

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>TPA Group, LLC</u> <u>c/o Mill Creek Consulting</u>	NAME: <u>Southeast Land Investment Partners, LLC 36</u>
ADDRESS: <u>4480 Commerce Drive, Suite A</u>	ADDRESS: <u>Same</u>
CITY: <u>Buford</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: _____ ZIP: _____
PHONE: <u>770-614-6511</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 614-6511</u>	
EMAIL ADDRESS: <u>millcreekconsulting@gmail.com</u>	

*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

APPLICANT IS THE:	
<input type="checkbox"/> OWNERS AGENT	<input type="checkbox"/> PROPERTY OWNER
<input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT (S): <u>O & I</u> REQUESTED ZONING DISTRICT: <u>R-ZT</u>	
LAND DISTRICT (S): <u>7</u>	LAND LOT: <u>113</u> ACREAGE: <u>15.29</u>
ADDRESS OF PROPERTY: <u>2387 Huntcrest Way</u>	
PROPOSED DEVELOPMENT: <u>Single Family Detached Subdivision</u>	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>48</u>	NO. OF BUILDINGS/UNITS: _____
DWELLING UNIT SIZE (SQ. FT.): <u>2,500</u>	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: <u>3.14</u>	DENSITY: _____
NET DENSITY: <u>3.14</u>	

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

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LAND DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 113 of the 7th District, Gwinnett County, Georgia and being more particularly described as follows:

To find the True Point of Beginning commence at the northeastern intersection of the right-of-way of North Brown Road and the right-of-way of Huntcrest Way; THENCE commence along the right of way of Huntcrest Way (Apparent 60' Right-of-Way) in a Southeastern direction along a curve to the left having a radius of 20.00 feet and an arc length of 30.33 feet and being subtended by a chord of South 38 degrees 45 minutes 28 seconds East for a distance of 27.51 feet to a point; THENCE South 81 degrees 51 minutes 20 seconds East for a distance of 31.02' to a point; THENCE along a curve to the right having a radius of 180.00 feet and an arc length of 169.69 feet and being subtended by a chord of South 54 degrees 50 minutes 50 seconds East for a distance of 163.48 feet to a point; THENCE South 27 degrees 50 minutes 21 seconds East for a distance of 89.03' to a point; Said point is THE TRUE POINT OF BEGINNING; THENCE leaving said right-of-way of Huntcrest Way in the direction North 62 degrees 02 minutes 58 seconds East for a distance of 57.32' to a point; THENCE along a curve to the left having a radius of 251.00 feet and an arc length of 82.11 feet and being subtended by a chord of North 52 degrees 40 minutes 41 seconds East for a distance of 81.74 feet to a point; THENCE North 43 degrees 18 minutes 23 seconds East for a distance of 355.08' to a point; THENCE along a curve to the left having a radius of 105.00 feet and an arc length of 163.82 feet and being subtended by a chord of North 01 degrees 23 minutes 40 seconds West for a distance of 147.70 feet to a point; THENCE North 46 degrees 05 minutes 28 seconds West for a distance of 253.87' to a point; THENCE North 16 degrees 12 minutes 01 seconds West for a distance of 131.99' to a point; THENCE North 58 degrees 38 minutes 59 seconds East for a distance of 441.48' to a point; THENCE South 31 degrees 01 minutes 09 seconds East for a distance of 210.03' to a point; THENCE North 58 degrees 39 minutes 57 seconds East for a distance of 210.10' to a point; THENCE South 31 degrees 01 minutes 11 seconds East for a distance of 494.70' to a point; THENCE South 44 degrees 01 minutes 59 seconds West for a distance of 1175.19' to a point; Said point being on the Right of Way of Huntcrest Way (Apparent 60' Right-of-Way); Thence continue along the Right-of-Way of Huntcrest Way along a curve to the left having a radius of 211.50 feet and an arc length of 36.76 feet and being subtended by a chord of North 50 degrees 56 minutes 30 seconds West for a distance of 36.71 feet to a point; THENCE along a curve to the right having a radius of 286.00 feet and an arc length of 49.72 feet and being subtended by a chord of North 50 degrees 56 minutes 22 seconds West for a distance of 49.66 feet to a point; THENCE North 45 degrees 57 minutes 32 seconds West for a distance of 47.18' to a point; THENCE along a curve to the right having a radius of 220.00 feet and an arc length of 69.58 feet and being subtended by a chord of North 36 degrees 53 minutes 56 seconds West for a distance of 69.29 feet to a point; THENCE North 27 degrees 50 minutes 21 seconds West for a distance of 205.78' to a point; said point being THE TRUE POINT OF BEGINNING.

Said property contains 15.29 +/- acres.

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STANDARDS GOVERNING 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:

THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

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

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

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

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE 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 STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:

THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

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

THE SUBJECT PROPERTY IS DESIGNATED 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 REZONING:

SEE LETTER OF INTENT.

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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 P, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

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PLANNING DIVISION USE ONLY

CASE NUMBER _____

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REZONING APPLICANT'S LETTER OF INTENT

The Applicant, TPA Group, LLC, requests rezoning on 15.29 acres for the purpose of developing a Single Family detached subdivision. In order to develop the site as proposed, the Applicant respectfully requests a rezoning from O & I to R-ZT. The subject property is located at 2387 Huntcrest Way and is found in the 7th district, land lot 113 in Gwinnett County.

The enclosed site plan indicates 48 units on the subject site. The site plan shows that the project will have one entrance from Huntcrest Way. The minimum heated square footage for the homes will be 2,500 sf with a maximum height for the proposed dwellings 35'. The exterior of all dwellings will consist of brick or stone on the front façade with accents of fiber cement siding. The balance of the home may be the same or wood, cedar shake or fiber cement siding. Price range for the units will be from the \$300s and higher. Sidewalks will be provided on the interior streets and along the entire frontage of Huntcrest Way. The applicant is proposing a 30 foot buffer along the entire common boundary with the adjacent R-75 subdivision, The Summit at Huntcrest. That buffer will be dedicated and maintained by the required Home Owners Association and where sparsely vegated, that area will be planted with evergreen screening pursuant to the requirements the county deems necessary. The property abuts commercial properties as well as other R-ZT properties and will provide a viable transition from those properties to the Summit at Huntcrest subdivision. This property has been zoned and marketed for Office uses for many years but there is just no demand for office uses on this property. The proposal is for a density of 3.14 units to the acre which is for a more realistic transition than some of the other higher densities that have been proposed on the property.

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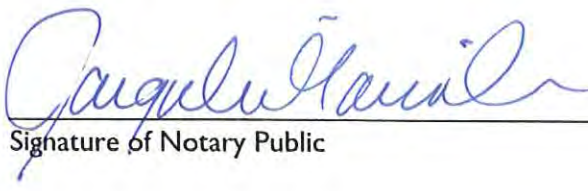
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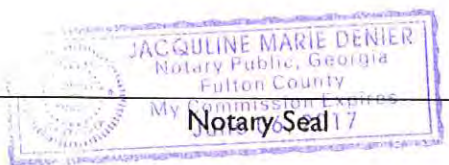
REZONING APPLICANT'S CERTIFICATION

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.

X  _____
Signature of Applicant Date 12-20-13

Tyler Vansant, VP _____
Type or Print Name and Title

 _____
Signature of Notary Public Date




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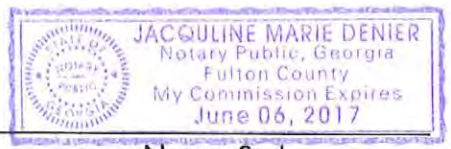
REZONING PROPERTY OWNER'S CERTIFICATION

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.

X  _____
Signature of Property Owner 12-20-13
Date

Brad Smith, Manager
Type or Print Name and Title

 _____
Signature of Notary Public Date


Notary Seal

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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.

X [Signature] 12-20-13 R. Tyler Vansant, VP
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

[Signature]
 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 X Tyler Vansant
 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 (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: 7 - 113 - 133
(Map Reference Number) District Land Lot Parcel

X [Signature] 12-20-13
Signature of Applicant Date
Tyler Vansant
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)

[Signature] GWINNETT COUNTY TAX COMMISSIONER
NAME TITLE
12-31-2013
DATE

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