

City of Dacula P. O. Box 400 Dacula, GA 30019 (770) 962-0055 / Fax (770) 513-2187

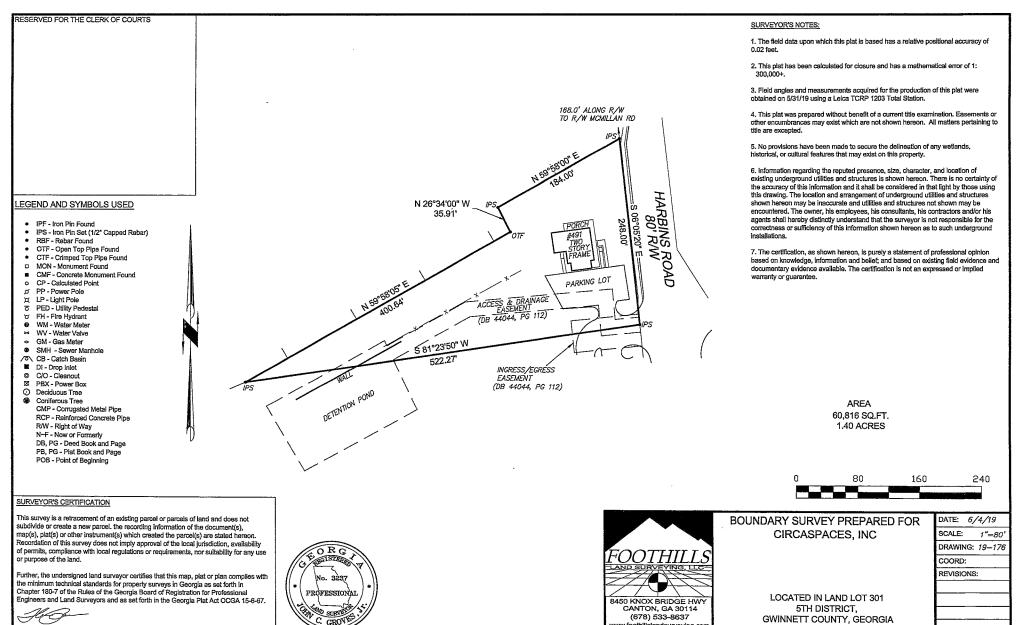
REZONING/ CHANGE OF CONDITIONS/ SPECIAL USE PERMIT APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF DACULA, GEORGIA. (Please Type or Print using BLACK INK)

APPLICANT *	PROPERTY OWNER *
NAME James Clinkscales ADDRESS 1352 Innsfail Court CITY Sullvalle STATE CTA ZIP 3007 PHONE 404-944-0762FAX -	NAME James Clinkscales ADDRESS 491 Harbins Road CITY Dacula STATE GAA ZIP 30019 PHONE 776-524-7133FAX -
APPLICANT IS THE:	CONTACT PERSON James Clinkscales
OWNER'S AGENT	COMPANY NAME CIACASpaces
PROPERTY OWNER	ADDRESS 491 Harbins Road
CONTRACT PURCHASER	Dacula, GA 30019
* Include any person having a property interest and/or a financial interest in any business entity having property interest (use additional sheets if necessary).	PHONE 770-524-713 FAX EMAIL James @ CIrcaspace S. Com
PRESENT ZONING DISTRICT(S) 5^{th} LAND LOT(S) 3^{o} parcel # $R5276^{o}$	
condition as defined in Letter	requested modification to existing 2010 mg
#1, 2, 7, 11, 12. Opermitted was events, use of outside ja @8ft-fencing	e includes infinate Social / business hours Gam-II pry ; Dallow tents / canopies
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT: NO DEVELOP
NO. OF LOTS/DWELLINGS UNITS	NO. OF BUILDINGS/LOTS
DWELLING UNIT SIDE (SQ. FT.)	TOTAL GROSS SQ. FEET
LETTER OF INTENT & LI	EGAL DESCRIPTION OF PROPERTV

* * * PLEASE ATTACH A **"LETTER OF INTENT**" EXPLAINING WHAT IS PROPOSED and TYPED **"LEGAL DESCRIPTION"** OF PROPERTY TO BE AMENDED * * *

CASE NUMBER



www.foothilislandsurveying.com

GA LSF #1152

John C.Groves, Jr. RLS 3237

and the second second second

SHEET #: 1 of 1



LETTER OF INTENT - REQUEST FOR MODIFICATIONS IN EXISTING ZONING CONDITIONS

January 10, 2024

To City of Dacula:

Please accept this letter of intent as the formal request to update the existing zoning condition for 491 Harbins Road Dacula, GA 30078 also referred as Circaspaces, Inc.. Circaspaces has been operating as a solid, collaborative and positive entity in the city of Dacula since 2019. As owners, we have invested meaningful time, resources and finances in the city and the community. Prior to our acquiring the building, it stood as an old, dilapidated, vacant building, and a drain to the valuation and optics of the Harbins Road corridor in the city. Over the past few years, as small business owners, we continue to invest in our business operating model to provide an Intimate (up to 32 people) rentable gathering meeting (with no distinction between business-related or social-related) and office space for the community."

The property is zoned C-1 which is intended to conveniently serve through commercial uses, the needs of the community. We are serving the needs of those in the community wishing to have intimate (up to 32 persons per our Fire Marshal Occupancy limit) gatherings such as: workshops, business and social gatherings, conference calls, receptions, ceremonies, training, seminars, client discussions, etc. In the flex/shared/co-working industry, these are considered micro gatherings with no distinction of social or office related.

Within the the flex-space (or shared-space) industry, there are locations (one is Best of Gwinnett) that are similar to Circaspaces and they are allowed to rent/host their spaces for social gatherings (bridal/baby showers, graduation, etc.) and also business gatherings.

	Existing	Requested Updates	Just Comments
1	Permitted uses shall be limited to meeting and office use only	Permitted uses for business and social meetings, office and related activities. Social meetings will be limited to the # of occupancy, currently 32, and are considered intimate gatherings such as ceremonies, receptions, seminars, training, workshops, bible study, celebration and other like-kind intimate private and public gatherings.	

CircaSpaces, Inc. is requesting the following Modifications to the 2019 (existing) Zoning Conditions:

	Existing	Requested Updates	Just Comments
2	All business activities shall be contained within the existing structure on the property	Activities permitted to occur on the property, inside and outside.	e.g. A Spring Garden Elopement Ceremony with 10 guests that lasts less than 15min.
3	The fence that adjoins residential properties must remain in place, and the structure and visual characteristics of the fence shall be maintained at all times	No modification	
4	The existing zone and buffer must remain in place and be maintained at all times	No modification	
5	Ground signage shall be limited to a single monument type only with indirect light in or an LED reader board. Sign shall be constructed with a brick or deck, stone base of at least 2 feet and height, neon or internally lit ground signs shall be prohibited. The light from any eliminated sign shall not be off an intensity and brightness, which will interfere with the peace, comfort convenience, and general welfare of residence or occupants of the Adjacent and nearby properties	No modification	
6	Proper lighting shall be directed in towards the property, so as not to reflect into adjacent residential properties. A separate Lighting plan (showing location and type of flight) shall be submitted to the city for approval.	No modification	
7	Normal business hours of operation should be limited from 6 AM to 9 PM	Normal business hours of operation shall be limited from 6 AM - 11 PM	e.g. to allow adequate time for winding down and clean-up.

	Existing	Requested Updates	Just Comments
8	Any dumpster enclosure shall be constructed with brick stack stone or split face block (CMU). Subject enclosure shall have a completely opaque wood or steel door. Garbage/sanitation or dumpster service pick up shall be conducted between the hours of 7 AM to 6 PM as scheduled Monday through Friday only	No modification	
9	No outdoor storage shall be permitted on site. Accessory storage shed/structures shall be allowed in the side and rear yards. Set structures shall be closed on all four sides.	No modification	
10	No outside loudspeakers shall be allowed	No modification	
11	No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons, or hot air balloons shall be displayed on the site.	Tents, canopies, gazebo are permitted on the site at side or back of property. Banners, streamers or roping, decorated with flags, tinsel or other similar material shall be displayed, hung or strung on the site. No hot air balloons shall be displayed on the site.	
12	Any fencing along Harbins Rd., shall be wrought- iron style with stacked stone or brick columns faced every 30 feet or white decorative vinyl and/or steel as shown in exhibit A. Fencing should not exceed six (6) feet in height. A fence plan shall be subject to review and approved by the city of Dacula	Fencing along Harbins Road shall be wrought-iron style, stacked stone, brick or a combination thereof, and shall not exceed eight (8) feet in height.	There is consistent, heavy and loud traffic on Harbins Road. For the proper usability, it is desirable to have adequate noise buffering to allow members and clients to safely and reasonably use the spaces.
13	Any interior fencing shall be off decorative iron, painted/stain, wood, slat, or a similar final material, not to exceed 6 feet and height	Any interior fencing shall be off decorative iron, painted/stain, wood, slat, chain-link or a similar final material, not to exceed 6 feet and height	Chain-link fence added, as this is similar to existing interior fencing and neighboring fencings.

	Existing	Requested Updates	Just Comments
14	Any garbage, litter, or construction debris must be removed from the side prior to the issuance of certificate of occupancy for the site.	No modification	
15	all drive and/or parking areas shall be paved with either concrete or asphalt prior to issuance of an occupational tax certificate for the property. Parking requirements will adhere to article X of the Zoning resolution of the city of Dacula.	No modification	
16	The property generally shall be developed as approved by the Mayor and city Council. Any substantial deviation from the approved conditions of zoning, shall be submitted to the city Council for approval. The city administrator should determine what constitutes substantial deviation.	No modification	

The request for modifications will allow CircaSpaces at 491 Harbins Rd to better serve the community wishing to use the facility for business and social gatherings. This will improve the local community's access to services and provide business opportunities for local vendors. During the 1/4/2024 Dacula City Council Meeting, multiple Dacula residents and business owners in the community showed FULL SUPPORT for having a viable flex space for social and business gatherings. They voiced their concerns around the impacts to the overall community, not just to Circaspaces, if business with flexible spaces are not allowed to conduct social gatherings for common purpose. All the requested modifications to the zoning conditions address Circaspaces' ability to provide quality services and enhancement to the constituents seeking an Intimate flexible space (up to 32 people) where social and business gatherings can occur.

If there are any additional information needed or questions, please feel free to contact our office. Thank you for the continued support.

Sincerely,

James Clinkscales Co-owner CircaSpaces, Inc (O) 770-524-7133 (C) 404-944-0762 james@circaspaces.com January 17, 2024

To: City of Dacula

From: CircaSpaces, Inc. James Clinkscales 491 Harbins Road Dacula, GA 30091

RE: APPLICATION CASE # 2024-CD-COC-01

Please accept this document as a formal request to be added to the already submitted COC form.

Request a variance to eliminate zoning buffers. There is currently approximately 6-ft fencing along the side and back where the adjoining properties are located (north/west), and evergreen trees were planted, in addition to several existing trees and shrubs that provide adequate buffer to contiguous properties.

EXHIBIT A

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 301, 5th District, in the City of Dacula, of Gwinnett County, Georgia, and being more particularly shown on that survey for James R. Williams, Charles Taylor, Peachtree Bank and Chicago Title Insurance, prepared by W. T. Dunahoo, G.R.L.S. No. 1577, dated July 26, 2005, and more particularly described as follows:

BEGINNING at a point located on the Northwesterly right-of-way line of Harbins Road (an 80foot right-of-way), 168.00 feet Southernly, along said right-of-way line, from its intersection with the centerline of McMillan Road; from said POINT OF BEGINNING thence run South 06° 05' 20" East, along said Northwesterly right-of-way line of Harbins Road, 248.00 feet to a point; thence running South 81° 23' 50" West, 522.27 feet to an iron pin set; thence running North 59° 58' 05" East, 400.64 feet to an iron pin found; thence running North 26° 34' 00" West, 35.91 to an iron pin set; thence running 59° 58' 00" East, 184.00 feet to the POINT OF BEGINNING, being 1.40 Acres, more or less, as shown on the survey referenced above.

Together With an Access Easement and Detention Easement as set forth in that certain Easement Agreement, dated August 15, 2005, between James R. Williams, Charles H. Taylor and Harbins Dacula Properties, LLC, recorded in Deed Book 44044, Page 112, of the Gwinnett County, Georgia Deed Book Records.

APPLICANT CERTIFICATION

The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Signature of Applicant Jan Eller Type or Print Name/Title James Clinkscale	Date 12-7-2023
Notary Public	_Date

PROPERTY OWNER CERTIFICATION

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that if an application denied, no application or re-application affecting the same land shall be acted upon within twelve the bounds from the date of last action unless waived by the City.

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58 Signedure Beroperty Owner all Unsales Date 12-7-2023	
Type of Run Name/Title James Clinkscales, Co-owner	e.
E A Augusting VI A	÷
Date 12/2023	-
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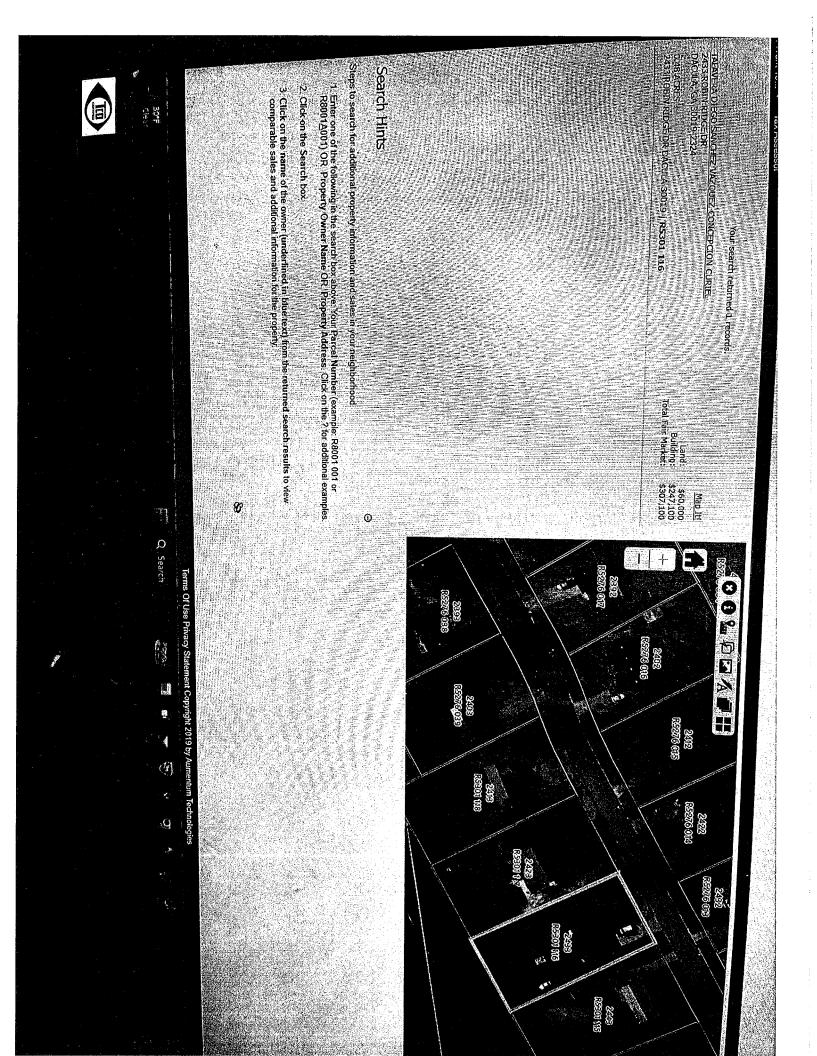
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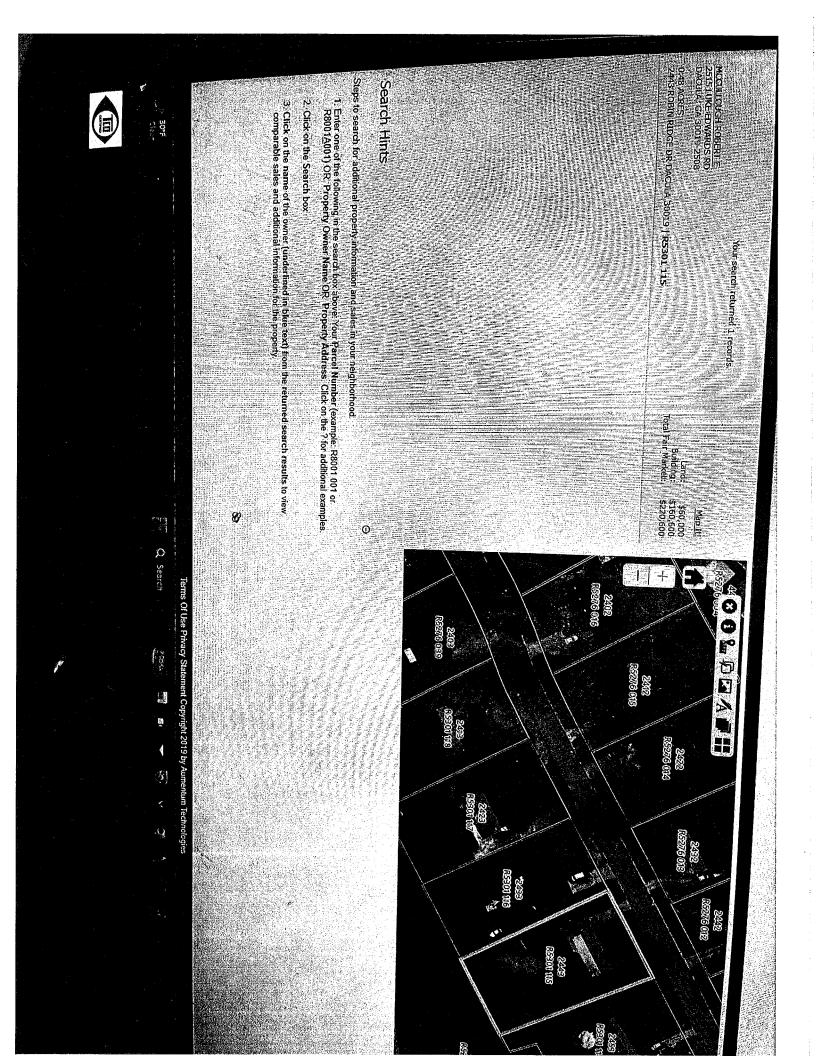
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LAND LOT	DISTRICT	PARCEL #	HEARIN	NG DATE
ACTION TAKEN				
SIGNATURE			DATE	
STIPULATIONS				

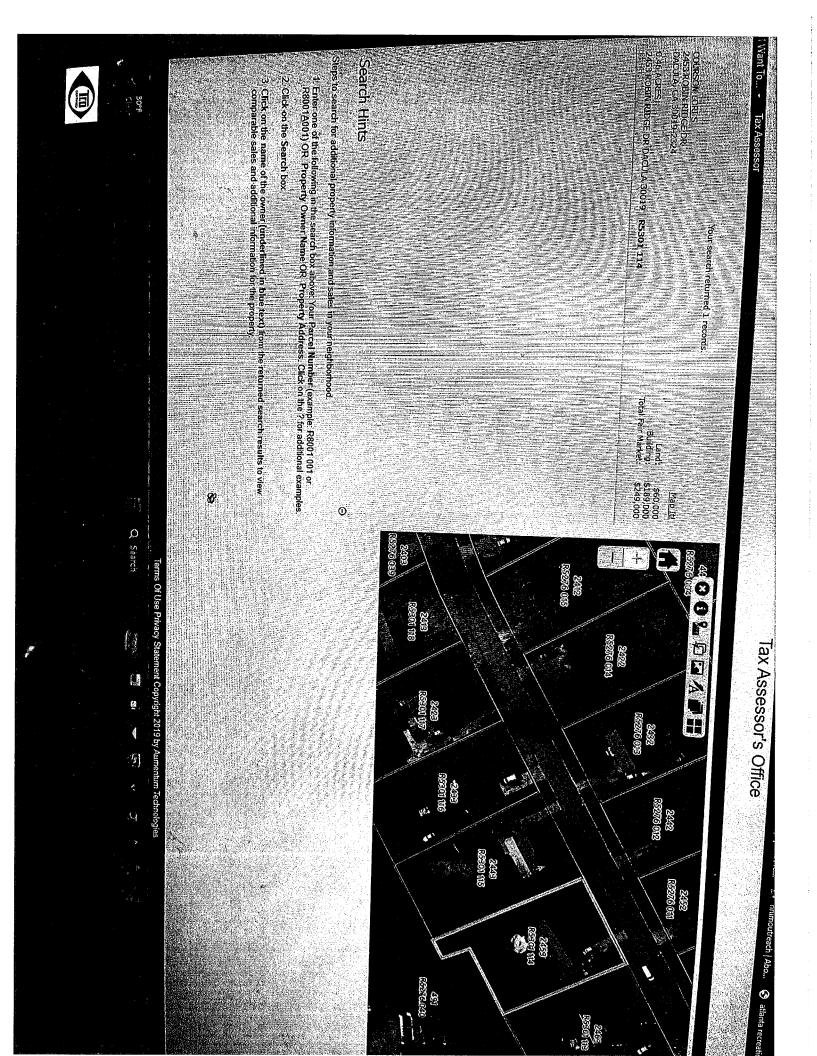
# **CONFLICT OF INTEREST CERTIFICATION**

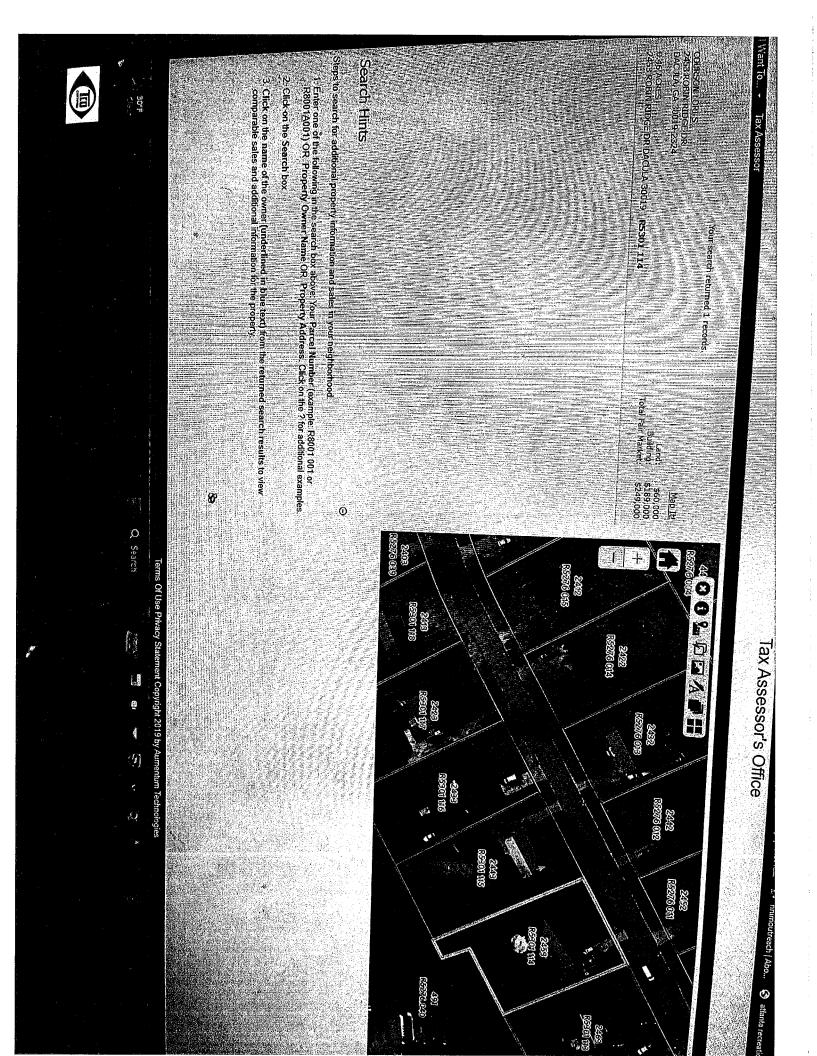
The undersigned, making application for rezoning/SUP, has complied with the Official Code of Georgia, Section 36-67A-1, et. seq, <u>Conflict of Interest in Zoning Actions</u> and has submitted or attached the required information on the forms provided.

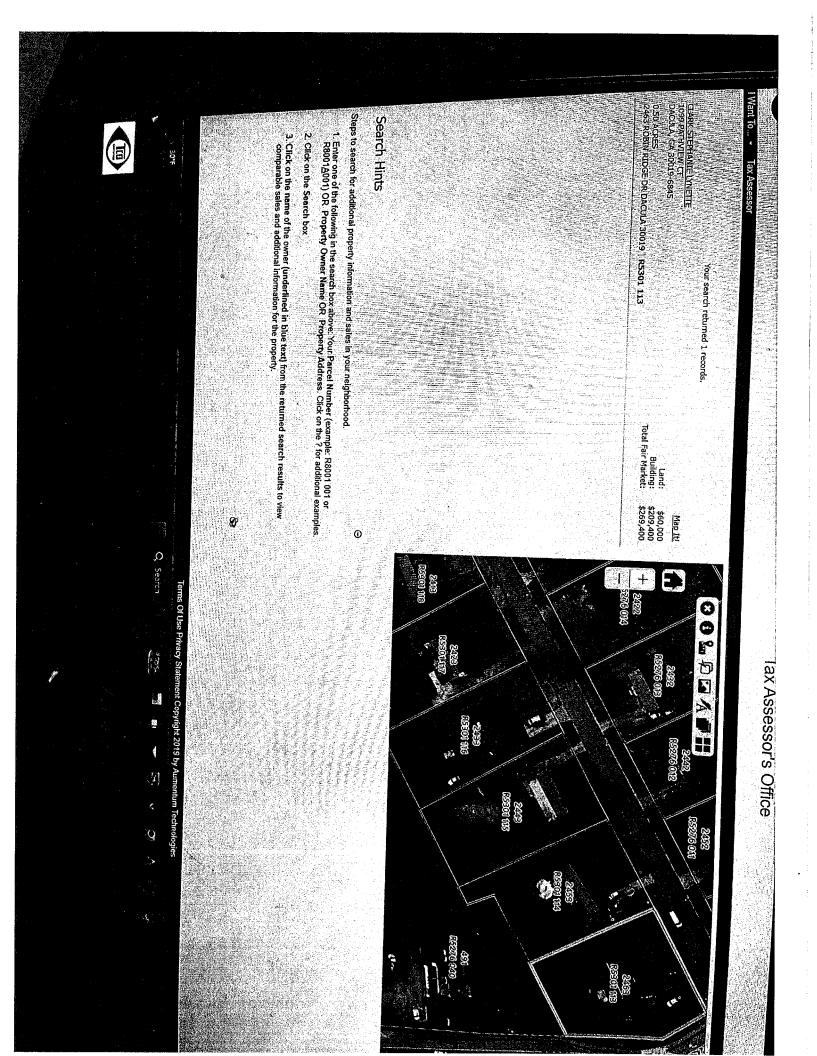
Signature of Applican	. Aikerlos	Date 12-7-2023
Type or Print Name/Title	mes Clinksca	les Co-owner
Signature of Applicant' Attorney	Na	_ Date
<i>Type or Print Name/Title</i>	NA	
Notary Promised and Albertan A	teesrally	Date_2/2/2023
COUNT	<u>Official Use Only</u>	,
DATE RECEIVED	ZONING CASE NUMBER	
RECEIVED BY		

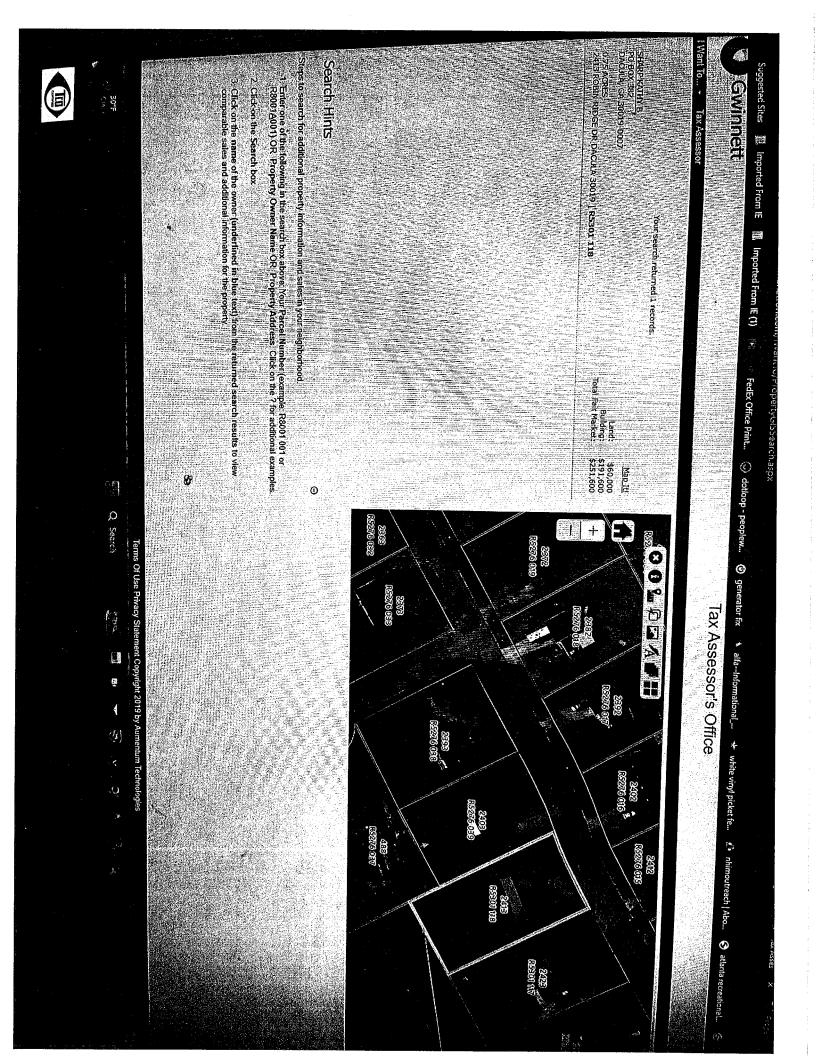


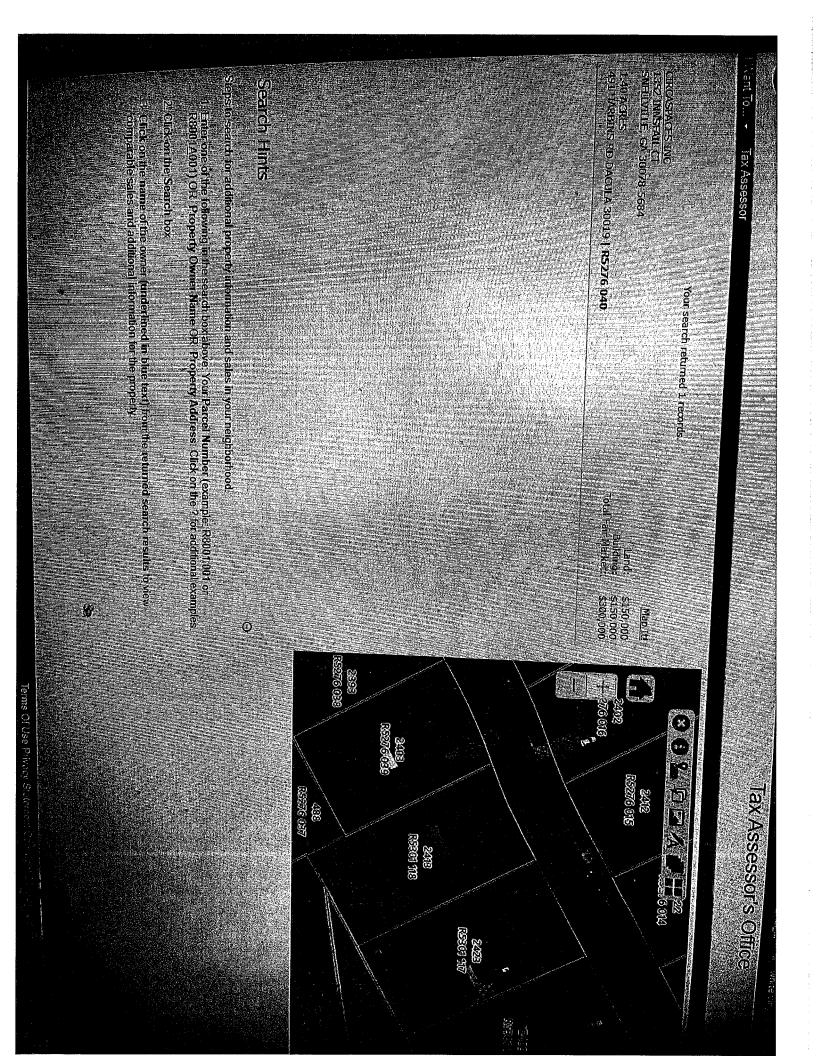


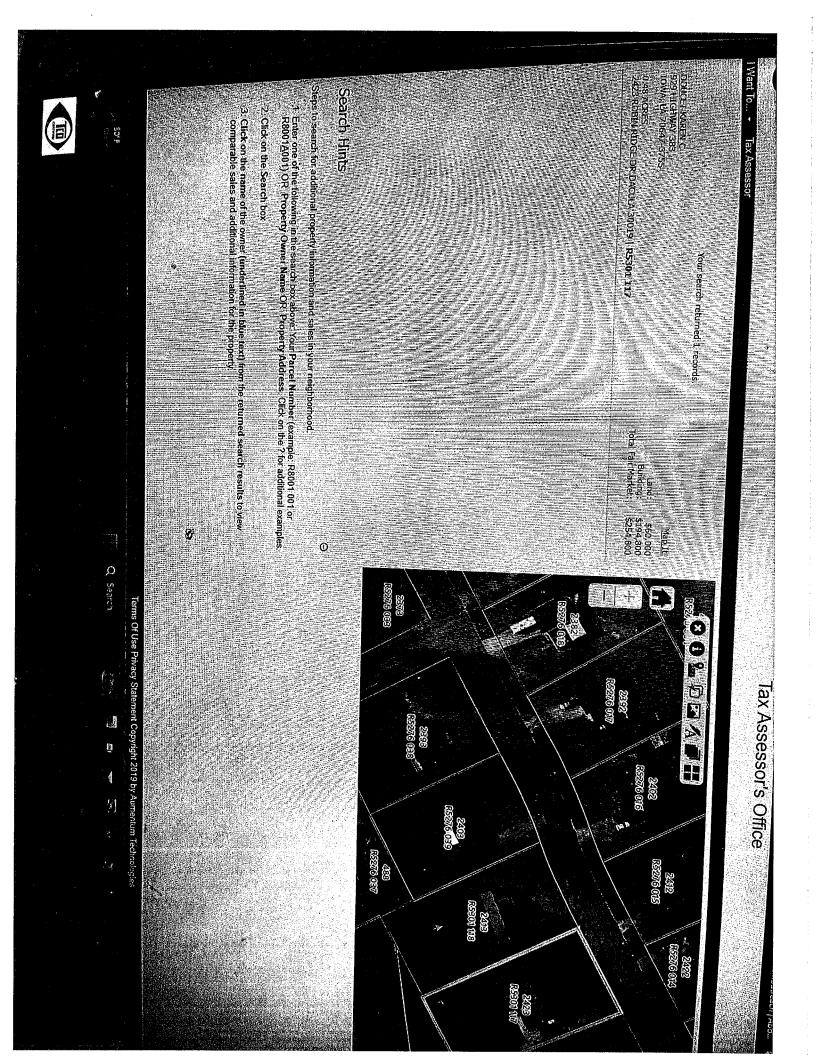


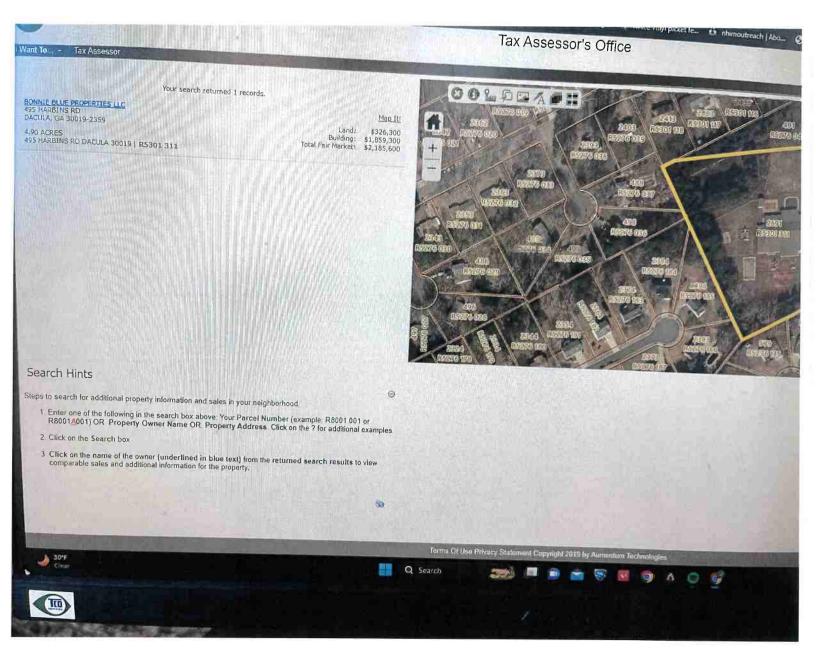














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# **DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission.

**Y**es

**Y**es

No No

M No

If the answer is Yes, please complete the following section:

Name of Government Official	<b>Contributions</b> (All which aggregate to \$250.00+)	<b>Contribution Date</b> (within last 2 years)	
· · · ·			

Have you, within the two years immediately preceding the filing of this application, made gifts having in the aggregate a value of \$250.00 or more to the Mayor and/or a member of the City Council or a member of the Dacula Planning Commission.

If the answer is *Yes*, please complete the following section:

Name of Government Official	<b>Description of Gifts</b> (Valued aggregate \$250.00+)	<b>Date Gift was Given</b> (within last 2 years)

(Attach additional sheets if necessary to disclose or describe all contributions/gifts)



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# **IMPACT ANALYSIS STATEMENT**

As required by the Zoning Resolution of the City of Dacula, the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power. ALL APPLICATIONS MUST BE COMPLETED WITH THE COMPLETED IMPACT ANALYSIS STATEMENT.

DATE 110/24

APPLICANT James Clinkscales

- Whether a proposed rezoning will permit a use that is suitable in view of the use and development of A adjacent and nearby property: NO Known Impact.
- Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby B. property:__ NO Known impact.

Whether the property to be affected by a proposed rezoning has a reasonable economic use as C. currently zoned: NO

nown

Whether the proposed rezoning will result in a use which will or could cause an excessive or D. burdensome use of existing streets, transportation facilities, utilities, or schools.  $\Omega O$ Known m

Impart

Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan: E.

OUR KNOWle

F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning:

NO nown Im Dact.

# **CONFLICT OF INTEREST CERTIFICATION**

The undersigned, making application for rezoning/SUP, 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 the forms provided. .

Signature of Applicant	E. Aikinlos	Date 12-7-2023
Type or Print Name/Title	mes Clinksca	les Co-owner
Signature of Applicant' Attorney	Na	Date
<i>Type or Print Name/Title</i>	NA	
Notary Point And Man And Solo Man And Solo Man And Solo Man And And And And And And And And And An	tuesnalls	Date 12/2/2023
COUNT	<u>Official Use Only</u>	
DATE RECEIVED RECEIVED BY		

### LEGAL DESCRIPTION OF CIRCASPACES, INC. 491 HARBINS ROAD, DACULA, GA 30019

December 5th, 2023

To City of Dacula:

Legal Description of CircaSpaces, request for modification to the existing zoning conditions.

Address: 491 Harbins Road, Dacula, GA 30019

Parcel #: R5276040

Land Lot #: 301

District: 5th District

Jans Road U.S. Postal Service" CERTIFIED MAIL® RECEIPT Domestic Mail Only GTA 30019 USPS CON DHED For delivery information. Docu1a = GA_3001 **UNITED STATES** POSTAL SERVICE. tees Resident 2443 Robin Ridge Drive Dacula GA 30019 offed Mal Fee \$4.40 1554 60 SNELLVILLE 2440 VISTERIA DR SNELLVILLE, GA 30078-3326 (800)275-8777 ces & Foos (sheet bos \$0.00 \$0.00 \$0.00 \$0.00 5270 they 2024 01/23/2024 02:20 PM where Restricted Delivery 8 \$11.68 Qty Unit Price Price Product 01/23/2024 0770 Total Pealage and Fees First-Class Hail® 1 Letter Dacula, GA 30019 Weight: 0 1b 0.30 oz Estimated Delivery Date Thu 01/25/2024 Certified Mail® \$0.68 nt To 9589 real and Apt. No., or PO Box No. City, State, ZIP+4 SEC \$4.40 Tracking #: 9589 0710 5270 1554 0311 65 \$5.08 U.S. Postal Service[®] CERTIFIED MAIL[®] RECEIPT Domestic Mail Only Total 
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22 DHED For delivery information Dacula - GA 3001 US 30019 0378 40 4000 Certified Mail Fee \$4.40 European & Fean Arteck box 5270 \$0.00 Resident \$0.68 01/23/2024 DILO Total Postage and Fees Total 2423 Robin Ridge Drive \$0.68 PurpieHeartMedal 4 Carot To and Ant. No., or PO Box N \$3 ity Stale, ZiP++ Grand Total: Damla, GA 30019 Credit Cand Remit Card Name: Discover Account #: NONONOXXXXX4153 Approval #: 023740 Transaction #: 481 AID: A000001523010 AL: Discover PIN: Not Required \$ **U.S.** Postal Service CERTIFIED MAIL® RECEIPT stic Mail Only Chip Eor d Dacula , GA 30019 E S artified Mail Fee \$4.40 03723 Text your tracking number to 28777 (205 to get the latest status, Standard Mess-and Data rates may apply. You may als visit www.ups.com USPS Tracking or ca 1-800-222-1811. 녷 ces & Fees (check box, \$0.00 Postmark Here ÉÅ. 2 2d 527 nature Pentricted Delivery 8 JAN 2024 In a humry? Self-service klosks offer quick and easy check-out. Any Retail Associate can show you how A 30019 \$0.68 0720 Total Post 01/23/2024 Preview your Mail Track your Packages Sign up for FREE @ https://informeddelivery.usps.com 589 treet and Apt. No., or PO Box No. Residents 2463 Robin Ridge Drive Dacula, GA 30019 Chata Moud U.S. Postal Service All sales final on stamps and postage Refunds for guaranteed services only Thank you for your business. CERTIFIED MAIL® RECEIPT 8 For delivery information, visit Tell us about your experience. Go to: https://postalexperience.com/F or scan this code with your mobile des FFIC A USE 1554 20078 Services & Fees ph Postal Service" 29 TIFIED MAIL RECEIPT 5270 TTED Postnark tic Mail Only Nota Parties 300 ry Information, visit our website SDS.CO \$4.40 0720 1554 Iotal Postage and Fees \$0.00 0378 Sent To 40 
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