BOARD OF APPEALS APPLICATION

APPLICATION FOR APPEAL, VARIANCE OR WAIVER

City of Snellville
Planning & Development Department
2342 Oak Road, 2nd Floor
Snellville, GA 30078
Phone 770.985.3513 website: www.snellville.org

DATE RECEIVED: _____

CASE # BOA _____

Version 4-1-2025

Applicant is: (check one) ☐ Owner's Agent ☒ Contract Purchaser ☐ Property Owner

Evan Landrum
Name (please print)
P.O. Box 50650
Address
Nashville, TN 37205
City, State, Zip Code
[redacted]
Phone Number(s) Fax

Owner (if not the applicant): ☐ check here if there are additional property owners and attach additional sheets.

SIDDIQI SHAHEEN K
Name (please print)
[redacted]
Address
[redacted]
City, State, Zip Code
Phone Number(s) Fax

Contact Person: Breno Santos Title: Engineer Phone: 404-594-4403 ext. 137

Cell Phone: _____ E-mail: breno@civilogistix.com

Application for (check one):

○ Appeal (describe): _____

⊗ Variance or Waiver from Unified Development Ordinance (describe below):

Seeking variance from 10' maximum building setback within the Towne Center Overlay district; building is shown at 23.7' from front property line (at its furthest point) on site plan.

Applicant is unable to adhere to the maximum building setback due to daycare tenant child safety requirements (sidewalk wrapping all sides of building) and severe topographical grade change from the front property line to the 10' maximum building setback line.

Property Address/Location: 292 Henry Clower Blvd District 10 Land Lot _____ Parcel R5026

Subdivision or Project Name: Snellville Learning Experience Lot: _____ Block: _____

Application Submittal Checklist:

- ○ Application original bearing original and notarized signatures and any supporting documents or exhibits.
- ○ Letter of intent/written narrative detailing the appeal or requested variance or waiver.
- ○ Responses to items on Attachment A.
- ○ Responses to specific use criteria (see Criteria for Approval in Applicant Information).
- ○ Site plan.
- ○ Verification that county and city property taxes are paid.
- ○ Warranty deed; security deed, or quit claim deed for subject property.
- ○ Map indicating the subject property and adjacent properties identified by tax parcel number.
- ○ Nine (9) stapled or bound copies of the application and any supporting documents or exhibits.
- ○ Digital copy in .PDF format of application submittal (email, flash drive, etc.).
- ○ Payment of application fee and public notification fees.

Board of Appeals Public Hearing Date and Time: December 8th, 2026 **at 7:30 p.m.**

Application Fees:

Please see the Planning Department Fee Schedule for application and public notification fees.

ATTACHMENT "A"

APPEALS

If request is to APPEAL the decision of the Planning Director, please discuss your grievance in detail below. You may attach additional sheets and provide additional documentation as appropriate.

☒ Check Box if NOT APPLICABLE

VARIANCES AND WAIVERS

To authorize, upon appeal in specific cases, variance or waiver from the terms of the Unified Development Ordinance ("UDO") as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the UDO would result in unnecessary hardship.

A variance may not be granted by the Board of Appeals unless and until a written application for a variance or waiver is submitted demonstrating the following (you may attach additional sheets if necessary):

1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same zoning district.

Please see Exhibit A, on the following page.

2) That literal interpretation of the provisions of the UDO would deprive the applicant or rights commonly enjoyed by other properties in the same zoning district under the terms of the UDO.

Literal interpretation of the 10' building setback would deprive the Applicant of the ability to implement tenant-required safety features for children, as well as prevent the Applicant from alleviating the steep gradient at the front of the site. While Applicant acknowledges the Pet Paradise development on the neighboring property may have been subjected to a different zoning ordinance at the time of its development, the Pet Paradise building sits beyond the 10' building setback on both road frontages.

3) That the special conditions and circumstances do not result from the actions of the applicant.

The irregular dimensions of the property and the steep gradient at the front of the property were not caused by actions of the applicant. The special requirements of the daycare tenant are in place only for child safety, and applicant must adhere to the safety requirements of the tenant in order to successfully develop this property as a daycare.

4) That granting the variance or waiver requested will not confer on the applicant any special privilege that is denied by the UDO to other lands, structures, or buildings in the same zoning district.

Granting this variance related to the 10' building setback will still allow this property to be developed within the intent of the Towne Center overlay, and this development would adhere as closely to the code as possible while still accommodating child safety on site and easing the dramatic topographical gradient at the front of the property.

No nonconforming use of neighboring lands, structures, or buildings in the same zoning district, and no permitted or nonconforming use of lands, will be considered grounds for the issuance of a variance.

Exhibit A

1) Special conditions exist which are peculiar to the land and planned building:

Subject **land** (property) is triangular shaped, with the eastern side being the deeper side. In order to fit all of the parking behind the building, as is the intent of the zoning overlay, the building must be situated on the eastern side of the property. On the eastern side of the property, there is roughly 9' – 11' of grade change between the front property line and where the building must be placed in order to fit the development. Typically this would require a retaining wall, but walls are not allowed within the front 10' landscaping strip.

As the proposed development is for a daycare **building**, the daycare requires a 6' sidewalk bordering the building with a 4' fence bordering the outside of the sidewalk. The sidewalk is needed to allow safe ingress and egress for children and teachers – especially in the case of a fire. The 4' fence is needed as a border to guide children in a safe direction and keep them from straying to a neighboring property or road when navigating around the building.

With the zoning overlay requiring a maximum 10' building setback and a 10' landscaping strip, and with sidewalks and fences not allowed within the 10' landscaping strip, applicant will be unable to develop the daycare at this location without a variance to the required 10' building setback.

In order to develop the daycare (while accommodating the tenant-required safety features), address the severity of the grade change at the front of the site, and adhere as close as possible to the zoning overlay, applicant is proposing the following:

- Move the **building** further back into the **land,** increasing the building setback to 23.7' from the front property line at the furthest point
    - This will allow for the 10' landscaping strip to existing without containing sidewalks, walls, or fences
    - Will also allow the developer to grade the front of the site to a 2:1 slope without needing to place a retaining wall within the landscaping strip
- In lieu of a fence surrounding the sidewalk, the daycare tenant proposes thick 4' tall shrubbery which would accomplish the safety design of the 4' fence but would follow the intent of the zoning overlay more closely

APPLICATION CERTIFICATIONS

In the event an owner's agent or contract purchaser is filing this application, both certifications below must be completed. If the property owner is filing the application, both certifications must be completed.

APPLICANT CERTIFICATION

The undersigned below, is authorized to make this application and swears and affirms under penalty of perjury under the laws of the Stare of Georgia that the information provided herein is true and correct to the best of his/her knowledge and belief. The undersigned is aware that, in granting any variance or waiver, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the Unified Development Ordinance. Violation of such conditions and safeguards when made a part of the terms under which the variance or waiver is granted, shall be deemed a violation of the Unified Development Ordinance and punishable under Article 3 of the UDO. if the application for variance or waiver is denied by the Board of Appeals, a re-application for such variance or waiver may not be made earlier than 12-months form the date of the original application. The undersigned is aware that any person aggrieved by a decision or order of the Board of Appeals may appeal by certiorari to the Superior Court of Gwinnett County. Such appeal must be filed within 30-days from the date of the decision of the Board of Appeals. Upon failure to file the appeal within 30-days from the date of decision, the decision of the Board of Appeals will be final.

[redacted] 10/15/2026

Signature of Applicant Date

Evan Landrum, Managing Member

Type or Print Name and Title

[redacted] 10/15/26

Signature of Notary Public Date

Notary [redacted]

PROPERTY OWNER CERTIFICATION

The undersigned below, is the owner of the property considered in this application as it is shown in the records of Gwinnett County, Georgia and the City of Snellville, Georgia. I authorize the person named above to act as applicant in the pursuit of obtaining a variance or waiver for this property.

[redacted] 10/15/2026

Signature of Owner Date

SHAHEEN K. SIDDIQI

Type or Print Name and Title

[redacted] 10/15/26

Signature of Notary Public Date

[redacted]

* * * * * * * * * * * * * * * * * FOR OFFICE USE ONLY * * * * * * * * * * * * * * * * *

Date Received: _____ Received By: _____ Total Fees Paid: _____ Original RCVD: ☐ YES ☐ NO
9 Copies RCVD: ☐ YES ☐ NO

Legal Ad Requested (Date): _____ for Publication on (Date) _____ PUBLIC HEARING DATE & TIME: _____

Public Notice Sign(s) Requested (Date): _____ for Posting by (date): _____ APO Notice Mailing (date): _____

Comments: _____

*** * * * APPLICANT INFORMATION ONLY * * * ***

ADMINISTRATIVE DECISION APPEALS

A. Appeals to the Board of Appeals concerning interpretation or administration of the Unified Development Ordinance ("UDO") may be taken by any person aggrieved or by any officer or bureau of the governing body of the City affected by any decision of a staff member of the Department of Planning and Development. Appeals must be filed with the Department within **fifteen (15) days of said decision** on the form/application provided by the City, including payment of application fee and public notification fees as determined by the Department fee schedule. The Director must forthwith transmit to the board all papers constituting the record upon which the action appealed from was taken.

B. An appeal stays all proceedings in furtherance of the action appealed from unless the Director certifies to the Board of Appeals that, by reason of facts stated in the certificate, a stay would, in their opinion, cause imminent peril, to life or property. In such a case, proceedings may not be stayed otherwise than by the Zoning Board of Appeals or by a restraining order granted by a court of record on application, and notice to the Director for good cause shown.

C. The person requesting the appeal must first submit to Department a written statement clearly defining the nature of the disagreement, the specific reference to the sections of the regulations at issue, and the applicant's own opinion.

D. If the Department fails to respond within ten (10) business days from the date of transmittal of the appeal, the Department must automatically forward a copy of the appeal to the Board of Appeals for final action in their normal course of business.

E. The Board of Appeals must hear and act upon within fifty (50) days of receipt of the appeal application and give public notice thereof in accordance with Sec. 103-7.2.B.3 (Public Notifications). At the hearing, any party may appear in person or by agent or attorney.

F. In exercising the above-mentioned powers, the Board of Appeals may, so long as such action is in conformity with the terms of the this UDO, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end will have the powers of the Department staff member from whom the appeal is taken.

PUBLIC NOTICE REQUIREMENTS

The Planning Department must provide notice of the date, time and place of the public hearing as follows:

1. LEGAL AD: Published in the Gwinnett Daily Post which carries the legal advertisements of the City, by advertising the application and date, time, place and purpose of the public hearing not fewer than 30-days, nor more than 45- days before the date of the public hearing.
2. NOTICES TO ADJOINING PROPERTY OWNERS: Notification to the owners of adjoining properties of the property for which the variance, or waiver is sought and/or their agent by first class USPS mail to the mailing address provided by the Gwinnett County Tax Commissioner's office. The notification must be mailed not fewer than 30-days, nor more than 45-days before the public hearing. The notification must include a description of the application and the date, time, and place of the public hearing.
3. PUBLIC NOTICE SIGN: Posting of a Public Notice Sign on the property, one sign per road frontage, per parcel, posted at least 30-days before the public hearing. The sign must include a description of the application and the date, time, and place of the public hearing.

Once advertised the public hearing must be held. Any party may appear in person, or by agent or attorney.

****** APPLICANT INFORMATION ONLY ******

RE-APPLICATION

If the application for variance or waiver is denied by the Board of Appeals, a re-application for such variance or waiver may not be made earlier than 12-months form the date of the original application.

APPEALS

Any person aggrieved by a decision or order of the Board of Appeals may appeal by certiorari to the Superior Court of Gwinnett County. Such appeal must be filed within 30-days from the date of the decision of the Board of Appeals. Upon failure to file the appeal within 30-days from the date of decision, the decision of the Board of Appeals will be final.

CRITERIA FOR APPROVAL

The Board of Appeals must further make findings that the requirements of UDO Sec. 103-7.2.B. (Attachment A) have been met by the applicant for a variance or waiver.

The Board of Appeals must further make a finding that the reasons set forth in the application justify the granting of the variance or waiver is the minimum variance that will make possible the reasonable use of the land, building, or structure.

The Board of Appeals must further make a finding that the granting of the variance or waiver will be in harmony with the general purpose and intent of the UDO, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Specific approval criteria is also provided in the Unified Development Ordinance as follows:

a) Sec. 205-1. (Towne Center Overlay District)
b) Sec. 205-1.11. (Vehicle Access and Parking Locations)
c) Sec. 205-1.12. (Fences and Walls)
d) Sec. 206-8.26. (Roofed Accessory Structures)
e) Sec. 207-1.7.H. (Large Parking Facility Requirements)
f) Sec. 207-1.8.B. (Parking Location Limitations)
g) Sec. 207-1.11 (Driveways and Parking Surfacing)
h) Sec. 207-2.D. (Buffer Width Reduction)
i) Sec. 207-2.3.B.4. (Fences in Front or Side Street Yards)
j) Sec. 207-3.D. (Structures in Landscape Strips)
k) Sec. 207-6.6. (General Requirements – Signs)
l) Sec. 401-3.2.B. (Block Measurement)
m) Sec. 401-3.4.C. (Stub-out Streets)
n) Sec. 401-3.4.H. (Interparcel Access)
o) Sec. 401-4. (Streetscapes)
p) Sec. 401-4.3. (Streetscape Design Standards)

CONDITIONS OF APPROVAL

In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the Unified Development Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, will be deemed a violation of the Unified Development Ordinance that is punishable under its provision.

DENISE R. MITCHELL, MPA
GWINNETT COUNTY
TAX COMMISSIONER

Property Tax View Pay Your Ta...

View/Pay Your Taxes

View Bill

Back to Account

Tax Account

Parcel ID :
R5026 292

Property Type :
Real Property

Site Address :
0 HENRY CLOWER BLVD
SNELLVILLE 30078

Mailing Address :
SIDDIQI SHAHEEN K
3091 RASKARITY RD
CUMMING GA 30041-1116

Change Mailing Address

Legal :
HENRY CLOWER BLVD

District :
SNELLVILLE

Last Update :
08/04/2026 08:04 PM

Tax Values

To view additional information on the valuation of your property, click here. You will be redirected to the Assessors' Property Information page.

Assessments

		Net Tax	Savings
School Taxes		$2,765.39	$0.00
County Incorporated No Police		$1,571.40	$0.00
	Total	$4,336.79	$0.00

Tax Installment Information

Period	Bill Number	Due Date	Tax Year	Tax	Fee	Penalty	Interest	Total Due
INST 1	27233440	11/15/2025	2025	$0.00	$0.00	$0.00	$0.00	$0.00

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Date Paid
2025	27233440	B25.118304	$4,336.79	11/13/2025

02:41

Understanding Your Property Tax Bill.

04:28

How to Pay Your Property Taxes Online

Select Language

Powered by Google Translate

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00003

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FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.
04 AUG -5 AM 11:57
TOM LAWLER, CLERK

309545-48

RAYMOND C. ASHE
ATTORNEY AT LAW
4588 ATLANTA HIGHWAY, P.O. BOX 662
LOGANVILLE, GEORGIA 30052
(770) 466-1596, FAX (770) 466-9175

STATE OF GEORGIA
TRANSFER TAX
10.00
CLERK OF SUPERIOR COURT

STATE OF GEORGIA
COUNTY OF GWINNETT

WARRANTY DEED

THIS DEED, made this the 3rd day of June, in the Year of Our Lord, Two Thousand - Three, between:

MOHSIN ASHFAQUE (GRANTOR)

of the State of Georgia, and County of Gwinnett, and

SHAHEEN K. SIDDIQI (GRANTEE)

of the State of Georgia, and County of Gwinnett,
(the terms Grantor and Grantee to include their respective heirs, successors and assigns where the context hereof requires or permits),

WITNESSETH: Grantor, for and in consideration of the sum of Ten Dollars and other good consideration ($ 10.00) DOLLARS, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy, and sufficiency of which being hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does hereby grant, bargain, sell and convey unto Grantee, the following described real property, to wit:

ALL THAT TRACT OR PARCEL OF LAND lying and being in the Land Lot 26 & 27 of the 5th Land District of Gwinnett County, Georgia, containing 1.793 acres, more or less, located on Henry Clower Boulevard, and described as Tract No. 3 in a plat of survey entitled "Survey for Geoffrey A. Sandals, Jr.", dated April 19, 2000, prepared by Adam & Lee Land Surveying, certified by Jerry L. Cooper, RLS in Georgia, and recorded in Plat Book 87, Page 165, Gwinnett County, Georgia, Records, reference to which survey and the record thereof is hereby made for a more particular description of the property conveyed and for the purpose of incorporating the same herein.

TO HAVE AND TO HOLD the above-described tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE.

AND, SUBJECT TO the title matters expressly set forth hereinabove, if any, Grantor will warrant and forever defend the right and title to the above-described tract or parcel of land unto the Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has signed and sealed this Deed the day and year first above written.

Signed, sealed and delivered
in the presence of:

[redacted]

10

Gwinnett

Address | Parcel ID | Street | Land Planning | Property Info | Utilities | Transportation | School | Data Portal | Aerial Photography

nd | Map tools | Parcel Search | Results

Identify results (1)

Refine

5026 292

