



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: 3/7/2024

Application # V 24-018

APPLICATION FOR MAJOR VARIANCE

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

You must attach: [ ] Application Fee [ ] Legal Description [ ] Plat of Property [ ] Letter of Intent
[ ] Site Plan [ ] Names/Addresses of Abutting Property Owners [ ] Justification Analysis

Pre-Application Conference Date: \_\_\_\_\_

Accepted by Planning & Development: [Signature] DATE: 3/8/24 FEE PAID: \$500.00

CHECK # 9162 RECEIPT # 80269261 TAKEN BY: SB DATE OF LEGAL NOTICE: 4/3/2024 NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION: [X] Approve [ ] Approve w/conditions [ ] Deny [ ] No Recommendation

Commission Chairman: [Signature] DATE: 4/25/24

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[ ] Referred Back to Planning Commission [ ] Withdrawn

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.

*[Handwritten Signature]*

3/8/24

Applicant's Signature

Date

Robert M. Gardner, Jr., Attorney for Applicant

Print Name and Title

Sworn to and subscribed before me this 8 day of March, 2024.

(Seal)



*[Handwritten Signature]*

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) X 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.

*[Handwritten Signature]*

3-8-24

Owner's Signature

Date

Mitchell Blanchard, CEO

Print Name and Title

Sworn to and subscribed before me this 8 day of March, 2024.

(Seal)



*[Handwritten Signature]*

Signature of Notary Public

**APPLICANT'S RESPONSES TO EVALUATION CRITERIA (Zoning Variance)**

**In the space provided or 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?**

The size and topography of the property is such that a 4:1 pond slope, 30 foot buffer for driveway, 20 foot drainage easement, and 200 foot decel lane would not allow for any development of the site. The requested variance in retention pond slope, as well as reduction of buffers, would allow the site (and surrounding neighborhood) to be greatly beautified along with a badly-needed reduction in stormwater volume and flow.

- 2. What other conditions are unique to the property and adversely affect its reasonable use or usability as currently zoned?**

The site, as well as the surrounding streets, are currently subject to flooding in large storms. Allowing the proposed development would result in a 41% decrease in flow for a typical storm, and a 32% decrease in flow in a 5-year storm. The proposed variance will allow for a change in the property which would actually improve neighboring property by reducing existing flooding.

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

Requirements for the existing buffer, decel lane, and a 4 to 1 slope for a detention pond would take up nearly all of the unimproved portion of the tract, allowing for no development whatsoever. This would deprive the owner of the highest and best use of the property and continue a flooding hazard to existing properties.

- 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. Applicant proposes that the proposed use of the property with the variances would create an improvement to the public good by decreasing an existing flooding issue which has been prevalent in the area where the property is located. Additionally, as the purpose and intent of the applicable ordinance is to decrease unsightly detention areas and to decrease flooding, the landscaping and design proposed by the applicant is entirely consistent with the purpose and intent of such ordinance.

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

No. The use of the proposed structures are consistent with what is currently allowed in the existing zoning classification

# GARDNER LAW FIRM

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WINDER, GA 30680

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March 8, 2024

City of Loganville  
Planning and Zoning Department

Re: Letter of intent regarding 164 Bobby Boss Dr. Loganville, Ga.

Dear City of Loganville:

Please consider the instant document as the letter of intent of E&S Rentals, LLC for their proposed modification to property located at 164 Bobby Boss Dr., Loganville, Ga. The instant proposal, in general, concerns the addition of two commercial buildings to the unimproved portion of the property, and for a number of variances which would be required in order to do so.

#### The Property:

164 Bobby Boss Dr. is a 2.47 acre parcel presently zoned CH within the city of Loganville. The parcel, as shown on the attached exhibit, is an L-shaped parcel with two existing smaller buildings adjacent to Bobby Boss Drive and two larger commercial buildings located behind the smaller ones and accessed from Bobby Boss Drive. The owner is proposing to add two more large commercial buildings directly to the northeast of the existing commercial buildings on what is now a grassy slope which leads from the existing large buildings to Tommy Lee Fuller Drive.

#### Variances (as shown and numbered on the attached parcel):

Variance 1: This request involves a reduction in the existing 50 foot buffer to a 15 foot buffer within the setback on the northeastern portion of the property. As the detention pond referenced in Variance 2 requires access, this variance will allow the applicant to remove an existing gravel area and to grade an area to allow access to the western portion of the property from the eastern, and to allow access to the detention pond for maintenance.

Variance 2: The most involved request for a variance concerns the placement of a detention pond on the portion of the property adjacent to Tommy Lee Fuller Drive. For reasons set forth extensively in the attached exhibits, a requirement for a detention facility with a 4 to 1 slope would require too much land in order to accomplish on this particular parcel, and make the applicant unable to place any new commercial buildings on the property. Any alternative requirement for underground detention given the nature of the property and the existing slope would not be economically feasible. Applicants propose a vertical-wall detention facility with

extensive landscaping which would not only beautify the existing property for adjacent property owners, but would also solve an existing and persistent flooding issue which has existed in the area for a number of years.

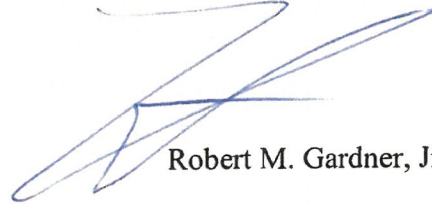
Variance 3: This would reduce the deceleration lane requirement from 200 feet to 157 feet to accommodate the correct road frontage and drainage requirements.

Variance 4: The current zoning and regulations require a 20 foot drainage easement around the detention area. The proposal calls for a reduction of this easement to 10 feet to allow for plantings within 10 feet of the detention area for increased aesthetics issues.

The applicant concedes the City's intentions to avoid unsightly detention areas within the city for aesthetic and safety reasons, but the existing requirements would not allow the applicant to improve what is now a thriving commercial area within the city. While this may seem as the applicant's bad fortune, the property as it now stands is a sloped field which has contributed to serious flooding issues for the City and the surrounding property owners for a number of years. It is our understanding the City has made efforts to create ditches or other means of alleviating the flooding in this area to no avail due to a lack of sewerage infrastructure in the area. As shown on the attached exhibits by applicants own engineers, the proposal by the applicants, though not exactly what the City may have desired when changes to their ordinance was made, would substantially alleviate the flooding issues in the area, and the proposed aesthetic improvements to be made should the application be approved would be a vast improvement to neighboring properties, who now see only a grassy slope and the backside of older commercial buildings.

We would be happy to sit down with any of your elected officials, engineers, planners, or other employees to discuss these proposals at any time, and look forward to hearing from you.

Yours very truly,

A handwritten signature in blue ink, appearing to read "Robert M. Gardner, Jr.", written over a horizontal line.

Robert M. Gardner, Jr

For the Firm

# Walton County, GA

## Summary

**Parcel Number** LG060163  
**Location Address** 164 BOBBY BOSS DR  
**Legal Description** 2.47AC  
 (Note: Not to be used on legal documents)  
**Class** C3-Commercial  
 (Note: This is for tax purposes only. Not to be used for zoning.)  
**Zoning** CH  
**Tax District** Loganville (District 03)  
**Millage Rate** 44.425  
**Acres** 2.47  
**Neighborhood** 09700 - WHSE OFFICE ENC (09700)  
**Homestead Exemption** No (S0)  
**Landlot/District** 186 / 4

[View Map](#)



## Owner

**E & S RENTALS LLC**  
**P O BOX 628**  
**MONROE, GA 30655**

## Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	09111-SF-LOGANVILLE CITY SECON	Square Feet	107,467	0	0	2.47	1

## Residential Improvement Information

**Style** Single Family  
**Heated Square Feet** 1410  
**Exterior Walls** Concrete Block  
**Foundation** Masonry  
**Basement Square Feet** 0  
**Year Built** 1958  
**Roof Type** Composite Shingle  
**Heating Type** Central Heat/ AC  
**Number Of Full Bathrooms** 1  
**Number Of Half Bathrooms** 0  
**Value** \$56,400

## Commercial Improvement Information

**Description** WHSE OFFICE ENC  
**Value** \$109,100  
**Actual Year Built** 2014  
**Effective Year Built** 2014  
**Square Feet** 3200  
**Wall Height** 16  
**Wall Frames** Steel  
**Exterior Wall** Galvanized Metal  
**Roof Cover** Galvanized Metal  
**Interior Walls** Unfinished  
**Floor Construction** Re-inforced Concrete  
**Floor Finish** Concrete  
**Ceiling Finish** No Ceiling  
**Lighting** Standard  
**Heating** No Heating  
**Number of Buildings** 1

**Description** WHSE OFFICE ENC  
**Value** \$198,300  
**Actual Year Built** 2018  
**Effective Year Built** 2018  
**Square Feet** 3900  
**Wall Height** 18  
**Wall Frames** Steel  
**Exterior Wall** Enamel Steel  
**Roof Cover** Enamel Steel  
**Interior Walls** 38% Sheetrock/Panel  
 62% Unfinished

**Floor Construction** Concrete on Ground  
**Floor Finish** 38% Asphalt Tile  
 62% Concrete  
**Ceiling Finish** 38% Acoustical Tile  
 62% No Ceiling  
**Lighting** Standard  
**Heating** 38% CH A/C  
 62% Suspended Heating  
**Number of Buildings** 1

**Accessory Information**

Description	Year Built	Dimensions/Units	Identical Units	Value
Paving-Conc(L) 4" 500-1000	1985	0x0 / 1570	1	\$840
Residential Garages-Avg	1960	36x40 / 0	1	\$6,900

**Permits**

**Sales**

Sale Date	Sale Price
6/29/2022	\$1,070,000
10/19/2017	\$0
1/9/2013	\$183,000
4/2/2004	\$250,000
	\$0

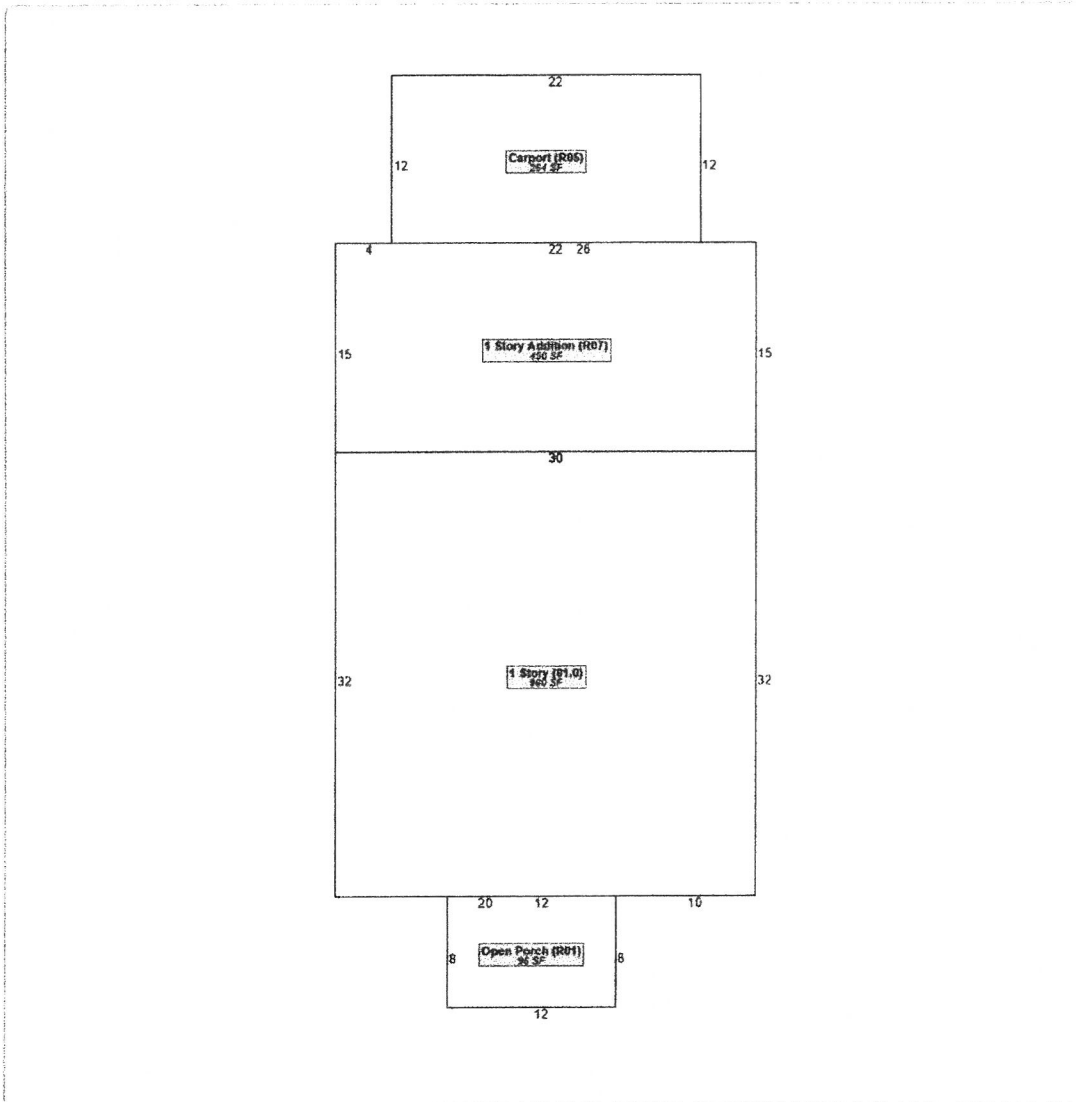
**Valuation**

	2023	2022	2021	2020
Previous Value	\$436,630	\$433,130	\$433,030	\$433,130
Land Value	\$295,500	\$214,900	\$214,900	\$214,900
+ Improvement Value	\$363,800	\$214,300	\$210,800	\$210,700
+ Accessory Value	\$7,740	\$7,430	\$7,430	\$7,430
= Current Value	\$667,040	\$436,630	\$433,130	\$433,030

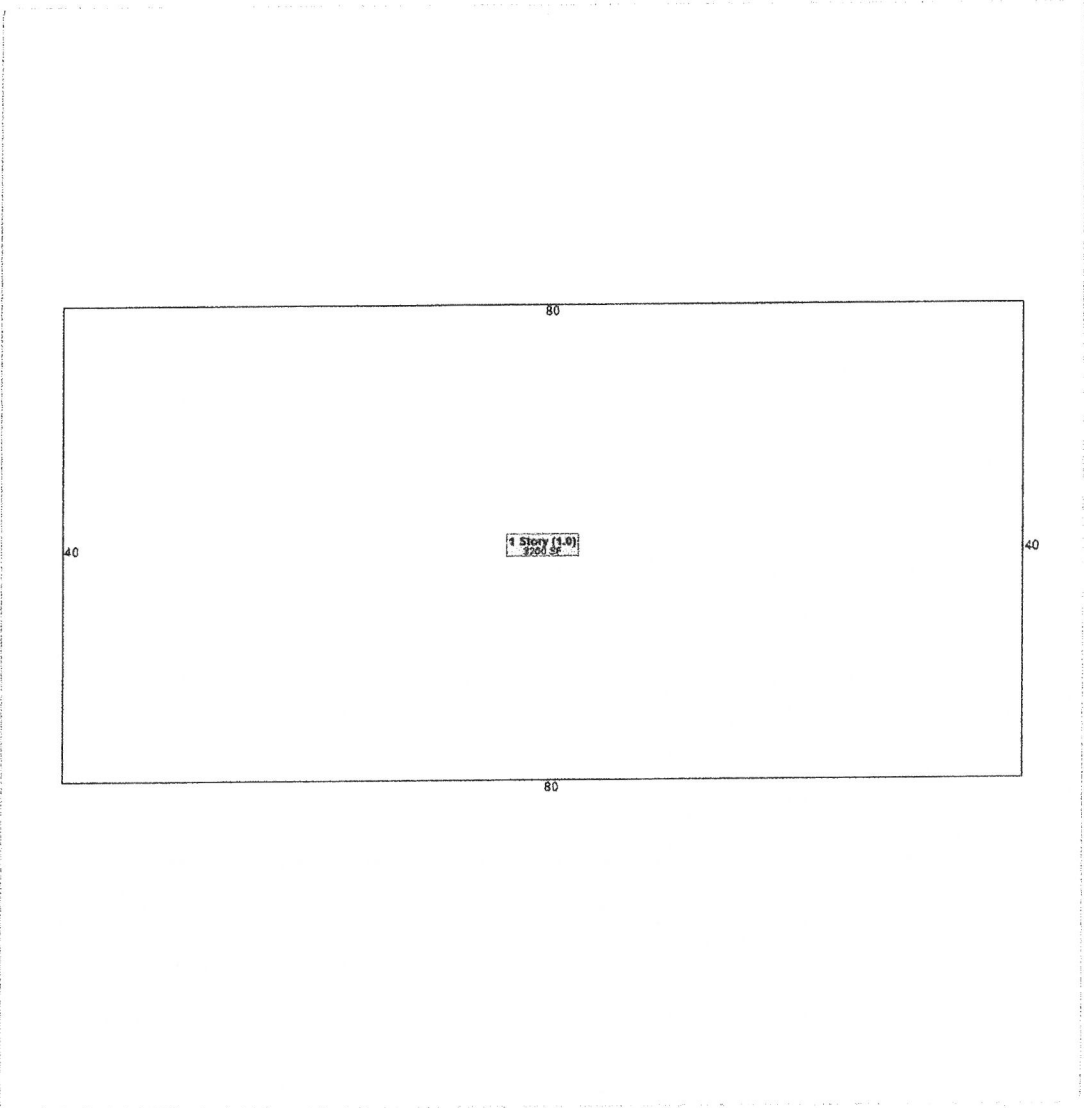
**Photos**

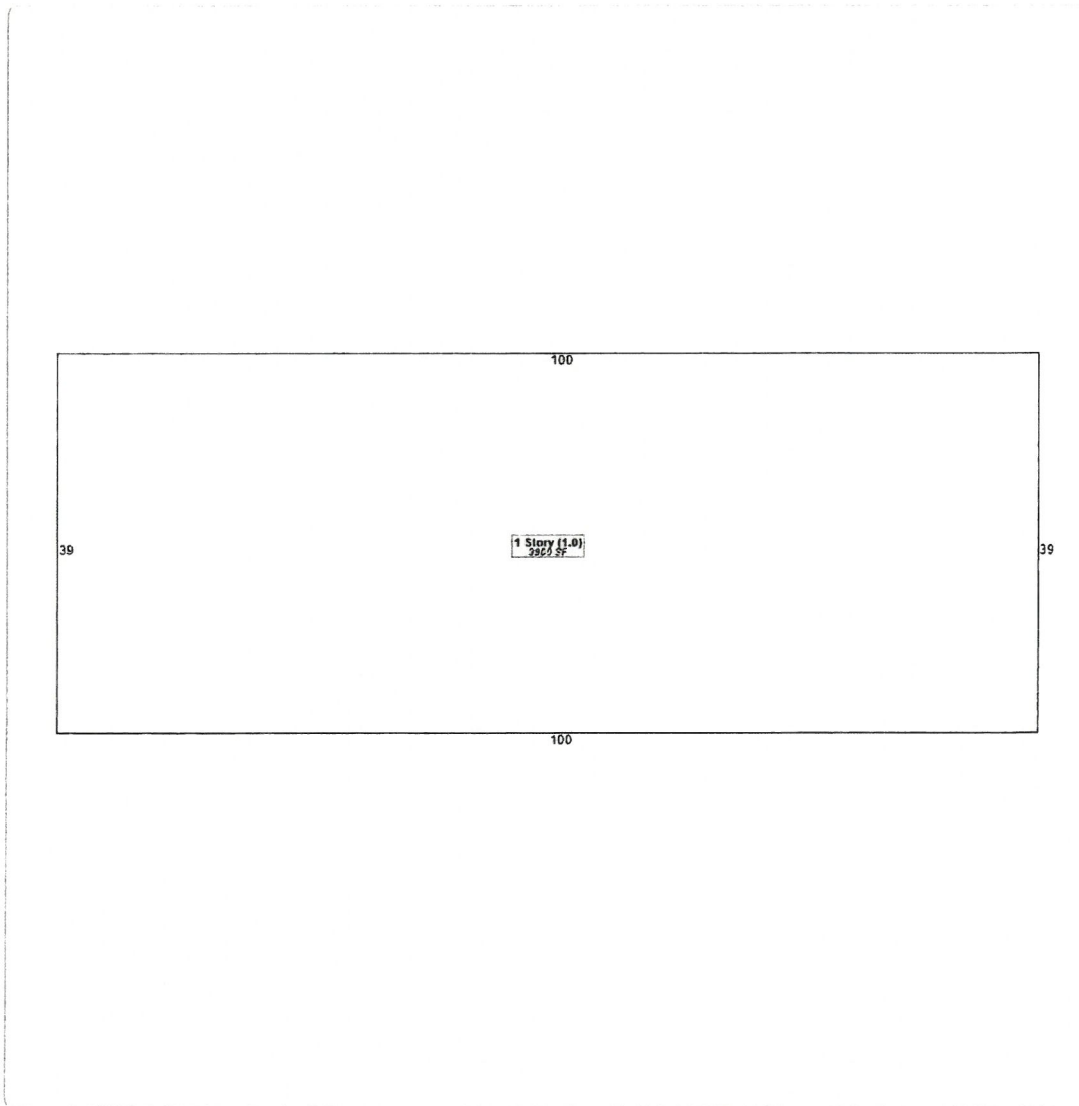


Sketches









No data available for the following modules: Rural Land, Manufactured Homes, Prebill Mobile Homes.

The Walton County Assessor makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.

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Developed by  
 Schneider  
GEOSPATIAL

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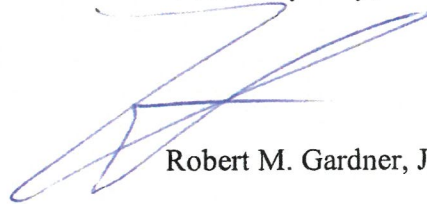
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Robert M. Gardner, Jr

For the Firm

## List of Adjacent Property Owners

Geneva Haney  
c/o Connie Haney  
168 Tommy Lee Fuller Dr.  
Loganville, Ga. 30052

Hillcrest Cemetery  
Magnolia St. & Pear St.  
Bobby Boss Dr.  
Loganville, Ga. 30052

Alison Foskey  
207 Magnolia St.  
Loganville, Ga. 30052

Fouad Badshah & Tipu Jahangir  
685 Pressing Dr.  
Alpharetta, Ga. 30004

Jane Williams  
220 Tommy Lee Fuller Dr.  
Loganville, Ga. 30052

Morning Star Baptist Church  
233 Tommy Lee Fuller Dr.  
Loganville, Ga. 30052

Charles Randy Fletcher  
197 Tommy Lee Fuller Dr.  
Loganville, Ga. 30052

Fesco Systems, LLC  
147 Tommy Lee Fuller Dr.  
Loganville, Ga. 30052

## **Property Description**

**All that tract or parcel of land lying and being in Land Lot 185 of the 4<sup>th</sup> District, City of Loganville, Walton County, Georgia being 2.46781 acres, more or less, as shown on a plat of survey for Elizabeth J. McMillian, dated December 13, 2001, revised December 26, 2001, prepared by Hannon, Meeks & Bagwell, Surveyors & Engineers, Inc., certified by Miles H. Hannon, Georgia Registered Surveyor, and being recorded in Plat Book 87, page 159, in the Office of the Clerk of the Superior Court for Walton County, Georgia, which recorded plat is incorporated herein by reference and made a part of this description.**



