



2400210

ADMINISTRATIVE VARIANCE APPLICATION

APPLICATION TO APPLY FOR AN ADMINSTR
RECEIVED

3491 ROSEBUD RD #2400210
ADMINISTRATIVE VARIANCE #24-01
PARCEL- R5064-327

City of Snellville
Planning & Development Department
2342 Oak Road, 2nd Floor
Snellville, GA 30078
Phone 770.985.3513 www.snellville.org

JUN 10 2024

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

CASE # **AV 24-01**

Applicant is: (check one)	<input type="checkbox"/> Owner's Agent	Owner (if not the applicant): <input type="checkbox"/> check here if there are additional property owners and attach additional sheets.
	<input type="checkbox"/> Contract Purchaser	
<input type="checkbox"/> Property Owner		

<u>John Gaskin</u> Name (please print)	<u>Ballantry PMC Summit Chase LLC</u> Name (please print)
<u>4770 South Atlanta Rd Ste 100</u> Address	<u>4770 South Atlanta Rd Ste 100</u> Address
<u>Atlanta, GA 30339</u> City, State, Zip Code	<u>Atlanta, GA 30339</u> City, State, Zip Code
<u>770.319.5258</u> Phone Number(s) Fax	<u>770.319.5258</u> Phone Number(s) Fax

Contact Person: John Gaskin Phone: 770.319.5258 Fax: _____
 Cell Phone: _____ E-mail: john.gaskin@pmcommunities.com

Property Address/Location: 3491 Rosebud Rd District _____ Land Lot _____ Parcel R5094-327
 Subdivision or Project Name: Summit Chase Lot: _____ Block: _____
 Proposed Development: SUA SOLEIL Summit Chase Building Permit Number: _____

UDO Sec. 103-8. Administrative Variances. The Planning Director may modify the following standards during development review (check all that apply): (see attached)

- Front yard or street side yard (103-8.1.A.1.) 5 feet maximum
- Rear yard setback (103-8.1.A.3.) 4 feet maximum
- Interior side yard setback (103-8.1.A.2.) 2 feet maximum
- Building height (max. number of stories allowed may not be increased) (103-8.1.A.4.) 5 feet maximum
- Sidewalk setback (103-8.1.A.6.) 0 foot maximum
- Side or rear yard – a variance for a zero foot setback may be granted when part of a commercial development and planned as a unit having similar architectural composition and not a miscellaneous assemblage of stores, provided however, that prior to any issuance of the variance, the applicant shall obtain written approval from the affected side and/or rear yard property owner(s) (103-8.1.A.5.)
- Exceed 35% of the front yard area for a driveway to meet min. 22-foot front and side (street) setback for garage door and/or driveway width and length standards in the BTR Districts (201.1.6.D.).
- Relief from the Enhanced Architectural Standards of Sec. 201-4.
- Inter-parcel access (when vehicular cross-access is deemed impractical based on topographical or natural features) (401-3.4.H.).
- Stream buffer and setback requirements for single-family residential lots of record platted before 5-23-2005 (403-1.4.)
- Stream buffer and setback requirements for lots of record as of 10-28-1997 in the Big Haynes Creek Watershed (403-1.5.).

Application Fees:

**\$100.00 per requested variance PLUS fees for Public Notice Sign AND Notice to Adjoining Property Owners
\$75 per Sign and \$15 per Adjoining Property Owner**

Any person aggrieved by a decision of the Director may appeal to the Snellville Board of Zoning Appeals in accordance with Sec. 103-7.3. (Administrative Decision Appeals).

APPLICATION CERTIFICATIONS

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

APPLICANT CERTIFICATION

The undersigned below, is authorized to make this application and swears and affirms that the information provided herein is true and correct to the best of his/her knowledge and belief and that any person aggrieved by a decision of the Director may appeal to the Snellville Board of Zoning Appeals in accordance with UDO Sec. 103-7.3.

John David Glaskin 5.19.2024
Signature of Applicant Date
John David Glaskin
Type or Print Name and Title

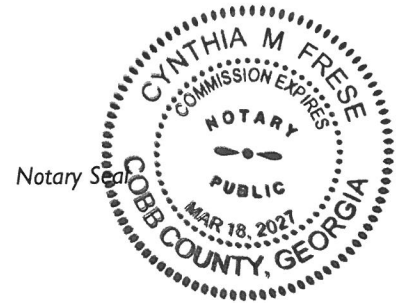


Cynthia M Freese 5.19.2024
Signature of Notary Public Date

PROPERTY OWNER CERTIFICATION

The undersigned below, is the owner of the property considered in this application as it is shown in the records of Gwinnett County, Georgia and the City of Snellville, Georgia. I authorize the person named above to act as applicant in the pursuit of obtaining a variance(s) for this property.

John Patrick Malloy May 19, 2024
Signature of Owner Date
John Patrick Malloy
Type or Print Name and Title



Cynthia M Freese 5.19.2024
Signature of Notary Public Date

***** FOR OFFICE USE ONLY *****

Date Received: 6/10/2024 Received By: CBW Total Fees Paid: _____ Original RCVD: YES NO
 2 Copies RCVD: YES NO

Legal Ad Requested (Date): 6-10-24 for Publication on (Date) 7-10-24 PUBLIC HEARING DATE & TIME: Aug 13, 2024 @ 11:00 AM

Public Notice Sign(s) Requested (Date): _____ for Posting by (date): 7-12-24 APO Notice Mailing (date): 7-12-24

Comments: _____

May 19, 2024

Please find enclosed within this package an Administrative Application for the 5.5 acre parcel located at the intersection of Rosebud Road and Temple Johnson Road (Parcel R5094 327 3491 Rosebud Road)) requesting a variance to the 50% Impervious Surface Lot Coverage Limitation for each individual lot under the RO zoning Ordinance.

The following Documents are enclosed:

- 1) Administrative Variance Application**
- 2) Letter of Intent outlining the specific Variance request**
- 3) Site Plans and Impervious Surface Calculations**
- 4) Supporting Letter from PEC Civil Engineers**
- 5) Property Taxes**
- 6) Warranty Deed**

Please let me know if you need anything else from me in order to complete or add to this application.

Sincerely



John Gaskin

Applicant-

VP Patrick Malloy Communities, LLC

May 19, 2024

LETTER OF INTENT
ADMINISTRATIVE VARIANCE REQUEST FOR 5.5 ACRE PARCEL
3491 ROSEBUD ROAD
TAX PARCEL R5094 327

John Gaskin as applicant on behalf of Ballantry PMC Summit Chase LLC (Owner) is requesting a Variance for the 5.5 acre parcel located at 3491 Rosebud Road. This property is being added to the Soleil Summit Chase Age Restricted Community. The Variance request is to the 50% Impervious Surface Lot Coverage limitation to each individual lot imposed by zoning Ordinance RO and requesting that the lot coverage be calculated on the entirety of the 5.5 acre parcel rather than on an individual lot basis.

In calculating the individual lot coverage within the 5.5 acres parcel our architects and engineers have found that a few of the individual lots exceed the 50% lot coverage limitation, however most do not. When taking the total impervious surface allocation for the entire 5.5 acre parcel assigned to lots and dividing the total number of lots our engineers calculate that the total coverage for lots is 48.8% falling underneath the 50% limit when considered as a whole property.

The 5.5 acre parcel includes portions of lots 236-239. It also includes lots 240-257 shown on the attached site plan showing lot number and footprints on each lot.

The application also includes a chart showing the impervious surface calculations for the lots in this parcel and the Total allowed for the lots in this parcel showing the 48.8 % impervious surface coverage.

Also attached is a stamped letter from PEC Engineering Firm, the engineers of record, verifying the calculations and that the total impervious surface has been accounted for in the Hydrology study used to size the detention pond that this area will drain into.

We are requesting a Variance to the 50% per lot Impervious Surface lot coverage limitation imposed by the RO ordinance and believe that the overall coverage demonstrated by the calculations shows that by granting this Variance, the project will meet the intent of the 50% limitation.



11/6/2023

Josh Ferguson
City of Snellville Planning and Development
770-985-3509

Re: **Summit Chase Phase 5**
3471, 3491 Rosebud Road; 3197 Classic Drive
Snellville, GA 30078
Planners and Engineers Collaborative, Inc.
Project Number 21167.01

To whom it may concern,

Planners and Engineers Collaborative, Inc. (PEC) is submitting this letter to confirm that the Impervious surface calculations titled "Summit Chase Phase 5 - Bucket Impervious Calculations" by Patrick Malloy Communities, have been reviewed and the results are agreed upon by PEC.

The Impervious calculations determine an overall parcel impervious area of 40.7%.

Phase 5's Impervious area is accounted for in the previously approved "Hydrology Report of Summit Chase"; dated August 10, 2022; Approved August 12, 2022. Phase 5 is to drain to Detention Pond 2, located northwest of the site. The calculated impervious area for Phase 5 is calculated as 2.27 acres (CN: 80) and is therefore within the original design parameters from the original hydrology design. No modifications or revisions are necessary to the stormwater BMP or plans.

Should you have any questions or concerns, please do not hesitate to contact me at 770-451-2741 or via email at MattK@pec.plus.

Sincerely,
Planners and Engineers Collaborative, Inc.

Matthew E. Kaczinski, P.E., LEED AP
Vice President of Civil Engineering
770-451-2741
MattK@pec.plus



WE PROVIDE SOLUTIONS.

Summit Chase - Phase 5 "Bucket Impervious" Calculations

Impervious Usage as % of Entire Parcel SF

**Only the portions of lots 236-239 & 258-259 within Phase 5 are included*

Overall Parcel SF	243,356	
Street + Curb SF	18,660	
Sidewalk SF	6,062	
	218,634	
3,254 (x8) Narrow Plan Max.	26,032	Total Narrow Plan SF
4,037 (x8) Medium Plan Max.	32,296	Total Medium Plan SF
4,545 (x2) Wide Plan Max.	9,090	Total Wide Plan SF
Lots 236-239,258-259	6,996	Partial Lot Home SF
	144,220	Total Unused SF
	59.3%	Unused Parcel %
	40.7%	Impervious Usage

Impervious Usage as % of Building Lot SF

**Only the portions of lots 236-239 & 258-259 within Phase 5 are included*

SF of Lots 236-246	60,487	
SF of Lots 247-259	92,073	
Total SF of Building Lots	152,560	
3,254 (x8) Narrow Plan Max.	26,032	Total Narrow Plan SF
4,037 (x8) Medium Plan Max.	32,296	Total Medium Plan SF
4,545 (x2) Wide Plan Max.	9,090	Total Wide Plan SF
Lots 236-239,258-259	6,996	Partial Lot Home SF
	78,146	Total Unused SF
	51.2%	Unused Building Lot %
	48.8%	Impervious Usage

Values used to calculate partial lot SF

Lot 236 Total SF	7,970	
Lot 236 Phase 5 SF	509	
	6.4%	
<i>% of Medium Plan Max.</i>	258	Impervious SF in Phase 5
Lot 237 Total SF	5,792	
Lot 237 Phase 5 SF	1,085	
	18.7%	
<i>% of Narrow Plan Max.</i>	610	Impervious SF in Phase 5
Lot 238 Total SF	5,498	
Lot 238 Phase 5 SF	1,688	
	30.7%	
<i>% of Narrow Plan Max.</i>	999	Impervious SF in Phase 5
Lot 239 Total SF	6,142	
Lot 239 Phase 5 SF	2,808	
	45.7%	
<i>% of Narrow Plan Max.</i>	1,488	Impervious SF in Phase 5
Lot 258 Total SF	5,935	
Lot 258 Phase 5 SF	5,575	
	93.9%	
<i>% of Narrow Plan Max.</i>	3,057	Impervious SF in Phase 5
Lot 259 Total SF	6,995	
Lot 259 Phase 5 SF	1,015	
	14.5%	
<i>% of Medium Plan Max.</i>	586	Impervious SF in Phase 5

Narrow Lots (12): 237-241, 243-244, 250-252, 257-258

Medium Lots (10): 236, 242, 245, 247-249, 253, 255-256, 259

Wide Lots (2): 246, 254

Note: "Plan Max." square footages include the footprint of the largest home for each lot size, including ALL available plan options, the driveway, and the walkway connecting the driveway to the front porch.

Summit Chase - Phase 5 "Bucket Impervious" Calculations

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Lot 259 Total SF	6,995	
Lot 259 Phase 5 SF	1,015	
	14.5%	
<i>% of Medium Plan Max.</i>	586	Impervious SF in Phase 5

Narrow Lots (12): 237-241, 243-244, 250-252, 257-258

Medium Lots (10): 236, 242, 245, 247-249, 253, 255-256, 259

Wide Lots (2): 246, 254

Note: "Plan Max." square footages include the footprint of the largest home for each lot size, including ALL available plan options, the driveway, and the walkway connecting the driveway to the front porch.



OVERALL:
243,356 SF
(5.59 AC)

**OPEN
SPACE:**
48,428 SF
(1.11 AC)
=19.9%

**Lot 259
Medium**

**Lot 258
Narrow**

**Lot 257
Narrow**

**Lot 256
Medium**

**Lot 255
Medium**

**Lot 254
Wide**

**Lot 253
Medium**

**Lot 252
Narrow**

**Lot 251
Narrow**

**Lot 250
Narrow**

**Lot 249
Medium**

**Lot 248
Medium**

**Lot 247
Medium**

**Lot 240
Narrow**

**Lot 241
Narrow**

**Lot 242
Medium**

**Lot 243
Narrow**

**Lot 244
Narrow**

**Lot 245
Medium**

**Lot 246
Wide**

1638

1648

1658

1668

1678

1688

1628

1638

1648

1658

1668

1678

1688

1608

1718

**230
(Vacant
Lot)**

1708

**231
(Jefferson
Model)**

**232
(Denton
Model)**

1698

233

234

235

236

237

238

239

**Lot 258
Narrow**

**Lot 257
Narrow**

**Lot 256
Medium**

**Lot 255
Medium**

**Lot 254
Wide**

**Lot 253
Medium**

**Lot 252
Narrow**

**Lot 251
Narrow**

**Lot 250
Narrow**

**Lot 249
Medium**

**Lot 248
Medium**

**Lot 247
Medium**

**Lot 240
Narrow**

**Lot 241
Narrow**

**Lot 242
Medium**

**Lot 243
Narrow**

**Lot 244
Narrow**

**Lot 245
Medium**

**Lot 246
Wide**



OVERALL:
243,356 SF
(5.59 AC)

**OPEN
SPACE:**
48,428 SF
(1.11 AC)
=19.9%

I Want To... Tax Assessor

Your search returned 1 records.

[Map It!](#)

Land: \$623,100
Building: \$26,900
Total Fair Market: \$650,000

[BALLANTRY PMC SUMMIT CHASE LLC](#)
4770 S ATLANTA RD SE STE 100
ATLANTA, GA 30339-1557

5.58 ACRES
3491 ROSEBUD RD SNELLVILLE
30078 | **R5094 327**



Search Hints

Steps to search for additional property information and sales in your neighborhood.

1. Enter one of the following in the search box above:
Your Parcel Number
(example: R8001 001 or R8001A001) OR **Property Owner Name** OR **Property Address**. Click on the ? for additional examples.
2. Click on the **Search** box
3. Click on the **name of the owner (underlined in blue text)** from the **returned search results** to view comparable sales and additional information for the property.

DEED B: 60618 P: 00899
05/31/2023 04:07 PM Pgs: 5 Fees: \$675.00
TTax: \$650.00
Tiana P Garner, Clerk of Superior Court
Gwinnett County, GA
PT-61 #: 0672023012152
ERECORDED
eFile Participant IDs: 3760043500,7067927936

PREPARED BY AND
AFTER RECORDING, RETURN TO:

Tyler T. Cunningham, Esq.
Smith, Gambrell & Russell, LLP
1105 W. Peachtree St. NE
Suite 1000
Atlanta, GA 30309

TPN: R5094 327

STATE OF GEORGIA
COUNTY OF GWINNETT

LIMITED WARRANTY DEED

THIS INDENTURE is made this ^{31st}~~26th~~ day of May, 2023, by and between **SUMMIT CHASE COUNTRY CLUB, INC.**, a Georgia corporation, having an address at 3197 Classic Drive, Snellville, GA 30078, hereinafter referred to as "Grantor", and **BALLANTRY PMC SUMMIT CHASE, LLC**, a Georgia limited liability company, having an address at 4770 South Atlanta Road Suite 100, Atlanta, GA, 30339, hereinafter referred to as "Grantee". The words "Grantor" and "Grantee" include the neuter, masculine and feminine genders, the singular and the plural, and their respective successors and assigns where the context requires or permits.

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by Grantee at or before the execution, sealing and delivery hereof, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee, that tract or parcel of land lying and being in Gwinnett County, Georgia, being more particularly described on Exhibit "A", attached hereto and incorporated herein by reference (the "Property").

TO HAVE AND TO HOLD the same in fee simple forever; and

THE BENEFITS AND OBLIGATIONS hereunder shall inure to and be binding upon the successors and assigns of the respective parties hereto, and the Grantor warrants that, except as provided on Exhibit "B" attached hereto as to which matters this conveyance is expressly made subject, at the time of delivery of this deed, the Property was free from all encumbrances made by the Grantor and that Grantor will warrant and defend the same against lawful claims and demands of all persons claiming by, through or under the Grantor but against none other.

IN WITNESS WHEREOF, Grantor has caused this deed to be signed under seal the day and year first written above.

Signed, sealed and delivered in the presence of:

GRANTOR:

SUMMIT CHASE COUNTRY CLUB, INC.,
a Georgia corporation

Unofficial Witness

By: [Signature] (SEAL)

Name: DONALD VAN BRITT

Title: President

Notary Public

My Commission Expires

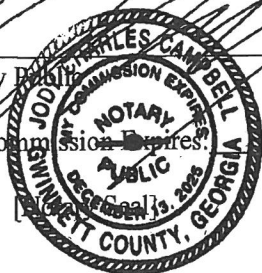


Exhibit "A"

Legal Description

All that tract or parcel of land lying and being in Land Lot 94 of the 5th District, City of Snellville, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road (having a variable width right-of-way) with the northwesterly right-of-way line of Temple Johnson Road (having a variable width right-of-way), said iron pin set being the TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave said intersection and run southwesterly along the northwesterly right-of-way line of Temple Johnson Road the following courses and distances: S76°06'43"W a distance of 290.00 feet to a point; S13°53'17"E a distance of 10.25 feet to a point; S76°07'26"W a distance of 139.38 feet to a point; S76°32'12"W a distance of 111.68 feet to a point; S76°24'43"W a distance of 78.94 feet to a point; S75°29'38"W a distance of 9.07 feet to a point; thence leave said right-of-way line and run N20°49'41"W a distance of 336.54 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"); thence run N76°06'43"E a distance of 824.80 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located on the westerly right-of-way line of Rosebud Road; thence run southwesterly along the westerly right-of-way line of Rosebud Road the following courses and distances: S14°22'53"W a distance of 38.92 feet to a point; along the arc of a curve to the right, an arc distance of 25.68 feet to a point, said curve having a radius of 9,940.00 feet and being subtended by a chord bearing S06°06'55"W and a chord distance of 25.68 feet; S06°11'25"W a distance of 101.63 feet to a point; along the arc of a curve to the right, an arc distance of 161.02 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"), said curve having a radius of 6,420.00 feet and being subtended by a chord bearing S06°54'32"W and a chord distance of 161.02 feet; S46°10'33"W a distance of 41.29 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road with the northwesterly right-of-way line of Temple Johnson Road, said iron pin set being the TRUE POINT OF BEGINNING.

Said tract or parcel of land containing 5.588 acres.

Exhibit "B"

Permitted Title Exceptions

1. Real estate ad valorem taxes for the year 2023 and subsequent years, not yet due and payable.
2. Easement (Channel Improvement) from James Pierce Johnson in favor of the Upper Ocmulgee River Soil Conservation District, dated October 17, 1962, recorded in Deed Book 189, Page 326, Gwinnett County, Georgia records.
3. Easement (Channel Improvement) from James Pierce Johnson in favor of the Upper Ocmulgee River Soil Conservation District, dated January 6, 1964, recorded in Deed Book 207, Page 594, aforesaid records.
4. Easement (Channel Improvement) from J.P. Johnson in favor of the Upper Ocmulgee River Soil Conservation District, dated October 17, 1962, recorded in Deed Book 189, Page 328, aforesaid records.
5. Easement (Channel Improvement) from Buddy M. Garmon and Bulah P. Garmon, dated October 23, 1962, recorded in Deed Book 189, Page 332, aforesaid records.
6. Easement (Channel Improvement) from Buddy M. Garmon and Bulah P. Garmon, dated January 9, 1964, recorded in Deed Book 208, Page 420, aforesaid records.
7. Sewer Treatment Plan Agreement between BTS Corporation and Gwinnett County, dated August 24, 1976, recorded in Deed Book 1222, Page 272, aforesaid records.
8. Easement Agreement between Summit Chase Country Club and BTS Corporation, dated March 14, 1980, recorded in Deed Book 1916, Page 254, aforesaid records.
9. Sewer Agreement between Citizens and Southern Financial Corporation and Gwinnett County, dated June 1, 1981, recorded in Deed Book 2184, Page 257, aforesaid records.
10. Water Metering Devis Easement from Tomco Equipment Company to Gwinnett County, dated November 12, 1997, recorded in Deed Book 15094, Page 71, aforesaid records.
11. Right of Way Deed from Chase Country Club, Inc. to Gwinnett County, dated February 9, 2011, recorded in Deed book 50556, Page 117, aforesaid records.
12. Right of Way Deed from Summit Chase Country Club to Gwinnett County, dated February 9, 2011, recorded in Deed Book 50556, Page 125, aforesaid records.
13. Right of Way Deed from Chase Country Club, Inc. to Gwinnett County, dated February 9, 2011, recorded in Deed Book 50556, Page 133, aforesaid records.

14. Right of Way Deed from Summit Chase Country Club, Inc. to Gwinnett County, dated March 25, 2013, recorded in Deed Book 52118, Page 140, aforesaid records.
15. Permanent Construction Easement from Summit Country Club, Inc. to Gwinnett County, dated March 25, 2013, recorded in Deed Book 52118, Page 147, aforesaid records.
16. All items as revealed by plat recorded as follows:
 - a. Plat Book U, Page 158, aforesaid records;
 - b. Plat Book 8, Page 229, aforesaid records;
 - c. Plat Book 26, Page 164, aforesaid records; and
 - d. Plat Book 28, Page 261, aforesaid records.
19. Perpetual and Permanent Driveway & Utility Maintenance and Easement Agreement by and between Monteagle, Inc., a Georgia corporation of Dekalb County, Georgia and David F. Emanuel and Kathleen A. Emanuel of Gwinnett County, Georgia, dated August 14, 1984 and recorded August 15, 1984 in Deed Book 2852, Page 460, aforesaid records.
20. Water Metering Device and Access Easement from Summit Chase, CC Inc., to Gwinnett County Water and Sewerage Authority, a political subdivision of the State of Georgia, dated December 18, 2019, recorded December 31, 2019, in Deed Book 57144, Page 238, aforesaid records.
21. SANITARY SEWER EASEMENT AGREEMENT by and among SUMMIT CHASE COUNTRY CLUB, INC., a Georgia corporation ("Summit Chase") and BALLANTRY PMC SUMMIT CHASE, LLC, a Georgia limited liability company ("Malloy"), dated August 31, 2020, recorded September 8, 2020, in Deed Book 57832, Page 363, aforesaid records.
22. TEMPORARY GRADING AND CONSTRUCTION EASEMENT AGREEMENT (the "Agreement") by and among SUMMIT CHASE COUNTRY CLUB, INC., a Georgia corporation ("Summit Chase") and BALLANTRY PMC SUMMIT CHASE, LLC, a Georgia limited liability company ("Malloy"), dated August 31, 2020, recorded September 8, 2020, in Deed Book 57832, Page 375, aforesaid records.
23. Plat of survey filed and recorded at Plat Book 147, Page 42, aforesaid records discloses Easement for Construction & Maintenance of Slopes, Easement for Construction & Maintenance of Drainage and Power Lines.
24. Plat of survey filed and recorded at Plat Book 152, Page 17, aforesaid records discloses Power Lines.
25. Permanent Construction Easement from Summit Chase Country Club, Inc. to Gwinnett County, dated March 25, 2013, recorded in Deed Book 52118, Page 173, aforesaid records.



Snellville, GA
 2342 Oak Rd
 Snellville, GA 30078
 (770) 985-3508

2023 Property Tax Bill

Parcel ID	Tax District		Bill #						
R5094 327	10 - City of Snellville		009786						
Property Owner/Location/Description			Fair Market Value	Taxable Value					
BALLANTRY PMC SUMMIT CHASE LLC 3491 ROSEBUD RD			890,500	356,200					
Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
City of Snellville	356,200		0		356,200		4.0000000000		\$1,424.80
2023 STORMWATER									\$594.83

Exemptions:

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.

All taxes and stormwater fees that are delinquent and paid after December 15, 2023 are subject to interest and penalties as allowed by law. FIFA costs are applied to delinquent property taxes after March 15, 2024.

The City will accept partial payments as long as the balance is paid in full by December 15th.

IF THIS TAX NOTICE INDICATES A PAST DUE AMOUNT, PLEASE CONTACT US TO DETERMINE PAYOFF AMOUNT.

Current Year Tax	\$2,019.63
Interest	\$21.21
Penalty	\$0.00
Other Fees	\$0.00
Payments Received	\$2,040.84
Other Amounts Due	\$0.00
Total Due	\$0.00
Due Date	12/15/2023



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*
**Convenience fees may apply to all credit/debit card payments*

Parcel ID: R5094 327
 Amount Due: \$0.00
 Bill#: 009786
 Due Date: 12/15/2023

AMOUNT PAID

BALLANTRY PMC SUMMIT CHASE LLC
 4770 S ATLANTA RD SE
 STE 100
 ATLANTA, GA 30339-1557

Snellville, GA
 2342 Oak Rd
 Snellville, GA 30078

As a result of the record number of delays occurring with the U.S. Postal Service we encourage you to use our website to conduct services online. Use kiosks to renew and immediately get your decal in hand. If mail arrives postmarked by the deadline, it will be honored as received by the deadline.



Q

BILL DETAIL

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

Tax Account

Mailing Address:
BALLANTRY PMC SUMMIT CHASE LLC
4770 S ATLANTA RD SE STE 100
ATLANTA, GA 30339-1557

SITUS:
3491 ROSEBUD RD
Tax District:
SNELLVILLE

Parcel ID	Property Type	Last Update
RS094 327	Real Property	5/16/2024 8:12:10 PM

Legal Description
TR2 SUMMIT CHASE - PB147-42

Tax Values

Description	Market Value	Assessed Value
Land	\$849,400.00	\$339,760.00
Improvement	\$41,100.00	\$16,440.00
Total	\$890,500.00	\$356,200.00

Class Codes 320-Commercial Auxiliary Imp

Assessments

	Net Tax	Savings
School Taxes	\$7,355.53	\$0.00
County Incorporated No Police	\$4,078.49	\$0.00
Total Tax	\$11,434.02	\$0.00

Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	25521835	10/15/2023	2023	\$0.00		\$0.00	\$0.00
Total Due:				\$0.00		\$0.00	\$0.00

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2023	25521835	823.162531	\$11,434.02	12/26/2023

Translate our website:
Select Language ▼

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-10

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 5.58± ACRE TRACT OF LAND LOCATED IN LAND LOT 94 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3491 ROSEBUD ROAD, SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO APPROVE VARIANCES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #RZ 21-02

SIZE: 5.58± Acres

LOCATION: 3491 Rosebud Road, Snellville, Georgia

TAX PARCEL: R5094 327

CURRENT ZONING MAP: RS-30 (Single-Family Residential) District

REQUESTED ZONING MAP AMENDMENT: RO (Residential for Older Persons) District

DEVELOPMENT/PROJECT: 21-Lot Single-family Detached (Age-Restricted 55+) Residential Subdivision

PROPERTY OWNER: Summit Chase Country Club, Inc.
Snellville, Georgia

APPLICANT/CONTACT: John Gaskin
Patrick Malloy Companies, LLC
Atlanta, Georgia
770-319-5258 or
john.gaskin@pmcommunities.com

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to amend its official zoning map as it applies to the 5.58± acre tract of land located at 3491 Rosebud Road, Snellville, Georgia (Tax Parcel R5094 327) for a 21-lot single-family detached (age-restricted) residential subdivision development and incorporate it into the adjoining 75.29± acre 253-lot tract that was rezoned in June 2019 (case #RZ 19-02 LUP 19-01) for an age-restricted (55+) single-family detached residential community; and,

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance; therefore:

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. The Official Zoning Map for the City of Snellville, Georgia for the 5.58± acre tract of land as shown on the conceptual rezoning site plan entitled “Rezoning Exhibit Summit Chase Snellville Georgia”, dated 1-22-2021 (stamped received 2-5-2021), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby changed from RS-30 (Single-family Residential) District to RO (Residential for Older Persons) District. This action is subject to the attachment of the following conditions (1-17):

CONDITIONS:

1. The property shall be developed in accordance with the conceptual rezoning site plan entitled “Rezoning Exhibit Summit Chase Snellville Georgia”, dated 1-22-2021 (stamped received 2-5-2021), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the

conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval.

2. Single-family detached dwellings shall not exceed a density of 3.41 units per acre. The project is to be deed restricted to residents aged 55 and older.
3. Stormwater detention facility(s) shall be fenced with either a black vinyl-coated chain link fence a minimum of four feet in height, or 6-8-foot-tall privacy fence.
4. Signs higher than 15 feet and larger than 225 sq. ft. in area are prohibited.
5. All corner lots and lots abutting an external public street shall be designated as "High Visibility Lots" and require a continuation of the front façade treatments to the corner side to continue the architectural theme that is presented on the front elevation to the corner elevation exposed to public view.
6. There shall be master protective covenants for the entire development that will include all phases of the development (recreation/amenity and residential) and such other usual and necessary covenants and restrictions to protect the quality and integrity of the single-family development.
7. A mandatory homeowner's association shall be formed and incorporated for all single-family lots in the development and common areas which will include all component parts of the proposed development. The Homeowners' Association shall be responsible for the oversight, upkeep, maintenance and repair of all common areas/facilities; private streets; curb and gutter; stormwater detention facilities, including detention ponds, underground pipe/structures, catch basins, headwalls and manholes; street frontage and amenity area landscaping; gated entrance areas; ground signage; walls and fencing; open space areas; amenities

including tennis court, swimming pool, clubhouse, walking trails and other amenities, and the like contained within the overall development, and maintain adequate liability insurance and working capital.

8. The Homeowners' Association shall be responsible for the exterior maintenance of individual residences to include, at a minimum, painting of the exteriors on a rotation not to exceed ten (10) years.
9. A Residential Drainage Plan (RDP) shall be submitted for review and approval by the Director of Planning and development for those lots so designated on the Final Plat prior to issuance of a building permit.
10. A no-access easement shall be provided on the side and rear of all lots abutting Rosebud Road, Temple Johnson Road, and Brushy Fork Road.
11. All driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parallel parking of two vehicles.
12. All streets shall be privately owned and maintained by the Homeowners' Association.
13. All approved zoning conditions and variances shall be referenced on any plat of a lot provided to homebuyers.
14. Non-substantial variances, as determined by the Director of Planning and Development and/or City Manager for the design requirements, zoning requirements, development regulations, and construction requirements must be

submitted in writing for administrative review and approval by the Director of Planning and Development.

15. The 5.58± acre parcel shall be subject to and included within the Master Protective Covenants written for the entire Summit Chase development that includes the adjoining 75 acre parcel zoned in June 2019 for case #RZ 19-02 LUP 19-01.
16. Concurrent with the rezoning the Mayor and Council shall include the adoption of the following Architectural Plans submitted by the developer: TIFTON, WESTON, EDLSON, JEFFERSON, AUBURN, DENTON, PEARSON, and MONTROSE.
17. With the exception of the “High Visibility Lots” in Condition #5 (above), the approved architectural plans shall at a minimum be subject to the following Architectural Design Standards:
 - a. Forty-Five (45) percent of the units shall have a front facade composed of cedar shake accent with two-foot (2') masonry/brick water table. Side and rear elevations shall be constructed of stained/painted cedar shake and/or cement board siding.
 - b. Forty-Five (45) percent of the units shall have a front facade composed of cedar shake accent with thirty (30) percent brick/masonry accent. Side and rear elevations shall be constructed of stained/painted cedar shake and/or cement board siding.
 - c. Ten (10) percent of the units shall have a front facade of cedar shake with Seventy (70) percent brick/masonry. Side and Rear elevations shall be constructed of stained/painted cedar shake and or cement board siding.

18. 1.1 acres as shown on the site plan will remain as natural as existing with the exception of additional plantings as required by ordinances of the City of Snellville as administered by the Director of Planning and Development.

Section 2. (a) The requested variance from UDO Sec. 202-9.7, Building Separation to reduce the 15 foot minimum separation between buildings on the same site to 10 feet is approved.

(b) The requested variances from UDO Table 201-3.2.D, Allowed Building Materials to exceed the 50% maximum allowance for use of siding material on the front, side, and rear elevation of any one dwelling is approved, subject to Condition #17 (above).

(c) The requested variance from UDO Sec. 201-3.3.E.3, Garage Doors, to allow the garage doors facing a street to not be required to be located at least 10 feet behind front wall plane of the dwelling, not including front porches is approved.

(d) The requested variance from UDO Sec. 201-3.3.E.4, Garage Doors, to allow single-family detached dwelling garage doors facing a street to comprise more than 50% of the overall width of the front wall plane of the house is approved.

~~**Section 3.** The changes in zoning classification are to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of~~

Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

Section 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent

allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

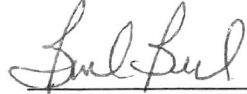
Section 6. Penalties in effect for violations of the Chapter 1 of the Code of Ordinances, City of Snellville, Georgia at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

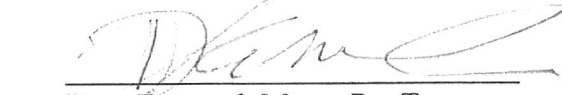
Section 7. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 8. This Ordinance was adopted on April 26, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]


ORDAINED this 26 day of April, 2021.

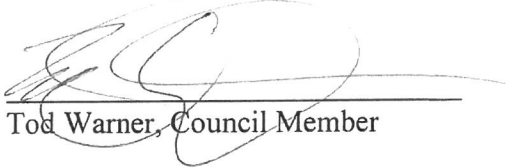

Barbara Bender, Mayor


Dave Emanuel, Mayor Pro Tem

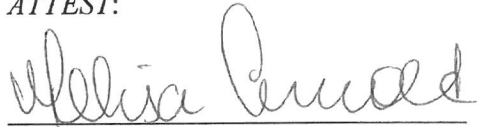

Cristy Lenski, Council Member


Solange Destang, Council Member


Gretchen Schulz, Council Member


Tod Warner, Council Member

ATTEST:


Melisa Arnold, City Clerk

APPROVED AS TO FORM:


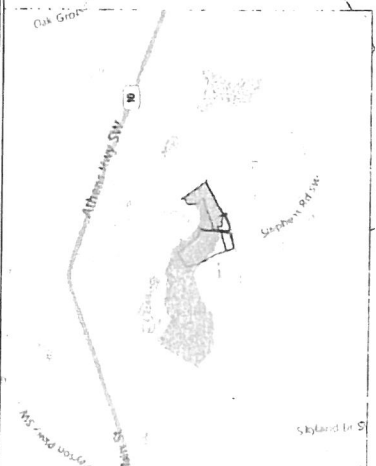
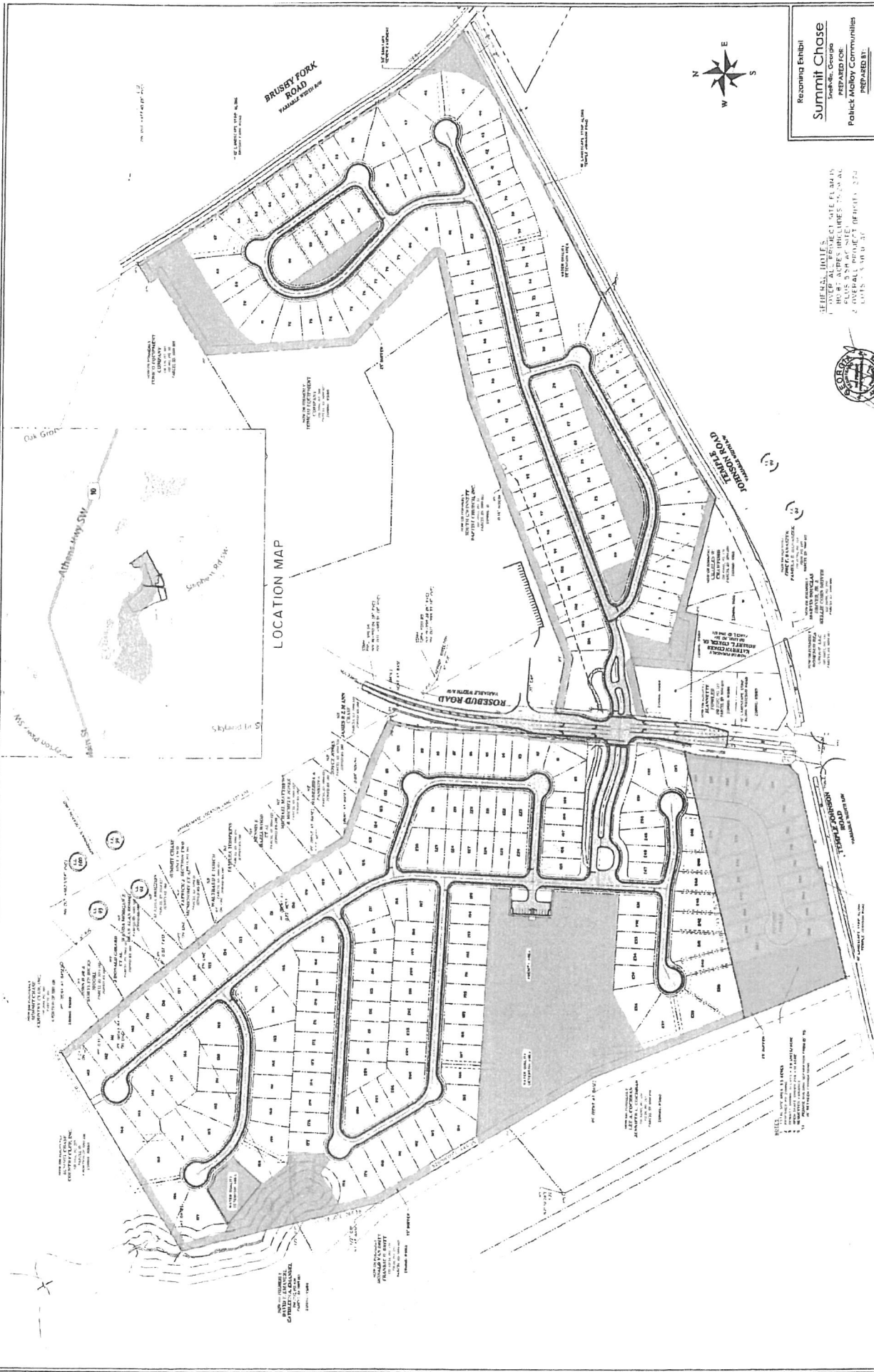
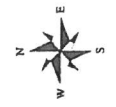

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

EXHIBIT "A"



Reasoning Exhibit
Summit Chose
 SHELTON, GEORGIA
 PREPARED FOR:
 Public Malloy Communities
 PREPARED BY:
THOMAS HUTTON
 ENGINEERS, ARCHITECTS & PLANNERS
 1000 W. Peachtree Street, N.W.
 Atlanta, Georgia 30308
 Phone: (404) 525-1100
 Fax: (404) 525-1101
 Website: www.thomas-hutton.com



LEGEND:
 1. LOT LINES
 2. LOT AREA
 3. LOT AREA PERCENTAGE
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NOT TO SCALE
 THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.
 THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY AND HAS NOT BEEN ADVISED OF ANY CHANGES TO THE PROPERTY SINCE THE DATE OF THE SURVEY.
 THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY AND HAS NOT BEEN ADVISED OF ANY CHANGES TO THE PROPERTY SINCE THE DATE OF THE SURVEY.

LEGAL DESCRIPTION - TRACT 2

All that tract or parcel of land lying and being in Land Lot 94 of the 5th District, City of Snellville, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road (having a variable width right-of-way) with the northwesterly right-of-way line of Temple Johnson Road (having a variable width right-of-way), said iron pin set being the TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave said intersection and run southwesterly along the northwesterly right-of-way line of Temple Johnson Road the following courses and distances: S76°08'43"W a distance of 290.00 feet to a point; S13°53'17"E a distance of 10.25 feet to a point; S76°07'26"W a distance of 139.38 feet to a point; S76°32'12"W a distance of 111.68 feet to a point; S76°24'43"W a distance of 70.94 feet to a point; S75°29'38"W a distance of 9.07 feet to a point; thence leave said right-of-way line and run N20°49'41"W a distance of 336.54 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"); thence run N76°06'45"E a distance of 824.60 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located on the westerly right-of-way line of Rosebud Road; thence run southwesterly along the westerly right-of-way line of Rosebud Road the following courses and distances: S14°22'53"W a distance of 38.92 feet to a point; along the arc of a curve to the right, an arc distance of 25.68 feet to a point, said curve having a radius of 9,940.00 feet and being subtended by a chord bearing S06°06'55"W and a chord distance of 25.68 feet; S05°11'23"W a distance of 101.63 feet to a point; along the arc of a curve to the right, an arc distance of 161.02 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"), said curve having a radius of 6,420.00 feet and being subtended by a chord bearing S06°54'32"W and a chord distance of 161.02 feet; S46°10'33"W a distance of 41.29 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road with the northwesterly right-of-way line of Temple Johnson Road, said iron pin set being the TRUE POINT OF BEGINNING.

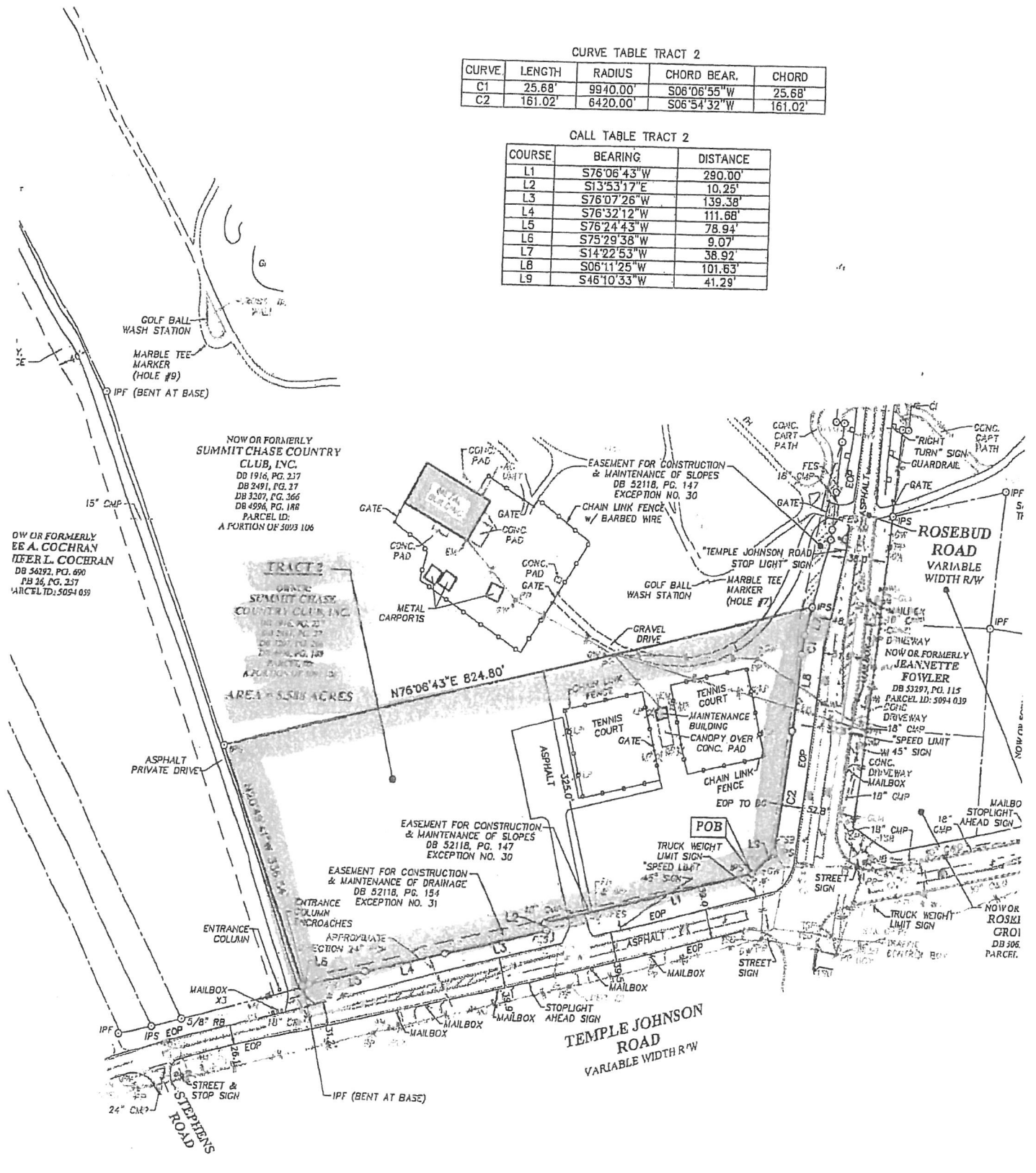
Said tract or parcel of land containing 5.588 acres.

CURVE TABLE TRACT 2

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
C1	25.68'	9940.00'	S06°06'55"W	25.68'
C2	161.02'	6420.00'	S06°54'32"W	161.02'

CALL TABLE TRACT 2

COURSE	BEARING	DISTANCE
L1	S76°06'43"W	290.00'
L2	S13°53'17"E	10.25'
L3	S76°07'26"W	139.38'
L4	S76°32'12"W	111.66'
L5	S76°24'43"W	78.94'
L6	S75°29'38"W	9.07'
L7	S14°22'53"W	38.92'
L8	S06°11'25"W	101.63'
L9	S46°10'33"W	41.29'



OW OR FORMERLY
E.E. A. COCHRAN
DB 54292, PG. 690
PB 26, PG. 237
PARCEL ID: 5054 039

NOW OR FORMERLY
SUMMIT CHASE COUNTRY
CLUB, INC.
DB 1916, PG. 237
DB 2491, PG. 37
DB 3307, PG. 366
DB 4996, PG. 188
PARCEL ID:
A PORTION OF 5093 106

TRACT 2
SUMMIT CHASE
COUNTRY CLUB, INC.
DB 1916, PG. 237
DB 2491, PG. 37
DB 3307, PG. 366
DB 4996, PG. 188
PARCEL ID:
A PORTION OF 5093 106

NOW OR FORMERLY
JEANNETTE
FOWLER
DB 53297, PG. 115
PARCEL ID: 5054 039

NOW OR
ROSKI
CROI
DB 506
PARCEL



Tax Assessor's Office

I Want To [Tax Assess](#)



Property Detail

[Go Back](#) [Neighborhood Sales](#) [Property Report](#)

General Info

Property ID	R5094 327
Alternate ID	33390319
Address	3491 ROSEBUD RD
Property Class	Commercial Auxiliary Imp
Neighborhood	9310
Deed Acres	5.5800

SUMMIT CHASE C C INC
PO BOX 606
SNELLVILLE GA 30078-0606



Value History

Year	2020
Reason	New Parcel
Land Val	\$634,800
Imp Val	\$30,900
Total Appr	\$665,700
Land Assd	\$253,920
Land Use	\$0
Imp Assd	\$12,360
Total Assd	\$266,280

Transfer History

Sales history does not exist for this account.

C01

Attributes

Story	Use	Attribute	Code	Detail
		Class	83	Clay

CRITERIA FOR APPROVAL

The applicant must demonstrate, and the Director must find, that all of the following criteria are present when approving a request for an administrative variance:

- A. There are clear and compelling reasons that are not purely financial demonstrating that the required standard cannot be met;
- B. The variance is the minimum amount necessary to meet the objectives identified above; and
- C. The requested adjustment will not contravene the public interests or negatively impact adjoining properties.
- D. And any additional criteria provided in the UDO and which is specific to the following:
 1. Sec. 201-1.6.D. (Driveways)
 2. Sec. 201-4. (Enhanced Architectural Standards)
 3. Sec. 401-3.4.H. (Inter-parcel Access)
 4. Sec. 403-1.4. (Stream Buffer and Setback Requirements)
 5. Sec. 403-1.5. (Stream Buffer and Setback Requirements in the Big Haynes Creek Watershed)

SUBMITTAL and PUBLIC NOTICE REQUIREMENTS

SUBMITTAL REQUIREMENTS: Any application for administrative variance, and/or waiver must be submitted by 4:00 p.m. fifty (50) calendar days before the date on which it is to be considered by the Director. Please review the Public Hearing Calendar for submittal deadlines and hearing dates. The application submittal must contain the following:

- ✓1. Written narrative detailing the administrative variance request, related code section, and hardship levied as a result of the UDO requirement and demonstration that approval criteria is present.
- ✓2. Site plan, drawn to scale, showing: property lines with dimensions; any improvements, structures and buildings; location of the requested variance; building setbacks; easements, public water, sewer, or storm drainage facilities traversing or located on the property; limits of the 100-year floodplain; and any applicable buffers.
- ✓3. Two (2) stapled or bound copies of the application and any supporting documents and exhibits.
- ✓4. One (1) unbound application bearing original notarized signatures.
- ✓5. A digital copy in .pdf format of all materials must be submitted using email, flash drive, or other means approved by the Director.
- ✓6. Verification by Gwinnett County and the City of Snellville that all county and city property taxes owed have been paid and account is current.
- ✓7. Warranty deed, security deed, or quit claim deed for all lots/parcels subject to the application.
- ✓8. Map indicating the subject property(ies) and the adjacent properties, identified by tax parcel number.
9. Payment of application fee and public notification fees (public notice sign and notice to adjoining property owners) as determined by the Department fee schedule.
10. An initiating party must also file any other information or supporting materials that are required by the City Council, and/or the Department (i.e. building elevation, rendering, floor plan, etc.).

PUBLIC NOTIFICATIONS: The Planning Department must provide notice of the date, time and place of the public hearing as follows:

1. **LEGAL AD:** Published in the Gwinnett Daily Post 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 30-days, nor more than 45- days before the date of the public hearing.
2. **NOTICES TO ADJOINING PROPERTY OWNERS:** Notification to the owners of adjoining properties of the property for which the variance, or waiver is sought and/or their agent by first class USPS mail to the mailing address provided by the Gwinnett County Tax Commissioner's office. The notification must be mailed not fewer than 30-days, nor more than 45-days before the public hearing. The notification must include a description of the application and the date, time, and place of the public hearing.
3. **PUBLIC NOTICE SIGN:** Posting of a Public Notice Sign on the property, one sign per road frontage, per parcel, posted at least 30-days before the public hearing. The sign must include a description of the application and the date, time, and place of the public hearing.

Once advertised the public hearing must be held. Any party may appear in person, or by agent or attorney.

* * * * * FINDINGS BY THE PLANNING DIRECTOR * * * * *

The Director, having reviewed this Administrative Variance application and accompanying statements and exhibits, hereby finds the following:

GENERAL CRITERIA FOR APPROVAL	YES	NO
1. The applicant has provided clear and compelling reasons that are not purely financial demonstrating that the required standards cannot be met.		
2. The variance is the minimum amount necessary to meet the objectives in Sec. 103-8.1 (General).		
3. The requested variance (adjustment) will not contravene the public interests.		
4. The requested variance (adjustment) will not negatively impact adjoining properties.		
DRIVEWAYS (SEC. 201.1-6.D.)	Not-Applicable	NO
1. No more than 35% of the front yard area may be used for driveways or authorized on-site parking. The Director is authorized to grant administrative variances to the requirement in order to meet the following requirements:		
2. All garage doors facing a public street or private street must observe a minimum 22-foot front and side (street) setback from sidewalk in all residential districts.		
3. Build to Rent (BTR) residential districts require a minimum 24-foot wide driveway and minimum 30-foot driveway length, measured from inside edge (house side) or sidewalk to garage door.		
ENHANCED ARCHITECTURAL STANDARDS (SEC. 201.4.)	Not-Applicable	NO
1. Administrative variances may only be granted to permit a practice that is not consistent with a specific provision of these regulations, but is justified by the following:		
2. The purpose of the applicable zoning and overlay district.		
3. The policies of the Comprehensive Plan.		
4. Administrative variances relating to a physical element or numeric measurement must be based upon credible submitted evidence demonstrating that:		
5. Approval, if granted, would not offend the purposes of the applicable district.		
6. There are such extraordinary and exceptional situations or conditions pertaining to the particular piece of property that the literal or strict application of the regulations would create an unnecessary hardship due to size, shape or topography or other extraordinary and exceptional situations or conditions not caused by the applicant.		
7. Relief, if granted would not cause a substantial detriment to the public good and surrounding properties.		
8. That the public safety, health, and welfare are secured, and that substantial justice is done.		
INTER-PARCEL ACCESS (SEC. 401-3.4.H.)	Not-Applicable	NO
1. When cross-access for vehicles is deemed impractical by the Director based on topography, the presence of natural features, or vehicular safety factors, relief from the requirement for cross-access may be granted by administrative variance. However, bicycle and pedestrian connections must be provided between abutting parcels when cross-access relief is granted.		
STREAM BUFFER AND SETBACK REQUIREMENTS (SEC. 403-1.4.)	Not-Applicable	NO
1. Administrative variances from the requirements of this section on single-family residential lots of record platted before May 23, 2005, may be granted if the applicant submits a residential site drainage plan approved by the Director, in accordance with the following:		
2. The lot or parcel's shape, topography, or other existing physical condition prevents land development consistent with this section, and the Director finds and determines that the requirements of this section prohibit the otherwise lawful use of the property by the owner.		
3. If a variance is requested from the required 50-foot undisturbed natural vegetative stream buffer, the request is for 10% or less (5 feet or less) of the required buffer.		
4. If a variance is requested from the required, additional 25-foot impervious surface setback, the request is for 20% or less (5 feet or less) of the required, additional setback, and no impervious cover is proposed within the reduced, additional setback.		
5. If an applicant is requesting a variance from both the undisturbed natural vegetative stream buffer and the required, additional 25-foot impervious surface setback, and the requests meet all the criteria listed above, the Director may grant an administrative variance for both requests.		
6. Additional water quality treatment practices appropriate for single-family residential lots, such as the incorporation of bio-retention areas, pervious paving that is at least 40% pervious, and sustainable landscaping, may be allowed by approval of the Director.		

BIG HAYNES CREEK STREAM BUFFER & SETBACK (SEC. 403-1.5.) Not-Applicable	YES	NO
I. All lots or parcels of record as of October 28, 1997, in the Big Haynes Creek Watershed and all lots or parcels which have been submitted by way of preliminary plat and approved by the Department in accord with the provisions of the 1985 Zoning Resolution of Gwinnett County, as of October 28, 1997, within the Big Haynes Creek Watershed, that are made unbuildable by the stream buffer and setback provisions, may still be developed on a case-by-case basis. Requests for development of these lots must be made to the Director as administrative variances. If development is allowed, the maximum possible impervious surface setback and stream buffer width, given the configuration of the lot, must be maintained.		

No variance shall be considered or authorized to:

- A. Allow a structure or use not authorized in the applicable zoning district or a density of development that is not authorized within such district.
- B. Conflict with or change any requirement enacted as a condition of zoning or of a special use permit approved by the Mayor and Council.
- C. Reduce, waive or modify in any manner the minimum lot area established by the Unified Development Ordinance in any zoning district or established by the Mayor and Council through a special condition of approval.
- D. Permit the expansion or enlargement of any nonconforming situation or nonconforming use requiring a special use permit.
- E. Permit the re-establishment of any nonconforming situation or nonconforming use as regulated in Sec. 103-11 (Nonconformities).

DECISION OF THE PLANNING DIRECTOR

THE ADMINISTRATIVE VARIANCE APPLICATION HAS BEEN REVIEWED BY THE UNDERSIGNED AND BASED ON THE ABOVE CRITERIA FOR APPROVAL, THE REQUESTED VARIANCE(S) LISTED BELOW BY SECTION IS/ARE:

UDO Sec. _____ APPROVED DENIED
 UDO Sec. _____ APPROVED DENIED
 UDO Sec. _____ APPROVED DENIED
 UDO Sec. _____ APPROVED DENIED

COMMENTS: _____

BY: JASON THOMPSON, DIRECTOR

DATE _____

DEPARTMENT OF PLANNING AND DEVELOPMENT, CITY OF SNELLVILLE, GEORGIA

Any person aggrieved by a decision of the Director may appeal to the Snellville Board of Zoning Appeals in accordance with Sec. 103-7.3. of the Snellville Unified Development Ordinance.