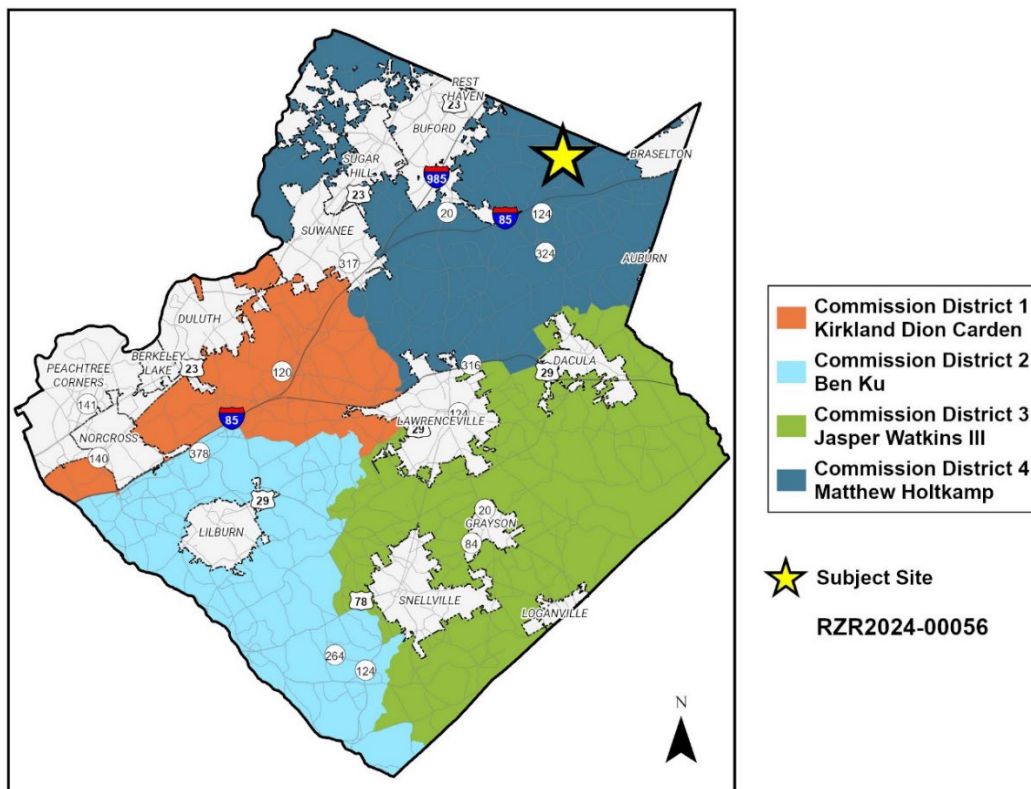


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2024-00056
Current Zoning: RA-200 (Agriculture-Residence District)
Request: Rezoning to R-100 (Single-Family Residence District)
Address: 3048 Thompson Mill Road
Map Number: R1002 015
Site Area: 3.61 acres
Lots: 4
Proposed Development: Single-Family Detached Subdivision
Commission District: District 4 – Commissioner Holtkamp
Future Development Type: Rural

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** DENIAL



Applicant: David Sonders, Key Engineering
Solutions – US, Inc.
2847 North Bogan Road
Buford, GA 30519

Owners: Rosa Martinez
3675 Thompson Mill Road
Buford, GA 30519

Contact: David Sonders

Contact Phone: 561.504.2224

Zoning History

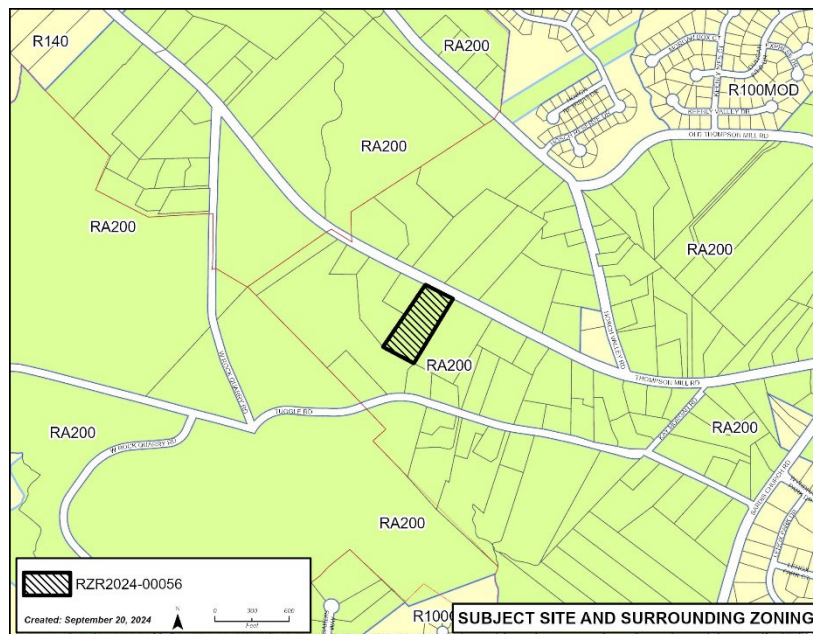
The subject property is zoned RA-200 (Agriculture-Residence District). No prior zoning cases are on record for this property.

Existing Site Condition

The site is an undeveloped 3.61-acre parcel located along Thompson Mill Road, west of its intersection with Hosch Valley Road. The site is densely vegetated, and slopes down approximately 48 feet from the street frontage to the southern property line. A stream is located in the southeast corner of the property. There is no sidewalk along the Thompson Mill Road frontage. The nearest Gwinnett County Transit stop is approximately 3.3 miles from the subject property.

Surrounding Use and Zoning

The subject property is surrounded entirely by single-family residences on large lots. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-100	1.11 units per acre
North	Single-Family Residential	RA-200	0.16 units per acre
East	Single-Family Residential	RA-200	0.20 units per acre
South	Single-Family Residential	RA-200	0.07 units per acre
West	Single-Family Residential	RA-200	0.25 units per acre

Project Summary

The applicant requests rezoning of a 3.61-acre property from RA-200 to R-100 for a single-family detached subdivision, including:

- Four single-family residences on lots ranging from 36,348 square feet to 42,482 square feet, yielding a density of 1.11 units per acre.
- Two-story homes with a minimum heated floor area of 2,500 square feet with front and side-loaded three-car garages.
- Exterior building materials of stone, brick, and board and batten siding.
- A 20-foot-wide gated private driveway within a 24-foot-wide common access easement, providing access to all four lots from Thompson Mill Road along the western property line.
- A 40-foot-wide setback and 10-foot-wide landscape strip along Thompson Mill Road.
- Lots to be served by private septic systems.

Zoning and Development Standards

The applicant is requesting 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'	>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
Street Frontage Setback	Minimum 40' 10' wide landscape strip	40' 10' wide landscape strip	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 on large lots. However, many of the RA-200 zoned parcels within the surrounding area are smaller than the minimum required size for the zoning district. The proposal would introduce new housing into this area. A rezoning from RA-200 to R-100 at the intersection of Thompson Mill Road and Hosch Valley Road was approved in 2022, pursuant to RZR2022-00010. The proposed rezoning would 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 development would introduce new housing compatible with lot sizes, home sizes, and exterior materials to the surrounding area. The proposed rezoning 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.

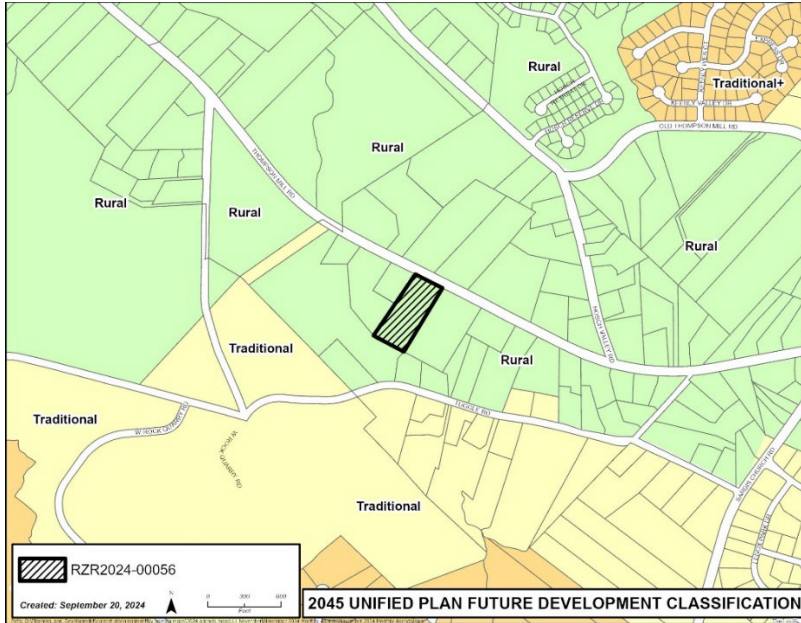
The property has a reasonable economic use as currently zoned.

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 "Rural" for the subject property. This future development type historically has seen little development and strives to maintain a low intensity, pastoral character. Single-family residential development is a recommended use for the "Rural" future development type and the proposed lot sizes are compatible with the surrounding area. 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 three lots.
2. The proposed development shall be constructed in general conformance with Exhibit C: Elevations, dated received September 16, 2024, subject to the review and approval of the Department of Planning and Development.
3. The minimum heated floor area shall be 2,500 square feet.
4. The site shall be limited to a single, shared entrance from Thompson Mill Road, subject to the review and approval of the Gwinnett County Department of Transportation.
5. Natural vegetation shall remain on the property until the issuance of a building permit or development permit.

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 **DENIAL** of the rezoning request.

Exhibits:

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

Exhibit A: Site Visit Photos



View of property frontage along Thompson Mill Road



East of property on Thompson Mill Road



West of property on Thompson Mill Road

Exhibit B: Site Plan

[attached]

3048 THOMPSON ROAD
BUFFORD, GA 30519
R100215
TOTAL PROPERTY SIZE = 3.608 AC.

LOT 1 = 36,541 SF
LOT 1 2/3RDS COVERAGE = 6,100 SF (16.69%)
LOT 2 = 36,407 SF
LOT 2 2/3RDS COVERAGE = 6,100 SF (16.75%)
LOT 3 = 36,348 SF
LOT 3 2/3RDS COVERAGE = 6,100 SF (16.78%)
LOT 4 = 42,482 SF
LOT 4 2/3RDS COVERAGE = 6,500 SF (15.30%)

MAXIMUM BUILDING HEIGHT = 35';

R-100
MINIMUM LOT AREA: 15,000 S.F. SEWER/25,000 S.F. SEPTIC
MINIMUM LOT WIDTH: 100'
MINIMUM BUILDING HEIGHT: 35 FEET
MINIMUM REAR SETBACK: 30 FEET
MINIMUM FRONT SETBACK: 30 FEET (MINOR)
MINIMUM FRONT SETBACK: 10 FEET (MAJOR)
MINIMUM FRONT LANDSCAPE BUFFER: 10 FEET
MINIMUM SIDE SETBACK: 10 FEET
MINIMUM HEATED: 4,000 S.F.

RECEIVED



K.E.S.
KEY ENGINEERING SOLUTIONS
2747 N. BOGAN RD.
BURLINGTON, GA 30511
Phone: 541.604.7777

[illegible]

RP

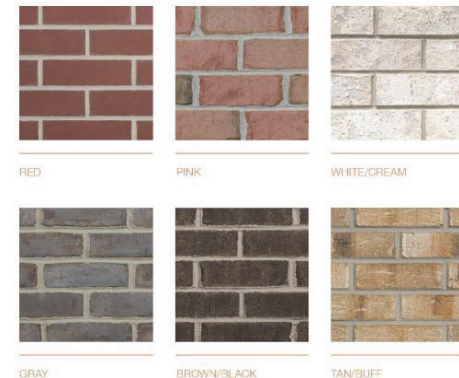
Exhibit C: Building Elevations

[attached]

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9.16.2024

FRONT ELEVATION
SCALE: 1/4"-----1'-0"



Stone Colors

Brick Colors

REV.

DATE

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WE PLAN
HOMES

TEL: 770-916-0741
WWW.WEPLANHOMES.COM

SHADBURN CUSTOM-2
ELEVATIONS

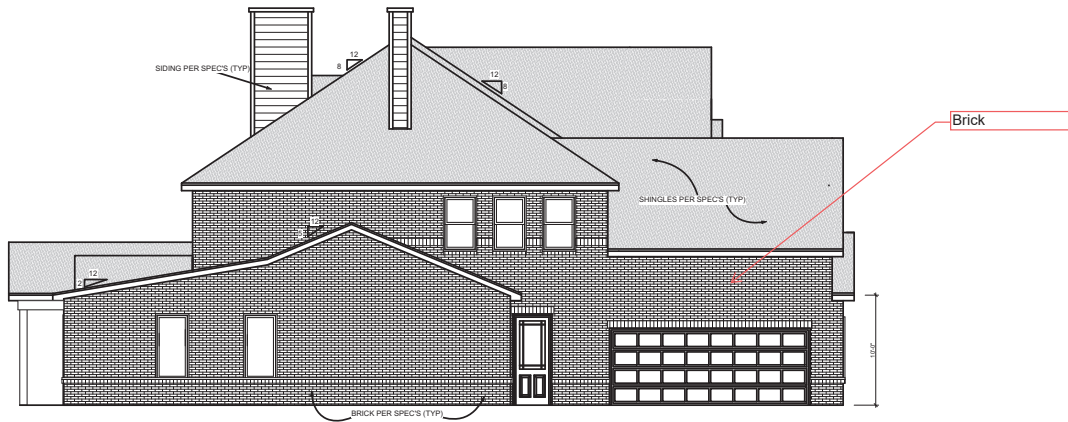
DWG. BY:
PWL/SAM

DATE:
1-11-22

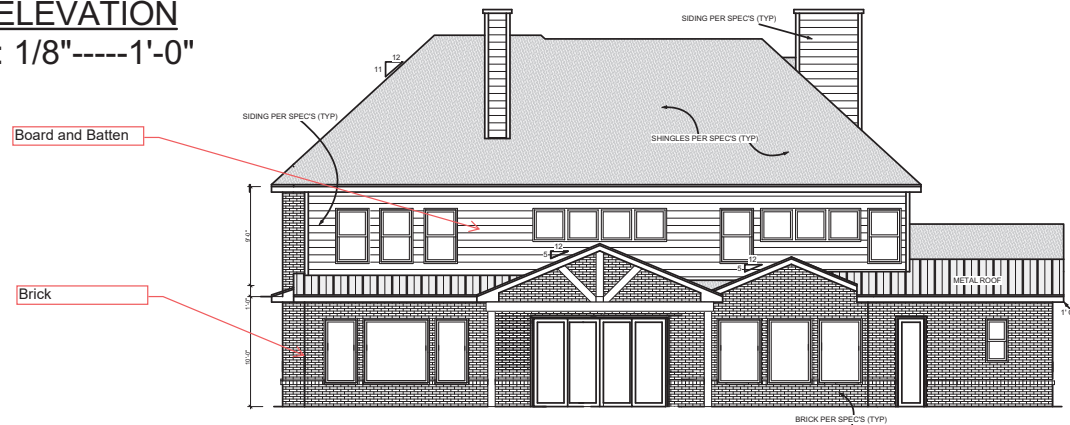
SHEET:

1

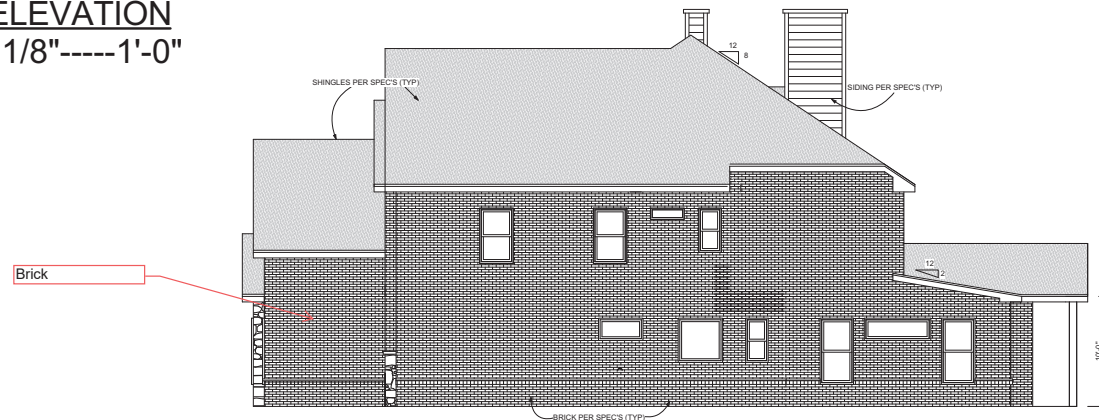
RP



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



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



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

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
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9.16.2024

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DATE

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SHADBURN CUSTOM-2
ELEVATIONS

DWG. BY:
PWL/SAM

DATE:
1-11-22

SHEET:

1B

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9.16.2024



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9.16.2024



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

[attached]



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9.16.2024

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

Key Engineering Solutions-US, Inc.
2847 N Bogan Road
Buford, GA 30519
Tel 561.504.2224
www.KES-US.com

Subject:
Rezoning Application – Residential Subdivision
3048 Thompson Mill Rd
Buford, GA 30519

Date:
August 15, 2024

To Whom it May Concern:

Contact:
David M. Sonders, P.E.

This Letter of Intent is to request a rezoning of the subject property from RA-200 to R-100 in order to develop the property into four single-family detached houses. The subject parcel is located at 3048 Thompson Mill Road, Buford, GA 30519. The property consists of 3.608 acres. The parcel ID is R1002 015.

Phone:
561.504.2224

Email:
dsonders@kes-us.com

The subject properties will be developed into four single-family detached subdivision home lots. The single-family homes will be a minimum of 2,500 square feet of heated living space, with minimum 4-bedroom, 3-bathroom models. The homes will be constructed of a combination of stone, brick, and board and batten siding. The anticipated price will \$500,000+ per unit. The proposed homes will have 3 car garages, 2 garages will be side entry and one garage will be front entry. The access drive will be a private drive, maintained by the 4 homeowners through a homeowner agreement.

The proposed development will be connected to public water. Sanitary waste will be disposed of via on-site septic system. A L3 Soils Report was prepared in August 2023 and the soils are suitable for a septic system. The applicant respectfully requests approval of the submitted rezoning application. No variances or special conditions are requested at this time.

Gwinnett County
9/13/2024

GWINNETT COUNTY
PLANNING AND DEVELOPMENT


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

Sincerely,

Key Engineering Solutions – US, Inc.



David M. Sonders, P.E.
Principal Engineer

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9.16.2024

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:

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

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

- (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:

- (E) Whether 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:

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9.16.2024

REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

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

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]



Mary K O'Neal
8-8-2024

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2023

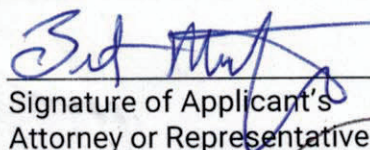
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.


Signature of Applicant

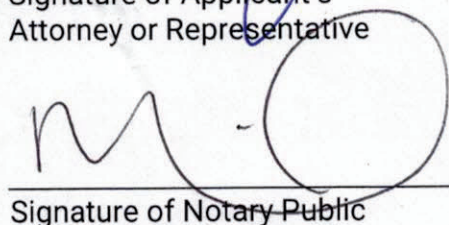
8/6/2024
Date

Rosa Martinez
Type of Print Name and Title

→ 
Signature of Applicant's
Attorney or Representative

8/8/2024
Date

Bret Muetzelfeld - Applicant
Type or Print Name and Title


Signature of Notary Public

08/06/24
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 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.

RECEIVED

9.16.2024

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] 8/26/2024 David Sanders / Principal Engineer
Signature of Applicant Date Type of Print Name and Title

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

P. J. Desai 8/26/2024
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 David Sanders (Your Name)

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

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

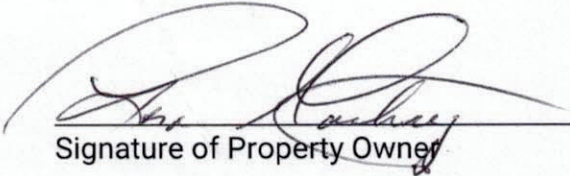
Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED

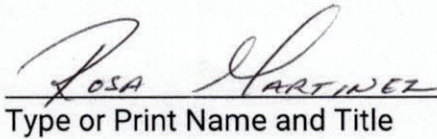
9.16.2024

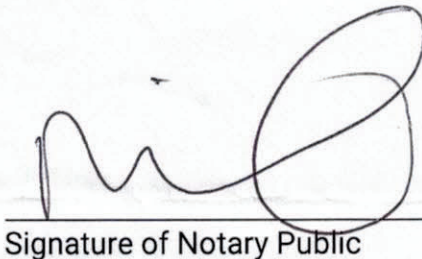
REZONING PROPERTY OWNER'S CERTIFICATION

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

8/6/2024
Date


Type or Print Name and Title


Signature of Notary Public

08/06/2024
Date



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9.16.2024

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

8/9/24
Date

David Sanders, Principal Engineer
Type or Print Name and Title



P. J. Desai
Signature of Notary Public

8/9/2024
Date

Notary Seal

RECEIVED


9.16.2024

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

The undersigned below is authorized to make this application. The undersigned certifies that all Gwinnett County property taxes billed to date for the parcel listed below have been paid in full to the Gwinnett County Tax Commissioner. In no case shall an application or reapplication for rezoning be processed without such property verification.

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

Parcel I.D. Number: R1002 015
(Map Reference Number)



Signature of Applicant

8/8/2024

Date

David Sonders, Principal Engineer
Type or Print Name and Title

PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE. 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.

Vickie Schoby

Name
8/9/2024

Date

TSA II

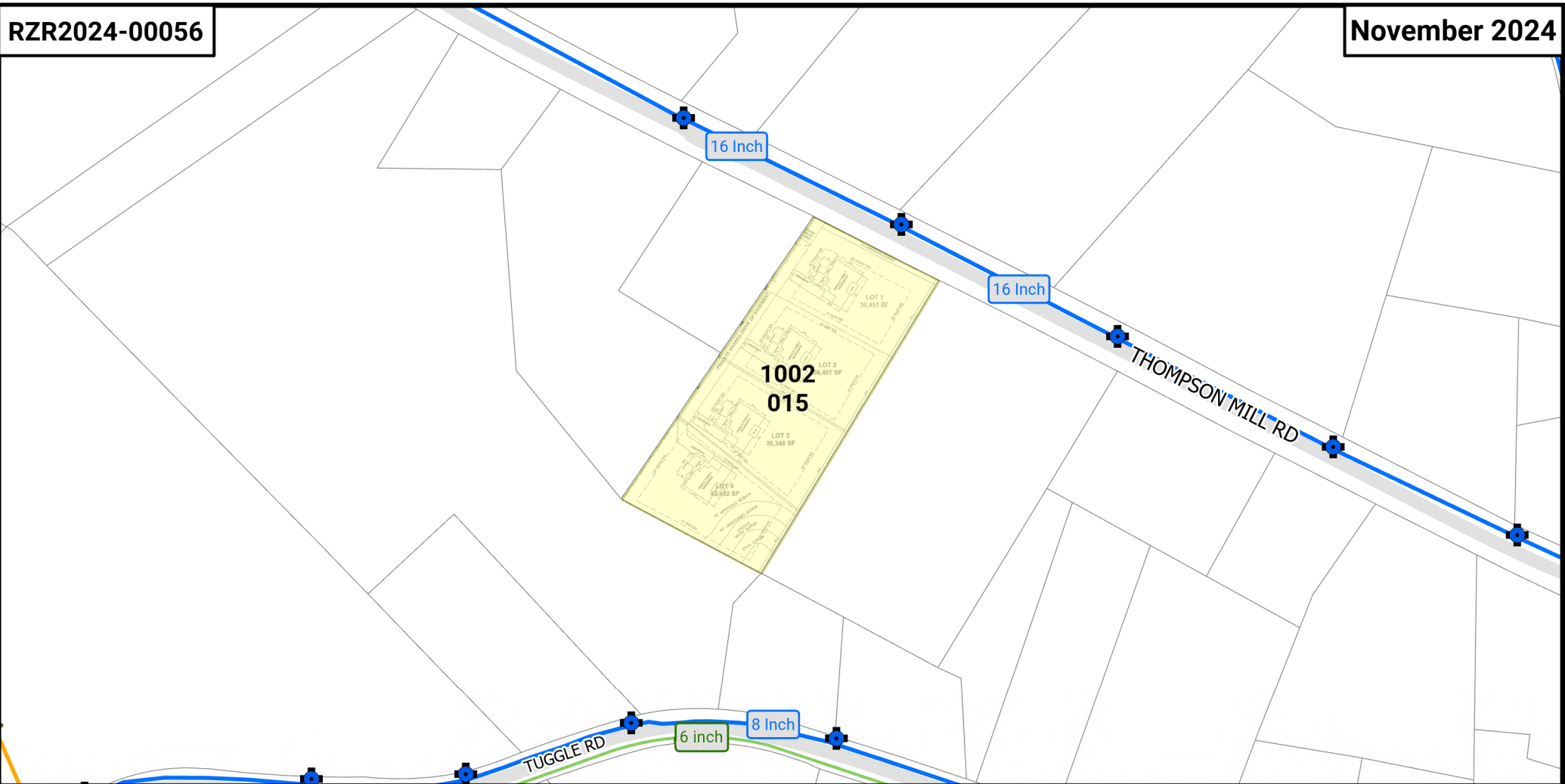
Title

Exhibit F: Internal and External Agency Review Comments

[attached]

TRC Meeting Date:		10.04.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		RZR2024-00056	
Case Address:		3048 Thompson Mill Road, Buford, 30519	
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES
1	Thompson Mill Road is a major collector. The Average Daily Traffic (ADT) volume is 5,164.	<input type="checkbox"/>	<input type="checkbox"/> NO
2	The nearest transit facility is located 3.3 miles away at 3220 Sardis Church Road (Xpress Hamilton Mill Park and Ride).		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/>	<input checked="" type="checkbox"/> X
1			
2			
3			
4			
5			
6			
7			

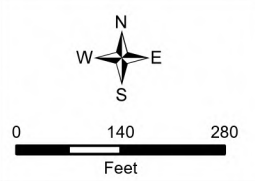
TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		RZR2024-00056		
Case Address:		3048 Thompson Mill Road		
Comments:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO
1	Water: The proposed development may connect to an existing 16-inch water main along the northern right-of-way of Thompson Mill Road.			
2	Sewer: The proposed development plans to be on septic systems 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 Force Main
- Hydrant

3048 Thompson Mill Rd
RA-200 to R-100
**Water & Sewer
Utility Map**



LOCATION



Water Comments: The proposed development may connect to an existing 16-inch water main along the northern right-of-way of Thompson Mill Road.

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

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

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

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

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

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, November, 2024

											Proposed Zoning
	School	2024-25			2025-26			2026-27			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
RZR2024-00051	Collins Hill High School	2,500	2,625	-125	2,458	2,625	-167	2,402	2,625	-223	18
	Creekland Middle School	1,677	2,100	-423	1,662	2,100	-438	1,679	2,100	-421	12
	Taylor Elementary School	872	1,300	-428	881	1,300	-419	894	1,300	-406	23
RZR2024-00056	Seckinger High School	2,326	2,800	-474	2,452	2,800	-348	2,550	2,800	-250	1
	Jones Middle School	1,820	1,575	245	1,893	1,575	318	1,969	1,575	394	1
	Ivy Creek Elementary School	1,583	1,275	308	1,614	1,275	339	1,646	1,275	371	2

Exhibit G: Maps

[attached]

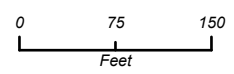


THOMPSON MILL RD

UGGIE RD

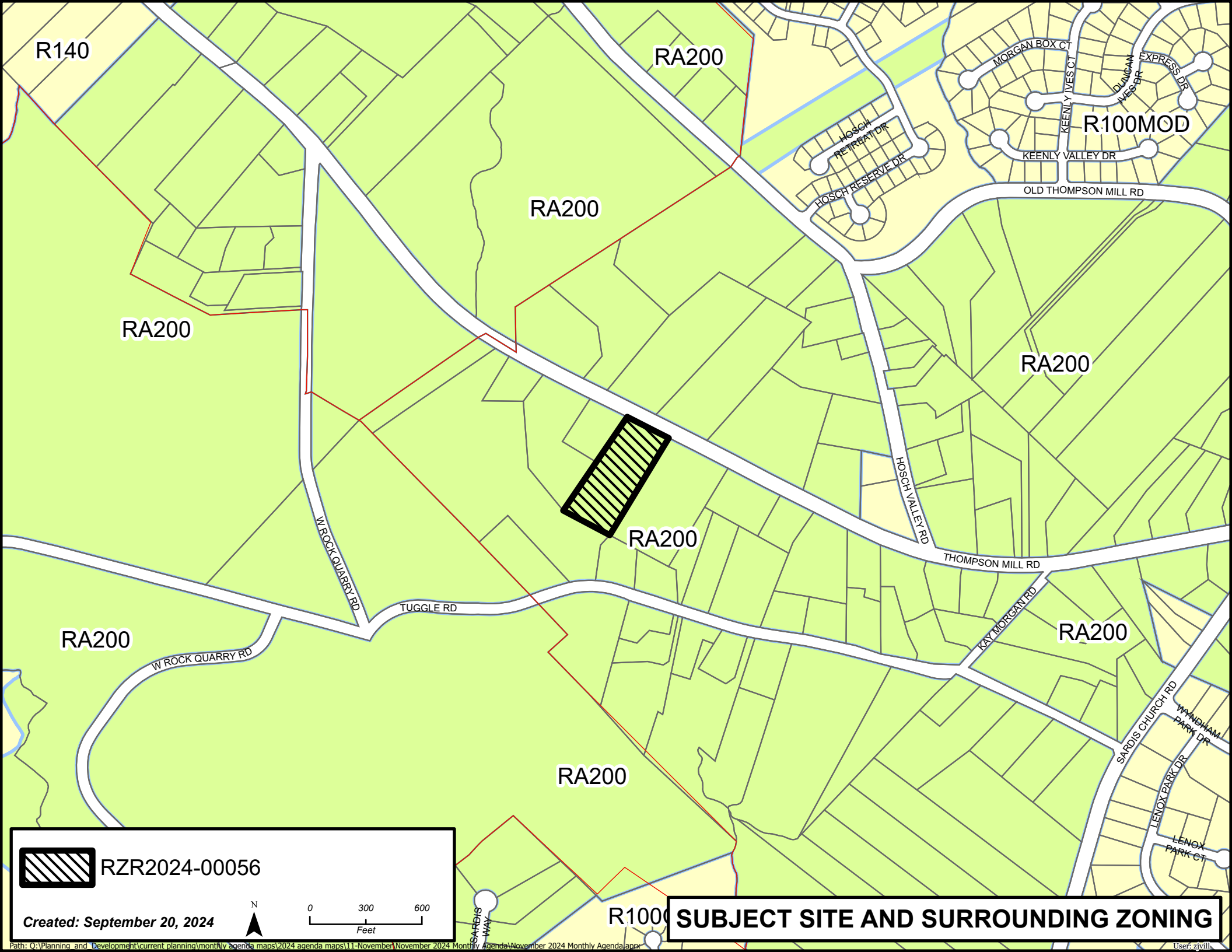
 RZR2024-00056

Created: September 20, 2024



Gwinnett County GIS

User: givill



R140

RA200

R100MOD

RA200

RA200

RA200

RA200

RA200

RA200

RA200

R100



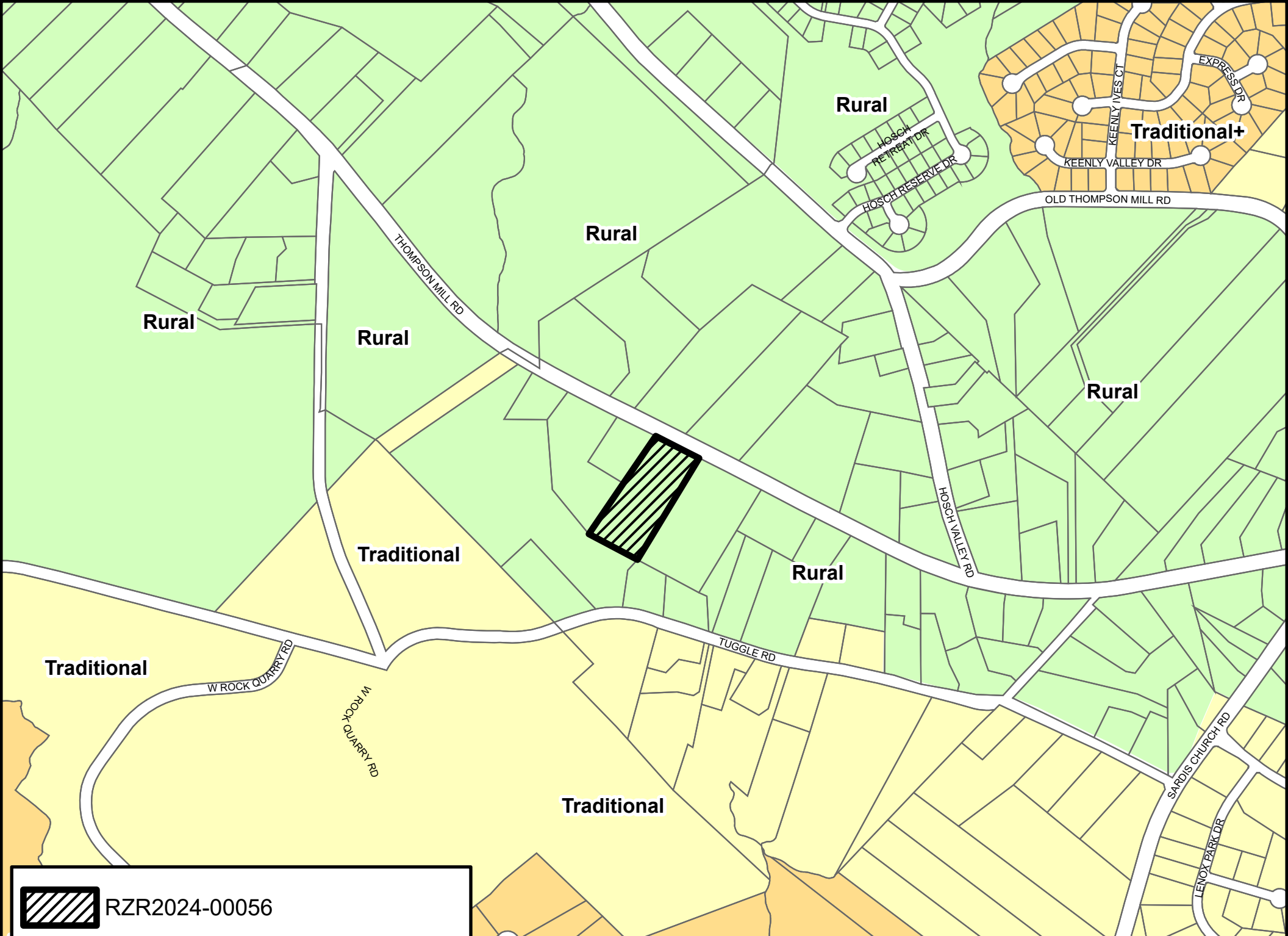
RZR2024-00056

Created: September 20, 2024



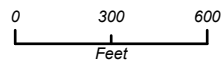
0 300 600
Feet

SUBJECT SITE AND SURROUNDING ZONING



RZR2024-00056

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2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION