



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 <u>EVAA, LLC</u>	NAME <u>EVAA, LLC</u>
ADDRESS <u>1030 Duluth Hwy</u>	ADDRESS <u>1030 Duluth Hwy</u>
CITY <u>Lawrenceville</u>	CITY <u>Lawrenceville</u>
STATE <u>GA</u> ZIP <u>30043</u>	STATE <u>GA</u> ZIP <u>30043</u>
PHONE <u>770-891-9142</u> FAX _____	PHONE <u>770-891-9142</u> FAX _____

APPLICANT IS THE:

- OWNER'S AGENT
- PROPERTY OWNER
- CONTRACT PURCHASER

* Include any person having a property interest and/or a financial interest in any business entity having property interest (use additional sheets if necessary).

CONTACT PERSON Nooredin Nurami
 COMPANY NAME EVAA, LLC
 ADDRESS 1030 Duluth Hwy
Lawrenceville, GA 30043
 PHONE (770) 891-9142 FAX _____

PRESENT ZONING DISTRICT(S) O+I REQUESTED ZONING DISTRICT _____
 LAND LOT(S) 303 PARCEL # 004+007 DISTRICT(S) 5th ACREAGE 1.84
 PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED *change of conditions*
Request to landscape 20-ft undisturbed buffer
at the rear of the property.

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLINGS UNITS _____	NO. OF BUILDINGS/LOTS <u>1</u>
DWELLING UNIT SIDE (SQ. FT.) _____	TOTAL GROSS SQ. FEET <u>12,417 12,253</u>

LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY

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

CASE NUMBER 2023-CD-COC-01

March 1, 2023

City of Dacula
PO Box 400
Dacula, GA 30019

Re: **Letter of Intent**
Rezoning Application
Tax Parcel R303-007
Tax Parcel R303-004

Dear Sir or Madam:

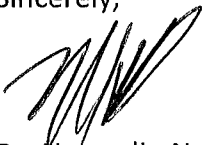
Please consider this as our Letter of Intent to change approved condition of previous rezoning case: 2021-CD-R2-01 & 2021-CD-VAR-01 located at 335 Dacula Road.

We would like to change condition #6 (20-foot buffer at rear of property) from undisturbed to a 20-foot landscaped strip. We feel this will beautify the property by removing the eyesore of the undisturbed buffer. We do not intend on removing any large trees. The adjoining residential property currently has a 6-foot wood fence for privacy. In addition, the plans will also require opaque fencing and Leyland Cypress trees planted at 20-foot on center.

We are also requesting a variance to allow for grading within the 20-foot undisturbed buffer to allow for the construction of the retaining wall.

Thank you for your consideration.

Sincerely,



Dr. Nooredin Nurani
EVAA, LLC
1030 Duluth Highway
Lawrenceville, GA 30043

- GENERAL NOTES:**
- NOTIFY THE CITY OF DACULA INSPECTION 24 HOURS BEFORE BEGINNING EVERY STAGE OF CONSTRUCTION (PER 88-302).
 - NO CONSTRUCTION OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
 - ALL CONSTRUCTION TO COMPLY WITH CITY OF DACULA STANDARDS.
 - ALL PROPOSED DIMENSIONS USED TO SHOW THE EXISTING LAYOUT OF THE PROPOSED PARKING LOT ARE SHOWN ON THE FACE OF CURB. ALL PROPOSED DIMENSIONS USED TO SHOW THE PROPOSED LAYOUT OF THE PROPOSED BUILDING FOOTPRINT ARE GIVEN AT THE OUTSIDE FACE OF THE BUILDING CURBLINE. ALL CURB RISES ARE GIVEN AT THE FACE OF CURB.
 - CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THE EXISTING CONDITIONS IN THE FIELD AND THE SURVEY SHOWN ON THE PLANS BEFORE PROCEEDING WITH ANY NEW CONSTRUCTION.
 - CONTRACTOR IS RESPONSIBLE FOR CORRECTING HORIZONTAL AND VERTICAL ALIGNMENT DISCREPANCIES, WALLS, AND UTILITIES.
 - CONTRACTOR TO CONTACT UTILITY LOCATIONS AT SUR 100 OR TQM WEST LOCK AT 878-633-8814 PRIOR TO ANY LINE CLOSURES OR OPEN CUTS.

- SITE NOTES:**
- TRACT IS ZONED: O4 (OFFICE INSTITUTIONAL)
 - SEW AND WATER CURBS (PER BUILDING) 1200-RUN DIMENSIONS, DOOR LOCATIONS, SITE LIGHTING PLAN, AND OTHER ARCHITECTURAL DETAILS.
 - NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED ON THE SITE.
 - HIGH INTENSITY LIGHTING FIXTURES SHALL BE SO ARRANGED THAT THE SOURCE OF ANY LIGHT IS CONCEALED FROM THE PUBLIC VIEW AND DOES NOT INTERFERE WITH TRAFFIC OR PHOTOGRAPHIC FLASH FLASH PLAYS.
 - ALL RAMPINGS, 18" x 6" SAVED AREAS, AND LANDSCAPING AREAS SHALL BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.
 - NO OUTDOOR STORAGE IS PROPOSED. THIS INCLUDES SUPPLIES, VEHICLES, EQUIPMENT, PRODUCTS, ETC.
 - SHOW LOCATION, NUMBER AND SIZE, AND NOT APPROVED UNDER THIS DEVELOPMENT PERMIT. A SEPARATE PERMIT IS REQUIRED FOR OUTDOOR STORAGE.
 - ALL FAVORS MUST BE MARKED WITH EMMETT COUNTY RIGHT-OF-WAY SHALL BE THROUGHTS AND ACCORDING TO EMMETT COUNTY DOT SPECIFICATIONS.
 - ALL CONSTRUCTION RELATED PERMITS DURING THE CONSTRUCTION PHASE OF THIS PROJECT ARE THE RESPONSIBILITY OF THE OWNER. OWNER IS A CONTRACTOR/GENERAL CONTRACTOR RESPONSIBLE FOR ALL AUTOMATIC NOTIFICATION.
 - ALL EROSION, SEDIMENT CONTROL, AND TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO ANY GRADING.
 - MAXIMUM CUT OR FILL IS 0.5' MAX.
 - THE CITY OF DACULA ACCEPTS NO RESPONSIBILITY FOR THE AMERICANS WITH DISABILITIES ACT (ADA), EXCEPT FOR NOTIFICATION REQUIREMENT. THE OWNER/DEVELOPER IS SOLELY RESPONSIBLE FOR COMPLIANCE FOR ADA ACT.
 - 24 HOUR CONTACT: NOOREEN NURANI (770) 854-4142

- CONTRACTOR SHALL COORDINATE WITH THE CITY/COUNTY JURISDICTION, WATER AND SEWER, JURISDICTION, AND DEPARTMENT OF TRANSPORTATION INSPECTORS REGARDING ANY UTILITIES, EROSION CONTROL, AND OTHER REQUIREMENTS AND COORDINATE WITH THE ENGINEER APPROXIMATELY 14 DAYS PRIOR TO ANTICIPATED COMMENCEMENT OF CONSTRUCTION. ANY OTHER ITEMS REQUIRING APPROVAL OR CERTIFICATIONS BY THE ENGINEER.
- GRADING CONSTRUCTION AND OVERLAPMENT ACROSS ROADWAYS CONSTRUCTED OR TO BE CONSTRUCTED SHALL BE CAPABLE OF SUPPORTING 11,500 POUNDS GROSS WEIGHT SHALL BE CONSIDERED FOR INTERNATIONAL FIRE CODE, CHAPTER 1 SECTION 903.2.3, APPENDIX C, 2021 IBC SECTION 1025.1.

LEGEND

[Symbol]	STANDARD DUTY ASPHALT PAVING
[Symbol]	HEAVY DUTY ASPHALT PAVING
[Symbol]	DOT SPECIFICATION ASPHALT PAVING
[Symbol]	CONCRETE SIDEWALK PAVING
[Symbol]	HEAVY DUTY CONCRETE PAVING
[Symbol]	PROPERTY LINE
[Symbol]	PARKING CURB
[Symbol]	TRAFFIC SIGN
[Symbol]	PAINTED TRAFFIC ARROWS

SITE DATA

ZONING	O4 (OFFICE INSTITUTIONAL)
PARCEL IDENTIFICATION NUMBER	80301 004 80300 007
TOTAL SITE AREA	1.833 AC
IMPROVED AREA	1.833 AC
IMPROVED ASPHALT AREA (MAXIMUM)	1.833 AC (100%)
IMPROVED ASPHALT AREA (MINIMUM)	1.833 AC (100%)
IMPROVED ASPHALT AREA (PROPOSED)	0.872 AC (47.6%)

LANDSCAPE STRIP

FRONT	10 FT
SIDE	10 FT
REAR	10 FT

BUILDING SETBACK

FRONT	50 FT
SIDE	10 FT
REAR	10 FT

LANDSCAPE BUFFER

FRONT	20 FT
REAR	20 FT

BUILDING FOOTPRINT AREA

12,353 S.F.

PARKING SPACES REQUIRED

OFFICE	7 SPACES (20% MIN)
PARKING IS OUTSIDE	40 SPACES
PARKING PROVIDED	46 SPACES
ADDITIONAL SPACES REQUIRED	0 SPACES
ADDITIONAL SPACES PROVIDED	3 SPACES

SHORT DISTANCE CERTIFICATION

The undersigned hereby certifies that the shortest distance for the proposed road is designed with adequate drainage to the highest adjacent roadway. The proposed road is designed with adequate drainage to the highest adjacent roadway. The proposed road is designed with adequate drainage to the highest adjacent roadway.

DATE: 02/23/23

CERTIFICATE OF DEVELOPMENT PLANS APPROVAL

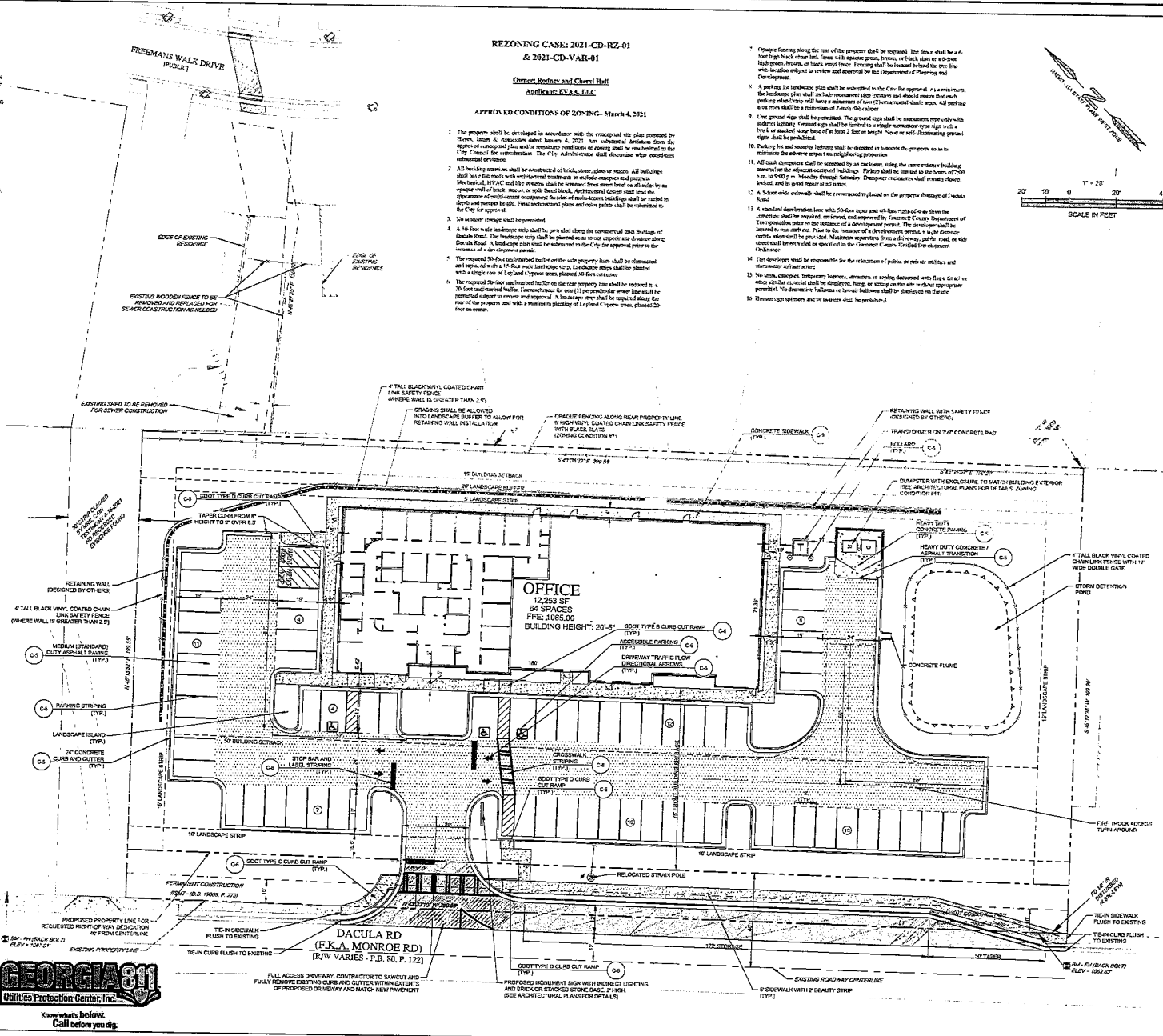
ALL REQUIREMENTS OF THE CITY OF DACULA DEVELOPMENT REGULATIONS RELATIVE TO THE SUBMISSION AND SUBMISSION OF A DEVELOPMENT PLAN AND ALL SUPPORTING PLANS AND DATA HAVING BEEN REVIEWED AND APPROVED BY THE CITY OF DACULA. THE CITY OF DACULA HAS REVIEWED THE DEVELOPMENT PLAN AND ALL SUPPORTING PLANS AND DATA HAVING BEEN REVIEWED AND APPROVED BY THE CITY OF DACULA. THE CITY OF DACULA HAS REVIEWED THE DEVELOPMENT PLAN AND ALL SUPPORTING PLANS AND DATA HAVING BEEN REVIEWED AND APPROVED BY THE CITY OF DACULA.

DATE: 02/23/23

FOR THE CITY OF DACULA

THIS CERTIFICATE EXPIRES TWELVE MONTHS FROM THE DATE OF APPROVAL UNLESS A SEPARATE PERMIT IS ISSUED.

Know what's below. Call before you dig.



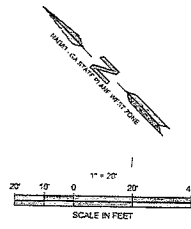
**REZONING CASE: 2021-CD-RZ-01
& 2021-CD-VAR-01**

Owner: **Reddy and Cheryl Hill**
Applicant: **EVA, LLC**

APPROVED CONDITIONS OF ZONING-VAR 01

- The property shall be developed in accordance with the conceptual site plan prepared by Steven James Associates dated January 4, 2021. Any substantial deviation from the approved conceptual site plan and/or revisions conditions of zoning shall be submitted to the City Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
- All building envelopes shall be constructed of brick, stone, glass or masonry. All buildings shall have a finished roof with architectural treatment to include gables and porches. The finished roof shall be a minimum of 12" minimum clear height. All buildings shall be a minimum of 12" minimum clear height. All buildings shall be a minimum of 12" minimum clear height.
- The proposed 50-foot landscaped buffer on the side property line shall be eliminated and replaced with a 12-foot wide landscape strip. Landscape strips shall be planted with a variety of trees and shrubs to provide a natural screen.
- The proposed 10-foot landscaped buffer on the rear property line shall be replaced with a 10-foot landscaped buffer. Landscaping shall be planted with a variety of trees and shrubs to provide a natural screen.
- The proposed 10-foot landscaped buffer on the rear property line shall be replaced with a 10-foot landscaped buffer. Landscaping shall be planted with a variety of trees and shrubs to provide a natural screen.

- Change facing along the rear of the property shall be required. The floor shall be a 6-inch high black stone tile, concrete with square joints, or black stone or a 6-inch high granite, travertine, or black, white, grey, tan, or light brown. All paving areas shall be a minimum of 2" thick 800-psi concrete.
- A parking lot landscape plan shall be submitted to the City for approval as a minimum, the landscape plan shall include maintenance and watering schedule. All parking areas shall be a minimum of 2" thick 800-psi concrete.
- The ground sign shall be permitted. The ground sign shall be a maximum of 10' high and 10' wide. The ground sign shall be a maximum of 10' high and 10' wide.
- Parking lot and roadway lighting shall be designed to minimize the glare to the maximum extent possible. The lighting shall be designed to minimize the glare to the maximum extent possible.
- All trash enclosures shall be screened by an opaque screen. The opaque screen shall be a minimum of 12" high and 10' wide. The opaque screen shall be a minimum of 12" high and 10' wide.
- A 10-foot wide sidewalk shall be provided on the property adjacent to the street.
- A standard 4-foot high concrete curb shall be provided on the property adjacent to the street.
- A 10-foot wide sidewalk shall be provided on the property adjacent to the street.
- The landscape strip shall be planted with a variety of trees and shrubs to provide a natural screen.
- The proposed 10-foot landscaped buffer on the rear property line shall be replaced with a 10-foot landscaped buffer. Landscaping shall be planted with a variety of trees and shrubs to provide a natural screen.
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ENGINEER

FORESITE

Foresite Group, LLC
3740 DeWitt Dr
Suite 102
Peachtree Corners, GA 30092

1 | 770.336.1779
1 | 770.336.1944
1 | www.foresitegroup.com

DEVELOPER

EVA, LLC

1033 DULUTH HWY
LAWRENCEVILLE, GA 30043
770.881.6140
NOOREEN@EVA.COM

CONTACT: NOOREEN NURANI

PROJECT: **DACULARD MEDICAL OFFICE**

335 DACULARD RD.
DACULA, GA 30019
L.L. 300.5TH DIST.

PARCEL: 80301 004 80300 007, 2021-CD-RZ-01

SEAL: **GEORGIA REGISTERED PROFESSIONAL ENGINEER**
NOOREEN NURANI
1/27/23

REVISIONS

NO.	DATE	DESCRIPTION

PROJECT MANAGER: ENR

DESIGNED BY: JAH

JURISDICTION: DACULA, GA

DATE: 2/23/23

SCALE: 1" = 20'

TITLE: SITE & PAVING PLAN

SHEET NUMBER: **C-1**

COMMENTS: ISSUED FOR CONSTRUCTION

JOB FILE NUMBER: 1436.006

335 Dacula Road

All that tract or parcel of land lying and being in Land Lot 303 of the Fifth Land District, City of Dacula, Gwinnett County, Georgia and as shown on a survey prepared for EVAA, LLC by Carter Engineering Consultants, Inc. dated November 30, 2020, having the following description:

COMMENCING at a point at the approximate centerline intersection of Freeman's Walk Drive and Dacula Road,

Thence South 48 degrees 08 minutes 32 seconds East for a distance of 295.44 feet to a point on the northern right of way margin of Dacula Road,

Thence along the right of way margin of Dacula Road, South 43 degrees 33 minutes 10 seconds East for a distance of 299.95 feet to a point, said point being the **POINT OF BEGINNING**.

From the **POINT OF BEGINNING** Thence leaving the northern right of way margin of Dacula Road, North 46 degrees 08 minutes 54 seconds East for a distance of 199.85 feet to a point;

Thence South 43 degrees 35 minutes 07 seconds East for a distance of 100.20 feet to a point;

Thence South 46 degrees 12 minutes 36 seconds West for a distance of 199.90 feet to a point on the right of way margin of Dacula Road;

Thence, along the right of way margin of Dacula Road, North 43 degrees 33 minutes 10 seconds West for a distance of 99.98 feet to the **POINT OF BEGINNING**.

Said tract or parcel contains 0.459 acres, more or less.

355 Dacula Road

All that tract or parcel of land lying and being in Land Lot 303 of the Fifth Land District, City of Dacula, Gwinnett County, Georgia and as shown on a survey prepared for EVAA, LLC by Carter Engineering Consultants, Inc. dated November 30, 2020, having the following description:

COMMENCING at a point at the approximate centerline intersection of Freeman's Walk Drive and Dacula Road,

Thence South 48 degrees 08 minutes 32 seconds East for a distance of 295.44 feet to a point on the northern right of way margin of Dacula Road, said point being the **POINT OF BEGINNING**.

From the **POINT OF BEGINNING** Thence leaving the northern right of way margin of Dacula Road, North 46 degrees 15 minutes 52 seconds East for a distance of 199.55 feet to a point;

Thence South 43 degrees 36 minutes 32 seconds East for a distance of 299.55 feet to a point;

Thence South 46 degrees 08 minutes 54 seconds West for a distance of 199.85 feet to a point on the right of way margin of Dacula Road;

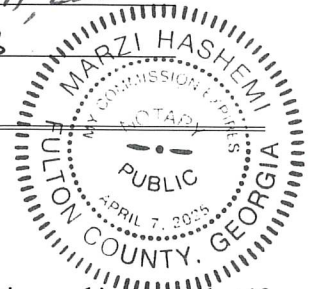
Thence, along the right of way margin of Dacula Road, North 43 degrees 33 minutes 10 seconds West for a distance of 299.95 feet to the **POINT OF BEGINNING**

Said tract or parcel contains 1.374 acres, more or less.

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 [Signature] Date 3-2-23
Type or Print Name/Title Nooredin Nurani, Member EVAA, LLC
Notary Public [Signature] Date 3-2-23



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 is denied, no application or re-application affecting the same land shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

Signature of Property Owner [Signature] Date 3-2-23
Type or Print Name/Title Nooredin Nurani, Member EVAA, LLC
Notary Public [Signature] Date 3-2-23



FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED 3-6-23 RECEIVED BY BN FEE 1000 RECEIPT # 160785
LAND LOT 303 DISTRICT 5 PARCEL # 004* 007 HEARING DATE 5-4-2023

ACTION TAKEN _____

SIGNATURE _____ DATE _____

STIPULATIONS _____



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

** Change of condition only **

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 3-2-2023 APPLICANT EVAA, LLC

A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property: Yes

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property: No, change of condition will enhance and beautify property

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned: Better ~~use~~ economic use now that the property has been rezoned to O+I.


D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. No

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

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: None

CONFLICT OF INTEREST CERTIFICATION

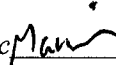
The undersigned, making application for rezoning/SUP, has complied with the Official Code of Georgia, Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions and has submitted or attached the required information on the forms provided.

Signature of Applicant  Date 3-2-2023

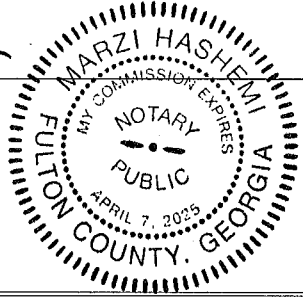
Type or Print Name/Title Nooredin Nurani, Member EN/AD, LLC

Signature of Applicant' Attorne _____ Date _____

Type or Print Name/Title _____

Notary Public  Date 3-2-23

(Notary Seal)



Official Use Only

DATE RECEIVED _____ ZONING CASE NUMBER _____

RECEIVED BY _____



City of Dacula

P. O. Box 400

Dacula, GA 30019

(770) 962-0055 / Fax (770) 513-2187

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.

Yes

No

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

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

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.

Yes

No

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

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

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