



CITY OF LOGANVILLE
 Department of Planning & Development
 P.O. Box 39 • 4303 Lawrenceville Road
 Loganville, GA 30052
 770.466.2633 • 770.466.3240 • Fax 770.554.5556

Date: 11-30-2023

Application # R 24-002

REQUEST FOR ZONING MAP AMENDMENT
 A PETITION TO AMMEND THE OFFICIAL ZONING MAP OF THE CITY OF LOGANVILLE, GEORGIA

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION*	
NAME:	<u>Koch Orthodontics</u>	NAME:	<u>Strive Real Estate Loganville, LLC</u>
ADDRESS:	<u>55 Towler Road</u>	ADDRESS:	<u>1478 Brentford Cove</u>
CITY:	<u>Lawrenceville</u>	CITY: S	<u>Snellville</u>
STATE:	<u>GA</u> Zip: <u>30046</u>	STATE:	<u>GA</u> Zip: <u>30078</u>
PHONE:	<u>770-962-9560</u>	PHONE:	<u>770-962-9560</u>
(*attach additional pages if necessary to list all owners)			
Applicant is: <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Agent <input type="checkbox"/> Attorney			
CONTACT PERSON: <u>Jack Wilson</u>		PHONE: <u>770-962-9780</u>	
EMAIL: <u>jwilson@rjwplaw.com</u>		FAX: _____	
PROPERTY INFORMATION			
MAP & PARCEL # <u>LG050036</u>		PRESENT ZONING: <u>CBD</u>	REQUESTED ZONING: <u>CH</u>
ADDRESS: <u>115 Bobby Boss Dr</u>		COUNTY: <u>Walton</u>	ACREAGE: <u>2.68</u>
PROPOSED DEVELOPMENT: <u>Office for orthodontic practice</u>			

You must attach: Application Fee Legal Description Plat of Property Campaign Contribution Disclosure
 Letter of Intent Site Plan Names/Addresses of Abutting Property Owners Impact Analysis

Pre-Application Conference Date: 11-30-2023 **RECEIVED**

Accepted by Planning & Development: [Signature] DATE: 11/30/23 FEE PAID: \$500.00

CHECK # 4026 RECEIPT # R-00149244 TAKEN BY: SB DATE OF LEGAL NOTICE: 1/7/24 NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: Approve Approve w/conditions Deny No Recommendation

Commission Chairman: [Signature] DATE: 1/25/24

CITY COUNCIL ACTION: Approved Approved w/conditions Denied Tabled to _____
 Referred Back to Planning Commission Withdrawn

[Signature] Mayor [Signature] City Clerk 2/8/24 Date

Applicant's Certification

The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.



Applicant's Signature

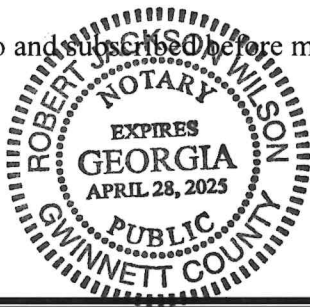
11/29/23
Date

Jacob Koch, President

Print Name and Title

Sworn to and subscribed before me this 29 day of November, 2023.

(Seal)





Signature of Notary Public

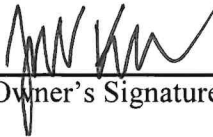
Property Owner's Certification

(complete a separate form for each owner)

The undersigned hereby certifies that they are: (check all that apply)

- a) the owner of record of property contained in this application, and/or
- b) the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

that all information contained in this application is complete and accurate to the best of their knowledge.



Owner's Signature

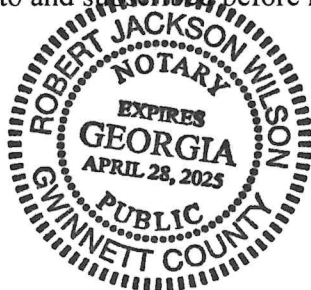
11/29/23
Date

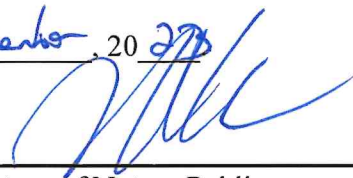
Jacob Koch, President

Print Name and Title

Sworn to and subscribed before me this 29 day of November, 2023.

(Seal)







Signature of Notary Public

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

The undersigned, making application for rezoning with the City of Loganville, Georgia, have 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 as requested below.


 Applicant's Signature _____ Date 11/29/23 Print Name Jacob Koch, President


 Signature of Applicant's Attorney or Agent _____ Date 11/29/23 Print Name Robert Jackson Wilson

Has the Applicant, attorney for applicant, or other agent, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor, Member of the City Council or member of the Planning Commission of the City of Loganville, Georgia?

_____ **YES** X **NO**

If YES, complete the following:

NAME OF INDIVIDUAL MAKING CONTRIBUTION _____		
NAME & OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all aggregating to \$250 or more)	DATE OF CONTRIBUTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Attach additional sheets as necessary to disclose and describe all contributions.

APPLICANT'S RESPONSES TO EVALUATION CRITERIA

In the space provided or in a separate attachment, provide responses to the following questions:

1. **How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?**
The proposed use will greatly improve the appearance and aesthetic conditions by providing a new Class A office building in place of older, declining structures.

2. **How does the proposed use impact thoroughfare congestion and traffic safety?**
The use will reduce overall congestion by providing a needed service in close proximity to citizens. Access from Bobby Boss Dr. will ease congestion on Highway 78 and provide for safe traffic flow to and from the office.

3. **How does the proposed use impact population density and the potential for overcrowding and urban sprawl?**
The use will relieve overcrowding and sprawl by providing for a medical office use near residents for ease of travel and shorter vehicle trips.

4. **How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services;**
The proposed use will not make significant demands or have any adverse impact on water or sewer infrastructure. The use will reduce the number and length of vehicle trips for City residents.

5. **How does the proposed zoning provide protection of property against blight and depreciation?**
The rezoning will eliminate blight and depreciation by allowing for a new office building to be constructed.

6. **How is the proposed use and zoning consistent with the adopted Comprehensive Plan?**
Yes. Office use is appropriate along the Highway 78 corridor.

7. **In what way does the proposed zoning affect adjacent property owners if the request is approved?**
The rezoning will improve the value of neighboring properties and provide for a new office to stabilize the neighborhood.

8. **What is the impact upon adjacent property owners if the request zoning is not approved?**
If the rezoning is not approved, adjacent owners will suffer from unsightly buildings and diminished values.

9. **Describe any other factors affecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville.**
The rezoning will allow a new medical office to provide needed services in close proximity to citizens of the City. This will promote the health and welfare of citizens and enhance the services provided within the City. The rezoning will also reduce the number and distance of vehicle trips for citizens, improving traffic in the City and region.

Letter of Intent
Koch Orthodontics
4450 Highway 78
Tax Parcels LG050036 and LG060 140 and 141

Koch Orthodontics is a specialized practice by providing services for orthodontics, braces, dental and related patient needs. Koch Orthodontics opened its first office in 2011. It seeks rezoning of two parcels at the intersection of Bobby Boss Drive and U.S. Highway 78 to allow for construction of its new practice and office at this location. It also seeks an administrative setback variance along a portion of Highway 78 to allow a 10 foot encroachment for the building and window shade overhang. The property is bounded by a stream to the North which provides a hardship to justify the minor variance along Highway 78. The applicant seeks rezoning to the City's CH designation for Tax Parcels LG060 140 and LG050 036 to permit this use. This use would benefit the community and the City by providing needed orthodontic services in close proximity to residents and citizens. The owner, Strive Real Estate Loganville, LLC, is affiliated with Koch Orthodontics.

The applicant would be happy to meet with neighbors and City personnel to discuss this matter further. To satisfy the requirements of state law, the applicant notes that the denial of this application nor the inclusion of any conditions of zoning not acceptable to the applicant would constitute a taking under Georgia law.

All that tract or parcel of land lying and being in Land Lot 186 of the 4th District, Walton County, Georgia and within the City of Loganville, Georgia containing 2.68 acres shown as Parcel 1 on that Survey for Strive Real Estate Loganville, LLC prepared by J. Chris Whitley, Georgia Registered Land Surveyor No. 2672, dated August 5, 2021, said plat being incorporated herein by reference for a complete description thereof, also known as Tax Parcel LG 050 036.

LIST OF ADJACENT PROPERTY OWNERS

Melanie Elaine Long
P.O. Box 1642
Loganville, GA 30052

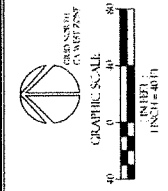
David Michael Ortiz
229 Covington Street
Loganville, GA 30052

JLB Enterprises, LLC
4460 Atlanta Hwy.
Loganville, GA 30052

The City of Loganville, Georgia
P.O. Box 39
Loganville, GA 30052

TLJ Loganville, LLC
324 West Grand Canyon Drive
Chandler, AZ 85248

Rewetie Singh
2417 Wood View Court
Snellville, GA 30078



PARCEL 1: 2.697 AC.
 PARCEL 2: 0.860 AC.
 PARCEL 3: 0.832 AC.
TOTAL: 4.389 AC.

- REFERENCES:
- DEED BOOK 355, PAGE 25
 - DEED BOOK 385, PAGE 313
 - DEED BOOK 385, PAGE 314
 - PLAT BOOK 6, PAGE 6
 - PLAT BOOK 13, PAGE 21
 - PLAT BOOK 65, PAGE 195
 - DEED BOOK 232, PAGE 489
 - UNRECORDED DEED FROM MISS. & ASSOCIATES TO MISS. POLLA RECORDABLE, DATED JAN. 10, 1981, IN WALTON COUNTY, GEORGIA.

SURVEYOR'S CONTRIBUTION BOX

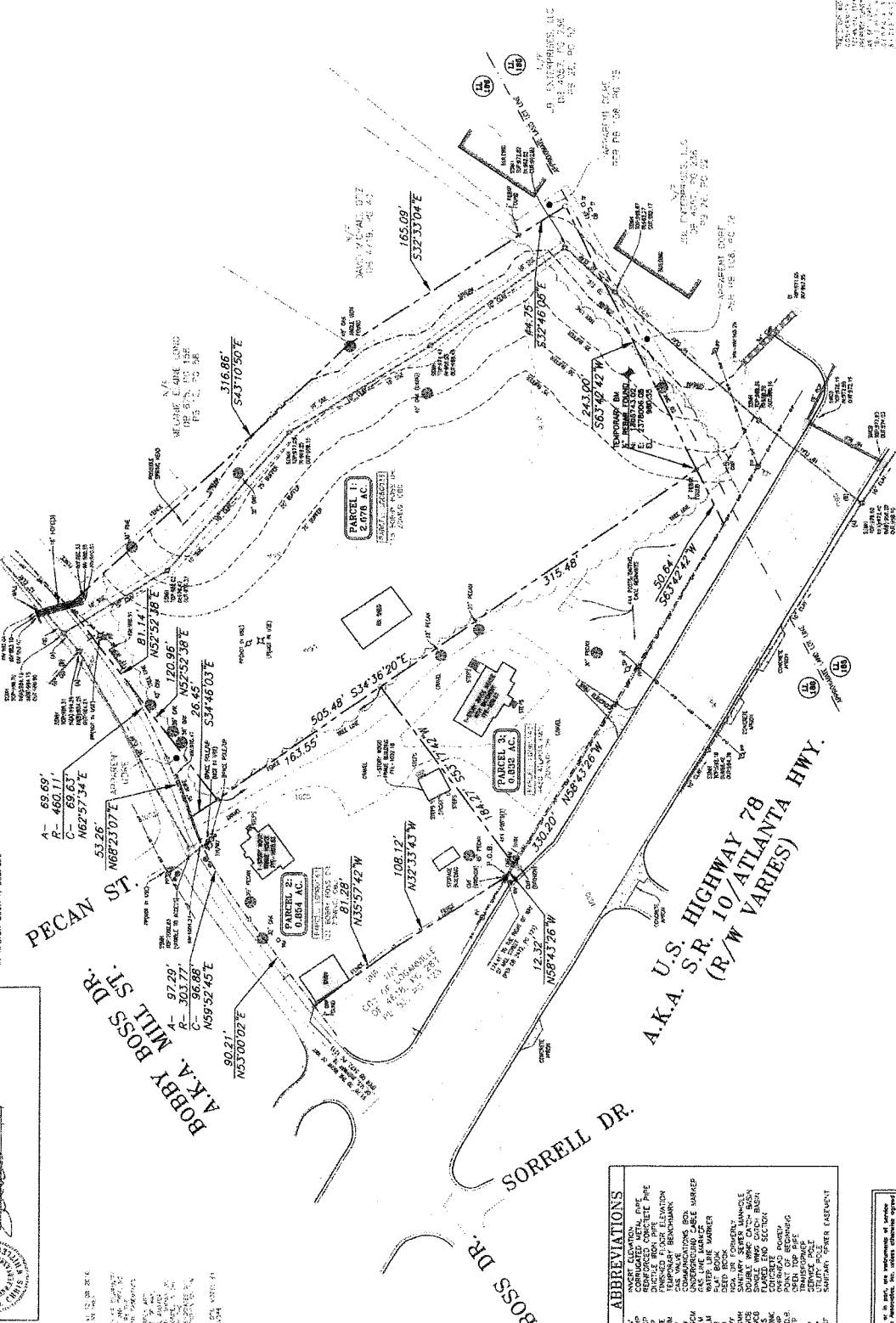
This plot is a measurement of an existing parcel or parcels of land and does not show the location of any boundaries. The recording information of the monuments, marks, poles, or other boundary or monument shall remain in full force and effect. ANY LOCAL JURISDICTION OR REGULATIONS OF ANY AGENCY SHALL BE FULLY OBSERVED AND COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, AND ANY REGULATIONS OF ANY AGENCY SHALL BE FULLY OBSERVED. ANY UNRECORDED DEED SHALL BE FULLY OBSERVED AND COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, AND ANY REGULATIONS OF ANY AGENCY SHALL BE FULLY OBSERVED.

Land Surveyors and/or as set forth in O.C.G.A. Section 15-1-10-07

[Signature] 2/5/21

GENERAL NOTES

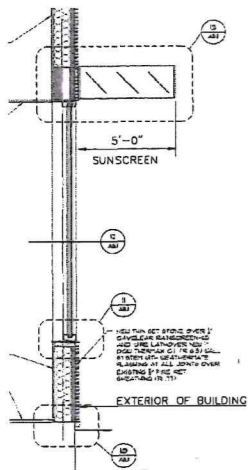
- ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- ALL ANGLES ARE IN DEGREES, MINUTES AND SECONDS.
- THE READING OF THIS PLAN SHALL BE IN CONFORMANCE WITH THE SURVEYING ACT OF 1909, AS AMENDED, AND THE REGULATIONS OF THE BOARD OF SURVEYING ENGINEERS OF THE STATE OF GEORGIA.
- ALL MONUMENTS ARE TO BE SET AS SHOWN ON THIS PLAN.
- ALL MONUMENTS ARE TO BE SET AS SHOWN ON THIS PLAN.
- ALL MONUMENTS ARE TO BE SET AS SHOWN ON THIS PLAN.
- ALL MONUMENTS ARE TO BE SET AS SHOWN ON THIS PLAN.
- ALL MONUMENTS ARE TO BE SET AS SHOWN ON THIS PLAN.



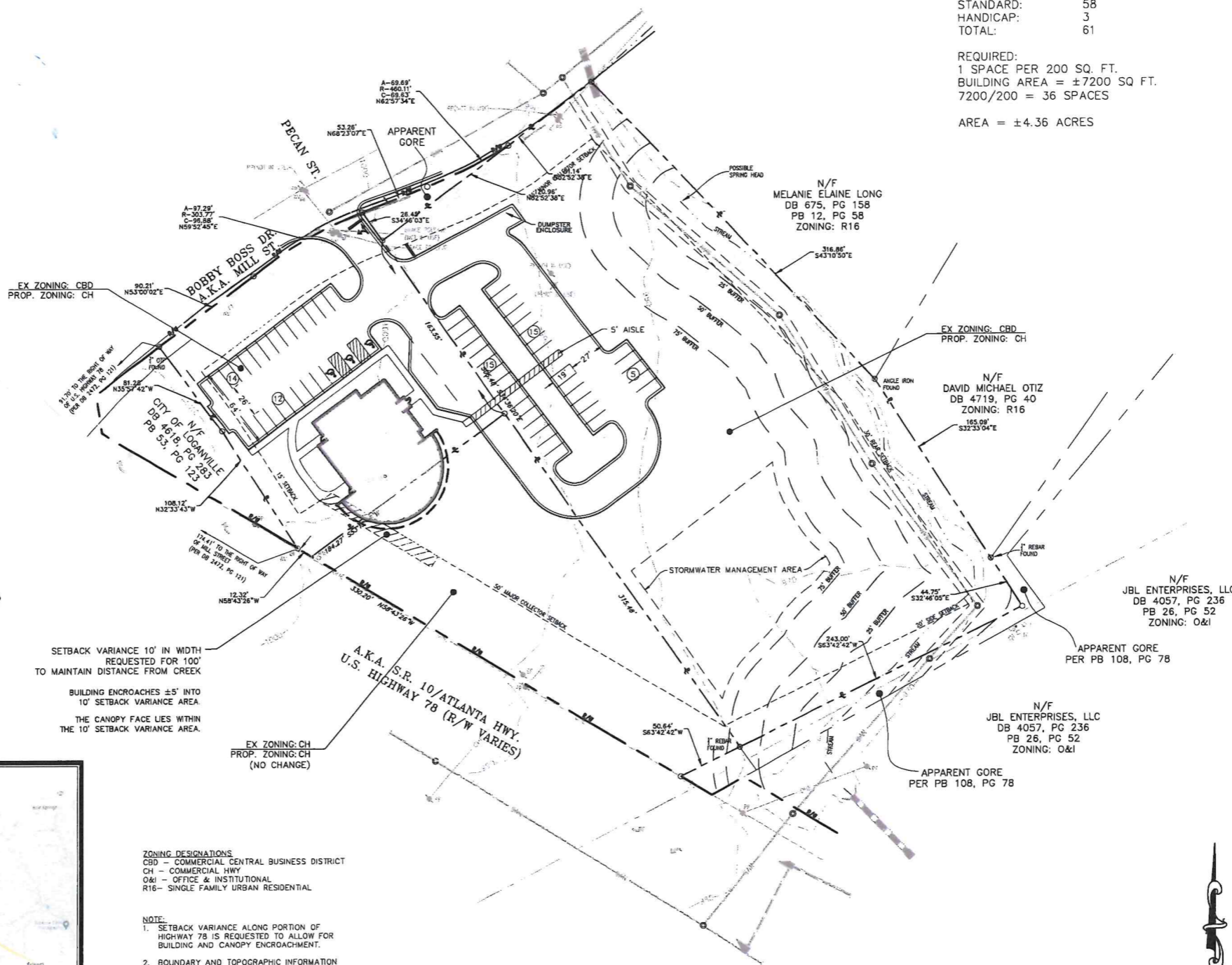
LEGEND

SYMBOL	ABBREVIATIONS
▲	ANCHOR ELEVATION
▲	CONCRETE UTILITY POLE
▲	CUV WIRE
▲	LIGHT POLE (L.P.)
▲	MANHOLE
▲	PIPE (P)
▲	TEMPERATURE BRANCH
▲	UTILITY POLE
▲	UNDERGROUND CABLE MARKER
▲	UNDERGROUND CONDUIT
▲	UNDERGROUND FIBER OPTIC
▲	UNDERGROUND TELEPHONE
▲	WATER MAIN
▲	WATER MAIN (W.M.)
▲	WATER METER
▲	WATER METER (W.M.)
▲	WATER METER (W.M.)
▲	WATER METER (W.M.)
▲	WATER METER (W.M.)
▲	WATER METER (W.M.)
▲	WATER METER (W.M.)
▲	WATER METER (W.M.)
▲	WATER METER (W.M.)
▲	WATER METER (W.M.)
▲	WATER METER (W.M.)
▲	WATER METER (W.M.)

This plan and associated information, in whole or in part, are the property of the firm and its registered professional engineers. It is to be used for the purposes intended and for no other purpose without the written consent of the firm. This plan and associated information are to be used for the purposes intended and for no other purpose without the written consent of the firm. This plan and associated information are to be used for the purposes intended and for no other purpose without the written consent of the firm.



WALL SECTION AT PATIENT AREA



PARKING SUMMARY:

STANDARD: 58
 HANDICAP: 3
 TOTAL: 61

REQUIRED:
 1 SPACE PER 200 SQ. FT.
 BUILDING AREA = ±7200 SQ. FT.
 7200/200 = 36 SPACES

AREA = ±4.36 ACRES

SETBACK VARIANCE 10' IN WIDTH
 REQUESTED FOR 100'
 TO MAINTAIN DISTANCE FROM CREEK

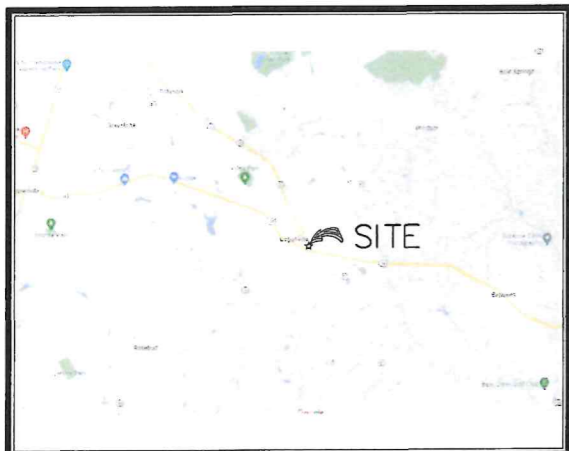
BUILDING ENCROACHES ±5' INTO
 10' SETBACK VARIANCE AREA.
 THE CANOPY FACE LIES WITHIN
 THE 10' SETBACK VARIANCE AREA.

EX ZONING: CH
 PROP. ZONING: CH
 (NO CHANGE)

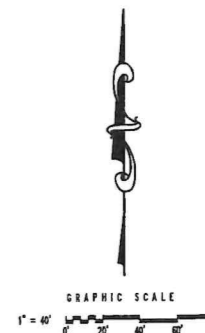
ZONING DESIGNATIONS
 CBD - COMMERCIAL CENTRAL BUSINESS DISTRICT
 CH - COMMERCIAL HWY
 O&I - OFFICE & INSTITUTIONAL
 R16 - SINGLE FAMILY URBAN RESIDENTIAL

NOTE:
 1. SETBACK VARIANCE ALONG PORTION OF
 HIGHWAY 78 IS REQUESTED TO ALLOW FOR
 BUILDING AND CANOPY ENCROACHMENT.
 2. BOUNDARY AND TOPOGRAPHIC INFORMATION
 FROM SURVEY BY MCFARLAND-DYER &
 ASSOCIATES DATED 8-5-2021.

OWNER/DEVELOPER
 KOCH ORTHODONTICS
 55 TOWLER ROAD
 LAWRENCEVILLE, GA 30046
 PHONE: 770-962-9560



VICINITY MAP



HUSSEY GAY BELL
 Established 1958

3100 BRUCKNER RD., BLDG. 300, DULUTH, GA 30096 / T: 770.923.1600

REVISIONS:	10/29/23
REVISION #	
DATE	

DESIGNED	XX	DRAWN	BT	CHECKED	MB
DATE:	9/15/2023				
JOB NO.	23040				
SCALE:	XX				

DR. KOCH ORTHODONTICS
 BOBBY BOSS RD.
 LOGANVILLE, GA
 FOR
 DR. KOCH
 ZONING PLAN

DRAWING NUMBER
C01

Proposed Conditions of Zoning

RZ24-001 and 002

1. Property shall be used for dental, medical or other office use. The property shall not be used for the following:

Automotive body repair

Automotive car wash

Automotive parts stores

Auto repair shops or tire stores including lubrication or tune-up centers (full-service and self-service)

Automotive service stations, with or without fuel pumps.

Convenience food stores with or without fuel pumps

Drive-in restaurants.

Garages.

Hotels

Lawnmower repair shops

Machine, welding, radiator or muffler repair shops

Recreation facilities (indoor, such as bowling alleys, skating rinks, and movie theaters, and commercial outdoor, such as miniature golf courses, driving ranges, water slides or drive-in theaters)

Recovered materials processing facility

Restaurants and lounges

2. The Applicant shall plant a row of evergreen trees adjacent to the northeastern edge of its parking lot (nearest Tax Parcel LG050037) and behind its dumpster enclosure. Trees shall be at least six feet in height at the time of planting.

3. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.

4. The dumpster shall be screened in accordance with the City's regulations.

5. The 75 foot stream buffer shall be undisturbed except as permitted by the City's regulations.