



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: January 5, 2024

Application # R 24-006

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

Form with sections: APPLICANT INFORMATION, PROPERTY OWNER INFORMATION\*, CONTACT PERSON, and PROPERTY INFORMATION. Includes fields for name, address, city, state, zip, phone, and zoning details.

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

Pre-Application Conference Date: 11/2/2023 @10am

Accepted by Planning & Development: Sarah Black DATE: 1/8/2024 FEE PAID: \$500.00

CHECK # 1343 RECEIPT # R00156139 TAKEN BY: SB DATE OF LEGAL NOTICE: 2/4/2024 NEWSPAPER: THE WALTON TRIBUNE

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

Commission Chairman: [Signature] DATE: 2/22/24

CITY COUNCIL ACTION: Approved Referred Back to Planning Commission Approved w/conditions Denied Withdrawn Tabled to

Mayor City Clerk 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.

Melody A. Glouton  
Applicant's Signature

01/05/2024

Date

MELODY A, GLOUTON, ATTORNEY

Print Name and Title

Sworn to and subscribed before me this 5th day of January, 2024.

(Seal)

Daphne Wilson Boyd  
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.

Cliff Rader  
Owner's Signature

12/14/23  
Date

CLIFF RADER  
Print Name and Title

Sworn to and subscribed before me this 14 day of December, 2023.

(Seal)

Mandy Andrews  
Signature of Notary Public



## DESCRIPTION OF

### Tract 2 – 234 Line Street

All that tract or parcel of land lying and being in Land Lot 161 of the 5th District, City of Loganville, Gwinnett County and Walton County, Georgia and being more particularly described as follows:

To find the Point of Beginning commence at a 1/2 inch rebar set at the intersection of the southwestern right of way line of Georgia State Route 20 (right of way width varies), also known as Loganville Highway, and the northwestern right of way line of Line Street (40 feet right of way width); thence proceeding along said right of way line of Line Street South 59 degrees 41 minutes 40 seconds West a distance of 478.22 feet to a 2 inch open top pipe found, said point being the Point of Beginning.

From the Point of Beginning as thus established, continuing along said right of way line of Line Street South 60 degrees 36 minutes 41 seconds West a distance of 121.25 feet to a 1/2 inch crimp top pipe found; thence leaving said right of way line of Line Street and proceeding North 30 degrees 11 minutes 34 seconds West a distance of 1711.41 feet to a 1/2 inch rebar found; thence North 57 degrees 57 minutes 13 seconds East a distance of 131.96 feet to a 1/2 inch rebar found; thence South 29 degrees 50 minutes 14 seconds East a distance of 1717.41 feet to a 2 inch open top pipe found, said point being the Point of Beginning.

Said tract contains 216,971 square feet or 4.981 acres.

The above described property is shown on a Boundary Survey for Line Street Properties, prepared by Travis Pruitt & Associates, Inc., dated November 21, 2023. (FN: 218-E-038)

## DESCRIPTION OF

### Total Tract

All that tract or parcel of land lying and being in Land Lot 161 of the 5th District, City of Loganville, Gwinnett County and Walton County, Georgia and being more particularly described as follows:

Beginning at a 1/2 inch rebar set at the intersection of the southwestern right of way line of Georgia State Route 20 (right of way width varies), also known as Loganville Highway, and the northwestern right of way line of Line Street (40 feet right of way width); thence proceeding along said right of way line of Line Street the following courses and distances: South 59 degrees 41 minutes 40 seconds West a distance of 478.22 feet to a 2 inch open top pipe found and South 60 degrees 36 minutes 41 seconds West a distance of 121.25 feet to a 1/2 inch crimp top pipe found; thence leaving said right of way line of Line Street and proceeding North 30 degrees 11 minutes 34 seconds West a distance of 1711.41 feet to a 1/2 inch rebar found; thence North 57 degrees 57 minutes 13 seconds East a distance of 131.96 feet to a 1/2 inch rebar found; thence North 58 degrees 11 minutes 21 seconds East a distance of 254.59 feet to a 1/2 inch rebar set; thence South 29 degrees 30 minutes 26 seconds East a distance of 1394.22 feet to a 1/2 inch rebar set; thence North 61 degrees 39 minutes 18 seconds East a distance of 233.27 feet to a 1/2 inch rebar set on the southwestern right of way line of Georgia State Route 20; thence proceeding along said right of way line of Georgia State Route 20 South 29 degrees 35 minutes 20 seconds East a distance of 322.00 feet to a 1/2 inch rebar set, said point being the Point of Beginning.

Said tract contains 722,342 square feet or 16.583 acres.

The above described property is shown on a Boundary Survey for Line Street Properties, prepared by Travis Pruitt & Associates, Inc., dated November 21, 2023. (FN: 218-E-038)

THIS PLAN IS THE PROPERTY OF TRAVEL PRUITT ASSOCIATES, INC. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TRAVEL PRUITT ASSOCIATES, INC.



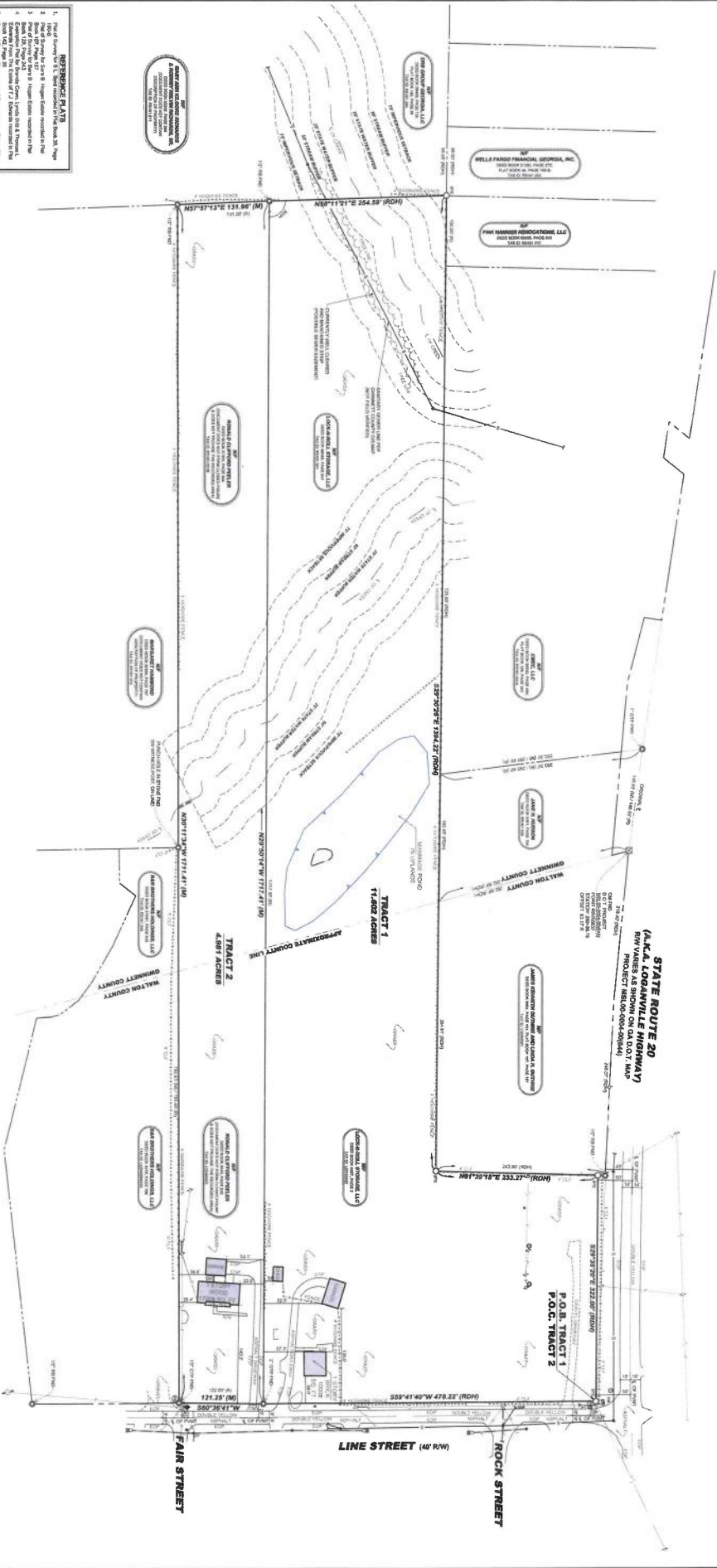
**LEGEND**

○	BOUNDARY SURVEY	P.S.L.	PROPERTY OF ASSUMED	101	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	102	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	103	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	104	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	105	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	106	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	107	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	108	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	109	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	110	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	111	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	112	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	113	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	114	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	115	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	116	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	117	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	118	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	119	BOUNDARY SURVEY
○	PROPERTY OF ASSUMED	P.S.L.	PROPERTY OF ASSUMED	120	BOUNDARY SURVEY



**REVISIONS**

NO.	DATE	DESCRIPTION
1	12-20-23	ISSUED FOR PERMITTING



**RECORDING PLATS**

1. Plat of Survey for Tract 1, 11.602 Acres, recorded in Book 24, Page 100 of the Official Public Records of Wilkes County, Georgia.
2. Plat of Survey for Tract 2, 4.891 Acres, recorded in Book 24, Page 101 of the Official Public Records of Wilkes County, Georgia.
3. Plat of Survey for Tract 1, 11.602 Acres, recorded in Book 24, Page 102 of the Official Public Records of Wilkes County, Georgia.
4. Plat of Survey for Tract 2, 4.891 Acres, recorded in Book 24, Page 103 of the Official Public Records of Wilkes County, Georgia.
5. Plat of Survey for Tract 1, 11.602 Acres, recorded in Book 24, Page 104 of the Official Public Records of Wilkes County, Georgia.
6. Plat of Survey for Tract 2, 4.891 Acres, recorded in Book 24, Page 105 of the Official Public Records of Wilkes County, Georgia.

**NOTES**

1. This plan was prepared by Travel Pruitt Associates, Inc. based on a field survey conducted on 12/20/23. The survey was conducted in accordance with the Georgia Surveying Code, Chapter 47, Title 47-10, Code of Official Code of Georgia Annotated, and the Georgia Professional Surveyors Act, Chapter 47, Title 47-10, Code of Official Code of Georgia Annotated.
2. The survey was conducted in accordance with the Georgia Surveying Code, Chapter 47, Title 47-10, Code of Official Code of Georgia Annotated, and the Georgia Professional Surveyors Act, Chapter 47, Title 47-10, Code of Official Code of Georgia Annotated.
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5. The survey was conducted in accordance with the Georgia Surveying Code, Chapter 47, Title 47-10, Code of Official Code of Georgia Annotated, and the Georgia Professional Surveyors Act, Chapter 47, Title 47-10, Code of Official Code of Georgia Annotated.

**PROPERTY DESCRIPTION - Tract 1**

That certain parcel of land situated in Wilkes County, Georgia, bounded on the north by the line of the Wilkes County Courthouse, on the east by the line of the Wilkes County Courthouse, on the south by the line of the Wilkes County Courthouse, and on the west by the line of the Wilkes County Courthouse, containing 11.602 acres, more or less, as shown on the attached plat of survey, and as more fully described in the plat of survey recorded in Book 24, Page 100 of the Official Public Records of Wilkes County, Georgia.

**PROPERTY DESCRIPTION - Tract 2**

That certain parcel of land situated in Wilkes County, Georgia, bounded on the north by the line of the Wilkes County Courthouse, on the east by the line of the Wilkes County Courthouse, on the south by the line of the Wilkes County Courthouse, and on the west by the line of the Wilkes County Courthouse, containing 4.891 acres, more or less, as shown on the attached plat of survey, and as more fully described in the plat of survey recorded in Book 24, Page 101 of the Official Public Records of Wilkes County, Georgia.

**PROPERTY DESCRIPTION - Tract 1**

That certain parcel of land situated in Wilkes County, Georgia, bounded on the north by the line of the Wilkes County Courthouse, on the east by the line of the Wilkes County Courthouse, on the south by the line of the Wilkes County Courthouse, and on the west by the line of the Wilkes County Courthouse, containing 11.602 acres, more or less, as shown on the attached plat of survey, and as more fully described in the plat of survey recorded in Book 24, Page 102 of the Official Public Records of Wilkes County, Georgia.

**PROPERTY DESCRIPTION - Tract 2**

That certain parcel of land situated in Wilkes County, Georgia, bounded on the north by the line of the Wilkes County Courthouse, on the east by the line of the Wilkes County Courthouse, on the south by the line of the Wilkes County Courthouse, and on the west by the line of the Wilkes County Courthouse, containing 4.891 acres, more or less, as shown on the attached plat of survey, and as more fully described in the plat of survey recorded in Book 24, Page 103 of the Official Public Records of Wilkes County, Georgia.

**PROPERTY DESCRIPTION - Tract 1**

That certain parcel of land situated in Wilkes County, Georgia, bounded on the north by the line of the Wilkes County Courthouse, on the east by the line of the Wilkes County Courthouse, on the south by the line of the Wilkes County Courthouse, and on the west by the line of the Wilkes County Courthouse, containing 11.602 acres, more or less, as shown on the attached plat of survey, and as more fully described in the plat of survey recorded in Book 24, Page 104 of the Official Public Records of Wilkes County, Georgia.

**PROPERTY DESCRIPTION - Tract 2**

That certain parcel of land situated in Wilkes County, Georgia, bounded on the north by the line of the Wilkes County Courthouse, on the east by the line of the Wilkes County Courthouse, on the south by the line of the Wilkes County Courthouse, and on the west by the line of the Wilkes County Courthouse, containing 4.891 acres, more or less, as shown on the attached plat of survey, and as more fully described in the plat of survey recorded in Book 24, Page 105 of the Official Public Records of Wilkes County, Georgia.

**CERTIFICATION**

I, the undersigned, being a duly licensed and qualified professional surveyor in the State of Georgia, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land, and that the same was conducted in accordance with the Georgia Surveying Code, Chapter 47, Title 47-10, Code of Official Code of Georgia Annotated, and the Georgia Professional Surveyors Act, Chapter 47, Title 47-10, Code of Official Code of Georgia Annotated.

Travel Pruitt Associates, Inc.  
12-20-23  
12-20-23

**BOUNDARY SURVEY**

**LINE STREET PROPERTIES**

PREPARED BY: TRAVEL PRUITT ASSOCIATES, INC.

DATE: 12-20-23

GRAPHIC SCALE: 1" = 100'

**Travel Pruitt Associates, Inc.**

4317 Park Drive, Suite 800  
Macon, Georgia 31206  
Phone: (770) 418-7511  
Fax: (770) 418-8708  
www.travelpruit.com

Certificate of Authorization Number 613

**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

\_\_\_\_\_  
Print Name

*Melody A. Glouton*

*1/5/24*

\_\_\_\_\_  
Signature of Applicant's  
Attorney or Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Melody A. Glouton  
Print Name

**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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

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

**COMBINED LETTER OF INTENT  
AND JUSTIFICATION FOR REZONING**

**Rezoning Application  
City of Loganville, Walton County, Georgia**

**Applicant:**

The Revive Land Group, LLC

**Property:**

Tax Parcel ID LG040062 (11.602 acres)

and

Tax Parcel ID LG040063 (4.981 acres)

Total: ±16.58 Acres of Land

Located at 246 and 234 Line Street, Loganville, Georgia 30052

**From MHP and LI to RM-6**

**Submitted for Applicant by:**

Melody A. Glouton, Esq.

ANDERSEN TATE & CARR, P.C.

One Sugarloaf Centre

1960 Satellite Blvd.

Suite 4000

Duluth, Georgia 30097

770.822.0900

[mglouton@atclawfirm.com](mailto:mglouton@atclawfirm.com)

**I. INTRODUCTION**

This Application for Rezoning is submitted for a 16.58-acre assemblage of land located at 246 and 234 Line Street, just west of its intersection with Loganville Highway (hereinafter the “Property”).<sup>1</sup> The Property is an assemblage of two (2) tax parcels, with frontage along both Loganville Highway and Line Street. The Property is shown on the survey prepared by Travis Pruitt & Associates, Inc., dated December 20, 2023, and filed with this Application.

The Property is currently zoned MHP (Manufactured Home Park) and LI (Light Industrial) pursuant to the Code of the City of Loganville, Georgia (the “Code”). The Applicant, The Revive Land Group, LLC (the “Applicant”) now seeks approval to rezone the Property to RM-6 (Multifamily Residential Medium Density) to develop a distinctive and attractive townhome community with 93 units.

This document is submitted as the Letter of Intent, Response to Standard Governing the Exercise of Zoning Power, and other materials required by the Code.

**I. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA**

The Property consists of two (2) tax parcels and contains 16.58-acres. While there are two personal residences located on the Property, the majority of the site is undeveloped and partially wooded. As shown on the City of Loganville Zoning Map, the Property is surrounded by industrial and residential uses. The following is a summary of the surrounding zoning classifications:



<sup>1</sup> Tract 1, Tax Parcel ID LG040062, is located at 246 Line Street, and consists of 11.602 acres. Tract 2, Tax Parcel ID LG040063, is located at 234 Line Street, and consists of 4.981 acres.



## **II. PROJECT SUMMARY**

As shown on the conceptual site plan dated November 10, 2023, and filed with this Application (hereinafter the “Site Plan”), the Applicant proposes to develop the Property into a distinctive and attractive residential townhome community. The Applicant is proposing to rezone 16.58 acres from MHP and LI to RM-6 to accommodate the development of a townhome community with 93 units for a proposed density of 5.61 units per acre. As indicated above, the site is surrounded by industrial and residential properties and the development would provide an opportunity for transition from industrial to medium density housing. Moreover, the proposal would provide for an additional housing type for the citizens of Loganville and be a catalyst for the revitalization of downtown Loganville. As shown in the Site Plan, the community would include townhomes with a minimum square footage of 1,800 and two-car garages. While market conditions can fluctuate, the Applicant anticipates the price range of the townhomes to range from \$300,000 to 375,000. The architectural style of the townhomes would be constructed with a variety of facades, including brick, stacked stone, hardie plank, shake, board and batten. The site is designed for a full access driveway on Line Street. For reference, the Applicant has included sample elevations with this Application.

## **III. SITE IMPACT ANALYSIS**

The Applicant submits its written impact analysis which shows that rezoning to LI satisfies the responses to evaluation criteria as follows:

1. How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?
  - A. The Property is adjacent to existing industrial and residential uses. The site will be developed with quality architectural elements consistent with the City’s development regulations and will not adversely impact the overall appearance of adjacent parcels. Rezoning the Property to RM-6 will also permit a use that is suitable in view of the use and development of adjacent and nearby property.
  
2. How does the proposed use impact thoroughfare congestion and traffic safety?
  - A. Rezoning the Property to RM-6 will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities or schools. While the Property has frontage on both Line Street and Loganville Highway, the community has been designed for single access on Line Street. The Applicant completed a traffic impact analysis as part of this submittal and the results of the future conditions traffic analysis indicated that the stop-controlled approaches will continue to operate at a level of service “C” or better in both the AM and PM peak hours.

3. How does the proposed use impact population density and the potential for overcrowding and urban sprawl?
  - A. The proposed residential use is suitable in view of the existing development of adjacent and nearby properties. The development will provide additional housing supply in the community and would not create overcrowding. More importantly, the development will provide housing to support the revitalization of downtown Loganville.
4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services?
  - A. The proposed use is a medium density residential use compared to surrounding industrial and residential uses on adjacent properties as it relates to water, sewer, and transportation infrastructure. The development will not result in an excessive or burdensome use of the infrastructure. The City of Loganville Public Utilities department has further confirmed that sewer capacity is available and able to serve the development. Moreover, any potential impacts on public facilities such as traffic, utility demand, stormwater, and schools can be mitigated with appropriate zoning conditions and site development requirements.
5. How does the proposed zoning provide protection of property against blight and depreciation?
  - A. The proposed zoning activates a site that is currently zoned for manufactured homes and industrial uses. The development of a townhome community brings new economic investment to the City and provides additional housing options. The development would further help in the revitalization of downtown Loganville.
6. How is the proposed use and zoning consistent with the adopted Comprehensive Plan?
  - A. The proposed use is a less intense use of the Property than some permitted uses under the current zoning classification of LI (Light Industrial District). In addition, development of the site with townhomes as opposed to manufactured homes would serve existing residents in the community as well as new residents seeking housing in the City.
7. In what way does the proposed zoning affect adjacent property owners if the request is approved?
  - A. The proposed rezoning will have little to no effect on adjacent property owners as the intended residential use will be less intensive than what is permitted under the industrial classification. Likewise, a townhome community will provide greater economic growth as opposed to a manufactured home community.

8. What is the impact upon adjacent property owners if the request is not approved?
  - A. The Property is currently occupied with two residential homes and some accessory structures. Should the Property not be rezoned to allow for townhomes, the area where the Property is located will be deprived of new residential investment that is complimentary to the surrounding uses. The proposed rezoning brings a complimentary use to the surrounding properties and will further support the existing business in the community.
  
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.
  - A. The proposed rezoning would have a positive effect on the aesthetics and prosperity of the present and future citizens of the City by bringing new development to an essentially undeveloped site. The proposed development will provide quality architecture and needed housing supply to the City's current and future residents. The proposed use would be of low impact compared to its current zoning classifications and would not affect the health, safety, or morals of the City's current or future residents.

#### **IV. JUSTIFICATION FOR REZONING**

The Applicant respectfully submits that "The Code of the City of Loganville, Georgia" (the "Code"), as amended from time to time, to the extent that it classifies the Property in any zoning district that would preclude development of a townhome community is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Code deprives the Applicant and Property owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and that requested herein, would deprive the Applicant and Property owner of any reasonable use and development of the Property. Further, any attempt by the Mayor and Council of the City of Loganville to impose greater restrictions upon the manner in which the Property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current zoning classifications and any other zoning of the Property save for what has been requested as established in the Code constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant and Property owner. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality, or general welfare of the public and would substantially harm the Applicant and Property owner. Further, the existing inconsistent zoning classification constitutes, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this Project would constitute, a taking of the owner's

private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that failure to approve the requested rezoning to RM-6 would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Finally, the Applicant respectfully submits that the Mayor and Council of the City of Loganville cannot lawfully impose more restrictive standards upon the development of the Property than presently exist, as to do so not only would constitute a taking of the Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

This Application meets favorably with the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322 (1977).

## V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Application to Rezone from MHP and LI to RM-6 be approved. The Applicant welcomes the opportunity to meet with the City of Loganville Planning Department staff to answer any questions or to address any concerns relating to this Letter of Intent or supporting materials.

Respectfully submitted this 5th day of January, 2024.

**ANDERSEN, TATE & CARR, P.C.**

*Melody A. Glouton*

Melody A. Glouton, Esq.

Enclosures  
MAG/dwb

4880-9828-9818, v. 1



**Adjoining Property Owners List**  
**The Revive Land Group Rezoning Application**

CMEC, LLC  
627 EDGELEY LANE  
LAWRENCEVILLE, GA 30044

5.43 ACRES  
4075 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | **R5161 001A**

JANE H. HUDSON  
4077 LAWRENCEVILLE ROAD  
LOGANVILLE, GA 30052

1.04 ACRES  
4077 LAWRENCEVILLE STREET, LOGANVILLE 30052 | **R5161 038**

KRISNA INVESTMENT LLC  
3142 PINE CONE COURT  
LILBURN, GA 30047

0.91 ACRES  
4045 LAWRENCEVILLE STREET, LOGANVILLE 30052 | **R5161 003**

PINK HAMMER RENOVATIONS, LLC  
1949 FLOYE DRIVE  
LOGANVILLE, GA 30042

0.94 ACRES  
4055 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | **R5161 002**

MARY ANN KILGORE RICHARDS AND RODNEY KELVIN RICHARDS, SR.  
922 ULYSSES STREET  
LEXINGTON, NC 27292

28.51 ACRES  
3918 PECAN ROAD, LOGANVILLE 30052 | **R5161 011**

MARGARET HAMMOND  
4128 PECAN STREET  
LOGANVILLE, GA 30052

17.00 ACRES  
4128 PECAN ROAD, LOGANVILLE 30052 | **R5161 012**

B&R BROTHERS HOLDINGS LLC  
1210 WEBB GIN HOUSE ROAD  
LAWRENCEVILLE, GA 30045

0.37 ACRES  
4138 PECAN STREET, LOGANVILLE 30052 | **R5161 044**

B&R BROTHERS HOLDINGS LLC  
1210 WEBB GIN HOUSE ROAD  
LAWRENCEVILLE, GA 30045

3.12 ACRES  
232 LINE STREET, LOGANVILLE 30052 | **LG040064A00**

JAMES KENNETH AND LINDA H. GUTHRIE  
P.O. BOX 1245  
LOGANVILLE, GA 30052

2.47 ACRES  
4125 LAWRENCEVILLE ROAD, LOGANVILLE 30052 | **LG040061**









*where people matter*

**City of Loganville**

Public Utilities  
Brandon Phillips  
Director

P.O. Box 39  
Loganville, GA 30052

Tel: 770-466-3240

November 28, 2023

The Revive Land Group

Re: Proposed 234 and 246 Line Street Development Sewer Capacity

To Whom It May Concern:

The intent of this letter is to inform you that the City of Loganville does have the current capacity to service this development.

If you have any questions concerning this matter, please call my office at 770-466-0911

Travis Toney  
City of Loganville  
Sewer Supervisor