

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>Juan Del Rio</u>	NAME: <u>5211 Jimmy Carter Blvd, LLC</u>
ADDRESS: <u>1470 Branch Dr.</u>	ADDRESS: <u>PO Box 70</u>
CITY: <u>Tucker</u>	CITY: <u>Douglasville</u>
STATE: <u>GA</u> ZIP: <u>30084</u>	STATE: <u>GA</u> ZIP: <u>30084</u>
PHONE: <u>404-399-5192</u>	PHONE: <u>404-630-2251</u>
CONTACT PERSON: <u>Juan Del Rio</u> PHONE: <u>404-399-5192</u>	
CONTACT'S E-MAIL: <u>jpdrm1986@gmail.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): C-1 REQUESTED ZONING DISTRICT: C-2

LAND DISTRICT(S): 6 LAND LOT(S): 190 ACREAGE: 1.524

ADDRESS OF PROPERTY: 5211 Jimmy Carter Blvd, Norcross, GA

PROPOSED DEVELOPMENT: Furniture Store

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: <u>2</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>14,470</u>
Gross Density: _____	Density: <u>21.8%</u>
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT or parcel of land lying and being in Land Lot 190 of the 6th District of Gwinnett County, Georgia, and being more particularly described as follows:

COMMENCING at the intersection of the northeasterly edge of the right of way of Jimmy Carter Boulevard (variable right of way) and the centerline of Tracy Valley Drive; and proceed thence in a northwesterly direction, along the right of way of Jimmy Carter Boulevard, 192 feet to an iron pin, said point being the TRUE POINT OF BEGINNING; thence in a northwesterly direction along the right of way of Jimmy Carter Boulevard, and following a curve to the right an arc distance of 243.26 feet to a point (said arc having a radius of 814.54 feet and being subtended by a chord bearing North 46 degrees 23 minutes 21 seconds West a distance of 242.36 feet); thence departing the right of way of Jimmy Carter Boulevard and proceeding North 65 degrees 00 minutes 00 seconds East 347.10 feet to a point; thence South 25 degrees 16 minutes 28 seconds East 198.19 feet to a point; thence South 58 degrees 57 minutes 32 seconds West 261.12 feet to the northeasterly right of way of Jimmy Carter Boulevard and the point of beginning.

The described premises being shown upon a Boundary Survey for 5211 Jimmy Carter Blvd, LLC and First American Title Insurance Company, prepared July 12, 1999, last revised November 15, 2013 by P.C. Flynn Land Surveying Co., Philip C. Flynn, Jr., GA RLS No. 2622, which plat of survey by reference thereto is incorporated in this description.

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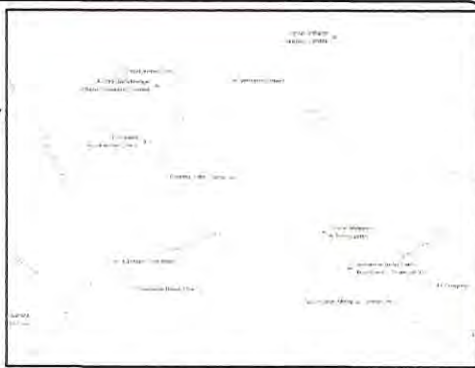
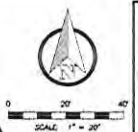
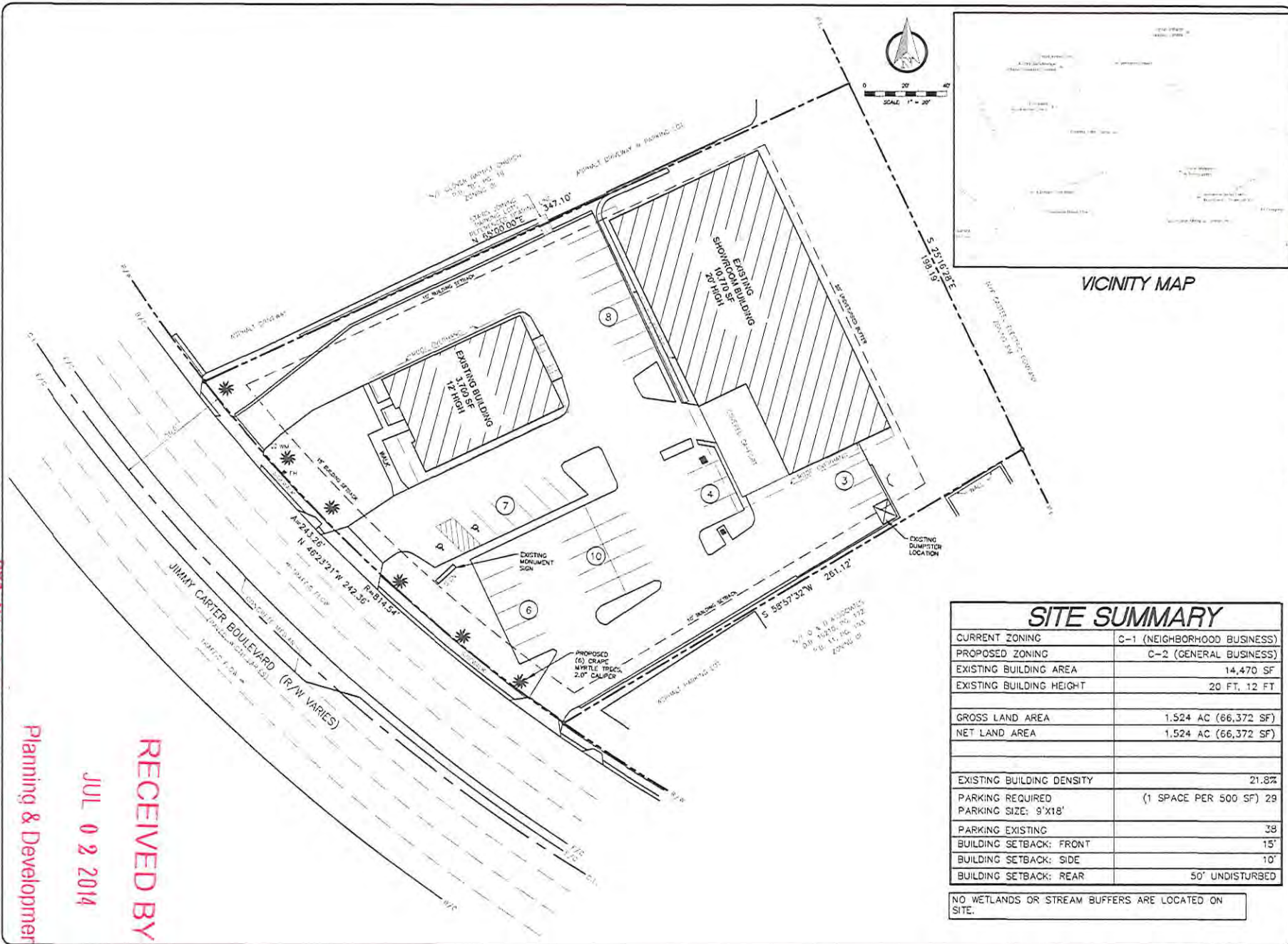
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VICINITY MAP

SITE SUMMARY	
CURRENT ZONING	C-1 (NEIGHBORHOOD BUSINESS)
PROPOSED ZONING	C-2 (GENERAL BUSINESS)
EXISTING BUILDING AREA	14,470 SF
EXISTING BUILDING HEIGHT	20 FT, 12 FT
GROSS LAND AREA	1.524 AC (66,372 SF)
NET LAND AREA	1.524 AC (66,372 SF)
EXISTING BUILDING DENSITY	21.8%
PARKING REQUIRED	(1 SPACE PER 500 SF) 29
PARKING SIZE: 9'x18'	
PARKING EXISTING	38
BUILDING SETBACK: FRONT	15'
BUILDING SETBACK: SIDE	10'
BUILDING SETBACK: REAR	50' UNDISTURBED

NO WETLANDS OR STREAM BUFFERS ARE LOCATED ON SITE.



THE CONTINIO GROUP
 THE CONTINIO GROUP
 5700 WILLOW CREEK DRIVE
 SUITE 100
 DUBLIN, GA 31009
 PHONE: 404.211.1111 | WWW.CONTINIOGROUP.COM

DATE	REVISIONS	BY

5211 JIMMY CARTER BLVD, LLC.
 PO BOX 70
 DOUGLASSVILLE, GA 30133

FURNITURE STORE
 JURISDICTION: GWINNET COUNTY
 PARCEL # 15189 057
 LOCATION: 5211 JIMMY CARTER BLVD
 DOUGLASSVILLE, GA

CHECKED BY: RTC
 DRAWN BY: JPD

SITE

JOB NO: SHEET
 DATE: 06/10/14 1
 OF 1 SHEETS

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:

YES IT WILL. THE AREA AROUND THE PROPERTY IS FULLY COMMERCIAL

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

IT WILL NOT. THE PROPERTY IS ALREADY BUILT TO ACCOMODATE THE PROPOSED FURNITURE SALES STORE AND THERE ARE NO OTHER STORES OF THIS TYPE WITH IN A 2 MILES RADIOUS.

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

YES. BUT DUE TO THE SIZE OF THE EXISTING BUILDINGS THE C-1 ZONING ALLOWED BUSINESSES ARE NOT BIG ENOUGH TO MOVE IN, AND COMMIT TO A LONG TERM LEASE.

- (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. THIS AREA HAS ALREADY TRAFFIC VOLUMES THAT WILL NOT BE AFFECTED BY THIS REZONING.

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

YES IT IS. THE PROPERTY COMPLIES WITH ALL THE ZONING ORDINACES.

- (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:

MOST PROPERTIES AROUND THIS AREA ARE ZONED C-2, AND THE CHANGE IN ZONING WILL NOT HAVE AN IMPACT ON THE PROPERTIES AROUND. DUE TO THE SIZE OF THE PROPERTY THE C-2 ZONING WILL BENEFIT ITS USE THE MOST.

June 30, 2014

LETTER OF INTENT FOR PROPERTY REZONING

The property located on 5211 Jimmy Carter Boulevard, Norcross, GA is currently zoned C-1, and the intention of the owner is to rezone this property to C-2 to accommodate a growing furniture store on the existing buildings.

The property has two building which have been maintained and serviced throughout their vacancy time. The small building in the front used to be a bank, and the warehouse building in the back used to be a car dealer.

The property has 1.524 acres, and it is in compliance with the C-2 zoning regulations. The lot density is at 21.8% and will remain the same. No changes are proposed on the property, other than addition of trees along the street frontage for a better appearance along this busy roadway. The property has 36 parking spaces, plus 2 handicap accessible spaces. The small building on the front of the property is 12 feet high, and the warehouse building on the back is 20 feet high. No changes in the zoning setbacks or buffers are required on the property.

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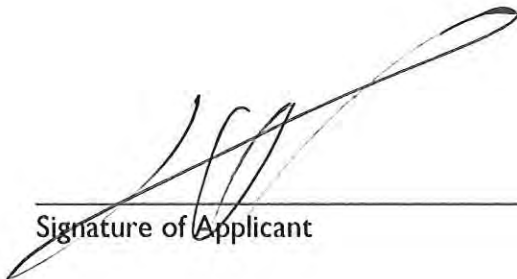
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REZONING APPLICANT'S CERTIFICATION

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.



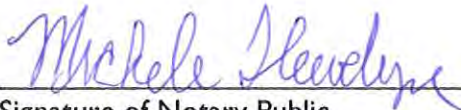
Signature of Applicant

07-02/2014

Date

Juan P Del Rio, CET

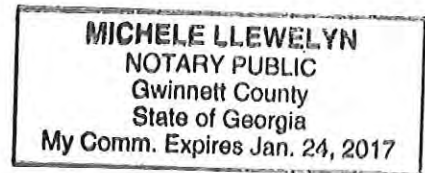
Type or Print Name and Title



Signature of Notary Public

7/2/14

Date



Notary Seal

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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.



Signature of Property Owner



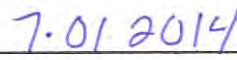
Date

George Kingston Manager

Type or Print Name and Title



Signature of Notary Public



Date



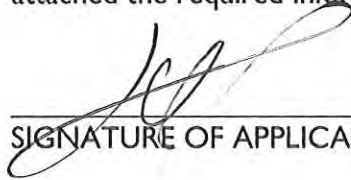
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CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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.

 07-02-2014 **Juan P Del Rio**
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

 7/2/14
 SIGNATURE OF NOTARY PUBLIC DATE

MICHELE LLEWELYN
 NOTARY PUBLIC
 Gwinnett County
 State of Georgia
 My Comm. Expires Jan. 24, 2017
 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 Juan P Del Rio
 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: 6 - 190 - 057
(Map Reference Number) District Land Lot Parcel



07-02-2014
Date

Signature of Applicant
Juan P Del Rio, CET
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
NAME

tax services associate
TITLE

July 2, 2014
DATE

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