

CHANGE IN CONDITIONS APPLICATION
 AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GEORGIA

APPLICANT INFORMATION	OWNER INFORMATION*
NAME <u>Randall Myers</u>	NAME <u>12 Stone Church, Inc.</u>
ADDRESS <u>7433 Spouts Spring Road</u>	ADDRESS <u>1322 Buford Drive</u>
CITY: <u>Suite 101-63, Flowery Branch</u>	CITY: <u>Lawrenceville</u>
STATE <u>GA</u> ZIP: <u>30542</u>	STATE <u>GA</u> ZIP: <u>30043</u>
PHONE <u>678-745-9446</u>	PHONE <u>678-990-9512</u>
CONTACT PERSON: <u>Randall Myers</u> PHONE <u>770-715-8939</u>	
CONTACT E-MAIL: <u>rmyers@alpineimg.com</u>	

APPLICANT IS THE:

OWNERS AGENT PROPERTY OWNER CONTRACT PURCHASER

ZONING DISTRICT(S): _____ PRIOR ZONING CASE RZC-06-011

LAND DISTRICT(S): 3 LAND LOT(S): 002 ACREAGE 8.353 acres

ADDRESS OF PROPERTY: 3858 Braselton Highway

PROPOSED CHANGE IN CONDITIONS From 1.B.RZC-06-011 & apply Resolution A-06-003
Overlay section 5. Architectural Design Standards

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS _____	NO. OF BUILDINGS/LOTS <u>1</u>
DWELLING UNIT SIZE (Sq. Ft.): _____	TOTAL GROSS SQUARE FEET: <u>29,450 SF</u>
GROSS DENSITY: _____	DENSITY: <u>8.09%</u>
NET DENSITY: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED
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CHANGE IN CONDITIONS APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

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

- (A) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:
Yes, this project is for a Church.
- (B) WHETHER A PROPOSED CHANGE IN CONDITIONS WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:
There are no anticipated adverse impacts related to this change in conditions.
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED CHANGE IN CONDITIONS HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:
Yes, use is for a Church.
- (D) WHETHER THE PROPOSED CHANGE IN CONDITIONS WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS
Change in condition will not cause adverse impact.
- (E) WHETHER THE PROPOSED CHANGE IN CONDITIONS IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:
Yes, proposed change in condition is in conformity.
- (F) WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE PROPOSED CHANGE IN CONDITIONS
Original zoning condition was related to a different type of building & is not appropriate for a large structure such as a Church

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Investment Management Group LLC

June 28, 2013

Gwinnett County Department of Planning & Development
Planning Division
446 West Crogan Street
Suite 250
Lawrenceville, GA 30046
(678) 518-6000

RE: Change in Conditions Application for 12 Stone Church, Duncan Creek Campus.

We respectfully request the change from Condition 1.B of RZC-06-011 "Buildings shall be finished with architectural treatments of glass and/or brick with a pitched roof minimum pitch of 4:12. Building design shall be subject to review and approval of the Director of Planning and Development." to the architectural design standards of Section 5 contained in ResolutionA-06-003, Activity Center/Corridor Overlay District Requirements.

RZC-06-011 was passed based on a proposed commercial development. The proposed building will be a 29,450 sqft Church 31 feet in height and the architectural design & construction restrictions in RZC-06-011 are not appropriate for the proposed Church building.

Thank you for your consideration

Sincerely,

A handwritten signature in black ink, appearing to read "Randall Myers".

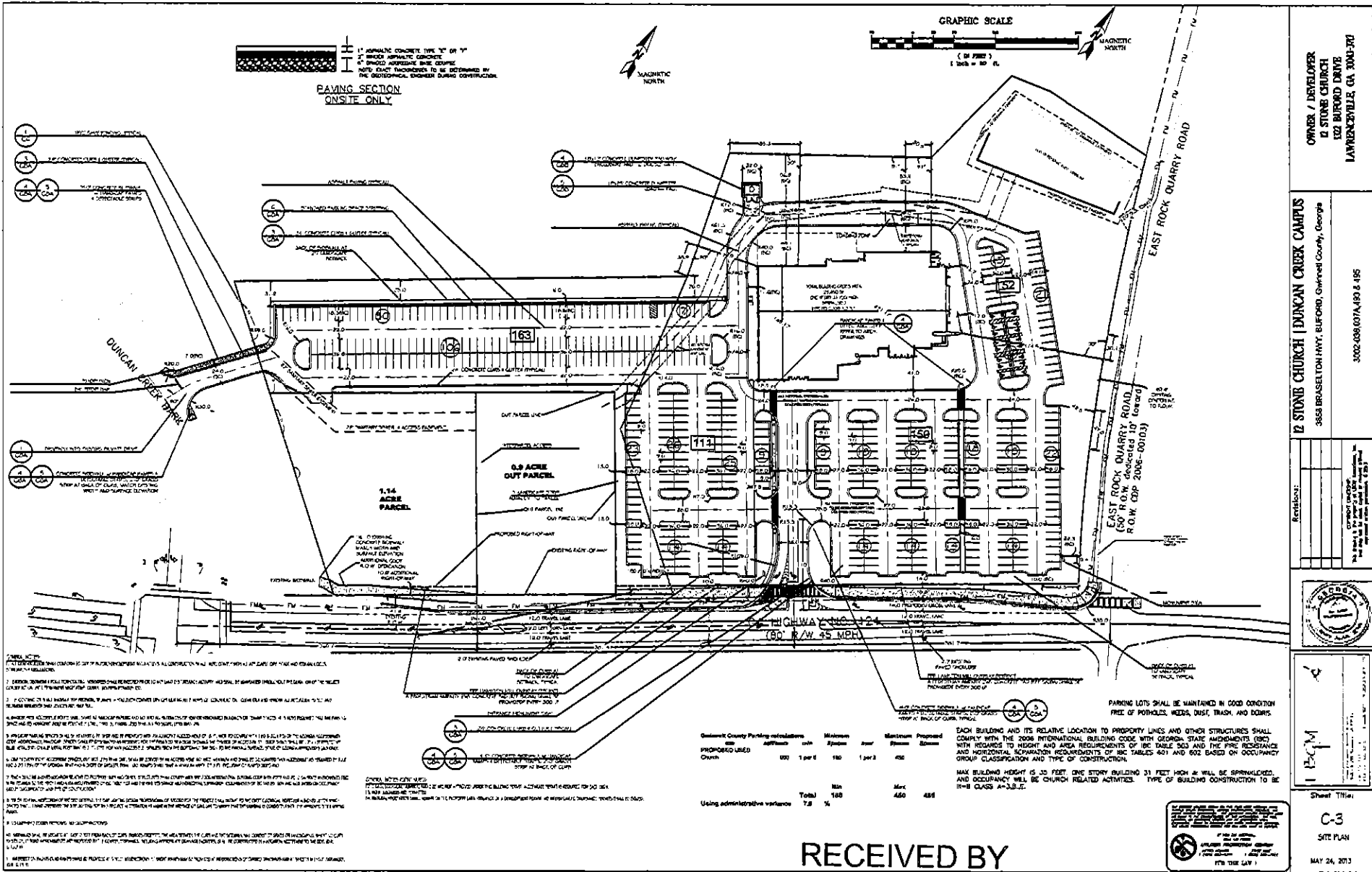
Randall Myers
Owners Representative
12 Stone Church

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OWNER / DEVELOPER
 ST. STONE CHURCH
 102 BURROD DRIVE
 LAWRENCEVILLE, GA 30046-782

3658 BRUSSELTON HUNT, BUFORD, GWINNETT COUNTY, GEORGIA
 3002-009-007A, RD 8 415

REVISIONS:



Sheet Title:
 C-3
 SITE PLAN
 MAY 24, 2013

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Planning & Development

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FINAL PLAT
12STONE CHURCH | HAMILTON MILL
GEORGIA MILITIA DISTRICT NUMBER 1749
GWINNETT COUNTY, GEORGIA
RZC-06-011 & RZC-04-050

Planning & Development

- LEGEND
1. FRONTY CORNER (AS NOTED)
2. A/P/ MOUNTAIN
3. A/P/ MOUNTAIN
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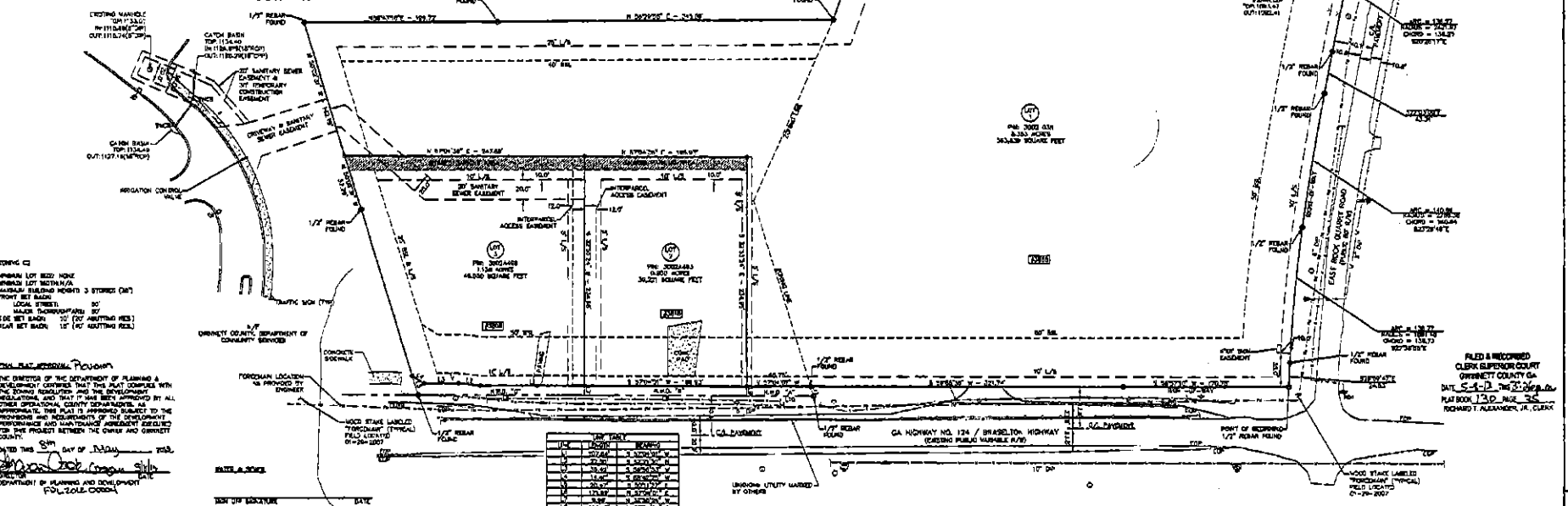
NOTES
1. THE 12TH MOUNTAIN MAY NOT BE RE-APPROVED EXCEPT THROUGH THE SUBDIVISION PROCESS AS PROVIDED BY THE GWINNETT COUNTY DEPARTMENT REGULATIONS IN EFFECT AT THE TIME.
2. GWINNETT COUNTY RESERVES THE RIGHT TO REVIEW AND APPROVE ANY AND ALL PLANS, SPECIFICATIONS, AND CONTRACTS FOR THE EXTENSION OF COLLECTORS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT.
3. THERE ARE NO STREAM BUFFERS ON THIS SITE.
4. GWINNETT COUNTY DOES NOT ENFORCE PROTECTIVE COVENANTS. IT IS THE RESPONSIBILITY OF THE HOMEOWNERS TO OBTAIN COMPLIANCE WITH THE PROTECTIVE COVENANTS.
5. THERE ARE NO UTILITIES SHOWN ON THIS SITE.
6. GWINNETT COUNTY RESERVES THE RIGHT TO REVIEW AND APPROVE ANY AND ALL PLANS, SPECIFICATIONS, AND CONTRACTS FOR THE EXTENSION OF COLLECTORS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT.
7. THE PLAT IS SUBJECT TO THE DEPARTMENT'S REVIEW AND APPROVAL OF ANY AND ALL PLANS, SPECIFICATIONS, AND CONTRACTS FOR THE EXTENSION OF COLLECTORS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT.
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Table with 2 columns: LOT NUMBER, AREA (SQ FT). Rows include lots 1 through 10 with their respective areas.

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OWNER'S ACKNOWLEDGMENT AND DECLARATION
STATE OF GEORGIA, COUNTY OF GWINNETT
I, THE OWNER OF THE LAND SHOWN ON THIS MAP, DO HEREBY CERTIFY THAT THE MAP IS TRUE AND CORRECT AND THAT THE INFORMATION CONTAINED THEREIN IS TRUE AND CORRECT AND THAT THE MAP IS SUBJECT TO THE DEPARTMENT'S REVIEW AND APPROVAL OF ANY AND ALL PLANS, SPECIFICATIONS, AND CONTRACTS FOR THE EXTENSION OF COLLECTORS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT.

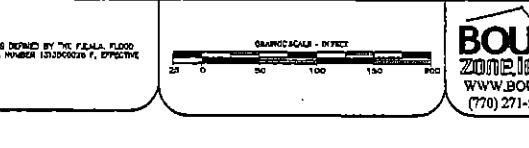
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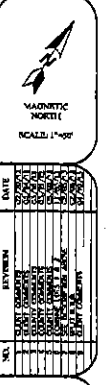
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THIS SUBDIVISION WAS MADE WITHIN THE BOUNDARY OF A COUNTY TITLE...
TOTAL AREA: 48484.81 SQ FT
INDEPENDENT PROFESSIONAL SURVEY...
THIS PLAT WAS PREPARED FOR THE DIVISION OF THE PLAT...
DATE: 4-12-13

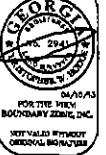
FLOOD HAZARD NOTE
THIS PROPERTY IS IN ZONE "X" (NOT A SPECIAL FLOOD HAZARD AREA) AS DEFINED BY THE FEDERAL FLOOD INSURANCE RATE MAP OF GWINNETT COUNTY, GEORGIA (COMMUNITY NUMBER 13300020 F, EFFECTIVE DATE: SEPTEMBER 28, 2006).



BOUNDARY ZONE, INC.
WWW.BOUNDARYZONE.COM
(770) 271-5772 / (919) 363-9226
BORDER: 4395 SOUTH ILLS STREET, SUITE 110, LAWRENCEVILLE, GEORGIA 30046
ATLANTA: 255 PEACHTREE STREET NW, SUITE 400, ATLANTA, GEORGIA 30309
BALDWIN: 2554-C CHANDLER DRIVE, SUITE 100, NORTH CHEROKEE, GEORGIA 30133



12STONE CHURCH | HAMILTON MILL, FPL 2012-00004
PREPARED FOR LBM AND ASSOCIATES, INC.
GEORGIA MILITIA DISTRICT NUMBER 1749
GWINNETT COUNTY, GEORGIA - 02/13/12



FOR THE RECORD
BOUNDARY ZONE, INC.
NOTED AND FILED
DEPARTMENT OF RECORDS

LEGAL DESCRIPTION: LOT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN GMD 1749, GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR MARKING THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF EAST ROCK QUARRY ROAD (60' R/W) AND THE NORTHERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY NUMBER 124 (VARIABLE R/W); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S 56°57'10" W, A DISTANCE OF 170.75 FEET, TO A 1/2" REBAR; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S 56°55'36" W, A DISTANCE OF 321.74 FEET TO A 1/2" REBAR; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE S 57°04'01" W A DISTANCE OF 65.75 FEET TO A POINT; THENCE DEPART SAID NORTHERLY RIGHT-OF-WAY LINE, N 32°55'24" W, A DISTANCE OF 234.95 FEET TO A POINT; THENCE S 57°04'36" W, A DISTANCE OF 414.82 FEET TO A POINT ON THE EASTERLY LINE OF A TRACT OR PARCEL OF LAND NOW OR FORMERLY OWNED BY GWINNETT COUNTY DEPARTMENT OF COMMUNITY SERVICES; THENCE ALONG SAID EASTERLY LINE, N 50°02'31" W, A DISTANCE OF 142.19 FEET TO A 1/2" REBAR ON THE NORTHERLY LINE OF A TRACT OR PARCEL OF LAND NOW OR FORMERLY OWNED BY GWINNETT COUNTY DEPARTMENT OF COMMUNITY SERVICES; THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING COURSES AND DISTANCES: N 56°43'16" E, A DISTANCE OF 199.72 FEET TO A 1/2" REBAR; N 56°29'55" E, A DISTANCE OF 345.86 FEET TO A 1/2" REBAR; N 13°46'30" W, A DISTANCE OF 156.25 FEET TO A 1/2" REBAR AND CAP; N 58°31'49" E, 243.39 FEET TO A 1/2" REBAR; N 11°40'10" E, A DISTANCE OF 139.90 FEET, TO A 1/2" REBAR; N 79°45'29" E, A DISTANCE OF 50.29 FEET, TO A 1/2" REBAR; S 88°34'29" E, A DISTANCE OF 139.29 FEET, TO A 1/2" REBAR ON THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY OF EAST ROCK QUARRY ROAD; THENCE RUN ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: S 18°49'18" E, A DISTANCE OF 41.63 FEET, TO A 1/2" REBAR; THENCE 136.27 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2421.97 FEET, A CHORD OF 136.25 FEET, TO BEAR S 20°26'17" E TO A 1/2" REBAR; THENCE S 22°03'00" E, A DISTANCE OF 43.31 FEET, TO A 1/2" REBAR; THENCE 140.66 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2786.36 FEET, A CHORD OF 140.64 FEET, TO BEAR S 23°29'46" E, TO A 1/2" REBAR; THENCE 138.77 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1581.48 FEET, A CHORD OF 138.73 FEET, TO BEAR S 27°38'55" E, TO A 1/2" REBAR; THENCE S 29°59'47" E, A DISTANCE OF 24.63 FEET, TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 8.353 ACRES (363,839 SQUARE FEET) MORE OR LESS.

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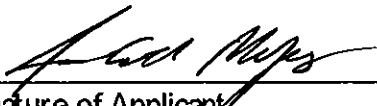
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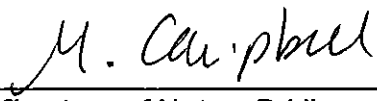
CHANGE IN CONDITIONS APPLICANT'S CERTIFICATION

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


Signature of Applicant _____ Date 7/1/13

Randall Myers, Owners Agent

Type or Print Name and Title


Signature of Notary Public _____ Date 7/1/13 Notary Seal _____
M CAMPBELL
NOTARY PUBLIC
GWINNETT COUNTY
STATE OF GEORGIA
My Commission Expires January 28, 2017

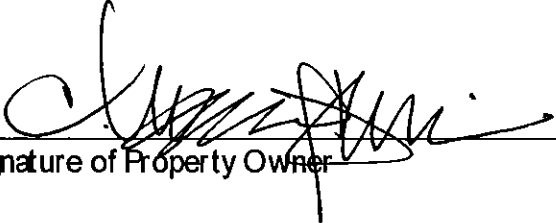
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CHANGE IN CONDITIONS PROPERTY OWNERS CERTIFICATION

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


Signature of Property Owner _____ Date 29 JUNE 2013

C. Norwood Davis, CFO

Type or Print Name and Title


Signature of Notary Public _____ Date 6/29/2013 Notary Seal

M CAMPBELL
NOTARY PUBLIC
GWINNETT COUNTY
STATE OF GEORGIA
My Commission Expires January 28, 2017

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CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

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

Randall Myers 7/1/13 Randall Myers, Owners Agent
 Signature of Applicant Date Type of Print Name and Title

 Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

M. Campbell 7/1/13 _____
 Signature of Notary Public Date Notary Seal
M. CAMPBELL
 NOTARY PUBLIC
 GWINNETT COUNTY
 STATE OF GEORGIA
 My Commission Expires January 28, 2017

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 Randall Myers
 Your Name

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

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

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

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

THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

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

PARCEL I.D. NUMBER: 3 002 038 § 037A
(Map Reference Number) District Land Lot Parcel



Signature of Applicant

7/1/13

Date

Randall Myers, Owners Agent

Type or Print Name and Title

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)



NAME

GWINNETT COUNTY
TAX COMMISSIONER

TITLE

7/1/2013

DATE