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APR 4 2016

BOARD OF APPEALS APPLICATION

APPLICATION FOR VARIANCE, APPEAL, OR WAIVER

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

City of Snellville
Planning & Development Department
2342 Oak Road, 2nd Floor
Snellville, GA 30078
Phone 770.985.3513 Fax 770.985.3551 www.snellville.org

2007 TANGLEWOOD DR
#1600150 BOA VARIANCE/APPEAL # 16-04
PARCEL- 5025 091

16-00150

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.

GARY T. PARKER
Name (please print)
2007 TANGLEWOOD DRIVE
Address
SNELLVILLE, GA. 30078
City, State, Zip Code

Name (please print)

Address

City, State, Zip Code

Phone Number(s) _____ Fax _____

Phone Number(s) _____ Fax _____

Contact Person: GARY T. PARKER Phone: _____ Fax: _____
Cell Phone: 770-686-2892 E-mail: LSGT PARKER@YAHOO.COM

Application for: (check one)
 Appeal Variance from Zoning Ordinance Variance from Municipal Code Waiver of Development Regulations

Section(s) of Zoning Ordinance VARIANCE request is for: SECTION 7.1 SETBACK / LOCATION

Section(s) of Municipal Code VARIANCE request is for: _____

Section(s) of Development Regulations WAIVER request is for: _____

Property Address/Location: 2007 TANGLEWOOD DR District 5 Land Lot 025 Parcel(s) 091

State the purpose of this request: _____

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

- Pre-submittal appointment recommended 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. Make checks payable to City of Snellville;
- Letter of Intent explaining the reason (and demonstrated hardships) for the request for the variance, appeal, or waiver;
- The names, addresses, and original signatures of the owners of the subject parcel(s) and their agents, if any;
- Analysis of impact (if variance application) or details of grievance (if appeal) or details of waiver request (if waiver) as per Section 14.5;
- A current legal description of the subject parcel(s). If the property proposed for a variance, appeal, or waiver includes multiple parcels, provide a separate legal description for each individual parcel, together with a composite legal description for all parcels;
- Warranty Deed or Certificate of Title (for all parcels subject to this application) to provide proof of property ownership;
- VARIANCE or WAIVER applications only: Nine (9) 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) the location and extent of required buffer areas; and (i) location of floodplains. 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. All documents must be folded to 8-1/2" x 11";
- Exhibits and accompany documentation to support application and request for variance, appeal, or waiver;
- Nine (9) stapled or bound copies of: (a) completed application; (b) Letter of Intent; and (c), Exhibits and all supporting documents. In addition, one (1) unbound application (original) bearing original signatures and all other required documents; 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 Variance, Appeal, and Waiver application (and all supporting documents) in .pdf file format.

If request is for an APPEAL, please discuss your grievance in detail. You may attach additional sheets and provide additional documentation as appropriate:

A VARIANCE from the terms of the Snellville Zoning Ordinance or Development Regulations shall not be granted by the Board of Appeals unless and until the applicant has **demonstrated** the following. You may attach additional sheets and provide additional documentation as appropriate:

1) **Demonstrate** that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same zoning district. NO SPECIAL CONDITIONS OR REGULARITIES EXIST.

2) **Demonstrate** that literal interpretation of the provisions of the Zoning Ordinance or Development Regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance or Development Regulations. REMOVAL OR DEMOLITION OF THE EXISTING SHED WOULD DEPRIVE ME OF ITS CONTINUED USAGE, THAT I HAVE ENJOYED FOR THE PAST 13 YEARS.

3) **Demonstrate** that the special conditions and circumstances do not result from the actions of the applicant. THE EXISTING SHED WAS CONSTRUCTED PRIOR TO CURRENT OWNERS PURCHASE OF PROPERTY IN 2002. A BLDG. PERMIT WAS ISSUED IN 2003 FOR THE REMOVAL OF HOME. AND NO RED FLAGS WERE RAISED BY THE ZONING OR CITY REGARDING ITS LOCATION.

4) **Demonstrate** that granting the variance (or waiver) requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance or Development Regulations to other lands, structures, or buildings in the same zoning district. ALTHOUGH THE EXISTING ACCESSORY STRUCTURE DOES NOT MEET LOCATION REQUIREMENTS PER SECTION 7.1 OF THE ZONING ORDINANCE, IT HAS BEEN IN ITS CURRENT LOCATION FOR 39 YEARS AND HAS NOT MET RESISTANCE FROM ADJACENT PROPERTY OWNERS OR THE CITY.

Please Note: Non-conforming uses of adjacent properties cannot be considered as grounds to justify a variance. Peculiar conditions or circumstances which are the result of actions of the owner of property covered by this application cannot be considered as grounds justifying a variance. A "use variance", i.e. a variance for the purpose of using land or a structure, or combination thereof for a purpose prohibited by the present zoning classification of the property covered by this application will not be granted.

Warranty Deed

This Indenture, Made November 26, 2002, between Louis P. Lawhorn and Dorene R. Lawhorn of the County of Gwinnett in the State of Georgia as party or parties of the first part, hereinafter called Grantor, and Gary T. Parker and Linda S. Parker 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 ONE DOLLAR AND NO/100 DOLLARS (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid at and before the sealing and delivery of these presents, the receipts 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 25 of the 5th District of Gwinnett County, Georgia, being Lot 30, Block E, Nob Hill Estates, Unit 2, per plat recorded in Plat Book T, Page 263, Gwinnett County Records, being improved property known as 2007 Tanglewood Drive, according to the present system of numbering houses in Gwinnett County, Georgia.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restriction of record affecting said described property.

TO HAVE AND TO HOLD the said described property, with all and singular the rights, members 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.

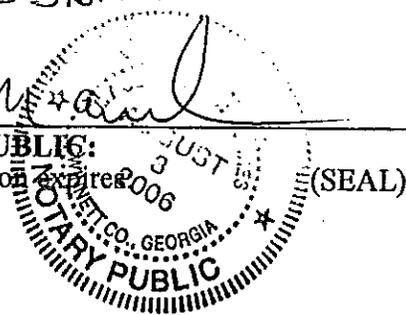
AND THE SAID Grantor will warrant and forever defend the right and title to the said described property unto the said Grantee against the claims of all persons whomsoever.

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

Signed, sealed and delivered in the presence of:

Deb Storm
Witness Deb Storm

[Signature]
NOTARY PUBLIC:
My commission expires 2006 (SEAL)



Louis P. Lawhorn (SEAL)
Louis P. Lawhorn
By Dorene R. Lawhorn

Dorene R. Lawhorn (SEAL)
Dorene R. Lawhorn

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA

2010 NOV -3 PM 2:00

TOM LAWLER, CLERK

GARY T PARKER, LINDA S PARKER
2007 TANGLEWOOD DR
SNELLVILLE, GA 30078



UID: 59839fd8-a406-4fa8-9871-d1fd6614b4a5
DOCID_000213399042005N

**SATISFACTION OF MORTGAGE
(Cancellation to Security Deed)**

STATE OF GEORGIA, COUNTY OF GWINNETT

The indebtedness referred to in that certain Deed to Secure Debt

From : GARY T PARKER, LINDA S PARKER

To : MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

Dated 11/26/2002, and recorded on 12/05/2002, in Deed Book 30019, Page 42, in the office of the GWINNETT COUNTY CLERK OF THE SUPERIOR COURT of GWINNETT County, Georgia, having been paid in full and the undersigned being the present owner of such secured interest by virtue of being the original grantee or the heir, assign, transferee or devisee of the original grantee, the clerk of such superior court is authorized and directed to cancel that deed of record as provided in Code Section 44-14-4 of the O.C.G.A for other mortgage cancellations.

In witness whereof, the undersigned has set his hand this 29 DAY OF OCTOBER, 2010.

Mortgage Electronic Registration Systems, Inc.

By:


Nancy Lesch, Assistant Secretary

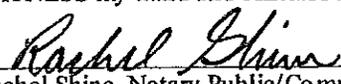

Stacey Shirra, Assistant Secretary

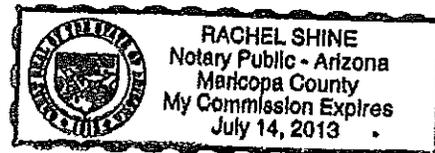

DeWayne Vardaman, Witness

STATE OF ARIZONA,
COUNTY OF MARICOPA

On 10-29-10, before me, Rachel Shine, Notary Public, personally appeared Nancy Lesch and Stacey Shirra, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/ their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


Rachel Shine, Notary Public/Commission expires: 07/14/2013



Recording Requested and Return To:
Steve U. Galiano
ReconTrust Company, N.A.
2575 W. Chandler Blvd., Mail Stop: AZ1-804-02-11
Chandler, AZ 85224

0091227

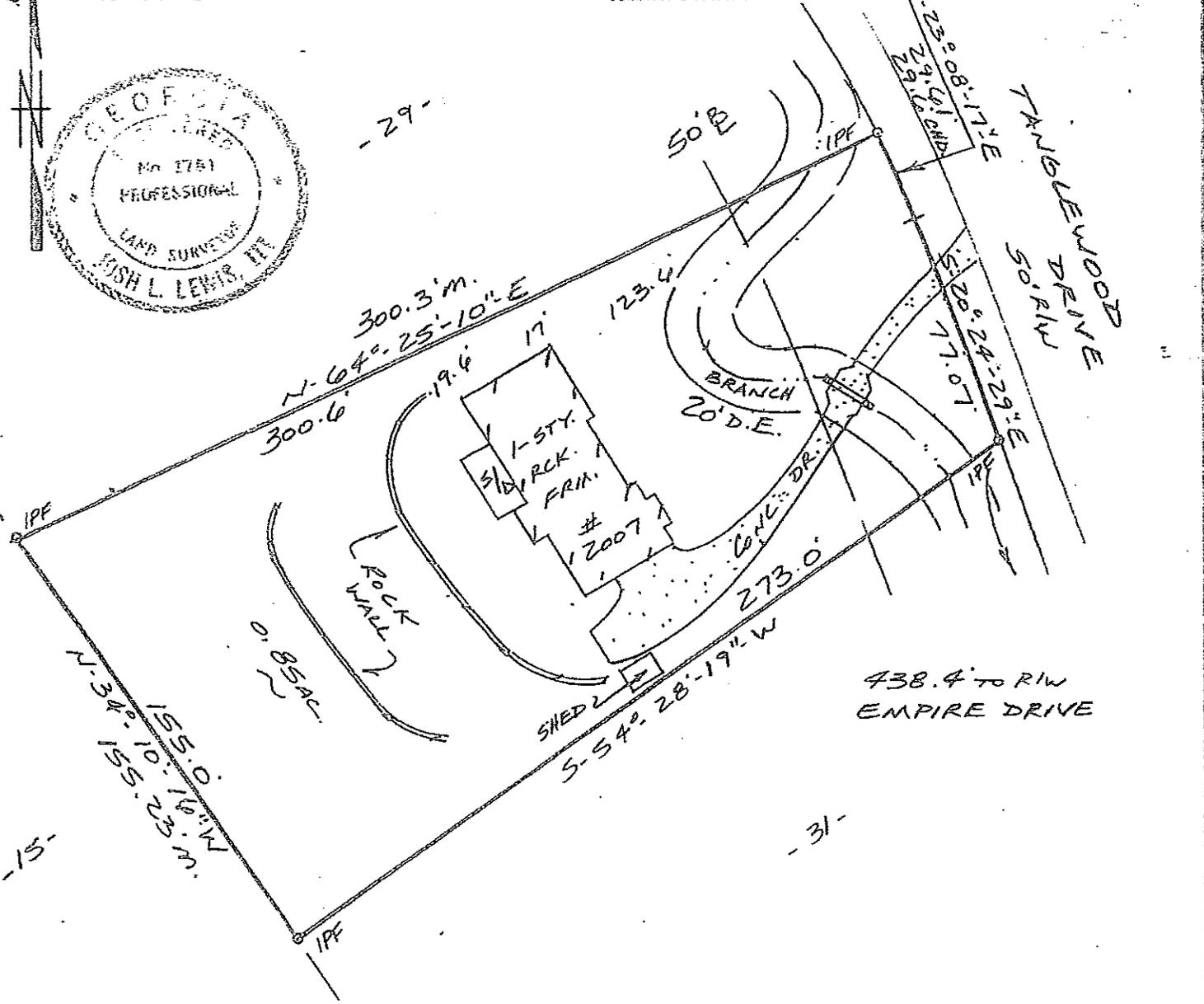
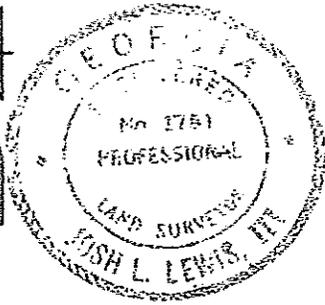
EXISTING CONDITIONS

129-J4

LOT 30
BLOCK E
UNIT
SUB. NOB HILL ESTATES

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AND INSURANCE COMPANY OR AN APPRAISER.

G. NORTH



LOUIS P. LAWHORN

LAND LOT 25 5TH DISTRICT
GWINNETT COUNTY, GEORGIA

I have, this date, examined the "FIA OFFICIAL FLOOD HAZARD MAP" and the referenced parcel does not appear to be in an area having special flood hazards.

SCALE 1" = 50 DATE: 1-13-93
REG. LAND SURVEYOR NO. 1751
GEORGIA LAND SURVEYING CO., INC.

THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAYS, PUBLIC OR PRIVATE.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED.

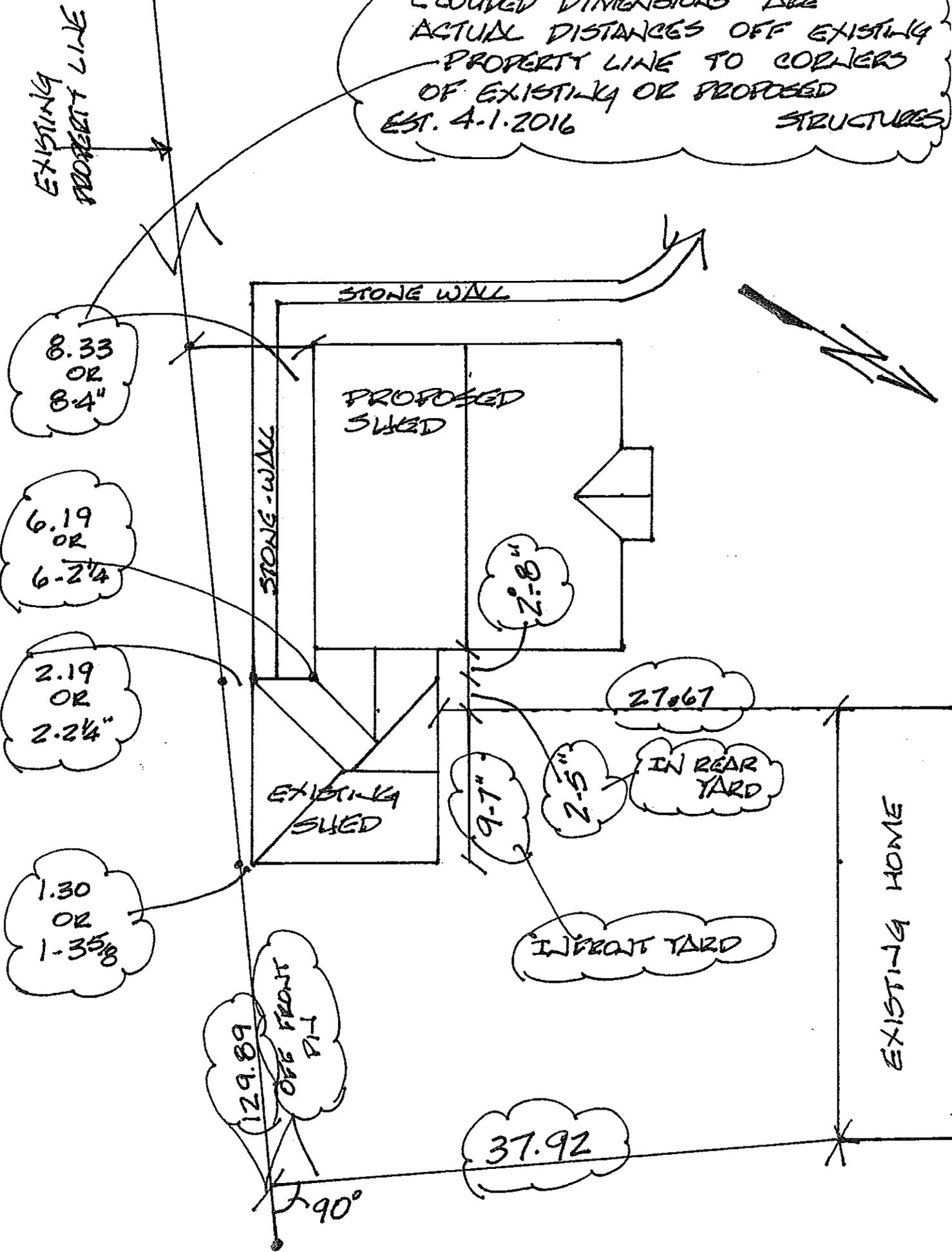
[Signature]

V-37

NO. 121553

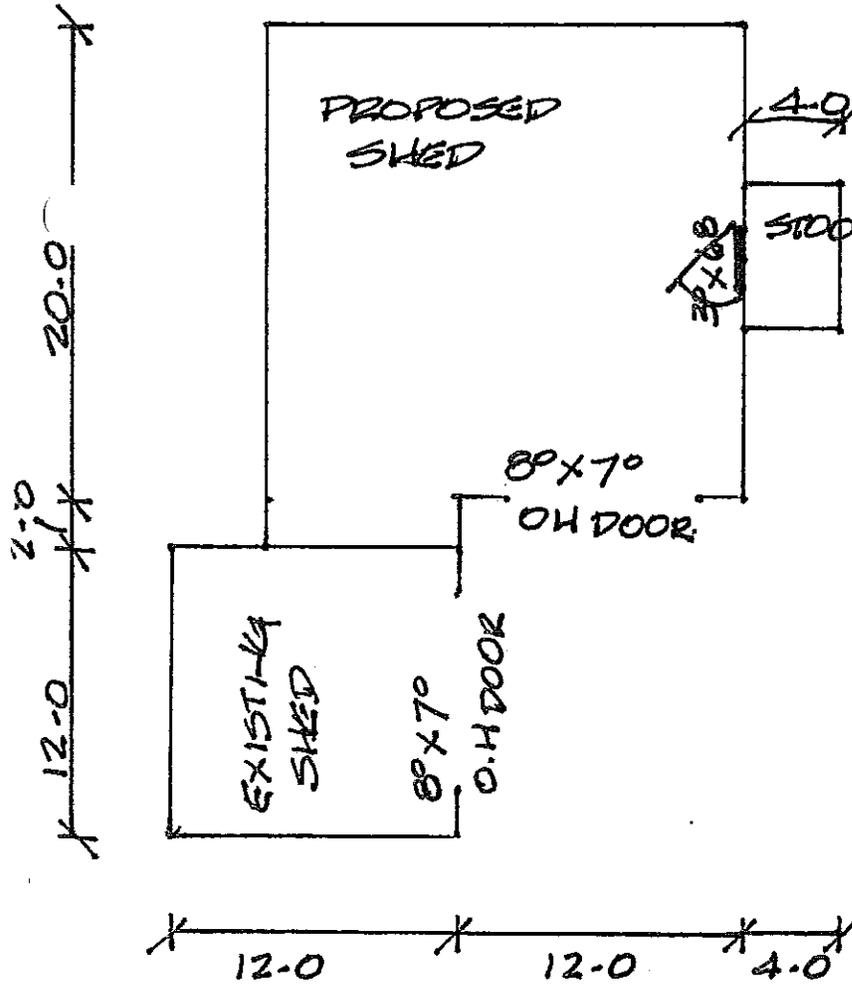
D. D. & B.

CLOUDED DIMENSIONS ARE ACTUAL DISTANCES OFF EXISTING PROPERTY LINE TO CORNERS OF EXISTING OR PROPOSED STRUCTURES EST. 4-1-2016

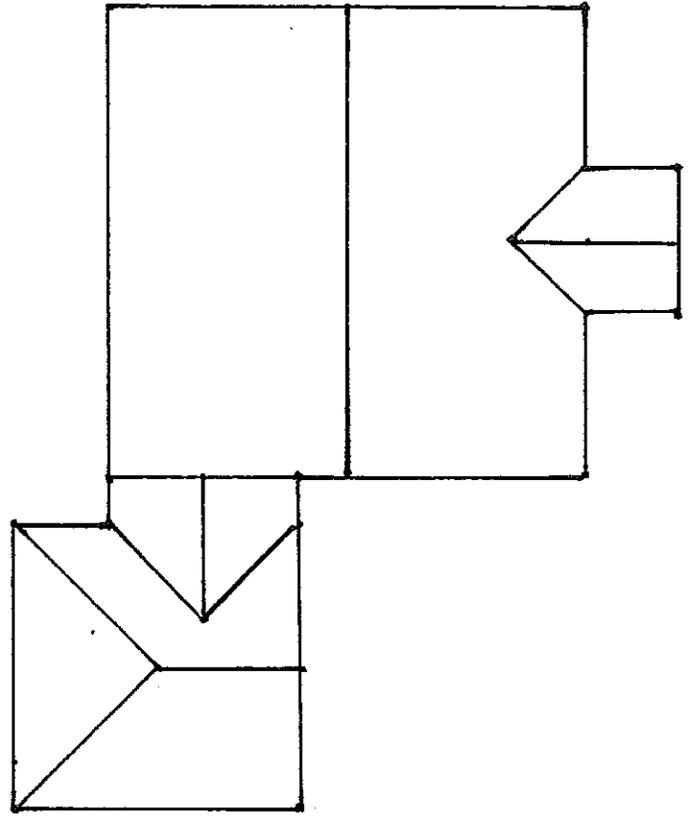


SQUARE FEET 1 2AD

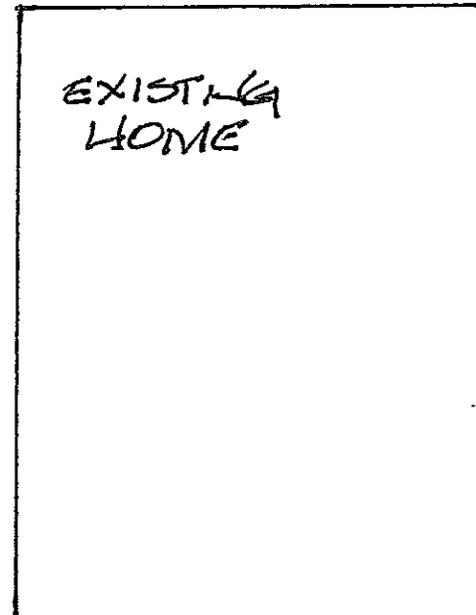
EXISTING PERGOLA	45
EXISTING SHED	144
PROPOSED SHED	422
STOOP	<u>24</u>
TOTAL	635



PROPOSED ROOF STRUCTURE



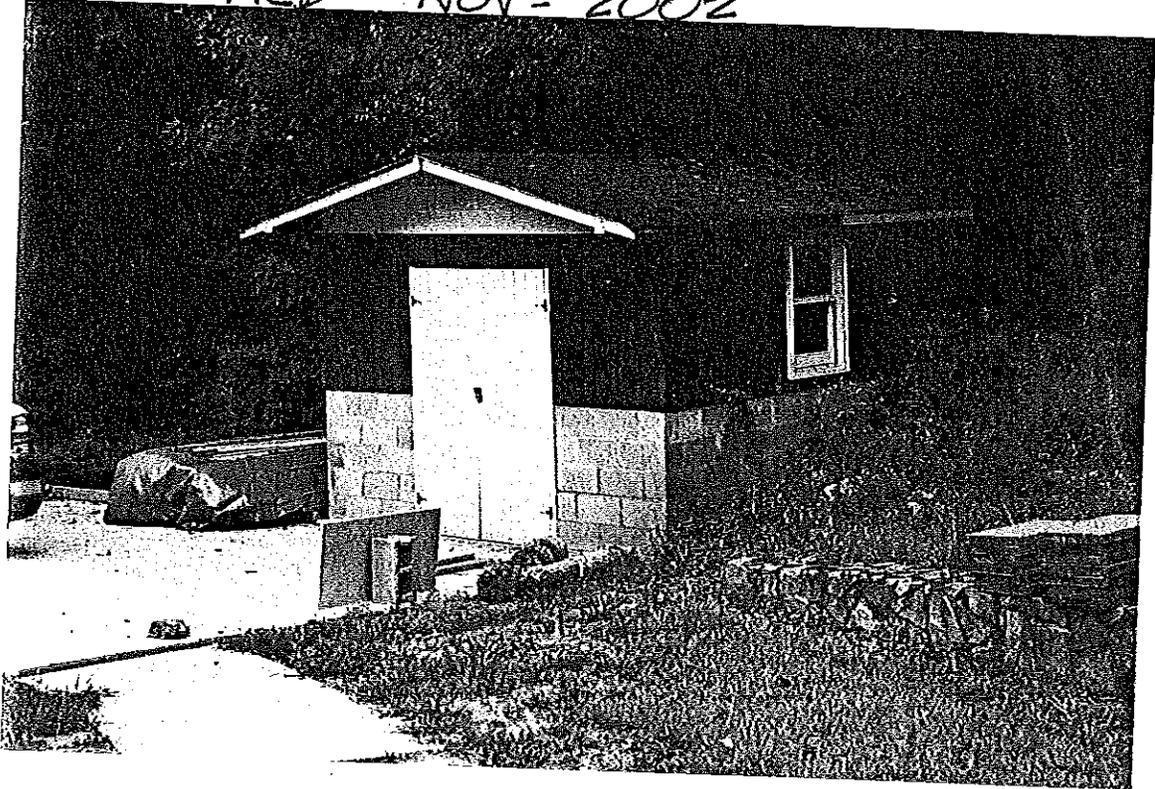
EXISTING HOME



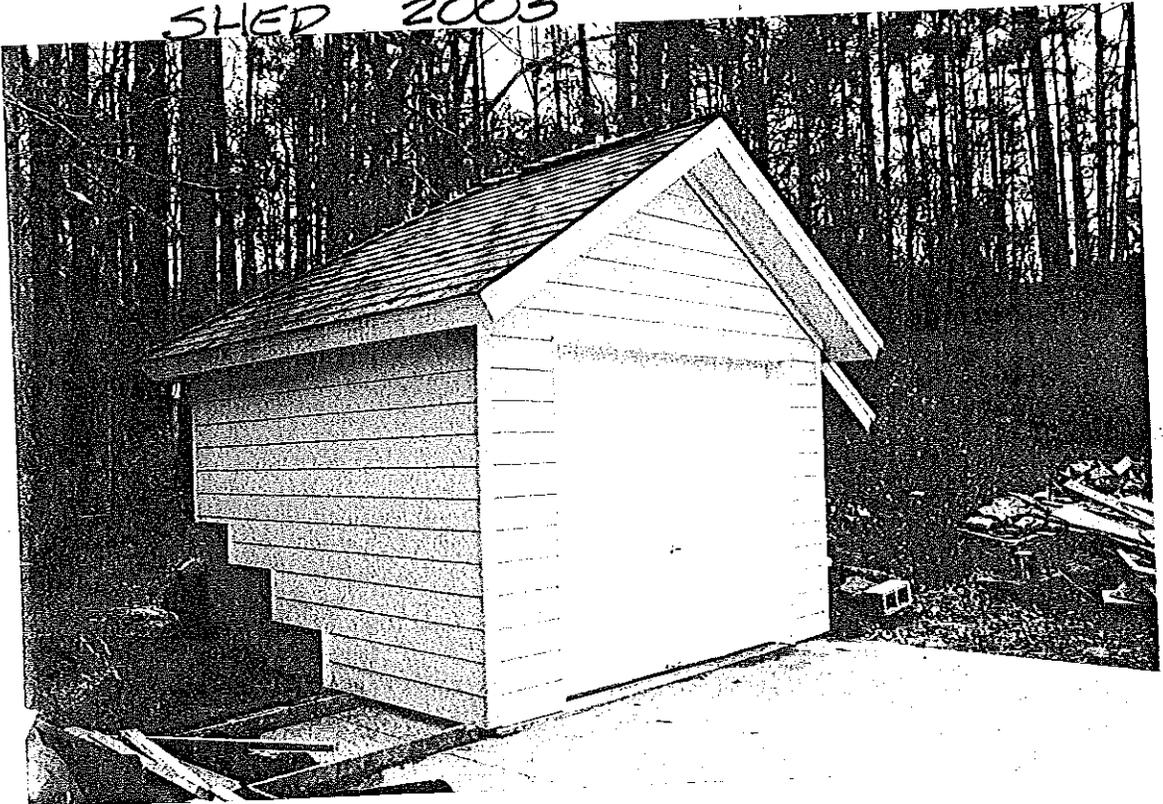
2007 Tanglewood

Gary Parker -

SHED NOV-2002



SHED 2003



ROOF
WALL SECTION
SLAB

