

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing date.

Date Received: _____ Application No.: _____

APPLICANT NAME: Anandi JRK, LLC c/o Battle Law, P.C.

Daytime Phone #: 404.601.7616 Fax #: 404.745.0045

Mailing Address: 3562 Habersham at Northlake, Bldg. J, Ste 100 Tucker, GA 30084

E-mail: mlb@battlelawpc.com

OWNER NAME: Rajesh Ramanlal Patel (If more than one owner, attach contact information for each owner)

Daytime Phone #: 469.855.1765 Fax #: _____

Mailing Address: 1024 Nash Springs Circle, Lilburn, GA 30047

E-mail: rajpatelgastore@gmail.com

SUBJECT PROPERTY ADDRESS OR LOCATION: 2571 E Wesley Chapel Way, DEKALB COUNTY
DECATUR, DeKalb County, GA, 30035

District(s): 15 Land Lot(s): 126 Block(s): 03 Parcel(s): 007

Acreage or Square Feet: .91 Commission District(s): 5 & 7 Existing Zoning: C-1

Proposed Special Land Use (SLUP): Convenience Store with Gas Pumps

I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Owner: ☒ Agent: _____ Signature of Applicant: Rajesh Patel
(Check One)

Printed Name of Applicant: Rajesh Ramanlal Patel

Notary Signature and Seal:

Fortune Okoroba




DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION AUTHORIZATION

The property owner should complete this form or a similar, signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 10/14/2022

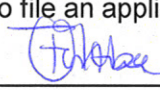
TO WHOM IT MAY CONCERN:

(I) (WE), Rajesh Ramanlal Patel 
Name of Owner(s)

being (owner) (owners) of the subject property described below or attached hereby delegate authority to
Battle Law, P.C.
Name of Applicant or Agent

to file an application on (my) (our) behalf.

Rajesh Ramanlal Patel 


Notary Public

Owner

N/A
Notary Public

N/A
Owner

N/A
Notary Public

N/A
Owner

N/A
Notary Public

N/A
Owner




Campaign Contribution Disclosure Statements
Last Updated 6/17/2022

CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT

Pursuant to the provisions of 36 O.C.G.A. 67(A), please find below a list of those contributions made by Michèle L Battle or Battle Law, P.C. in the past two years, aggregating \$250.00 or more, to local government officials who will consider this application.

NAME OF GOV'T OFFICIAL	OFFICIAL POSITION	AMOUNT OF CONTRIBUTION
Ted Terry	Commissioner	\$500
Mereda Davis Johnson	Commissioner	\$250
Lorraine Cochran-Johnson	Commissioner	\$750

By: 
Printed Name: Michele L Battle

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

Yes ☒ No ☐ *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary

Signature of Applicant /Date

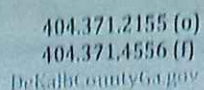
Check one: Owner ☐ Agent ☒

Expiration Date/ Seal

May 04, 2024



*Notary seal not needed if answer is "no".



178 Sams Street
Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

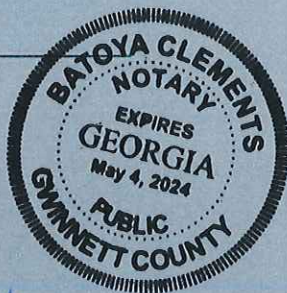
Yes _____ No ☒ *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

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Notary



Rajesh Ramanlal Patel

Signature of Applicant /Date

Check one: Owner X Agent

Expiration Date/ Seal

*Notary seal not needed if answer is "no".



Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100
Tucker, Georgia 30084

Zoom Instructions:

Go to <https://otago.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click "Join" . To join by phone, please dial (646) 558-8656. If you are unable to attend or would like to learn more about the proposed project, please call our office at the number below.

We encourage you to come out and participate!

For More Information Contact
Batoya Clements at:
Phone: 404-601-7616 ext. 2
Fax: 404-745-0045
Email: bdc@battlelawpc.com

SPECIAL LAND USE PERMIT TO ALLOW FOR THE DEVELOPMENT OF A CONVENIENCE STORE WITH GAS PUMPS

Project Title: 2571 East Wesley Chapel Way

When: OCTOBER 24, 2022

Time: 6:00 PM Eastern (US and Canada)

Register in advance for this meeting:

<https://otago.zoom.us/join>

Meeting ID: 857 3495 4465

Passcode: 770085

PROPOSED LOCATION(S):

**2571 EAST WESLEY CHAPEL WAY
DECATUR, GEORGIA 30035**

2571 East Wesley Chapel
Community Meeting Mailing List
10/24/2022

Owner 1	Owner 2	Owner Address	Owner City	Owner State	Owner Zip
4225 Snapfinger Woods LLC		1253 Silver Trace Dr SW	Lilburn	GA	30047-3262
5 Even A Inc		1845 Lawrenceville Hwy	Decatur	GA	30033-5728
Agree Stores LLC		358 Saw Mill River Rd	Millwood	NY	10546-1014
Aires Weil Properties LLC		1520 Balboa Ave	Burlingame	CA	94010-4614
American Properties Wesley		1070 Dogwood Dr SE	Conyers	GA	30012-5384
Anaheim Management LLC		Po Box 80615	Indianapolis	IN	46280-0615
Anandi Jrk LLC		1024 Nash Springs Cir	Lilburn	GA	30047-1728
Atlanta Real Estate Holding LLC		4315 New Snapfinger Woods Dr	Decatur	GA	30035-2920
Bay Business Properties LLC		2811 Brookside Run	Snellville	GA	30078-5943
Capella Hospitality LLC		5825 Glenridge Rd Building 3 Ste 215	Decatur	GA	30035
Charles S Hill MD		4171 Snapfinger Woods Dr	Decatur	GA	30035-3412
Churchs Fried Chicken Inc		980 Hammond Dr	Atlanta	GA	30328-6161
Csc Wesley Chapel 1 LLC		5795 Ulmerton Rd Ste 200	Clearwater	FL	33760-3911
Dekalb Board Of Education		1701 Mountain Industrial Blvd	Stone Mountain	GA	30083-1027
Desfilia LLC		2665 Timberloch Ct	Snellville	GA	30039-6267
Donaustin Inc		2642 Old Wesley Chapel Rd	Decatur	GA	30034-2354
Dr Horton Inc		1371 Dogwood Dr SW	Conyers	GA	30012-5127
Gia Linh Enterprise LLC		2675 Wesley Chapel Rd	Decatur	GA	30034-2358
Golden Eagle Partners LLC		5317 T L Bower Way	Flowery Branch	GA	30542-2898
Henvil Sylvester Grant DVM		4242 Snapfinger Woods Dr	Decatur	GA	30035-3409
Home Depot U S A Inc		Po Box 105842	Atlanta	GA	30348-5842
John D Pelton		11883 Highway 278	Covington	GA	30014-1621
Keith B Alexander	Sonja H Alexander	278 Carlyle Park Dr NE	Atlanta	GA	30307-2883
Kuang Tian Na Hu		10340 Meadow Crest Ln	Alpharetta	GA	30022-6547
Libertae Vitae LLC		2544 Wesley Chapel Rd	Decatur	GA	30035-3405
McDonalds Real Estate Company		1139 Winterberry Way SE	Conyers	GA	30013-2446
McDonalds Real Estate Company		3700 Market St	Clarkston	GA	30021-2653
Mirelle Loroquet		937 E 37th St	Brooklyn	NY	11210-3431

Mohammed Iqbal Balagamwala	Altat S Agad	5101 Buffington Rd	Atlanta	GA	30349-2922
Norman S Barber		2550 E Wesley Chapel Way	Decatur	GA	30035-3430
Ns Investors LLC		2230 Sugarloaf Club Dr	Duluth	GA	30097-7415
Nulyfe LLC		8060 Webb Rd	Riverdale	GA	30274-5502
Olive Branch Restaurant Inc		4710 Lou Ivy Rd	Peachtree Corners	GA	30096-2918
Public Storage Properties Xvii		Po Box 25025	Glendale	CA	91221-5025
Ra-Her LLC		5 Concourse Pkwy	Atlanta	GA	30328-5350
Rata Enterprises LLC		2724 Sunday Rd	Stockbridge	GA	30281-5323
Recovery Consultants Of Atlanta Inc		3423 Covington Dr	Decatur	GA	30032-1846
Rite Hospitality Inc		4300 Snapfinger Woods Dr	Decatur	GA	30035-3007
Ross Atlanta Properties LLC		7701 Independence Ave	Kansas City	MO	64125-1300
Sahil & Shaayaan Brothers LLC		3154 Lawrenceville Suwanee Rd	Suwanee	GA	30024-4472
Sanford Realty Company Inc		4118 Snapfinger Woods Dr	Decatur	GA	30035-3411
Sanford Realty Company Inc		4183 Snapfinger Woods Dr	Decatur	GA	30035-3412
Securcare Properties II LLC		9226 Teddy Ln	Lone Tree	CO	80124-6725
Sonja M Kilgore		2624 Old Wesley Chapel Rd	Decatur	GA	30034-2305
Spirit Master Funding Viii LLC		8900 Indian Creek Pkwy	Overland Park	KS	66210-1554
Springboard Real Estate Training LLC		885 Woodstock Rd	Roswell	GA	30075-2277
Tau South LLC		Po Box 3475	Tulsa	OK	74101-3475
Value Storage Ltd		9226 Teddy Ln	Lone Tree	CO	80124-6725
W B Kelley Jr		2610 Pleasantwood Dr	Decatur	GA	30034
Waffle House Inc		5986 Financial Dr	Norcross	GA	30071-2949
Wb Holdings-East LLC		3756 Lavista Rd	Tucker	GA	30084-5614
Wc Property LLC		3154 Lawrenceville Suwanee Rd	Suwanee	GA	30024-4472
Wesley Chapel Lodge LLC		4200 Wesley Club Dr	Decatur	GA	30034-2342
Wesley Chapel Properties LLC		2645 Wesley Chapel Rd	Decatur	GA	30034-2310
Wesley Chapel X LLC		316 Mid Valley Ctr	Carmel	CA	93923-8516
Wesley Club LLC		501 N Magnolia Ave	Orlando	FL	32801-1364
Winston Milford	Cypriana Milford	4207 Snapfinger Woods Dr	Decatur	GA	30035-3438
Zoom Express Car Wash LLC		1233 Greenridge Ln	Lithonia	GA	30058-2216

Community Meeting
Sign In Sheet
2571 East Wesley Chapel Road
October 24, 2022 6:00PM

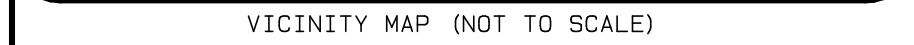
<input type="checkbox"/>	Registrants	Email Address	Registration Date
<input type="checkbox"/>	Zoom user	dkjbgfcrmn@private relay.appleid.com	Oct 24, 2022 06:27 PM
<input type="checkbox"/>	Joshua Mahoney	joshmahoney47@g mail.com	Oct 24, 2022 05:48 PM
<input type="checkbox"/>	Hill	hill.richard30@gmai l.com	Oct 24, 2022 03:24 PM
<input type="checkbox"/>	Mustaq Moosa	Mustaq@cityviewdb. com	Oct 24, 2022 12:13 PM
<input type="checkbox"/>	JAY PATEL	jpateln11@icloud.co m	Oct 24, 2022 12:07 PM
<hr/>			
<input type="checkbox"/>	RAJESH PATEL	RAJPATELGASTORE @GMAIL.COM	Oct 24, 2022 12:04 PM

LEGAL DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 126 OF THE 15TH DISTRICT, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT OF INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE 20 (HAVING A VARIABLE WIDTH RIGHT-OF-WAY) WITH THE EASTERLY RIGHT OF WAY OF WESLEY CHAPEL ROAD (HAVING A VARIABLE WIDTH RIGHT-OF-WAY) THENCE FOLLOWING THE EASTERLY RIGHT-OF-WAY OF WESLEY CHAPEL ROAD, NORTH 19 DEGREES 46 MINUTES 49 SECONDS EAST A DISTANCE OF 124.28 FEET TO AN IRON PIN SET; THENCE NORTH 31 DEGREES 02 MINUTES 14 SECONDS EAST A DISTANCE OF 21.47 FEET TO AN IRON PIN SET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 75 DEGREES 27 MINUTES 21 SECONDS EAST A DISTANCE OF 158.83 FEET TO A 1/2" REBAR FOUND BEING THE TRUE POINT OF BEGINNING.
THENCE FROM SAID TRUE POINT OF BEGINNING AS THUS ESTABLISHED SOUTH 59 DEGREES 12 MINUTES 39 SECONDS EAST A DISTANCE OF 119.95 FEET TO A NAIL; THENCE SOUTH 77 DEGREES 23 MINUTES 53 SECONDS EAST A DISTANCE OF 110.34 FEET TO AN NAIL ON THE WESTERLY RIGHT-OF-WAY OF EAST WESLEY CHAPEL WAY (HAVING ASO FOOT RIGHT-OF-WAY); THENCE FOLLOWING SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1050.00 FEET AND A LENGTH OF 74.12 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 14 DEGREES 37 MINUTES 27 SECONDS WEST AND A CHORD DISTANCE OF 74.10 FEET TO AN IRON PIN SET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 46 DEGREES 51 MINUTES 09 SECONDS WEST A DISTANCE OF 146.80 FEET TO AN IRON PIN FOUND ON THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE 20 (HAVING A VARIABLE WIDTH RIGHT-OF-WAY); THENCE FOLLOWING SAID RIGHT-OF-WAY NORTH 80 DEGREES 34 MINUTES 49 SECONDS WEST A DISTANCE OF 136.00 FEET TO AN IRON PIN SET; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 11 DEGREES 49 MINUTES 22 SECONDS EAST A DISTANCE OF 240.41 FEET TO A 1/2" REBAR FOUND BEING THE TRUE POINT OF BEGINNING.
BEING KNOWN AS 2571 EAST WESLEY CHAPEL WAY, DECATUR, GEORGIA.
SAID TRACT CONTAINS 0.935 ACRES OR 40,709 SQUARE FEET.

AND BEING MORE PARTICULARLY SHOWN ON AND DESCRIBED IN ACCORDANCE WITH A PLAT OF SURVEY PREPARED FOR RAJESH R. PATEL BY COMPASS SURVEYING, INC., BEARING THE SEAL AND CERTIFICATION OF BRIAN CALDWELL, GEORGIA REGISTERED LAND SURVEYOR NO. 2956, DATED JANUARY 28, 2021

THE PROPERTY SHOWN HEREON IS THE SAME PROPERTY DESCRIBED IN FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 21-005371ATL



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PRECISION NOTE
THE FIELD DATA DATED 1-28-2021
UPON WHICH THIS PLAT IS BASED HAS A CLOSURE
PRECISION OF ONE FOOT IN 39,549 FEET AND AN
ANGULAR ERROR OF 3 SECONDS PER ANGLE.
THE CLOSING DISTANCE WAS .02 FEET.
AND WAS ADJUSTED USING THE COMPASS RULE.
THE PLAT HAS BEEN CALCULATED FOR CLOSURE
AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT
IN 241,016 FEET. TOPCON QS3 ROBOTIC TOTAL STATION
USED FOR ANGULAR AND LINEAR MEASUREMENTS
```

ZONED C-1

THE PROPERTY IS NON-CONFORMING DUE TO THE
BUILDING BEING OVER THE FRONT SETBACK LINE
FRONT BUILDING SETBACK 50', SIDES 20', REAR 30'

LEGAL DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 126 OF THE 15TH DISTRICT, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT OF INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE 20
AND THE EASTERLY RIGHT-OF-WAY OF CHORD BEING SOUTH 89 DEGREES 17 MINUTES WEST BY WESELY
CHAPEL ROAD (HAVING VARIABLE WIDTH RIGHT-OF-WAY); THENCE FOLLOWING THE EASTERLY
RIGHT-OF-WAY OF WESELY CHAPEL ROAD, NORTH 19 DEGREES 46 MINUTES 49 SECONDS EAST A
DISTANCE OF 124.28 FEET TO AN IRON PIN SET; THENCE NORTH 31 DEGREES 02 MINUTES 14
EAST A DISTANCE OF 140.41 FEET TO AN IRON PIN SET; THENCE LEAVING SAID RIGHT-
OF-WAY SOUTH 75 DEGREES 27 MINUTES 21 SECONDS EAST A DISTANCE OF 158.83 FEET TO A 1/2"
REBAR FOUND BEING THE TRUE POINT OF BEGINNING.
THENCE FROM SAID TRUE POINT OF BEGINNING AS THUS ESTABLISHED SOUTH 59 DEGREES 12
MINUTES 39 SECONDS EAST A DISTANCE OF 119.91 FEET TO A 1/2" REBAR FOUND BEING
DEGREES 23 MINUTES 53 SECONDS EAST A DISTANCE OF 110.34 FEET TO AN NAIL ON THE
WESTERLY RIGHT-OF-WAY OF EAST WESELY CHAPEL WAY (HAVING ASO FOOT RIGHT-OF-WAY).
THENCE FOLLOWING SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF
110.34 FEET AND AN ARC OF 110.34 FEET TO AN IRON PIN SET; THENCE LEAVING SAID RIGHT-
OF-WAY SOUTH 37 MINUTES 27 SECONDS WEST AND A CHORD DISTANCE OF 74.10 FEET TO AN IRON PIN
SET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 46 DEGREES 51 MINUTES 09 SECONDS WEST A
DISTANCE OF 146.80 FEET TO AN IRON PIN FOUND ON THE NORTHEAST CORNER OF LOT 126;
THENCE NORTH 20 DEGREES 10 MINUTES 44 SECONDS EAST A DISTANCE OF 140.41 FEET TO AN
IRON PIN SET; THENCE LEAVING SAID RIGHT-OF-WAY ALONG A CURVE TO THE RIGHT HAVING A
RADIUS OF 110.34 FEET AND AN ARC OF 110.34 FEET TO AN IRON PIN SET; THENCE LEAVING
SAID RIGHT-OF-WAY NORTH 80 DEGREES 34 MINUTES 49 SECONDS WEST A DISTANCE OF 136.00 FEET TO AN IRON
PIN SET; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 11 DEGREES 49 MINUTES 22 SECONDS EAST
A DISTANCE OF 140.41 FEET TO AN IRON PIN SET; THENCE LEAVING SAID RIGHT-OF-WAY
NORTH 31 DEGREES 02 MINUTES 14 SECONDS EAST A DISTANCE OF 124.28 FEET TO AN IRON
PIN SET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 75 DEGREES 27 MINUTES 21 SECONDS
EAST A DISTANCE OF 158.83 FEET TO A 1/2" REBAR FOUND BEING THE TRUE POINT OF BEGINNING.
BEING KNOWN AS 2571 EAST WESELY CHAPEL WAY, DECATUR, GEORGIA,
SAID TRACT CONTAINS 0.935 ACRES OR 40, 709 SQUARE FEET.

EXCEPTIONS TO TITLE POLICY:

4. EASEMENT TO GEORGIA POWER COMPANY, DATED MAY 27, 1936, FILED AND RECORDED IN DEED BOOK 132, PAGE 299, DEKALB COUNTY, GEORGIA RECORDS.
*W*AFF*CTS, BLANKET UTILITY EASEMENT
4. EASEMENT TO GEORGIA POWER COMPANY, DATED MARCH 19, 1951, FILED AND RECORDED IN DEED BOOK 874, PAGE 486, DEKALB COUNTY, GEORGIA RECORDS.
*W*AFF*CTS, BLANKET UTILITY EASEMENT
6. EASEMENT TO GEORGIA POWER COMPANY, DATED AUGUST 27, 1958, FILED AND RECORDED IN DEED BOOK 808, PAGE 800, DEKALB COUNTY, GEORGIA RECORDS.
*W*AFF*CTS, BLANKET UTILITY EASEMENT
7. EASEMENT TO GEORGIA POWER COMPANY, DATED APRIL 14, 1966, FILED AND RECORDED IN DEED BOOK 808, PAGE 800, DEKALB COUNTY, GEORGIA RECORDS.
*W*AFF*CTS, BLANKET UTILITY EASEMENT
8. EASEMENT TO THE REED DRUG CO, DATED SEPTEMBER 27, 1981, FILED AND RECORDED IN DEED BOOK 1242, PAGE 243, DEKALB COUNTY, GEORGIA RECORDS. (FOR INFORMATION PURPOSES ONLY)
*W*DOES NOT AFFECT
9. EASEMENT TO EXXON CORPORATION, DATED JULY 9, 1986, FILED AND RECORDED IN DEED BOOK 1565, PAGE 156, DEKALB COUNTY, GEORGIA RECORDS.
*W*AFF*CTS, NOT PLOTTABLE
10. RIGHT-OF-WAY DEED TO GEORGIA DEPARTMENT OF TRANSPORTATION, DATED DECEMBER 11, 2003, FILED AND RECORDED IN DEED BOOK 15767, PAGE 284, DEKALB COUNTY, GEORGIA RECORDS.
11. DECLARATION OF EASEMENTS AND RESTRICTIONS FILED AND RECORDED IN DEED BOOK 20901, PAGE 95, DEKALB COUNTY, GEORGIA RECORDS.
*W*AFF*CTS AND SHOWN AS THE CURRENT 100 FT RIGHT OF WAY
12. RIGHTS OF TENANTS IN POSSESSION, AS TENANTS ONLY, RESULTING FROM ANY UNRECORDED EASEMENTS OR EASEMENTS OF THE PREMISES, IF ANY, AND/OR THE LANDS OF THE INSURED PROPERTY HEREIN DESCRIBED.
*W*AFF*CTS, NOT PLOTTABLE
13. RESTRICTIONS AS SHOWN ON ALL RECORDED PLATS AND PLANS.
*W*AFF*CTS, NOT PLOTTABLE

This is a detailed survey map of Lot 2571, located at the intersection of I-20 and E Wesley Chapel Way. The map shows the following details:

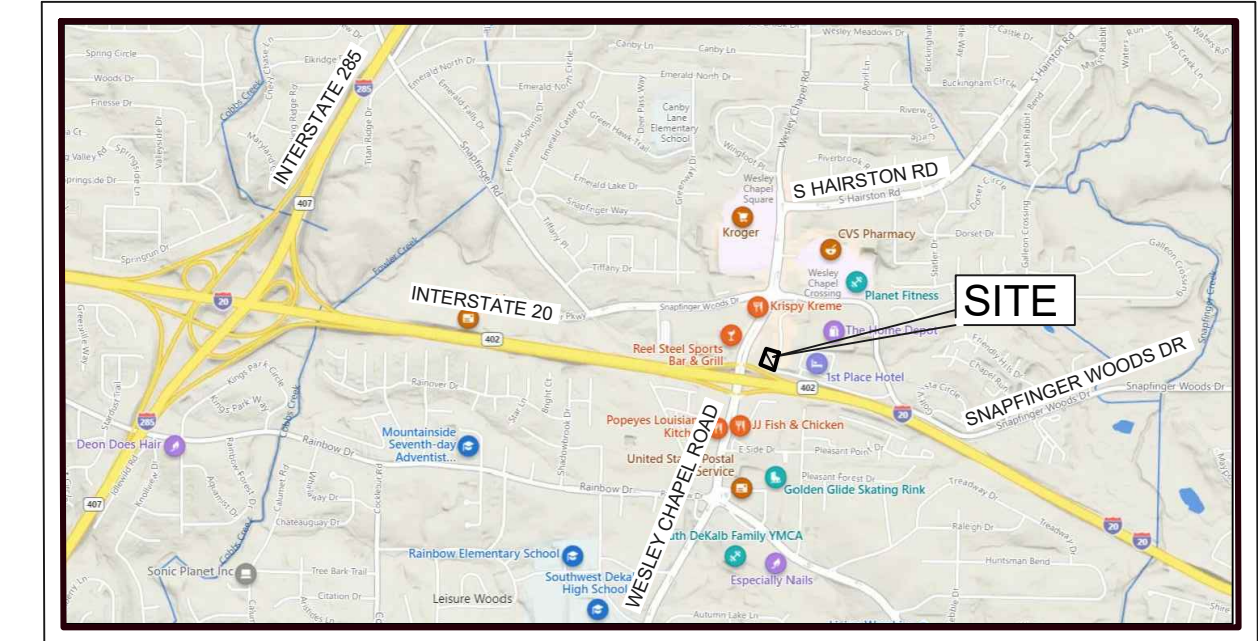
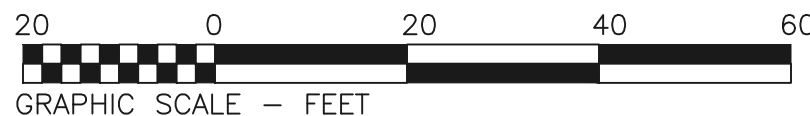
- Lot 2571:** A large, irregularly shaped lot with a total area of 40,709 SF and a width of 0.935 AC. It contains a building with an area of 10,495 SF and a height of 19.5 FT.
- Boundaries:**
 - North:** Bounded by a line with a bearing of $S59^{\circ}12'39''E$ and a distance of 119.95 FEET.
 - East:** Bounded by a line with a bearing of $S77^{\circ}23'53''E$ and a distance of 110.34 FEET.
 - South:** Bounded by a line with a bearing of $S46^{\circ}51'09''W$ and a distance of 146.80 FEET.
 - West:** Bounded by a line with a bearing of $N80^{\circ}34'49''W$ and a distance of 136.00 FEET.
- Internal Features:**
 - Concrete with Overhangs:** A section on the western side of the lot.
 - Asphalt:** Paved areas within the lot boundaries.
 - Sign:** A rectangular sign located near the southern boundary.
 - Utility Lines:** Indicated by dashed lines and labels like 'C&G' (Cable & Gas).
 - Other Labels:** 'IPF', 'TP08', 'EP', 'LP', 'MH', 'WM', 'IPS', 'UGU', 'SWCS', 'DI', 'UP', 'CLF', 'BL', 'C&G', 'TO PROPERTY CORNER', 'I-20', 'E WESLEY CHAPEL WAY', 'VARIABLE WIDTH RW'.
- Adjacent Properties:**
 - North:** N/F FAJAO REALTY LLC.
 - West:** GOLDEN EAGLE PARTNERS, LLC.
 - South:** I-20 RW VARIES.
- Dimensions and Bearings:**
 - Top Boundary:** $S59^{\circ}12'39''E$ 119.95 FEET.
 - Right Boundary:** $S77^{\circ}23'53''E$ 110.34 FEET.
 - Bottom Boundary:** $S46^{\circ}51'09''W$ 146.80 FEET.
 - Left Boundary:** $N80^{\circ}34'49''W$ 136.00 FEET.
 - Internal Dimensions:** $M11^{\circ}49'22''E$ 240.41 FEET, $S14^{\circ}37'27''W$ 1056.00 FEET, $LC=74.10$ FEET, $R=1056.00$ FEET.

FLOOD NOTE:
THIS PROPERTY IS NOT IN A FEMA FLOOD AREA
AND IS SHOWN ON DEKALB COUNTY
UNINCORPORATED AREAS FIRM PANEL
13089C0154J, DATED 05/16/2013 AS A ZONE X

GRAPHIC SCALE 1"=40'
SHEET SIZE 22"x34"

A horizontal graphic scale bar with alternating black and white segments. Below the bar, numerical labels indicate distances in feet: 0', 40', 80', and 160'.

THIS PLAT IS NOT VALID UNLESS IT BEARS THE
SIGNATURE OF THE REGISTRANT
ACROSS THE REGISTRANT'S SEAL.



GENERAL NOTES
- TRACT AREA = 0.935 ACRES (40,709 SQ. FT.)
- PARCEL NUMBER: 15 126 03 007
- SITE ADDRESS:
1571 EAST WESLEY CHAPEL WAY
DECATUR, GA 30035
- WATER: PROVIDED BY DEKALB COUNTY WATER & SEWER SERVICE
- SEWER: PROVIDED BY DEKALB COUNTY WATER & SEWER SERVICE
- THERE ARE NO STATE WATERS ON OR WITHIN 200 FEET
OF THIS PROPERTY
- ZONING:
CURRENT ZONING - C-1 - COMMERCIAL
PROPERTY IS IN I-20 OVERLAY DISTRICT (TIER 1)
- HOR. DATUM: NAD 83
- VERT. DATUM NAVD 88

FLOOD NOTE
THE SUBJECT PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA
PER FIRM MAP NUMBER 130899C0154J, DATED MAY 16, 2013.

REFERENCES
BOUNDARY INFORMATION PROVIDED BY SURVEY BY COMPASS
SURVEYING, INC. DATED 01-28-2021, REVISED 02-11-2021.

EXISTING BUILDING DATA
TOTAL SQUARE FOOTAGE = 10,495 SQ FT
BUILDING HEIGHT = 19'-6"

IMPERVIOUS AREAS
TOTAL IMPERVIOUS = 35,051 SF (0.80 AC) = 0.80AC/0.94AC = 85%

OPEN SPACE CALCULATIONS
OPEN AREA = 5,658 SF (0.13 AC) = 0.135AC/0.94AC = 15%
OPEN SPACE REQUIRED = 20% (VARIANCE REQUIRED)

BUILDING SETBACKS
FRONT YARD: ZERO (0) WHERE THE DISTANCE BETWEEN BACK OF CURB
AND PROPERTY LINES IS FIFTEEN FEET OR GREATER.
INTERIOR YARD: TEN (10) FEET
REAR YARD: TEN (10) FEET

PARKING CALCULATIONS
USE: CONVENIENCE STORE WITH GAS PUMPS
MINIMUM REQUIRED:
ONE SPACE PER 500 SF OF FLOOR AREA
10,495/500 = 21 MINIMUM SPACES REQUIRED
MAXIMUM ALLOWED:
ONE SPACE PER 150 SF OF FLOOR AREA
10,495/150 = 70 MAXIMUM SPACES ALLOWED

SPACES PROVIDED
REGULAR 18' x 9' SPACES = 7 SPACES
REGULAR 20' x 9' SPACES = 11 SPACES
GAS PUMP 20' x 9' SPACES = 8 SPACES
HANDICAP SPACES = 2 SPACES
TOTAL SPACES PROVIDED ON SITE = 28 SPACES

LOADING SPACES = 1 SPACE



No	Revision	Date

Scale: 1" = 20'

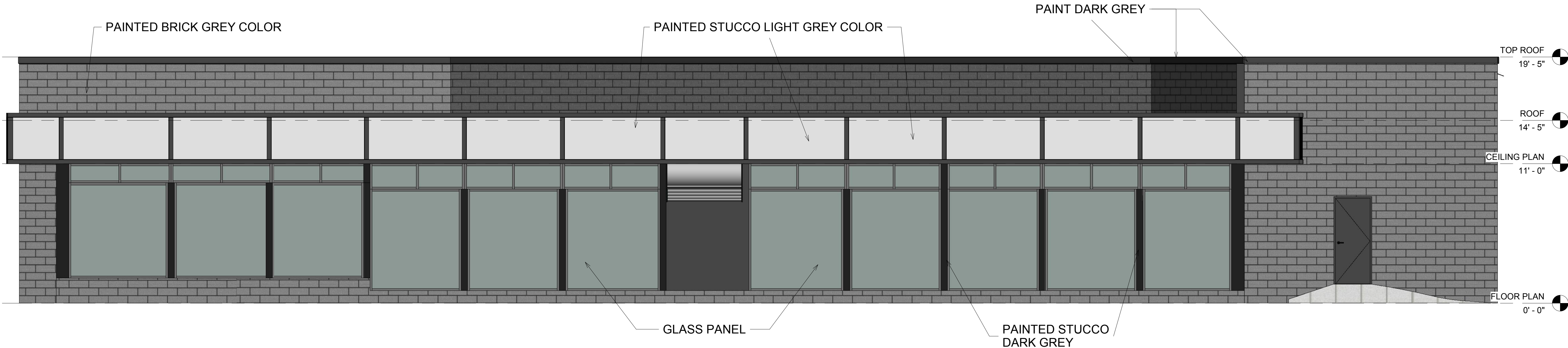
SPECIAL LAND USE CONCEPT PLAN
 FOR
 CHAPEL FOOD MART
 2571 EAST WESLEY CHAPEL WAY
 LAND LOT 126 - 15th DISTRICT
 DEKALB COUNTY, GEORGIA



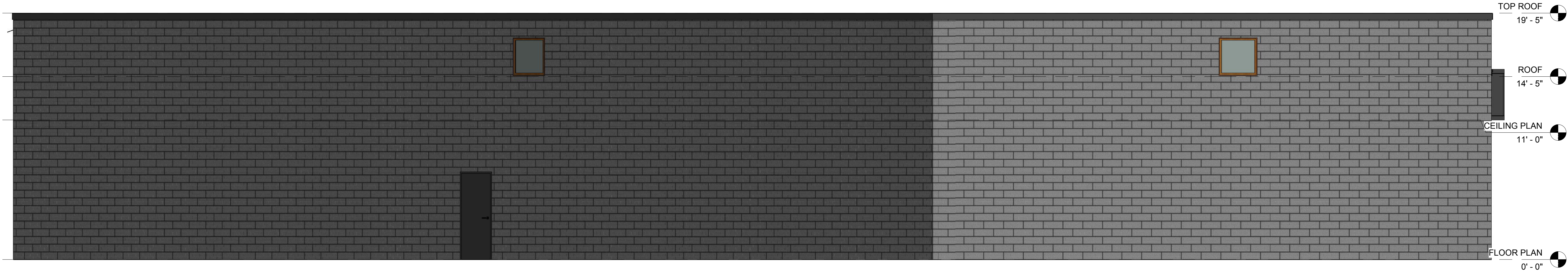
1

SHEET 1 OF 1

OB #: 2022-196

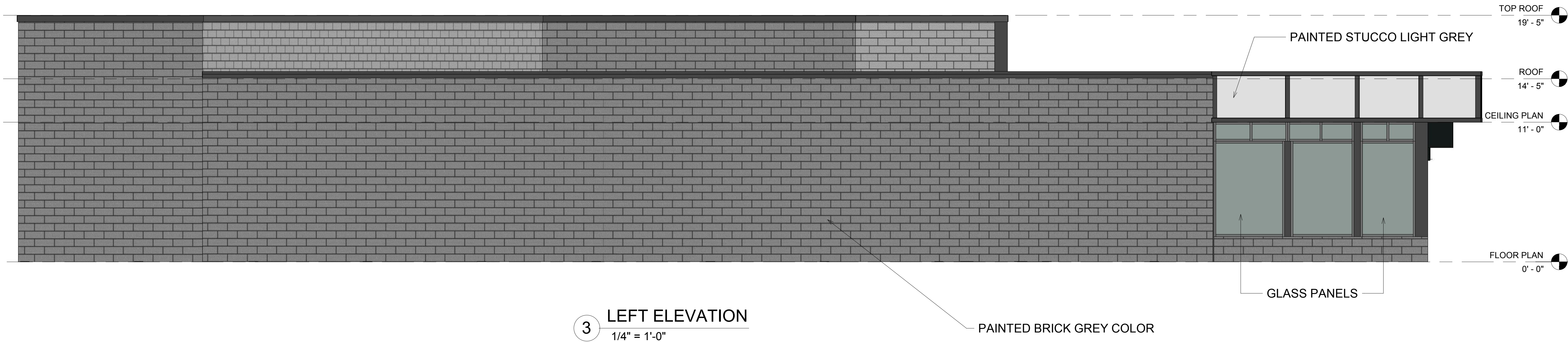


1 FRONT ELEVATION
1/4" = 1'-0"



2 REAR ELEVATION
1/4" = 1'-0"

DATE	REMARKS
2571 E WESLEY CHAPEL WAY, DECATUR, GA 30035, USA	
TITLE FRONT AND REAR ELEVATIONS	
DRAWN CHA	
CHECKED NAG	
DATE 10.28.2022	
SCALE 1/4" = 1'-0"	
JOB NO. 04	
FILE NAME 2571 E WESLEY CHAPEL WAY	
SHEET A101	



DATE	REMARKS
2571 E WESLEY CHAPEL WAY , DECATUR, GA 30035, USA	
TITLE RIGHT AND LEFT ELEVATIONS	
DRAWN CHA	
CHECKED NAG	
DATE 10.28.2022	
SCALE 1/4" = 1'-0"	
JOB NO. 04	
FILE NAME 2571 E WESLEY CHAPEL WAY	
SHEET A102	



2571 E WESLEY CHAPEL WAY,
DECATUR, GA 30035, USA

DATE	REMARKS

TITLE
ISO LEFT VIEW

DRAWN
GHA
CHECKED
NAG
DATE
10.28.2022
SCALE

JOB NO.
04

FILE NAME
2571 E WESLEY CHAPEL WAY
SHEET
A104



DATE	REMARKS
2571 E WESLEY CHAPEL WAY, DECATUR, GA 30035, USA	
TITLE ISO RIGHT	
DRAWN CHA	
CHECKED NAG	
DATE 10.28.2022	
SCALE	
JOB NO. 04	
FILE NAME 2571 E WESLEY CHAPEL WAY	
SHEET A105	



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STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance
For
A Special Land Use Permit for
Fuel Pumps

of

**ANANDI JRK., LLC.
c/o Battle Law, P.C.**

for

+/-0.935 Acres of Land
Being 2571 E. Wesley Chapel Way
DeKalb County, Georgia and
Parcel Nos. 15 126 03 007

Submitted for Applicant by:

Michèle L. Battle, Esq.
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I. LETTER OF INTENT

Anandi Jrk., LLC. (the “Applicant”) is seeking to develop on +/- 0.935 acres of land being Tax Parcel No. 15 126 03 007 having frontage on 2571 E. Wesley Chapel Way (the “Subject Property”) with a convenience store with fuel pumps. The Applicant is seeking a Special Land Use Permit of the Subject Property to allow for only the fuel pumps.

This document serves as a statement of intent, analysis of the criteria under the DeKalb County Zoning Ordinance and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. SPECIAL LAND USE PERMIT CRITERIA

A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located;

The Subject Property is large enough to accommodate the proposed use, but the Applicant will be seeking a variance to reduce the number of parking required later on.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district;

The Subject Property is surrounded by parcels zoned for either commercial or industrial uses. There is a Dollar General immediately abutting the Subject Property and nothing else. A convenience store with fuel pumps will fit right in, especially considering the zoning district of the Subject Property and the immediately abutting property are identical. The convenience store with fuel pumps is not incompatible with the nearby industrial uses either, as the commercial use is a much less intense use than the industrial one. Therefore, the use proposed is compatible with the surrounding properties and land uses.

C. Adequacy of public services, public facilities, and utilities to serve the proposed use;

There are adequate public services, facilities, and utilities to serve the proposed use. The convenience store currently exists and used to function as an alcohol outlet. The utilities serving the building then can serve the building now. Additionally, any needed utilities for the fuel pumps will be installed by the Applicant. Therefore, there are adequate public services, facilities, and utilities to serve the proposed use.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area;



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There is adequate public street on which the use is proposed to be located. The Subject Property is positioned right off Highway 20. Drivers will be able to exit the Highway, and turn right to get to the new fuel pumps. From there, the drivers will be able to exit onto E. Wesley Chapel Way and turn left to reach New Snapfinger Woods Drive. Drivers will then be able to turn left to get back onto Wesley Chapel Road and then take the on-ramp to get right back onto the Highway. This route would create a loop for traffic to follow to easily get into the fuel stations and back onto the Highway. Wesley Chapel Road and New Snapfinger Woods Drive are both Major Arterials and will be able to handle a great deal of increased traffic. E. Wesley Chapel Way appears to be a Minor Arterial, and will certainly be able to handle the traffic generated by this development. Therefore, there is adequate public street on which the use is proposed to be located.

E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use;

No existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use. The only active land use located along access routes to the site is the Dollar General. The fuel pumps installed will not attract large trucks, but rather only pedestrian vehicles – the very same type of vehicle the Dollar General would attract. One type of vehicle the Dollar General would not attract that the fuel pumps would is a fuel truck. The fuel truck would deliver fuel to the pumps infrequently enough that the Dollar General would not be adversely affected by it though. Therefore, no existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency;

There is adequate ingress and egress to the Subject Property and to all proposed buildings. Drivers will be able to access the Subject Property from either Wesley Chapel Road or from E. Wesley Chapel Way. Drives will be able to exit the Subject Property from either road.

G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use;

The proposed use will not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration.

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;



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The proposed use will not create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;

The proposed use will not create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use. The Subject Property will be used as a convenience store with fuel pumps that will be operated in a typical fashion for the use proposed.

J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located;

The Applicant will be seeking a variance for the proposed use to allow for a reduced number of parking spots.

K. Whether the proposed use is consistent with the policies of the comprehensive plan;

The proposed use is consistent with the policies of the comprehensive plan. The comprehensive plan places the Subject Property in the Town Center character area. The comprehensive plan describes the Town Center character as meant to “promote the concentration of higher intensity residential and commercial uses, which serve several communities surrounding the center...” The proposed use would fit right in with the intended commercial use for this area. Therefore, the proposed use is consistent with the policies of the comprehensive plan.

L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located;

The proposed use provides all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located. The Subject Property is zoned C-1 and is immediately adjacent to parcels that are also zoned C-1. Section 5.4.5 of the DeKalb County Zoning Ordinance pertains to Transitional Buffers that must exist between the various zoning districts. Section 5.4.5 does not require a buffer between two parcels that are each zoned C-1. Therefore, the proposed use provides all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

M. Whether there is adequate provision of refuse and service areas;

There is adequate provision of refuse and service areas. The Subject Property will be serviced by a dumpster located on site that will accommodate all refuse needs. The dumpster will be screened from view so as not to cause offense to any who might pass by.



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N. Whether the length of time for which the special land use permit is granted should be limited in duration.

The length of time for which the special land use permit is granted should not be limited in duration. The Applicant intends to run a business on the Subject Property indefinitely. Because the special land use permit is required for the operation of the fuel pumps, and the fuel pumps are a part of the business, a limited duration would hinder the Applicant's ability to run its business. Therefore, the length of time for which the special land use permit is granted should not be limited in duration.

O. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings;

The size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings. The building that currently exists on the Subject Property will remain. The only addition will be the fuel pumps and the fuel pumps will be appropriately sized so as not to conflict with the character of the area.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources;

The proposed use will not adversely affect historic buildings, sits, districts, or archaeological resources. The Subject Property does not lie within a historic district and there are no historic buildings or archaeological resources on the Subject Property that the Applicant is aware of.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit;

The proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height; and

The proposed use will not create a negative shadow impact on any adjoining lot or building as a result of the proposed building height. The existing building is shorter than the surrounding buildings and the gasoline pump fuel canopy will meet the requirements under DeKalb County's Zoning Ordinance so as not to cause any adverse impacts due to shadows.

S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan



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The proposed use will be consistent with the needs of the neighborhood or the community as a whole and will be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan. The area is a commercial area with both commercial and industrial zoning districts throughout. The proposed use would be consistent with the other commercial uses in the area. Additionally, the Subject Property is located just off of Highway 20. It is perfectly located for fuel pumps because it would allow drivers to exit the Highway, go less than a mile to reach the fuel pumps, and then head right back out onto the Highway. In other words, adding these fuel pumps at this location will be an asset for the community as a whole.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a Special Land Use Permit to allow for fuel pumps be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and



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Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any SPECIAL LAND USE PERMIT of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or Special Land Use Permit in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or Special Land Use Permit in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Michele L. Battle, Esq.
Attorney for the Applicant



Battle Law

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

PRE-APPLICATION FORM
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: Anandi JRK, LLC c/o Battle Law Phone: 469.855.1765 Email: rajpatelgastore@gmail.com

Property Address: 2571 E Wesley Chapel Way, Decatur, GA 30035

Tax Parcel ID: 15 126 03 007 Comm. District(s): 5 & 7 Acreage: .91

Existing Use: Vacant Bldg. Proposed Use Convenience Store with Gas Pumps

Supplemental Regs: 4.2.28 Overlay District: I-20 Tier 1 DRI: N/A

Rezoning: Yes ☐ No ☒

Existing Zoning: C1 Proposed Zoning: N/A Square Footage/Number of Units: N/A

Rezoning Request: N/A

Land Use Plan Amendment: Yes ☐ No ☒

Existing Land Use: _____ Proposed Land Use: _____ Consistent ☐ Inconsistent ☐

Special Land Use Permit: Yes ☒ No ☐ Article Number(s) 27- _____

Special Land Use Request(s) Convenience Store with Gas Pumps

Major Modification:

Existing Case Number(s): N/A

Condition(s) to be modified:

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Review Calendar Dates: _____ PC: _____ BOC: _____
Letter of Intent: _____ Impact Analysis: _____ Owner Authorization(s): _____ Campaign Disclosure: _____
Zoning Conditions: _____ Community Council Meeting: _____ Public Notice, Signs: _____
Tree Survey, Conservation: _____ Land Disturbance Permit (LDP): _____ Sketch Plat: _____
Bldg. Permits: _____ Fire Inspection: _____ Business License: _____ State License: _____
Lighting Plan: _____ Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS PLEASE

Review of Site Plan

Density: _____ Density Bonuses: _____ Mix of Uses: _____ Open Space: _____ Enhanced
Open Space: _____ Setbacks: front _____ sides _____ side corner _____ rear _____ Lot Size:
_____ Frontage: _____ Street Widths: _____ Landscape Strips: _____ Buffers: _____
Parking Lot Landscaping: _____ Parking - Auto: _____ Parking - Bicycle: _____ Screening:
_____ Streetscapes: _____ Sidewalks: _____ Fencing/Walls: _____ Bldg. Height: _____ Bldg.
Orientation: _____ Bldg. Separation: _____ Bldg. Materials: _____ Roofs: _____ Fenestration: _____
Façade Design: _____ Garages: _____ Pedestrian Plan: _____ Perimeter Landscape Strip: _____
Possible Variances: _____

Comments:

Planner: Howard L. Johnson Date 9/12/2022

Filing Fees

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00