

Date: 4/3/25

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

Application # V

Application # V

APPLICATION FOR MAJOR VARIANCE

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*			
NAME: Green River Builders, Inc. c/o Mahaffey Pickens Tucker, LLP ADDRESS: 1550 N Brown Road, Suite 125 CITY: Lawrenceville STATE: Georgia Zip: 30043 PHONE: 770.232.0000	NAME: Multiple - See attached ADDRESS: CITY: STATE: Zip: PHONE: (*attach additional pages if necessary to list all owners)			
Applicant is: Property Owner Contract Purchase	er 🗆 Agent 🗆 Attorney			
CONTACT PERSON: Shane Lanham PHONE: 770.232.0000 EMAIL: slanham@mptlawfirm.com FAX: 678.518.6880				
PROPERTY II	NFORMATION			
MAP & PARCEL # Multiple - See attached PRESENT ZONING: PUV ACREAGE: +/-198.082 ADDRESS: Highway 20 @ Tuck Road COUNTY: Walton & Gwinnett Ordinance and Section from Which Relief is Sought: Section 119-221(d)(2)				
Description of Request: Variance to allow alternative building permit concurrency schedule				
You must attach: Application Fee Degal Description Plat of Property Detter of Intent Site Plan Names/Addresses of Abutting Property Owners Dustification Analysis				
Pre-Application Conference Date: 01/28/2025 Accepted by Planning & Development: DATE: 44-25 FEE PAID: \$500.00				
CHECK # 9810 RECEIPT # R00241065 TAKEN BY: SB DATE OF LEGAL NOTICE: 10 - 25 NEWSPAPER: THE WALTON TRIBUNE				
PLANNING COMMISSION RECOMMENDATION? Approve Approve w/conditions Deny No Recommendation Commission Chairman: DATE: 10/23/25 CITY COUNCIL ACTION: Approved Approved w/conditions Denied Tabled to Referred Back to Planning Commission Withdrawn Withdrawn 1/13/25 Mayor City Clerk Date				

PROPERTY OWNER LIST - REZONING

Name	Address	Parcel No.	County
Tuck Family Farm, LLLP	1221 Dials Plantation Dr	LG060010	Walton
	Statham, GA 3066		
Tuck Family Farm, LLLP	1221 Dials Plantation Dr	LG060010A00	Walton
	Statham, GA 3066		
Tuck Family Farm, LLLP	1221 Dials Plantation Dr	LG060010ADP	Walton
	Statham, GA 3066		
Tuck Family Farm, LLLP	1221 Dials Plantation Dr	LG0600100DP	Walton
	Statham, GA 3066		
Stephens, Chad Tuck &	P.O. Box 1058	LG060009	Walton
Stephens, Sandra Pendley	Loganville, GA 30052		
CSAT Enterprises LLC	P.O. Box 1058	LG060011	Walton
	Loganville, GA 30052		

Applicant's Certifica	tion			
The undersigned hereby certifies that they are authorized by the and that all information contained herein is complete and accura				
12	4/3/25			
Applicant's Signature	Date			
Shane Lanham, Attorney for Applic	ant			
Print Name and Title				
Sworn to and subscribed before me this 3vo day of NOTARY (Seal) PUBLIC	Muller			
Sign Exp. Nov. 8, 2028	nature of Notary Public			
Property Owner's Certicological (complete a separate form for				
The undersigned hereby certifies that they are: (check all that apply)				
a) the owner of record of property contained in th	is application, and/or			
b) the Chief Executive of a corporation or other b property and is duly authorized to make this application,				
that all information contained in this application is complete and accurate to the best of their knowledge.				
Owner's Signature	Date			
Print Name and Title				
Sworn to and subscribed before me this day of	, 20			
(Seal) Sign	nature of Notary Public			

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 Sworn to and subscribed before me this 31d day of 07 Signature of Notary Public **Property Owner's Certification** (complete a separate form for each owner) igned the by certifies that they are: (check all that apply) the owner of record of property contained in this application, and/or 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. day of Up Swom to and subscribed be (Seal) Signature of Notary Public

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.			
Gachel Kerfands	04/04/2025 Date		
Applicant's Signature	Date		
CHARLES P. RICHARDS			
Print Name and Title			
Sworn to and subscribed before me this 310 day of (Seal)	Pote MSeur		
(Seal)	Signature of Notary Public		
MY COMPLO	- <u>-</u>		
The undersigned kereby tertifies that they are: (check all a) the Owner of record of property contains b) the Chief Executive of a corporation or property and is duly authorized to make this application.	that apply) ed in this application, and/or other business entity with ownership interest in the		
that all information contained in this application is comp			
Owner's Signature	Date		
Chad T. Stephers	Manganing Member		
Print Name and Title	/ /		
Swom to and Albschild before the this 30 day of (Seal) (Seal) ORDER O	Act Muse Signature of Notary Public		
780 7605			

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.

MeMil. Unpaul	04/04/2025 Date
Applicant's Signature	Date
CHARLES P. RICHARDS	
Print Name and Title	
Sworn to and subscribed before me this 300 day	of april 2025
sword to and subscribed before the this 3/3 day	01 04 05 05 05 05 05 05 05 05 05 05 05 05 05
	ept mil
(Seal)	July Hell
HINOT WAY	Signature of Notary Public
5 C 8 12 8 0 =	
SIC A	
	er's Certification form for each owner)
(complete a separate	torm for each owner,
The anderson all hereby certifies that they are: (check	all that apply)
"MONING"	
a) the owner of record of property conta	fined in this application, and/or
	or other business entity with ownership interest in the
property and is duly authorized to make this ap	oplication, and
that all information contained in this application is con	applete and accurate to the best of their knowledge.
00 1 1 51	
Club Petters	4-3-25
Owner's Signature	Date
111-61	
Charle T. Stephens	
Print Name and Title	
111111111111111111111111111111111111111	2 - 1
Sworn to and substituted before one this 300 day	of april 2027
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	Pati MIIII
(Seal) BL OTZ	Signature of Notary Public
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AGIA HHILLING	Page 2 of
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APPLICANT'S RESPONSES TO EVALUATION CRITERIA (Zoning Variance)

In the spa	ce provided	or in a se	parate attachment,	provide respon	ises to the	e following	questions:
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the	space provided of in a separate attachment, provide responses to the following questions.
1.	What extraordinary or exceptional conditions due to size, shape or topography are present on the property in question that support the request for relief? Please see attached.
2.	What other conditions are unique to the property and adversely affect its reasonable use or usability as currently zoned?
	Please see attached
3.	How does the application of the requirements of the applicable ordinance to the property in question create an unnecessary hardship?
	Please see attached
4.	Would the requested relief, if granted cause substantial detriment to the public good or impain the purpose and intent of the applicable ordinance?
	Please see attached
5.	Does the relief requested grant a use of land or building or structure that is otherwise prohibited by the applicable ordinance?
	Please see attached.



David Belle Isle
Matthew P. Benson
Catherine W. Davidson
Gerald Davidson, Jr.*
Brian T. Easley
Rebecca B. Gober
John D. Hipes*
Christopher D. Holbrook
Jessica R. Kelly
Shane M. Lanham
Julia A. Maxwell

Jeffrey R. Mahaffey John N. Mahaffey Steven A. Pickens Jack M. Ryan Gabrielle H. Schaller S. Tess Shaheen Andrew D. Stancil Michael A. Tralongo R. Lee Tucker, Jr.

*Of Counsel

COMBINED LETTER OF INTENT AND APPLICANT'S RESPONSE TO EVALUATION CRITERIA FOR MAJOR VARIANCE APPLICATION OF GREEN RIVER BUILDERS, INC.

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and the attached variance application (the "Application") on behalf of Green River Builders, Inc. (the "Applicant"), relative to a proposed mixed-use development on an approximately 198.082-acre tract of land (the "Property") located at the intersection of Tuck Road and Conyers Road (State Route 20). Unincorporated portions of the Property were annexed into the City of Loganville and the entire Property was rezoned to the PUV zoning classification by City Council at the October 10, 2024 Council meeting pursuant to their approval of case numbers A24-012 and R24-013 (the "Rezoning").

In accordance with the approval of the Rezoning and applicable provisions of Chapter 119 of The Code of the City of Loganville, Georgia (the "Code"), the proposed development includes a mixture of single-family detached homes, attached townhomes, and commercial space. Subsequent to the approval of the Rezoning, the Applicant proceeded with intense engineering and design work, including conducting additional environmental and other site inspections, in preparation for land disturbance and other necessary permit submittals. Those efforts have uncovered additional physical characteristics of the Property which frustrate its use and development pursuant to the current requirements of the Code. Simultaneously, the Applicant also embarked on major marketing efforts for the commercial component. However, as described in more detail below and despite strong interest from commercial tenants, the Applicant has encountered serious reservations from those prospective tenants about the timing of building

permit issuance and the construction of the Tuck Road realignment and Highway 20 improvements.

Accordingly, based on the physical characteristics of the Property, including recently uncovered physical characteristics, and updated information related to the timing of the Tuck Road realignment and Highway 20 improvements, the Applicant submits the Application requesting to modify the building permit concurrency requirements set forth in Section 119-221(d)(2) of the Code. Specifically, the Applicant is requesting relief from the Code to allow the issuance of building permits for up to 75% of the floor area/dwelling units of each use with the remaining 25% of building permits for each use not being issued until certificates of occupancy have been issued for the first 75% of the floor area/dwelling units of each use. As described in the Applicant's Responses to Evaluation Criteria provided below, the strict application of the Code to the Property would create an unnecessary hardship on the Applicant and Property Owner due to unique characteristics of the Property.

APPLICANT'S RESPONSES TO EVALUATION CRITERIA

- 1. What extraordinary or exceptional conditions due to size, shape or topography are present on the property in question that support the request for relief?
 - The subject property is exceptionally large and has significant topography. A creek runs along the easterly property boundary line, which presents challenges for the development of the property and construction of buildings. Additionally, after the rezoning was approved by City Council in 2024, additional engineering and environmental inspections were conducted on the property which uncovered another stream running through the middle of the Property. The presence of this stream has disrupted the layout of the proposed development including the commercial portion. While the residential components are more easily adaptable to this reconfiguration, the commercial reconfiguration has caused a delay in the design, marketing, and leasing of the commercial space.
- 2. What other conditions are unique to the property and adversely affect its reasonable use or usability as currently zoned?
 - The proposed GDOT project to align Tuck Road with Sharon Church Road and construction of a roundabout provide unique, significant challenges to the reasonable use and usability of the Property as currently zoned. The timeline of these major road improvements has been extended multiple times. The road improvement project directly affects the usability of the commercial components of the Property as they are located along the frontage of Tuck Road and Highway 20. The residential components are largely unaffected. Forcing development of the commercial component of the mixed-use development to occur before planning and/or construction of such major road improvements is completed would create an unnecessary

hardship on the Applicant and the property owner. Through its marketing efforts, the Applicant has encountered strong interest in the commercial component, but with a common and serious concern regarding the timing of the road improvements. Frankly, there is virtually zero desire among potential commercial tenants to open for business in the middle of major road improvements—especially improvements that directly affect visibility and access.

Additionally, as evidenced by commercially-zoned, but vacant properties in the area, commercial development relies on residential critical mass to be successful. Prematurely constructing commercial uses before a stable market is present would result in unnecessary risk and cost to the Applicant and property owner. Artificially restraining residential development would prolong the development timeline and unnecessarily expose the project to market risks. On the other hand, allowing the development to proceed according to timelines dictated by the free market would allow the natural development of the project while also increasing the attractiveness of the commercial component as residential units come online and establish a built-in customer base.

3. How does the application of the requirements of the applicable ordinance to the property in question create an unnecessary hardship?

The application of the ordinance to the subject property creates unnecessary hardship by effectively prohibiting the use of the Property according to the current PUV zoning classification. Despite its best efforts to market the commercial space, prospective tenants are not interested in occupying the Property until the completion of the Highway 20 improvements. Based on feedback from prospective commercial tenants, the lack of residential critical mass on the Property also frustrates the construction of commercial space. Essentially, the Applicant is caught in a "catch-22" wherein residential units on the Property cannot be constructed on the Property until the completion of corresponding commercial space, but the commercial space is not viable until the completion of the residential units. Prematurely forcing construction of commercial components before the market has matured undermines the stability of the overall development. Moreover, the unpredictable GDOT timeline impacts the attractiveness of the commercial component to end users.

4. Would the requested relief, if granted cause substantial detriment to the public good or impair the purpose and intent of the applicable ordinance?

No. To the contrary, granting the requested relief would reduce the risks of a failed development and would provide a benefit to the public good without impairing the purpose and intent of the applicable ordinance. The Applicant is not seeking relief from the prescribed land use mix as set forth in the Ordinance. Rather, the Applicant is merely seeking flexibility regarding the timing of construction. The Applicant would welcome the opportunity to establish certain other development requirements and conditions of approval to safeguard the surrounding community and ensure the timely construction of the project. As requested, the relief would still require the Applicant to complete 75% of the commercial space before building permits for the remaining 25% of residential uses would be allowed.

5. Does the relief requested grant a use of land or building or structure that is otherwise prohibited by the applicable ordinance?

No. The Applicant is not requesting to alter the required land use mix or to allow a use of land or building or structure that is otherwise prohibited by the applicable ordinance. Rather, the requested relief relates only to the timing of construction for land uses that are otherwise allowed by the ordinance.

The Applicant welcomes the opportunity to meet with staff of the City of Loganville Department of Planning and Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of the Application.

Respectfully submitted this 4th day of April, 2025.

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

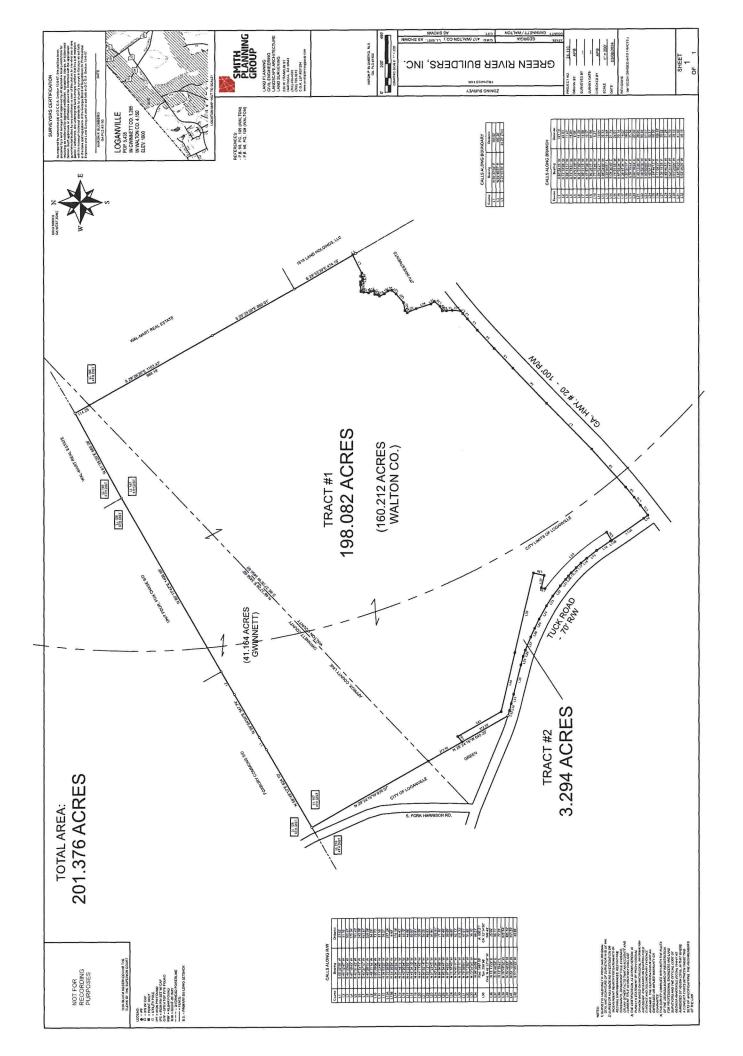
Shane M. Lanham *Attorneys for the Applicant*

All that certain tract or parcel of land, lying and being in Land Land 187 in the 4th District of Gwinnett County, Georgia, also being in 417th G.M.D. of Walton County, Georgia being partially in the City of Loganville containing 198.082 acres and being more fully described as follows:

Beginning at the Northern Right-of-Way intersection of Georgia Highway #20 and Tuck Road; Thence along said Right-of-Way of Tuck Road N 36°03'25" W a distance of 38.21' to a Point; Thence N 33°36'59" W a distance of 277.24' to a Point; Thence leaving said Right-of-Way N 58°55'08" E a distance of 66.21' to a Point; Thence with a curve turning to the left with an arc length of 590.21', with a radius of 1497.59', with a chord bearing of N 42°22'18" W, with a chord length of 586.40', to a Point; Thence N 13°11'28" E a distance of 26.99' to a Point; Thence S 76°48'32" E a distance of 89.11' to a Point; Thence N 13°19'41" E a distance of 77.35' to a Point: Thence N 76°48'32" W a distance of 575.59' to a Point; Thence N 76°49'33" W a distance of 425.32' to a Point; Thence N 29°13'39" W a distance of 351.20' to a Point; Thence S 51°33'33" W a distance of 49.66' to a Point; Thence N 29°24'16" W a distance of 272.91' to a Point; Thence N 29°24'16" W a distance of 936.07' to a Point; Thence N 59°49'12" E a distance of 634.10' to an IPF; Thence N 59°37'56" E a distance of 100.02' to an IPF; Thence N 59°54'04" E a distance of 347.74' to an IPF; Thence N 59°46'07" E a distance of 185.38' to an IPF; Thence N 60°17'42" E a distance of 1406.99' to a Point: Thence N 61°35'20" E a distance of 680.28' to an IPF; Thence S 29°26'20" E a distance of 1103.43' to an IPF; Thence S 29°25'59" E a distance of 660.01' to an IPF; Thence S 29°53'39" E a distance of 474.15' to a Point in the centerline of creek; Thence along said centerline of creek S 63°24'16" W a distance of 141.13' to a Point; Thence N 72°18'08" W a distance of 24.03' to a Point; Thence S 28°13'12" W a distance of 11.41' to a Point: Thence S 74°19'31" W a distance of 15.83' to a Point; Thence N 74°51'49" W a distance of 8.68' to a Point; Thence N 32°37'40" W a distance of 16.39' to a Point; Thence S 89°31'15" W a distance of 14.08' to a Point: Thence N 87°57'38" W a distance of 10.17' to a Point; Thence S 86°26'17" W a distance of 41.00' to a Point;

Thence S 77°33'48" W a distance of 5.21' to a Point; Thence S 09°52'21" W a distance of 19.06' to a Point; Thence S 08°28'09" W a distance of 35.33' to a Point;

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Thence S 33°04'51" E a distance of 16.99' to a Point;
Thence S 09°36'40" E a distance of 21.74' to a Point;
Thence S 74°01'58" W a distance of 25.01' to a Point;
Thence S 07°03'34" W a distance of 20.14' to a Point;
Thence S 38°47'34" W a distance of 16.52' to a Point;
Thence S 25°21'37" E a distance of 38.69' to a Point;
Thence S 39°19'43" E a distance of 31.34' to a Point;
Thence S 06°18'24" E a distance of 27.60' to a Point;
Thence S 40°13'36" W a distance of 38.09' to a Point;
Thence S 48°59'18" W a distance of 80.30' to a Point;
Thence S 80°00'00" W a distance of 57.67' to a Point;
Thence S 42°51'22" W a distance of 22.27' to a Point;
Thence S 24°46'13" E a distance of 68.30' to a Point;
Thence S 17°08'22" E a distance of 108.56' to a Point;
Thence S 35°15'33" E a distance of 30.52' to a Point;
Thence S 40°44'31" W a distance of 51.28' to a Point;
Thence S 64°31'43" W a distance of 35.70' to a Point;
Thence S 01°26'06" W a distance of 29.16' to a Point;
Thence S 04°56'23" E a distance of 41.60' to a Point:
Thence S 03°45'26" W a distance of 58.16' to a Point at the intersection of the centerline of
creek and the northern Right-of-Way of Georgia Highway #20;
Thence along said Right-of-Way S 50°22'30" W a distance of 23.62' to a Point;
Thence S 49°12'47" W a distance of 51.16' to a Point;
Thence S 48°33'09" W a distance of 105.67' to a Point;
Thence S 47°10'43" W a distance of 175.36' to a Point;
Thence S 46°31'43" W a distance of 191.40' to a Point;
Thence S 46°15'11" W a distance of 343.08' to a Point;
Thence S 45°37'12" W a distance of 451.87' to a Point;
Thence S 48°28'15" W a distance of 359.08' to a Point;
Thence S 49°11'16" W a distance of 94.58' to a Point;
Thence S 50°29'06" W a distance of 73.73' to a Point;
Thence S 51°53'40" W a distance of 87.99' to the Point of Beginning.
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ABUTTING PROPERTY OWNERS LIST

Name/Address	Parcel Number
GREEN CHRISTOPHER JAMES &	C0040009B00
GREEN MICHELLE YVONNE	
4565 TUCK ROAD	
LOGANVILLE, GA 30052	
GREEN CHRISTOPHER J &	C0040009D00
GREEN MICHELLE Y	
4565 TUCK ROAD	
LOGANVILLE, GA 30052	
JTV INVESTMENT GROUP LLC	LG060008
PO BOX 235	
LOGANVILLE, GA 30052	
JTV INVESTMENT GROUP LLC	LG060007
PO BOX 235	
LOGANVILLE, GA 30052	
1618 LAND HOLDINGS LLC	LG060005
1550 NORTH BROWN RD	
SUITE 130	
LAWRENCEVILLE, GA 30043	
WAL-MART REAL ESTATE	LG040001
BUSINESS TRUST	
%RE PROPERTY TAX DEPT	
PO BOX 8050 MS 0555	
BENTONVILLE, AR 727160555	
WAL-MART REAL ESTATE BUSINESS	R5160 001
PO BOX 8050	
BENTONVILLE AR 72716-8055	
EPIC ENDEAVORS REAL ESTATE LLC	R5160 258
4560 TRUMBLE TER	
SNELLVILLE GA 30039	
MARTINEZ ANA MARINA	R5129 191
4411 FIDDLERS BND	
LOGANVILLE GA 30052	
SWH 2017-1 BORROWER LP	R5129 190
2 SUN CT, STE 400	
PEACHTREE CORNERS, GA 30092	
CANALES JOSE G	R5129 189
4391 FIDDLERS BND	
LOGANVILLE GA 30052	
SWH 2017-1 BORROWER LP	R5129 188
2 SUN CT, STE 400	
PEACHTREE CORNERS, GA 30092	

FYR SFR BORROWER LLC	R5129 187
	K3129 167
PO BOX 4090	
SCOTTSDALE AZ 85261 BTR SCATTERED SITE OWNER LLC	R5129 186
	K3129 180
5001 PLAZA ON THE LK STE 200	
AUSTIN TX 78746	D5100 105
POLMAN SHARON	R5129 185
4351 FIDDLERS BND	
LOGANVILLE GA 30052	D 5100 104
CAULDER REX A & LINDA S	R5129 184
4341 FIDDLERS BND	
LOGANVILLE GA 30052	
CALDERON ISABELLA RINADA	R5129 183
4331 FIDDLERS BND	
LOGANVILLE GA 30052	
BUSTAMANTE LUIS HERRERA	R5129 175
MONCADA MARTHA J. AQUIRRE	
4310 FOX CHASE DR	
LOGANVILLE GA 30052	
FELDER KATHLEEN	R5129 174
4325 FOX CHASE DR	
LOGANVILLE GA 30052	
TAMAYO HECTOR A	R5129 173
PEREZ IRLENY TEJEDA	
4315 FOX CHASE DR	
LOGANVILLE GA 30052	
MORRIS THUYTIEN	R5129 297
MORRIS BRUCE	
293 FOX RUN	
LOGANVILLE GA 30052	
BURKE DAVID W	R5129 331
BURKE KAREN	
177 FOX RUN	
LOGANVILLE GA 30052	
ROBERTSON DARRYL B Jr	R5129 332
ROBERTSON LACINDA MICHELLE	
179 FOX RUN	
LOGANVILLE GA 30052	
IJITIMEHIN CHERLYN M	R5129 333
IJITIMEHIN OLARINDE	
181 FOX RUN	
LOGANVILLE GA 30052	
HUMANS ANGELA V	R5129 334
183 FOX RUN	
LOGANVILLE GA 30052	
LOOMIN VILLE ON 30034	

DEPIETRO CLAUDIO	R5129 335
DEPIETRO SANDRA S	
185 FOX RUN	
LOGANVILLE GA 30052	
JONES KIM R	R5129 336
WILSON TONISHA	
187 FOX RUN	
LOGANVILLE GA 30052	
VALDEZ JENNY	R5129 337
ZAVALETA MARTHA ROJAS	
189 FOX RUN	
LOGANVILLE GA 30052	
PLESSY JN BERLY	R5129 338
PLESSY JULIE	
191 FOX RUN	
LOGANVILLE GA 30052	
WASHINGTON JAPRITA MATICE	R5129 339
WASHINGTON ALFONSO	
195 FOX RUN	
LOGANVILLE GA 30052	
HOPKINS JAN LISA	R5129 340
199 FOX RUN	
LOGANVILLE GA 30052	
CITY OF LOGANVILLE	R4216 024
4385 PECAN ST	
LOGANVILLE GA 30052	