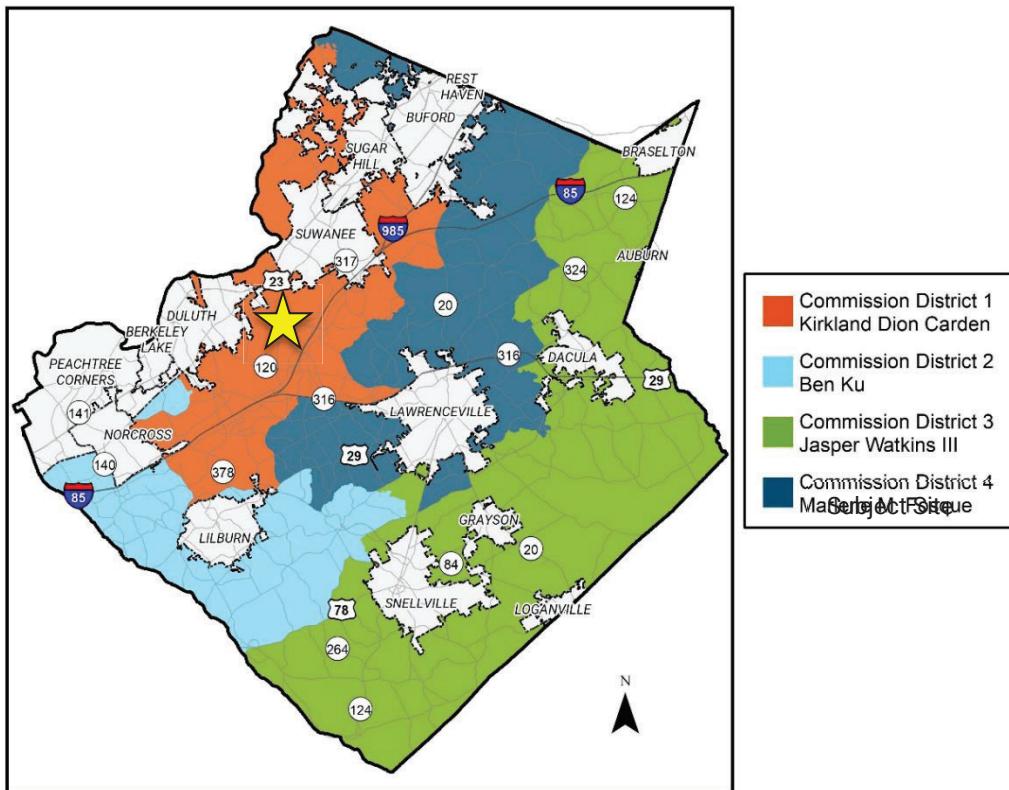




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZR2022-00013
Current Zoning:	R-60 (Single-Family Residence District) R-100 (Single-Family Residence District)
Overlay District:	Civic Center
Request:	Rezoning to R-75 (Single-Family Residence District)
Address:	1365 Old Peachtree Road and 1400 Block of Old Peachtree Road
Map Number:	R7156 010 and 164
Site Area:	2.10 acres
Lots:	3
Proposed Development:	Single-Family Detached Subdivision
Commission District:	District 1 – Commissioner Carden
Character Area:	Vibrant Communities

Staff Recommendation: APPROVAL WITH CONDITIONS



Applicant: Joseph Hahn
c/o Alliance Engineering and Planning
299 South Main Street
Alpharetta, GA 30009

Owner: Don L. Brock, Jr.
1867 Dresden Drive NE
Brookhaven, GA 30319

Sheila Ann Delong
3954 Craigwood Drive
Duluth, GA 30096

Contact: Tyler Lasser

Contact Phone: 770.225.4730 x819

Zoning History

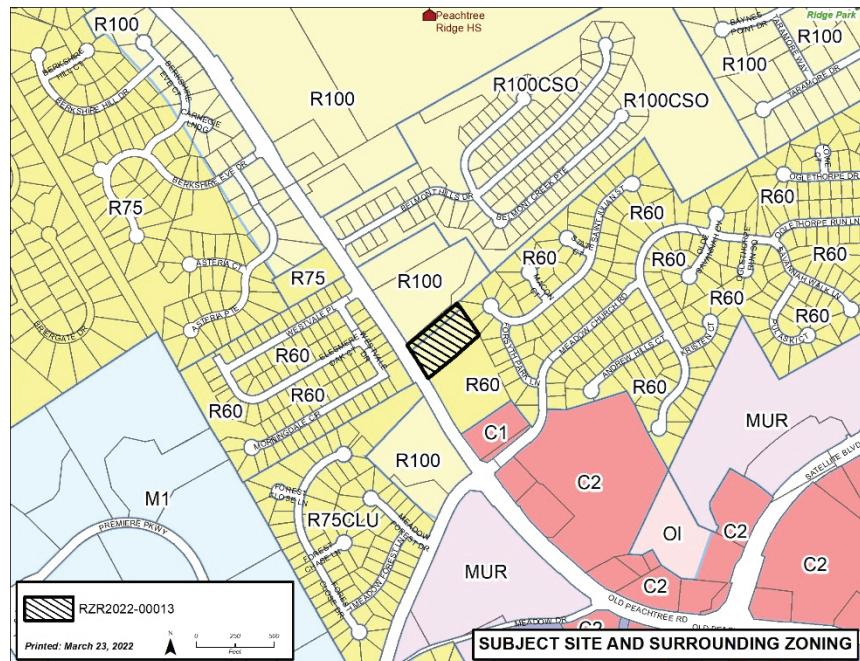
The southern property, 1365 Old Peachtree Road is zoned R-100. No prior zoning requests are on record for this property. In 1985, a request to rezone the northern property, 1400 Block of Old Peachtree Road, from R-100 to C-2 (General Business District) for automobile sales and service was denied, pursuant to REZ1985-00160. In 1992, REZ1992-00085, rezoned that same property from R-100 (Single-Family Residence District) to R-60 (Single-Family Residence District) for a single-family subdivision.

Existing Site Condition

The subject site is a 2.10-acre assemblage of two properties. The southern parcel is undeveloped and wooded. A portion of the northern parcel is covered in asphalt and appears to be used as parking for the adjacent property. The site slopes down from southwest to northeast approximately 28 feet. Sidewalks and powerlines exist along the property frontage. The nearest Gwinnett County Transit stop is located 1.9 miles from the site.

Surrounding Use and Zoning

The subject site is located along Old Peachtree Road, west of Satellite Boulevard and Interstate 85, and north of Sugarloaf Parkway. The site is surrounded by existing single-family subdivisions. South of the site is the recreational area for the subdivision located east of the site, Madison Place at Olde Savannah Square. North of the site is a place of worship. Further north are two schools, Peachtree Ridge High School and Parsons Elementary School. West of the site is a single-family subdivision, Ashmore Subdivision. A commercial shopping center is located southeast of the site, along Old Peachtree Road.



Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-75	1.42 units per acre
North	Place of Worship	R-100	N/A
East	Single-Family Residential	R-60	3.28 units per acre
South	Single-Family Residential	R-60	3.28 units per acre
West	Single-Family Residential	R-60	3.8 units per acre

Project Summary

The applicant requests to rezone a 2.10-acre property, currently zoned R-100 and R-60, to R-75 to construct a single-family detached subdivision including:

- Three single-family detached residences yielding a net density of 1.42 units per acre.
- Heated floor areas ranging between 2,700 to 3,300 square feet.
- A double car garage for each lot.
- Facades constructed of brick, stone, and stucco.
- Lots to be served by individual septic systems.
- Access provided by individual driveways, to each lot, from Old Peachtree Road.
- Existing sidewalks along Old Peachtree Road.

Zoning and Development Standards

The applicant is requesting a rezoning to R-75, 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'	Maximum 35'	YES
Front Yard Setback	Minimum 50'	50'	YES
Side Yard Setback	Minimum 10'	Minimum 15' Minimum Combined 30'	YES
Rear Yard Setback	Minimum 30'	>40'	YES
Heated Floor Area	Minimum 1,200 square feet	2,700 to 3,300 square feet	YES
Density	3 units per acre	1.42 units per acre	YES
Minimum Lot Size	25,500 square feet	29,444 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 E). Standard site and infrastructure improvements will also be required related to transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

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

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

The site is surrounded by single-family subdivisions zoned R-75 and R-60. Subdivisions adjacent to the subject property are a higher density than what is proposed by this project. The subject rezoning would be consistent with the area.

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

The existing use and usability of adjacent or nearby properties would not be impacted by the zoning change. There are other residential subdivisions zoned R-60 that are immediately adjacent to the site. A rezoning to R-75 for a single-family subdivision would not adversely affect nearby property.

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

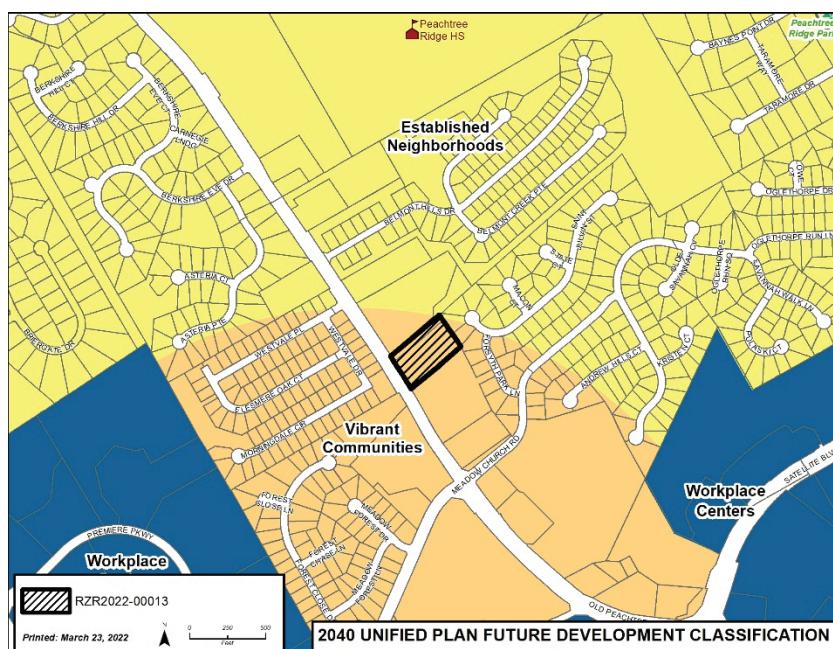
The property has a reasonable economic use as currently zoned.

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

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

The 2040 Unified Plan and Future Development Map indicates that the subject property lies within the Vibrant Communities Character Area. This Character Area is intended to serve as a transition between neighborhood nodes and mixed-use activity centers and surrounding, established single-family residential areas. 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. These communities should function as a buffer between neighborhoods nodes/mixed-use areas and the larger, established residential areas. As proposed, the scale and architecture of the homes are consistent with the established single-family residences in the nearby subdivisions. Through appropriate conditions of approval, this development could be 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 applicant is proposing to construct three single-family residences along Old Peachtree Road at a density of 1.42 units per acre. The subdivision to the east of the site is zoned R-60 and has a density of 3.28 units per acre. The subdivision to the west of the site is also zoned R-60 and has a density of 3.8 units per acre. The applicant is proposing a development that is less dense than the surrounding properties. could cause issues with safety for the future residences of the development.

Staff Recommendation

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

Staff Recommended Conditions

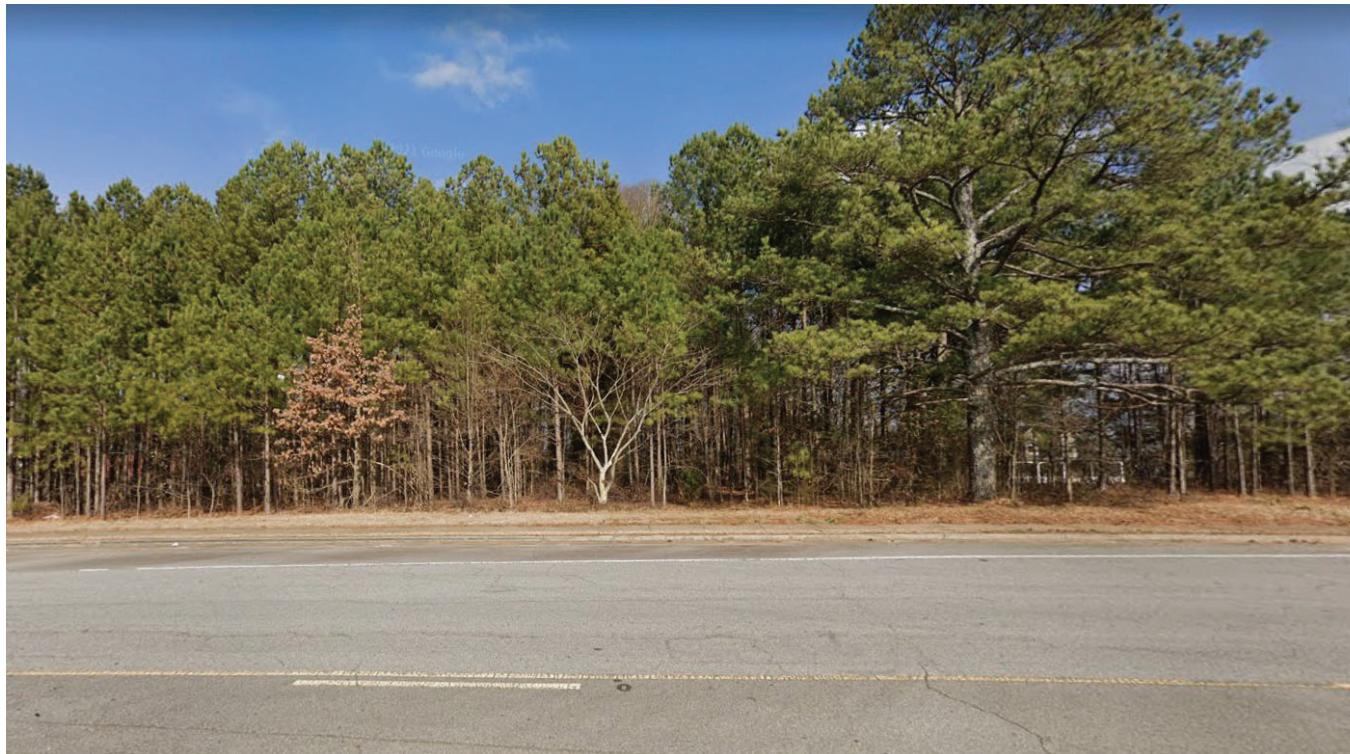
Approval as R-75(Single-Family Residence District) for a single-family subdivision, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan and Exhibit C: Building Elevations dated received March 3, 2022, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Director of Planning and Development.
2. The property shall be restricted to single-family detached dwellings and accessory uses and structures, not to exceed three lots.
3. Homes shall be constructed of brick or stacked stone on front facades with accents of siding or stone. The balance of the homes may be the same or of fiber-cement siding with a minimum 2-foot-high brick or stacked stone water table.
4. All dwellings shall have at least a double car garage and driveway.
5. All grassed areas shall be sodded.
6. Natural vegetation shall remain on the property until the issuance of a building permit for each lot.
7. The developer shall coordinate with Gwinnett County Department of Transportation on the number and locations of driveway.
8. A variance shall be requested to connect to a new 8-inch line across the frontage of the properties to the existing 6-inch water main on Old Peachtree Road.

Exhibits:

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

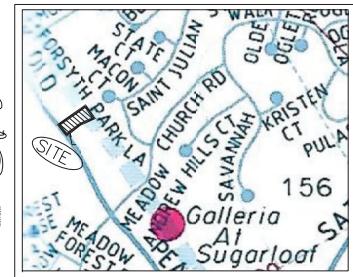
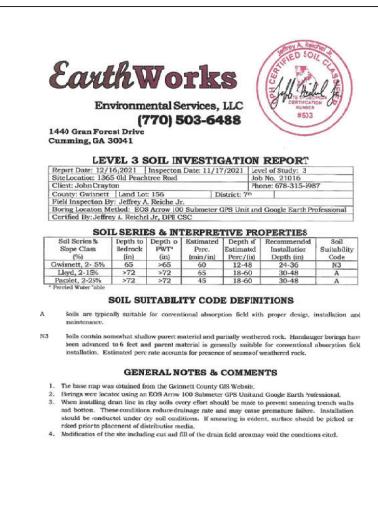
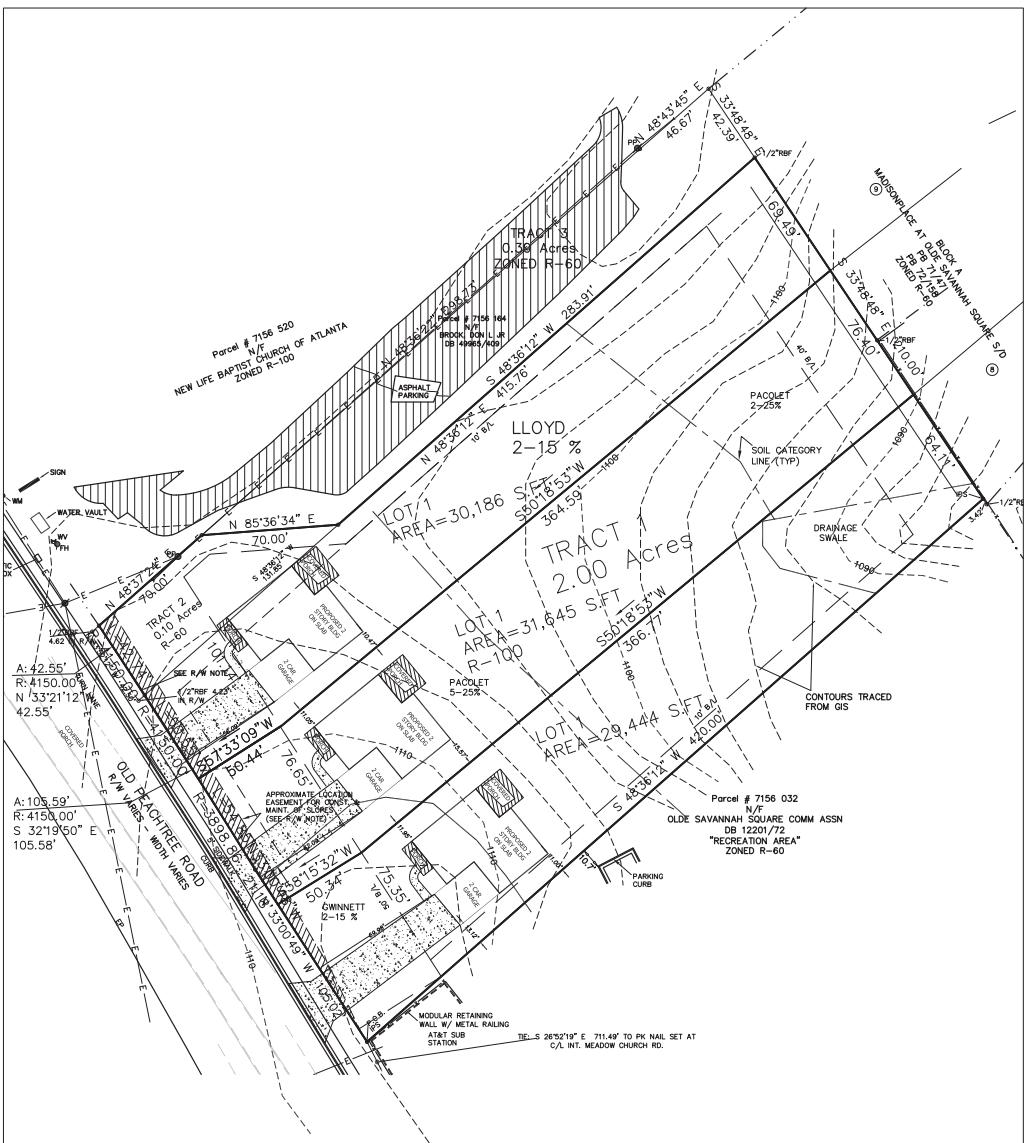
Exhibit A: Site Visit Photos



Frontage of the site along Old Peachtree

Exhibit B: Site Plan

[attached]



LOCATION MAP (NTS)

ID# 7156-010 & ID# 7156-???

NO.	DATE	REVISIONS	BY	PROJECT NO.	DATE
				DESIGNED BY	AMM 02-08-22
				DRAWN BY	AMM 02-08-22
				CHECKED BY	AMM 02-08-22
				ENGINEER	AMM 02-08-22
				REGISTRATION NO.	DATE 02-08-22
				21055	

PREPARED BY:
MANSUR ENGINEERING, INC.
1810 PEACHTREE INDUSTRIAL BLVD.
SUITE 140
DULUTH, GEORGIA 30097
3-22 Phone: (770) 476-7014 Facsimile: (770) 476-7366
MANSUR@BELLSOUTH.NET

OWNERS/BUILDER
JOSEPH HAHN
3969 GLENVIEW CLUB LANE
DULUTH, GA. 30097
404-641-2282
maconstruction7@gmail.com

REZONING LAYOUT PLAT FOR JOSEPH HAHN 1365 OLD PEACHTREE RD SUWANEE, GA 20024 7TH DIST, LAND LOT 156 GWINNETT COUNTY	SCALE 1"=30' SHEET NO. 1 OF 1 FILE NO.
--	--

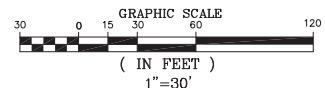


Exhibit C: Building Elevations

[attached]

GWINNETT COUNTY
PLANNING AND DEVELOPMENT
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3.3.2022



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

3/3/2022



GWINNETT COUNTY
PLANNING AND DEVELOPMENT
RECEIVED
3.3.2022



GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

3.3.2022



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

[attached]

Applicant's Letter of Intent

Parcel #7156 010, 7156 010
Rezoning R-100 and R-60 to R-75

The applicant, Joseph Hahn, requests a rezoning on a 2.1-acre lot on Old Peachtree Road between Satellite Boulevard and Sugarloaf Parkway for the purpose of subdividing the property into three (3) lots for new single-family dwellings. To develop the site as proposed, the applicant requests a rezoning from R-100 and R-60 to R-75. At three lots, the development would have a density of 1.42 units per acre.

The R-75 zoning district requires each lot that is served by septic to have a minimum lot size of 25,500 square feet. As proposed, each lot will exceed the size requirement of the R-75 zoning district. Lot 1 will have an area of 30,186 square feet, Lot 2 will have an area of 31,645 square feet, and Lot 3 will have an area of 29,444 square feet.

In addition to establishing large lots, each dwelling will exceed the minimum dwelling size of 1,200 square feet required in the R-75 zoning district. As proposed, each dwelling will have a heated floor area between 2,700 and 3,300 square feet. Each dwelling will be constructed with a mixture of materials, including brick, stone, and stucco, and will include a minimum two-car garage. Home prices will start around \$600,000.

The applicant looks forward to meeting with staff as well as the community to answer all questions or concerns and is excited to be able to provide exceptional homes in a highly desirable section of Gwinnett County. Please refer to the attached documents for additional details regarding the layout and appearance of the proposed single-family detached dwellings.

Standards Governing the Exercise of the Zoning Power

To further demonstrate that the proposed rezoning and land use is consistent with the intent of the UDO and 2040 Unified Plan, the applicant submits its response to the Standards Governing Exercise of the Zoning Power as follows:

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

Rezoning the subject site to R-75, for the purpose of constructing new single-family dwellings, is a suitable use in relation to the adjacent and nearby properties. Each of the surrounding properties are residentially zoned, most of which have existing single-family dwellings. The adjacent Madison Place at Olde Savannah Square subdivision and the Ashmore subdivision across Old Peachtree Road are both zoned R-60.

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

The proposed rezoning will not adversely affect the use of the surrounding properties. The proposed use, single-family dwellings, is consistent with the area. Each lot will be significantly larger than what is required within the R-75 zoning district, providing a substantial space between the proposed dwellings and those in the adjoining subdivision.

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

Due to the size and location of the property, in addition to the dense residential subdivisions in the area, the applicant believes that the subject property does not have a reasonable economic use as currently zoned. The applicant submits the rezoning would allow for a use more compatible with the surrounding properties.

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

The rezoning will not result in an excessive use of existing streets, transportation facilities, utilities or schools. As proposed, each of the three lots will be significantly larger than what is required in the R-75 district and will have a minimal overall impact on the area.

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

The proposed rezoning is in conformity with the intent of the 2040 Unified Plan. The subject property is located within the Vibrant Communities character area of the 2040 Future Development Map, which encourages single-family residential. The proposed development would be compatible with the surrounding uses and would be the least intense of the encouraged uses for this character area, which includes townhomes and apartments.

Exhibit E: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date: 4/13/2022			
Department/Agency Name: Transportation			
Reviewer Name: Brent Hodges			
Reviewer Title: Construction Manager 1			
Reviewer Email Address: Brent.Hodges@GwinnettCounty.com			
Case Number: RZR2022-00013			
Case Address: 1365 Old Peachtree Road			
Comments: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
1	Old Peachtree Road is a Minor Arterial. ADT = 20,695. 1.9 miles to nearest Transit facility # 2335244 Satellite Boulevard & Chick-Fil-A.		
2			
3			
4			
5			
6			
7			
Recommended Zoning Conditions: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
1	Developer shall coordinate with Gwinnett County Department of Transportation on the number and locations of driveways.		
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:		4/13/2022			
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		Michael.Pappas@GwinnettCounty.com			
Case Number:		RZR2022-00013			
Case Address:		1365 Old Peachtree Road			
Comments:		<input checked="" type="checkbox"/> X	YES	<input type="checkbox"/>	NO
1	Water: There is an existing 6-inch water main crossing Old Peachtree Road that is connected to a 24-inch water main located on the southwest right-of-way of Old Peachtree Road.				
2	Water: An 8-inch water main will need to be extended across the frontage of this development to service these three lots.				
3	Sewer: Lots to be developed on septic.				
4					
5					
6					
7					
Recommended Zoning Conditions:		<input checked="" type="checkbox"/> X	YES	<input type="checkbox"/>	NO
1	Water: A variance will be required to connect a new 8-inch line across the frontage of the properties to the existing 6-inch water main on Old Peachtree Road.				
2					
3					
4					
5					
6					
7					

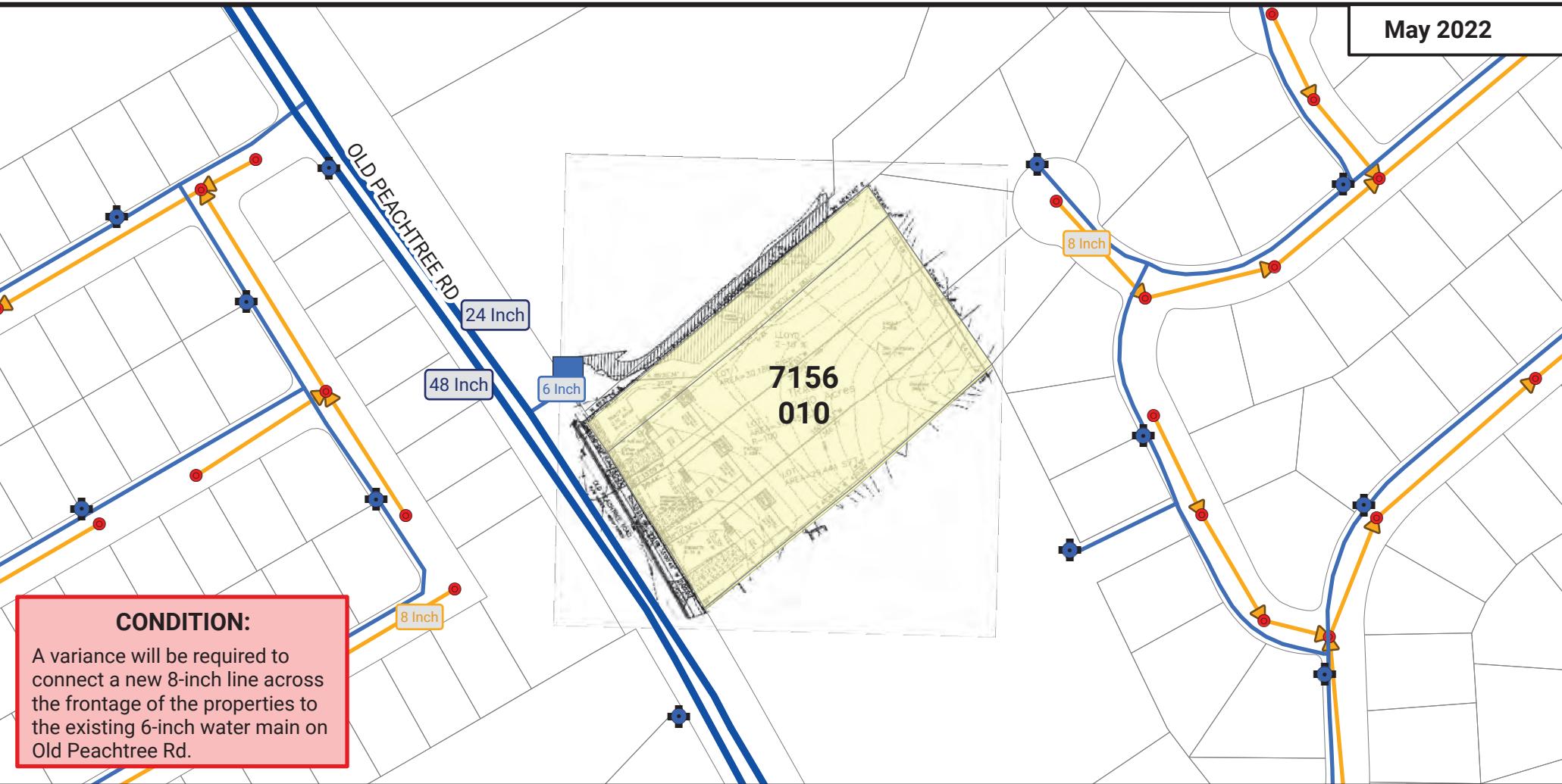
Note: Attach additional pages, if needed

Revised 7/26/2021

Residential Rezoning Impact on Local Schools
Prepared for Gwinnett County BOC, May, 2022

												Proposed Zoning
	School	Forecast	2021-22 Capacity	+/- Cap.	Forecast	2022-23 Capacity	+/- Cap.	Forecast	2023-24 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments	
CIC2022-00014	Peachtree Ridge HS	3,348	3,050	298	3,398	3,050	348	3,449	3,050	399	4	
	Northbrook MS	934	1,025	-91	953	1,025	-72	972	1,025	-53	4	
	Jackson ES	1,475	1,475	0	1,490	1,475	15	1,505	1,475	30	7	
RZM2022-00013	Grayson HS	3,150	3,000	150	3,245	3,000	245	3,342	3,000	342	9	
	Bay Creek MS	1,282	1,150	132	1,320	1,150	170	1,360	1,150	210	8	
	Trip ES	1,238	1,200	38	1,263	1,200	63	1,301	1,200	101	14	
CIC2022-00013	Grayson HS	3,150	3,000	150	3,245	3,000	245	3,342	3,000	342	20	
	Bay Creek MS	1,282	1,150	132	1,320	1,150	170	1,360	1,150	210	18	
	Trip ES	1,238	1,200	38	1,263	1,200	63	1,301	1,200	101	32	
RZM2022-00015	Peachtree Ridge HS	3,348	3,050	298	3,398	3,050	348	3,449	3,050	399	13	
	Hull MS	1,342	1,750	-408	1,355	1,750	-395	1,383	1,750	-367	12	
	Mason ES	976	1,150	-174	1,005	1,150	-145	1,025	1,150	-125	20	
RZM2022-00016	Lanier HS	1,942	1,900	42	2,000	1,900	100	2,060	1,900	160	20	
	Lanier MS	1,430	1,700	-270	1,473	1,700	-227	1,517	1,700	-183	17	
	Sugar Hill ES	1,119	1,075	44	1,153	1,075	78	1,187	1,075	112	31	
RZM2022-00017	Discovery HS	2,785	2,525	260	2,813	2,525	288	2,841	2,525	316	7	
	Richards MS	2,135	2,200	-65	2,156	2,200	-44	2,178	2,200	-22	6	
	Baggett ES	970	1,125	-155	980	1,125	-145	989	1,125	-136	10	
RZR2022-00012	Dacula HS	2,479	2,550	-71	2,553	2,550	3	2,630	2,550	80	7	
	Dacula MS	1,786	1,900	-114	1,822	1,900	-78	1,858	1,900	-42	6	
	Alcova ES	1,419	1,150	269	1,447	1,150	297	1,491	1,150	341	10	
RZR2022-00013	Peachtree Ridge HS	3,348	3,050	298	3,398	3,050	348	3,449	3,050	399	1	
	Hull MS	1,342	1,750	-408	1,355	1,750	-395	1,383	1,750	-367	1	
	Parsons ES	805	700	105	829	700	129	854	700	154	1	

May 2022



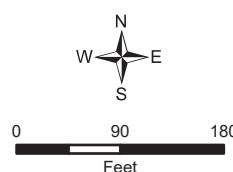
LEGEND

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

RZR2022-00013

R- 60 to R-75

**Water & Sewer
Utility Map**



LOCATION



Water Comments: There is an existing 6-inch water main crossing Old Peachtree Rd that is connected to a 24-inch water main located on the southwest right-of-way of Old Peachtree Rd. An 8-inch water main will need to be extended across the frontage of this development to service these three lots.

Sewer Comments: Lots to be developed on septic.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

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

Exhibit F: Maps

[attached]

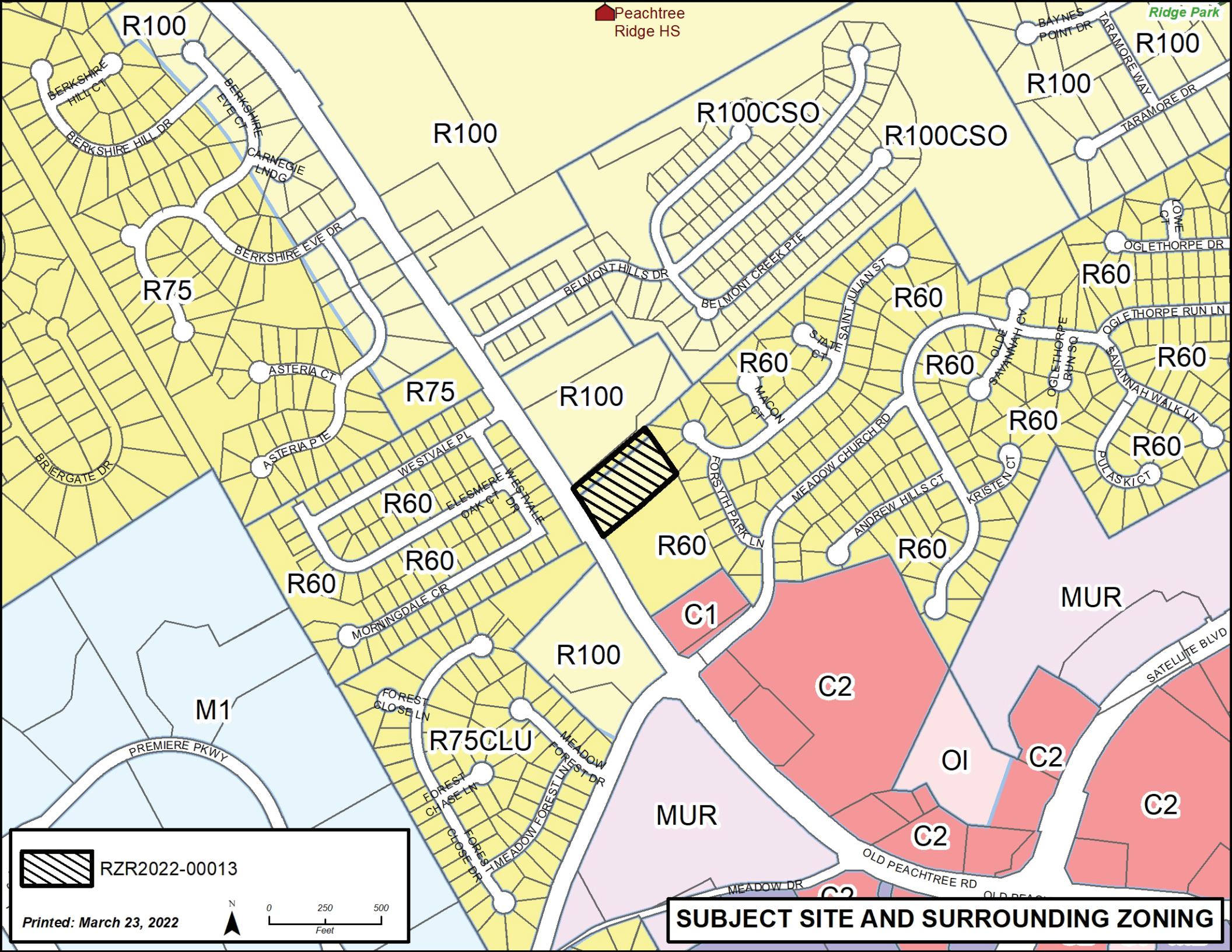


RZR2022-00013



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Feet

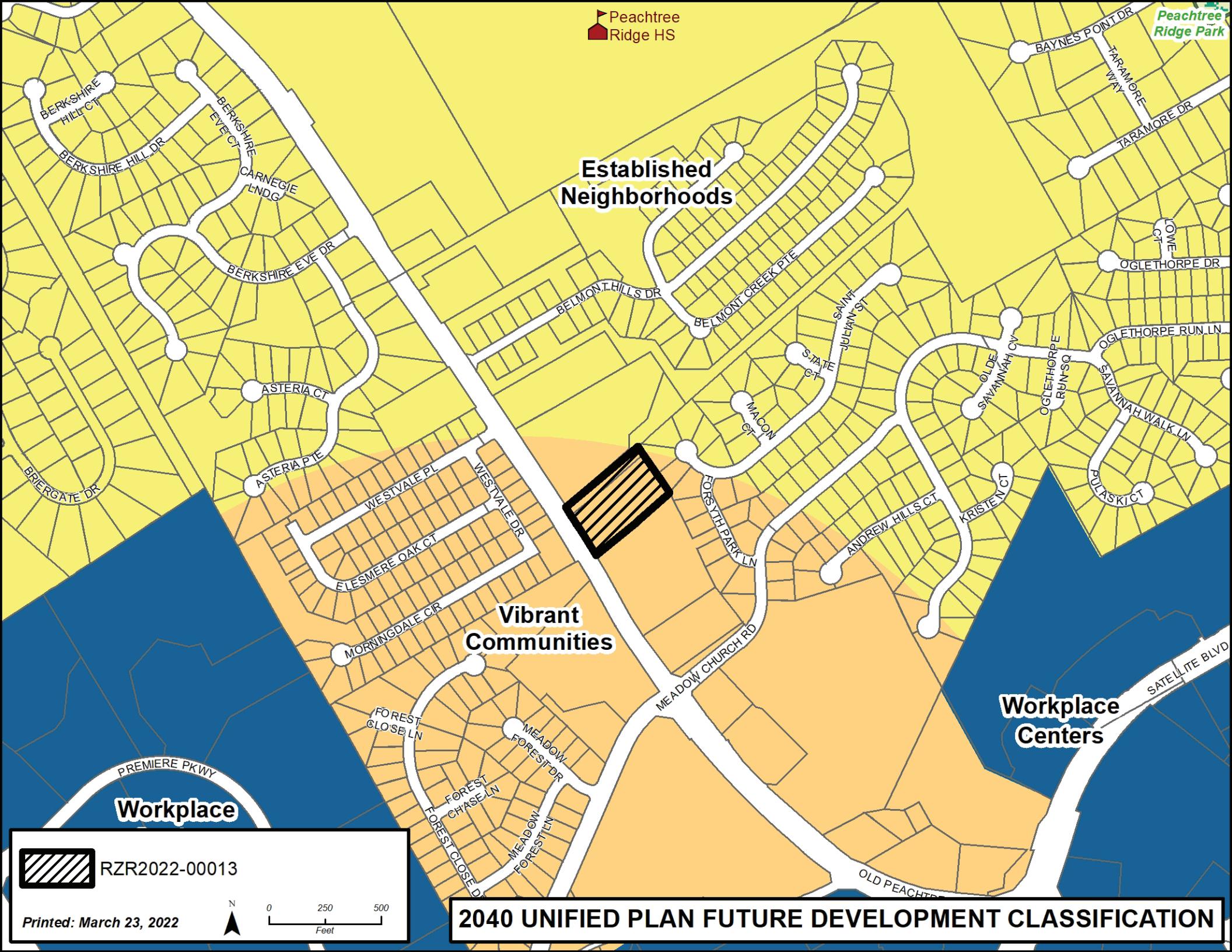
Printed: March 23, 2022



Printed: March 23, 2022

N

SUBJECT SITE AND SURROUNDING ZONING



REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
<p>NAME: Joseph Hahn c/o Alliance Engineering and Planning</p> <p>ADDRESS: 299 South Main Street</p> <p>CITY: Alpharetta</p> <p>STATE: GA ZIP: 30009</p> <p>PHONE: 770-225-4730 ext. 819</p>	<p>NAME: Multiple - Please see attached</p> <p>ADDRESS: _____</p> <p>CITY: _____</p> <p>STATE: _____ ZIP: _____</p> <p>PHONE: 770-225-4730 ext. 819</p>
<p>CONTACT PERSON: Tyler Lasser</p> <p>CONTACT'S E-MAIL: Tylerl@allianceco.com</p>	<p>PHONE: Office: 770-225-4730 ext. 819</p>
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
<p>PRESENT ZONING DISTRICT(S): <u>R-60/ R-100</u></p> <p>PARCEL NUMBER(S): 7156 010, 7156 164</p>	<p>REQUESTED ZONING DISTRICT: <u>R-75</u></p> <p>ACREAGE: <u>2.1</u></p>
<p>ADDRESS OF PROPERTY: <u>1365 Old Peachtree Road</u></p>	
<p>PROPOSED DEVELOPMENT: <u>Single-Family Detached Residential</u></p>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
<p>No. of Lots/Dwelling Units <u>3</u></p>	<p>No. of Buildings/Lots: _____</p>
<p>Dwelling Unit Size (Sq. Ft.): <u>2,700 square feet</u></p>	<p>Total Building Sq. Ft. _____</p>
<p>Gross Density: <u>1.42</u></p>	<p>Density: _____</p>
<p>Net Density: <u>1.42</u></p>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

GWINNETT COUNTY

PLANNING AND DEVELOPMENT

RECEIVED

3/3/2022

Property Owners
(Per County Tax Assessor)

7156 164

BROCK DON L Jr
1867 DRESDEN DR NE
BROOKHAVEN GA 30319-3665

7156 010

DELONG SHEILA ANN
3954 CRAIGWOOD DR
DULUTH GA 30096-2512

Applicant's Letter of Intent

Parcel #7156 010, 7156 010
Rezoning R-100 and R-60 to R-75

The applicant, Joseph Hahn, requests a rezoning on a 2.1-acre lot on Old Peachtree Road between Satellite Boulevard and Sugarloaf Parkway for the purpose of subdividing the property into three (3) lots for new single-family dwellings. To develop the site as proposed, the applicant requests a rezoning from R-100 and R-60 to R-75. At three lots, the development would have a density of 1.42 units per acre.

The R-75 zoning district requires each lot that is served by septic to have a minimum lot size of 25,500 square feet. As proposed, each lot will exceed the size requirement of the R-75 zoning district. Lot 1 will have an area of 30,186 square feet, Lot 2 will have an area of 31,645 square feet, and Lot 3 will have an area of 29,444 square feet.

In addition to establishing large lots, each dwelling will exceed the minimum dwelling size of 1,200 square feet required in the R-75 zoning district. As proposed, each dwelling will have a heated floor area between 2,700 and 3,300 square feet. Each dwelling will be constructed with a mixture of materials, including brick, stone, and stucco, and will include a minimum two-car garage. Home prices will start around \$600,000.

The applicant looks forward to meeting with staff as well as the community to answer all questions or concerns and is excited to be able to provide exceptional homes in a highly desirable section of Gwinnett County. Please refer to the attached documents for additional details regarding the layout and appearance of the proposed single-family detached dwellings.

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

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

Please see attached

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

Please see attached

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

Please see attached

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

Please see attached

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

Please see attached

(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:

Please see attached

Standards Governing the Exercise of the Zoning Power

To further demonstrate that the proposed rezoning and land use is consistent with the intent of the UDO and 2040 Unified Plan, the applicant submits its response to the Standards Governing Exercise of the Zoning Power as follows:

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

Rezoning the subject site to R-75, for the purpose of constructing new single-family dwellings, is a suitable use in relation to the adjacent and nearby properties. Each of the surrounding properties are residentially zoned, most of which have existing single-family dwellings. The adjacent Madison Place at Olde Savannah Square subdivision and the Ashmore subdivision across Old Peachtree Road are both zoned R-60.

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

The proposed rezoning will not adversely affect the use of the surrounding properties. The proposed use, single-family dwellings, is consistent with the area. Each lot will be significantly larger than what is required within the R-75 zoning district, providing a substantial space between the proposed dwellings and those in the adjoining subdivision.

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

Due to the size and location of the property, in addition to the dense residential subdivisions in the area, the applicant believes that the subject property does not have a reasonable economic use as currently zoned. The applicant submits the rezoning would allow for a use more compatible with the surrounding properties.

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

The rezoning will not result in an excessive use of existing streets, transportation facilities, utilities or schools. As proposed, each of the three lots will be significantly larger than what is required in the R-75 district and will have a minimal overall impact on the area.

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

The proposed rezoning is in conformity with the intent of the 2040 Unified Plan. The subject property is located within the Vibrant Communities character area of the 2040 Future Development Map, which encourages single-family residential. The proposed development would be compatible with the surrounding uses and would be the least intense of the encouraged uses for this character area, which includes townhomes and apartments.

(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 pattern of residential infill development in the area, and the proposed development's consistency with the land use and density of the surrounding properties are among reasons for approval of the proposed rezoning.

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

GWINNETT COUNTY

PLANNING AND DEVELOPMENT

RECEIVED

3/3/2022

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 156, 7TH DISTRICT OF GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A PK NAIL AT THE CENTERLINE INTERSECTION OF MEADOW CHURCH ROAD AND OLD PEACHTREE ROAD, THENCE N 26°52'19" W A DISTANCE OF 711.49' TO A FOUND 1/2" REBAR ON THE NORTHEASTERLY RIGHT OF WAY OF SAID OLD PEACHTREE ROAD (R/W VARIES), SAID POINT BEING THE POINT OF BEGINNING FOR THE PARCEL HEREIN DESCRIBED;

THENCE ALONG SAID NORTHEASTERLY RIGHT OF WAY N 33°00'49" W A DISTANCE OF 105.02' TO A POINT;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 105.58', WITH A RADIUS OF 4150.00', WITH A CHORD BEARING OF N 32°19'50" W, WITH A CHORD LENGTH OF 105.58' TO A POINT; THENCE WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 42.55', WITH A RADIUS OF 4150.00', WITH A CHORD BEARING OF N 33°21'12" W, WITH A CHORD LENGTH OF 42.55' TO A POINT;

THENCE LEAVING SAID RIGHT OF WAY N 48°37'24" E A DISTANCE OF 70.00' TO A POINT;

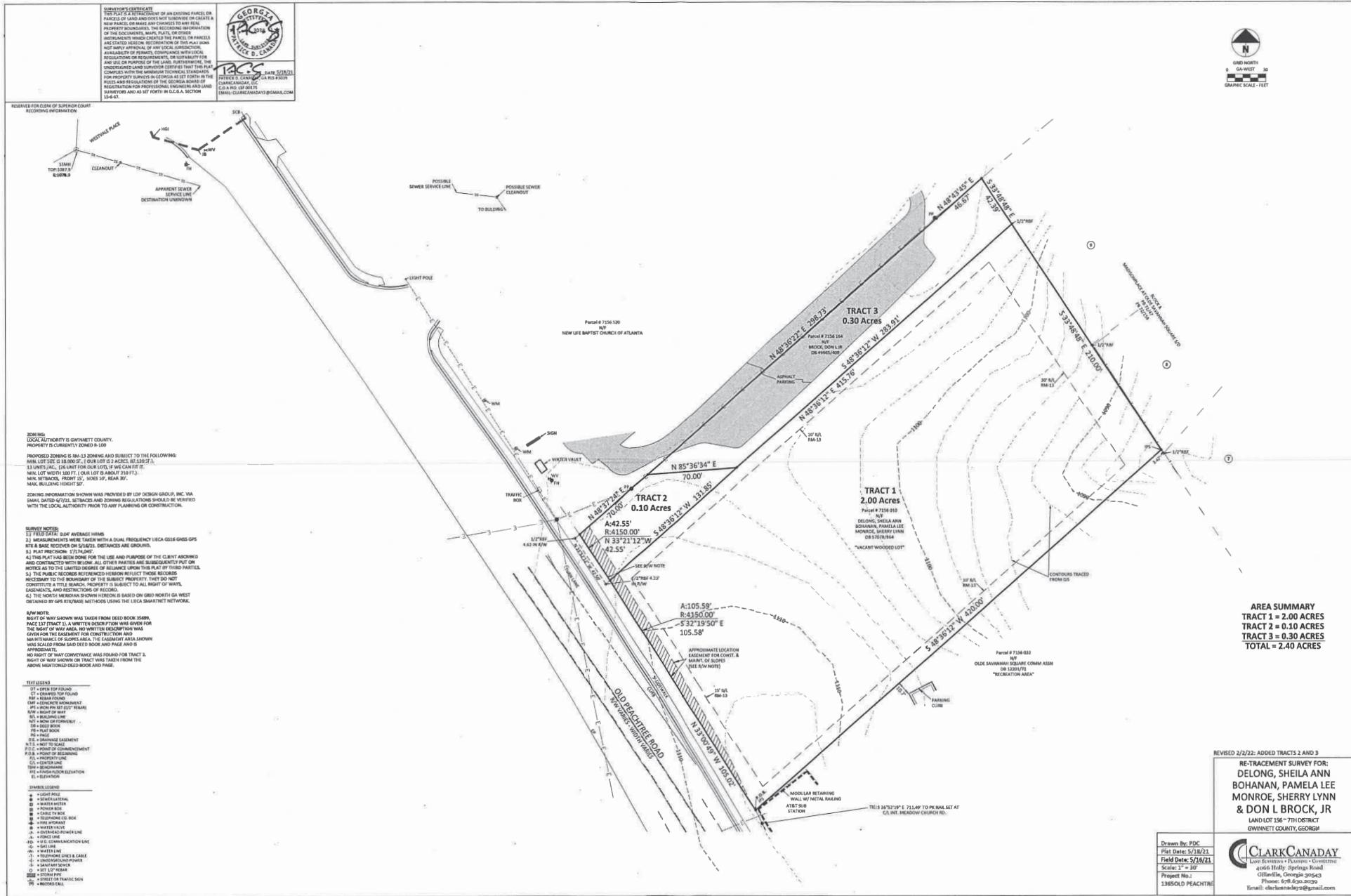
THENCE N 85°36'24" E A DISTANCE OF 70.00' TO A POINT;

THENCE N 48°36'12" E A DISTANCE OF 283.91' TO A FOUND 1/2" REBAR;

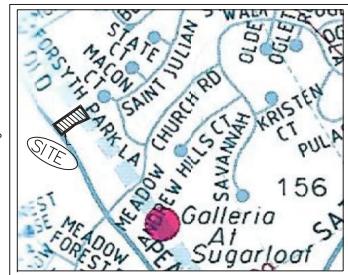
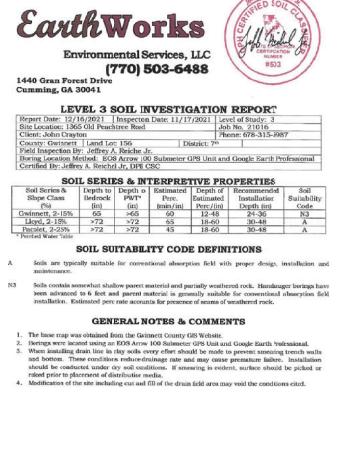
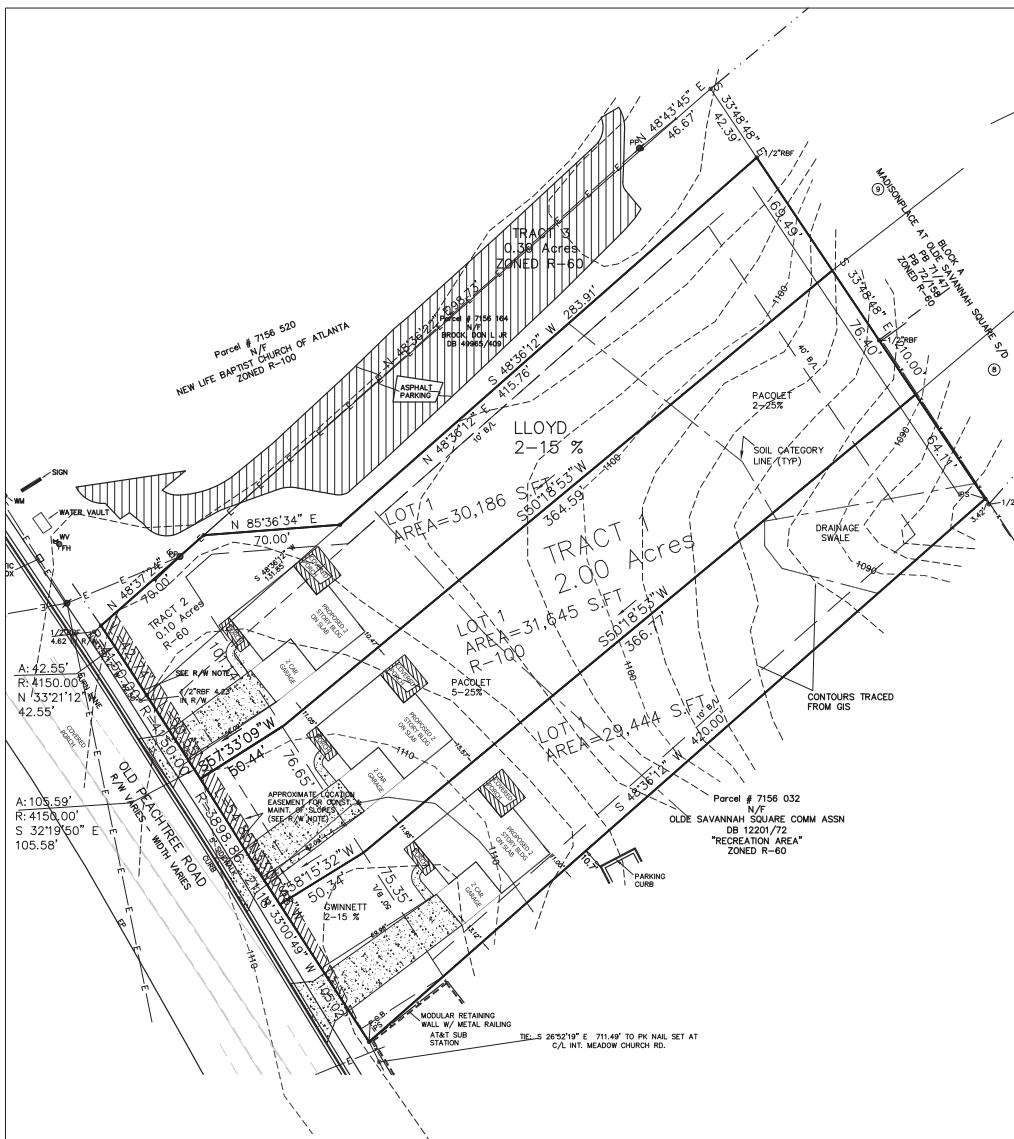
THENCE S 33°48'48" E A DISTANCE OF 210.00' TO A FOUND 1/2" REBAR;

THENCE S 48°36'12" W A DISTANCE OF 420.00' TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.10 ACRES.



03/03/2022



LOCATION MAP (NTS)

ID# 7156-010 & ID# 7156-???

NO.	DATE	REVISIONS	BY	PROJECT NO.	DATE
				DESIGNED BY	AMM 02-08-22
				DRAWN BY	AMM 02-08-22
				CHECKED BY	AMM 02-08-22
				ENGINEER	AMM 02-08-22
				REGISTRATION NO. 21055	DATE 02-08-22



GEORGIA
PROFESSIONAL
ENGINEERING
REGISTRATION
BOARD
OF
THE
STATE
OF
GEORGIA
MAY 1947

PREPARED BY:
MANSUR ENGINEERING, INC.
1810 PEACHTREE INDUSTRIAL BLVD.
SUITE 140
DULUTH, GEORGIA 30097
08-22 Phone: (770) 476-7014 Facsimile: (770) 476-7
MANSRENG@BELLSOUTH.NET

OWNERS/BUILDER
JOSEPH HAHN
3969 GLENVIEW CLUB LANE
DULUTH, GA. 30097
404-641-2282
maconstruction7@gmail.com

REZONING LAYOUT PLAT FOR JOSEPH HAHN 1365 OLD PEACHTREE RD SUWANEE, GA 30024 7TH DIST, LAND LOT 156 GWINNETT COUNTY	SCALE 1" = 30' SHEET NO. 1 OF 1 FILE NO.
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3.3.2022



REZONING APPLICANT'S CERTIFICATION

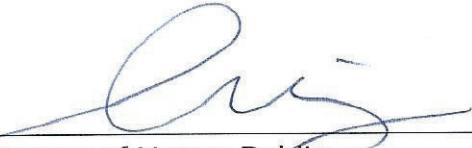
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL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



3-3-22

Signature of Applicant

Date

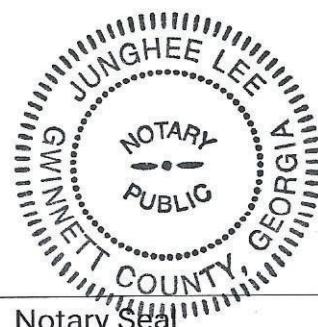

Joseph Hahn

Type or Print Name and Title

3.3.2022

Signature of Notary Public

Date



Exp. Date: June 27, 2022

REZONING PROPERTY OWNER'S CERTIFICATION

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



Signature of Property Owner

Signature of Property Owner

3 | 2 | 2022

Date _____

Don L. Brock

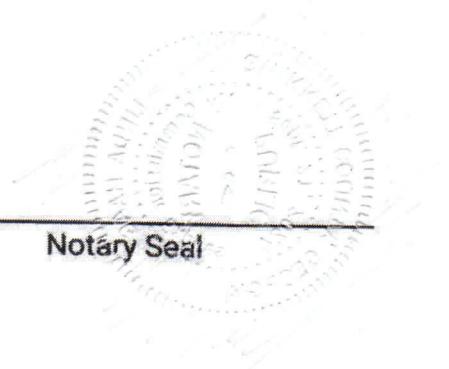
Type or Print Name and Title

Signature of Notary Public

3/2/2022

Date _____

Notary Seal



RECEIVED

3/3/2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021REZONING PROPERTY OWNER'S CERTIFICATION

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ACTION BY THE BOARD OF COMMISSIONERS.

Sherry L. Monroe

3.1.2022

Sheila DeLong

3.1.2022

Tamika Behanan

3.1.2022

Signature of Property Owner

Date

*Sherry L. Monroe**Sheila DeLong**Tamika Behanan*

Type or Print Name and Title

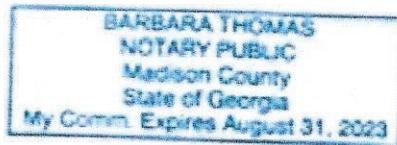
7/2

03/01/2022

Signature of Notary Public

Date

Notary Seal

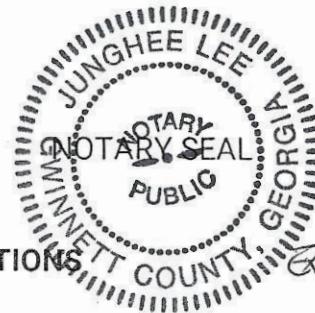
*Barbara Thomas 3/12/22*

CONFFLICT OF INTEREST CERTIFICATION FOR REZONING

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

SIGNATURE OF APPLICANT2/25/2022
DATEJoseph Hahn /APPLICANT
TYPE OR PRINT NAME AND TITLE_____
Tyler Lasser2/25/22
DATETyler Lasser/Applicant's Representative
TYPE OR PRINT NAME AND TITLE_____
SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

TYPE OR PRINT NAME AND TITLE_____
SIGNATURE OF NOTARY PUBLIC2/25/2022
DATEDISCLOSURE OF CAMPAIGN CONTRIBUTIONS

EXPIRE DATE: 06/27/2022

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_____
Joseph Hahn

YOUR NAME

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

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

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

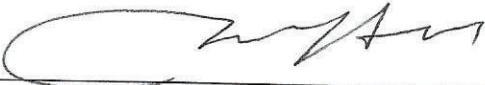
VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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)

07 - 154 - 010
District Land Lot Parcel


Signature of Applicant

3-2-22
Date

Joseph Hahn
Type or Print Name and Title

CEO/55plus homes LLC

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)

Tomia Hammon

NAME

3.2.2022

DATE

TSA

TITLE

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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

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

07 - 156 - 164
District Land Lot Parcel

Signature of Applicant

3-2-22

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)

Tomia Harmon

NAME

3.2.2022

DATE

TSA

TITLE