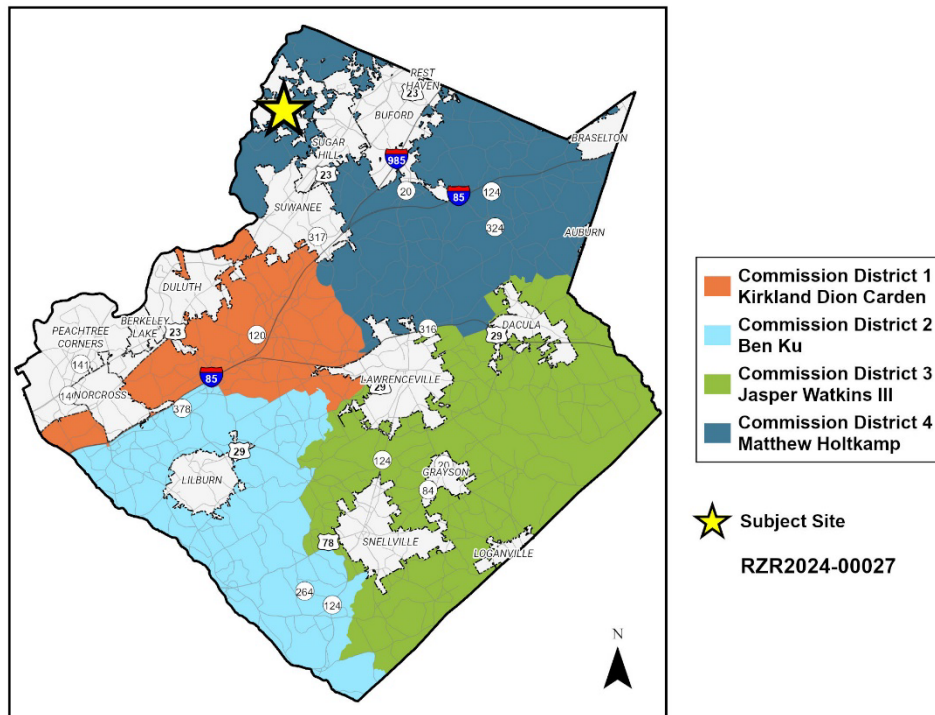


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2024-00027
Current Zoning: R-100 (Single-Family Residence District)
Request: Rezoning to RA-200 (Agriculture-Residence District)
Additional Requests: Variances
Address: 339 Kendrix Road
Map Number: R7339 077
Site Area: 3.73
Lots: 1
Proposed Development: Agricultural Uses
Commission District: District 4 – Commissioner Holtkamp
Future Development Type: Neighborhood Traditional+

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS



Applicant: Natalie Webber
339 Kendrix Road
Sugar Hill, GA 30518

Owners: Natalie Webber
339 Kendrix Road
Sugar Hill, GA 30518

Contact: Natalie Webber

Contact Phone: 678.595.0999

Zoning History

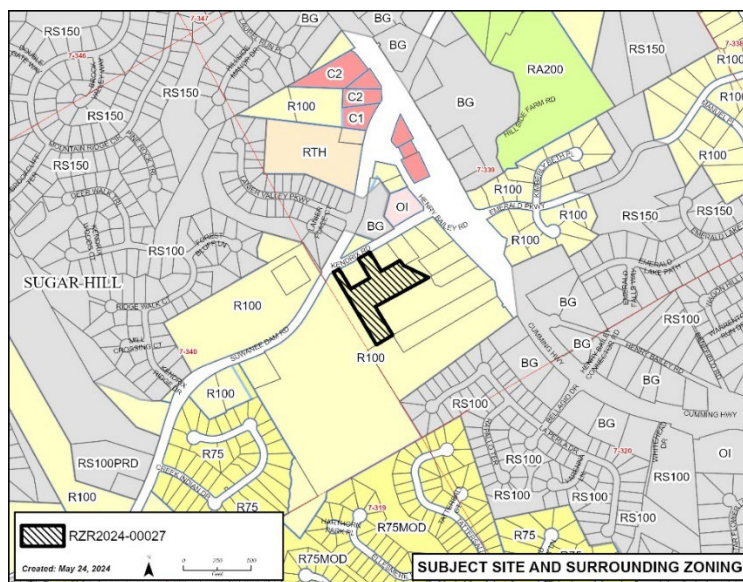
The subject property is zoned R-100 (Single-Family Residence District). In 2022, a rezoning request from R-100 to RM-24 (Multifamily Residence District) for apartments was denied, pursuant to RZM2022-00016.

Existing Site Condition

The subject property is a 3.73-acre parcel located along Kendrix Road, west of its intersection with Cumming Highway. The property has been used in a residential-agricultural capacity as a family-operated hobby farm for more than 10 years. There is a 3,149 square-foot house, a 2,756 square-foot barn, and a 144 square-foot shed located on the property. The property is wooded with trees along the perimeter, and a grassed pasture area in the western portion of the property. There is a 4-foot-tall wood and woven wire fencing along the perimeter. A stream is located along the eastern property line, and the terrain gradually falls towards the eastern stream by approximately 50 feet. The property has two entrances from Kendrix Road with the eastern access containing a 21-foot-wide gravel driveway, and the western access closed off with a gate. There is no sidewalk along the Kendrix Road frontage. The nearest Gwinnett County Transit stop is approximately 4.7 miles from the subject property.

Surrounding Use and Zoning

The surrounding area is primarily residential on large lots with rural characteristics, and large single-family detached subdivisions are located nearby in the City of Sugar Hill. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Agricultural Uses	RA-200	0.27 units per acre
North	Single-Family Residential	R-100	1.75 units per acre
East	Single-Family Residential	R-100	1.05 units per acre
South	Single-Family Residential	R-100	0.27 units per acre
West	Single-Family Residential	R-100	0.03 units per acre

Project Summary

The applicant requests rezoning of a 3.73-acre property from R-100 to RA-200 to allow for production of farm-related goods, as the keeping of livestock is already allowed in R-100. The proposal includes:

- Maintaining the existing single-family dwelling and barn for keeping of livestock and production of related goods.
- The barn contains kidding stalls, a chicken coop, a soap making room, a cheesemaking room, a goat loafing room, and a milking parlor, with storage and cleaning spaces.
- Four parking spaces adjacent to the gravel driveway for agritourism, field trips, and other educational opportunities 3-5 times per week for small groups of 10 or less.
- No land disturbance or new structures are proposed by the applicant.

Zoning and Development Standards

The following is a summary of applicable development standards from the Unified Development Ordinance (UDO) for the RA-200 zoning district:

Standard	Required	Proposed	Meets Standard?
Lot Size	Minimum 40,000 square feet	3.73 acres	YES
Lot Width	Minimum 200'	<200 feet	NO*
Lot Coverage	Maximum 25%	<25%	YES
Front Yard Setback	Minimum 35'	>35'	YES
Rear Yard Setback	Minimum 40'	>40'	YES
Side Yard Setback	Minimum 20'	>20'	YES
Building Height	Maximum 35'	<35'	YES
Livestock Setback	Minimum 100'	50'	NO*

*Applicant is requesting variances from these UDO standards

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

A minimum lot width of 200-feet for RA-200 zoned properties

The applicant is requesting to reduce the lot width to 97 feet.

2. Section 210-140.2 Agricultural Uses (livestock)

In the RA-200 Zoning District: The keeping of livestock shall be permitted. Corrals, stables, barns, pens, coops, chicken houses, and other similar livestock quarters shall be located no closer than 100 feet to any property line.

The applicant is requesting to allow for a barn housing livestock quarters to be located 50-feet from the southern property line.

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 area surrounding the subject property is medium to large lot R-100 residential, with rural characteristics. There are no subdivisions immediately adjacent to this property. Kendrix Road is a substandard road between two arterial roads that houses a number of older residences. This property is adjacent to a significantly larger rural property to the west that is over 30 acres, which provides further context to the rural nature of this area. This 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 use is consistent with the existing neighborhood context and character of nearby residential properties. The property has existing rural infrastructure such as a barn and fencing. All livestock will be housed inside the barn structure, along with the manufacturing of products from the livestock. There is sufficient distance separation between the subject property of 3.73 acres and the single-family detached subdivisions in the City of Sugar Hill that it is unlikely any residence would be adversely affected by the proposed zoning change. This proposed rezoning would not adversely affect the existing 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.

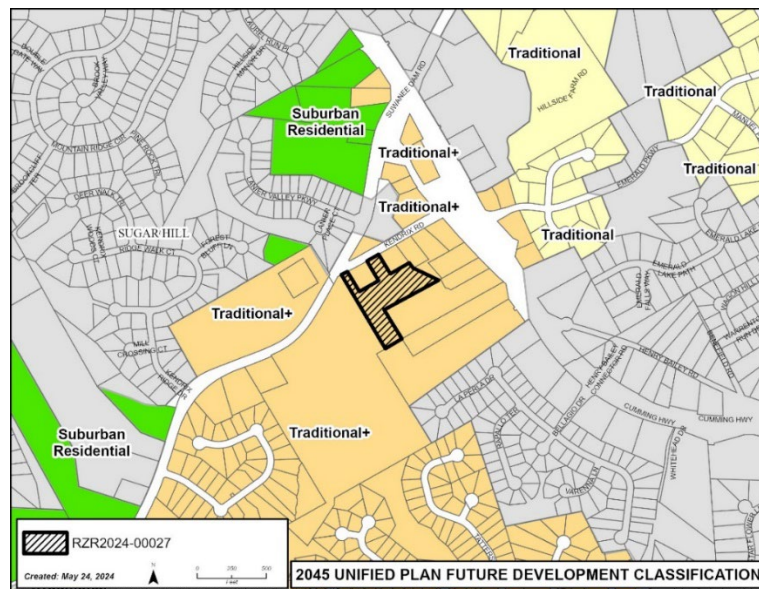
The property has a reasonable economic use as currently zoned.

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.

A slight 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. No 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, which encourages gentle density in predominately single-family residential areas. Although agriculture use is not a recommended use and RA-200 is not a recommended zoning district, the property has been used in a residential-agricultural capacity as a family-operated hobby farm for more than 10 years. This rezoning request is to allow for production of farm-related goods. In addition, it is in conformity with the existing rural character of the area.



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 proposed rezoning.

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:

The applicant is requesting to allow a lot width of 97 feet instead of the 200-foot minimum requirement for the RA-200 zoning district. Lot width is measured at the minimum front setback, and this variance request is largely due to the odd shape of the lot. In addition, the 3.73-acre property far exceeds the minimum acreage requirement of 40,000 square feet. The reduction of lot width is a reasonable request.

The applicant is also requesting an existing barn housing livestock quarters to be 50 feet from the southern property line. While reducing this distance by half, the area is wooded with an existing fencing, and is not a pasture area for the livestock. Additionally, there is a stream on the property to the south where development is unlikely to occur. This variance is a reasonable request.

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 variances:

1. To allow a lot width of 97 feet.
2. To allow for a barn housing livestock quarters to be located 50-feet from the property line.

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 requests:

1. To allow a lot width of 97 feet.
2. To allow for a barn housing livestock quarters to be located 50-feet from the property line.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions)

Approval as RA-200 (Agriculture Residence District) for agricultural uses, subject to the following conditions:

1. The development shall be limited to a single-family detached dwelling and accessory uses and structures, to be utilized for residential and agricultural uses.
2. Fencing shall be maintained to contain livestock animals.

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 Kendrix Road facing west



View of Kendrix Road facing east



View of eastern access



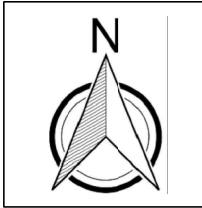
View of western access

Exhibit B: Site Plan

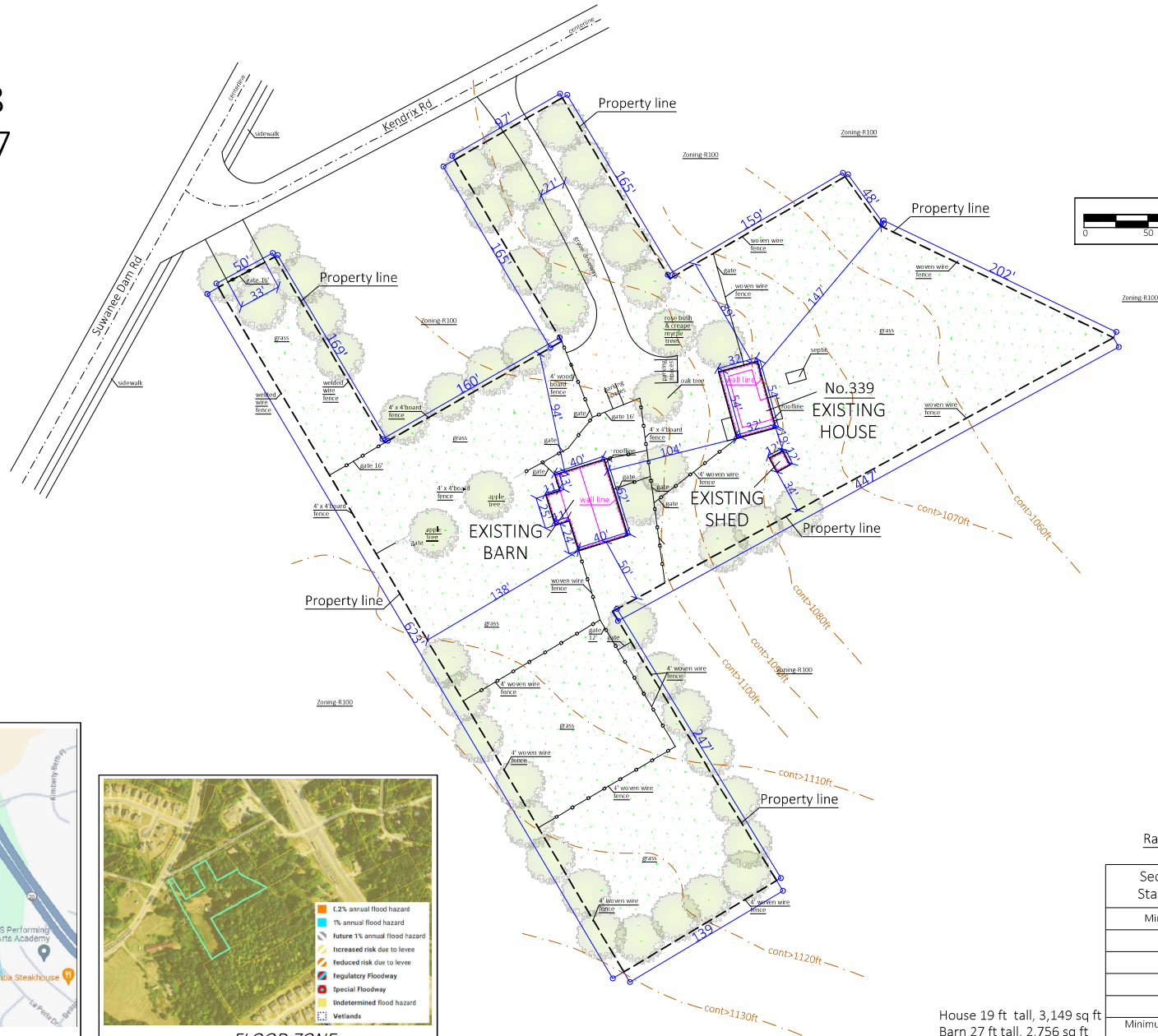
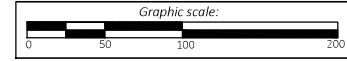
[attached]

SITE PLAN

339 Kendrix Rd
Sugar Hill, GA 30518
Parcel ID: 7-339 -077
Lot area: 3.73 Acres
Paper Size: 11"x17"



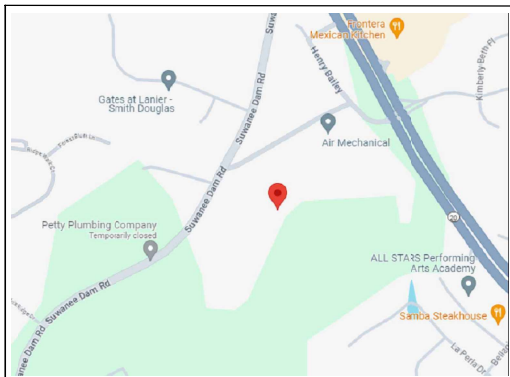
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VICINITY MAP



FLOOD ZONE

Ra 200 zoning requirements

Section 230-10. Dimensional Standards of Zoning Districts.

Minimum lot size 40,000 Square feet.
Minimum lot with 200 ft
Minimum front setback 35 ft
Minimum side setback 20 ft.
Minimum rear setback 40 ft.
Minimum heated floor area 1400. Square feet
Max building height 35 ft

House 19 ft tall, 3,149 sq ft
Barn 27 ft tall, 2,756 sq ft
Shed 10 ft, 144 sq ft

Exhibit C: Building Elevations

[attached]

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Current property photos from 2024.

Primary Residence: Front



Farm Sign



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5/21/2024

Paddock



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5/21/2024

Pasture 1



Pasture 2



Front of Barn

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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Barn Interior



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

[attached]

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Letter of Intent for Rezoning

To:

Gwinnett County Department of Planning and Development
446 West Crogan Street, Suite 250, Lawrenceville, GA 30043

Re: Rezoning Application for Natalie Webber concerning my property located at
339 Kendrix Road, Sugar Hill, GA 30518

Dear Gwinnett County Planning Division,

I, Natalie Webber, request that my property be re-zoned from R-100 to RA-200. My husband, children, and I have lived on our homesteaded, raising livestock and growing crops in Gwinnett County for over ten years. During this time, our small farm has grown, and we would like to sell the things we produce on the farm at the local farmers' markets, such as my goat milk soap and lotion, farm-fresh eggs, raw goat milk for pets, goat cheese and fresh vegetables. To sell our goat cheese I am set to start working on the renovations and licensing to have a Grade-A Dairy for our small farm. Additionally, I would be planning for the future to host some Agritourism opportunities through classes, field trips and other educational opportunities a 3-5 times a week for small groups of 10 or less. I have been on the board and heavily involved in the Georgia Dairy Goat Breeders Association for many years and coordinating a multitude of educational programs and events. I have been involved with local FFA programs to help students learn hands on about dairy goats.

To obtain our business license through Gwinnett County, we need to change our property zoning from R-100, single-family residential, to RA-200 Residential-Agricultural. We currently are licensed as an LLC with the state. The property will stay in compliance with the low-density requirements of the Chattahoochee River District land use plan and will offer local artisan food and products in addition to agricultural educational opportunities in Gwinnett.

Thank you,

Natalie Webber, RN, BSN
678-595-0999

Cotton Creek Farm, LLC
CottonCreekFarmLife@gmail.com

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Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2023

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Pursuant to requirements of the United 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. There will not be major visible changes to our property as it has been used for the past 10+ years in a residential and personal agricultural capacity.

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

No.

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

It will increase the economic use as it will allow us to obtain a business license for the farm so we can sell our farm made products at the local farmers markets and from the farm which we cannot do with a R-100 zoning as it stands.

- 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:

No.

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

Our property will continue to be used as our primary residence as well as development of small scale agriculture. There will be no specific change in

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the use of the property from its current use. Our property is 3.7 acres. The Chattahoochee river area is intended for low density and our rezoning to residential-agricultural will continue to conform to those standards.

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 has been used in a residential-agricultural capacity for the past 10+ years as a family operated hobby farm.

The Gwinnett County board of commissioners has previously approved a variance for the livestock barn on the property which shows its favor for agricultural use of the property.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

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

5/21/2024

APPLICANT INFORMATION

PROPERTY OWNER INFORMATION

Name: Natalie Webber

Address: 339 Kendrix Road

City: Sugar Hill

State: ZIP: 30518

Phone: 678-595-0999

Email: cottoncreekfarmlife@gmail.com

Name: Natalie Webber

Address: 339 Kendrix Road

City: Sugar Hill

State: ZIP: 30518

Phone: 678-595-0999

Email: nataliejwebber@gmail.com

Contact Person: Phone: Natalie Webber

Contact's Email: CottonCreekFarmLife@gmail.com

APPLICANT IS THE:

Owner's Agent Property Owner Contract Purchaser

Current Zoning District(s): R-100 Requested Zoning District: RA-200

Parcel Number(s): 7339 077 Acreage: 3.7

Property Address(es): 339 Kendrix Rd, Sugar Hill, GA 30518

Proposed Development: Single Family Residence & Mini- Farm

Variance(s): (existing variance on barn on file) Waiver(s): none

RESIDENTIAL DEVELOPMENT

No. of Dwelling Units: 1 home (existing)

Dwelling Unit Sq. Ft.: 3000

Density: single family

Floor Area Ratio (LRR, MRR, HRR):

NON-RESIDENTIAL

DEVELOPMENT

No. of Buildings: 1 Barn (existing)

Total Building Sq. Ft.: 2400

Floor Area Ratio:

MIXED-USE DEVELOPMENT

No. of Dwelling Units: Dwelling Unit Sq. Ft.:

Total Non-Residential Sq. Ft.: Floor Area Ratio:

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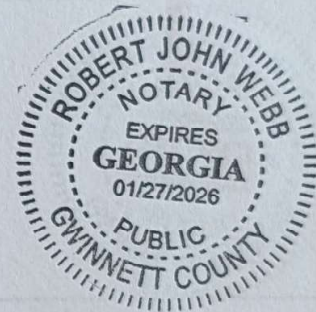
REZONING APPLICANT'S CERTIFICATION

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.

Natalie Webber, RN
Signature of Applicant

5/20/2024
Date

Natalie Webber, RN
Type or Print Name and Title



[Signature]

Signature of Notary Public

5-20-2024

Date

Notary Seal

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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.

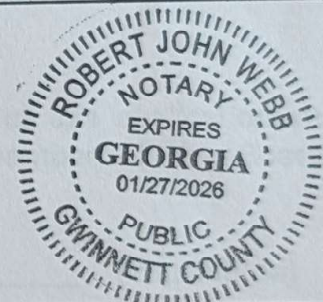
Natalie Webber, PN
Signature of Property Owner

5/20/2024
Date

Natalie Webber, PN
Type or Print Name and Title

[Signature]
Signature of Notary Public

5/20/2024
Date



Notary Seal

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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: 7339 077
(Map Reference Number)

Natalie Webber
Signature of Applicant

5/20/2024
Date

Natalie Webber, RN
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.

J. Finley T. Finley
Name

TSA

Title

5-20-2024
Date

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5/21/2024

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.

Natalie Webber, RN
Signature of Applicant

5/20/2024
Date

Natalie Webber, RN
Type of Print Name and Title

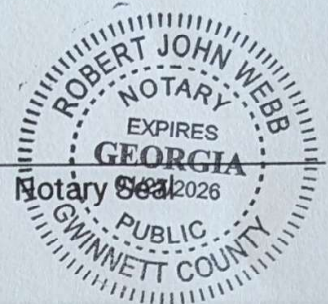
Signature of Applicant's
Attorney or Representative

Date

Type or Print Name and Title

Robert John Webb
Signature of Notary Public

5/20/2024
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?

☐ 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

TRC Meeting Date:		06.05.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		RZR2024-00027	
Case Address:		339 Kendrix Road, Sugar Hill, 30518	
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES
		<input type="checkbox"/>	<input type="checkbox"/> NO
1	Kendrix Road is a local street. No ADT on file.		
2	4.7 miles to the nearest Ride Gwinnett facility located at 653 Buford Highway (just south of Woodward Mill Road).		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/> YES
		<input checked="" type="checkbox"/> X	<input type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

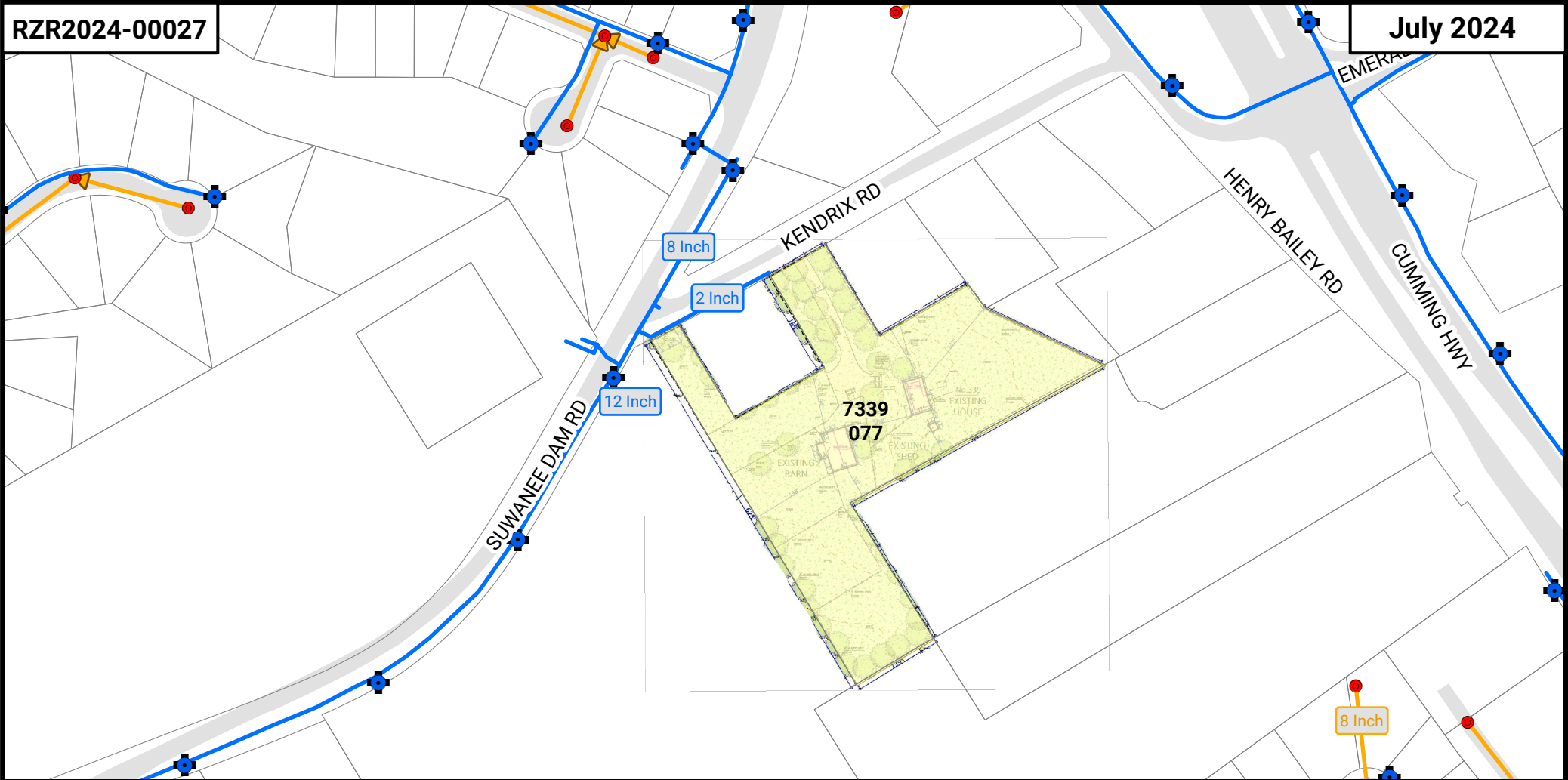


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		RZR2024-00027		
Case Address:		339 Kendrix Rd		
Comments:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO
1	Water: GCDWR does not have comments for this rezoning case. The existing facility is connected to public water.			
2	Sewer: GCDWR does not have comments for this rezoning case. The existing facility is on septic and will remain on septic.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<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

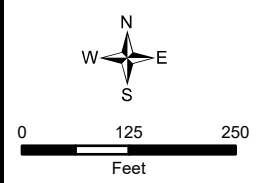


LEGEND

- Water Main
- Hydrant
- Manhole
- Sewer Collector

339 Kendrix Rd
R-100 to RA-200

Water & Sewer
Utility Map



Water Comments: GCDWR does not have comments for this rezoning case. The existing facility is connected to public water.

Sewer Comments: GCDWR does not have comments for this rezoning case. The existing facility is on septic and will remain on septic.

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.

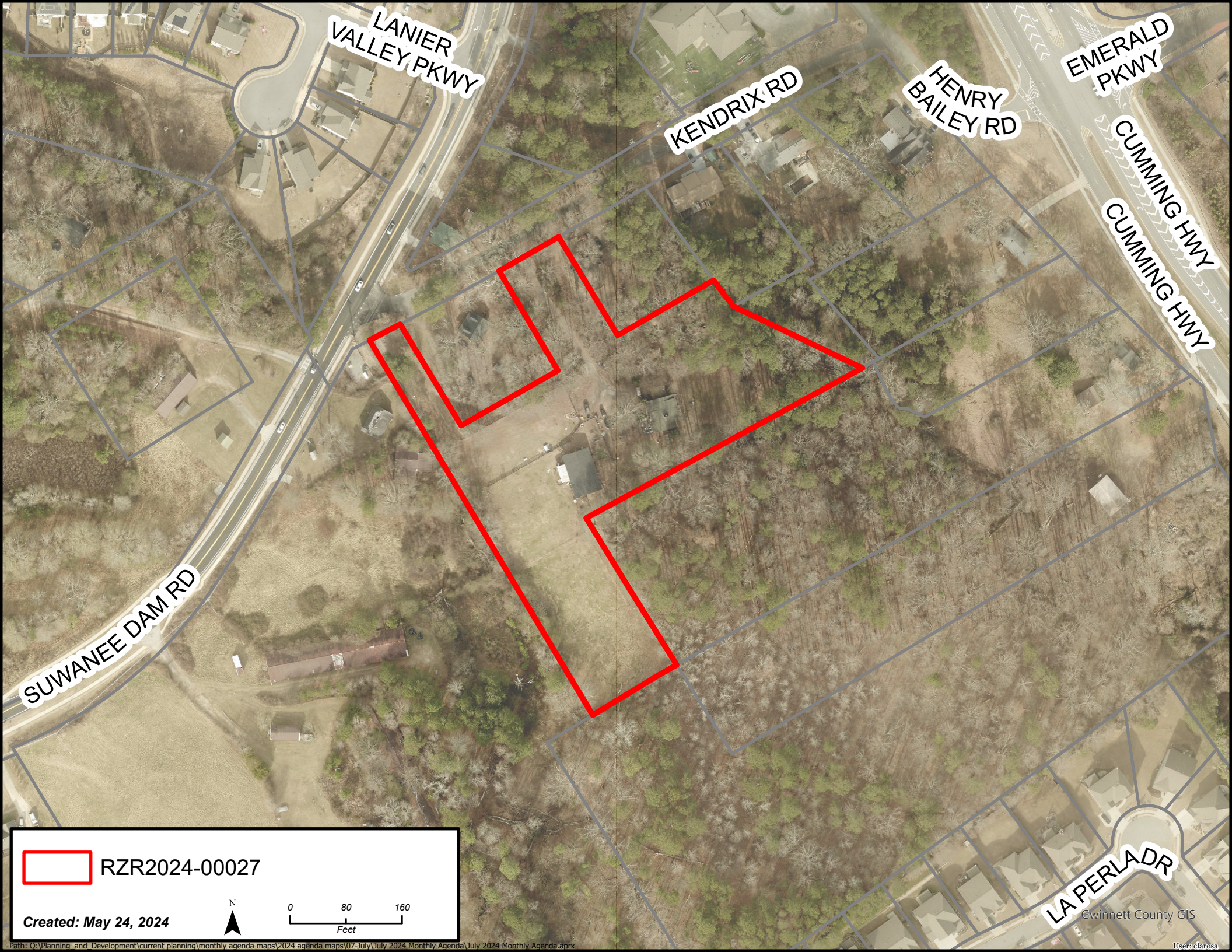
Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, 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.

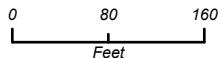
Exhibit G: Maps

[attached]



RZR2024-00027

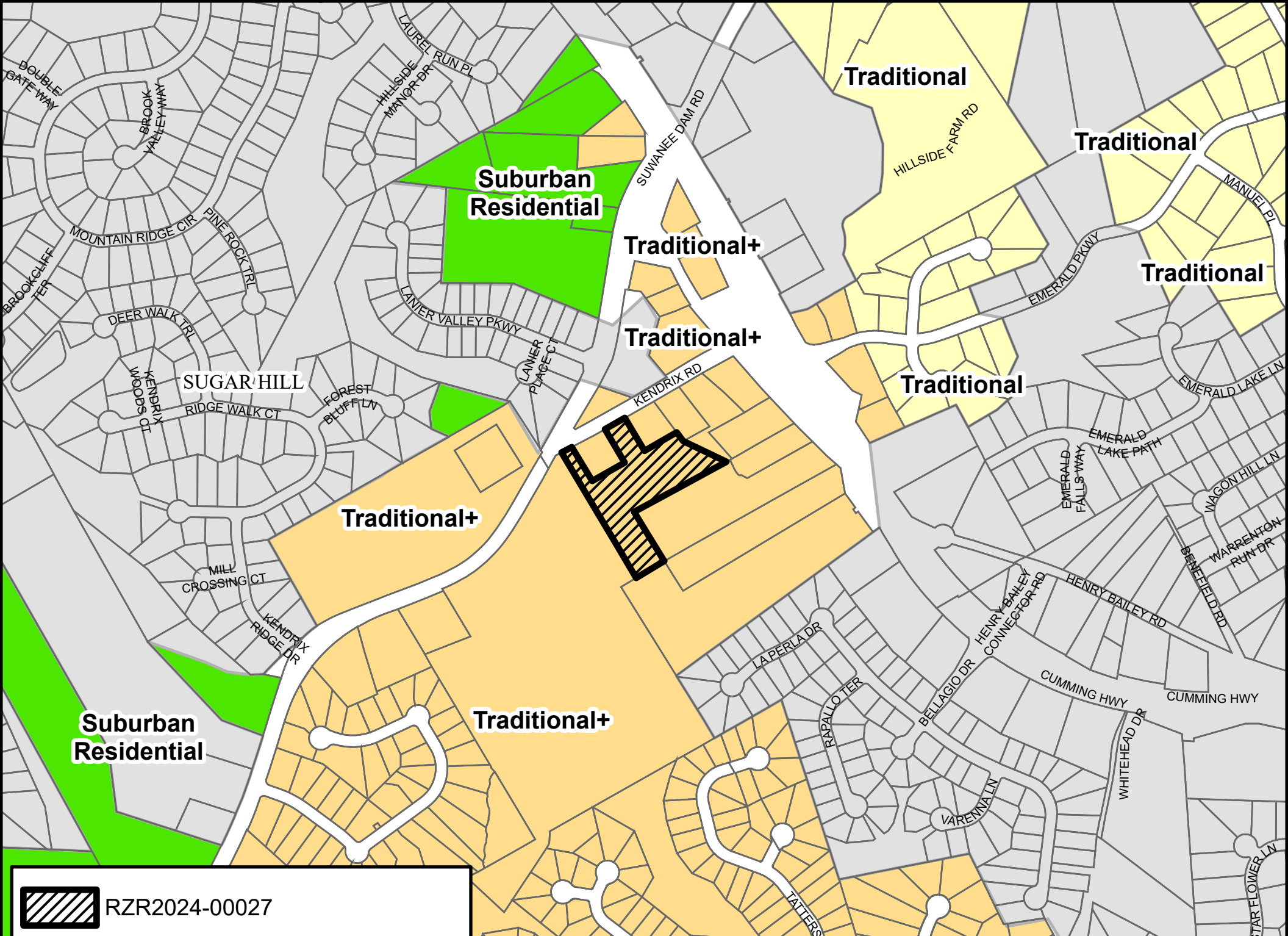
Created: May 24, 2024



LA PERLA DR

Gwinnett County GIS

User: clara




RZR2024-00027

Created: May 24, 2024




2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION