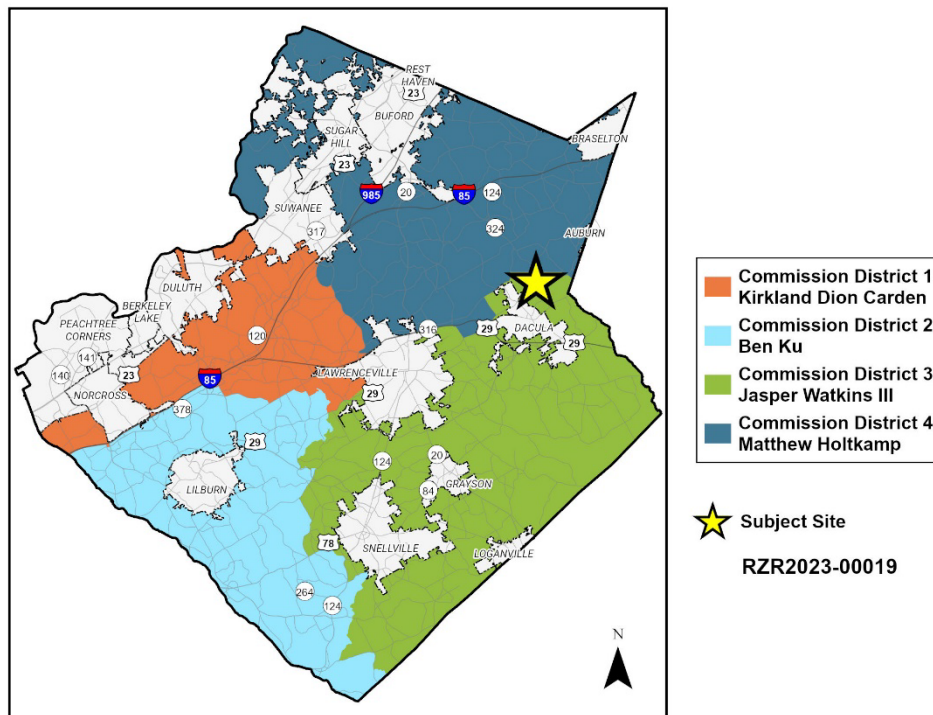


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: RZR2023-00019
Current Zoning: R-SR (Senior Oriented Residence District)
Request: Rezoning to **R-100** (Single-Family Residence District)
Address: 3022 Fence Road
Map Number: R2003A 194
Site Area: 5.26 Acres
Lots: 5
Proposed Development: Single-Family Detached Subdivision
Commission District: District 3 – Commissioner Watkins
Character Area: Vibrant Communities

Staff Recommendation: **DENIAL**

**Planning Commission
Recommendation:** **DENIAL**



Applicant: Epcon Bailey Farms, LLC
100 Mansell Court East, Suite 105
Roswell, GA 30076

Owner: Epcon Bailey Farms, LLC
100 Mansell Court East, Suite 105
Roswell, GA 30076

Contacts: Ted Turner
Hayley Todd

Contact Phones: 678.283.8483
757.508.6593

Zoning History

The subject property is zoned R-SR (Senior Oriented Residence District). The property was recently subdivided from the adjacent parcel (R2003 012A). In 2022, the subject property still part of the larger adjacent parcel and was rezoned from RA-200 (Agriculture-Residence District) to R-SR for a senior oriented detached residential subdivision, pursuant to RZR2022-00027.

Existing Site Condition

The subject property is a 5.26-acre parcel located along Fence Road, south of its intersection with Bailey Road. There is an existing single-family residence on the property. Another single-family residence and a large accessory structure were recently removed from the property. Access is provided by two gravel driveways along Fence Road. A 20-foot-wide sewer easement runs along the eastern perimeter of the property. Several large trees are around the perimeter of the property. Dense vegetation exists on the southern portion of the property consisting of a mixture of evergreen and hardwood trees. The property slopes down from north to south by approximately 46 feet and from north to southeast near to the neighboring pond by 30 feet. There are no sidewalks located on either side of Fence Road. The nearest Gwinnett County Transit stop is approximately 6.9 miles from the subject property.

Surrounding Use and Zoning

The property is surrounded by single-family residences on large lots and within subdivisions. Bailey Farms, a senior oriented detached residential subdivision, is located to the east and is currently under development. Alcovy Ridge and Willow Park, single-family detached subdivisions, are to the south. Large lot single-family residences are located to the west across Fence Road. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-100	1.11 units per acre
North	Single-Family Residential	R-SR	2.45 units per acre
East	Single-Family Residential Single-Family Residential	R-SR R-100	2.45 units per acre 0.76 units per acre
South	Single-Family Residential Undeveloped	R-100CSO RA-200	2.59 units per acre N/A
West	Single-Family Residential	RA-200	0.41 units per acre

Project Summary

The applicant requests rezoning of a 5.26-acre property from R-SR to R-100 for a single-family detached subdivision including:

- Five single-family residential lots, each with at least 15,000 square feet of land area, yielding a density of 1.11 units per acre.
- Residences with heated floor areas ranging from 1,500 to 4,000 square feet.
- Two car garages for each residence.
- Elevations consisting of a mixture of fiber-cement siding, stacked stone, board & batten, and wooden shake siding.
- Direct driveway access from each lot to Fence Road.
- A 12-foot-wide sidewalk along the property frontage on Fence Road.
- A 20-foot-wide sanitary sewer easement running along the rear of the proposed lots.
- Multiple environmental features including a stream, associated buffers, floodway, floodplain, and wetlands all proposed as part of Lot 5.
- This property was originally part of a larger R-SR (Senior-Oriented Residence District) development. Removing this site from the larger R-SR property changes the development standards for this development. Removing the subject acreage would increase the density and decrease the open space of the adjacent development.

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' one yard 25' two yards	Minimum 12.5' one yard 25' two yards	YES
Rear Yard Setback	Minimum 40'	>40'	YES
Lot Size	Minimum 15,000 Square Feet	>15,000 square feet	YES
Lot Width	100'	≥100'	YES
Minimum Heated Floor Area	Minimum 1,400 square feet	1,500 square feet	YES

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Rezoning Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. 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.

This area of the County consists primarily of low-density, single-family residences in subdivisions and on large lots. There is a substantial amount of R-100 zoned property in the surrounding area. However, the area was proposed as open space for a previously approved development and should be maintained as such.

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

The proposed rezoning to R-100 to create five lots would adversely affect the existing use or usability of adjacent or nearby properties. The change would increase the density and decrease the amount of open space for the adjacent previously approved R-SR development, which would adversely impact the residents of this development.

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.

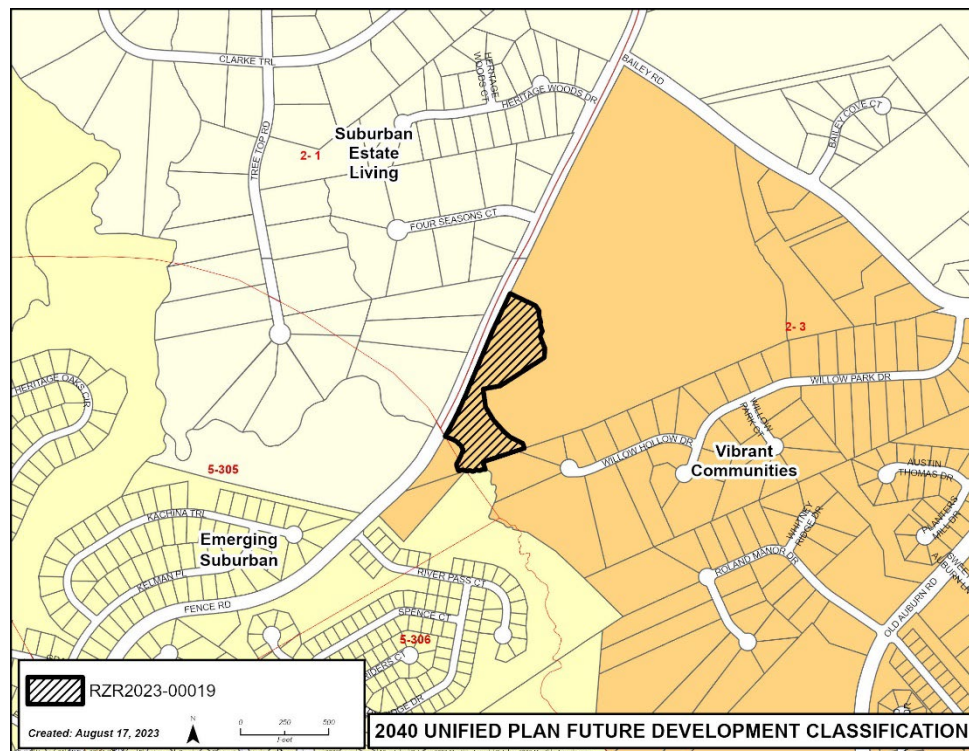
D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

A minimal increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. A minimal impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit F).

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

The 2040 Unified Plan and Future Development map indicates this property is within the Vibrant Communities Character Area, which intends to serve as a transition between nodes and mixed-use activity centers and surrounding, established single-family residential areas, and is generally located away from the primary intersections where the various types of activity centers and nodes are located. Dependent on the setting, zoning pattern, and intensity of development characterizing these various locations throughout the County, new development and redevelopment in Vibrant Communities may contain a mix of housing types, including small lot single-family housing, multifamily housing, townhomes, and senior housing.

The proposed rezoning is located at the perimeter of the Vibrant Communities character area and is near the Suburban Estate Living and Emerging Suburban character areas. This area is beginning to develop with various housing types recommended in Vibrant Communities. The request does not align with the character area. Therefore, this request is not in conformity with the policy and intent of the Unified Plan and Future Development Map.



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

The proposed development is in an area with a mixture of housing types, including a significant amount of large and medium lot residential. The proposed R-100 zoning could be appropriate for the area with homes similar in scale to nearby developments; however, construction of the site relies on the use of the adjacent neighborhood's open space. In addition, the proposed subdivision includes several environmentally sensitive areas including within private building

lots. This will likely result in maintenance issues in the future. In addition, the location of the sanitary sewer easement impacts the buildable area of the lots which limits the amount of rear yard space.

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.

Staff Recommended Conditions

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

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

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received August 10, 2023, and Exhibit C: Building Elevations dated received July 27, 2023, and August 10, 2023, subject to the review and approval of the Department of Planning and Development.
2. The property shall be limited to a maximum of five single-family detached lots and accessory uses and structures.
3. All dwellings shall have a minimum of a two-car garage.
4. All residential buildings shall comply with Category 3 of the Gwinnett County Architectural Design Standards. Final building elevations shall be submitted for review and approval by the Department of Planning and Development.
5. The developer shall construct shared driveways, with no more than two direct driveway connections to Fence Road.
6. The environmentally sensitive features on Lot 5 shall be located on a separate lot and maintained by the homeowners association, subject to the review and approval by the Department of Planning and Development.

Planning Commission Recommendation

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

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. Internal and External Agency Review Comments
- G. Maps
- H. Documents presented at the October 3, 2023 Planning Commission Public Hearing

Exhibit A: Site Visit Photos



View of Fence Road facing south



View of Fence Road facing north



View of the southern vegetated portion of the property



View of the clearing on the property



View of the northern portion of the property, closer to Fence Road



View of the northern portion of the property, closer to the eastern property line

Exhibit B: Site Plan

[attached]

RECEIVED

8/10/2023

P.O.B.
TRACT 2
ZONED R-SR
(5.259 ACRES)

12" CONCRETE SIDEWALK TO BE EXTENDED
ALONG FENCE ROAD STREET FRONTAGE

A232.51'
R15793.03'
N 25°06'16" E
C232.51'

FENCE ROAD
(80' PUBLIC RIGHT OF WAY)
40 MPH SPEED LIMIT

16" RESIDENTIAL
DRIVEWAY

20" SANITARY
SEWER ESMT.

N22°44'41"E
402.55'

ARC=266.17'
R=2408.00'
N25°50'46"E
CH=266.03'

15" POWER LINE
EASMENT PER 30'
SPACES PER 30'

10"10" CULVERT
(4 OPENINGS)

USGS
GAGE
ON ROAD

ADKSON
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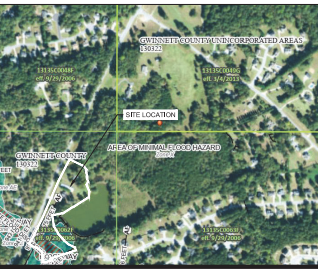
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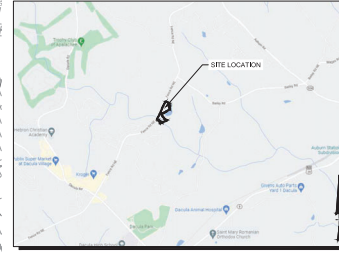
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FEMA FIRM MAP



SITE LOCATION MAP

SITE DATA	
SITE AREA	5.259 ACRES
AREA OF FLOODPLAIN	1.24 ACRES (100' ± 0.77 ACRES (FLOODPLAIN POWER EASEMENT ALONG FENCE ROAD))
NET SITE AREA	4.489 AC
ZONING	
ZONING	R-SR
PROPOSED ZONING	R100
ZONING JURISDICTION	OWENETT COUNTY
LOT REQUIREMENTS	
MINIMUM LOT SIZE	15,000 SF (SEWER)
MINIMUM HEATED FLOOR AREA	1,000 SF
MAXIMUM BUILDING HEIGHT	35 FEET
DENSITY CALCULATIONS	
MAXIMUM ALLOWABLE DENSITY	N/A
NET SITE AREA	4.489 ACRES
PROPOSED LOTS	5
NET SITE DENSITY	1.11 DU/ACRE
GROSS SITE DENSITY	0.36 DU/ACRE
SITE REQUIREMENTS	
FRONT SETBACK	50 FEET (ALONG MAJOR THOROUGHFARE)
SIDE SETBACK	12.5 FEET
REAR SETBACK	40 FEET
MIN. LOT WIDTH	100 FEET
PARKING REQUIREMENTS	
MINIMUM PARKING REQUIRED	10 SPACES (2 PER DWELLING UNIT)
MAXIMUM PARKING REQUIRED	30 SPACES (8 PER DWELLING UNIT)
TOTAL PARKING PROVIDED	35 SPACES (2 GARAGE + 2 DRIVEWAY SPOT)

Exhibit C: Building Elevations

[attached]

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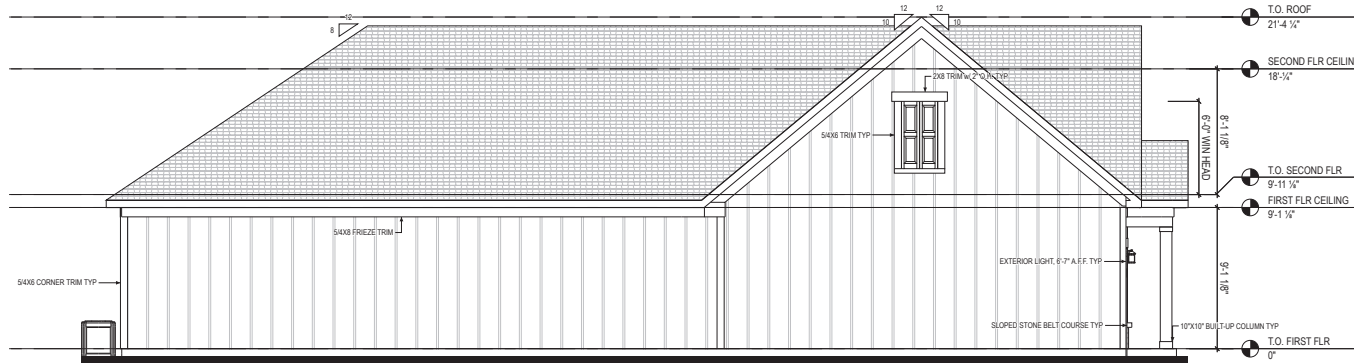


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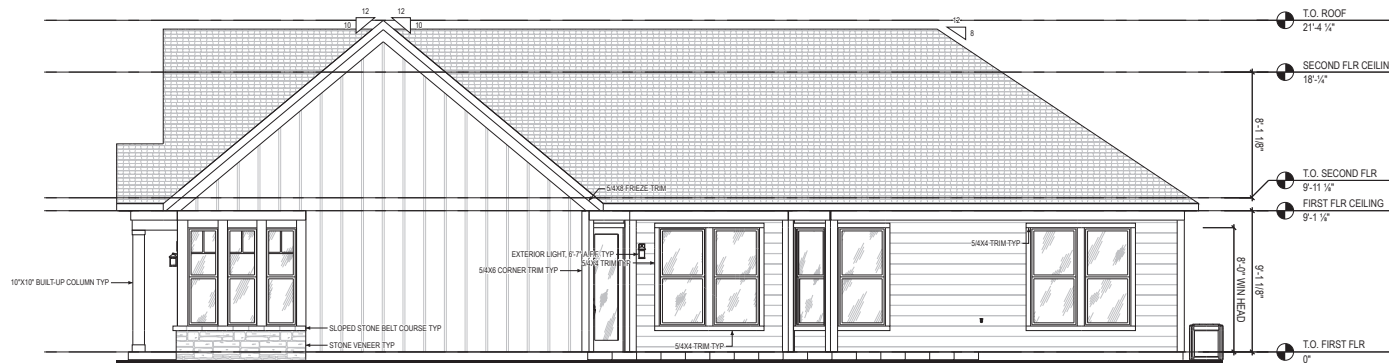
7/27/2023

Palazzo Elevation A

Bonus With Four Seasons



1 LEFT ELEV
A-201
1/4\" = 1'-0\" @ 22\" x 34\"



2 RIGHT ELEV
A-201
1/4\" = 1'-0\" @ 22\" x 34\"

ISSUE	DESCRIPTION	DATE
01	BUILDER SET	7/20/2023

PROJECT
PLAN: Palazzo (2023)
ELEV: Elevation A
LOT:

LOT ADDRESS:

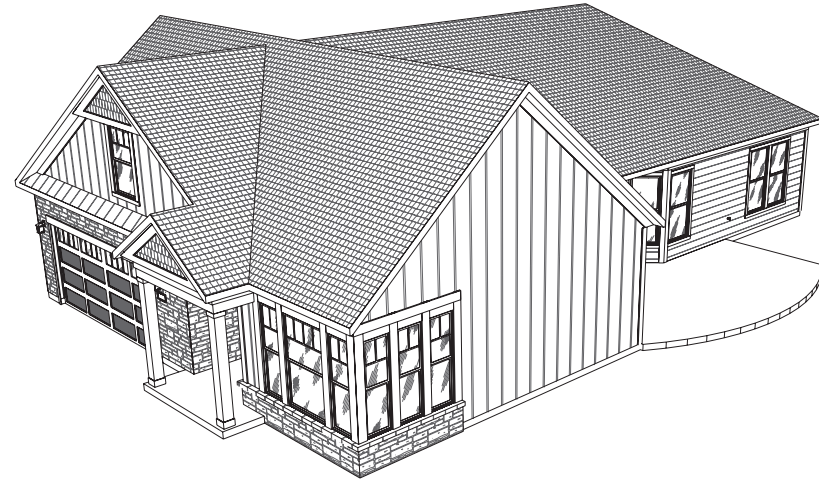
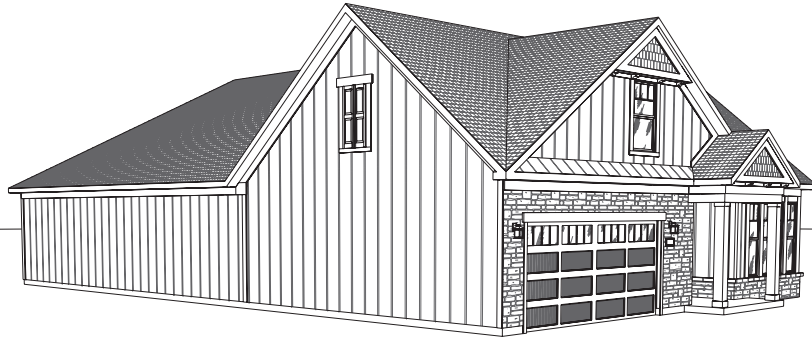
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Page 11 of 105

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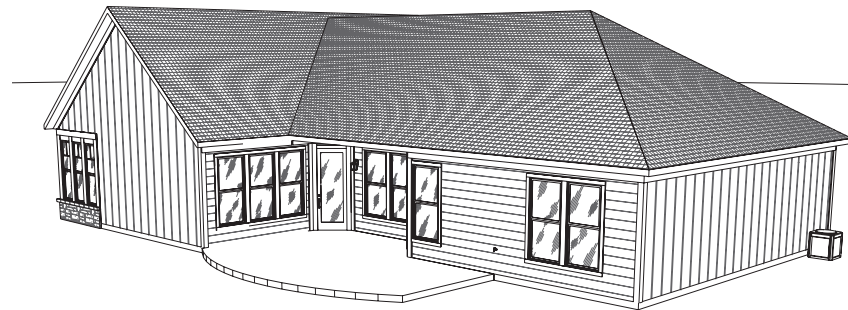
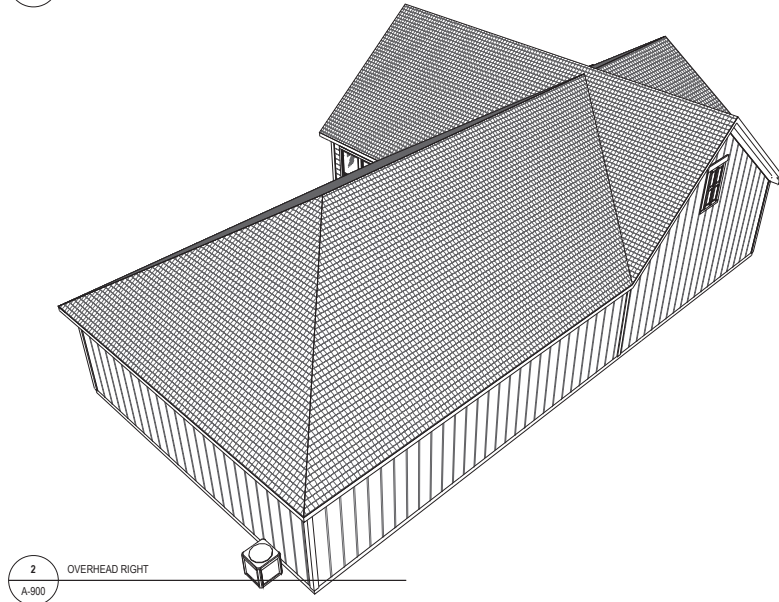
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Palazzo Elevation A Bonus With Four Seasons



1 FROM DRIVE
A-900

3 OVERHEAD FRONT
A-900



2 OVERHEAD RIGHT
A-900

4 REAR VIEW
A-900

ISSUE	DESCRIPTION	DATE
01	BUILDER SET	7/20/2023

PROJECT
PLAN: Palazzo (2023)
ELEV: Elevation A
LOT:

LOT ADDRESS:

DRAWING TITLE
**PERSPECTIVE
VIEWS**

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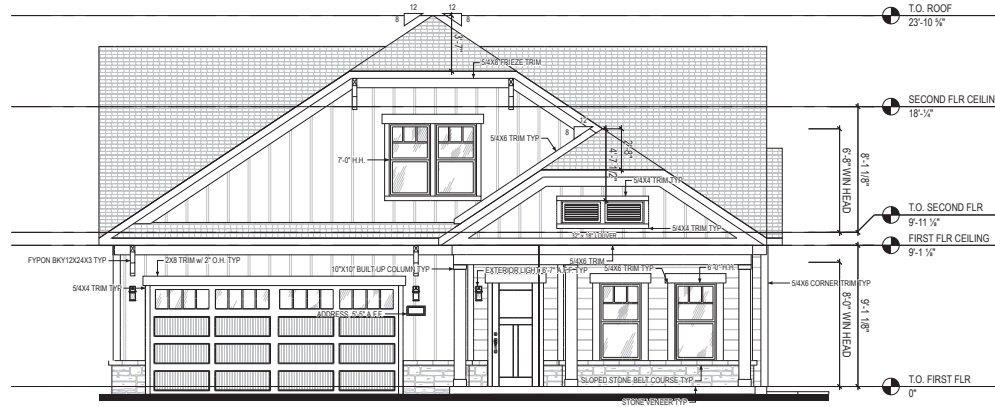
8/10/2023



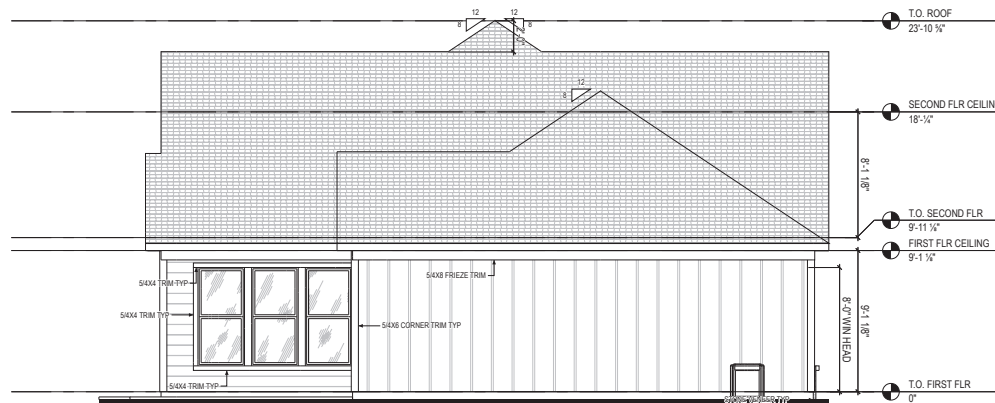
RECEIVED

7/27/2023

Portico Elevation B Bonus



1 FRONT ELEV
A-200
1/4" = 1'-0" @ 22" x 34"



2 BACK ELEV
A-200
1/4" = 1'-0" @ 22" x 34"

ISSUE	DESCRIPTION	DATE
01	BUILDER SET	7/21/2023

PROJECT
PLAN: Portico (2023)
ELEV: Elevation B
LOT:

LOT ADDRESS:

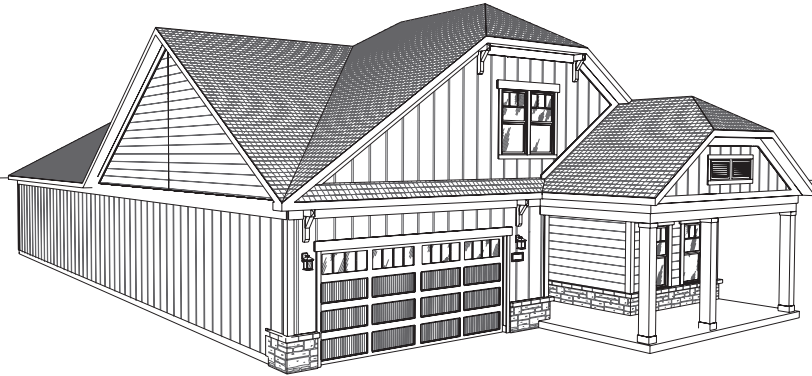
DRAWING TITLE
**FRONT / BACK
ELEVATION**

Page 52 of 105

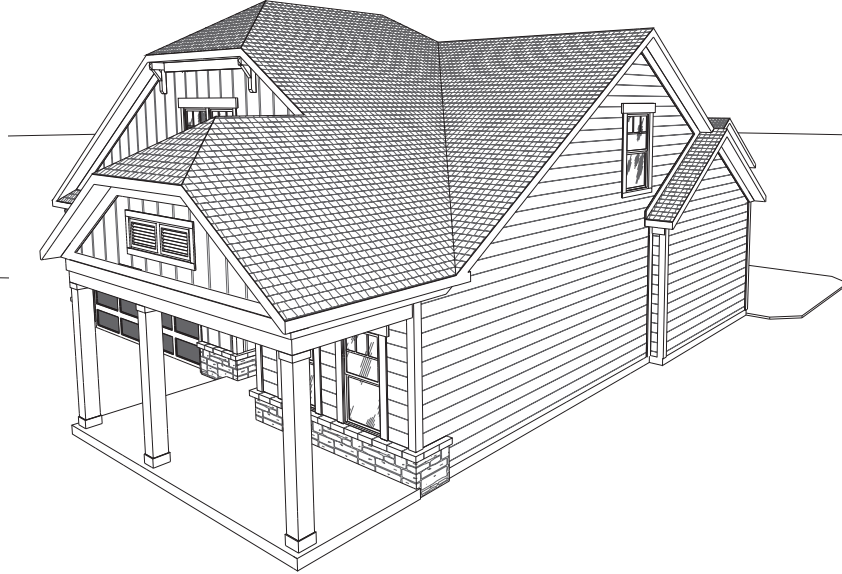
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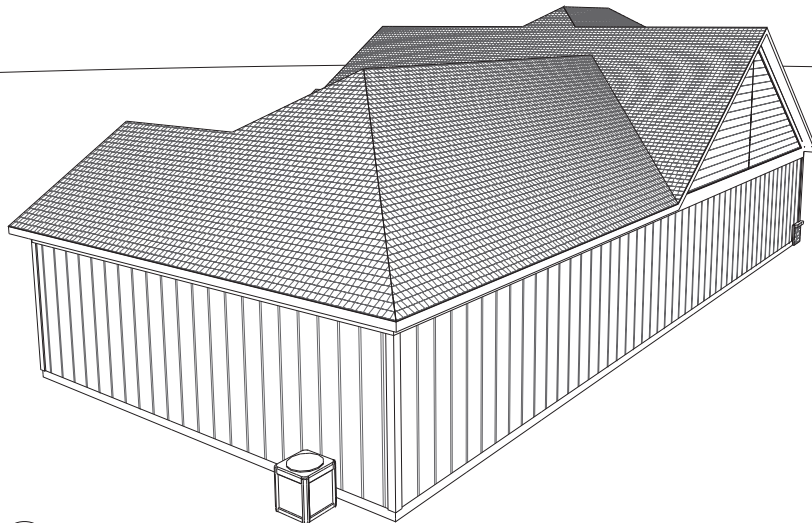
Portico Elevation B Bonus



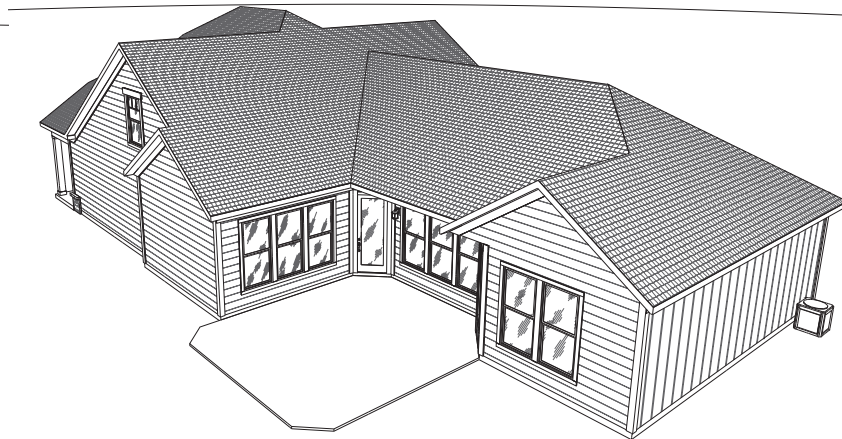
1 FROM DRIVE
A-900



3 OVERHEAD FRONT
A-900



2 OVERHEAD RIGHT
A-900



4 REAR VIEW
A-900

ISSUE	DESCRIPTION	DATE
01	BUILDER SET	7/21/2023

PROJECT
PLAN: Portico (2023)
ELEV: Elevation B
LOT:

LOT ADDRESS:

DRAWING TITLE
**PERSPECTIVE
VIEWS**

RECEIVED

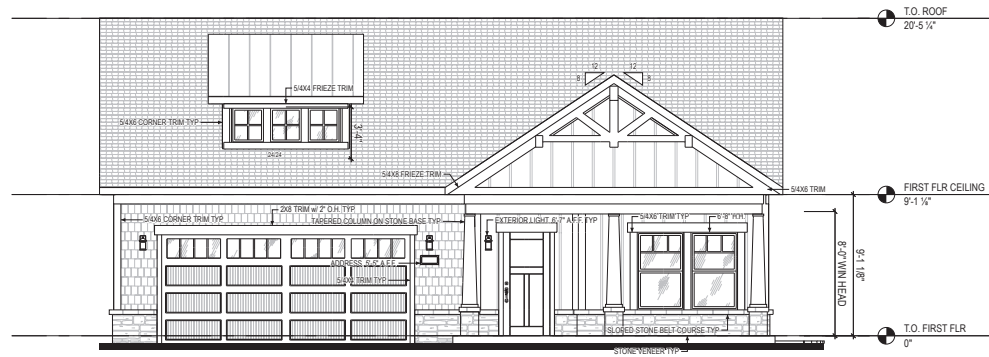
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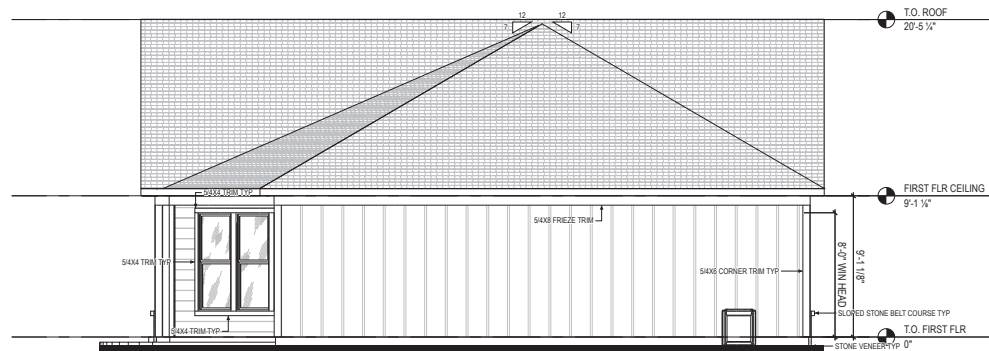
RECEIVED

7/27/2023

Promenade Elevation C



1 FRONT ELEV
A-200
1/4" = 1'-0" @ 22" x 34"



2 BACK ELEV
A-200
1/4" = 1'-0" @ 22" x 34"

ISSUE	DESCRIPTION	DATE
01	BUILDER SET	7/21/2023

PROJECT
PLAN: Promenade (2023)
ELEV: Elevation C
LOT:

LOT ADDRESS:

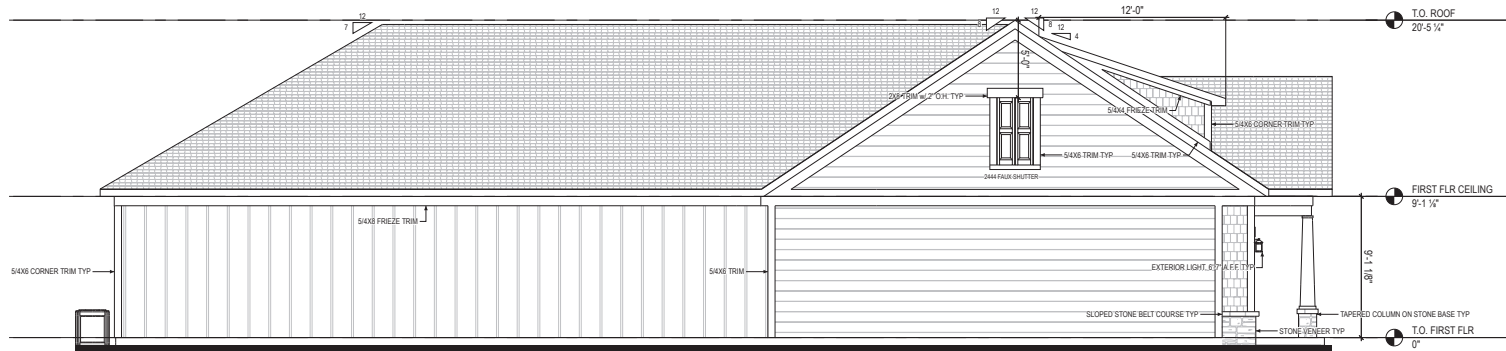
DRAWING TITLE
**FRONT / BACK
ELEVATION**

Page 76 of 105

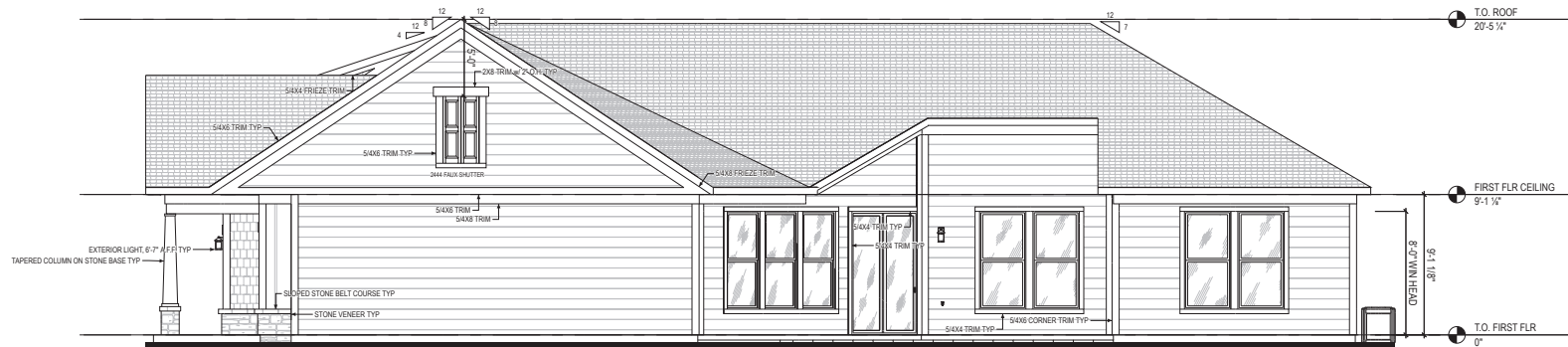
RECEIVED

7/27/2023

Promenade Elevation C



1 LEFT ELEV
A-201
1/4" = 1'-0" @ 22" x 34"



2 RIGHT ELEV
A-201
1/4" = 1'-0" @ 22" x 34"

ISSUE	DESCRIPTION	DATE
01	BUILDER SET	7/21/2023

PROJECT
PLAN: Promenade (2023)
ELEV: Elevation C
LOT:

LOT ADDRESS:

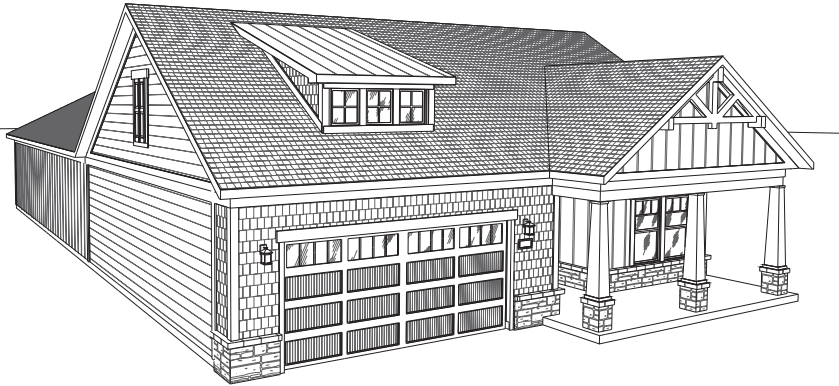
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**LEFT / RIGHT
ELEVATION**

Page 77 of 105

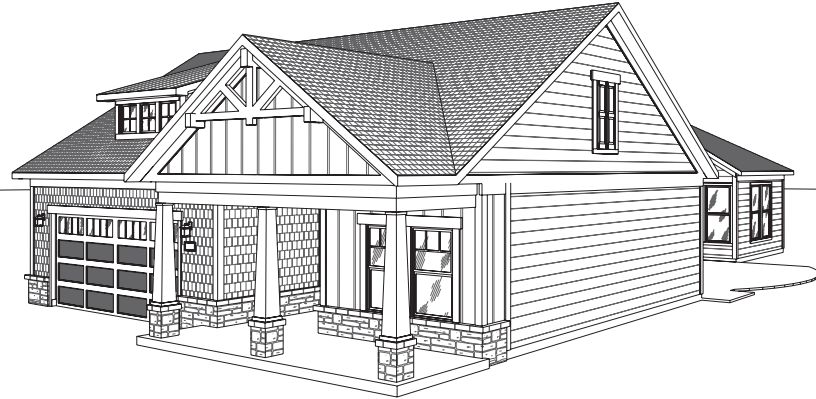
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7/27/2023

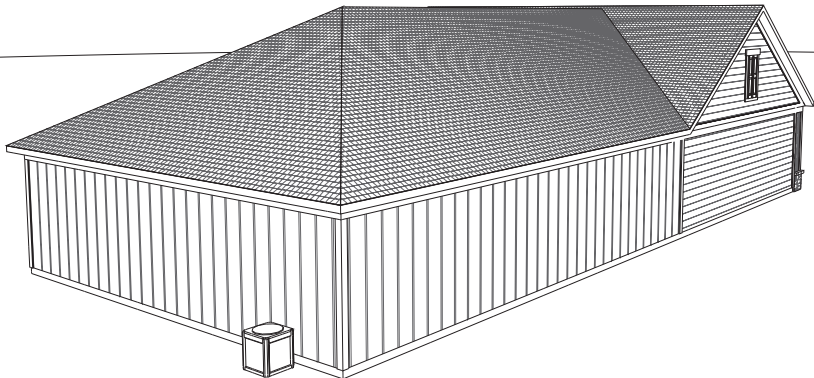
Promenade Elevation C



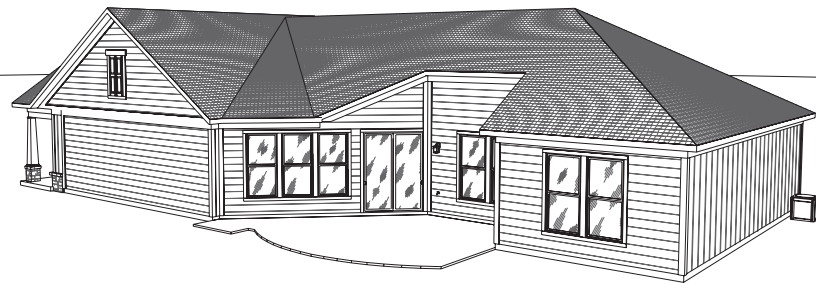
1 FROM DRIVE
A-900



3 OVERHEAD FRONT
A-900



2 OVERHEAD RIGHT
A-900



4 REAR VIEW
A-900

ISSUE	DESCRIPTION	DATE
01	BUILDER SET	7/21/2023

PROJECT
PLAN: Promenade (2023)
ELEV: Elevation C
LOT:

LOT ADDRESS:

DRAWING TITLE
**PERSPECTIVE
VIEWS**

Page 78 of 105

RECEIVED

8/10/2023



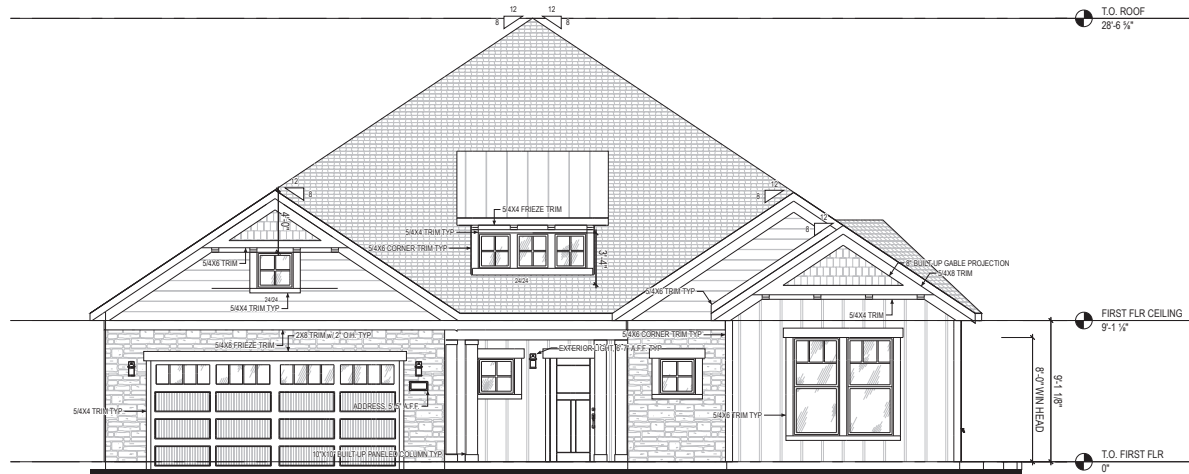
Although all floor plans, features, illustrations, and specifications of the homes and communities are believed correct at the time of publication, the right is reserved to make changes, without notice or obligation. Windows, doors, ceilings, layout, colors, finishes and room sizes may vary depending on the options and elevations selected. This information is for illustrative purposes only and not part of a legal contract.

Provenance

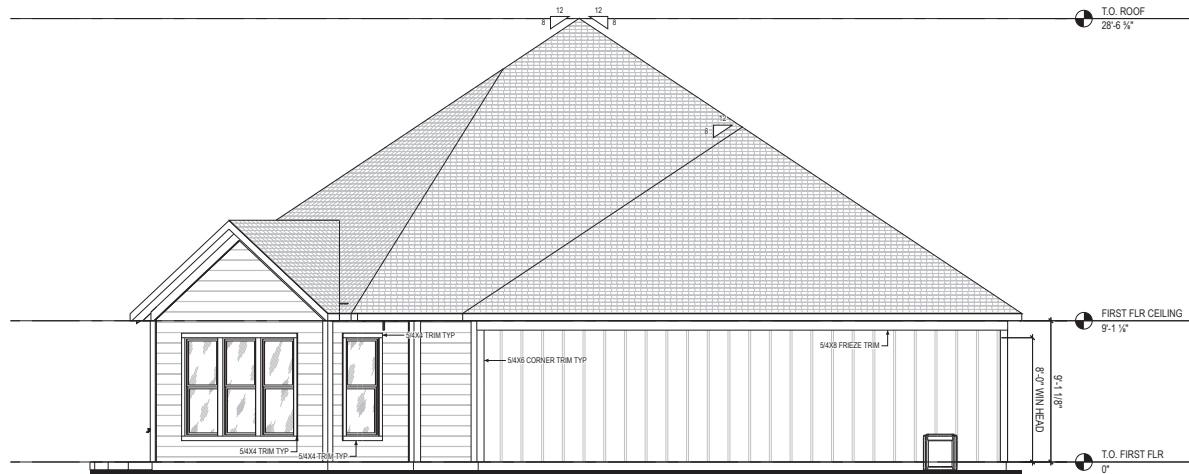
© 2023 IP 86. LLC

RECEIVED

7/27/2023
Provenance Elevation D



1 FRONT ELEV
A-200
1/4" = 1'-0" @ 22" x 34"



2 BACK ELEV
A-200
1/4" = 1'-0" @ 22" x 34"

ISSUE	DESCRIPTION	DATE
01	BUILDER SET	7/21/2023

PROJECT
PLAN: Provenance (2023)
ELEV: Elevation D
LOT:

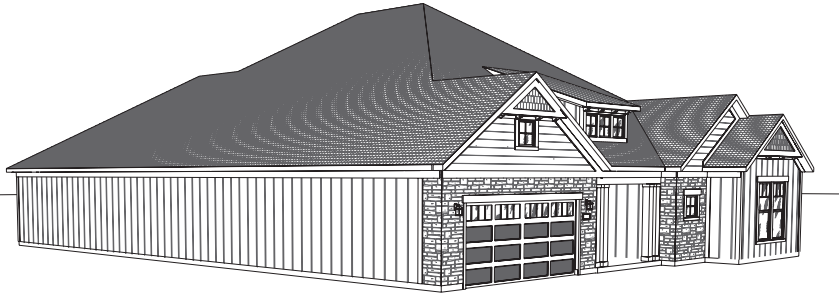
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**FRONT / BACK
ELEVATION**

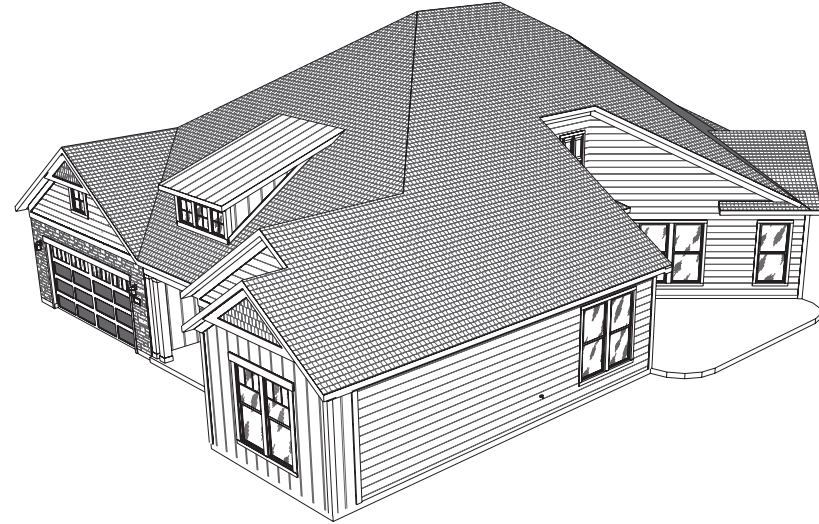
Page 103 of 105

RECEIVED

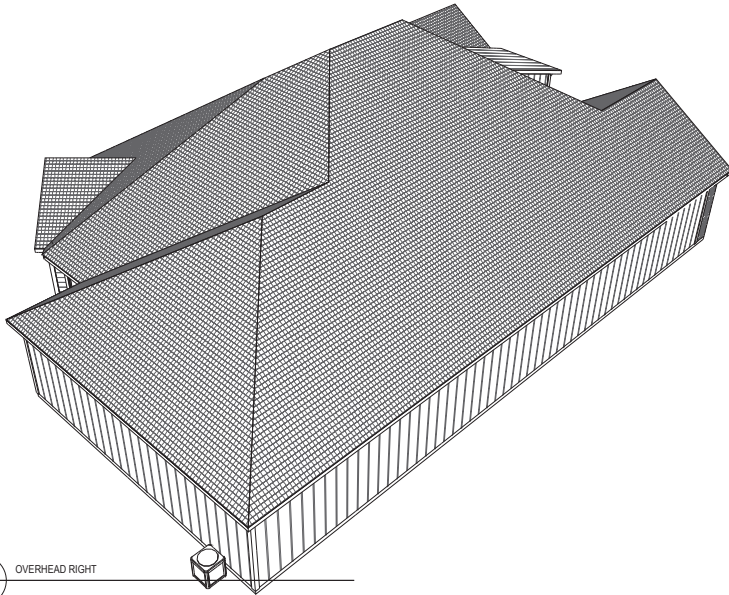
7/27/2023
Provenance Elevation D



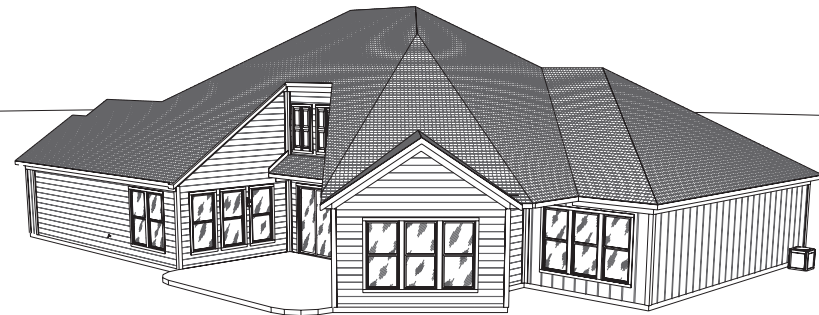
1 FROM DRIVE
A-900



3 OVERHEAD FRONT
A-900



2 OVERHEAD RIGHT
A-900



4 REAR VIEW
A-900

ISSUE	DESCRIPTION	DATE
01	BUILDER SET	7/21/2023

PROJECT
PLAN: Provenance (2023)
ELEV: Elevation D
LOT:

LOT ADDRESS:

DRAWING TITLE
**PERSPECTIVE
VIEWS**

Page 105 of 105

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

[attached]

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Planners & Engineers
Collaborative+

7/25/2023

Re: **Letter of Intent**
Fence Road Rezoning (+/-5.25 acres)
PEC+ Project No. 22117.00

Dear Community Development officials,

This rezoning application is being submitted on behalf of the developer and applicant. This application proposes to rezone the approximately 5.25-acre property located on the east of Fence Road and south of Bailey Road from R-SR to R-100. This rezoning would facilitate the development of a new, 5-lot subdivision of single-family detached homes.

Site History and Proposed Development

The proposed development consists of 5 single-family detached lots on a 5.25-acre tract. The subject property is a tract that was part of a larger piece of property that was rezoned from RA-200 to R-SR in 2022. After the rezoning, the larger property was subdivided, resulting in the 5.25-acre tract located along Fence Road (the subject property).

The new proposal is to rezone the 5.25-acre subject property from R-SR to R-100, which would facilitate the subdivision of the tract into 5 new, single-family lots. Each of the new detached homes would have driveway access onto Fence Road and garage parking. The home sizes would range from a minimum of 1,500 square feet to 4,000 square feet.

Zoning Rationale

The rezoning of this tract from R-SR to R-100 is a downzoning in terms of density and land use intensity. The proposal is in-line with the intent of the comprehensive plan, which designates this site as part of the "Suburban Estate Living" character area. The overall density would be approximately 0.95 units per acre, whereas the "net" density would be 1.1 units per acre. This is in harmony with the recently approved senior development to the north (the subject of the previously-mentioned rezoning) as well as the existing homes surrounding the site. The proposed lots will be a minimum of 15,000 square feet in size, and will preserve the agricultural character of the area with the relatively large estate-style lots.

Conclusion

The applicant and owner respectfully request that the Gwinnett County Board of Commissioners, Planning Commission and Planning Staff approve and support the Applicant's rezoning request to allow for the rezoning of this property from R-SR to R-100. This would facilitate the development of a five new, single-family detached lots that would contribute to the advancement of the purpose and intent of the Gwinnett County comprehensive plan. The developer and their representatives welcome the opportunity to meet with all interested parties and representatives.

Sincerely,
Planners and Engineers Collaborative, Inc.



7/25/2023

Re: **Zoning Standards Analysis**
Fence Road Rezoning (+/-5.25 acres)
PEC+ Project No. 22117.00

Dear Community Development officials,

Please see below the responses to the Standards Governing the Exercise of the Zoning Power:

The following standards and factors are found to be relevant to the exercise of the county's zoning powers and shall govern the review of all proposed amendments to the official zoning map:

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 will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposal is a new, 5 lot subdivision consisting of single-family detached homes on large lots on the east side of Fence Road. Given the site's location among other low-density single-family developments, the proposed land use of senior housing is reasonable at this location. The proposal will maintain all stream buffers and have access only to Fence Road, so as not to disturb the properties to the south and east. Nearby properties will not be affected by the proposal.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. Most of the nearby properties are already developed into residential uses with large amounts of open space buffering the site's property line. The proposal includes measures to ensure compatibility to have as few effects on neighboring properties as possible, including keeping the stream buffer and pond areas undisturbed.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:

The property cannot be developed under the R-SR designation due to the small parcel size, odd lot shape, and other restrictions particular to the district. This change would enable the full development of the site with single-family homes.

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

The proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Single-family detached residences are targeted towards older persons who are looking to live independently and have access to amenities and greenspace. Due to this market focus, it is not anticipated that the development will cause an excessive burden on nearby schools. Utilities on-site are being explored by the development team; the developer will make upgrades (if any) to facilitate the development. The site plan includes a multiple stormwater ponds and water quality areas to collect runoff from significant rain events, so nearby properties will not experience flooding from this site.

E. Whether the proposed rezoning is in conformity with the policy and intent of the land use plan:

The proposed rezoning is in conformity with the policy and intent of the comprehensive plan. The Plan identifies the site as part of the surrounding 'Suburban Estate Living' character area. The proposed use would support and preserve the agricultural character of the area by creating a low intensity development with large lots and adequate open space, contributing to the overall health of the area. The R-100 is a downzone from the R-SR.

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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 site should be rezoned to facilitate the proposed development for several reasons, and perhaps the most compelling is the need for housing for a wide range of age groups. As the county continues to grow, this proposed development will assist in supporting a population that wishes to downsize their homes, while remaining active and part of the community at large. This plan is a forward-thinking proposal that will provide additional high-quality housing in an area that will support economic development without putting a strain on the surrounding community.

Sincerely,

Planners and Engineers Collaborative, Inc.



Kenneth J. Wood, P.E., LEED AP

President

For the Firm

kjw/ht

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

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7/27/2023

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Epcon Bailey Farms, LLC</u>	NAME: <u>same as applicant</u>
ADDRESS: <u>100 Mansell Court East, Suite 105</u>	ADDRESS: _____
CITY: <u>Roswell</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30076</u>	STATE: _____ ZIP: _____
PHONE: <u>(678) 283-8483</u>	PHONE: _____
EMAIL: <u>tedturner@epconcommunities.com</u>	EMAIL: _____
CONTACT PERSON: <u>Ted Turner / Hayley Todd</u> PHONE: <u>(678) 283-8483 ; 757-508-6593</u>	
CONTACT'S E-MAIL: <u>tedturner@epconcommunities.com ; htodd@pec.plus</u>	
<p align="center">APPLICANT IS THE:</p> <p> <input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER </p>	
PRESENT ZONING DISTRICTS(S): <u>R-SR</u> REQUESTED ZONING DISTRICT: <u>R-100</u>	
PARCEL NUMBER(S): <u>2003A194</u> ACREAGE: <u>5.25</u>	
ADDRESS OF PROPERTY: <u>3022 Fence Road</u>	
PROPOSED DEVELOPMENT: <u>subdivision with five lots</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>5</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>1,500 - 4000 sf</u>	Total Building Sq. Ft. _____
Gross Density: <u>0.95 UPA</u>	Density: _____
Net Density: <u>1.1 UPA</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

7/27/2023

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.

Earl Turner 7-25-23
Signature of Applicant Date

Epcon Bailey Farms, LLC
Type or Print Name and Title

Nicole Turner 7/25/2023 
Signature of Notary Public Date Notary Seal

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7/27/2023

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.

Test Turner 7.25.23
Signature of Property Owner Date

Epcon Bailey Farms, LLC
Type or Print Name and Title

Nicole Turner 7/25/2023 
Signature of Notary Public Date Notary Seal

RECEIVED

7/27/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 7/2023

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)

2

District

3

Land Lot

2003A194

Parcel

NOT
Parcel # in
system

R 2003 - 012A

[Signature]

Signature of Applicant

6-25-25

Date

Epcon Bailey Farms, 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)

Kathy Ryle

NAME

7/25/23

DATE

ISA

TITLE

Per Customer Signed for
Parcel R 2003 - 012A
Parcel on paper doesn't exist

RECEIVED

7/27/2023

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.

Ted Turner 7-25-23 Epcon Bailey Farms, LLC
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE

Nicole Turner 7/25/2023
SIGNATURE OF NOTARY PUBLIC DATE

NOTARY SEAL



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

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

☐ YES ☒ NO Ted Turner
YOUR NAME

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

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

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

Exhibit F: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		09.06.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		Brent.Hodges@gwinnettcountry.com	
Case Number:		RZR2023-00019	
Case Address:		3022 Fence Road, Dacula, 30019	
Comments:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES
		<input type="checkbox"/>	<input type="checkbox"/> NO
1	Fence Road is a major collector. ADT = 10,677.		
2	6.9 miles to the nearest transit facility (#2454819) Collins Hill Road and Collins Industrial Way.		
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> X	<input type="checkbox"/> YES
		<input type="checkbox"/>	<input type="checkbox"/> NO
1	To minimize the number of direct driveway connections to Fence Road, the developer shall utilize shared driveways, with no more than (3) direct driveway connections to Fence Road.		
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

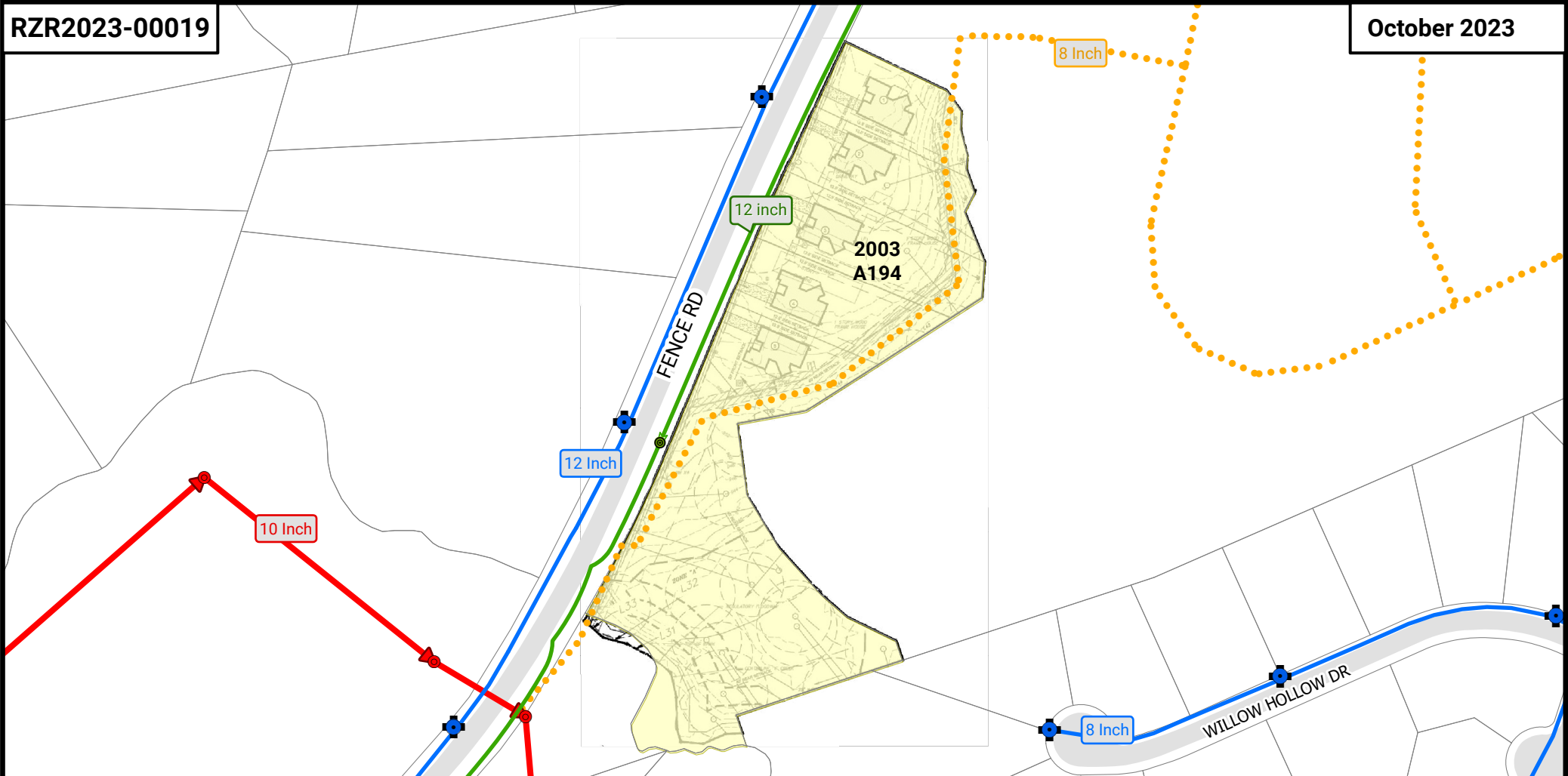


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		RZR2023-00019		
Case Address:		3022 Fence Rd		
Comments:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	Water: The proposed development may connect to an existing 12-inch water main along the western right-of-way of Fence Road.			
2	Sewer: The proposed development plans to connect to the gravity sewer currently under construction for the Courtyards at Bailey Farms subdivision, permitted under RESDEV2022-00099.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1				
2				
3				
4				
5				
6				
7				

Note: Attach additional pages, if needed

Revised 7/26/2021



LEGEND

	Water Main		Manhole
	Hydrant		Sewer Collector
	Sewer Force Main		Sewer Interceptor

3022 Fence Rd
R-SR to R-100

Water & Sewer
Utility Map

LOCATION

Water Comments: The proposed development may connect to an existing 12-inch water main along the western right-of-way of Fence Road.

Sewer Comments: The proposed development plans to connect to the gravity sewer currently under construction for the Courtyards at Bailey Farms subdivision, permitted under RESDEV2022-00099.

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, October, 2023											Proposed Zoning
	School	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Forecast	2025-26 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
	Dacula HS	2,550	2,550	0	2,641	2,550	91	2,755	2,550	205	2
RZR2023-00019	Dacula MS	1,892	1,900	-8	1,959	1,900	59	2,042	1,900	142	1
	Dacula ES	1,162	1,550	-388	1,144	1,550	-406	1,161	1,550	-389	2

Exhibit G: Maps

[attached]



FOUR SEASONS CT

TREE TOP RD

FENCE RD

WILLOW HOLLOW DR

WILLOW PARK DR



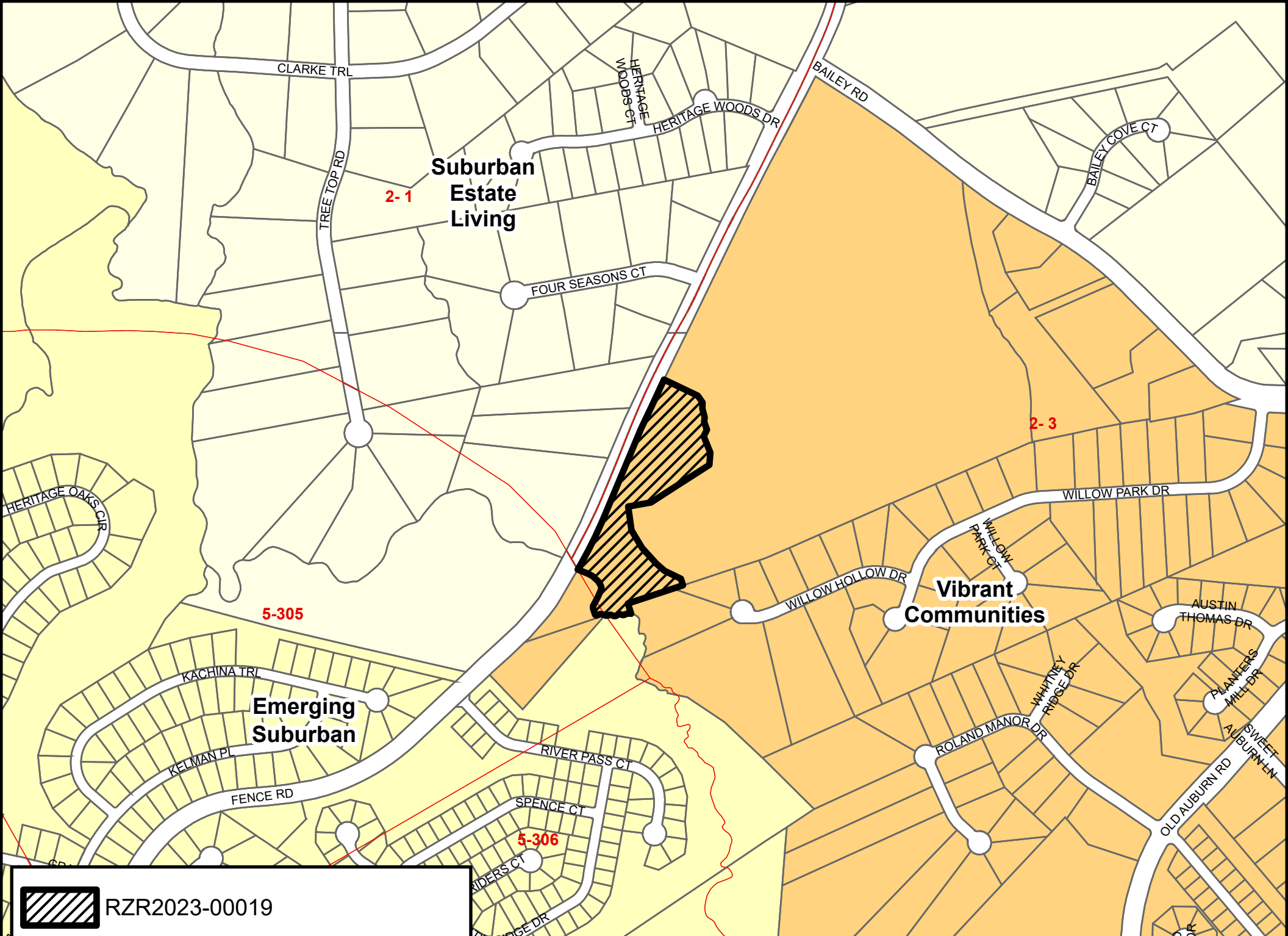
RZR2023-00019

Created: August 17, 2023



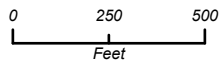
0 120 240
Feet

Gwinnett County GIS



RZR2023-00019

Created: August 17, 2023



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION

Exhibit H: Documents Presented at the October 3, 2023 Planning Commission Public Hearing

[attached]

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BAILEY FARMS R-100 REZONING



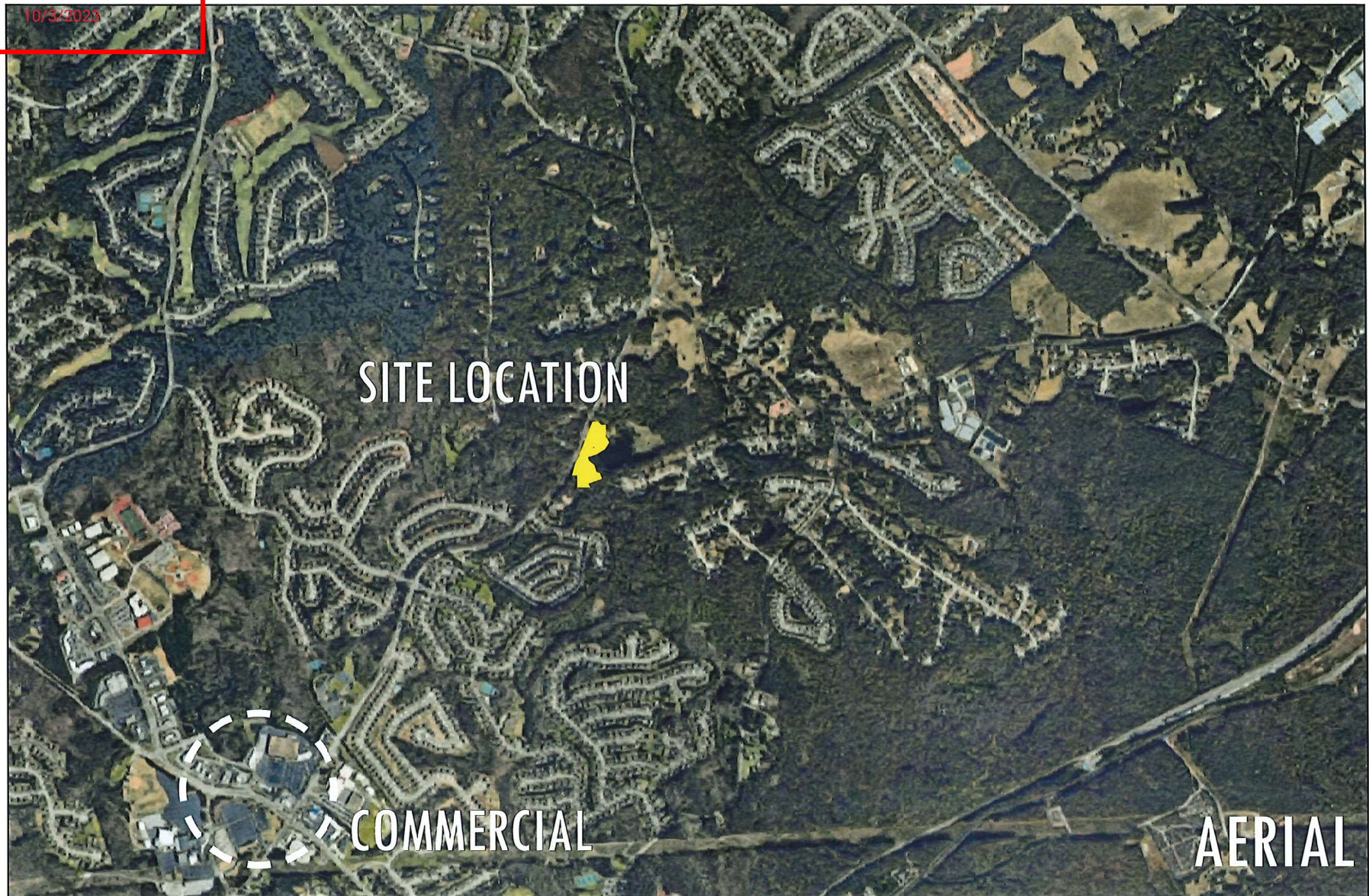
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GWINNETT COUNTY, GA



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AGE RESTRICTED VS. AGE TARGETED

Age-Restricted	Age-Targeted
HOPA law – Requires 80% of community to have at least one resident be 55+	No requirement on age
HOPA Law – Requires this restriction to be recorded to property through deeds or CCRs	No requirement to deed restrict by age
HOPA Law – Requires annual surveys to be taken to ensure 80% is maintained. HOAs must maintain these records.	No requirement to do annual survey on age

THE R-SR ZONING DISTRICT REQUIRES AGE-RESTRICTED (Section 210-90)

BENEFITS OF AN AGE-RESTRICTED COMMUNITY

Less people

- Typical single family household has 3.67 people per home
- Age restricted single family household has 1.73 people per home

Less traffic impact

- Seniors and older persons travel less, and when they do travel, they tend to leave at off-peak hours
- This reduces the burden on neighboring roadways, particularly at rush hour

Fewer students, added tax revenues

- Senior developments typically do not generate many (if any) school children, therefore the burden on local schools would be nearly 0
- However, the developments still generate substantial tax revenues, which contributes to the overall quality of schools

Strong average home price (luxury ranch homes starting in the high \$300s)

Community involvement and support for local businesses



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EPCON
COMMUNITIES

Portico

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 360 STUDIO
LANDSCAPE
ARCHITECTURE

 PEC+

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Live Well
In an Epcon Community

LUXURY RANCH HOMES
Our open, modern floor plans include abundant natural light, and are designed for single-level living, everything you need is on one floor – kitchen, living space, bedrooms, laundry and storage.

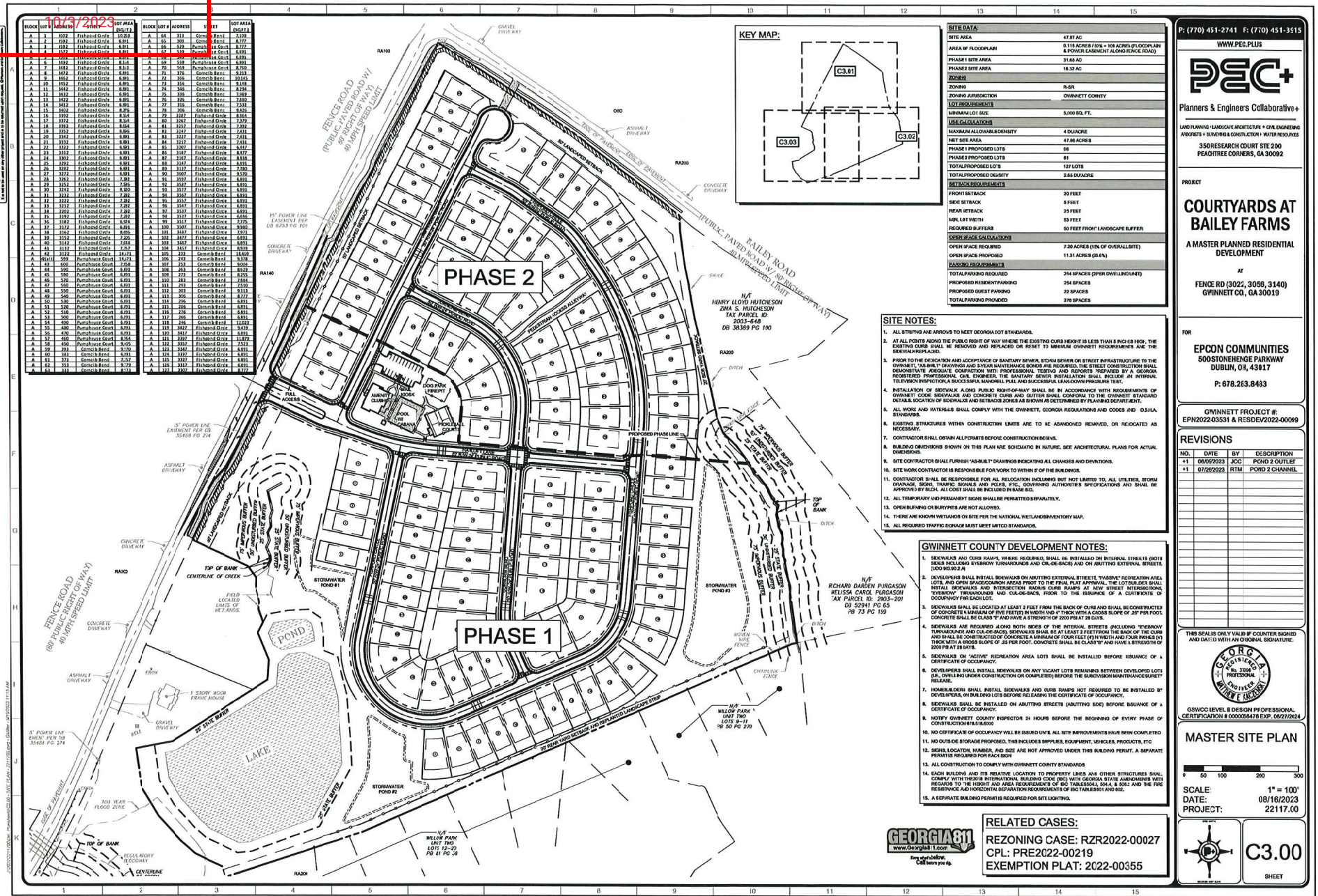
LOW-MAINTENANCE LIVING
We know what you want and need for a happier, healthier life. Sit back and relax while we handle the mowing, mulching, edging, and raking.

PRIVATE COURTYARDS
Whether you're enjoying a cocktail under the stars or a quiet moment with your morning coffee, connect with the outside world while maintaining your privacy.

LOCK & LEAVE LIFESTYLE
Our HOA-maintained communities provide you with peace of mind. You have freedom to do what your heart desires knowing that your home is well taken care of.

FEATURES OF UNIVERSAL DESIGN
Epcon homes are designed to support your lifestyle now and in the future, with first floor owner's suites and open floor plans. Features of accessibility ensure that you'll be comfortable in your new home for years to come.

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COUNTY CLERK
10/3/2023
ID: 501521-00131

PLAT B: 001597-00231
Recorded: 05/02/2023 10:00 AM
21L027861 Pages: 4 Fees: \$48.00
Tana P Garner
Clark of Superior Court, Gwinnett County, GA
[File Multiple Copies](#)

ABBREVIATIONS

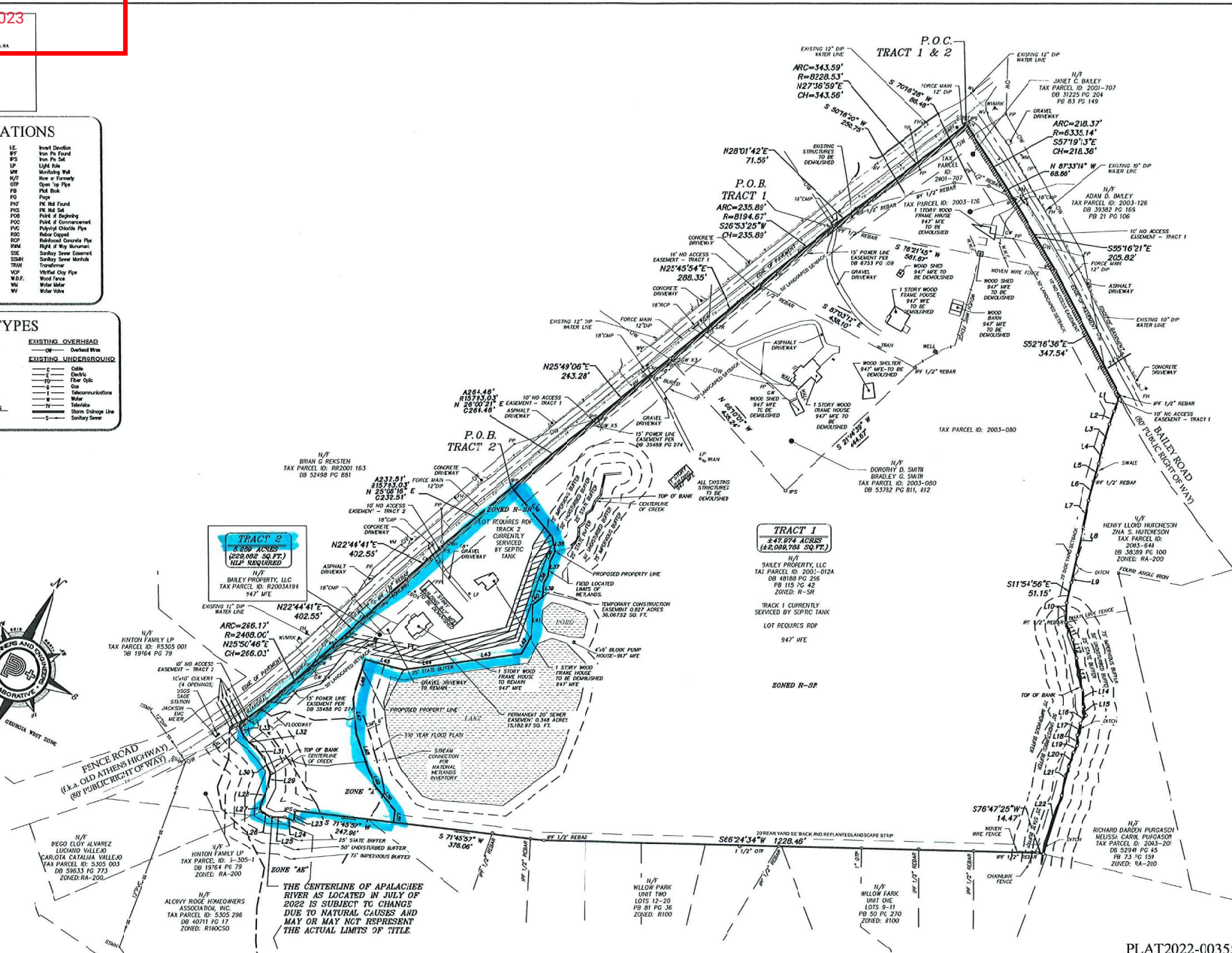
APPROX.	Approximate	LF	Insert Denture
1/2" RAC	1/2" Racer	PF	From Pin Fitment
C&B	C&B and Steel	PS	From Pin Set
CLP	Chain Link Fence	PL	Light Blue
CM	Corrugated Metal Pipe	MP	Monolithic Wall
CP	Concrete	NR	Now or Formerly
CHB	Corrugated Plastic Pipe	N/PT	Open Top or Pin
DW	Dead Wood	PF	Pin Fit
DE	DE	PPG	Prop
DR	Drainage Easement	PVZ	Pin Vals
DEP	Edge of Pavement	PF	Pin Fit Set
DEP	Edge of Paver Pile	PGB	Point of Beginning
DEPT	Depth	PCC	Point of Commencement
ESMT	Easement	PCP	Polymethyl Chloride Pipe
EX	Excavation Section	PBC	Pulverized Concrete
F	Fish Pile Elevation	PC	Right of Way Boundary
FTE	Fence	RSE	Sanitary Sewer Easement
FL	Flow	SCMH	Sanitary Sewer Manhole
FL	Flow	TRM	Transmission
GA	Georgia	VP	Vertical Curve
GW	Gravel	W.B.F.	Wood Frame
OW	Old Well	WV	Water
GR	Gravel	WV	Water Values
H	Hill		
H&W	Hard Wood		
HL	Household		
HL	Highway Control Valve		

LINETYPES

PROPERTY		EXISTING OVERHEAD
_____ Adjacent Property	_____	_____ Overhead Wire
_____ Property Line	_____	
_____ Center of Creek	_____	EXISTING UNDERGROUND
FENCE LINES		_____ Cable
_____ X _____ Barbed Wire	_____ C _____ Electric	_____ F _____ Fiber Optic
_____ Chain Link Fence	_____ F _____ Gas	_____ T _____ Telecommunications
_____ O _____ Wood Fence	_____ W _____ Water	_____ TV _____ Television
_____ T _____ Town Wire Fence	_____ S _____ Storm Drainage Line	_____ S _____ Sanitary Sewer
SITE / TOPOGRAPHIC FEATURES		
_____ Contour		



Know what's below.
Call before you dig.



PLAT2022-00355

4

SHEET 4 OF 7



GRINNETT COUNTY
GEORGIA

EXEMPTION PLAT
FOR
EPCON BAILEY FARMS LLC

[illegible]

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COUNTY CLERK
10/3/2023

PROPOSED CONDITIONS PLAT2022-00355

ABBREVIATIONS

[illegible]

LINETYPES

PROPERTY
 --- Adjacent Property
 --- Property Line
 --- Center of Creek

FENCE LINES
 --- Barb Wire Fence
 --- Chain Link Fence
 --- Wood Fence
 --- Woven Wire Fence

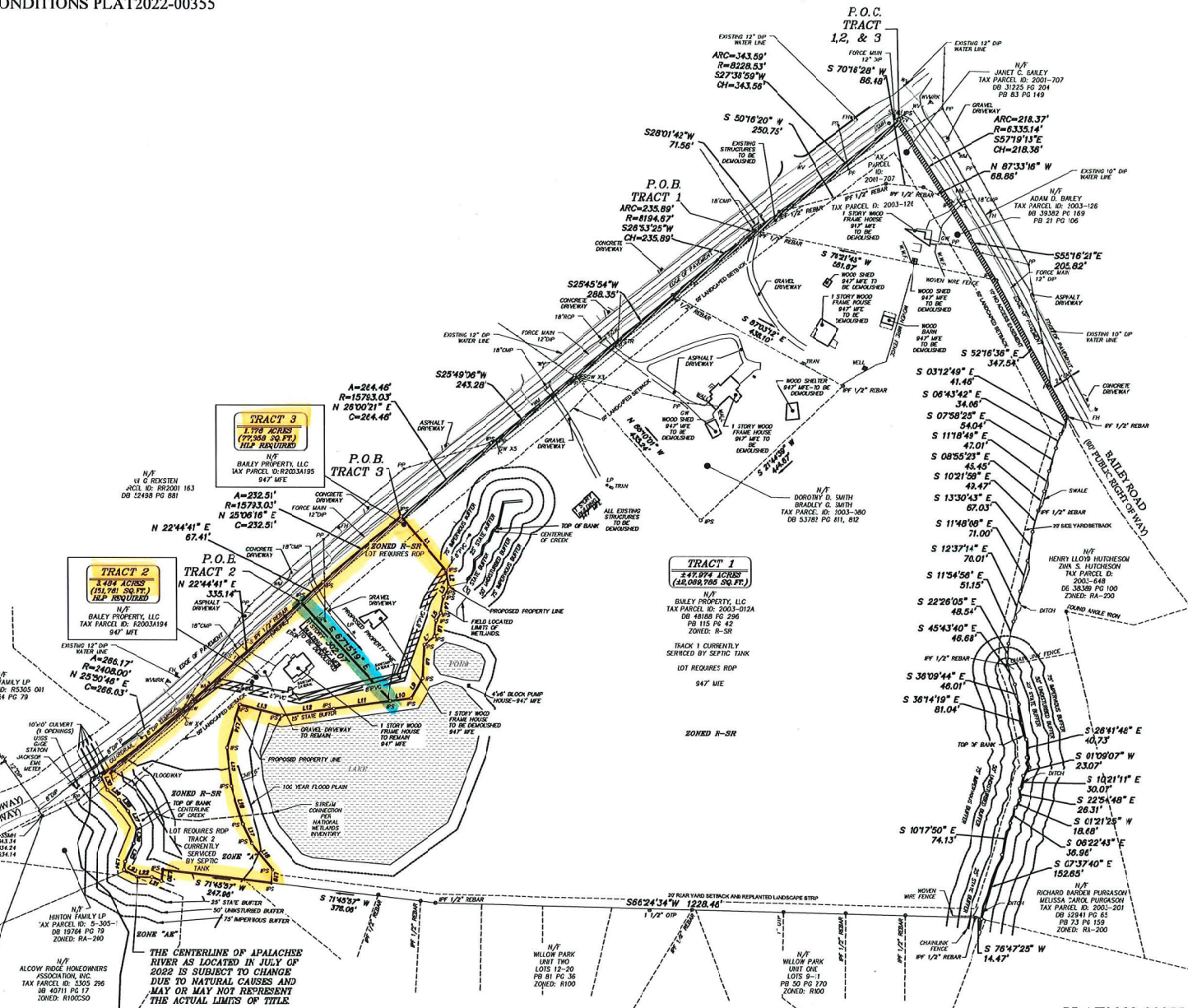
SITE / TOPOGRAPHIC FEATURES
 --- Gutter

EXISTING OVERHEAD
 --- Overhead Line

EXISTING UNDERGROUND
 --- Cable
 --- Electric
 --- Fiber Optic
 --- Gas
 --- Telecommunications
 --- Water
 --- Television
 --- Storm Drains Line
 --- Sanitary Sewer



Know what's below.
Call before you dig.



PLAT2022-00355

SHEET 5 OF 5

GWINNETT COUNTY
GEORGIA

EXEMPTION PLAT
for
EPCON BAILEY FARMS LLC

LAND LOT(S) TAX PARCEL - R2003A194
DISTRICT ROCKY CREEK G.M.D. 1587

REV	DATE	DESCRIPTION	BY
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REVISIONS



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