

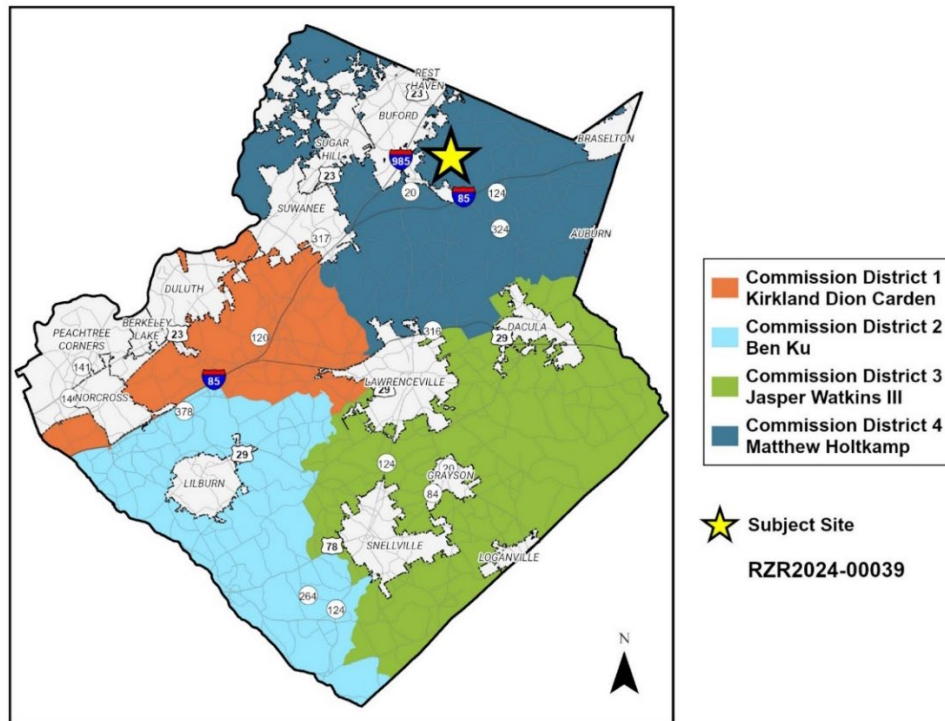


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** RZR2024-00039  
**Current Zoning:** RA-200 (Agriculture-Residence District) and R-100 (Single-Family Residence District)  
**Request:** Rezoning to R-100  
**Address:** 3430 Camp Branch Road  
**Map Number:** R7183 005  
**Site Area:** 5.10 acres  
**Lots:** 7  
**Proposed Development:** Single-Family Detached Subdivision  
**Commission District:** District 4 – Commissioner Holtkamp  
**Future Development Type:** Suburban Residential

**Staff Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission Recommendation:** APPROVAL WITH CONDITIONS



**Planning Commission Advertised Public Hearing Date: 8/6/2024 (Public Hearing Held/  
Recommendation Tabled to 9/3/2024)**  
**Board of Commissioners Advertised Public Hearing Date: 8/27/2024**

**Applicant:** Simes Signature Properties  
c/o Mahaffey Pickens Tucker, LLP  
1550 North Brown Road, Suite 125  
Lawrenceville, GA 30043

**Owners:** Bennett J Harold et al  
2360 Pine Circle Drive  
Gainesville, GA 30504

**Contact:** Gabrielle Schaller

**Contact Phone:** 770.232.0000

## Zoning History

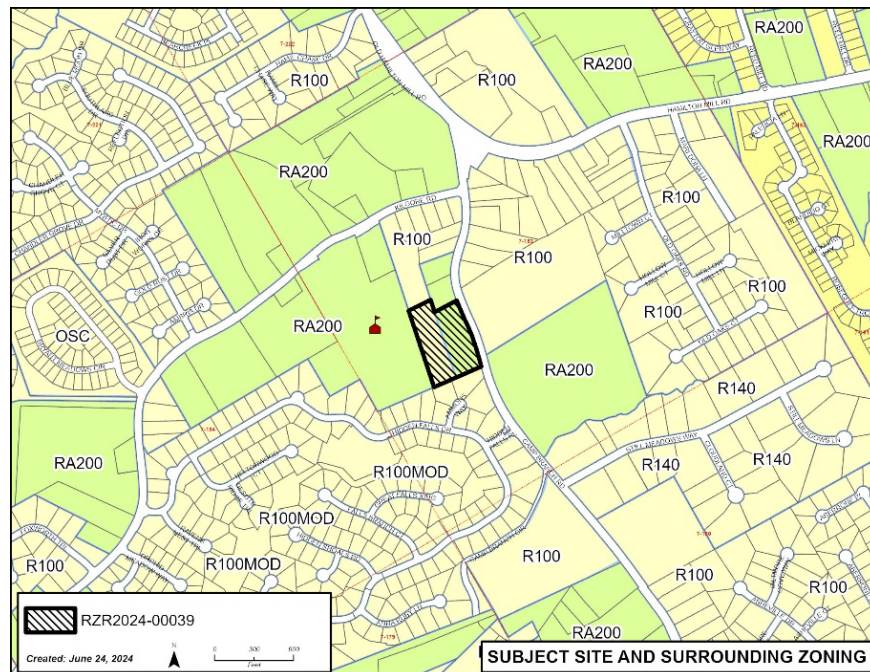
The subject property is split-zoned as RA-200 (Agriculture-Residence District) and R-100 (Single-Family Residence District). The western portion of the property was rezoned in 1983 to R-100, pursuant to RZ-175-83.

## Existing Site Condition

The subject property is a 5.10-acre parcel located along Camp Branch Road south of its intersection with Kilgore Road. The site is developed with a one-story, approximately 2,188 square foot residence along with several accessory buildings. The site gradually slopes downwards from east to west approximately 12 feet until the midpoint of the lot where the topography slopes upwards 30 feet towards the rear property line. No sidewalk exists along the Camp Branch Road frontage. The nearest Gwinnett County Transit stop is approximately 2.8 miles from the subject property.

## Surrounding Use and Zoning

The surrounding area is comprised of single-family detached residences on large lots and within subdivisions, and a school. Single-family detached residences on large lots abut the subject property to the north and east, while the Hidden Falls subdivision is to the south. A personal care home is northwest of the property. To the west is Patrick Elementary School. The following is a summary of surrounding uses and zoning:



| Location | Land Use                         | Zoning   | Density             |
|----------|----------------------------------|----------|---------------------|
| Proposed | Single-Family Residential        | R-100    | 1.37 units per acre |
| North    | Single-Family Residential        | RA-200   | 1.07 units per acre |
| East     | Single-Family Residential        | R-100    | 0.08 units per acre |
| South    | Single-Family Residential        | R-100MOD | 1.52 units per acre |
| West     | GCPS (Patrick Elementary School) | RA-200   | N/A                 |

## Project Summary

The applicant requests rezoning of a 5.1-acre property from RA-200 and R-100 to R-100 for a single-family detached subdivision, including:

- Seven single-family residences on lots ranging from 0.52 acres to 1.2 acres, yielding a density of 1.37 units per acre.
- Two-story residences with a minimum heated floor area of 3,200 square feet and two-car garages.
- Exterior building materials of brick and fiber-cement siding.
- A 16-foot-wide private drive providing access to proposed lots from Camp Branch Road.
- Five-foot-wide sidewalk along Camp Branch Road.
- A proposed 20-foot-wide sanitary sewer easement along the southern property line.

## 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 | >15,000 square feet | YES             |
| Lot Width          | Minimum 100'               | 101'                | YES             |
| Lot Coverage       | Maximum 45%                | <45%                | YES             |
| Front Yard Setback | Minimum 25'                | >25'                | YES             |
| Rear Yard Setback  | Minimum 30'                | >30'                | YES             |
| Side Yard Setback  | Minimum 10'                | >10'                | YES             |
| Building Height    | Maximum 35'                | <35'                | YES             |

## 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 subject site is surrounded by single-family detached residences within subdivisions and on large lots along Camp Branch Road. The proposed development would have compatible density home sizes, and exterior materials with 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 rezoning would introduce seven single-family residences to an existing single-family residential area and would 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.

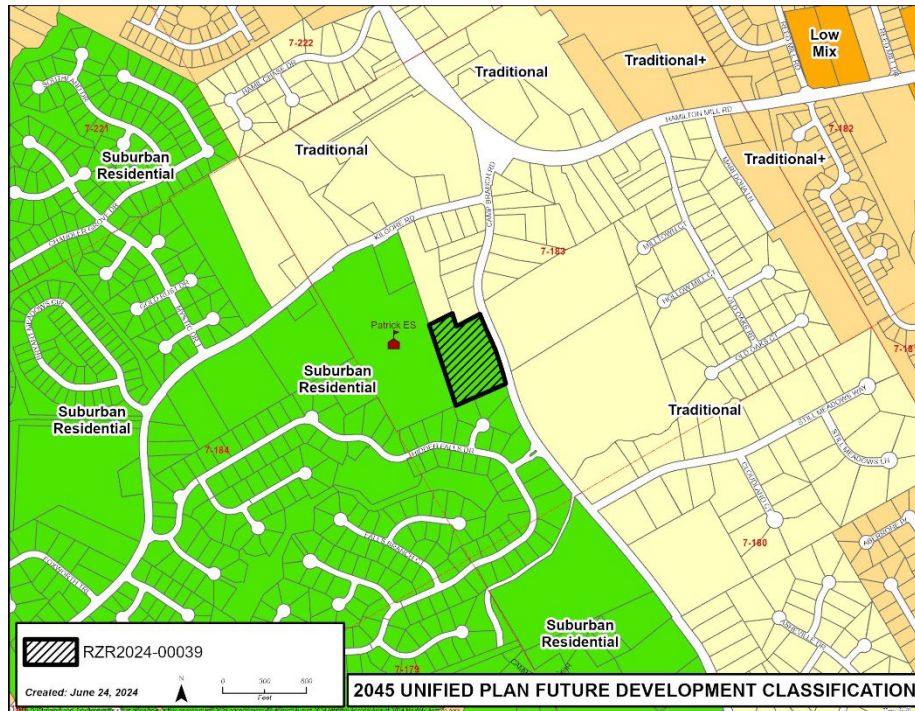
**D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

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 "Suburban Residential" for the subject property, which envisions single-family residential development, and R-100 is a recommended zoning district. This proposal is in conformance with the policy and intent of the Unified Plan.





**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.**

Several single-family subdivisions have recently been approved along Camp Branch Road, with similar density, scale, and architectural style with 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~~ **dated August 28, 2024, that includes the cul-de-sac**, and Exhibit C: Elevations dated received June 12, 2024, subject to the review and approval of the Department of Planning and Development.
3. All dwellings shall have a heated floor area of 3,200 square feet and a minimum of a two-car garage.
4. The site shall be limited to a single, shared entrance from Camp Branch Road.
5. Natural vegetation shall remain on the property until the issuance of a building permit.
6. **The developer will coordinate with Gwinnett County Planning and Development staff to design and develop appropriate stormwater runoff reduction and water quality BMPs on a lot-by-lot basis.**
7. **The developer shall establish a mandatory property owners association with bylaws which shall include the following:**
  - a. **Automatic mandatory membership of all purchasers of lots therein and their successors.**
  - b. **Responsibility for maintenance of common access areas, utility easements, and other required easements.**
  - c. **Equitable sharing of the cost of maintenance with shares defined by the association bylaws.**
  - d. **Authority to place liens on the real property of members who fail to pay their dues and assessments.**
8. **The development shall be limited to a maximum of one rental unit. The restrictions shall be included in the covenants and shall be managed by a mandatory homeowners association.**
9. **A performance bond and/or maintenance bond shall be submitted by the subdivider and held by the homeowners association, or the subdivider shall pay an amount of money as recommended by the Director into an escrow account or other suitable account for the construction, maintenance, and repair of private streets and stormwater management improvements to be drawn from by the homeowners or property owners association as the need may arise.**
10. **Natural vegetation shall remain on the property until the issuance of a development permit. The area within the 25-foot-wide common access easement shall be cleared with the issuance of the first building permit.**
11. **A shared interior drive shall be constructed with a minimum 25-foot-wide common access and utilities easement to be owned and maintained by the property owners association and developed in accordance with the standards:**
  - a. **The minimum pavement width shall be 16 feet.**

- b. The driveway pavement composition shall be in accordance with the standard per the Unified Development Ordinance.**

**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
- H. Site Plan Dated August 28, 2024



## Exhibit A: Site Visit Photos



View of existing residence

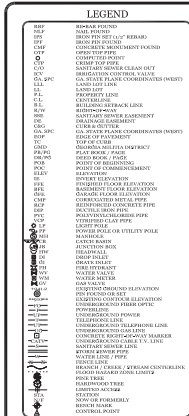


View of southern portion of property frontage along Camp Branch Road



**Exhibit B: Site Plan**

**[attached]**



REFERENCES:

- 1) WARRANTY DEED RECORDED IN DEED BOOK 175, PAGE 298, GWINNETT COUNTY RECORDS.
- 2) WARRANTY DEED RECORDED IN DEED BOOK 13379, PAGE 92, AFORESAID RECORDS.
- 3) WARRANTY DEED RECORDED IN DEED BOOK 13379, PAGE 93, AFORESAID RECORDS.

A TOPCON ES-105 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THE FIELD DATA UPON WHICH THIS MAP OR  
PLAT IS BASED HAS A CLOSURE PRECISION  
OF ONE FOOT IN 60,568  
FEET AND AN ANGULAR ERROR OF 03"  
PER ANGLE POINT, AND WAS ADJUSTED USING  
THE LEAST SQUARES METHOD.

THIS MAP OR PLAT HAS BEEN CALCULATED  
FOR CLOSURE AND IS FOUND TO BE  
ACCURATE WITHIN ONE FOOT IN 149,219  
FEET AND CONTAINS 5.098 ACRES.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. ALSO, UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE  
SUBJECT AND ADJACENT PROPERTY OWNER'S DEED REFERENCES WERE PROVIDED  
BY GEORGIA PREMIER LAND SERVICES, INC. AND ARE NOT GUARANTEED AS TO  
ACCURACY OR COMPLETENESS.

STRUCTURES VISIBLE ON THE DATE OF SURVEY ARE SHOWN HEREON  
LOCATIONS ARE ACCURATE ONLY WHERE DIMENSIONED.

THE PROPERTY MAY CONTAIN WETLANDS. ALL WETLANDS ARE UNDER THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS AND/OR THE STATE OF GEORGIA DEPARTMENT OF NATURAL RESOURCES. LOT OWNERS ARE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE PROTECTED AREAS WITHOUT THE PROPER PERMIT APPLICATION AND APPROVAL.



**GEORGIA PREMIER  
LAND SERVICES, INC.**  
PROFESSIONAL LAND SURVEYING  
3010 HAMILTON MILL ROAD  
BUDFORD, GEORGIA 30519  
(770) 614-3004 FAX (770) 614-3956  
LAND SURVEYING COA #1177



REZONING PLAT FOR:

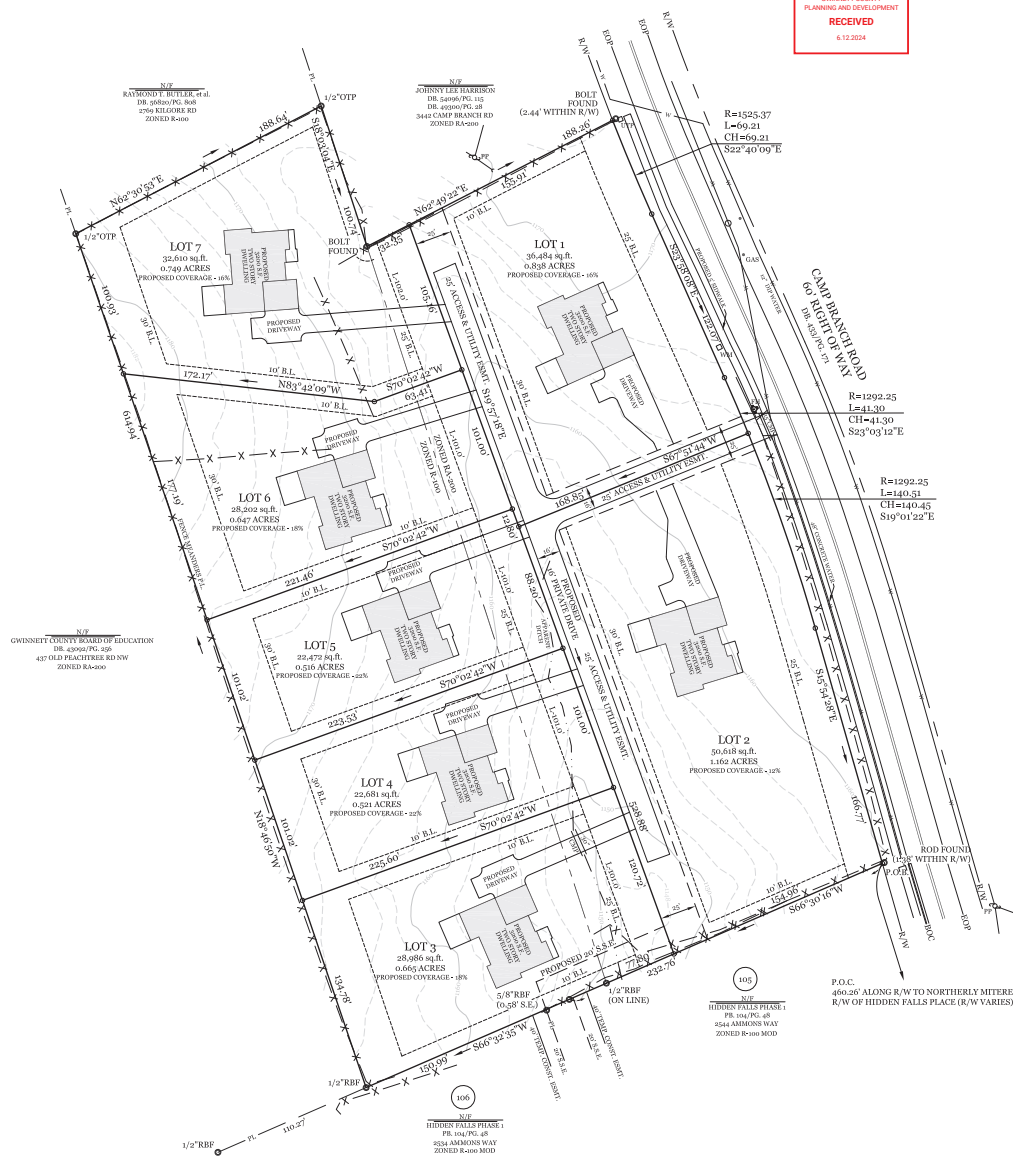
MERIDITH SIMES  
TAX PARCEL NO. 7183 00

LOCATED IN LAND LOT 183 OF THE 7TH LAND DISTRICT  
GWINNETT COUNTY, GA. SCALE 1"=40'

[illegible]

1 of 1

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

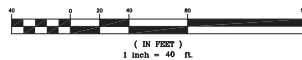


NO PORTION OF SUBJECT PROPERTY LIES  
WITHIN A DESIGNATED 100 YEAR FLOOD  
HAZARD AREA AS DEPICTED BY SCALED MAP  
LOCATION AND GRAPHIC PLOTTING ONLY PER  
F.I.R.M. PANEL NO. 13135C0027 F, DATED  
SEPTEMBER 29, 2006

CURRENT ZONING - R-100/RA-200  
PROPOSED ZONING - R-100  
ROSS/NET DENSITY - 1.37 UNITS / ACRE  
MAXIMUM BUILDING HEIGHT - 35'  
PROPOSED 3200 S.F. TWO STORY  
MAXIMUM F.A.R. - N/A  
TO PROVIDE WATER QUALITY IF REQUIRED  
BE SERVED BY GWINNETT COUNTY WATER AND  
NNETT COUNTY SEWER (TO BE DESIGNED)  
MAX. COVERAGE - 45%

**SITE ADDRESS:**  
3430 CAMP BRANCH ROAD  
BUFORD, GEORGIA 30519

GRAPHIC SCALE



## **Exhibit C: Building Elevations**

**[attached]**

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Front – brick and cement siding



Rear – brick and cement siding



Side 1 – brick and cement siding

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Side 2 – brick and cement siding



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

**[attached]**



Matthew P. Benson  
Catherine W. Davidson  
Gerald Davidson, Jr.\*  
Brian T. Easley  
Rebecca B. Gober  
Christopher D. Holbrook  
Jessica P. Kelly  
Shane M. Lanham

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Jeffrey R. Mahaffey  
Julia A. Maxwell  
Steven A. Pickens  
Jack M. Ryan  
Gabrielle H. Schaller  
S. Tess Shaheen  
Andrew D. Stancil  
R. Lee Tucker, Jr.

\*Of Counsel

## **LETTER OF INTENT FOR REZONING APPLICATION**

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached rezoning application (the “Application”) on behalf of Simes Signature Properties, Inc., (the “Applicant”) requesting the rezoning of an approximately 5.1-acre tract of land (the “Property”) at 3430 Camp Branch Road. The Property is located within the Suburban Residential Character Area of the Gwinnett County 2045 Unified Plan (the “2045 Plan”) and is currently split-zoned RA-200 and R-100.

The Applicant submits the Application requesting to rezone the Property to the R-100 (Single Family Residence District) zoning classification of the Gwinnett County Unified Development Ordinance (the “UDO”) to develop the Property into 7 attractive detached, single-family homes at an overall density of 1.37 units per acre. The homes would be compatible with homes in the surrounding area and include attractive architectural elements which would meet or exceed the requirements of the UDO’s Architectural Design Standards for Detached Residential Buildings. All of the homes will be 3,200 square feet and would include two-car garages. The homes will be offered to potential residents for fee-simple purchase. Further, sewer and water utilities are both available in the immediate vicinity and have sufficient capacity to support the

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

TELEPHONE 770 232 0000

FACSIMILE 678 518 6880

Page 16 of 40  
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RZR2024-00039

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proposed development. The proposed development would be accessed by a single entrance on Camp Branch Road.

The proposed development is compatible with surrounding land uses and is in line with the policies of the Gwinnett County 2045 Unified Plan (the “2045 Plan”). The surrounding area is characterized primarily by residential development including communities zoned R-100 Modified, R-100, R-140, and RA-200. The properties adjacent to the subject property are zoned RA-200, R-100 and R-100 MOD. Further, approximately half of the subject property is already zoned R-100. The proposed development will fit squarely within the residential character of the area.

The proposed development is also in line with the policies of the 2045 Plan which broadly promotes residential development and encourages a variety of housing types. Chapter 4: Housing of the 2045 Plan provides abundant data and statistics that reflect a housing shortage in Gwinnett County. In the Needs & Opportunities section of Chapter 4, the 2045 Plan identifies a need of “More Housing Development” and provides that the “housing shortage inhibits population growth, business attraction, and other economic development by raising housing prices and failing to accommodate new residents. A higher volume of housing development is needed to meet economic goals and countywide growth potential.”

Further, the proposed development fits squarely in to the Future Development Map Suburban Residential Character Area. The Suburban Residential Character Area of the 2045 Plan explicitly recommends the R-100 zoning district and single-family homes as development types. The proposed residential development would continue the residential development pattern and provide high-quality, attractive homes.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address

any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of the Application.

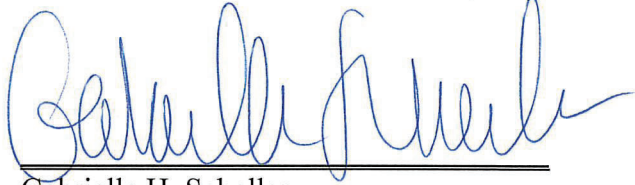
Respectfully submitted this 30th day of May, 2024.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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6.12.2024

MAHAFFEY PICKENS TUCKER, LLP



Gabrielle H. Schaller  
*Attorneys for Applicant*

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**REZONING APPLICANT'S RESPONSE**  
**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

- (A) The proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed development is compatible with the residential nature of the area.
- (B) The proposed rezoning will not adversely affect the existing use or usability of any of the nearby properties. The proposed development will match the surrounding R-100 residential developments, and will be compatible with the RA-200 areas.
- (C) Due to the split-zoning of the subject property, the Applicant submits that the subject property does not have reasonable economic use as currently zoned.
- (D) The proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems. The development is planned as seven single family homes. As such, the low development density will not overly burden infrastructure systems, and the number of homes drastically limits the likelihood that the development will affect the schools in the area in any meaningful way.
- (E) The proposed rezoning is in conformity with the policy and intent of the Land Use Plan. In fact, the Daily Community Framework explicitly recommends R-100 developments in the Suburban Residential area.
- (F) Applicant submits that the current split-zoning of the property as RA-200 and R-100 provides additional support for the application.



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

**[attached]**



Please complete this application to amend the official zoning map of Gwinnett County and attach a letter of intent explaining what is proposed.

| Applicant Information   | Property Owner Information              |
|---|---|
| Name: <u>Simes Signature Properties c/o Mahaffey Pickens Tucker, LLP</u>  | Name: <u>Bennett J Harold et al</u>     |
| Address: <u>1550 North Brown Road, Suite 125</u>  | Address: <u>2360 Pine Circle Drive</u>  |
| City: <u>Lawrenceville</u>  | City: <u>Gainesville</u>                |
| State: <u>GA</u> Zip code: <u>30043</u>   | State: <u>GA</u> Zip code: <u>30504</u> |
| Phone: <u>770 232 0000</u>  | Phone: <u>678 622 3109</u>              |
| Email: <u>gschaller@mptlawfirm.com</u>  | Email: <u>aj.coley@hotmail.com</u>      |
| Contact person: <u>Gabrielle Schaller, attorney for Applicant</u> Phone: <u>770 232 0000</u>  |   |
| Contact's email: <u>gschaller@mptlawfirm.com</u>  |   |
| <b>Applicant is the</b>   |   |
| <input type="checkbox"/> Owner's agent <input type="checkbox"/> Property owner <input checked="" type="checkbox"/> Contract purchaser |   |
| Present zoning district(s): <u>RA-200/R-100</u> Requested zoning district: <u>R-100</u>   |   |
| Parcel number(s): <u>R7183 005</u> Acreage: <u>+/- 5.098</u>  |   |
| Address of property: <u>3430 Camp Branch Road</u>   |   |
| Proposed development: <u>Single Family Homes</u>  |   |
| <b>RESIDENTIAL DEVELOPMENT</b>  | <b>NON-RESIDENTIAL DEVELOPMENT</b>      |
| No. of Lots/Dwelling Units <u>7</u>   | No. of Buildings/Lots: <u>N/A</u>       |
| Dwelling Unit Size (Sq. Ft.): <u>3200</u>   | Total Building Sq. Ft. <u>N/A</u>       |
| Gross Density: <u>1.37</u>  | Density: <u>N/A</u>                     |
| Net Density: <u>1.37</u>  |   |

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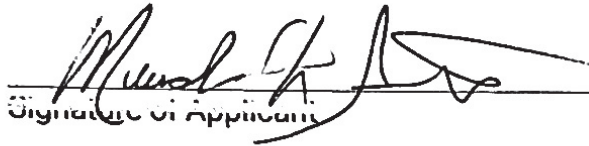
6.12.2024

Winnett County Planning Division

Rezoning Application  
Last Updated 12/2023

**REZONING APPLICANT'S CERTIFICATION**

The undersigned below is authorized to make this application. The undersigned is sworn 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.

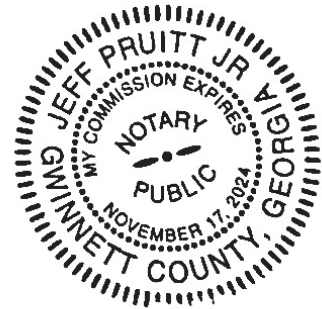
  
Signature of Applicant

May 30 2024  
Date

Meredith Simes  
Type of Print Name and Title

  
Signature of Notary Public

5-30-24  
Date



Notary Seal

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6.12.2024

~~REZONING DEEDEDTY OWNED'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.

Jimmy C. Coley  
Signature of Property Owner

5-30-2024  
Date

Jimmy Carroll Coley  
Type of Firm Name and Title

[Signature]  
Signature of Notary Public

5-30-24

Date



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6.12.2024

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.

**Note:** A separate verification form must be completed for each tax parcel included in the rezoning request.

Parcel ID Number: 7 - 183 - 005  
(Map reference number) District Land lot Parcel



Signature of applicant

5/29/2024

Date

Gabrielle Schaller, attorney for Applicant

Type or print name and title

5/29/2024

Date

\*\*\*Please take this form to the Tax Commissioners office at the Gwinnett Justice and Administration Center, located at 75 Langley Drive in Lawrenceville, for their approval below.\*\*\*

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

TSA

Title

5/29/24

Date



GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

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6.18.2024

Filed in Office  
Clerk Probate Clerk  
Gwinnett County, GA  
02/05/2024 8:54:20 AMIN THE PROBATE COURT OF GWINNETT COUNTY  
STATE OF GEORGIA

IN RE: ESTATE OF

JOSEPH HAROLD BENNETT,  
DECEASEDESTATE NO. 23-E-001409

## LETTERS TESTAMENTARY

*[Relieved of Filing Returns]*

At a regular term of Probate Court, the Last Will and Testament dated **April 25, 2019** of the above-named decedent, who was domiciled in this county at the time of his or her death or was domiciled in another state but owned property in this county at the time of his or her death, was legally proven in solemn form to be the decedent's will and was admitted to record by order, and it was further ordered that **CARROLL COLEY** named as executor in said will, be allowed to qualify, and that upon so doing, letters testamentary be issued to such executor.

THEREFORE, the executor, having taken the oath of office and complied with all necessary prerequisites of the law, is legally authorized to discharge all the duties and exercise all powers of executor under the will of said decedent, according to the decedent's will and the law.

Given under my hand and official seal: 2/1/2024.

NOTE: The following must be signed if the Judge does not sign the original of this document:

Jenny Mitchell  
Judge of the Probate Court

Chief Clerk, pursuant to the  
Authority of Official Code of  
Georgia Annotated 15-9-36(c)

Issued by:

*[Seal]*

S. Lewis  
Clerk of the Probate Court

STATE OF GEORGIA  
GWINNETT COUNTY

I, THE UNDERSIGNED, Clerk of the Probate Court of Gwinnett County, Georgia, DO HEREBY CERTIFY the within and foregoing is a true and correct copy of the original as it appears on record and file in the office of the Probate Court of Gwinnett County, Georgia and that the same is in full force and effect. Witness my hand and Seal of the Probate Court of Gwinnett County, Georgia this the 6<sup>th</sup> day of

February, 2024.

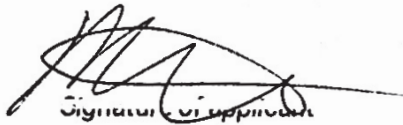
Clerk, Probate Court of Gwinnett County

RECEIVED

6.12.2024

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

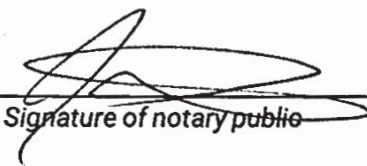
The undersigned below, applying for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1 and has submitted or attached the required information on the forms provided.

  
Signature of applicant

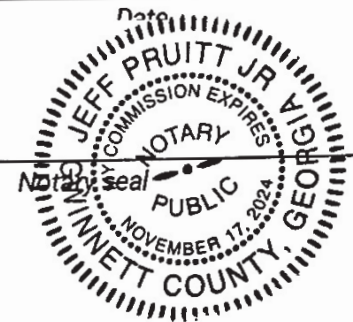
5-30-2024  
Date

Meridith Simes  
Type or print name and title

5-30-2024  
Date

  
Signature of notary public

5-30-24  
Date



Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250 or more to a member of the Gwinnett County Board of Commissioners or a member of the Gwinnett County Planning Commission?

NO

Name

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

| Name and Official Position of Government Official | Contributions<br>(List all which aggregate to \$250 or more) | Date Contribution Was Made<br>(Within last two years) |
|---|--|---|
|   |  |   |
|   |  |   |
|   |  |   |

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

**RECEIVED**

6.12.2024

# CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, applying for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1 and has submitted or attached the required information on the forms provided.

*[Handwritten Signature]*

Signature of applicant

5/29/2024

Date

Gabrielle Schaller, attorney for Applicant

Type or print name and title

5/29/2024

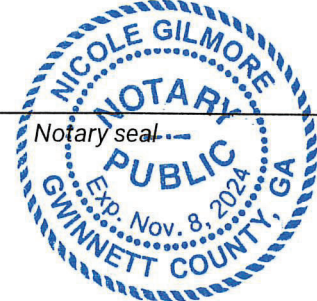
Date

*[Handwritten Signature]*

Signature of notary public

5/29/2024

Date



## DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250 or more to a member of the Gwinnett County Board of Commissioners or a member of the Gwinnett County Planning Commission?

☒ Yes

☐ No Gabrielle Schaller, attorney for Applicant

Name

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

| Name and Official Position of Government Official | Contributions<br>(List all which aggregate to \$250 or more) | Date Contribution Was Made<br>(Within last two years) |
|---|--|---|
| Please see attached                               |  |   |
|   |  |   |
|   |  |   |

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

RECEIVED

6.12.2024

**CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN  
CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS**

**MAHAFFEY PICKENS TUCKER, LLP**

| NAME AND OFFICIAL POSITION<br>OF GOVERNMENT OFFICIAL | CONTRIBUTIONS | DATE       |
|--|---------------|------------|
| Ben Ku, Commissioner                                 | \$1,500       | 10/03/2022 |
| Matt Holtkamp, Commissioner                          | \$1,000       | 04/13/2023 |
| Nicole Love Hendrickson, Chairwoman                  | \$2,500       | 08/11/2023 |
| Matt Holtkamp, Commissioner                          | \$3,300       | 09/18/2023 |
| Kirkland Carden, Commissioner                        | \$3,300       | 09/27/2023 |

**Lee Tucker, Attorney at Law, P.C.**

| NAME AND OFFICIAL POSITION<br>OF GOVERNMENT OFFICIAL | CONTRIBUTIONS | DATE       |
|--|---------------|------------|
| Kirkland Carden, Commissioner                        | \$2,000       | 10/25/2023 |

**Jeffrey Mahaffey, Attorney at Law, Individually**

| NAME AND OFFICIAL POSITION<br>OF GOVERNMENT OFFICIAL | CONTRIBUTIONS | DATE       |
|--|---------------|------------|
| Nicole Love Hendrickson, Chairwoman                  | \$1,000       | 08/14/2023 |



**RECEIVED**

6.12.2024

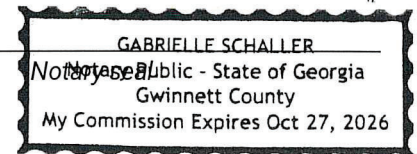
**CONFLICT OF INTEREST CERTIFICATION FOR REZONING**

The undersigned below, applying for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1 and has submitted or attached the required information on the forms provided.

Jimmy Carroll Coley 6-11-2024  
Signature of applicant Date

Jimmy Carroll Coley - property owner 6-11-2024  
Type or print name and title Date

Gabrielle Schaller 6/11/2024  
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 or more to a member of the Gwinnett County Board of Commissioners or a member of the Gwinnett County Planning Commission?

☐ Yes

☒ No

Jimmy Carroll Coley  
Name

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

| Name and Official Position of Government Official | Contributions<br>(List all which aggregate to \$250 or more) | Date Contribution Was Made<br>(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>              |   |  |  | 07.08.2024   |            |                                     |           |
| Department/Agency Name:               |   |  |  | Transportation   |            |                                     |           |
| Reviewer Name:                        |   |  |  | Brent Hodges   |            |                                     |           |
| Reviewer Title:                       |   |  |  | Construction Manager 2   |            |                                     |           |
| Reviewer Email Address:               |   |  |  | <a href="mailto:Brent.Hodges@gwinnettcountry.com">Brent.Hodges@gwinnettcountry.com</a> |            |                                     |           |
| Case Number:                          |   |  |  | RZR2024-00039  |            |                                     |           |
| Case Address:                         |   |  |  | 3430 Camp Branch Road, Buford, 30519   |            |                                     |           |
| <b>Comments:</b>                      |   |  |  | <input checked="" type="checkbox"/>  | <b>YES</b> | <input type="checkbox"/>            | <b>NO</b> |
| 1                                     | Camp Branch Road is a minor collector. The Average Daily Traffic Volume is 3,285.   |  |  |  |            |                                     |           |
| 2                                     | The site is 2.8 miles from the nearest Ride Gwinnett facility located at 3505 Buford Drive (SR 20) (AutoNation Mall of Georgia).                |  |  |  |            |                                     |           |
| 3                                     | As is shown on the zoning site plan, a 5' concrete sidewalk shall be constructed along the entire site frontage, per section 360-90 of the UDO. |  |  |  |            |                                     |           |
| 4                                     | A sight distance certification shall be provided to ensure the shared driveway meets minimum sight distance, per UDO section 360-40.            |  |  |  |            |                                     |           |
| 5                                     |   |  |  |  |            |                                     |           |
| 6                                     |   |  |  |  |            |                                     |           |
| 7                                     |   |  |  |  |            |                                     |           |
| <b>Recommended Zoning Conditions:</b> |   |  |  | <input type="checkbox"/>   | <b>YES</b> | <input checked="" type="checkbox"/> | <b>NO</b> |
| 1                                     |   |  |  |  |            |                                     |           |
| 2                                     |   |  |  |  |            |                                     |           |
| 3                                     |   |  |  |  |            |                                     |           |
| 4                                     |   |  |  |  |            |                                     |           |
| 5                                     |   |  |  |  |            |                                     |           |
| 6                                     |   |  |  |  |            |                                     |           |
| 7                                     |   |  |  |  |            |                                     |           |

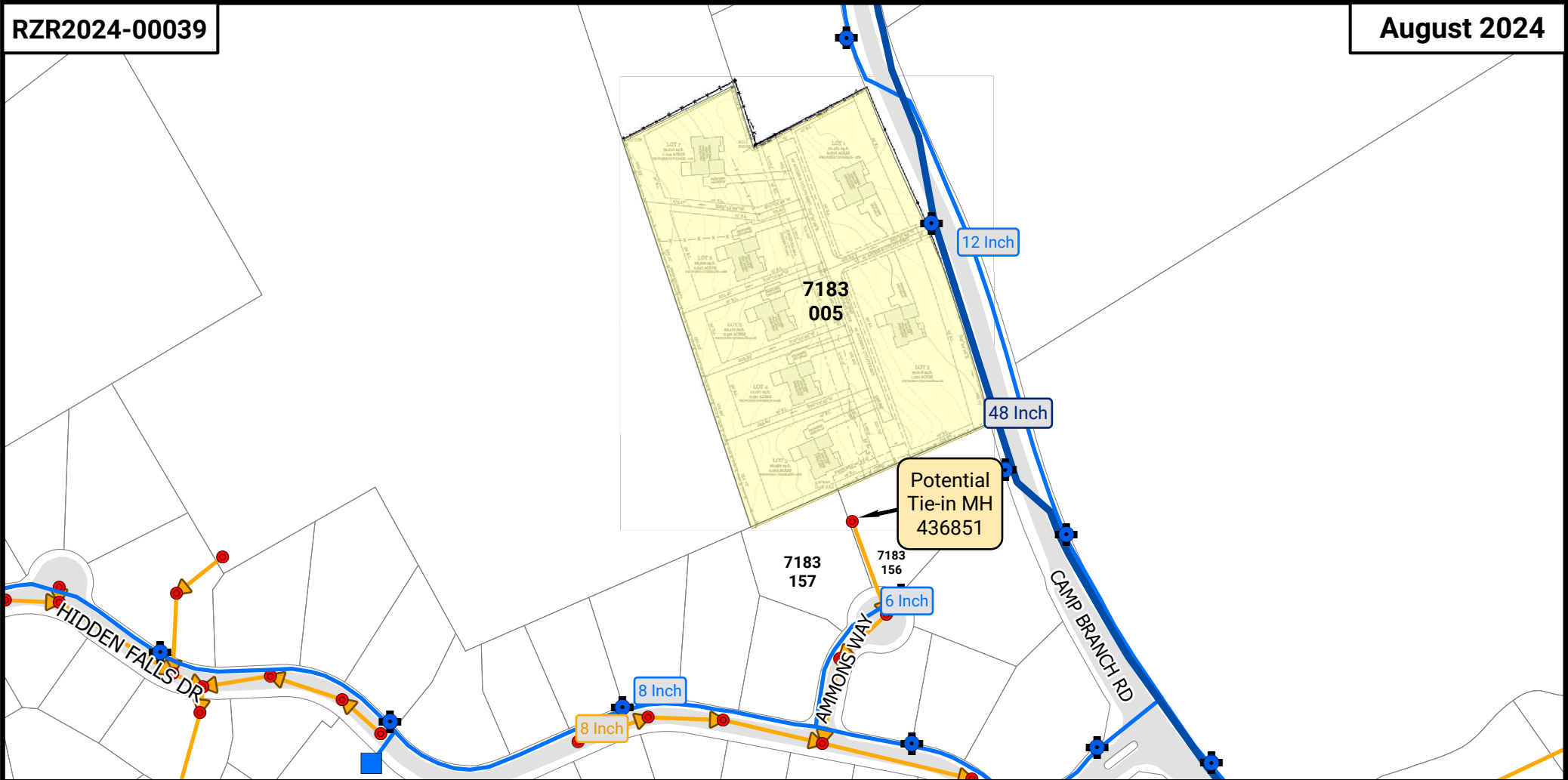


Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE

|                                |   |  |  |
|--------------------------------|---|--|--|
| TRC Meeting Date:              |   |  |  |
| Department/Agency Name:        |   | DWR  |  |
| Reviewer Name:                 |   | Mike Pappas  |  |
| Reviewer Title:                |   | GIS Planning Manager   |  |
| Reviewer Email Address:        |   | <a href="mailto:Michael.pappas@gwinnettcounty.com">Michael.pappas@gwinnettcounty.com</a> |  |
| Case Number:                   |   | RZR2024-00039  |  |
| Case Address:                  |   | 3430 Camp Branch Rd  |  |
| Comments:                      |   | <input checked="" type="checkbox"/> X  | <input type="checkbox"/> YES <input type="checkbox"/> NO                                       |
| 1                              | Water: The proposed development may connect to a 12-inch water main located on the eastern right-of-way of Camp Branch Road. A jack-and-bore may be required. The existing 48-inch water main on the western right-of-way of Camp Branch Road must be avoided during all phases of construction, including the construction of deceleration lanes.            |  |  |
| 2                              | Sewer: A Sewer Capacity Certification is required prior to obtaining a Land Disturbance Permit. Pending available capacity, the proposed development may connect to an existing 8-inch gravity sewer located between parcels 7183 156 and 7183 157. Final Plat for the Hidden Falls development indicate an easement exists for tie-in to manhole FID 436851. |  |  |
| 3                              |   |  |  |
| 4                              |   |  |  |
| 5                              |   |  |  |
| 6                              |   |  |  |
| 7                              |   |  |  |
| Recommended Zoning Conditions: |   | <input type="checkbox"/>   | <input checked="" type="checkbox"/> YES <input type="checkbox"/> X <input type="checkbox"/> NO |
| 1                              |   |  |  |
| 2                              |   |  |  |
| 3                              |   |  |  |
| 4                              |   |  |  |
| 5                              |   |  |  |
| 6                              |   |  |  |
| 7                              |   |  |  |

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

*Revised 7/26/2021*



LEGEND

Water Main

Hydrant

Master Vault

Manhole

Sewer Collector

3430 Camp Branch Rd  
RA-200/R-100 to R-100

**Water & Sewer  
Utility Map**

0 120 240  
Feet

LOCATION

**Water Comments:** The proposed development may connect to a 12-inch water main located on the eastern right-of-way of Camp Branch Road. A jack-and-bore may be required. The existing 48-inch water main on the western right-of-way of Camp Branch Road must be avoided during all phases of construction, including the construction of deceleration lanes.

**Sewer Comments:** A Sewer Capacity Certification is required prior to obtaining a Land Disturbance Permit. Pending available capacity, the proposed development may connect to an existing 8-inch gravity sewer located between parcels 7183 156 and 7183 157. Final Plat for the Hidden Falls development indicate an easement exists for tie-in to manhole FID 436851.

**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.

RZR2024-00039

Page 33 of 40

RP

| Residential Rezoning Impact on Local Schools<br>Prepared for Gwinnett County BOC, August, 2024 |                                   |              |          |          |              |          |          |              |          |          | Proposed Zoning   |
|--|-----------------------------------|--------------|----------|----------|--------------|----------|----------|--------------|----------|----------|---|
|  | School                            | 2024-25      |          |          | 2025-26      |          |          | 2026-27      |          |          | Approximate Student Projections<br>from Proposed Developments |
|  |                                   | Forecast     | Capacity | +/- Cap. | Forecast     | Capacity | +/- Cap. | Forecast     | Capacity | +/- Cap. |   |
| CIC2024-00022  | <b>Seckinger High School</b>      | <b>2,326</b> | 2,800    | -474     | <b>2,452</b> | 2,800    | -348     | <b>2,550</b> | 2,800    | -250     | 2   |
|  | Jones Middle School               | <b>1,820</b> | 1,575    | 245      | <b>1,893</b> | 1,575    | 318      | <b>1,969</b> | 1,575    | 394      | 2   |
|  | Ivy Creek Elementary School       | <b>1,583</b> | 1,275    | 308      | <b>1,614</b> | 1,275    | 339      | <b>1,646</b> | 1,275    | 371      | 3   |
| RZR2024-00039  | <b>Seckinger High School</b>      | <b>2,326</b> | 2,800    | -474     | <b>2,452</b> | 2,800    | -348     | <b>2,550</b> | 2,800    | -250     | 2   |
|  | Jones Middle School               | <b>1,820</b> | 1,575    | 245      | <b>1,893</b> | 1,575    | 318      | <b>1,969</b> | 1,575    | 394      | 2   |
|  | Patrick Elementary School         | <b>999</b>   | 1,025    | -26      | <b>1,029</b> | 1,025    | 4        | <b>1,060</b> | 1,025    | 35       | 3   |
| RZR2024-00040  | <b>South Gwinnett High School</b> | <b>2,463</b> | 2,750    | -287     | <b>2,488</b> | 2,750    | -262     | <b>2,455</b> | 2,750    | -295     | 14  |
|  | Snellville Middle School          | <b>852</b>   | 1,625    | -773     | <b>861</b>   | 1,625    | -764     | <b>870</b>   | 1,625    | -755     | 11  |
|  | Norton Elementary School          | <b>1,033</b> | 1,300    | -267     | <b>1,053</b> | 1,300    | -247     | <b>1,075</b> | 1,300    | -225     | 19  |
| RZM2024-00008  | <b>Grayson High School</b>        | <b>3,585</b> | 3,000    | 585      | <b>3,693</b> | 3,000    | 693      | <b>3,803</b> | 3,000    | 803      | 25  |
|  | Bay Creek Middle School           | <b>1,449</b> | 1,150    | 299      | <b>1,485</b> | 1,150    | 335      | <b>1,537</b> | 1,150    | 387      | 19  |
|  | Trip Elementary School            | <b>1,440</b> | 1,200    | 240      | <b>1,498</b> | 1,200    | 298      | <b>1,558</b> | 1,200    | 358      | 36  |

## **Exhibit G: Maps**

**[attached]**





KILGORE RD

CAMP BRANCH RD

AMMONS WAY

HIDDEN FALLS DR

HIDDEN FALLS PL



RZR2024-00039

Created: June 24, 2024

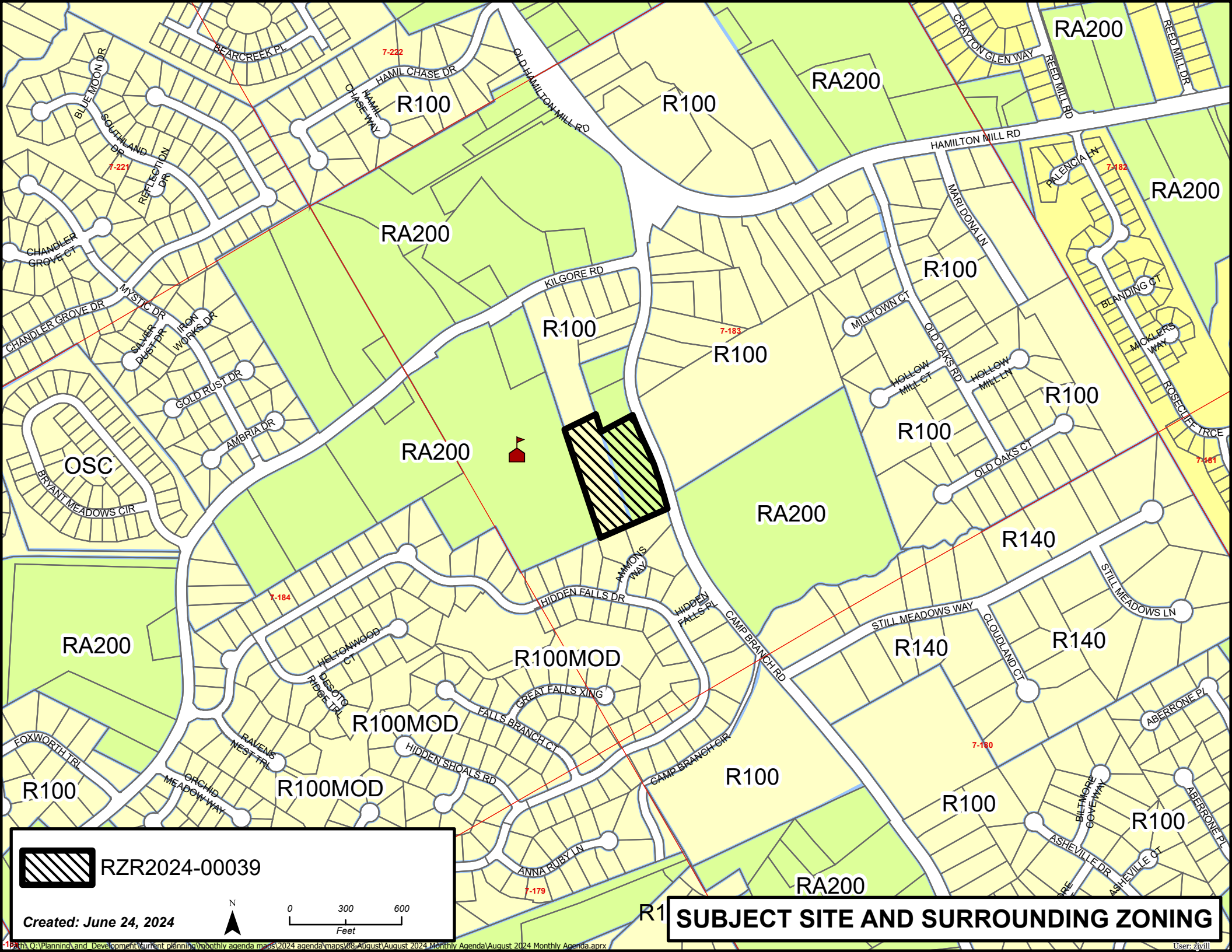


0 100 200  
Feet

Gwinnett County GIS

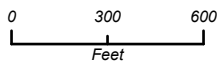
User: givill



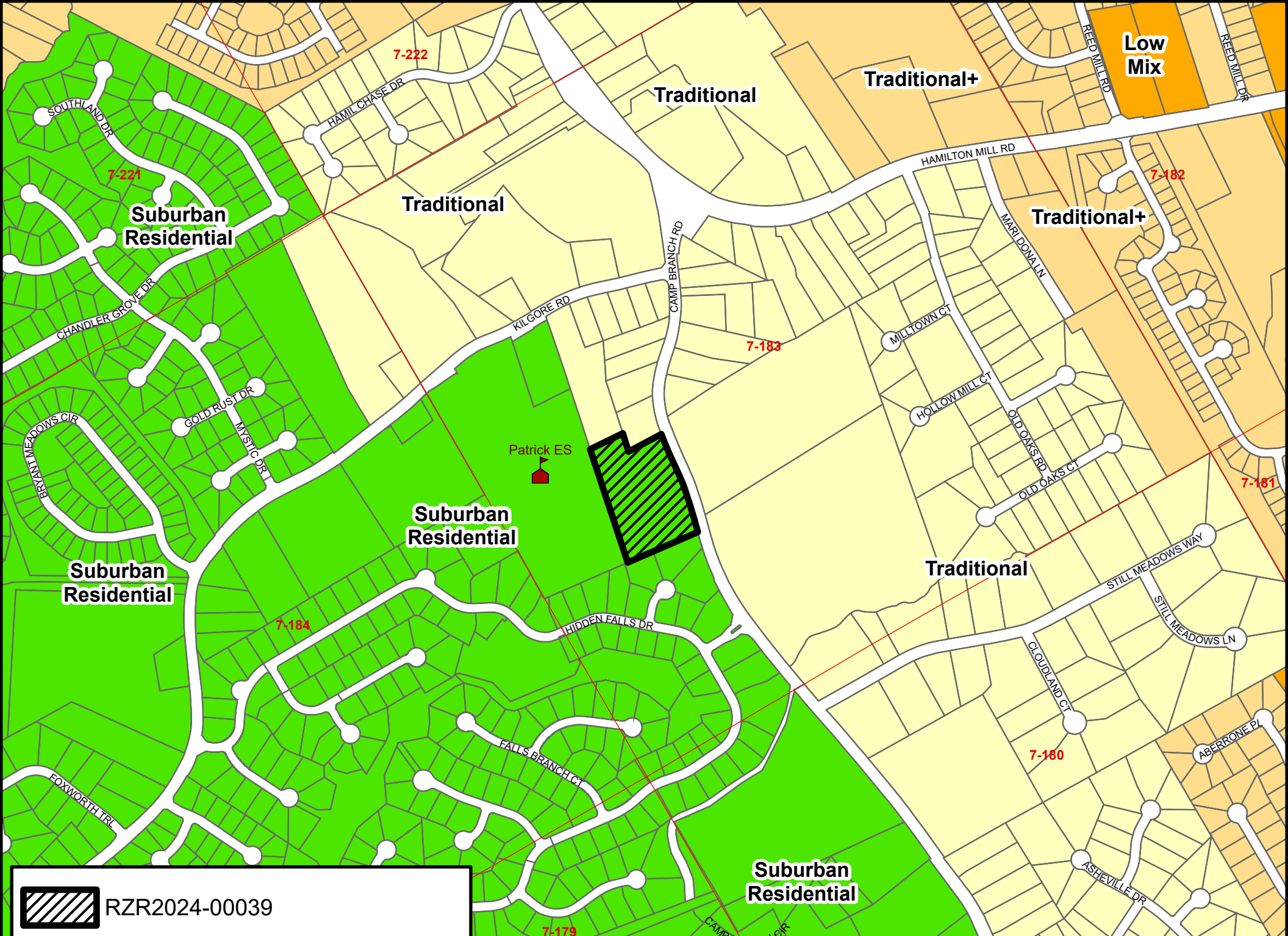


RZR2024-00039

Created: June 24, 2024



**SUBJECT SITE AND SURROUNDING ZONING**




RZR2024-00039

Created: June 24, 2024




# 2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

**Exhibit H: Site Plan Dated August 28, 2024**

**[attached]**

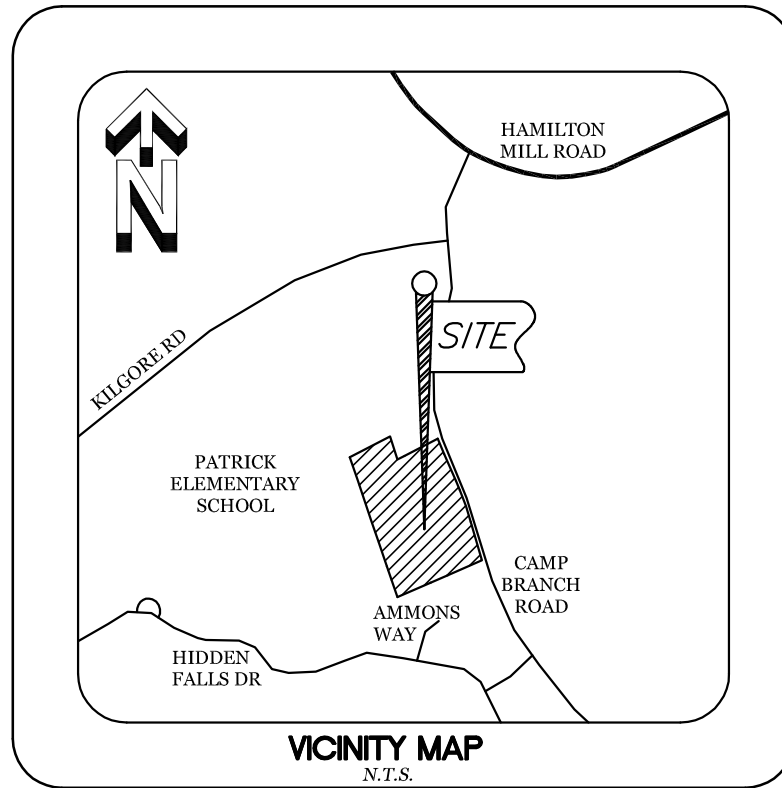


[illegible]

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. SUBJECT AND ADJACENT PROPERTY OWNER'S DEED REFERENCES WERE PROVIDED BY GEORGIA PREMIER LAND SERVICES, INC. AND ARE NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT  
**RECEIVED**  
8.30.2024

**GEORGIA811**  
www.Georgia811.com



SITE ADDRESS:  
3430 CAMP BRANCH ROAD  
BUFORD, GEORGIA 30519

| Age Group | Percentage of Respondents |
|-----------|---------------------------|
| 18-24     | ~10%                      |
| 25-34     | ~15%                      |
| 35-44     | ~25%                      |
| 45-54     | ~35%                      |
| 55-64     | ~45%                      |
| 65-74     | ~55%                      |
| 75-84     | ~65%                      |
| 85-94     | ~75%                      |

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

LOCATED IN LAND LOT 183 OF THE 7TH LAND DISTRICT  
GWINNETT COUNTY, GA. SCALE 1"=40'

[illegible]

1 of 1