



PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2023-00008
Current Zoning: OSC (Open Space Conservation District)
Request: Rezoning to RA-200 (Agriculture-Residence District)
Address: 1525 Knight Circle
Map Number: R4247 004
Site Area: 11.58 acres
Proposed Development: Agricultural Uses
Commission District: District 3 – Commissioner Watkins
Character Area: Suburban Estate Living

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** APPROVAL WITH CONDITIONS

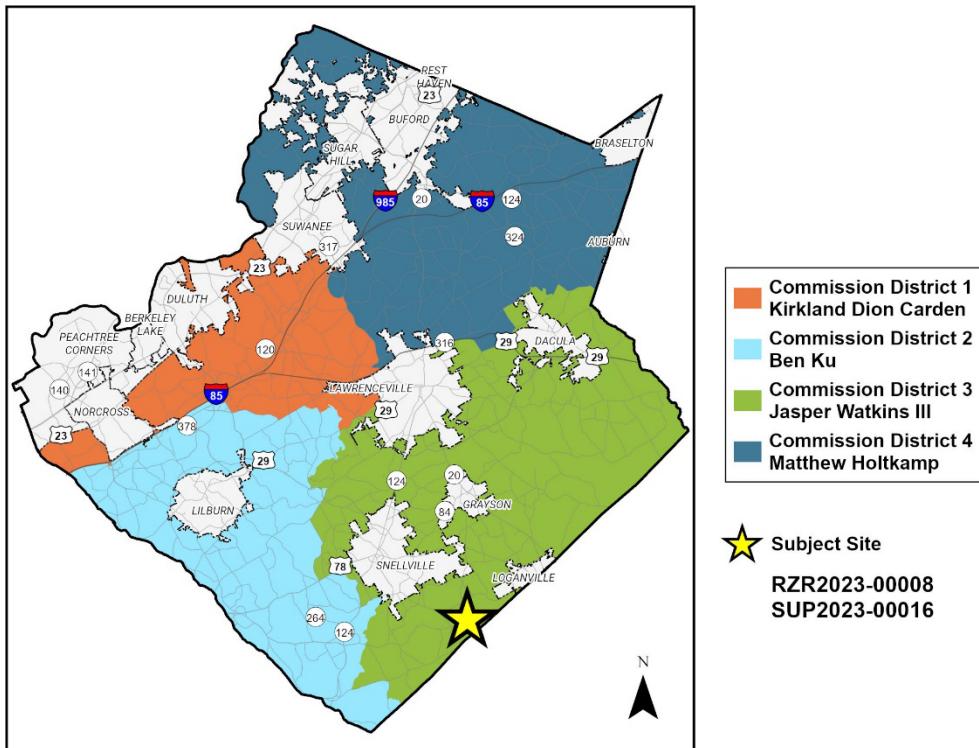
Case Number: SUP2023-00016
Current Zoning: OSC (Open Space Conservation District)
Request: Special Use Permit
Address: 1525 Knight Circle
Map Number: R4247 004
Site Area: 11.58 acres
Proposed Development: Special Events Facility
Commission District: District 3 – Commissioner Watkins
Character Area: Suburban Estate Living

Staff Recommendation: APPROVAL WITH CONDITIONS

**Planning Commission
Recommendation:** DENIAL

**Planning Commission Advertised Public Hearing Date: 3/8/2023 (Public Hearing Held/
Recommendation Tabled to 5/2/2023)**

**Board of Commissioners Advertised Public Hearing Date: 3/28/2023 (Public Hearing Tabled to
5/23/2023)**



Applicant: James H. Barge
712 Wilhaven Court
Loganville, GA 30052

Owner: Nine Oaks Park, LLC
1525 Wilhaven Court
Loganville, GA 30052

Contact: James H. Barge

Contact Phone: 770.778.5854

Zoning History

The subject property is zoned OSC (Open Space Conservation District). The property was rezoned in 1973 from RA-200 (Agriculture-Residence District) to R-100 (Single-Family Residence District) as part of an areawide rezoning. The property was rezoned from R-100 to OSC in 2019 for the development of a single-family residential subdivision (RZR2019-00021).

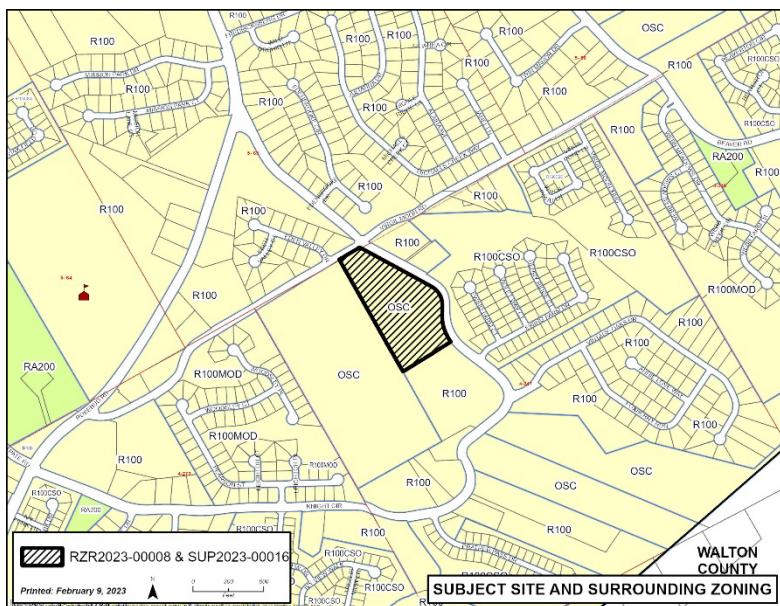
Existing Site Condition

The subject property is an 11.58-acre parcel located at the southwest corner of the intersection of Virgil Moon Road and Knight Circle. The property contains a one-acre vegetable garden and related structures near the street intersection, a large open space area along Knight Circle, and a heavily wooded area to the rear of the property. The site is relatively flat in the garden area, and gently slopes downward approximately 30 feet towards the southwest corner of the wooded rear of the property. There are no streams or floodplains on the property. A circular gravel road encompassing the open space area provides two access points to Knight Circle. A smaller gravel road within the pasture area is

accessed by two gates on Knight Circle. The garden and pasture area are enclosed by a split rail fence. There is no sidewalk adjacent to the site and only a partial sidewalk is located along the frontage of the residential subdivision across Knight Circle. Overhead utilities span a portion of the property frontage along Knight Circle. There are several unpermitted accessory buildings on the property including one used for the storage of equipment on the western property line. There is an open code enforcement case regarding the use and unpermitted structures (CEU2022-06075). The nearest Gwinnett County Transit stop is located approximately 9.5 miles from the subject site.

Surrounding Use and Zoning

The subject property is surrounded by a mix of single-family homes on large lots and residential subdivisions in all directions. A single-family detached subdivision with 60 lots was recently approved on the large property to the west. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Agriculture Uses/Special Event Facility	RA-200	N/A
North	Single-Family Residential	R-100	2.36 units per acre
East	Single-Family Residential	R-100 CSO	2.23 units per acre
	Single-Family Residential	R-100	0.85 units per acre
South	Single-Family Residential	R-100	0.10 units per acre
West	Single-Family Residential	OSC (RZR2022-00014)	1.79 units per acre

Project Summary

The applicant requests a special use permit and rezoning of a 11.58-acre property from OSC to RA-200 for agriculture uses and a special event facility, including:

- Continued use of the existing one-acre community vegetable garden.
- The addition of livestock to be kept in the open space/pasture area facing Knight Circle.
- The addition of a fenced-in area with a chicken coop and small barn on the interior of the property. The chicken coop would be located more than 100 feet from the property line.
- The addition of walking trails within the wooded area to the rear of the property.
- A five-foot high wooden farm fence located along the property lines surrounding the community garden and open space/pasture areas.
- Open space for community social gatherings to be offered during daylight hours.
- Parking areas interior to the property along the fence line.

Zoning and Development Standards

The applicant is requesting a special use permit and rezoning to RA-200, Agriculture-Residence 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 35'	>35'	YES
Side Yard Setback	Minimum 20'	>20'	YES
Rear Yard Setback	Minimum 40'	>40'	YES
Proximity of chicken coops and livestock quarters to property line	100 feet	>100'	YES

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. External agency review comments are attached (Exhibit E). 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 and Special Use Permit 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. For Special Use Permits, 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 and special use permit 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 both large lots and within subdivisions. A community farm that preserves the rural character of the area is suitable in a residential area. The special event facility should be for small gatherings and only during daylight hours to minimize impacts. The development is suitable in view of the use and development of adjacent and nearby property.

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

The existing use and usability of adjacent or nearby properties would not be adversely affected by a rezoning to a less intensive zoning district. Adjacent properties are developed with single-family residences on both large lots and within subdivisions. Furthermore, community gatherings and special events held with special use permit conditions of approval would have limited hours and occupancy to minimize impacts on surrounding properties. The property would serve as an asset to the surrounding area by preserving rural character and open space and providing a farm and gathering place for the community.

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

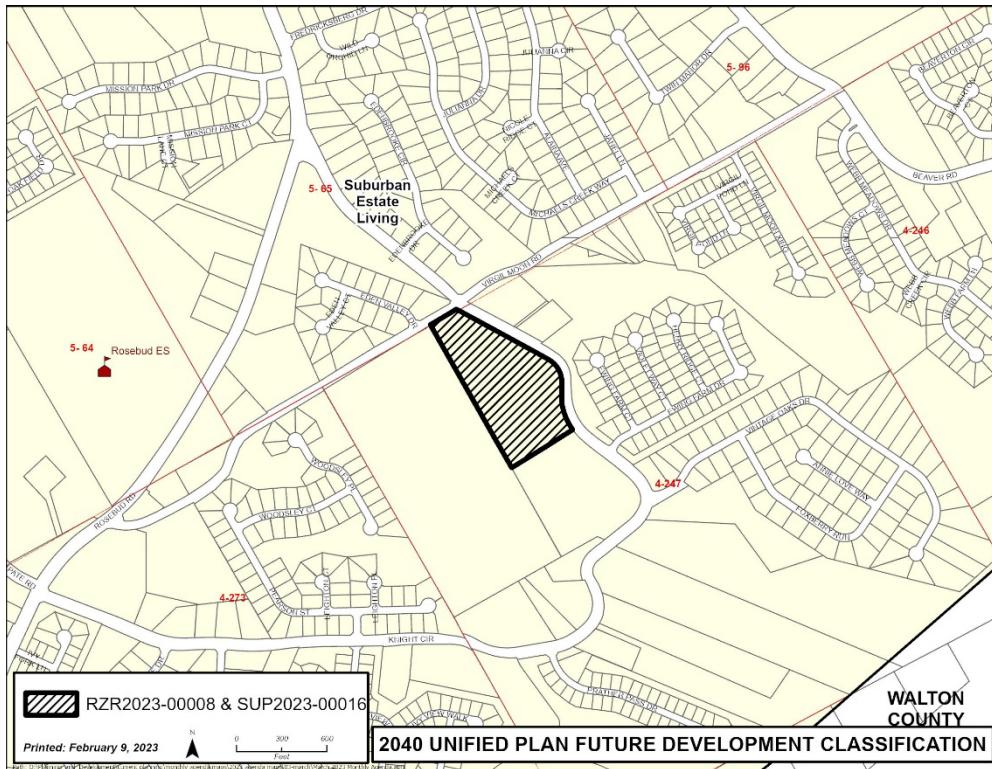
The property has a reasonable economic use as currently zoned.

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

Minimal impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning and special use permit request are attached (Exhibit E).

E. Whether the proposed rezoning and special use permit 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 that the subject property lies within the Suburban Estate Living Character Area which includes areas where there is a desire to preserve the historical and agricultural character so that new development is low in intensity and consists primarily of large residential lots and executive-style housing. These areas have less intense infrastructure, such as less sewer service and road capacity, and are more suitable for large lot residential development. The proposed rezoning and special use permit are in conformity with the policy and intent of the Suburban Estate Living Character Area. The requests would preserve the agricultural character of the area and allow the expansion of agricultural uses on land that may otherwise be developed for residential uses.



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 and special use permit.

The rezoning and special use permit requests would preserve agricultural uses and open space. Several of the large tracts of land in the area have been rezoned for residential subdivisions. Creating a community gathering place in the area will be an asset for current and future residents.

Staff Recommendation

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

RZR2023-00008

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

1. Within 90 days of approval, the applicant shall submit building permits for all existing accessory structures and proceed with any necessary requirements to ensure the structures comply with building and zoning regulations.
2. **Any existing or new accessory structure must adhere to the Architectural Design Standards for Category 3, commercial and non-residential buildings.**
3. **Maintain a 50-foot buffer adjacent to any residentially zoned property.**
4. **No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site.**
5. **No outdoor storage of equipment shall be permitted.**
6. **No chain-link or barbed wire fencing shall be permitted.**
7. **All pens, coops, chicken houses, or other similar animal quarters shall be constructed per the requirements of the UDO. Any such structures required for the safe keeping of livestock shall be constructed prior to the livestock occupying the property. The free range keeping of animals shall be prohibited.**
8. **Livestock will be restricted to a maximum of 30 chickens, four goats, four sheep, and one donkey. All other livestock wild or other shall be prohibited.**
9. **The following shall be prohibited: Community Center or Cultural Facility, Place of Worship, Beekeeping, Kennel, or Pet Boarding.**
10. **Campgrounds shall be prohibited.**

Staff Recommendation

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

SUP2023-00016

Staff Recommended Conditions

1. Special events shall be limited to between 7:00am and 6:00pm Monday-Friday, and 9:00am and 6:00pm on Saturday and Sunday.
2. Prior to any future special events, the applicant shall submit a detailed parking plan in compliance with the Unified Development Ordinance for review and approval by the Department of Planning and Development.
3. Parking shall be provided internal to the property. On-street parking for events shall be prohibited.
4. No more than six special events with more than fifty attendees on the property at any given time shall be held each calendar year.
5. Outdoor amplification of sound shall be prohibited.

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 special use permit request.

Exhibits:

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

Exhibit A: Site Visit Photos



Community Vegetable Garden



Pasture and Chicken Coop



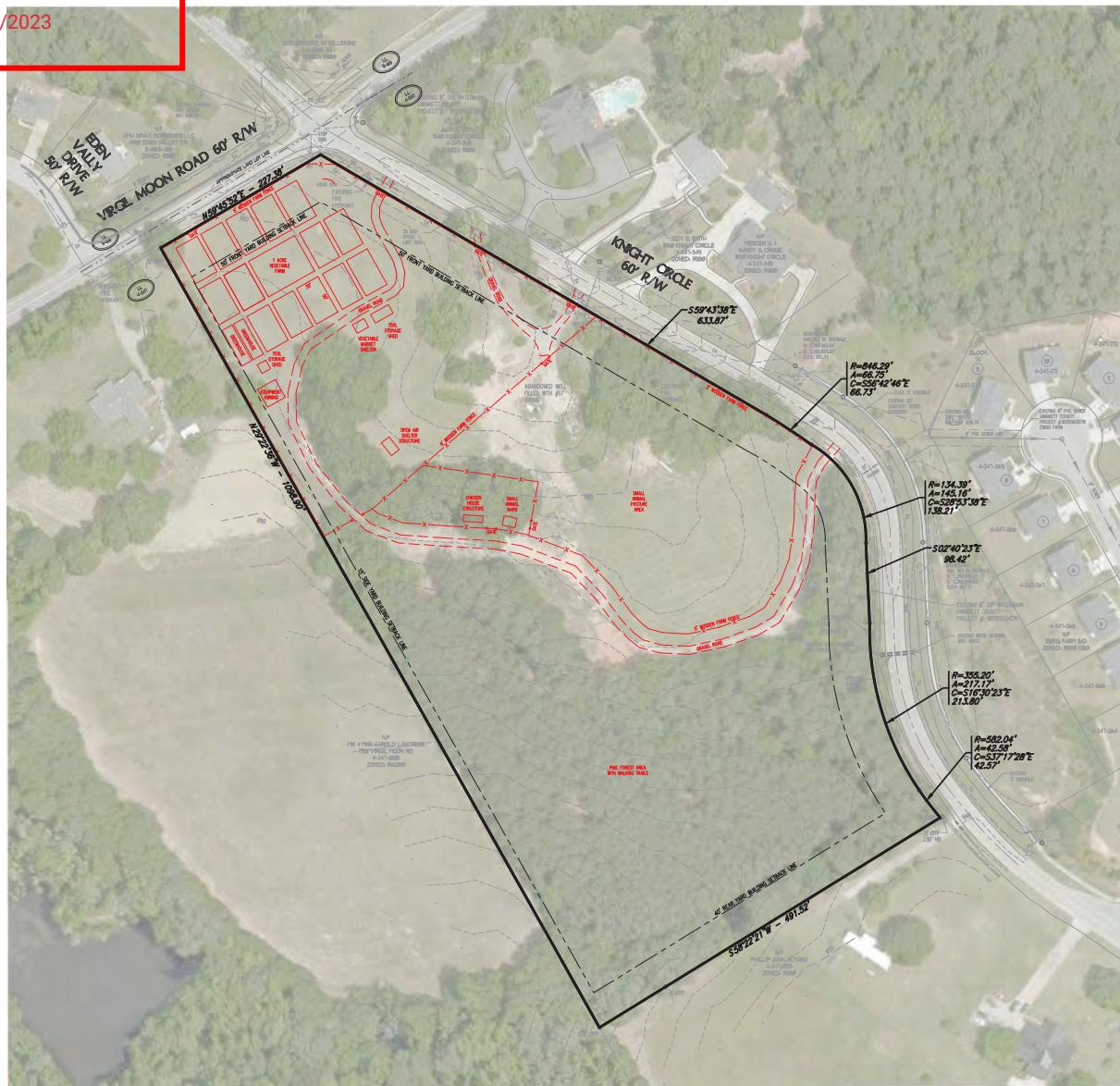
Community Events Area

Exhibit B: Site Plan

[attached]

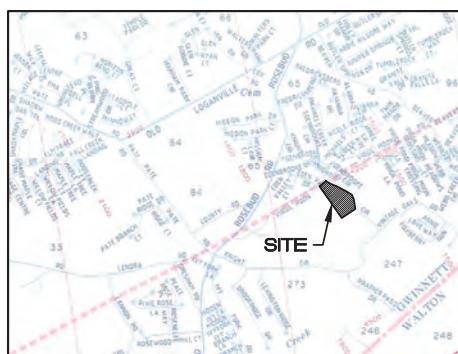
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SITE PLAN

SCALE: 1"=100'



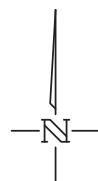
LOCATION MAP

NTS

Haynes Creek Community Farm
Knight Circle / Virgil Moon Road

Land Lot 247, 4th District - Parcel #: 4-247-004
Gwinnett County, Georgia

July 21, 2022



SCALE: 1"=100'
80' 40' 0' 100' 200'
100' 60' 20' 50' 150'

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

[attached]

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1/4/2023

James H. Barge
712 Wilhaven Court
Loganville, Georgia 30052

January 4, 2023

VIA HAND DELIVERY

Gwinnett County Planning and Development Department
446 West Crogan Street
Lawrenceville, Georgia 30046-2440

Re: Rezoning Letter of Intent
Parcel 4-247-004
1525 Knight Circle
Loganville, Georgia 30052

Dear Director and Staff:

I am submitting this Letter of Intent and the attached Rezoning Application, as the applicant and property owner, requesting the rezoning of parcel 4-247-004 located at the southwest intersection of Knight Circle and Virgil Moon Road. The tract is 11.58 acres in area and is presently zoned OSC. The requested zoning is RA-200, per Section 210-10 of the Gwinnett County Unified Development Ordinance.

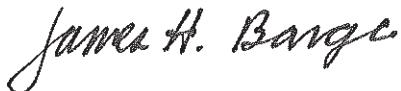
Please refer to the attached documents with this letter including the site plan and recent pictures of the farm. For the last few years this property has been gradually more and more used as agricultural land in practice after it was rezoned to OSC in December 2019. My original intent was to develop the land into 26 houses but decided after cleaning up the land to not develop it. I began in the spring of 2020 and planted a community garden, it was primarily sponsored by volunteers at Loganville First United Methodist Church. That year a one-acre garden area was planted, and the bulk of the produce was given to Shepherd Staff Community Food Bank in Loganville to support those in need in our community due to the heavy impact of COVID-19. In the summer of 2021, a group of men began to meet each Saturday at the property for fellowship, breakfast, bible study and prayer. It was at this point that Haynes Creek Community Farm began to form. We would like to be able to continue to meet on the property and continue to organize a community farm where produce grown at the farm can be sold there as a ministry to the community. We would also like to be able to keep a limited number of farm animals in the open pasture area and in the area set aside for a barn and a chicken house. We would like to be able to have some community social gatherings during the year at the farm. These would be daylight only events and would only be for the number of people that the farm can handle with on site parking along fences in the interior of the farm only.

I am asking the Board of Commissioners to approve this request for rezoning to RA-200 from it's current zoning of OSC and be able to use the property as provided in the zoning code. As described in this letter, what happened at 1525 Knight Circle was in many ways an unexpected thing that emerged from the last few years that we have all been through. It has been to me an unfolding process and

during that process I realized that in order for the community farm at the property to continue on we would need RA-200 zoning to carry out the mission that we have been called to. I understand that need now and submit this request for your approval.

Thank you for your consideration of this request.

Respectfully Submitted,



James H. Barge
Sole Member of Nine Oaks Park, LLC, owner of the property

Enclosures: Application Form
Legal Description
Boundary Survey
Site Plan
Rezoning Applicant's response to the Standards Governing Exercise of the Zoning Power
Rezoning Applicant's Certification
Property Owner's Certification
Conflict of Interest Certification for Rezoning
Verification of Paid Property Taxes
Application Fee Check
Rezoning Checklist

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

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PZP2023-00008 and SUP2023-00016 Page 15 of 36

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Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

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

(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 WILL OR COULD CAUSE AN EXCESSIVE OR BURDENOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

No

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

yes

(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

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2/8/2023

SPECIAL USE PERMIT APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENT 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 SPECIAL USE PERMIT WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Yes

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

No

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

Yes

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

No

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

Yes

(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 SPECIAL USE PERMIT:

Yes, The community needs greater access
locally grown food,

Exhibit D: Application and Disclosure of Campaign Contributions

[attached]

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1/4/2023

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*	
NAME: <u>James H. Barge</u>	NAME: <u>Nine Oaks Park, LLC</u>	
ADDRESS: <u>712 Wilhaven Ct.</u>	ADDRESS: <u>712 Wilhaven Ct.</u>	
CITY: <u>Loganville</u>	CITY: <u>Loganville</u>	
STATE: <u>GA</u> ZIP: <u>30052</u>	STATE: <u>GA</u> ZIP: <u>30052</u>	
PHONE: <u>(770) 778-5854</u>	PHONE: <u>(770) 778-5854</u>	
EMAIL: <u>jimmybarge@msn.com</u>	EMAIL: <u>jimmybarge@msn.com</u>	
CONTACT PERSON: <u>James H. Barge</u> PHONE: <u>(770) 778-5854</u>		
CONTACT'S E-MAIL: <u>jimmybarge@msn.com</u>		
APPLICANT IS THE:		
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER	<input type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): <u>05C</u> REQUESTED ZONING DISTRICT: <u>RA 200</u>		
PARCEL NUMBER(S): <u>4247 004</u> ACREAGE: <u>11.59 Ac.</u>		
ADDRESS OF PROPERTY: <u>1525 Knight Circle</u> <u>Loganville GA</u> <u>30052</u>		
PROPOSED DEVELOPMENT: <u>Community Farm</u>		

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units	No. of Buildings/Lots:
Dwelling Unit Size (Sq. Ft.):	Total Building Sq. Ft.
Gross Density:	Density:
Net Density:	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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1/4/2023

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.

James H. Barge

Signature of Property Owner

1/4/2023

Date

James H. Barge, Sole Member, Nine Oaks Park, LLC

Type or Print Name and Title

Ashley Page

Signature of Notary Public

01/04/23

Date



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1/4/2023

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.

James H. Barge

1/4/2023

Signature of Applicant

Date

James H. Barge, Sole Member, Nine Oaks Park, LLC
Type or Print Name and Title

Ashley Page

Signature of Notary Public

1/4/23

Date



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1/4/2023

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.

James H. Barge

SIGNATURE OF APPLICANT

1/4/2023

DATE

James H. Barge, sole member

TYPE OR PRINT NAME AND TITLE
Nine Oaks Park, LLC

SIGNATURE OF APPLICANT'S

DATE

ATTORNEY OR REPRESENTATIVE

Spencer

1/6/23

DATE

TYPE OR PRINT NAME AND TITLE



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

James H. Barge

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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Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

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)

4 - 247 - 004
District Land Lot Parcel

James H. Barge

January 2, 2023

Signature of Applicant

Date

James H. Barge, Sole Member, Nine Oaks Park, LLC

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)

Kathleen M Lyles
NAME

TSA
TITLE

11412023
DATE

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2/8/2023

SPECIAL USE PERMIT APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>James H. Barge</u>	NAME: <u>Nine Oaks Park, LLC</u>
ADDRESS: <u>712 Wilhaven Ct.</u>	ADDRESS: <u>1525 Knight Circle</u>
CITY: <u>Loganville,</u>	CITY: <u>Loganville</u>
STATE: <u>GA</u> ZIP: <u>30052</u>	STATE: <u>GA</u> ZIP: <u>30052</u>
PHONE: <u>(770) 778-5854</u>	PHONE: <u>(770) 778-5854</u>
EMAIL: <u>jimmybarge@msn.com</u>	EMAIL: <u>jimmy barge@msn.com</u>
CONTACT PERSON: <u>James H. Barge</u>	PHONE: <u>(770) 778-5854</u>
CONTACT'S E-MAIL: <u>jimmy barge @ msn.com</u>	

*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:
<input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER
EXISTING/PROPOSED ZONING: <u>RA200</u> BUILDING/LEASED SQUARE FEET: _____
PARCEL NUMBER(S): <u>4247 004</u> ACREAGE: <u>11.59 Ac.</u>
ADDRESS OF PROPERTY: <u>1525 Knight Circle</u>
SPECIAL USE REQUESTED: <u>Special Event Facility</u>

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

2/8/2023

SPECIAL USE PERMIT 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.

James H. Barge

Signature of Property Owner

2/8/2023

Date

James H. Barge Sole Member Nine Oaks Park, LLC
Type or Print Name and Title

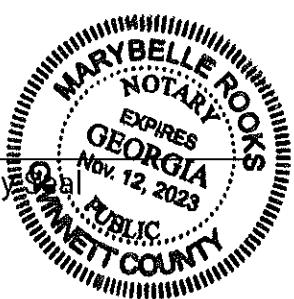
Marybelle Rooks

Signature of Notary Public

2/8/23

Date

Notary



RECEIVED

2/8/2023

SPECIAL USE PERMIT 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.

James H. Barge

Signature of Applicant

2/8/2023

Date

James H. Barge

Type or Print Name and Title

Marybelle Roots

2/8/23



Signature of Notary Public

RECEIVED

2/8/2023

SPECIAL USE PERMIT IN A RESIDENTIAL DISTRICT

(Only submit with Special Use Permit Application for a use within a residence)

I, the undersigned applicant, understand and agree that the Special Use Permit, if approved, shall automatically terminate in the event that this property is sold, transferred or otherwise conveyed to any other party, or the business which operates the special use is sold, transferred, otherwise conveyed or discontinued.

James H. Barge

Signature of Applicant

James H. Barge

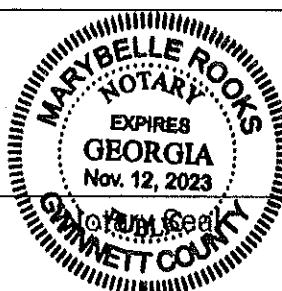
Type or Print Name

2/8/2023

Date

Signature of Notary Public

Date _____



RECEIVED

2/8/2023

CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, 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.

James H. Barge

2/8/2023 James H. Barge, Sole Member

SIGNATURE OF APPLICANT

DATE

TYPE OR PRINT NAME AND TITLE

N/A

SIGNATURE OF APPLICANT'S

DATE

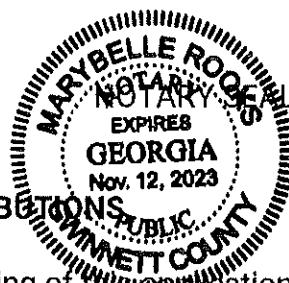
TYPE OR PRINT NAME AND TITLE

ATTORNEY OR REPRESENTATIVE

Marybelle Rode *2/8/23*

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

James H. Barge

YOUR NAME

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

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

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

Exhibit E: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date: 2.15.2023		
Department/Agency Name: Transportation		
Reviewer Name: Brent Hodges		
Reviewer Title: Construction Manager 1		
Reviewer Email Address: Brent.Hodges@gwinnettcounty.com		
Case Number: RZR2023-00008		
Case Address: 1525 Knight Circle		
Comments: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	Knight Circle is a local Road. No ADT on file.	
2	9.5 miles to the nearest transit facility (#2454884) Grayson Highway and VFW #5255.	
3		
4		
5		
6		
7		
Recommended Zoning Conditions: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
1		
2		
3		
4		
5		
6		
7		



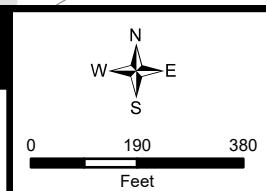
Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

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:		RZR2023-00008		
Case Address:		1525 Knight Circle		
Comments:		<input type="checkbox"/>	YES	X NO
1	Water: DWR does not have comments for this development. The existing domestic structures are connected to public water.			
2	Sewer: DWR does not have comments for this development. The existing domestic structures are connected to septic and will remain on septic. No additional discharges are anticipated from the proposed farming.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	X NO
1				
2				
3				
4				
5				
6				
7				

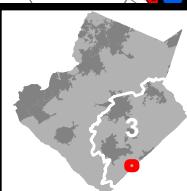


1525 Knight Cir OSC to RA-200

Water & Sewer Utility Map



LOCATION



Water Comments: DWR does not have comments for this development. The existing domestic structures are connected to public water.

Sewer Comments: DWR does not have comments for this development. The existing domestic structures are connected to septic and will remain on septic. No additional discharges are anticipated from the proposed farming.

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 F: Maps

[attached]



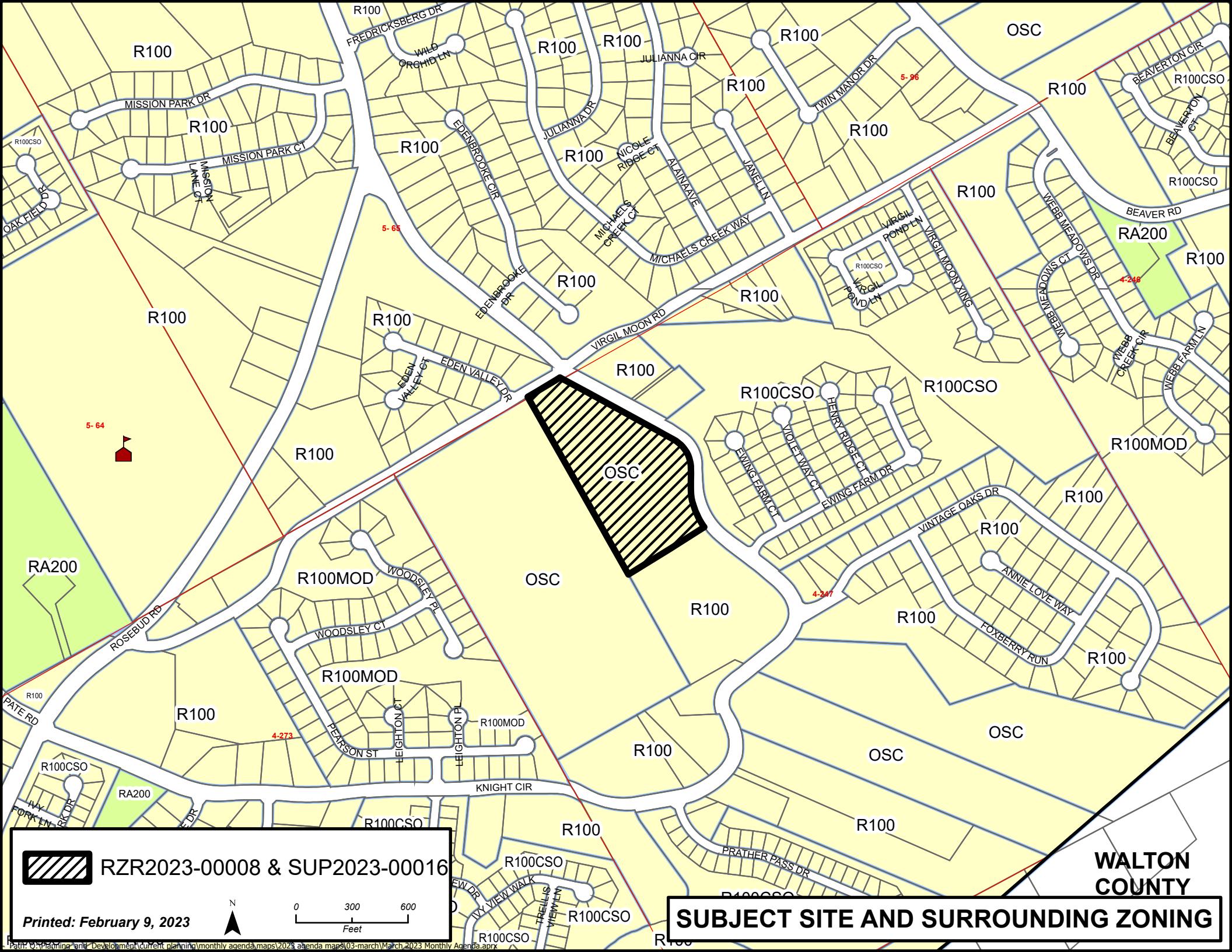
 RZR2023-00008 & SUP2023-00016



0 80 160
Feet

Printed: February 9, 2023

Gwinnett County GIS



RZR2023-00008 & SUP2023-00016

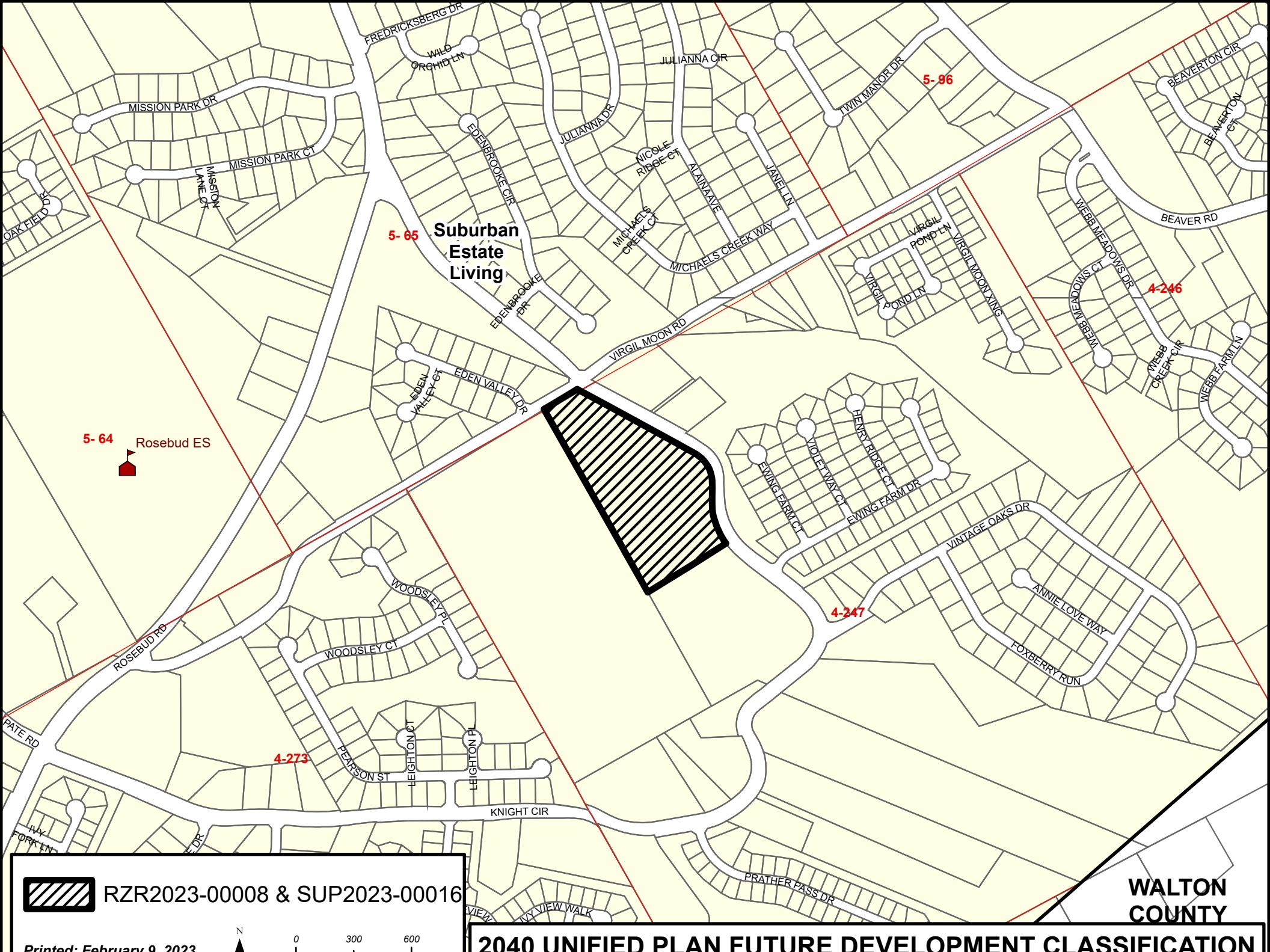
WALTON COUNTY

SUBJECT SITE AND SURROUNDING ZONING

Printed: February 9, 2023



A number line starting at 0 and ending at 300, with a tick mark at 150 labeled '150'. Below the line is the word 'Foot'.



WALTON
COUNTY