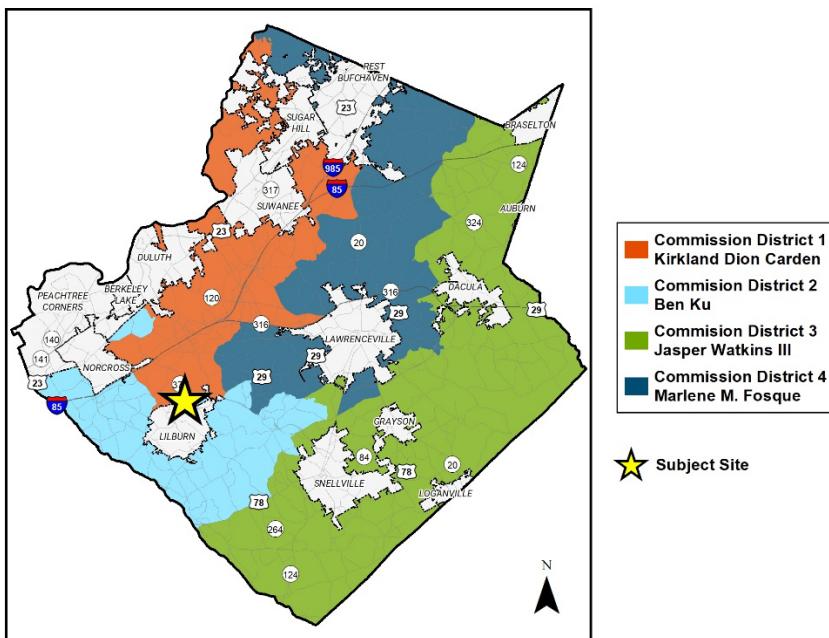




PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number:	RZR2022-00016
Current Zoning:	R-75 (Single-Family Residence District)
Request:	Rezoning to R-TH (Single-Family Residence Townhouse District)
Additional Request:	Buffer Reduction Waiver and Variances Alternate Architectural Design Standards Waiver
Address:	4300 Block of Vernon Street, 4400 Block of Vernon Street, and 4363 Shady Drive
Map Number:	R6158B 005, 006, 007, 008, and 009
Site Area:	5.10 acres
Units:	21
Proposed Development:	Single-Family Detached Subdivision
Commission District:	District 2 - Commissioner Ku
Character Area:	Vibrant Communities
Staff Recommendation:	APPROVAL WITH CONDITIONS
Planning Commission Recommendation:	APPROVAL WITH CONDITIONS AS R-60



Planning Commission Advertised Public Hearing Date: 6/8/2022 (Public Hearing Tabled to 8/2/2022)
Board of Commissioners Advertised Public Hearing Date: 6/28/2022 (Public Hearing Held/Action Tabled to 9/20/2022)

Applicant: Gwinnett County Habitat for Humanity, Inc.
c/o Alliance Engineering and Planning
299 South Main Street
Alpharetta, GA 30009

Owner: Mary Petrich
5416 Sandy Stream Drive
Stone Mountain, GA 30087

Contact: Tyler Lasser

Contact Phone: 770.225.4730 ext. 819

Zoning History

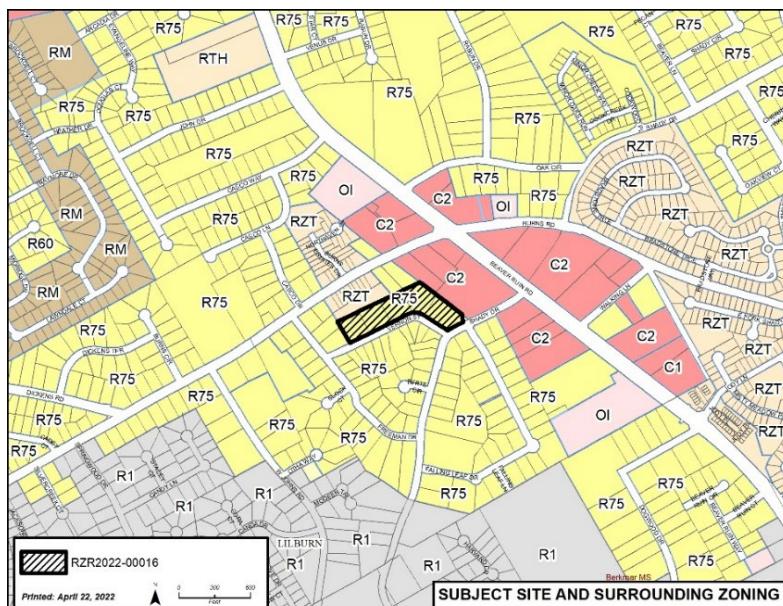
The subject property is zoned R-75 (Single-Family Residence District). No prior zoning requests are on record for this property.

Existing Site Condition

The subject site is a 5.10-acre assemblage of five parcels located along the north side of Vernon Street at its intersection with Shady Drive. One of the five parcels is developed with a single-family residence that appears to be vacant. Access to this parcel is provided via a driveway off Vernon Street. The remaining parcels are wooded and undeveloped. There are no wetlands or streams on the site. The site slopes upward 20 feet from Shady Drive where it flattens out along the parcels fronting Vernon Street. The lots were created as a part of Freeman Acres subdivision recorded in 1960. Vernon Street and Shady Drive are classified as local streets and a sidewalk is not present along either property frontage. The nearest Gwinnett County Transit stop is approximately 0.25 miles from the site.

Surrounding Use and Zoning

The subject site is surrounded by single-family detached homes and commercial developments. Commercial uses are concentrated to the north and east at the intersection of Beaver Ruin Road and



Shady Drive and, Beaver Ruin Road and Burns Road. The following is a summary of surrounding uses and zoning:

Location	Land Use	Zoning	Density
Proposed	Single-Family Residential	R-TH	4.12 units per acre
North	Single-Family Residential	RZT	4.61 units per acre
	Single-Family Residential	R-75	1.25 units per acre
East	Commercial	C-2	N/A
South	Single-Family Residential	R-75	0.99 units per acre
West	Single-Family Residential	R-75	1.39 units per acre

Project Summary

The applicant requests rezoning of a 5.10-acre site from R-75 to R-TH for a single-family detached subdivision, including:

- 21 single-family detached homes with a minimum heated floor area of 1,400 square feet, yielding a net density of 4.12 units per acre.
- Rear loaded double car garages for all dwellings.
- Building materials consisting of painted cementitious lap siding, asphalt shingle roof, and similar materials.
- Four points of access to the site from Vernon Street via 16-foot-wide alleys.
- 23 on-street guest parking spaces along Vernon Street.
- 15% of the total lot area dedicated for common area, located within three pocket parks located throughout the site. All proposed lots would front onto a proposed pocket park.
- A 5-foot-wide sidewalk along Vernon Street and Shady Drive.
- Internal sidewalks providing access to the front of each of the dwellings.
- A mail kiosk located along Vernon Street.
- A stormwater management facility located behind the mail kiosk.
- A 10-foot-wide landscaped buffer with 6-feet-high privacy fence along the western property line and a portion of the northern property line in lieu of the required 30-foot-wide undisturbed zoning buffer adjacent to R-75 zoned property.
- A 10-foot-wide landscape setback along Vernon Street and Shady Drive.

Zoning and Development Standards

The applicant is requesting a rezoning from R-75 to R-TH, Single-Family Residence Townhouse District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Maximum 35'	35'	YES
External Front Yard Setback	Minimum 10'	10'	YES
External Side Yard Setback	Minimum 20'	20'	YES
External Rear Yard Setback	Minimum 20'	7.5'	NO*

Off-Street Parking	Minimum 42 spaces Maximum 126 spaces	84 spaces	YES
Guest Parking	Minimum 0.25 per dwelling or 6 spaces	23 spaces	YES
Zoning Buffer	30' adjacent to R-75	0'	NO**
Maximum Density	8 units per acre	4.12 units per acre	YES
Common Area	15% or 1.20 acres	>15%	YES
Minimum Dwelling Size	1,400 square feet (Two-bedroom unit) 1,600 square feet (Three-bedroom unit) 1,800 square feet (Four-bedroom unit)	1,400 square feet 1,400 square feet 1,400 square feet	YES NO*** NO***
Architectural Design Standards	Design Category 3 - The front, sides, and rear facades of buildings shall have glass, brick, and/or stone finish.	Painted cementitious lap siding, asphalt shingle roof, etc.	NO****

*The applicant proposes a reduction of the required external rear setback from 20 feet to 7.5 feet where the property line is adjacent to C-2 zoned property.

** The applicant proposes a reduction of the required 30-foot-wide zoning buffer to 0 feet adjacent to R-75 zoned properties and instead proposes a 10-foot-wide landscape buffer and 6-foot-high privacy fence.

***The applicant proposes a reduction of the required minimum heated floor area from 1,600 square feet for three-bedroom units and 1,800 square feet for four-bedroom units to 1,400 square feet for both.

****The applicant requests relief from Architectural Design Category 3 of the Unified Development Plan to allow the dwellings to be constructed in general conformance with the submitted elevations.

Waiver Requests

In addition to the rezoning request, the applicant is seeking a waiver from the following provision of Title III of the UDO:

1. Section 610-20.5. Minimum Buffer Requirements:

A. Required buffers shall be provided in conformity [with] Table 610.0 "Table of Minimum Buffer Requirements".

I. A 30-foot undisturbed zoning buffer adjacent to R-75 zoned property.

The applicant requests a reduction of the required 30-foot-wide undisturbed zoning buffer along the western property line and along a portion of northern property line to 0 feet. The applicant proposes a 10-foot-wide landscaped buffer with a 6-foot-high privacy fence, in lieu of the required undisturbed zoning buffer.

Variance Requests

In addition to the rezoning request, the applicant is seeking variances from the following provisions of Title II of the UDO:

1. Section 210-100. Site and Architectural Design Standards:

A. Within the R-TH Single-Family Residence Townhouse District, the following requirements shall be met:

A 20-foot side and rear yard external setback is required for R-TH zoned property.

The applicant proposes to reduce the required external rear setback from 20 feet to 7.5 feet along the northeast portion of the rear boundary where the property is adjacent to C-2 zoned property.

2. Section 230-10. Dimensional Standards of Zoning Districts:

A. Required heated floor areas shall be provided in conformity [with] Table 230.2 "Minimum Heated Floor Area per Unit for RM, HRR, R-SR, and R-TH Zoning Districts".

A minimum heated floor area of 1,600 square feet for a three-bedroom unit is required for R-TH zoned property.

A minimum heated floor area of 1,800 square feet for a four-bedroom unit is required for R-TH zoned property.

The applicant proposes to reduce the required minimum heated floor area for three-bedroom (1,600 square feet) and four-bedroom units (1,800 square feet) to 1,400 square feet.

Alternate Architectural Design Standards

In addition to the rezoning request, the applicant is seeking waiver from the following provisions of Title III of the UDO:

1. Appendix 1.0 3.0.0 Site and Architectural Design Standards:

A. Within the Category 3 for Single-Family Residence Townhouse District, the following requirements shall be met:

The front facades shall have a minimum of 50 percent brick or stone finish on each elevation. The balance of the façade may be finished with stucco/EIFS, wood siding, wood shakes, or fiber cement type siding. The front, sides, and rear facades shall incorporate changes in building material, texture, and color. The front façade design shall include at least two of the following elevation features: • Shutters • Covered porches • Bay windows • Roof eave brackets • Cornice • Architectural entrance door surround

The applicant proposes a façade consisting of painted cementitious lap siding, asphalt shingle roof, and similar materials.

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, the 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 residentially zoned property on three sides and commercially zoned properties on one side. The adjacent property to the north is zoned RZT. It is developed with a detached single-family subdivision with a similar density as proposed for the subject property. Properties on the south side of Vernon Street, are zoned R-75 and are being constructed with new single-family homes. To the east, the properties are developed with medium scale commercial uses such as a multi-tenant shopping center with a supermarket, restaurant, and hair salon. Therefore, the proposed zoning will permit a use that is suitable in view of the use and development of the adjacent and nearby property.

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 to R-TH. The immediate area is characterized by single story and split-level detached homes. New, larger homes are currently under construction across the street from the subject site which are significantly larger than the proposed dwellings. However, most of the older homes in the area are under 2,000 square feet and more aligned with the size of the proposed subdivision. Further, the proposed development is similar in density to the adjacent subdivision fronting Burns Road.

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

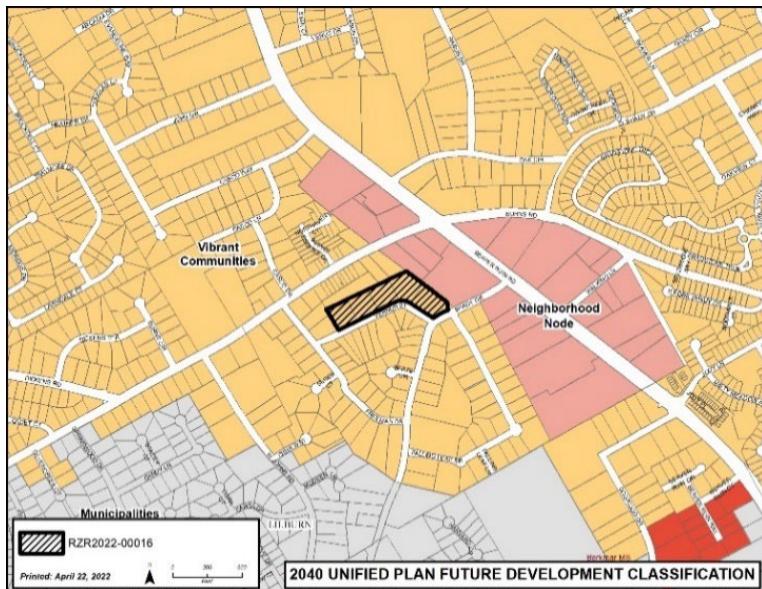
The property has a reasonable economic use as currently zoned.

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.

Impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. An impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this rezoning request is 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 property is within the Vibrant Communities Character Area, which is intended as a buffer between neighborhood nodes/mixed-use areas and the larger, established residential areas. Single-family residential development is one of the potential development types in this Character Area. The proposed detached single-family development aligns with the Unified Plan recommendations and would be consistent with the development patterns of the surrounding area. The adjacent commercial development includes sidewalks along Shady Drive. The proposed development would extend the sidewalk along Shady Drive and provide sidewalks along Vernon Street creating a more pedestrian-friendly environment. Therefore, the proposed rezoning would be consistent 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 subject site is surrounded by single-family detached homes. Rezoning the property to R-TH allows for a denser development, while still maintaining the single-family detached character of the area. The properties on the south side of Vernon Street are being developed with detached single-family homes. The properties to the north are developed with detached single-family homes, with a similar density to the proposed density of the subject property. The proposed pocket parks within the development would provide a sense of community to the residents by offering accessible open space. As recommended in the Unified Development Plan, the proposed development would provide a transition from the commercial corridor along Beaver Ruin Road to the existing neighborhoods to the west, which gives supporting grounds for approval of the proposed rezoning.

Waiver Request Analysis: When considering waivers from Title III of the UDO, staff is required to review whether an undue hardship may result from strict compliance with the regulations and that approval would not adversely affect the general public welfare or nullify the intent of the Development Regulations. In addition, there must be a determination that there are unusual topographical or other exceptional conditions. Staff makes the following findings related to the waiver request:

The western property line and a portion of northern property line is adjacent to R-75. The applicant requests a reduction of the required 30-foot-wide undisturbed zoning buffer to 0 feet and proposes a 20-foot-wide setback including a 10-foot-wide landscape buffer with a 6-foot-high privacy fence. The two parcels on the northeastern side that are zoned R-75 currently contain single-family residences. Both parcels have established vegetation along the rear property line which would effectively screen the proposed development. The adjacent R-75 zoned parcels to the west are also developed with single family homes. The proposed rezoning is for single-family detached homes, which negates the necessity of extensive zoning buffers typically required for attached housing types. Therefore, reducing the buffer would likely not adversely affect the general public welfare or nullify the intent of the Development Regulations.

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

1. Variance is to reduce the required external rear setback from 20 feet to 7.5 feet along the eastern portion of the rear boundary. The subject property has a peculiar condition from other properties that would justify a variance because of the irregular shape of the lot. Also, the site has relatively narrow width. The irregular shape, in combination with narrower width, creates a hardship for development. This condition was not created due to the action of the property owner. Therefore, the requested variance meets the criteria outlined in Section 270-100.7 of the Unified Development Ordinance.
2. Variance to reduce the required minimum heated floor area from 1,600 square feet for three-bedroom and 1,800 square feet for four-bedroom to 1,400 square feet for both. This variance would allow for smaller units to support affordable housing. The subject property has a peculiar condition from other properties that would justify a variance because of the irregular shape of the lot. Also, the site has relatively narrow width. The irregular shape in combination with narrower width creates a hardship for development. The condition is a natural hardship and is not created due to the action of the property owner. Therefore, the requested variance meets the criteria outlined in Section 270-100.7 of the Unified Development Ordinance. In addition, the requested variance would still allow for single family detached development which will not be opposed to the general spirit and intent of Title 2 of the UDO or the purpose and intent of the Gwinnett County Unified Plan.

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 recommends **APPROVAL** of the following waiver:

1. To reduce the required 30-foot-wide undisturbed zoning buffer along the western property line and along a portion of northern property line to 0 feet.

Staff recommends **APPROVAL** of the following variance:

1. To reduce the required external rear setback from 20 feet to 7.5 feet along the northeast portion of the rear boundary where the property is adjacent to C-2 zoned property.
2. To reduce the required minimum heated floor area for three-bedroom (1,600 square feet) and four-bedroom units (1,800 square feet) to 1,400 square feet.

Staff recommends **APPROVAL** of the following waiver:

1. The applicant proposes a façade consisting of painted cementitious lap siding, asphalt shingle roof, and similar materials.

Planning Commission Recommendation

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

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

1. To reduce the required external rear setback from 20 feet to 7.5 feet along the northeast portion of the rear boundary where the property is adjacent to C-2 zoned property.
2. To reduce the required minimum heated floor area for three-bedroom (1,600 square feet) and four-bedroom units (1,800 square feet) to 1,400 square feet.

In addition, the Planning Commission recommends **DENIAL** of the following waiver:

1. The applicant proposes a façade consisting of painted cementitious lap siding, asphalt shingle roof, and similar materials.

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

Approval as ~~R-TH (Single-Family Residence Townhouse District)~~ for townhouses **R-60 (Single-Family Residence District)**, for single-family dwelling subject to staff's conditions with the following conditions:

1. ~~The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received May 6, 2022, and Exhibit C: Building Elevations dated received April 28, 2022, with revisions required by conditions of approval and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.~~
1. **The proposed development shall be constructed in general conformance with the Site Plan and elevations presented at the August 2, 2022, Planning Commission meeting, with revisions required by conditions of approval and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.**

2. Uses shall be limited to single-family detached houses and accessory uses, not to exceed 21 ~~14~~ units.
3. Natural vegetation shall remain on the property until the issuance of a development permit
4. All grassed areas shall be sodded.
5. Stormwater BMP facilities shall be screened from view of adjoining properties and rights of way by decorative fencing or landscaping that is in compliance with Gwinnett County Stormwater Management Manual, subject to review and approval by the Department of Planning and Development.
6. ~~The number of curb cuts on Vernon Street shall not exceed four.~~
6. **The number of curb cuts on Vernon Street shall be subject to review and approval of Gwinnett County Department of Transportation.**
7. ~~The side of units oriented towards Vernon Street shall be designed architecturally as front facades, subject to review and approval by the Department of Planning and Development.~~
7. **Provide a 30-foot construction buffer adjacent to the property lines to the rear of all lots.**
8. ~~The developer shall widen Vernon Street to a minimum of 33 feet in order to accommodate the on-street parking. The 33 feet shall include the minimum road width of 24 feet and 9 feet for on street parallel parking.~~

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
- G. Site Plan Presented at the Planning Commission Meeting on August 2, 2022

Exhibit A: Site Visit Photos

[attached]



View of the site



View of the site



View of the site along Vernon Street



View of the site from Shady Drive

Exhibit B: Site Plan

[attached]

Exhibit C: Building Elevations

[attached]

RECEIVED

4/28/2022



HABITAT HOMES
LILBURN GEORGIA

bc a BCA-STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

RECEIVED



HABITAT HOMES
LILBURN GEORGIA

BCA STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

RECEIVED



HABITAT HOMES
LILBURN GEORGIA

BCA STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

RECEIVED

4/28/2022



HABITAT HOMES
LILBURN GEORGIA

BCA-STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

RECEIVED

4/28/2022



HABITAT HOMES
LILBURN GEORGIA

BCA-STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

RECEIVED

4/28/2022



HABITAT HOMES
LILBURN GEORGIA

BCA-STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

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

[attached]

RECEIVED

5/6/2022

Applicant's Letter of Intent

Parcel #6158B 005, 6158B 006, 6158B 007, 6158B 008, 6158B 009

Rezoning R-75 to R-TH (Detached Dwellings)

The applicant, Gwinnett County Habitat for Humanity, requests to rezone the subject site located on Vernon Street for the purpose of subdividing the property into 21 lots for new and owner-occupied affordable single-family detached dwellings. To develop the site as proposed, the applicant requests a rezoning from R-75 to R-TH. At 21 lots, the development will have a density of 4.12 units per acre. As proposed each house will have a rear-entry two-car garage that is accessible via alley off Vernon Street. The front of each home will overlook pedestrian-friendly pocket parks with added sidewalks, providing a safe environment for residents to walk and spend time outdoors. Each dwelling will have a heated floor area starting at 1,400 square feet, meeting and/or exceeding the minimum requirement for R-75 zoned dwellings. Exteriors will be constructed with a variety of materials and unique architectural features to complement the existing homes in proximity. The subject site is within the Vibrant Communities character area of the 2040 Comprehensive Plan, which encourages small lot single-family residential development. The proposed development is consistent with the intent of the character area as it provides a natural transition from the commercial corridor of Beaver Ruin Road and the existing neighborhoods to the west. Habitat for Humanity provides their homeowners with valuable financial education and quality homes with an affordable mortgage. Many homeowners spend hours of their time alongside volunteers working with Habitat to continue providing affordable housing in their communities. Concurrently with the rezoning request, the applicant requests variances to reduce the required buffer to a 10-foot landscape strip with a 6-foot privacy fence where adjacent to R-75 zoning and to reduce the exterior rear setback from 20 feet to 7.5 feet where adjacent to C-2 zoning. Additionally, the applicant requests to reduce the minimum floor area for 3 and 4-bedroom units to 1,400 square feet, and requests relief from the architectural design category 3 to allow the dwellings to be constructed in general conformance with the submitted elevations.

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 detached dwellings.

RECEIVED

4/28/2022

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:

The subject site is mostly surrounded by single-family residential (R-75 and RZT), except for the commercial node on Beaver Ruin Road. Rezoning the subject site to R-TH, for the purpose of constructing new single-family dwellings, is a suitable use in relation to the adjacent and nearby properties.

(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.

(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 north of the site, 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.

(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 attached 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.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

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.

Exhibit E: Internal and External Agency Review Comments

[attached]



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

TRC Meeting Date: 5.18.22		
Department/Agency Name: Transportation		
Reviewer Name: Brent Hodges		
Reviewer Title: Construction Manager 1		
Reviewer Email Address: Brent.Hodges@gwinnettcounty.com		
Case Number: RZR2022-00016		
Case Address: 4363 Shady Drive and 742 Freeman Drive		
Comments: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	Shady Drive, Freeman Drive, and Vernon Street are all local streets. Only Shady Drive has a listed ADT, which is 4,135.	
2	0.25 miles to the nearest transit facility (#2334919) located at Burns Road and Beaver Ruin Road (Chevron).	
3	A 5' sidewalk will be required along the property frontage, including the portion of frontage that is shown along Shady Drive.	
4	Prior to the issuance of a Development Permit, a sight distance certification shall be provided.	
5		
6		
7		
Recommended Zoning Conditions: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
1	In order to accommodate the on-street parking that is shown, the developer shall widen Vernon Street to a minimum of 33 feet where on-street parking is shown. This would account for the minimum road width of 24 feet as well as an additional 9 feet for on-street parallel parking.	
2		
3		
4		
5		
6		
7		

Note: Attach additional pages, if needed

Revised 7/26/2021

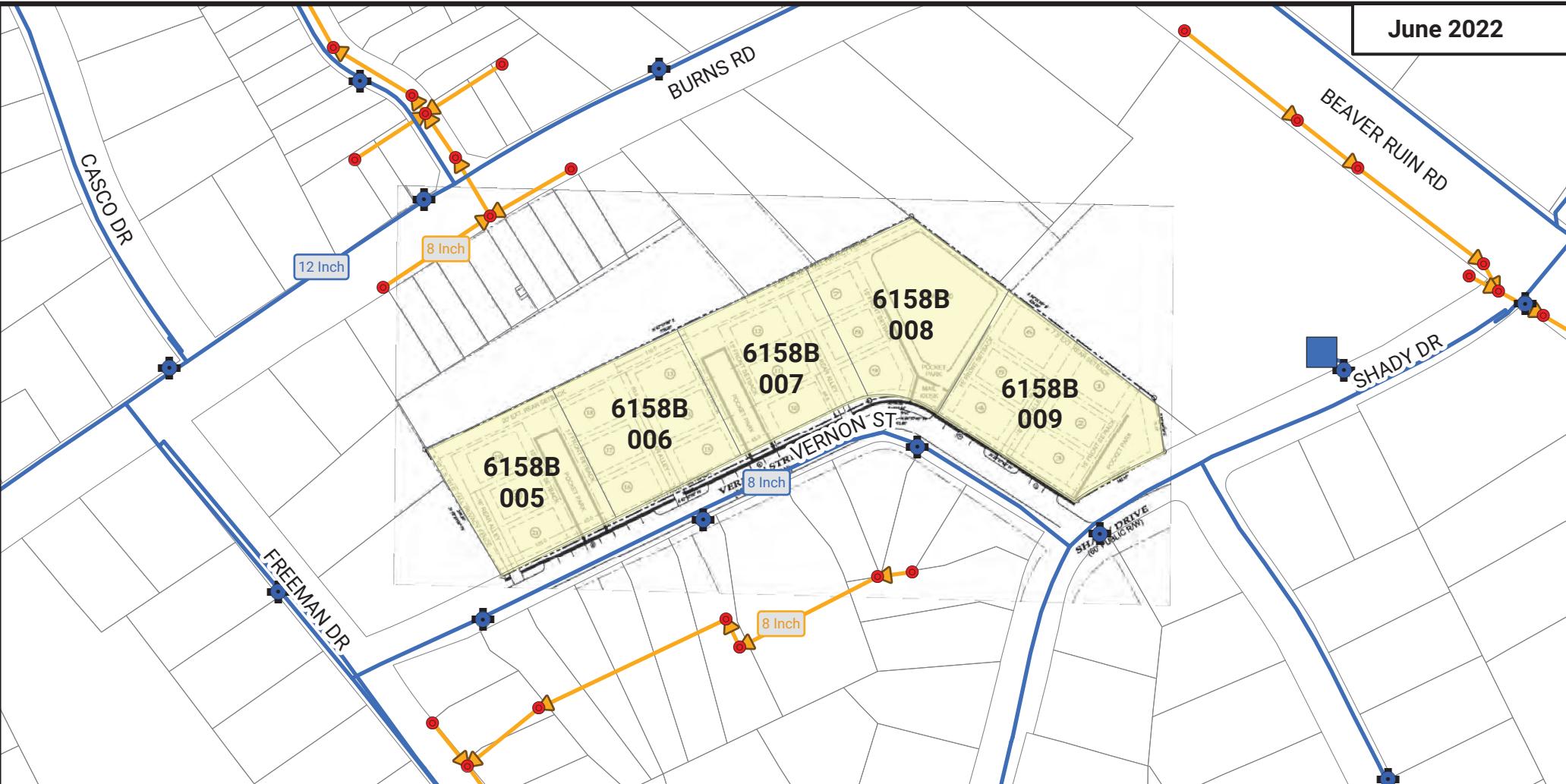


Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		Wednesday, May 18, 2022			
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		Michael.Pappas@gwinnettcounty.com			
Case Number:		RZR2022-00016			
Case Address:		4363 Shady Drive and 742 Freeman Drive			
Comments:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
1	Water: The development may connect to an existing 8-inch water main located on the south right-of-way of Vernon Street.				
2	Sewer: A Sewer Capacity Certification is required to confirm capacity.				
3	Sewer: Pending available sewer capacity, the development may be able to connect to an 8-inch sanitary sewer main located approximately 250 feet south of Vernon Street.				
4	Sewer: Easements may be required to access this sewer.				
5					
6					
7					
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021



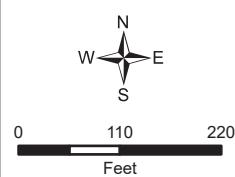
LEGEND

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

RZR2022-00016

R-75 to R-TH

Water & Sewer Utility Map



LOCATION



Water Comments: The development may connect to an existing 8-inch water main located on the south right-of-way of Vernon Street.

Sewer Comments: A Sewer Capacity Certification is required to confirm capacity. Pending available sewer capacity, the development may be able to connect to an 8-inch sanitary sewer main located approximately 250 feet south of Vernon Street. Easements may be required to access this sewer.

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

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

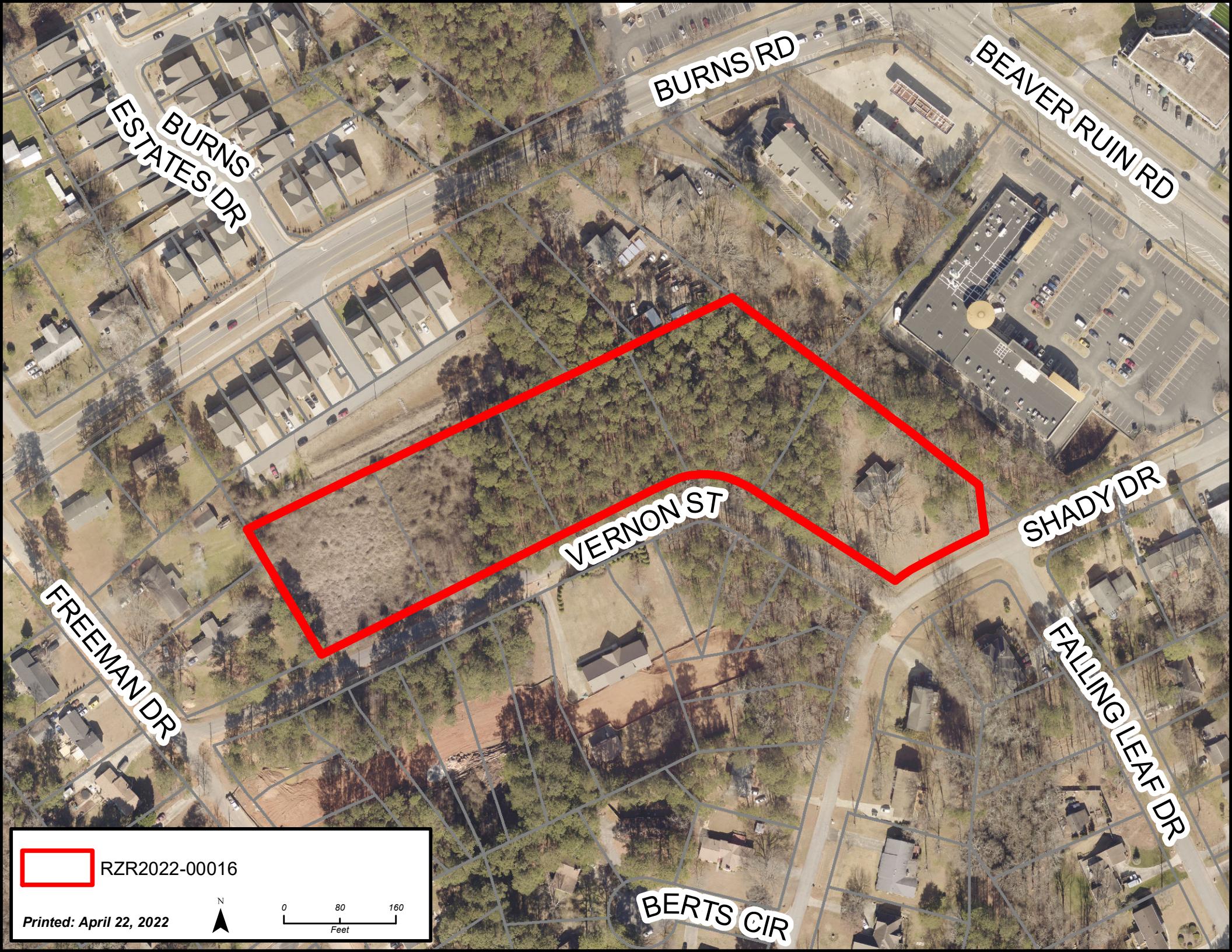
Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications,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

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

Residential Rezoning Impact on Local Schools Prepared for Gwinnett County BOC, June, 2022												Proposed Zoning
	School	Forecast	2022-23 Capacity	+/- Cap.	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments	
CIC2022-00016	Parkview HS	3,208	2,900	308	3,240	2,900	340	3,224	2,900	324	25	
	Trickum MS	2,160	1,775	385	2,182	1,775	407	2,170	1,775	395	18	
	Mountain Park ES	618	450	168	609	450	159	621	450	171	32	
RZM2022-00019	South Gwinnett HS	2,735	2,750	-15	2,790	2,750	40	2,832	2,750	82	5	
	Snellville MS	913	1,625	-712	922	1,625	-703	931	1,625	-694	4	
	Norton ES	946	1,300	-354	955	1,300	-345	965	1,300	-335	6	
RZM2022-00021	Collins Hill HS	2,730	2,625	105	2,773	2,625	148	2,800	2,625	175	29	
	Creekland MS	1,911	2,100	-189	1,892	2,100	-208	1,915	2,100	-185	21	
	Walnut Grove ES	789	1,200	-411	801	1,200	-399	813	1,200	-387	38	
RZM2022-00022 & RZM2022-00023	Peachtree Ridge HS	3,262	3,050	212	3,295	3,050	245	3,271	3,050	221	16	
	Northbrook MS	882	1,025	-143	870	1,025	-155	879	1,025	-146	12	
	Jackson ES	1,426	1,475	-49	1,440	1,475	-35	1,455	1,475	-20	21	
RZR2022-00011	Mill Creek HS	2,915	2,800	115	2,633	2,800	-167	2,596	2,800	-204	2	
	Osborne MS	1,658	1,575	83	1,646	1,575	71	1,671	1,575	96	1	
	Duncan Creek ES	1,319	1,300	19	1,345	1,300	45	1,372	1,300	72	2	
RZR2022-00014	South Gwinnett HS	2,735	2,750	-15	2,790	2,750	40	2,832	2,750	82	20	
	Grace Snell MS	1,262	1,200	62	1,281	1,200	81	1,300	1,200	100	14	
	Rosebud ES	959	1,200	-241	968	1,200	-232	983	1,200	-217	26	
RZR2022-00016	Berkmar HS	3,034	2,925	109	3,140	2,925	215	3,234	2,925	309	5	
	Berkmar MS	1,135	1,100	35	1,122	1,100	22	1,097	1,100	-3	4	
	Hopkins ES	1,064	1,500	-436	1,047	1,500	-453	1,035	1,500	-465	7	
RZR2022-00017	Dacula HS	2,565	2,550	15	2,670	2,550	120	2,748	2,550	198	21	
	Dacula MS	1,852	1,900	-48	1,906	1,900	6	1,962	1,900	62	15	
	Mulberry ES	750	975	-225	773	975	-202	796	975	-179	27	
RZR2022-00018	South Gwinnett HS	2,735	2,750	-15	2,790	2,750	40	2,832	2,750	82	13	
	Snellville MS	913	1,625	-712	922	1,625	-703	931	1,625	-694	10	
	Norton ES	946	1,300	-354	955	1,300	-345	965	1,300	-335	18	

Exhibit F: Maps

[attached]

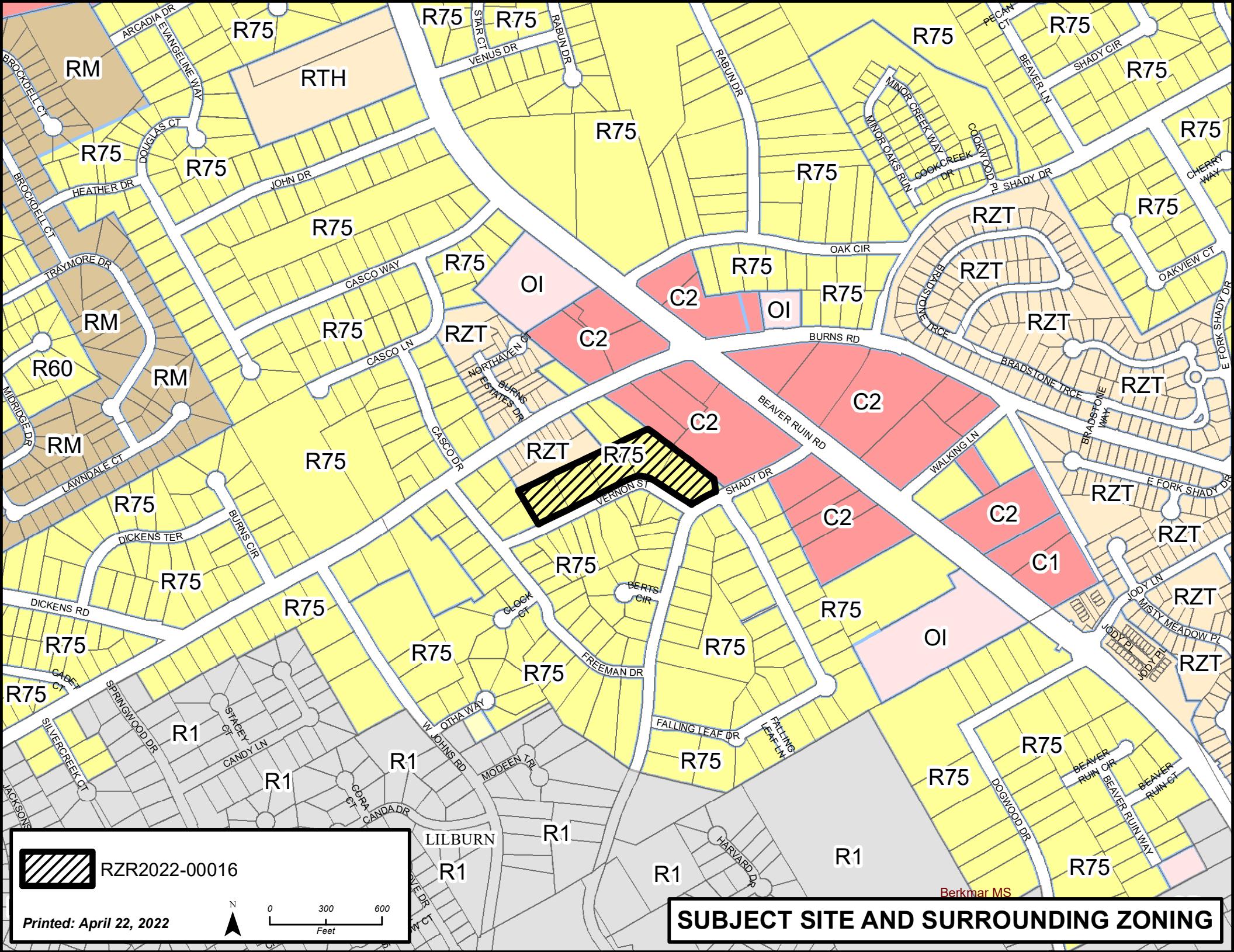


RZR2022-00016



0 80 160
Feet

Printed: April 22, 2022



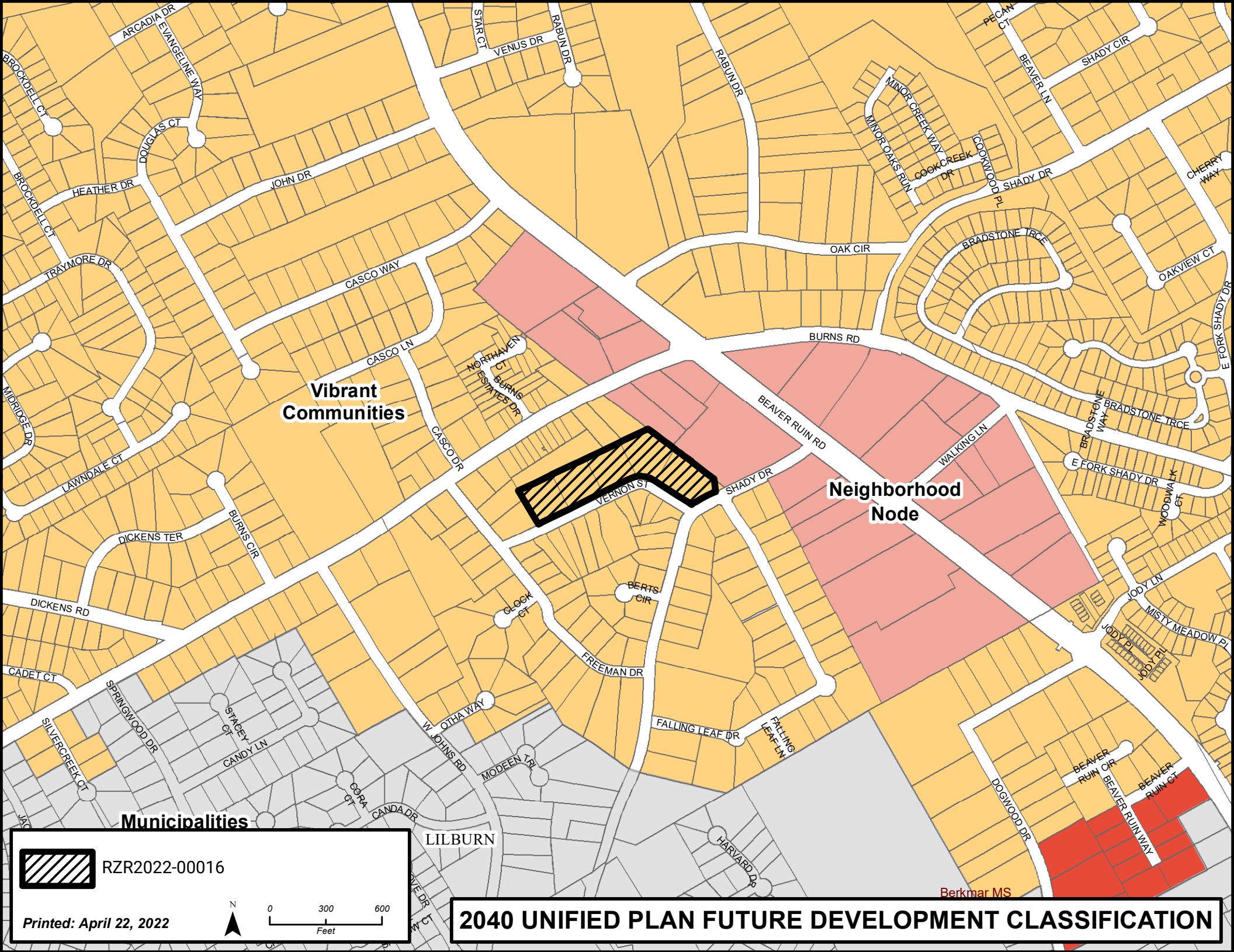
RZR2022-00016

2

A horizontal number line starting at 0 and ending at 600. There is a tick mark at 300, with the label "East" written below the line under the tick mark.

Printed: April 22, 2022

SUBJECT SITE AND SURROUNDING ZONING



**Exhibit G: Site Plan Presented at the Planning Commission Meeting on August 2,
2022 [attached]**

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

8/2/2022

LOTS SHOWN HEREON
LOTS 1-14 SHOWN HEREON ARE PROPOSED. THE PROPERTY
LIES IN THE RIVERBEND FOUR PARCELS AND THE BOUNDARY SHOWN
HEREON ARE BASED OFF A FIELD SURVEY BY ALLIANCE

THIS PLAN IS CONCEPTUAL IN NATURE AND DOES NOT CONSTITUTE APPROVAL FOR
CONSTRUCTION OR DEVELOPMENT. ADDITIONAL REGULATIONS SHALL APPLY PRIOR TO PERMIT
ISSUANCE.
NO STREAMS OR WETLANDS APPEAR ON THE SUBJECT PROPERTY.
TOPOGRAPHY IS PER GIS.
NO FLOODPLAINS APPEAR ON THE SUBJECT PROPERTY.
THE PROPERTY BOUNDARY SHOWN HEREON IS BASED ON THE RECORDED PLAT AND HAS NOT
BEEN VERIFIED OR RESURVEYED.

THIS BLOCK RESERVED FOR THE
SUPERIOR COURT

PROPERTY ADDRESS:
742 STREAM DRIVE
LILBURN, GA 30057
(4 PARCELS W/ SAME ADDRESS PER GIS)

4363 SHADY DR.
LILBURN, GA 30047

PROPERTY OWNERS:
PID: 61588 005 - MARY PETRICH
PID: 61588 006 - MARY PETRICH
PID: 61588 007 - MARY PETRICH
PID: 61588 008 - MARY PETRICH
PID: 61588 009 - MARY PETRICH

UTILITIES:
THE DEVELOPER SHALL BE RESPONSIBLE FOR
ANY CONFLICTS WITH EXISTING UTILITIES.

SURVEY DATA:
BOUNDARY INFORMATION IS BASED ON THE
RECORDED PLAT AND NOT THE EXISTING
SUBDIVISION AS RECORDED IN PLAT BOOK H,
PAGE 297 AND RECORDED ON 11-03-1960.

GIS DATA:

TOPOGRAPHIC INFORMATION BASED ON
GWINNETT COUNTY GIS DATA

PLAN NOTE:
THIS PLAN IS CONCEPTUAL IN NATURE AND DOES
NOT CONSTITUTE APPROVAL FOR CONSTRUCTION
OR DEVELOPMENT. ADDITIONAL REGULATIONS
SHALL APPLY PRIOR TO PERMIT ISSUANCE.

CANOPY:

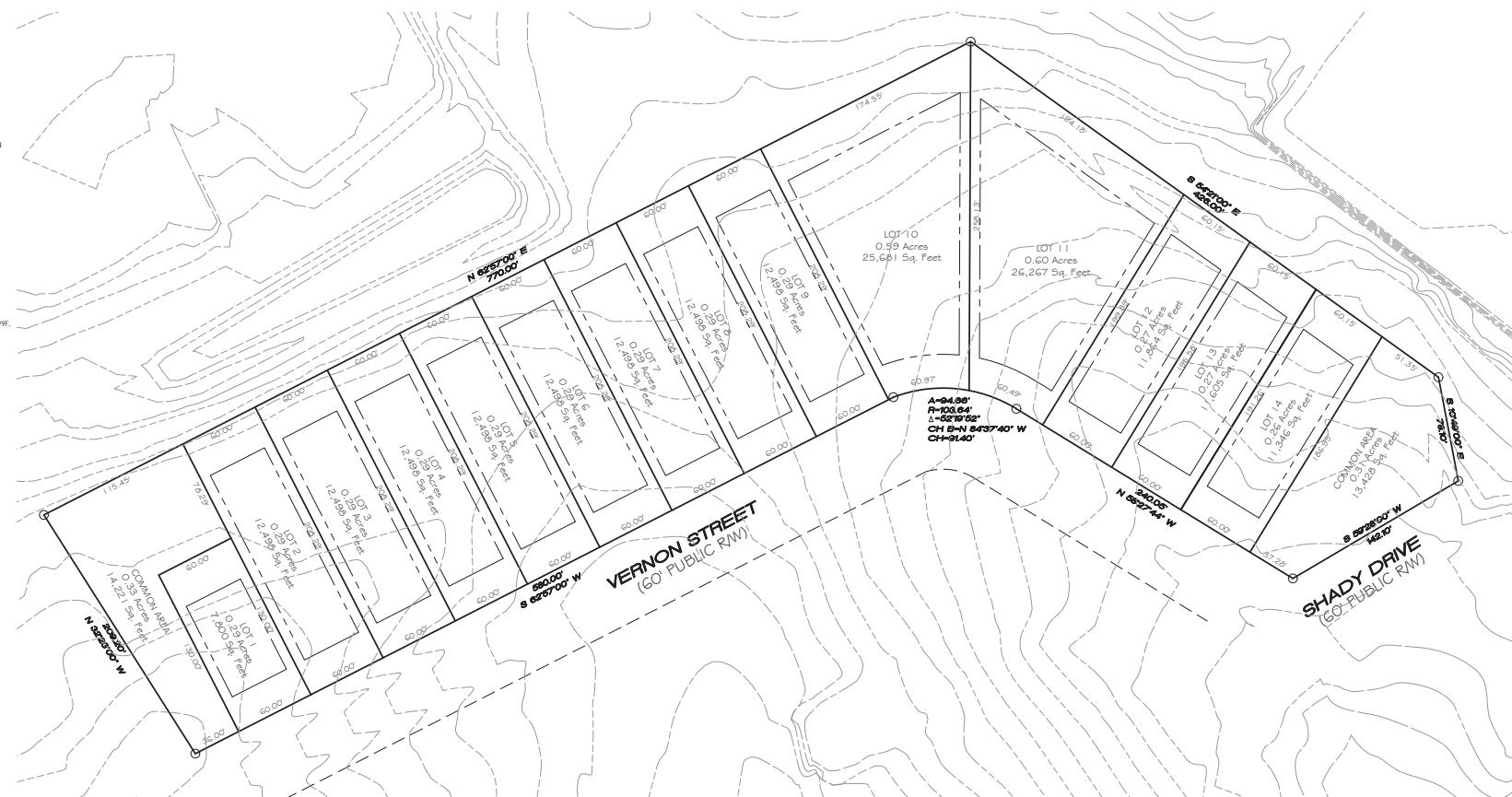
EXISTING TREE CANOPY COVERS A PORTION OF
THE SITE.

SEWER NOTE:
THESE LOTS WILL BE TIED INTO A PUBLIC SEWER
SYSTEM.

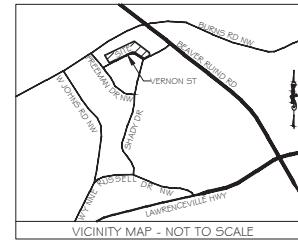
WATER NOTE:
EXISTING WATER LINE LOCATED WITHIN VERNON
STREET RIGHT OF WAY AND PROVIDED BY
GWINNETT COUNTY.

VARIANCES:
NO VARIANCES ARE REQUESTED AT THIS TIME.

FEMA NOTE:
THE PROPERTY IS NOT LOCATED IN A FEMA FLOOD
HAZARD AREA AS PER FEMA PANEL NO. 13130C009F,
DATED SEPTEMBER 29, 2004.



0 40 80 120
1 INCH = 40 FEET



ALLIANCE
LAND SURVEYING

4525 GA-55, SUITE 100
BUTIFORD, GEORGIA 30513
678-626-9424 | WWW.AFSATL.COM

LOCATED IN:
LAND LOT 158
8TH DISTRICT
GWINNETT COUNTY, GEORGIA
PROPOSED SITE PLAN
VERNON STREET
LILBURN, GEORGIA
FOR HABITAT FOR HUMANITY

ISSUE DATE	DATE	DESCRIPTION
10/10/2022	10/10/2022	REVISION
10/10/2022	10/10/2022	REV. 3
10/10/2022	10/10/2022	REV. 4
10/10/2022	10/10/2022	REV. 5
10/10/2022	10/10/2022	REV. 6

DRAFTED BY: DLA
CHECKED BY: DLA
PROJECT #: 20000



Underground utilities are shown in an approximate location and are not to scale. The owner of the property is responsible for the exact location of all existing underground utility lines. It is the responsibility of the contractor to fully investigate the exact location of all existing underground utility lines before commencing any work. Contractors failing to do so may be liable for damages to existing utility lines.

Copyright 2022 Alliance Surveying LLC. All rights reserved. This document is a survey instrument and is not a legal document. It is the responsibility of the surveyor to verify the survey results with the property owner and the appropriate county or city surveyor. It is the responsibility of the surveyor to verify the survey results with the property owner and the appropriate county or city surveyor.

SHEET NO. 1 OF 1

RECEIVED

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

4/28/2022

REZONING APPLICATION

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Gwinnett County Habitat for Humanity, Inc. c/o Alliance Engineering and Planning	NAME: Mary Petrich
ADDRESS: 299 S. Main Street	ADDRESS: 5416 Sandy Stream Drive
CITY: Alpharetta	CITY: Stone Mountain
STATE: GA ZIP: 30009	STATE: GA ZIP: 30087
PHONE: 770-225-4730 ext. 819	PHONE: 770-225-4730 ext. 819
EMAIL: Tylerl@allianceco.com	EMAIL: _____
CONTACT PERSON: Tyler Lasser	PHONE: 770-225-4730 ext. 819
CONTACT'S E-MAIL: Tylerl@allianceco.com	_____
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICT(S): R-75 REQUESTED ZONING DISTRICT: R-TH /buffer reduction	
PARCEL NUMBER(S): 6158B005, 6158B006, 6158B007, 6158B008, 6158B009 ACREAGE: 5.10 acres	
ADDRESS OF PROPERTY: 4363 Shady Drive, Lilburn, GA 30047	
PROPOSED DEVELOPMENT: Single Family Detached Residential	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units 21	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): 1,400	Total Building Sq. Ft. _____
Gross Density: 4.12	Density: _____
Net Density: 4.12	_____

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

RECEIVED

4/28/2022

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

RECEIVED

4/28/2022

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.



Signature of Applicant

03-29-22

Date

Brent Bohanan, Executive Director

Type or Print Name and Title

Gwinnett County Habitat for Humanity, Inc.



Signature of Notary Public

3/29/22

Date

Notary Seal



RECEIVED

4/28/2022

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.

michael k schenck

EXEC OF ESTATE of Mary Petrich

Signature of Property Owner

March 29, 2022

Date

michael k Schenck

EXEC of ESTATE of Mary Petrich

Type or Print Name and Title

Sharon Chriss

3/29/2022

Signature of Notary Public

Date

Notary Seal



RECEIVED

4/28/2022

Gwinnett County Planning Division
Rezoning Application
Last Updated 10/2021

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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



SIGNATURE OF APPLICANT

DATE

03-29-22 Brent Bohanan, Executive
Director

TYPE OR PRINT NAME AND TITLE

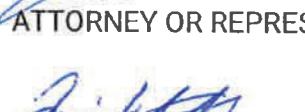


SIGNATURE OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE

DATE

03-29-22 Tyler Lesser (Representative)

TYPE OR PRINT NAME AND TITLE



SIGNATURE OF NOTARY PUBLIC

DATE

04-06-2022

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

Brent Bohanan

YOUR NAME

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

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

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

RECEIVED

4/28/2022

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)

6 - 158B - 005
District Land Lot Parcel

Signature of Applicant

03-29-22
Date

Type or Print Name and Title

Brent Bohanan, Executive Director
Gwinnett County Habitat for Humanity, Inc.

*****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)

Jacqueleen Garcia

Tax Associate I

NAME

TITLE

03/29/2022

DATE

RECEIVED

4/28/2022

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: 6 - 158B - 006
(Map Reference Number) District Land Lot Parcel

Brent Bohanan
Signature of Applicant

03-29-22
Date

Brent Bohanan, Executive Director
Type or Print Name and Title Gwinnett County Habitat for Humanity, Inc.

*****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)

Jacqueleen Garcia

Tax Associate I

NAME

TITLE

03/29/2022

DATE

RECEIVED

4/28/2022

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)

6 - 158B - 007
District Land Lot Parcel

Signature of Applicant

03-29-22

Date

Brent Bohanan, Executive Director
Type or Print Name and Title Gwinnett County Habitat for Humanity, Inc.

*****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)

Jacqueleen Garcia

Tax Associate I

NAME

TITLE

03/29/2022

DATE

RECEIVED

4/28/2022

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)

6 - 158B - 008
District Land Lot Parcel

Signature of Applicant

03-29-22

Date

Brent Bohanan, Executive Director

Type or Print Name and Title Gwinnett County Habitat for Humanity, Inc.

*****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)

Jacqueleen Garcia

Tax Associate I

NAME

TITLE

03/29/2022

DATE

RECEIVED

4/28/2022

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)

6 - 158B - 009
District Land Lot Parcel


Signature of Applicant

03-29-22
Date

Brant Bohanan, Executive Director
Type or Print Name and Title Gwinnett County Habitat for Humanity, Inc.

*****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)

Jacqueleen Garcia

Tax Associate I

NAME

TITLE

03/29/2022

DATE

RECEIVED

5/6/2022

Applicant's Letter of Intent

Parcel #6158B 005, 6158B 006, 6158B 007, 6158B 008, 6158B 009

Rezoning R-75 to R-TH (Detached Dwellings)

The applicant, Gwinnett County Habitat for Humanity, requests to rezone the subject site located on Vernon Street for the purpose of subdividing the property into 21 lots for new and owner-occupied affordable single-family detached dwellings. To develop the site as proposed, the applicant requests a rezoning from R-75 to R-TH. At 21 lots, the development will have a density of 4.12 units per acre. As proposed each house will have a rear-entry two-car garage that is accessible via alley off Vernon Street. The front of each home will overlook pedestrian-friendly pocket parks with added sidewalks, providing a safe environment for residents to walk and spend time outdoors. Each dwelling will have a heated floor area starting at 1,400 square feet, meeting and/or exceeding the minimum requirement for R-75 zoned dwellings. Exteriors will be constructed with a variety of materials and unique architectural features to complement the existing homes in proximity. The subject site is within the Vibrant Communities character area of the 2040 Comprehensive Plan, which encourages small lot single-family residential development. The proposed development is consistent with the intent of the character area as it provides a natural transition from the commercial corridor of Beaver Ruin Road and the existing neighborhoods to the west. Habitat for Humanity provides their homeowners with valuable financial education and quality homes with an affordable mortgage. Many homeowners spend hours of their time alongside volunteers working with Habitat to continue providing affordable housing in their communities. Concurrently with the rezoning request, the applicant requests variances to reduce the required buffer to a 10-foot landscape strip with a 6-foot privacy fence where adjacent to R-75 zoning and to reduce the exterior rear setback from 20 feet to 7.5 feet where adjacent to C-2 zoning. Additionally, the applicant requests to reduce the minimum floor area for 3 and 4-bedroom units to 1,400 square feet, and requests relief from the architectural design category 3 to allow the dwellings to be constructed in general conformance with the submitted elevations.

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 detached dwellings.

RECEIVED

4/28/2022

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:

The subject site is mostly surrounded by single-family residential (R-75 and RZT), except for the commercial node on Beaver Ruin Road. Rezoning the subject site to R-TH, for the purpose of constructing new single-family dwellings, is a suitable use in relation to the adjacent and nearby properties.

(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.

(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 north of the site, 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.

(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 attached 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.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

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.

4/28/2022

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

A parcel of land lying in Land Lot 158 of the 6th District of Gwinnet County, Georgia and being more particularly described as follows:

4/28/2022

Begin at the intersection formed by the northwesterly right of way of Shady Drive (having a 60' public right of way) and the northeasterly right of way of Vernon Street (having a 60' public right of way); Thence run North 58 Degrees 27 Minutes 44 Seconds West along said Vernon Street right of way for a distance of 240.05 feet to a point, said point lying on a tangent curve to the left and having a radius of 103.64 feet, a central angle of 52 Degrees 19 Minutes 52 Seconds, a chord bearing of North 84 Degrees 37 Minutes 40 Seconds West, and a chord distance of 91.40 feet; Thence run along the arc of said curve and said right of way 94.66 feet to a point; Thence run South 62 Degrees 57 Minutes 00 Seconds West along said right of way for a distance of 580.00 feet to a point; Thence leaving said right of way run North 32 Degrees 23 Minutes 00 Seconds West for a distance of 209.20 feet to a point; Thence run North 62 Degrees 57 Minutes 00 Seconds East for a distance of 770.00 feet to a point; Thence run South 54 Degrees 21 Minutes 00 Seconds East for a distance of 426.00 feet to a point; Thence run South 10 Degrees 49 Minutes 00 Seconds East for a distance of 78.10 feet to a point lying on the northwesterly right of way of the aforementioned Shady Drive; Thence run South 59 Degrees 28 Minutes 00 Seconds West for a distance of 142.10 feet to the Point of Beginning.

Said parcel containing 222,196 square feet or 5.101 acres.

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

SURVEY NOTES

4/28/2022

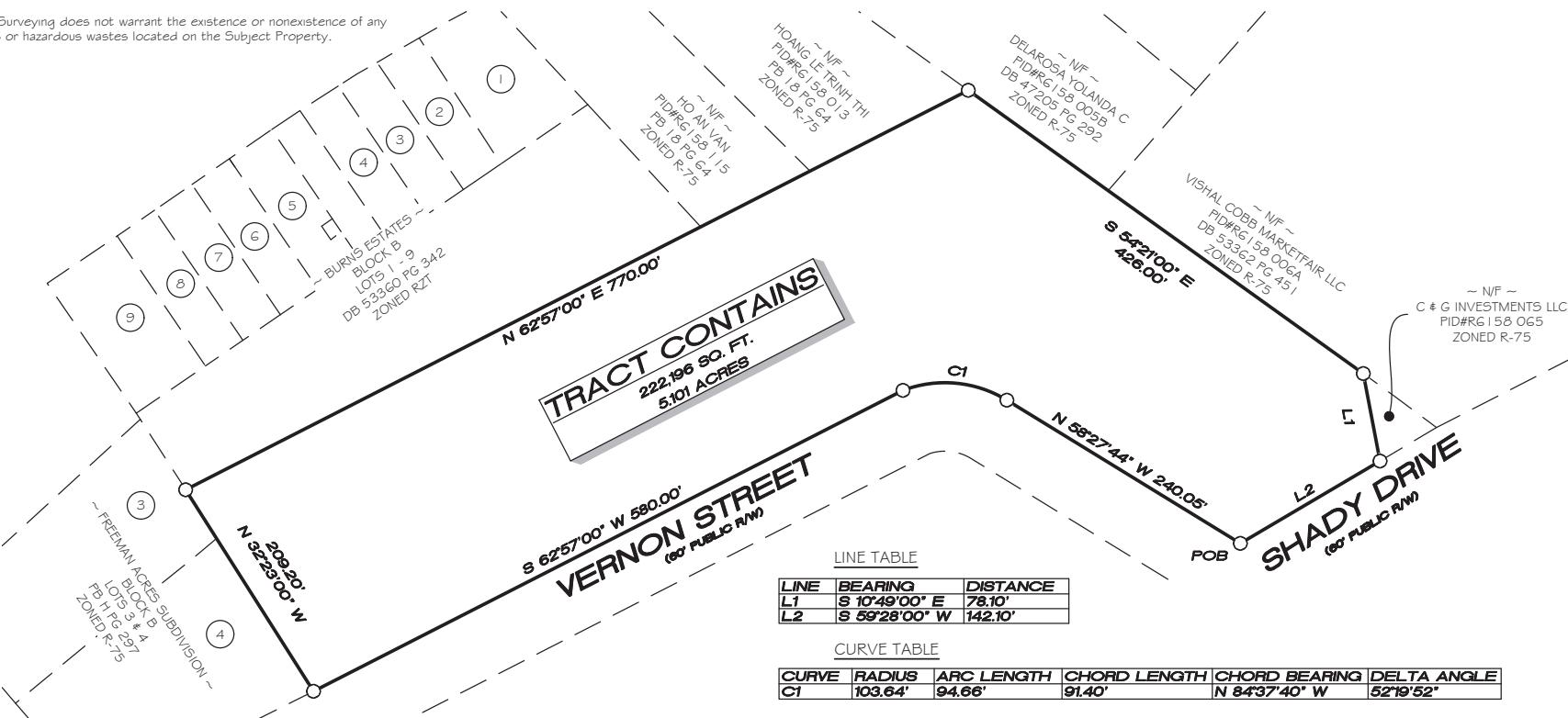
- 1. All easements and rights of way of which the surveyor has knowledge are shown hereon; others may exist of which the surveyor has no knowledge and of which there is no observable evidence.
- 2. The property shown hereon is subject to all easements and restrictions of record both written and unwritten.
- 3. According to the Flood Insurance Rate Map (FIRM) for Gwinnett County, Georgia, (Community-panel number 13135CO099 F, dated September 29, 2006), all of the subject property lies within Zone X, defined as "areas determined to be outside the 0.2% annual chance floodplain."
- 4. North arrow and bearings shown hereon are based PB H PG 297, Gwinnett County Clerk of Superior Court Records.
- 5. This plat has been calculated for closure and is found to be accurate within one foot in 417,579 feet.
- 6. This plat was prepared for the exclusive use of the person, persons, or entity named hereon. This plat does not extend to any unnamed person, persons, or entity without express written certification by the surveyor naming said person, persons, or entity.
- 7. State, County, and Local buffers and setbacks might exist on the subject property that are not shown hereon.
- 8. This survey is not valid without the Original Signature and Seal of a Georgia Licensed Surveyor.
- 9. Alliance Surveying does not warrant the existence or nonexistence of any wetlands or hazardous wastes located on the Subject Property.

SURVEY LEGAL DESCRIPTION

A parcel of land lying in Land Lot 158 of the 6th District of Gwinnett County, Georgia and being more particularly described as follows:

Begin at the intersection formed by the northwesterly right of way of Shady Drive (having a 60' public right of way) and the northeasterly right of way of Vernon Street (having a 60' public right of way); Thence run North 58 Degrees 27 Minutes 44 Seconds West along said Vernon Street right of way for a distance of 240.05 feet to a point; said point lying on a tangent curve to the left and having a radius of 103.64 feet, a central angle of 52 Degrees 19 Minutes 52 Seconds, a chord bearing of North 84 Degrees 37 Minutes 40 Seconds West, and a chord distance of 91.40 feet; Thence run along the arc of said curve and said right of way 94.66 feet to a point; Thence run South 62 Degrees 57 Minutes 00 Seconds West along said right of way for a distance of 580.00 feet to a point; Thence leaving said right of way run North 32 Degrees 23 Minutes 00 Seconds West for a distance of 209.20 feet to a point; Thence run North 62 Degrees 57 Minutes 00 Seconds East for a distance of 770.00 feet to a point; Thence run South 54 Degrees 21 Minutes 00 Seconds East for a distance of 426.00 feet to a point; Thence run South 10 Degrees 49 Minutes 00 Seconds East for a distance of 78.10 feet to a point lying on the northwesterly right of way of the aforementioned Shady Drive; Thence run South 59 Degrees 28 Minutes 00 Seconds West for a distance of 142.10 feet to the Point of Beginning.

Said parcel containing 222,196 square feet or 5.101 acres.



ALLIANCE LAND SURVEYING

L.S.F. 1322
4525 SOUTH LEE STREET
BUFORD, GEORGIA 30518
678.828.9424 | www.ALSPLAT.COM

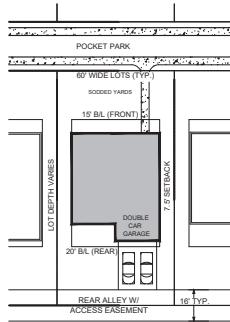
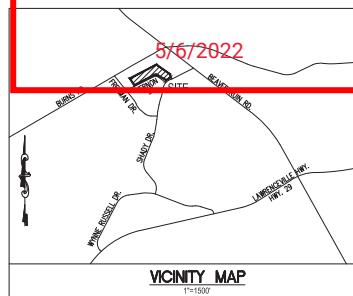
REVISIONS	DESCRIPTION
04/11/2022	

PLAT EXHIBIT FOR:
HABITAT FOR HUMANITY
LAND LOT: 158
6TH DISTRICT, GWINNETT COUNTY, GEORGIA
DATE: 04/08/2022
DRAWN BY: MAS
CHECKED BY: FAB

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

5/6/2022



UTILITIES:
THE DEVELOPER SHALL BE RESPONSIBLE FOR ANY CONFLICTS WITH EXISTING UTILITIES.

SURVEY DATA:
BOUNDARY INFORMATION IS BASED ON THE RECORDED PLAT FOR FREEMAN ACRES SUBDIVISION AS RECORDED IN PLAT BOOK H, PAGE 297 AND RECORDED ON 11-03-1960.

GIS DATA:
TOPOGRAPHIC INFORMATION BASED ON GWINNETT COUNTY GIS DATA.

FEMA NOTE:
THIS PROPERTY IS NOT LOCATED IN A FEMA FLOOD HAZARD AREA AS PER FEMA PANEL No. 1313SC0099F, DATED SEPTEMBER 29, 2006.

PLAN NOTE:
THIS PLAN IS CONCEPTUAL IN NATURE AND DOES NOT CONSTITUTE APPROVAL FOR CONSTRUCTION OR DEVELOPMENT. ADDITIONAL REGULATIONS SHALL APPLY PRIOR TO PERMIT ISSUANCE.

SEWER NOTE:
THESE LOTS WILL BE TIED INTO GWINNETT COUNTY PUBLIC SEWER SYSTEM.

WATER NOTE:
EXISTING WATER LINE LOCATED WITHIN VERNON STREET RIGHT OF WAY AND PROVIDED BY GWINNETT COUNTY.

CANOPY:
EXISTING TREE CANOPY COVERS A PORTION OF THE SITE.

* VARIANCES:
1) REDUCE REQUIRED 30' BUFFER ADJACENT TO R75 TO A 10' LANDSCAPE STRIP WITH A 6' TALL PRIVACY FENCE.

* 2) REDUCTION OF THE REAR EXTERNAL SETBACK OF 20' TO A WIDTH OF 7.5'.

* 3) REDUCTION OF 3 BEDROOM HEATED FLOOR AREA TO A MINIMUM OF 1,400 SF.

* 4) REDUCTION OF 4 BEDROOM HEATED FLOOR AREA TO A MINIMUM OF 1,400 SF.

PARKING ANALYSIS				
GARAGE	DRIVeway	TOTAL PER LOT	TOTAL LOTS	TOTAL SPACES
2 SPACES	2 SPACES	4	21	84
PARALLEL VISITOR PARKING				
23				

SITE DATA:	
TOTAL SITE AREA:	± 5.1 AC.
EXISTING ZONING:	R-75
PROPOSED ZONING:	R-TH DETACHED
TOTAL LOTS:	21
PROPOSED DENSITY:	± 4.12 U/A
MAX. NET DENSITY:	8 U/A
LOT WIDTH:	60'
BUILDING SETBACK:	15' FRONT; 7.5' SIDE; 20' REAR
MAX BUILDING HT:	35'

COMMON AREA	
COMMON AREA REQ'D:	15%
COMMON AREA PROVIDED:	0.77 ACRES (15%)

* SINGLE FAMILY RESIDENTIAL LOT DATA:

TOTAL LOTS	21 LOTS
HEATED FLOOR	2 BD (1,400), 3 BD (1,600) 4 BD (1,800)
UNIT TYPE	REAR ENTRY
GARAGE	2 CAR GARAGE

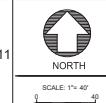


Copyright 2008, Alliance Engineering & Planning, Inc.
This drawing is the sole property of Alliance Engineering & Planning, Inc. It is to be used only for the purpose for which it was supplied and is not to be copied or distributed without the express written consent of the owner. Any unauthorized copying or distribution is a violation of Federal and State Copyright Laws. All rights reserved. All dimensions, including all plotted, projected, or otherwise indicated, are approximate and are not to be used for construction.

DEVELOPER: Habitat for Humanity
HABITAT FOR HUMANITY
CONTACT: BRENT BOHANAN
BBBohanan@habitatgwinnett.org

4363 SHADY DRIVE
LL 158 - DISTRICT 8TH
GWINNETT COUNTY, GEORGIA
Zoning Plan for:

Orig. Issue: 4.1.2020
Designed by: MB
Checked by: BW
Project #:



ZONING PLAN

4-1-2020

RECEIVED

4/28/2022



HABITAT HOMES
LILBURN GEORGIA

BCA STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

RECEIVED

4/28/2023



HABITAT HOMES
LILBURN GEORGIA

BCA STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

RECEIVED



HABITAT HOMES
LILBURN GEORGIA

BCA-STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

4/28/2022



HABITAT HOMES
LILBURN GEORGIA

BCA STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

4/28/2022



HABITAT HOMES
LILBURN GEORGIA

BCA STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA

GWINNETT COUNTY
PLANNING AND DEVELOPMENT

RECEIVED

4/28/2022



HABITAT HOMES
LILBURN GEORGIA

BCA STUDIOS
ARCHITECTS
GAINESVILLE | ATLANTA