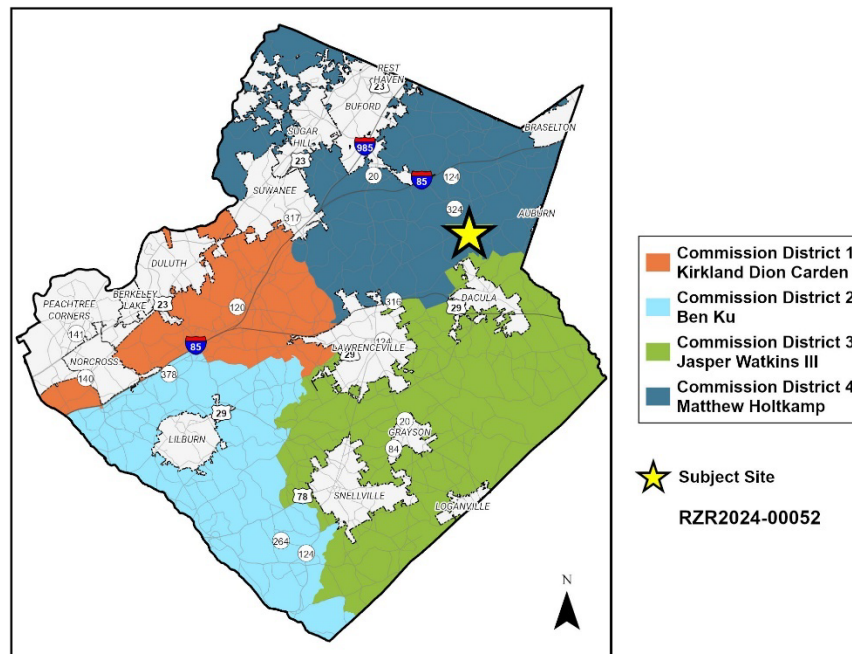


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2024-00052
Current Zoning: RA-200 (Agriculture-Residence District)
Request: Rezoning to R-100 (Single-Family Residence District)
Address: 992 Bailey Woods Road
Map Number: R2001 022
Site Area: 1.66 acres
Lots: 2
Proposed Development: Single-Family Detached Subdivision
Commission District: District 4 – Commissioner Holtkamp
Future Development Type: Neighborhood Traditional+

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: PUBLIC HEARING TABLED TO DECEMBER 2, 2024



Planning Commission Advertised Public Hearing Date: 11/4/2024 (Public Hearing Tabled to 12/2/2024)

Board of Commissioners Advertised Public Hearing Date: 11/12/2024 (Public Hearing Tabled to 12/10/2024)

Applicant: Liviu Mocanu
992 Bailey Woods Road
Dacula, GA 30019

Owner: Liviu Mocanu
992 Bailey Woods Road
Dacula, GA 30019

Contact: Maria Mocanu

Contact Phone: 678.602.9112

Zoning History

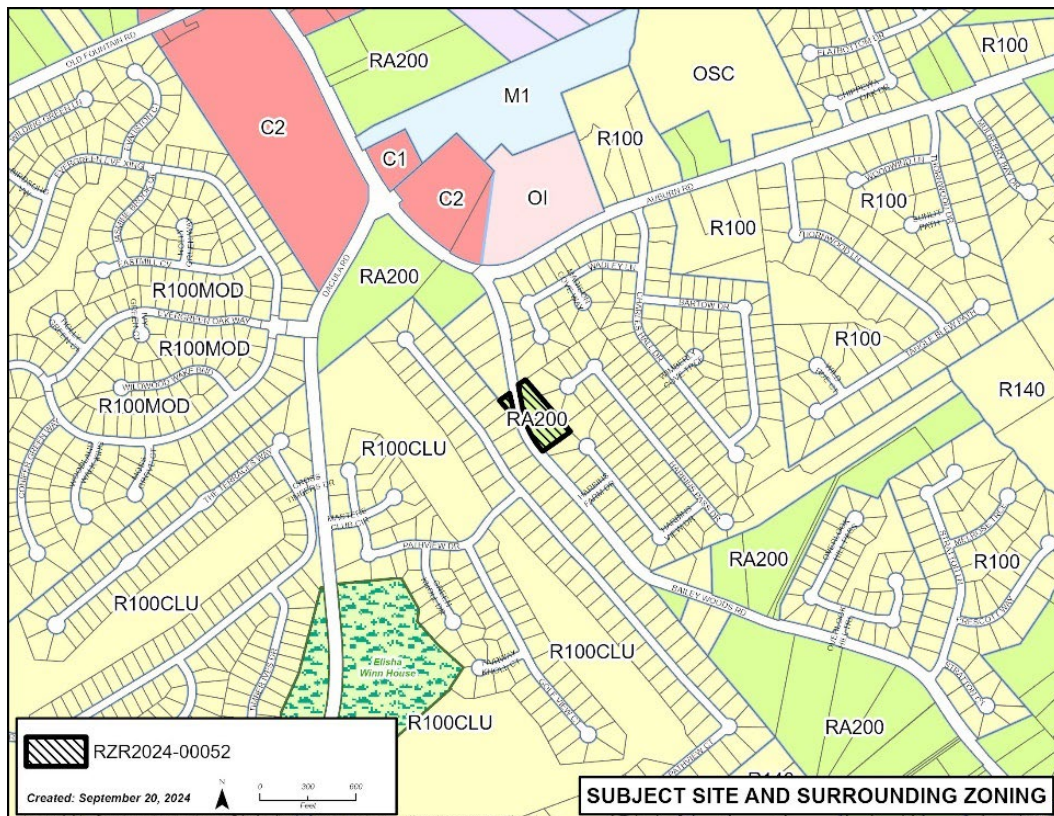
The subject property is zoned RA-200 (Agriculture-Residence District). No prior zoning requests are on record for this property.

Existing Site Condition

The subject property is a 1.66-acre parcel located along Bailey Woods Road, south of its intersection with Auburn Road. The parcel is divided by Bailey Woods Road with a 3,750 square foot single-family detached residence on the east side, and 0.13-acre undeveloped portion on the west side. The eastern portion is accessed via two curb cuts, with a 4-foot-tall wooden fence and a row of evergreen trees along the road frontage, and a 6-foot-tall wooden fence along the side and rear property lines. A septic field is located to the rear of the existing residence.

Surrounding Use and Zoning

The subject property is surrounded by single-family detached residences within subdivisions. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-100	1.2 units per acre
North	Single-Family Residential	R-100	1.28 units per acre
East	Single-Family Residential	R-100MOD	3.02 units per acre
South	Single-Family Residential	R-100MOD	2.48 units per acre
West	Single-Family Residential	R-100CLU	2.14 units per acre

Project Summary

The applicant requests rezoning of a 1.66-acre property from RA-200 to R-100 for a single-family detached subdivision, including:

- Two single-family detached residences on 26,311 and 41,070 square foot lots, yielding a density of 1.2 units per acre, including the existing residence and a new 3,800 square foot residence with a two-car garage.
- Exterior building materials on the proposed residence consisting of brick and fiber cement siding.
- Two existing curb cuts to remain, with a proposed 18-foot-wide cross-access easement.
- A new private septic system located in the side yard of the proposed residence.

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 sq ft	>15,000 sq ft	YES
Lot Width	Minimum 100'	>100'	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 proposed development would have comparable home sizes, density, and exterior materials to the surrounding residences. In addition, the surrounding properties are also zoned R-100 or variations of R-100. The proposed rezoning would permit a use that is suitable in view of the use and development of adjacent or nearby property.

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

The proposed development is compatible with the surrounding single-family detached residences, given the lot sizes, density and home sizes. The 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.

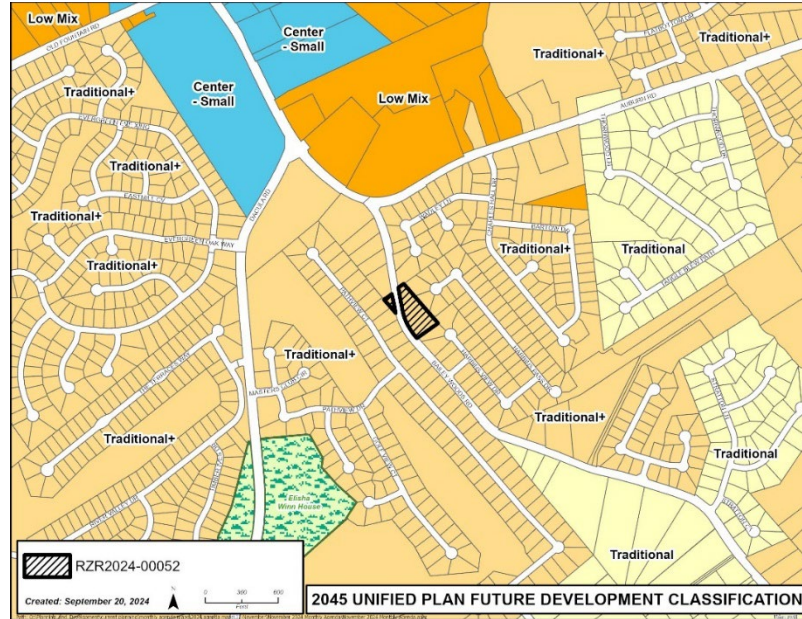
The property has a reasonable economic use as currently zoned.

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.

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. 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, which envisions primarily single-family detached residences on sewer. Although the proposed density is lower than envisioned in the Unified Plan, single-family detached residential is a recommended land use. The proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.



F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning.

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

Staff Recommendation

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

Staff Recommended Conditions

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 two lots.
2. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan and Exhibit C: Elevations, dated received September 9, 2024, subject to the review and approval of the Department of Planning and Development.
3. The minimum heated floor area of the proposed residence shall be 3,000 square feet.

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 the road frontage of Bailey Woods Road



View of the road frontage and access of Bailey Woods Road



View of approximate location of the proposed residence



View of the existing residence

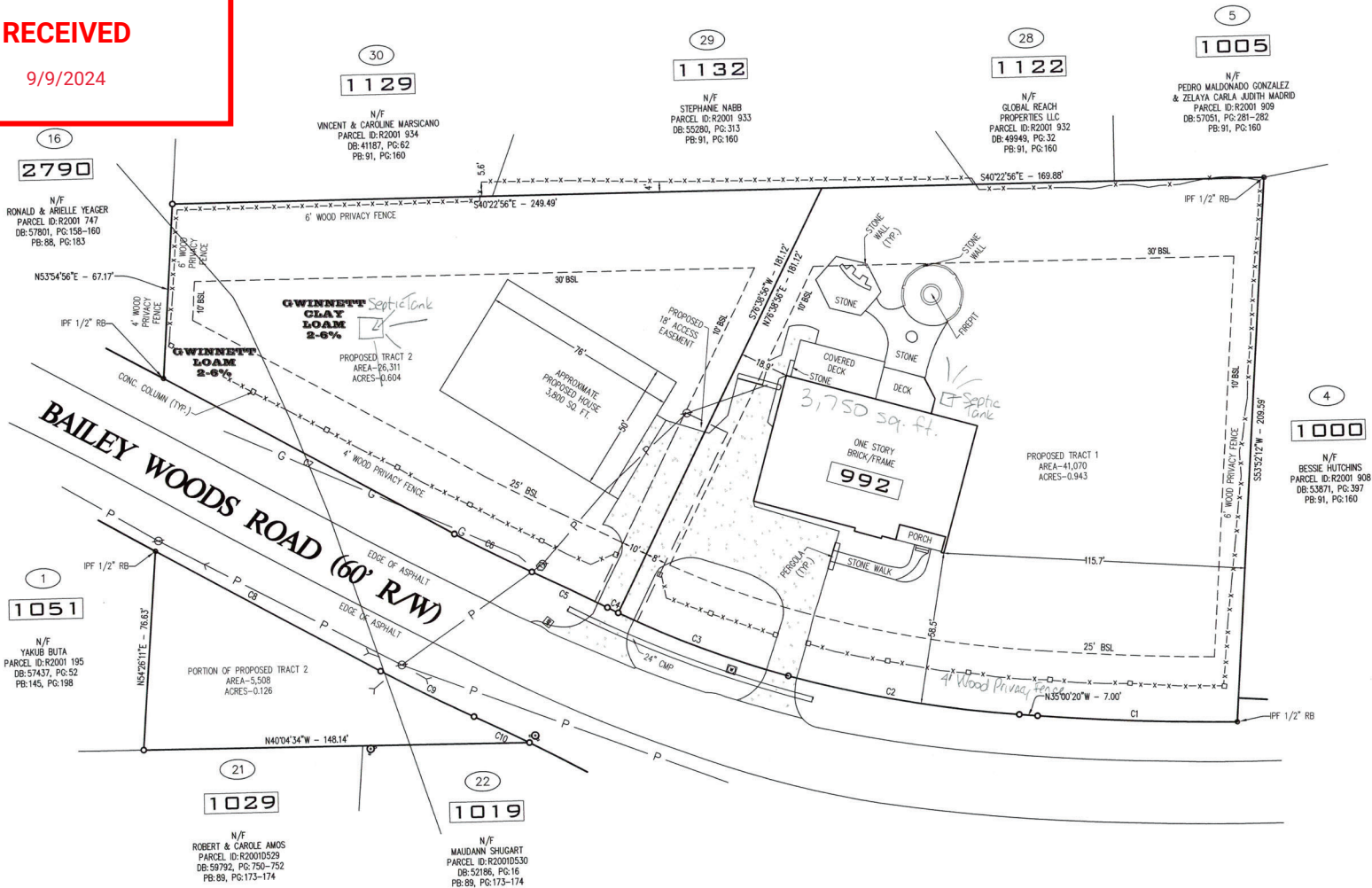
Exhibit B: Site Plan

[attached]

WINNETT COUNTY
PLANNING AND DEVELOPMENT

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9/9/2024



LEGEND	
BSL	BUILDING SETBACK LINE
DE	DRAINAGE EASEMENT (STORM)
SSE	SANITARY SEWER EASEMENT
EOP	EDGE OF PAVEMENT (CURB)
R/W	RIGHT OF WAY
S/W	SIDEWALK
FFE	FINISHED FLOOR ELEVATION
GFE	GARAGE FLOOR ELEVATION
MFFE	MIN. FINISHED FLOOR ELEVATION
→	PROPOSED FLOW ARROW
~	PROPOSED SILT FENCE
⊗	POWER POLE
⊙	1/2" IRON REBAR SET
○	IRON PIN FOUND
○	BOLLARD
—	OVERHEAD POWER
⊕	FIRE HYDRANT
⊗	WATER METER
⊗	WATER VALVE
⊗	GAS VALVE
⊗	GAS METER
☆	LIGHT POLE
□	CONCRETE PAD
⊕	TELEPHONE MARKER
⊕	AIR CONDITIONER UNIT
⊕	MAIL BOX
⊕	CLEAN OUT
⊕	SANITARY SEWER MANHOLE
⊕	LEFT WING CATCH BASIN
⊕	RIGHT WING CATCH BASIN
⊕	DOUBLE WING CATCH BASIN
⊕	DROP INLET
⊕	HEADWALL

WINNETT COUNTY
ZONING: R-100
MINIMUM FRONT SETBACK - 25'
MINIMUM SIDE SETBACK - 10'
MINIMUM REAR SETBACK - 30'
MINIMUM LOT SIZE - SEWER: 15,000 SQ. FT.
MINIMUM HEATED FLOOR AREA - 1,400 SQ. FT.
MAXIMUM BUILDING HEIGHT - 35 FT.
MAXIMUM COVERAGE - 45%

PROPOSED HEATED FLOOR AREA - 3,800 SQ. FT.
PROPOSED BUILDING HEIGHT - 25 FT.
PROPOSED COVERAGE - > 45%

TOTAL AREA: 72,890 SQ. FT., 1.673 AC

TRACT 1: 41,070 SQ. FT., 0.943 AC.

TRACT 2: 31,919 SQ. FT., 0.730 AC.

CALCULATED PLAT CLOSURE: 1 FOOT IN 386,473 FEET

SOILS SHOWN ARE APPROXIMATE, BASED ON THE UNITED STATES DEPARTMENT OF AGRICULTURE WEB SOIL SURVEY.

Curve Table				
Curve #	Length	Radius	Direction	Chord Length
C1	76.82	977.26	N37°15'22"W	76.80
C2	90.04	465.68	N29°27'59"W	89.90
C3	69.78	378.03	S18°38'19"E	69.68
C4	4.63	378.03	N12°59'59"W	4.63
C5	32.09	894.70	N13°38'37"W	32.09
C6	33.14	610.49	N12°52'04"W	33.14
C7	126.55	10915.45	N10°47'53"W	126.55
C8	98.01	10975.45	S10°51'39"E	98.01
C9	39.85	670.49	S13°02'46"E	39.84
C10	23.52	825.63	S13°42'37"E	23.52


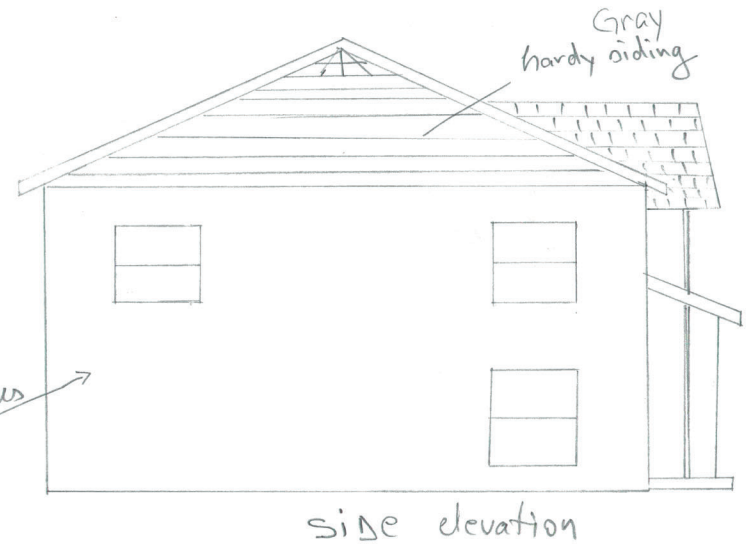
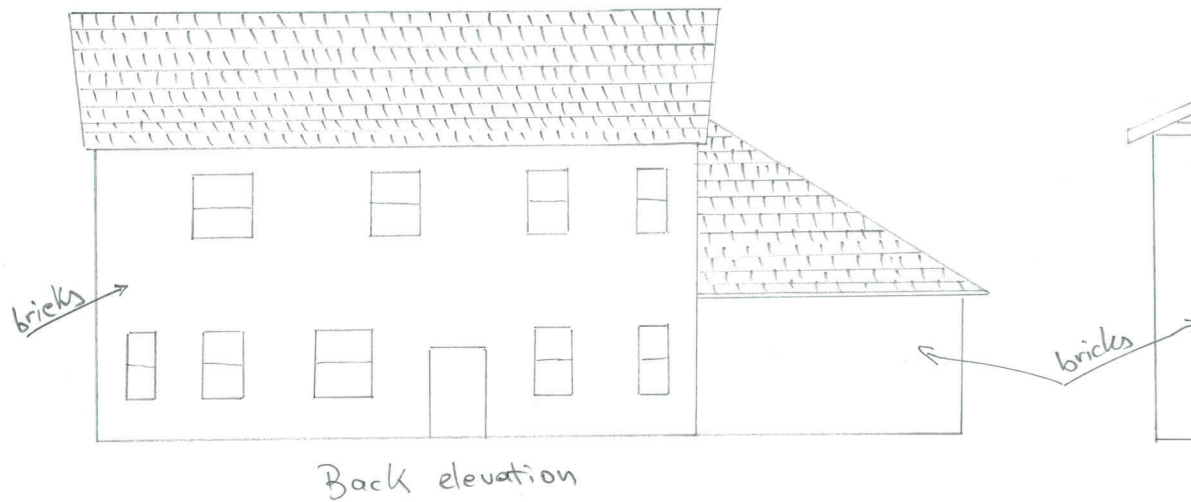
SCALE: 1"=30'		GRAPHIC SCALE - IN FEET		CLIENT: MARIA MOCANI	
DESIGNED BY: LAR	SHEET NUMBER: 1 of 1	FILE NAME: 992 BAILEY WOODS ROAD_CONCEPT		DATE: 5-30-2024	JOB NUMBER: SURV-1919
Copyright © 2023 These drawings and their reproductions are the property of the surveyor and may not be reproduced, published, or used in any way without the written permission of this surveyor.					
 KEYSTONE LAND SURVEYING, INC. 262 WEST CROGAN STREET LAWRENCEVILLE, GEORGIA 30046 770.545.8700 www.keystonelandsurveying.com					
CONCEPTUAL PLAN FOR REZONING					
992 BAILEY WOODS ROAD G.M.D. 1587 WINNETT COUNTY, GEORGIA 30019 REVISIONS					
1					
2					
3					
4					
5					

Exhibit C: Building Elevations

[attached]

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9/9/2024



992 Bailey Woods Rd, Duluth, Ga

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

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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7/30/2024

Letter of Intent

Rezoning

Gwinnett County

I, Liviu L Mocanu, am requesting rezoning with Gwinnett County for parcel ID 2001-022.

The parcel address is 992 Bailey Woods Rd Dacula Ga 30019. The property is 1.547 acres and stretches almost 400' along Bailey Woods Rd currently zoned RA-200. The proposed zoning being requested is R100. The neighborhoods around our parcel are all small parcels. Also, in the last years, on Bailey Woods Rd several areas were developed with new dwellings.

I would like the rezoning approval based on the attached site plan. The site plan showed two (2) single family homes with a common private driveway coming off to Bailey Woods Rd. This zoning was encouraged during the pre-application meeting as well.

The site will be on public water, septic sewer and electrical only.

We started living at 992 Bailey Woods Rd in spring of 2014. Since then, we remodeled the place which improved the look of the property and the neighborhood. We want to do the same for the new parcel.

Respectfully,

Liviu L Mocanu

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7/30/2024

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 it will match the neighborhood

- (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:

Yes

- (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

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

Yes it fits context 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:

No

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

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9/9/2024

REZONING APPLICATION

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




APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
Name: <u>Livia Mocanu</u>		Name: <u>Livia Mocanu</u>	
Address: <u>992 Bailey Woods Rd</u>		Address: <u>992 Bailey Woods Rd</u>	
City: <u>Dacula</u>		City: <u>Dacula</u>	
State: <u>GA</u> ZIP: <u>30019</u>		State: <u>GA</u> ZIP: <u>30019</u>	
Phone: <u>678 602 9112</u>		Phone: <u>678 602 9112</u>	
Email: <u>mocanu5@hotmail.com</u>		Email: <u>mocanu5@hotmail.com</u>	
Contact Person: <u>Maria Mocanu</u>		Phone: <u>678 602 9112</u>	
Contact's Email: <u>mocanu5@hotmail.com</u>			
<p align="center">APPLICANT IS THE:</p> <p> <input type="checkbox"/> Owner's Agent <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser </p>			
Current Zoning District(s): <u>RA-200</u>		Requested Zoning District: <u>R-100</u>	
Parcel Number(s): <u>2001 022</u>		Acreage: <u>1.67</u>	
Property Address(es): <u>992 Bailey Woods Rd Dacula, GA 30019</u>			
Proposed Development: <u>new single family home</u>			
Variance(s): _____		Waiver(s): _____	
<p align="center">RESIDENTIAL DEVELOPMENT</p> <p>No. of Dwelling Units: <u>1</u></p> <p>Dwelling Unit Sq. Ft.: <u>4500</u></p> <p>Density: <u>1.37</u></p> <p>Floor Area Ratio (LRR, MRR, HRR): _____</p>		<p align="center">NON-RESIDENTIAL DEVELOPMENT</p> <p>No. of Buildings: _____</p> <p>Total Building Sq. Ft.: _____</p> <p>Floor Area Ratio: _____</p>	
<p align="center">MIXED-USE DEVELOPMENT</p> <p>No. of Dwelling Units: _____ Dwelling Unit Sq. Ft.: _____</p> <p>Total Non-Residential Sq. Ft.: _____ Floor Area Ratio: _____</p>			

RECEIVED

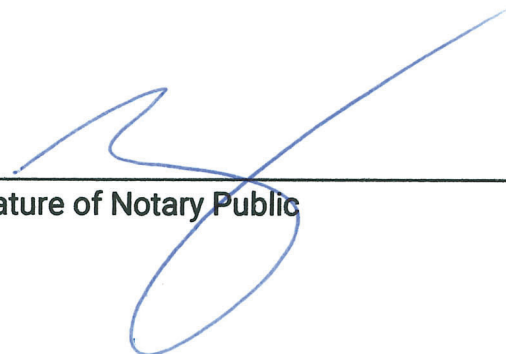
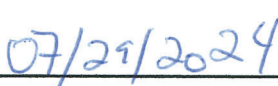

7/30/2024

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

 
Type or Print Name and Title

  
Signature of Notary Public Date Notary Seal

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7/30/2024

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.



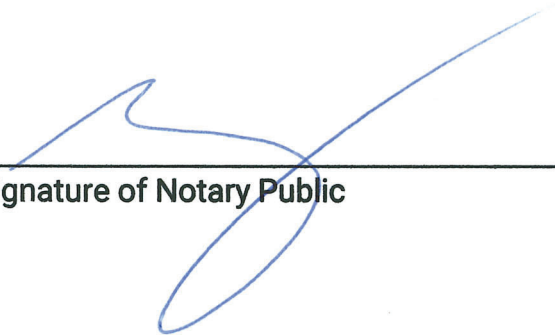
Signature of Property Owner

7/29/24

Date

LIVIU L. MOCANU owner

Type or Print Name and Title



Signature of Notary Public

07-29-2024

Date



Notary Seal

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7/30/2024

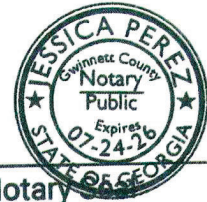
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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] 7/29/24 Livia Mocanu
Signature of Applicant Date Type of Print Name and Title

Signature of Applicant's Attorney or Representative Date Type of Print Name and Title

[Signature] 07-29-2024 Jessica Perez
Signature of Notary Public Date Notary Public



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners?

☐ Yes ☒ No Livia Mocanu (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

9/9/2024

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.

Maria Hocken 9-9-24 Maria Hocken
Signature of Applicant Date Type of Print Name and Title

Signature of Applicant's Attorney or Representative Date Type or Print Name and Title
Geneva F Vaughn
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires
09/28/2027
Geneva F. Vaughn 09/9/2024
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

Maria Hocken (Your Name)

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

NAME AND OFFICAL 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]



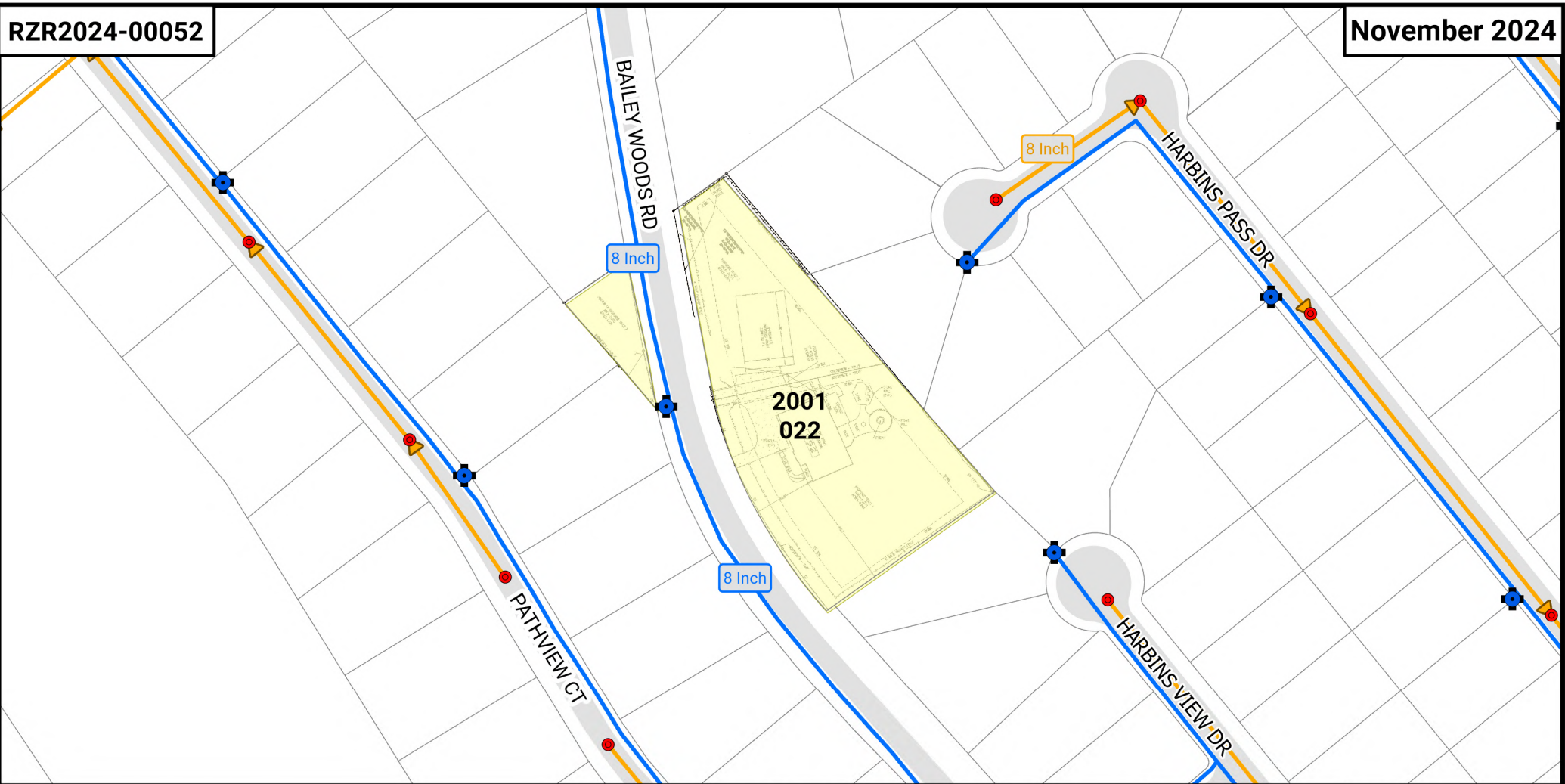
Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		10.04.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		RZR2024-00052	
Case Address:		992 Bailey Woods Road, Dacula, 30019	
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES <input type="checkbox"/> NO
1	Bailey Woods Road is a local roadway. The Average Daily Traffic (ADT) volume is 2,304.		
2	The nearest Ride Gwinnett facility is located 6.1 miles away at the Buford Drive (SR 20) and Old Peachtree Road Publix.		
3	The developer shall connect to the existing sidewalk directly adjacent to the south and construct a 5' concrete sidewalk along the entire site frontage, per section 360-90 of the UDO.		
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> X NO
1			
2			
3			
4			
5			
6			
7			



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

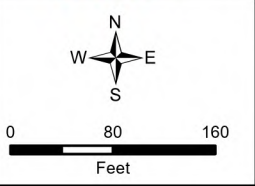
TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcounty.com		
Case Number:		RZR2024-00052		
Case Address:		992 Bailey Woods Road		
Comments:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO
1	Water: The proposed development may connect to an existing 8-inch water main along the western right-of-way of Bailey Woods Road.			
2	Sewer: The proposed development plans to be on septic system pending approval from the GNR Public Health.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> NO
1				
2				
3				
4				
5				
6				
7				



LEGEND

- Water Main
- Sewer Collector
- Hydrant
- Manhole

992 Bailey Woods Rd
RA-200 to R-100
**Water & Sewer
Utility Map**



Water Comments: The proposed development may connect to an existing 8-inch water main along the western right-of-way of Bailey Woods Road.

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

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

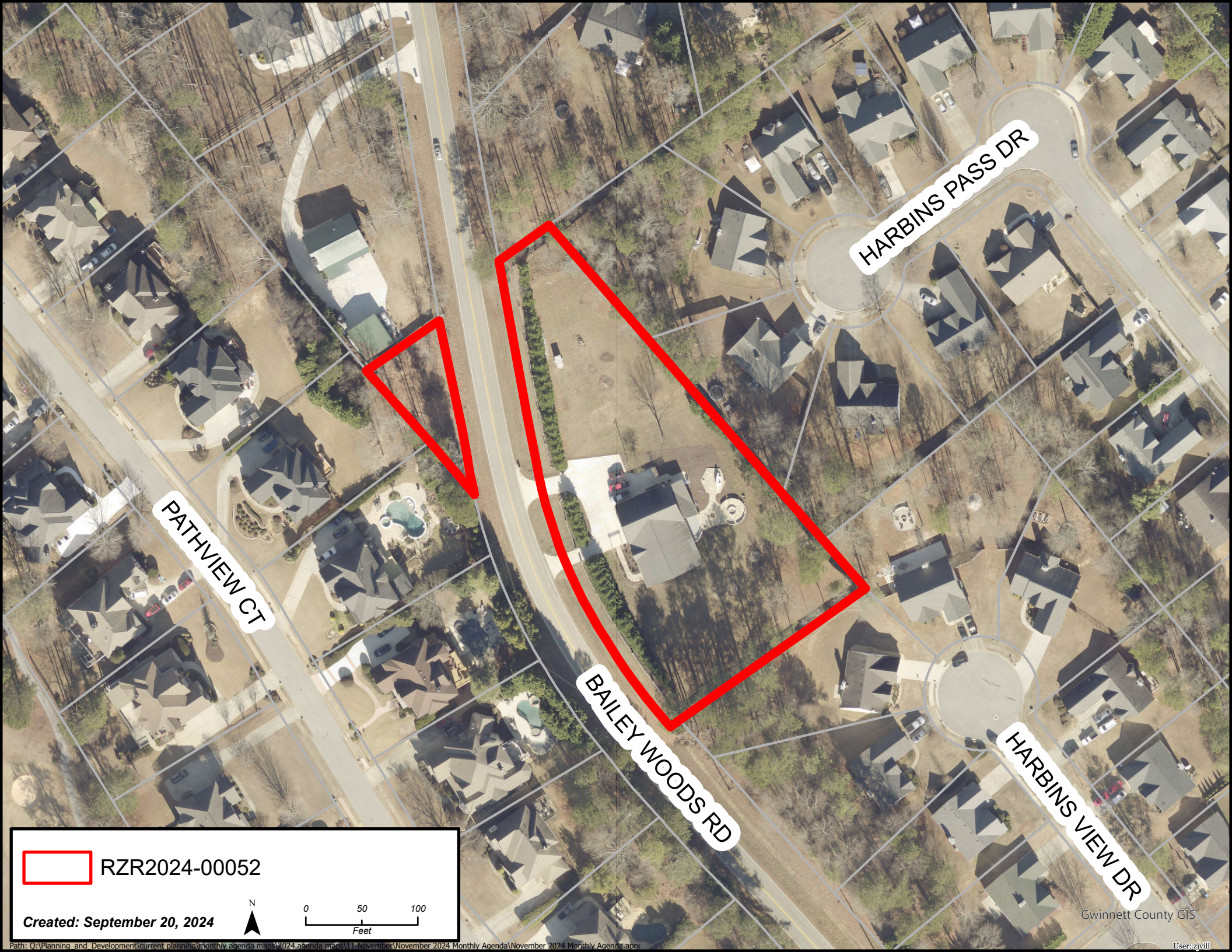
Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station,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

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

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

Exhibit G: Maps

[attached]



PATHVIEW CT

HARBINS PASS DR

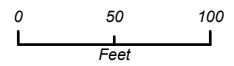
HARBINS VIEW DR

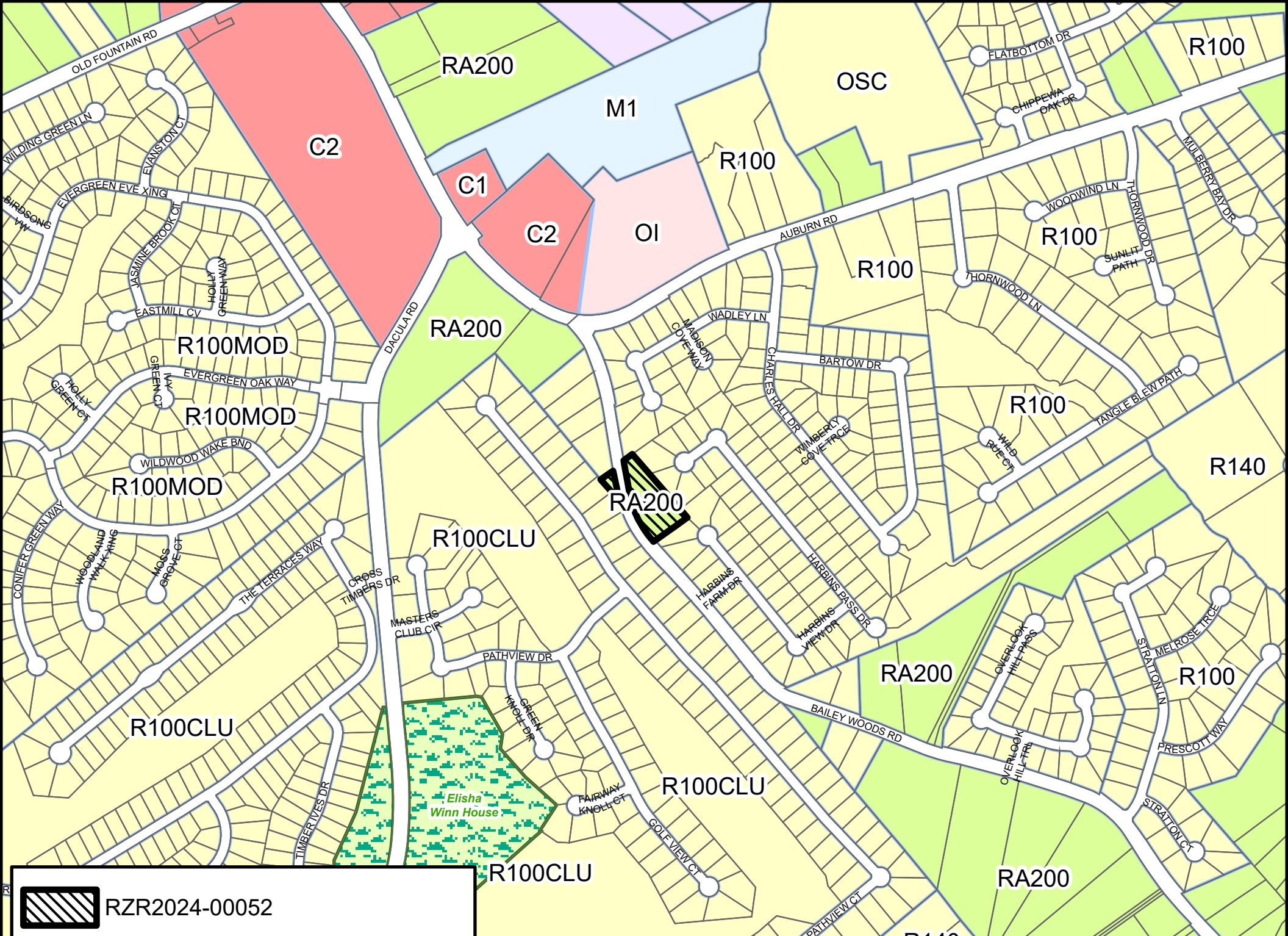
BAILEY WOODS RD



RZR2024-00052

Created: September 20, 2024





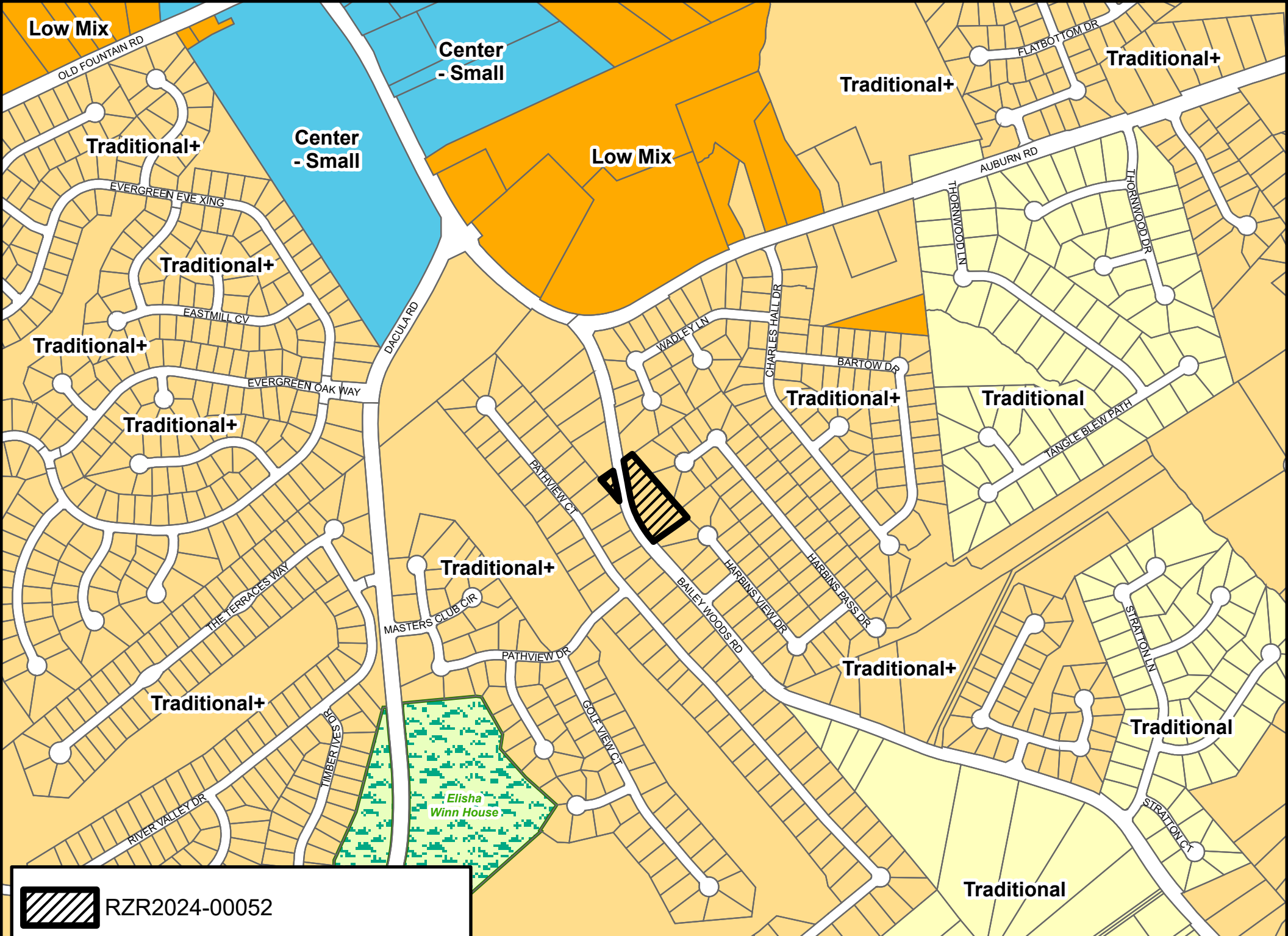
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Created: September 20, 2024



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Feet

SUBJECT SITE AND SURROUNDING ZONING



 RZR2024-00052

Created: September 20, 2024





2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION