



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>City of Dacula</u>	NAME <u>City of Dacula</u>
ADDRESS <u>442 Harbins Road</u>	ADDRESS <u>442 Harbins Road</u>
CITY <u>Dacula</u>	CITY <u>Dacula</u>
STATE <u>Georgia</u> ZIP <u>30019</u>	STATE <u>Georgia</u> ZIP <u>30019</u>
PHONE <u>770-963-7451</u> FAX <u>770-513-2187</u>	PHONE <u>770-993-7451</u> FAX <u>770-513-2187</u>

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 Trey King, Mayor
 COMPANY NAME City of Dacula
 ADDRESS 442 Harbins Road, Dacula, GA 30019
 PHONE 770-963-7451 FAX 770-513-2187

PRESENT ZONING DISTRICT(S) R-1200 REQUESTED ZONING DISTRICT C-2
 LAND LOT(S) 301 PARCEL # 009, 009A, 010 DISTRICT(S) 5 ACREAGE 12.03
 PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED general commercial

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLINGS UNITS <u>0</u>	NO. OF BUILDINGS/LOTS <u>0</u>
DWELLING UNIT SIDE (SQ. FT.) <u>0</u>	TOTAL GROSS SQ. FEET <u>0</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 2021-CD-RZ-06



FAX: (770) 513-2187

City of Dacula

442 Harbins Road
P.O. Box 400
Dacula, GA 30019

Phone: (770) 963-7451

September 7, 2021

On behalf of the City of Dacula, I have submitted an application to rezone 431 Harbins Road (R5301 009, R5301 009A, and R5301 010) from R-1200 Single-Family Residential District to C-2 General Business District. A commercial use would be more appropriate considering the property's access to multiple road frontages, the close proximity to City Hall, and the location within an emerging commercial corridor. At this time, the City does not have a particular commercial use proposed for the site.

If you have any questions, please contact me at 770-963-7451.

Best Regards,

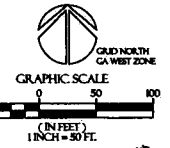
Trey King, Mayor
City Of Dacula
442 Harbins Road
P.O. Box 400
Dacula, Georgia 30019

SURVEYOR'S CERTIFICATION BOX
 This plat is a reconfirmation of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION. AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 13-5-67.

GEORGIA
 LAND SURVEYORS
 CHRIS WATKINS
 8/1/24

LEGEND	ABBREVIATIONS
○ UTILITY POLE (UP)	INV INVERT ELEVATION
○ GUY WIRE	CMR CORRUGATED METAL PIPE
○ LIGHT POLE (LP)	CPV CORRUGATED PLASTIC PIPE
○ FLAG POLE (FP)	RCP REINFORCED CONCRETE PIPE
○ FINE HYDRANT (FH)	DP DUCTILE IRON PIPE
○ SIGN	TFM FINISHED FLOOR ELEVATION
○ JUNCTION BOX (JB)	OV TEMPORARY BENCHMARK
○ DRAIN INLET (DI)	CB GAS VALVE
○ WATER VALVE (WV)	COMMUNICATIONS BOX
○ ROOF DRAIN (RD)	UGM UNDERGROUND CABLE MARKER
○ CLEAN OUT (CO)	GLM GAS LINE MARKER
○ WATER METER (WM)	WLM WATER LINE MARKER
○ SANITARY MANHOLE	PLB PLAT BOOK
○ IRON PIN FOUND	DB DEED BOOK
CONCRETE	N/O NOW OR FORMERLY
WALL	SSMh SANITARY SEWER MANHOLE
HEAD WALL (HW)	DWCS DOUBLE WIND CATCH BASIN
FENCE LINE	SWCS SINGLE WIND CATCH BASIN
TREE LINE	CONC CONCRETE
HANDICAP RAMP	FEF FLARED END SECTION
CURB AND GUTTER	OPR OPEN TOP PIPE
	P.O.B. POINT OF BEGINNING

REFERENCES:
 1. PLAT BOOK Q, PAGE 254
 2. PLAT BOOK 36, PAGE 133
 3. PLAT BOOK J, PAGE 2088



GENERAL NOTES:

1. PERMITS SHOWN AND DESCRIBED HEREON ARE SUBJECT TO ANY EXISTING ORDINANCES, RIGHTS-OF-WAY, RESTRICTIVE COVENANTS, ZONING REGULATIONS, AND/OR OTHER INSTRUMENTS WHICH MAY BE ON FILE WITH THE PUBLIC RECORDS. NO LIABILITY IS ASSUMED BY THE SURVEYOR FOR ANY LOSSES THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY GASOLINES OR RESTRICTION ON THE USE OF THE PROPERTY.
2. THE PLAT OF SURVEY MAKES NO WARRANTY OR GUARANTEE AS TO THE EXISTENCE OF ANY EASEMENTS OR ANY ABSTRACT OF TITLE SEARCH HAS REVEALED TO THE SURVEYOR TO DEVELOP THE EXISTENCE OF ANY EASEMENTS.
3. THE PERMITS SHOWN AND DESCRIBED HEREON ARE SUBJECT TO ANY EXISTING ORDINANCES, RIGHTS-OF-WAY, RESTRICTIVE COVENANTS, ZONING REGULATIONS, AND/OR OTHER INSTRUMENTS WHICH MAY BE ON FILE WITH THE PUBLIC RECORDS. NO LIABILITY IS ASSUMED BY THE SURVEYOR FOR ANY LOSSES THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY GASOLINES OR RESTRICTION ON THE USE OF THE PROPERTY.
4. ZONING: R-1200 (PARCEL 1 & PARCEL 2)

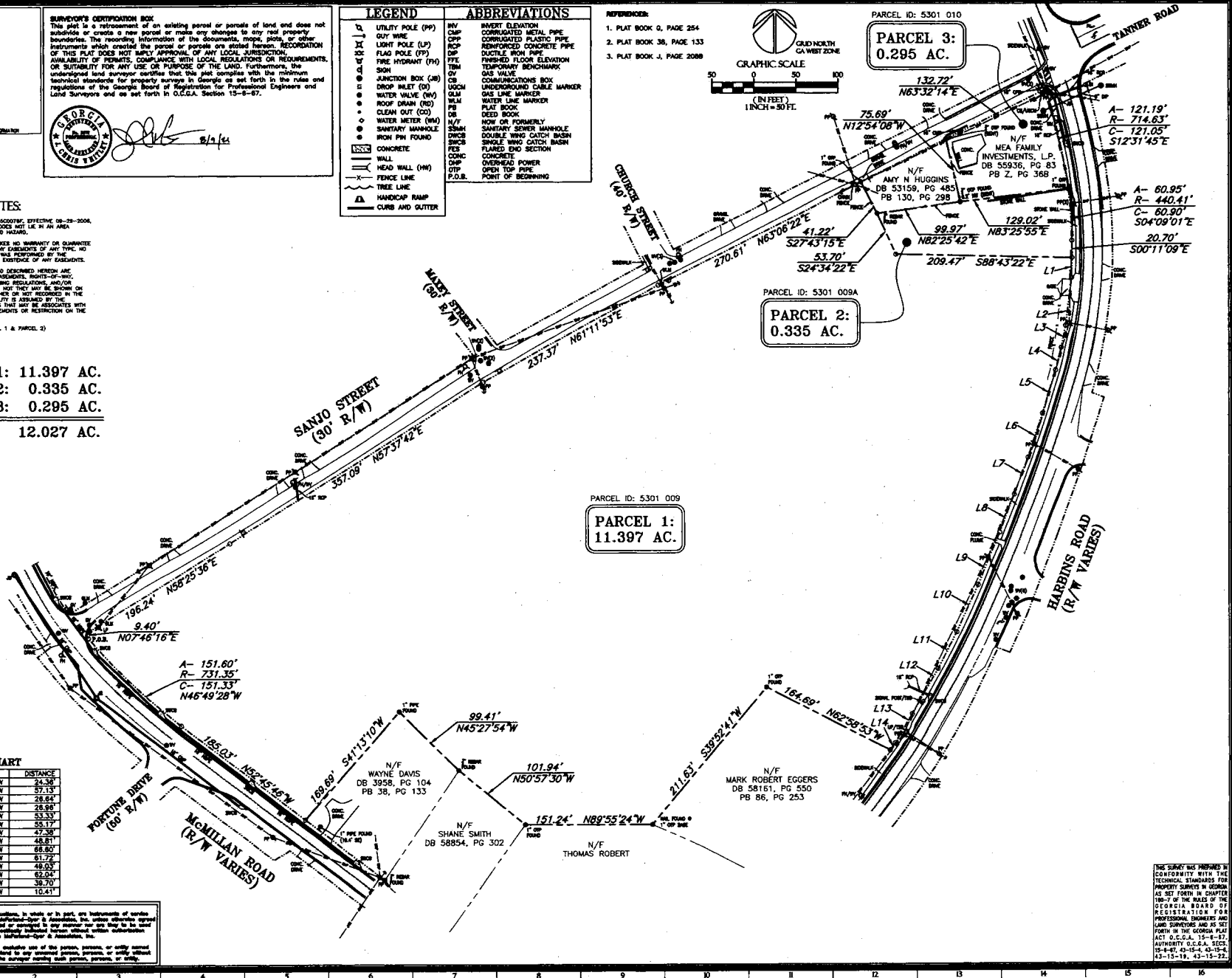
PARCEL 1: 11.397 AC.
 PARCEL 2: 0.335 AC.
 PARCEL 3: 0.295 AC.
 TOTAL: 12.027 AC.

LINE CHART

LINE	BEARING	DISTANCE
L1	S 01°23'48" W	24.36
L2	S 07°14'07" W	57.13
L3	S 11°14'50" W	28.84
L4	S 14°42'24" W	28.84
L5	S 17°08'11" W	53.33
L6	S 18°25'10" W	55.17
L7	S 20°12'22" W	47.38
L8	S 20°41'14" W	48.81
L9	S 22°31'27" W	66.80
L10	S 24°20'17" W	81.72
L11	S 26°17'50" W	48.03
L12	S 30°00'31" W	62.04
L13	S 30°24'51" W	36.70
L14	S 33°08'48" W	10.41

This plat and permitted representations, in whole or in part, are instruments of service and are the sole property of International-Brother's Association, Inc. unless otherwise agreed to. They shall not be reproduced or changed in any manner nor any thing to be used for any purpose other than specifically indicated herein without written authorization from and due compensation to International-Brother's Association, Inc.

This plat was prepared for the exclusive use of the person, persons, or entity named herein. This plat does not extend to any unshown person, persons, or entity without the express authorization of the surveyor naming said person, persons, or entity.



MDA
 METRO DATA
 METRO DATA ENTER. & ASSOCIATES
 1000 W. BROAD ST., SUITE 1000
 ATLANTA, GA 30308
 (404) 525-1100

DATE	DESCRIPTION	BY
08/01/2024	BOUNDARY SURVEY	CHRIS WATKINS

CITY OF DACULA
 (PARCEL 5301 009 & 5301 009A)

BOUNDARY SURVEY
 SHEET 1 OF 1

THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 136-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 13-6-81 AUTHORITY O.C.G.A. SECS. 13-6-42, 13-6-43, 13-6-44, 13-6-45, 13-6-19, 13-6-22.

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF land lying and being in Land Lot 301, 5th District, City of Dacula, Gwinnett County, Georgia, being more particularly described as follows:

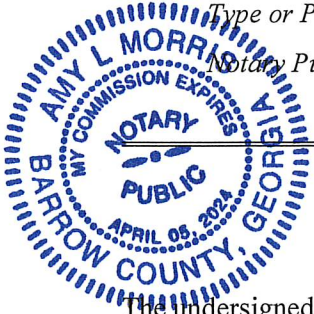
BEGINNING at the southeasterly end of the mitered intersection of the northeasterly right of way of McMillan Road (right of way varies) the southeasterly right of way of Sanjo Street (30 foot right of way), that is the **POINT OF BEGINNING**; thence along said miter North 07°46'16" East a distance of 9.40 feet to a point located at the northeasterly end of said mitered intersection; thence along the right of way of Sanjo Street the following courses and distances: North 58°25'36" East a distance of 196.24 feet to a point; thence North 57°37'42" East a distance of 357.09 feet to a point; thence North 61°11'53" East a distance of 237.37 feet to a point; thence North 63°06'22" East a distance of 270.61 feet to a point; thence leaving said right of way South 27°43'15" East a distance of 41.22 feet to a point; thence North 82°25'42" East a distance of 99.97 feet to a point; thence North 12°54'08" West a distance of 75.69 feet to a point located on the southerly right of way of Sanjo Street; thence along said right of way North 63°32'14" East a distance of 132.72 feet to a point located at the intersection of the southerly right of way of Sanjo Street and northwesterly right of way of Harbins Road (right of way varies); thence along the right of way of Harbins Road the following courses and distances: 121.19 feet along a curve to the right, said curve having a chord of South 12°31'45" East 121.05 feet and a radius of 714.63 feet to a point; thence 60.95 feet along a curve to the right, said curve having a chord of South 04°09'01" East 60.90 feet and a radius of 440.41 feet to a point; thence South 00°11'09" East a distance of 20.70 feet to a point; thence South 01°25'48" West a distance of 24.36 feet to a point; thence South 07°14'07" West a distance of 57.13 feet to a point; thence South 11°14'50" West a distance of 26.64 feet to a point; thence South 14°41'24" West a distance of 26.96 feet to a point; thence South 17°06'11" West a distance of 53.33 feet to a point; thence South 18°25'15" West a distance of 55.17 feet to a point; thence South 20°12'27" West a distance of 47.38 feet to a point; thence South 20°41'14" West a distance of 48.81 feet to a point; thence South 22°31'27" West a distance of 66.60 feet to a point; thence South 24°20'12" West a distance of 61.72 feet to a point; thence South 26°57'55" West a distance of 49.03 feet to a point; thence South 30°00'31" West a distance of 62.04 feet to a point; thence South 30°54'51" West a distance of 39.70 feet to a point; thence South 35°08'48" West a distance of 10.41 feet to a point; thence leaving said right of way North 62°58'53" West a distance of 164.69 feet to a point; thence South 39°52'41" West a distance of 211.63 feet to a point; thence North 89°55'24" West a distance of 151.24 feet to a point; thence North 50°57'30" West a distance of 101.94 feet to a point; thence North 45°27'54" West a distance of 99.41 feet to a point; thence South 41°13'10" West a distance of 169.69 feet to a point located on the northeasterly right of way of McMillan Road; thence along said right of way the following courses and distances: North 52°45'46" West a distance of 185.03 feet to a point; thence 151.60 feet along a curve to the right, said curve having a chord of North 46°49'28" West 151.33 feet and a radius of 731.35 feet to a point, being the **POINT OF BEGINNING**. Said tract contains 12.027 Acres.

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 Trey King Date 9/8/2021
Type or Print Name/Title Trey King, Mayor

Notary Public Amy L Morris Date 9/8/2021

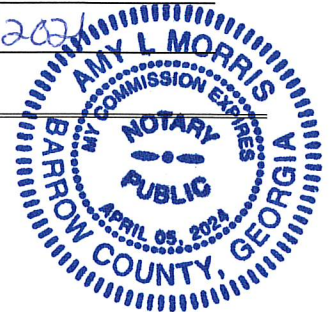


PROPERTY OWNER CERTIFICATION

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 Trey King Date 9/8/2021
Type or Print Name/Title Trey King, Mayor

Notary Public Amy L Morris Date 9/8/2021



FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED _____ RECEIVED BY _____ FEE _____ RECEIPT # _____

LAND LOT _____ DISTRICT _____ PARCEL # _____ HEARING DATE _____

ACTION TAKEN _____

SIGNATURE _____ DATE _____

STIPULATIONS _____



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

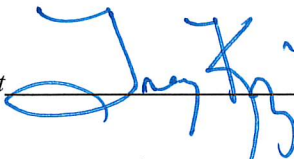
If the answer is *Yes*, please complete the following section:

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

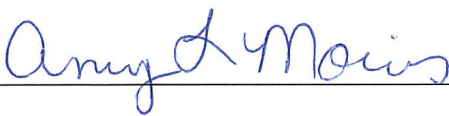
(Attach additional sheets if necessary to disclose or describe all contributions/gifts)

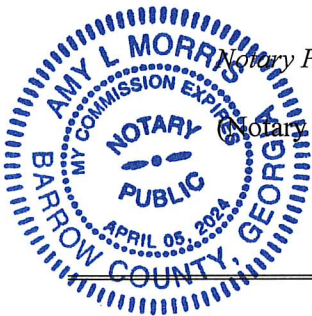
CONFLICT OF INTEREST CERTIFICATION

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 9/8/2021
Type or Print Name/Title Trey King, Mayor

Signature of Applicant' Attorney _____ Date _____
Type or Print Name/Title _____

Notary Public  Date 9/8/2021



(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

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 September 7, 2021 APPLICANT Trey King, Mayor

- 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, a general commercial use is suitable across from City Hall and is compatible with the nature of an emerging commercial corridor.
- B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property: No, the proposed commercial zoning would not be expected to adversely affect nearby properties.
- C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned: Yes.
- 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, the proposed use is not expected to create excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- E. Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan: Yes, the Land Use Plan shows the property as Neighborhood Commercial, which is consistent with the requested General Business District zoning.
- 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: The property has multiple road frontages, is located across from City Hall, and is within an emerging commercial corridor.

Adjoining Property Owner List for 431 Harbins Road

Property Owner	Physical Address	Mailing Address
Amy N. Huggins	2462 Sanjo Street	2462 Sanjo Street, Dacula, GA 30019
Mark Robert Eggers	461 Harbins Road	461 Harbins Road, Dacula, GA 30019
Robert Thomas	446 McMillan Road	PO Box 162, Dacula, GA 30019
Shane J Smith	436 McMillan Road	436 McMillan Road, Dacula, GA 30019
L. Wayne Davis etal.	426 McMillan Road	426 McMillan Road, Dacula, GA 30019

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: October 1, 2021
TO: Amy N. Huggins
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)
FROM: City of Dacula
RE: Proposed Rezoning Case #: 2021-CD-RZ-06

Property Location: 5th District, Land Lot 301 Parcel 009, 009A, and 010

LOCATION/ADDRESS: 431 Harbins Road

You are hereby notified that an application a zoning change from R-1200 Single-Family Residential District to C-2 General Business District has been submitted to the City of Dacula.

The proposed rezoning is contiguous to your property.

The PLANNING COMMISSION Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula, Georgia on October 25, 2021 at 6:30 P. M. in the Council Chambers.
(date)

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula, Georgia on November 4, 2021 at 7:00 P. M. in the Council Chambers.
(date)

If you have any comments or concerns concerning this matter, please plan to attend the public hearings.

Thank you.

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: October 1, 2021
TO: Mark Robert Eggers
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)
FROM: City of Dacula
RE: Proposed Rezoning Case #: 2021-CD-RZ-06

Property Location: 5th District, Land Lot 301 Parcel 009, 009A, and 010

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(date)

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Thank you.

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: October 1, 2021
TO: Robert Thomas
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)
FROM: City of Dacula
RE: Proposed Rezoning Case #: 2021-CD-RZ-06

Property Location: 5th District, Land Lot 301 Parcel 009, 009A, and 010

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Thank you.

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: October 1, 2021
TO: Shane J. Smith
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)
FROM: City of Dacula
RE: Proposed Rezoning Case #: 2021-CD-RZ-06

Property Location: 5th District, Land Lot 301 Parcel 009, 009A, and 010

LOCATION/ADDRESS: 431 Harbins Road

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Thank you.

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: October 1, 2021
TO: L. Wayne Davis etal.
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)
FROM: City of Dacula
RE: Proposed Rezoning Case #: 2021-CD-RZ-06

Property Location: 5th District, Land Lot 301 Parcel 009, 009A, and 010

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