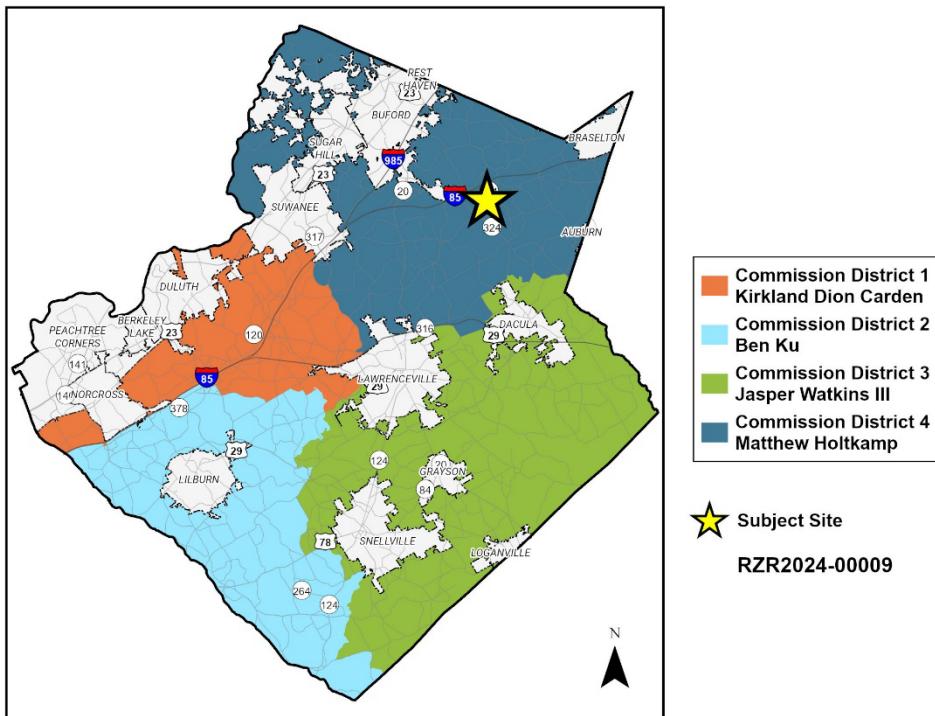




## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

<b>Case Number:</b>	<b>RZR2024-00009</b>
<b>Current Zonings:</b>	<b>RA-200</b> (Agriculture-Residence District) and <b>O-I</b> (Office-Institutional District)
<b>Request:</b>	Rezoning to <b>R-100</b> (Single-Family Residence District)
<b>Overlay District:</b>	Highway 124/324/Hamilton Mill Road
<b>Address:</b>	2223 Cain Circle and the 2900 Block of Braselton Highway
<b>Map Numbers:</b>	R3002 024 and R7099 255
<b>Site Area:</b>	4.86 Acres
<b>Lots:</b>	7
<b>Proposed Development:</b>	Single-Family Detached Subdivision
<b>Commission District:</b>	District 4 – Commissioner Holtkamp
<b>Future Development Type:</b>	Traditional
<b>Staff Recommendation:</b>	<b>APPROVAL WITH CONDITIONS</b>
<b>Planning Commission Recommendation:</b>	<b>APPROVAL WITH CONDITIONS</b>



**Applicant:** David Sonders  
Key Engineering Solutions-US, Inc.  
180 Drake Street  
Buford, GA 30518

**Owners:** Stefan Lapancu  
2287 Cain Circle  
Dacula, GA 30019

**Contact:** David Sonders

**Contact Phone:** 561.504.2224

## Zoning History

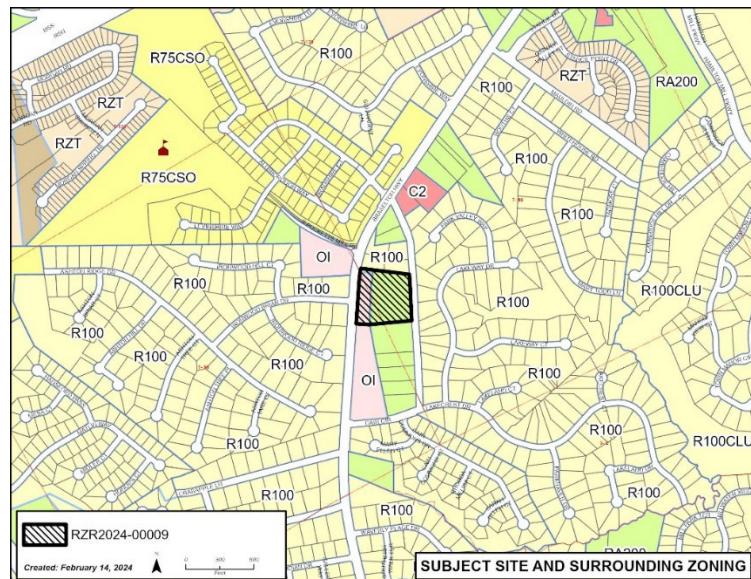
The subject property is zoned RA-200 (Agriculture-Residence District) and O-I (Office-Institutional District). In 1998, the property frontage along Braselton Highway was rezoned from RA-200 to O-I, pursuant to RZ-98-171.

## Existing Site Condition

The subject property is a 4.86-acre assemblage of two parcels located south of the intersection of Braselton Highway and Cain Circle, with frontage on both roads. There is an existing single-family residence and accessory buildings accessed by a driveway from Cain Circle. The majority of the site is an open field, except for a dense line of trees along Braselton Highway and the southern property line. The site slopes downwards approximately 48 feet from the north to the south towards a stream and associated buffers that runs along the southern property line. There are no overhead utility lines or sidewalks along either road frontage. The nearest Gwinnett County Transit stop is approximately 5.0 miles from the subject property.

## Surrounding Use and Zoning

The property is surrounded by single-family residential, and office uses. The Lake Park and Ashton Wood subdivisions are located to the east and west of the property, respectively. Along the Braselton Highway frontage, to the south, is an office building. To the north and south of the site on Cain Circle are single-family detached residences on large lots.



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-100	1.44 units per acre
North	Single-Family Residential	R-100	1.70 units per acre
East	Single-Family Residential	R-100	2.01 units per acre
South	Office Single-Family Residential	O-I RA-200	N/A 0.45 units per acre
West	Single-Family Residential Undeveloped	R-100 O-I	1.64 units per acre N/A

## Project Summary

The applicant requests rezoning of a 4.86-acre property from RA-200 and O-I to R-100 for a single-family detached subdivision, including:

- Seven single-family residences on lots ranging from 25,050 square feet to 37,008 square feet, yielding a density of 1.44 units per acre.
- Two-story residences with two-car garages and a minimum heated floor area of 2,500 square feet.
- Exterior building materials of brick, stone, siding, and board and batten.
- Two shared access driveways serving four homes along Braselton Highway.
- One shared access driveway serving two homes and one private driveway serving one home along Cain Circle.
- Sidewalks along the frontages of Braselton Highway and Cain Circle.
- Lots to be served by private septic systems with drain fields located to the rear of each lot.
- A stream and associated buffers located within lots 4 and 7.

## Zoning and Development Standards

The applicant is requesting a rezoning to R-100, for a single-family detached subdivision. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Lot Size	Minimum 15,000 square feet	$\geq 25,050$ square feet	YES
Lot Width	Minimum 100'	$\geq 102'$	YES
Lot Coverage	Maximum 45%	$<45\%$	YES
Front Yard Setback	Minimum 25'	35'	YES
Rear Yard Setback	Minimum 30'	40'	YES
Side Yard Setback	Minimum 10'	10'	YES
Building Height	Maximum 35'	$<35'$	YES

The property is within the Highway 124/324/Hamilton Mill Road Overlay District. The overlay requirements do not apply to single-family detached residential properties.

## Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities. Recommended improvements not already required by the

UDO have been added as staff recommended conditions.

## Staff Analysis

**Rezoning Request Analysis:** According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.6. After this evaluation, staff makes the following findings based on the standards from the UDO:

**A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The site is surrounded by single-family detached subdivisions and residences on large lots. There is a substantial amount of R-100 zoned property in the surrounding area with lots similar in size. The proposed rezoning is suitable in view of the use and development of adjacent and nearby property.

**B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.**

The proposed single-family residential lots would be compatible with the character of the surrounding area. The rezoning would create seven lots with shared driveways on Braselton Highway and Cain Circle, limiting the number of curb cuts and impact to traffic flow on both streets. An existing sidewalk would be extended along Braselton Highway and a sidewalk would be installed on Cain Circle. The proposed rezoning would not adversely affect the existing use or usability of adjacent or nearby properties.

**C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.**

The property has a reasonable economic use as currently zoned.

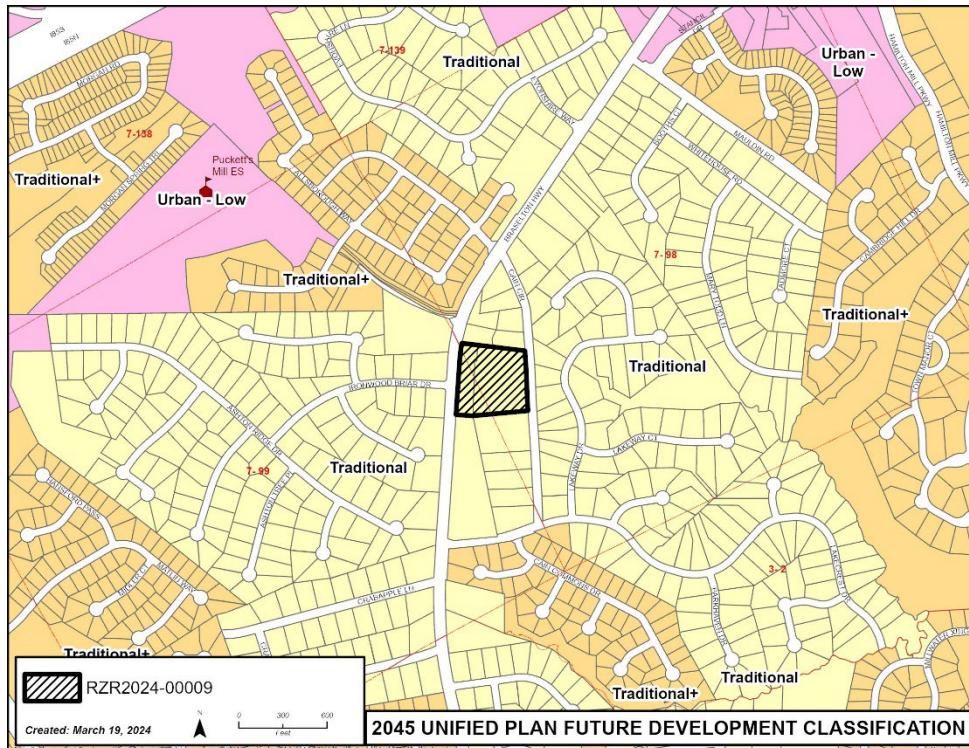
**D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

A minimal increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. A minimal impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit F).

**E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map; and**

The Unified Plan's Future Development Map identifies the subject property as "Neighborhood Traditional", which envisions single-family detached developments with a density up to 1.7 units per acre in areas that lack sewer service. This development type encourages residences to be built with porches and modest setbacks, pedestrian pathway connections, and garages to be oriented to the side or back if possible.

The proposed rezoning is for R-100, a recommended zoning district in the "Neighborhood Traditional" future development type. The proposed subdivision would have a density of 1.44 units per acre, which is within the recommended density range. The elevations show side-loaded, two-car garages with a front-loaded, single-car garage setback from the home's front façade. Extending the existing sidewalk along Braselton Highway would provide pedestrian connectivity. The proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.



**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.**

There are no other conditions giving support for approval or disapproval of the proposal.

### Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

### Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

## **Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)**

Approval as R-100 (Single-Family Residence District) for a single-family detached subdivision, subject to the following conditions:

1. The development shall be limited to single-family detached dwellings and accessory uses and structures, not to exceed seven lots.
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan and Exhibit C: Building Elevations dated received February 21, 2024, subject to the review and approval of the Department of Planning and Development.
3. The minimum heated floor area of the dwelling units shall be ~~2,500~~ **3,000** square feet.
4. All buildings and septic fields shall remain outside of required stream buffers and impervious setbacks.
5. Driveway design and access to Braselton Highway and Cain Circle shall be subject to the review and approval of the Georgia Department of Transportation and/or the Gwinnett County Department of Transportation.
6. The developer shall construct a 5-foot-wide concrete sidewalk along the entire site frontages of Braselton Highway and Cain Circle, subject to the review and approval of Georgia Department of Transportation and/or Gwinnett County Department of Transportation.
7. Natural vegetation shall remain on the property until the issuance of a development permit.
8. **All homes shall be fee simple.**

**Exhibits:**

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. Internal and External Agency Review Comments
- G. Maps

## Exhibit A: Site Visit Photos



View of property along Braselton Highway frontage



View of property facing south



View of property from Cain Circle



View of southern property line and stream from Cain Circle

**Exhibit B: Site Plan**

**[attached]**



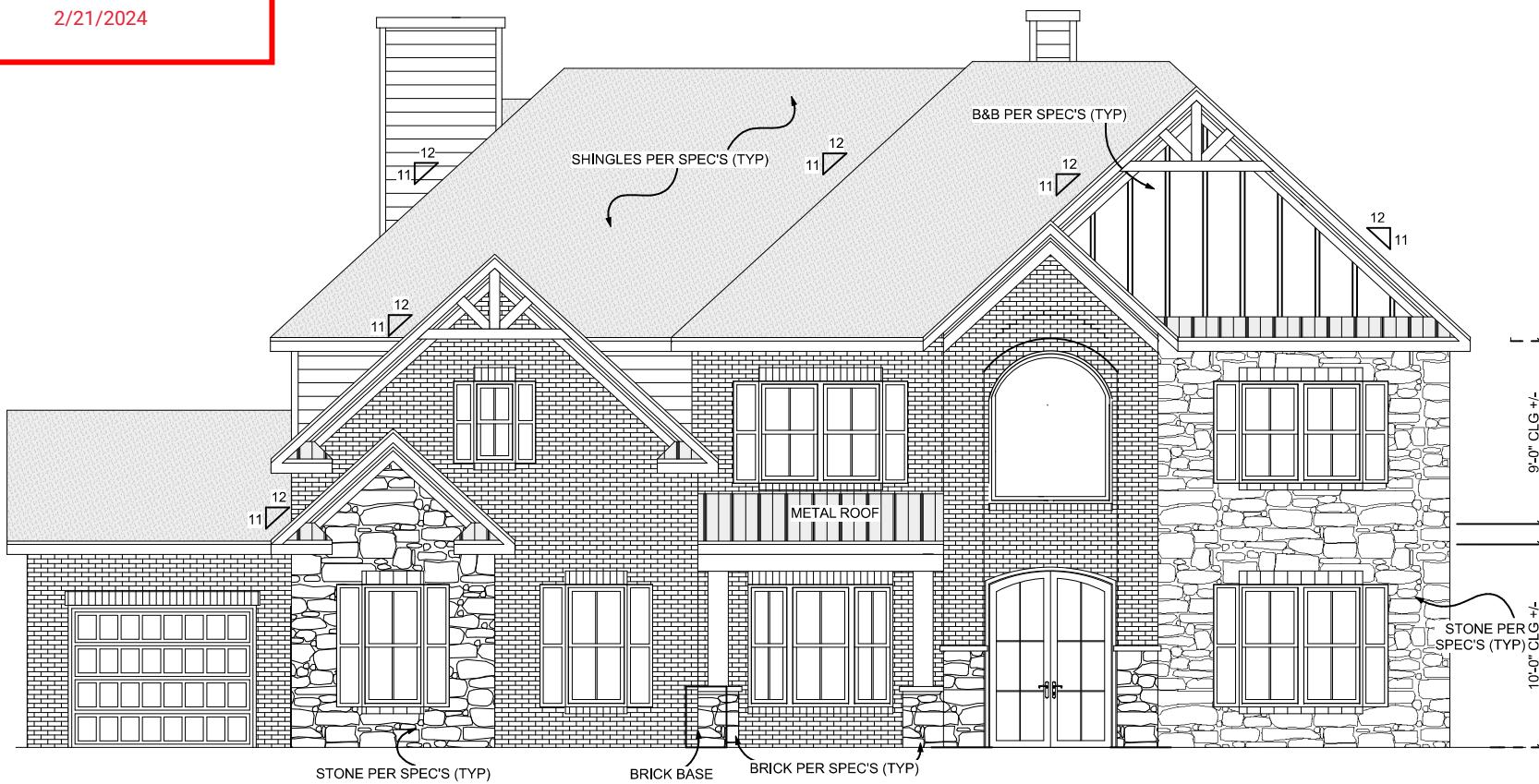
**Exhibit C: Building Elevations**

**[attached]**

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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2/21/2024



**FRONT ELEVATION**

DWG. BY:  
PWL/SAM

**DATE:**

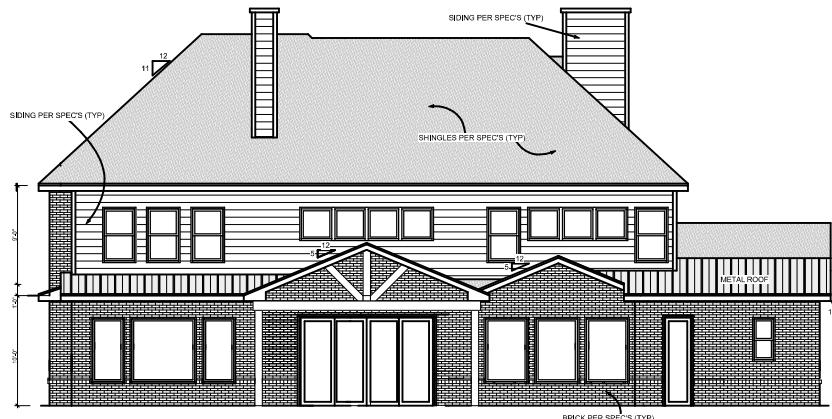
SHEET:

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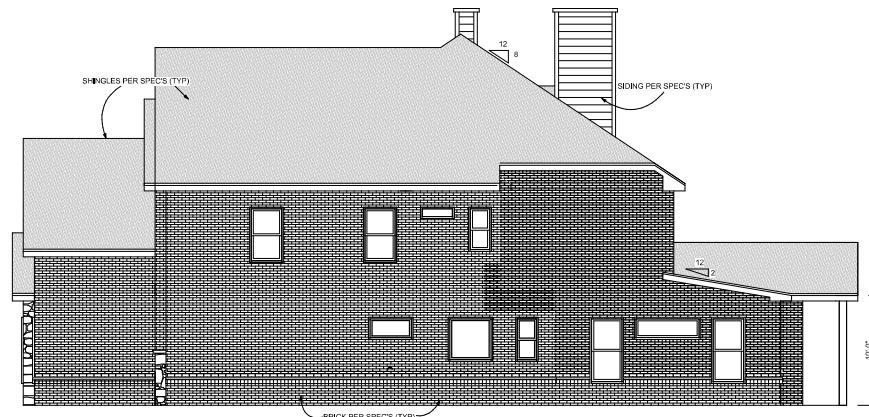


**LEFT ELEVATION**  
SCALE: 1/8"-----1'-0"

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
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2/21/2024



**REAR ELEVATION**  
SCALE: 1/8"-----1'-0"



**RIGHT ELEVATION**  
SCALE: 1/8"-----1'-0"

ALL PLANS HAVE BEEN  
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**WE PLAN  
HOMES**  
TEL: 770-420-0141

**SHADBURN CUSTOM-2**  
ELEVATIONS

DWG. BY:  
PWL/SAM

DATE:  
1-11-22

SHEET:

1B

**Exhibit D: Letter of Intent and Applicant's Response to Standards**

**[attached]**



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

Key Engineering Solutions-U.S., Inc.  
180 Drake Street  
Buford, GA 30518  
Tel 561.504.2224  
[www.KES-US.com](http://www.KES-US.com)

Subject:  
Rezoning Application – Residential Subdivision  
2223 Cain Circle  
Dacula, GA 30019

To Whom it May Concern:

This Letter of Intent is to request a rezoning of the subject property from RA-200 to R-100 in order to develop the properties into a single-family community. The subject parcel is located at 2223 Cain Circle, Dacula, GA 30019. The property consists of two parcels totaling 4.85 acres. The parcel IDs are R3002 024 & R7009 255

The subject properties will be developed into seven single-family detached subdivision home lots. The single-family homes will be a minimum of 2,500 square feet of heated living space, with minimum 4-bedroom, 3-bathroom models. The anticipated price will \$500,000+ per unit.

The proposed development will be connected to public water. Sanitary waste will be disposed of via on-site septic system. A L3 Soils Report was prepared on 11/16/2023 and the soils are suitable for a septic system. No variances or special conditions are requested at this time.

Please direct any questions, comments, or correspondence regarding letter to David M. Sonders, P.E., Principal Engineer, at 561.504.2224 or [dsonders@kes-us.com](mailto:dsonders@kes-us.com).

Sincerely,

Key Engineering Solutions – US, Inc.

David M. Sonders, P.E.  
Principal Engineer

Date:  
December 26, 2023

Contact:  
David M. Sonders, P.E.

Phone:  
561.504.2224

Email:  
[dsonders@kes-us.com](mailto:dsonders@kes-us.com)

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2/21/2024

## REZONING APPLICANT'S RESPONSE

### STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property;  
*The proposed use is similar in use and development, and zoning of adjacent and nearby properties. Most of the nearby properties are developed with detached housing units similar to this proposal.*
- B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;  
*No, it is not anticipated that the proposed subdivision will adversely affect nearby properties.*
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;  
*Yes, the property appears to have reasonable economic use as currently zoned. However, the property subdivided will provide enhanced economic use.*
- 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 development of one additional single-family home should not cause an excessive or burdensome use of the existing streets, utilities or public services.*  
Whether the proposed rezoning is in conformity with the policy and intent of the land use plan;  
*Yes, the proposed rezoning is in conformity with the land use plan.*
- E. 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;  
*There are no existing or changing conditions which affect the use and development of the property.*

**Exhibit E: Application and Disclosure of Campaign Contributions**

**[attached]**

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2/21/2024

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*	
NAME: <u>David Sonders, Key Engineering Solutions-US, Inc.</u>	NAME: <u>Stefan Lapancu</u>	
ADDRESS: <u>180 Drake Street</u>	ADDRESS: <u>2287 Cain Circle</u>	
CITY: <u>Buford</u>	CITY: <u>Dacula</u>	
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: <u>GA</u> ZIP: <u>30019</u>	
PHONE: <u>516-504-2224</u>	PHONE: <u>678-665-2824</u>	
EMAIL: <u>dsonder@kes-us.com</u>	EMAIL: <u>lupancu1981@yahoo.com</u>	
CONTACT PERSON: <u>David Sonders</u>	PHONE: <u>561-504-2224</u>	
CONTACT'S E-MAIL: <u>dsonders@kes-us.com</u>		
<b>APPLICANT IS THE:</b>		
<input checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICTS(S): <u>RA200</u> REQUESTED ZONING DISTRICT: <u>R-100</u>		
PARCEL NUMBER(S): <u>R3002 024 &amp; R7009 255</u> ACREAGE: <u>4.85</u>		
ADDRESS OF PROPERTY: <u>2223 Cain Circle, Dacula, GA 30019</u>		
PROPOSED DEVELOPMENT: <u>Single-Family Detached Subdivision</u>		

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>7</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>min 2,500</u>	Total Building Sq. Ft. _____
Gross Density: <u>1.44 units per acre</u>	Density: _____
Net Density: <u>1.44 units per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

2/21/2024

**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.**

**PARCEL I.D. NUMBER:** 7 - 98 - 3002 024  
(Map Reference Number)      District      Land Lot      Parcel

  
Signature of Applicant

12/18/2023  
Date

David Sanders, Principal Engineer  
Type or Print Name and Title

**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

**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)

Kathy Lyles  
NAME  
12/18/23  
DATE

TSA  
TITLE

RECEIVED

2/21/2024

**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.

  
Signature of Property Owner

12.15-2023  
Date

Owner Stefan Lupsancu  
Type or Print Name and Title

  
Signature of Notary Public

12/15/2023  
Date

**M JAMES SMIKLE**  
NOTARY PUBLIC  
Gwinnett County  
State of Georgia  
My Comm. Expires April 24, 2024

Notary Seal

RECEIVED

2/21/2024

**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

12/15/2023  
\_\_\_\_\_  
Date

David Sanders Principal Engineer  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public

12/15/2023  
\_\_\_\_\_  
Date

Notary Seal

**M JAMES SMIKLE**  
NOTARY PUBLIC  
Gwinnett County  
State of Georgia  
My Comm. Expires April 24, 2024

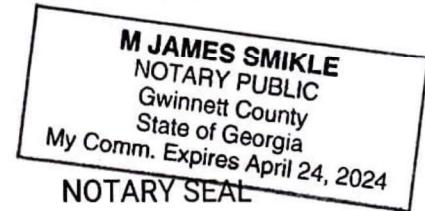
RECEIVED

2/21/2024

**CONFFLICT OF INTEREST CERTIFICATION FOR REZONING**

The undersigned below, making application for a 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.

 12/15/2023 Owner Stefan Lupancu  
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

12/15/2023  
SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE  
 12/15/2023  
SIGNATURE OF NOTARY PUBLIC DATE  
  
M JAMES SMIKLE  
NOTARY PUBLIC  
Gwinnett County  
State of Georgia  
My Comm. Expires April 24, 2024  
NOTARY SEAL

**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

Stefan Lupancu  
YOUR NAME

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

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

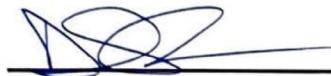
Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED

2/21/2024

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SIGNATURE OF APPLICANT

12/18/2023

DATE

David Sanders, Principal Engineer

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE

  
Mary K. O'Neal

DATE



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 Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES

NO

David Sanders

YOUR NAME

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

NAME AND OFFICIAL 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.

RECEIVED

2/21/2024

**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.**

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

7 - 99 - 7099 255  
District Land Lot Parcel

Signature of Applicant

12/18/2023  
Date

David Sonders, Principal Engineer  
Type or Print Name and Title

**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 Langley Drive, FOR THEIR APPROVAL BELOW.\*\*\***

**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)

Kathy Lyles  
NAME

TSA

TITLE

12/18/22  
DATE

RECEIVED

2/21/2024

**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.



Signature of Property Owner

12-15-2023

Date

Type or Print Name and Title

Owner Stefan Lupascu

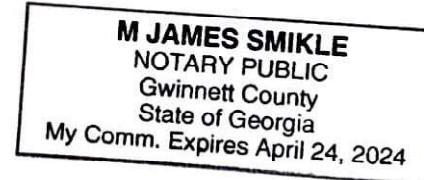


Signature of Notary Public

12/15/2023

Date

Notary Seal



RECEIVED

2/21/2024

**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

12/15/23

Date

David Sanders, principal Engineer

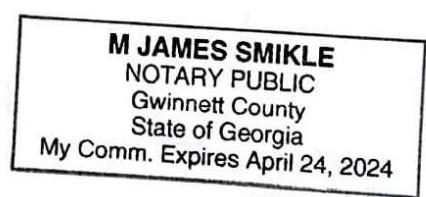
Type or Print Name and Title



Signature of Notary Public

12/15/2023

Date



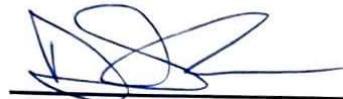
Notary Seal

RECEIVED

2/21/2024

**CONFLICT OF INTEREST CERTIFICATION FOR REZONING**

The undersigned below, making application for a 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

12/18/2023

DATE

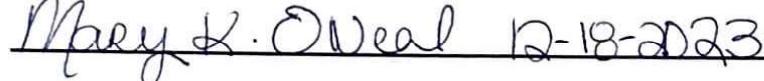
David Sanders, Principal Engineer

TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE



SIGNATURE OF NOTARY PUBLIC DATE



**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

David Sanders

YOUR NAME

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

NAME AND OFFICIAL 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.

RECEIVED

2/21/2024

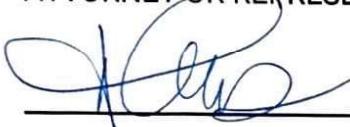
**CONFLICT OF INTEREST CERTIFICATION FOR REZONING**

The undersigned below, making application for a 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

12.15.2023  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE  
  
\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

DATE  
12/15/2023  
\_\_\_\_\_  
DATE

TYPE OR PRINT NAME AND TITLE

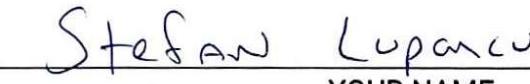
**M JAMES SMIKLE**  
NOTARY PUBLIC  
Gwinnett County  
State of Georgia  
My Comm. Expires April 24, 2024  
NOTARY SEAL

**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

  
\_\_\_\_\_  
YOUR NAME

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

NAME AND OFFICIAL 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.

**Exhibit F: Internal and External Agency Review Comments**

**[attached]**



**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b> 03.28.2024			
Department/Agency Name: Transportation			
Reviewer Name: Brent Hodges			
Reviewer Title: Construction Manager 1			
Reviewer Email Address: <a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>			
Case Number: RZR2024-00009			
Case Address: 2223 Cain Circle, Dacula, 30019			
<b>Comments:</b>		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Cain Circle is a local street. ADT is not on file. Braselton Highway (SR 124) is a minor arterial. ADT = 19,900.		
2	The nearest transit facility (#2334754) is located 5.0 miles away at the Ride Gwinnett route (50) stop at 3505 Buford Drive (SR 20) and Autonation Toyota Mall of Georgia.		
3	The developer shall coordinate with the Georgia Department of Transportation regarding driveway design and access to the proposed units that front Braselton Highway (SR 124).		
4	The developer shall construct a 5' concrete sidewalk along the entire site frontage of Braselton Highway (SR 124) and Cain Circle.		
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			

**Note:** Attach additional pages, if needed

*Revised 7/26/2021*

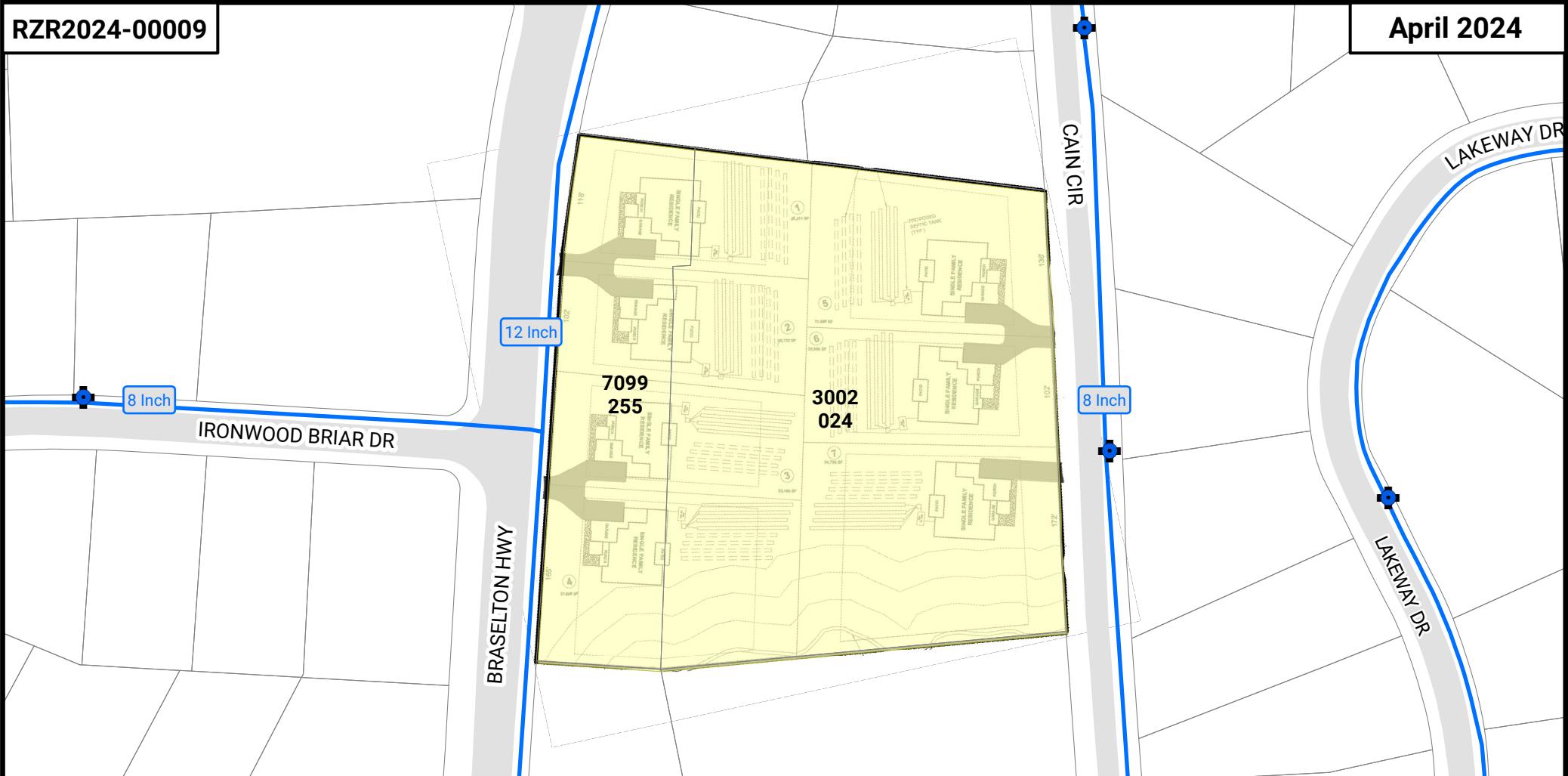


**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

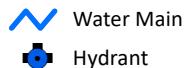
<b>TRC Meeting Date:</b>		
Department/Agency Name: DWR		
Reviewer Name: Mike Pappas		
Reviewer Title: GIS Planning Manager		
Reviewer Email Address: <a href="mailto:Michael.pappas@gwinnettcounty.com">Michael.pappas@gwinnettcounty.com</a>		
Case Number: RZR2024-00009		
Case Address: 2223 Cain Circle		
<b>Comments:</b>		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
1	Water: The proposed development may connect the four homes along Braselton Highway to an existing 12-inch water main on the eastern right-of-way of Braselton Highway. The proposed development may connect the three homes along Cain Circle to an existing 8-inch water main on the eastern right-of-way of Cain Circle.	
2	Sewer: The proposed development plans to be on septic systems pending approval from the GNR Public Health.	
3		
4		
5		
6		
7		
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
1		
2		
3		
4		
5		
6		
7		

**Note:** Attach additional pages, if needed

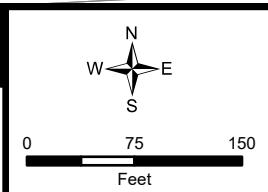
*Revised 7/26/2021*



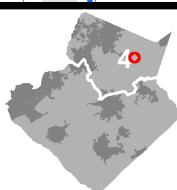
## LEGEND



**2223 Cain Circle**  
RA-200 to R-100  
**Water & Sewer**  
**Utility Map**



## LOCATION



**Water Comments:** The proposed development may connect the four homes along Braselton Highway to an existing 12-inch water main on the eastern right-of-way of Braselton Highway. The proposed development may connect the three homes along Cain Circle to an existing 8-inch water main on the eastern right-of-way of Cain Circle.

**Sewer Comments:** The proposed development plans to be on septic systems pending approval from the GNR Public Health.

**Water Availability:** Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

**Sewer Availability:** A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

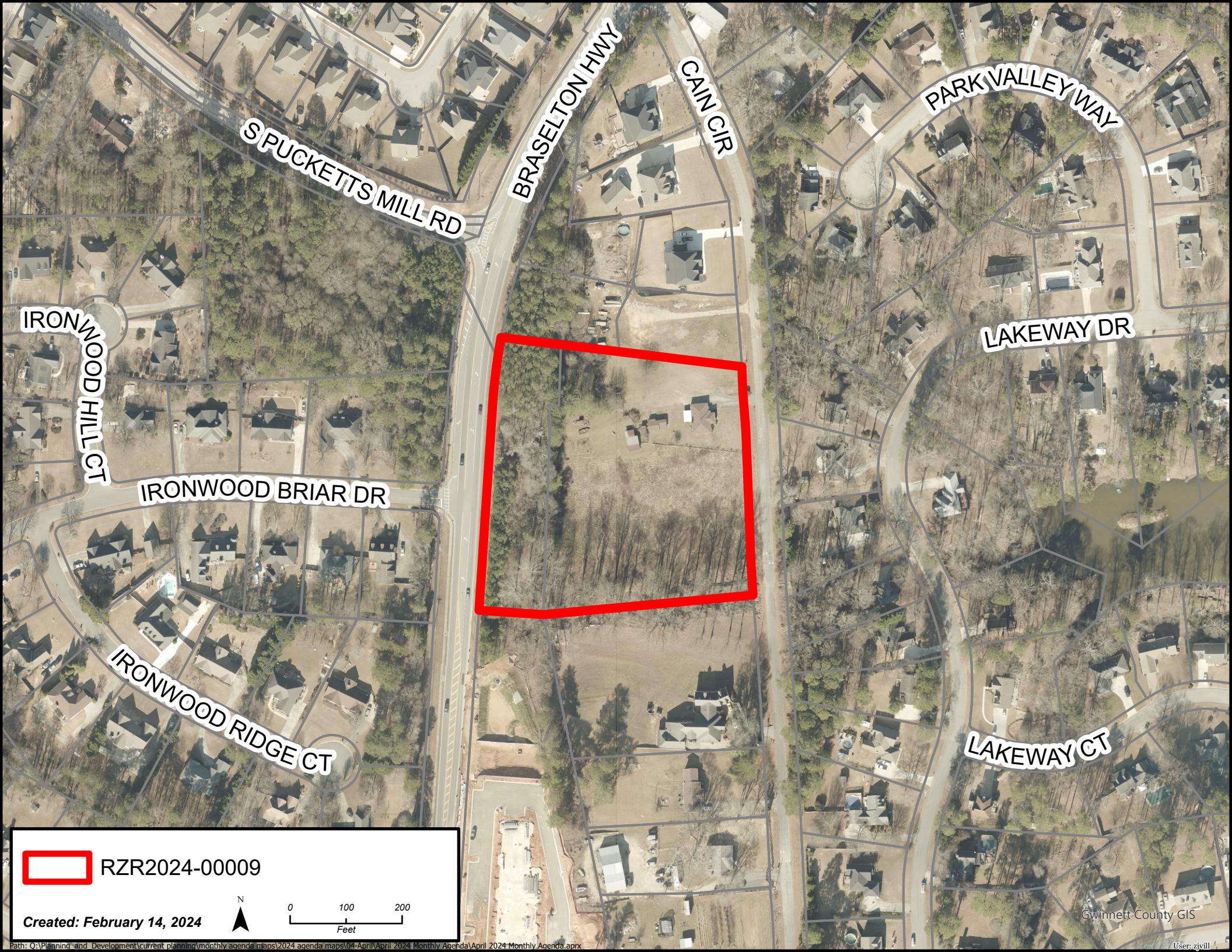
**Water and Sewer Design and Construction Requirements:** Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

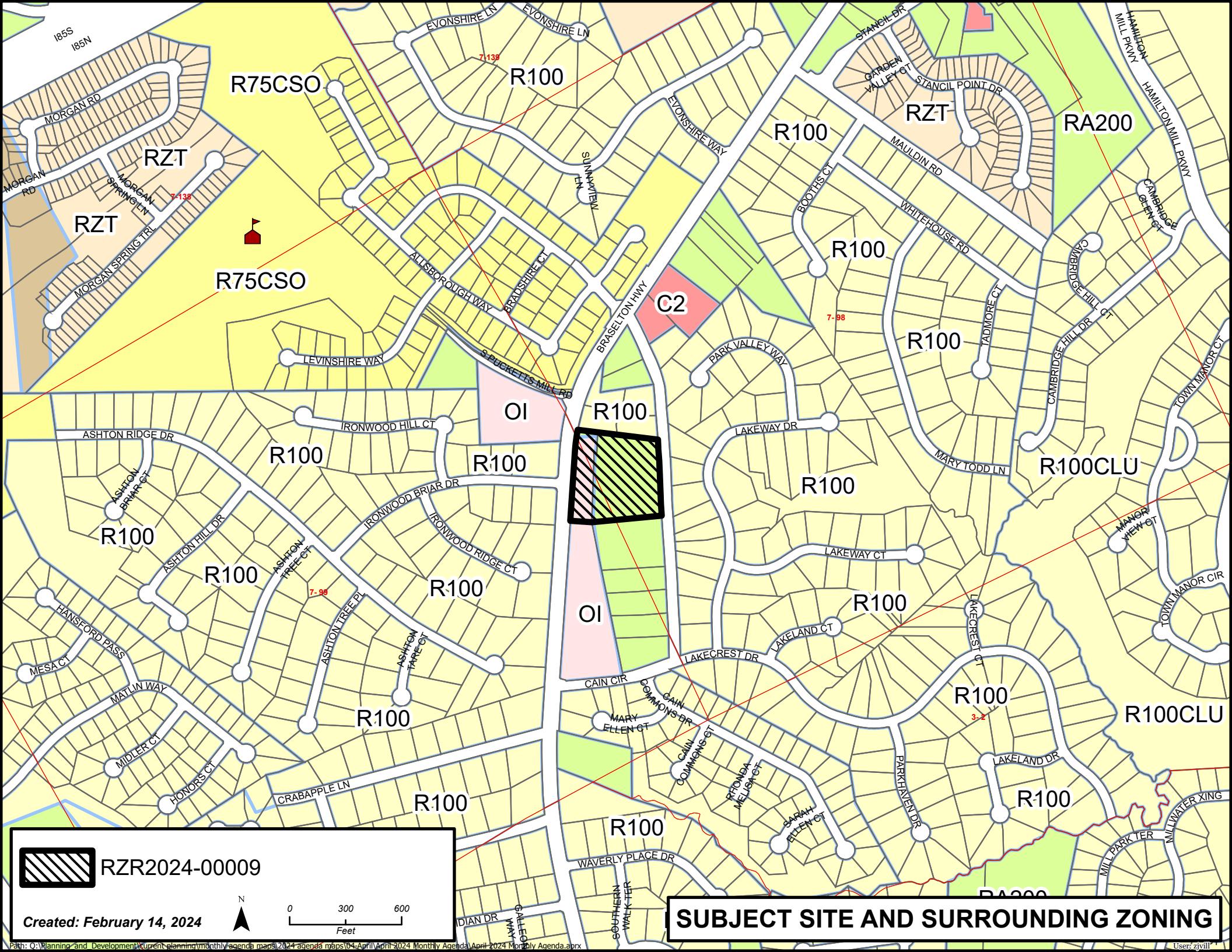
**Private Road Developments:** Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

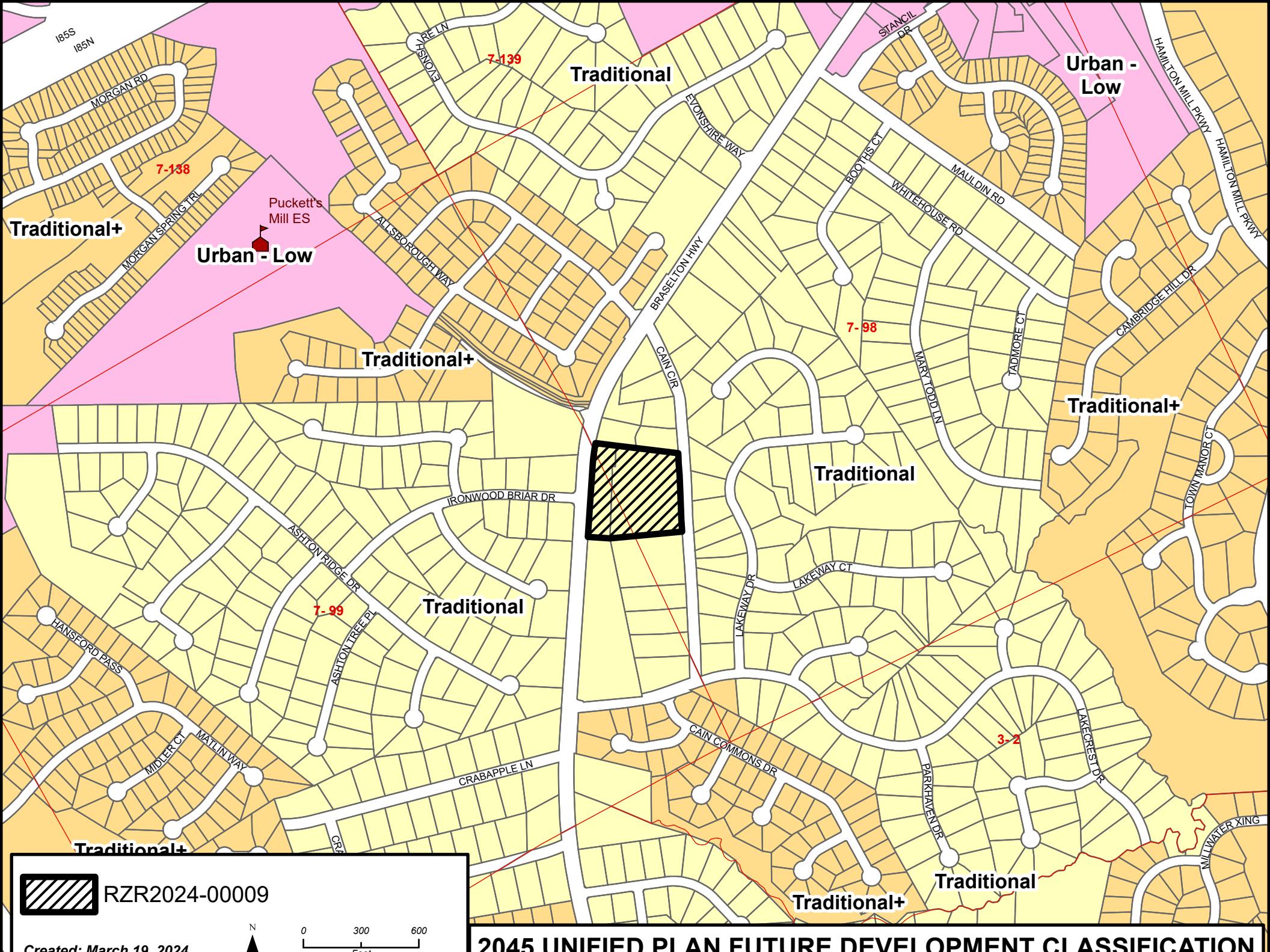
Residential Rezoning Impact on Local Schools Prepared for Gwinnett County BOC, April, 2024											Proposed Zoning				
		School	2023-24	Forecast	Capacity	+/- Cap.	2024-25	Forecast	Capacity	+/- Cap.	2025-26	Forecast	Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
CIC2024-00009		<b>Seckinger HS</b>	2,004	2,800	-796		2,226	2,800	-574		2,330	2,800	-470		31
		<b>Jones MS</b>	1,699	1,575	124		1,767	1,575	192		1,870	1,575	295		25
		Harmony ES	602	700	-98		595	700	-105		588	700	-112		46
RZR2024-00012		<b>Grayson HS</b>	3,420	3,000	420		3,506	3,000	506		3,576	3,000	576		26
		<b>Bay Creek MS</b>	1,361	1,150	211		1,380	1,150	230		1,433	1,150	283		18
		Trip ES	1,386	1,200	186		1,422	1,200	222		1,460	1,200	260		32
RZM2024-00006		<b>Shiloh HS</b>	2,260	2,275	-15		2,294	2,275	19		2,328	2,275	53		20
		<b>Shiloh MS</b>	1,695	1,600	95		1,729	1,600	129		1,755	1,600	155		13
		Annistown ES	705	625	80		688	625	63		681	625	56		25
RZR2024-00009		<b>Mill Creek HS</b>	2,685	2,800	-115		2,644	2,800	-156		2,697	2,800	-103		2
		<b>Osborne MS</b>	1,737	1,575	162		1,770	1,575	195		1,833	1,575	258		1
		Puckett's Mill ES	770	1,200	-430		778	1,200	-422		786	1,200	-414		2

**Exhibit G: Maps**

**[attached]**







Created: March 19, 2024



A horizontal number line with arrows at both ends. The number 0 is at the left end. The number 600 is at the right end. Between 0 and 600, there is a tick mark with the label "300" directly below it. The word "Feet" is written below the number line, centered under the tick mark.

2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION