

**REZONING APPLICATION**

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: JOMCO Inc	NAME: Legacy State Bank
ADDRESS: PO Box 924	ADDRESS: 3825 Harrison Rd
CITY: Gainesville	CITY: Loganville
STATE: GA ZIP: 30503	STATE: GA ZIP: 30052
PHONE: 770.561.0500	PHONE: (770) 554-2265

CONTACT PERSON: Matt McCord PHONE: 770.561.0500  
 CONTACT'S E-MAIL: mccordmatt@gmail.com

**APPLICANT IS THE:**

OWNER'S AGENT     PROPERTY OWNER     CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): C1 REQUESTED ZONING DISTRICT: C2  
 LAND DISTRICT(S): 4 LAND LOT(S): 321 ACREAGE: 1.69 acres  
 ADDRESS OF PROPERTY: 4502 Mink Livsey Rd & 3572 Lee Rd  
 PROPOSED DEVELOPMENT: Single Story/Single Tenant Retail 9,100 sqft

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: 1
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. 9100
Gross Density: _____	Density: 12%
Net Density: _____	

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

**LEGAL DESCRIPTION**

JOMCO, Inc. Tract

**ALL THAT TRACT** or parcel of land lying and being in Land Lot 321, Gwinnett County, Georgia and being more particularly described as follows:

**TO FIND THE TRUE POINT OF BEGINNING.** Commence at an iron pin found at the southeast intersection of Mink Livsey Road (80 R/W) and Lee Road (100 R/W), point being **TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING AS THUS ESTABLISHED** leaving said right-of-way, 143.37 feet along a curve, said curve having a chord of North 65°42'20" East 143.34 feet and a radius of 2204.56 feet to a point; thence 231.69 feet along a curve to the left, said curve having a chord of North 64°35'08" East 231.69 feet and a radius of 141517.53 feet to a point; thence South 35°27'05" East, a distance of 115.42 feet to a point; thence South 35°27'05" East, a distance of 44.51 feet to a point; thence South 54°54'56" West, a distance of 398.67 feet to a point; thence North 25°08'19" West, a distance of 20.31 feet to a point; thence North 26°01'45" West, a distance of 93.93 feet to a point; thence North 29°56'59" West, a distance of 113.37 feet to a point, being the **POINT OF BEGINNING.**

**SAID TRACT CONTAINS** 1.689 acres or 73,555 square feet.



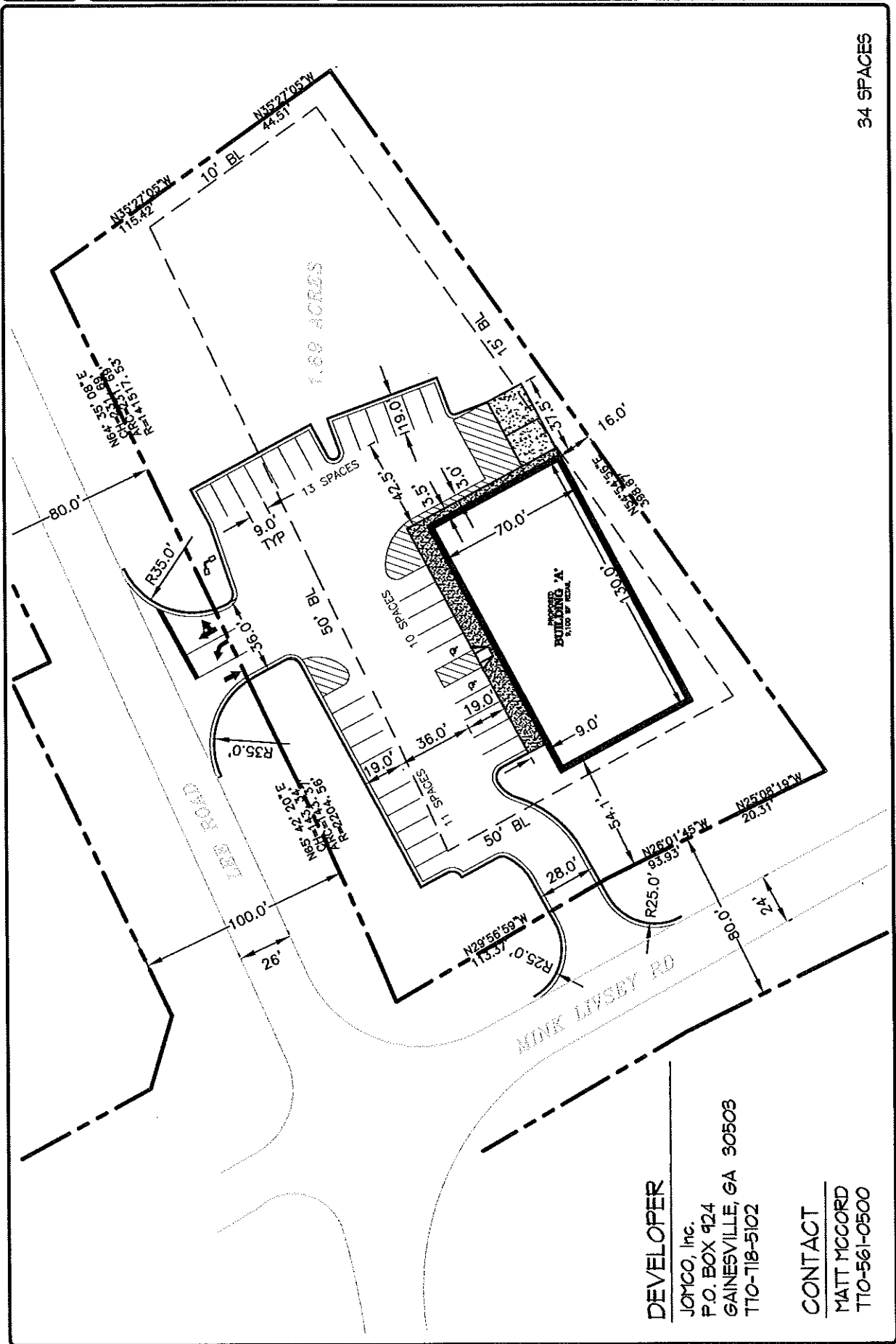
CIVIL ENGINEERING  
LANDSCAPE ARCHITECTURE  
SITE PLANNING  
HIDDEN, CA 95048 (916) 271-4477 FAX  
4371 WILSON ROAD (916) 271-4477 FAX  
P.O. BOX 248  
WOODBRIDGE, CA 94691  
www.daydesign.com

**DAY**  
**DESIGN, Inc.**

SITE SKETCH  
FOR  
**JOMCO, Inc.**  
PARCEL NOS 45201 0004 & 0005  
SHEET COUNTY, GEORGIA

**SCALE**  
1" = 40' ±

Date: 2/3/12  
Job #12-101  
SHEET 1 OF 1



34 SPACES

**DEVELOPER**  
JOMCO, Inc.  
P.O. BOX 924  
GAINESVILLE, GA 30503  
770-718-5102

**CONTACT**  
MATT MCCORD  
770-561-0500

**REZONING 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 REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes, The rezoning will permit a use that is complimentary to the immediate area.

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

No, the propose will have no adverse affects on the neighboring properties.

This use will not adversely affect the useability of adjacent tracts.

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

Yes the property in its current state has economic value.

Through this rezoning the value will be ehanced due to development and an operating business.

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

The proposed use will not cause any burden on the existing services or utilities.

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

Yes, this use will be for commercial purposes. Adjacent properties already possess the desired zoning.

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED REZONING:

The property is currently bank owned and vacant. This would provide an approved and

and planned use of the property. There are no conditions that support disapproval.

## Letter of Intent

The Applicant is proposing to develop and build a 9,100 square foot retail store on the subject property of 1.69 acres. The property will need to be rezoned to C2 from its current zoning of C1.

The building will be specifically designed for a national retailer that presently has several locations within Gwinnett County. The design and construction of the building will follow the guidelines set forth in the Unified Development Code (UDC). The site will be service by Public Water and Sewer, and will feature two residential style restrooms (toilets and sinks only). The building will feature a wall sign on the Front Side of the store and a pylon sign at the intersection. All sign measurements and designs will follow any Sign Ordinance recorded at Gwinnett County. The store will sell household and dry goods with necessity groceries and clothing items. No illicit materials or illegal activities will be tolerated on site.

Improvements will be made to Mink Livsey Rd & Lee Road to provide entrances from both frontages. The new development will install appropriate landscaping and practice approved storm water management.

The proposed density of the site is:  $1.69 \text{ acres} * 43,560 = 73,616 \text{ sq ft}$

$9100 \text{ (building size)} / 73,616 = 12\% \text{ Total Density}$

Proposed Building Height: 18 ft

Proposed Parking Spaces: 34

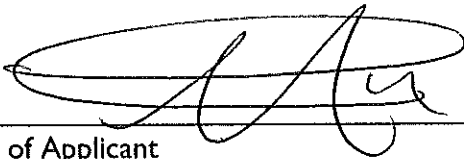
Please feel free to contact me with any question or of additional information is required.

Sincerely,

Matt McCord  
770.561.0500

**REZONING APPLICANT'S CERTIFICATION**

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



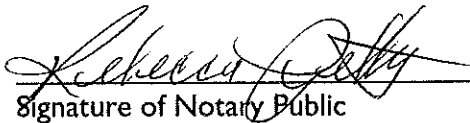
Signature of Applicant

2/3/12

Date

Matt McCord

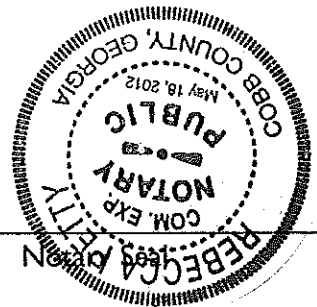
Type or Print Name and Title



Signature of Notary Public

2/3/12

Date



Gwinnett County Planning Division  
Rezoning Application  
Last Updated 8.2008

**REZONING PROPERTY OWNER'S CERTIFICATION**

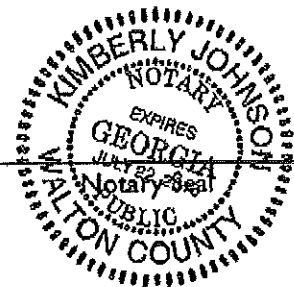
THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE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

LEGACY STATE BANK

By Charles [Signature], SVP 2/2/12  
Signature of Property Owner Date

Type or Print Name and Title

Kimberly Johnson 2/2/12  
Signature of Notary Public Date





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

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

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

4321 002

**PARCEL I.D. NUMBER:** 4 - 321 - 002  
(Map Reference Number) District Land Lot Parcel

[Signature] \_\_\_\_\_  
Signature of Applicant Date

MATT McCLOUD  
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)

[Signature] \_\_\_\_\_  
NAME TITLE  
2-3-12  
DATE

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4321 003

**PARCEL I.D. NUMBER:** 4 - 321 - 003  
(Map Reference Number) District Land Lot Parcel



2/3/12

Signature of Applicant

Date

MATT McCAND

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)

Hanger Henricks  
NAME

TSA  
TITLE

2-3-12  
DATE

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

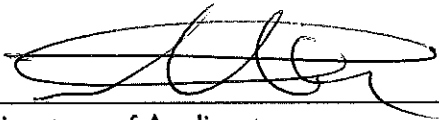
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4321004

**PARCEL I.D. NUMBER:**  
(Map Reference Number)

4 - 321 - 004  
District Land Lot Parcel



Signature of Applicant

2/3/12

Date

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

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Ainger Hendricks  
NAME

TSA  
TITLE

2-3-12  
DATE