



Mayor and City Council Worksession

Thursday, December 07, 2023 at 6:00 PM

Dacula City Hall, Council Chambers

442 Harbins Rd. | P.O. Box 400 | Dacula, Georgia 30019 | (770) 963-7451

Agenda

CALL TO ORDER AND ROLL CALL OF MEMBERS:

OLD BUSINESS:

NEW BUSINESS:

- [1.](#) Rezoning Application: 2023-CD-RZ-03
- [2.](#) Change of Conditions Application: 2023-CD-COC-02.
- [3.](#) Variance Application: 2023-CD-VAR-03.
- [4.](#) Variance Application: 2023-CD-VAR-04.
- [5.](#) Ordinance to amend Article III of the Zoning Resolution
- [6.](#) Amend the Personnel Management System to adopt Educational Assistance and Tuition Reimbursement

MARSHAL UPDATE:

CITY ADMINISTRATOR UPDATE:

MEMBER COMMENT(S) / QUESTION(S):

ADJOURNMENT:

Memorandum

To: City of Dacula Planning Commission /
City of Dacula Mayor and City Council
From: Hayes Taylor, City Planner
Date: November 27, 2023
Subject: 2023-CD-RZ-03
Proposed Zoning: R-TH Single-Family Residence Townhouse District
Existing Zoning: MH Mobile Home Park District
Size: 4.04 acres
Proposed Use: Attached Single Family Townhome Neighborhood
Applicant: Archon Homes
2160 Morningside Dr. Suite 250
Buford, Georgia 30518
770-616-9774

Owner: Dacula Real Estate
3975 Stone Village Ct
Duluth, Georgia 30097
678-643-6257

Location: Land Lot 275 - 5th District

Existing Land Use and Zoning:

The subject property is located at 2263 Stanley Rd and is approximately 4.04 acres. Jody Avenue and Shane Lane surround the property on all sides. The parcel is zoned MH (Mobile Home Park District) and is occupied by 16 mobile homes (net density = 3.96 units/acre). Properties to the northeast and northwest are zoned R-1200 (Single Family Residential). A 173-lot single-family residential development zoned TRD (Transitional Residential District) is currently under construction across Stanley Road to the south of the subject property.

The Proposed Rezoning & Development:

The applicant has requested to rezone the 4.04-acre subject property from MH (Mobile Home Park District) to R-TH (Single Family Residence Townhouse District) to construct a 16-unit (net density = 3.96 units/acre), 4 building town home development. Application materials indicate an internal private drive with sidewalks that bisects the parcel, connecting Jody Ave and Shane Ln. The internal drive serves as the entrances into the development and conforms the area with the 2019 Future Land Use Map characterization by bolstering pedestrian infrastructure. The concept plan shows a mail kiosk center, pedestrian pathways, an amenity area, a 25-foot landscape setback from the street, and an additional 50-foot building setback.

Staff notes the proposed density maintains the residential density of the property's current use. The 2019 Future Land Use Map designates the subject parcel as a Village Area Density character area (3.5-6 units/acre). The proposed development would serve as a logical transition from medium density residential and commercial to lower density suburban development.

Summary:

The proposed townhouse development would maintain the existing residential density of the current mobile home development (Mobile Home Park District) and is consistent with the City's Future Land Use Map. For these reasons, the Department recommends that the rezoning be approved with conditions.

Comprehensive Plan:

The City of Dacula's 2019 Comprehensive Plan labels the subject property as Village Density Residential on the Future Land Use Map. Village Density Residential character areas are defined as being "in close proximity to activity centers and are relatively dense compared to Suburban Residential areas" and that "residents are more likely to walk or bike to nearby centers rather than forced to rely on automobiles." The Village Density Residential uses are stated as "low density residential (0.5 to 4 units/acre), medium density residential (4-6 units/acre), traditional neighborhood development, duplexes, parks/recreation/greenspace, and small institutional development." (The City of Dacula, Georgia 2019 Comprehensive Plan, page 7.26).

The analysis of the application should be made based upon the "Standards Governing Exercise of the Zoning Power" as stated in Section 1702 of the 2000 Zoning Resolution of the City of Dacula.

1. Whether the proposed rezoning request will permit a use that is suitable in view of the use and development of an adjacent and nearby property?

The townhouse development is a suitable use because it maintains the current residential density and would improve the pedestrian infrastructure within the character area. In addition, the proposed development provides a gradient in the transition from the Neighborhood Mixed Use and General Commercial character area designated to the north on the Future Land Use map.

2. Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby properties?

The proposed applications would not be expected to adversely affect the existing use or usability of adjacent or nearby properties along Stanley Rd.

3. Whether the property to be affected by the proposed rezoning request has a reasonable economic use as currently zoned?

The property has reasonable economic use as currently zoned.

4. Whether the proposed rezoning request will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

With the provided conditions, excessive or burdensome use of streets, transportation facilities or schools should be minimized. The utility and school needs should not be substantially affected due to the maintenance of the current residential density.

5. *Whether the proposed rezoning request conforms with the policy and intent of the Land Use Plan?*

The City of Dacula's Future Land Use Map designates the property for a Village Density Residential character area. Village Density Residential character area serves as a transition from higher density residential and commercial to traditional single-family density. The proposed rezoning restructures the current infrastructure into a more grid-like format, encouraging walkability. As properties to the east develop within the Community Mixed Use Activity Center character area, the townhouses could serve as a transition in the gradient from attached and village density units to low density. As such, the proposed rezoning would be considered suitable at this location.

6. *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?*

If approved, the requested rezoning would provide an opportunity for a mixture of housing types and provide a transition between land uses of potential future developments.

Recommendation:

Based on the application, the requested rezoning is recommended for approval with the following conditions:

The Department notes the Planning Commission unanimously recommended approval with staff's recommendations conditions for the requested rezoning at the Public Hearing on November 27, 2023. Said conditions are below.

1. The property shall be developed in accordance with the conceptual site plan prepared by Archon Homes dated August 23, 2023 and with the provided zoning conditions. Any substantial deviation from the approved conceptual plan and/or remaining conditions of zoning shall be resubmitted to the City Council for consideration. The City Administrator shall determine what constitutes substantial deviation.
2. The open space shall not be subdivided and shall be owned and maintained by a mandatory homeowners' association. The deed to the mandatory homeowners' association shall require that the open space be perpetually maintained.
3. The maximum number of dwelling units shall not exceed 4 buildings consisting of 16 units total.
4. The minimum heated floor area per dwelling unit shall be 1,800 square feet.

5. The front and side façades of all dwelling units shall consist of architectural treatments of brick, stone, or stucco with fiber cement siding for the remainder of the elevation. The remainder of the structures shall be constructed of brick, stone, stucco, concrete fiber, or similar material.
6. The proposed elevation, building materials, and colors shall be approved by the City prior to building permit issuance.
7. Delineated street parking outside of travel lanes along the internal road must be provided by the developer.
8. Collection of solid waste, recycling, and recovered materials from the townhome development shall be arranged by an agreement with a franchised contractor.
9. The development shall include an amenity area with a park benches, and picnic tables. The benches and tables will be included in a walking trail, gathering space, or central green as approved by the City.
10. The development shall include a cabana, pavilion or shade provision alternative in the designated mail kiosk space as approved by the City.
11. All non-amenity grassed areas shall be sodded.
12. The amenity and stormwater maintenance areas may include lower maintenance grass alternatives such as Blue Star Creeper, Corsican Mint, Microclover, or Fescue as approved by the City Administrator.
13. 5-foot-wide sidewalks shall be constructed on both sides of the internal private drive.
14. 5-foot-wide sidewalks shall be constructed along the property frontage of Stanley Road, Shane Lane, and Jody Avenue.
15. The developer shall provide street trees along the external sidewalk, internal sidewalk and internal walkways at 25-foot increments on center. All trees should be 6 to 8 feet tall at the time of installation with a minimum DBH of 2.5 inches. Subject to review and approval by the City Administrator or their designee.

Street and walkway trees shall be of one or a combination of the following species:

- a. Sweet Bay Magnolia
- b. Blood Good Japanese Maple
- c. Eastern Redbud
- d. Willow Oak
- e. Carolina Silverbell

- f. Nuttall Oak
 - g. Shumard Oak
 - h. White Oak
 - i. Japanese Zelkova
 - j. Red Maple
 - k. North Red Oak
16. The developer will provide crosswalks at the stop signs of the internal private drive.
17. The developer shall submit the Final Plat to the City of Dacula prior to the issuance of any building permits.
18. Each townhome building shall have landscape features to include, but not necessarily limited to flowerbeds, landscape trees, evergreen understory plantings and the like. Subject to review and approval by the City Administrator or their designee.
19. Underground utilities shall be provided throughout the development.
20. Street light service fees and maintenance are the responsibility of the homeowner's association. Street light fixtures must be reviewed and approved by the City.
21. Ownership and maintenance of internal drives, roads, sidewalks and/or parking area found on the subject site shall be the responsibility of the developer and/or private property owner.



City of Dacula
P. O. Box 400
Dacula, GA 30019
(770) 962-0055 / Fax (770) 513-2187

Item 1.

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>Archon Homes</u>		NAME <u>Dacula Real Estate</u>	
ADDRESS <u>2160 Morningside Dr. Ste 250</u>		ADDRESS <u>3975 Stone Village Ct.</u>	
CITY <u>Buford</u>		CITY <u>Duluth</u>	
STATE <u>GA</u>	ZIP <u>30518</u>	STATE <u>GA</u>	ZIP <u>30097</u>
PHONE <u>770-616-9774</u>	FAX	PHONE <u>678-643-6257</u>	FAX

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 John Slappey
COMPANY NAME Archon Homes
ADDRESS 2160 Morningside Dr. Ste. 250
Buford, GA 30518
PHONE 770-616-9774 FAX
EMAIL jslappey@psponline.com

PRESENT ZONING DISTRICT(S) Mobile Home REQUESTED ZONING DISTRICT Town Home
LAND LOT(S) _____ PARCEL # B5275 057 DISTRICT(S) _____ ACREAGE 4.04
PROPOSED DEVELOPMENT OR SPECIAL USE REQUESTED 16 Unit Town Home
Development

RESIDENTIAL DEVELOPMENT:

NO. OF LOTS/DWELLINGS UNITS 16
DWELLING UNIT SIDE (SQ. FT.) _____

NON-RESIDENTIAL DEVELOPMENT:

NO. OF BUILDINGS/LOTS _____
TOTAL GROSS SQ. FEET _____

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



LETTER OF INTENT

9/26/23

City of Dacula
442 Harbins Road
Dacula, GA 30019

To Whom It May Concern,

This letter of intent is for a proposed rezoning for 2263 Stanley Road, Dacula GA 30019 from its present zoning of mobile homes with 4 units per acre to a proposed townhome zoning with 4 units per acre. We feel that this rezoning will be a positive impact on the community by providing new townhomes and will keep the same number of homes on the property that currently exists.

Best Regards,

John Slappey
Archon Homes, LLC
2160 Morningside Drive
Suite 250
Buford, GA 30518

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

Date

Type or Print Name/Title

Notary Public

Date

[Signature] *9/21/23*
John Slattery *Member*

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

Date

Type or Print Name/Title

Notary Public

Date

[Signature] *9/21/23*
Maroj Patel *Member*

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

Item 1.

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>
<hr/>		
<hr/>		
<hr/>		
<hr/>		

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>
<hr/>		
<hr/>		
<hr/>		
<hr/>		

(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 _____

Type or Print Name/Title _____

Signature of Applicant's Attorney _____

Date _____

Type or Print Name/Title _____

Notary Public _____

Date _____

(Notary Seal)

Official Use Only

DATE RECEIVED _____

ZONING CASE NUMBER _____

RECEIVED BY _____

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

Type or Print Name/Title

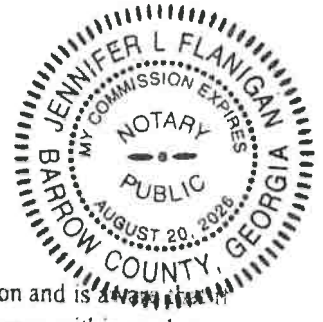
Notary Public

Date

Member

Date

[Signature] *9/21/23*
John Slappy
Jennifer L Flanigan *9/21/23*

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

Type or Print Name/Title

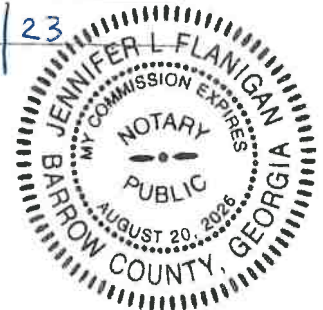
Notary Public

Date

Member

Date

[Signature] *9/21/23*
Manoj Patel
Jennifer L Flanigan *9/21/23*

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

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 9/21/23 APPLICANT Anchor Homes

- 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
- B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property: No
- 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
- E. Whether the proposed rezoning is in conformity with the policy and intent of the Land Use Plan: Yes
- 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: N/A

Salomon Duenez
2203 Stanley Road
Dacula, GA 30019

Santiago Jimenez
2257 Shane Lane
Dacula, GA 30019

Lisa Pina
2263 Shane Lane
Dacula, GA 30019

Thomas Powell
2273 Shane Lane
Dacula, GA 30019

Kenny Everson
2283 Shane Lane
Dacula, GA 30019

Oscar Garcia
2293 Shane Lane
Dacula, GA 30019

Rosita Duenez
2284 Shane Lane
Dacula, GA 30019

Pronto VM, LLC
2281 Scott Circle
Dacula, GA 30019

Jose Garcia
2282 Scott Circle
Dacula, GA 30019

Juan Cruz
2277 Stanley Road
Dacula, GA 30019

Starlight Homes
3820 Mansell Road
Suite 400
Alpharetta, GA 30022

USA Maag, LLC
2204 Stanley Road
Dacula, GA 30019

7020 3160 0001 4831 4552

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Total Postage and Fees

Sent To **Salomon and Rosita Duenez**
Street and Apt. No., or PO Box No. **2203 Stanley Road**
City, State, ZIP+4® **Dacula Ga 30019**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 3160 0001 4831 4446

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Street and Apt. No., or PO Box No. **324 Kent Valley Circle**
City, State, ZIP+4® **Dacula Ga 30084-8493**

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Street and Apt. No., or PO Box No. **5001 Plaza on the Lake Ste 200**
City, State, ZIP+4® **Austin TX 78746-1053**

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Sent To **Kenny Everson**
Street and Apt. No., or PO Box No. **2283 Shane Lane**
City, State, ZIP+4® **Dacula Ga 30019**

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Sent To **Rosita Duenez Salomon Duenez**
Street and Apt. No., or PO Box No. **2284 Shane Lane**
City, State, ZIP+4® **Dacula Ga 30019**

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Sent To **Juan Cruz**
Street and Apt. No., or PO Box No. **2277 Stanley Road**
City, State, ZIP+4® **Dacula Ga 30019**

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Item 1.

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Sent To

Thomas + Lebra Powell

Street and Apt. No., or PO Box No.

2213 Shane Lane

City, State, ZIP+4®

Dacula Ga 30019

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Lisa Pina

Street and Apt. No., or PO Box No.

2213 Shane Lane

City, State, ZIP+4®

Dacula Ga 30019

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Total Postage and Fees

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Sent To

Santiago Jimenez

Street and Apt. No., or PO Box No.

2213 Shane Lane

City, State, ZIP+4®

Dacula Ga 30019

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Starlight Homes GA LLC

Street and Apt. No., or PO Box No.

3820 Mansell Road Ste 400

City, State, ZIP+4®

Alpharetta Ga 30022-1515

PS Form 3800, April 2015 PSN 7530-02-000-9047

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Sent To

Jose Garcia

Street and Apt. No., or PO Box No.

2282 Scott Circle

City, State, ZIP+4®

Dacula Ga 30019

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☐ Adult Signature Restricted Delivery \$

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Total Postage and Fees

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Sent To

Jaramillo D. Garcia Mariela Zavala

Street and Apt. No., or PO Box No.

2293 Shane Lane

City, State, ZIP+4®

Dacula Ga 30019

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Item 1.

TO: City of Dacula Mayor and City Council Members

FROM: Hayes Taylor, City Planner

DATE: November 14, 2023

SUBJECT: 2023-CD-COC-02 - Withdrawal Request

On November 14, 2023, the Department of Planning & Development received a request to withdraw the change of conditions application for Parcel 5277 077, located at the intersection of Harbins Road and West Drowning Creek Road.

Memorandum

To: City of Dacula Mayor and City Council
From: Hayes Taylor, City Planner
Date: December 7, 2023
Subject: Variance Case: 2023-CD-VAR-03
Existing Zoning: R-1200 Single-Family Residential District
Applicant: Bruno Franco
3790 Longlake Dr
Duluth, GA 30097
Owner: Bruno Franco
2862 Hill Circle
Dacula, Georgia 30019
Location: LL - 309, 5th District

Existing Land Use and Zoning:

The subject property, located at 2862 Hill Cir, is approximately 1.29 acres more or less and zoned R-1200 (Single-Family Residential District). The subject site currently contains a residential dwelling and is adjacent to single-family residential properties on all sides.

Variance Request and Summary:

Residential properties on septic systems require a minimum of 30,000 square foot (Article IX, Section 901 of the Zoning Resolution) lot for a single-family dwelling. The subject property totals 56,192.4 square feet. The applicant requests a Council variance to subdivide the subject property into two (2) 27,787 square foot lots. If the variance request is approved, the applicant will construct an additional dwelling. Staff notes the size of the subject lot is consistent with adjacent lots and no additional variances are required for building permit issuance.

Considering the above, staff supports the request to subdivide the lot for the proposed additional dwelling, as the proposed residence is not expected to introduce any adverse impacts.

Recommendation:

Based upon the variance application, the request to reduce the minimum lot size requirement for a residential structure on a septic system is recommended for approval with the following conditions.

1. The proposed elevation, building materials, and colors shall be approved by the City prior to building permit issuance. The façades of the dwelling unit shall resemble the surrounding dwellings with the front façade constructed of brick, stone, or stucco with accents of fiber shake, board and batten, or fiber cement siding. The sides and rear shall be constructed of brick, stone, stucco, concrete fiber, or similar material.
2. The minimum heated floor area shall be 1,600 square feet for a one-story unit and 1,800 square feet for a two-story unit.
3. All yards (front, side, rear) shall be sodded.
4. A Gwinnett County Environmental Health septic permit shall be required prior to building permit issuance.
5. The residential dwelling shall not exceed the maximum number of bedrooms permitted by the Gwinnett County Environmental Health septic permit.



P. O. Box 400
Dacula, GA 30019
(770) 962-0055 / Fax (770) 513-2187

APPLICATION

City Council

- ☐ Waivers
☐ Variance

Staff Approval Only

- ☐ Modifications

(Please Type or Print using BLACK INK)

APPLICANT *

NAME Bruno Franco
ADDRESS 3790 longlake Dr
CITY Duluth
STATE Georgia ZIP 30097
PHONE 4702622402 FAX _____

PROPERTY OWNER *

NAME Bruno Franco
ADDRESS 2862 Hill cir
CITY Dacula
STATE Georgia ZIP 30019
PHONE 4702622402 FAX _____

APPLICANT IS THE:

- ☐ OWNER'S AGENT
☒ PROPERTY OWNER

* 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 Bruno Franco

COMPANY NAME _____

ADDRESS 3790 longlake Dr
Duluth, GA 30097

PHONE 4702622402 FAX _____

PRESENT ZONING DISTRICT(S) R-1200 LAND LOT(S) _____ DISTRICT(S) _____
ADDRESS OF PROPERTY 2862 Hill Cir Dacula, GA 30019 ACREAGE 1.29

Describe your request in detail and state justification/hardship: _____

(Attach additional sheets if necessary)

HAS THE APPLICANT FILED ANY OTHER APPLICATIONS FOR THIS PROPERTY WITHIN THE PAST 12 MONTHS ? ☐ Yes ☒ No

If Yes, please describe: _____

(Attach additional sheets if necessary)

LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY

*** PLEASE ATTACH A "LETTER OF INTENT" EXPLAINING REQUEST and

TYPED "LEGAL DESCRIPTION" OF PROPERTY TO BE AFFECTED ***

CASE NUMBER: _____



P. O. Box 400
Dacula, GA 30019
(770) 962-0055 / Fax (770) 513-2187

Item 3.

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 to the Mayor and/or a member of the City Council.

☐ 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 or Zoning Board of Appeals.

☐ 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)

APPLICANT CERTIFICATION

Item 3.

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.

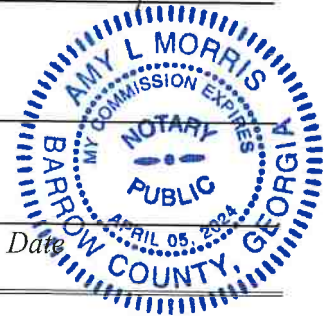
LL
Signature of Applicant

September 29, 2023
Date

Bruno Franco
Type or Print Name/Title

Amy L Morris
Notary Public

9-29-23
Date



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.

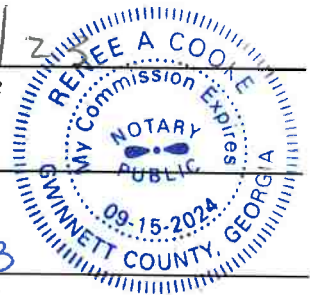
LL
Signature of Applicant

10/2/23
Date

Bruno Franco
Type or Print Name/Title

Renée A Cooke
Notary Public

10/2/23
Date



FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED _____ RECEIVED BY _____ FEE _____ RECEIPT # _____

LAND LOT _____ DISTRICT _____ PARCEL # _____ HEARING DATE _____

FOR ADMINISTRATIVE USE ONLY

ACTION TAKEN _____

SIGNATURE _____ DATE _____

STIPULATIONS _____

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: 9/29/2023

TO: knight kemetr
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Bruno franco 2862 hill cir

RE: Proposed Variance Case # _____

Property Location: 5th District, Land Lot 25308 Parcel 038

LOCATION/ADDRESS 2822 Hill cir Dacula, GA 30019

You are hereby notified that an application for variance _____
_____ to _____ has been submitted to the City of
Dacula.

The proposed variance is contiguous to your property.

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula,
Georgia on _____ at _____ 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 NOTIFICATIONDATE: 9-29-23TO: John J. Carolus
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)FROM: Bruno Franco

RE: Proposed Variance Case # _____

Property Location: 5th District, Land Lot _____ Parcel R 5308 062LOCATION/ADDRESS 2882 Hill Circle
Dacula, GA 30019

You are hereby notified that an application for variance _____

_____ to _____ has been submitted to the City of
Dacula.

The proposed variance is contiguous to your property.

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula,
Georgia on _____ at _____ in the Council Chambers.
(date)

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

Thank you.

Bruno Franco
2862 Hill Cir
Dacula, Georgia 30019
470-262-2402

September 30, 2023.

Hayes Taylor
City Planner, City of Dacula GA.
hayes.taylor@daculaga.gov

Subject: Letter of Intent for Land Division & Construction Granted.

Dear Mr. Taylor,

I hope this letter finds you in good health. I am writing to express my intent and seek approval for the construction of a residential property at 2862 Hill Cir Dacula, Georgia 30019. I want to inform you of my idea of what I would like to do in the future. I live with my parents, my wife, and my three children. I want to continue living together but in separate houses. This is why I would like to request approval to divide the land and build a house. I am excited about the opportunity to build our own home in the City of Dacula and contribute positively to the community and adhere to all the regulations and guidelines throughout the construction process.

I look forward to a positive response and I am grateful for the opportunity to express myself. Thank you for considering my request and for your attention to this matter. I can be reached at 470.262.2402 or bfcadavid@me.com if you require any further information or clarification.

Sincerely,

Bruno Franco

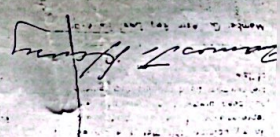


EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 308 of the 5th District, Gwinnett County, Georgia, being that lot designated as "Brady" on a plat of a survey for R. E. Hill by James T. Henry, Surveyor, dated December, 1970, and more particularly described as follows:

Beginning at an iron pin corner located on the westerly side of North Hill Circle, which point of beginning is 213.2 feet in a northerly direction, as measured along said North Hill Circle, from intersection of the westerly side of North Hill Circle with the northerly side of South Hill Circle; from said point of beginning, thence South 77 degrees 25 minutes West for 276 feet to an iron pin; thence North 30 degrees 20 minutes West for 189 feet to the southerly side of North Hill Circle; thence North 70 degrees 25 minutes East for 150 feet to an iron pin located on the southerly side of North Hill Circle; thence continuing along said road, North 79 degrees 47 minutes East for 100 feet; thence continuing along said road, North 83 degrees 33 minutes East for 39.7 feet; thence continuing along said road, South 26 degrees 47 minutes East for 189 feet to the point of beginning.

Being the same property conveyed to Mary Watson Brady by Jonas Kenneth Brady in Warranty Deed recorded in Deed Book 2524, Page 81, Gwinnett County, Georgia Records.

Campbell & Brannon, LLC
 One Buckhead Plaza
 3060 Peachtree Road NW, Suite 1735
 Atlanta, GA 30305
 File No.: D200222D
 (Phone No.: (770)771-5725)

STATE OF GEORGIA
 COUNTY OF GWINNETT
 PARCEL ID NUMBER: R5308 025

LIMITED WARRANTY DEED

THIS INDENTURE, made on **14th day of December, 2020**, between

Mary Watson Brady

(hereinafter referred to as "Grantor") and

Bruno Franco

(hereinafter referred to as "Grantee"), the words "Grantor" and "Grantee" to include the heirs, executors, legal representatives, successors and assigns of said parties where the context requires or permits; WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee,

All that tract or parcel of land lying and being in Land Lot 308 of the 5th District, Gwinnett County, Georgia, being that lot designated as "Brady" on a plat of a survey for R. E. Hill by James T. Henry, Surveyor, dated December, 1970, and more particularly described as follows:

Beginning at an iron pin corner located on the westerly side of North Hill Circle, which point of beginning is 213.2 feet in a northerly direction, as measured along said North Hill Circle, from intersection of the westerly side of North Hill Circle with the northerly side of South Hill Circle; from said point of beginning, thence South 77 degrees 25 minutes West for 276 feet to an iron pin; thence North 30 degrees 20 minutes West for 189 feet to the southerly side of North Hill Circle; thence North 70 degrees 25 minutes East for 150 feet to an iron pin located on the southerly side of North Hill Circle; thence continuing along said road, North 79 degrees 47 minutes East for 100 feet; thence continuing along said road, North 83 degrees 33 minutes East for 39.7 feet; thence continuing along said road, South 26 degrees 47 minutes East for 189 feet to the point of beginning.

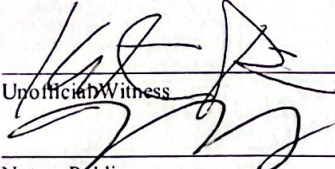
Being the same property conveyed to Mary Watson Brady by Jonas Kenneth Brady in Warranty Deed recorded in Deed Book 2524, Page 81, Gwinnett County, Georgia Records.

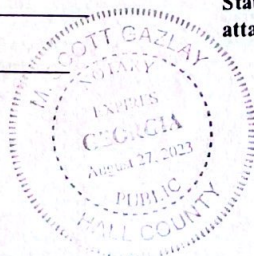
TOGETHER WITH all and singular the rights, members and appurtenances thereto (hereinafter collectively referred to as the "Premises"), the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee. Subject to all easements, rights of way, and restrictive covenants of record (hereinafter referred to as the "Exceptions").

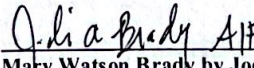
TO HAVE AND TO HOLD the Premises, subject to the Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all persons claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has executed this instrument under seal, as of the date first above written.

Signed, sealed and delivered in the presence of:


 Unofficial Witness
 Notary Public
 My Commission Expires: _____
 [Attach Notary Seal]




 Mary Watson Brady by Jodi Brady,
 as Attorney-in-Fact, pursuant to
 Statutory Form Power of Attorney
 attached hereto as Exhibit A

Limited Warranty Deed

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Dacula, GA 30019

OFFICIAL USE

Certified Mail Fee	\$4.35
\$	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$0.66

\$
Total Postage and Fees
\$8.56

0015
07

Postmark
Here

11/16/2023

Sent To Knight Kenneth wayne.

Street and Apt. No., or PO Box No.

2822 Hill Cir

City, State, ZIP+4®

Dacula, Georgia 30019.

PS Form 3800, January 2023 PSN 7530-02-000-90-7

See Reverse for Instructions

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Dacula, GA 30019

OFFICIAL USE

Certified Mail Fee

\$4.35

\$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)

\$

\$0.00

☐ Return Receipt (electronic)

\$

\$0.00

☐ Certified Mail Restricted Delivery

\$

\$0.00

☐ Adult Signature Required

\$

\$0.00

☐ Adult Signature Restricted Delivery

\$

\$0.00

Postage

\$0.66

\$

Total Postage and Fees

\$8.56

\$

Sent To

John J. Carowls

Street and Apt. No., or PO Box No.

2002 Hill Cir

City, State, ZIP+4®

Dacula, Georgia 30019

0015

07

Postmark
Here

11/16/2023

PS Form 3800, January 2023 PSN 7530-02-000-9017

See Reverse for Instructions

Memorandum

To: City of Dacula Mayor and City Council
From: Hayes Taylor, City Planner
Date: December 7, 2023
Subject: Variance Case: 2023-CD-VAR-04
Existing Zoning: R-1200 Single-Family Residential District
Applicant: Ryan Carey
 2178 Cowart Rd
 Dawsonville, GA 30534
Owner: Aminadab Cruz
 349 McMillan Rd
 Dacula, GA 30019
Location: LL - 301, 5th District, Parcel 001

Existing Land Use and Zoning:

The subject property located at 349 McMillan Rd, is approximately 1.0 acres more or less and zoned R-1200 (Single-Family Residential District). The subject site contains an existing 1,000 sq ft single-family residential dwelling and is adjacent to single-family residential properties on all sides.

Variance Request and Summary:

Residential properties on septic systems require a minimum of 30,000 square foot (Article IX, Section 901 of the Zoning Resolution) lots for a single-family dwelling on a septic system. Considering the previous, a Council variance is needed to build a single-family residence. The applicant requests the variance to subdivide of the subject property into two (2) 21,780 square foot lots. Staff notes the size of the subject lot is consistent with the general pattern of lots sizes along Sanjo St and Maxey St.

Considering the above, staff supports the request to subdivide the lot, as the additional dwelling is not expected to introduce any adverse impacts. As such, the Department recommends that the requested variance be approved with conditions.

Recommendation:

Based on the variance application, the request to reduce the minimum lot size requirement for a residential structure on a septic system is recommended for approval with the following conditions.

1. The proposed elevation, building materials, and colors shall be approved by the City prior to building permit issuance. The façades of the dwelling unit shall resemble the

surrounding dwellings on McMillan Rd with the front façade constructed of brick, stone, or stucco with accents of fiber shake, board and batten, or fiber cement siding. The sides and rear shall be constructed of brick, stone, stucco, concrete fiber, or similar material.

2. The minimum heated floor area shall be 1,600 square feet for a one-story unit and 1,800 square feet for a two-story unit.
3. All yards (front, side, rear) shall be sodded.
4. The residential dwelling shall not exceed the maximum number of bedrooms permitted by the Gwinnett County Environmental Health septic permit.
5. A Gwinnett County Environmental Health septic permit shall be required prior to building permit issuance.



P. O. Box 400
Dacula, GA 30019
(770) 962-0055 / Fax (770) 513-2187

APPLICATION

City Council

- ☐ Waivers
☒ Variance

Staff Approval Only

- ☐ Modifications

(Please Type or Print using BLACK INK)

APPLICANT *	PROPERTY OWNER *
NAME <u>Am Ryan Carey</u>	NAME <u>Amanibal Cruz</u>
ADDRESS <u>2178 Court Rd</u>	ADDRESS <u>349 McMillan Rd</u>
CITY <u>Dawsonville</u>	CITY <u>Dacula</u>
STATE <u>Georgia</u> ZIP <u>30534</u>	STATE <u>GA</u> ZIP <u>30019</u>
PHONE <u>513-560-3473</u> FAX _____	PHONE <u>678-522-6255</u> FAX _____

APPLICANT IS THE:

- ☒ OWNER'S AGENT
☐ PROPERTY OWNER

* 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 Ryan Carey
COMPANY NAME King Construction
ADDRESS 2178 Court Rd
Dawsonville GA 30534
PHONE 513-560-3473 FAX _____

PRESENT ZONING DISTRICT(S) _____ LAND LOT(S) 301 DISTRICT(S) 5
ADDRESS OF PROPERTY 349 McMillan Rd Dacula GA 30019 ACREAGE 1

Describe your request in detail and state justification/hardship: would like to split the lot into (2) .5 acre parcels. See attached sheet...
(Attach additional sheets if necessary)

HAS THE APPLICANT FILED ANY OTHER APPLICATIONS FOR THIS PROPERTY WITHIN THE PAST 12 MONTHS ? ☐ Yes ☒ No

If Yes, please describe: _____

(Attach additional sheets if necessary)

LETTER OF INTENT & LEGAL DESCRIPTION OF PROPERTY

*** PLEASE ATTACH A "LETTER OF INTENT" EXPLAINING REQUEST and
TYPED "LEGAL DESCRIPTION" OF PROPERTY TO BE AFFECTED ***

CASE NUMBER: _____

APPLICANT CERTIFICATION

Item 4.

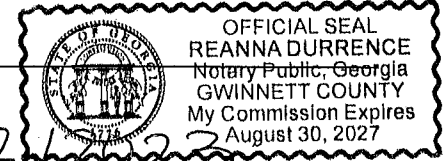
The undersigned is authorized to make this application and is aware that if an application is denied, no application or re-application affecting the same property shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

[Signature]
Signature of Applicant

10/12/2023
Date

Ryan Carty Owner Agent
Type or Print Name/Title

Reanna Durrence
Notary Public



10/12/2023
Date

PROPERTY OWNER CERTIFICATION

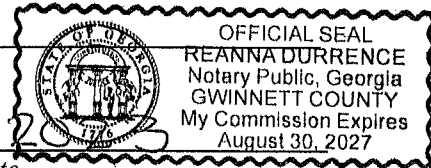
The undersigned, or as attached, is the record owner of the property considered in this application and is aware that if an application is denied, no application or re-application affecting the same land shall be acted upon within twelve (12) months from the date of last action unless waived by the City.

[Signature]
Signature of Applicant

10/12/2023
Date

Amiradus Carty
Type or Print Name/Title

Reanna Durrence
Notary Public



10/12/2023
Date

FOR ADMINISTRATIVE USE ONLY

DATE RECEIVED _____ RECEIVED BY _____ FEE _____ RECEIPT # _____

LAND LOT _____ DISTRICT _____ PARCEL # _____ HEARING DATE _____

FOR ADMINISTRATIVE USE ONLY

ACTION TAKEN _____

SIGNATURE _____ DATE _____

STIPULATIONS _____



P. O. Box 400
Dacula, GA 30019
(770) 962-0055 / Fax (770) 513-2187

Item 4.

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 to the Mayor and/or a member of the City Council.

☐ 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 or Zoning Board of Appeals.

☐ 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)

ADJOINING PROPERTY OWNER(S)
RECORD NOTIFICATION

DATE: 10/13/23

TO: Tapia, Juan Carlos 329 McMillan Rd Dacula GA 30019
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Aminadab Cruz

RE: Proposed Variance Case # _____

Property Location: 5th District, Land Lot 349 Parcel 5276.001

LOCATION/ADDRESS 349 Mcmillan Rd Dacula GA 30019

You are hereby notified that an application for variance _____
_____ to _____ has been submitted to the City of
Dacula.

The proposed variance is contiguous to your property.

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula,
Georgia on _____ at _____ 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: 10/13/23

TO: Smiley, Carolyn 310 Luna Ct. Dacula GA 30019
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Aminadab Cruz

RE: Proposed Variance Case # _____

Property Location: 5th District, Land Lot 349 Parcel 5276001

LOCATION/ADDRESS 349 McMillan Rd Dacula GA 30019

You are hereby notified that an application for variance _____
_____ to _____ has been submitted to the City of
Dacula.

The proposed variance is contiguous to your property.

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula,
Georgia on _____ at _____ 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: 10/13/23

TO: American homes 4 rent properties eight LLC 2460 Fortune Dr Dacula GA 30019
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Aminadab Cruz

RE: Proposed Variance Case # _____

Property Location: 5th District, Land Lot 349 Parcel 5276001

LOCATION/ADDRESS 349 Mcmillan Rd Dacula GA 30019

You are hereby notified that an application for variance _____
_____ to _____ has been submitted to the City of
Dacula.

The proposed variance is contiguous to your property.

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula,
Georgia on _____ at _____ 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: 10/15/23

TO: ~~Ricky~~ Ewing, Ricky 359 McMillan Rd Dacula GA 30019
(Sent by First Class Mail and Certified Mail - Return Receipt Requested)

FROM: Aminadab Cruz

RE: Proposed Variance Case # _____

Property Location: 5th District, Land Lot 349 Parcel 5274001

LOCATION/ADDRESS 349 McMillan Rd Dacula GA 30019

You are hereby notified that an application for variance _____
_____ to _____ has been submitted to the City of
Dacula.

The proposed variance is contiguous to your property.

The CITY COUNCIL Public Hearing/Meeting will be held at the Dacula City Hall, 442 Harbins Rd., Dacula,
Georgia on _____ at _____ in the Council Chambers.
(date)

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

Thank you.

To whom it may concern,

We respectfully request a variance approval for the following address: 349 McMillan Rd, Dacula GA 30019.

This property is zoned R-1200. It currently has a one story, 1000SF home built on it. My client purchased this property for the sole purpose of renovating the current dwelling to house his mother-in-law who is now in need of everyday care & build a new home on the same lot to house himself and his family.

The lot with tax ID number R5276 001 is 1 acre in total. We request to split the lot into (2) .5 acre lots to supplement the build of a new home. Not only will this help the Cruz family in their time of need, but it will also bring another tax paying resident & model citizen to further the future of the great Dacula community.

The proposed house plans call for a 2307 SF modern farmhouse. This will bring traditional elegance & modern beauty to add to the already stunning Dacula city.

Respectfully,

Ryan Carey

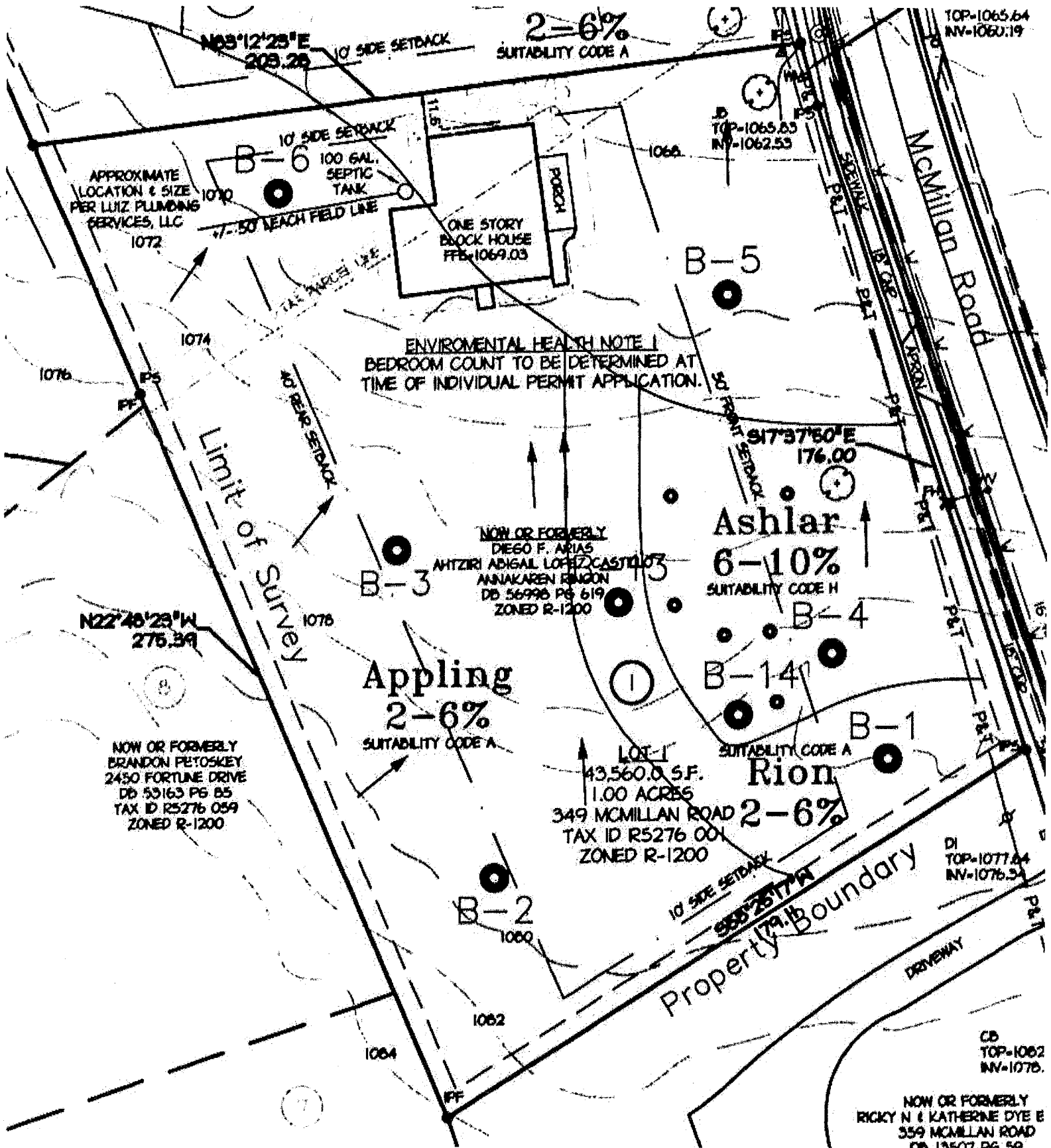
Owner Agent, Aminadab Cruz

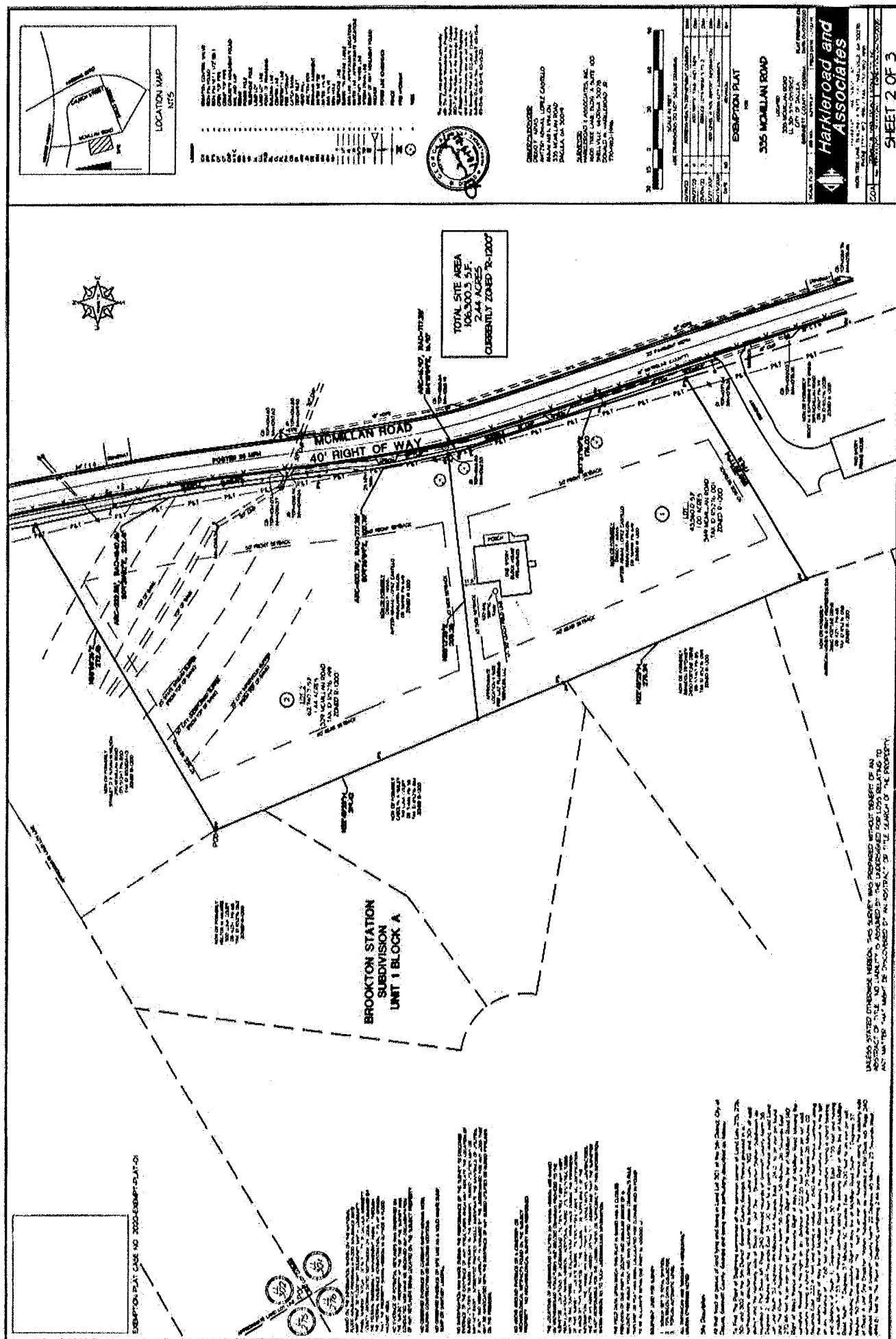
Written Description

5274001
All that tract or parcel of land lying and being in land lot 349 parcel ~~5301-292~~, City of Dacula, Gwinnett County, Georgia, more particularly described as follows:

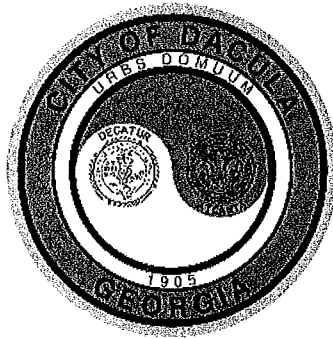
Beginning at an iron pin at the corner of land lot 359 and ending at an iron pin at the corner of land lot 329, road frontage of McMillan Rd, southeast of lot, with 176' of road frontage; Then, 179.11' to south iron pin, 275.39' to north iron pin.

Said parcel contains 43,560.00 S.F. or 1.00 ACRES





Economic and Community Infrastructure Facilities Impact Worksheet



**To be completed and submitted with applications for:
Annexation, Rezoning, Change of Conditions,
Special Use Permit, Special Exception, or Variance.**

Date Received: _____

Reviewed By: _____

Proposed Project Information

Name of Proposed Project: Aminadab Cruz
 Developer/Applicant: Ryan Carey Owner Agent
 Telephone: 513 560 3473
 Fax: _____
 Email(s): _____

Economic Impacts

Estimated Value at Build-Out:

\$300,000.00

Will the proposed project generate population and/or employment increases in the area?
 If yes, what would be the major infrastructure and facilities improvement needed to support the increase?

Population increase, 4 family

How many short-term, and /or long-term jobs will the development generate?

Short term 10-15

Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development:

\$3000 - \$5,000 property tax

Is the regional work force sufficient to fill the demand created by the proposed project?

yes

Community Facilities & Infrastructure Impacts**Water Supply**

Name of water supply provider for this site:

Greene County Public Utilities

What is the estimated water supply demand to be generated by the project, measured in Gallons Per Day (GPD)?

200 gal/day >

Is sufficient water supply capacity available to serve the proposed project?

yes

If no, are there any current plans to expand existing water supply capacity?

If there are plans to expand the existing water supply capacity, briefly describe below:

n/a

If water line extension is required to serve this project, how much additional line (in feet) will be required?

n/a

Wastewater Disposal

What is the estimated sewage flow to be generated by the project, measured in Gallons Per Day (GPD)?

30-100 gal/day

Name of wastewater treatment provider for this site:

Grinnett County public utilities

Is sufficient wastewater treatment capacity available to serve this proposed project?

yes

If no, are there any current plans to expand existing wastewater treatment capacity?

n/a

If there are plans to expand existing wastewater treatment capacity, briefly describe below:

n/a

If sewer line extension is required to serve this project, how much additional line (in feet) will be required?

n/a

Land Transportation

How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day?

n/a

List any traffic and/or road improvements being made and how they would affect the subject area.

n/a

Solid Waste Disposal

How much solid waste is the project expected to generate annually (in tons)?

30-50

Is sufficient landfill capacity available to serve this proposed project?

yes

If no, are there any current plans to expand existing landfill capacity?

n/a

If there are plans to expand existing landfill capacity, briefly describe below:

n/a

Will any hazardous waste be generated by the development? If yes, please explain below:

no

Stormwater Management

What percentage of the site is projected to be impervious surface once the proposed development has been constructed?

5%

Is the site located in a water supply watershed?

no

If yes, list the watershed(s) name(s) below:

n/a

Describe any measures proposed (such as buffers, detention or retention ponds, and/or pervious parking areas) to mitigate the project's impacts on stormwater management:

n/a

Environmental Quality

Is the development located within or likely to affect any of the following:

1. Water supply watersheds?

no

2. Significant groundwater recharge areas?

no

3. Wetlands?

no

4. Protected river corridors?

no

5. Floodplains?

no

6. Historic resources?

no

7. Other environmentally sensitive resources?

n/a

If you answered yes to any question 1-7 above, describe how the identified resource(s) may be affected below:

Other Facilities

What intergovernmental impacts would the proposed development generate for:

Schools?

n/a

Libraries?

n/a

Fire, Police, or EMS

n/a

Other community services/resources (day care, health care, low income, non-English speaking, elderly, etc.)?

n/a

Additional Comments:

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TO: Mayor and City Council of the City of Dacula

FROM: Brittni Nix, City Administrator
Hayes Taylor, City Planner
Jack Wilson, City Attorney

DATE: December 7, 2023

SUBJECT: Ordinance to Amend Article III of the Zoning Resolution

Staff has reviewed Article III and recommends codifying definitions of “meeting,” “parking deck,” and “special event” effective immediately. The Ordinance will codify the City’s current practices.

Meeting. In office-oriented small gatherings of persons to conduct business, commerce, and related activities. A meeting shall not include a party, wedding, reunion, or other Special Event as defined herein.

Parking Deck. An enclosed structure for parking automobiles and passenger vehicles.

Special Event. A gathering of a group or community of persons for a special occasion including, but not limited to, a wedding, shower, a public or private party, reunion, family event, or other religious or social gathering.

The Department notes the Planning Commission unanimously recommended approval of the proposed ordinance on November 27, 2023.

**AN ORDINANCE TO AMEND ARTICLE III
OF THE CITY OF DACULA ZONING RESOLUTION
ARTICLE III DEFINITIONS.**

WHEREAS, the City has adopted a comprehensive Zoning Ordinance including definitions for particular terms and uses; and

WHEREAS, some of the provisions of the current ordinance should be updated and improved; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of the City of Dacula to amend the City Code to make the revisions outlined herein;

NOW THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF DACULA HEREBY ORDAINS that the existing Article III – Definitions Ordinance is amended as follows:

The following Definitions are hereby approved and adopted for inclusion in the City's Zoning Resolution:

- | | |
|-----------------------|--|
| <u>Meeting.</u> | In office-oriented small gatherings of persons to conduct business, commerce, and related activities. A meeting shall not include a party, wedding, reunion or other Special Event as defined herein. |
| <u>Parking Deck.</u> | An enclosed structure for parking automobiles and passenger vehicles. |
| <u>Special Event.</u> | A gathering of a group or community of persons for a special occasion including, but not limited to, a wedding, shower, a public or private party, reunion, family event or other religious or social gathering. |

SECTION 2

The City Administrator, Assistant City Administrator, and Director of Planning and Economic Development are further authorized to correct typographical errors in the text of the existing Zoning Resolution and to produce and publish a final codified version of the Zoning Resolution with the amendments and revisions outlined herein.

SECTION 3

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

SECTION 4

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

SECTION 5

This Ordinance and the amendments outlined herein shall be effective immediately upon their adoption by the Mayor and City Council.

SO ORDAINED by the governing authority of the City of Dacula, this _____ day of _____, 2023.

AYES: ____

NAYES: ____

HUGH D. KING, III
MAYOR, CITY OF DACULA

ATTEST:

BRITTNI NIX
CITY ADMINISTRATOR

AN ORDINANCE

AN ORDINANCE TO AMEND THE CITY OF DACULA PERSONNEL MANAGEMENT SYSTEM, TO ADOPT EDUCATIONAL ASSISTANCE AND TUITION REIMBURSEMENT; AND FOR OTHER PURPOSES.

WHEREAS, the City has reviewed its policies and procedures for employee benefits; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of the City of Dacula to amend the Personnel Management System to update the employee benefit policy;

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DACULA HEREBY ORDAINS that the City Personnel Management System be amended as follows:

SECTION 1.

The following Section 6, Subsection 16.8 is adopted as follows:

6.18 EDUCATIONAL ASSISTANCE AND TUITION REIMBURSEMENT

Purpose

The City of Dacula recognizes that the skills and knowledge of its employees are critical to the success of the organization. The City may reimburse an employee up to a maximum amount per calendar year as allowed by the Internal Revenue Service. Reimbursements are for continuing education through an accredited school and/or program recognized by the US Department of Education that either offers growth in an area related to the employee's current position or that may lead to promotional opportunities. To maintain eligibility, employees must remain in an active pay status and be performing their job satisfactorily through the completion of each course and/or degree or certification program. This education may include college credit courses, continuing education unit courses, seminars and certification tests that are job related.

Tuition Reimbursement is based upon budget allocation appropriated on an annual basis from the City Council. The allocation of funds in one year does not guarantee additional funding in subsequent years. Additionally, the funding of this program is based upon the approval of the City Administrator and may be for an amount up to the federally approved limit, depending on available funds.

There will be no duplicate payments for the same course. The employee is required to first apply for any outside benefits for which he or she may be eligible for including, but not limited to, State or Federal Educational benefits (including V.A.), outside agencies, grants (HOPE Grant), etc. Awards, grants, and scholarships which do not require repayment by the

employee are not eligible for reimbursement and must be disclosed. The City will provide reimbursement only for qualified cost(s) which exceed the amount paid by outside sources up to the maximum approved amount.

An employee must secure a minimum passing grade of a “C” or its equivalent or obtain a certification to receive any reimbursement. Expenses must be validated by receipts from the institution attended, and a copy of the final grade or certification received.

All full-time employees who have completed 12-months of employment are eligible.

Procedures

To receive reimbursement for educational expenses, employees should follow the procedures listed here:

- Prior to enrolling in an educational course, the employee must provide his or her department head with a completed Educational Course or Certification Request Form with information about the course or certification he or she would like to receive and to discuss the job-relatedness of the continuing education. If the Department Head approves of the request, it will then be forwarded to the City Administrator for approval. The City Administrator will determine the maximum reimbursable amount for an employee.
- Approved courses may range from obtaining GED certifications to technical courses such as electronics, engineering, computers, finance, business management up through the master’s degree level of studies. Doctoral degrees are not eligible for this benefit.
- Approved courses are to be taken on the employee’s own time unless the City Administrator has approved time on the clock for such courses.
- Qualifying courses must directly relate to duties and responsibilities of the employee’s current position or must enhance the employee’s potential for advancement to a position with the City to which the individual has a reasonable expectation of advancing.
- Once the course or certification has been successfully completed, the employee will submit a Tuition Reimbursement Request Form, attaching receipts from the school and evidence of a minimum passing grade of a “C” or its equivalent or certification. If employee has received any assistance from outside agencies such as the HOPE Grant or V.A. (G.I. Bill), etc., please attach supporting documentation. There will be no duplicate payments for the same course(s).
- Reimbursements are for actual tuition fees only and do not include fees paid for books or any other miscellaneous fees such as: administrative, graduation, testing and examinations, student services, athletics, technology, parking, food, mileage, lodging, etc.
- The Human Resources Department will coordinate the reimbursement with the Finance Department following the receipt of all necessary documentation. Reimbursements requested more than 60-days after completion of course(s) will not be honored.

The employee shall not be eligible for reimbursement for training or education expenses under the following conditions:

- The employee does not obtain prior written approval of his or her Department Head; or
- The employee does not follow the procedures listed; or
- The employee is terminated voluntarily or involuntarily or resigns before receiving the final grade or certification.

The employee shall be responsible for reimbursing the City for the training or education expenses under the following conditions:

- The employee is terminated voluntarily or involuntarily or resigns within two years after the completing the education or training program. Reimbursement to the City shall be made according to the following schedule:
 - 100% if terminated or resigns within six months of completing the education or training.
 - 75% if terminated or resigns between six months and one year of completing the education or training.
 - 50% if terminated or resigns between one year and eighteen months of completing the education or training.
 - 25% if terminated or resigns between eighteen months and two years of completing the education or training.

If termination or resignation occurs after two years of the education or training, no reimbursement is required.

While educational assistance is expected to enhance employee performance and professional liabilities, the City cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

SECTION 2.

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

SECTION 3.

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

SECTION 4.

The City Administrator, Assistant City Administrator, and Director of Planning and Economic Development are further authorized to correct typographical errors in the text of the existing Personnel Manual and to produce and publish a final codified version of the Manual with the amendments and revisions outlined herein.

SECTION 5.

This Ordinance shall take effect January 1, 2024 upon its adoption by the Mayor and City Council.

SO ORDAINED by the governing authority of the City of Dacula, this 7th day of December 2023.

AYES: ____

NAYES: ____

HUGH D. KING, III
MAYOR, CITY OF DACULA

ATTEST:

BRITTNI NIX
CITY ADMINISTRATOR