

Application for
Conditional Use
Permit



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

Name of Applicant Tinsley Senoia Holdings, LLC Phone No. 770.461.0478
Mailing Address 270 North Jeff Davis drive, Fayetteville, GA 30214
Name of Property Owner Same Phone No. same
(Attach additional page if there is more than one owner)
Address of Property SW Corner of the Intersection of GA 16 & GA 85
Zoning Classification: Present GC in Highway Overlay
Use of Property: Present Vacant Requested Conv. Store with Fuel Pump Service

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

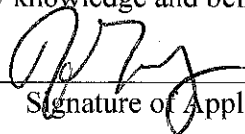
Gas station/convenience store per the attached concept plan in the Senioia Gateway
Commercial project.

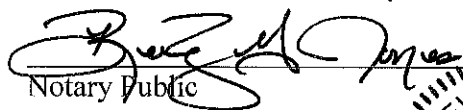
Attach the following documents:

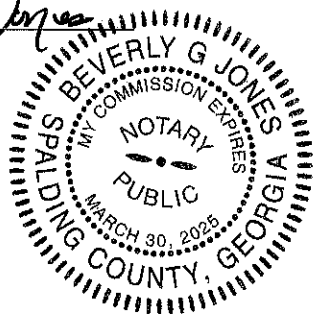
1. Written legal description of the property (copy of deed) – full metes and bounds ✓
description rather than plat reference.
2. Plat showing property lines and lengths and bearings, adjoining streets, locations of ✓
existing buildings, north arrow and scale. Submit 3copies if the plat is 11” x
17” or 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 Senoia. - \$300 ✓
6. Letter of Intent ✓

I hereby authorize the staff of City of Senoia 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.

Sworn to subscribed before me
This 10th day of November, 2022.


Signature of Applicant


Notary Public



Senoia Tinsley Holdings, LLC

Letter of Intent

November 9, 2022

Tinsley Senoia Holdings, LLC is the owner of 30.1 acres on the southwestern corner of GA Hwy 16 and GA Hwy 85. In September 2022, the Mayor and Council of the City of Senoia approved the preliminary plat for the Senoia Gateway Development. The development consists of three parcels with northern frontage on GA Hwy 16, two parcels with western frontage on GA Hwy 85, and one parcel on the corner with frontage on both highways. The preliminary plat is attached.

The Property is zoned General Commercial (GC) and lies within city's Highway 85 and Highway 16 Commercial Corridor Overlay. The purpose of the overlay is to ensure development of appealing and functional commercial settings. The functionality of the development is addressed with the carefully planned entrances and internal roads that limit the number of curb cuts directly onto highway network. The aesthetics in the development will meet the design standards outlined in the overlay ordinance.

Tinsley Senoia Holdings, LLC is requesting approval of a conditional use permit for a convenience store with fuel pumps located on the 1.98-acre parcel on the corner of GA Hwy 16 and GA Hwy 74/85. The enclosed concept plan consists of a +/- 5600 square foot building, a gas canopy that accommodates four pumps, and associated access and parking.

Section 74-99 of the Senoia Code of Ordinances establishes that Convenience Stores with Fuel Pump Service in a GC district is a permitted use that requires approval of a conditional use permit. The Section also provides a statement that the fueling pumps shall be a minimum of 15 feet from the right of way.

Section 74-47 of the Senoia Code of Ordinances provides an outline of the standards that should be considered for granting a conditional use permit.

- (A) *The existing land uses and zoning classification of nearby property.* The adjoining and surrounding properties are all zoned GC within the City of Senoia Highway Overlay District. The most recent developments in the corridor were planned and constructed in accordance with this code.
- (B) *The suitability of the subject property for the conditionally permitted use.* The subject property is 1.98 acres. The plan shows that the improvements planned on the parcel meets the requirements established by the overlay ordinance. Further, the standard set in Section 74-99 that the fuel pumps shall be a minimum of 15 feet from the right-of-way is accomplished. The gas canopy is more than 60 feet from GA Hwy 16 and the interior public street.
- (C) *The extent, if any, to which the property values of adjacent and nearby property will be diminished by the granting of the conditional use.* There is no evidence that property

developed in accordance with the overlay would have any detrimental effect on nearby properties. Section 74-184 of the City of Senoia Code of Ordinances establishes a list of uses that are prohibited within the overlay. It can be assumed that the city believes this list of uses would be detrimental to the nearby properties. Convenience store with fuel pump service is not included in the list.

- (D) *The relative gain to the public, as compared to the hardship imposed upon the applicant for a conditional use permit.* The project safely provides a service at a very busy intersection. There are two other fueling stations at the intersection. However, neither of the existing was constructed with access that safely meets the level of traffic at the intersection.
- (E) *Whether there are adequate buffers and access to or egress from the property so as not to unduly compound traffic congestion within the area.* The City's stated purpose of the overlay is to create functional commercial development along the Hwy 16 & 85 corridor. The approved preliminary plat provides that functionality. The engineers of Tinsley Senoia Holdings, LLC has met with representatives of GDOT and carefully placed the access points to provide the safest and smoothest traffic patterns. All left turns into the site are located far from the intersection of GA 16 & GA 85 to allow proper stacking within a turn lane. The nearer access points are right-in right-out only. Further, the internal road network allows traffic to make safe movements without getting back on the highway. The public gains a service that is very safe to access.
- (F) *Whether there are other conditions, such as lighting, location of structures, parking, or other considerations necessary for protection of surrounding and nearby property owners.* The project is designed in compliance with the requirements of the overlay.


Tinsley Senoia Holdings, LLC desires to safely provide the services of a convenience store with fuel pumps to the residents and visitors to Senoia. To this end, we are requesting approval of the proposed conditional use permit.

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.

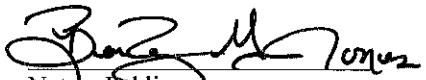
Name of Applicant Tinsley Senoia Holdings, LLC
Address 270 North Jeff Davis Drive, Fayetteville, GA 30214
Telephone No. 770.461.0478

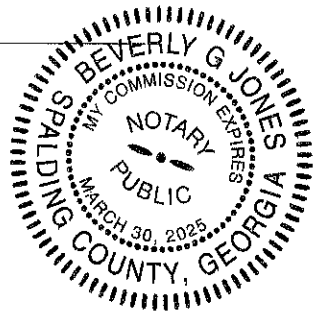


Signature of Owner

Personally appeared before me

Richard Perry
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
4/10/22
Date



DOC# 014382
FILED IN OFFICE
8/4/2017 09:57 AM
BK:4580 PG:817-818
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

Cindy G. Brown

REAL ESTATE TRANSFER TAX
PAID: \$1500.00

PT# 2017-4525

STATE OF GEORGIA

COUNTY OF COWETA

168 129) 002-A

After recording, return to:

Michael E. Sumnar

Sumnar/Meeher, LLC

14 East Broad Street

Newnan Georgia 30263

LIMITED WARRANTY DEED

THIS INDENTURE made this 2nd day of August, 2017, by and between TINSLEY INVESTMENT COMPANY, LLC (hereinafter called "Grantor") and TINSLEY SENOIA HOLDINGS LLC (hereinafter called "Grantee"); the words "Grantor and "Grantee" to include their respective heirs, legal representatives, successors and assigns where the context requires or permits, whether voluntary by act of the parties, or involuntary by operation of law;

WITNESSETH:

GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid at and before sealing and delivery of these presents, the receipt, adequacy and sufficiency of which are hereby acknowledged by Grantor, has granted, bargained, sold, aliened, conveyed and confirmed and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto Grantee, any and all interest Grantor may have in all that tract or parcel of land lying and being in Coweta County, Georgia, and more particularly described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 291 of the First Land District of Coweta County, City of Senoia, Georgia, designated "N/F Tinsley (Ref Plat #1)" containing 7.698 acres, on plat of survey for Tinsley Investment Company, LLC dated 9/3/05, last revised 10/29/10, prepared by Jason D. Turner, Registered Land Surveyor and of record in Plat Book 90, Page 317, Office of the Clerk of Superior Court of Coweta County, Georgia, reference to which is hereby made for a more particular description of the tract herein conveyed.

TO HAVE AND TO HOLD the Property, 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 Grantee, its heirs and assigns, forever in FEE SIMPLE.

AND THE SAID GRANTOR, for its heirs, assigns, executors and administrators, will warrant and forever defend the right and title to the Property, unto the Grantee, its heirs and

¹
Clients on File Server 1; Eric; Tinsley; Tinsley Inv, LLC - Ltd WD to Tinsley Senoia Holdings, LLC.8.4.17 closing

2/12 m

assigns, against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, Grantor has set its hand and seal as of the day, month and year first above written.

TINSLEY INVESTMENT COMPANY, LLC

Patti R. Kenlein
Witness

By: Michael E. Sumner Manager
MICHAEL E. SUMNER, Manager

Sworn to and subscribed before me
this 2 day of August, 2017.

Marcia Gray
Notary Public

My Commission Expires March 30, 2019



EXHIBIT "A"

ALL THAT TRACT OR PARCEL of land lying and being in Land Lot 291, 1st Land District, Coweta County, Georgia being Tract 2 (22.432 acres) as depicted on that Survey for Tinsley Investment Company, LLC dated September 20, 2005, as revised, prepared by Jason D. Turner, GRLS No. 2795 and as recorded in Plat Book 90, Page 317, Coweta County, Georgia records.

CITY OF SENOIA
CASH RECEIPT

Receipt No: 296444

Date: 11/15/2022

Time: 09:15:08 AM

Received From:

Winsley Senoia Holdings

Amount: 300.00

Paid: 300.00

Change: 0.00

For:

ONING 300.00

senoia Gateway Project (conv. store)

HECKS
154: 300.00

Received By: SCC