

SPECIAL USE APPROVAL NO. 6872

SPECIAL USE APPROVAL  
OCONEE COUNTY, GEORGIA

TITLE

A Resolution granting Special Use Approval, as provided by the Unified Development Code of Oconee County, Georgia, pursuant to Article 12, Division I et seq.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for Special Use Approval submitted by Extreme Fireworks on March 28, 2015, requesting Special Use Approval on a ±3.683 acre tract of land located on the north side of Mars Hill Road in the 221<sup>st</sup> G.M.D., Oconee County, Georgia, (TP# C-2AE-2), on property owned by GF Mars Hill, LLC the Board of Commissioners of Oconee County does hereby ordain and enact to law the following:

SECTION 1. A Resolution granting Special Use Approval for the property described above and on the attached Exhibit A is hereby granted for Fireworks Retail Shop.

Said Special Use Approval is subject to the following conditions as set forth in "Exhibit A" attached hereto.

SECTION 2. Severability. It is intended that the provisions of this Resolution be severable and should any portion be held invalid, such invalidity shall not affect any other portion of the Resolution.

SECTION 3. Repeal of Conflicting Resolutions or Ordinances. All Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Resolution shall take effect this date.

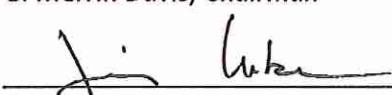
Said Special Use Approval application was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by same on May 16, 2016, and a Public Hearing was held by the Oconee County Board of Commissioners at a called meeting on June 14, 2016.

ADOPTED AND APPROVED, this 14<sup>th</sup> day of June, 2016.

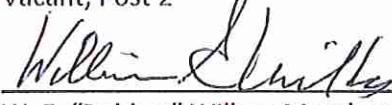
OCONEE COUNTY BOARD OF COMMISSIONERS

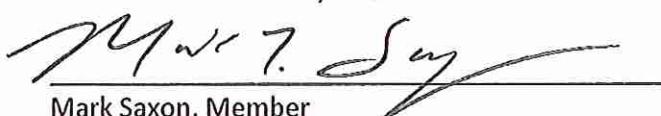
BY:

  
G. Melvin Davis, Chairman

  
Jim Luke, Member

Vacant, Post 2

  
W. E. "Bubber" Wilkes, Member

  
Mark Saxon, Member

**EXHIBIT "A" TO SPECIAL USE #6872**

Page 1 of 4

## CONDITIONS

This Special Use Approval shall be subject to the following conditions which shall be fulfilled by the developer at his/her expense:

1. Storage, distribution, display, and sale of consumer fireworks shall be in compliance with the requirements of "NFPA 1124", the National Fire Protection Association Standard 1124, *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles*, 2006 Edition or latest edition.
2. Fireworks shall not be used, exploded, or cause to be exploded on the shopping center property.
3. This Special Use approval for a Fireworks Shop shall only apply to the stated floor area described in the narrative for this request.
4. If the Fireworks Shop ceases to operate for any reason for a period of 30 consecutive calendar days, this Special Use approval shall become null and void.

**TAX MAP**

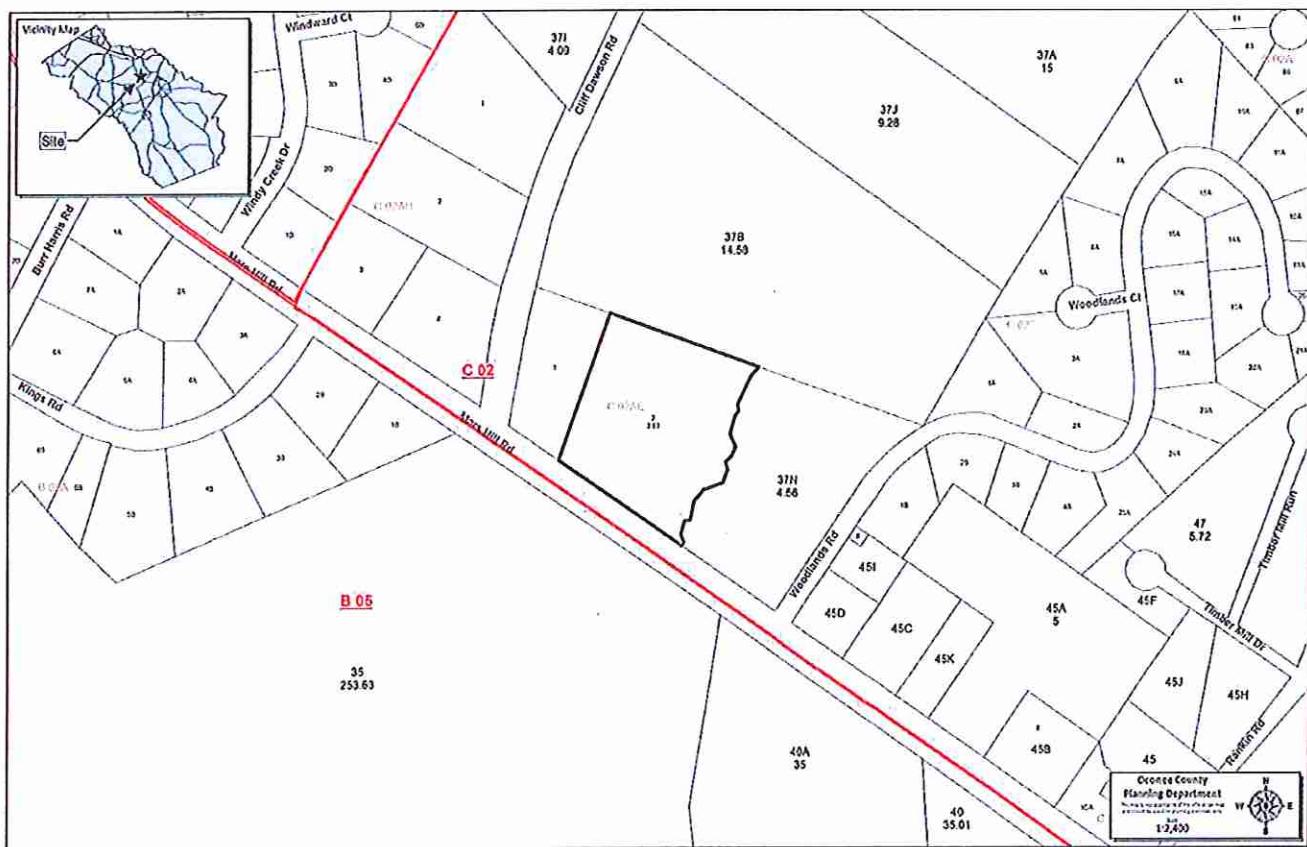


EXHIBIT "A" TO SPECIAL USE #6872

Page 2 of 4

**NARRATIVE**

Special Use Narrative

Manders Crossing – Extreme Fireworks

Special Use

3,689 Total Acres

Oconee County, Georgia

March 28th, 2016

B-1

Project Description:

This is a special use request for a fireworks retailer within an existing retail strip. The Manders crossing shopping center wishes to include a new occupant, "Extreme Fireworks."

Extreme Fireworks has opened stores in Johns Creek, Marietta and is in negotiations to also open additional locations in Cartersville and Kennesaw, Georgia. The space Extreme is under LOI with has approximately 3,000 SF with two entrances, two exits and a fire sprinkler system. The group plans to conduct business Wednesday – Sunday with minimum hours of 10AM to 4PM throughout the year. This will be a permanent business unlike many other fireworks retailers who only conduct business twice a year. The retailer will have at least 500 lbs. of class "C" fireworks within the Premises at Manders Crossing at any given time. Extreme is fully licensed and insured as required by the State of Georgia.

The proposed special use will not require any exterior changes other than signage to the Manders Crossing retail center. This is an indoor center, no outdoor sales activates are being requested under this special use.

REPRESENTATIVE PHOTOGRAPHS



**EXHIBIT "A" TO SPECIAL USE #6872**

Page 4 of 4

## LEGAL DESCRIPTION

All that tract, or parcel of land, together with all improvements thereon, situate, lying and being in the 221<sup>st</sup> District, G.M., Oconee County, Georgia, containing 3.683 acres of land, more or less, and being more particularly described as:

Beginning at the intersection of the easterly margin of the variable right-of-way of Cliff Dawson Road with the northerly margin of the variable right-of-way of Mars Hill Road; thence South 55 degrees 18 minutes 18 seconds East, 156.23 feet to an iron pin, being the TRUE POINT OF BEGINNING; thence leaving said right-of-way North 19 degrees 30 minutes 55 seconds East, 362.41 feet to an iron pin; thence South 70 degrees 32 minutes 47 seconds East, 400.15 feet to the centerline of a creek; thence along said centerline the following courses and distances: South 42 degrees 52 minutes 43 seconds West, 29.48 feet; South 25 degrees 52 minutes 15 seconds West, 77.92 feet; South 08 degrees 05 minutes 32 seconds East, 16.95 feet; South 34 degrees 19 minutes 58 seconds West, 17.63 feet; South 14 degrees 21 minutes 39 seconds West, 44.42 feet; thence South 24 degrees 37 minutes 03 seconds East, 33.65 feet; South 22 degrees 56 minutes 10 seconds West, 25.17 feet; South 45 degrees 10 minutes 00 seconds West, 20.56 feet; South 15 degrees 15 minutes 49 seconds East, 19.26 feet; South 18 degrees 47 minutes 13 seconds West, 34.52 feet; South 70 degrees 33 minutes 29 seconds West, 51.72 feet; South 40 degrees 12 minutes 47 seconds West, 37.81 feet; South 11 degrees 32 minutes 10 seconds West, 37.72 feet to a point on the northerly margin of right-of-way of Mars Hill Road; thence along said right-of-way North 54 degrees 41 minutes 21 seconds West, 33.17 feet to a point; thence South 54 degrees 42 minutes 31 seconds West, 75.27 feet to an iron pin; thence North 54 degrees 41 minutes 21 seconds West, 200.00 feet to an iron pin; thence North 47 degrees 54 minutes 40 seconds West, 100.96 feet to a point; thence North 54 degrees 59 minutes 55 seconds West, 2.40 feet to the TRUE POINT OF BEGINNING.

## COMPOSITE PLAT

