

REZONING/SUP/CHANGE IN CONDITIONS APPLICATION

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Toll Bros. Inc. *</u>	NAME: <u>The Item IV Marital Trust UW AJ Embry</u>
ADDRESS: <u>240 Lakeview Pkwy, Ste 650</u>	ADDRESS: <u>10555 Embry Farm Rd.</u>
CITY: <u>Alpharetta</u>	CITY: <u>Johns Creek</u>
STATE: <u>GA</u> ZIP: <u>30009</u>	STATE: <u>GA</u> ZIP: <u>30097</u>
PHONE: <u>941-713-1845</u>	PHONE: <u>404-441-1618</u>
CONTACT PERSON: <u>Dennis J. Webb, Jr.</u> PHONE: <u>404-815-3620</u>	
CONTACT'S E-MAIL: <u>dwebb@sgrlaw.com</u>	

APPLICANT IS THE:	
<input checked="" type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): <u>AG-1</u>	REQUESTED ZONING DISTRICT: <u>CUP</u>
DISTRICT/SECTION: <u>1/1</u>	LAND LOT(S): <u>479, 480, 497-499, 0F52-0F56</u> ACREAGE: <u>204.10</u>
ADDRESS OF PROPERTY: <u>10555 Embry Farm Road</u>	
PROPOSED DEVELOPMENT: <u>Planned Residential Community</u>	
CONCURRENT VARIANCES: _____	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: <u>205</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>3,000 sq. ft</u>	Total Building Sq. Ft. _____
Density: <u>1 u/a</u>	Density: _____

*Toll Bros. Inc. files this application individually and as agent for and on behalf of The Item IV Marital Trust UW AJ Embry

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PUBLIC PARTICIPATION PLAN

1. The City of Johns Creek will notify all property owners within a quarter mile of the site. What other groups do you intend to contact?
Before filing, Applicant held a community meeting with neighbors from the surrounding Nellie Brook Community. Applicant intends to reach out to other neighboring communities ahead of the public meetings to solicit feedback and answer questions.

2. How do plan to contact any interested parties, either before making application or after the city Public Participation Meeting, regarding the rezoning/use permit application?
Applicant will invite neighboring communities to engage in community meetings. Applicant will monitor social media and other outlets for concerns and ensure adequate lines of communication exist to answer questions and address concerns.

3. In addition to the City of Johns Creek Public Participation Meeting, do you plan to provide any other opportunities for discussion with interested parties before the PC and M&CC hearings?
Yes. Applicant held a community in meeting prior to filing other meetings will be held as needed. Applicant will make itself available to discuss concerns and provide information as necessary.

4. What is your schedule for completing the Public Participation Plan?
The Public Participation Plan will be completed before the Planning Commission meeting; however, applicant will continue communications with stakeholders as needed after the meeting and up to the zoning decision.

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PROPERTY OWNER'S CERTIFICATION

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Johns Creek, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning, Use Permit, & Concurrent Variance in request of the items indicated below.

I, The Item IV Marital Trust UW AJ Embry, authorize, Toll Bros. Inc.,
(Property Owner) (Applicant)
to file for CUP, at 10555 Embry Farm Rd.
(RZ, SUP, CV) (Address)
on this date July 15, 2024
(Month) (Day)

- I understand that no application or reapplication affecting the same land shall be acted upon within 12 months from the date of last action by the City Council.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Johns Creek Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange sign permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

[Signature] 07/25/2024
Signature of Property Owner Date

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Sarah Embry, as Co-Trustee
Type or Print Name and Title

Mallie Powell Scott 7/25/2024 [Seal]
Signature of Notary Public Date Notary Seal

MALLIE POWELL SCOTT
NOTARY PUBLIC
DeKalb County
State of Georgia
My Comm. Expires Aug. 28, 2026

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Signature of Property Owner

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Jackie Embry Chiusano, as Co-Trustee
Type or Print Name and Title

Mallie Powell Scott _____
Signature of Notary Public Date 7/25/2024 Notary Seal

MALLIE POWELL SCOTT
NOTARY PUBLIC
DeKalb County
State of Georgia
My Comm. Expires Aug. 28, 2026

DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: **YES** (if YES, complete points 1 through 4); **NO** (if NO, complete only point 4)

1. **CIRCLE ONE:** **Party to Petition** (If party to petition, complete sections 2, 3 and 4 below)
 In Opposition to Petition (If in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

1. Sarah Embry and Jackie Chiusano as Co-Trustees	5.
2. Toll Bros. Inc.	6.
3. Smith, Gambrell & Russell, LLP	7.
4.	8.


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3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Dennis J. Webb, Jr. SMITH, GAMBRELL & RUSSELL LLP

Signature:  Date: _____

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Name (print) Kathryn M. Zickert, SMITH, GAMBRELL & RUSSELL LLP

Signatu Kathryn M Zickert Date: _____

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Name (print) Kirk. R. Fielstul, SMITH, GAMBRELL & RUSSELL LLP _____

Signature:  _____ Date: _____

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Name (print) DAN COTTER, DIRECTOR, LAND ENTITLEMENT, TOLL BROS. INC.

Signature:  Date: 8/1/24

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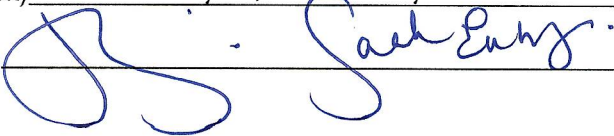
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Name (print) Sarah Embry & Jackie Embry Chiusano, as Co-Trustees

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