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JAN 4 2015

BOARD OF APPEALS APPLICATION

APPLICATION FOR VARIANCE, APPEAL, OR WAIVER

2319 SCENIC HWY

#1600003

BOA VARIANCE #16-01

PARCEL- 5026 081

PRECISE TAX

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

CASE # BOA 110 01

16-00003

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.

Name (please print) Keith Campbell
Address 2319 Scenic Hwy
Snellville, GA 30078
City, State, Zip Code
Phone Number(s) 770-982-2181 Fax 770-982-2120

Name (please print) _____
Address _____
City, State, Zip Code _____
Phone Number(s) _____ Fax _____

Contact Person: Keith Campbell Phone: 770-713-7653 Fax: 770-982-2120
Cell Phone: 770-713-7653 E-mail: precisetaxacct@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: Sec. 9.15 (C) (3)

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

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

Property Address/Location: 2319 Scenic Hwy, Snellville, GA 30078 District 5 Land Lot 26 Parcel(s) 081

State the purpose of this request: To add four (4) parking spaces in front of building.

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 and public notice sign fees. Make checks payable to *City of Snellville*;
- ✓ Letter of Intent explaining the reason 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;
- ✓ 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 (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;
- ✓ 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";
- ✓ Nine (9) stapled or bound copies of: (a) completed application; (b) Letter of Intent; and (c), Any and all supporting documents. In addition, one (1) unbound application (original) bearing original signatures and all other required documents.
- ✓ 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;

PAID JAN 05 2015

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

N/A

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.

see Attached

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.

see Attached

3) **Demonstrate** that the special conditions and circumstances do not result from the actions of the applicant.

see Attached

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.

see Attached

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.

**BOARD OF APPEALS APPLICATION
ATTACHMENT A**

RESPONSES:

1. The Septic Field on the subject property is located in the rear. It would pose a high risk of damage to the field if attempt is made to add more parking in the rear of the building. Adjacent properties current have more than 20% parking in the front of buildings.
2. Application to Section 9.15 Corridor Overlay District (COD) regulations would lead to additional infrastructure costs that would not benefit the roadway corridors the ordinance is meant to address. In addition, the existing building and infrastructure do not meet some of the COD regulations. It would not be feasible to re-develop the property to fully comply with the COD ordinance, especially since the planned improvements only expand parking to the building, not change the use.
3. The special conditions and circumstances do not result from the actions of the applicant. The subject property has been used as a residence since its construction in 1951, seemingly before the current Corridor Overlay District regulations were implemented. The site has been modified a few years ago and building is now used as an office. The proposed modification does not include a change of building use or a significant departure from the current site aesthetic.
4. Granting this variance will not confer special privileges on the applicant as this property does not meet the property characteristics the COD was originally intended to regulate.

BOARD OF APPEALS 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 Board of Appeals, no application affecting any portion of the same property shall be submitted less than twelve months from the date of denial.

Keith Campbell 12/31/15
Signature of Applicant Date
Keith Campbell - owner
Type or Print Name and Title



Patricia Lee Hill 12/31/15
Signature of Notary Public Date

OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that, in granting any variance or waiver, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the Zoning Ordinance and/or Development Regulations. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the Zoning Ordinance and punishable under Section 16.3 of the Zoning Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the waiver is granted, shall be deemed a violation of the Development Regulations and punishable under Section 13.5.2 of the Development Regulations. If an application for a variance or waiver is denied by the Board of Appeals, a reapplication for such for such variance or waiver may not be made earlier than twelve (12) months from the date of the original application.

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

Keith Campbell 12/31/15
Signature of Owner Date
Keith Campbell - owner
Type or Print Name and Title



Patricia Lee Hill 12/31/15
Signature of Notary Public Date

AFTER RECORDING RETURN TO:
THE FRYER LAW FIRM, P.C.
70 LENOX POINTE
ATLANTA, GEORGIA 30324
File No. 2010-00999

BK 50172 PG 0191

PT-61# 067-2010-019711
GWINNETT CO. GEORGIA
REAL ESTATE TRANSFER TAX
\$ 167.50
TOM LAWLER CLERK OF
SUPERIOR COURT

FILED AND RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY GA
2010 JUL 19 PM 2:00
TOM LAWLER, CLERK

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF GWINNETT

THIS INDENTURE made this 9th day of July, 2010 between BETTY C. JOHNSON of the County of GWINNETT, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and PRECISE TAX & ACCOUNTING SERVICES, LLC and KEITH CAMPBELL, as party or parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" 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 00/100'S (\$10.00) DOLLARS and other good and valuable considerations 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 Grantees,

SEE EXHIBIT A ATTACHED HERETO

SUBJECT TO ANY RIGHT OF WAY DEEDS OR OTHER EASEMENTS OF RECORD.

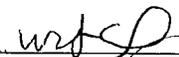
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

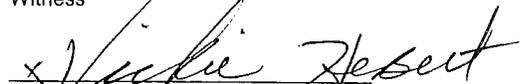
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

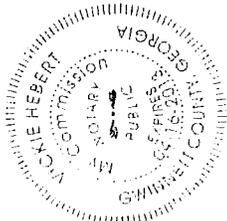
IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:


BETTY C. JOHNSON


Witness


Notary Public
My commission expires:



0056509-518

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 26 OF THE 5TH DISTRICT, GWINNETT COUNTY, GEORGIA, AS PER PIES OF SURVEY PREPARED FOR GEORGE C. BROOKS ESTATE, DATED APRIL 16, 1999 AND PREPARED BY AARROW SURVEYING, LANNES K. BURKHALTER, G.R.L.S. NO. 2581 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR LOCATED ON THE NORTHWESTERLY SIDE OF THE RIGHT OF WAY OF GEORGIA HIGHWAY #124, WHICH IRON PIN IS 891.7 FEET NORTHEAST OF THE INTERSECTION OF THE NORTHWESTERLY SIDE OF THE RIGHT OF WAY OF GEORGIA HIGHWAY NO. 124 AND THE NORTHERLY SIDE OF THE RIGHT OF WAY OF HENRY CLOWER BOULEVARD, AS MEASURED ALONG THE NORTHWESTERLY SIDE OF THE RIGHT OF WAY OF GEORGIA HIGHWAY NO. 124; FROM SAID BEGINNING POINT, RUNNING THENCE NORTH 55 DEGREES 00 MINUTES 25 SECONDS WEST FOR A DISTANCE OF 156.71 FEET TO AN AXLE; RUNNING THENCE NORTH 55 DEGREES 01 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 75.10 FEET TO A 1/2 INCH REBAR AND CORNER, RUNNING THENCE NORTH 46 DEGREES 12 MINUTES 35 SECONDS EAST FOR A DISTANCE OF 44.63 FEET TO A ONE INCH OPEN TOP PIN; RUNNING THENCE NORTH 46 DEGREES 22 MINUTES 35 SECONDS EAST FOR A DISTANCE OF 82.89 FEET TO A 1/2 INCH REBAR AND CORNER; RUNNING THENCE SOUTH 54 DEGREES 20 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 50.64 FEET TO A ONE INCH OPEN TOP PIPE; RUNNING THENCE SOUTH 47 DEGREES 54 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 136.17 FEET TO A POINT AND CORNER LOCATED ON THE NORTHWESTERLY SIDE OF THE RIGHT OF WAY OF GEORGIA HIGHWAY NO. 124; RUNNING THENCE SOUTH 23 DEGREES 56 MINUTES 56 SECONDS WEST ALONG THE NORTHWESTERLY SIDE OF THE RIGHT OF WAY OF GEORGIA HIGHWAY NO. 124 FOR A DISTANCE OF 109.64 FEET TO AN IRON PIN AT THE POINT OF BEGINNING.

CONTINUED
OF GEORGIA
THE NORTH
THE NORTH
BEGINNING
DISTANCE
SECOND
THENCE
THE
AND



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.

APPLICANT NAME: Keith Campbell

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

PROPERTY OWNER NAME(S): Keith Campbell TAX PARCEL NO.: 081

R5026-081

AMOUNT OF CURRENT TAXES PAID: \$ 2,681.21 PAYMENT DATE: 10/15/15 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

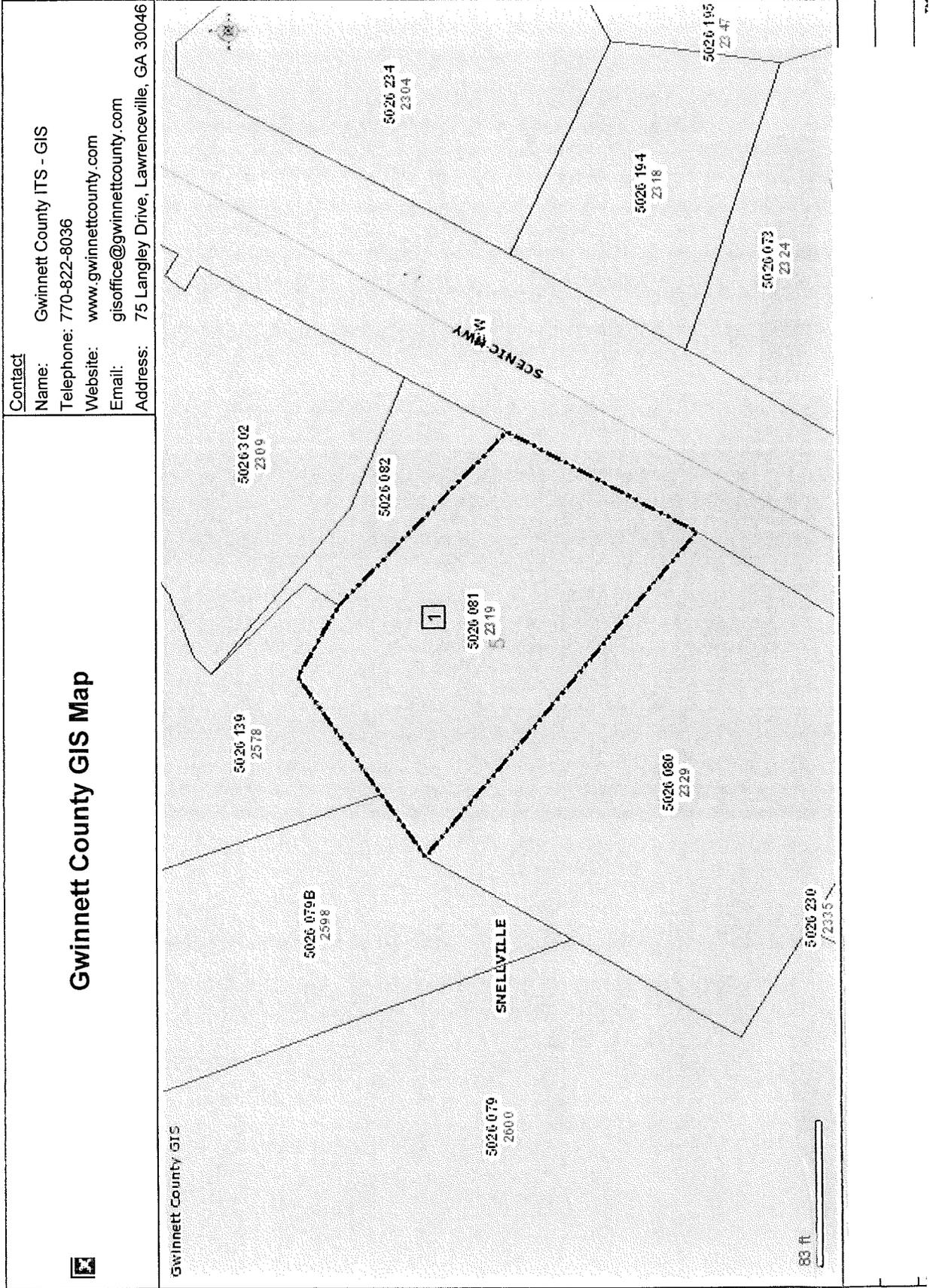
PROPERTY OWNER NAME(S): _____ TAX PARCEL NO.: _____

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

*** INFORMATION VERIFIED BY GWINNETT COUNTY TAX ASSESSOR'S OFFICE ***

COUNTY TAX DEPARTMENT REPRESENTATIVE (PRINT NAME): <u>Jamal Hayes</u>	DATE: <u>12-31-15</u>
COUNTY TAX DEPARTMENT REPRESENTATIVE (SIGNATURE): <u>[Signature]</u>	

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



Parcel: 5026 082
Owner: Powell Properties: 5026 082
Georgia Highway 124
Owners mailing address
McKendree Church Road Suite B
Lawrenceville Georgia 30043-4107

Parcel: 5026 080
Owner: Andrew J. Jr. & Karen A. Watson
2329 Scenic Hwy
Snellville, GA 30078-3114

Parcel: 5026 079
Owner: NEW LONDON PLAZA LLC
Mailing Address: 85A MILL ST STE 100
ROSWELL , GA 30075-4910
Property Information
2600 SCENIC HWY
SNELLVILLE, GA