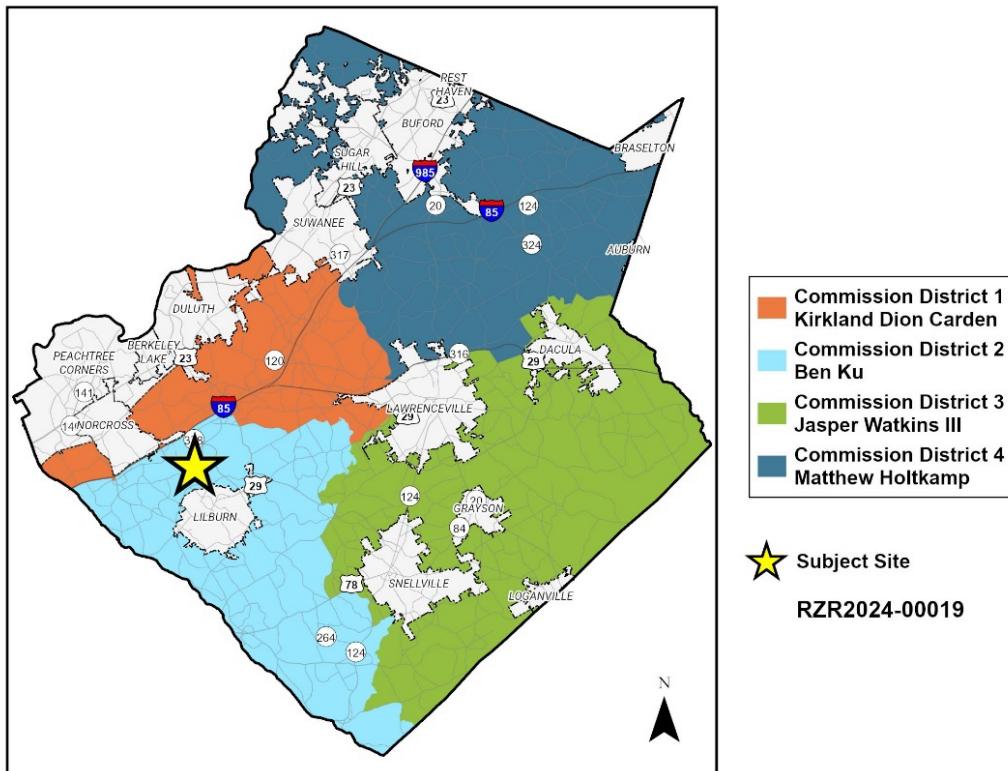




## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

<b>Case Number:</b>	<b>RZR2024-00019</b>
<b>Current Zoning:</b>	<b>O-I (Office-Institutional District)</b>
<b>Request:</b>	<b>Rezoning to R-60 (Single-Family Residence District)</b>
<b>Additional Request:</b>	<b>Variance</b>
<b>Address:</b>	<b>1139 Falling Water Lane</b>
<b>Map Number:</b>	<b>R6174 518</b>
<b>Site Area:</b>	<b>1.11 acres</b>
<b>Units:</b>	<b>3</b>
<b>Proposed Development:</b>	<b>Single-Family Detached Subdivision</b>
<b>Commission District:</b>	<b>District 2 – Commissioner Ku</b>
<b>Future Development Type:</b>	<b>Neighborhood Traditional+</b>
<b>Staff Recommendation:</b>	<b>APPROVAL WITH CONDITIONS</b>
<b>Planning Commission Recommendation:</b>	<b>APPROVAL WITH CONDITIONS</b>



**Applicant:** An Van Dinh  
2368 Bellew Drive  
Bowman, GA 30624

**Owners:** An Van Dinh  
2368 Bellew Drive  
Bowman, GA 30624

**Contact:** W. Charles "Chuck" Ross, Esq.

**Contact Phone:** 770.962.0100

## Zoning History

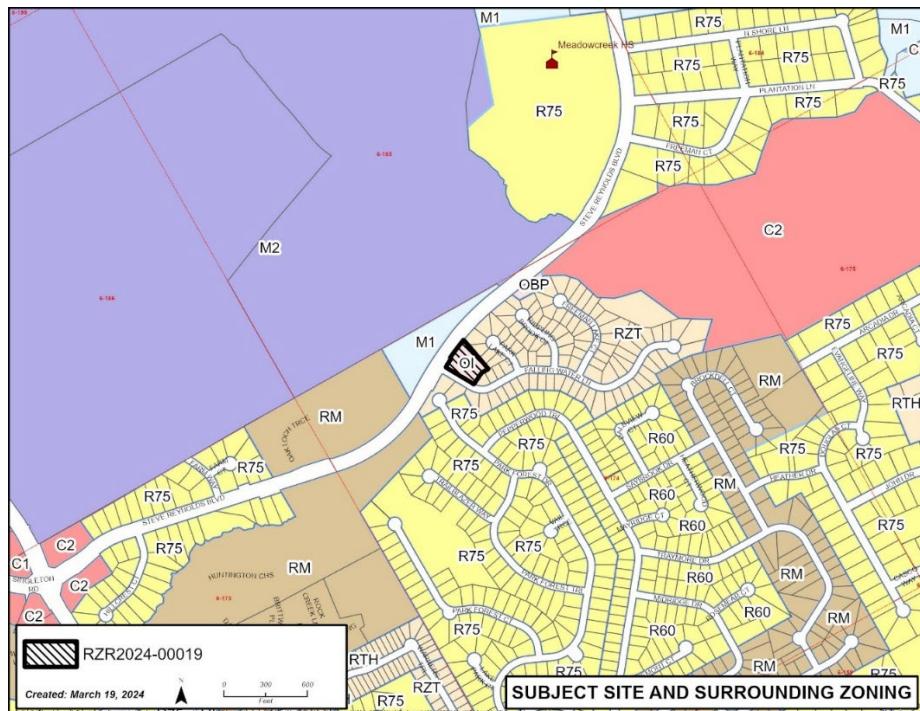
In 1991, the property was rezoned from OBP (Office-Business Park District) to O-I and a special use permit was approved for a day care center, pursuant to RZ-91-129 and SUP-91-054.

## Existing Site Condition

The subject property is a 1.11-acre undeveloped parcel located on the northeast corner of Steve Reynolds Boulevard and Falling Water Lane. The site is heavily wooded with uneven terrain throughout. There are sidewalks along Steve Reynolds Boulevard and across Falling Water Lane. The nearest Gwinnett County Transit stop is approximately 50 feet from the subject property.

## Surrounding Use and Zoning

The surrounding area is comprised primarily of residential and undeveloped commercial and industrial land. Park Lane, a single-family detached subdivision, abuts the subject property to north, east and south. Across Steve Reynolds Boulevard to the west is undeveloped industrial land and the Vulcan Quarry. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Detached Residential	R-60	2.70 units per acre
North	Single-Family Detached Residential	R-ZT	3.77 units per acre
East	Single-Family Detached Residential	R-ZT	3.77 units per acre
South	Single-Family Detached Residential	R-ZT	3.77 units per acre
West	Undeveloped	M-1	N/A

## Project Summary

The applicant requests rezoning of a 1.11-acre property from O-I to R-60 for a single-family detached subdivision, including:

- Three single-family residences on lots ranging from 14,401 square feet to 18,365 square feet, yielding a density of 2.70 units per acre.
- A minimum heated floor area of 2,900 square feet.
- Exterior building materials of brick and stone.
- Individual driveway access to each lot from Falling Water Lane.

## Zoning and Development Standards

The applicant is requesting a rezoning to R-60 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 7,200 square feet	7,200 square feet	YES
Lot Width	Minimum 60'	>60'	YES
Building Height	Maximum 35'	<35'	YES
Front Yard Setback	Minimum 15'	>15'	YES
Side Yard Setback	Minimum 5'	>5'	YES
Rear Yard Setback	Minimum 20'	>20'	YES
Street Frontage Setback	Minimum 40' 10' wide landscape strip	15'	NO*

\* The applicant is requesting a variance to provide a 15' front setback on Steve Reynolds Boulevard.

## Variance Request

In addition to the rezoning request, the applicant is seeking a variance from the following provision of Title II of the UDO:

1. Section 210-120 Dimensional Standards for Base Residential Zoning Districts

**Where the backs or sides of single-family attached or detached residential units are oriented toward an external public street, a 40-foot-wide setback with a 10-foot-wide landscape strip adjacent to the right-of-way shall be required between the property line and residential units.**

The applicant is requesting a variance to reduce the required 40-foot-wide setback to 15 feet where the side of the proposed home is oriented toward the public street.

## **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 a single-family detached subdivision, and the proposed development would have comparable home sizes and density to the surrounding residences. The proposed rezoning will permit a use that 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 three single-family residences would be compatible with the existing Park Lane subdivision and will not adversely affect the use or usability of adjacent or nearby property.

**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.**

An 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 indicates "Neighborhood Traditional+" for the subject property. This development type envisions relatively denser residential development

with smaller footprint homes at 7-8 units per acre. Recommended land uses include single-family detached, single-family cottage, quadplexes, triplexes, duplexes, townhomes, and stacked flats.

The proposed rezoning to R-60 is a recommended zoning district in the "Neighborhood Traditional+" future development type. While the proposed density is less than recommended, the proposed is compatible with adjacent residential lots. Therefore, 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.**

The site was rezoned to O-I in 1991 without any development. The current zoning allows for office and accessory uses at the entrance to a single-family detached subdivision. The proposed rezoning with three single-family detached residences would be more compatible with surrounding land uses.

**Variance Request Analysis:** The standards for granting variances are outlined in Section 270-90.7 of the UDO. Staff makes the following findings related to the variance request:

A 40-foot-wide setback with a 10-foot-wide landscape strip is required when the side of a residence is oriented toward an external street. The intent is to screen the side of the residences from rights-of-way and encourage the fronts of homes to be oriented toward the street. The applicant requests a variance to reduce the 40-foot setback along Steve Reynolds Boulevard to 15 feet. Conditions of approval to improve the aesthetics of the side elevation are recommended by staff. In addition, the house is on a corner lot and it is preferable that the house be oriented toward the internal local street from which the house is accessed. Therefore, granting this variance does not circumvent the intent of the UDO.

## **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.

In addition, staff recommends **APPROVAL** of the following variance:

1. To reduce the required 40-foot-wide setback along Steve Reynolds Boulevard to 15 feet.

## **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.

In addition, the Planning Commission recommends **APPROVAL** of the following variance request:

1. To reduce the required 40-foot-wide setback along Steve Reynolds Boulevard to 15 feet.

## **Planning Commission Recommended Conditions (includes Staff Recommended Conditions)**

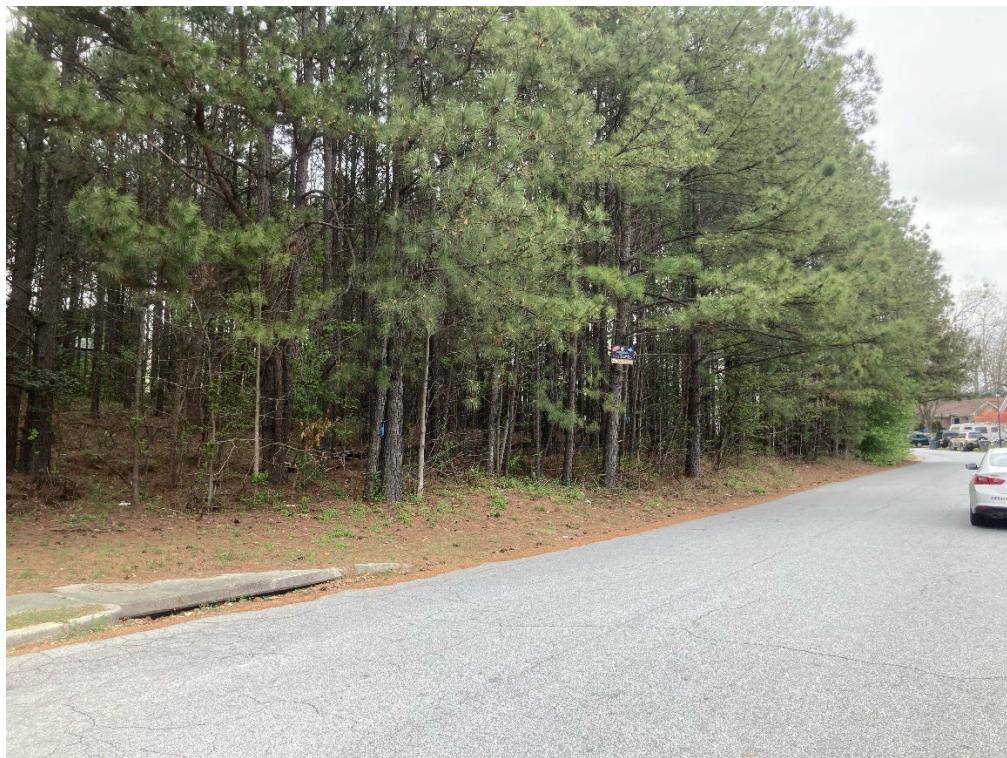
Approval as R-60 (Single-Family Residence District) for a single-family detached subdivision, subject to the following conditions:

1. The development shall be limited to single-family detached dwellings and accessory uses and structures, not to exceed three lots.
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received March 11, 2024, and Exhibit C: Building Elevations dated received March 8, 2024, subject to the review and approval of the Department of Planning and Development.
3. The building elevation fronting Steve Reynolds Boulevard shall be constructed primarily of brick, cast stone, and/or stone, subject to the review and approval of the Department of Planning and Development.
4. The minimum heated floor area shall be 2,500 square feet.
5. Direct vehicular access to Steve Reynolds Boulevard shall be prohibited.
6. Natural vegetation shall remain on the property until the issuance of a building permit.

**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 frontage along Falling Water Lane



View of property frontage along Steve Reynolds Boulevard



View of the intersection of Falling Water Lane and Steve Reynolds Boulevard

**Exhibit B: Site Plan**

**[attached]**



#### GENERAL NOTES:

1. SITE LOCATION: 1150 FALLING WATER LANE, NORCROSS, GEORGIA 30092
2. THE PROPERTY IS LOCATED WITHIN THE VIBRANT COMMUNITIES OF GWINNETT COUNTY.
3. SANITARY SEWER IS PROVIDED BY PUBLIC SEWER SYSTEM.
4. WATER IS PROVIDED BY THE CHATTahoochee RIVER AUTHORITY.
5. CREEKS OR DRAINAGE SWALES DO NOT EXIST ON THIS PROPERTY.
6. THE PROPERTY IS NOT LOCATED WITHIN THE CHATTahoochee RIVER CORRIDOR.
7. THIS PROPERTY DOES NOT LIE WITHIN THE CHATTahoochee RIVER CORRIDOR.
8. THIS PROPERTY IS NOT ON OR WITHIN 200 FEET OF WATERS OF THE STATE.

GPS LOCATION OF CONSTRUCTION EXIT: 48.366 SF  
33.916533; -84.150904

#### LOTS PER R-60 ZONING

LOT #	LOT WIDTH (FEET)	LOT AREA (SF)	BUILDABLE AREA (SF)
1	88.02	18,345	11,664
2	78.00	15,392	10,963
3	78.52	14,401	9,726

BUFFER NONE  
(PER TABLE 20-2 OF GWINNETT UDO)

Vicinity Map<sup>(nts)</sup>

PARCEL ID: 6174 518

#### CURRENT ZONING: O-I (PER COUNTY ORDINANCE)

FRONT: 15 FT  
MIN. SIDE: 5 FT  
MIN. REAR: 25 FT  
MIN. LOT WIDTH: 50 FT  
MIN. LOT AREA: NONE  
MAX. HEIGHT: 35 FT

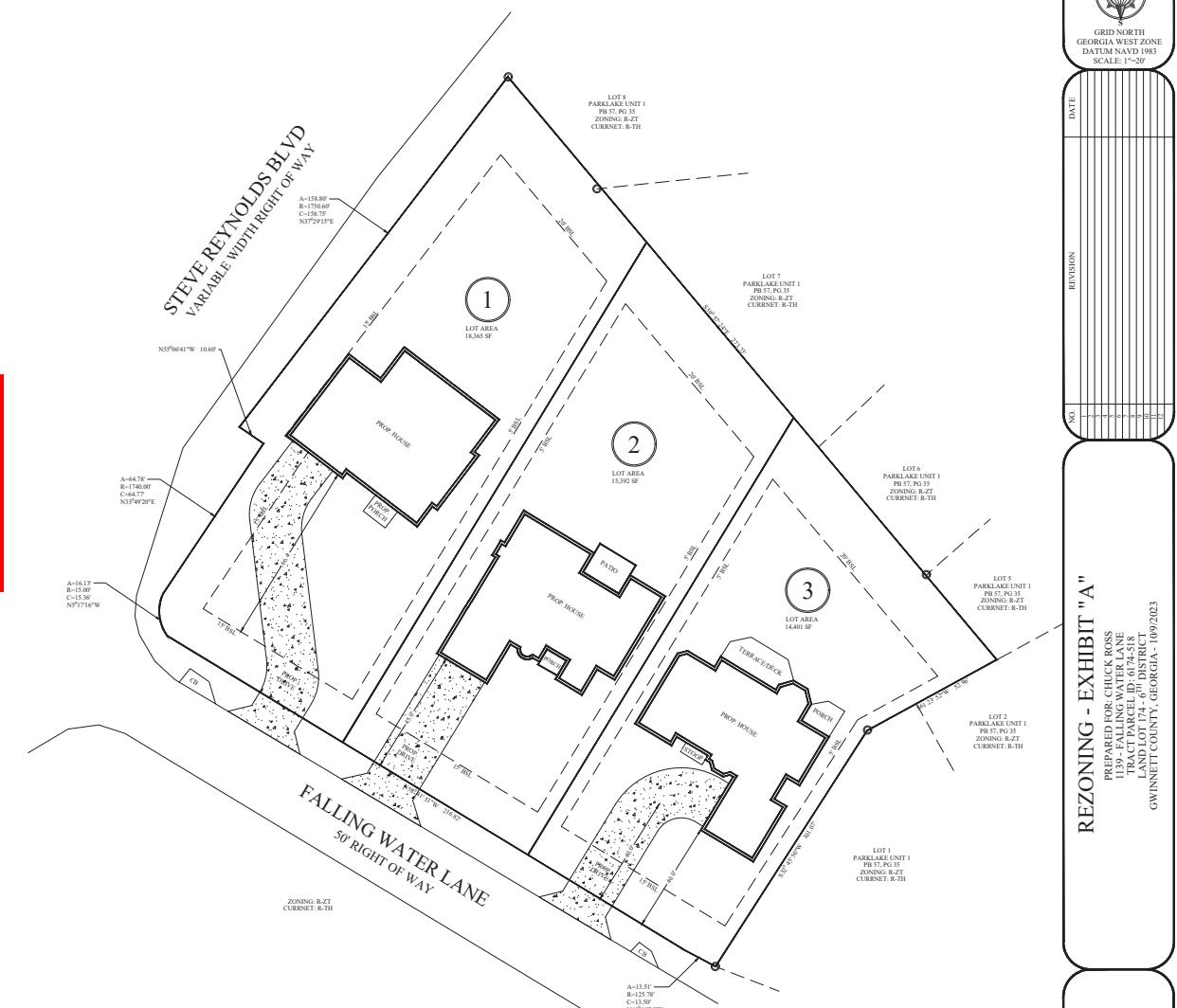
#### PROP. ZONING: R-60 (PER GWINNETT SECTION 210-120)

MIN. FRONT YARD: 15 FT  
MIN. SIDE YARD: 5 FT  
MIN. REAR YARD: 20 FT  
MIN. LOT WIDTH: 50 FT  
MAX. COVERAGE: 60%  
MIN. LOT AREA: 7,200 SF (SEWER)  
MAX. HEIGHT: 35 FT  
MAX. DENSITY: 4.0 UNITS/ACRE  
MIN. OPEN SPACE: 10%

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

3.11.2024



TOTAL AREA: 1.11 ACRES / 48,366 SQUARE FEET  
BOUNDARY DIFFERENCE: DR 900, PG 996, PI 57, PG 35  
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERTAINING PERSON OR ENTITY NAMED HEREIN AND DOES NOT EXTEND TO ANY OTHER PERSON OR ENTITY.

THIS PLAT HAS BEEN PREPARED USING A TOTALLY NODI ROBOTIC TOTAL STATION.

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CLOSURE. NO CLOSURE LINE IS DRAWN. NO CLOSURE ENCUMBRANCES MAY EXIST WHICH BENEFIT THE PROPERTY.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERTAINING PERSON OR ENTITY NAMED HEREIN AND DOES NOT EXTEND TO ANY OTHER PERSON OR ENTITY.

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TOTAL AREA: 1.11 ACRES / 48,366 SQUARE FEET

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GRAPHIC SCALE: IN FEET  
10 20 30 40

#### LEGEND

● PROPERTY CORNER  
● FOUND (AS NOTED)

● POWER METER

● POWER BOX

● TELEPHONE BOX

● HAY BALES

● FLOW WELL LINE

● N/W

● NOW OR FORESEEABLE

● FUTURE ELEVATION

● EOP

● EDGE OF PAVEMENT

● CONCRETE

● EOP

● EDGE OF PAVEMENT

● SILT FENCE

#### TREE LEGEND

● HARDWOOD TREE

● PINE TREE

#### X TO BE REMOVED



PROJECT  
26128.02  
EXHIBIT  
A

REZONING - EXHIBIT "A"

PREPARED FOR: CHUCK ROSS  
TRACT PARCEL ID: 6174 518  
LAND LOT 174-6 DISTRICT  
GWINNETT COUNTY, GEORGIA - 109/2023

W  
N  
E  
S  
NORTH  
GRID NORTH  
GEORGIA WEST ZONE  
DATUM NAVD 1983  
SCALE: 1"-20'

DATE:  
REVISION:  
NO:

**Exhibit C: Building Elevations**

**[attached]**

# LOT 1

GWINNETT COUNTY  
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3.8.2024



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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3.8.2024

LOT 2

(Garage will be front entry)



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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3.8.2024

LOT 3



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

**[attached]**

Tony Powell  
Brian Edwards  
Nathan Powell  
W. Charles Ross



Jay Crowley  
Mandy Williams  
Laura Walsh  
Laura Shoop

February 22, 2024

Matt Dickison, Director  
Gwinnett County Planning & Development  
75 Langley Drive  
Lawrenceville, Georgia 30046

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

3.28.2024

**RE: REZONING APPLICATION AND LETTER OF INTENT FOR AN  
VAN DINH, 1139 FALLING WATER LANE, NORCROSS.**

Dear Mr. Dickison:

Powell & Edwards, P.C. submits this Letter of Intent on behalf of An Van Dinh (the “Applicant”) to request a Rezoning from O-I to the R-60 zoning designation to allow for three (3) single family homes to be built upon property located at 1139 Falling Water Lane in Norcross and having Gwinnett County Tax ID Number of R6174 518 (the “Property”).

The Applicant is the owner of an undeveloped 1.11-acre parcel which is currently zoned O-I. The Property is bordered by other residential properties in both R-75 and RZT zoning designations. The Applicant proposes to develop this property to allow for three (3) single family detached homes. The homes on Lots #1 and #2 will be 3,744 square feet and 2,900 square feet respectively. Both will have a stone veneer façade and the sides and back will be brick veneer. The home on Lot #3 will be 3,583 square feet and will be four-sided brick. All three homes will have architectural roofing shingles. The houses will be finished as specified under the UDO. This development would be consistent with the Vibrant Community Unified Plan designation.

The Applicant is requesting a variance to provide relief from the requirements of Section 210-120, Footnote 2. The footnote, if enforced, would require the Applicant to adhere to a 40-foot-wide side setback with a 10-foot-wide landscape strip on the street side of Lot #1. In this case, the subject lot is only 89.92 feet wide, which while being almost one and one-half times larger than the minimum lot width for the R-60 zoning district, strict adherence to the footnote would remove almost half of the lot’s overall width. The fact that the proposed house is on a corner lot already subjects the parcel to a larger setback as the side is considered a “front” yard under the UDO, thus requiring a much larger 15-foot-wide setback as opposed to a 5-foot-wide setback. The footnote does not take into account the zoning classification, but rather makes a blanket requirement across all properties regardless of classification. Such hardship is not reasonable in light of the proposed zoning and house locations.

A PROFESSIONAL CORPORATION

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March 28, 2024

Page 2

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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3.28.2024

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concern relating to the matters set forth in this Letter of Intent or in its Application for Rezoning filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles "Chuck" Ross  
Attorney for Applicant

## **STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

Pursuant to requirements of the Unified Development Ordinance, 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 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 immediately adjacent properties are zoned RZT and R-75. Placing three (3) single family detached homes on the site is the most appropriate use for this parcel as opposed to the existing O-I designation.

(B) Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:

No. The addition of three additional homes will have a negligible impact on any of the adjacent properties.

(C) Whether the property to be affected by a proposed rezoning has reasonable economic use as currently zoned:

Yes. However, while the property does have a reasonable economic use as currently zoned, the proposed use is a more appropriate use for the area.

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

No. the addition of three families would create a negligible impact of the existing streets, transportation facilities, utilities or schools which are already designed to accommodate a higher capacity. The proposed use would be less intensive on infrastructure than the presently allowed uses.

(E) Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map:

The Property lies within Vibrant Communities Character Area of the Unified Plan which specifically encourages new development of "small lot single-family housing."

(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:

Yes. The area around this property has developed entirely residential. An O-I use would not be appropriate in the neighborhood.

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

**[attached]**

RECEIVED

3.8.2024

**REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION	
Name: <u>An Van Dinh</u>	Name: <u>An Van Dinh</u>	
Address: <u>2368 Bellew Drive</u>	Address: <u>2368 Bellew Drive</u>	
City: <u>Bowman</u>	City: <u>Bowman</u>	
State: <u>Georgia</u> ZIP: <u>30624</u>	State: <u>Georgia</u> ZIP: <u>30624</u>	
Phone: _____	Phone: _____	
Email: <u>jbandinh@icloud.com</u>	Email: <u>jbandinh@icloud.com</u>	
Contact Person: <u>W. Charles "Chuck" Ross, Esq.</u> Phone: <u>770-962-0100</u>		
Contact's Email: <u>cross@powelledwards.com</u>		
<b>APPLICANT IS THE:</b>		
<input type="checkbox"/> Owner's Agent	<input checked="" type="checkbox"/> Property Owner	<input type="checkbox"/> Contract Purchaser
Current Zoning District(s): <u>O-I</u> Requested Zoning District: <u>R-60</u>		
Parcel Number(s): <u>R6174 518</u> Acreage: <u>1.11</u>		
Property Address(es): <u>1139 Falling Water Lane, Norcross, Georgia 30093</u>		
Proposed Development: <u>Three (3) single family residences</u>		
Variance(s): _____ Waiver(s): _____		
<b>RESIDENTIAL DEVELOPMENT</b>	<b>NON-RESIDENTIAL DEVELOPMENT</b>	
No. of Dwelling Units: <u>3</u>	No. of Buildings: _____	
Dwelling Unit Sq. Ft.: <u>9,344</u>	Total Building Sq. Ft.: _____	
Density: <u>.19</u>	Floor Area Ratio: _____	
Floor Area Ratio (LRR, MRR, HRR): _____		
<b>MIXED-USE DEVELOPMENT</b>		
No. of Dwelling Units: _____	Dwelling Unit Sq. Ft.: _____	
Total Non-Residential Sq. Ft.: _____	Floor Area Ratio: _____	

RECEIVED

3.8.2024

## 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.

A handwritten signature in blue ink, appearing to read "John Doe".

2/21/2024

An Van Dinh, Owner

Type of Print Name and Title

---

Signature of Applicant's  
Attorney or Representative

Date \_\_\_\_\_

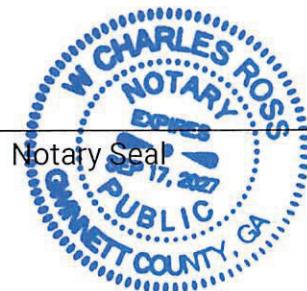
Type or Print Name and Title

Signature of Notary Public

2/21/24

Date \_\_\_\_\_

### 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?

Yes  No An Van Dinh (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

3.8.2024

### 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

Date

Type of Print Name and Title



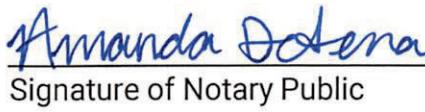
2/22/2024

W. Charles Ross, Esquire

Signature of Applicant's  
Attorney or Representative

Date

Type or Print Name and Title



2/22/2024

Signature of Notary Public

Date

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?

Yes       No      W. Charles Ross, Esquire \_\_\_\_\_ (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)
Matthew Holtkamp, Commissioner	\$1,000.00	October 2022
Kirkland Carden, Commissioner	\$1,000.00	October 2023

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

**RECEIVED**

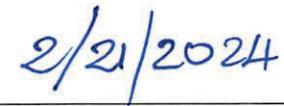
3.8.2024

**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 six (6) months from the date of last action by the Board of Commissioners.



Signature of Applicant



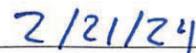
Date

An Van Dinh, Owner

Type or Print Name and Title



Signature of Notary Public



Date



**RECEIVED**

3.8.2024

**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 six (6) months from the date of last action by the Board of Commissioners.



Signature of Property Owner

2/21/2024

Date

An Van Dinh

Type or Print Name and Title



Signature of Notary Public

2/21/24

Date

Notary Seal



**RECEIVED**

3.8.2024

**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 Gwinnett County Tax Commissioner. In no case shall an application or reapplication for rezoning be processed without such property verification.

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

Parcel I.D. Number: R6174 518  
(Map Reference Number)

  
Signature of Applicant

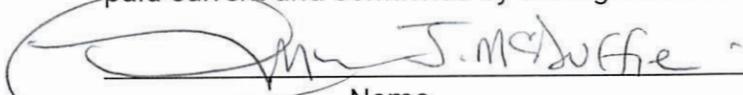
2/21/2024  
Date

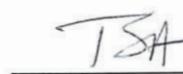
An Van Dinh, Owner  
Type or Print Name and Title

**PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.**

**TAX COMMISSIONERS USE ONLY**

Payment of all property taxes billed to date for the above referenced parcel has been verified as paid current and confirmed by the signature below.

  
Name  
2/22/24  
Date

  
Title

**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:	RZR2024-00019		
Case Address:	1139 Falling Water Lane, Norcross, 30093		
<b>Comments:</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
1	Falling Water Lane is a local street. ADT is not available.		
2	The nearest transit facility (#2335320) is located within 50' of the site at Steve Reynolds Boulevard and Falling Water Lane.		
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*

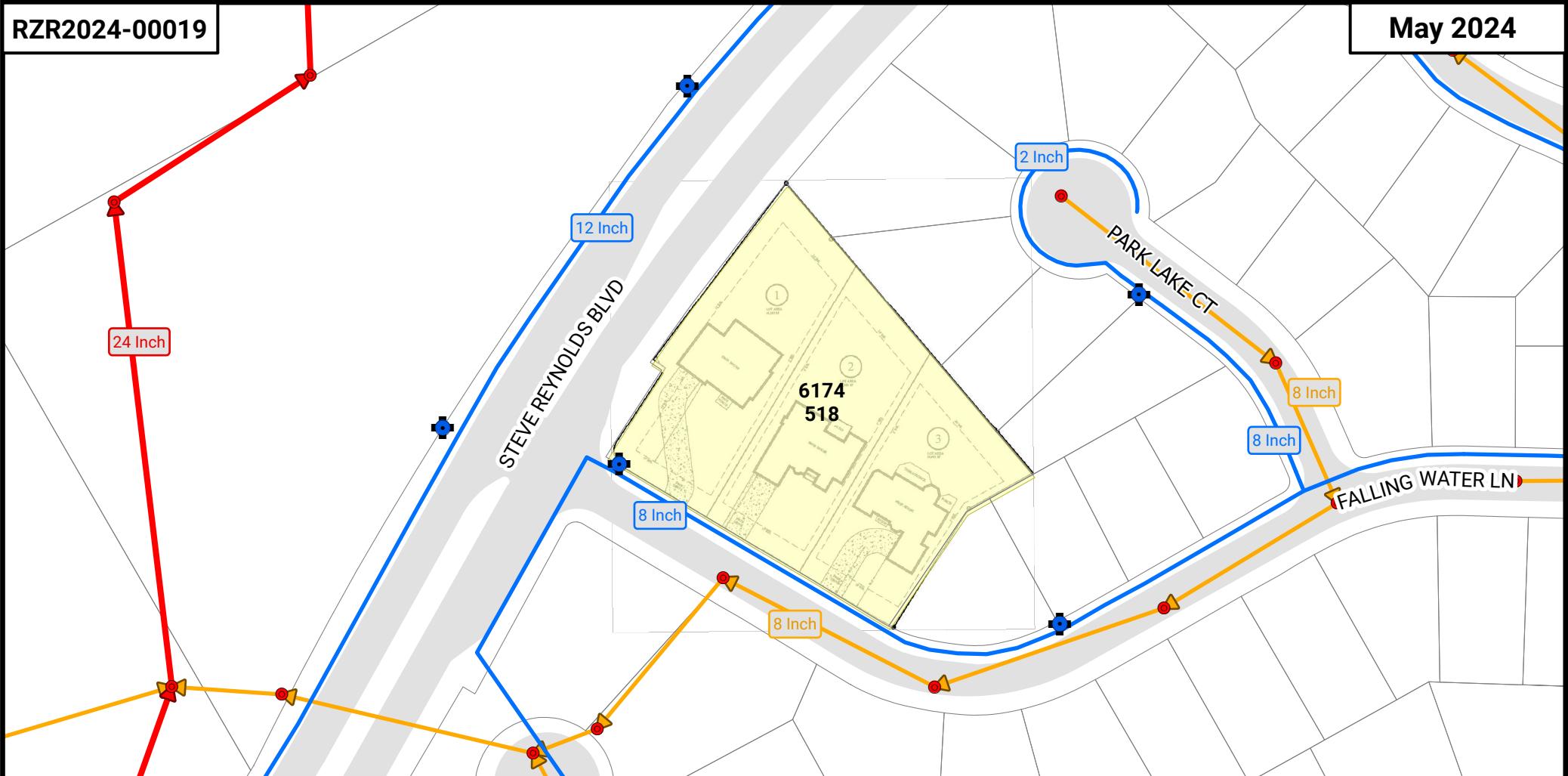


**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

<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: RZR2024-00019	
Case Address: 1139 Falling Water Lane	
<b>Comments:</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
1	Water: The proposed development may connect to the existing 8-inch water main along the northern right-of-way of Falling Water Lane.
2	Sewer: A Sewer Capacity Certification is required prior to obtaining a Land Disturbance Permit. The proposed development may connect to an existing 8-inch gravity sewer located on the southern right-of-way of Falling Water Lane.
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

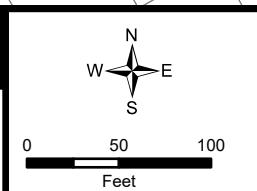
*Revised 7/26/2021*



## LEGEND

- Water Main
- Hydrant
- Manhole
- Sewer Collector
- Sewer Interceptor

**1139 Falling Water Ln**  
O-I to R-60  
**Water & Sewer**  
**Utility Map**



## LOCATION



**Water Comments:** The proposed development may connect to the existing 8-inch water main along the northern right-of-way of Falling Water Lane.

**Sewer Comments:** A Sewer Capacity Certification is required prior to obtaining a Land Disturbance Permit. The proposed development may connect to an existing 8-inch gravity sewer located on the southern right-of-way of Falling Water Lane.

**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 5, 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, <b>May, 2024</b>												Proposed Zoning
		School	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Forecast	2025-26 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
RZR2024-00019		<b>Meadowcreek HS</b>	2,727	2,850	-123	2,740	2,850	-110	2,705	2,850	-145	1
		<b>Radloff MS</b>	1,282	1,575	-293	1,288	1,575	-287	1,270	1,575	-305	1
		Ferguson ES	822	975	-153	830	975	-145	838	975	-137	1
RZM2024-00009		<b>Discovery HS</b>	2,763	2,525	238	2,750	2,525	225	2,740	2,525	215	6
		<b>Richards MS</b>	2,005	2,200	-195	2,025	2,200	-175	2,055	2,200	-145	4
		Alford ES	866	1,025	-159	883	1,025	-142	897	1,025	-128	7
RZR2024-00015		<b>Archer HS</b>	3,202	2,575	627	3,250	2,575	675	3,283	2,575	708	10
		<b>McConnell MS</b>	2,111	1,775	336	2,153	1,775	378	2,196	1,775	421	7
		Harbins ES	1,443	1,225	218	1,486	1,225	261	1,531	1,225	306	13
RZR2024-00009 (#'s provided on April 2024 case report)												

**Exhibit G: Maps**

**[attached]**



 RZR2024-00019

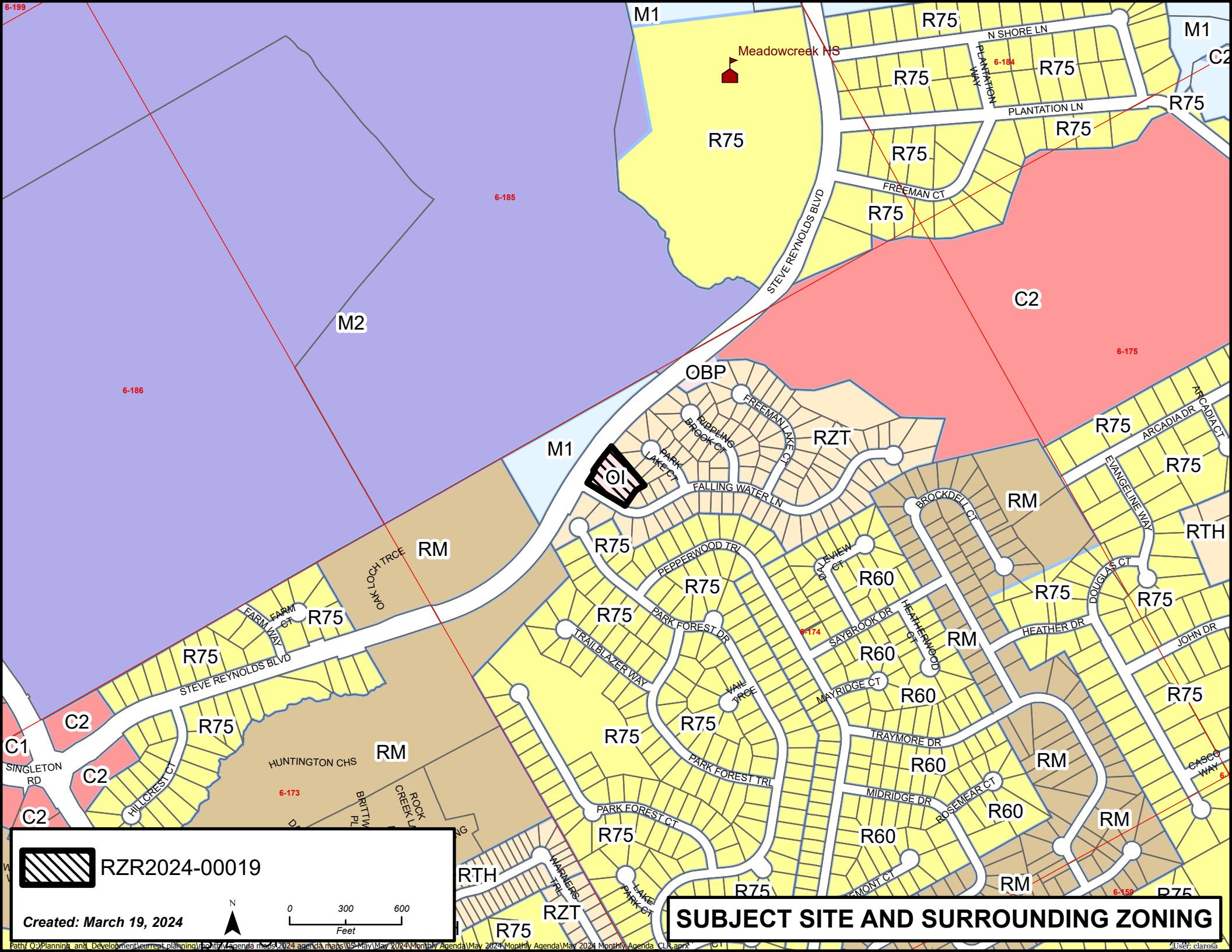
Created: March 19, 2024



0 100 200  
Feet

Gwinnett County GIS

User:clarosa



RZR2024-00019

N

A horizontal number line starting at 0 and ending at 600. There is a tick mark at 300. The line is divided into three equal segments by the tick marks at 0, 300, and 600.

Created: March 19, 2024

## **SUBJECT SITE AND SURROUNDING ZONING**

1

**Low  
Mix**

## Meadowcreek HS

## Traditional+

# Workplace Center - Heavy

## Traditional

6-175

## Low Mix

The logo consists of the text "OAK LOCH TRACE" in a black, sans-serif font, with a red diagonal line running through it. The background is yellow.

FARM K

## Traditional+

HUNTINGTON CH

6-173

DOVE

2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

Created: March 19, 2024



A horizontal number line with arrows at both ends. The number 0 is at the left end. The number 300 is at a tick mark in the middle. The number 600 is at the right end. A bracket below the line is labeled "Foot".