



# CHANGE IN CONDITIONS APPLICATION

APPLICATION TO AMEND THE OFFICIAL ZONING MAP, SNELLVILLE GEORGIA  
AND REQUEST TO AMEND PRIOR APPROVED CONDITIONS OF ZONING  
RECEIVED

City of Snellville  
Planning & Development Department  
2342 Oak Road, 2<sup>nd</sup> Floor  
Snellville, GA 30078  
Phone 770.985.3514 Fax 770.985.3551

JUN 13 2024

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

CITY OF SNELLVILLE  
PLANNING & DEVELOPMENT  
[www.snellville.org](http://www.snellville.org)

3491 ROSEBUD RD #2400219 CIC #24-01  
CHANGE IN ZONING CONDITIONS  
PARCEL- R5094-327

**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.

John D. Gaskin  
Name (please print)  
4770 S. Atlanta Rd Ste 100  
Address  
Atlanta GA 30339  
City, State, Zip Code  
770.319.5258  
Phone Number(s) Fax

Ballantry PNC Summit Chase, LLC  
Name (please print)  
4770 S. Atlanta Rd Ste 100  
Address  
Atlanta GA 30339  
City, State, Zip Code  
770.319.5258  
Phone Number(s) Fax

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

Request to Change the Conditions for Rezoning Case No. RZ 21-02 and Ordinance No. 2021-10 Approval Date: 4/26/21  
Property Address/Location: 3491 Rosebud Rd District \_\_\_\_\_ Land Lot \_\_\_\_\_ Parcel(s) R5094327

### APPLICATION FEES:

- Change in Conditions Application \$ 500
- Public Notice Sign \$ 75 (single-sided) or \$125 (double-sided) per parcel, per road frontage
- Adjoining Property Owner Notice \$ 15 (per adjoining property X 2 public hearings)

### UDO Sec. 103-9.9 Rezoning Condition Alteration

- An application to alter conditions of rezoning must be submitted and processed in accordance with all provisions applicable to zoning map amendments (UDO Sec. 103-9.4.C) through the Department, the Planning Commission for a public hearing, and to the City Council for a public hearing.
- The City Council may add or delete conditions to rezoning applications during the public hearing that are more or less restrictive than the UDO.

### 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.

**LETTER OF INTENT**

**LETTER OF INTENT**

**REQUEST FOR CHANGE IN CONDITIONS**

**CASE- #RZ 21 02 LUP 21 02 ORDINANCE 2021-10**

**SOLEIL SUMMIT CHASE AGE RESTRICTED COMMUNITY**

**On April 26, 2021 the Mayor and Council of the City of Snellville Georgia approved the rezoning for (CASE # RZ 21 02 LUP 21 02-ORDINANCE 2021-10) 5.5 acre parcel formerly a part of Summit Chase Golf Course from RS-180 to RO FOR 21 Age Restricted Detached Single Family Lots.**

**The applicant, John Gaskin, on behalf of the property Owner Ballantry PMC Summit Chase, LLC is requesting a Change in Conditions to the following items that were approved in the April 26, 2021 Mayor and Council Meeting :**

- 1) Request for Change in Condition number One: To Modify Conditions 17 (a), 17(b) , and 17 (c) of the approved zoning Ordinance to remove the required Architectural Design Standards as stated in this Ordinance and replace with the Soleil Summit Chase Community Plan Book- last revised May 28, 2024.**
  
- 2) Request for Change in Condition number 8- in the approved ordinance to modify as follows: The Home Owners Association shall be responsible for requiring Homeowners to assume exterior maintenance of individual residences including, at a minimum, painting exteriors on a rotation not to exceed Ten (10) years through provisions outlined in Declaration of Protective Covenants, Conditions, Restrictions and Easements. Such document shall be duly recorded. The Home Owners Association shall have the ability to enforce the provision through Liens, Fines and in extreme conditions assume the responsibility and seek financial relief against the Home Owner.**

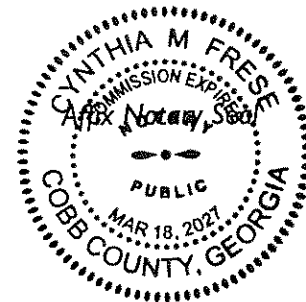
### CERTIFICATIONS

#### APPLICANT'S CERTIFICATION

The undersigned below does hereby, swear or affirm under penalty of perjury under the laws of the State of Georgia, is authorized to make this application for Change in Conditions 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 change in conditions application is denied by the City Council, no change in conditions application affecting any portion of the same property may be submitted less than twelve (12) months from the date of denial.

John D. Gaskin      6/10/24  
Signature of Applicant      Date

John D. Gaskin  
Type or Print Name and Title



Cynthia M Fresse      6/10/24  
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 John Gaskin to file this application. The undersigned is aware that that if the change in conditions application is denied by the City Council, no change in conditions 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.

PM      June 10 2024  
Signature of Owner      Date

Patrick Malloy  
Type or Print Name and Title



Cynthia M Fresse      6/10/2024  
Signature of Notary Public      Date

**CONFLICT OF INTEREST CERTIFICATIONS  
FOR CHANGE IN CONDITIONS APPLICATION**

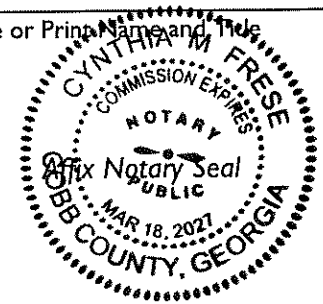
The undersigned below, making application for a Change in Conditions, has complied with the Official Code of Georgia Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on forms provided.

check here if there are additional applicants and attach additional "Conflict of Interest Certification" sheets.

[Signature] 6/10/24 John D. Gaskin  
Signature of Applicant Date Type or Print Name and Title

Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

[Signature] 6/10/24  
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: John D. Gaskin

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

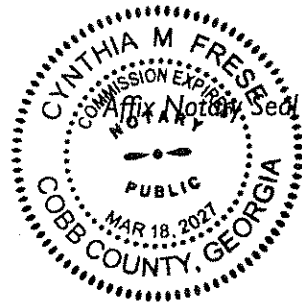
With the signature below, I authorize the staff of the Department of Planning and Development of the City of Snellville, Georgia to inspect the premises, which are the subject of this Change in Conditions application.

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

*[Handwritten Signature]*                      June 10, 2024  
Signature of Owner or Agent                      Date

Patrick Malvey  
Type or Print Name and Title

*[Handwritten Signature]*                      6/10/2024  
Signature of Notary Public                      Date



***ORIGINAL ZONING ORDINANCE***



May 5, 2021

Mr. Donald H. Britt, Vice-President  
Summit Chase Country Club, Inc.  
PO Box 606  
Snellville, Georgia 30078

**RE: 5.58± Acre Property Located at 3491 Rosebud Road, Snellville, Georgia  
(the "Property")  
Gwinnett County Tax Parcel: R5094 327  
Case #RZ 21-02 LUP 21-02**

Dear Mr. Britt,

This is to advise you that on April 26, 2021 the Mayor and City Council of the City of Snellville, Georgia voted unanimously (6-0) to **approve** the rezoning and voted unanimously (6-0) to **approve** the land use plan amendment for the Property described above and on Exhibit "A", attached hereto and incorporated herein by reference for a 21-lot (age-restricted) single-family detached development with the property to be incorporated into the adjacent 75.29± acre tract that was rezoned in June 2019 for an age-restricted (55+) single-family detached residential community containing a combined total of approximately 274-lots.

The Property hereinafter described by *Ordinance 2021-10*, provided herein as Attachment "A" is hereby rezoned from RS-30 (Single-family Residential) District to **RO (Residential for Older Persons) District** with the Official Zoning Map for the City of Snellville to be amended to reflect these changes.

And, the Property hereinafter described by *Ordinance No. 2021-11*, provided herein as Attachment "B" is hereby designated as **Low-density Residential** on the City of Snellville 2040 Comprehensive Plan Future Land Use Map.

Sincerely,

  
THE CITY OF SNELLVILLE, GEORGIA

Jason Thompson, Director  
Department of Planning and Development

Attachments

cc: Mr. John Gasper, City of Snellville Planning Department

2342 Oak Road Snellville, GA 30078 770-985-3514 770-985-3551 Fax www.snellville.org



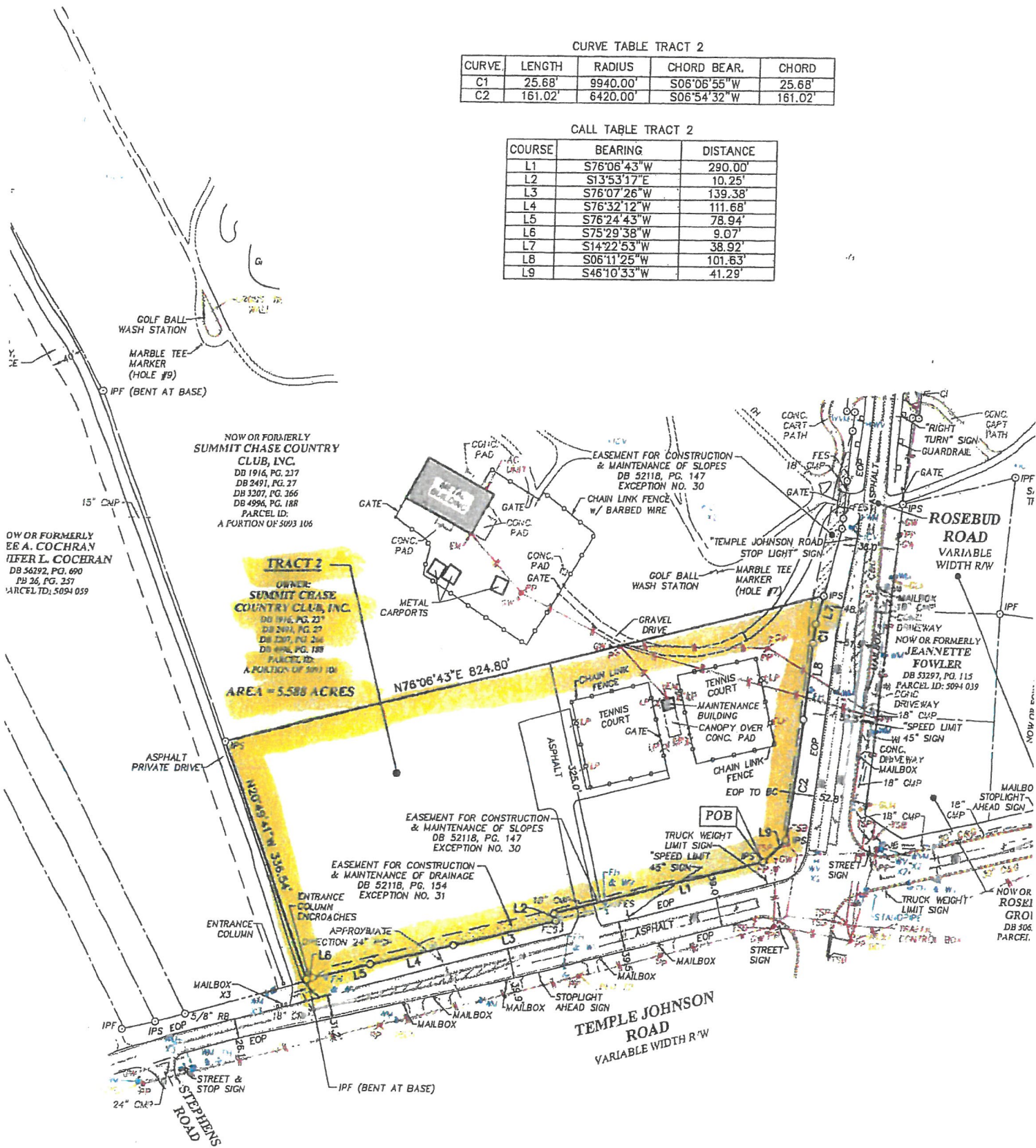
EXHIBIT "A"

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	111.68'
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  
EE A. COCHRAN  
IPFER L. COCHRAN  
DB 36292, PG. 690  
PB 26, PG. 237  
PARCEL ID: 5094 059

NOW OR FORMERLY  
SUMMIT CHASE COUNTRY  
CLUB, INC.  
DD 1916, PG. 237  
DB 2491, PG. 27  
DB 3207, PG. 366  
DB 4996, PG. 188  
PARCEL ID:  
A PORTION OF 5093 106

**TRACT 2**  
OWNER:  
SUMMIT CHASE  
COUNTRY CLUB, INC.  
DD 1916, PG. 237  
DB 2491, PG. 27  
DB 3207, PG. 366  
DB 4996, PG. 188  
PARCEL ID:  
A PORTION OF 5093 106

AREA 1 - 5.588 ACRES

N76°06'43"E 824.80'

EASEMENT FOR CONSTRUCTION  
& MAINTENANCE OF SLOPES  
DB 52118, PG. 147  
EXCEPTION NO. 30

EASEMENT FOR CONSTRUCTION  
& MAINTENANCE OF DRAINAGE  
DB 52118, PG. 154  
EXCEPTION NO. 31

TEMPLE JOHNSON  
ROAD  
VARIABLE WIDTH R'W

ROSEBUD  
ROAD  
VARIABLE WIDTH R'W

NOW OR FORMERLY  
JEANNETTE  
FOWLER  
DB 53297, PG. 115  
PARCEL ID: 5094 039

NOW OR  
ROSEI  
GROI  
DB 306  
PARCEL

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 5<sup>TH</sup> 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](mailto: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

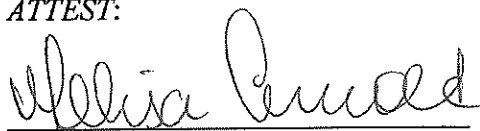


Dave Emanuel, Mayor Pro Tem




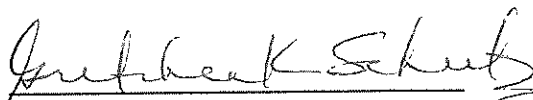
Cristy Lenski, Council Member

ATTEST:

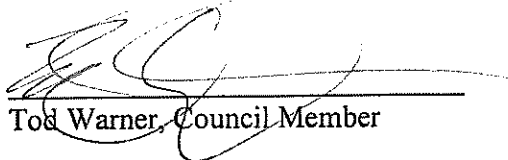
  
Melissa Arnold, City Clerk

Solange Destang, Council Member

APPROVED AS TO FORM:

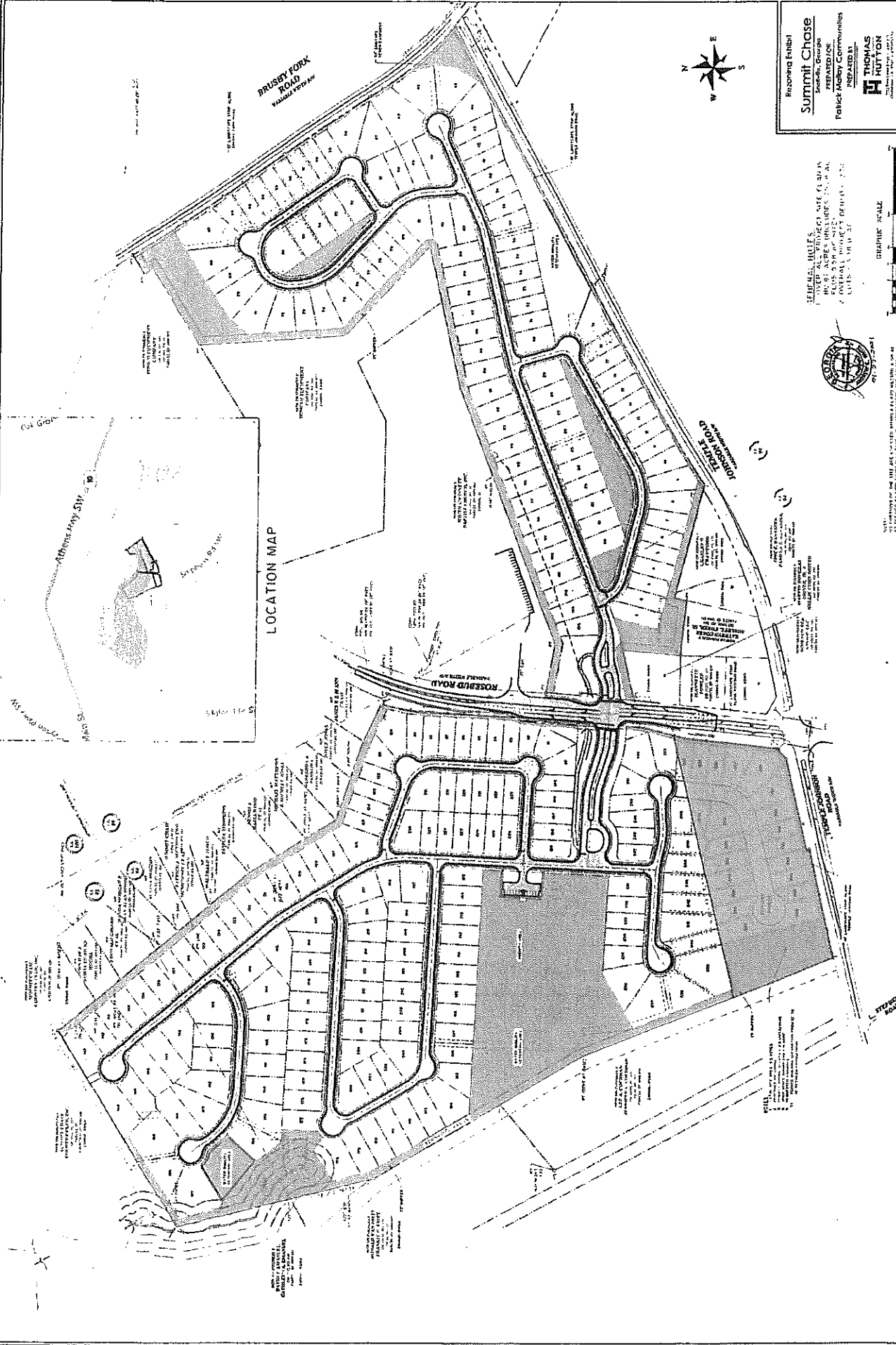
  
W. Charles Ross, City Attorney  
Powell & Edwards, P.C.

Gretchen Schulz, Council Member



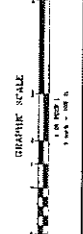
Tod Warner, Council Member

EXHIBIT "A"

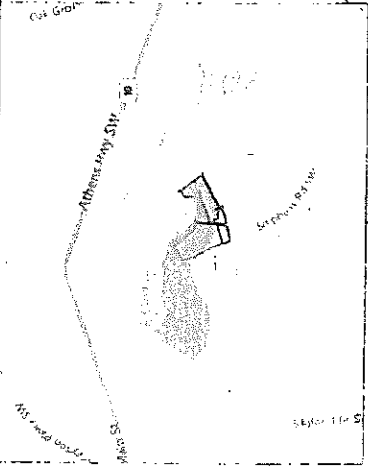


Rezoning Exhibit  
**Summit Chase**  
 Single-Family Residential  
 PREPARATION  
 Public Works Commission  
 PREPARED BY  
**THOMAS HUTTON**  
 ENGINEER

GENERAL NOTES:  
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
 2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.  
 4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.



NOTE:  
 THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE PUBLIC WORKS COMMISSION.



LOCATION MAP

BRUSLEY FORK ROAD  
 ROSEBUD ROAD  
 JIMSON ROAD  
 STYVENS ROAD  
 [Detailed text describing lot dimensions, easements, and utility lines throughout the site plan.]

## 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 northeasterly 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 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 35.92 feet to a point; along the arc of a curve to the right, an arc distance of 25.00 feet to a point, said curve having a radius of 9,840.00 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°10'13"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**.

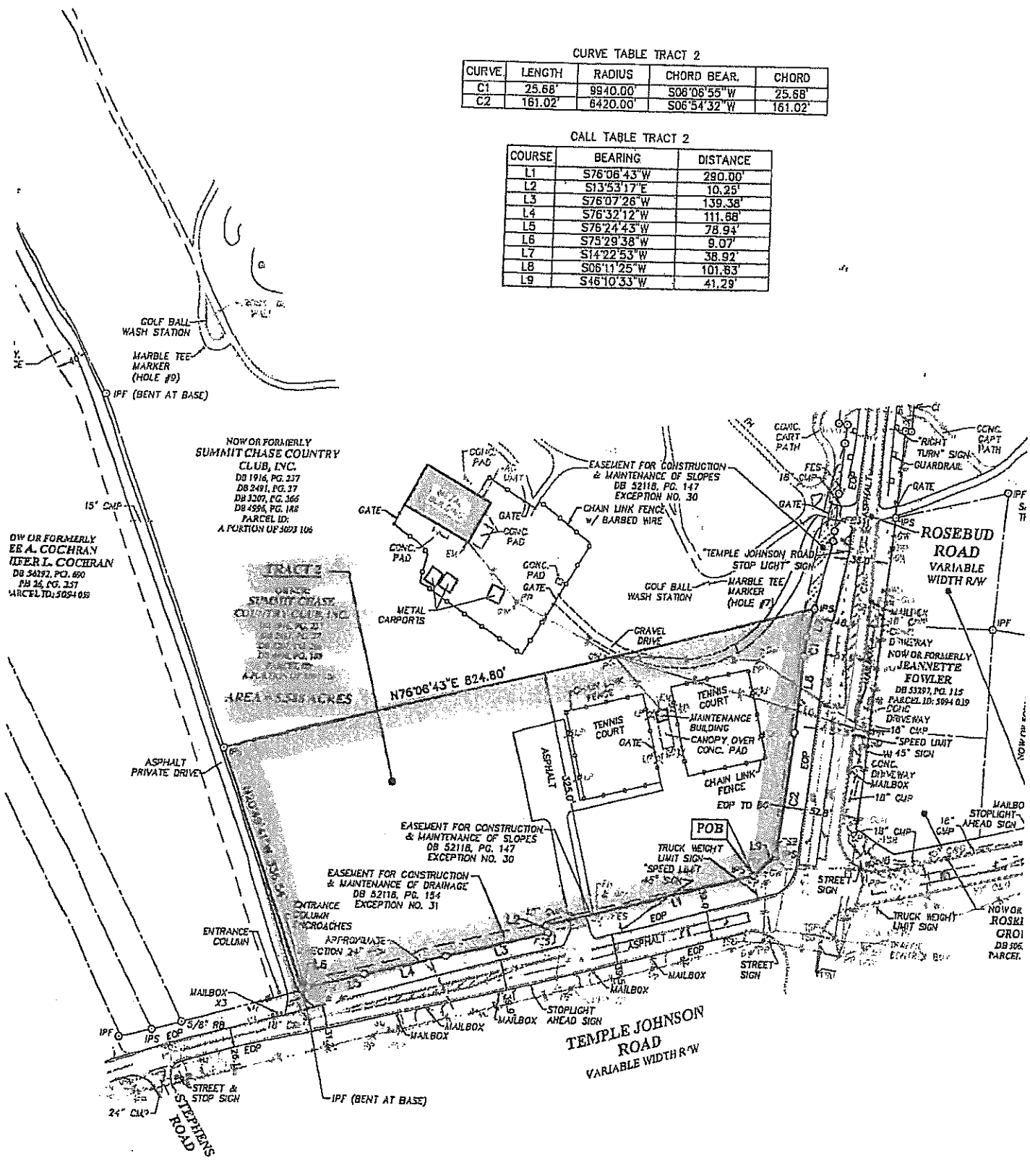
Said tract or parcel of land containing 5.568 acres.

CURVE TABLE TRACT 2

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
C1	25.68'	9940.00'	S08°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	111.68'
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'





# Tax Assessor's Office

[I Want To](#) [Tax Assess](#)



## Property Detail

[Go Back](#)

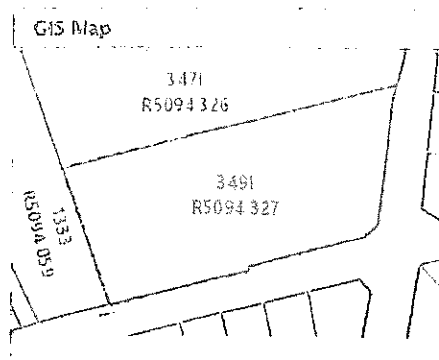
[Neighborhood Sales](#)

[Property Report](#)

### General Info

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

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



### 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.

### COI

#### Attributes

Story	Use	Attribute	Code	Detail
		Class	83	Clay

**WARRANTY DEED**



LIMITED  
WARRANTY DEED

FORM 182

BOOK 4996 PAGE 188

STATE OF GEORGIA COUNTY OF GWINNETT

THIS INDENTURE, Made the 8TH day of JULY, in the year one thousand nine hundred EIGHTY-EIGHT, between

UNITED FEDERAL SAVINGS AND LOAN ASSOCIATION

of the County of \_\_\_\_\_, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

SUMMIT CHASE COUNTRY CLUB, INC.

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 the sum of ~~---TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS~~ (~~---\$10.00~~) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All those tracts or parcels of land lying and being in Land Lot 94 of the 5th Land District, Gwinnett County, Georgia, being designated as Lots 1 and 2, Summit Chase Estates Section, Unit II, as shown on a plat of survey recorded in Plat Book 28, Page 261, Gwinnett County Records, which plat is incorporated herein by reference as a part of this description.

GWINNETT CO. GEORGIA  
REAL ESTATE TRANSFER TAX  
\$ 60.00  
Date 7-13-88  
Clerk of Superior Court

FILED & RECORDED  
IN THE SUPERIOR COURT  
GWINNETT COUNTY, GA.  
1988 JUL 12 PM 12:12  
GARY R. YATES, CLERK

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, through or under IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above Grantor written.

Signed, sealed and delivered in presence of: UNITED FEDERAL SAVINGS AND LOAN ASSOCIATION  
By: Robert C. [Signature] (Seal)  
Notary Public Title: VICA. PRES. (Seal)  
Notary Public, Gwinnett County, Georgia  
My Commission Expires Feb. 26, 1990  
Notarized

41307

NET WFT

BK 13836 PG 0177

Law Offices, John M. Miles  
Counselor at Law, P. C.  
2164 North Road  
Snellville, Georgia 30278  
770-972-5650

WARRANTY DEED

STATE OF GEORGIA  
COUNTY OF GWINNETT

THIS INDENTURE, Made the 25 day of February in the year One Thousand Nine Hundred Ninety-seven, between Jerry Fowler of the County of Gwinnett, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Summit Chase Country Club, Inc. 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 the sum of Ten Dollars and 00/100 (\$10.00) DOLLARS and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that certain tract or parcel of land lying and being in Land Lot 94 of the 5th Land District of Gwinnett County, Georgia, being Lot 3, Summit Chase Estates Subdivision, Section Unit II, as per a plat recorded in Plat Book 28, Page 261, Gwinnett County, Georgia Records, which said plat is incorporated herein by this reference and made a part of this legal description.

This conveyance is made subject to all easements and restrictive covenants of record.

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 anyway 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.

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

Signed, sealed and delivered in presence of:

*John M. Miles*  
Unofficially Witness

*Jerry Fowler* (Seal)  
Jerry Fowler



GWINNETT CO. GEORGIA  
REAL ESTATE TRANSFER TAX  
\$ 68.00  
TOM LAWLER CLERK OF  
SUPERIOR COURT

FILED & RECORDED  
CLERK SUPERIOR COURT  
GWINNETT COUNTY, GA.  
1997 FEB 25 PM 3:26  
TOM LAWLER, CLERK

3046S2



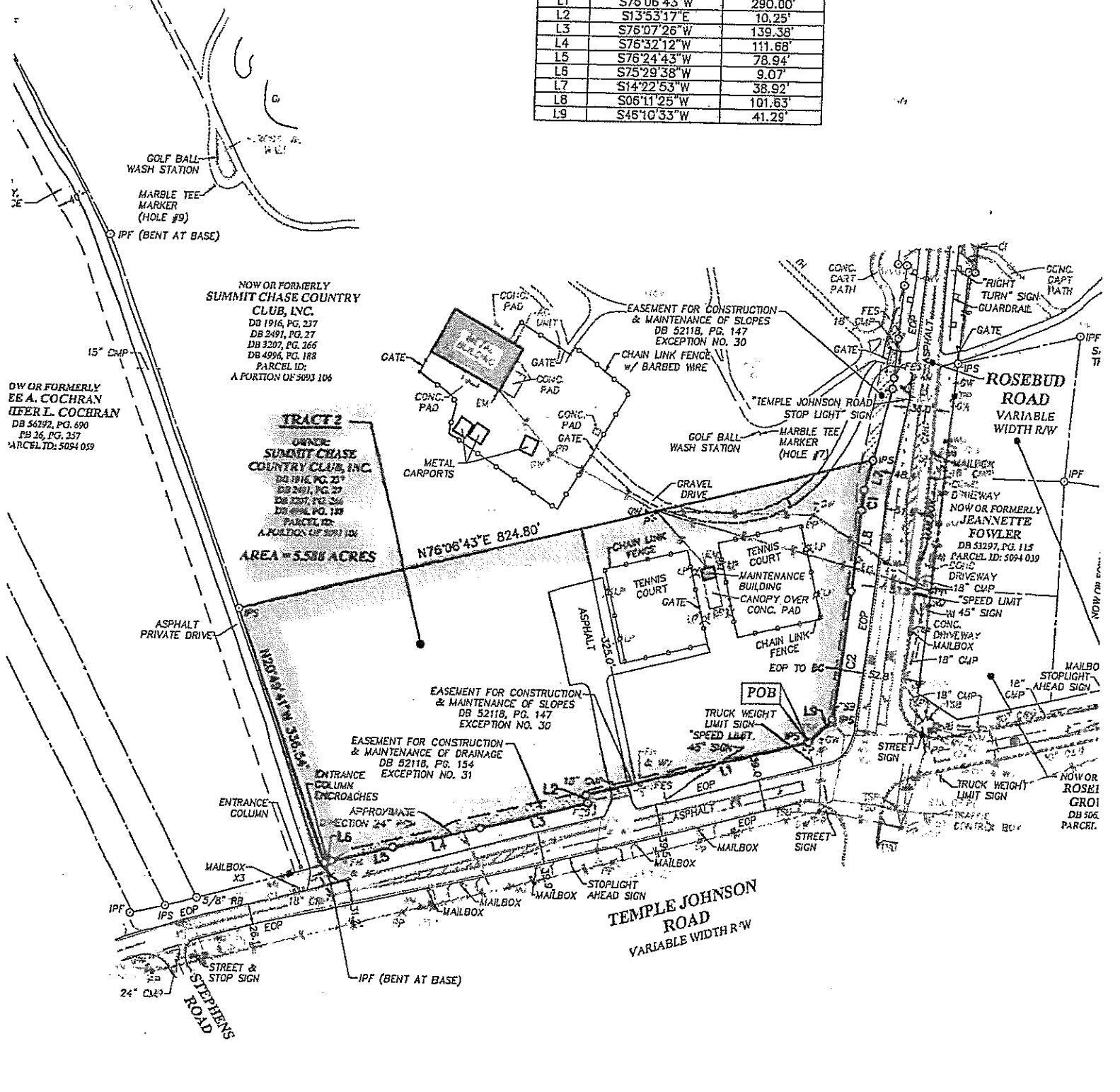
**SURVEY AND LEGAL DESCRIPTION**

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	111.68'
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	S45°10'33"W	41.29'



NOW OR FORMERLY  
E.E. A. COCHRAN  
DEER L. COCHRAN  
DB 56292, PG. 690  
PB 26, PG. 237  
PARCEL ID: 5094 059

NOW OR FORMERLY  
SUMMIT CHASE COUNTRY  
CLUB, INC.  
DB 1916, PG. 237  
DB 2491, PG. 27  
DB 3207, PG. 266  
DB 4996, PG. 188  
PARCEL ID:  
A PORTION OF 5093 106

**TRACT 2**  
OWNER:  
SUMMIT CHASE  
COUNTRY CLUB, INC.  
DB 1916, PG. 237  
DB 2491, PG. 27  
DB 3207, PG. 266  
DB 4996, PG. 188  
PARCEL ID:  
A PORTION OF 5093 106  
**AREA = 5.538 ACRES**

EASEMENT FOR CONSTRUCTION  
& MAINTENANCE OF SLOPES  
DB 52118, PG. 147  
EXCEPTION NO. 30

EASEMENT FOR CONSTRUCTION  
& MAINTENANCE OF DRAINAGE  
DB 52118, PG. 154  
EXCEPTION NO. 31

**TEMPLE JOHNSON ROAD**  
VARIABLE WIDTH R/W

**ROSEBUD ROAD**  
VARIABLE WIDTH R/W

NOW OR FORMERLY  
JEANNETTE  
FOWLER  
DB 51297, PG. 115  
PARCEL ID: 5094 039

NOW OR  
ROSEI  
GRO1  
DB 506  
PARCEL

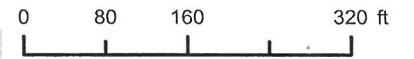
## LEGAL DESCRIPTION - TRACT 2

All that tract or parcel of land lying and being in Land Lot 94 of the 5th District, City of Marietta, 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 5,420.00 feet and being subtended by a chord bearing S06°34'32"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.



- Property Parcels
- County Boundary

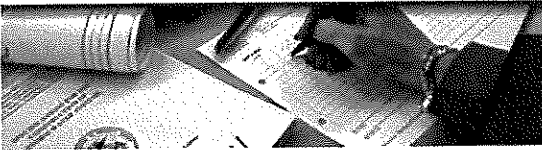


2/3/2021

N



This map is a graphical representation of data obtained from aerial photography, recorded deeds, plats, engineering drawings and other public records and data. Gwinnett County does not warrant the accuracy or currency of the data it has provided and does not guarantee the suitability of the data for any purpose, expressed or implied. ALL DATA IS PROVIDED AS IS, WITH ALL FAULTS, WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. This map is the proprietary product of Gwinnett County and in no event will Gwinnett County be liable for damages, including any loss of profits, lost savings, or other incidental or consequential damages arising out of the use of or inability to use this map.

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## Property Detail

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


General Info		
BALLANTRY PMC SUMMIT CHASE LLC 4770 S ATLANTA RD SE STE 100 ATLANTA GA 30339-1557	Property ID	R5094 327
	Alternate ID	33390319
	Address	3491 ROSEBUD RD
	Property Class	Commercial Auxiliary Imp
	Neighborhood	9310
	Deed Acres	5.5800

Value History					
Year	2024	2023	2022	2021	2020
Reason	Adjusted to Sales Price	Adjusted for Market Conditions	Correct Val Detail Line	Notice of Current Assessment	New Parcel
Land Val	\$623,100	\$849,400	\$849,400	\$634,800	\$634,800
Imp Val	\$26,900	\$41,100	\$30,900	\$30,900	\$30,900
Total Appr	\$650,000	\$890,500	\$880,300	\$665,700	\$665,700
Land Assd	\$249,240	\$339,760	\$339,760	\$253,920	\$253,920
Land Use	\$0	\$0	\$0	\$0	\$0
Imp Assd	\$10,760	\$16,440	\$12,360	\$12,360	\$12,360
Total Assd	\$260,000	\$356,200	\$352,120	\$266,280	\$266,280

Transfer History								
Book	Page	Date	Grantor	Grantee	Deed	Type	Vacant Land	Sale Price
60618	899	5/31/2023	SUMMIT CHASE C C INC	BALLANTRY PMC SUMMIT CHASE LLC	Fu	OY	Yes	\$650,000

C01

[Attributes](#)
[Floor Areas](#)

Story	Use	Attribute	Code	Detail
		Class	83	Clay
		Class	85	Asphalt



Scale: 20 ft  
04 04

Address

3491 ROSEBUD RD

Improvements							
Code	Description	Year	Building	Length	Width	Units	Unit Type
SHEDEGP	Shed - Gen Purpose Frame, up to 10'leave	1975	C01	12	10	120	SF
COMCNPYA		1975	C01	0	0	360	SF
TENNISS	Tennis Courts - Standard	1975	C01	0	0	0	CT
PAVING	Paving	1975	C01	0	0	13,000	SF

Land Details				
Primary Use	Land Type	Acres	Eff. Frontage	Eff. Depth
	C5 - Secondary Strip	1.97	0	0
	C5 - Secondary Strip	3.61	0	0

Legal Description	
Line	Description
1	TR2 SUMMIT CHASE - PB1 47-42

# ***PROPERTY TAXES***

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.

Live  
CHAT



DENISE R. MITCHELL, MPA  
GWINNETT COUNTY  
TAX COMMISSIONER



## 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
R5094 327	Real Property	6/16/2024 8:13:28 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
<u>School Taxes</u>	\$7,355.53	\$0.00
<u>County Incorporated No Police</u>	\$4,078.49	\$0.00
<b>Total Tax</b>	<b>\$11,434.02</b>	<b>\$0.00</b>

### 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	\$0.00
<b>Total Due:</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

### Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2023	25521835	B23.162531	\$11,434.02	12/26/2023



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		Taxable Value
BALLANTRY PMC SUMMIT CHASE LLC 3491 ROSEBUD RD		356,200
		Fair Market Value
		890,500
Levies	Taxable Value	- Exemptions = Net Assessment X Tax Rate = Net Tax
City of Snellville	356,200	0 = 356,200 X 4.000000000 = \$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
<b>Total Due</b>	<b>\$0.00</b>
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](http://www.snellville.org)*  
*\*Convenience fees may apply to all credit/debit card payments*

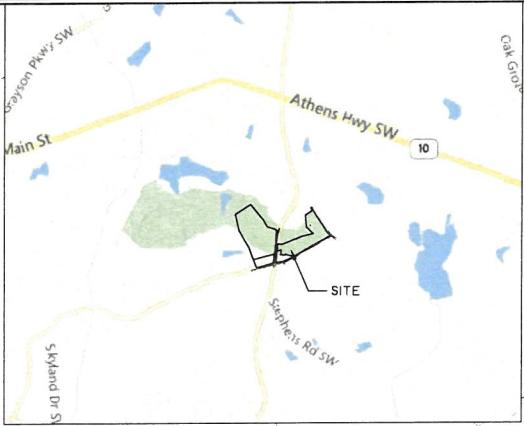
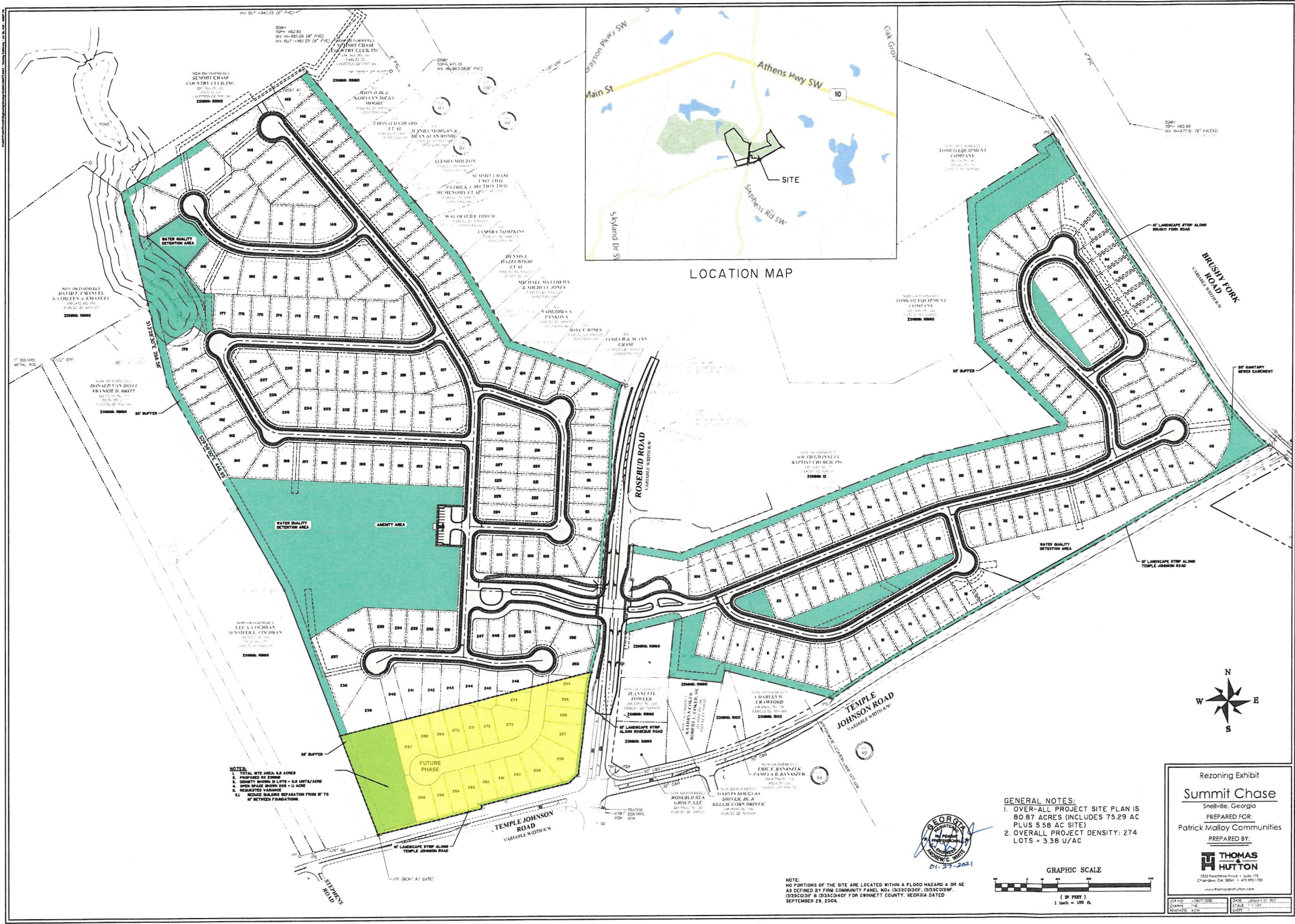
Parcel ID: R5094 327  
 Amount Due: \$0.00  
 Bill#: 009786  
 Due Date: 12/15/2023

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

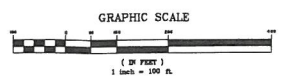
# ***SITE PLAN***



LOCATION MAP

- NOTES:**
1. TOTAL SITE AREA IS 8.8 ACRES
  2. PROPOSED IS ZONING
  3. DENSITY: 274 U/L ACRES - 1.8 U/L/ACRE
  4. OPEN SPACE: 5.58 ACRES - 1.1 ACRE
  5. RELOCATED PARCELS
  6. REDUCE BUILDING SEPARATION FROM 10' TO 8' BETWEEN FOUNDATIONS

- GENERAL NOTES:**
1. OVER-ALL PROJECT SITE PLAN IS 80.87 ACRES (INCLUDES 75.29 AC PLUS 5.58 AC SITE)
  2. OVERALL PROJECT DENSITY: 274 LOTS = 3.36 U/AC



NOTE: NO PORTIONS OF THE SITE ARE LOCATED WITHIN A FLOOD HAZARD A OR AE AS DEFINED BY FIRM COMMUNITY PANEL NO. 1335C030F, 0335C030F, 0335C030F & 0335C040F FOR DEKALB COUNTY, GEORGIA DATED SEPTEMBER 29, 2006.

Rezoning Exhibit  
**Summit Chase**  
 Snellville, Georgia  
 PREPARED FOR:  
 Patrick Malloy Communities  
 PREPARED BY:  
**THOMAS HUTTON**  
 555 Peachtree Road • Suite 175  
 Chamblee, GA 30341 • 478.993.1700  
 www.thomashutton.com