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NOV 19 2015

REZONING APPLICATION

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

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

1358 MAIN ST E
#1500418 REZONING APP #RZ 16-02
Parcel #5038 018 Patrick Stewart (Golden Krust)

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.

Patrick Stewart
Name (please print)
3505 Brushywood Dr.
Address
Lawrenceville GA 30052
City, State, Zip Code
7033947455
Phone Number(s) Fax

Huddle House Inc
Name (please print)
5901-B Peachtree Dunwoody Rd NE Ste 450
Address
Sandy Springs, GA 30328
City, State, Zip Code
770-325-1300
Phone Number(s) Fax

Contact Person: PATRICK STEWART Phone: 770 736 6336 Fax: _____
Cell Phone: 2033947455 E-mail: PJSTEW LLC @YAHOO.COM

Present Zoning Classification(s): BN (NEIGHBORHOOD BUSINESS) DISTRICT
Proposed Zoning Classification(s): BG (GENERAL BUSINESS) DISTRICT
Proposed Use: RESTAURANT
Property Address/Location: 2358 MAIN ST. SNELLVILLE District 5th Land Lot 38 Parcel(s) R5038018

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;

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Attachment to application by PJ'S Tropical Foods DBA Golden krust Caribbean Bakery & Grill for subject property located at 2358 Main St. East Snellville Gwinnett County, Georgia.

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: This zoning proposal will permit uses that are consistent with the zoning of nearby businesses and developments. Its currently zoned for BN, Neighborhood Business and is proposing to be BG, General Business. This area of Highway 78 is served by many retail and commercial developments which also makes it compatible.

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

Response: This zoning would not adversely affect the existing usability of the nearby properties since the uses would be similar in nature, but it would complement the nearby retail businesses.

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

Response: It doesn't seem that the zoning of the subject property has a reasonable economic use because it only allows for neighborhood type businesses and general Business zoning at this particular location would appear to provide the best economic use of the property.

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: This zoning proposal will not cause an excessive or burdensome use as relates to existing streets, transportation facilities, utilities, or schools because road improvements such as a turning lanes, signal installations etc., has been added to allow safety and unnecessary traffic jam.

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

Response: This zoning proposal conforms with the policy and intent of the land use plan because our business is consistent with the City of Snellville Land Use Plan along highway 78 corridor in that it makes allowance for General Business zoning and permits retail and commercial use.

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: Our desire is to do what is necessary to be consistent with the City of Snellville land use and development. Therefore, any existing or changing conditions that may affect the use and development of the said property will be address to bring it to compliance with the city ordinances.

REZONING CERTIFICATIONS

In the event an owner's agent or contract purchaser is filing this application, both of the certifications below must be completed. If the owner is filing the application, only the Owner's Certification must be completed.

APPLICANT'S CERTIFICATION

The undersigned below, or as attached, is authorized to make this application. The undersigned is aware that, should this request be denied by City Council, no application affecting any portion of the same property shall be submitted less than twelve months from the date of denial.

Patrick Stewart 9-8-15
Signature of Applicant Date

Patrick Stewart
Type or Print Name and Title

Kathy Nixon 9-8-15
Signature of Notary Public Date
Expires July 12, 2019



OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that, should this request be denied by City Council, no application affecting any portion of the same property shall be submitted less than twelve months from the date of denial.

Check here if there are additional property owners and attach additional "Owner's Certification" sheets.

Tom Cossuto 10-22-15
Signature of Owner Date

TOM COSSUTO, CFO
Type or Print Name and Title

Stephanie Gallagher 10-22-15
Signature of Notary Public Date



Legal Description

All that tract or parcel of land lying and being in Land Lot 38 of the 5th Land District of Gwinnett County, Georgia in the City of Snellville and being more particularly described as follows;

Beginning at a ½ inch rebar set at the easterly mitered intersection of the easterly right of way of Church Street and the southerly right of way of Main Street, a.k.a. U. S. Highway 78 and running thence along said right of way of Main Street South 74 degrees 22 minutes 30 seconds East a distance of 61.40 feet to a ½ inch rebar found, thence leaving said right of way South 22 degrees 26 minutes 31 seconds West a distance of 243.37 feet to a ½ inch rebar with a cap, thence North 81 degrees 24 minutes 49 seconds West a distance of 92.24 feet to a ½ inch rebar set on the aforementioned easterly right of way of Church Street, thence along said right of way of Church Street North 22 degrees 52 minutes 43 seconds East a distance of 224.80 feet to a pk nail set, thence South 66 degrees 52 minutes 53 seconds East a distance of 7.00 feet to a pk nail set, thence North 23 degrees 07 minutes 07 seconds East a distance of 15.00 feet to a pk nail set, thence North 69 degrees 18 minutes 06 seconds East a distance of 27.00 feet to a ½ inch rebar set at the easterly mitered intersection of the easterly right of way of Church Street and the southerly right of way of Main Street, a.k.a. U. S. Highway 78 and the Point of Beginning.

Said tract contains 0.498 acres and is more particularly shown on a Boundary Survey for Keith Kasnic and Huddle House, Inc. prepared by Alcovy Surveying and Engineering, dated 11/5/07.



BOOK 4573 PAGE 167
Lawyers Title Insurance Corporation

ATLANTA BRANCH OFFICE

LIMITED
WARRANTY DEED

STATE OF GEORGIA COUNTY OF GWINNETT

THIS INDENTURE, Made the 15th day of September, in the year one thousand nine hundred eighty-seven, between

PM, Ltd., a Georgia limited partnership of the County of Fulton, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Huddle House, Inc.

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 Dollars and other good and valuable consideration (\$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, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT or parcel of land lying and being in Land Lot 38 of the 5th District, Gwinnett County, Georgia, and being more particularly described on Exhibit A attached hereto and made a part hereof.

SUBJECT and subordinate only to those matters more particularly set forth in Exhibit B attached hereto and made a part hereof.

GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ 47.50
Date 10.2.87
Michael R. Funderburk
Clerk of Superior Court

Michael R. Funderburk
2202 Seven Rd.
Lawville Dr. 30245

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.
1987 OCT -7 AM 9:48
GARY R. YALES, CLERK

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.

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

Signed, sealed and delivered this 15th day of September, 1987 in the presence of

PM, Ltd., a Georgia limited partnership
By: Wright Management, Inc.
general partner (Seal)

Notary Public (Notarial Seal)
My Commission Expires: [illegible]

By: Preston A. Hays, President (Seal)

80716 9

ACCOUNT DETAIL



View/Pay Your Taxes / Account Detail

Tax Account

Mailing Address:

HUDDLE HOUSE INC
5901 PEACHTREE DUNWOODY RD STE B450
ATLANTA, GA 30328-5348

SITUS:

2358 MAIN ST

Tax District:

SNELLVILLE

[Change Mailing Address](#)

Parcel ID

R5038 018

Property Type

Real Property

Last Update

10/28/2015 11:15:08 AM

Legal Description

HWY 78

Tax Bills

Note: Four years of tax information is available online. Email tax@gwinnettcountry.com to request other years.

Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Due Date	Amount Due
2015	\$4,794.12	\$4,794.12	\$0.00	\$0.00	10/15/2015	\$0.00
2014	\$4,824.67	\$4,824.67	\$0.00	\$0.00	10/1/2014	\$0.00