

City of Sugar Hill  
Planning Staff Report  
RZ 25-002

DATE: March 13, 2025  
TO: Planning Commission  
FROM: Planning Department  
SUBJECT: Rezone to LM  
1463 Railroad Avenue; R7292-035 & 153

ISSUE The City of Sugar Hill has received an application, dated February 4, 2025, from Joshua Bowie to rezone the subject properties from RS-100 to LM for offices and warehousing.

**RECOMMENDED ACTION**

**Approval of the request to rezone with the following conditions:**

1. The development shall substantially conform to the site plan (Exhibit 1) submitted with the application, particularly regarding its general features, placement, and alignments. However, alterations necessary to accommodate other conditions specified herein are permitted without additional Mayor and City Council approval, provided they align with the spirit and context of the approval as determined by the Planning Department.
2. The 50' undisturbed buffer along parcel R7-292-034A shall be reduced to a 20' undisturbed buffer.

**DISCUSSION**

- The subject parcels are located along Railroad Avenue, bounded by a railroad right-of-way to the west, and is located near the Highway 20 and Peachtree Industrial Boulevard corridors.
- The area is characterized with a mix of residential, industrial, and commercial uses.
- The two subject parcels total 0.78 acres. The proposed development consists of rehabilitating the existing abandoned property into a 4,800 square foot contractor's office with warehousing for construction materials. The applicant has expressed interest in developing the site to expand the operations of the applicant's gutter business.
- The site is currently overgrown and in disrepair. A mobile home was previously located on the property.
- The proposed project would complement existing uses nearby. The parcel directly to the north is currently zoned LM and is home to a sign manufacturing business. An auto repair shop and self-storage facility are located nearby to the south. Parcels directly adjacent to the south have been vacant for several decades.
- A total of 24 off-street parking spaces are proposed. All development standards will apply when the project is brought in for civil construction plan review, including but not limited to driveway access, permissible parking areas, and vertical construction.
- A light manufacturing zoning designation against a residential zoning would create the requirement of a 50' undisturbed buffer. The applicant is requesting a reduction of the zoning buffer to the south against residentially zoned property described as 1426 Railroad Ave (Parcel

R7-292-034A) from 50' to 20'. This property is presently zoned medium density single family residential. This buffer reduction would provide space for the access drive and sufficient parking spaces for the office/warehouse. No improvements are present on 1426 Railroad Ave. All other setback requirements are in compliance with the Zoning Ordinance.

- No elevations of the proposed structure were submitted with this application. The structure will need to comply with all relevant requirements of the Zoning Ordinance and applicable building codes.

**BACKGROUND**

Applicant/Owner: Joshua Bowie / Travis Breiner

Existing Zoning: RS-100

Request(s): Rezone to LM

Purpose: Contractor’s office and warehousing

Property Size: ± 0.78 acres

Location: 1436 Railroad Avenue  
Tax parcels: R7292-035 & 153

Public Notice: Letters to adjoining owners via USPS regular mail on 2-7-25  
Sign posted at 5243 Sycamore Road on 2-7-25  
Ad in legal section of Gwinnett Daily Post on 2-9-25, 2-26-25, and 3-9-25

Public Comments: No comments received as of 3-13-25.

**FINDINGS OF FACT**

Surrounding Land Use and Zoning

Direction	Existing Land Use	Existing Zoning
North	Sign Fabrication Shop	LM
South	Undeveloped/Abandoned	RS100
East	G.O. Mauldin Subdivision	RS100
West	Railroad Right of Way	R/W

*City of Sugar Hill: Medium Density Single Family Residential (RS100), Light Manufacturing (LM)*

**ZONING ANALYSIS**

- 1. Will the rezoning requested permit a use that is suitable in view of the use and development of adjacent and nearby property?***

Yes. The proposed development is located within an existing mixed residential and light industrial area and is surrounded by established neighborhoods and commercial corridors.

- 2. Will the rezoning requested adversely affect the existing use or usability of adjacent or nearby properties?***

No, as a light industrial property it would complement existing businesses of a similar nature nearby. While there are residences near to the site, the office/warehouse use should provide little to no disturbance.

**3. Does the property for which the rezoning is requested have a reasonable economic use as currently zoned?**

Yes.

**4. Will the rezoning requested create an overcrowding condition with respect to the existing streets, transportation facilities, or schools?**

The subject site is located in the Lanier cluster (Sycamore Elementary school). No impact to schools is anticipated. Access coordination will be required through the City of Sugar Hill.

**5. Does the rezoning requested conform to the Sugar Hill Land Use Plan?**

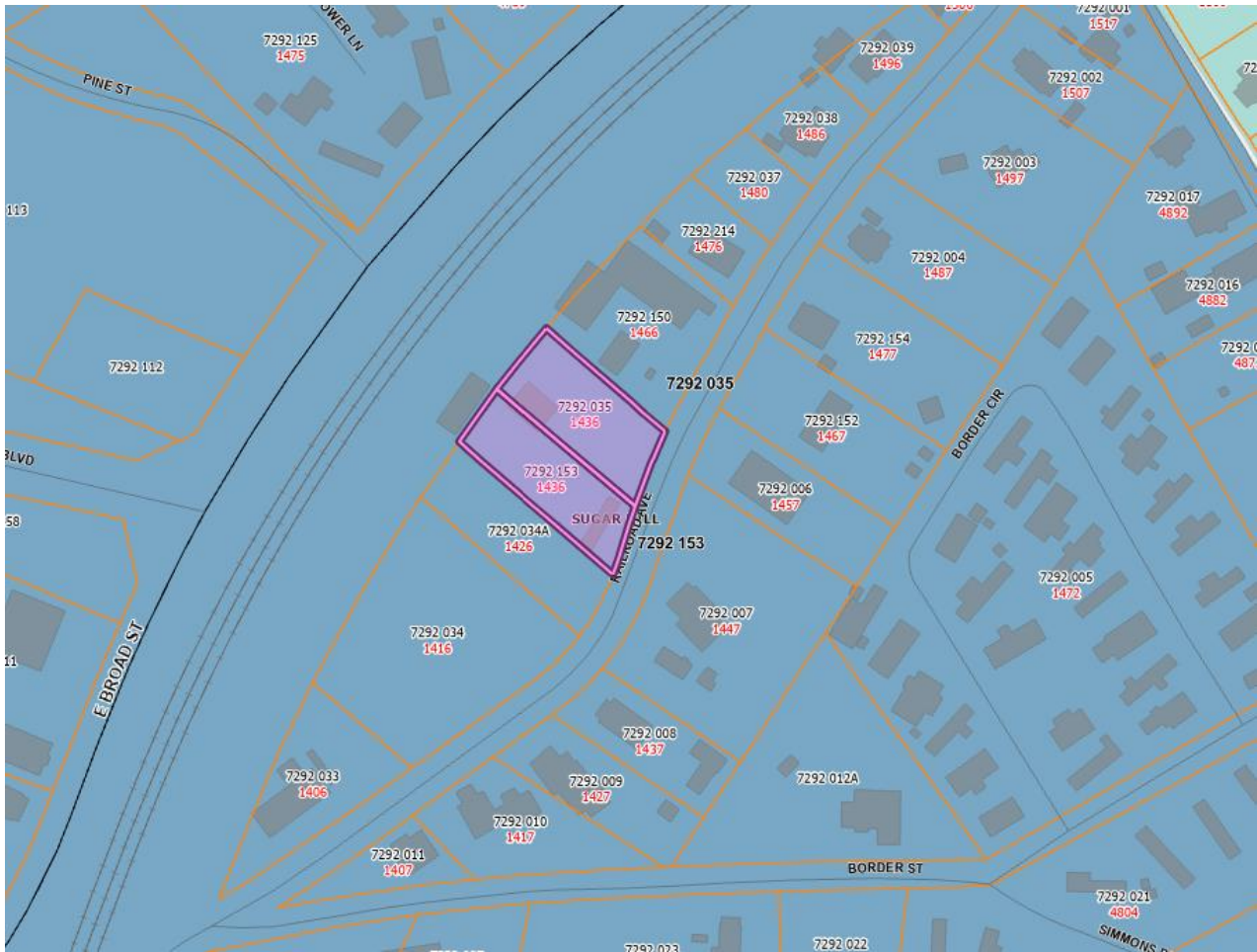
Yes, the property is currently located within an existing residential and industrial area, which transitions to the town center overlay and downtown core nearby. The proposed office and warehouse provides a step down in land use intensity from the commercial corridors of Peachtree Industrial and Highway 20, while complementing existing businesses in the area. While the future land use map designates this parcel as part of the “Neighborhoods”, this parcel is neighbored by the railroad right-of-way and an industrial parcel directly to the north. Due to the close proximity to commercial and industrial parcels, and the intensity of an office/warehouse space, a rezoning to LM would not be a departure from the intended character of the area and would provide an opportunity for investment in this part of the community.

**6. Are there other existing or changing conditions affecting the use and development of the property which would give support to an approval or disapproval of the rezoning request?**

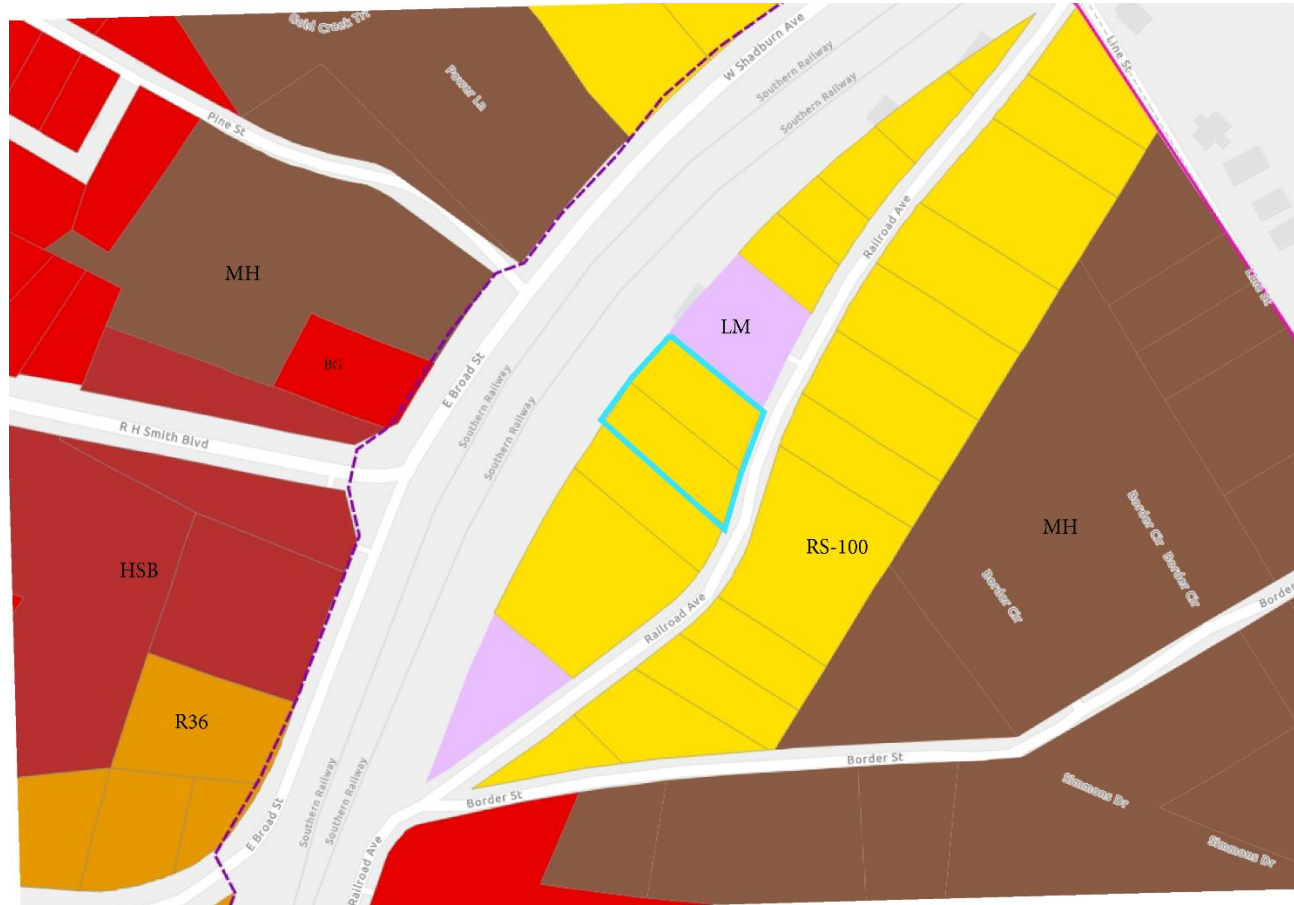
*Excerpts from the Comprehensive Plan (2019):*

Revitalize aging commercial and residential areas through redevelopment and infill strategies.

# RZ-25-002 LOCATION MAP



RZ-25-002  
ADJACENT ZONING MAP





RZ-25-002  
AERIAL MAP



# EXHIBIT 1

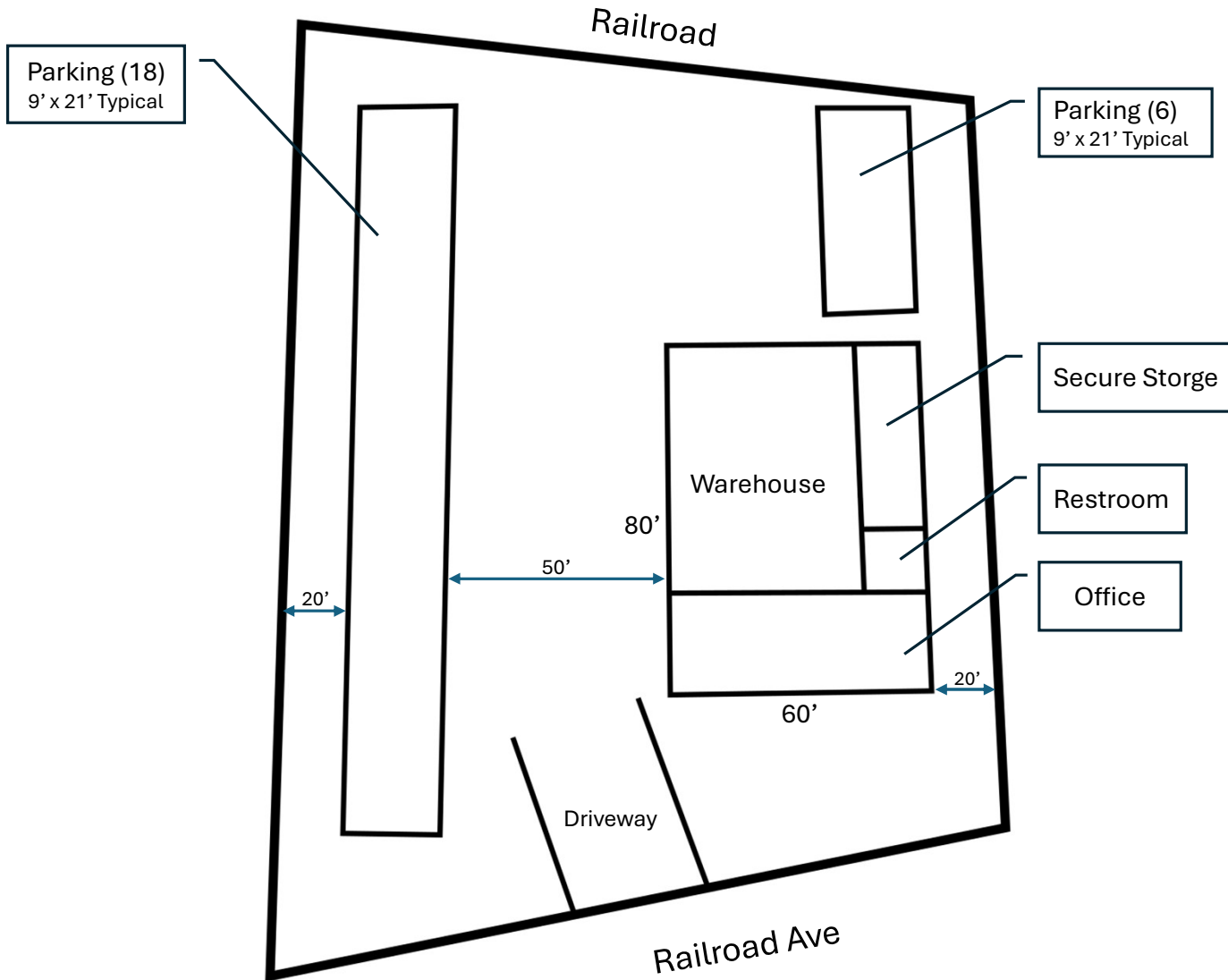
**Property Address**  
1436 Railroad Ave

**Parcel Numbers**  
7292 035  
7292 153

**Current Zoning**  
RS100

**Proposed Zoning**  
BG

**Variance Request**  
Applicant requests a buffer variance to 20' for the parking and appurtenant improvements along the west property line.



Zoning Concept Plan  
NTS

2/5/2025





CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT  
PUBLIC HEARING PACKET

CASE #: RZ 25-002 PERMIT FILE # A25-0005 DATE RECEIVED: 2/4/25  
Reviewed by: CW Date Accepted: 2/4/25

APPLICATION

CHECK ONE:  ANNEXATION/REZONING  REZONING  CHANGE IN CONDITIONS  SPECIAL USE PERMIT

APPLICANT INFORMATION

Name: Joshua Bowie Address: 464 Emerald Lake Lane  
Phone: 770-366-2717 Sugar Hill, GA 30518  
Fax: \_\_\_\_\_ Email: jbowie01@gmail.com  
Signature: \_\_\_\_\_ Date: 02/03/25

OWNER INFORMATION

IF MULTIPLE PROPERTY OWNERS FILL OUT MASTER APPLICATION AND ONE APPLICATION FOR EACH APPLICANT.

Name: Travis Brainer Address: 2130 Appleton Cir  
Phone: 404-915-6988 Lawrenceville, GA 30043  
Fax: \_\_\_\_\_ Email: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: 02/03/25

CONTACT INFORMATION

Name: Joshua Bowie Phone: (770) 366-2717  
Fax: \_\_\_\_\_ Email: jbowie01@gmail.com

\* Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

PROPERTY INFORMATION:

IF MULTIPLE PROPERTY OWNERS FILL OUT MASTER APPLICATION AND ONE APPLICATION FOR EACH APPLICANT.

Map Reference Number(s) (Tax Parcel Identification Number or PIN #) 7292 035, 7292 153 Acreage: .40, .38  
Number of Existing Housing Units: 0 Number of Proposed Housing Units: 1 Current Population: \_\_\_\_\_  
Street Address: 1436 Railroad Ave Sugar Hill, GA 30518  
PRESENT ZONING DISTRICT: RS100 REQUESTED ZONING DISTRICT: LM  
Proposed Development: Office/Warehouse For Gutter company  
Adjacent Zonings: NORTH: LM EAST: RS100 SOUTH: RS100 WEST: Railroad tracks

Residential Development

# of Lots/Dwelling Units: \_\_\_\_\_  
Dwelling Unit Size (sq. ft.): \_\_\_\_\_  
Net Density: \_\_\_\_\_

Non-Residential Development

# of Lots/Buildings: 1  
Total Gross Square Feet: 4800  
Density: \_\_\_\_\_

PLEASE CHECK THE FOLLOWING IF APPLICABLE:  DRI (Development of Regional Impact)  Within 2,000 feet of the Chattahoochee River

Request for Special Conditions or Variance(s) (Set back, Parking, Buffers, etc): \_\_\_\_\_

NOTE: Special Conditions, and Variance Request must also be explained in the Letter of Intent.





CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT  
PUBLIC HEARING PACKET

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Please respond to the following standards in the space provided or use an attachment as necessary:

A. Whether the proposed Rezoning or Special Use Permit will permit a use that is suitable in view of the use and development of adjacent and nearby property:

On same side of street there is same use to the right, left, and rear of property. Across the street is residential.

B. Whether the proposed Rezoning or Special Use Permit will adversely affect the existing use or usability of adjacent or nearby property:

This will add to the area. We are Sugar Hill residents. We have rented in Sugar Hill for 5 years and are now looking own our office space.

C. Whether the property to be affected by a proposed Rezoning or Special Use Permit has reasonable economic use as currently zoned:

It is currently a collapsed trailer and detached garage. I think the new use will greatly improve the look of the community.

D. Whether the proposed Rezoning or Special Use Permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The office will be used for employees to pick up daily work supplies and do work offsite. Minimal impact of traffic.

E. Whether the proposed Rezoning or Special Use Permit is in conformity with the policy and interest of the Land Use Plan:

Yes. There is similar zoning in neighboring properties.

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 or Special Use Permit:

Approval would help bring a better look to the property. It will allow us to keep our business and residence in the city of Sugar Hill.

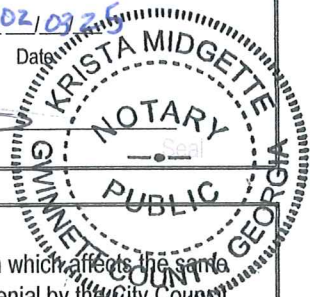


CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT  
PUBLIC HEARING PACKET

**APPLICANT'S CERTIFICATION**

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication which affects the same land for which an application was denied during the last 12 months shall be acted upon for 12 months from the date of the denial by the City Council unless waived by the City Council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of the denial by the City Council.

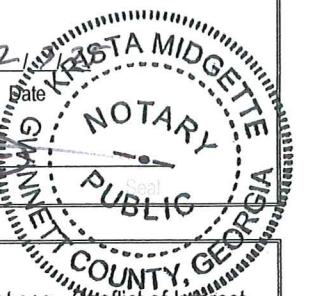
Signature of Applicant: [Signature] Date: 02/03/25 Typed or Print Name and Title: Joshua Bowie, Owner Date: 02/03/25  
Sworn to and subscribed before me this 3 day of February, 2025 [Signature]  
Signature of Notary Public



**PROPERTY OWNER'S CERTIFICATION**

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication which affects the same land for which an application was denied during the last 12 months shall be acted upon for 12 months from the date of the denial by the City Council unless waived by the City Council. 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 City Council. I hereby authorize the staff of the City of Sugar Hill, Department of Planning and Development to inspect the premises which are subject of this zoning application.

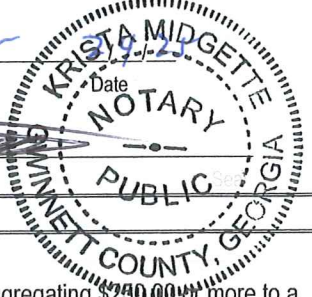
Owner Signature: [Signature] Date: 2/3/25 Typed or Print Name and Title: Travis Breiner Owner Date: 2/3/25  
Sworn to and subscribed before me this 3 day of February, 2025 [Signature]  
signature of Notary Public



**CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS**

The undersigned below, making application for 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.

Signature of Applicant/ Attorney Representative: [Signature] Date: 02/04/25 Typed or Print Name and Title: Joshua Bowie, Owner Date: 02/04/25  
Signature of Owner: [Signature] Date: 2/4/25 Typed or Print Name and Title: Travis Breiner, Owner Date: 2/4/25  
Sworn to and subscribed before me this 4 day of February, 2025 [Signature]  
Signature of Notary Public



**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 City of Sugar Hill City Council or the Planning Commission? No ( yes/no ). If yes, complete the following:

NAME & OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or more	DATE CONTRIBUTION WAS made (within last two years)
_____	_____	_____

Signature of Applicant/ Attorney Representative: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Typed or Print Name and Title: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Typed or Print Name and Title: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. \_\_\_\_\_  
Signature of Notary Public Seal





CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT  
PUBLIC HEARING PACKET

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR APPLICATION

The undersigned below is authorized to make this application. The undersigned certifies that all City Taxes/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, special use permit, and/or change in conditions be processed without such property verification. A copy of the paid tax bill can also be provided.

**\*NOTE: A separate verification for must be completed for each tax parcel included in the Variance request.**

Tax Parcel Number: R7292 153 , R7292 035

  
SIGNATURE OF APPLICANT

02/03/25  
DATE

Joshua Bowte  
TYPE OR PRINT NAME



CITY OF SUGAR HILL PLANNING & DEVELOPMENT DEPARTMENT  
PUBLIC HEARING PACKET

**PUBLIC HEARING CHECKLIST**

The following is a checklist of information required for submission of an application. The Planning and Development Department reserves the right not to accept any uncompleted applications.

Application completed with all information needed attached rezoning fees paid.

Other information required to be submitted with the application:

- 3 Copies of the site Plan to scale
- 8 1/2" X 11" Reduced Copy w/topo (1)
- 8 1/2" X 11" Reduced Copy without topo (1)
- Above emailed to [klanders@cityofsugarhill.com](mailto:klanders@cityofsugarhill.com)
- 11" X 17" with topo (1)
- 11" X 17" without topo (1)
- Recorded Plat
- Electronic File
- Legal Description – WORD FORMAT
- Letter of Intent (Including Variances)
- Adjoining Property Owners
- Printed Labels
- Above emailed to [klanders@cityofsugarhill.com](mailto:klanders@cityofsugarhill.com)
- Email Labels AVERY 5160 format to [klanders@cityofsugarhill.com](mailto:klanders@cityofsugarhill.com)
- Applicant/Owner Certification
- Conflict of Interest/Campaign Contributions
- Applicants Response
- Availability of Water/Sewer Letter
- Property Tax Paid Verification
- Traffic Study
- Development of Regional Impact (DRI)
- within 2,000' of the Chattahoochee River
- Site Plan with all items below

I, \_\_\_\_\_ have completed all of the above. \_\_\_\_\_ / /  
Print Name Applicant Signature Date

Received Date: 2/4/25 Reviewed By: CW To be returned by: \_\_\_/\_\_\_/\_\_\_  
CASE NUMBER: RZ 25-002

**MAKE SURE THIS CHECKLIST IS RETURNED WITH THE REZONING APPLICATION.**



*All that tract or parcel of land lying and being in the Sugar Hill Militia District and in the Town of Sugar Hill, Gwinnett County, Georgia, being one house and lot known as the Old N.C. Cross Home place and particularly described as follows:*

*BEGINNING at a corner on the Westerly side of the Old Buford & Cumming Road, at corner of property of Robinson, and run thence in a Westerly or Northwesterly direction along the line of Robinson 160 feet, more or less, to a corner on the right-of-way of the Southern Railroad; thence in a Southerly direction along the right-of-way of said railroad, 75 feet to a corner with property of Mrs. J.H. Puckett; 190 feet, more or less, to a corner on the Westerly side of said Old Buford & Cumming Road and thence in a Northerly or Northeasterly direction along said road, 75 feet to the point of beginning. Refer to Gwinnett County Deed Book 2563, Page 634.*

*As described in Deed Book 50890, Page 848. Further described as Map & Parcel R7292 035.*

Feb. 3, 2025

Planning and Zoning Department  
City of Sugar Hill  
5039 West Broad Street  
Sugar Hill, GA 30518

### **Letter of Intent for Rezoning**

**Project Address: 1436 Railroad Ave Sugar Hill, GA 30518**

**Property ID: 7292 035 and 7292 153**

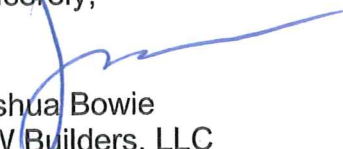
**Legal Description:** ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 292, 7<sup>th</sup> Land District, Gwinnett County, Georgia, in the City of Sugar Hill, being Lot 8 of the G.O. Mauldin and R.E. Duncan Subdivision as shown on plat of the same prepared by G.L. Veal, Surveyor, September, 1922, recorded in Plat Book B, Page 34, Gwinnett County, Georgia, records and being more particularly described as follows:

BEGINNING at a point on the Westerly side of Railroad Avenue, formerly known as Old Cumming Road at property of James R. Lyles, and running thence in a Southerly direction along said Railroad Avenue a distance of 75 feet, more or less, to an iron pin corner, thence in a Northwesterly direction along a line between Lots 8 and 9 a distance of 220 feet, more or less, to an iron pin corner of the right-of-way of Southern Railroad, thence in a Northeasterly direction along said railroad right-of-way a distance of 75 feet, more or less, to a point at property of James R. Lyles, thence in a Southeasterly direction along property of James R. Lyles a distance of 211 feet, more or less, to the POINT OF BEGINNING. Refer to Gwinnett County, Deed Book 2563, Page 634. This property containing 0.3800 acres, more or less, being further described as Tax Parcel R7292 153, Gwinnett County, Georgia records.

The applicant and property owner seek to rezone the 0.78-acre lot located at 1436 Railroad Ave Sugar Hill, GA 30518 from RS100 to LM. The City of Sugar Hill is planning to expand its central commercial area to revitalize the city and improve the quality of life of adjacent residential areas. To keep up with that idea, dense development of urban areas, especially divided into Downtown Mixed-Use uses including the site, will be required. However, the subject site, which is in a mixed-use area is currently zone as residential only. In this situation, I hope that we can create a dense commercial and residential community to meet the idea of the City of Sugar Hill

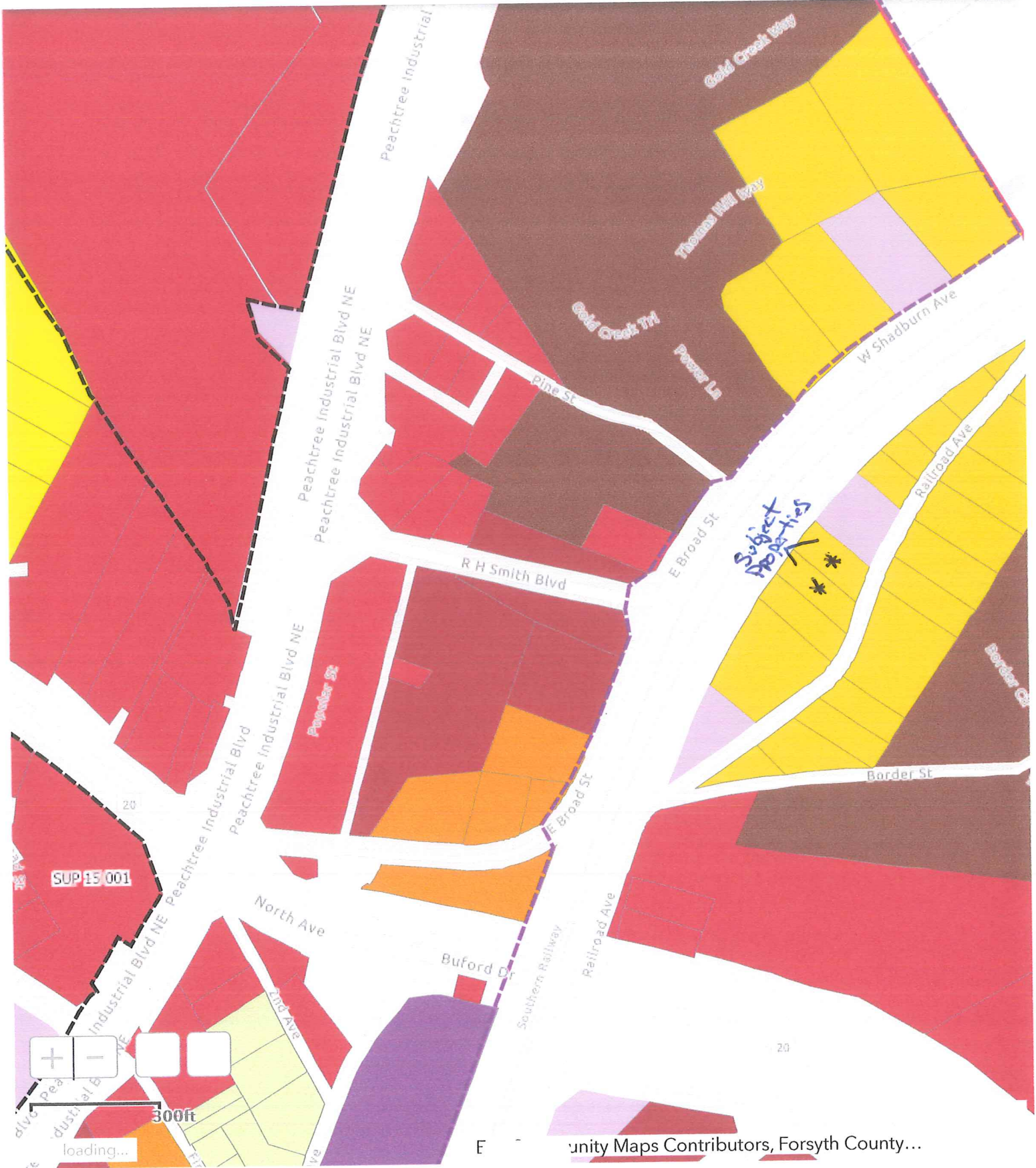
planning, through this zoning change. The property currently sits alongside a LM-zoned parcel, a vacant piece of land, and then another LM-zoned property all on the same street. I believe that rezoning the subject tract as proposed will not alter or impair the adjacent uses/properties. Our intent for the property is to drastically clean the appearance, add an approximately 4800 square foot office/warehouse, and parking area for service vehicles and employees. I appreciate your consideration of the proposed rezoning application for approval and will be available to answer questions you might have regarding this matter. Please do not hesitate to reach out with your questions and comments.

Sincerely,



Joshua Bowie  
3 W Builders, LLC  
464 Emerald Lake Lane  
Sugar Hill, GA 30518

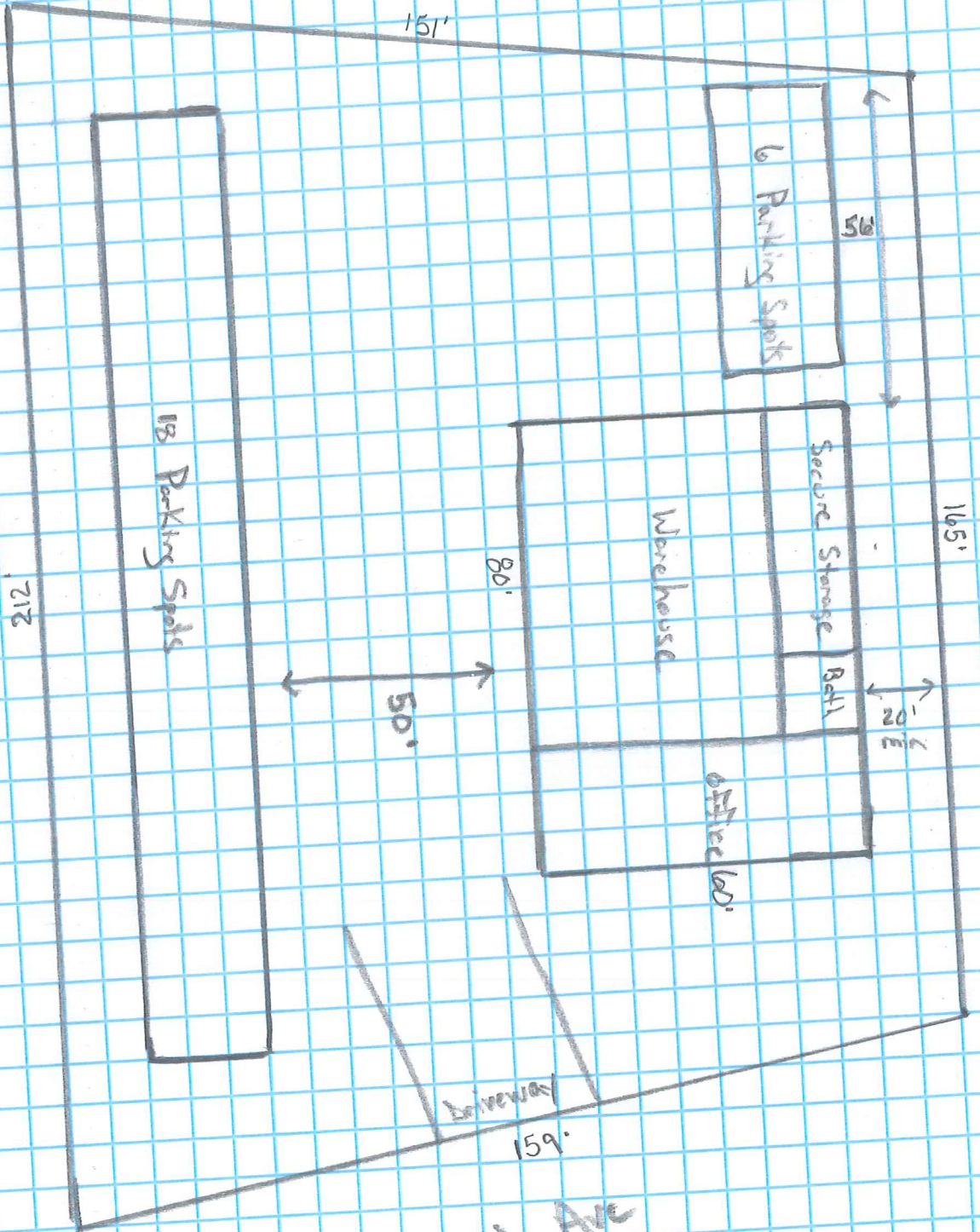
# Zoning Map





Railroad

Parking Spot 9' x 21'  
Scale 7.06'



Buildings

60' x 80'

14316





Map Title



2/4/2025 11:52:55 AM

ALL DATA IS PROVIDED AS IS, WITH ALL FAULTS, WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. This map is the proprietary product of Gwinnett County and in no event will Gwinnett County be liable for damages, including any loss of profits, lost savings, or other incidental or consequential damages arising out of the use or inability to use this map.

**From:** [Krista Midgette](#)  
**To:** [Planning](#)  
**Cc:** [Josh Bowie](#)  
**Subject:** Variance Request  
**Date:** Tuesday, February 4, 2025 12:05:36 PM

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To Whom it may concern,

3 W Builders LLC would like to request a variance in the setback buffer next to the residential lot. Our request is to reduce the setback to 20 feet. The vacant lot next door is undeveloped and the reduction would not impede on any residential homes. The area of concern will be used for parking only, any disturbed areas will be landscaped or put back to a presentable condition. The lack of approval for the setback reduction would most likely make this property undesirable for our use. The amount of space between parking and building would not be manageable.

--

Thank you,

Krista Midgette  
**Office Administrator**  
Northeast Atlanta  
Office - 770-637-5130  
Direct - 678-300-9201  
[Krista.Midgette@brothersgutters.com](mailto:Krista.Midgette@brothersgutters.com)  
[www.brothersgutters.com/northeast-atlanta-ga](http://www.brothersgutters.com/northeast-atlanta-ga)

