

**REZONING APPLICATION**

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Linda Mullis</u>	NAME: <u>Thomas Livsey</u>
ADDRESS: <u>4489 Cary Drive</u>	ADDRESS: <u>4500 Anderson Livsey</u>
CITY: <u>Snellville</u>	CITY: <u>Snellville</u>
STATE: <u>GA</u> ZIP: <u>30039</u>	STATE: <u>GA</u> ZIP: <u>30039</u>
PHONE: <u>404 925 5260</u>	PHONE: <u>770 596 266</u>
CONTACT PERSON: <u>Linda Mullis</u> PHONE: <u>404 925 5260</u>	
CONTACT'S E-MAIL: <u>ltmullis@yahoo.com</u>	

**APPLICANT IS THE:**

OWNER'S AGENT   
  PROPERTY OWNER   
  CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R100 REQUESTED ZONING DISTRICT: RM 6

LAND DISTRICT(S): 4 LAND LOT(S): 347 ACREAGE: 0.62

ADDRESS OF PROPERTY: 4421 Lee Road, Snellville GA 30039

PROPOSED DEVELOPMENT: Triplex Residence

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>3</u>	No. of Buildings/Lots: <u>1</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. _____
Gross Density: _____	Density: _____
Net Density: _____	

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

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L E G A L   D E S C R I P T I O N

All that tract or parcel of land lying and being in land lot 347 of the 4th District, Gwinnett County, Georgia and more particularly described as follows;

Beginning at an iron pin on the northerly right of way of Lee Road (80' R\W) a distance of 609.48' southwesterly of the centerline of Telida Trail;

THENCE South 47 degrees 33 minutes 38 seconds West for a distance of 104.65' feet along the northerly right of way of Lee Road to a point;

THENCE North 54 degrees 50 minutes 00 seconds West for a distance of 227.41' feet to an iron pin;

THENCE North 07 degrees 26 minutes 08 seconds East for a distance of 114.88' feet to an iron pin;

THENCE South 54 degrees 56 minutes 00 seconds East for a distance of 303.33' feet to an iron pin on the northerly right of way of Lee Road and the Point of Beginning.

Said property contains 0.62 acres more or less.

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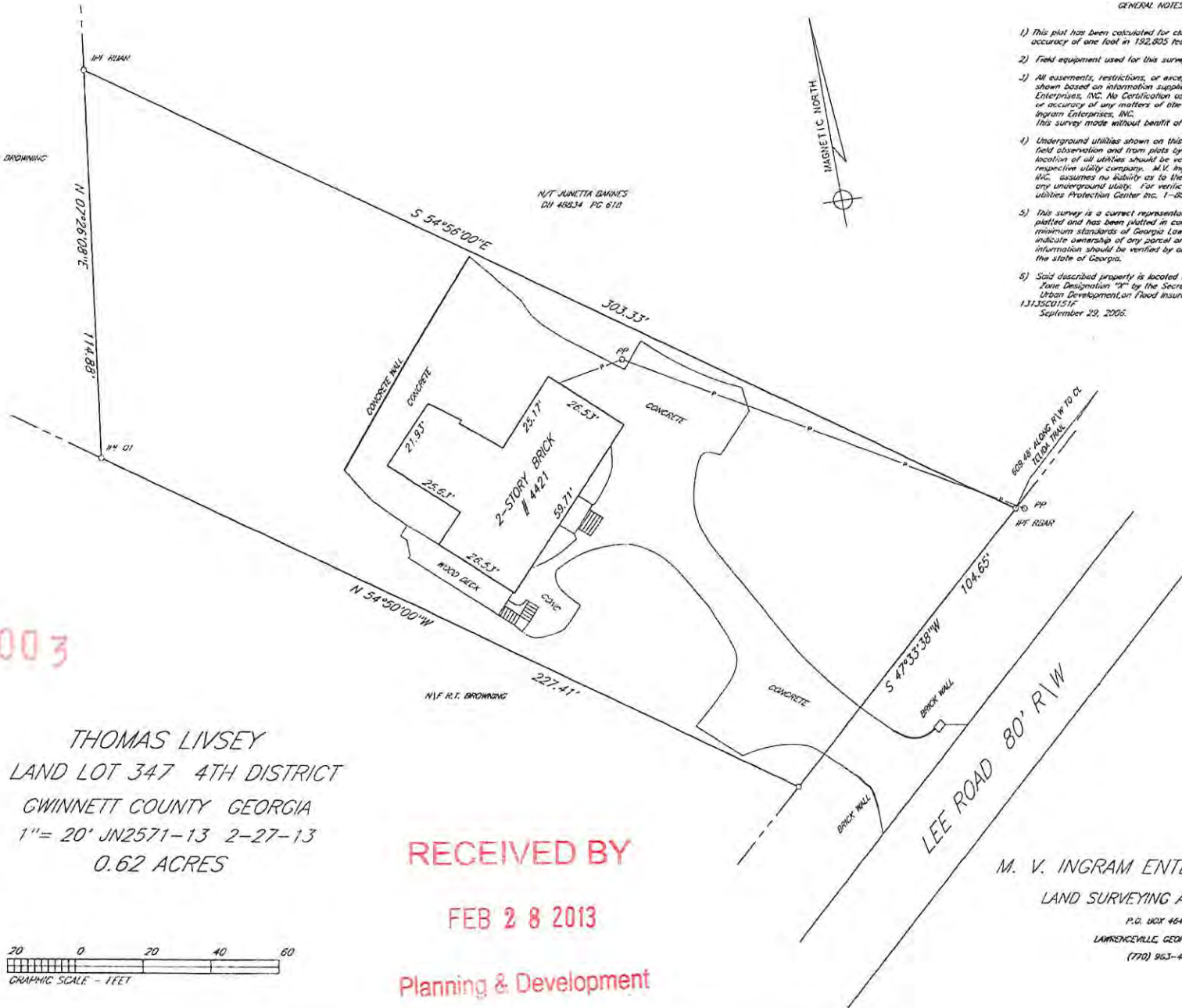
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**\*\* LEGEND \*\***

- IPY = IRON PIN FOUND
- IPS = IRON PIN SET
- CMF = CONCRETE FOUNDMENT FOUND
- HW = HIGH OF WAY
- BL = BUILDING LINE
- LL = LAND LOT LINE
- LL = LAND LOT
- N/T = NOT TO SCALE
- N/S = NOT TO SCALE
- CL = CENTER LINE
- BM = BENCH MARK
- TBM = TEMPORARY BENCH MARK
- PC = POINT OF CURVATURE
- PI = POINT OF INTERSECTION
- PT = POINT OF TANGENCY
- R = RADIUS
- CH = CHORD
- IC = INVERT ELEVATION
- T- = TELEPHONE LINE
- W- = WATER LINE
- G- = GAS LINE
- S- = SEWER LINE
- P- = POWER LINE
- M = MAN HOLE
- SSE = SANITARY SEWER EASEMENT
- DC = DRAINAGE EASEMENT
- CE = CONSTRUCTION EASEMENT
- CE = CATCH BASIN
- JN = JUNCTION BOX
- DI = DIRT MILE
- HW = HEAD WALL
- FM = FIRE HYDRANT
- BCP = REINFORCED CONCRETE POST
- HP = HORIZONTAL PILING

N/F R.T. BROWNING



**GENERAL NOTES**

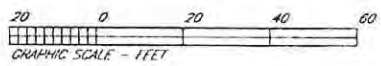
- 1) This plat has been calculated for closure and has an accuracy of one foot in 192,825 feet.
- 2) Field equipment used for this survey was a Topcon GT 2005
- 3) All easements, restrictions, or exceptions to title are shown based on information supplied to M.V. Ingram Enterprises, INC. No certification as to the completeness or accuracy of any matters of title is made by M.V. Ingram Enterprises, INC. This survey made without benefit of title report.
- 4) Underground utilities shown on this plat were taken from field observation and from plots by others; the exact location of all utilities should be verified by the respective utility company. M.V. Ingram Enterprises, INC. assumes no liability as to the exact location of any underground utility. For verification contact the utilities Protection Center Inc. 1-800-392-7411.
- 5) This survey is a correct representation of the land plotted and has been plotted in conformity with the minimum standards of Georgia Law. It does not intend to indicate ownership of any parcel or easement, this information should be verified by an attorney licensed by the state of Georgia.
- 6) Said described property is located within an area having a Zone Designation "D" by the Secretary of Housing and Urban Development on Flood Insurance Rate Map No. 13135C0151F. September 29, 2006.

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THOMAS LIVSEY  
 LAND LOT 347 4TH DISTRICT  
 GWINNETT COUNTY GEORGIA  
 1" = 20' JN2571-13 2-27-13  
 0.62 ACRES

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M. V. INGRAM ENTERPRISES, INC.  
 LAND SURVEYING AND PLANNING  
 P.O. BOX 464082  
 LAWRENCEVILLE, GEORGIA 30042  
 (770) 963-4501



**REZONING 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 REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:  
Yes - property has been used as multifamily since 1975 - aptms less than 1000' SW on Lee Rd
- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:  
No. property has been used as multifamily since 1975 except during late 70s & early 80's when it was used as a state run group home
- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:  
cannot sell as single family residence because it was built with 3 separate living spaces
- (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:  
No - should have no affect
- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:  
Apartments on Lee Road are less than 1000' from subject property
- (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:  
This property has been used as multifamily or group home since it was built in 1975. Should have no detrimental affect on community, streets or schools

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Thomas Livsey  
4500 Anderson Livsey Road  
Snellville GA 30039

February 25, 2013

The Board of Commissioners  
Municipal-Gwinnett County Planning Commission  
446 West Crogan Street, Suite 250  
Lawrenceville GA 30046

Re: Letter of Intent  
4421 Lee Road  
Snellville GA 30039  
Rezoning from R-100 to RM-6

Dear Sirs:

My intent is to have 4421 Lee Road rezoned for multi family from single family residential. The home was built in 1975 and was always designed as apartments. The home has an upstairs and downstairs complete unit with bedrooms, baths, kitchen, and living area. The back apartment has one bedroom, one bath, kitchen, and living room.

The home was used by the state for 4 years in the late 1970s and early 1980s as a group home for people with mental disabilities. The state moved to a larger facility. After that, I simply rented out the individual units.

As I have aged and have limited mobility, I decided to sell. No one will buy the unit for multi family when it is zoned for single family residential. I tried to sell the home for over two years as a single family residence with no buyers.

Rezoning will have no effect on the neighborhood, the street, or the schools since it has always been used as multi family. There are apartments within 1,000 feet of this home. There is a second set of 4 apartments another 200 feet down Lee Road.

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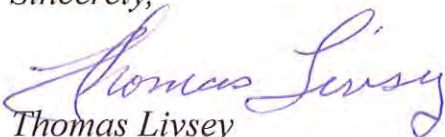
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*Rezoning: 4421 Lee Road  
Snellville, GA*

*The parcel is 0.62 acres (26,387 sq ft) with the home occupying 2215 sq ft leaving 24,172 sq ft of net land. It has 6 parking spaces (two parking spaces are in the rear) and the height of the building is 22 ft.*

*I ask that you consider this rezoning and let me know what else I need to do to help you along with this quest. Linda Mullis, my Chapman Hall Realtors agent, is helping me with this rezoning because of my age and limited mobility. Please feel free to contract her at 404 925 5260.*

*Sincerely,*



*Thomas Livsey  
770 596 0266*

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**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.

*[Handwritten Signature]*

Signature of Applicant

*2/28/2013*

Date

*Linda T Mullis, Associate Broker, Chapman Hall*  
Type or Print Name and Title *AGENT FOR THOMAS LIVSEY*

*Apryle L. Titko*

Signature of Notary Public

*2/28/13*

Date



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**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.

*Thomas Livsey*  
\_\_\_\_\_  
Signature of Property Owner

*2-28-2013*  
\_\_\_\_\_  
Date

*Thomas Livsey, Owner*  
\_\_\_\_\_  
Type or Print Name and Title  
*4421 Lee Rd  
Snellville, GA 30039*

*Apryle L. Titko*  
\_\_\_\_\_  
Signature of Notary Public

*2/28/13*  
\_\_\_\_\_  
Date



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**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.

*L. Mullis*      2/28/2013      Linda T Mullis, Agent  
 SIGNATURE OF APPLICANT      DATE      TYPE OR PRINT NAME AND TITLE

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

*Apryle L. Titko*      2/28/13  
 SIGNATURE OF NOTARY PUBLIC      DATE



**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

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

YES     NO    *Linda Mullis*  
 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.

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**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:          4     -   347   -   003    
(Map Reference Number)      District      Land Lot      Parcel

*Linora T Mullis*      \_\_\_\_\_  
Signature of Applicant      Date  
Linora T Mullis  
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)

*Bill Jorgesen*      *TSA*  
NAME      TITLE  
2/28/13      \_\_\_\_\_  
DATE      GWINNETT COUNTY  
TAX COMMISSIONER

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