



# CHANGE IN CONDITIONS APPLICATION

JAN 8 2021

APPLICATION TO AMEND THE OFFICIAL ZONING MAP, SNELVILLE, GEORGIA  
AND REQUEST TO AMEND PRIOR APPROVED CONDITIONS OF ZONING

3079 LENORA CHURCH RD #2100014  
RZ CHANGE IN CONDITION #21-01  
PARCEL- 5029 090  
REJOICE IN THE WORD CHURCH

City of Snellville  
Planning & Development Department

2342 Oak Road, 2<sup>nd</sup> Floor

Snellville, GA 30078

Phone 770.985.3514 Fax 770.985.3551 [www.snellville.org](http://www.snellville.org)

CASE # **CIC** 21-01

Version 10-27-2020

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

Concept Engineering Services - Emmanuel Abua

Name (please print)

3850 Holcomb Bridge Rd, Suite 260

Address

Peachtree Corners, GA 30092

City, State, Zip Code

404-643-6044

Phone Number(s)

Fax

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

Rejoice In The Word Church International Ministry, Inc.

Name (please print)

P.O. Box 1665

Address

Snellville, GA 30078

City, State, Zip Code

404-822-0722

Phone Number(s)

Fax

Contact Person: Emmanuel Abua

Phone: 404-643-6044

Fax:

Cell Phone: 404-643-6044

E-mail: [conceptengrscsceo@gmail.com](mailto:conceptengrscsceo@gmail.com)

Request to Change the Conditions for Rezoning Case No. **RZ** 07-01 and Ordinance No. **Sec. 9.7.(3)** Approval Date: **2-26-2007**

Property Address/Location: **3079 Lenora Church Rd** District **5th** Land Lot **29** Parcel(s) **R5029-090**

## APPLICATION FEES:

- Change in Conditions Application \$ 500
- Public Notice Sign \$ 75 (single-sided) or \$125 (double-sided) per parcel, per road frontage
- Adjoining Property Owner Notice \$ 15 (per adjoining property X 2 public hearings)

## UDO Sec. 103-9.9 Rezoning Condition Alteration

- An application to alter conditions of rezoning must be submitted and processed in accordance with all provisions applicable to zoning map amendments (UDO Sec. 103-9.4.C) through the Department, the Planning Commission for a public hearing, and to the City Council for a public hearing.
- The City Council may add or delete conditions to rezoning applications during the public hearing that are more or less restrictive than the UDO.

## UDO Sec. 103-9.4.C. Zoning Map Amendments

Zoning map amendment applications must include the following:

1. Payment of the appropriate application fee as determined by the fee schedule.
2. A current legal description of the site to be rezoned. If the site proposed for amendment includes multiple lots, provide a separate legal description for each individual lot, together with a composite legal description for all lots.
3. Ten (10) printed boundary surveys of the site to be rezoned, at least one of which should be an 11 x 17-inch (or smaller) reduction. In addition, a digital copy in .pdf format must be submitted using email, flash drive, or other means approved by the Director. The survey must have been prepared by a registered land survey no more than 12 months before the date of submittal.
4. Letter of intent explaining what is proposed.
5. Applicant's and/or owner's certification.
6. Conflict of interest certification and disclosure of campaign contributions.
7. The names and addresses of the owners of the land and their agents, if any.

Zoning map amendment applications must include the following (continued):

8. The present and proposed zoning district for the site.
9. Ten (10) copies of the proposed site plan, and one 11 x 17-inch (or smaller) reduction of the plan, drawn to scale, showing: a north arrow; land lot, district, and parcel number; the dimensions with bearing and distance; acreage; location of the tract(s); the present zoning district of all adjacent lots; the proposed location of structures, driveways, parking, and loading areas; and the location and extent of required buffer areas. The site plan must be prepared by an architect, engineer, landscape architect or land surveyor whose State registration is current and valid. The site plan must be stamped and sealed by one of the four above-mentioned professionals no more than 6 months before the date of submittal. In addition, a digital copy in .pdf and .dwg formats must be submitted using email, flash drive, or other means approved by the Director.
10. Ten (10) stapled or bound copies of the zoning map amendment application and all supporting documents, in addition to one unbound application bearing original signatures. In addition, a digital copy of all materials in .pdf format must be submitted using email, flash drive, or other means approved by the Director.
11. Each zoning map amendment application, whether submitted by the City or by another party, must include with it a written, documented analysis of the impact of the proposed rezoning with respect to each of the following matters (Attachment A):
  - a. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
  - b. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property.
  - c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
  - d. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing, streets, transportation facilities, utilities, or schools.
  - e. Whether the zoning proposal is in conformity with the policy and intent of the Future Land Use Map.
  - f. Whether there is 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.
12. Architectural building renderings indicating building elevation, colors, construction materials, etc. of which the facades and roofs will consist.
13. Verification by Gwinnett County that all property taxes owed have been paid (for all lots subject to this application).
14. Recorded Warranty Deed, Quit Claim Deed or other recorded legal instrument showing ownership in the real property which is subject to the application.
15. A map indicating the site and the adjacent properties, identified by tax parcel number.
16. A traffic impact analysis when required by UDO Sec. 103-5.2. (see page 9 below).
17. An initiating party must also file any other information or supporting materials that are required by the City Council, Planning Commission, and/or the Department.

**SUBMITTAL CHECKLIST  
PROVIDED ON PAGE 7  
BELOW**

Pursuant to Section 103-9.4.C.11. of the Snellville Unified Development 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 standard is not acceptable and shall be considered non-responsive.**

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

Response: Based on the proposed site design for the subject property, the proposed use is suitable for the surrounding area. It is the applicant's contention that the proposed appeal provides for a suitable transition between these uses, while not compromising the desires of the community to have a single-family development.

B. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby properties.

Response: The applicant's zoning proposal will have no impact on any existing usability of nearby properties.

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

Response: The subject property has no use as currently zoned. Due to the significant topographical challenges of the site & stormwater mitigation, the cost for development of the proposed building is simply not economically feasible due to the large amount of earthwork that would be needed to design the site according to the required code.

D. 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: The proposed rezoning will not cause excessive use of streets, transportation facilities, or utilities in the area. The proposed development shall provide adequate ingress/egress to the subject property on Lenora Church Road. Schools will not be impacted in anyway by the proposed development.

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

Response: The proposed appeal for the development is appropriate, particularly based on the surroundings and vicinity of the property.

F. 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: Although, the applicant's proposed development differs from what was initially approved, it is entirely consistent with the developments of surrounding nearby religious facilities. The applicant's design incorporates adequate site design standards that will contribute to avoiding negative impacts on adjacent properties.

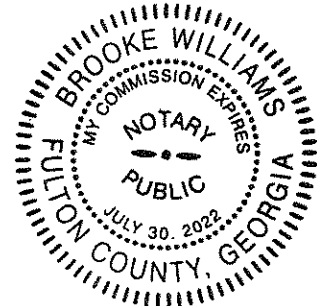
## CERTIFICATIONS

### APPLICANT'S CERTIFICATION

The undersigned below does hereby, swear or affirm under penalty of perjury under the laws of the State of Georgia, is authorized to make this application for Change in Conditions and that the statements and documents submitted as part of this application are true and accurate to the best of my knowledge or belief. The undersigned is aware that if the change in conditions application is denied by the City Council, no change in conditions application affecting any portion of the same property may be submitted less than twelve (12) months from the date of denial.

Emmanuel Abia 12/3/2020  
Signature of Applicant Date  
EMMANUEL ABIA, CEO  
Type or Print Name and Title

Affix Notary Seal



Brooke Williams 12/3/20  
Signature of Notary Public Date

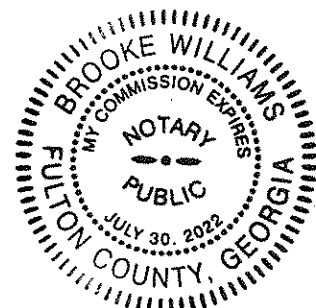
### PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, swear and affirm that I am (we are) the owner of property that is subject to this application, as shown in the records of Gwinnett County, Georgia which is the subject matter of the attached application. I further authorize Emmanuel Abia to file this application. The undersigned is aware that that if the change in conditions application is denied by the City Council, no change in conditions application affecting any portion of the same property may be submitted less than twelve (12) months from the date of denial.

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

Caron Jones 12/3/2020  
Signature of Owner Date  
Caron Jones Pastor  
Type or Print Name and Title

Affix Notary Seal



Brooke Williams 12/3/20  
Signature of Notary Public Date

AUTHORIZATION TO INSPECT PREMISES

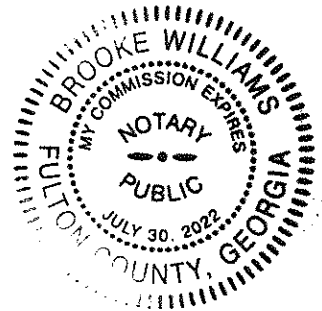
With the signature below, I authorize the staff of the Department of Planning and Development of the City of Snellville, Georgia to inspect the premises, which are the subject of this Change in Conditions application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

Caron Jones 12/3/2020  
Signature of Owner or Agent Date  
Caron Jones Pastor  
Type or Print Name and Title

Affix Notary Seal

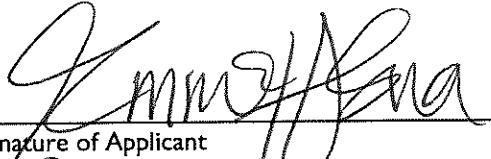
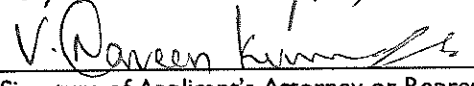
Brooke Williams 12/3/20  
Signature of Notary Public Date



## CONFLICT OF INTEREST CERTIFICATIONS FOR CHANGE IN CONDITIONS APPLICATION

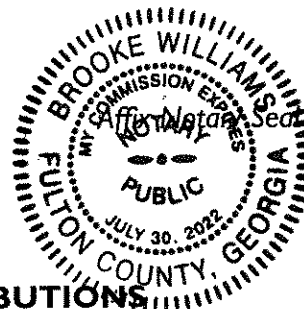
The undersigned below, making application for a Change in Conditions, has complied with the Official Code of Georgia Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on forms provided.

☐ check here if there are additional applicants and attach additional "Conflict of Interest Certification" sheets.

 Signature of Applicant	12/3/2020 Date	EMMANUEL ABUA, CEO Type or Print Name and Title
 Signature of Applicant's Attorney or Representative	12/3/2020 Date	Naveen K. Vadlamudi, Civil Engineer Type or Print Name and Title

  
 Signature of Notary Public

12/3/20  
Date



## DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the last two (2) 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?

☐ YES     
 ☒ NO     
 YOUR NAME: EMMANUEL ABUA

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

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (list all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within the last two years)

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



BX 55033 PD0457

Return to  
O'Kelley & Sorohan, Attorneys at Law, LLC  
2170 Satellite Blvd, Suite 375  
Duluth, GA 30097  
File No 17-067169-CRE

PT-61 # 122-2017-005768  
GWINNETT CO. GEORGIA  
REAL ESTATE TRANSFER TAX  
\$ 210.00  
RICHARD T ALEXANDER, JR CLERK OF  
SUPERIOR COURT

FILED & RECORDED  
CLERK SUPERIOR COURT  
GWINNETT COUNTY, GA  
17 APR -5 PM 2:00  
RICHARD ALEXANDER, CLERK

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

LIMITED WARRANTY DEED

THIS INDENTURE, made on 10th day of March, 2017, between

Affinity Bank

(hereinafter referred to as "Grantor") and

Rejoice In the Word Church International Ministry, Inc.

(hereinafter referred to as "Grantee"), the words "Grantor" and "Grantee" to include the heirs, executors, legal representatives, successors and assigns of said parties where the context requires or permits, WITNESSETH

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee,

All that tract or parcel of land lying and being in Land Lot 28 of the 5th District, Gwinnett County, Georgia, containing 5.346 acres according to a survey for Canaan Land Church International, Inc., Atlanta Business Bank and Chicago Title Insurance Company prepared by Bullard Land Planning by Robert F. Bullard (GRLS No. 2901), dated December 27, 2007, and being more particularly described according to said survey as follows

Beginning at a point marked by an iron pin set located on the westerly right-of-way line of Lenora Church Road (RAW Varies), said point being located a distance of 200.00 feet in a generally northerly direction along said right-of-way line from its intersection with the right-of-way line of Springdale Road, leaving the aforesaid right-of-way line of Lenora Church Road, run thence South 88 degrees 19 minutes 35 seconds West a distance of 288.60 feet to an iron pin set, thence North 29 degrees 03 minutes 55 seconds West a distance of 641.55 feet to an iron pin set, run thence North 88 degrees 19 minutes 35 seconds East a distance of 560.07 feet to an iron pin set located on the aforesaid right-of-way line of Lenora Church Road, run thence along the aforesaid right-of-way line South 01 degree 50 minutes 37 seconds East a distance of 240.60 feet to a point, continue thence along the aforesaid right-of-way line South 15 degrees 47 minutes 24 seconds East a distance of 40.89 feet to a point, continue thence along the aforesaid right-of-way line South 01 degree 50 minutes 37 seconds East a distance of 289.37 feet to a point marked by an iron pin set, said point being the true point of Beginning

TOGETHER WITH all and singular the rights, members and appurtenances thereto (hereinafter collectively referred to as the "Premises"), the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee

Subject to all easements, rights of way, and restrictive covenants of record (hereinafter referred to as the "Exceptions").

TO HAVE AND TO HOLD the Premises, subject to the Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all person claiming by, through or under Grantor, but not otherwise



BK55033 PB0458

IN WITNESS WHEREOF, Grantor has executed this instrument under seal, as of the date first above written.

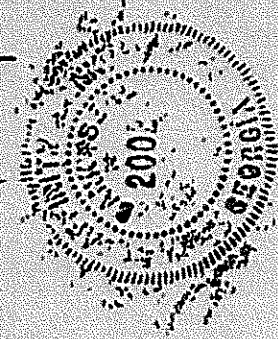
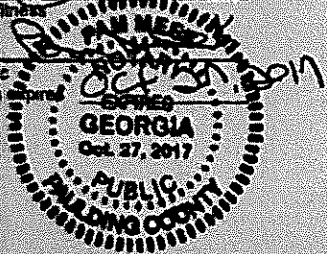
Signed this 8 day of  
March 2017 in the  
presence of

[Signature]  
Unofficial Witness

Affinity Bank  
[Signature]

BY:  
Chip Nelson  
Executive Vice President

Notary Public  
Commission Expires





## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

All that tract or parcel of land lying and being in Land Lot 29 of the 5th District, Gwinnett County, Georgia, containing 5.346 acres according to a survey for Canaan Land Church International, Inc., Atlanta Business Bank and Chicago Title Insurance Company prepared by Bullard Land Planning by Robert F. Bullard (GRLS No. 2901), dated December 27, 2007, and being more particularly described according to said survey as follows: Beginning at a point marked by an iron pin set located on the westerly right-of-way line of Lenora Church Road (R/W Varies), said point being located a distance of 200.00 feet in a generally northerly direction along said right-of-way line from its intersection with the right-of-way line of Springdale Road; leaving the aforesaid right-of-way line of Lenora Church Road, run thence South 88 degrees 19 minutes 35 seconds West a distance of 266.60 feet to an iron pin set; thence North 29 degrees 03 minutes 55 seconds West a distance of 641.55 feet to an iron pin set; run thence North 88 degrees 19 minutes 35 seconds East a distance of 560.07 feet to an iron pin set located on the aforesaid right-of-way line of Lenora Church Road; run thence along the aforesaid right-of-way line South 01 degree 50 minutes 37 seconds East a distance of 240.60 feet to a point; continue thence along the aforesaid right-of-way line South 15 degrees 47 minutes 24 seconds East a distance of 40.89 feet to a point; continue thence along the aforesaid right-of-way line South 01 degrees 50 minutes 37 seconds East a distance of 289.37 feet to a point marked by an iron pin set, said point being the true point of beginning.

## Tax Values

Description	Market Value	Assessed Value
Land	\$310,500.00	\$124,200.00
Improvement	\$0.00	\$0.00
Total	\$310,500.00	\$124,200.00

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## Class Codes

300-Commercial Vacant Land

## Assessments

Operation	Net Tax	Savings
<u>School Taxes</u>	\$2,446.74	\$0.00
<u>STATE OF GEORGIA TAXES</u>	\$0.00	\$0.00
<u>City of Snellville Taxes</u>	\$569.83	\$0.00
<u>County Incorporated No Police</u>	\$1,422.09	\$0.00
Sub Total	\$4,438.66	\$0.00
Bond	Net Tax	Savings
<u>School Taxes</u>	\$235.98	\$0.00
<u>County Incorporated No Police</u>	\$0.00	\$0.00
Sub Total	\$235.98	\$0.00
Total Tax	\$4,674.64	\$0.00

## Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	24079867	12/1/2020	2020	\$0.00	\$0.00	\$0.00	\$0.00
Total Due:				\$0.00	\$0.00	\$0.00	\$0.00

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2020	24079867	B21.978	\$4,735.41	1/4/2021

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