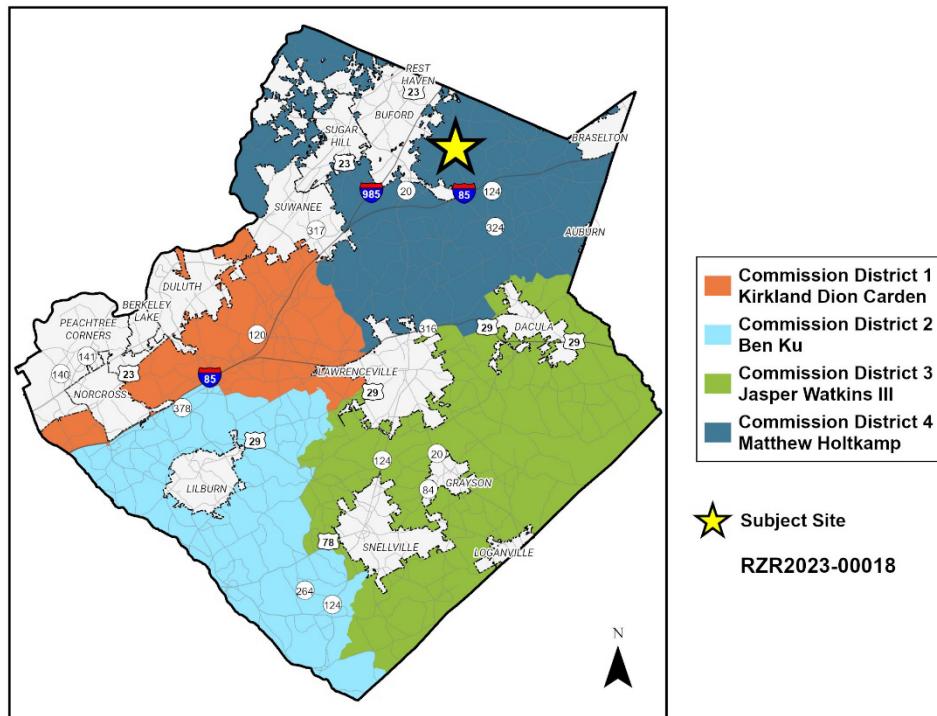




## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

<b>Case Number:</b>	<b>RZR2023-00018</b>
<b>Current Zoning:</b>	<b>O-I (Office-Institutional District)</b>
<b>Request:</b>	Rezoning to <b>R-100</b> (Single-Family Residence District)
<b>Overlay District:</b>	Highway 124/324/Hamilton Mill Road
<b>Address:</b>	3495 Hamilton Mill Road
<b>Map Number:</b>	R7183 003B
<b>Site Area:</b>	0.85 acres
<b>Square Feet:</b>	1,448
<b>Proposed Development:</b>	Single-Family Residence
<b>Commission District:</b>	District 4 – Commissioner Holtkamp
<b>Character Area:</b>	Emerging Suburban
<b>Staff Recommendation:</b>	<b>APPROVAL WITH CONDITIONS</b>



**Applicant:** Timothy and Yenhua Pugh  
3395 Duncan Bridge Drive  
Buford, GA 30519

**Owner:** Yenhua Shen Pugh (YSA Hamilton, LLC)  
3395 Duncan Bridge Drive  
Buford, GA 30519

**Contact:** Timothy Pugh

**Contact Phone:** 706.372.6239

## Zoning History

The subject property is zoned O-I (Office-Institutional District). In 2008, the property was rezoned from R-100 (Single-Family Residence District) to O-I for a chiropractic office, pursuant to RZC-08-083. A change in conditions to relocate a proposed parking lot to the front yard was approved in 2009, pursuant to CIC-09-013. In 2022, a change in conditions to expand the permitted uses to include medical and professional office was approved, pursuant to CIC2022-00004. The subject property is located within the Highway 124/324/Hamilton Mill Road Overlay District.

## Existing Site Condition

The subject site is a 0.83-acre parcel located on the north side of Hamilton Mill Road, approximately 500 feet east of its intersection with Camp Branch Road. This site is developed with a single-family residential home constructed in 1964, that has previously been converted into a chiropractor office. The site gradually slopes downward from east to west. Mature vegetation is present along Hamilton Mill Road at the southern portion of the property, which screens the site from view of the right-of-way. Mature vegetation is also present along the side and rear property lines. The site is accessed from Hamilton Mill Road via a paved driveway. A parking lot with seven parking spaces (including one ADA accessible space) is located in the front of the building. Sidewalks are not present along the Hamilton Mill Road frontage. The nearest Gwinnett County transit stop is located 4.0 miles from the site.

## Surrounding Use and Zoning

The subject site is surrounded 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	1.20 units per acre
North	Single-Family Residential	R-100	0.12 units per acre
East	Single Family Residential	R-100	0.12 units per acre
South	Single-Family Residential	R-100	0.93 units per acre
West	Single-Family Residential	R-100	0.33 units per acre

## Project Summary

The applicant requests rezoning of a 0.83-acre property from O-I to R-100 for a single-family detached residence, including:

- An existing 1,448 square foot residence, that will remain as currently constructed.
- An existing accessory structure in the rear yard.
- Mature vegetation along the side(s) and rear of the property.
- An existing parking lot in the front of the building with seven parking spaces (including one ADA accessible space).
- A wooden privacy fence enclosing a portion of the side and rear yards.
- No exterior changes are proposed to the site.

## Zoning and Development Standards

The applicant is requesting a rezoning to R-100, Single-Family 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 50'	> 50'	YES
Side Yard Setback	Minimum 10'	> 10'	YES
Rear Yard Setback	Minimum 40'	> 40'	YES
Paved Surface	Maximum 35% of front yard	>35%	NO*
Parking Spaces	Maximum of 6 per dwelling	7	NO*

\*If the rezoning request is approved, the paved surface area must be reduced to 35% of the front yard and be reduced to a maximum of six parking spaces.

## 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 E). 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 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

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

The proposed rezoning is suitable in view of the existing surrounding single-family residences. Prior to the 2008 rezoning request from R-100 to O-1, the property was used as a single-family residence. Rezoning the property back to R-100 makes the property's use and zoning classification consistent with the adjacent and nearby properties.

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

The existing use and usability of the adjacent or nearby properties would not be negatively impacted by the proposed rezoning. The request to rezone back to R-100 would result in a more compatible zoning category for the area. Additionally, a single-family residence would generate less traffic than an office use.

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

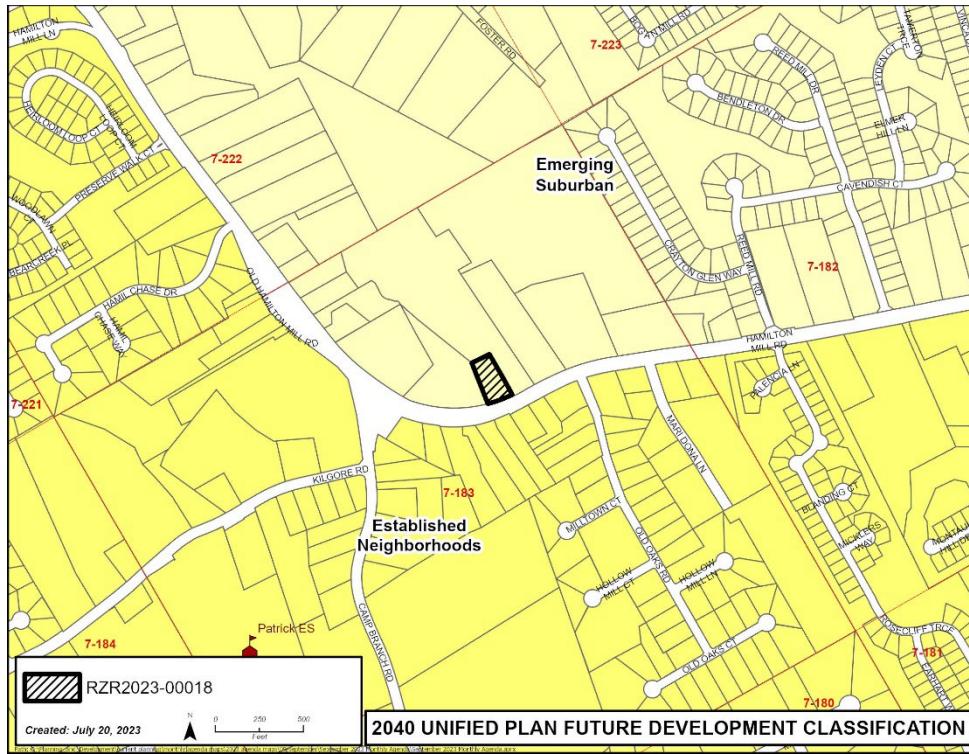
The property has a reasonable economic use as currently zoned.

**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 impact on public facilities is not anticipated in the form of traffic, utility demand, and stormwater runoff for the rezoning request. Minimal impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit E).

**E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map; and**

The 2040 Unified Plan Future Development Map indicates that the subject property lies within the Emerging Suburban Character Area, which are currently mainly residential but have not yet matured into established communities due to relatively large amounts of remaining, undeveloped land. This Character Area is expected to experience new single-family detached residential development during the 20-year planning period. Most Emerging Suburban areas are located on local, collector, or minor arterial roads, of which Hamilton Mill Road is classified as. A single-family detached residence would be appropriate in this 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.**

The property was originally developed as a single-family home and maintains the appearance of a residence except for the surface parking lot in the front of the building. Returning to R-100 would make it consistent with the adjacent uses and zoning classifications of the surrounding area. However, the parking area should be reconstructed to better conform to a residential use of the property.

### Staff Recommendation

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

### Planning Commission Recommendation

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

## **Planning Commission Recommended Conditions (includes Staff Recommended Conditions)**

Approval as R-100 (Single-Family Residence District) subject to the following conditions:

1. The property shall be limited to a single-family residence and accessory uses and structures.
2. The existing parking lot shall be reconstructed to occupy no more than 35% of the front yard and shall be redesigned to be more residential in nature, subject to review and approval of the Department of Planning and Development.
3. A maximum of 6 off-street parking spaces shall be permitted.

**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



**View from Hamilton Mill Road**



**Existing Parking on Site**



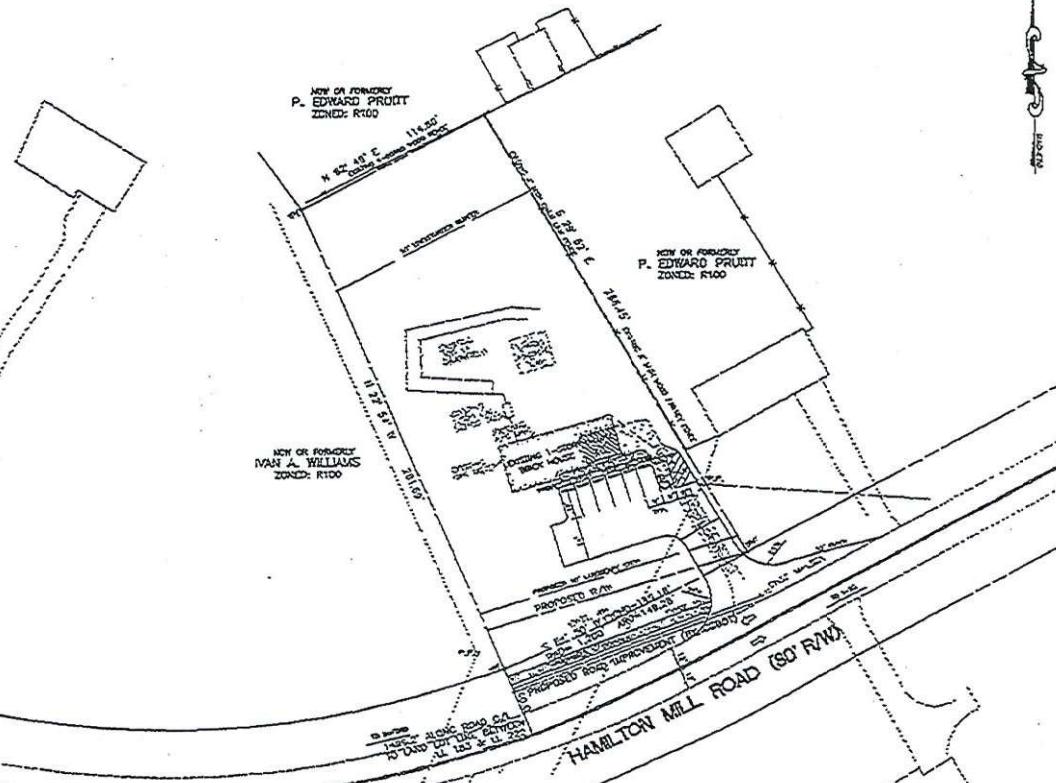
**Existing Structure on Site**

**Exhibit B: Site Plan**

**[attached]**

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6/15/2023

<p><b>GENERAL NOTES:</b></p> <p>1. SURVEY INFORMATION TAKEN FROM SURVEY FOR "JAMES A. AND C. L. BROWN", SURVEY NUMBER PREPARED BY THOMAS HODGES &amp; ASSOCIATES, TOPOGRAPHIC INFORMATION TAKEN FROM GWINNETT COUNTY GIS, DATED 2002.</p> <p>2. NOTIFY GWINNETT COUNTY INSPECTOR 24 HOURS PRIOR TO BEGINNING CONSTRUCTION AT 404-367-5010.</p> <p>3. ALL CONSTRUCTION TO CONFORM WITH GWINNETT COUNTY STANDARDS AND SPECIFICATIONS.</p> <p>4. PARCING CALCULATIONS: 1 SPACES X 1 SPACES 200' DEEP = 7 SPACES</p> <p>5. PROPOSED CONSTRUCTION SPACES (1 X 10') 100' DEEP X 10' = 1000'</p> <p>6. TOTAL SPACES</p> <p>7. ALL EXISTING DRAINAGE SHALL BE CUT-OFF BOX TYPE (i.e. NO SPILL LIDINGS SHALL BE USED).</p> <p>8. NO OPEN BURNING OF TRADE WASTE OR CONSTRUCTION DEBRIS. ONE REQUIRES PAY WHEN AIR CRAFTS INSTRUMENT FOR COMMERCIAL BURN, PAY FOR ALL BURNING MUST BE OBTAINED FROM GWINNETT COUNTY FIRE DEPARTMENT.</p> <p>9. PROPOSED USE: CHIROPRACTIC OFFICE.</p> <p>10. DURING CONSTRUCTION AND WHILE IN OPERATION ACCESS, APPROXIMATELY NORTH, SHALL BE 20 FT. FROM EXISTING GWINNETT COUNTY FIRE DEPARTMENT.</p> <p>11. APPROVAL OF DRAIN PLATE OVER-NOT CONCRETE APPROVAL BY GWINNETT COUNTY FOR ANY LAND DEVELOPMENT ACTIVITIES WITHIN WETLAND AREAS IS THE RESPONSIBILITY OF THE PROPERTY OWNER. TO CONTACT THE APPROPRIATE REGULATORY AGENCY FOR APPROVAL OF ANY WILDLAND AREA.</p> <p>12. EACH PROPERTY AND ITS LOCATION RELATING TO PROPOSED BUILDING AND OTHER STRUCTURES ON PROPERTY WITHIN THE 2000 STANDARD BUILDING CODE (WHICH IS STATE AND NATIONAL CODE) WITH REGARD TO THE HEIGHT AND AREA REQUIREMENTS OF STATE AND NATIONAL CODES AND FIRE INSURANCE RATES. THESE REQUIREMENTS ARE BASED ON THE CLASSIFICATION OF RISK AND ARE BASED ON GWINNETT COUNTY CODE CLASSIFICATION AND TYPE OF CONSTRUCTION.</p> <p>13. EACH BUILDING SHALL POST AND MARK WITH THE ADDRESS OF THE BUILDING IN A CORRESPONDING MANER VISIBLE FROM THE STREET MORE THAN 3 FEET FROM THE CURB OR EDGE OF THE STREET. THE ADDRESS SHALL BE PLACED IN A LOCATION OF FIVE FEET FROM THE CURB OR EDGE OF THE STREET AND FOR 24 HOUR VISIBILITY.</p> <p>14. TOTAL BUILDING HEIGHT: EXISTING 1-STORY HOUSE.</p> <p>15. A STORMWATER SEWER SYSTEM WILL BE PROVIDED FOR ALL RETAINING WALLS GREATER THAN 4 FEET IN HEIGHT AND ALL RETAINING WALLS USED AS A DAM PRIOR TO CONSTRUCTION OF THE WALLS.</p> <p>16. NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.</p> <p>17. NO DRIVE-UP RAMPS ARE TO BE PROVIDED.</p> <p>18. HIGH INTENSITY LIGHTING EACH RAMPS SHALL BE ADVISED THAT THE SOURCE OF ANY LIGHT PROVIDED FROM PUBLIC HIGH AND FROM ADJACENT RESIDENTIAL PROPERTY AND DOES NOT INFLUENCE HIGH INTENSITY.</p> <p>19. ALL SURFACE AND TREE SAVES AREAS SHALL BE CLEARLY STATED IN PLANNING AND/OR PERMIT PRIOR TO CONSTRUCTION OF ANY LAND DEVELOPMENT.</p> <p>20. NO OUTDOOR STORAGE PROPOSED. THIS INCLUDES SUPPLIED EQUIPMENT, VEHICLES, PRODUCT, ETC.</p> <p>21. SOLO LOGISTICS, MAJOR, AND SEC ARE NOT APPROVED UNDER THE DEVELOPMENT POINT. A SEPARATE PERMIT IS REQUIRED FOR EACH SHIP.</p> <p>22. NO RELOCATIONS ARE PERMITTED.</p> <p>23. THERE IS NO EXISTING STRUCTURE ON THE SITE.</p> <p>24. THERE ARE NO OWNERSHIPS ASSOCIATED WITH THE PROPERTY.</p>	<p><b>ACCESSIBILITY NOTES:</b></p> <p>1. CURB OF CURB RAMPS SHALL COMPLY WITH THE REQUIREMENTS OF RULE 120-3-30-10(a) 120-3-30-10(c) 120-3-30-10(d) GWINNETT ACCESSIBILITY CODE.</p> <p>2. CURVES OF CURB RAMPS SHALL COMPLY WITH RULE 120-3-30-10.</p> <p>3. CURB RAMPS (10' DEEP) A CURB RAMP SHALL BE 36 INCHES, EXCLUSIVE OF PLACED DECK, RULE 120-3-30-10(c) GWINNETT ACCESSIBILITY CODE.</p> <p>4. CURB RAMPS SHALL BE STABLE, ROLL-RESISTANT, AND SHALL COMPLY WITH RULE 120-3-30-10(c) GWINNETT ACCESSIBILITY CODE.</p> <p>5. CURB RAMPS SHALL BE LOCATED OR POSITIONED TO AVOID THESE OBSERVATION BY PARKING SPACES PROVIDED FOR ACCESSIBILITY CODE.</p> <p>6. CURB RAMPS PROVIDED FROM WALLS (FOR EXAMPLE, TELEPHONE WITH THEIR LEGS) SHALL BE 36 INCHES AND 28 INCHES ABOVE THE FINISHED FLOOR SHALL PROTRUDE NO MORE THAN 4 INCHES TO TRADE HALLS, CORRIDORS, PASSAGEWAYS, OR ACCESS RULE 120-3-30-10(d) GWINNETT ACCESSIBILITY CODE.</p> <p>7. CURB OF CURB RAMPS SHALL BE PROVIDED PURSUITE OF THE REQUIREMENT OF RULE 120-3-30-10(c) GWINNETT ACCESSIBILITY CODE.</p> <p>8. CURB RAMPS PROVIDED FROM A RETAINING WALLS COMPLY WITH RULE 120-3-30-10, RETAINING WALLS PROVIDED SMALL CONCRETE OR TREATED CONCRETE (CROWDING MAY BE GOOD WOODS ONLY). TOPPING SHALL CONTRACT IN COLOR WITH SURROUNDING SURFACE. THE RETAINING WALL SHALL EXCEED THE FULL WIDTH AND 2 FT. DEPTH OF THE CURB RAMPS. RULE 120-3-30-10 (c) GWINNETT ACCESSIBILITY CODE.</p>	<p><b>COMMERCIAL DEVELOPMENT DATA</b></p> <p><b>PROJECT DATA:</b> DEVELOPMENT TYPE: MEDICAL CHIROPRACTIC OFFICE ZONING (D-10 OFFICE - INSTITUTIONAL)</p> <p><b>BUILDING DATA:</b> BUILDING FLOOR AREA (SF): 1,150 HOI FLOOR AREA (SF): 300 TOTAL FLOOR AREA (SF): 1,450 DEPT. AREA (SF): 100 NEW BLDG (SF): 1,150 STORIES (NO.): 1 BASMENT (NO.): 1</p> <p><b>PARKING SPACES:</b> EXISTING: 0 NEW: 7 SPACES TOTAL: 7 SPACES PAVIMENT SURFACE TYPE: CONCRETE RECORDED PARKING SPACES: 7 GENERAL: 3 WHEELCHAIR: 3 WALKWAY: 1 PROVIDED PARKING SPACES: 7 SPACES</p> <p><b>RELATED CASES:</b> R-0000000</p> <p><b>TREES:</b> NUMBER: 0 TYPE: 30 UNGRADED (REAR) WATER TYPE: 30 UNGRADED (FRONT) BUTTER TIES PLANTED: 0 NEW BUTTER TIES PROVIDED: 0 NEW BUTTER TIES PLACED: 0 SANITARY SERVICES: 0/0</p>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
 <p><b>PROPERTY AREA: 0.85 ACRES</b> <b>DISTURBED AREA: 0.1 ACRES</b> ZONING (D-10 OFFICE - INSTITUTIONAL)</p> <p><b>SCALE:</b> 1" = 30'</p> <p><b>DATE:</b> 05/06/09 <b>PLANNER:</b> AG <b>RECEIVED:</b> 06-10-09</p>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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**Exhibit C: Letter of Intent and Applicant's Response to Standards**

**[attached]**

RECEIVED

6/15/2023

## REZONING APPLICANT'S LETTER OF INTENT

The Applicants, Timothy and Yenhuia Pugh, request a change in zoning designation for the property in question, located at 3495 Hamilton Mill Road, Buford, GA 30519.

The existing O&I zoning designation was approved by Gwinnett County in 2009, after which time the property was used as a chiropractic clinic until the doctor retired from practice in December 2019. It has sat vacant since that time, due in part to issues related to the COVID-19 pandemic, but also due to its current O&I zoning designation.

The property has been marketed, at different times, both for sale, and for lease, without success. There have been plenty of calls; however, without exception, all of the businesses that expressed an interest in leasing the property would require it to be zoned C2, which is impossible. A number of families also inquired about renting the property for their residence; however, they had to be turned away due to the current zoning designation.

Rezoning the property to its original R100 designation would enable it to be leased within a relatively short period of time, which would be a good thing for the community. It would also greatly ease the financial hardship caused by continued expenses such as utilities, general upkeep, and commercial property taxes, at a time when the Applicants' income has been reduced to limited retirement benefits.

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6/15/2023

**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:

The proposed use is suitable.

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

It will not.

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

Property has been vacant for 3 1/2 years. To date, all interested parties have had businesses that did not qualify to lease property as currently zoned CO-1.

(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:

It will not.

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

It is.

(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:

Yes, property has remained vacant since I retired and closed my chiropractic practice in Dec. 2019. Have been unable to find a qualified tenant under current zoning designation; however, numerous parties have expressed an interest in renting property as a residence.

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

**[attached]**

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6/15/2023

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Timothy and Yenhua Pugh</u>	NAME: <u>Yenhua Shen Pugh (DBA YSP Hamilton, LLC)</u>
ADDRESS: <u>3395 Duncan Bridge Drive</u>	ADDRESS: <u>3395 Duncan Bridge Dr.</u>
CITY: <u>Buford</u>	CITY: <u>Buford</u>
STATE: <u>GA</u> ZIP: <u>30519</u>	STATE: <u>GA</u> ZIP: <u>30519</u>
PHONE: <u>(706)372-6239 /0771</u>	PHONE: <u>(706) 372 -0771</u>
EMAIL: <u>esp3395@gmail.com</u>	EMAIL: <u>esp3395@gmail.com</u>
CONTACT PERSON: <u>Tim Pugh</u>	PHONE: <u>(706) 372-6239</u>
CONTACT'S E-MAIL: <u>esp3395@gmail.com</u>	

## APPLICANT IS THE:

OWNER'S AGENT

PROPERTY OWNER

CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): 0-1 REQUESTED ZONING DISTRICT: R100PARCEL NUMBER(S): R7183003B ACREAGE: 0.83ADDRESS OF PROPERTY: 3495 Hamilton Mill Rd., Buford, GA 30519PROPOSED DEVELOPMENT: Return to R100 designation for use as a residence.

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>1</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>1,448</u>	Total Building Sq. Ft. _____
Gross Density: _____	Density: _____
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

**RECEIVED**

6/15/2023

**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.



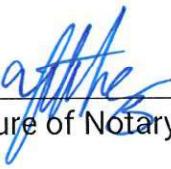
6/15/23

Signature of Applicant

Date

Yenhuia S. Pugh

Type or Print Name and Title

  
Signature of Notary Public

June 15, 2023

Date

Notary Seal



**RECEIVED**

6/15/2023

**REZONING PROPERTY OWNER'S CERTIFICATION**

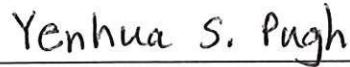
THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY  
CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION  
OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12  
MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS  
WAIVED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



Date



Type or Print Name and Title



Date



Notary Seal

Signature of Notary Public

RECEIVED

6/15/2023

**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

6/15/23

DATE

Yenhu S. Pugh

TYPE OR PRINT NAME AND TITLE

N/A

SIGNATURE OF APPLICANT'S  
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE



June 15, 2023

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 or a member of the Gwinnett County Planning Commission?

YES  NO

Yenhu S. Pugh

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

6/15/2023

**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.

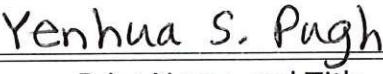
**\*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

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

R7 - 183 - 003B  
District                    Land Lot                    Parcel

  
Signature of Applicant

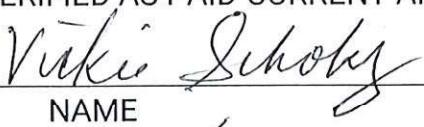
6/15/2023  
Date

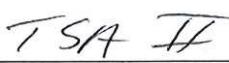
  
Type or Print Name and Title

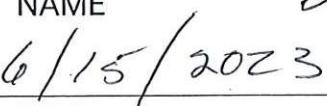
**\*\*\*PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.\*\*\***

**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)

  
NAME

  
TITLE

  
DATE

**Exhibit E: Internal and External Agency Review Comments**

**[attached]**



**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b> 08.09.2023			
Department/Agency Name: Transportation			
Reviewer Name: Brent Hodges			
Reviewer Title: Construction Manager 1			
Reviewer Email Address: <a href="mailto:Brent.Hodges@gwinnettcounty.com">Brent.Hodges@gwinnettcounty.com</a>			
Case Number: RZR2023-00018			
Case Address: 3495 Hamilton Mill Road, Buford, 30519			
<b>Comments:</b>		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
1	Hamilton Mill Road is a minor arterial. ADT = 15,264.		
2	4.0 miles to the nearest transit facility (#2334754) Buford/SR 20 Park and Ride.		
3			
4			
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			

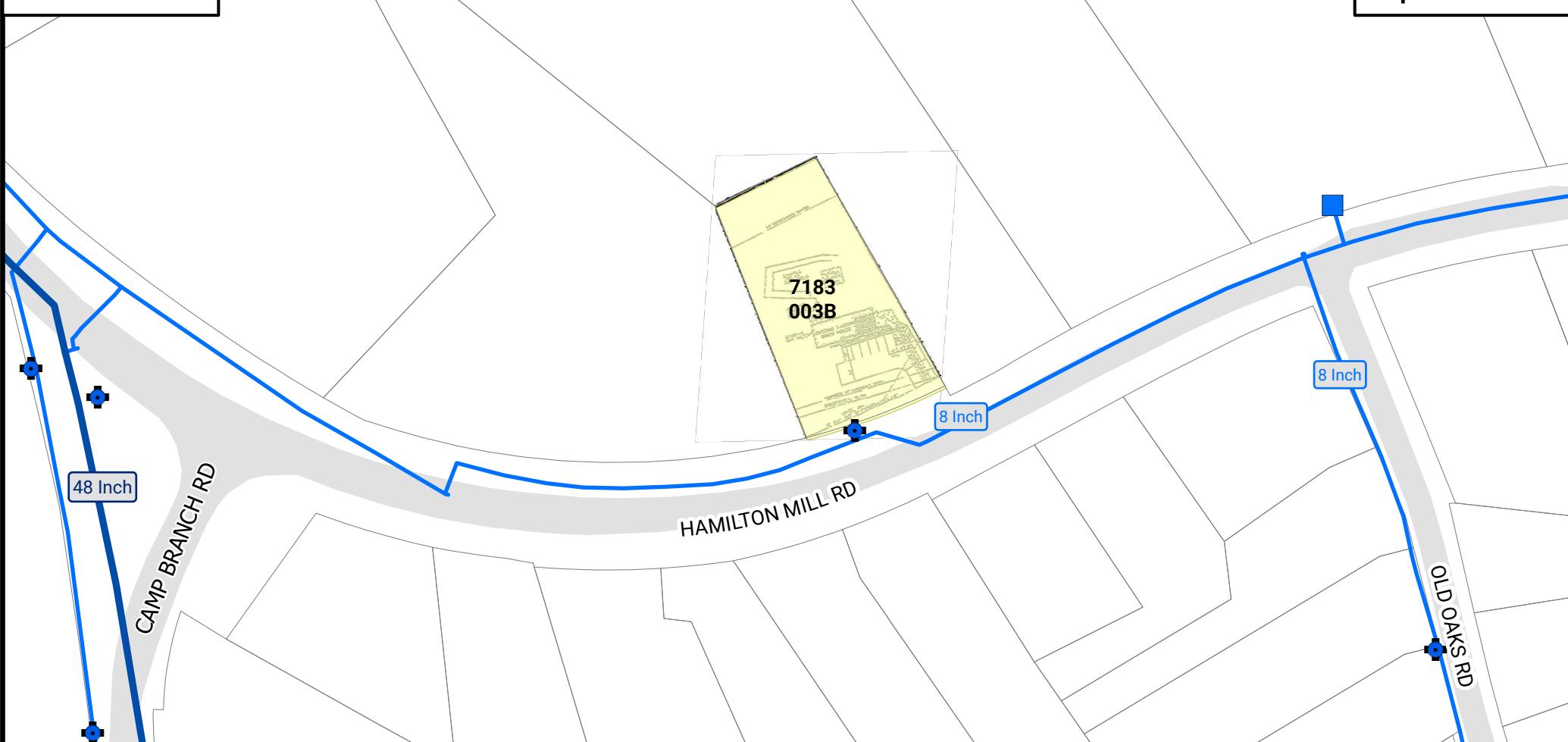
**Note:** Attach additional pages, if needed

*Revised 7/26/2021*



**Department of Planning and Development**  
**TECHNICAL REVIEW COMMITTEE**

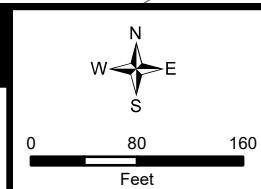
<b>TRC Meeting Date:</b>			
Department/Agency Name: DWR			
Reviewer Name: Mike Pappas			
Reviewer Title: GIS Planning Manager			
Reviewer Email Address: <a href="mailto:Michael.pappas@gwinnettcounty.com">Michael.pappas@gwinnettcounty.com</a>			
Case Number: RZR2023-00018			
Case Address: 3495 Hamilton Mill Rd			
<b>Comments:</b>		<input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
1	Water: GCDWR does not have comments for this Rezoning Case. The existing building is connected to public water.		
2	Sewer: GCDWR does not have comments for this Special Use Permit. The existing building is on septic and will remain on septic.		
3			
4			
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			



## LEGEND

- Water Main
- Hydrant
- Master Vault

**3495 Hamilton Mill Rd**  
O-1 to R-100  
**Water & Sewer**  
**Utility Map**



## LOCATION



**Water Comments:** GCDWR does not have comments for this Rezoning Case. The existing building is connected to public water.

**Sewer Comments:** GCDWR does not have comments for this Special Use Permit. The existing building is on septic and will remain on septic.

**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]**





 RZR2023-00018

N

A number line starting at 0 and ending at 400, with a tick mark at 200 labeled "200". Below the line, the word "Feet" is written.

Created: July 20, 2023

## **SUBJECT SITE AND SURROUNDING ZONING**

