONING DEPARTMENT

TO: Justin R. Lawhon, Interim County Attorney
Beth Garmon, Director of Planning and Zoning

FROM: Katie Greenway, Planning and Zoning Administrator

DATE: August 5, 2025

On July 31, 2025, Hall County received notice of a proposed de-annexation from the City of Gainesville in Commission District Two to de-annex a 0.155 acre right-of-way parcel located at the intersection of Millside Parkway and Old Oakwood Road.

Application

Applicant:	City of Gainesville
Acreage:	0.155± acres
Existing Use:	Right-of-way
Proposed Use:	Right-of-way
Owner:	TP-CH Cedar Grove, LLC
Date Received:	<u>July 31, 2025</u>
Response Due:	<u>September 14, 2025</u>

An objection made by the Hall County Board of Commissioners, in a meeting via resolution, would have to be received by the City of Gainesville via “verifiable delivery,” which can now be received by e-mail.

Summary

The City of Gainesville is proposing to de-annex a single parcel of right-of-way measuring approximately 0.155± acres. The property is currently undeveloped right-of-way which was acquired as part of a roadway improvement project by the City of Oakwood for the installation of a center turn lane. Due to the roadway being maintained by the City of Oakwood, they are requesting that this piece of right-of-way be de-annexed from the City of Gainesville and into the City of Oakwood.

The subject property is located on the southeast side of Old Oakwood Road at its intersection with Millside Parkway. The subject parcel is bordered by:

North:	City of Gainesville
South:	City of Oakwood right-of-way
East:	City of Gainesville

West: City of Gainesville

Planning Considerations

The State of Georgia's standards for an area to be annexed include:

- Adjacent or contiguous, with at least one-eighth of the aggregate external boundaries coinciding with the municipal boundaries (O.C.G.A. 36-36-52, 36-36-54b).
- Must be developed for urban purposes – two people per acre, and at least 60 percent divided into lots and tracks of five acres or less, and 60 percent of lots are less than one acre (O.C.G.A. 36-36-54c).

Conclusion

The request to annex the subject parcel into the City of Gainesville **does** meet the State of Georgia's criteria for an area to be annexed.

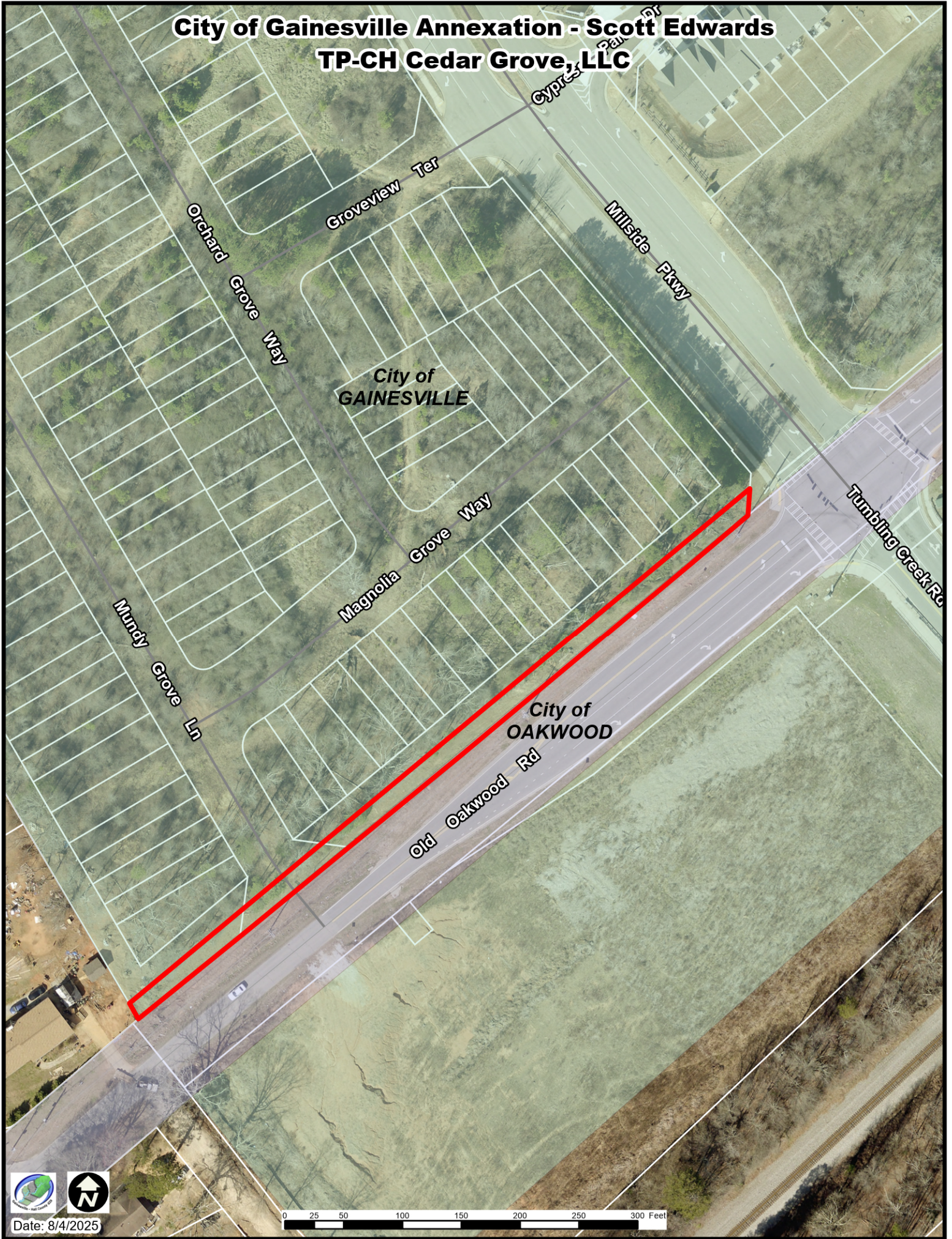
In accordance with O.C.G.A. 36-36-113, the county governing authority shall have forty-five (45) calendar days to notify the municipality, via "verifiable delivery," of its intent to raise an objection to the proposed annexation, by September 14, 2025.

Attachments:

De-annexation Notice

GIS maps

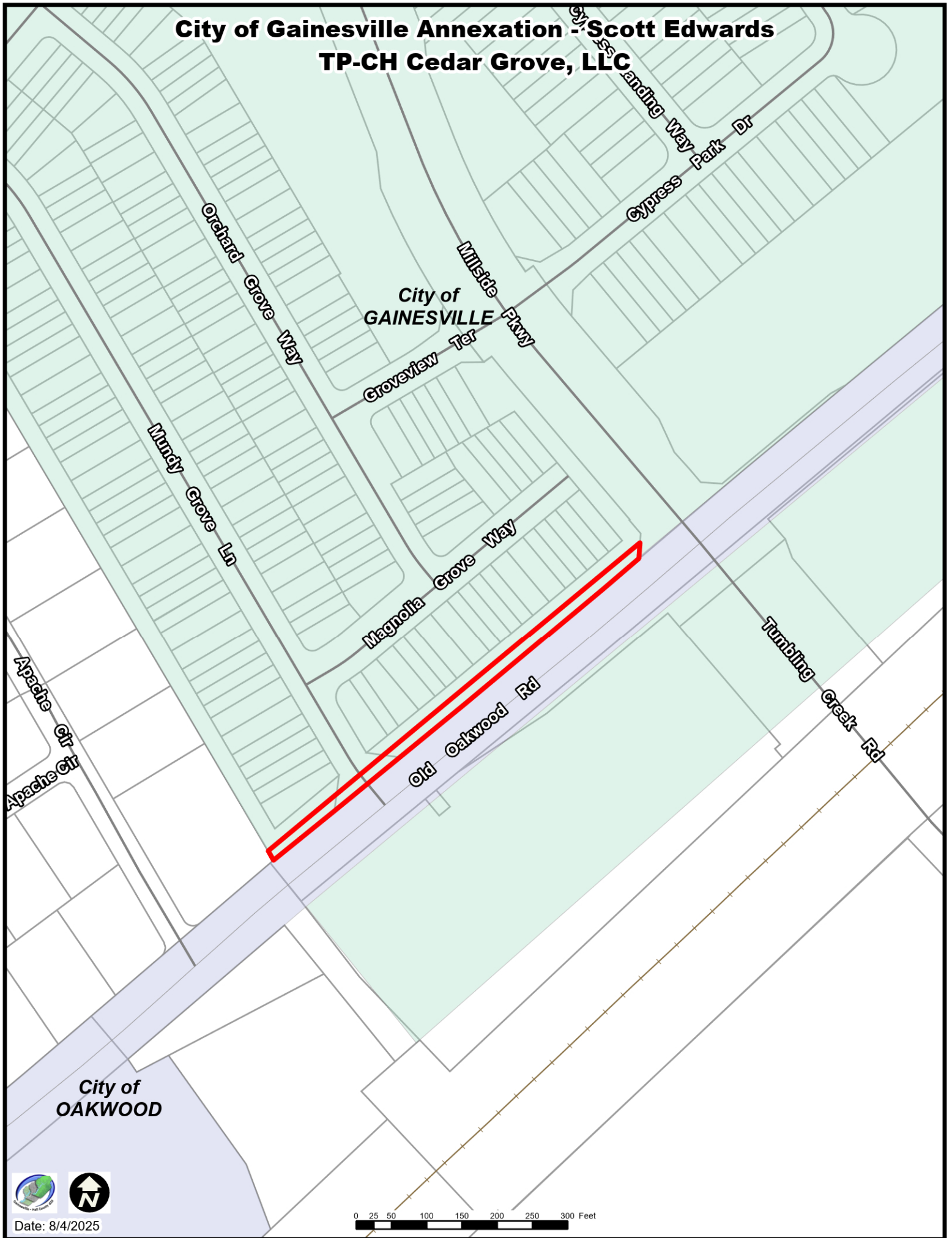
City of Gainesville Annexation - Scott Edwards
TP-CH Cedar Grove, LLC



Date: 8/4/2025

0 25 50 100 150 200 250 300 Feet

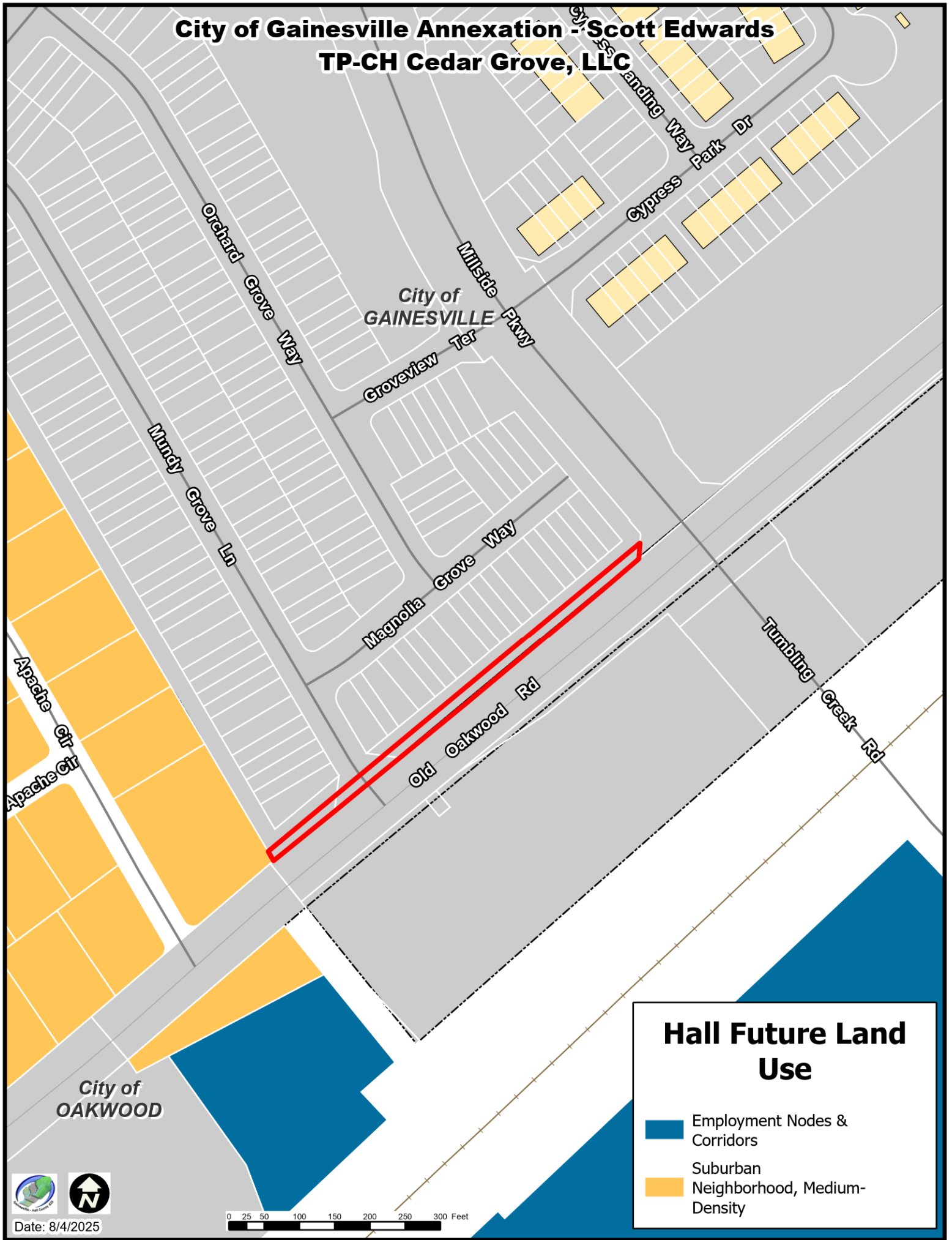
**City of Gainesville Annexation - Scott Edwards
TP-CH Cedar Grove, LLC**



Date: 8/4/2025

0 25 50 100 150 200 250 300 Feet

**City of Gainesville Annexation - Scott Edwards
TP-CH Cedar Grove, LLC**



Hall Future Land Use

-  Employment Nodes & Corridors
-  Suburban Neighborhood, Medium-Density



GAINESVILLE

APPLICATION FOR ZONING ACTIONS

PAB Meeting Date: _____

Council Meeting Date: _____

Applicant Information

Name	CLAYTON PROPERTIES GROUP, INC.
Address	5230 BELLE WOOD COURT SUITE A
City/State/Zip	BUFORD, GEORGIA 30518
Phone/Cell	770-845-8811
Email	SCOTTE@ECHOMEBUILDERS.COM

Property Owner Information

Name	TP-CH CEDAR GROVE, LLC
Address	5230 BELLE WOOD COURT SUITE A
City/State/Zip	BUFORD, GEORGIA 30518
Phone/Cell	
Email	

Applicant Status

☒	Current Property Owner
☐	Option to Purchase
☐	Area Resident
☐	Representative
☐	Government

Zoning Request

Existing Zoning	PRD
Rezone To / Establish As	
☐ Annexation	☒ De-annexation
☐ Rezoning	☐ Zoning Amendment
☐ Special Use Permit	☐ Road Action Request

Parcel Information

Tax Parcel Number(s)	08024 005008A (PART)	Ward No.	4
Location (Address)	0 OLD OAKWOOD ROAD	Acres	0.155
Existing Structure(s)	NONE		
Description of Proposed Use	OLD OAKWOOD RIGHT OF WAY		

Connect to City Sewer (For Annexations Only)

Does the applicant wish to connect to city sewer?	☐ Yes	☒ No
Does the applicant plan to request the city to share in the cost of the sewer line extension as a condition of annexation?	☐ Yes	☒ No
If Yes to cost sharing, provide a Letter of Cost Estimate from the Department of Water Resources		

Fee Information

Annexation or De-annexation, Rezoning, or Zoning Amendment	\$500.00
Special Use Permit	\$400.00
Road Action Request	\$250.00
Amount Due (Include all fees required)	\$ -

Method of Payment

☐ Paid by Check	Check No.	-
☐ Paid Cash	Receipt No.	-

Supporting Documents Required in PDF Format

☒	Concept Plan - Prepared by a Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect
☒	Plat
☒	Legal Description of Property - Word DOC or DOCX format
☒	Narrative Report
☐	Architectural Rendering
☐	Traffic Impact Study - If applicable
☐	DRI Review - Large scale projects only
☐	Other - Explain

Applicant's Certification: I hereby certify the above information, and all attached information, is true and correct; and that I have read, understand, and have received a copy of the **Public Notice Requirements**.

Signature of Applicant

Date 4/23/25

Application Taken By

Date 7.30.25

Application WITHDRAWAL Notification: I hereby withdraw the above application.

Signature of Applicant

Date

Zoning Action Request

PROPERTY OWNER AUTHORIZATION

As the owner of the subject property, I hereby authorize the person named below to act on my behalf as Applicant in the pursuit of zoning action for this property.

Applicant's Name, if not Owner	SCOTT EDWARDS
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OWNER INFORMATION CERTIFICATION

I swear that I am the owner of the property which is the subject matter of this application, as shown in the records of Hall County, Georgia:

Name of Owner	TP-CH CEDAR GROVE, LLC
Owner's Address	5230 BELLE WOOD COURT SUITE A
City / State / Zip Code	BUFORD, GEORGIA 30518
Owner's Phone Number	770-831-0844
Owner's Cell Phone Number	

NOTARY PUBLIC CERTIFICATION

Personally appeared before me the following:



Signature of Property Owner

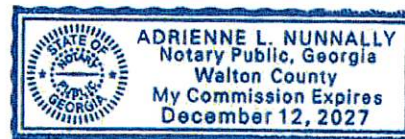
who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.



Notary Public

Date

4/25/25



In the event there is more than one property owner, a separate Property Owner Authorization page must be completed by each property owner.

Zoning Action Request

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

NOTE: This form is required for all annexation and/or zoning actions

- (a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
- (1) The name and official position of the local government official to whom the campaign contribution was made; and
 - (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- (c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the respective local government showing:
- (1) The name and official position of the local government official to whom the campaign contribution was made; and
 - (2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- (d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

APPLICANT'S CERTIFICATION

I hereby certify that I have read the above campaign disclosure information and declare that (select have or have not)

☐

I **have** within the two years immediately preceding this date made any campaign contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

☒

I **have not** within the two years immediately preceding this date made any campaign contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

***NOTE:** If you are an applicant and you have made any such contribution(s), you must provide the information required in subsection (a) above within ten (10) days after the rezoning action is first filed. If you are an opponent and you have made a contribution, you must provide the information required in subsection (c) above at least five (5) calendar days prior to the public hearing by the City Council or any of its agencies on the rezoning application.

(1) _____
(Name and official position of the City Council Member of the City of Gainesville, Georgia to whom campaign contribution was made)

(2) Amount: \$ _____ Date of Contribution: _____

Signature of Applicant: _____

Date: 4/23/25

Zoning Action Request

PUBLIC NOTICE REQUIREMENTS

City of Gainesville zoning regulations require public notice to be given on all zoning applications as follows:

1. A **legal advertisement** shall be published no less than fifteen (15) days and no more than forty-five (45) days prior to the public hearing. (This requirement is covered by Planning Division staff.)
2. A **public notice sign** shall be placed in a conspicuous location on the property which is subject to the zoning application. The original public notice sign will be posted by Planning Division staff.
3. It is City policy to **notify, by letter**, the surrounding property owners within three hundred feet (300') of the applicant's property that an application has been filed and when it will be considered. (This requirement is covered by Planning Division staff.)

As the applicant, you are responsible for ensuring the public notice sign remains on the site during the entire zoning process. The Planning Division staff will prepare and place a sign (or signs) for you. If any problem arises with regard to the sign, notify the City of Gainesville Community Development Department immediately by calling 770-531-6570 so the sign can be replaced. Failure to report problems with the sign during the entire period of the hearings will also result in a delay.

The purpose of the public notice sign is to inform the surrounding property owners that an application has been filed. Placement of the sign in a manner that is not clearly visible violates the requirements. Failure to place the sign in a conspicuous location will result in your request being tabled until the sign is posted as required. Failure to ensure the sign remains posted on the site during the entire zoning process means there will be a delay in the hearing date set for your request. Legally, the City cannot consider a request until proper notice has been given. If it is determined at any time during the zoning process that the sign is not properly placed on the site, the Gainesville Planning and Appeals Board has no choice but to table the request, even if there is no opposition to the application. Many of the board members, as well as the planning staff, visit the sites and will be looking for the sign. Additionally, local citizens, particularly those who receive notice letters, often report when a sign is not visible. The City will not consider your request until it is satisfied that proper public notice has been given.

Multiple sign posting on a site may be required if it is so determined by Planning Division staff to be necessary. Signs should be placed as near to the road as possible so they are clearly visible. The sign(s) cannot be obstructed by vegetation, etc.; may not be placed at an inappropriate distance from the road; or placed on something in such a manner so as to blend into the scenery.

When the zoning process is complete and final action has been taken by the Gainesville City Council, it is the responsibility of the applicant to remove the sign (or signs).

Applicant's Certification: *I hereby certify the above information, and all attached information, is true and correct; and that I have read, understand, and have received a copy of the Public Notice Requirements.*

Signature of Applicant: _____



Date: _____

4/23/25



5230 Belle Wood Ct. Suite A
Buford, GA 30518

April 23, 2025

Matt Tate
City of Gainesville
Community and Economic Development
311 Henry Ward Way
Gainesville, GA 30501

RE: Old Oakwood Road
Right-of-Way De-annexation

Dear Mr. Tate:

TP-CH Cedar Grove, LLC is seeking de-annexation of Parcel 1 (0.155 acres) as shown on the attached exhibit. As part of the road improvements required for the Grove at Mundy Mill project located at the intersection of Millside Parkway and Old Oakwood Road, additional right-of-way was required along Old Oakwood Road. The new ROW which was needed to install a new center turn lane extends into a portion of the property that is currently in the City of Gainesville. Since this road is in and maintained by the City of Oakwood, they are requesting the new portion of the ROW be de-annexed from the City of Gainesville and annexed into the City of Oakwood.

Please contact me at 770.845.8811 if you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Edwards", is written over a light blue horizontal line.

Scott Edwards
Development Director

Legal Description:

All that tract or parcel of land lying and being in Land Lot 25, 8th Land District, City of Gainesville, Hall County, Georgia as shown on a Final Subdivision Plat prepared by Patton Land Surveying, LLC, for The Grove at Mundy Mill Subdivision (recorded in Plat Book 886, Pages 429-437), having a survey date of November 1, 2024 and further last revised March 14, 2025 and being more particularly described as follows:

To locate the point of beginning commence at a P.K. nail set at the centerline intersection of Old Oakwood Road and Mundy Grove Lane said point being located at Georgia State Plane Coordinate Northing 1544376.771, Easting 2387919.717, Georgia West Zone, North American Datum of 1983/2007 adjustment.

Thence South 63 degrees 34 minutes 33 seconds West for a distance of 177.30 feet to a 1 inch open top pin found located on the northern right-of-way of Old Oakwood Road (right-of-way varies) and said point being the Point of Beginning;

Thence leaving said Old Oakwood Road right-of-way the following courses:

Thence North 30 degrees 16 minutes 49 seconds West for a distance of 10.13 feet to a 1/2 inch rebar pin set;

Thence North 50 degrees 41 minutes 47 seconds East for a distance of 121.03 feet to a 1/2 inch rebar pin set;

Thence North 50 degrees 41 minutes 47 seconds East for a distance of 100.01 feet to a 1/2 inch rebar pin set;

Thence North 50 degrees 41 minutes 47 seconds East for a distance of 129.00 feet to a 1/2 inch rebar pin set;

Thence North 50 degrees 09 minutes 28 seconds East for a distance of 256.08 feet to a 1/2 inch rebar pin set;

Thence North 49 degrees 44 minutes 00 seconds East for a distance of 74.96 feet to a 1/2 inch rebar pin set on the western right-of-way of Millside Parkway (right-of-way varies);

Thence following along Millside Parkway right-of-way the following course:

Thence South 04 degrees 04 minutes 06 seconds West for a distance of 13.98 feet to a point located on the northern right-of-way of Old Oakwood Road;

Thence following along Old Oakwood Road right-of-way the following courses:

Thence South 49 degrees 44 minutes 00 seconds West for a distance of 65.23 feet to a point;

Thence South 50 degrees 09 minutes 28 seconds West for a distance of 256.16 feet to a point;

Thence South 50 degrees 41 minutes 47 seconds West for a distance of 351.67 feet to a 1 inch open top pin found and said point being the POINT OF BEGINNING.

Said property contains 0.155 Acres more or less.

eFiled and eRecorded
DATE: 03/17/2025
TIME: 11:14 AM
PLAT BOOK: 886
PAGE: 429 - 437
FILING FEES: \$90.00
RECORDED BY: TH
Mark Pettitt
Hall County, GA



THIS PLAT SUPERSEDES
PLAT BOOK 886, PAGES 265-273



REGISTERED PROFESSIONAL
LAND SURVEYORS
P.O. BOX 255
GAINESVILLE, GA 30603
PHONE: (770) 532-6492
www.pattonsurveying.com
LAND SURVEYING FIRM
CERTIFICATE OF AUTHORIZATION
NUMBER LSF 001029



THE GROVE AT MUNDY MILL
- LOCATED IN -
LAND LOT 25
8TH LAND DISTRICT
CITY OF GAINESVILLE
HALL COUNTY, GEORGIA

REVISIONS	
No.	DESCRIPTION
1	CITY OF GAINESVILLE REVIEW COMMENTS
2	CORRECTED THE DEED BOOK AND PAGES FOR EXISTING EASEMENTS AND RESTRICTIONS

SHEET NUMBER:
4 of 9
SCALE: 1" = 50'
SURVEY DATE: 11/1/2024
PLAT DATE: 11/4/2024
22-001 FINAL PLAT.dwg
JN. 22-001