

**CHANGE IN CONDITIONS APPLICATION**

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GEORGIA

APPLICANT INFORMATION		OWNER INFORMATION*	
NAME: <u>Dominion Classical Christian Academy</u>	NAME: <u>Ivy Creek Church</u>	ADDRESS: <u>P.O. Box 744</u>	ADDRESS: <u>1416 Braselton Hwy</u>
CITY: <u>Dacula</u>	CITY: <u>Lawrenceville</u>	STATE: <u>GA</u> ZIP: <u>30019</u>	STATE: <u>GA</u> ZIP: <u>30013</u>
PHONE: <u>(770) 338-7945</u>	PHONE: <u>(770) 962-9600</u>	CONTACT PERSON: <u>Alan Weiler</u> PHONE: <u>(404) 687-2649</u>	
CONTACT'S E-MAIL: <u>Aweiler@dominionclassical.org</u>			

**APPLICANT IS THE:**

OWNER'S AGENT   
  PROPERTY OWNER   
  CONTRACT PURCHASER

ZONING DISTRICT(S): R-100 PRIORITY ZONING CASE: SUP 2008-003

LAND DISTRICT(S): 7 LAND LOT(S): 063 ACREAGE: 12.1

ADDRESS OF PROPERTY: 1416 Braselton Hwy

PROPOSED CHANGE IN CONDITIONS: to change from only finishes of glass, brick or stone to include current stucco finish of existing church facility

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: _____	NO. OF BUILDINGS/LOTS: <u>1</u>
DWELLING UNIT SIZE (Sq. Ft.): _____	TOTAL GROSS SQUARE FEET: <u>17,545</u> <input checked="" type="checkbox"/>
GROSS DENSITY: _____	DENSITY: _____
NET DENSITY: _____	

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



Legal Description of Property, Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 63 of the 7<sup>th</sup> Land District of Gwinnett County, Georgia, said tract or parcel of land being more particularly described as follows.

To find the TRUE POINT OF BEGINNING, commence at a point at the intersection of the Westerly right-of-way line of State Route 124 and the Northerly right-of-way line of Stoney Field Place if the right-of-way lines were extended to form an intersection instead of a curve, said point being the POINT OF BEGINNING.

THENCE North along a curve to the left having a radius of 1392.39' and an arc length of 21.40', being subtended by a chord of North 16 degrees 23 minutes 47 seconds West for a distance of 21.40' to a point.

THENCE North along a curve to the left having a radius of 1392.39' and an arc length of 92.43', being subtended by a chord of North 18 degrees 44 minutes 19 seconds West for a distance of 92.42' to a point.

THENCE North 20 degrees 38 minutes 26 seconds West for a distance of 42.01 feet to a ½" iron pin found at the southeast corner of the property, said point being the TRUE POINT OF BEGINNING.

From said TRUE POINT OF BEGINNING, thence South 60 degrees 09 minutes 00 seconds West for a distance of 770.30 feet to a point in the centerline of a branch,

THENCE North 54 degrees 56 minutes 07 seconds West for a distance of 27.72 feet to a point,

THENCE North 20 degrees 46 minutes 55 seconds West for a distance of 27.11 feet to a point,

THENCE North 08 degrees 35 minutes 41 seconds West for a distance of 35.38 feet to a point,

THENCE North 64 degrees 33 minutes 12 seconds West for a distance of 22.55 feet to a point,

THENCE North 26 degrees 59 minutes 10 seconds East for a distance of 26.25 feet to a point,

THENCE North 31 degrees 35 minutes 38 seconds West for a distance of 45.27' feet to a point,

THENCE North 45 degrees 29 minutes 57 seconds West for a distance of 47.73 feet to a point,

THENCE South 88 degrees 05 minutes 04 seconds West for a distance of 48.00 feet to a point,



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THENCE North 71 degrees 49 minutes 58 seconds West for a distance of 55.96 feet to a point,

THENCE North 47 degrees 14 minutes 02 seconds West for a distance of 47.38 feet to a point,

THENCE North 24 degrees 07 minutes 13 seconds West for a distance of 48.44 feet to a point,

THENCE North 46 degrees 01 minutes 47 seconds West for a distance of 42.89 feet to a point,

THENCE North 40 degrees 02 minutes 06 seconds West for a distance of 48.39 feet to a point,

THENCE North 29 degrees 13 minutes 54 seconds West for a distance of 49.23 feet to a point,

THENCE North 16 degrees 57 minutes 51 seconds West for a distance of 16.42 feet to a point in center of a branch,

THENCE North 49 degrees 57 minutes 08 seconds East for a distance of 162.72 feet to an iron pin found (one half inch rebar),

THENCE North 49 degrees 50 minutes 54 seconds East for a distance of 661.88 feet to an iron pin found (one half inch rebar), which iron pin is located at the southwesterly corner of Lot 3, Block B, Unit One, Davis Ridge Estates,

THENCE North 78 degrees 36 minutes 10 seconds East for a distance of 174.16 feet to an iron pin (one half inch rebar) on the southwesterly right-of-way line of Georgia Highway No. 124,

THENCE South along a curve to the left having a radius of 756.20 feet and an arc length of 50.53 feet, being subtended by a chord of South 18 degrees 43 minutes 33 seconds East for a distance of 50.52 feet to a point.

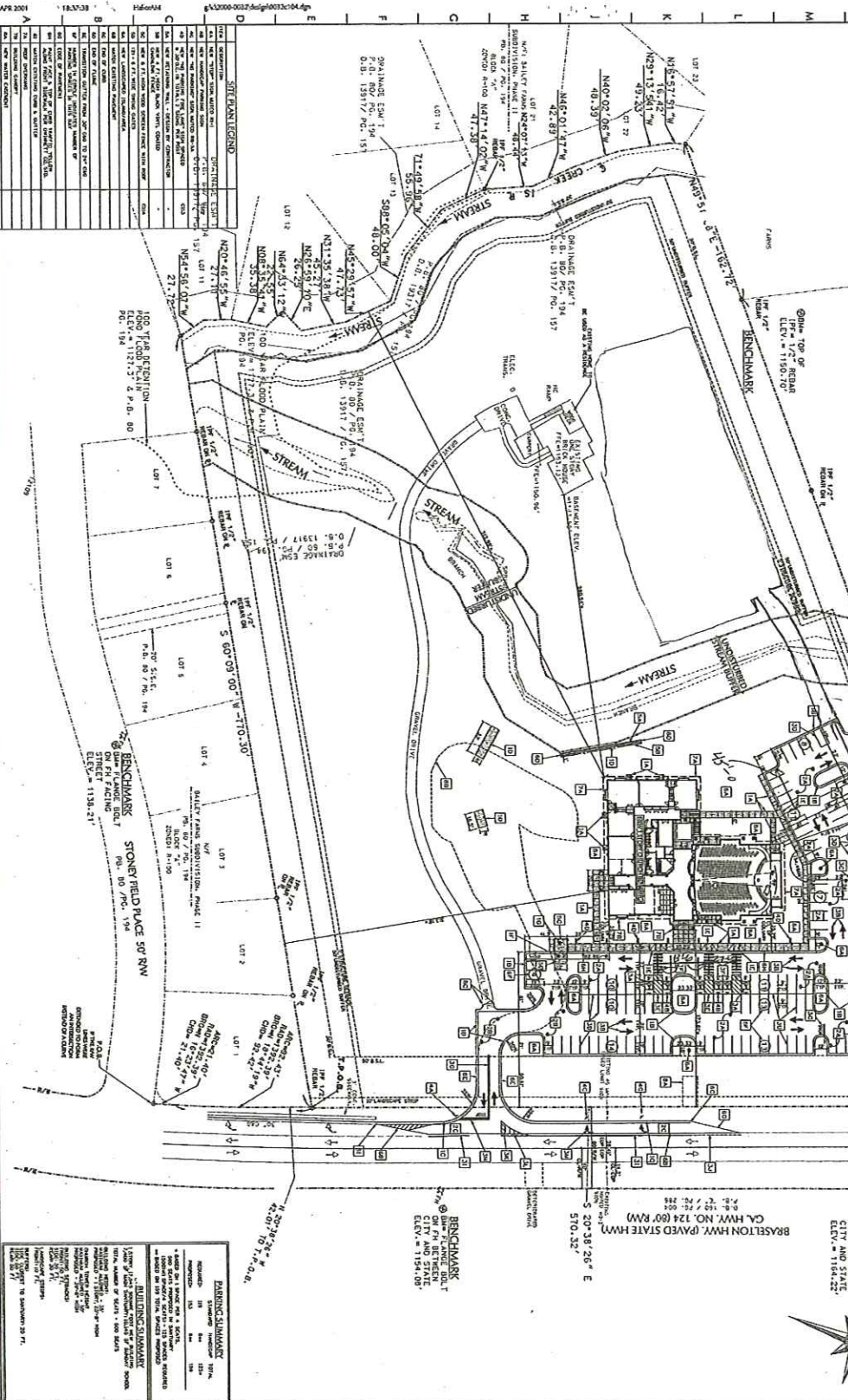
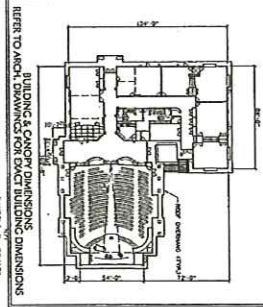
THENCE South 20 degrees 38 minutes 26 seconds East for a distance of 570.32 feet to an iron pin found (one half inch rebar), also known as the TRUE POINT OF BEGINNING.

Said tract of land to contain 12.127 acres (528,266 square feet).

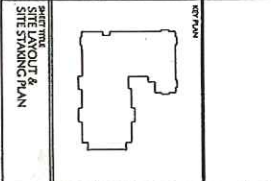


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NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAN	11/10/11
2	REVISED PLAN	11/10/11
3	REVISED PLAN	11/10/11
4	REVISED PLAN	11/10/11
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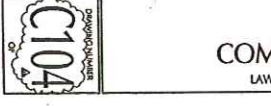
**NOTICE TO ARCHITECTURAL CONTRACTORS**  
 THE ARCHITECT HAS PREPARED THESE DRAWINGS FOR THE ARCHITECTURAL CONTRACTOR TO CONSTRUCT. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE ARCHITECTURAL CONTRACTOR OR FOR THE RESULTS OF ANY TESTS OR ANALYSES PERFORMED BY THE ARCHITECTURAL CONTRACTOR. THE ARCHITECTURAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL APPLICABLE CODES AND REGULATIONS. THE ARCHITECTURAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE ARCHITECTURAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE. THE ARCHITECTURAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FOUNDATIONS AND STRUCTURES. THE ARCHITECTURAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE ARCHITECTURAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE. THE ARCHITECTURAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FOUNDATIONS AND STRUCTURES.



**PROJECT INFORMATION**  
 PROJECT NO. 11-10-11-001  
 PROJECT NAME: IVEY CREEK COMMUNITY CHURCH  
 PROJECT ADDRESS: 11-10-11-001  
 PROJECT CITY: LAWRENCEVILLE, GA  
 PROJECT STATE: GEORGIA  
 PROJECT ZIP: 30043-5745  
 PROJECT DATE: 11/10/11

**CLIENT INFORMATION**  
 CLIENT NAME: IVEY CREEK COMMUNITY CHURCH  
 CLIENT ADDRESS: 11-10-11-001  
 CLIENT CITY: LAWRENCEVILLE, GA  
 CLIENT STATE: GEORGIA  
 CLIENT ZIP: 30043-5745  
 CLIENT PHONE: (770) 962-1111  
 CLIENT FAX: (770) 962-1111  
 CLIENT EMAIL: info@iveycreekchurch.com

**ARCHITECT INFORMATION**  
 ARCHITECT NAME: CDH PARTNERS INC.  
 ARCHITECT ADDRESS: 11-10-11-001  
 ARCHITECT CITY: LAWRENCEVILLE, GA  
 ARCHITECT STATE: GEORGIA  
 ARCHITECT ZIP: 30043-5745  
 ARCHITECT PHONE: (770) 962-1111  
 ARCHITECT FAX: (770) 962-1111  
 ARCHITECT EMAIL: info@cdhpartners.com



**CDH PARTNERS INC. ARCHITECTURE + PLANNING**  
 11-10-11-001  
 LAWRENCEVILLE, GEORGIA 30043-5745  
 (770) 962-1111  
 info@cdhpartners.com

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 CDH PARTNERS INC. ARCHITECTURE + PLANNING  
 11-10-11-001  
 LAWRENCEVILLE, GEORGIA 30043-5745  
 (770) 962-1111  
 info@cdhpartners.com

**PARKING SUMMARY**  
 PROPOSED PARKING: 121 SPACES  
 EXISTING PARKING: 121 SPACES  
 TOTAL PARKING: 242 SPACES  
 MINIMUM PARKING = 1 SP/5 SEATS  
 MAXIMUM PARKING = 1 SP/2 SEATS  
 THEREFORE, MIN. PARKING SPACES REQUIRED:  
 500 SEATS / 5' = 100 SPACES  
 121 SPACES > 100 SPACES

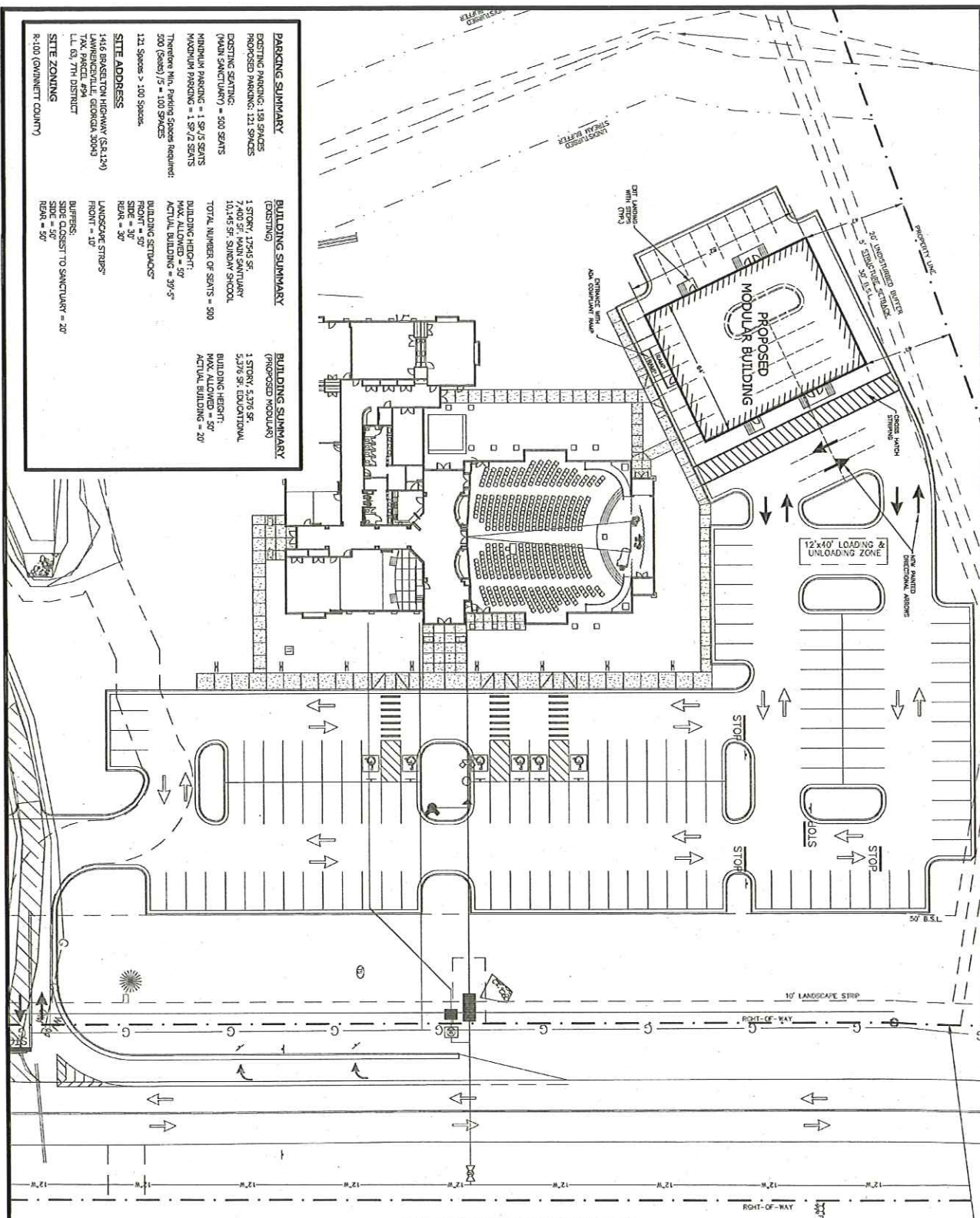
**BUILDING SUMMARY (EXISTING)**  
 1 STORY, 17,545 SF.  
 7,400 SF. MAIN SANCTUARY  
 10,145 SF. SUNDAY SCHOOL  
 TOTAL NUMBER OF SEATS = 500

**BUILDING SUMMARY (PROPOSED MODULAR)**  
 1 STORY, 5,276 SF.  
 5,276 SF. EDUCATIONAL  
 BUILDING HEIGHT: MAX. ALLOWED = 20'  
 ACTUAL BUILDING = 20'

**SITE ADDRESS**  
 1416 BRASELTON HIGHWAY (S.R.124)  
 LAWRENCEVILLE, GEORGIA, 30043  
 TOWN OF LAWRENCEVILLE  
 DISTRICT 08, 7TH DISTRICT

**SITE ZONING**  
 R-100 (QUINNETT COUNTY)

**BURERS:**  
 SIDE CLOSEST TO SANCTUARY = 20'  
 FRONT = 50'  
 REAR = 50'



BRASELTON HWY. (PAVED STATE HWY)  
 GA. HWY. NO. 124 (80' R/W)



SHEET 1 OF 1  
 DATE: 11.28.11  
 SCALE: 1" = 20'  
 FOR NO. 021108/PLP  
 FOR NO. 021108/PLP/02  
 DRAWN BY: MFP

ANY CHANGES OR ALTERATIONS MADE TO THESE CONSTRUCTION DRAWINGS WITHOUT THE WRITTEN APPROVAL OF ROCHESTER & ASSOCIATES, INC. SHALL BE AT THE SOLE RISK OF THE CLIENT. THIS PROJECT IS THE PROPERTY OF ROCHESTER & ASSOCIATES, INC. AND WILL BE USED ONLY FOR THE INTENTION OF THE PROJECT FOR WHICH IT WAS DESIGNED.

GRAPHIC SCALE  
 0' 12' 24' 36'

NO.	DATE	DESCRIPTION

RE-ZONING EXHIBIT FOR  
**Dominion Classical Christian Academy**  
 LOCATED  
 QUINNETT COUNTY, GEORGIA

RECEIVED 12-01-11  
**Rochester & Associates, Inc.**  
 1150 Old Orchard Hill, Columbus, Georgia 31906  
 (770) 718-0600 (770) 718-5050 Fax 0 www.rochester-aztec.com

**CHANGE IN CONDITIONS APPLICANT'S RESPONSE**  
**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, 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 CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes. There is currently a church / private school on site which will not be changing.

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

No. Since it is currently being used as a church / school no change will adversely affect nearby properties.

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

With the current zoning conditions it makes it difficult for church / school expansion.

- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No. This will relieve some of the existing school crowding by allowing more students to come into the county & not overburden the school system.

- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

Yes. It helps the existing church / school to maximize the use of the property while expanding for growth.

- (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 CHANGE IN CONDITIONS:

As currently conditioned, expansion for the church is difficult. The church would like to continue with an expansion that conforms with the existing stucco facade. However the restrictive nature of the glass, stone, or brick condition makes this impossible.



December 1, 2011

Gwinnett County Department of Planning & Development  
Planning Division  
446 West Crogan Street, Suite 250  
Lawrenceville, Georgia 30046

RE: Letter of Intent for Change in Condition Application

Dominion Classical Christian Academy, hereafter referred to as "Dominion", was founded in 2006 and currently occupies space at Ivy Creek Church at 1416 Braselton Highway, Lawrenceville, GA 30043. Dominion is a K4-7<sup>th</sup> independent, private school and beginning this current school year, offers the Arrowsmith Program to students with special educational needs. Each school year, Dominion adds another grade level to continue offering a quality education to its students. Eventually, the school will offer a K4-12 classical Christian education. Dominion has experienced tremendous enrollment growth in recent years:

<u>School year</u>	<u>Enrollment</u>
2009-2010	46
2010-2011	76
2011-2012	93

Due to the limited space at the current location, the school's Board of Directors and church leadership met to discuss long-term solutions to accommodate the expansive growth. Both sets of leaders have agreed to add an 84'x64' multi-classroom modular building to accommodate the school's growth. Ivy Creek Church was constructed in 2001 with a stucco exterior and shingled roof. The modular building is also made with a stucco exterior finish making it a similar match to the current church building structure. The current conditions on the property require that future structures have a glass, brick, or stone exterior which is very restrictive, considering the current exterior of the church. Dominion has found a structure that closely matches the current exterior surface which takes into consideration the neighbors, church membership, student and families, and county residents.

Dominion plans to paint the modular with the same paint color scheme as the main church building. The main church building is painted with a taupe color from the ground to a three foot high border and then painted with a beige color from the border to the roof.

PO Box 744

Dacula, GA 30019



770-338-7945

[www.dominionclassical.org](http://www.dominionclassical.org)

The school has currently maximized all available space at the church preventing the Head of School and other administrative staff from having offices to conduct student and school business. The school critically needs space and has researched several modular companies to resolve this issue.

- In order to offer 8<sup>th</sup> grade and future grade levels, the school must purchase a 5,376 square foot multi-classroom modular building in the near future.
- The modular classroom building would also benefit the church and its need for adult classroom space.
- The school lost two offices in order to make room for the Arrowsmith Program, which serves students with special educational needs. The class space is currently too small and impacts the quality of this program. In addition, the Head of School and Office Manager don't have an office, and work from two tables in the lobby of the church.
- There is also a constant problem of providing ample storage space for curriculum materials as the school has grown. The school must share storage space with the church and the modular would provide two storage closets that would be solely for the use of the school.
- The school has researched four modular companies and has found a pre-owned building, built in 2002, with six classrooms and four bathrooms in Cornelia, Georgia.
- The school will be applying for a Site Development Plan Review from the Gwinnett County Department of Planning and Development.
- To retain its interest in this specific modular building, the school has submitted a non-binding Letter of Intent to the modular company.
- The addition of this modular building will provide six classrooms, four single-stall bathrooms, one walk-in storage closets, and one custodial closet.
- The classrooms will provide space for a minimum of 72 students and six teachers. One classroom will be added each year in order to accommodate a new grade level. Additional classrooms at existing grade levels could be added, as necessary, to meet enrollment demands.

**We respectfully request that the Gwinnett County Department of Planning & Development – Planning Division change the conditions on the property and allow Dominion Classical Christian Academy to move forward with the purchase of a modular building that is constructed with a stucco exterior.**



**CHANGE IN CONDITIONS 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.

*[Handwritten Signature]*

Signature of Applicant

11-29-11

Date

*GREG BOARDS, CHAIRMAN*

Type or Print Name and Title

*Sherry Melchior 11/29/11*

Signature of Notary Public

Date

Notary Seal



**CHANGE IN CONDITIONS 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.

*Charles Garland*

11/29/11

Signature of Property Owner

Date

CHARLES GARLAND - PASTOR

Type or Print Name and Title

*Janet M Rearden*

11-29-11

Signature of Notary Public

Date

Notary Seal

JANET M REARDEN  
NOTARY PUBLIC, GWINNETT CO., GA  
MY COMMISSION EXPIRES JULY 18, 2015



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**CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS**

The undersigned below, making application for a change in conditions, 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.

Charles Garland      11/29/11      CHARLES GARLAND - PASTOR  
 Signature of Applicant      Date      Type of Print Name and Title

\_\_\_\_\_  
 Signature of Applicant's      Date      Type or Print Name and Title  
 Attorney or Representative

Janet M Rearden      11-29-11      \_\_\_\_\_  
 Signature of Notary Public      Date      Notary Seal  
 JANET M REARDEN  
 NOTARY PUBLIC, GWINNETT CO., GA  
 MY COMMISSION EXPIRES JULY 18, 2015

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

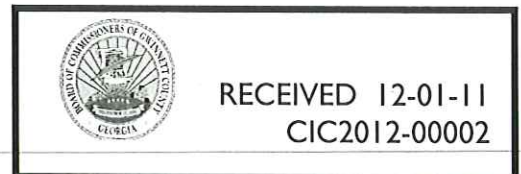
Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES       NO      Charles Garland (CHARLES GARLAND)  
 Your Name

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

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

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



**VERIFICATION OF CURRENT PAID PROPERTY TAXES  
FOR CHANGE IN CONDITIONS**

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:**                      7                      -                      063                      -                      094  
(Map Reference Number)                      District                      Land Lot                      Parcel

CARR                      \_\_\_\_\_                      11/30/11  
Signature of Applicant                      Date

Caren Ann Nunnally                      Applicants Agent  
Type or Print Name and Title

**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)

Jessica Richardson                      \_\_\_\_\_                      TSA #  
NAME                      TITLE

12-01-11  
DATE

