



SPECIAL USE PERMIT APPLICATION

For All Uses

(Except Collective Residences; Hotel Motel and Extended-Stay Hotel and Places of Worship)

RECEIVED

MAY 14 2024

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT

City of Snellville, Georgia Department of Planning & Development

2342 Oak Road, 2nd Floor
Snellville, Georgia 30078
Phone 770.985.3515 Fax 770.985.3551 www.snellville.org

DATE RECEIVED _____

2380 WISTERIA DR #2400173
RZ 24-03 SUP 24-02
PARCEL- 5038 133

Applicant is: (check one)
 Property Owner
 Attorney for Property Owner
 Property Owner's Agent

Property Owner (if not the applicant): Check here if additional property owners and attach additional sheets.

Mick Kittle
Name (please print)
Senior Land Planner
Title
SPG Planners + Engineers
Corporate Entity Name
1725 Electric Avenue, Unit 320
Mailing Address
Watkinsville, GA 30677
City, State, Zip Code
706-769-9515 706-714-3443
Phone Number (wk) (cell)
mick@onespg.com
Email Address

Husein Hamirani
Name (please print)
Manager
Title
Shifa Real Estate Investments LLC
Corporate Entity Name
1654 Morningdale Circle NW
Mailing Address
Duluth, GA 30097
City, State, Zip Code
N/A
Phone Number (wk) (cell)
h@1618.biz
Email Address

Requested Special Use (see Uses Requiring a Special Use Permit): Towne Center Flat

This SUP application is also being filed along with applications for: Rezoning Land Use Plan Amendment None

Present Zoning District Classification: BG Present Future Land Use Classification: Towne Center
Proposed Zoning District Classification: TC-R Proposed Future Land Use Classification: Towne Center

Property Street Address: 2380 Wisteria Drive Acreage: 2.67 Tax Parcel No.: 5038 133

APPLICATION FEES:

- Special Use Permit Application \$ 500 (without rezoning); or \$250 with rezoning
- 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)

Special use permits may not be used for securing early zoning for conceptual proposals which may not be undertaken for more than 6 months from the date the application is submitted. A special use permit application will be considered only if it is made by the owner of the property or their authorized agent.

SPECIAL USE: A use which while not permitted as a matter of right may be allowed within a given zoning district when meeting standards as prescribed by this UDO. Special land uses have operational characteristics and/or impacts that are significantly different from the zoning district's principal authorized uses and therefore require individual review pursuant to the standards and criteria set forth in this UDO.

UDO Sec. 103-10.1. General: Special use permits are intended as a means for the City Council to authorize certain uses that are not permitted by-right in a zoning district. Special use permits may be subject to meeting specific standards by Chapter 200 Article 6 (Use Provisions), but still require individual review by City Council because of the increased potential for incompatibility with its immediate neighborhood.

*** INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED ***

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 a Special Use Permit and that the statements and documents submitted as part of this application are true and accurate to the best of my knowledge or belief. The undersigned is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of last action by the Mayor and Council.

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate if the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, or otherwise conveyed or discontinued.

W.M. Kittle, Jr. Digitally signed by W.M. Kittle, Jr.
DN: C=US, E=wck@smithplanninggroup.com,
O=Smith Planning Group, LLC, CN=W.M. Kittle,
Jr.
Date: 2024.04.18 14:08:28-04'00' April 18, 2024

Signature of Applicant Date
William M. Kittle, Jr., RLA, Senior Land Planner,
SPG Planners + Engineers
Type or Print Name and Title



Jennifer Carter 4/18/24
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 SPG PLANNERS + ENGINEERS to file this application. The undersigned is aware that no application or re-application affecting the same land shall be acted upon within six (6) months from the date of last action by the Mayor and Council.

Check here if there are additional property owners and attach additional "Owner's Certification" sheets.

Husein Hamirani 03/21/2024
Signature of Owner Date

HUSEIN HAMIRANI, MANAGER
Type or Print Name and Title



Kamillah Lucas 03/21/2024
Signature of Notary Public Date

AUTHORIZATION TO INSPECT PREMISES

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

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



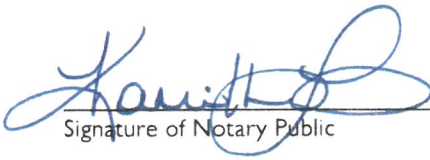
03/21/2024

Signature of Owner or Agent

Date

HUSEIN HAMIRANI, MANAGER

Type or Print Name and Title



03/21/2024

Signature of Notary Public

Date



CONFLICT OF INTEREST CERTIFICATIONS FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, 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 property owners and attach additional "Conflict of Interest Certification" sheets.

W.M. Kittle, Jr. Digitally signed by W.M. Kittle, Jr.
DN: C=US,
E=wmick@smithplanninggroup.com, O="Smith
Planning Group, LLC", CN="W.M. Kittle, Jr."
Date: 2024.04.18 14:08:56-0400'
Signature of Applicant April 18, 2024 Date

William M. Kittle, Jr., RLA, Senior Land Planner,
SPG Planners + Engineers
Type or Print Name and Title

Signature of Applicant's Attorney or Representative _____ Date _____

Type or Print Name and Title

Jennifer Carter
Signature of Notary Public 4/18/24 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: HUSEIN HAMIRANI, MANAGER

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.

USES REQUIRING A SPECIAL USE PERMIT ("SUP")

CHECK ONE	Use Category (Specific Use) SP = SUP Required Blank = SUP Not Allowed	Residential										Mixed-Use & Business					Towne Center			Definition/ Standards
		RS-30	RS-15	RS-5	R-DU	R-TH	RM	RX	RO	PRC	OP	BG	HSB	MU	NR	LM	TCO	TC-MU	TC-R	
Residential Uses																				
	Single-family detached dwelling																	SP	SP	Sec. 206-3.1.B
	Two-family dwelling																	SP	SP	Sec. 206-3.1.C
	Single-family attached dwelling																	SP	SP	Sec. 206-3.1.D
	Multi-family dwellings												SP	SP						Sec. 206-3.1.E
	Towne Center loft																SP	SP		Sec. 206-3.1.F
	Towne Center flat																SP	SP	SP	Sec. 206-3.1.G
	Live-Work								SP									SP	SP	Sec. 206-3.1.I
	Boarding & rooming house																	SP	SP	Sec. 206-3.2.B
	Collective residence	SP	SP	SP	SP	SP	SP	SP	SP				SP	SP				SP	SP	Sec. 206-3.2.C
	Retirement community (continuing care)								SP	SP								SP	SP	Sec. 206-3.2.D
	Hospice							SP	SP	SP		SP	SP	SP				SP	SP	Sec. 206-3.2.E
	Monastery or convent																	SP	SP	Sec. 206-3.2.F
Public/Institutional Uses																				
	Non-profit private outdoor recreation	SP	SP	SP	SP	SP	SP	SP	SP	SP								SP	SP	Sec. 206-4.1.G
	Place of worship	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	SP	SP	SP			SP	SP	Sec. 206-4.1.H
	School, public or private	SP	SP	SP	SP	SP	SP	SP	SP	SP									SP	Sec. 206-4.1.J
	Cemetery	SP	SP	SP	SP	SP	SP	SP	SP	SP									SP	Sec. 206-4.2.B
	Telecommunication antenna and tower	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	Sec. 206-4.3.D
	Utility substation	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	Sec. 206-4.3.E
Commercial Uses																				
	Adult care centers																		SP	Sec. 206-5.2.B
	Day care centers																		SP	Sec. 206-5.2.C
	Family day care home																		SP	Sec. 206-5.2.D
	All hotels, motels, extended stay hotels											SP	SP	SP				SP	SP	Sec. 206-5.4
	Assembly hall, auditorium, meeting hall							SP	SP			SP	SP	SP				SP		Sec. 206-5.5.A
	Convention center, arena, indoor stadium											SP	SP	SP				SP	SP	Sec. 206-5.5.A
	Theaters											SP	SP	SP				SP	SP	Sec. 206-5.5.D
	All outdoor recreation											SP	SP	SP				SP	SP	Sec. 206-5.8
	Funeral home, mortuary (with crematorium)												SP	SP	SP				SP	Sec. 206-5.10.A
	Psychic, fortune teller												SP	SP	SP				SP	Sec. 206-5.10.G
	Tattoo parlor or body piercing												SP	SP	SP				SP	Sec. 206-5.10.H
Retail Uses																				
	Building supply store (with outdoor storage)												SP	SP	SP				SP	Sec. 206-5.12.F
	Lawnmower shop												SP	SP	SP				SP	Sec. 206-5.12.I
	Pawn shop, pawn broker, title pawn, check cashing												SP	SP	SP				SP	Sec. 206-5.12.K
	Boat and recreational vehicle sales, rental, or service													SP			SP			Sec. 206-5.13.C
	Car wash													SP	SP					Sec. 206-5.13.E
	Gas/fuel station																SP			Sec. 206-5.13.G
	Public parking																SP	SP		Sec. 206-5.13.H
	Remote parking										SP	SP	SP	SP				SP	SP	Sec. 206-5.13.H
	Vehicle rental																SP	SP		Sec. 206-5.13.I
	Vehicle sales, rental, or auction																SP	SP		Sec. 206-5.13.J
	Vehicle repair (minor)																SP	SP		Sec. 206-5.13.K
	Vehicle repair (major)																SP			Sec. 206-5.13.L
Industrial Uses																				
	Ambulance service																		SP	Sec. 206-6.3.B
	Contractor storage																		SP	Sec. 206-6.3.D
	Sale, rental, or repair of machinery, heavy equipment, or special trade tools																		SP	Sec. 206-6.3.E
	Taxi and limousine service (with onsite storage or parking of vehicles)																		SP	Sec. 206-6.3.A
	Sheet metal, welding, machine shop, tool repair																		SP	Sec. 206-6.4.A
	Storage lots (all)																		SP	Sec. 206-6.5
	Railroad spur tracks	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	
Accessory Uses																				
	Accessory cemetery	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	Sec. 206-8.3
	Heliport																		SP	Sec. 206-8.11
	Modular offices/classrooms																		SP	Sec. 206-8.17
	Outdoor storage (major)																		SP	Sec. 206-8.20

Rev 10-27-2020

206-3.1. - Household Living

A. Defined

Residential occupancy of a dwelling unit by a household. Household living includes the following:

1. Single-family detached dwelling.
2. Two-family dwelling.
3. Single-family attached dwelling.
4. Multiple-family dwelling.
5. Towne Center loft.
6. Towne Center flat.
7. Mobile home.
8. Live-work.

B. Single-Family Detached Dwelling

1. Defined

A detached residential unit other than a mobile home, designed for and occupied by one family only.

C. Two-family dwelling

1. Defined

A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

D. Single-Family Attached Dwelling

1. Defined

A structure subdivided by a coincidental lot line and wall which separates the structure into two or more dwelling units, each occupying its own lot.

2. Use Standards

Where a single-family attached dwelling is allowed as a special or limited use, it is subject to the following:

- a. Units may not be vertically mixed.
- b. The lots created by the coincidental lot line and the wall must each contain at least the following in zoning districts where building types do not apply:
 - i. An equal percentage of the minimum lot area of the zoning district in which they are located; and

- ii. An equal percentage of the minimum lot width of the zoning district in which they are located.
- c. Attached single-family structures must meet all setback requirements of the zoning district in which it is located, except for the coincidental lot line and wall.
- d. Each unit must be separately metered for all utilities and the coincidental property wall must be fire-rated and extend from the foundation to the roof decking of the structure. Otherwise, an attached single-family structure must meet all standards that would be required for two-family dwellings in the zoning districts in which it is located.

E. Multiple-Family Dwelling

1. Defined

Three or more dwelling units in a single building (that does not meet the definition of single-family attached dwelling) not within a TC District.

F. Towne Center Flat

1. Defined

Three or more dwelling units in a single building (that does not meet the definition of single-family attached dwelling) within a TC District and where the ground floor of the building contains no nonresidential uses.

2. Use Standards

Where a Towne Center flat is allowed as a limited or special use, it is subject to the following:

- a. Towne Center flats must be in a conforming walk-up flat or stacked flat building type.
- b. Ground floor dwelling units may be accessed from the outside or through a conditioned interior hallway, as permitted by building type.
- c. Dwelling units located above the ground floor must be accessed through a conditioned interior hallway.
- d. Each dwelling unit must have at least 750 square feet of floor area.
- e. Sites containing 30 or more Towne Center flat dwelling units must provide a minimum of 5,000 square feet of commercial floor area for each additional 30 Towne Center flats, or fraction thereof, unless a variance is granted by the Board of Appeals in conformance with sentence F.2.f below.
- f. Variance requests may only be approved when the applicant demonstrates that all Towne Center flat buildings are located within 1,000 feet of at least 15,000 square feet of existing commercial space. This distance is measured by the most direct route of travel on ground in the following manner:
 - i. From the lobby entrance of each proposed building housing a Towne Center flat;

- ii. In a straight line to the nearest public sidewalk, walkway, street, road or highway by the nearest route;
 - iii. Along such public sidewalk, walkway, street, road or highway by the nearest route;
 - iv. To the main entrance of the existing commercial floor area.
- g. When multiple commercial establishments are required to attain 15,000 square feet, this requirement applies to all establishments.

G. Towne Center Loft

1. Defined

Three or more dwelling units in a single building (that does not meet the definition of single-family attached dwelling) within a TC District and where the ground floor of the building contains exclusively commercial uses, except for lobbies to access upper-story residential uses.

2. Use Standards

Where a Towne Center loft is allowed as a limited or special use, it is subject to the following:

- a. Towne Center lofts must be located in a mixed-use building type.
- b. At least 50% of the ground floor area of each building containing a Towne Center loft must be leasable commercial space. Lobbies, atriums, service corridors, and similar shared common areas may not be counted towards this requirement.
- c. Each dwelling unit must be accessed through a conditioned interior hallway.

H. Mobile Home

1. Defined

A detached single-family dwelling unit with the following characteristics:

- a. Designed for long-term occupancy as opposed to transient location, containing sleeping accommodations, toilet facilities, with plumbing and electrical connections provided;
- b. Designed to be transported after fabrication on its own wheels or flatbed or other trailer or on detachable wheels;
- c. Built to arrive at the site where it is to be occupied as a dwelling unit complete, or all units built since June 15, 1976, documentation of compliance with the National Mobile Home Construction and Safety Standard Act (department of housing and urban development certification); and
- d. For all units built before June 15, 1976, documentation of compliance with specifications prescribed by the American National Standards Institute.

I. Live-Work

1. Defined

Nonresidential activity conducted wholly within a dwelling unit that allows employees, customers, clients or patrons to visit.

2. Use Standards

Where live-work is allowed as a special or limited use, it is subject to the following:

- a. Live-work is only permitted on the ground floor of a dwelling unit.
- b. A minimum of one person must occupy the dwelling containing the live-work use as their primary place of residence.
- c. The live-work use may employ no more than two persons not living on the premises at any one time.
- d. No business storage or warehousing of material, supplies or equipment is permitted outside of the dwelling containing the live-work use.
- e. The nonresidential use of the live-work use is limited to a permitted or special use allowed in the zoning district.
- f. No equipment or process may be used that creates, without limitation, noise, dust, vibration, glare, fumes, odors, or electrical interference detectable to the normal human senses, off the premises.
- g. No more than five customers are permitted on the premises at any one time.