



**HORNE & GRIFFIS**

32 South Court Square, P.O. Box 220  
Newnan, Georgia 30264

[www.newnanlaw.com](http://www.newnanlaw.com)

MELISSA D. GRIFFIS (GA, AL)

Telephone: (770) 253-3282  
Fax (770) 251-7262  
Email: [melissa@newnanlaw.com](mailto:melissa@newnanlaw.com)

January 28, 2022

**VIA HAND DELIVERY**

City of Senoia, Georgia  
Attn: Lynn Carter, City Clerk  
80 Main Street  
Senoia, GA 30276

RE: Request of Atlanta Reserve Group, LLC  
Approximately 2.40+/- Acres located on Georgia State Route 16, City of Senoia Georgia  
Conditional Use Permit Request to Allow for Two (2) Restaurants with Drive-Thru

Dear Ladies and Gentlemen:

In the near future you will be considering the above conditional use permit request for a conditional use to allow for a restaurant with drive-thru in the City of Senoia, Georgia. We look forward to the opportunity to bring this request to your attention and do anticipate your full support in this endeavor. Among the facts supporting the rezoning are the following:

- a. The conditional use permit proposal will not adversely affect the existing use or usability of adjacent or nearby property.
- b. The conditional use permit proposal will not result in a use which will or would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- c. The conditional use permit will facilitate the principles of smart development so highly valued by the City of Senoia.

Although we anticipate approval of this conditional use request, as required under Georgia law we must formally notify you that a denial of the requested conditional use would deny and deprive the applicants and property owners of their constitutional rights, because any such denial would be arbitrary, capricious, unreasonable, unrelated

City of Senoia Georgia  
January 28, 2022  
Page 2

to any public purpose and the denial of equal protection rights.

Should you have any questions or desire to discuss this matter, please feel free to contact me, at your convenience.

Yours truly,



Melissa D. Griffis

MDG/kr

c: Mayor Dub Pearman  
Councilwoman Tracy Brady, Mayor Pro-Tem  
Councilman Maurice Grover  
Councilman Matt Foust  
Councilman Dale Reeder  
Mr. Harold Simmons, City Manager  
Mr. Andrew J. Whalen, III, Esq., City Attorney



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FR: JAN 28 '22 10:57

MELISSA D. GRIFFIS (GA, AL)

Telephone: (770) 253-3282  
Fax (770) 251-7262  
Email: [melissa@newnanlaw.com](mailto:melissa@newnanlaw.com)

January 28, 2022

**VIA HAND DELIVERY**

City of Senoia, Georgia  
Attn.: Ms. Dina Rimi, Planning & Zoning Director  
80 Main Street  
Senoia, GA 30276

RE: Request of Atlanta Reserve Group, LLC  
Approximately 2.40+/- Acres located on Georgia State Route 16, City of  
Senoia Georgia  
Conditional Use Permit Request to Allow for Two (2) Restaurants with  
Drive-Thru

Dear Ms. Rimi:

Please allow this correspondence to serve as the letter of intent as required for the Application for Conditional Use Permit to the City of Senoia, Georgia filed on behalf of Atlanta Reserve Group, LLC. Atlanta Reserve Group, LLC desires a conditional use permit to allow for two (2) restaurants with drive-thru in the GC zoning district. Attached hereto is the required application and documents for said request.

Atlanta Reserve Group, LLC has included all materials required per the Application Form and applicable Ordinance provisions. As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me. Atlanta Reserve Group, LLC, as Applicant and myself, as counsel for Atlanta Reserve Group, LLC, look forward to working with you and your staff as you review and analyze the enclosed Application.

Yours Truly,

A handwritten signature in blue ink, appearing to read 'Melissa D. Griffis', written in a cursive style.

Melissa D. Griffis

MDG/kr  
Enclosure(s)



# **TAB 1**

## **Application for Conditional Use Permit**

Application for  
Conditional Use  
Permit



The City of Senovia  
P.O. Box 310  
Senovia, GA 30276  
(770) 599-3679

Name of Applicant Atlanta Reserve Group, LLC Phone No. (678) 725-8342  
Mailing Address 3078 Hwy. 81 North, Oxford, GA 30254  
Name of Property Owner Lindsey & Associates, LLC Phone No. (770) 301-4647  
(Attach additional page if there is more than one owner)  
Address of Property None  
Zoning Classification: Present GC  
Use of Property: Present undeveloped Requested 2 Restaurants  
with Drive-thru

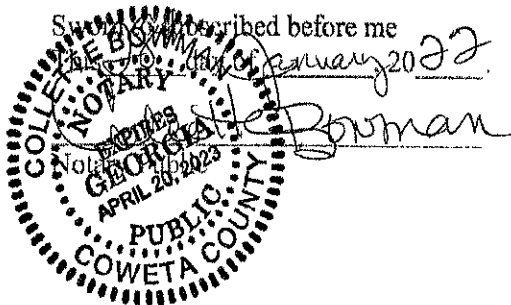
Explain in the space below or on a separate sheet the proposed conditional use.

The proposed conditional use is to allow for two (2) restaurants with drive-thru on the site that is zoned GC.

Attach the following documents:

1. Written legal description of the property (copy of deed) – full metes and bounds description rather than plat reference.
2. Plat showing property lines and lengths and bearings, adjoining streets, locations of existing buildings, north arrow and scale. Submit 3 copies if the plat is 11" x 17" or smaller.. Submit 1 pdf of the plat.
3. List of adjacent property owners
4. If Property Owner and Applicant are not the same, Authorization by Property Owner Form or Authorization of Attorney Form.
5. Filing fee (See Permit Fee Schedule) payable to the City of Senovia. - \$300
6. Letter of Intent

I hereby authorize the staff of City of Senovia to inspect the premises of the above – described property. I hereby depose and say that all statements herein and attached statements submitted are true and correct to the best of my knowledge and belief.



[Signature]  
Signature of Applicant  
Atlanta Reserve Group, LLC

**Planning Commission Action:**

Date of Hearing: \_\_\_\_\_

Commission's Recommendation: \_\_\_\_\_

Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Mayor and Council of the City of Senoia:**

Date of Hearing: \_\_\_\_\_

Council's Decision \_\_\_\_\_

Conditions required: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





# **TAB 2**

## **Legal Description**

Legal Description for:  
Lots 1 & 2 - Village West  
Condition Use Permit Request

All that tract or parcel of land lying and being in Land Lots 247 of the 1st District of Coweta County, Georgia and being more particularly described as follows:

Beginning at a point located at intersection of the southern right-of-way of Georgia Highway #16 (R/W Varies) and the western right-way of Village West Drive (60' right-of-way), travel thence South 03 degrees - 50 minutes - 54 seconds East along the western right-of-way of Village West Drive a distance of 68.81 feet to a point; Travel thence along an arc a distance of 281.67 feet to a point, said arc being subtended by a chord distance of 250.54 feet with a bearing of South 43 degrees - 37 minutes - 01 seconds - West; Travel thence North 88 degrees - 55 minutes - 04 seconds West along the right-of-way of Village West Drive, a distance of 293.14 feet to a point; travel thence North 59 degrees - 50 minutes - 54 seconds West a distance of 39.61 feet to a point; travel thence North 01 degrees - 04 minutes - 56 seconds East a distance of 22.78 feet to a point, travel thence along an arc a distance of 88.64 feet to a point, said arc being subtended by a chord distance of 88.61 feet with a bearing of North 01 degrees - 22 minutes - 59 seconds West; Travel thence North 03 degrees - 50 minutes - 54 seconds West a distance of 90.20 feet to a point located on the southern right-of-way of Georgia Highway #16; travel thence North 85 degrees - 56 minutes - 02 seconds East a distance of 99.28 feet to a point; Travel thence North 85 degrees - 49 minutes - 38 seconds East along said right-of-way of Georgia Highway #16 a distance of 105.57 feet to a point; travel thence North 86 degrees - 12 minutes - 06 seconds East a distance of 236.12 feet to a point and the True Point of Beginning.

Said Parcel of land contains 2.40 acres more or less.



**TAB 3**

**Deed**

DOC# 014650  
FILED IN OFFICE  
08/08/2008 10:47 AM  
BK:3376 PG:75-75  
CINDY G BROWN  
CLERK OF SUPERIOR COURT  
COWETA COUNTY

*Cindy G. Brown*

REAL ESTATE TRANSFER TAX  
PAID: \$466.00 ✓

RETURN TO:  
✓ GLOVER & DAVIS, P.A.  
P.O. DRAWER 1038  
NEWNAN, GA 30264

2008-4296

Return Recorded Document to:  
GLOVER & DAVIS, P.A.  
Attorneys at Law  
P. O. Drawer 1038  
10 Brown Street  
Newnan, GA 30264

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF COWETA

File #: 208-0952 ✓

This Indenture made this 7th day of August, 2008 between ✓ Thomas Eric Burks and Eugenia B. Burks, of the State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Lindsey & Associates, L.L.C., a Limited Liability Company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

✓ All that certain tract or parcel of land situate, lying and being in Land Lot 247 of the First Land District of Coweta County, Georgia, being Lot 1 of Ridley Taylor Subdivision as shown by plat recorded in Plat Book 17, Page 121, Coweta County, Georgia Records. Said Lot containing 5.134 acres and being more particularly described by reference to plat of Property of T. E. Burks made by J. R. Christopher, Surveyor, dated April 2, 1973.

The above-described Property is conveyed subject to a Right of Way Easement in favor of Southern Bell Telephone and Telegraph Company of record at Deed Book 477, Page 548, Coweta County, Georgia Records.

The above-described Property is conveyed subject to those Restrictions of record set forth in that Warranty Deed recorded at Deed Book 233, Page 289, Coweta County, Georgia Records.

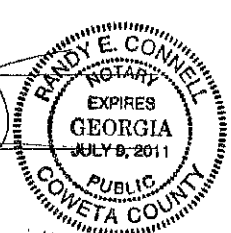
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

*[Signature]*  
Witness  
*[Signature]*  
Notary Public



*Thomas Eric Burks* (Seal)  
Thomas Eric Burks  
*Eugenia B. Burks* (Seal)  
Eugenia B. Burks

H:\genera\recnew\wd.lindsey&associates

1/10 mr

DOCH# 010084  
FILED IN OFFICE  
6/24/2015 10:07 AM  
BK:4233 PG:671-671  
CINDY G BROWN  
CLERK OF SUPERIOR COURT  
COWETA COUNTY

*Cindy G. Brown*

REAL ESTATE TRANSFER TAX  
PAID: \$0.00 ✓

PT. 15. 3040

RETURN TO:  
GLOVER & DAVIS, P.A.  
P.O. DRAWER 1038  
NEWMAN, GA 30264

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF COWETA

File #: 215-0424

This Indenture made this 23rd day of June, 2015 between David A. Lindsey, of the County of Coweta, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Lindsey & Associates, L.L.C., a Georgia Limited Liability Company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 247 of the First Land District of Coweta County, Georgia, being Lot 2 and Lot 3 of Ridley-Taylor Subdivision, as shown by plat recorded in Plat Book 17, Page 121, in the Office of the Clerk of the Superior Court of Coweta County, Georgia. Reference to said plat is hereby made for a more complete and accurate description of said Lot 2 and Lot 3.

The above-described property is conveyed subject to the following:

- (1) Easement in favor of Southern Bell Telephone and Telegraph Company of record at Deed Book 477, Page 547, Coweta County, Georgia Records.
- (2) Restrictions and Covenants as set forth in Warranty Deed recorded at Deed Book 233, Page 181, Coweta County, Georgia Records.
- (3) Such matters as shown on survey of record at Plat Book 17, Page 121, Coweta County, Georgia Records and on survey of record at Plat Book 66, Page 192, Coweta County, Georgia Records.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

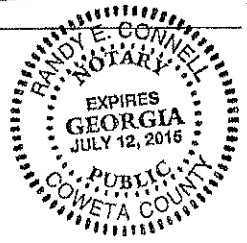
IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

*[Signature]*  
Witness

*[Signature]* (Seal)  
David A. Lindsey

*[Signature]*  
Notary Public



1/10/15



**TAB 4**

**Plat**







# **TAB 5**

## **List of Adjacent Property Owners**

**Adjacent Owners**

Lindsey & Associates  
140 Village Circle  
Senoia, GA 30276

Phil & Deanna Holdings, LLC  
351 Porter Road  
Fayetteville, GA 30215



# **TAB 6**

## **Authorization of Property Owner**

**AUTHORIZATION OF PROPERTY OWNER**

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

I authorize the person named below to act as Applicant in the pursuit of rezoning or a variance of this property.

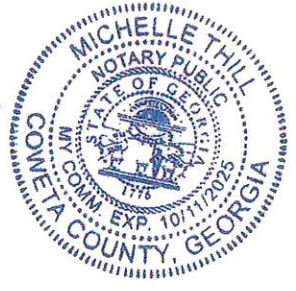
Name of Applicant Atlanta Reserve Group, LLC  
Address 3028 Hwy. 81, Oxford, Georgia 30254  
Telephone No. (678) 725-8342

David A. Lindsay  
Signature of Owner

Personally appeared before me

David A. Lindsay  
Who swears that the information  
Contained in this authorization is  
True and correct to the best of  
His or her knowledge and belief.

Michelle Thill  
Notary Public  
1-28-2022  
Date





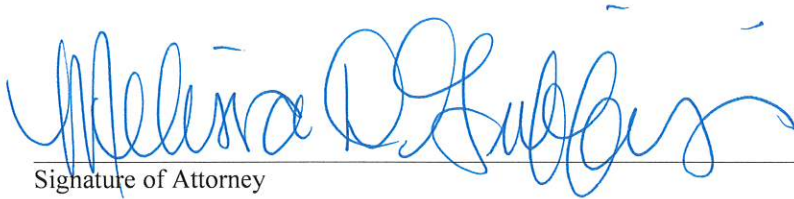


# **TAB 7**

## **Authorization of Attorney**

**AUTHORIZATION OF ATTORNEY**

I swear that as an attorney at law, I have been authorized by the owner to file the attached application.



\_\_\_\_\_

Signature of Attorney

Melissa D. Griffis, Esq.

Name

32 South Court Square,

Address

Newnan, GA 30263

City

State

Zip Code

(770) 253-3282

Telephone Number



# **Tab 8**

**Filing Fee**  
**(\$300.00)**

HORNE & GRIFFIS, P.C.  
GENERAL ACCOUNT  
32 S. COURT SQ., P.O. BOX 220  
NEWNAN, GEORGIA 30264  
(770) 253-3282



64-751/611

1/27/2022

PAY TO THE  
ORDER OF

City of Senoia

\$ \*\*300.00

DOLLARS

Three Hundred and 00/100\*\*\*\*\*

City of Senoia

VOID AFTER 90 DAYS



*Karen L. Rescoe*

AUTHORIZED SIGNATURE

MEMO

2121143.001

⑈025479⑈ ⑆061107515⑆ 788 845⑈

Security features. Details on back.



# **Tab 9**

## **Conceptual Plan**

