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CITY OF SNELLVILLE
PLANNING DEPARTMENT

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October 12, 2015

City of Snellville
2342 Oak Road, Suite 200
Snellville, GA, 30078

Re: Hindia Y. Ahmed
1103 Athens Highway
Re-Zoning Application and
Conditional Use Permit Application.

To Whom it may Concern:

Mrs. Hindia Y. Ahmed requests a change from the Official Zoning Map to change the zoning classification of the properly at 1103 Athens Highway from Business Neighborhood to Business General. This requested zoning is compatible with the 78 East Activity Node.

This property was purchased by Murphy Oil USA, Inc. in 1983 and used as a gasoline station/convenience store continuously until sometime between 2009 and 2010 or so. The Owner lost the property to foreclosure and it was owned by the FDIC and others. Mrs. Ahmed purchased the property in March, 2015. The current zoning of BN, is not the correct classification for a gas station and convenience store even though the location and use of the property has remained the same for some thirty years. In reviewing the ordinance, the station should be located in the General Business District in accordance to the Zoning Ordinance.

The granting of this application will have no adverse effect on any adjacent properties. This being a corner lot, there are only two adjacent properties, one is an existing non-operating car wash facility which is already zoned BG. The other property is a vacant wooded tract which is BN but has BG on its other side from Applicant's property.

The existing building, a former gasoline/convenience store, has been vacant for several years. Other neighborhood businesses could use this space, but it is a tract that is already surrounded by BG. No one has offered to purchase this property during the extended time is has set idle, which is an indication that the current zoning classification may be a hindrance to the sale or lease of this property. The Business General category offers a wider range of uses, not the

least of which is the original use this property had.

This site is located on Athens Highway which is a major thoroughfare. This highway has adequate capacity to bring customers to the proposed gas/convenience store. In addition, this site is bordered by Cooper Road, which is a large street and handles traffic. These two roads provide more than sufficient access to the property. The business activity created by the gas/convenience store will not be a burden on these streets.

The use of this property for a gas/convenience store will not place any burden on the Gwinnett County school system. This is a commercial property and it is not for residential use. Water use by this location will be no more than was previously used by the prior Chevron store. Likewise all other utilities are available in this area. Power and natural gas are available for this site. There would not be any additional burden on the sanitary sewer system in the area.

A conditional use permit accompanies this zoning change application. All fuel pumps will be in compliance with the a), b) and c) as required of Gas (Fuel) Stations. To the extent materials for the facade and canopy are required and landscaping, those matter will be performed in compliance with City ordinances. Mrs. Ahmed will perform striping and sealing on the property, curb painting and striping of the parking areas as needed. LED lighting will be added as part of the renovation process.

Granting of this re-zoning application will place this property back into use. The property has previously been an eyesore and would continue to be but for the renovation to be undertaken by Mrs. Ahmed. This will also give citizens of Snellville access to gas and convenience store items without having to cross US Highway 78 aka Athens Hwy.

To offer this plan she must bring the property into compliance with current City of Snellville Codes and Ordinances. We will require the consideration of certain variances due to existing features of the site that would require hardships to comply. The variances are enumerated below and on the attached site plan.

Without the approval of the below listed variances, significant changes would have to be made to the site that would create a physical and economic hardship that this property just cannot afford. The variances are needed because some of the existing conditions are not in compliance with various requirements set forth in the City's current development and zoning ordinances.

Listed below are the variances we are requesting as enumerated on the attached variance plan:

I. Allow variances from Corridor Overlay District requirements, Section 9.15 relating to:

1) Providing for interparcel vehicle access as the only contiguous properties are a non operating car wash behind the caption tract and an undeveloped tract to the east of said property.

2) Allow for variance from requiring all underground utilities. Existing power line from building is in rear of building and mostly out of public view and this is a corner lot.

3) Providing for a four foot wide sidewalk to the entrance of building. This is a gas station with an asphalt pavement which covers the property from the right of way to the main entrance.

4) Providing a two foot by eight foot pad every 300 linear feet on sidewalk, for decorative benches, bicycle racks, and trash receptacles along Cooper Road and providing for decorative benches, bicycle racks, and trash receptacles along Athens Highway.

5) Providing for street lights along all rights of way utilizing decorative light fixtures/poles.

6) Providing decorative light fixtures/poles throughout parking area. The five existing poles are sufficient.

7) Providing sidewalk lights.

8) Providing six foot sidewalks along both Cooper Road and Athens Highway in favor of four foot sidewalks.

9) Locating buildings close to and oriented toward public right of way with the majority of parking to the sides and rear. This is a gas station built in 1983 and the existing 10 parking spaces are in front of the building.

10) Providing pitched roofs on buildings under 7,500 square feet.

11) Providing bicycle racks, benches and trash receptacles.

II. Allow for variance from Snellville development regulations section 6.13.3(b) requiring a 6 foot sidewalk in favor of a 4 foot sidewalk along both Cooper Road and Athens Highway.

III. Allow for variance from Snellville Code section 19-34 related to dumpster screenings. Dumpster screening is not required at 8 feet in height as the Owner will cover all sides.

IV. Allow for variance from Snellville Code section 19-35 related to buffer as required at 19-33 to a twenty foot buffer between caption tract and 1080 Cooper Road, having a zoning of BG and is a non-operating car wash. The smaller buffer with trees therein will achieve the purpose intended by the article. The other contiguous property to the east is zoned BN.

V. Allow for variance from Snellville Ordinance section 19-74(1)(a)(b), (2), (3), (4) and (5). The property has existing, ten parking spaces, and the requirements above requiring planter islands, curbing, parking islands at the terminus of parking rows and that they be a minimum of 200 square feet and have a minimum coverage of 60% in trees and shrubs, etc., is not conducive to the existing facility or the asphalt pavement or the layout for a gas station.

VI. Allow a general variance for the site to be approved in its current condition except for the items requested on the variance plan and application.

Mrs. Ahmed asks that you evaluate these reasons and find that the granting this re-zoning and the attendant conditional use permit will be good for all Parties concerned and positively benefit the community. We are ready, willing and able to address any questions or concerns.

Thank you for your consideration.

Harold D. Ehrman,
Attorney at Law for Hindia Y. Ahmed