

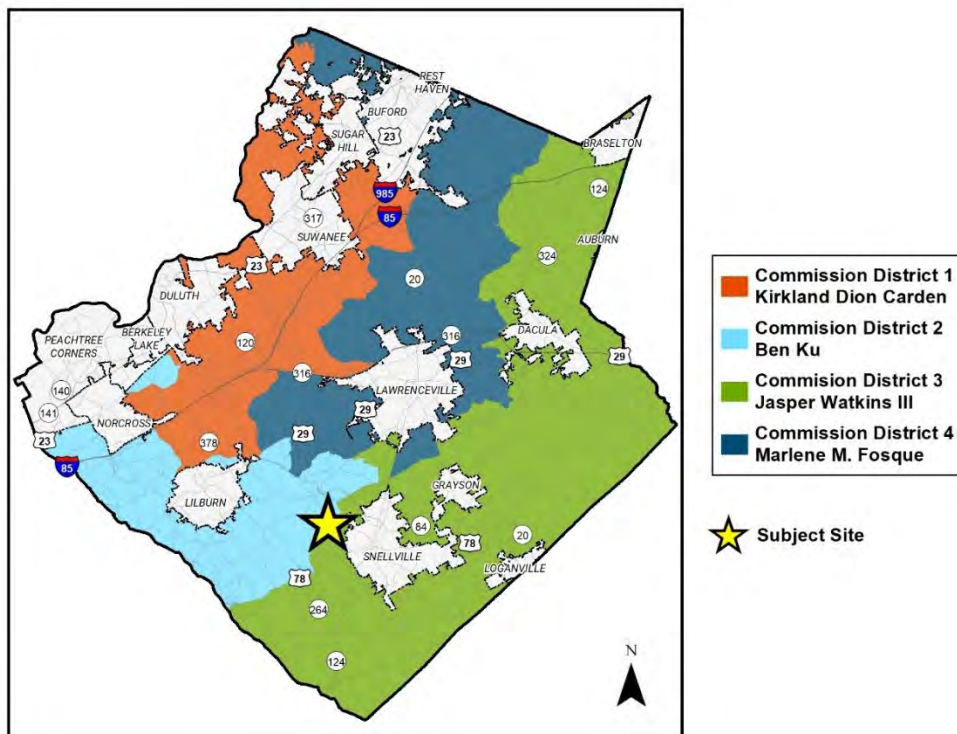


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** CIC2022-00030  
**Current Zoning:** R-100 (Single-Family Residence District)  
**Request:** Change in Conditions  
**Additional Request:** Variances  
**Address:** 1465 Highpoint Road  
**Map Number:** R6086 264  
**Site Area:** 16.50 acres  
**Square Footage:** 640  
**Proposed Development:** Accessory Building  
**Commission District:** District 3 – Commissioner Watkins  
**Character Area:** Established Neighborhoods

**Staff Recommendation:** APPROVAL WITH CONDITIONS

**Planning Commission  
Recommendation:** APPROVAL WITH CONDITIONS



**Planning Commission Advertised Public Hearing Date: 11/02/2022**  
**Board of Commissioners Advertised Public Hearing Date: 11/15/2022**

**Applicant:** Berean Christian Church Gwinnett  
1465 Highpoint Road  
Snellville, GA 30078

**Owner:** Berean Christian Church, Inc.  
2201 Young Road  
Stone Mountain, GA 30088

**Contact:** Chuck Ross

**Contact Phone:** 770.962.0100

## Zoning History

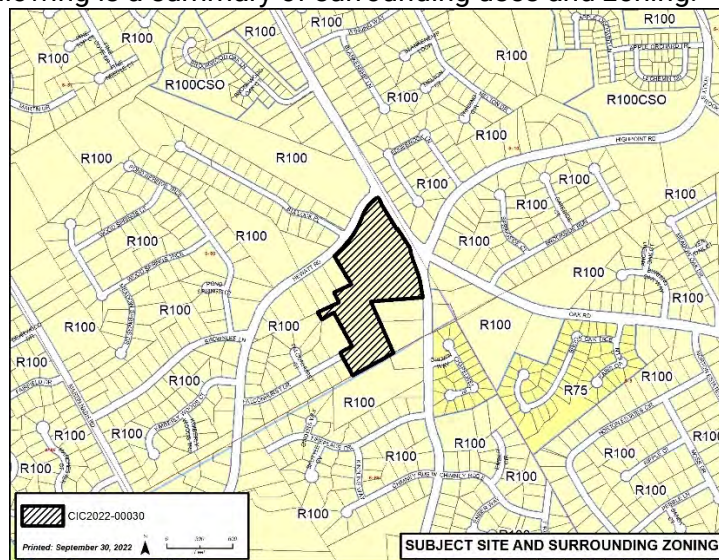
In 2000, rezoning case REZ2000-00162 rezoned the subject property from R-100 (Single-Family Residence District) to C-2 (General Business District) for commercial uses. In 2013, rezoning case RZR2013-00002 rezoned the property from C-2 back to R-100 for a church. This change in conditions request is from the conditions of approval of this case.

## Existing Site Condition

The subject site is a 16.50-acre parcel located at the intersection of Oak Road and Highpoint Road. The property is currently developed with a 13,371 square foot church building and a surface parking lot which also contains two basketball courts. The subject parcel has an irregular shape and has frontage along Hewatt Road, Oak Road, Highpoint Road, and Falconhurst Drive. Hewatt, Oak, and Highpoint Roads all have sidewalks present along their entire length of frontage. The Falconhurst Drive entrance to the site has been gated and is no longer in use. The site is mostly developed, therefore there is minimal change in topography on the site. The nearest Gwinnett County Transit stop is approximately 5.6 miles from the subject site.

## Surrounding Use and Zoning

The subject site is located on Highpoint Road at its intersection with Oak Road. The site is surrounded almost entirely by single-family residences within subdivisions. There are a few places of worship in the nearby area. The following is a summary of surrounding uses and zoning:



| Location | Land Use                  | Zoning | Density             |
|----------|---------------------------|--------|---------------------|
| Proposed | Accessory Building        | R-100  | N/A                 |
| North    | Single-Family Residential | R-100  | 1.76 units per acre |
| East     | Single-Family Residential | R-100  | 0.52 units per acre |
| South    | Single-Family Residential | R-100  | 0.15 units per acre |
| West     | Single-Family Residential | R-100  | 0.93 units per acre |

## Project Summary

The applicant requests a change in conditions for a 16.5-acre property zoned R-100 for an accessory building, including:

- A change in conditions of case RZR2013-00002. The applicant is requesting a revision to the following condition:
  - Condition 1.C., “New buildings shall be constructed of brick, stone or stucco, with minor treatments of fiber-cement siding. Building elevations and materials shall be subject to review and approval by the Director of Planning and Development” The applicant is requesting that this condition not apply to the proposed accessory building.
- A 640-square foot, 12-foot-tall, accessory building to be used as a storage facility located on the existing parking lot.
- Exterior building elevations of tan siding and a metal green roof which matches the primary building.
- Placement of the accessory building in an interior parking lot in the southern top of the property.

## Zoning and Development Standards

The applicant is requesting a change in conditions in the 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 45’       | 12’      | YES             |
| Front Yard Setback              | Minimum 50’       | >50’     | YES             |
| Side Yard Setback               | Minimum 10’       | >10’     | YES             |
| Rear Yard Setback               | Minimum 40’       | >40’     | YES             |
| Location of Accessory Buildings | Side or Rear Yard | Front    | NO              |

## Variance Request

In addition to the change in condition request, the applicant is seeking variances from the following provision of Title II of the UDO:

1. Section 230-120.7 – Accessory Building, Structure and Use Standards:

***All accessory buildings or structures shall be located in the rear yard unless explicitly stated otherwise in this section.***

2. Section 230-120.12.A.i. – Accessory Building Structure and Use Standards:

***Exterior walls shall be finished with brick or stone or with materials and colors similar to that of the principal building.***

The applicant proposes to place the accessory building in the front yard of the property. The applicant also proposes the accessory building to be constructed of wood siding rather than stucco consistent with the principal building.

### **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 transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

### **Staff Analysis**

**Change in Conditions Request Analysis:** According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification or a change in conditions 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 change in conditions will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The site is surrounded by single-family residences on large lots and within subdivisions. The addition of an accessory building with wood siding on a large parcel is suitable for the area.

**B. Whether a proposed change in conditions 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 impacted by the request. The building would be located far away from any existing residence. In addition, allowing the building will allow items on the property to be properly stored and not visible.

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

The property has a reasonable economic use as currently zoned.

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

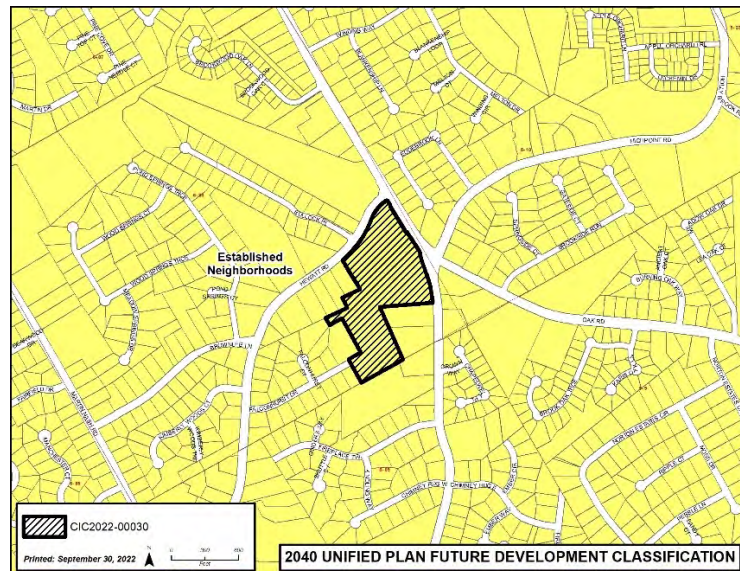
No increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. No impact is anticipated on school



enrollment. Agency review comments related to any potential improvements concerning this rezoning and change in conditions request is attached (Exhibit E).

**E. Whether the proposed change in conditions 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 Established Neighborhoods Character Area. The addition of an accessory building with wood siding would be in conformity with the Unified Plan.



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

The addition of an accessory building on a 16.5-acre parcel is appropriate. The church has been operating at this location since 2013. The proposed size and location of the building makes it unlikely that it will be visible from any adjacent property owners.

**Variance Request Analysis:** The standards for granting variances are outlined in Section 270-100.7 of the Unified Development Ordinance. Staff makes the following findings related to the variance request:

The applicant requests variances to allow an accessory building to be constructed of a material different from the principal building. The principal building on the site is constructed of stucco. The proposed accessory building is built with wood siding. Requiring stucco as the building material for an accessory building would be excessive. The proposed accessory building matches the color of both the siding and the roof of the principal building. The applicant is also requesting a variance to allow the accessory building to be located in the front yard. The subject property is irregularly shaped. Due to the lot's frontage on Falconhurst Drive, the proposed location of the accessory building is in the front yard. The parking lot is located behind the principal building. The accessory building is located behind the principal building and will not be visible from the public right of way. Approval of the requested variances would not undermine the intent of the UDO.

## 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 change in conditions request.

In addition, staff recommends **APPROVAL** of the following variances:

1. Section 230-120.7 to allow an accessory structure to be located within the front yard.
2. Section 230-120.12.A.i. to allow an accessory structure to be constructed of a material different than the principal building.

## 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 change in conditions request.

In addition, the Planning Commission recommends **APPROVAL** of the following variance requests:

1. Section 230-120.7 to allow an accessory structure to be located within the front yard.
2. Section 230-120.12.A.i. to allow an accessory structure to be constructed of a material different than the principal building.

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

NOTE: The conditions below are those from RZR2013-00002 with suggested changes in bold or strikethrough.

1. To restrict the use of the property as follows:
  - a. A church and customary accessory uses, not including a daycare facility or private school unless approved by Special Use Permit(s).
  - b. The existing residences and outbuildings may not be utilized for church services and shall be removed from the site.
  - c. New buildings **larger than 1,000 square feet in size**, shall be constructed of brick, stone, or stucco, with minor treatments of fiber-cement siding. Building elevations and material shall be subject to review and approval by the Director of Planning and Development.
2. To satisfy the following site development considerations:
  - a. Provide a ten-foot wide landscape strip adjacent to Oak Road and Hewatt Road.

- b. Provide a minimum 20-foot buffer adjacent to all external property lines, enhanced with evergreen plantings where sparsely vegetated. Buffer design and plantings shall be subject to review and approval by the Director of Planning and Development.
- c. Ground signage shall be limited to externally-illuminated, monument-type signs with a minimum two-foot high brick or stone base. Overall sign height shall not exceed 8 feet.
- d. Dumpsters shall be screened by a 100% opaque brick wall. Hours of pickup shall be limited to between 7:00 a.m. and 7:00 p.m.
- e. Outdoor loud speakers shall be prohibited.
- f. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights of way.
- g. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs shall be prohibited.
- h. Peddlers and/or parking lot sales shall be prohibited.
- i. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- j. Left turn lanes shall be provided at the entrances onto Highpoint Road and Hewatt Road subject to the review and approval of Gwinnett County D.O.T. The left turn lane on Hewatt Road shall also provide storage for opposing left turns onto Bullock Place. All design, right-of-way acquisition if required, and construction shall be at the expense of the developer. The left turn lanes shall be installed with the development of the new parking lots.

**Exhibits:**

- A. Site Visit Photos
- B. Site Plan
- C. Photo of Accessory Building
- D. Letter of Intent and Applicant's Response to Standards
- E. Internal and External Agency Review Comments
- F. Maps
- G. RZR2013-00002 Resolution
- H. Application and Disclosure of Campaign Contributions



## Exhibit A: Site Visit Photos



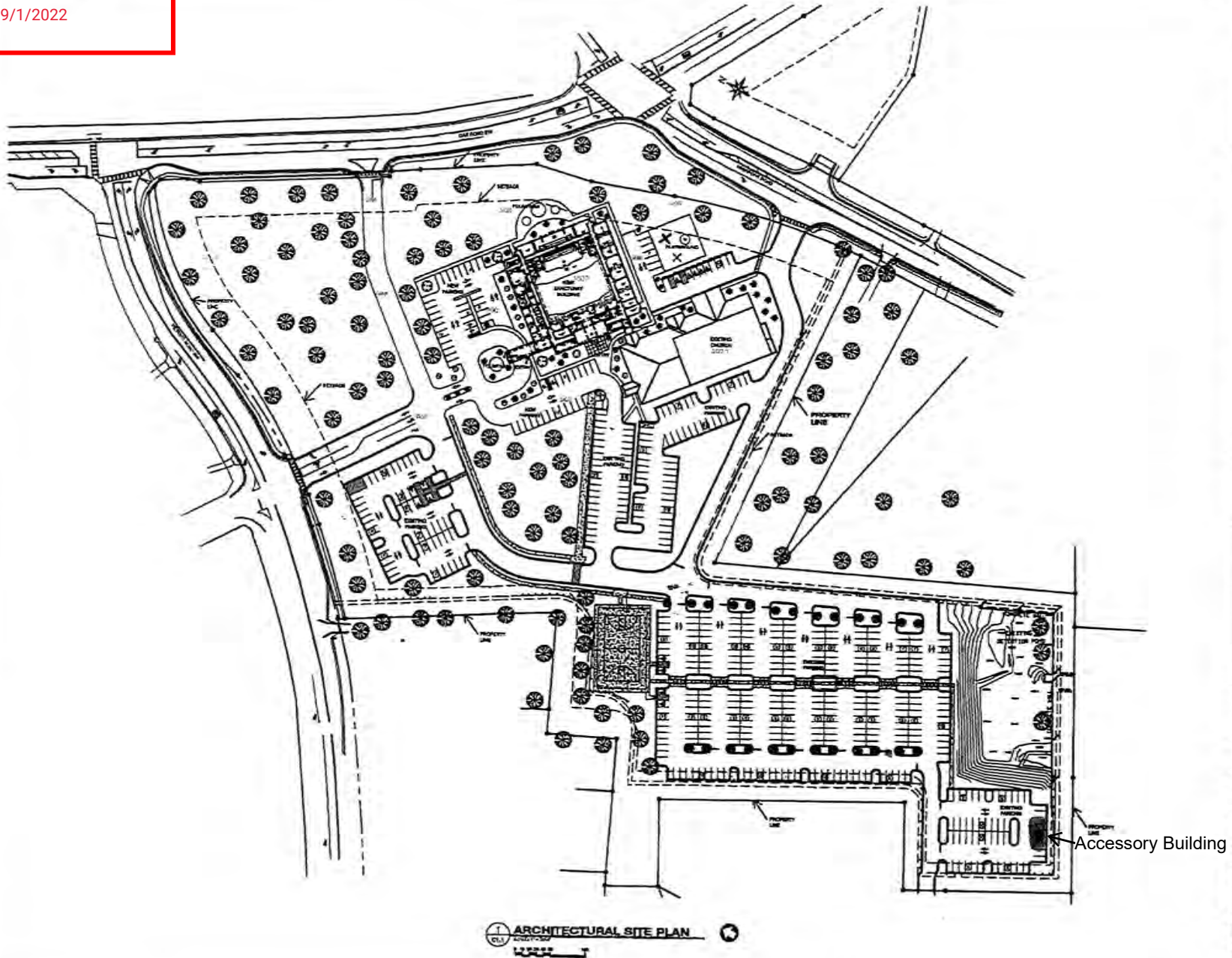
**Existing Principal Building**

**Exhibit B: Site Plan**

**[attached]**

RECEIVED

9/1/2022



**HCO**  
INCORPORATED

ARCHITECTURE  
PLANNING  
INTERIOR DESIGN  
ENGINEERING



301 NORTH HENRY STREET, SUITE 100  
KNOXVILLE, TN 37903  
(615) 582-1111

DESIGN DEVELOPMENT  
**BEREAN CHRISTIAN CHURCH**  
**GWINNETT**  
**New Worship Facility**  
1485 HIGHTOWER ROAD  
SNELLVILLE, GA 30078  
ARCHITECTURAL SITE PLAN

PROJECT NO.  
DATE  
BY

REVISIONS

DATE  
BY

DATE  
BY

DATE  
BY

DATE  
BY

DATE  
BY

DATE  
BY

DATE  
BY

**C1.1**



**Exhibit C: Photo of Accessory Building**



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

**[attached]**



RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 10/2021

**CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The Church sits on over 16 acres of land and the location of the accessory building is shielded from general view. The requested change in condition applies to the finish of the accessory building which will be similar in color and materials to the primary structure. As a storage building, its presence will not have any effect on the use and/or development of the nearby property.

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Not requiring the storage building to be made of brick, stone or stucco will not adversely affect the adjacent or nearby property, as the accessory building is well shielded from view outside of the church campus. The accessory building will not generate any noise or light pollution, nor will it create any change in traffic.

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

While there is no question that the Berean Christian Church Gwinnett has reasonable economic use, a change in conditions to allow the proposed accessory structure will increase the ability of the church to reach others by giving it a place to store items used for community activities and outreach.

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

No.

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

The 2040 Unified Plan classifies this area as Established Neighborhoods. These areas are characterized as being well established neighborhoods areas that are unlikely to undergo any significant changes or redevelopment in the next 20 years and include neighborhood-serving,

non-residential or institutional developments such as a church. The intention of this character area is to underscore areas where changes in land use are not anticipated or encouraged, and any new development - including residential infill properties - should be consistent in scale, architecture, and use with surrounding properties. The proposed change in condition only affects the finish of an accessory building which is consistent with the primary building and its secluded location within the property allows for full conformity with both the policy and intent of the plan.

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:

As noted above, the property is very uniquely shaped. The proposed location is in the interior of the property and is otherwise shielded from outside view.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

9/1/2022



Tony Powell  
Brian Edwards  
Nathan Powell  
W. Charles Ross



Mandy Williams  
Jay Crowley  
Rob Poston  
Laura Walsh  
Laura Shoop

WINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

9/1/2022

August 31, 2022

Susan Canon, Director  
Gwinnett County Planning & Development  
75 Langley Drive  
Lawrenceville, Georgia 30046

**RE: APPLICATION FOR CHANGE IN CONDITIONS AND LETTER OF INTENT  
FOR BEREAN CHRISTIAN CHURCH GWINNETT, 1465 HIGHPOINT  
ROAD, SNELLVILLE, GEORGIA 30078**

Dear Ms. Canon:

Powell & Edwards, P.C. submits this Letter of Intent on behalf of Berean Christian Church Gwinnett (the "Applicant") to request a Change in Conditions and a non-substantial variance to allow for a 640 square foot storage building to be placed in the interior of the church campus, where supplies and materials for community events can be stored. The church campus is located at 1465 Highpoint Road in Snellville and having Gwinnett County Tax ID Number of R6086 264 (the "Property").

The Berean Christian Church Gwinnett campus sits on a 16.5-acre parcel which is significantly buffered from any adjacent streets or residences. When the Church initially acquired the property from an assemblage of parcels, a rezoning action was brought to unify the zoning designation to RA100 for the entire parcel. Resolution RZR2013-0002 was passed on May 28, 2013 and included several conditions. One of those conditions, specifically, 1.C., requires, "[n]ew buildings shall be constructed of brick, stone or stucco, with minor treatments of fiber-cement siding. Building elevations and materials shall be subject to review and approval by the Director of Planning and Development." The storage building, which is being provided to the Church through a grant, is finished in tan siding with a green metal roof which is the same design and finish as the principal building. The Applicant believes that the Conditions of Zoning did not contemplate a small accessory storage building, but were rather directed toward the addition of occupied additions to the Church itself.

The Applicant desires to place the accessory building on an interior parking lot adjacent to the stormwater detention pond. The dimensions of the building are 16' x 40' and 12' in height. Although this location is in the interior of the campus, shielded by trees and well outside any setbacks or buffers, a variance is requested out of an abundance of caution, as the Planning Department has indicated that this location may be considered to be a "Front Yard" as defined under Section 110-40 of the Unified Development Ordinance (UDO). Although the Applicant does not believe this would qualify as a "Front Yard," due to its actual location, nonetheless, due to the odd shape of the property, the Applicant requests a variance from Section 230-120.7 of the UDO

**A PROFESSIONAL CORPORATION**

**RECEIVED**

9/1/2022

which otherwise requires all accessory buildings to be located in the rear yard of the property. Here again, we believe the grant of the variance is consistent with intent of the UDO. It is also significant that Applicant does not request any change in the size of any buffers or setbacks.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concern relating to the matters set forth in this Letter of Intent or in its Application for a Change in Conditions filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles "Chuck" Ross  
Attorney for Applicant

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

**[attached]**



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

|                                       |  |  |  |
|---------------------------------------|--|--|--|
| <b>TRC Meeting Date:</b>              |  | 10.7.2022  |  |
| Department/Agency Name:               |  | Transportation   |  |
| Reviewer Name:                        |  | Brent Hodges   |  |
| Reviewer Title:                       |  | Construction Manager 1   |  |
| Reviewer Email Address:               |  | <a href="mailto:Brent.Hodges@gwinnettcountry.com">Brent.Hodges@gwinnettcountry.com</a> |  |
| Case Number:                          |  | CIC2022-00030 / SUP2022-00061  |  |
| Case Address:                         |  | 1465 Berean Christian Church   |  |
| <b>Comments:</b>                      |  | <input checked="" type="checkbox"/> <b>X</b>   | <input type="checkbox"/> <b>YES</b>                    |
|                                       |  | <input type="checkbox"/>   | <input type="checkbox"/> <b>NO</b>                     |
| 1                                     | Highpoint Road is a major collector. ADT = 6,929.  |  |  |
| 2                                     | 5.6 miles to nearest transit facility (#2335220) Pleasant Hill Road and Lawrenceville Highway. |  |  |
| 3                                     |  |  |  |
| 4                                     |  |  |  |
| 5                                     |  |  |  |
| 6                                     |  |  |  |
| 7                                     |  |  |  |
| <b>Recommended Zoning Conditions:</b> |  | <input type="checkbox"/>   | <input checked="" type="checkbox"/> <b>X</b> <b>NO</b> |
| 1                                     |  |  |  |
| 2                                     |  |  |  |
| 3                                     |  |  |  |
| 4                                     |  |  |  |
| 5                                     |  |  |  |
| 6                                     |  |  |  |
| 7                                     |  |  |  |

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

*Revised 7/26/2021*



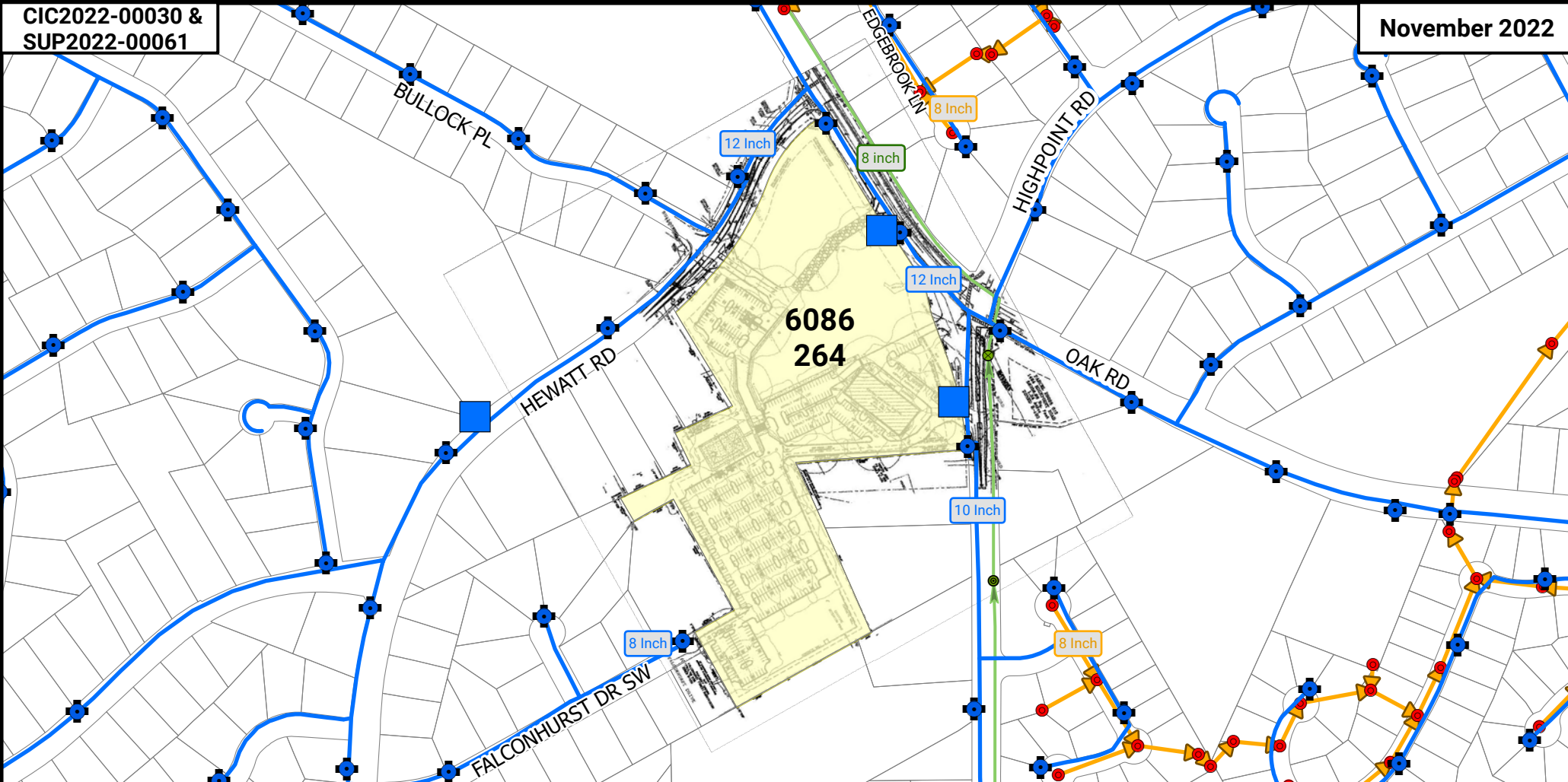
Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE

|                                |   |  |     |  |
|--------------------------------|---|--|-----|--|
| TRC Meeting Date:              |   | November Cases   |     |  |
| 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:                   |   | CIC2022-00030 & SUP2022-00061  |     |  |
| Case Address:                  |   | 1465 Highpoint Road  |     |  |
| Comments:                      |   | <input type="checkbox"/>   | YES | <input checked="" type="checkbox"/> X NO |
| 1                              | Water: There are no DWR water comments for this case. |  |     |  |
| 2                              | Sewer: There are no DWR sewer comments for this case. |  |     |  |
| 3                              |   |  |     |  |
| 4                              |   |  |     |  |
| 5                              |   |  |     |  |
| 6                              |   |  |     |  |
| 7                              |   |  |     |  |
| Recommended Zoning Conditions: |   | <input type="checkbox"/>   | YES | <input checked="" type="checkbox"/> X NO |
| 1                              |   |  |     |  |
| 2                              |   |  |     |  |
| 3                              |   |  |     |  |
| 4                              |   |  |     |  |
| 5                              |   |  |     |  |
| 6                              |   |  |     |  |
| 7                              |   |  |     |  |

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

*Revised 7/26/2021*



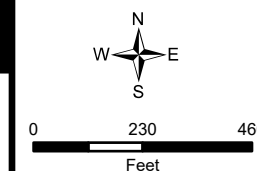


LEGEND

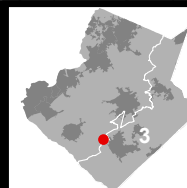
- |  |                 |  |            |  |                   |
|--|-----------------|--|------------|--|-------------------|
|  | Flow Management |  | Hydrant    |  | Sewer Force Main  |
|  | Pump Station    |  | City       |  | Effluent Outfall  |
|  | Regional        |  | Water Main |  | Sewer Collector   |
|  | Manhole         |  | Reuse Main |  | Sewer Interceptor |

1465 Highpoint Road  
R-100

## Water & Sewer Utility Map



LOCATION



**Water Comments:** There are no DWR water comments for this case.

**Sewer Comments:** There are no DWR sewer comments for this case.

**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.

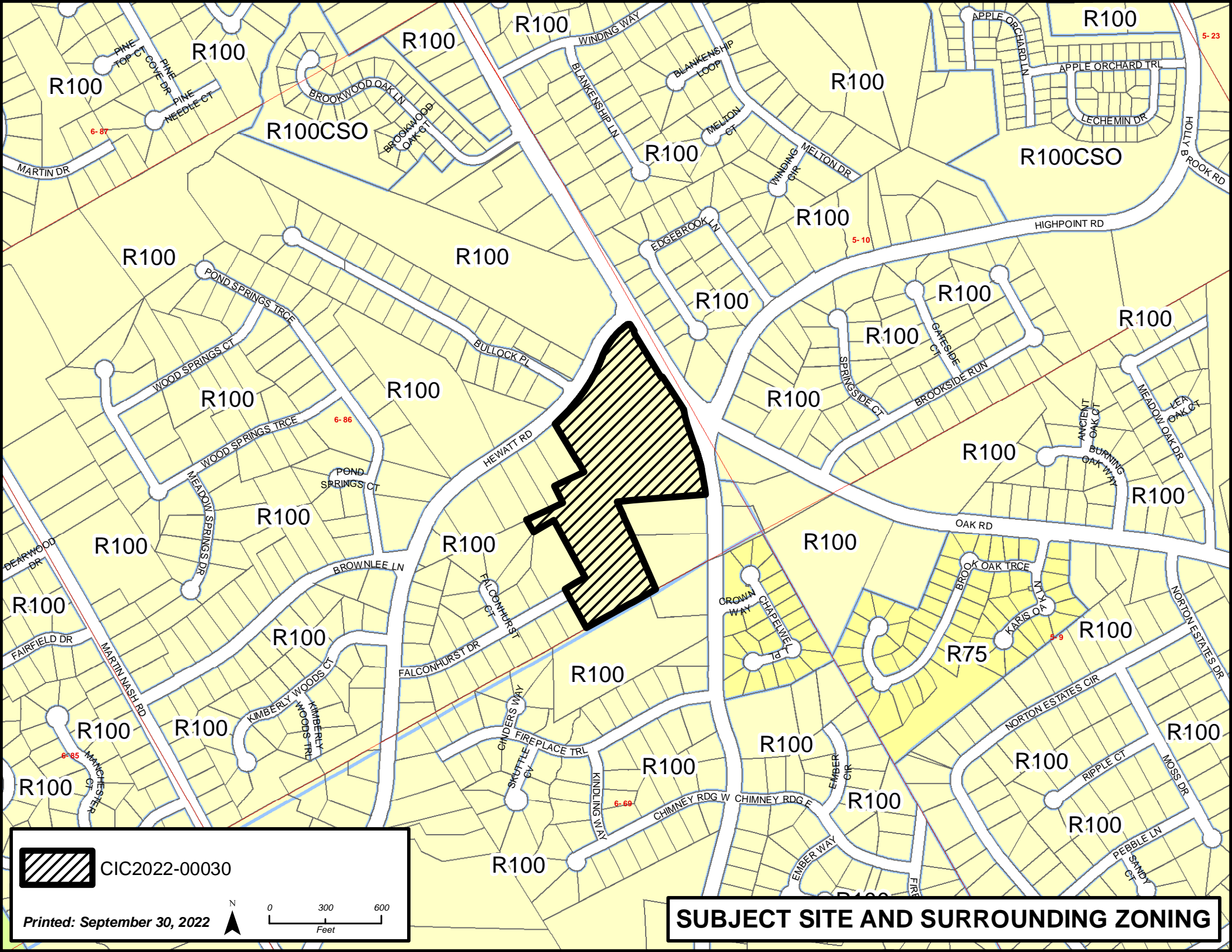
**Water and Sewer Design and Construction Requirements:** Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, 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**

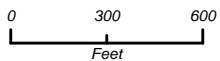
**[attached]**



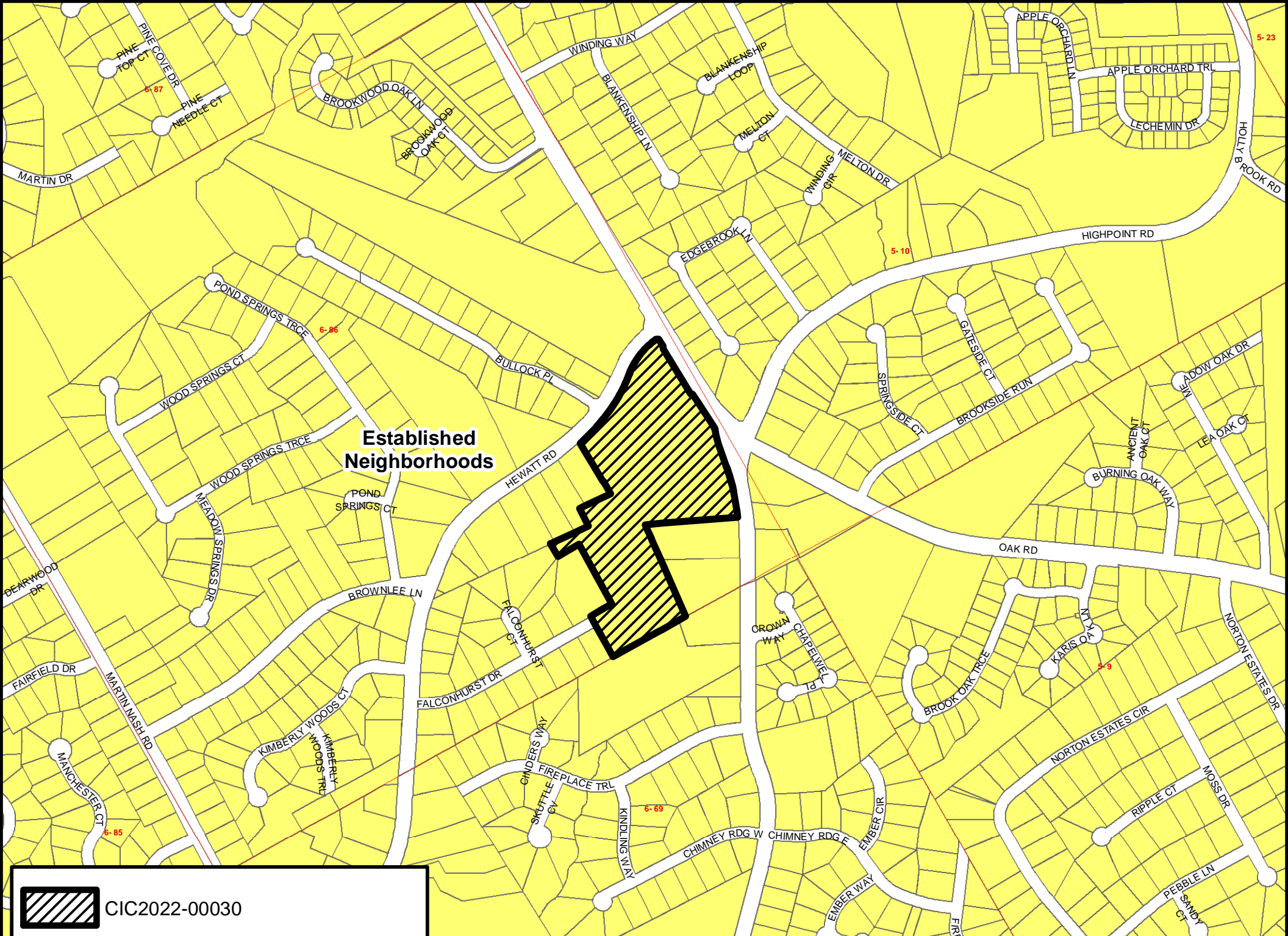


 CIC2022-00030

Printed: September 30, 2022



**SUBJECT SITE AND SURROUNDING ZONING**



 CIC2022-00030

Printed: September 30, 2022

0 300 600  
Feet

# 2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION





BULLOCK PL

HIGHPOINT RD

HEWATT RD

OAK RD

FALCO ST

ST

CROWN WAY  
CHAPELWELL PL



CIC2022-00030

Printed: September 30, 2022



0 100 200  
Feet



**Exhibit G:**  
**Resolution RZC2013-00002**

**[attached]**

CASE NUMBER RZR2013-00002  
GCID 2013-0293

BOARD OF COMMISSIONERS

GWINNETT COUNTY

LAWRENCEVILLE, GEORGIA

RESOLUTION

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

---

Present

VOTE

Charlotte J. Nash, Chairman

YES

Jace Brooks, District 1

YES

Lynette Howard, District 2

YES

Tommy Hunter, District 3

YES

John Heard, District 4

ABSENT

---

On motion of COMM. HUNTER, which carried 4-0, the following resolution was adopted:

A RESOLUTION TO AMEND THE OFFICIAL ZONING MAP

WHEREAS, the Municipal-Gwinnett County Planning Commission has held a duly advertised public hearing and has filed a formal recommendation with the Gwinnett County Board of Commissioners upon an Application to Amend the Official Zoning Map from C-2 to R-100 by BEREAN CHRISTIAN CHURCH, INC. for the proposed use of a CHURCH on a tract of land described by the attached legal description, which is incorporated herein and made a part hereof by reference; and

WHEREAS, notice to the public regarding said Amendment to the Official Zoning Map has been duly published in THE GWINNETT DAILY POST, the Official News Organ of Gwinnett County; and

WHEREAS, a public hearing was held by the Gwinnett County Board of Commissioners on MAY 28, 2013 and objections were filed.

NOW, THEREFORE, BE IT RESOLVED by the Gwinnett County Board of Commissioners on this, the 28<sup>th</sup> day of MAY 2013, that the aforesaid application to amend the Official Zoning Map from C-2 to R-100 is hereby **APPROVED** with the following enumerated conditions:

1. To restrict the use of the property as follows:
  - A. A church and customary accessory uses, not including a daycare facility or private school unless approved by Special Use Permit(s).
  - B. The existing residences and outbuildings may not be utilized for church services and shall be removed from the site.
  - C. New buildings shall be constructed of brick, stone or stucco, with minor treatments of fiber-cement siding. Building elevations and materials shall be subject to review and approval by the Director of Planning and Development.
  - D. Lighted outdoor recreation facilities shall be prohibited.
2. To satisfy the following site development considerations:
  - A. Provide a ten-foot wide landscape strip adjacent to Oak Road and Hewatt Road.
  - B. Provide a minimum 20-foot buffer adjacent to all external property lines, enhanced with evergreen plantings where sparsely vegetated. Buffer design and plantings shall be subject to review and approval by the Director of Planning and Development.
  - C. Ground signage shall be limited to externally-illuminated, monument-type signs with a minimum two-foot high brick or stone base. Overall sign height shall not exceed 8 feet.

- D. Dumpsters shall be screened by a 100% opaque brick wall. Hours of pickup shall be limited to between 7:00 a.m. and 7:00 p.m.
- E. Outdoor loudspeakers shall be prohibited.
- F. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
- G. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs shall be prohibited.
- H. Peddlers and/or parking lot sales shall be prohibited.
- I. The property owner shall repaint or repair any graffiti or vandalism that occurs on the property within 72 hours.
- J. Left turn lanes shall be provided at the entrances onto Highpoint Road and Hewatt Road, subject to the review and approval of Gwinnett County D.O.T. The left turn lane on Hewatt Road shall also provide storage for opposing left turns onto Bullock Place. All design, right-of-way acquisition if required, and construction shall be at the expense of the developer. The left turn lanes shall be installed with the development of the new parking lots.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash  
Charlotte J. Nash, Chairman

Date Signed: 5/31/13

ATTEST:

Dina M. King  
County Clerk/Deputy County Clerk





**Exhibit H:**  
**Application and Campaign Contribution Disclosure**  
**[attached]**

RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 10/2021

### CHANGE IN CONDITIONS APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF WINNETT COUNTY, GEORGIA

| APPLICANT INFORMATION  | PROPERTY OWNER INFORMATION*                          |
|--|--|
| NAME: <u>Berean Christian Church Gwinnett</u>                                      | NAME: <u>Berean Christian Church, Inc.</u>           |
| ADDRESS: <u>1465 Highpoint Road</u>  | ADDRESS: <u>2201 Young Road</u>                      |
| CITY: <u>Snellville</u>  | CITY: <u>Stone Mountain</u>                          |
| STATE: <u>Georgia</u> ZIP: <u>30078</u>  | STATE: <u>Georgia</u> ZIP: <u>30088</u>              |
| PHONE: <u>678-240-2213</u>   | PHONE: <u>678-240-2213</u>                           |
| EMAIL: <u>david.cuffie@bereanchristianchurch.org</u>                               | EMAIL: <u>david.cuffie@bereanchristianchurch.org</u> |
| CONTACT PERSON: <u>W. Charles "Chuck" Ross, Esquire</u> PHONE: <u>770-962-0100</u> |  |
| CONTACT'S E-MAIL: <u>cross@powelledwards.com</u>                                   |  |

| APPLICANT IS THE:  |  |
|--|--|
| <input type="checkbox"/> OWNER'S AGENT   | <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER   |
| ZONING DISTRICTS(S): <u>R100</u> PRIOR ZONING CASE: <u>RZR2013-00002</u>   |  |
| PARCEL NUMBER(S): <u>R6086- 264</u> ACREAGE: <u>16.5</u>   |  |
| ADDRESS OF PROPERTY: <u>1465 Highpoint Road, Snellville, Georgia</u>   |  |
| PROPOSED CHANGE IN CONDITIONS: <u>Relief from building materials restrictions of Condition 1-C of Resolution RZR2013-00002 for construction of a 640 square-foot accessory building.</u> |  |
| <b>RESIDENTIAL DEVELOPMENT:</b><br><br>NO. OF LOTS/DWELLING UNITS: _____<br><br>DWELLING UNIT SIZE (Sq. Ft.): _____<br><br>GROSS DENSITY: _____<br><br>NET DENSITY: _____                | <b>NON-RESIDENTIAL DEVELOPMENT:</b><br><br>NO. OF BUILDINGS/LOTS: <u>1</u><br><br>TOTAL GROSS SQUARE FEET: <u>640</u><br><br>DENSITY: <u>.0009</u> |

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

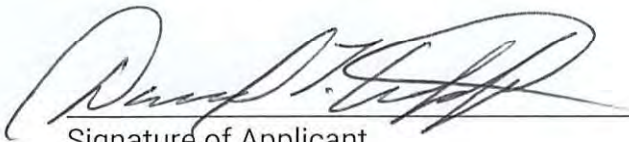
RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 10/2021

**CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION**

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



Signature of Applicant

8/30/2022

Date

David T. Cuffie, Director of Church Ministries

Type or Print Name and Title



Signature of Notary Public

8/30/22

Date



Notary Seal

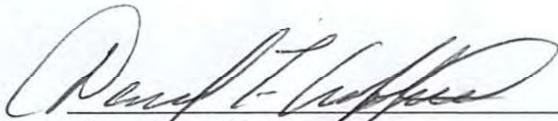
RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 5/2021

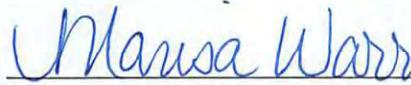
**CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION**

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

8/30/2022  
Date

David T. Cuffie, Director of Church Ministries  
Type or Print Name and Title

  
Signature of Notary Public

8/30/22  
Date





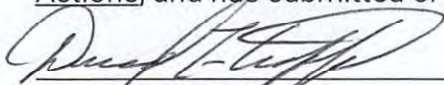
RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 5/2021

### CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

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



Signature of Applicant

8/30/2022

Date

David T. Cuffie, Dir. of Church Ministries

Type of Print Name and Title




Signature of Applicant's  
Attorney or Representative

8/30/2022

Date

W. Charles Ross, Esquire

Type or Print Name and Title



Signature of Notary Public

8/30/2022

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

David T. Cuffie

Your Name

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

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

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

RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 5/2021

**VERIFICATION OF CURRENT PAID PROPERTY TAXES**  
**FOR CHANGE IN CONDITIONS**

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:      6      -      086      -      264  
(Map Reference Number)      District      Land Lot      Parcel

  
Signature of Applicant

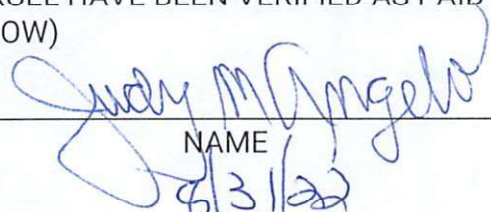
8/30/2022  
Date

David T. Cuffie, Director of Church Ministries  
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  
8/31/22  
DATE

Tax Associate  
TITLE  
\* Please note? There is nothing delinquent. There are taxes due by 11/1/22



RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 10/2021

### CHANGE IN CONDITIONS APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF WINNETT COUNTY, GEORGIA

| APPLICANT INFORMATION  | PROPERTY OWNER INFORMATION*                          |
|--|--|
| NAME: <u>Berean Christian Church Gwinnett</u>                                      | NAME: <u>Berean Christian Church, Inc.</u>           |
| ADDRESS: <u>1465 Highpoint Road</u>  | ADDRESS: <u>2201 Young Road</u>                      |
| CITY: <u>Snellville</u>  | CITY: <u>Stone Mountain</u>                          |
| STATE: <u>Georgia</u> ZIP: <u>30078</u>  | STATE: <u>Georgia</u> ZIP: <u>30088</u>              |
| PHONE: <u>678-240-2213</u>   | PHONE: <u>678-240-2213</u>                           |
| EMAIL: <u>david.cuffie@bereanchristianchurch.org</u>                               | EMAIL: <u>david.cuffie@bereanchristianchurch.org</u> |
| CONTACT PERSON: <u>W. Charles "Chuck" Ross, Esquire</u> PHONE: <u>770-962-0100</u> |  |
| CONTACT'S E-MAIL: <u>cross@powelledwards.com</u>                                   |  |

| APPLICANT IS THE:  |  |
|--|--|
| <input type="checkbox"/> OWNER'S AGENT   | <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER   |
| ZONING DISTRICTS(S): <u>R100</u> PRIOR ZONING CASE: <u>RZR2013-00002</u>   |  |
| PARCEL NUMBER(S): <u>R6086- 264</u> ACREAGE: <u>16.5</u>   |  |
| ADDRESS OF PROPERTY: <u>1465 Highpoint Road, Snellville, Georgia</u>   |  |
| PROPOSED CHANGE IN CONDITIONS: <u>Relief from building materials restrictions of Condition 1-C of Resolution RZR2013-00002 for construction of a 640 square-foot accessory building.</u> |  |
| <b>RESIDENTIAL DEVELOPMENT:</b><br><br>NO. OF LOTS/DWELLING UNITS: _____<br><br>DWELLING UNIT SIZE (Sq. Ft.): _____<br><br>GROSS DENSITY: _____<br><br>NET DENSITY: _____                | <b>NON-RESIDENTIAL DEVELOPMENT:</b><br><br>NO. OF BUILDINGS/LOTS: <u>1</u><br><br>TOTAL GROSS SQUARE FEET: <u>640</u><br><br>DENSITY: <u>.0009</u> |

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED





RECEIVED

9/1/2022

LEGAL DESCRIPTION OF THE PROPERTY

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 86 OF THE 6TH DISTRICT, GWINNETT COUNTY, GEORGIA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE INTERSECTION OF THE EAST LAND LOT LINE OF LAND LOT 86 WITH THE CENTERLINE OF HIGHPOINT ROAD (80' R/W), THENCE NORTH 62°42'01" WEST A DISTANCE OF 145.17 FEET TO A 1/2" REBAR FOUND AND BEING THE TRUE POINT OF BEGINNING.**

THENCE ALONG SAID RIGHT-OF-WAY SOUTH 19°50'56" EAST A DISTANCE OF 119.94 FEET TO A POINT, THENCE ALONG SAID RIGHT OF WAY WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 279.47 WITH A RADIUS OF 1078.20' WITH A CHORD BEARING OF SOUTH 12°00'33" EAST WITH A CHORD LENGTH OF 278.68 FEET TO A 1/2" REBAR FOUND, THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 85°46'49" WEST A DISTANCE OF 482.33 FEET TO A 1/2" REBAR FOUND, THENCE SOUTH 25°02'57" EAST A DISTANCE OF 515.47 FEET TO A 1" IRON ROD FOUND, THENCE SOUTH 60°50'16" WEST A DISTANCE OF 48.06 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE SOUTH 61°04'26" WEST A DISTANCE OF 216.24 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE SOUTH 60°59'01" WEST A DISTANCE OF 163.32 FEET TO A 1/2" REBAR FOUND, THENCE NORTH 29°02'01" WEST A DISTANCE OF 179.74 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE NORTH 29°01'03" WEST A DISTANCE OF 60.20 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE NORTH 61°06'09" EAST A DISTANCE OF 124.62 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE NORTH 29°03'27" WEST A DISTANCE OF 350.06 FEET TO A 3" OPEN TOP PIPE FOUND, THENCE SOUTH 60°55'36" WEST A DISTANCE OF 124.36 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE NORTH 29°01'40" WEST A DISTANCE OF 74.83 FEET TO A 1/2" REBAR FOUND, THENCE NORTH 63°48'41" EAST A DISTANCE OF 19.06 FEET TO AN AXLE FOUND, THENCE NORTH 64°53'29" EAST A DISTANCE OF 115.78 FEET TO A 1" REBAR FOUND, THENCE NORTH 64°43'55" EAST A DISTANCE OF 75.67 FEET TO A 1" REBAR FOUND, THENCE NORTH 25°15'16" WEST A DISTANCE OF 99.71 FEET TO A 1/2" REBAR FOUND, THENCE NORTH 64°49'51" EAST A DISTANCE OF 34.33 FEET TO A 1/2" REBAR FOUND, THENCE NORTH 64°59'50" EAST A DISTANCE OF 139.43 FEET TO AN AXLE FOUND, THENCE NORTH 31°17'35" WEST A DISTANCE OF 79.97 FEET TO A 1/2" REBAR FOUND, THENCE NORTH 31°42'40" WEST A DISTANCE OF 232.29 FEET TO A 1/2" REBAR FOUND ON THE SOUTHEASTERLY RIGHT-OF-WAY



RECEIVED

9/1/2022

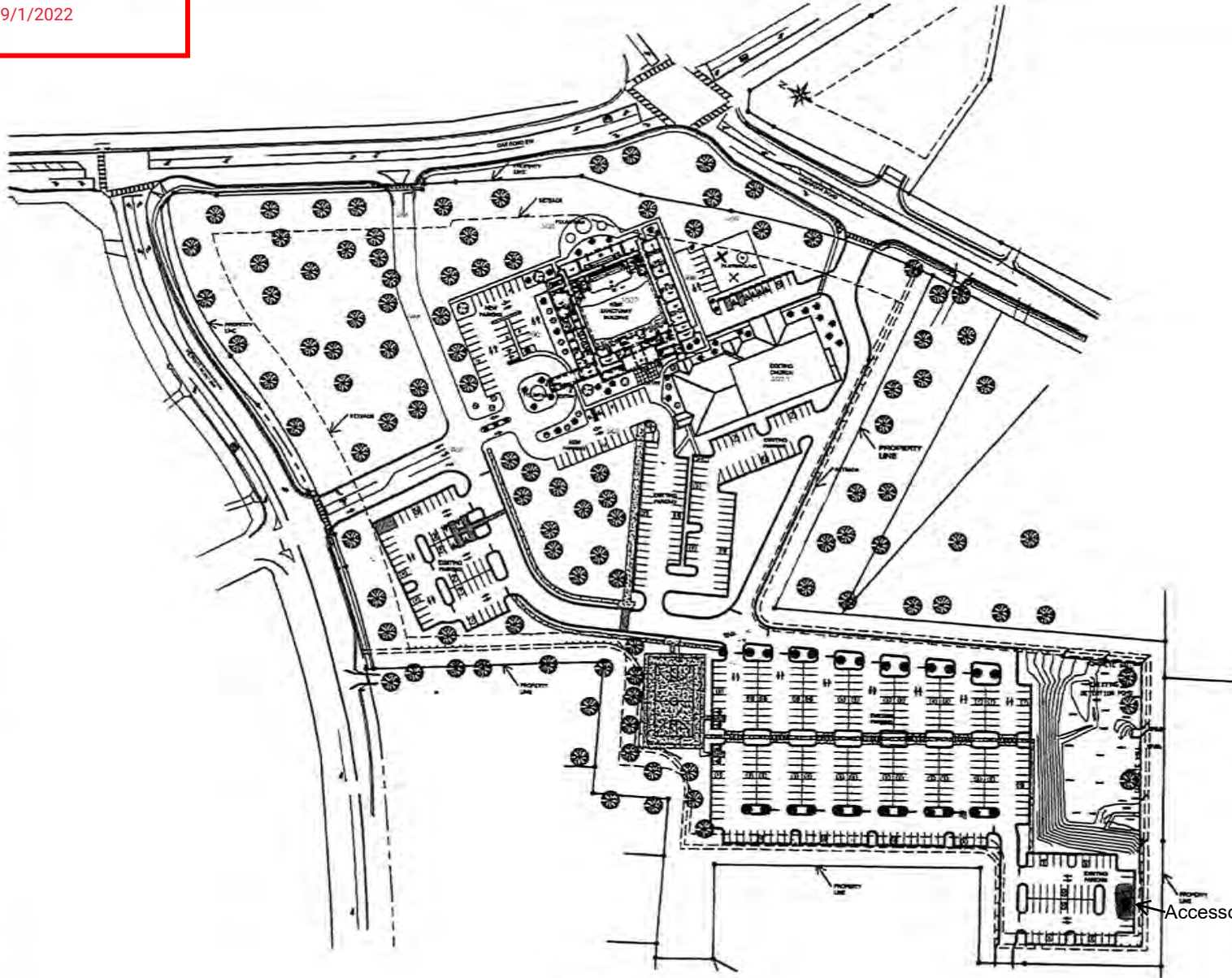
OF HEWATT ROAD (80' R/W), THENCE ALONG THE RIGHT-OF-WAY OF HEWATT ROAD NORTH 44°35'34" EAST A DISTANCE OF 136.18 FEET TO A 1" OPEN TOP PIPE FOUND, THENCE ALONG THE RIGHT-OF-WAY OF HEWATT ROAD WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 42.50 FEET WITH A RADIUS OF 1949.86 FEET WITH A CHORD BEARING OF NORTH 42°00'46" EAST WITH A CHORD LENGTH OF 42.50 FEET, THENCE ALONG THE RIGHT-OF-WAY OF HEWATT ROAD WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 197.74 FEET WITH A RADIUS OF 612.96 FEET WITH A CHORD BEARING OF NORTH 32°08'48" EAST WITH A CHORD LENGTH OF 196.88 FEET TO A POINT, THENCE ALONG THE RIGHT-OF-WAY OF HEWATT ROAD WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 296.78 FEET WITH A RADIUS OF 395.78 FEET WITH A CHORD BEARING OF NORTH 34°00'51" EAST WITH A CHORD LENGTH OF 289.88 FEET TO A POINT, THENCE SOUTH 78°25'08" EAST A DISTANCE OF 25.44 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF OAK ROAD (80' R/W), THENCE ALONG THE RIGHT-OF-WAY OF OAK ROAD SOUTH 31°32'58" EAST A DISTANCE OF 271.36 FEET TO A POINT, THENCE ALONG THE RIGHT-OF-WAY OF OAK ROAD SOUTH 33°08'28" EAST A DISTANCE OF 100.59 FEET TO A POINT, THENCE ALONG THE RIGHT-OF-WAY OF OAK ROAD SOUTH 32°20'14" EAST A DISTANCE OF 166.05 FEET TO A PK NAIL, THENCE SOUTH 12°05'57" EAST A DISTANCE OF 81.87 FEET TO A 1/2" REBAR FOUND, WHICH IS THE TRUE **POINT OF BEGINNING**.

AS DEPICTED ON AN ALTA SURVEY FOR BEREAN CHRISTIAN CHURCH, INC. PREPARED BY GARMON LAND SURVEYING OF STRATHAM, GEORGIA DATED JUNE 27, 2012 (JOB NO. 2012-60).

LESS AND EXCEPT THAT PORTION OF THE ABOVE-DESCRIBED PROPERTY CONVEYED PURSUANT TO THAT CERTAIN GWINNETT COUNTY RIGHT-OF-WAY DEED EXECUTED BY BEREAN CHRISTIAN CHURCH TO GWINNETT COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA, DATED MARCH 12, 2014, FILED APRIL 18, 2014 AND RECORDED IN DEED BOOK 52877, PAGE 293, GWINNETT COUNTY, GEORGIA RECORDS.

RECEIVED

9/1/2022



ARCHITECTURAL SITE PLAN

**HCO**  
INCORPORATED

ARCHITECTURE  
PLANNING  
INTERIOR DESIGN  
ENGINEERING



301 NORTH HENRY STREET, SUITE 100  
KNOXVILLE, TN 37912  
(615) 582-1111

DESIGN DEVELOPMENT  
**BEREAN CHRISTIAN CHURCH  
GWINNETT**  
**New Worship Facility**  
1485 HIGHTPOINT ROAD  
SNELLVILLE, GA 30078  
ARCHITECTURAL SITE PLAN

PROJECT NO.  
DATE  
BY

REVISIONS

DATE

BY

PROJECT NO.

DATE

BY

PROJECT NO.

DATE

BY





Scan QR code to preview building

<https://derksen.3dshedbuilder.com/design.asp?s=ZHJhd2luZz01NDMzMjEmY2xpZW50PTEyNjM-S>
CHARLES DAVIS

Customer Name

12/30/2021

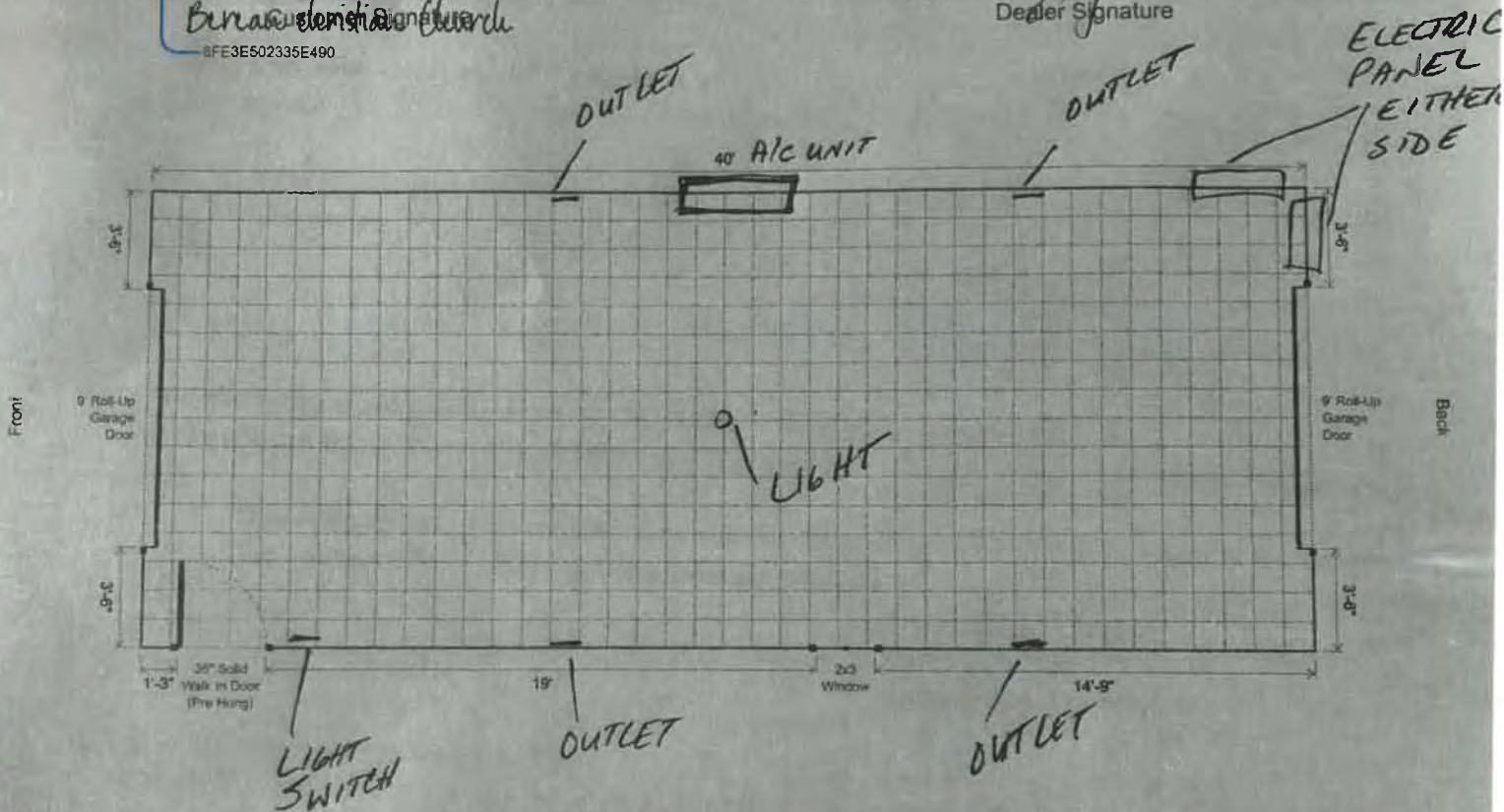
Date

DocuSigned by:

Bina Williams Church

BFE3E502335E490

Dealer Signature



Barn:

Model: Garage

Size: 16 x 40

Options

Count

9' Roll Up Door 2

36\" Solid Walk In Door (Pre Hung) 1

2x3 Window 1

 GWINNETT COUNTY  
 PLANNING AND DEVELOPMENT

**RECEIVED**

9/1/2022



RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 10/2021

**CHANGE IN CONDITIONS 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 CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

The Church sits on over 16 acres of land and the location of the accessory building is shielded from general view. The requested change in condition applies to the finish of the accessory building which will be similar in color and materials to the primary structure. As a storage building, its presence will not have any effect on the use and/or development of the nearby property.

- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Not requiring the storage building to be made of brick, stone or stucco will not adversely affect the adjacent or nearby property, as the accessory building is well shielded from view outside of the church campus. The accessory building will not generate any noise or light pollution, nor will it create any change in traffic.

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

While there is no question that the Berean Christian Church Gwinnett has reasonable economic use, a change in conditions to allow the proposed accessory structure will increase the ability of the church to reach others by giving it a place to store items used for community activities and outreach.

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

No.

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

The 2040 Unified Plan classifies this area as Established Neighborhoods. These areas are characterized as being well established neighborhoods areas that are unlikely to undergo any significant changes or redevelopment in the next 20 years and include neighborhood-serving,

non-residential or institutional developments such as a church. The intention of this character area is to underscore areas where changes in land use are not anticipated or encouraged, and any new development - including residential infill properties - should be consistent in scale, architecture, and use with surrounding properties. The proposed change in condition only affects the finish of an accessory building which is consistent with the primary building and its secluded location within the property allows for full conformity with both the policy and intent of the plan.

- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS:

As noted above, the property is very uniquely shaped. The proposed location is in the interior of the property and is otherwise shielded from outside view.

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

9/1/2022



Tony Powell  
Brian Edwards  
Nathan Powell  
W. Charles Ross



Mandy Williams  
Jay Crowley  
Rob Poston  
Laura Walsh  
Laura Shoop

WINNETT COUNTY  
PLANNING AND DEVELOPMENT

RECEIVED

9/1/2022

August 31, 2022

Susan Canon, Director  
Gwinnett County Planning & Development  
75 Langley Drive  
Lawrenceville, Georgia 30046

**RE: APPLICATION FOR CHANGE IN CONDITIONS AND LETTER OF INTENT  
FOR BEREAN CHRISTIAN CHURCH GWINNETT, 1465 HIGHPOINT  
ROAD, SNELLVILLE, GEORGIA 30078**

Dear Ms. Canon:

Powell & Edwards, P.C. submits this Letter of Intent on behalf of Berean Christian Church Gwinnett (the "Applicant") to request a Change in Conditions and a non-substantial variance to allow for a 640 square foot storage building to be placed in the interior of the church campus, where supplies and materials for community events can be stored. The church campus is located at 1465 Highpoint Road in Snellville and having Gwinnett County Tax ID Number of R6086 264 (the "Property").

The Berean Christian Church Gwinnett campus sits on a 16.5-acre parcel which is significantly buffered from any adjacent streets or residences. When the Church initially acquired the property from an assemblage of parcels, a rezoning action was brought to unify the zoning designation to RA100 for the entire parcel. Resolution RZR2013-0002 was passed on May 28, 2013 and included several conditions. One of those conditions, specifically, 1.C., requires, "[n]ew buildings shall be constructed of brick, stone or stucco, with minor treatments of fiber-cement siding. Building elevations and materials shall be subject to review and approval by the Director of Planning and Development." The storage building, which is being provided to the Church through a grant, is finished in tan siding with a green metal roof which is the same design and finish as the principal building. The Applicant believes that the Conditions of Zoning did not contemplate a small accessory storage building, but were rather directed toward the addition of occupied additions to the Church itself.

The Applicant desires to place the accessory building on an interior parking lot adjacent to the stormwater detention pond. The dimensions of the building are 16' x 40' and 12' in height. Although this location is in the interior of the campus, shielded by trees and well outside any setbacks or buffers, a variance is requested out of an abundance of caution, as the Planning Department has indicated that this location may be considered to be a "Front Yard" as defined under Section 110-40 of the Unified Development Ordinance (UDO). Although the Applicant does not believe this would qualify as a "Front Yard," due to its actual location, nonetheless, due to the odd shape of the property, the Applicant requests a variance from Section 230-120.7 of the UDO

**A PROFESSIONAL CORPORATION**

P.O. Box 1390 • Lawrenceville, Georgia 30046-1390 • [powelledwards.com](http://powelledwards.com) • 770.962.0100

*Street Address For Direct Deliveries Only • 10 Lumpkin Street Lawrenceville, GA 30046*



**RECEIVED**

9/1/2022

which otherwise requires all accessory buildings to be located in the rear yard of the property. Here again, we believe the grant of the variance is consistent with intent of the UDO. It is also significant that Applicant does not request any change in the size of any buffers or setbacks.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning and Development to answer any questions or to address any concern relating to the matters set forth in this Letter of Intent or in its Application for a Change in Conditions filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS, P.C.



W. Charles "Chuck" Ross  
Attorney for Applicant

RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 10/2021

**CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION**

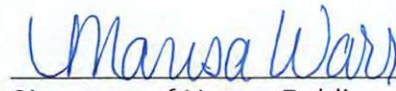
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL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

  
\_\_\_\_\_  
Signature of Applicant

8/30/2022

\_\_\_\_\_  
Date

David T. Cuffie, Director of Church Ministries  
\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public

8/30/22  
\_\_\_\_\_  
Date



\_\_\_\_\_  
Notary Seal

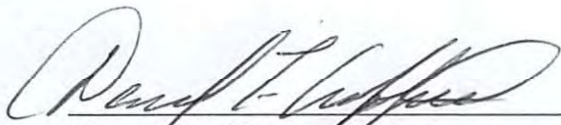
RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 5/2021

**CHANGE IN CONDITIONS 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

8/30/2022

Date

David T. Cuffie, Director of Church Ministries

Type or Print Name and Title



Signature of Notary Public

8/30/22

Date



Notary Seal



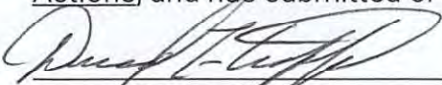
**RECEIVED**


9/1/2022

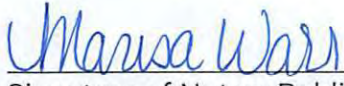
Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 5/2021

**CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS**

The undersigned below, making application for a change in conditions, 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.

 8/30/2022 David T. Cuffie, Dir. of Church Ministries  
Signature of Applicant Date Type of Print Name and Title

 8/30/2022 W. Charles Ross, Esquire  
Signature of Applicant's Date Type or Print Name and Title  
Attorney or Representative

 8/30/2022  
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 David T. Cuffie  
Your Name

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

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

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



RECEIVED

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 5/2021

**VERIFICATION OF CURRENT PAID PROPERTY TAXES**  
**FOR CHANGE IN CONDITIONS**

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:      6      -      086      -      264  
(Map Reference Number)      District      Land Lot      Parcel

  
Signature of Applicant

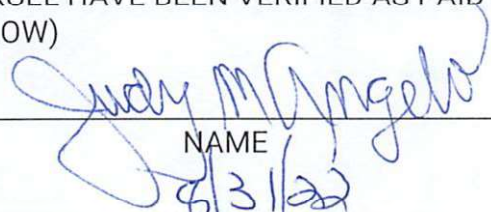
8/30/2022  
Date

David T. Cuffie, Director of Church Ministries  
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  
8/31/22  
DATE

Tax Associate  
TITLE  
\* Please note? There is nothing delinquent. There are taxes due by 11/1/22

**RECEIVED**

9/1/2022

Gwinnett County Planning Division  
Change in Conditions Application  
Last Updated 5/2021

### **CHANGE IN CONDITIONS CHECKLIST**

The following is a checklist of information required for submission of a Change in Conditions application. The Planning and Development Department reserves the right to reject any incomplete applications.

- ☒ Pre-Application Acknowledgement Form (if applicable)
- ☒ Application Form
- ☒ Boundary Survey
- ☒ Legal Description
- ☒ Site Plan (One (1) digital copy)
- ☒ Standards Governing Exercise of the Zoning Power
- ☒ Letter of Intent
- ☒ Applicant Certification with Notarized Signature
- ☒ Property Owner Certification with Notarized Signature
- ☒ Conflict of Interest Certification/Campaign Contributions
- ☒ Verification of Paid Property Taxes (most recent year)
- ☒ Application Fee – make checks payable to Gwinnett County

**Additional Exhibits (if required):**

- ☐ Additional site plan requirements for OSC, TND, R-SR, R-TH, MU-N, MU-C, MU-R and HRR rezoning requests
- ☐ Traffic Study
- ☐ Review Form for Development of Regional Impact

**Please bring this checklist when filing for a Change in Conditions.**