

OCT 02 2025

Planning & Zoning Department

Narrative for Rezoning Application of Henry Slack and Tennent Slack for
3180 Haynes Drive, Gainesville, GA, 30506, Parcel No.: 10113 000049

3180 Haynes Drive, Gainesville, GA, 30506, Parcel No.: 10113 000049 (the "Property") is and was constructed as a single-family detached dwelling even though it is part of a condominium association. It is situated in District 2 of Hall County and is currently zoned as R-MF. The proposed use of the property is for it to now function as a stand-alone, detached residential dwelling, not in a condominium association, which will require amending the zoning to allow for a single-family detached dwelling unit. It is only one lot, and there is no request to subdivide. It has no signage, and its only outdoor lighting is a few floodlights attached to the dwelling. The Property is currently serviced with water and sewer utilities. There is no need for buffer zones to protect adjacent properties since the adjacent properties are residential (R-MF) or undeveloped. One adjacent parcel, 10113 000004, is owned by Tanyard Branch Partnership and is landlocked without access to a public road except by crossing the Property, which has a drive that runs across the Property and ends at the Tanyard Branch Partnership property. Applicant and owner intend to leave said drive as it is and not interfere with the access to the Tanyard Branch Partnership property.

The Property was deemed Unit J and made a part of The Cedars Condominium Association, Inc. (the "Association") via the Third Amendment to "Declaration of The Cedars, a Condominium," filed June 12, 2002, Book 4223, Pages 71-74, of the Hall County Deed Records. This Third Amendment brought the parcel of land into the Association, included a plat, and allowed for construction of the dwelling house thereon. The Fourth Amendment to the "Declaration of The Cedars, a Condominium," Book 5150, Page 610-614 of the Hall County Deed Records, altered the way that Unit J was treated within the Association. Unlike the other Units in the Association, Unit J was a standalone dwelling, and the owner of Unit J was treated partly as a condo unit and partly as a separate dwelling in that the owner of Unit J handled all maintenance, care, and repair of the building of Unit J and of the land on which it is located, which was designated as a Limited Common Element to distinguish it from the Common Elements that all Unit owners shared and could use.

W. Henry Slack, IV, on behalf of the owner of 3180 Haynes Drive, Gainesville, GA, 30506 who is his mother, Tennent Lee Slack, engaged Stewart, Melvin & Frost, LLP to withdraw the Property from the Association and make it legally fit for sale in the future. Patrick W. Shuler and D. Thomas Lefevre, attorneys at said firm, began the process of removing the Property from the Association.

Because the "Declaration of The Cedars, a Condominium," and its subsequent amendments do not outline a method for removing property from the Association, the parties were forced to follow the statutory method for doing so. Mr. Shuler drafted a Sixth Amendment to "Declaration of The Cedars, a Condominium," that would withdraw Unit J and the land on which it is located

from the Association. In addition, he prepared an Easement that would allow ingress, egress, and utilities across Association property to serve the Property and give it access to a public road, Haynes Drive.

Mr. Slack and Mr. Shuler attended a meeting of the Association to discuss these plans for withdrawing the Property from the Association. As part of that meeting, they brought copies of the Sixth Amendment, Easement, and a signed attorney letter outlining their plans, including the fact that the Property needed its zoning amended, for the Association members to review. After reviewing those documents and asking questions, the Association consented to and approved the plan to remove the Property from the Association. Association members or their proxies signed the Sixth Amendment and the Easement, which are executed but currently unrecorded.

A survey was prepared by Christopher J. Carlan, GRLS 3003, of Carlan Land Surveyors showing the Easement, recorded July 30th, 2025 in Plat Book 887, Page 328 of the Hall County Plat Records.

Adjacent Properties which will require notice:

10113 000004 – Tanyard Branch Partnership

3954 Hardy Road

Gainesville, GA 30506

10113 000029 – Go Reliable Home Services LLC

3871 Walnut Grove Way

Gainesville, GA 30506

10113 000012 – Walter & Barbara D. Alexander

3330 Arbor Walk Drive

Gainesville, GA 30506

10113 000047 – Marcellle C. Lewis & Ronald F. Lewis

3178 Haynes Bridge Road

Gainesville, GA 30506

10113 000046 – Ronald Keith Moore

3178 Haynes Bridge Road

Gainesville, GA 30506

10113 000040 – Robert W. Lawson, Jr. & Emily D. Lawson

3170 Haynes Bridge Road

Gainesville, GA 30506

10113 000039 – Glynn Frets & James Allen Butts, Jr.

3170 Haynes Bridge Road

Gainesville, GA 30506

10113 000038 – Brenda Dianne Moore

3170 Haynes Bridge Road

Gainesville, GA 30506

10113 000045 – Madge M. Matthews Harper

3109 Dunlap Drive, Unit D

Gainesville, GA

10113 000044 – Nathan B. Hope & Linda H. Hope as Trustees of the Hope Family Living Trust,
dated December 5, 2023

3109 Dunlap Drive, Unit C

Gainesville, GA

10113 000042 – Richard Davis & Ansley Erdel as Co-Trustees of the Francis Willis Davis
Irrevocable Trust

3109 Dunlap Drive, Unit B

Gainesville, GA

10113 000041 – Sallie Thomas Carmichael

P.O. Box 330

Gainesville, GA

The Cedars, a Condominium

Attn: President Glynn Frets

3170 Haynes Bridge Road

Gainesville, GA 30506