



CONDITIONAL USE PERMIT APPLICATION

RECEIVED

MAR 13 2019

Snellville Planning & Development Department
2342 Oak Road
Snellville, GA 30078
Phone 770.985.3514 Fax 770.985.3551 www.snellville.org

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT
DATE RECEIVED

1525 SCENIC HWY #1900130
CONDITIONAL USE PERMIT (#CUP 19-02)
PARCEL 5073 002 - MT ZION BAPTIST CHURCH

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.

Mount Zion Baptist Church of Snellville c/o Mahaffey Pickens Tucker, LLP

Mount Zion Baptist Church of Snellville

Name (please print)

Name (please print)

1550 North Brown Road, Suite 125

PO Box 568

Address

Address

Lawrenceville, GA 30043

Snellville, GA 30078

City, State, Zip Code

City, State, Zip Code

770.232.0000 678.518.6880

770.232.0000 678.518.6880

Phone Number(s) Fax

Phone Number(s) Fax

Contact Person: Shane Lanham Phone: 770.232.0000 Fax: 678.518.6880

Cell Phone: _____ E-mail: slanham@mptlawfirm.com

Present Zoning Classification(s): RS-180 Present Land Use Classification(s): Public/Institutional

Property Address/Location: 1525 Scenic Highway District 5 Land Lot 073 Parcel(s) 002

Applicants must submit a Conditional Use Permit application (and Land Use Plan Amendment and/or Zoning Map Amendment application, if required) for the following permitted uses (check one):

- Automotive Body Repair Shops (HSB District Only)
- Automotive Parts Store (with or without lubrication or tune-up centers) (BG and HSB Districts)
- Automotive Repair Shops including major engine repair (transmission, radiator repair and engine overhauls) (HSB District Only)
- Automotive and Motorcycle Sales and Rental Establishments and associated service facilities (BG and HSB Districts)
- Automotive Service Stations or Tire Stores (including lubrication, tune-up, battery replacement, brake repair centers) (BG District Only)
- Banks and Savings & Loan Institutions (OP District Only)
- Beauty and Barber Shops, including Manicurists (OP District Only)
- Boat Sales Establishments and associated service facilities (HSB District Only)
- Building Supply Centers with screened outdoor storage (BG and HSB Districts)
- Camper and Recreational Vehicle Sales and Rental Establishments and associated service facilities (HSB District Only)
- Cell Towers (new) and Telecommunications Antennas and Towers (new) (All Zoning Districts)
- Cemetery (All Residential Districts)
- Churches and related religious uses (All Residential Districts, BG and HSB Districts Only)
- Community Living Arrangement (RS-180 or RS-150 District)
- Commercial Recreational Enterprises (All Residential Districts; BG and HSB Districts)
- Contractor's Office with outdoor storage of equipment or materials (HSB District Only)
- Day Care Centers, provided that State day care requirements and health regulations are met (OP District Only)
- Drug Stores and Pharmacies accessed through and associated with medical clinics, doctors' offices, or dental offices (OP District Only)
- Emissions Inspections Stations (BG District Only)
- Equipment Rental, Sales, or Service Establishments with outdoor storage of equipment (HSB District Only)
- Family Personal Care Home (RS-180 or RS-150 District)
- Gas (Fuel) Stations (BG and HSB Districts)
- Group Home (RS-180 or RS-150 District)
- Historical Event Venue (All Residential Districts)
- Lawnmower Sales and Repair Shops (BG and HSB Districts)
- Machine and/or Welding Shops (BG District Only)
- Mini-Warehouse Storage Facilities (HSB District Only)
- Parking Lots and Parking Structures (OP District Only)
- Pawn Shops and Pawn Brokers, Title Pawn Shops, and Check Cashing Businesses (BG District Only)

Pursuant to Section 15.2(3)(e) of the Snellville Zoning Ordinance, a written, documented analysis of the impact of the proposed Conditional Use Permit 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 is 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: Please see attached

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

Response: Please see attached

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

Response: Please see attached

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: Please see attached

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

Response: Please see attached

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: Please see attached

CONDITIONAL USE PERMIT IMPACT ANALYSIS

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

Yes. The subject property already contains an existing ground sign used by the church. There are also numerous existing ground signs on nearby and adjacent properties along Scenic Highway. The proposed monument sign is compatible with this existing signage in terms of quality and materials.

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

No. The property already contains a ground sign and erecting a new replacement sign in a more appropriate location would not have any negative effect on the usability of adjacent or nearby property.

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

The applicant submits that the freedom of expression manifested in the ability to erect signage is fundamental to the ownership of property. The ability to replace old signage with new signage is consistent with the freedom of expression reflected in Georgia and Federal law. The Applicant respectfully submits that a deprivation of the ability to replace old signage with new is a deprivation of the freedom of expression which would deprive the owner of reasonable 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.

No. The proposed signage will not have any material impact on streets, transportation facilities, utilities, or schools.

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

Yes. The Land Use Plan encourages a mix of commercial and institutional uses along the Scenic Highway corridor. Such land uses customarily and commonly bring with them ground signs such as the proposed signage.

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.

The Church was founded in 1853 and is a deep-rooted member of the Snellville community. The property is located within an established commercial corridor and the proposed signage is consistent with both the existing sign on the property and abundant signage along Scenic Highway.

CELL TOWERS

Check here if section is NOT APPLICABLE

Article XIX of the Snellville Zoning Ordinance should be reviewed by the applicant in its entirety and the following shall be formally addressed in writing. Check here and attach additional sheets if necessary.

1) Section 19.4 (B) Inventory of Existing Sites and towers, that are either within the City of Snellville or within three miles of the border thereof, including specific information about the location, height, and design of each tower: _____

2) Section 19.5 (C) Factors Considered in Granting Conditional Use Permits:

A) Height of Proposed Tower: _____(ft) _____ (meters)

B) Proximity of the tower to residential structures and residential district boundaries:

C) Nature of uses on adjacent and nearby properties:

D) Surrounding topography:

E) Surrounding tree coverage and foliage:

F) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness:

G) Availability of suitable existing towers and other structures as discussed in Section 19.5 (D) of the Snellville Zoning Ordinance:

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 six months from the date of denial.



Signature of Applicant
Date 10/8/18

Shane Lanham, Attorney for Applicant

Type or Print Name and Title



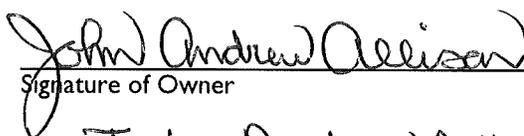


Signature of Notary Public
Date 10/8/18

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 six months from the date of denial.

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

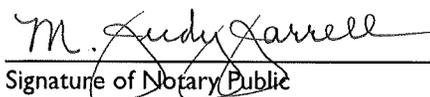


Signature of Owner
Date 09.12.18

John Andrew Allison - Trustees Chairman

Type or Print Name and Title

Notary Seal



Signature of Notary Public
Date 9.12.18

M Judy Jarrell
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires August 4, 2019

CERTIFICATE OF TITLE
TO REAL PROPERTY

For the Exclusive Use Of:

Property of:

**The City of Snellville, Georgia
a municipal corporation of
the State of Georgia**

Mount Zion Baptist Church of Snellville

This is to certify that we have made careful examination of all conveyances correctly indexed as of record in the County in which said property hereinafter described in Exhibit "A" and depicted by that Survey in Exhibit "B" is located, and from this examination we are of the opinion that good record title is vested in

**MOUNT ZION BAPTIST CHURCH OF SNELLVILLE a/k/a MOUNT ZION a/k/a
MOUNT ZION CHURCH a/k/a MOUNT ZION BAPTIST CHURCH a/k/a MT ZION
BAPTIST CHURCH INC. a/k/a MT ZION BAPTIST CHURCH OF SNELLVILLE INC.**

subject to the following objections:

1. Any action by any municipal or governmental agency for the purpose of regulating the use, occupancy or zoning of the property described in this Certificate of Title, or of any building or structure thereon.
2. The exact location of boundary lines, unrecorded easements, possible encroachments and other facts or conditions which could be disclosed by an accurate survey and inspection of the property.
3. Possible liens of architects, laborers or materialmen for improvement of the property not filed for record at the effective date hereof.
4. The current year's taxes.
5. Rights, if any, of persons who may be in possession under claims not appearing of record.
6. Any consumer credit protection, truth-in-lending, or similar laws.
7. Any Federal Tax lien not indexed in the applicable records of this county.
8. Subject to all applicable matters of survey, plat, covenants and restrictions, easements, loan deeds, contracts, assignments, UCC notices, bonds, trust deeds, taxes not shown by the public records, liens, judgements, and all matters of record.

WITNESS the hand and seal of the undersigned this 6th day of March, 2019.

MAHAFFEY PICKENS TUCKER, LLP



Nicholas Kemper, *Attorney* (L.S.)

EXHIBIT "A"

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 55, 56, 73, and 74 of the 5th District, Gwinnett County, Georgia, as shown by that Survey for Mount Zion Baptist dated October 29, 1999 by Gordon Story & Associates, Gordon C. Story, Georgia RLS No. 11533, which survey is incorporated herein for a more complete and detailed description. Said property being more particularly described as follows:

BEGINNING at a point on the westerly right-of-way line of Scenic Highway aka Georgia State Route 124; thence leaving said right-of-way line and running N68°26'35"W a distance of 230.00 feet to a point; thence S72°55'25"W a distance of 216.10 feet to a point; thence S59°03'25"W a distance of 69.75 feet to a point; thence N46°42'57"W a distance of 161.22 feet to a point; thence S58°54'31"W a distance of 458.19 feet to a point; thence N30°56'15"W a distance of 401.80 feet to a point; thence N58°50'00"E a distance of 407.41 feet to a point; thence N31°10'00"W a distance of 140.14 feet to a point; thence N58°50'18"E a distance of 239.99 feet to a point; thence S31°10'00"E a distance of 179.00 feet to a point; thence N63°40'00"E a distance of 604.27 feet to a point; thence S71°20'00"E a distance of 261.87 feet to a point on said westerly right-of-way line of Scenic Highway; thence continuing along said right-of-way line S13°37'13"W a distance of 709.72 feet to a point: said point being the POINT OF BEGINNING.

Property is commonly known as 1525 Scenic HWY, Snellville, Georgia 30078.

Parcel ID: R5073 002

EXHIBIT "B"

SURVEY

[SEE ATTACHED]

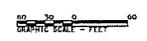
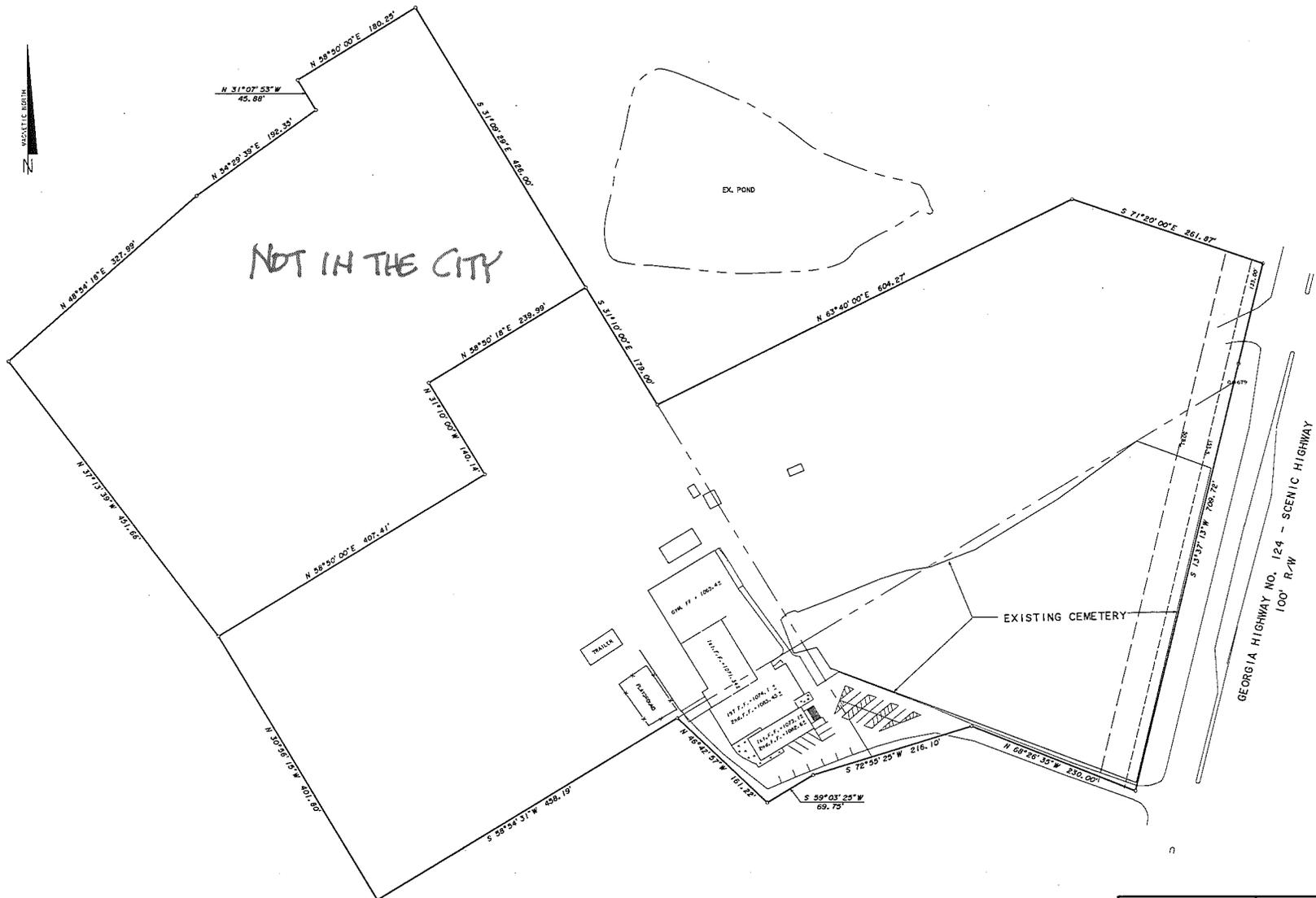
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Property is commonly known as 1525 Scenic HWY, Snellville, Georgia 30078.

Parcel ID: R5 073 002



OFF: (770) 979-7663
 FAX: (770) 730-8268
GORDON STORY & ASSOC.
 CIVIL ENGINEERING - LAND SURVEYING
 3005 INDUSTRIAL WAY
 SUITE 200
 SNELLVILLE, GA 30039
 GORDON STORY, P.E., R.L.S.

LAND LOT:	0006734
DISTRICT:	5
SUBJECT:	GEORGIA
DATE:	10-25-90
JOB:	10-06-303
REVISIONS:	

SURVEY FOR:	
FOR:	MOUNT ZION BAPTIST
SHEET	1
OF	1



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: Mount Zion Baptist Church of Snellville

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

PROPERTY

OWNER NAME(S): Mount Zion Baptist Church of Snellville **TAX PARCEL NO.:** 5073 002

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

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>Julie Smith</u>	DATE: <u>10-8-18</u>
COUNTY TAX DEPARTMENT REPRESENTATIVE (SIGNATURE): <u>Julie Smith</u>	

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



ACCOUNT DETAIL

[View/Pay Your Taxes /](#) [Account Detail](#)

Tax Account

Mailing Address:

MT ZION BAPTIST CHURCH OF SNELLVILLE
PO BOX 568
SNELLVILLE, GA 30078-0568

[✉ Change Mailing Address](#)

SITUS:

1525 SCENIC HWY

Tax District:

SNELLVILLE

Parcel ID	Property Type	Last Update
R5073 002	Real Property	3/15/2019 11:19:11 AM

Legal Description

CHURCH & CEMETERY

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
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Total						\$0.00
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Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Due Date	Amount Due
2018	\$3,618.00	\$3,618.00	\$0.00	\$0.00	10/15/2018	\$0.00
2017	\$3,618.07	\$3,618.07	\$0.00	\$0.00	10/15/2017	\$0.00
2016	\$3,618.07	\$3,618.07	\$0.00	\$0.00	10/15/2016	\$0.00
2015	\$2,412.05	\$2,412.05	\$0.00	\$0.00	10/15/2015	\$0.00
Total						\$0.00

Print Tax Bill

Click to view and print your Aug 2018 tax bill.

* This bill is good through Oct 15, 2018 only.

Pay Online

No payment due for this account.



Click [here](#) to cancel your Paperless Billing enrollment

Schedule Payments

ADJOINING PROPERTY OWNER LIST

#	Name	Parcel #	Address
1	Barilone, Mike	5074 294	833 Martins Chapel Rd, Lawrenceville Ga 30045
2	Gwinnett County Board of Commissioners	5074 198	75 Langley Dr, Lawrenceville Ga 30046
3	Hatteras Construction LLC	5055 274	4411 Suwanee Dam Rd Ste 425, Suwanee Ga 30024
4	Hatteras Construction LLC	5055 275	4411 Suwanee Dam Rd Ste 425, Suwanee Ga 30024
5	Janmar 27 LLC	5055 276	246 N Perry St, Lawrenceville Ga 30046
6	Janmar 27 LLC	5055 277	246 N Perry St, Lawrenceville Ga 30046
7	Hatteras Construction LLC	5056 372	4411 Suwanee Dam Rd Ste 425, Suwanee Ga 30024
8	Shackelford Properties LLC	5073 001	1754 Grayson Hwy Apt 130, Grayson Ga 30017
9	Davis, Albert H	5074 056	1356 Tree Ln, Snellville Ga 30078

Mount Zion Baptist Church

LAWRENCEVILLE, GEORGIA



