

PLANNING AND ZONING DEPARTMENT 2375
 BROWNS BRIDGE ROAD, GAINESVILLE, GA, 30504 MAILING
 ADDRESS: PO BOX 1435, GAINESVILLE GA 30503 t 770-531-6809 f
 770-531-3902



ZONING APPLICATION

Applicant (Name & Mailing Address)

NCP Holding, LLC
 8616 Decoy Lane
 Lula, GA 30554
 Phone 678 654-1246

Email Address

Proposed Use

Light Industrial

Property Owner (Name & Mailing Address)

Black Family Enterprises, LP
 2626 Parker Trail
 Gainesville, GA 30506

Phone

Email Address

Contact Person (Name & Mailing Address)

Derrick McCollum
 8616 Decoy Lane
 Lula, GA 30554
 Phone 678-654-1246

Email Address

Tax Parcel Number

15007 000206A

Location Address

Cagle Mill Road

Status of Applicant
☐ Owner

☒ Option to Purchase

☐ Area Resident

☐ Other

Requested Action

Existing Zoning: AR-1 & R-1

Rezone to:

I-1

Fee: \$

Receipt #:

Check #:

Acreage

84.354

I hereby certify that the above information and all attached information are true and correct.

Print:

Derrick McCollum

Date:

5-23-2025

Sign:

[Signature]

PRESTON BOWEN

Date:

5-23-2025

Applicant must complete all information above. Failure to complete this section will result in the refusal of the application. The Planning Department has 15 days to review all applications and will set the dates for each application. If the application is found insufficient, an agenda date will not be set until the required information is submitted. Please note that the Planning Commission and County Commission dates are tentative.

Application Withdrawal: I hereby withdraw the application.

Sign

Date:

Staff Use Only

Application Date:

Taken by:

Tentative Planning Commission Date:

Tentative County Commission Date:

County Commission District:

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AUTHORIZATION OF PROPERTY OWNERS

Note: If the applicant is the property owner, please disregard this form.

Name of owner(s)

Black Family Enterprises, LP

Address

2626 Parker Trail

Judith Black

authorized member

Gainesville, GA 30506

Phone Number

Name of applicant(s)

NCP Holdings, LLC

Address

8616 Decoy Lane

Lula, GA 30554

Phone Number

678-654-1246

I swear that I am the owner of the property which is the subject matter of the attached applications as shown in the records of Hall County, Georgia.

I authorize the person named above to act as applicant in the pursuit of a rezoning, permissive use, or variance of this property.

Signature of Owner(s)

Judith Black

Personally appeared before me

Judith Black

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

Joann S. Watson
 Notary Public

5/23/25
 Date



STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF AMENDMENT

NAME CHANGE

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

BLACK FAMILY ENTERPRISES, L.P.
a Domestic Limited Partnership

has filed articles/certificate of amendment in the Office of the Secretary of State on 12/27/2024 changing its name to

BLACK FAMILY ENTERPRISES, LLLP
a Domestic Limited Liability Limited Partnership

and has paid the required fees as provided by Title 14 of the Official Code of Georgia Annotated. Attached hereto is a true and correct copy of said articles/ certificate of amendment.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on 12/31/2024.



Brad Raffensperger

Brad Raffensperger
Secretary of State

**CERTIFICATE OF AMENDMENT OF
BLACK FAMILY ENTERPRISES, L.P.**

The undersigned, desiring to amend the provisions of the certificate of limited partnership pursuant to the provisions of O.C.G.A. § 14-9-202, hereby certify the following:

1.

The name of the partnership is Black Family Enterprises, L.P.

2.

The date of filing the certificate of limited partnership was June 16, 2000.

3.

The certificate of limited partnership shall be amended as follows:

(a) By changing the name of the partnership to Black Family Enterprises, LLLP.

(b) By stating that the limited partnership is a limited liability limited partnership, as provided in O.C.G.A. §14-8-62(g).

4.

Except as amended herein, all other provisions of the original certificate shall remain in full force and effect.

5.

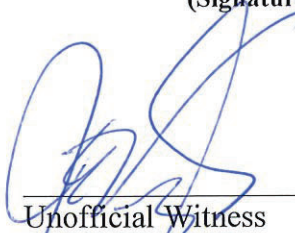
This amendment shall become effective as of the filing date.

IN WITNESS WHEREOF, the undersigned general partners have, after being first duly sworn, executed this certificate under seal, this 27 day of December, 2024.

(Signatures on following page)

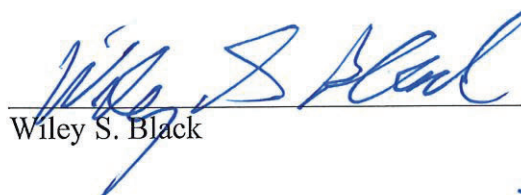
(Signature page for Certificate of Amendment to Black Family Enterprises, L.P.)

GENERAL PARTNERS:


Unofficial Witness

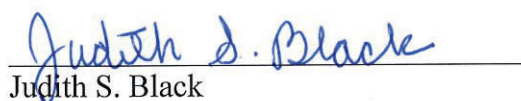

Notary Public

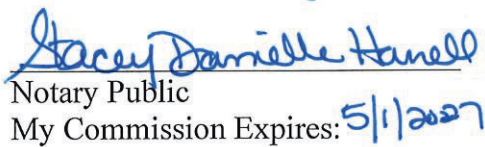
My Commission Expires: 01/09/2028


Wiley S. Black




Unofficial Witness


Judith S. Black


Notary Public

My Commission Expires: 5/1/2027



TDC/JML/8621/14027/

4918-7918-1577, v. 1



Secretary of State

**OFFICE OF SECRETARY OF STATE
CORPORATIONS DIVISION**

2 Martin Luther King Jr. Dr. SE
Suite 313 West Tower
Atlanta, Georgia 30334
(404) 656-2817
sos.ga.gov

Electronically Filed

Secretary of State

Filing Date: 12/27/2024 10:46:34 AM

**TRANSMITTAL INFORMATION FORM
BUSINESS AMENDMENT**
1. **BLACK FAMILY ENTERPRISES, L.P.**

Entity Name

0028053

Entity Control No.

2. **Jessica M Lund**

Name of Person Filing Business Amendment

P.O. Box 1457

Address

Gainesville

City

GA

State

30503

Zip Code

3. Submitted with this filing is a filing fee of \$20.00 payable to "Secretary of State". Filing fees are non-refundable.

I understand that this Transmittal Information Form is included as part of my filing, and the information on this form will be entered in the Secretary of State business entity database. I certify that the above information is true and correct to the best of my knowledge.

Jessica M Lund

Signature of Authorized Person



GEORGIA CORPORATIONS DIVISION

GEORGIA SECRETARY OF STATE
BRAD RAFFENSPERGER

[HOME \(/\)](#)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name: **BLACK FAMILY ENTERPRISES, LLLP** Control Number: **0028053**

Business Type: **Domestic Limited Liability Limited Partnership** Business Status: **Active/Compliance**

Business Purpose: **NONE**

Principal Office Address: **2580 Parker Trail, Gainesville, GA, 30506-1800, USA** Date of Formation / Registration Date: **6/16/2000**

State of Formation: **Georgia** Last Annual Registration Year: **2027**

REGISTERED AGENT INFORMATION

Registered Agent Name: **jesse M Black, Jr**

Physical Address: **2580 Parker Trail, Gainesville, GA, 30506, USA**

County: **Hall**

[Back](#)

[Filing History](#)

[Name History](#)

[Return to Business Search](#)



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GEORGIA SECRETARY OF STATE
BRAD RAFFENSPERGER

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BUSINESS SEARCH

BUSINESS INFORMATION

Business Name:	NCP HOLDINGS, LLC	Control Number:	0555730
Business Type:	Domestic Limited Liability Company	Business Status:	Active/Compliance
Business Purpose:	NONE		
Principal Office Address:	8616 Decoy Lane, Lula, GA, 30554, USA	Date of Formation / Registration Date:	8/15/2005
State of Formation:	Georgia	Last Annual Registration Year:	2025

REGISTERED AGENT INFORMATION

Registered Agent Name: **Larry Glover**
Physical Address: **9616 Decoy Lane, Lula, GA, 30554, USA**
County: **Hall**

[Back](#)

[Filing History](#)

[Name History](#)

[Return to Business Search](#)

OPERATING AGREEMENT
OF
NCP HOLDINGS, LLC

THIS OPERATING AGREEMENT (the "Agreement") is made as of the 12th day of August, 2005, by and among **PRESTON BOWEN and LARRY GLOVER** (collectively referred to as "Members" and individually referred to as "Member").

THESE SECURITIES HAVE NOT BEEN REGISTERED UNDER THE GEORGIA SECURITIES ACT OF 1973, AS AMENDED, IN RELIANCE UPON THE EXEMPTION FROM REGISTRATION SET FORTH IN SECTION 10-5-9(13) OF SUCH ACT. IN ADDITION, THESE SECURITIES HAVE NOT BEEN REGISTERED WITH THE UNITED STATES SECURITIES AND EXCHANGE COMMISSION IN RELIANCE UPON AN EXEMPTION FROM SUCH REGISTRATION SET FORTH IN THE SECURITIES ACT OF 1933 PROVIDED BY SECTION 4(2) THEREOF, NOR HAVE THEY BEEN REGISTERED WITH THE SECURITIES COMMISSION OF CERTAIN STATES IN RELIANCE UPON CERTAIN EXEMPTIONS FROM REGISTRATION. THESE SECURITIES HAVE BEEN ACQUIRED FOR INVESTMENT PURPOSES ONLY AND MAY NOT BE OFFERED FOR SALE, PLEDGED, HYPOTHECATED, SOLD OR TRANSFERRED EXCEPT IN COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS AGREEMENT AND IN A TRANSACTION WHICH IS EITHER EXEMPT FROM REGISTRATION UNDER SUCH ACTS OR PURSUANT TO AN EFFECTIVE REGISTRATION STATEMENT UNDER SUCH ACTS.

WHEREAS, the Member desires to form a limited liability company pursuant to the Georgia Limited Liability Company Act (the "Act"); and

WHEREAS, the Member desires to set forth its respective rights, duties, and responsibilities with respect to such limited liability company.

NOW, THEREFORE, for and in consideration of the mutual promises, obligations, and agreements contained in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each Member, intending to be and being legally bound, does hereby agree as follows:

ARTICLE I

DEFINITIONS

The following terms used in this Operating Agreement shall have the following meanings (unless otherwise expressly provided herein):

"Articles of Organization." The Articles of Organization of **NCP HOLDINGS, LLC**, as filed with the Secretary of State, State of Georgia, as the same may be amended from time to time.

"Affiliate." (i) in the case of an individual, any relative of such Person, (ii) any officer, director, trustee, partner, manager, employee or holder of ten percent (10%) or more of any class of the voting securities of or equity interest in such Person; (iii) any corporation, partnership, limited liability company, trust or other entity controlling, controlled by or under common control with such Person; or (iv) any officer, director, trustee, partner, manager, employee or holder of ten percent (10%) or more of the outstanding voting securities of any corporation, partnership, limited liability company, trust or other entity controlling, controlled by or under common control with such Person.

"Capital Account." A capital account maintained in accordance with the rules contained in Treas. Reg. §1-704-1(b)(2)(4) as amended from time to time.

"Capital Contribution." Any contribution, as defined in O.C.G.A. §14-11-101(4), to the capital of the Company in cash or property by a Member whenever made.

"Code." The Internal Revenue Code of 1986, as amended from time to time.

"Company." **NCP HOLDINGS, LLC.**

"Distributable Cash." All cash, revenues and funds received by the Company from Company operations, less the sum of the following to the extent paid or set aside by the Company: (i) all principal and interest payments on indebtedness of the Company and all other sums paid to lenders; (ii) all cash expenditures incurred incident to the normal operation of the Company's business; (iii) such Reserves as the Managers deem reasonably necessary to the proper operation of the Company's business.

"Economic Interest." A Member's or Economic Interest Owner's share of one or more of the Company's Net Profits, Net Losses and distributions of the Company's assets pursuant to this Operating Agreement and the Georgia Act, but shall not include any right to vote on, consent to or otherwise participate in any decision of the Member or Manager.

"Economic Interest Owner." The owner of an Economic Interest who is not a Member.

"Entity." Any general partnership, limited partnership, limited liability company, corporation, joint venture, trust, business trust, cooperative or association or any foreign trust or foreign business organization.

"Fiscal Year." The Company's fiscal year, which shall be the calendar year.

"Georgia Act." The Georgia Limited Liability Company Act at O.C.G.A. §14-11-100, et seq.

"Initial Capital Contribution." The initial contribution to the capital of the Company made by a Member pursuant to this Operating Agreement.

"Majority Interest." Ownership Interests of Member which, taken together, exceed fifty percent (50%) of the aggregate of all Ownership Interests.

"Manager." One or more managers designated pursuant to this Agreement. Specifically, Manager shall mean **PRESTON BOWEN**, or any other person(s) that succeed such person(s) in the capacity as Manager.

"Member." Each of the parties who executes a counterpart of this Operating Agreement as a Member and each of the parties who may hereafter become a Member. To the extent a Manager has purchased a Membership Interest in the Company, he will have all the rights of a Member with respect to such Membership Interest, and the term "Member" as used herein shall include a Manager to the extent he has purchased such Membership Interest in the Company. If a Person is a Member immediately prior to the purchase or other acquisition by such Person of an Economic Interest, such Person shall have all the rights of a Member with respect to such purchased or otherwise acquired Membership Interest or Economic Interest, as the case may be.

"Membership Interest." A Member's entire interest in the Company including such Member's Economic Interest, including the right to vote on, consent to, or otherwise participate in any decision or action of or by the Member granted pursuant to this Operating Agreement or the Georgia Act.

"Net Profits" or Net Losses" shall mean the Company's taxable income or loss determined in accordance with Code Section 703(a) for each of its Fiscal Years; provided, such Net Profits or Net Losses shall be computed as if items of tax-exempt income and nondeductible, non-capital expenditures (under Code Sections 705(a)(1)(b) and 705(a)(2)(B)) were included in the computation of taxable income or loss. For purposes of calculating Net Profits and Net Losses, the following items shall be treated as Code Section 705(a)(2)(B) expenditures: (a) amounts paid or incurred to organize the Company or to promote the sale of (or to sell) the Membership Interests, except for amounts with respect to which an election is properly made under Code Section 709(b); and (b) any deduction for a loss on a sale or exchange of Company property which is disallowed to the Company under Code Section 267(a)(1) or 707(b).

"Operating Agreement." This Operating Agreement as originally executed and as amended from time to time.

"Ownership Interest." The proportion that a Member's positive Capital Account bears to the aggregate positive Capital Accounts of all Member(s) whose Capital Accounts have positive balances as may be adjusted from time to time. The initial Ownership Interests of the Member is as follows:

PRESTON BOWEN	50%
LARRY GLOVER	50%

"Person." Any individual or Entity, and the heirs, executors, administrators, legal representatives, successors, and assigns of such "Person" where the context so permits.

caused the dispute, controversy or claim to be submitted to arbitration as a dilatory tactic.

15.22 Determination of Matters Not Provided For in This Agreement. The Manager shall decide any questions arising with respect to the Company and this Agreement which are not specifically or expressly provided for in this Agreement.

15.23 Further Assurances. The Members each agree to cooperate, and to execute and deliver in a timely fashion any and all additional documents necessary to effectuate the purposes of the Company and this Agreement.

15.24 Time. TIME IS OF THE ESSENCE OF THIS AGREEMENT, AND TO ANY PAYMENTS, ALLOCATIONS AND DISTRIBUTIONS SPECIFIED UNDER THIS AGREEMENT.

IN WITNESS WHEREOF, this Operating Agreement has been executed as of the date first set forth above.

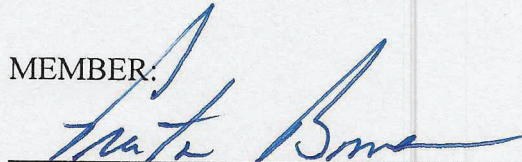


Witness

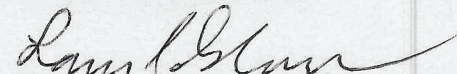


Witness

MEMBER:



PRESTON BOWEN



LARRY GLOVER

EXHIBIT A

Initial capital contribution shall be as follows:

PRESTON BOWEN
LARRY GLOVER

\$100.00
\$100.00

PLANNING AND ZONING DEPARTMENT 2875
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 770-531-3902



CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM

This form must be completed by the applicant and property owner, or person representing the property owner, for all zoning actions.

OCGA § 36-67A-3[C] Disclosure of campaign contributions:

- (b) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning 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:
- (3) The name and official position of the local government official to whom the campaign contribution was made; and
- (4) 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 zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ I have not X

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

****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Judith Black

Date: 5/23/25

Applicant's/Owner's Name (Printed): Judith Black

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****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____ Office: _____

Dollar Amount: _____ Date of Contribution: _____

Applicant's/Owner's Signature: Derrick McCallum Date: 5-23-2025

Applicant's/Owner's Name (Printed): Derrick McCallum

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****If you have made such contributions, you must provide the data required below within ten (10) days of filing this application.**

Name of Official(s): _____

Office: _____

Dollar Amount: _____

Date of Contribution: _____

Applicant's/Owner's Signature: Preston Bower

Date: 6/2/25

Applicant's/Owner's Name (Printed): PRESTON BOWER