



# REZONING APPLICATION

APPLICATION TO AMEND THE OFFICIAL ZONING MAP, SNELLVILLE GEORGIA

**City of Snellville**  
**Planning & Development Department**  
2342 Oak Road, 2<sup>nd</sup> Floor  
Snellville, GA 30078  
Phone 770.985.3515 Fax 770.985.3551 [www.snellville.org](http://www.snellville.org)

2165 NORTH RD #2100738  
REZONING APPLICATION RZ 22-01  
PARCEL- 5039-220

RECEIVED  
DEC 14 2021  
CITY OF SNELLVILLE  
PLANNING & DEVELOPMENT

2100738

**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.

PLG Partners LLC c/o Alliance Engineering and Planning  
Name (please print)  
299 South Main Street  
Address  
Alpharetta Ga 30009  
City, State, Zip Code  
770-225-4730 ext 819  
Phone Number(s) Fax

PLG Partners LLC  
Name (please print)  
2170 Satellite Boulevard  
Address  
Duluth GA 30997  
City, State, Zip Code  
770-225-4730 ext 819  
Phone Number(s) Fax

Contact Person: Tyler Lasser Phone: 770-225-4730 ext 819 Fax:  
Cell Phone: 770-225-4730 ext 819 E-mail: Tylerl@allianceco.com

Present Zoning District Classification: BG Requested/Proposed Zoning District Classification: OP

Present Future Land Use Map (FLUM) Designation: North Road Transitional Corridor Does the FLUM Require Amending?  No  Yes\*

Proposed Use (Describe): Office Building

Property Address/Location: 2165 North Road District 5 Land Lot 039 Parcel(s) 220, 273

\* If the requested zoning district is not consistent with the Future Land Use category on the current Future Land Use Map (FLUM) and identified in Table 2 – Future Land Use Categories and Corresponding Zoning Districts (pg. 53) of the Snellville 2040 Comprehensive Plan, applicant shall also be required to submit a Land Use Plan Amendment application and which is considered concurrent with the Rezoning application.

**APPLICATION FEES:**

- Less than one acre \$ 500
- 1 to 5 acres 560 *3.3 acres*
- 5 to 10 acres 800
- 10 to 15 acres 1,050
- 15 to 20 acres 1,350
- Over 20 acres 1,900
- 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)

**IF REQUESTING A CHANGE IN CONDITIONS OF ZONING FROM A PRIOR APPROVED REZONING CASE, PLEASE SUBMIT USING THE CHANGE IN CONDITIONS APPLICATION**

IP A II ID  
DEC 14 2021  
BY: .....

### 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 Rezoning 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 rezoning application is denied by the City Council, no rezoning application affecting any portion of the same property may be submitted less than twelve (12) months from the date of denial.

[Signature] 12/14/21  
Signature of Applicant Date

PLG Partners LLC  
Type or Print Name and Title  
Bryan Fair, Managing Member

Christine Sus 12/14/21  
Signature of Notary Public Date



#### PROPERTY OWNER'S CERTIFICATION

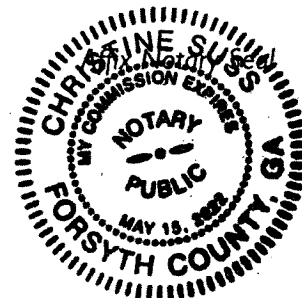
The undersigned below, or as attached, swear and affirm that I am (we are) the owner of property that is subject to this application, as shown in the records of Gwinnett County, Georgia which is the subject matter of the attached application. I further authorize PLG Partners LLC c/o Alliance Engineering and Planning to file this application. The undersigned is aware that that if the rezoning application is denied by the City Council, no rezoning 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.

[Signature] 12/14/21  
Signature of Owner Date

PLG Partners, LLC  
Type or Print Name and Title  
Bryan Fair, Managing Member

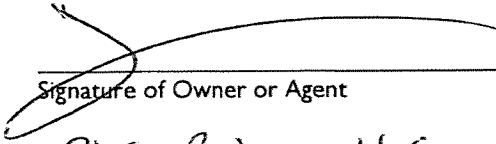
Christine Sus 12/14/2021  
Signature of Notary Public Date



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.

  
\_\_\_\_\_  
Signature of Owner or Agent

12/14/21  
\_\_\_\_\_  
Date

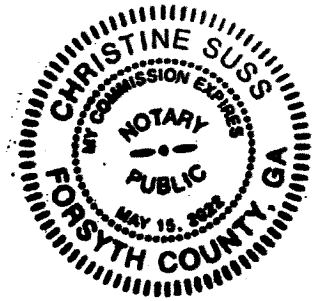
PLG PARTS, LLC  
\_\_\_\_\_  
Type or Print Name and Title

Bryan Fair, Managing Member

Affix Notary Seal

Christine Suso  
\_\_\_\_\_  
Signature of Notary Public

12/14/21  
\_\_\_\_\_  
Date



**CONFLICT OF INTEREST CERTIFICATIONS  
FOR REZONING APPLICATION**

The undersigned below, making application for Rezoning, 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] 12/14/21 Date  
Signature of Applicant

PLG Partners LLC, Bryan Fair  
Type or Print Name and Title *Managing Member*

Tyler Lasser 12/14/2021 Date  
Signature of Applicant's Attorney or Representative

Tyler Lasser  
Type or Print Name and Title

Christie Suss 12/14/21 Date  
Signature of Notary Public



**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: Bryan Fair

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.

**CERTIFICATIONS**

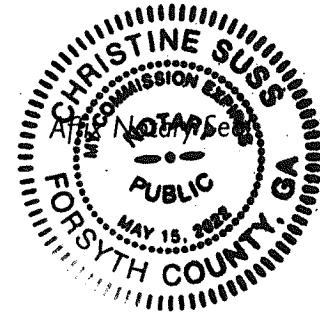
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Type or Print Name and Title  
Bryan Fair, Managing Member

Christine Suss 12/14/21  
Signature of Notary Public Date



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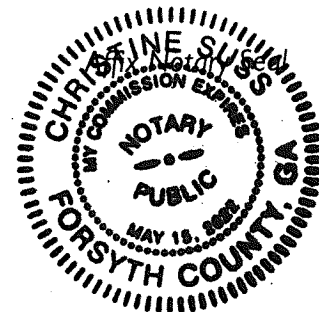
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PLG Partners, LLC  
Type or Print Name and Title  
Bryan Fair, Managing Member

Christine Suss 12/14/2021  
Signature of Notary Public Date



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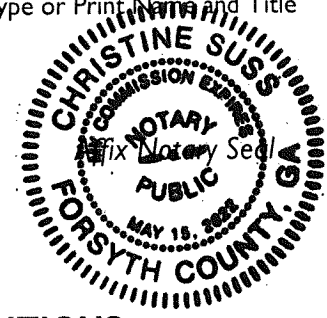
[Signature] 12/14/21  
Signature of Applicant Date

PLG Partners LLC, Bryan Fair  
Type or Print Name and Title Managing Member

Tyler Lasser 12/14/21  
Signature of Applicant's Attorney or Representative Date

TYLER LASSER - AEP  
Type or Print Name and Title

Christine Sus 12/14/21  
Signature of Notary Public Date



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YES  NO YOUR NAME: Bryan Fair

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

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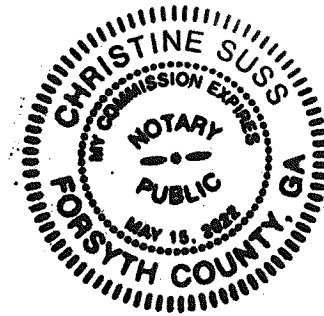
I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

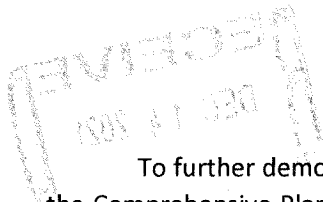
[Signature] 12/14/21  
Signature of Owner or Agent Date

PLG PACTOS, LLC  
Type or Print Name and Title Bryan Fair, Managing Member

Affix Notary Seal

Christine Suso 12/14/21  
Signature of Notary Public Date





## Impact Analysis

To further demonstrate that the proposed rezoning and land use is consistent with the intent of the Comprehensive Plan and Zoning Ordinance, the applicant submits its response to the standards as follows:

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

The proposed rezoning permits a use that is suitable in the view of the use and development of adjacent and nearby property. There are existing commercial businesses behind the subject site on Scenic Highway, which would share inter-parcel access with the proposed development. On North Road, there are existing offices to the south and the Snellville Historical Society office to the north.

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

The proposed zoning will not adversely affect the existing use or usability of adjacent or nearby property. As proposed, the appealing design of the office development will be an improvement to the surrounding area.

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

The proposed use is allowed under the existing zoning district. However, per discussions with city planning staff, the proposed zoning will be more consistent with the intent comprehensive plan.

**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:**

The proposed rezoning will not result in a use which will cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The existing zoning district allows a variety of more intense uses than the proposed zoning district. The proposed zoning will be more compatible with the surrounding area.

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

The proposed rezoning is in conformity with the intent of the Future Land Use Plan. The subject site is within the North Road Transitional Corridor character area and categorized as North Road Redevelopment Area on the Future Land Use Map. This character area encourages offices, particularly at the southern end of the character area where the subject property is located. The proposed modified conditions and layout will not affect the use of the property, or its conformity with the character area.

**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:**



The consistency with the uses of surrounding properties and future land use plan are among the reasons for approval of the proposed rezoning. Please see letter of intent.

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process of the Fourteenth Amendment to the Constitution of the United States, and Article P, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

Return to:  
O'Kelley & Sorohan, Attorneys at Law, LLC  
2170 Satellite Blvd, Suite 375  
Duluth, GA 30097  
File No.: 23-186721-CRE

STATE OF GEORGIA  
COUNTY OF GWINNETT

**LIMITED WARRANTY DEED**

THIS INDENTURE, made on 29th day of October, 2021, between

**SFI Resources LLC, a Georgia limited liability company**

(hereinafter referred to as "Grantor") and

**PLG Partners, LLC, a Georgia limited liability company**

(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 that certain real property lying and being in Land Lots 39 and 40 of the 5<sup>th</sup> District of Gwinnett County, Georgia, all as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference ("Property").

**See Exhibit "A" Legal Description**

TOGETHER WITH all and singular the rights, members, Tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor, if any, in and to any land lying in the bed of any street, road or avenue, open, closed, or proposed in front of or adjoining the Property, to the center line.

THIS CONVEYANCE and the warranties herein contained are expressly made subject to those liens, encumbrances, restrictions and other matters set forth on Exhibit "B" attached hereto (collectively referred to as the "Permitted Exceptions") and incorporated herein by this reference.

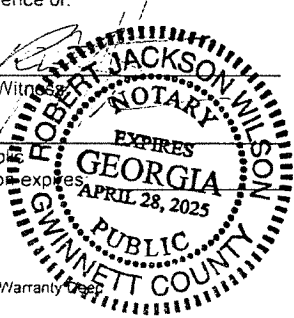
TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Permitted Exceptions, warrant and forever defend the right and title to the Property unto Grantee against the claims of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

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

Signed, sealed and delivered  
in the presence of:

Unofficial Witness

Notary Public  
Commission expires



SFI Resources LLC, a Georgia limited liability  
company

BY: David E. Snell  
Its: Director





Exhibit "A" Legal Description

All that tract or parcel of land lying in and being in Land Lot 39 of the 5<sup>th</sup> District, City of Snellville, Gwinnett County Georgia, and being Tract 3 of the Exemption Plat for E.R. Snell, recorded in Plat Book 131, Page 265, Gwinnett County records, and shown as Tract "B" per survey by SCI Development Services for PLG Partners, dated September 17, 2021, and being more particularly described as follows:

BEGINNING at a capped rebar set on the northwesterly right-of-way line of North Road (50' r/w), said rebar being 842.92 feet from the mitered intersection of Wisteria Drive; thence leaving said right-of-way line and running N64°55'40"W a distance of 197.55 feet to a capped rebar set; running thence S51°25'21"W a distance of 100.00 feet to a capped rebar set; running thence N23°15'10"W a distance of 170.49 feet to a capped rebar set in the center line of a creek; thence following the meanderings of said creek the following calls: N25°05'13"E a distance of 2.57 feet; thence N67°24'13"E a distance of 27.07 feet; thence N54°03'28"E a distance of 3.22 feet; thence N61°10'53"E a distance of 126.63 feet; thence N70°19'34"E a distance of 26.59 feet; thence N67°46'46"E a distance of 22.94 feet; thence N35°55'15"E a distance of 62.53 feet; thence N45°03'18"E a distance of 24.19 feet; thence N36°00'45"E a distance of 37.06 feet; thence N30°30'39"E a distance of 64.01 feet; thence N21°00'03"E a distance of 24.43 feet; thence N03°23'38"E a distance of 24.60 feet to a point; thence leaving the centerline of said creek and running N03°33'01"W a distance of 104.78 feet to a ½" rebar; running thence S86°14'14"E a distance of 14.81 feet to a ½" rebar; running thence S65°51'48"E a distance of 263.92 feet to a capped rebar set on the northwesterly right-of-way line of North Road; thence continuing along said right-of-way line and following a curve to the left, said curve having a length of 106.46 feet with a radius of 3,300.00 feet, and being subtended by a chord of S25°22'04"W a distance of 106.46 feet to a point; thence continuing along said right-of-way line and running S25°36'59"W a distance of 264.13 feet to a point; thence continuing along said right-of-way line and running S26°36'23"W a distance of 149.91 feet to a capped rebar set and the POINT OF BEGINNING.

Said tract or parcel of land containing 3.292 acres.

Said tract includes two tax parcels, Tax Parcel R5039 273 and R5039 220.

Exhibit "B" – Permitted Exceptions

1. All taxes and assessments for the year 2022 and subsequent years, not due and payable, and any additional taxes which may be assessed for current or prior years due to revised appraisal, re-assessment of taxes or an appeal.
2. Easement between Mabel Jackson Snell a/k/a Mrs. E. R. Snell, Sr. and Gwinnett County, a Georgia political subdivision, dated February 8, 1993, filed February 26, 1993 and recorded in Deed Book 8441, Page 164, records of the Superior Court of Gwinnett County, Georgia.
3. Easement between E. R. Snell, Jr. and Christopher Lamar Snell and Gwinnett County, a Georgia political subdivision, dated February 8, 1993, filed February 26, 1993 and recorded in Deed Book 8441, Page 168, aforesaid records.
4. Easement Agreement by and between Snell Investments, LLC, a Georgia limited liability company and Snellville Village, LLC, a Georgia limited liability company, dated April 30, 2008, filed May 20, 2008 and recorded in Deed Book 48861, Page 75, aforesaid records.
5. Drainage Easement Agreement by and between Snell Investments, LLC, a Georgia limited liability company and Snellville Village, LLC, a Georgia limited liability company, dated April 30, 2008, filed May 20, 2008 and recorded in Deed Book 48861, Page 86, aforesaid records.
6. Easement Agreement by and between Snell Investments, LLC, a Georgia limited liability company and Snellville Village, LLC, a Georgia limited liability company, dated April 6, 2010, filed April 20, 2010 and recorded in Deed Book 50035, Page 9, aforesaid records.
7. Permanent Easement for Construction and Maintenance of Drainage between Snell Investments, LLC and Gwinnett County, a Georgia political subdivision, dated January 19, 2015, filed January 27, 2015 and recorded in Deed Book 53351, Page 55, aforesaid records.
8. Permanent Drainage Easement between Snell Investments, LLC and Gwinnett County, a Georgia political subdivision, dated January 19, 2015, filed January 27, 2015 and recorded in Deed Book 53351, Page 61, aforesaid records.
9. All matters affecting subject property as shown on the following plats, all aforesaid records:
  - (A) Plat Book 10, Page 68; and
  - (B) Plat Book 61, Page 19A; and
  - (C) Plat Book 131, Page 265.