

RECEIVED

**REZONING APPLICATION**

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF WINNETT COUNTY, GA.

| APPLICANT INFORMATION   | PROPERTY OWNER INFORMATION*              |
|---|--|
| NAME: Mustaq Moosa  | NAME: Arthur Morris & Randolph Schneider |
| ADDRESS: 1400 Indian Trail Lilburn Road   | ADDRESS: 4711 Harris Trl                 |
| CITY: Norcross  | CITY: Atlanta                            |
| STATE: GA ZIP: 30093  | STATE: GA ZIP: 30327                     |
| PHONE: 404 704 6356   | PHONE: 770 972 1500                      |
| EMAIL: mustaq@cityviewdb.com  | EMAIL: darlebe@dpre1.com                 |
| CONTACT PERSON: Mustaq Moosa PHONE: 404 704 6356  |  |
| CONTACT'S E-MAIL: mustaq@cityviewdb.com   |  |
| <p align="center"><b>APPLICANT IS THE:</b></p> <p> <input checked="" type="checkbox"/> OWNER'S AGENT           <input type="checkbox"/> PROPERTY OWNER           <input type="checkbox"/> CONTRACT PURCHASER         </p> |  |
| PRESENT ZONING DISTRICTS(S): R 100 REQUESTED ZONING DISTRICT: C1 Neighborhood Business District   |  |
| PARCEL NUMBER(S): R6050 262 ACREAGE: 0.83   |  |
| ADDRESS OF PROPERTY: 2631 Highpoint Road, Snellville, Gwinnett County, GA 30078   |  |
| PROPOSED DEVELOPMENT: Proposed 3300 S.FT. Convenience Store with fueling pumps and Canopy   |  |

| RESIDENTIAL DEVELOPMENT             | NON-RESIDENTIAL DEVELOPMENT |
|-------------------------------------|-----------------------------|
| No. of Lots/Dwelling Units _____    | No. of Buildings/Lots: 1    |
| Dwelling Unit Size (Sq. Ft.): _____ | Total Building Sq. Ft. 3300 |
| Gross Density: _____                | Density: _____              |
| Net Density: _____                  |                             |

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

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## REZONING APPLICANT'S RESPONSE

### STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT 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.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (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 - the proposed development will not adversely affect existing or adjacent properties

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

The proposed rezoning will enhance the economic viability of the property

- (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:

The proposed rezoning shall not cause burden to existing infrastructure or County services

- (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:

The property is located at an intersection on a major road which warrants commercial use and the proposed development is suitable for the given location

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REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

*Mustaq*

Signature of Applicant

*Jan 6, 2022*

Date

Mustaq Moosa

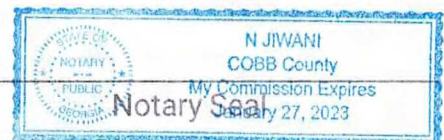
Type or Print Name and Title

*[Signature]*

Signature of Notary Public

*01/06/2022*

Date



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2/2/2022

**REZONING PROPERTY OWNER'S CERTIFICATION**

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.



Signature of Property Owner

1/3/22  
Date

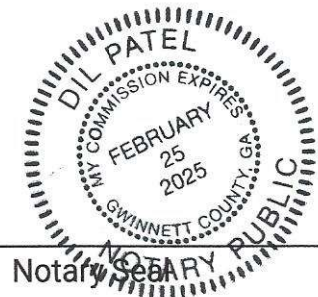
Ralph Schneider

Type or Print Name and Title



Signature of Notary Public

1/3/22  
Date



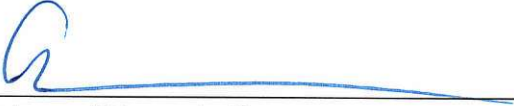
Notary Seal

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2/2/2022

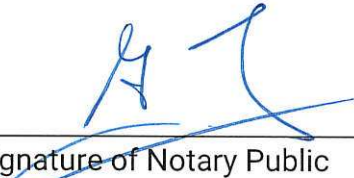
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\_\_\_\_\_  
Signature of Property Owner

1/4/22  
\_\_\_\_\_  
Date

Arthur Morris  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public

1/4/22  
\_\_\_\_\_  
Date

Notary Seal





GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

2/2/2022

**CONFLICT OF INTEREST CERTIFICATION FOR REZONING**

The undersigned below, making application for a Rezoning, 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.

*Mustaq*

Jan 6, 2022

Mustaq Moosa

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE

*[Signature]*

01/06/2022

SIGNATURE OF NOTARY PUBLIC

DATE



**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 a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

☐

YES

☒

NO

Mustaq Moosa

YOUR NAME

If the answer is yes, please complete the following section:

| NAME AND OFFICIAL<br>POSITION OF<br>GOVERNMENT OFFICIAL | CONTRIBUTIONS<br>(List all which aggregate to<br>\$250 or More) | DATE CONTRIBUTION<br>WAS MADE<br>(Within last two years) |
|---|---|--|
|   |   |  |
|   |   |  |
|   |   |  |

Attach additional sheets if necessary to disclose or describe all contributions.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

**\*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER:      6th      -      50      -      R6050 262  
(Map Reference Number)      District      Land Lot      Parcel

  
Signature of Applicant

Jan 5, 2022  
Date

Mustaq Moosa

Type or Print Name and Title

**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

**TAX COMMISSIONERS USE ONLY**

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

NAME

TITLE

DATE

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

## REZONING CHECKLIST

**RECEIVED**  
2/2/2022  
The following is a checklist of information required for submission of a Rezoning application. The Planning and Development Department reserves the right to reject any incomplete application.

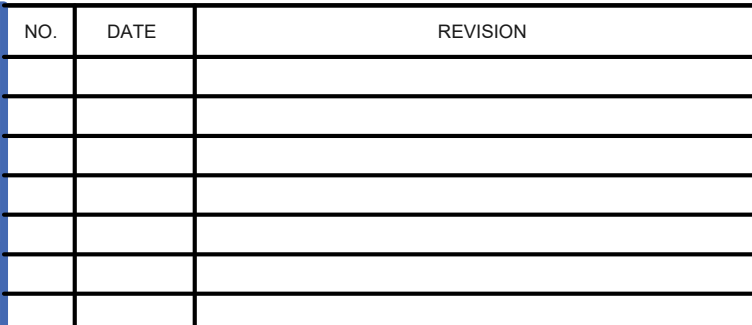
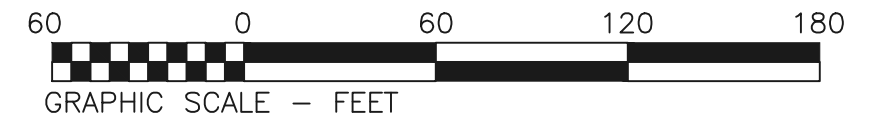
- ☒ Application Form
- ☒ Legal Description
- ☒ Boundary Survey Including Existing Conditions
- ☒ Site Plan (one (1) digital copy to scale)
- ☒ Standards Governing Exercise of the Zoning Power
- ☒ Letter of Intent
- ☒ Applicant Certification with Notarized Signature
- ☒ Property Owner Certification with Notarized Signature
- ☒ Conflict of Interest Certification/Campaign Contributions
- ☒ Verification of Paid Property Taxes (most recent year)
- ☒ Application Fee – make checks payable to Gwinnett County

### **Additional Exhibits (if required):**

- ☐ Additional site plan requirements for OSC, TND, R-SR, R-TH, MU-N, MU-C, MU-R and HRR rezoning requests
- ☐ Traffic Impact Study
- ☐ Review Form for Development of Regional Impact
- ☐ Building Compliance Inspection Report

**Please bring this checklist when filing for a Rezoning**





|                 |            |
|-----------------|------------|
| 1               |            |
| SHEET 1 OF 1    |            |
| Date:           | 01/27/2022 |
| Scale:          | 1" = 60'   |
| JOB #: 2022-101 |            |

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**2631 HIGHPOINT ROAD**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN LAND LOT 50 OF THE 6TH LAND DISTRICT OF GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF GA HWY 124 (R/W VARIES) AND THE SOUTHERLY RIGHT OF WAY LINE OF HIGHPOINT ROAD, (R/W VARIES) AND HAVING THE NAD83 GA WEST COORDINATES OF N1396930.52', E2337330.20';

THENCE, ALONG SAID RIGHT OF WAY HIGHPOINT ROAD, S63°54'57"E, A DISTANCE OF 108.27' TO A POINT;

THENCE, ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 408.91', AN ARC LENGTH OF 250.80', AND BEING SUBTENDED BY A CHORD WITH THE BEARING S81°29'12"E AND A CHORD DISTANCE OF 246.89' TO A POINT;

THENCE, LEAVING SAID RIGHT OF WAY, S29°20'41"E, A DISTANCE OF 11.86' TO A 5/8" REBAR;

THENCE, S76°17'27"W, A DISTANCE OF 58.01' TO A 1/2" REBAR;

THENCE, S77°07'09"W, A DISTANCE OF 143.07' TO A 1/2" PIPE;

THENCE, S76°51'45"W, A DISTANCE OF 295.12' TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF GA HWY 124;

THENCE, ALONG SAID RIGHT OF WAY, N33°16'43"E, A DISTANCE OF 82.98' TO A POINT;

THENCE, N49°54'52"E, A DISTANCE OF 34.25' TO A CONCRETE MONUMENT;

THENCE, N32°04'06"E, A DISTANCE OF 32.21' TO A CONCRETE MONUMENT;

THENCE, N17°19'15"E, A DISTANCE OF 33.19' TO A CONCRETE MONUMENT;

THENCE, N33°16'51"E, A DISTANCE OF 67.96' TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.83 ACRES, MORE OR LESS.

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1/7/2022 2:14PM

From: Mustaq Moosa (applicant)  
To: Gwinnett County Planning & Development Division  
Intent Title: Request for Rezoning of Property from R 100 to C1 Neighborhood Business  
District and reduction in the southern buffer from 50ft to 25ft  
Location: 2600 High Point Road, Snellville, Gwinnett County, GA 30078

---

This letter is a request to Gwinnett County Planning Division to kindly approve the rezoning of the existing vacant parcel of land from R 100 (current zoning) to C 1 (requested zoning) and kindly approve the reduction in buffer along the south property line from 50' to 25'.

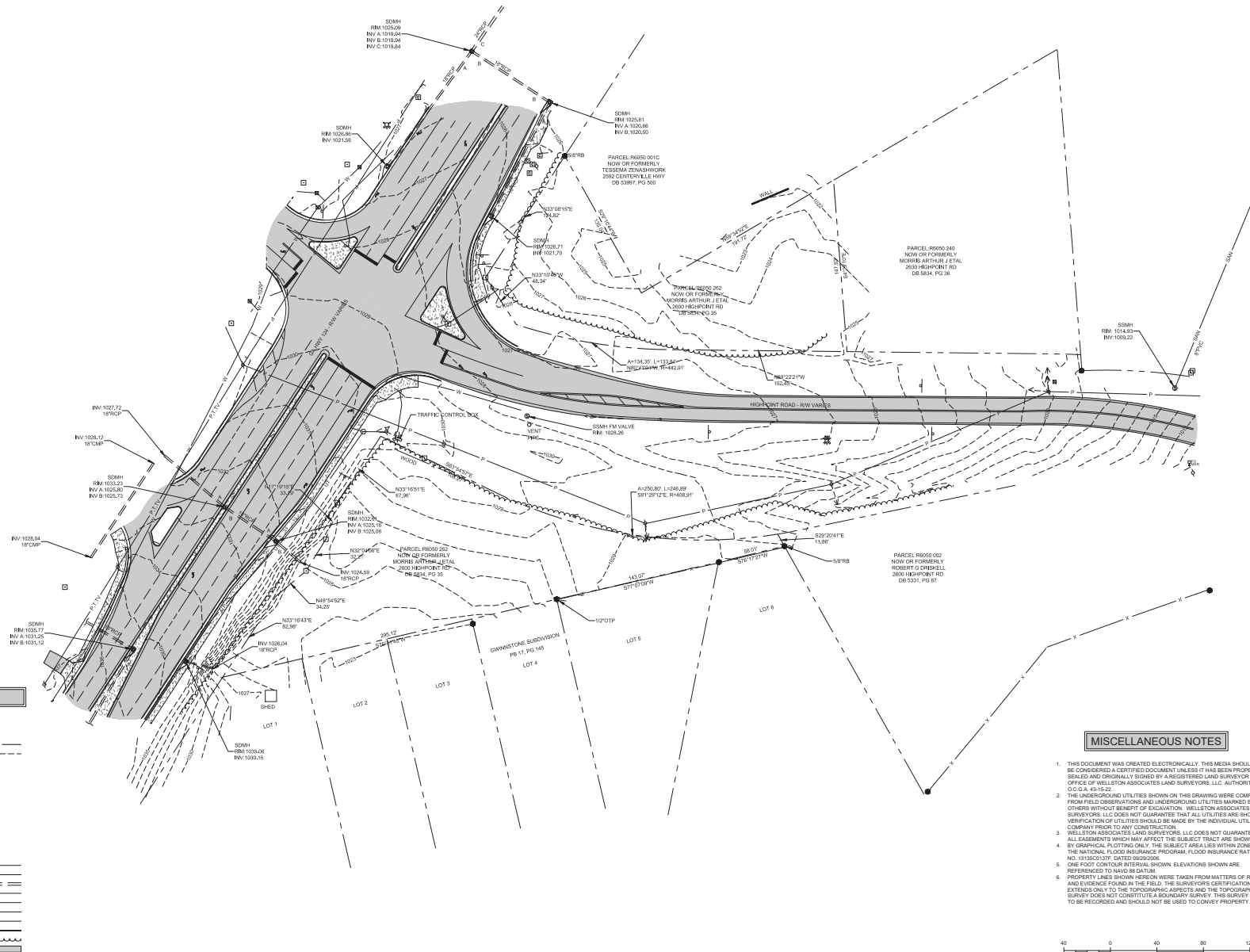
The existing site is approximately 0.843 acres undeveloped site and is located at the intersection of GA Highway 124 and Highpoint Road.

The property owner proposes to build a single story Convenience Store of approximately 3300 S.FT. and a canopy and fuel pumps. Parking for the store is provided along the front of the building and meets the requirements with additional parking at the pumps. Access to the site is provided from GA Hwy 124 and Highpoint Road. The site and new building shall meet all Gwinnett County recommended standards for site and building engineering.

A reduction in buffer is requested along the southern property line to allow for the holistic development of the property and to accommodate the building, vehicular circulation and the parking.

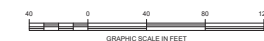
The attached site plan and the proposed development will not be adding any negative or adverse effects to the site or the surrounding areas nor will it impose any transportation or other challenges to the existing infrastructure.

Thank you



MISCELLANEOUS NOTES

1. THIS DOCUMENT WAS CREATED ELECTRONICALLY. THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED AND ORIGINALLY SIGNED BY A REGISTERED LAND SURVEYOR AT THE OFFICE OF WELLSTON ASSOCIATES LAND SURVEYORS, LLC AUTHORITY: O.C.G.A. 43-15-22.
2. THE UNDERGROUND UTILITIES SHOWN ON THIS DRAWING WERE COMPILED FROM FIELD OBSERVATIONS AND UNDERGROUND UTILITIES MARKED BY OWNERS WITHOUT BENEFIT OF EXCAVATION. WELLSTON ASSOCIATES LAND SURVEYORS, LLC DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN. VERIFICATION OF UTILITIES SHOULD BE MADE BY THE INDIVIDUAL UTILITY COMPANY PRIOR TO ANY CONSTRUCTION.
3. WELLSTON ASSOCIATES LAND SURVEYORS, LLC DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN.
4. BY GRAPHICAL PLOTTING ONLY, THE SUBJECT AREALIES WITHIN ZONE "X" OF THE NATIONAL FLOOD INSURANCE PROGRAM. FLOOD INSURANCE RATE MAP NO. 13160C0101, DATED 06/09/2006.
5. ONE FOOT CONTOUR INTERVAL SHOWN. ELEVATIONS SHOWN ARE REFERENCED TO MADD DATUM.
6. PROPERTY LINES SHOWN HEREON WERE TAKEN FROM MATTERS OF RECORD AND EVIDENCE FOUND IN THE FIELD. THE SURVEYORS CERTIFICATION EXTENDS ONLY TO THE TOPOGRAPHIC ASPECTS AND THE TOPOGRAPHIC SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY. THIS SURVEY IS NOT TO BE RECORDED AND SHOULD NOT BE USED TO CONVEY PROPERTY.



LEGEND OF SYMBOLS

- IRON PIN FOUND
- CONCRETE MONUMENT FOUND
- BENCHMARK
- PROPERTY LINE
- CONTOUR LINE
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- DROP INLET
- LIGHT POLE
- UTILITY POLE
- GUY WIRE
- WATER VALVE
- FIRE HYDRANT
- TELEPHONE PEDESTAL
- TRAFFIC SIGNAL BOX
- SHED
- FENCE
- WATER LINE
- STORM SEWER LINE
- SANITARY SEWER LINE
- OVERHEAD POWER, TELEPHONE, AND CABLE
- UNDERGROUND POWER
- UNDERGROUND TELEPHONE
- RETAINING WALL
- WOODS LINE
- ASPHALT

| No. | Date | Description |
|-----|------|-------------|
|     |      |             |
|     |      |             |
|     |      |             |
|     |      |             |

WELLSTON ASSOCIATES  
LAND SURVEYORS, LLC  
586 OGDEN BOULEVARD, SUITE 2  
WARNER ROBINS, GEORGIA 31088  
WWW.WELLSTONASSOC.COM



TOPOGRAPHIC SURVEY  
FOR  
2600 & 2630 HIGHPOINT ROAD  
LAND LOT 50  
6TH LAND DISTRICT  
WINNETT COUNTY  
GEORGIA

Project No.: 1314-028  
Drawing No.: TPS  
Drawn By: MH  
Checked By: SHJ

R.L.S. No.: 3171

Date: 11/22/2021

Scale: 1"=60'

Sheet No.: 1 of 1