



RECEIVED

# BOARD OF APPEALS APPLICATION

DEC 28 2021

APPLICATION FOR VARIANCE, WAIVER OR APPEAL

CITY OF SNELLVILLE

PLANNING & DEVELOPMENT

**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)

DATE RECEIVED: \_\_\_\_\_

2329 SCENIC HWY #2100750  
BOA VARIANCE/APPEAL BOA 22-01  
PARCEL- 5026-080  
ST. THERESA ORGYN

**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.

CONCEPT ENGINEERING SERVICES, LLC - EMMANUEL ABUA

ARZINE 16, LLC

Name (please print)  
3850 HOLCOMB BRIDGE RD, SUITE 260

Name (please print)  
2329 GA 124

Address  
PEACHTREE CORNERS, GA 30092

Address  
SNELLVILLE, GA 30078

City, State, Zip Code  
404-643-6044

City, State, Zip Code  
678-907-3774

Phone Number(s) Fax

Phone Number(s) Fax

Contact Person: EMMANUEL ABUA Phone: Fax:

Cell Phone: 404-643-644 E-mail: NKV@CONCEPTENGRS.NET

**Application for:** (check one)

- Appeal (describe): \_\_\_\_\_
- Variance or Waiver from Unified Development Ordinance (describe below)

UDO Section requested for VARIANCE or WAIVER consideration: \_\_\_\_\_ Describe Request: \_\_\_\_\_

Property Address/Location: 2329 SCENIC HWY Tax Parcel Number(s) 5026080

State the purpose of this request: TO PROPOSE PARKING IN THE FRONT OF THE BUILDING

**At a minimum, the following items are required with submittal of this application. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

- Letter of Intent explaining the reason (and demonstrated hardships) for the request for the variance, appeal, or waiver.
- Attachment A - Analysis of impact (if variance application) or details of grievance (if appeal) or details of waiver request (if waiver).
- Attachment B - Certifications: the names, addresses, and original notarized signatures of the applicant and/or property owner(s).
- Recorded Warranty Deed, Security Deed, or Quit Claim Deed including property legal description demonstrating evidence of property ownership;
- Verification by Gwinnett County that all property taxes owed have been paid.
- VARIANCE or WAIVER applications only: As-Built, Site or Concept 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";
- Exhibits and accompany documentation to support application and request for variance, appeal, or waiver.
- Nine (9) stapled or bound copies of: the application original and one (1) unbound application (original) bearing original signatures and all other required documents.
- A USB flash drive or CD-ROM containing a digital .pdf file of the application submittal.
- Payment of the appropriate application, public notice sign, and adjoining property owner notification fees. Make checks payable to City of Snellville;

**Pre-submittal appointment recommended 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**

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

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A VARIANCE from the terms of the Unified Development Ordinance shall not be granted by the Board of Appeals unless and until the applicant has **demonstrated and explained** the following. You may attach additional sheets and provide additional documentation as appropriate:

1) **Demonstrate and explain** how 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.

THE PROPOSED USE OF THE BUILDING IS OBGYN, WHICH NEED PARKING TO BE PRESENT AS NEAR AS POSSIBLE.  
AS THE BUILDING IS EXISTING AND THE ENTRANCES CANNOT BE CHANGED, IT WILL BE A HARDSHIP FOR THE PATIENTS TO PARK IN REAR OF THE BUILDING AND WALK ALL OVER TO THE FRONT OF THE BUILDING.

2) **Demonstrate and explain** how literal interpretation of the provisions of the UDO would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the UDO.

THE SUBJECT PROPERTY AND THE USE OF THE BUILDING IS SUCH, THAT IT REQUIRES PARKING TO BE EASILY ACCESSIBLE.  
THE NEIGHBORHOOD PROPERTIES SURROUNDING THE SUBJECT PROPERTY ALSO HAS THE PARKING IN THE FRONT THE BUILDINGS.

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

THE PARKING IN THE REAR OF THE BUILDING WILL CREATE A HARDSHIP FOR THE DEVELOPER TO CREATE A PATIENT ACCESS TO THE BUILDING, GIVE THE NATURE OF BUSINESS IS AN OBGYN.

4) **Demonstrate and explain** that granting the variance (or waiver) requested will not confer on the applicant any special privilege that is denied by the UDO to other lands, structures, or buildings in the same zoning district.

UNLIKE THE OTHER SITES WITHIN THE ZONING DISTRICT, THE SITE IN QUESTION HAS THE BUILDING WHICH NEEDS THE PARKING NEAR TO THE ENTRANCE FR EASY ACCESS. MOST OF THE SURROUNDING BUILDING HAS PARKING IN THE FRONT OF THE BUILDINGS AND SO APPROVING THIS VARIANCE WILL NOT CONFER WITH OTHERS

**Please Note:** No non-conforming use of neighboring lands, structures, or buildings in the same zoning district, and no permitted or nonconforming use of lands, will be considered grounds for issuance of a variance or waiver. 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 considered.

**BOARD OF APPEALS CERTIFICATIONS**

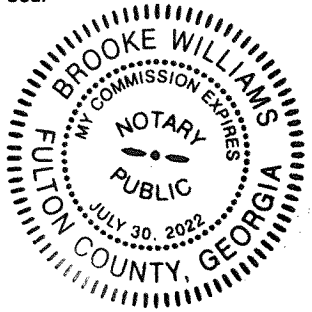
In the event an owner's agent or contract purchaser is filing this application, both of the certifications below must be completed. If the owner is filing the application, only the Owner's Certification must be completed.

APPLICANT'S CERTIFICATION

The undersigned below does hereby, swear or affirm under penalty of perjury under the laws of the State of Georgia, is authorized to make this application for Appeal, Waiver or Variance 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 no application or re-application affecting the same land shall be submitted less than twelve (12) months from the date of denial.

[Signature] 12/28/21  
Signature of Applicant Date  
Emmanuel Abua CEO  
Type or Print Name and Title

Notary Seal



[Signature] 12/28/21  
Signature of Notary Public Date

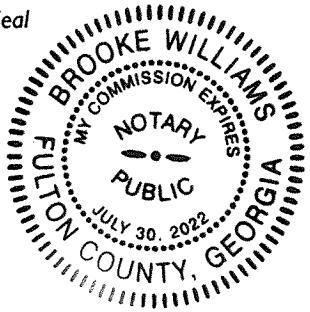
PROPERTY OWNER'S CERTIFICATION

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 Emmanuel Abua to file 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 Unified Development Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance or waiver is granted, shall be deemed a violation of the UDO and punishable under Article 3 of the UDO. 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 "Property Owner's Certification" sheets.

[Signature] 12/28/2021  
Signature of Owner Date  
ANTHONY ANYAKWO OWNER  
Type or Print Name and Title

Notary Seal



[Signature] 12/28/21  
Signature of Notary Public Date

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[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

After recording, please return to:  
Powell & Edwards, Attorneys at Law P.C.  
P.O. Box 1390  
Lawrenceville, GA 30046

Map No. R5026 080

STATE OF GEORGIA

COUNTY OF GWINNETT

**LIMITED WARRANTY DEED**

THIS INDENTURE, made this 17<sup>th</sup> day of December in the Year of Our Lord Two Thousand Twenty between

**ANDREW J. WATSON, JR. and KAREN A. WATSON**

as party or parties of the first part, hereinafter called Grantor, and

**ARINZE 16, LLC,  
a Georgia limited liability company**

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH:**

That: Grantor, for and in consideration of TEN AND 00/100 DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold, aliened,

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conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property, to wit:


ALL THAT TRACT or parcel of land lying and being in Land Lot 26 of the 5<sup>th</sup> District of Gwinnett County, Georgia, and being more particularly described in Exhibit "A" attached hereto and made a part of this description.


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.

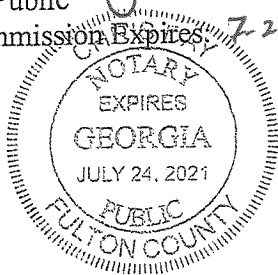
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever owning, holding or claiming by, through, or under Grantor, but not otherwise; provided, however, that the warranties of title made by Grantor herein shall not extend to any claims arising under any matter set forth on Exhibit "B" attached hereto and incorporated herein by reference (the "Permitted Exceptions").

IN WITNESS WHEREOF, the Grantor has signed and sealed this Limited Warranty Deed, the day and year above written.

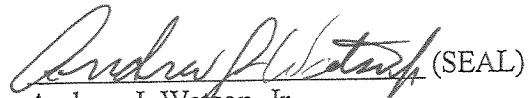
Signed, sealed and delivered in the presence of:

  
Unofficial Witness

  
Notary Public  
My Commission Expires 7-24-2021



GRANTOR:

 (SEAL)  
Andrew J. Watson, Jr.


 (SEAL)  
Karen A. Watson

Exhibit "A"  
Legal Description

ALL THAT TRACT or parcel of land lying and being in Land Lot 26 of the 5th District of Gwinnett County, Georgia, in the City of Snellville, containing 1.00 Acre according to plat of survey for Andrew Watson prepared by Gordon Story, Registered Land Surveyor, dated May 23, 1997, recorded in Plat Book 74, Page 28, Gwinnett County records, and being more particularly described as follows:

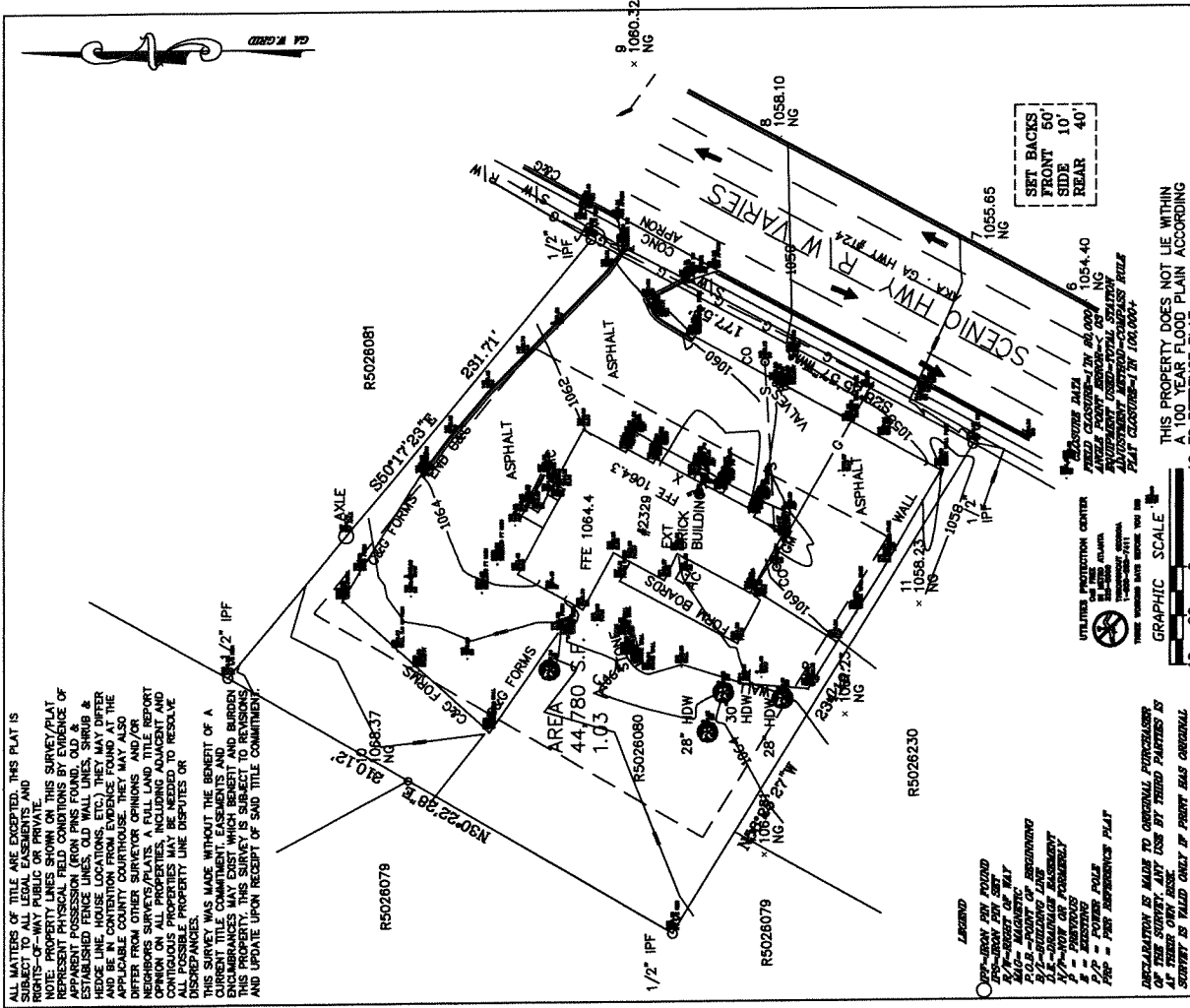
BEGINNING at an iron pin located on the northwesterly right of way of Georgia Hwy. No. 124 located 715.40 feet northeasterly as measured along said right of way from its intersection with the northeasterly right of way of Clower Boulevard; thence North 63 degrees 56 minutes 47 seconds West a distance of 234.23 feet to an iron pin found; thence North 28 degrees 01 minute 00 seconds East a distance of 210.2 feet to an iron pin; thence South 55 degrees 00 minutes 25 seconds East a distance of 219.33 feet to an iron pin located on the northwesterly right of way of Georgia Hwy. No. 124; running thence South 22 degrees 41 minutes 02 seconds West along said right of way a distance of 176.30 feet to the iron pin located at the point of beginning.

Exhibit "B"  
Permitted Exceptions

1. All ad valorem real property taxes for the year 2021 and subsequent years a lien not yet due and payable.
  2. All matters disclosed on a plat recorded in Plat Book 74, Page 28, Gwinnett County, Georgia records.
  3. Right of Way Deed from Mildred Head to Department of Transportation dated September 18, 1987, filed for record December 11, 1987 and recorded in Deed Book 4677, Page 328, Gwinnett County, Georgia records.
  4. Right of Way Easement from Andrew J. Watson, Jr. to Walton Electric Membership Corporation dated March 30, 1998, filed for record July 22, 1998 and recorded in Deed Book 16421, Page 92, aforesaid records.
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ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE. PROPERTY LINES SHOWN ON THIS SURVEY PLAT REPRESENT THE SURVEYOR'S BEST KNOWLEDGE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.). THEY MAY DIFFER FROM THE ACTUAL POSSESSION LINES. THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT ORIGINATED BY AN ATTORNEY, A COUNSELOR AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A SURVEYOR'S FIELD BOOK. THEREFORE, THE SURVEYOR'S ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS SURVEY IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.



**LEGEND**

- OFF-BEARING PIN FOUND
- BURNED PIN OR
- ALIC - ALIGNED
- P.O.B. - POINT OF BEGINNING
- A.L.E. - ORIGINAL EASEMENT
- A.P. - POINT OF BEGINNING
- A.S. - ALIGNED
- P.P. - POWER POLE
- P.P. - PERMITS REFERENCE PLAT

DECLARATION IS MADE TO ORIGINAL PURCHASERS OF THIS SURVEY, ANY USE BY THIRD PARTIES AS OF THIS DATE, THAT THE SURVEYOR HAS CONDUCTED A VISUAL GENERAL SURVEY AND GENERAL VERIFICATION OF SUBSTRATA.

UNLESS PROTECTION CENTER IS SHOWN IN THIS PLAT, ALL POINTS ARE TO BE LOCATED BY MEANS OF THE GRAPHIC SCALE.

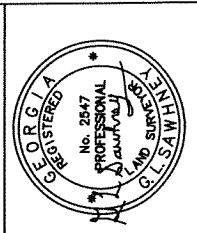
GRAPHIC SCALE: 40 20 0 40

SET BACKS:  
FRONT 50'  
SIDE 10'  
REAR 40'

THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD PLAIN ACCORDING TO REFERENCE PLAT.

PREPARED FOR: 2329 SCENIC HWY

2329 SCENIC HWY PB 74 PG 28	
LAND LOT: 26	DATE: 10/24/21
DISTRICT: 5 TH	JOB NO: 2329SCEN1.EI
SCALE: 1"=40'	
<b>SAWHNEY &amp; ASSOCIATES</b> 523 HASTINGS WAY JONESBORO GA 30238 PH.# (878)-600-4368	



THIS SURVEY WAS MADE IN ACCORDANCE WITH THE HIGHEST STANDARDS AND REQUIREMENTS OF LAW.





Snellville, GA  
 2342 Oak Rd  
 Snellville, GA 30078  
 (770) 985-3503

# 2021 Property Tax Bill

Parcel ID	Tax District	Bill #				
R5026 080	10 - City of Snellville	003494				
Property Owner/Location/Description		Fair Market Value	Taxable Value			
ARINZE 16 LLC 2329 SCENIC HWY		335,000	134,000			
Levies	Taxable Value	- Exemptions	= Net Assessment	× Tax Rate	= Net Tax	
City of Snellville	134,000	0	134,000	4.5880000000	\$614.79	
2021 Stormwater					\$152.33	
Exemptions:					Current Year Tax	\$767.12
					Interest	\$0.00
					Penalty	\$0.00
					Other Fees	\$0.00
					Payments Received	\$767.12
					Other Amounts Due	\$0.00
					<b>Total Due</b>	<b>\$0.00</b>
					Due Date	12/15/2021
<p>Tax Bills are not automatically sent to mortgage companies; therefore, if your taxes are paid through escrow, please forward this bill to your mortgage company.</p> <p>All taxes and stormwater fees paid after December 15, 2021 are subject to interest and penalties as allowed by law. FIFA costs are applied to delinquent property taxes after March 15, 2022.</p> <p>IF THIS TAX NOTICE INDICATES A PAST DUE AMOUNT, PLEASE CONTACT US TO DETERMINE PAYOFF AMOUNT.</p> <p>ACCOUNT INFORMATION IS AVAILABLE ONLINE AT <a href="http://WWW.SNELLVILLE.ORG">WWW.SNELLVILLE.ORG</a></p>						

**Snellville, GA**  
 2342 Oak Rd  
 Snellville, GA 30078



*\*Make check or money order payable to: City of Snellville*  
*\*Write the Tax Parcel ID Number on your check*  
*\*Full payment must be made by the due date*  
*\*Mailed payments will be posted using the official postmark date*  
*\*Taxes may be paid online by visiting [www.snellville.org](http://www.snellville.org)*  
*\*Convenience fees may apply to all credit/debit card payments*

Parcel ID: R5026 080  
 Amount Due: \$0.00  
 Bill#: 003494  
 Due Date: 12/15/2021

AMOUNT PAID

ARINZE 16 LLC  
 3611 KITTELY DR  
 SNELLVILLE, GA 30039-6034

**Snellville, GA**  
 2342 Oak Rd  
 Snellville, GA 30078

**Notice: Lawrenceville Tag Office service is limited this week to drive-through, appointments and kiosk. Check wait times for options. All other tag offices are open 8:30 a.m. - 5:30 p.m. Monday - Friday, extending to 6 p.m. Wednesdays. [Learn More](#)**



Check wait times and required paperwork in advance.

[Make an Appointment](#)



**TIFFANY P. PORTER**  
**GWINNETT COUNTY**  
**TAX COMMISSIONER**



## ACCOUNT DETAIL

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

### Tax Account

**Mailing Address:**

ARINZE 16 LLC  
 3611 KITTERY DR  
 SNELLVILLE, GA 30039-6034

[Change Mailing Address](#)

**SITUS:**

2329 SCENIC HWY

**Tax District:**

EVERMORE CID SVILL

**Parcel ID**

R5026 080

**Property Type**

Real Property

**Last Update**

1/11/2022 1:41:21 PM

**Legal Description**

CENTERVILLE SNELLVILLE



## Print Tax Bill

**Click here to view and print your August 2021 tax bill.**

Live  
CHAT

\* This bill is good through Oct 15, 2021 only.

## Tax Bills

Note: Four years of tax information is available online. Email [tax@gwinnettcountry.com](mailto:tax@gwinnettcountry.com) to request other years.

Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Due Date	Amount Due
2021	\$5,065.20	\$5,170.56	\$0.00	\$0.00	10/15/2021	\$0.00
2020	\$5,865.82	\$5,903.95	\$0.00	\$0.00	12/1/2020	\$0.00
2019	\$5,853.56	\$5,853.56	\$0.00	\$0.00	10/15/2019	\$0.00
2018	\$4,941.15	\$4,941.15	\$0.00	\$0.00	10/15/2018	\$0.00
<b>Total</b>						<b>\$0.00</b>

## Pay Now

No payment due for this account.



