

**REZONING APPLICATION**

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: Hickory Level Development, LLC c/o Mahaffey Pickens Tucker, LLP ADDRESS: 1550 North Brown Road, Suite 125 CITY: Lawrenceville STATE: Georgia ZIP: 30043 PHONE: (770) 232-0000	NAME: *Please see attached. ADDRESS: CITY: STATE: ZIP: PHONE:
CONTACT PERSON: Amanda C. Floyd PHONE: (770) 232-0000 CONTACT'S E-MAIL: afloyd@mptlawfirm.com	

**APPLICANT IS THE:**

OWNER'S AGENT   
  PROPERTY OWNER   
  CONTRACT PURCHASER

R-100/RA-200

PRESENT ZONING DISTRICTS(S): \_\_\_\_\_ REQUESTED ZONING DISTRICT: R-100 Modified  
 LAND DISTRICT(S): 3 LAND LOT(S): 067, 009, 074 ACREAGE: 54.44 +/- acres  
 ADDRESS OF PROPERTY: Braselton Highway  
 PROPOSED DEVELOPMENT: Single-family residential development

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: 125	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): Min. 1400 sq. ft.	Total Building Sq. Ft. _____
Gross Density: 2.29/acre	Density: _____
Net Density: 2.90/acre	

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

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BY: .....

REZONING APPLICATION OF  
HICKORY LEVEL DEVELOPMENT, LLC  
OWNER INFORMATION

1. PARCEL: R3004 009  
NAME: Sarah H. Martin  
ADDRESS: 3405 Doral Lane, Woodstock, Georgia 30189  
PHONE: (770) 232-0000
  
2. PARCEL: R3004 074  
NAME: Slavic Evangelic Christian Church of Atlanta, Inc.  
ADDRESS: 3150 Old Atlanta Road, Suwanee, Georgia 30024  
PHONE: (770) 232-0000
  
3. PARCEL: R3004 067  
NAME: Westside Bank  
ADDRESS: P.O. Box 1310, Hiram, Georgia 30141  
PHONE: (770) 232-0000

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BY: .....

LEGAL DESCRIPTION  
For Parcels having  
Parcel ID #s 3004-067, 3004-009, 3004-074 & 3004-009

All that tract or parcels of land lying and being in Land Lot 4, 3rd. District, Gwinnett County, Georgia and being more particularly described as follows:

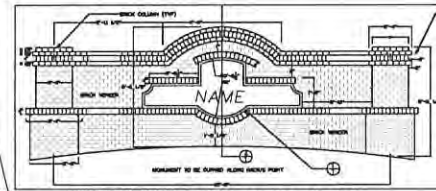
Beginning at an iron pin found on the southerly right of way line of Georgia Hwy 124 (a/k/a Braselton Highway)(80 foot right of way), which point is located 2,053.25 feet northeasterly along said right of way line from its point of intersection with the right of way line of Mount Moriah Road; run thence along said right of way line of Georgia 124 (a/k/a Braselton Highway) N84°56'43"E, a distance of 340.09 feet to an iron pin found; thence N82°41'E, a distance 122.99 feet to a point; thence N82°06'E, a distance 176.62 feet to a point; thence N80°25'E, a distance 99.72 feet to a point; thence N79°34'E, a distance 154.27 feet to a point; thence N79°29'E, a distance 528.10 feet to a point; thence N79°14'E, a distance 118.80 feet to a point; thence, leaving the Braselton Hwy R/W, S15°53'E, a distance 1067.52 feet to a point, thence S60°06'W, a distance 698.76 feet to a point; thence S06°10'10"W, a distance 295.8 feet, more or less, to an iron pin found in centerline of a creek (centerline of said creek is the property line) (Point A); run thence along centerline of said creek in a generally northerly to northwesterly direction and following the meanderings thereof for a distance of 754 feet, more or less to a point (Point B) ( the centerline of said creek being subtended by a traverse line more particularly described as follows: Beginning at Point A run S 54°56'18"W, a distance 655.19 feet to an iron pint; thence, S 13°26'49"W a distance 31.97 feet to a point; run thence in a generally southwesterly direction for a distance of 3.6 feet, more or less to an iron pin at Point B; thence leaving centerline of said creek run N75°51'18"W, a distance 236.86 feet to an iron pin found; run thence N13°06'47"W, for a distance 1807.17 feet to an iron pin found on the southerly R/W line of Georgia Hwy 124 (a/k/a Braselton Highway) (80 foot right of way) which iron pin found marks the TRUE POINT OF BEGINNING.

Said tract of land contains 54.44 acres, more or less,  
This legal description was composed by compiling a survey done by BORDERS AND ASSOCIATES for PERLIA MARTIN and SARAH H. MARTIN dated Dec. 3<sup>rd</sup> 1979, and a legal description recorded in DB 51582 PG 0518 EXHIBIT "A" Gwinnett County Records.

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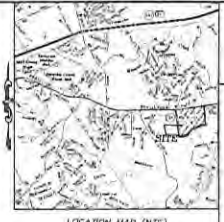
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MONUMENTS BOTH SIDES (NTS)

NOTES:

1. PROPERTY ZONED R-100 & R-300 (SEE SCHEDULE)
2. PROPOSED ZONING: R-100 MGD
3. TOTAL AREA = 54.44 AC.
4. NET AREA = 42.96 ACRES = 1,870,664 SF
5. OPEN SPACE = 10.81 ACRES = 470,034 SF (SEE LAYOUT PLAN FOR DETAILED)
6. NET AREA = 10.21 ACRES = 444,137 SF
7. PROPOSED # OF UNITS = 423 UNITS
8. DENSITY:
  - A. OVERALL DENSITY = 134.44-24 UNITS/ACRE @ 0.30 MAX
  - B. NET DENSITY = 123.42-24 UNITS/ACRE
9. PROPOSED # OF DWELLING UNITS = 11 UNITS (SEE LAYOUT PLAN)
10. ALL DWELLINGS TO BE 30 FT MAX HEIGHT & SHALL HAVE 1 CAR GARAGE
11. MINIMUM HEIGHT FOR OPEN SPACE:
  - A. 1000 SQ FT MIN.
  - B. 100 FT MIN.
  - C. 10 FT MIN.
12. HOLDING SET BACKS:
  - A. FRONT = 20 FT
  - B. SIDES = 10 YARDS = 30 FT = 30 FT
  - C. REAR = 10 FT
13. PERIMETER SET BACKS:
  - A. 10 FT
14. REFERENCE BOUNDARY SURVEY COMPILED PLATS:
  - A. BOUNDARY SURVEY AND RESUBDIVISION DATED 11/27/78 FOR PERILLA & NARRA MARIN.
  - B. DATED FOR RICH HANKS, USA RECORDED IN BOOK 3002 PAGE 018 (NTS)
15. REFERENCE TOPOGRAPHIC SURVEY DATED 11/27/78 IN TOP MAPS.
16. ALL INTERIOR STREETS WILL BE PUBLIC.
17. THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD ZONE AS PER FLOOD HAZARD STUDY PERFORMED BY HUNTER GROUP, DATED 06/28/12, 2013.
18. MAINTENANCE TO BE PROVIDED BY THE PROPERTY OWNER.
19. WATER SYSTEM TO BE PUBLIC AND SERVICE WILL BE PROVIDED BY APPLICABLE AGENCY.
20. SEWER SYSTEM TO BE PUBLIC AND SERVICE WILL BE PROVIDED BY APPLICABLE AGENCY.
21. POWER WILL BE PROVIDED BY GEORGIA POWER.
22. ALL CONDITIONS SHALL COMPLY WITH COUNTY STANDARD, AND SPEC'S.
23. 5' SIDE WALK WITH 3' GRASS STRIP FROM B.O.C. WILL BE PROVIDED AS PER APPLICABLE COUNTY STANDARD & SPEC'S.



LOCATION MAP (NTS)

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BY: [Signature]

SCALE: 1"=100'  
SHEET NO. 1 OF 1  
FILE NO.

ZONING PLAN FOR  
BRASILTON HWY 124 PROPERTY  
LAND LOT 4, 380, DISTRICT  
GWINNETT COUNTY, GEORGIA

DEVELOPER  
HICKORY LAKE DEVELOPMENT, LLC  
6885 LAKE FOREST DRIVE  
ATLANTA, GA 30328  
PHONE: 404-255-6511

DATE: 12-20-13

BY: [Signature]

DATE: 12-20-13

BY: [Signature]

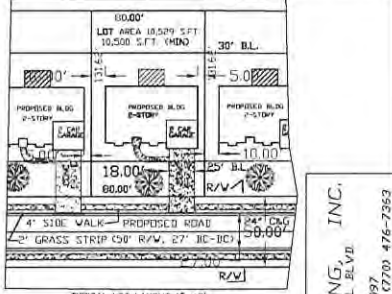
DATE: 12-20-13

BY: [Signature]

LOTS SCHEDULE			
TRACT NO.	AREA ACRES	PRES. ZONING	PROPOSED ZONING
3004-071	29.36	R-100	R-100 MGD
3004-072	2.36	RA-200	R-100 MGD
3004-073	5.18	RA-200	R-100 MGD
3004-074	17.92	RA-200	R-100 MGD

TOTAL AREA TO BE REZONED = 54.44 ACRES

TRACTS SCHEDULE				
TRACT NO.	AREA ACRES	PRES. ZONING	CASE NO.	PROPOSED ZONING
3004-071	29.36	R-100	RZ-05-00	R-100 MGD
3004-072	2.36	RA-200	-	R-100 MGD
3004-073	5.18	RA-200	-	R-100 MGD
3004-074	17.92	RA-200	-	R-100 MGD



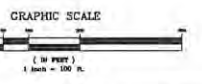
- TOTAL LOTS AREA=1,495,801 SFT
- TOTAL LOTS AREA AT 15,000 SFT/LOT = 99,720 LOTS
- TOTAL LOTS AREA TO COMPENSATE 66 OPEN SPACE = 1,429,081 SFT
- TOTAL OPEN SPACE = 10.81 ACRES = 470,034 SFT
- AVERAGE IMPROVED LOT COVERAGE = 31%

**CORNER SITE DISTANCE - PRIVATE DRIVEWAYS UTILIZING 1.5 TIMES THE SPEED LIMIT**

1, the undersigned, hereby certifies that the proposed driveway(s) for the [Project Name] project is/are designed with adequate sight corner distances for each driveway approaching a minor collector or minor thoroughfare. The regulated speed is [Speed] miles per hour. The sight distance is [Distance] feet in the [Direction] direction.

(Section 9.7.4 of the Gwinnett County Development Regulations)

**MEASUREMENT**  
MEASUREMENT CERTIFICATION: THE DESIGN PROFESSIONAL WHOSE SEAL APPEARS HEREON CERTIFIES THE FOLLOWING: THAT THE NATIONAL MEASUREMENT SYSTEMS (NMS) MAPS HAVE BEEN CONSULTED AND THAT THE APPROXIMATE PLANS (AS SHOWN) ARE CORRECT AND ACCURATE TO THE APPLICABLE TOLERANCES. THE DESIGN PROFESSIONAL SHALL INDICATE APPROPRIATE BOUNDARIES OF SURVEY STATIONS, SURVEY CORNERS, AND OTHER APPROPRIATE INFORMATION ON THE MAPS. ANY (S) OF THE ABOVE ARE INDICATED BY THE LAND OWNER OR DEVELOPER HAVE BEEN ADJUSTED TO THE LAND SURVEYING RECORDS OF THE NATIONAL MEASUREMENT SYSTEM (NMS) MAPS. ANY (S) OF THE ABOVE ARE INDICATED BY THE LAND SURVEYING RECORDS OF THE NATIONAL MEASUREMENT SYSTEM (NMS) MAPS. ANY (S) OF THE ABOVE ARE INDICATED BY THE LAND SURVEYING RECORDS OF THE NATIONAL MEASUREMENT SYSTEM (NMS) MAPS.



PREPARED BY: MANSOUR ENGINEERING, INC.  
1810 PEACHTREE INDUSTRIAL BLVD  
DULUTH, GA 30097  
Phone: (770) 476-7044 Fax: (770) 476-7363

PROJECT NO. [Blank]  
DESIGNED BY: [Blank]  
CHECKED BY: [Blank]  
ENGINEER: [Blank]  
REGISTRATION NO. [Blank]

DATE: 12-20-13  
BY: [Signature]  
DATE: 12-20-13  
BY: [Signature]  
DATE: 12-20-13  
BY: [Signature]

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**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:

Please see attached.

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

Please see attached.

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

Please see attached.

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- (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:

Please see attached.

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

Please see attached.

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- (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:

Please see attached.

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**REZONING APPLICANT'S RESPONSE**  
**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

- (A) The subject property is surrounded by residential developments. The proposed zoning of a single family residential subdivision will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- (B) No. The rezoning will not adversely affect the existing use or usability of adjacent or nearby property. Rather, the proposed rezoning and development would be consistent with the adjacent and nearby property and provide an enhancement to the area.
- (C) No. In light of market conditions the property has no reasonable economic use as zoned for R-100 and RA-200. The Applicant's requested use as a single family residential development under the R-100 Modified zoning classification will permit a more suitable and appropriate development allowing for the "highest and best use" for the property.
- (D) The proposed development is located in an area with public water and sewer availability and convenient access to major roadways. It will not cause an excessive use of the local fire department, police protection, or solid waste collection/disposal services provided by the County. Further, the rezoning will not cause excessive use of existing streets, transportation facilities, utilities, or schools.
- (E) Yes. The proposed rezoning is in conformance with the Gwinnett County 2030 Unified Plan in that it provides single family residences bordering an Existing/Emerging Suburban Character Area.
- (F) Yes, the existing zonings of adjacent and nearby properties give additional supporting grounds for the approval of the requested rezoning. Additionally, the property has no reasonable economic use under its current zoning thereby giving additional support for the approval of this Application.

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Justin A. Abernathy  
Matthew P. Benson  
Shawn F. Bratton  
Alissa L. Cummo  
Amanda C. Floyd  
J. David Gussio  
Gerald Davidson, Jr.\*  
Jill H. Harris\*

Christopher D. Holbrook  
Austen T. Mabe  
Jeffrey R. Mahaffey  
Steven A. Pickens  
E. Michelle Rothmeier  
Andrew D. Stancil  
Kenneth W. Stroud  
R. Lee Tucker, Jr.  
\*of Counsel

JAN 03 2014  
BY: .....

**LETTER OF INTENT FOR**  
**REZONING APPLICATION OF HICKORY LEVEL DEVELOPMENT, LLC**

Mahaffey Pickens Tucker, LLP submits the Rezoning Application, on behalf of Hickory Level Development, LLC, for the purpose of rezoning an approximate 55 acre tract (hereinafter, the "Property") located on Braselton Highway to the R-100 Modified zoning classification. The Property is currently zoned R-100 and RA-200. In its current state, the use and development of the Property as R-100 and RA-200 is not the highest and best use. As stated in the Rezoning Application, the Applicant intends to develop the Property as a modified single-family residential use.

The Applicant respectfully submits that the proposed development will conform to the Gwinnett County 2030 Unified Plan and will be compatible with adjacent properties. The Applicant submits that the proposed rezoning would not impose any additional burdens on the transportation network. The Applicant further submits that the operation of the Property as a modified single-family residential development under the guidelines of Gwinnett County is appropriate for the subject tract, is consistent with the surrounding property and will afford the owner the opportunity to increase the number of allowed uses on site so as to provide a needed amenity for the surrounding area. The proposed development would ensure affordable and accessible housing and attract new residents, increasing the tax base without overburdening

County schools, and infrastructure. Rezoning of the property will protect and promote the quality of life of the surrounding community, as well as allow the Property to be developed to its highest and best use.

The Applicant welcomes the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 3<sup>rd</sup> day of January, 2014.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Amanda C. Floyd  
Attorneys for Applicant

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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]* \_\_\_\_\_ 11/3/14  
Signature of Applicant Date

Amanda C. Floyd, Attorney for Hickory Level Development, LLC  
\_\_\_\_\_  
Type or Print Name and Title

*[Handwritten Signature]* \_\_\_\_\_ 1-13-14  
Signature of Notary Public Date



**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.

*Donald E Martin (POA)*

Signature of Property Owner

*12/30/13*

Date

Sarah H. Martin

Type or Print Name and Title

*Adi*

Signature of Notary Public

*12/30/13*

Date



Parcel ID: 3004 009

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**REZONING PROPERTY OWNER'S CERTIFICATION**

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Don L. Slotta EVP 12/30/13  
Signature of Property Owner Date

Westside Bank  
Type or Print Name and Title

Amanda Johnson 12/30/2013  
Signature of Notary Public Date



Parcel ID: 3004067

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**REZONING PROPERTY OWNER'S CERTIFICATION**

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Donald E Martin (POA)  
Signature of Property Owner

12/30/13  
Date

Perlia Martin  
Type or Print Name and Title

[Signature]  
Signature of Notary Public

12/30/13  
Date



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Parcel ID: 3004 009

**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.

*Amanda C. Floyd*      113114      Amanda C. Floyd, Attorney for Hickory Level Development, LLC  
 SIGNATURE OF APPLICANT      DATE      TYPE OR PRINT NAME AND TITLE

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

*Gwen L. Criswell*      1.3.14      \_\_\_\_\_  
 SIGNATURE OF NOTARY PUBLIC      DATE      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    Amanda C. Floyd, Attorney for Hickory Level Development, LLC  
 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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**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.

SIGNATURE OF APPLICANT Mahaffey Pickens Tucker, LLP	DATE	TYPE OR PRINT NAME AND TITLE
By: 	11/3/14	Amanda C. Floyd, Attorney for Hickory Level Development, LLC

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

	1.3.14	
SIGNATURE OF NOTARY PUBLIC	DATE	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    Mahaffey Pickens Tucker, LLP  
 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)
	Please see attached.	

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

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 BY: .....

**CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN  
CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS**

MAHAFFEY PICKENS TUCKER, LLP

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
Jace Brooks	\$1000	07/02/2012
Tommy Hunter	\$1000	09/06/2012
John Heard	\$ 500	10/24/2012
Tommy Hunter	\$ 500	10/30/2012
Tommy Hunter	\$1000	08/22/2012

LEE TUCKER, ATTORNEY AT LAW, PC

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
Jace Brooks	\$ 500	07/02/2012

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BY: .....

Updated 11/14/2013

**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:**                      3                      004                      009  
(Map Reference Number)                      District                      Land Lot                      Parcel

Hickory Level Development, LLC  
By: *Amanda C. Floyd*                      1/3/14  
Signature of Applicant                      Date  
Amanda C. Floyd, Attorney for Applicant  
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 Services Associate*  
NAME                      TITLE  
*01/03/2014*  
DATE

*RECORDED*  
JAN 03 2014

BY: .....

RZR '14 008



**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING**

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

**PARCEL I.D. NUMBER:**                      3                      004                      067  
(Map Reference Number)                      District                      Land Lot                      Parcel

Hickory Level Development, LLC

By: *Amanda C. Floyd*

Signature of Applicant

1/3/14

Date

Amanda C. Floyd, Attorney for Applicant

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 Administrator*  
TITLE

01/03/2014  
DATE

**RECEIVED**  
**JAN 03 2014**  
**RZR '14 008**  
**BY: .....**

**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:**                    3                    004                    074  
(Map Reference Number)                    District                    Land Lot                    Parcel

Hickory Level Development, LLC  
By: \_\_\_\_\_

Signature of Applicant                    1/3/14  
Date

Amanda C. Floyd, Attorney for Applicant

\_\_\_\_\_  
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 Services Associate  
NAME                    TITLE  
01/03/2014  
DATE

RECEIVED  
JAN 03 2014

RZR'14 008

BY: .....

**SPECIAL USE PERMIT APPLICATION**

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

APPLICANT INFORMATION	OWNER INFORMATION*
Hickory Level Development, LLC NAME: <u>c/o Mahaffey Pickens Tucker, LLP</u> ADDRESS: <u>1550 North Brown Rd., Suite 125</u> CITY: <u>Lawrenceville</u> STATE: <u>Georgia</u> ZIP: <u>30043</u> PHONE: <u>(770) 232-0000</u>	NAME: <u>*Please see attached.</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ PHONE: _____
CONTACT PERSON: <u>Amanda C. Floyd</u> PHONE: <u>(770) 232-0000</u> CONTACT'S E-MAIL: <u>afloyd@mptlawfirm.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 checked="" type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER
<input type="checkbox"/> CONTRACT PURCHASER	
R-100/RA-200	
EXISTING/PROPOSED ZONING: _____ BUILDING/LEASED SQUARE FEET: _____	
LAND DISTRICT(S): <u>3</u> LAND LOT(S): <u>067, 009, 074</u> ACREAGE: <u>54.44 +/- acres</u>	
ADDRESS OF PROPERTY: <u>Braselton Highway</u>	
SPECIAL USE REQUESTED: <u>Modified single-family residential development</u>	
_____	

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

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REZONING APPLICATION OF  
HICKORY LEVEL DEVELOPMENT, LLC  
OWNER INFORMATION

1. PARCEL: R3004 009  
NAME: Sarah H. Martin  
ADDRESS: 3405 Doral Lane, Woodstock, Georgia 30189  
PHONE: (770) 232-0000
  
2. PARCEL: R3004 074  
NAME: Slavic Evangelic Christian Church of Atlanta, Inc.  
ADDRESS: 3150 Old Atlanta Road, Suwanee, Georgia 30024  
PHONE: (770) 232-0000
  
3. PARCEL: R3004 067  
NAME: Westside Bank  
ADDRESS: P.O. Box 1310, Hiram, Georgia 30141  
PHONE: (770) 232-0000

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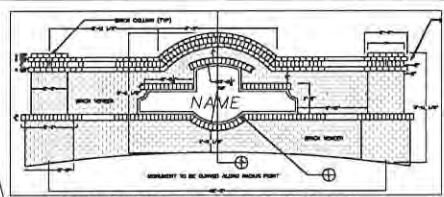
LEGAL DESCRIPTION  
For Parcels having  
Parcel ID #s 3004-067, 3004-009, 3004-074 & 3004-009

All that tract or parcels of land lying and being in Land Lot 4, 3rd. District, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at an iron pin found on the southerly right of way line of Georgia Hwy 124 (a/k/a Braselton Highway)(80 foot right of way), which point is located 2,053.25 feet northeasterly along said right of way line from its point of intersection with the right of way line of Mount Moriah Road; run thence along said right of way line of Georgia 124 (a/k/a Braselton Highway) N84°56'43"E, a distance of 340.09 feet to an iron pin found; thence N82°41'E, a distance 122.99 feet to a point; thence N82°06'E, a distance 176.62 feet to a point; thence N80°25'E, a distance 99.72 feet to a point; thence N79°34'E, a distance 154.27 feet to a point; thence N79°29'E, a distance 528.10 feet to a point; thence N79°14'E, a distance 118.80 feet to a point; thence, leaving the Braselton Hwy R/W, S15°53'E, a distance 1067.52 feet to a point, thence S60°06'W, a distance 698.76 feet to a point; thence S06°10'10"W, a distance 295.8 feet, more or less, to an iron pin found in centerline of a creek (centerline of said creek is the property line) (Point A); run thence along centerline of said creek in a generally northerly to northwesterly direction and following the meanderings thereof for a distance of 754 feet, more or less to a point (Point B) ( the centerline of said creek being subtended by a traverse line more particularly described as follows: Beginning at Point A run S 54°56'18"W, a distance 655.19 feet to an iron pint; thence, S 13°26'49"W a distance 31.97 feet to a point; run thence in a generally southwesterly direction for a distance of 3.6 feet, more or less to an iron pin at Point B; thence leaving centerline of said creek run N75°51'18"W, a distance 236.86 feet to an iron pin found; run thence N13°06'47"W, for a distance 1807.17 feet to an iron pin found on the southerly R/W line of Georgia Hwy 124 (a/k/a Braselton Highway) (80 foot right of way) which iron pin found marks the TRUE POINT OF BEGINNING.

Said tract of land contains 54.44 acres, more or less,  
This legal description was composed by compiling a survey done by BORDERS AND ASSOCIATES for PERLIA MARTIN and SARAH H. MARTIN dated Dec. 3<sup>rd</sup> 1979, and a legal description recorded in DB 51582 PG 0518 EXHIBIT "A" Gwinnett County Records.

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MONUMENTS BOTH SIDES (NTS)

LOCATION MAP (NTS)

- NOTES:
- PROPERTY ZONED R-100 & R-200 (SEE SCHEDULE)
  - PROPOSED ZONING: R-100 MCD
  - TOTAL AREA = 54.44 AC
  - NET AREA = 42.00 AC (RFS) = 42000 S.F.T
  - OPEN SPACE = 10.81 AC (RFS) = 47000 S.F.T (INCLUDING PONDS & REC. AREA)
  - IMP. AREA = 7% OF GROSS = 381.24 S.F. (LAST ACRES) = 71.52 S.F.T
  - PERMITTED # OF UNITS = 175 UNITS
  - DENSITY:
    - A. GROSS DENSITY = 1250.44 / 2.00 (MIN) ACRES = 125.04 (MAX)
    - B. NET DENSITY = 125.04 / 2.00 (MIN) ACRES = 125.04 (MAX)
  - PROPOSED LOTS WILL BE SINGLE FAMILY DETACHED.
  - ALL DRIVELINGS TO BE 33 FT MAX HEIGHT & SHALL HAVE 2 CAR GARAGES.
  - MINIMUM HEIGHT FOR AREA:
    - A. 10.00 FT MIN.
  - BUILDING SET BACKS:
    - A. FRONT = 25 FT
    - B. SIDES = 10' (RD) - 10' (2 VARDS) - 10' (1)
    - C. REAR = 30 FT
  - PERMITS SET BACKS:
    - A. 30 FT
  - REFERENCE TO ADJACENT SURVEY COMPILED PLATS:
    - A. DONE BY BOBBERS AND ASSOCIATES DATED DEC. 5, 1989 FOR PEARLA & NARA MARLIN
    - B. DEDICATED FOR RMC BANK USA RECORDED IN BOOK 1342 PAGE 151 (PART)
  - REFERENCE TO MAP FOR CURRENT CITY COUNTY TOWN MAPS.
  - ALL UTILITIES WILL BE UNDERGROUND.
  - ALL ADJACENT STREETS WILL BE PUBLIC.
  - THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD ZONE, AS PER CONNETT COUNTY FIRM PANEL NO. 13130C 0036 & 0039, DATED MAY 4TH, 2013.
  - SANITARY SEWER TO BE PUBLIC AND SERVICE WILL BE PROVIDED BY ADJACENT COMMUNITY.
  - WATER SYSTEM TO BE PUBLIC AND SERVICE WILL BE PROVIDED BY ADJACENT COMMUNITY.
  - POWER WILL BE PROVIDED BY GEORGIA POWER.
  - ALL CONSTRUCTION SHALL CONFORM TO ADJACENT CITY COUNTY STANDARDS AND SPECS.
  - ALL SIDEWALKS WITH 2' GRASS STRIP UNDER R.O.W. WILL BE PROVIDED AS PER ADJACENT CITY COUNTY STANDARDS & SPECS.

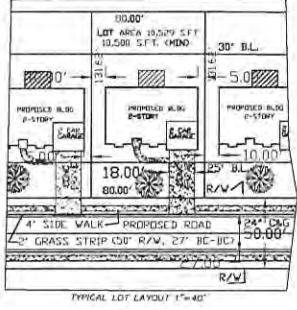
LOTS SCHEDULE

TRACT NO.	TAX ID	AREA ACRES	PRESENT ZONING	CASE NO.	PROPOSED ZONING
1	15-071	0.5	R-100		R-100 MCD
2	15-072	2.2	R-100		R-100 MCD
3	15-073	2.1	R-100		R-100 MCD
4	15-074	2.1	R-100		R-100 MCD
5	15-075	2.1	R-100		R-100 MCD
6	15-076	2.1	R-100		R-100 MCD
7	15-077	2.1	R-100		R-100 MCD
8	15-078	2.1	R-100		R-100 MCD
9	15-079	2.1	R-100		R-100 MCD
10	15-080	2.1	R-100		R-100 MCD
11	15-081	2.1	R-100		R-100 MCD
12	15-082	2.1	R-100		R-100 MCD
13	15-083	2.1	R-100		R-100 MCD
14	15-084	2.1	R-100		R-100 MCD
15	15-085	2.1	R-100		R-100 MCD
16	15-086	2.1	R-100		R-100 MCD
17	15-087	2.1	R-100		R-100 MCD
18	15-088	2.1	R-100		R-100 MCD
19	15-089	2.1	R-100		R-100 MCD
20	15-090	2.1	R-100		R-100 MCD
21	15-091	2.1	R-100		R-100 MCD
22	15-092	2.1	R-100		R-100 MCD
23	15-093	2.1	R-100		R-100 MCD
24	15-094	2.1	R-100		R-100 MCD
25	15-095	2.1	R-100		R-100 MCD
26	15-096	2.1	R-100		R-100 MCD
27	15-097	2.1	R-100		R-100 MCD
28	15-098	2.1	R-100		R-100 MCD
29	15-099	2.1	R-100		R-100 MCD
30	15-100	2.1	R-100		R-100 MCD
31	15-101	2.1	R-100		R-100 MCD
32	15-102	2.1	R-100		R-100 MCD
33	15-103	2.1	R-100		R-100 MCD
34	15-104	2.1	R-100		R-100 MCD
35	15-105	2.1	R-100		R-100 MCD
36	15-106	2.1	R-100		R-100 MCD
37	15-107	2.1	R-100		R-100 MCD
38	15-108	2.1	R-100		R-100 MCD
39	15-109	2.1	R-100		R-100 MCD
40	15-110	2.1	R-100		R-100 MCD
41	15-111	2.1	R-100		R-100 MCD
42	15-112	2.1	R-100		R-100 MCD
43	15-113	2.1	R-100		R-100 MCD
44	15-114	2.1	R-100		R-100 MCD
45	15-115	2.1	R-100		R-100 MCD
46	15-116	2.1	R-100		R-100 MCD
47	15-117	2.1	R-100		R-100 MCD
48	15-118	2.1	R-100		R-100 MCD
49	15-119	2.1	R-100		R-100 MCD
50	15-120	2.1	R-100		R-100 MCD

TRACTS SCHEDULE

TRACT NO.	TAX ID	AREA ACRES	PRESENT ZONING	CASE NO.	PROPOSED ZONING
3004-007	15-036	9-100	RA-100	420-0-100	R-100 MCD
3004-009	2-36	9-100	RA-100	-	R-100 MCD
3004-074	5-80	9-100	RA-100	-	R-100 MCD
3004-089	17-92	9-100	RA-100	-	R-100 MCD

TOTAL AREA TO BE REZONED = 54.44 ACRES



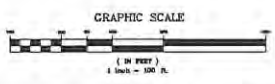
TOTAL LOTS AREA = 1492.00 S.F.T  
 TOTAL LOTS AREA AT 15,000 S.F.T/LOT = 100.00 LOTS @ 15,000 S.F.T  
 TOTAL LOTS AREA TO COMPENSATE W/ OPEN SPACE = 1492.00 - 1400.00 = 92.00 S.F.T  
 TOTAL OPEN SPACE = 10.81 ACRES = 470,000 S.F.T @ 40,000 S.F.T/AC  
 AVERAGE IMPROVED LOT COVERAGE = 37%

**CORNER SIGHT DISTANCE - PRIVATE DRIVEWAYS UTILIZING 10 TIMES THE SPEED LIMIT**

1. On the undivided, two-way street that the proposed driveway(s) for the *2004-007* tract of *2004-007* project shall be designed with adequate sight curve distance for such driveway approaching a minor collector or major through lane. The regulated speed is *40* miles per hour. The sight distance is *400* feet in the *same* and *opposite* direction. *See Georgia Department of Transportation Manual*

The maximum corner sight distance from the driveway is equal to or exceeds 10 times the regulated speed of the intersecting street, as measured from the center of the driveway in both directions along the right-of-way line of the intersecting street.

(Section 9.7.4 of the ConnetT County Development Regulations)



**ZONING PLAN FOR**  
 BRANTON HWY 124 PROPERTY  
 LAND LOT 4, 380 DISTRICT  
 GWINNETT COUNTY, GEORGIA

SCALE: 1"=100'  
 SHEET NO. 1 OF 1  
 FILE NO.

**DEVELOPER**  
 HICKORY LEVEL DEVELOPMENT, LLC  
 6095 LAKE FOREST DRIVE  
 ATLANTA, GA 30328  
 PHONE: 404-293-6511

**REVISIONS & ZONING COMMENTS**

NO.	DATE	BY	REVISIONS
1	02-07-14	AMM	PLANNING & ZONING COMMENTS

**PROJECT NO.** 12-20-13  
**DESIGNED BY** AMM  
**CHECKED BY** AMM  
**ENGINEER** AMM  
**REGISTRATION NO.** 12-20-13

**PREPARED BY:**  
**MANSUR ENGINEERING, INC.**  
 1810 PEACHTREE INDUSTRIAL BLVD  
 SUITE 440  
 BULLHEAD, GEORGIA 30097  
 Phone: (770) 476-7014 Fax: (770) 476-7363

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

Please see attached.

---

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

Please see attached.

---

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

Please see attached.

---

- (D) WHETHER THE PROPOSED SPECIAL USE PERMIT WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

Please see attached.

---

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

Please see attached.

---

- (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 SPECIAL USE PERMIT:

Please see attached.

---

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**SPECIAL USE PERMIT APPLICANT'S RESPONSE**  
**STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER**

- (A) The subject property is surrounded by residential developments. The proposed Special Use Permit will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- (B) No. The proposed Special Use Permit will not adversely affect the existing use or usability of adjacent or nearby property. Rather, the proposed Special Use Permit and development would be consistent with the adjacent and nearby property and provide an enhancement to the area.
- (C) No. In light of market conditions the property has no reasonable economic use as zoned for R-100 and RA-200. The Applicant's requested use as a single family residential development under the R-100 Modified zoning classification will permit a more suitable and appropriate development allowing for the "highest and best use" for the property.
- (D) The proposed development is located in an area with public water and sewer availability and convenient access to major roadways. The proposed Special Use Permit will not result in a use causing an excessive use of the local fire department, police protection, or solid waste collection/disposal services provided by the County. Further, the Special Use Permit will not cause excessive use of existing streets, transportation facilities, utilities, or schools.
- (E) Yes. The proposed Special Use Permit is in conformance with the Gwinnett County 2030 Unified Plan in that it provides single family residences bordering an Existing/Emerging Suburban Character Area.
- (F) Yes, the existing zonings of adjacent and nearby properties give additional supporting grounds for the approval of the requested Special Use Permit. The subject property is surrounded by residential neighborhoods of similar densities.

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Justin A. Abernathy  
Matthew P. Benson  
Shawn F. Bratton  
Alissa L. Cummo  
Amanda C. Floyd  
J. David Gussio  
Gerald Davidson, Jr.\*  
Jill H. Harris\*

Christopher D. Holbrook  
Austen T. Mabe  
Jeffrey R. Mahaffey  
Steven A. Pickens  
E. Michelle Rothmeier  
Andrew D. Stancil  
Kenneth W. Stroud  
R. Lee Tucker, Jr.  
\*of Counsel

**LETTER OF INTENT FOR  
SPECIAL USE PERMIT APPLICATION OF  
HICKORY LEVEL DEVELOPMENT, LLC**

Mahaffey Pickens Tucker, LLP submits this Special Use Permit Application concurrently with the Rezoning Application, on behalf of Applicant Hickory Level Development, LLC, for the purpose of requesting a Special Use Permit (SUP) within the R-100 Modified zoning classification for an approximate 55 acre tract (hereinafter, the "Property") located on Braselton Highway. The Property is currently zoned R-100 and RA-200. In its current state, the use and development of the Property as R-100 and RA-200 is not the highest and best use. The Applicant intends to develop the Property as a modified single-family residential use.

The Applicant respectfully submits that the proposed development will conform to the Gwinnett County 2030 Unified Plan and will be compatible with adjacent properties. The Applicant submits that the proposed rezoning would not impose any additional burdens on the transportation network. The Applicant further submits that the operation of the Property as a modified single-family residential development under the guidelines of Gwinnett County is appropriate for the subject tract, is consistent with the surrounding property and will afford the owner the opportunity to increase the number of allowed uses on site so as to provide a needed amenity for the surrounding area. The proposed development would ensure affordable and accessible housing and attract new residents, increasing the tax base without overburdening

Sugarloaf Office || 1550 North Brown Road, Suite 125, Lawrenceville, Georgia 30043

NorthPoint Office || 11175 Cicero Drive, Suite 100, Alpharetta, Georgia 30022

TELEPHONE 770 232 0000

FACSIMILE 678 518 6880

www.mptlawfirm.com

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County schools, and infrastructure. Rezoning of the property will protect and promote the quality of life of the surrounding community, as well as allow the Property to be developed to its highest and best use.

The Applicant welcomes the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Special Use Permit Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 3<sup>rd</sup> day of January, 2014.

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP



Amanda C. Floyd  
Attorneys for Applicant

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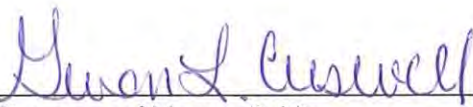
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**SPECIAL USE PERMIT APPLICANT'S CERTIFICATION**

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 11/3/14  
Date

Amanda C. Floyd, Attorney for Hickory Level Development, LLC  
\_\_\_\_\_  
Type or Print Name and Title

 1.3.14  
\_\_\_\_\_  
Signature of Notary Public Date



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**SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION**

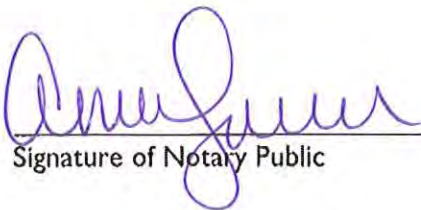
THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE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

12/30/13  
Date

Westside Bank

Type or Print Name and Title

  
Signature of Notary Public

12/30/13  
Date



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Planning & Development

Parcel ID: 3004 007

**SPECIAL USE PERMIT 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.

Donald E Martin 12/30/13  
Signature of Property Owner Date

Perlia Martin  
Type or Print Name and Title

[Signature] 12/30/13  
Signature of Notary Public Date



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Planning & Development

Parcel ID: 3004 009

**SPECIAL USE PERMIT 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.

Donald E Martin 12/30/13  
Signature of Property Owner Date

Sarah H. Martin  
Type or Print Name and Title

Adrian Moore 12/30/13  
Signature of Notary Public Date



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JAN 0 3 2014

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Parcel ID: 3004 009

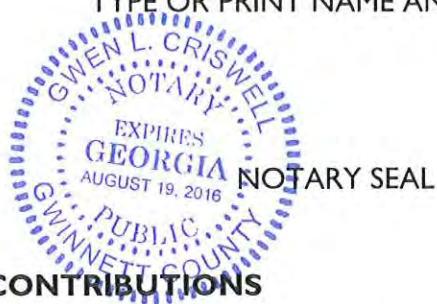
**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

The undersigned below, making application for a Special Use Permit, 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.

*Amanda C. Floyd*                      11/3/14                      Amanda C. Floyd, Attorney for Hickory Level Development, LLC  
 SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE

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

*Gwen L. Criswell*                      1.3.14  
 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    Amanda C. Floyd, Attorney for Hickory Level Development, LLC  
 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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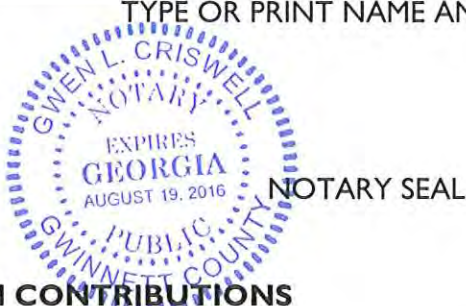
**CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT**

The undersigned below, making application for a Special Use Permit, 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.

SIGNATURE OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE
Mahaffey Pickens Tucker, LLP By: <u><i>Amanda C. Floyd</i></u>	<u>1/31/14</u>	Amanda C. Floyd, Attorney for Applicant

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

SIGNATURE OF NOTARY PUBLIC	DATE
<u><i>Gwen L. Criswell</i></u>	<u>1.3.14</u>



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YES     NO    Mahaffey Pickens Tucker, LLP  
 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)
	*Please see attached.	

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

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**CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN  
CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS**

**MAHAFFEY PICKENS TUCKER, LLP**

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
Jace Brooks	\$1000	07/02/2012
Tommy Hunter	\$1000	09/06/2012
John Heard	\$ 500	10/24/2012
Tommy Hunter	\$ 500	10/30/2012
Tommy Hunter	\$1000	08/22/2012

**LEE TUCKER, ATTORNEY AT LAW, PC**

<u>NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL</u>	<u>CONTRIBUTIONS</u>	<u>DATE</u>
Jace Brooks	\$ 500	07/02/2012

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Updated 11/14/2013



**VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT**

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 SPECIAL USE PERMIT REQUEST.**

**PARCEL I.D. NUMBER:**            3                                  004                                  067  
 (Map Reference Number)                          District                          Land Lot                          Parcel

Hickory Level Development, LLC  
 By:

Signature of Applicant \_\_\_\_\_ *[Signature]* \_\_\_\_\_ Date 11/3/14

Amanda C. Floyd, Attorney for Applicant  
 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 Delba Smith TITLE tax services associate

DATE 01/03/2014


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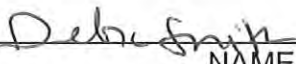
**\*Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.**

**PARCEL I.D. NUMBER:**                      3                                      004                                      074  
 (Map Reference Number)                      District                                      Land Lot                                      Parcel

Hickory Level Development, LLC  
 By:                                       1103/14  
 Signature of Applicant                                      Date  
Amanda C. Floyd, Attorney for Applicant  
 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)

                                      tax services associate  
 NAME                                      TITLE  
01/03/2014  
 DATE

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