

CHANGE IN CONDITIONS APPLICATION

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>JW Homes, LLC</u>	NAME: <u>Same as app</u>
ADDRESS: <u>4125 Atlanta Rd, SE</u>	ADDRESS: <u>"</u>
CITY: <u>Smyrna</u>	CITY: <u>"</u>
STATE: <u>GA</u> ZIP: <u>30080</u>	STATE: <u>"</u> ZIP: <u>"</u>
PHONE: <u>770.703.1656 or 703.1646</u>	PHONE: <u>"</u>
CONTACT PERSON: <u>Mike Meshkaty or Jason Garrett</u> PHONE: <u>7.703.1656 or 7.703.1646 (JG)</u> <u>6.488.0380 7.616.9668 (JG)</u>	
CONTACT'S E-MAIL: <u>michael.meshkaty@jwhomes.com or jason.garrett@jwhomes.com</u>	

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

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
ZONING DISTRICTS(S): <u>R-2T</u> PRIOR ZONING CASE: <u>R3M-06-033</u>	
LAND DISTRICT(S): <u>7</u> LAND LOT(S): <u>114-170 & 114-173</u> ACREAGE: <u>15.268 ac</u>	
ADDRESS OF PROPERTY: <u>1932 Sever Rd & North Brown Rd</u>	
PROPOSED CHANGE IN CONDITIONS: <u>1(b), 1(c), 2(a), 2(b)</u>	
RESIDENTIAL DEVELOPMENT: NO. OF LOTS/DWELLING UNITS: <u>46</u> DWELLING UNIT SIZE (Sq. Ft.): <u>min 2500</u> GROSS DENSITY: <u>3.01/ac</u> NET DENSITY: <u>3.01/ac</u>	NON-RESIDENTIAL DEVELOPMENT: NO. OF BUILDINGS/LOTS: _____ TOTAL GROSS SQUARE FEET: _____ DENSITY: _____

RECEIVED BY
 PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

MAR 07 2014

Planning & Development

CIC'14 004

Amended Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 114, 7th District, Gwinnett County, Georgia, being more particularly described as follows:

BEGINNING at the intersection of northeastern right of way of Sugarloaf Parkway and easterly right of way of North Brown Road; thence northeasterly along right of way of North Brown Road, a distance of 494.83 feet to a point, that is the POINT OF BEGINNING; thence continuing along said right of way North 13°47'22" East, a distance of 163.77 feet to a point; thence running 48.22 feet along a curve to the left, said curve having a chord of North 11°01'37" East 48.20 feet and a radius of 500.00 feet to a point; thence North 08°16'23" East, a distance of 953.83 feet to a point; thence leaving said right of way North 59°51'42" East, a distance of 252.78 feet to a point; thence South 30°08'18" East, a distance of 555.00 feet to a point; thence South 59°51'42" West, a distance of 98.02 feet to a point; thence South 30°08'18" East, a distance of 515.08 feet to a point; thence South 60°18'33" West, a distance of 893.05 feet to a point; thence North 30°01'48" West, a distance of 161.48 feet to a point being the POINT OF BEGINNING. Said tract contains 15.268 Acres.

RECEIVED BY

MAR 07 2014

Planning & Development

224 06 033

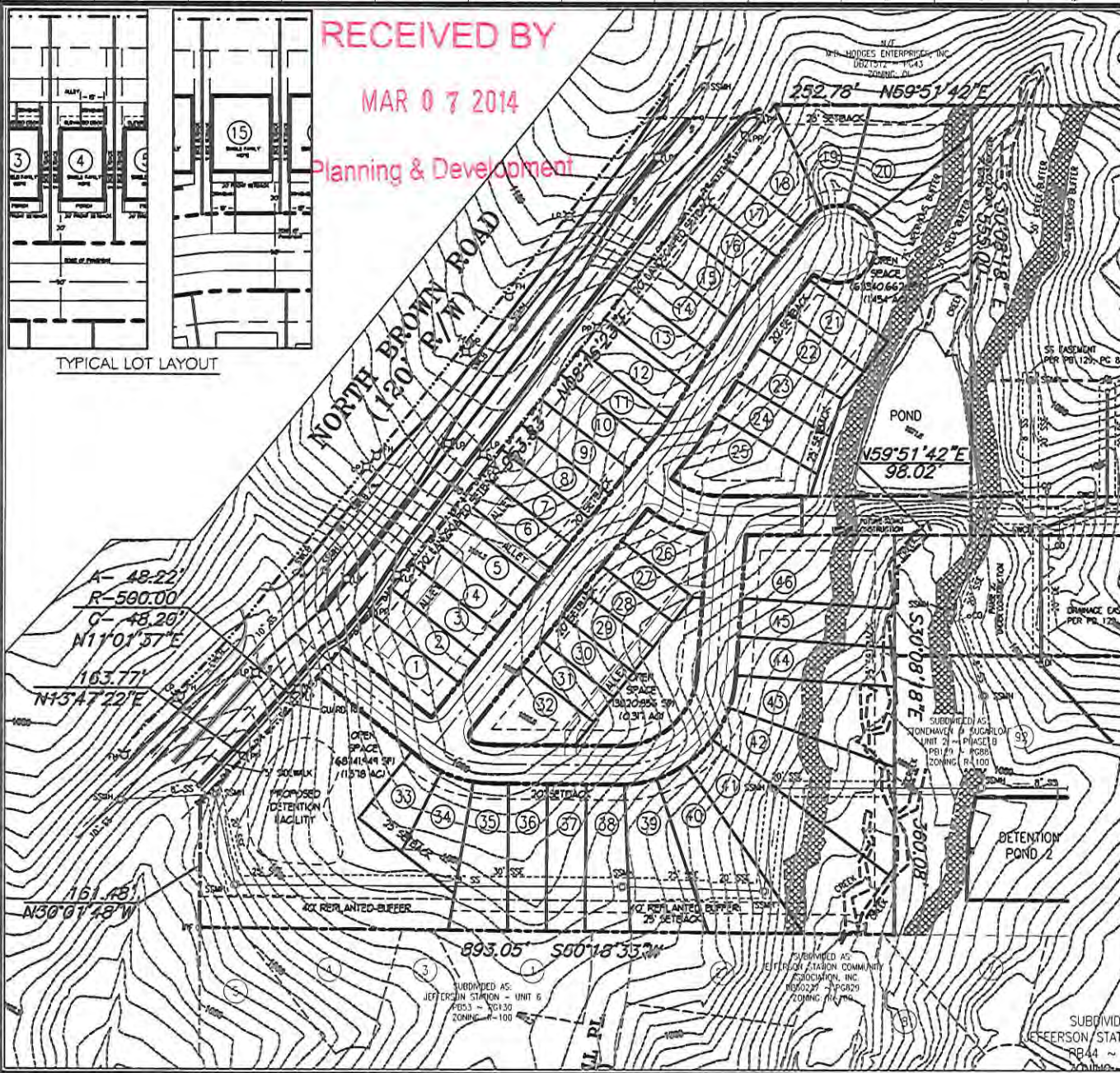
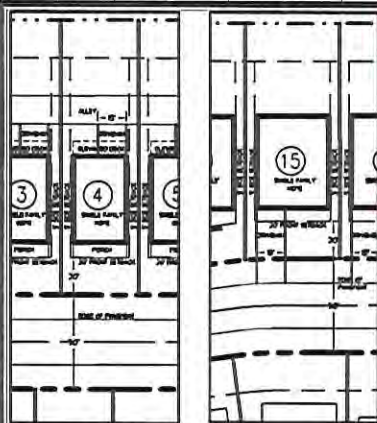
CIC 14 004

APR 10 2014

RECEIVED BY

MAR 07 2014

Planning & Development



SITE DATA:
 SITE AREA = 15.268 AC
 PROP. OPEN SPACE = 145903.47 SF = 3.349 AC
 TOTAL UNITS: 46
 0 AC IN 100YR FLOODPLAIN
 0 ACRES IN GAS / POWER EASEMENT
 NET DENSITY = GROSS DENSITY
 3.01 UNITS PER ACRE PLAN
 MAXIMUM DENSITY = 3.2 UNITS PER ACRE

EXISTING ZONING = R-ZT
 PROPOSED ZONING = R-ZT

MIN LOT SIZE = 4,000 SF
 MIN LOT WIDTH = 40'
 EXTERNAL ROAD FRONTAGE = 50'

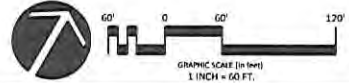
MINIMUM YARD REQUIREMENTS:
 FRONT 20'
 SIDE 5'
 REAR 25'
 20' LANDSCAPE BUFFER ALONG N. BROWN RD

PARKING REQUIREMENTS:
 MIN. = 2 PER LOT
 MAX = 6 PER LOT

MAX ALLOWABLE PAVED PARKING IN FRONT YARD = 45%

GENERAL NOTES:

1. SITE AREA: 15.268 ACRES
2. LOCATION: LAND LOT 114, DISTRICT 7
3. PROPOSED USE: R-ZT RESIDENTIAL SUBDIVISION
4. OWNER/DEVELOPER:
 JOHN WIELAND HOMES
 4125 ATLANTA ROAD SE
 SMYRNA, GA 30080
 CONTACT PERSON:
 JASON GARRETT 770-703-1646
5. DESIGNER/ENGINEER:
 MCFARLAND - DYER & ASSOCIATES, INC.
 4174 SILVER PEAK PARKWAY
 SUWANEE, GEORGIA 30024
 CONTACT PERSON:
 CHRIS WHITLEY (770) 932-6550
6. SOURCE OF BOUNDARY IS FROM A FIELD RUN SURVEY BY MCFARLAND - DYER DATED 1-3-2014.
7. SOURCE OF THE TOPOGRAPHY IS FROM GWINNETT COUNTY GIS.
8. THIS SITE DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD AREA PER F.I.R.M., GWINNETT COUNTY, GEORGIA AND UNINCORPORATED AREAS, COMMUNITY PANEL NO. 13135C0057F, DATED SEPTEMBER 29, 2006. THIS SITE FALLS WITHIN ZONE X.



MDA
 MCFARLAND DYER & ASSOCIATES, INC.
 4174 SILVER PEAK PARKWAY
 SUWANEE, GEORGIA 30024
 (770) 932-6550
 WWW.MCFARLAND.COM

John Wieland Homes
 JOHN WIELAND HOMES
 AND NEIGHBORHOODS
 4125 ATLANTA ROAD SE
 SMYRNA, GA 30080
 (770) 703-1646

STONEHAVEN
 AT SUGARLOAF

REZONING
 EXHIBIT

CIC'14 004

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

We are not proposing a change in use.

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

Changes will not adversely affect existing use/usability of adj. prop.

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

Property is zoned w/ 4000 sqft which is in alignment w/ today's market.

- (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:

Density will not change as a result of change in conditions.

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

Plan conforms. Future land use map shows property as existing/emerging suburban

- (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:

Our proposed architectural style is not in alignment w/ all previously approved conditions. Our intent is to have 4 sided architecture but w/ elements other than strictly stone/brick.

RECEIVED BY

MAR 07 2014

CIC'14 004

JASON GARRETT
Vice President, Land Development
770-703-1646
jason.garrett@jwhomes.com

March 4, 2014

Attn: Mr. Bryan Lackey
Gwinnett County Planning Division
446 West Crogan Street, Suite 250
Lawrenceville, GA 30046

Re: Letter of Intent for Stonehaven RZT Change in Conditions: Prior Zoning Case RZM-06-033

Gwinnett Planning Division:

JW Homes, LLC is submitting this change in conditions application in order to remove three conditions to zoning case RZM-06-033/ GCID 2006-1670.

The property is 15.268 acres and zoned R-ZT by the Board of Commissioners on March 6, 2007.

The three conditions we are requesting for modification are as follows:

- 1) Condition 1(b)
 - a. *Existing Condition 1(b)* – Minimum heated floor area for each dwelling shall be 3,000 square feet
 - b. *Proposed Condition 1(b)* - Minimum heated floor area for each dwelling shall be 2,500 square feet
- 2) Condition 1(c)
 - a. *Existing Condition 1(c)* – Dwelling shall be constructed of four side primarily brick, stucco, cedar shake or stacked stone with treatments (i.e. gables, bay windows, chimneys) of wood or fiber-cement type siding. Vinyl siding shall be prohibited. Final architectural elevations shall be submitted for review and approval of the Director of Planning and Development.
 - b. *Proposed Condition 1(c)* – Architectural elevations shall be similar to those included herein. Final architectural elevations shall be submitted for review and approval of the Director of Planning and Development. Vinyl siding shall be prohibited.
- 3) Condition 2 (a)
 - a. *Existing Condition 2(a)* – Provide a 40-foot wide landscaped setback adjacent to all external street frontages. Setback to include a decorative masonry monument sign and landscaping where feasible with respect to grade variation. Sign design shall be consistent with the building materials of the dwelling units. Submit landscaped setback plan and sign plan for review and approval by the Director of Planning and Development.
 - b. *Proposed Condition 2(a)* – Provide a 20-foot wide landscaped setback adjacent to all external street frontages. Setback to include a decorative masonry monument sign and landscaping where feasible with respect to grade variation. Sign design shall be

RECEIVED BY

MAR 07 2014

Planning & Development

CIC '14 004

consistent with the building materials of the dwelling units. Submit landscaped setback plan and sign plan for review and approval by the Director of Planning and Development.

4) Condition 2 (b)

- a. *Existing Condition 2(b)* - Provide a 35-foot wide replanted buffer adjacent to R-100 zoned property. The 35-foot buffer shall be measured from the northern side of the sanitary sewer easement adjacent to Jefferson Station subdivision. The plant materials within the area shall be subject to the review by the Director of Planning and Development. Developer to coordinate location and type of fencing with adjacent landowner, Laura Hartman.
- b. *Proposed Condition 2(b)* - Provide a 40-foot wide buffer adjacent to R-100 zoned property. Buffer shall be measured from property line adjacent to Jefferson Station subdivision.

Number of lots: 49

Proposed House Size: 2500 heated square feet

Density: Per zoning would have a maximum of 3.2 units/acre on for a total of 8000 gross sqft/acre. Submitted plan has density of 3.01 units/acre for a total of 7525 gross sqft/acre.

Number of parking spaces: 2 spaces per unit (within driveway)

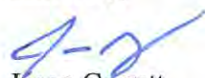
Height of buildings: Maximum height is 35 foot as measured from foundation to mid-way of roof or mid-way of basement to mid-way roof.

Change in setback: Reduced to 20' to exterior streets

Change in buffer: Changed to 40' from adjacent R-100

Thank you for your consideration and we look forward to working with your department as we go through this process. If you have any comments \ concerns \ questions please do not hesitate to contact me.

Sincerely,



Jason Garrett

Vice President of Land Development

Attachments

- Prior Zoning Case
- Elevations Package

RECEIVED BY

MAR 07 2014

Planning & Development

CIC '14 004

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.

JW Homes, LLC
[Signature]

3/6/2014

Signature of Applicant

Date

JW Homes, LLC
Jason Garrett, VP of Land Development

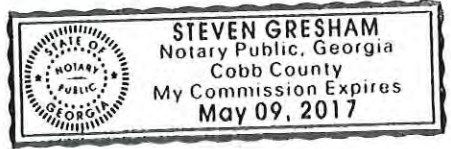
Type or Print Name and Title

[Signature]

3/6/14

Signature of Notary Public
Signature of Notary Public

Date



Date

Notary Seal

Notary Seal

RECEIVED BY

MAR 07 2014

Planning & Development

CIC'14 004

CHANGE IN CONDITIONS PROPERTY OWNER'S CERTIFICATION

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

JW Homes, LLC




Signature of Property Owner

3/6/2014

Date

JW Homes, LLC
Jason Garrett, VP of Land Development

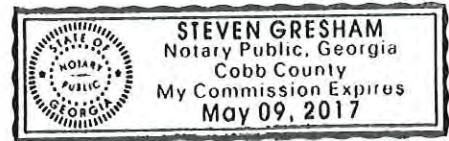
Type or Print Name and Title



Signature of Notary Public

3/6/14

Date



Notary Seal

RECEIVED BY

MAR 07 2014

Planning & Development

CIC '14 004

**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:
(Map Reference Number)

 7 - 114 - 170
District Land Lot Parcel

JW Homes, LLC

[Signature]
Signature of Applicant

3/6/2014
Date

JW Homes, LLC
Jason Granett, VP of Land Development
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)

Dawn Smith
NAME

tax service associate
TITLE

March 7, 2014
DATE

RECEIVED BY

MAR 07 2014

CIC 14 004

**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: 7 - 114 - 173
(Map Reference Number) District Land Lot Parcel

JW Hanes, LLC
[Signature] 3/6/2014
Signature of Applicant Date
JW Hanes, LLC
Jason Granoff, VP of Land Development
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)

Debra Smith tax service associate
NAME TITLE
March 7, 2014
DATE

RECEIVED BY

MAR 07 2014

Planning & Development

CIC'14 004