



LAND USE PLAN AMENDMENT APPLICATION

APPLICATION TO AMEND THE FUTURE LAND USE MAP, SNELLVILLE GEORGIA

City of Snellville
Planning & Development Department
2342 Oak Road, 2nd Floor
Snellville, GA 30078
Phone 770.985.3515 Fax 770.985.3551 www.snellville.org

FEB 9 2021

1736 OAK RD #2100060
REZONING APP RZ 21-03 -LUP 21-03
PARCEL- 5024 175
CASE # **LUP**

Version 10-29-2020

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.

ROGER FISHER
Name (please print)
54 SAWGRASS MANOR DR.
Address
NEWNAN GA 30265
City, State, Zip Code
404 391 6538
Phone Number(s) Fax

* Sohel Dhanani
Name (please print)
790 mason grove parkway
Address
Lawrenceville, GA 30043
City, State, Zip Code
678-897-2914
Phone Number(s) Fax

Contact Person: ROGER FISHER Phone: 404.391.6538 Fax: N/A
Cell Phone: 404.391.6538 E-mail: roger@fisherallen.com

Present Future Land Use Map (FLUM) Designation: OFFICE/PROFESSIONAL
Requested/Proposed Future Land Use Map (FLUM) Amendment: RS-5
Proposed Use (Describe): SINGLE FAMILY DETACHED
Property Address/Location: 1736 OAK ROAD District 5 Land Lot 2A Parcel(s) R5024-175

APPLICATION FEES:

- Land Use Plan Amendment \$ 300
- 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. 103-9.4.B. Future Land Use Map Amendments

Future Land Use 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 proposed for amendment. 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 the entire site.
3. Ten (10) printed boundary surveys of the site that is to have a revised land use under the applicant's proposal, 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. All permitted land uses for the identified area under the existing Future Land Use Map.
5. All changes to existing land use designations that are proposed by the application.
6. All land uses immediately adjacent to the subject property under the existing Future Land Use Map.
7. A letter listing all the reasons for the amendment application.
8. Applicant's and/or owner's certification.
9. Names and addresses of the owner(s) of the land or their agent(s), if any, authorized to apply for an amendment.

LETTER OF INTENT
1736 OAK ROAD
SNELLVILLE, GA
2.08.2021

Oak Road LLC
790 Mason Grove Pkwy
Lawrenceville, GA 30043

City of Snellville,

The purpose of this letter is to disclose our intentions to rezone the property at 1736 Oak Road Snellville Ga, from Office/Professional to RS-5 single family residential. If we are granted the rezoning, we intend to build 5 unique single family homes, all with farmhouse style architectural details.

We will follow the city mandated architectural guidelines, using hardie plank siding, hardie board and batten and all having brick and stone wainscot to a 30" minimum on front and sides. Paint scheme colors to be predominately white tones of the traditional farm house with maybe a couple of neutral grey tones. Roofing will be black or gray tones of architectural tab shingles with accents of galvanized roofing. We intend to pay attention to details of the exterior by using upgraded lighting, cedar accents and brackets and landscaping upgrades.

The lots are configured to provide optimal curb appeal and small town feel. The architectural design of the farm house look, however, goes against the grain of the garage door setback requirement of 10' from the front of the house. There is not enough space to do a traditional detached garage, so we are asking for relief from this one item.

If the variance is granted, we intend to use a high end "carriage style" door (See style inc. in package) with traditional hardware. Colors to be white, black and/or 5 layer composite cedar looking doors with cedar brackets and metal roofs to "soften the edges", while actually using the doors as a key design element of the front elevations.

This development has a similar feel to other developments and rezoning requests in the immediate area, so we hope that you will allow us to rezone this property, as our intentions are to move forward as soon as permits are granted.

Sincerely
Roger Fisher (applicant)
For Sohel Dhanani (owner)

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 Land Use Plan Amendment and that the statements and documents submitted as part of this application are true and accurate to the best of my knowledge or belief.

[Signature] 2/7/21
Signature of Applicant Date
ROGER FISHER MGR
Type or Print Name and Title

[Signature] 02/09/2021
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 _____ to file this application.

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

X [Signature] 02/09/21
Signature of Owner Date

Sohel Dhanani
Type or Print Name and Title


[Signature] 02/09/2021
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 rezoning application.

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

 02/09/21
Signature of Owner or Agent Date

Schel Dhanani
Type or Print Name and Title

 02/09/2021
Signature of Notary Public Date



Land Use Plan Amendment Application
Attachment A

Pursuant to Section 103-9.4.B.10. of the Snellville Unified Development Ordinance, a **written, documented analysis of the impact of the proposed land use change 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 proposed land use change will permit uses that are suitable in view of the uses and development of adjacent and nearby properties.

Response: The proposed land use abuts single family on the north property line (which is a similar use) and there are other developments, very near, that have set a precedent to our project and land use.

B. Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby properties.

Response: To the contrary, we feel the new housing will be a mutual benefit to its neighbors on all sides.

C. Whether the proposed land use change will result in uses which will or could cause excessive or burdensome uses of existing streets, transportation facilities, utilities, or schools.

Response: Only 5 units would, certainly, not affect the infrastructure to this area and would not affect traffic or schools.

D. Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or disapproval of the proposed land use change.

Response: There are other similar developments that have been recently approved that should suit our approval, as well as a preception of a need for more quality single family housing in the city.

Future Land Use Map amendment applications must include the following (continued):

10. A written, documented analysis of the impact (see Attachment A) of the proposed land use change that specifically addresses each of the following matters:
 - a. Whether the proposed land use change will permit uses that are suitable in view of the uses and development of adjacent and nearby property.
 - b. Whether the proposed land use change will adversely affect the existing uses or usability of adjacent or nearby property.
 - c. Whether the proposed land use change will result in uses which will or could cause excessive or burdensome uses of existing streets, transportation facilities, utilities, or schools.
 - d. Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or disapproval of the proposed land use change.
11. Ten stapled or bound copies of the Future Land Use Map amendment application and all supporting documents, in addition to one unbound application bearing original signatures. In addition, a digital copy in .pdf format must be submitted using email, flash drive, or other means approved by the Director.
12. Verification by Gwinnett County that all property taxes owed have been paid (for all lots subject to this application).
13. Recorded Warranty Deed, Quit Claim Deed or other recorded legal instrument showing ownership in the real property which is subject to the application.
14. A map indicating the site and the adjacent properties, identified by tax parcel number.
15. 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 6
BELOW**

LAND USE PLAN AMENDMENT APPLICATION CHECKLIST

The following is a checklist of information required for submission of a Land Use Plan Amendment application. The Planning and Development Department reserves the right to reject any incomplete application.

- ☒ Application Form with notarized signatures
- ☒ Application and Public Notice Fees (make check payable to City of Snellville, Georgia)
- ☒ Recorded Warranty Deed, Quit Claim Deed or other recorded legal instrument showing evidence of ownership in the real property subject to the application
- ☐ Property Legal Description for each subject parcel, Composite legal description if more than one parcel.
- ☒ As-Built Boundary Survey (current within one-year)
- ☒ Letter of Intent listing the reasons for the amendment application.
- ☒ Verification of Paid Property Taxes
- ☒ Documented Analysis of Impact of Proposed Land Use Change (Attachment A)
- ☒ Applicant Certification with Notarized Signature (Attachment B)
- ☒ Property Owner Certification with Notarized Signature (Attachment B)
- ☐ Additional information or supporting information deemed necessary by the Planning Director, Planning Commission and/or City Council
- ☒ Provide Ten (10) Copies of Application Original and exhibits
- ☒ Provide Ten (10) Copies of Boundary Survey 11" x 17" size
- ☒ Provide CD-ROM or USB Flash Drive containing digital files (in .PDF format) of Complete Application (including all attachments, exhibits, survey, plans, photos, reports, etc.)

FOR INFORMATIONAL PURPOSE ONLY

UDO Sec.103-9.4. Application Requirements

D. Timing

Applications must be submitted by noon at least 42 days before the date on which it is to be considered by the Planning Commission. Any application that does not include all of the components required in paragraphs A, B, and C above will be considered incomplete; submission date will be considered the date upon which the application is accepted as complete by the Department. Fees for an application to amend this UDO, the Official Zoning Map, the Future Land Use Map, or any combination thereof, must be paid by the applicant upon submission, except that a fee is not charged for applications initiated by the City Council or Planning Commission.

E. Withdrawal

1. Once an application for a Future Land Use Map amendment and/or Official Zoning Map amendment has been made, the applicant may withdraw such application without prejudice until the legal advertisement for the City Council public hearing has been placed in the City's legal organ (no less than 21 days before the City Council public hearing). No application may be withdrawn less than 21 days before the City Council public hearing unless the request for withdrawal is granted by the City Council at the public hearing. Otherwise, all applications must be considered by the City Council.
2. There will be no reimbursement for withdrawn applications. An applicant may request reimbursement in writing to the City Council. Said request will be considered during a regular meeting of the City Council.

F. Denial

If an application for a Future Land Use Map amendment and/or an Official Zoning Map amendment is denied by the City Council, no application affecting any portion of the same property may be submitted less than 12 months from the date of denial.

UDO Sec.103-9.5. Department Study

- A. The Department, upon receiving an application to amend this UDO, Future Land Use Map, or the Official Zoning Map, may do the following:
1. Consult with other departments of the City or County to fully evaluate the impact of any land use category or zoning district change upon public facilities and services including, but not limited to, schools, drainage, traffic, and related facilities.
 2. Conduct a site review of the property and surrounding area.
 3. Submit a written record of its investigation and recommendations to the Planning Commission and City Council. This report will be a matter of public record.
- B. The Department's report may recommend amendments to the applicant's request which would reduce the land area for which the application is made, change the land use category or zoning district requested, and/or recommend conditions of rezoning which may be deemed advisable so that the purpose of this UDO will be served and the public health, safety, morality, and general welfare secured.

UDO Sec.103-9.6. Planning Commission Action

The Planning Commission must hold a public hearing on each application in accordance with a schedule adopted by the City Council. Staff recommendations on each application must be submitted to the Planning Commission before the public hearing. In addition, the Planning Commission must, with respect to each application, investigate and make a recommendation as to each of the matters set forth in Sec. 103-9.4.B.10 and/or Sec. 103-9.4.C.11 for approval, denial, deferral, withdrawal without prejudice, or no recommendation. Proponents and opponents of any amendment will be allotted at least 10 minutes, per side, for the presentation of data, evidence, and opinion during said public change. A written report of the Planning Commission's investigation and recommendation, along with the investigation and recommendation of the Department, must be submitted to the City Council and will be of public record.

UDO Sec.103-9.7. City Council Public Hearing

Before taking action on a proposed amendment and after receipt of the Department of Planning and Development and Planning Commission recommendations and reports thereon where required, the City Council will hold a public hearing on the proposal. At the public hearing, the City Council will review the reports prepared by the Department of Planning and Development and the Planning Commission. So that the purpose of this UDO will be served and the public health, safety, morality, and general welfare secured, the City Council may approve or deny the application, reduce the land area for which the application is made, change the district or land use category requested, and/or add or delete conditions of the application that are more or less restrictive than the current regulations. Proponents and opponents of any amendment will be allotted a

minimum of 10 minutes, per side, for the presentation of data, evidence, and opinion during said public hearing. An action by the City Council to defer the application will include a statement of the date and time of the next meeting at which the application will be considered, which statement will constitute public notice of the hearing on the application and no further notice, such as that required by Sec. 103-9.8 (Public Notification), is required.

UDO Sec. 103-9.8. Public Notification

The following are required for applications to amend the Future Land Use Map, Official Zoning Map, conditions of rezoning, or for a special use permit:

A. Legal Notice

Due notice of the Planning Commission meeting and the City Council public hearing must be published in a newspaper of general circulation within the City and the newspaper which carries the legal advertisements of the City, by advertising the application and date, time, place and purpose of the public hearing, not fewer than 15 days, nor more than 45 days before the date of the Planning Commission meeting and the City Council public hearing. If the application is to amend the Future Land Use Map, the notice must include location, current land use category and proposed land use category. However, if the application is for an amendment to the Official Zoning Map, then the notice must also include the location of the property, the present zoning district of the property, and the proposed zoning classification of the property.

B. Signs Posted

The Department must post a sign containing information that indicates that the application(s) has been filed and the date, time, and place of both the Planning Commission meeting and City Council public hearing at which the application(s) will be considered. The sign(s) must be posted at least 15 days, nor more than 45 days before the Planning Commission public hearing and must be posted in a conspicuous place on the property adjacent to and visible from each public street abutting the property for which an application has been submitted. The applicant must submit the required fee for the purchase of said sign(s) at the time such an application(s) is submitted. The applicant must maintain the sign(s) in good condition, making sure they are present and upright throughout the application review period, which must extend through the time of final City Council decision. The Department is responsible for the removal of all public notice sign(s).

C. Letters to Property Owners

The Department must notify the owners of adjoining properties of the property for which the variance is sought and/or their agent by certified mail with return receipt requested as shown by the Gwinnett County GIS Data Browser. The notification must be mailed at least 15 days before the Planning Commission meeting. A second notification mailing must be at least 15 days before the City Council public hearing. The notification must include a description of the application and the date, time, and place of the public hearing.

UDO Sec. 103-9.13. Appeals

Any person aggrieved by a decision or order of the City Council may appeal by certiorari to the Superior Court of Gwinnett County. Any such appeal must be filed within 30 days from the date of the decision of the City Council. Upon failure to file the appeal within 30 days, the decision of the City Council will be final.