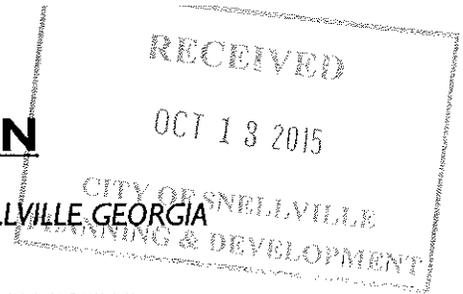




REZONING APPLICATION



APPLICATION TO AMEND THE OFFICIAL ZONING MAP, SNELLVILLE, GEORGIA

City of Snellville
Planning & Development Department
2342 Oak Road, 2nd Floor
Snellville, GA 30078
Phone 770.985.3514 Fax 770.985.3551 www.snellville.org

DATE RECEIVED: _____

1103 ATHENS HWY
#1500280 REZONING APP #RZ 16-01 CUP 16-01
Parcel #5101 029 Convenience Store/Gas Station

Applicant is: (check one)
 Owner's Agent
 Contract Purchaser
 Property Owner

Owner (if not the applicant): check here if there are additional property owners and attach additional sheets.

HINDIA Y. AHMED
Name (please print)
2330 SUMMIT DAKS COURT
Address
LAWRENCEVILLE, GA 30043
City, State, Zip Code
678 480-4606
Phone Number(s) Fax

HINDIA Y. AHMED
Name (please print)
SAME
Address
City, State, Zip Code
Phone Number(s) Fax

Contact Person: DAVID EHARMAN, ATTORNEY AT LAW Phone: 404 374 1883 Fax: 888 732-5078
Cell Phone: 404 374-1883 E-mail: hehrman@ehрманlaw.com

Present Zoning Classification(s): BN
Proposed Zoning Classification(s): BG
Proposed Use: GAS STATION / CONVIENCE STORE
Property Address/Location: 1103 ATHENS Hwy District: 5TH Land Lot 101 Parcel(s) 029

At a minimum, the following items are required with submittal of this application. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

- ✓ Pre-submittal appointment shall be requested and completed a minimum of five (5) business days prior to Application deadline to ensure application is complete, accurate, and includes all required attachments/exhibits and required signatures;
- ✓ Payment of the appropriate application, public notice sign, and adjoining property owner notification fees;
- ✓ Letter of Intent explaining the request for rezoning and what is proposed;
- ✓ The names, addresses, and original signatures of the owners of the subject parcel(s) and their agents, if any;
- ✓ The present and proposed zoning district for the parcel(s). Include listing of ALL permitted uses in requested Zoning District;
- ✓ Analysis of impact of the proposed rezoning pursuant to Section 15.2(3)(e) of Snellville Zoning Ordinance. (Attachment A);
- ✓ Applicant's and/or Owner's Certification (Attachment B);
- ✓ Conflict of Interest Certification and Disclosure of Campaign Contributions (Attachment C);
- ✓ A current legal description of the parcel(s) to be rezoned. If the parcel proposed for amendment includes multiple parcels, provide a separate legal description for each individual parcel, together with a composite legal description for all parcels;
- ✓ Verification from county Tax Assessor that all property taxes have been paid and account is current (for all parcels subject to this application). Applicant to obtain confirmation of taxes paid using original Verification Sheet (attached);
- ✓ A Certificate of Title or Warranty Deed (for all parcels subject to this application);
- ✓ Map indicating the subject parcel(s) and the adjoining parcel(s), identified by property owner(s) name and tax parcel number;
- ✓ Thirty (30) copies and one (1) original of the proposed Site and Concept Plan, and one (1) 11" x 17" (or smaller) reduction of the plan, drawn to scale, showing: (a) north arrow; (b) district, land lot(s) and parcel number(s); (c) the dimensions with bearing and distance; (d) acreage; (e) location of the tract(s), (f) the present zoning and land use classification of all adjacent parcels, (g) the proposed location of structures, driveways, parking and loading areas; (h) and the location and extent of required buffer areas. Site and Concept Plan shall be prepared by an architect, engineer, landscape architect, or land surveyor whose Georgia state registration is current and valid. Site plan must be stamped and sealed by one of the four above-mentioned professionals no more than six (6) months prior to the date of submittal;
- ✓ Thirty (30) stapled or bound copies of: (a) Rezoning application (page 1 only and any additional sheets if there are additional property owners); (b) Analysis of impact of the proposed rezoning (Attachment A); (c) Certifications (Attachments B and C); (d) Letter of Intent; and (e), Architectural building renderings and all supporting documents. In addition, one (1) unbound application (original) bearing original signatures and all other required documents. All documents must be folded to 8-1/2" x 11"; and
- ✓ A CD-ROM containing a digital file of: (a) site plan in .pdf and .dwg file formats, (b) legal description(s) in .pdf file format, and (c) completed and signed Rezoning application (and all supporting documents) in .pdf file format;

Pursuant to Section 15.2(3)(e) of the Snellville Zoning Ordinance, a written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters shall be included. Please respond to the following standards in the space provided or attach additional sheets if necessary. Simple yes/no answers or re-statement of the questions are not acceptable.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

Response: YES. TWO ADJACENT PROPERTIES, CARWASH IS ZONED BG AND THE OTHER TRACT IS ZONED BN. IT IS A VACANT PROPERTY WITH TREES. THE USE SOUGHT IS CONSISTANT WITH ITS THIRTY YEAR HISTORY GAS STATION. THIS PREVIOUS BUSINESS WAS PERMITTED IN 1983 BY THE COUNTY OR THE CITY.

2. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property.

Response: NO, AS STATED ABOVE, THIS PROPERTY HAS BEEN A GAS STATION FOR 30+ YEARS, ONE ADJOINING PROPERTY IS BG. THE OTHER TRACT IS BN AND IS A VACANT, UNWOODED PROPERTY CARWASH IS NON-OPERATING.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

Response: MARGINALLY, IT HAS SET EMPTY FOR 5+ YEARS WITH NO APPARENT INTEREST.

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Response: NO, THIS REQUEST SEEKS TO CONTINUE ITS USE AS A GAS STATION, WHICH IT HAS BEEN FOR 30+ YEARS. LOCATED ON A US HIGHWAY.

5. Whether the zoning proposal is in conformity with the policy and intent of the Land Use Plan.

Response: YES. THE BG ZONING IS CONSISTANT AND COMPATIBLE WITH A GAS STATION.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Response: NONE FOR DISAPPROVAL. SUPPORTING GROUNDS ARE THAT BG ZONING IS CONSISTANT WITH A GAS STATION.

CONFLICT OF INTEREST CERTIFICATIONS FOR ZONING ACTIONS

The undersigned below, making application for rezoning or a Conditional Use Permit, has complied with the Official Code of Georgia Section 36-67A-1, et. sec., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on forms provided.

Check here if there are additional property owners and attach additional "Conflict of Interest Certification" sheets.

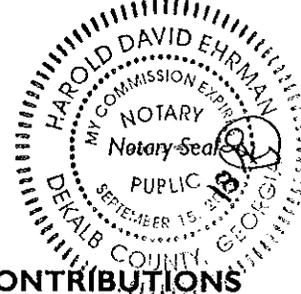
Hindia Y. Ahmed 8-10-15
Signature of Applicant Date

Hindia Y. Ahmed 8-10-15
Signature of Owner Date

HINDIA Y. AHMED
Type or Print Name and Title

HINDIA Y. AHMED
Type or Print Name and Title

[Signature] 8-10-2015
Signature of Notary Public Date



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the last four (4) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more or made gifts having in the aggregate a value of \$250.00 or more to any member of the Mayor and City Council or any member of the Snellville Planning Commission?

As to Applicant (circle one): YES **NO** As to Property Owner (circle one): YES **NO**

If the answer is YES, please complete the following section:

Name of Government Official:	Contributions or Descriptions of Gifts (List all which aggregate to \$250.00 or more):	Date when Contribution or Gift was made within last four-years:
<u>N/A</u>		

Check here and attach additional sheets if necessary to disclose or describe all contributions or gifts.

BK 53467 PG 0055

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.

2015 APR -3 AM 8:00

RICHARD ALEXANDER, CLERK

PT-81 # LT-2015-005354
GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ 348.50
RICHARD T. ALEXANDER, JR. CLERK OF
SUPERIOR COURT

Return to
LANE & KARLO, LLP
1827 Powers Ferry Road
Building Five
Atlanta, Georgia 30339

File No LK155056
LKJDA32 - #4214

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF COBB

THIS INDENTURE, made and entered into as of this 17th day of March, in the year Two Thousand Fifteen, by and between

Ace Homes, LLC

as party or parties of the first part, hereinafter called Grantor, and

Hindia Y. Ahmed

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 NO/100 (\$10.00) DOLLARS 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, convey and confirm unto the said Grantee, the following described property, to-wit:

025247

BK 53467 PG 0056

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 101, 5th District, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a point marked by an iron pin located at the corner formed by the intersection of the northeasterly right of way of U.S. Highway 78 and the southeasterly right of way of Cooper Road (US Highway 78 having a right of way of 180 feet in width and Cooper Road having a right of way of 80 feet in width); running thence North 25 degrees 42 minutes 20 seconds East along the southeasterly right of way of Cooper Road a distance of 205.57 feet to an iron pin; running thence South 63 degrees 58 minutes 40 seconds East a distance of 195.68 feet to an iron pin; running thence South 24 degrees 38 minutes 40 seconds West a distance of 185.96 feet to an iron pin located on the northeasterly right of way of U.S. Highway 78; running thence northwesterly as measured along the northeasterly right of way of U.S. Highway 78 and following the curvature thereof a distance of 200 feet to THE POINT OF BEGINNING.

The above described tract or parcel of land is shown and delineated on a plat of survey entitled "Survey for Murphy Oil USA, Inc.," prepared by Robert M. Kirkley, Registered Land Surveyor, dated January 7, 1983.

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.

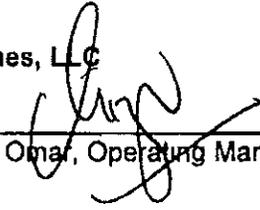
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through or under Grantor herein

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed as of the day and year above written.

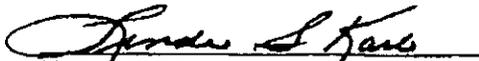
Signed, sealed and delivered in the presence of:


Unofficial Witness

Ace Homes, LLC

By  (SEAL)
Nizar Omar, Operating Manager

By _____ (SEAL)


Notary Public



My Commission Expires August 11, 2018



CITY OF SNELLVILLE

Department of Planning & Development

2342 Oak Road, 2nd Floor

Snellville, GA 30078

Phone 770.985.3514 Fax 770.985.3551

APPLICANT - PLEASE HAND DELIVER THIS VERIFICATION SHEET TO THE GWINNETT COUNTY TAX ASSESSORS OFFICE (SEE ADDRESS AND PHONE NUMBER BELOW) TO OBTAIN WRITTEN CONFIRMATION THAT REAL PROPERTY TAXES HAVE BEEN PAID-IN-FULL AND PROPERTY TAX ACCOUNT IS CURRENT. ATTACH COMPLETED ORIGINAL TO APPLICATION. IF SUBMITTING A LAND USE PLAN AMENDMENT APPLICATION TOGETHER WITH A REZONING APPLICATION, PROVIDE VERIFICATION SHEET(S) FOR ONLY ONE (1) APPLICATION.

APPLICANT NAME: HINDIA Y. AHMED

CHECK HERE, IF THERE ARE MORE THAN FOUR (4) SUBJECT PARCELS AND ATTACH ADDITIONAL SHEETS.

PROPERTY OWNER NAME(S): HINDIA Y. AHMED TAX PARCEL NO.: R5101029

AMOUNT OF CURRENT TAXES PAID: \$ 608.42 PAYMENT DATE: 3-24-15 ACCOUNT CURRENT? YES NO

PROPERTY OWNER NAME(S): _____ TAX PARCEL NO.: _____

AMOUNT OF CURRENT TAXES PAID: \$ _____ PAYMENT DATE: _____ ACCOUNT CURRENT? YES NO

PROPERTY OWNER NAME(S): _____ TAX PARCEL NO.: _____

AMOUNT OF CURRENT TAXES PAID: \$ _____ PAYMENT DATE: _____ ACCOUNT CURRENT? YES NO

PROPERTY OWNER NAME(S): _____ TAX PARCEL NO.: _____

AMOUNT OF CURRENT TAXES PAID: \$ _____ PAYMENT DATE: _____ ACCOUNT CURRENT? YES NO

*** INFORMATION VERIFIED BY GWINNETT COUNTY TAX ASSESSORS OFFICE ***

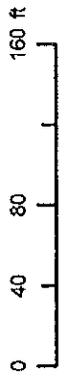
COUNTY TAX DEPARTMENT REPRESENTATIVE (PRINT NAME):	<u>Jamal Hayes (Tax Commissioner)</u>	DATE: <u>8-10-15</u>
COUNTY TAX DEPARTMENT REPRESENTATIVE (SIGNATURE):	<u>J Hayes</u>	

ONLY ORIGINAL VERIFICATION SHEET CAN BE USED TO CONFIRM PROPERTY TAX ACCOUNT STATUS

STONEFIELD INVESTMENT FUND III, LLC BG ZONING

21 ROBERT PITT DRIVE, SUITE 202
MONSEY, N.Y. 10952-5312

Map Title



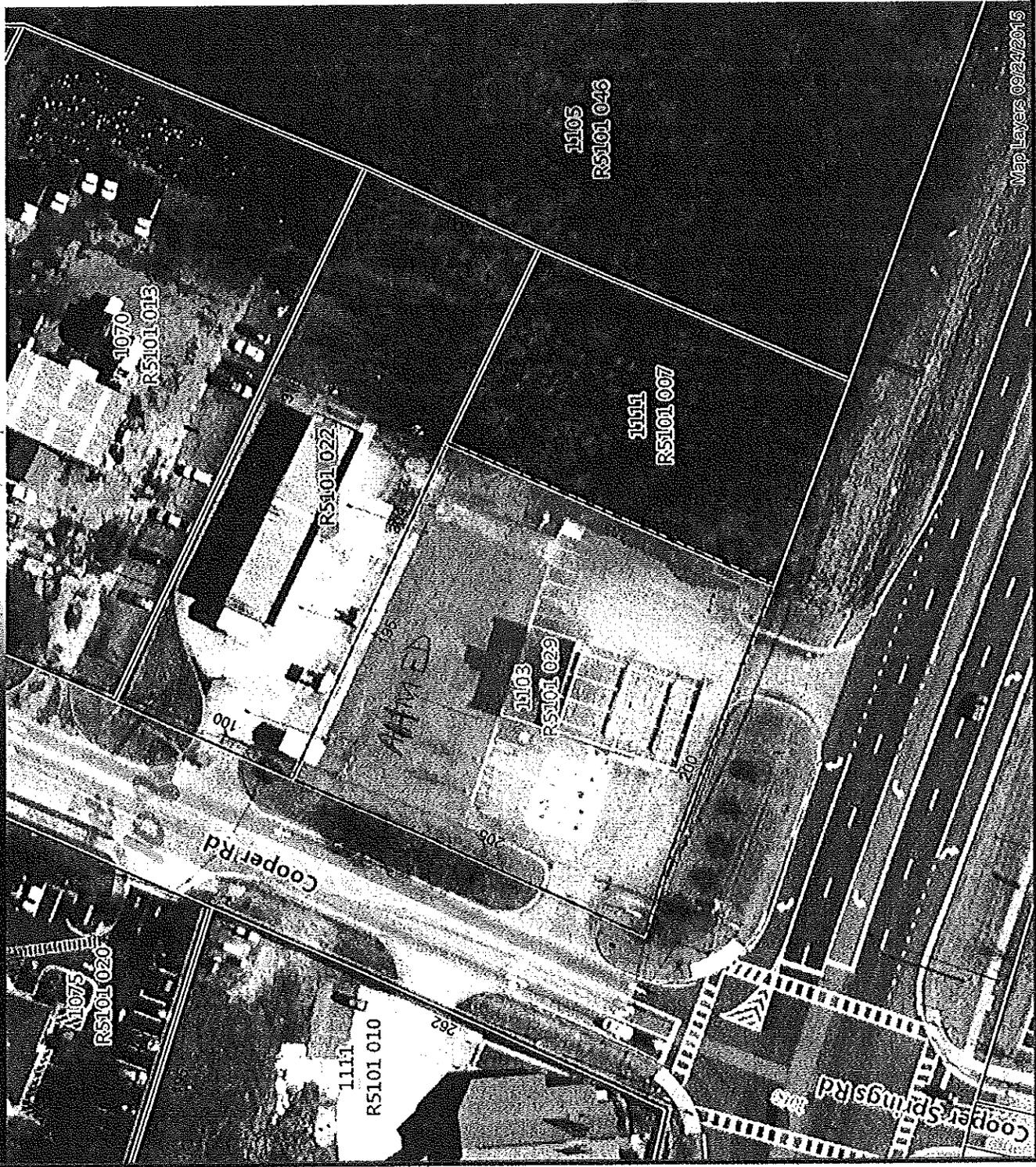
- Property Parcels
- County Boundary

MIMI PROPERTIES, LLC
 3600 HWY 78
 LOGANVILLE, GA
 30052-3702
 BN ZONING

1105 ATHE NSHWY
 BG ZONING

N 
 10/12/2015

This map is a graphical representation of data obtained from aerial photography, recorded deeds, plat, engineering drawings and other public records and data. Gwinnett County does not warrant the accuracy or currency of the data it has provided and does not guarantee the suitability of the data for any purpose expressed or implied. ALL DATA IS PROVIDED AS IS, WITH ALL FAULTS, WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. This map is the proprietary product of Gwinnett County and its use will be limited to the county and its employees. Gwinnett County will not be liable for any loss or consequential damages arising out of the use of or inability to use this map.



gwinnettcounty
 government

Map Layers 09/24/2015

Hindia Y. Ahmed, Owner and Applicant
1103 Athens Highway
Tax parcel number : 5-101-029
Re-Zoning Application and
Conditional Use Permit Application

2330 Summit Oaks Court
Lawrenceville, Georgia 30043
678 480-4606

EAST OF CAPTION
1111 Athens Hwy, BG zoning
Tax parcel 5-101-007
Mimi Properties, LLC
3600 Hwy 78
Loganville, Georgia 30052-3702

NORTH OF CAPTION
1080 Cooper Road, BN zoning
Tax parcel 5-101-022
Stonefield Investment Fund III, LLC
21 Robert Pitt Drive, suite 202
Monsey, NY 10952-5312