

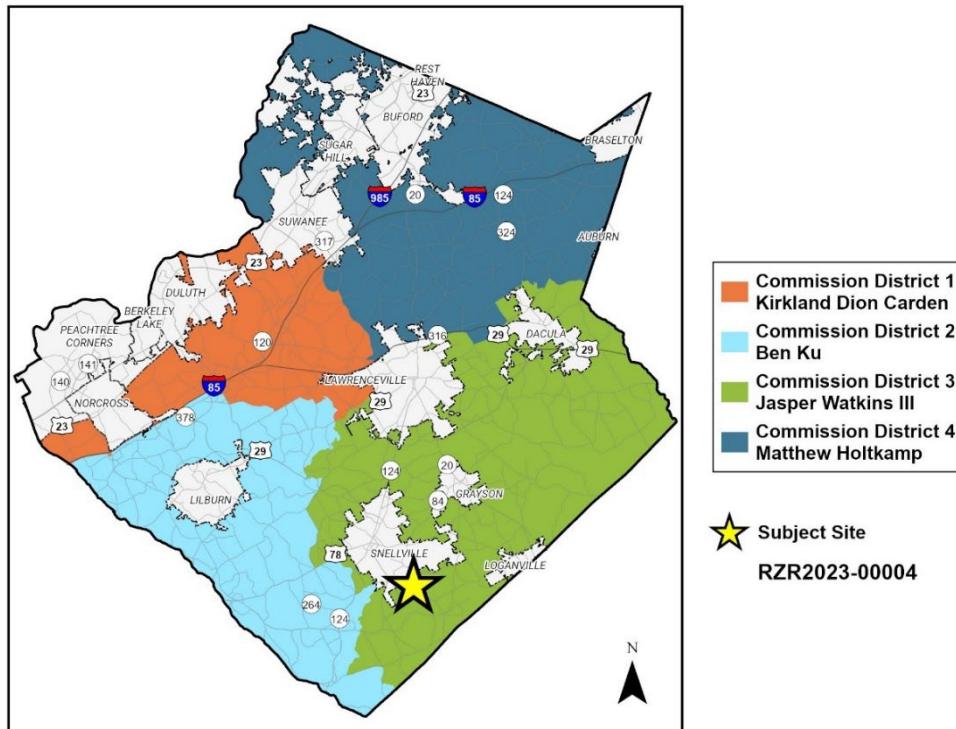


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZR2023-00004
Current Zoning:	R-100 (Single-Family Residence District)
Request:	Rezoning to OSC (Open Space Conservation District)
Additional Request:	Variance
Address:	3462 and 3482 Skyland Drive
Map Numbers:	R5035 006A and 5035 081
Site Area:	14.66 acres
Units:	29
Proposed Development:	Single-Family Detached Subdivision
Commission District:	District 3 – Commissioner Watkins
Character Area:	Established Neighborhoods
Staff Recommendation:	DENIAL

Planning Commission

Recommendation: **PUBLIC HEARING TABLED TO MARCH 7, 2023**



Planning Commission Advertised Public Hearing Date: 2/8/2023 (Public Hearing Tabled to 3/7/2023) Board of Commissioners Advertised Public Hearing Date: 2/28/2023 (Public Hearing Tabled to 3/28/2023)

Applicant: Crogan Street LLC
778 Natchez Valley Trace
Grayson, GA 30017

Owner: Philip Gilleland
3462 Skyland Drive
Loganville, GA 30052

Contact: William Nash

Contact Phone: 678.206.7887

Zoning History

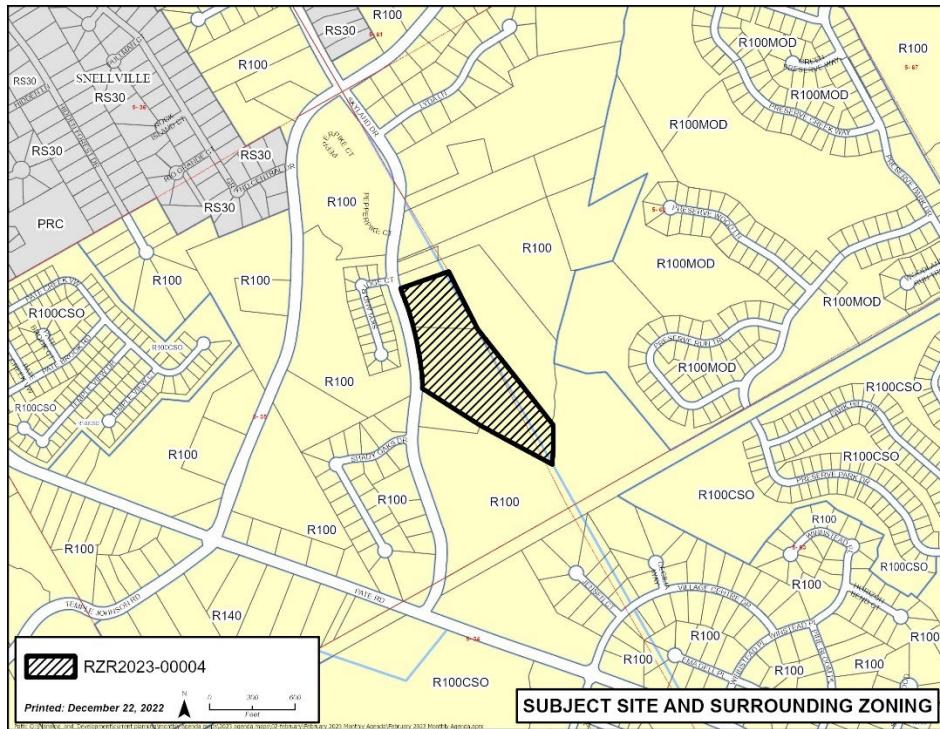
The subject properties are zoned R-100 (Single-Family Residence District). No prior zoning requests are on file for these properties.

Existing Site Condition

The subject site is a 14.66-acre assemblage of two parcels located on Skyland Drive, north of its intersection with Pate Road. Parcel R5035 081 (3462 Skyland Drive), contains 3.17 acres and is currently developed with a 1,464-square-foot residence constructed in 1987. The site contains areas that have been cleared of vegetation closer to Skyland Drive and some areas are still heavily vegetated with a mature tree canopy near the center and the rear of the property. The site falls roughly ten feet from the northern property line to the southern property line. Parcel R5035 006A (3482 Skyland Drive), contains 11.59 acres and is currently developed with a 3,356-square-foot residence built in 1972. The property also contains an accessory structure. An area of dense mature tree canopy exists along the Skyland Drive road frontage. Some small areas behind the tree canopy have been cleared to construct the residence. There are still a significant number of large trees located throughout the parcel. The northern portion of the parcel has little change in topography. Beginning in the center of the property, the ground slopes down roughly 23 feet. The bottom of this slope makes the limit of the floodplain that is present on the southern half of the property. There are no sidewalks along Skyland Drive, but there are overhead power lines. The nearest Gwinnett County Transit stop is approximately 7.7 miles from the subject site.

Surrounding Use and Zoning

The subject site is surrounded by single-family residences on large lots and a single-family detached subdivision. The property is located within the Big Haynes Creek – Alcovy Watershed Protection Overlay District which requires additional stream buffer widths to protect the water quality of Big Haynes Creek and Alcovy River Watersheds. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	OSC	1.98 units per acre
North	Single-Family Residential	R-100	0.1 units per acre
East	Single-Family Residential	R-100	0.1 units per acre
South	Single-Family Residential Undeveloped	R-100 R-100	0.61 units per acre N/A
West	Single-Family Residential	R-100	0.53 units per acre

Project Summary

The applicant requests the rezoning of a 14.66-acre assemblage of two parcels from R-100 to OSC for a single-family detached subdivision, including:

- 29 detached single-family residences with a minimum heated floor area of 2,200 square feet.
- Front-loaded residences with double-car garages.
- Residences constructed of brick, stacked stone, cementitious siding, and board and batten.
- A full access entrance from Skyland Drive, including a deceleration lane.
- A five-foot-wide sidewalk along Skyland Drive, extending the full length of the project.
- 7.95 acres, or 54.2% of the site dedicated as conservation space.
- 27-foot-wide public internal streets with 4-foot-wide sidewalks on both sides.
- A 50-foot-wide street frontage buffer and 50-foot-wide conservation strip surrounding the site.
- A mail kiosk with one on-street parking space located near the entrance of the site.
- No stormwater management areas are shown on the plan. A note indicates a potential location. However, these facilities must be located outside of any buffers and individual lots.

Zoning and Development Standards

The applicant is requesting rezoning to OSC (Open Space Conservation District). The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	<35'	YES
Front Yard Setback	Minimum 25'	25'	YES
Side Yard Setback	Minimum 7.5'	7.5'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Street Frontage Buffer	Minimum 50'	50'	YES
Conservation Space	25% or 2.93 acres	54.2% or 7.95 acres	YES
Heated Floor Area	Minimum 1,400 square feet	Minimum 2,200 square feet	YES
Conservation Strip	50'	50'	YES
Density	Maximum 2.5 units per acre	1.98 units per acre	YES

Variance Request

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

1. Section 210-50.14 Public Improvements – Streets. Approved cul-de-sac streets may be no longer than 600 feet in length.

The applicant requests a variance to allow a cul-de-sac street over 700 feet in length.

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 transportation, stormwater, 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 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

A. Whether a proposed zoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The site is surrounded by single-family residences on large lots and single-family subdivisions. The proposed density of the development is much greater than nearby single-family subdivisions. Most of the nearby subdivisions are zoned R-100 or R-100 MOD which have wider lot width minimums than OSC. In addition, the surrounding area along Skyland Drive consists primarily of single-family residences on large lots. The development is not suitable given the surrounding area.

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

The existing use and usability of adjacent or nearby properties would be adversely affected by the zoning change. Adjacent properties are developed with single-family subdivisions and residences on large lots at a lower density than the proposed subdivision. A subdivision in this area should be of similar scale and density as existing subdivisions.

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

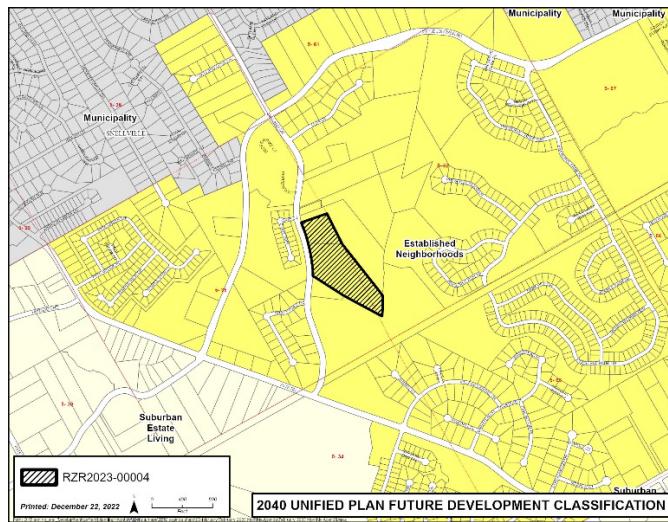
The property has a reasonable economic use as currently zoned.

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 is 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. An increased impact is anticipated on school enrollment. Agency review comments concerning any potential improvements related to this 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.

The 2040 Unified Plan and Future Development Map indicates the subject property lies within the Established Neighborhood Character Area. The Established Neighborhoods Character Area designates well established neighborhoods and single-family residential areas that are unlikely to undergo any significant changes or redevelopment in the next 20 years. This Character Area recommends any new development should be consistent in scale, architecture, and use with surrounding properties. A single-family detached subdivision, as proposed by the applicant, would not be appropriate within this Character 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.

As previously stated, this area is comprised primarily of single-family residences on large lots and single-family residences within neighborhoods with larger lots. The proposed subdivision is denser than all other subdivisions on Skyland Drive. In addition, as currently designed, variances are needed from the UDO and the Gwinnett Fire Code for the width of the cul-de-sac not meeting the minimum. A single-family detached subdivision is feasible on the property without having to rezone to a denser zoning district.

Variance Request Analysis: The standards for granting variances are outlined in Section 210-50.14 of the Unified Development Ordinance. Staff makes the following findings related to the variance request:

The requested variance is to allow a cul-de-sac greater than 600 feet in length. There is enough road frontage along Skyland Drive to provide an additional driveway which would allow the proposed subdivision to meet the requirements of the UDO without needing a variance. The requested variance does not meet the criteria for granting a variance.

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 **DENIAL** of the rezoning request.

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

1. To allow a cul-de-sac street to exceed 600 feet in length.

Staff Recommended Conditions

NOTE: The following conditions are provided as a guide should the Board of Commissioners choose to approve this petition.

Approval as OSC (Open Space Conservation District) for a single-family subdivision, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received December 13, 2022, by the Department of Planning and Development, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. The property shall be limited to single-family detached dwellings and accessory uses and structures, not to exceed 29 lots. The minimum heated floor area shall be 2,200 square feet.
3. All detached residences shall adhere to the Architectural Design Standards for Category 3, Detached Residential Buildings.
4. All dwellings shall have a minimum of two-car garage.
5. A mandatory homeowners association shall be established and shall be responsible for maintenance of all common areas/facilities and street frontage landscaping.
6. Natural vegetation shall remain on the property until the issuance of a development permit.
7. All grassed areas within lots shall be sodded.
8. Stormwater BMP facilities shall be screened from view of adjoining properties and rights of way by landscaping and/or decorative fencing that is in compliance with the Gwinnett County Stormwater Management Manual, subject to review and approval by the Department of Planning and Development.
9. Building lots shall not be located within any required stream buffers and accompanying impervious surface setback areas.

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 Form
- F. Internal and External Agency Review Comments
- G. Maps

Exhibit A: Site Visit Photos



View of property from driveway



View of property from Skyland Drive road frontage

Exhibit B: Site Plan

[attached]

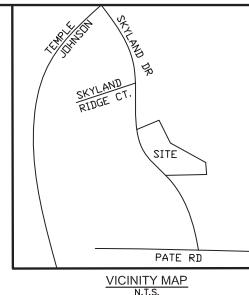
LEGEND -
POB POINT OF BEGINNING
LL LOT LINE
R/W RIGHT OF WAY
RT RIGHT OF FORMERLY
CT CRIMP TOP FOUND
BT BURIED
OT OPEN TOP FOUND
RES RESIDENCE
CMP CORRUGATED METAL PIPE
RCP REINFORCED CONCRETE PIPE
DRP DRAINED REINFORCED PIPE
PVC POLYVINYLCHLORIDE PIPE
DWCB DOUBLE WING CATCH BASIN
DI DRAIN INLET
OCS OUTLET CONTROL SYSTEM
BS BURIED SEWER BOX
FES FLARED END SECTION
HW WATER INLET
SSMH SANITARY SEWER MANHOLE
CO INVERT
ONP OVERHEAD POWER LINE
OTL OVERHEAD TELEPHONE LINE
EO ELECTRIC OUTLET
UD UNDERGROUND POWER LINE
PP POWER POLE
L/P LIGHT POLE
O/I/FT INTERNET/TELEPHONE
FH FIRE HYDRANT
W WATER LINE
MM METER
WV WATER VALVE
SI VACUUM BREAKER
SP SIGN POST
BL DRAIN LINE
CL CENTERLINE
ED ELEVATION
SP SAMPLING POINT
Mp MONITORING POINT
WPS WORK POINT
SL STREET LIGHT

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12/13/2022

TOTAL AREA: 14.66 ACRES
14.51 ACRES ALONG CREEK TRAV.



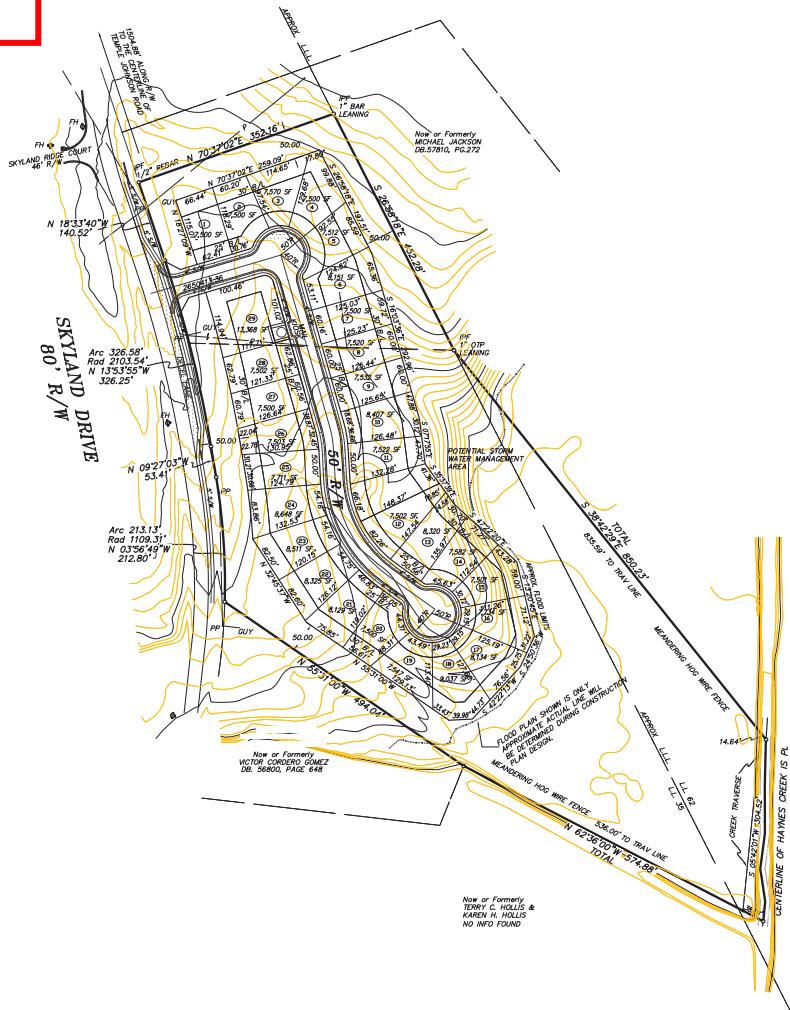
THIS SURVEY WAS
PREPARED IN CONFORMITY
WITH THE NATIONAL STANDARDS FOR PROPERTY
SURVEYS AS SET FORTH IN CHAPTER
180-7 OF THE RULES OF
THE GEORGIA STATE BOARD OF
REGISTRATION FOR
PROFESSIONAL ENGINEERS
AND LAND SURVEYORS AND
AS A FURTHER IN THE
GEORGIA PLAT ACT O.C.G.A.
15-6-67.

CONSULTANTS
SURVEYORS
PLANNERS
RINGO & ASSOCIATES
257 PINESCREST LANE, BRASELTON, GEORGIA 30517
PHONE: (770) 678-206-7887

COUNTY: GWINNETT
LAND LOT/DISTRICT: 35 & 362/5TH
PARCEL (S): 006A & 081
DATE: 10/12/2022
SCALE: 1" = 100'
JOB NO.: 22094

CROGAN STREET,LLC
REZONING SKETCH
CROGAN STREET,LLC

REVISIONS	NO.	DATE



OWNER/APPLICANT:
CROGAN STREET, LLC.
2545 GATE PARK DR.
DACAUL, GEORGIA 30019
24 HR CONTACT: MILL NASH
PHONE: (770)678-206-7887

DESIGNER/SURVEYOR:
C & ABERNATHY ASSOCIATES, INC.
257 PINESCREST LANE, BRASELTON, GEORGIA 30517
PHONE: (770) 962-8456

CONSERVATION AREA REQUIRED
TOTAL AREA: 14.66 ACRES
2.93 ACRES REQUIRED (25% OF TOTAL AREA)
7.95 ACRES PROVIDED 54.2% OF TOTAL AREA
REQUIREMENTS MET

SURVEY DATA:
80% OF THE DATA SHOWN ON THIS PLAT WAS OBTAINED UTILIZING GPS. IT INCLUDES ALL HORIZONTAL AND VERTICAL COORDINATES. THE REMAINING 20% OF THE DATA WAS OBTAINED UTILIZING A CARSON SURVEYOR GLOBAL NAVIGATION SATELLITE SYSTEM. THE COORDINATES ARE IN FEET. MEASUREMENTS FROM THESE COORDINATES ARE IN FEET. THE MEASUREMENTS FROM THESE COORDINATES ARE IN FEET. UTILIZATION OF THIS SURVEY WAS MADE WITH A 100 FEET HORIZONTAL AND 100 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL.
BASE OF SURVEY: SURVEY POINT AND NORTH REFERENCE TO THE GEORGIA STATE PLANE COORDINATE SYSTEM. SURVEY POINT AND NORTH REFERENCE TO THE NAD 1983 UTM COORDINATE SYSTEM.
EQUIPMENT USED: CARSON SURVEYOR GLOBAL NAVIGATION SATELLITE SYSTEM AND A CARSON SURVEYOR DATA COLLECTOR.

THIS PLAT HAS BEEN CALCULATED FOR PRECISION AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 474,095 FEET.

THIS PLAT HAS BEEN CALCULATED FOR PRECISION AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 474,095 FEET.
REFERENCE MATERIAL:
PLAT OF SURVEY FOR MYRNA H. GILLELAND, PREPARED BY MICHAEL A. ROTH, SURVEYOR FOR 3, 1313500139F, PLAT BOOK 35, PAGE 73.
PLAT OF SURVEY FOR MEADOW BROOK RIDGE, PREPARED BY S. S. FIELDS, DATED SEPT. 1, 1985 AND RECORDED IN PLAT BOOK 16, PAGE 45.
FINAL PLAT OF MEADOW BROOK RIDGE SUBDIVISION, UNIT ONE, PREPARED BY CROGAN SURVEYING SERVICES DATED 11/12/02 AND RECORDED IN PLAT BOOK 16, PAGE 46.

A PORTION OF SUBJECT PROPERTY DOES LIE WITHIN A FLOOD HAZARD DISTRICT AS PER PLAT. PLAT 1313500139F DATED SEPTEMBER 29, 2006.

GRAPHIC SCALE 1"=100'
100 50 0 100 200 300
SHEET 1
1 OF 1

Exhibit C: Building Elevations

[attached]



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

[attached]

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174 DACULA ROAD.
DACULA, GA 30019
(770) 962-8456

RINGO /ABERNATHY & ASSOCIATES

December 1, 2022

County of Gwinnett
446 W Crogan St #150
Lawrenceville, GA 30046

RE: Rezoning Request –
3462/3482 Skyland Drive
Applicant: William Nash
Parcel: 5-035-081, and 5-035-006A

To Whom it May Concern.

Our Client, Mr. Nash, is seeking to rezone his property from R-100 to OSC.

Property Info:

The subject property is 14.66 acres zoned R-100, located on Skyland Drive, in Gwinnett County, Georgia. The property is surrounded mostly R-100, R-100 MOD, and R-100 CSO,

Project Info

The Applicant, Mr. Nash, is interested in rezoning the property to OSC in order to provide multiple residential dwellings to the subject property, as well as conservation land instead of the current zoning. The intent for this property is to divide for single family residential. It is the hope the applicant receives all necessary sewer easements and variances for the zoning. Note the lots will meet the size and width requirements for the OSC zoning.

Official Request:

The request is to rezone parcels 5-035-081, and 5-035-006A from R-100 to OSC.

Reason / Justification for the Requests:

The majority of the surrounding property is currently zoned R-100 along with modified versions made for conservation. The property size is 14.66 acres and located in a fast-growing area located near the city of Snellville which houses amenities for single families.

Propositions

On the attached site plan, we have a proposed a 50-foot buffer area surrounding the properties boundaries, as well as 7.55 acres of conservation land on the southeast side of the property.

Variances

The applicant has also requested the following relief from the Gwinnett County Unified Development Ordinance (the “UDO”):

- Waiver from the requirements of UDO section 210-50.14 to provide a cul-de-sac street longer than the maximum allowed length of 600 feet.
- Waiver from the requirements to have a minimum 50-foot radius to the back of curb for cul-de-sacs. We propose a cul-de-sac with a radius of 50-foot to the right of way, and 40-foot to the

back of curb. This is because expanding the cul-de-sacs to 50-foot back of curb would make the project unfeasible due to the layout of the property.

Thank you for consideration to allow Mr. Nash to rezone the property to OSC.

Kevin Ringo
Ringo Abernathy & Associates
-- on behalf of client William Nash

GWINNETT COUNTY
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PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

REZONING APPLICANT'S RESPONSE
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 AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes, the approval of this application will permit a use that is suitable in view of the use of development of adjacent and nearby property. The surrounding area is characterized by land zoned R-100, R-100 MOD, and R-100 CSO.

(B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

No, approval of the application will not adversely affect the existing use or usability of any of the nearby properties. The proposed zoning classification is compatible with existing residential uses of nearby property.

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

Due to the properties size, location, and layout, we submit that the property does not have reasonable economic use as currently zoned.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No, approval of this application will not result in an excessive or burdensome use of the infrastructure systems. The proposed zoning of twenty-nine single family lots should not put any stress on current infrastructure due to its smaller size.

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

Yes, approval of the application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The property is located in the Established Neighborhood Character Area which encourages “single family-oriented neighborhoods”.

(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:

We submit that the subject's property is in close proximity with other single family residential neighborhoods, as well as having proximity to major community amenities in Briscoe Park, and downtown City of Snellville.



Exhibit E: Application and Disclosure of Campaign Contributions Form

[attached]

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ONLY COMPLETE APPLICATIONS ACCEPTED

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Crogan Street LLC</u>	NAME: <u>Philip Gilleland</u>
ADDRESS: <u>778 Natchez Valley Trace</u>	ADDRESS: <u>3462 Skyland Drive</u>
CITY: <u>Grayson</u>	CITY: <u>Loganville</u>
STATE: <u>Georgia</u> ZIP: <u>30017</u>	STATE: <u>Georgia</u> ZIP: <u>30052</u>
PHONE: <u>678-206-7887</u>	PHONE: <u>770-972-1617</u>
EMAIL: <u>Nashwill26@gmail.com</u>	EMAIL: <u>Hagler2661@gmail.com</u>
CONTACT PERSON: <u>William Nash</u>	PHONE: <u>678-206-7887</u>
CONTACT'S E-MAIL: <u>Nashwill26@gmail.com</u>	
APPLICANT IS THE: <input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): <u>R-100</u> REQUESTED ZONING DISTRICT: <u>OSC</u>	
PARCEL NUMBER(S): <u>5035 081, 5035 006A</u> ACREAGE: <u>+/- 14.66</u>	
ADDRESS OF PROPERTY: <u>3462 & 3482 Skyland Drive</u>	
PROPOSED DEVELOPMENT: <u>Open Space Conservation Subdivision</u>	

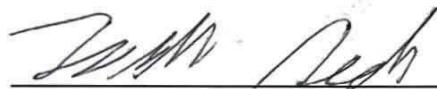
RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>29</u>	No. of Buildings/Lots: <u>N/A</u>
Dwelling Unit Size (Sq. Ft.): <u>2,000+ SF</u>	Total Building Sq. Ft. <u>N/A</u>
Gross Density: <u>1.98</u> Net Density: <u>4.07</u>	Density: <u>N/A</u>

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REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.



Signature of Applicant

11-30-22

Date

William Nash Crager Street LLC Member

Type or Print Name and Title



Signature of Notary Public

11/30/2022

Date

GINALLY PAOLO CRUZ
Notary Public
State of Alabama
W.M. exp.
8-4-2024

Notary Seal

State of Alabama
Lee County

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

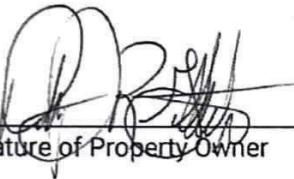
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12/13/2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

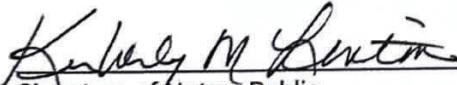
REZONING PROPERTY OWNER'S CERTIFICATION

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 12
MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS
WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR
REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST
ACTION BY THE BOARD OF COMMISSIONERS.


Signature of Property Owner

11/14/22
Date

PHILIP R GILLELAND
Type or Print Name and Title


Signature of Notary Public

11/14/2022
Date



Notary Seal

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12/13/2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

CONFFLICT 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.

William Nash

11-30-22

William Nash Cragin Street LLC

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

William Nash

11-30-22

William Nash Cragin Street LLC

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE

John S. H. Cruz

11/30/22

GINALLY PAOLO CRUZ

Notary Public

State of Alabama

comm. exp.

8-4-2024

NOTARY SEAL

*State of Alabama
Lee County*

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 \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES

NO

William Nash

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.

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12/13/2022

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 TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. 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 I.D. NUMBER:
(Map Reference Number)

5 - 035 - 081
District Land Lot Parcel



11-30-22

Signature of Applicant

Date

William Nest Cragan Street LLC Member

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, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Jessilyn McAnuff 

NAME

11/30/2022

DATE

SR. TSA

TITLE

=====
=====

RECEIVED

12/13/2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

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PARCEL I.D. NUMBER:
(Map Reference Number)

5 - 035 - 006A
District Land Lot Parcel

Signature of Applicant

11-30-22
Date

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, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Jesslyn M. Shuford
NAME
12/01/2022
DATE

SL. TSA

TITLE

Exhibit F: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date: 1.18.2023			
Department/Agency Name: Transportation			
Reviewer Name: Brent Hodges			
Reviewer Title: Construction Manager 1			
Reviewer Email Address: Brent.Hodges@gwinnettcounty.com			
Case Number: RZR2023-00004			
Case Address: 3462 / 3482 Skyland Drive, Loganville, 30052			
Comments:		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Skyland Drive is a minor collector. ADT = 5,654.		
2	7.7 miles to the nearest transit facility (#2335042) Johnson Road and Sugarloaf Landing Plaza.		
3	The developer shall consider relocating the proposed driveway more toward the south end of the property to accommodate driveway separation and spacing minimums per the UDO Section 900-40.5 (table 900.3). The driveway, as shown, is too close to Skyland Ridge Court.		
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

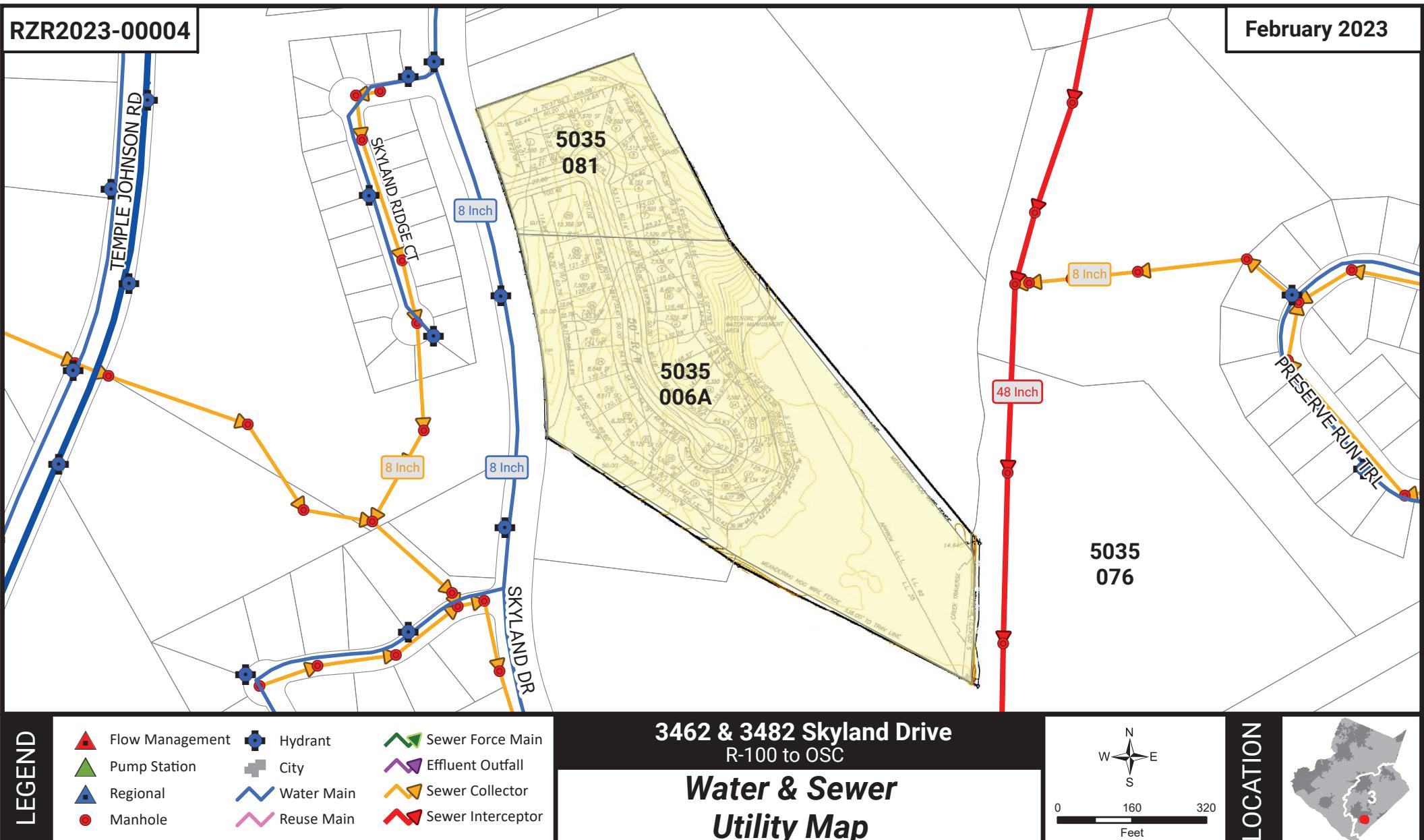


Department of Planning and Development TECHNICAL REVIEW COMMITTEE

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: RZR2023-00004	
Case Address: 3462 & 3482 Skyland Drive	
Comments:	
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
1	Water: The development may connect to an existing 8-inch water main along the western right-of-way of Skyland Dr.
2	Sewer: A Sewer Capacity Certification is required for this development. Pending available capacity, the development may connect to the 48-inch interceptor to the southeast on Parcel 5035 076. An easement and significant stream crossing will be required. Please contact GCDWR for stream crossing requirements.
3	
4	
5	
6	
7	
Recommended Zoning Conditions:	
	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
1	
2	
3	
4	
5	
6	
7	

Note: Attach additional pages, if needed

Revised 7/26/2021



Water Comments: The development may connect to an existing 8-inch water main along the western right-of-way of Skyland Dr.

Sewer Comments: A Sewer Capacity Certification is required for this development. Pending available capacity, the development may connect to the 48-inch interceptor to the southeast on Parcel 5035 076. An easement and significant stream crossing will be required. Please contact GCDWR for stream crossing requirements.

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.

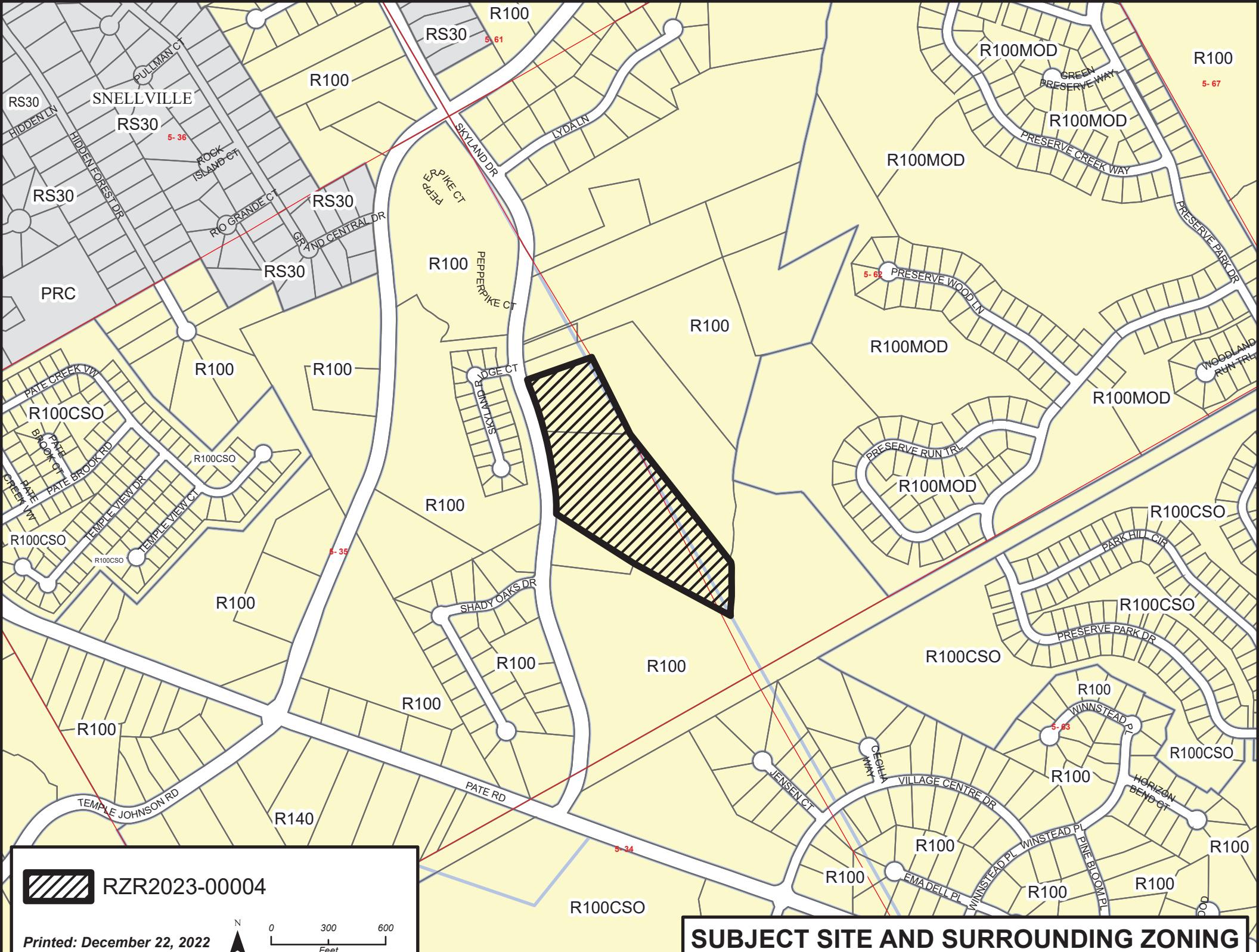
Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among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

Residential Rezoning Impact on Local Schools Prepared for Gwinnett County BOC, February, 2023											Proposed Zoning
	School	Forecast	2022-23 Capacity	+/- Cap.	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
RZR2023-00002	Peachtree Ridge HS	3,262	3,050	212	3,295	3,050	245	3,271	3,050	221	1
	Northbrook MS	882	1,025	-143	870	1,025	-155	879	1,025	-146	1
	Jackson ES	1,426	1,475	-49	1,440	1,475	-35	1,455	1,475	-20	1
RZR2023-00004	South Gwinnett HS	2,735	2,750	-15	2,790	2,750	40	2,832	2,750	82	9
	Grace Snell MS	1,262	1,200	62	1,281	1,200	81	1,300	1,200	100	7
	Rosebud ES	959	1,200	-241	968	1,200	-232	983	1,200	-217	13

Exhibit G: Maps

[attached]





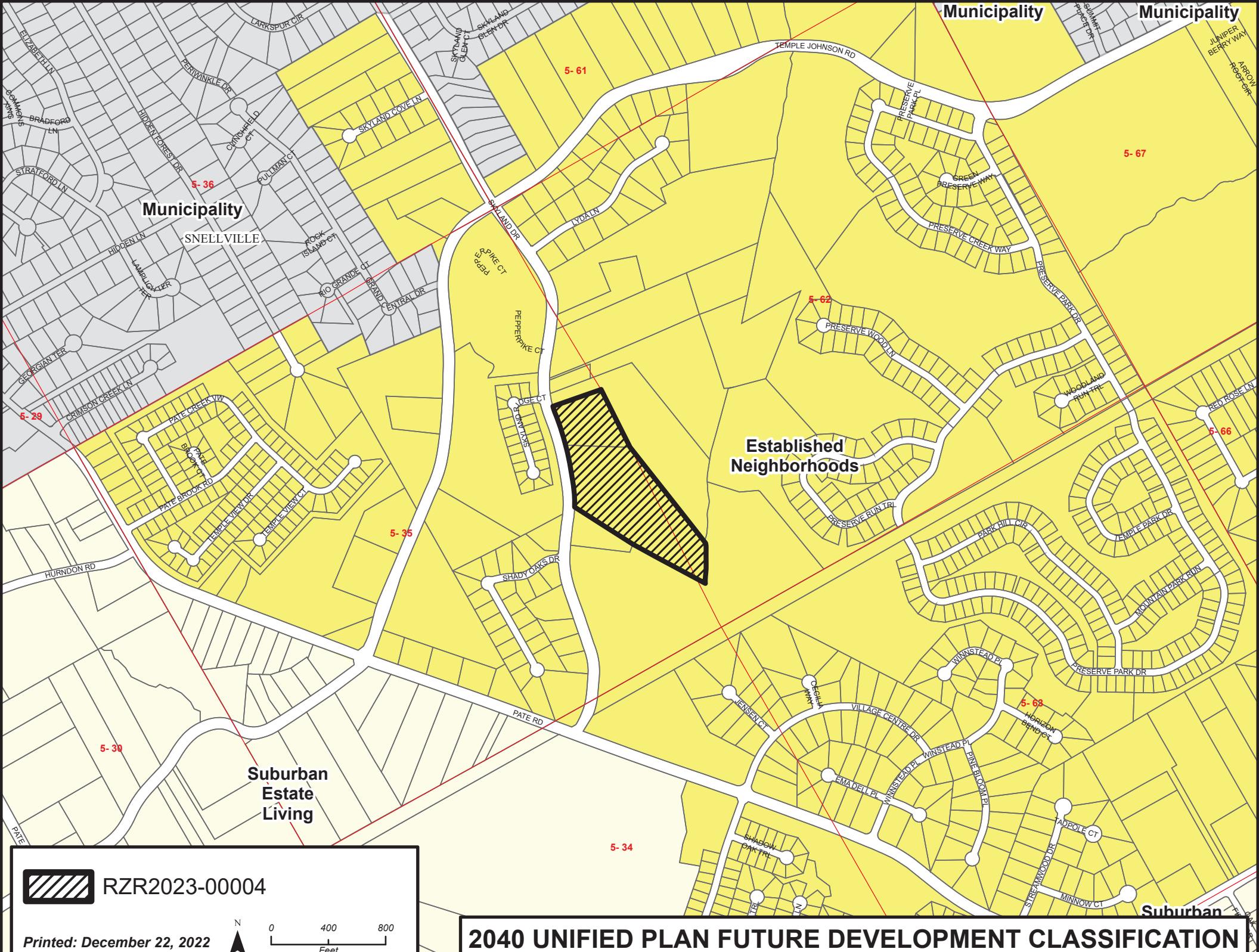
RZR2023-00004

Printed: December 22, 2022

N

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SUBJECT SITE AND SURROUNDING ZONING



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Division

ONLY COMPLETE APPLICATIONS ACCEPTED

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Crogan Street LLC</u>	NAME: <u>Philip Gilleland</u>
ADDRESS: <u>778 Natchez Valley Trace</u>	ADDRESS: <u>3462 Skyland Drive</u>
CITY: <u>Grayson</u>	CITY: <u>Loganville</u>
STATE: <u>Georgia</u> ZIP: <u>30017</u>	STATE: <u>Georgia</u> ZIP: <u>30052</u>
PHONE: <u>678-206-7887</u>	PHONE: <u>770-972-1617</u>
EMAIL: <u>Nashwill26@gmail.com</u>	EMAIL: <u>Hagler2661@gmail.com</u>
CONTACT PERSON: <u>William Nash</u>	PHONE: <u>678-206-7887</u>
CONTACT'S E-MAIL: <u>Nashwill26@gmail.com</u>	

APPLICANT IS THE:

OWNER'S AGENT PROPERTY OWNER CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: OSCPARCEL NUMBER(S): 5035 081, 5035 006A ACREAGE: +/- 14.66ADDRESS OF PROPERTY: 3462 & 3482 Skyland DrivePROPOSED DEVELOPMENT: Open Space Conservation Subdivision

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>29</u>	No. of Buildings/Lots: <u>N/A</u>
Dwelling Unit Size (Sq. Ft.): <u>2,000+ SF</u>	Total Building Sq. Ft. <u>N/A</u>
Gross Density: <u>1.98</u> Net Density: <u>4.07</u>	Density: <u>N/A</u>

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
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12/1/2022

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

REZONING APPLICANT'S RESPONSE
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 AN ATTACHMENT AS NECESSARY:

(A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes, the approval of this application will permit a use that is suitable in view of the use of development of adjacent and nearby property. The surrounding area is characterized by land zoned R-100, R-100 MOD, and R-100 CSO.

(B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

No, approval of the application will not adversely affect the existing use or usability of any of the nearby properties. The proposed zoning classification is compatible with existing residential uses of nearby property.

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

Due to the properties size, location, and layout, we submit that the property does not have reasonable economic use as currently zoned.

(D) WHETHER THE PROPOSED REZONING WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

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12/11/2020 approval of this application will not result in an excessive or burdensome use of the infrastructure systems. The proposed zoning of twenty-nine single family lots should not put any stress on current infrastructure due to its smaller size.

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

Yes, approval of the application is in conformity with the policy and intent of the Gwinnett County 2040 Unified Plan. The property is located in the Established Neighborhood Character Area which encourages “single family-oriented neighborhoods”.

(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:

We submit that the subject's property is in close proximity with other single family residential neighborhoods, as well as having proximity to major community amenities in Briscoe Park, and downtown City of Snellville.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

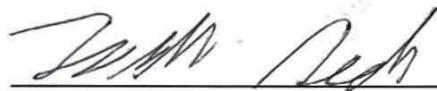
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12/1/2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

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 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.



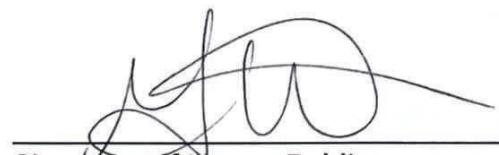
Signature of Applicant

11-30-22

Date

William Nash Crager Street LLC Member

Type or Print Name and Title



Signature of Notary Public

11/30/2022

Date

GINALLY PAOLO CRUZ
Notary Public
State of Alabama
W.M. exp.
8-4-2024

Notary Seal

State of Alabama
Lee County

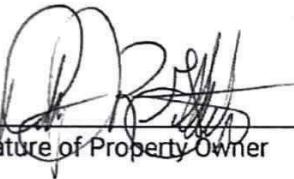
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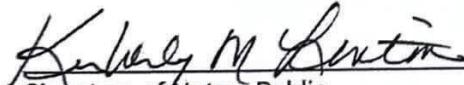
REZONING PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY
CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION
OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12
MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS
WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR
REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST
ACTION BY THE BOARD OF COMMISSIONERS.


Signature of Property Owner

11/14/22
Date

PHILIP R GILLELAND
Type or Print Name and Title


Signature of Notary Public

11/14/2022
Date



Notary Seal

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12/1/2022

CONFFLICT 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.

William Nash

11-30-22

William Nash Cragin Street LLC

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

William Nash

11-30-22

William Nash Cragin Street LLC

SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE

GINALLY PAOLO CRUZ

11/30/22

GINALLY PAOLO CRUZ

Notary Public

State of Alabama

comm. exp.

8-4-2024

NOTARY SEAL

*State of Alabama
Lee County*

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 \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

YES

NO

William Nash

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

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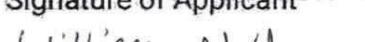
***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER:
(Map Reference Number)

5 - 035 - 081
District Land Lot Parcel


Signature of Applicant

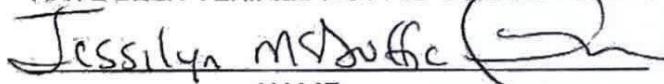
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Date

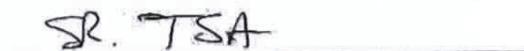

William Nest Cragan Street LLC Member
Type or Print Name and Title

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TAX COMMISSIONERS USE ONLY

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NAME


TITLE

11/30/2022
DATE

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PARCEL I.D. NUMBER: 5 - 035 - 006A
(Map Reference Number) District Land Lot Parcel

William Nash
Signature of Applicant

11-30-22
Date

William Nash Crogan Street LLC Member
Type or Print Name and Title

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TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)

Jesslyn M. Shuford
NAME
12/01/2022
DATE

SL. TSA
TITLE

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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12/1/2022

174 DACULA ROAD.
DACULA, GA 30019
(770) 962-8456

RINGO /ABERNATHY & ASSOCIATES

December 1, 2022

County of Gwinnett
446 W Crogan St #150
Lawrenceville, GA 30046

RE: Rezoning Request –
3462/3482 Skyland Drive
Applicant: William Nash
Parcel: 5-035-081, and 5-035-006A

To Whom it May Concern.

Our Client, Mr. Nash, is seeking to rezone his property from R-100 to OSC.

Property Info:

The subject property is 14.66 acres zoned R-100, located on Skyland Drive, in Gwinnett County, Georgia. The property is surrounded mostly R-100, R-100 MOD, and R-100 CSO,

Project Info

The Applicant, Mr. Nash, is interested in rezoning the property to OSC in order to provide multiple residential dwellings to the subject property, as well as conservation land instead of the current zoning. The intent for this property is to divide for single family residential. It is the hope the applicant receives all necessary sewer easements and variances for the zoning. Note the lots will meet the size and width requirements for the OSC zoning.

Official Request:

The request is to rezone parcels 5-035-081, and 5-035-006A from R-100 to OSC.

Reason / Justification for the Requests:

The majority of the surrounding property is currently zoned R-100 along with modified versions made for conservation. The property size is 14.66 acres and located in a fast-growing area located near the city of Snellville which houses amenities for single families.

Propositions

On the attached site plan, we have a proposed a 50-foot buffer area surrounding the properties boundaries, as well as 7.55 acres of conservation land on the southeast side of the property.

Variances

The applicant has also requested the following relief from the Gwinnett County Unified Development Ordinance (the “UDO”):

- Waiver from the requirements of UDO section 210-50.14 to provide a cul-de-sac street longer than the maximum allowed length of 600 feet.
- Waiver from the requirements to have a minimum 50-foot radius to the back of curb for cul-de-sacs. We propose a cul-de-sac with a radius of 50-foot to the right of way, and 40-foot to the

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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back of curb. This is because expanding the cul-de-sacs to 50-foot back of curb would make the project unfeasible due to the layout of the property.

Thank you for consideration to allow Mr. Nash to rezone the property to OSC.

Kevin Ringo
Ringo Abernathy & Associates
-- on behalf of client William Nash

TOTAL AREA: 14.66 ACRES
14.51 ACRES ALONG CREEK TRAV.

14.51 ACRES ALONG CREEK TRAV.

14.51 ACRES ALONG CREEK TRAV.

GWINNETT COUNTY
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12/1/2022

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12/1/2022



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PLANNING AND DEVELOPMENT

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12/1/2022

