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MAY 16 2022

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT



REZONING APPLICATION

APPLICATION TO AMEND THE OFFICIAL ZONING 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

DATE RECEIVED: _____

CASE # **RZ** _____

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.

Lazaro Mota c/o Alliance Engineering and Planning

BRITT AND CAMP LLC

Name (please print)
299 South Main Street

Name (please print)
PO BOX 550

Address
Alpharetta GA 30009

Address
Snellville GA 30078

City, State, Zip Code
770-225-4730 ext. 819

City, State, Zip Code

Phone Number(s) Fax

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: RS-30 Requested/Proposed Zoning District Classification: RS-5

Present Future Land Use Map (FLUM) Designation: Low Density Res. Does the FLUM Require Amending? No Yes*

Proposed Use (Describe): Single-family detached subdivision

Property Address/Location: 2706 Lenora Church Road District 5 Land Lot 028 Parcel(s) 001

* 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
- 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

RECEIVED

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.
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**

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] 5/13/22
Signature of Applicant Date

Lazaro Mota
Type or Print Name and Title

Affix Notary Seal

Amanda L Dean 05/13/2022
Signature of Notary Public Date



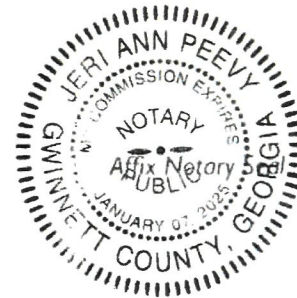
PROPERTY OWNER'S CERTIFICATION

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 AEP 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] 5-13-2022
Signature of Owner Date

Tony Britt, Partner
Type or Print Name and Title



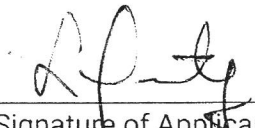
[Signature] 5-13-22
Signature of Notary Public Date

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: 5 028 001
(Map Reference Number) District Land Lot Parcel

 _____ 5/15/22
Signature of Applicant Date

Lazaro Mota

Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

NAME TITLE

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.

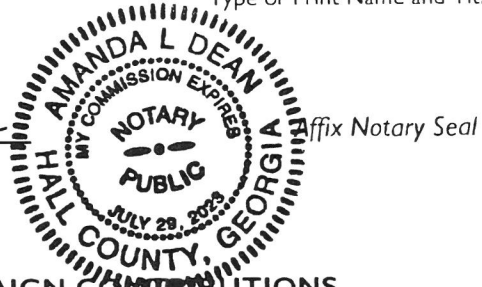
L. Mota 5/13/22
Signature of Applicant Date

Lazaro Mota - Applicant
Type or Print Name and Title

Tyler Lasser 5/13/22
Signature of Applicant's Attorney or Representative Date

Tyler Lasser - AEP
Type or Print Name and Title

Amanda L Dean 05/13/2022
Signature of Notary Public 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: Lazaro Mota

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

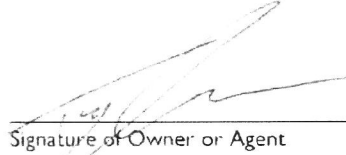
NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (list all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within the last two years)

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

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 _____ Date 5/16/22

TYLER LASSER - REPRESENTATIVE (AEP)
Type or Print Name and Title

Affix Notary Seal


Signature of Notary Public _____ Date 5/16/22



Applicant's Letter of Intent

2707 Lenora Church Road

The applicant, Lazaro Mota, requests to rezone the approximately 2.765-acre site located on Lenora Church Road from RS-30 to RS-5 to construct a new single-family detached subdivision. As proposed, the development will include a total of 11 lots and abundant open space. Homes will be two-stories with a modern farmhouse-style architecture, including a variety of concrete exterior materials. Homes will range between 2,400 and 2,800 square feet, all of which will include a minimum 2-car garage. The price of the homes will start in the mid-500s. As proposed, the development will include sidewalks throughout the site, which provide safe and efficient access to the Lenora Church frontage. The added sidewalks interior to the site will connect to those existing along Lenora Church frontage, which are consistent from Briscoe Park to the Snellville Town Center. An additional path will be provided as an amenity around the stormwater management pond, which will include benches and vegetation. The use, which will remain as single-family residential, will be consistent with the predominately residential uses in the surrounding area. Further, the use is consistent with the future land use map, which categorizes the subject site as low-density residential. Because the development will remain at a density below 4 units per acre, it will remain consistent with the future land use plan.

The applicant looks forward to meeting with staff as well as the community to answer all questions or concerns and is excited to be able to provide exceptional homes in a highly desirable section of Snellville. Please refer to the attached documents for additional details regarding the layout and appearance of the proposed single-family detached dwellings.

- a. 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 area is primarily residential subdivisions including to the north of the subject site, and across Lenora Church Road. The adjacent site to the south includes a Snellville public library.
- b. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property. No, it would not adversely affect the use of adjacent or nearby property. The use would be consistent with the surroundings and would be beneficial to the area.
- c. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned. Due to the size and location of the lot along with the pattern of residential infill in the area, it does not have a reasonable economic use as it is 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. The zoning will not result in a use that would 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. Yes, the use is consistent with the intent of the Future Land Use Map. The site is intended for low density residential and will remain consistent with the requirements of the future land use category under the proposed zoning and development.
- 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. The pattern of residential infill in the area and consistency with the future land use plan and among reasons for the approval of the request zoning.

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 Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

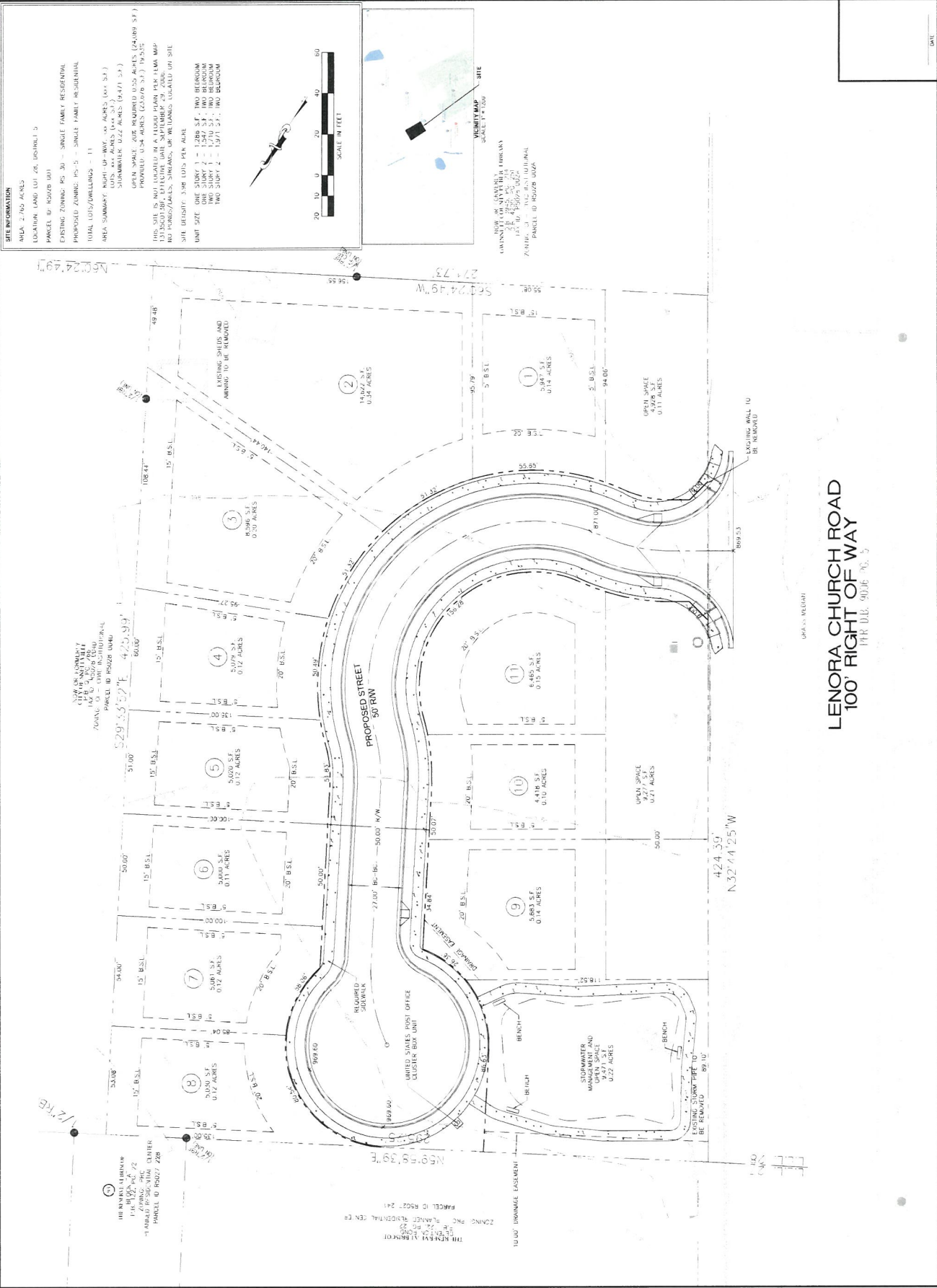
NO.	DATE	REVISIONS
1		
2		
3		
4		

NO.	DATE	REVISIONS
1		
2		
3		
4		



BRITT AND CAMP, LLC
 PROPOSED SUBDIVISION
 REZONING PLAN
 PROJECT NO. 2106 LENORA CHURCH ROAD, SHELTON, CT 06489
 SHEET NO. C-10

DATE	11/21/20
SCALE	AS SHOWN
DATE	11/21/20
SCALE	AS SHOWN
DATE	11/21/20
SCALE	AS SHOWN



**LENORA CHURCH ROAD
 100' RIGHT OF WAY**

THRU D.D. 9036 '06, '9

OPERA MCDON



