

REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION*
NAME: <u>RIDGE LINE LAND PLANNING, INC.</u>	NAME: <u>MARSHA A STAPTON</u>
ADDRESS: <u>533 ROSEWOOD CIRCLE</u>	ADDRESS: <u>P.O. Box 2418</u>
CITY: <u>WINDER</u>	CITY: <u>Dacula</u>
STATE: <u>GA</u> ZIP: <u>30680</u>	STATE: <u>GA</u> ZIP: <u>30019</u>
PHONE: <u>678-618-2037</u>	PHONE: _____
CONTACT PERSON: <u>HOLT PERSINGER</u> PHONE: <u>678-618-2037</u>	
CONTACT'S E-MAIL: <u>HOLT@RIDGE LINE PLANNING . com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER'S AGENT

PRESENT ZONING DISTRICTS(S): RA200 REQUESTED ZONING DISTRICT: R-75

LAND DISTRICT(S): 2ND LAND LOT(S): 2 ACREAGE: 30.310

ADDRESS OF PROPERTY: 3997 FENCE RD, AUBURN, GA 30011

PROPOSED DEVELOPMENT: SINGLE FAMILY RESIDENTIAL COMMUNITY

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>67</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>1,500 sqft</u>	Total Building Sq. Ft. _____
Gross Density: <u>2.139 u/ac</u>	Density: _____
Net Density: <u>N/A</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION

Fence Road-30.31 Acres

All that tract or parcel of land lying and being in Land Lot 2, GMD 1587 of the 2nd Land District of Gwinnett County, Georgia containing 30.31 Acres and being more fully shown on the boundary survey for "Southern Real Estate Holdings, LLC" prepared by Carter Land Surveyors & Planners, dated 4-28-2014, and being further described as:

Beginning at the Centerline Intersection of Fence Road (A.K.A. Hurricane Shoals Road) and West Union Grove Circle thence North 58 DEGREES 52 MINUTES 31 SECONDS East a distance of 137.79 feet to a C.P. (Calculated Point) located on the Northerly Right-Of-Way (R/W) of Fence Road (80 Foot R/W) which is the TRUE POINT ON BEGINNING:

Thence along the northerly R/W of Fence Road the following courses and distances:

South 75 DEGREES 33 MINUTES 04 SECONDS West a distance of 49.84 feet;
South 75 DEGREES 52 MINUTES 21 SECONDS West a distance of 81.60 feet;
South 76 DEGREES 48 MINUTES 53 SECONDS West a distance of 78.64 feet;
South 75 DEGREES 48 MINUTES 41 SECONDS West a distance of 43.79 feet;
South 75 DEGREES 52 MINUTES 26 SECONDS West a distance of 43.82 feet;
South 75 DEGREES 19 MINUTES 03 SECONDS West a distance of 54.48 feet to a calculated point;

Thence leaving said R/W North 27 DEGREES 20 MINUTES 46 SECONDS West a distance of 666.81 feet to a 1/2" R.B.F. (Rebar Pin Found);
thence North 37 DEGREES 12 MINUTES 37 SECONDS West a distance of 666.60 feet to a 1/2" R.B.F.;
thence North 67 DEGREES 17 MINUTES 51 SECONDS East a distance of 1713.82 feet to a 5/8" R.B.F.;
thence South 04 DEGREES 12 MINUTES 51 SECONDS West a distance of 355.86 feet to a 1-1/2" O.T.F. (Open Top Found) Disturbed;
thence South 04 DEGREES 33 MINUTES 42 SECONDS West a distance of 499.46 feet to a 1/2" R.B.F.;
thence South 69 DEGREES 17 MINUTES 21 SECONDS West a distance of 465.55 feet to a 1/2" R.B.F. (Disturbed);
thence South 51 DEGREES 49 MINUTES 51 SECONDS West a distance of 216.74 feet to a 1/2" R.B.F. (Disturbed);
thence South 14 DEGREES 30 MINUTES 31 SECONDS East a distance of 565.79 feet to a C.P. (Calculated Point) located on the northerly R/W of Fence Road, which is the TRUE POINT ON BEGINNING:

having an area of 1,320,293 square feet, 30.31 acres more or less, and being more fully shown on the survey for "Southern Real Estate Holdings, LLC" prepared by Carter Land Surveyors & Planners, dated 4-28-2014.

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SURVEY NOTES:

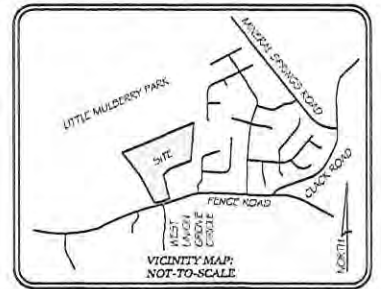
THIS PLAN HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT AScribed AND CONTRACTED WITH BELOW. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAN BY THIRD PARTIES. THIS PLAN WAS PREPARED AND CERTIFIED FOR THE INDIVIDUAL, INDIVIDUALS, OR GROUP LISTED ON THIS DOCUMENT. THE CERTIFICATION DOES NOT EXTEND TO OTHER INDIVIDUALS OR GROUPS WITHOUT RE-CERTIFICATION BY THE SURVEYOR OF RECORD LISTING NEW OR ADDITIONAL INDIVIDUALS OR GROUPS. THE FIRM CARTER LAND SURVEYORS & PLANNERS DOES NOT CERTIFY TO THE ACCURACY OR THE LOCATION OF ANY UNDERGROUND UTILITIES EITHER SHOWN OR NOT SHOWN HEREON. CONTACT 811 OR 1-800-232-7411 BEFORE ANY CONSTRUCTION. UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE ONLY SHOWN HEREON AS SUPPLEMENTAL INFORMATION. CARTER LAND SURVEYORS & PLANNERS HAS NOT VERIFIED THE ACCURACY OR THAT THE ACTUAL UTILITY SHOWN HEREON EXISTS. STATE, COUNTY, & LOCAL BUYERS & SETBACKS MIGHT EXIST ON THE PROPERTY SHOWN HEREON, BUT ARE NOT SHOWN. THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, RESTRICTIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY. FOR INFORMATIONAL PURPOSES ONLY, THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE SEAL OF A GEORGIA LICENSED SURVEYOR. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY. ALL INTERIOR FENCE IMPROVEMENTS (DRIVEWAYS OR UTILITIES CREEKS OR STREAMS), ETC. ARE NOT SHOWN HEREON.

CERTIFICATION NOTE:

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 150-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.G.A. 15-6-67.

CHRIS W. CLARK, GEORGIA L.L.S. # 3004

**TAX PARCEL 2002-009
MARTHA A. SHARPTON
1,320,293 SQUARE FEET
30.310 ACRES**



SURVEY REFERENCES:

- 1.) DEED BOOK 51631, PAGES 723
- 2.) PLAT BOOK 46, PAGE 25

FLOOD NOTE:

ACCORDING TO THE FIRM MAP NUMBER 1313500049G, COMMUNITY NUMBER 130322, PANEL 0043, SUFFIX G DATED MARCH 4, 2013 FOR GWINNETT COUNTY, GEORGIA & FIRM MAP NUMBER 1313500039G, COMMUNITY NUMBER 130322, PANEL 0039, SUFFIX G DATED MARCH 4, 2013 FOR GWINNETT COUNTY, GEORGIA THE PROPERTY SHOWN HEREON LIES WITHIN ZONE "X" AND DOES NOT LIE WITHIN A DESIGNATED FLOOD HAZARD AREA. CARTER LAND SURVEYORS & PLANNERS HAS NOT PERFORMED A FLOOD STUDY FOR THE PROPERTY SHOWN HEREON.

STATE WATERS/WETLANDS NOTE:

LOCAL, COUNTY, STATE, AND FEDERAL STATE WATERS BUFFERS MIGHT EXIST ON THE PROPERTY SHOWN HEREON, BUT ARE NOT SHOWN. CARTER LAND SURVEYORS & PLANNERS HAS NOT FIELD LOCATED OR DELINEATED STATE WATERS AND/OR WETLANDS THAT MIGHT EXIST ON THE PROPERTY SHOWN HEREON. ALL INTERIOR STREAMS, CREEKS, RIVERS, PONDS, LAKES AND SPRINGHEADS LOCATED ON THE PROPERTY SHOWN HEREON, IF ANY, ARE NOT SHOWN AND WERE NOT FIELD LOCATED.

FIELD CLOSURE NOTE:

THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 13,416 FEET AND AN ANGULAR ERROR OF 2.0 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE METHOD.
TYPE OF EQUIPMENT: TOPCON GTS 9003
DATES OF FIELD WORK: 4/23/2014 - 4/25/2014

PLAT CLOSURE NOTE:

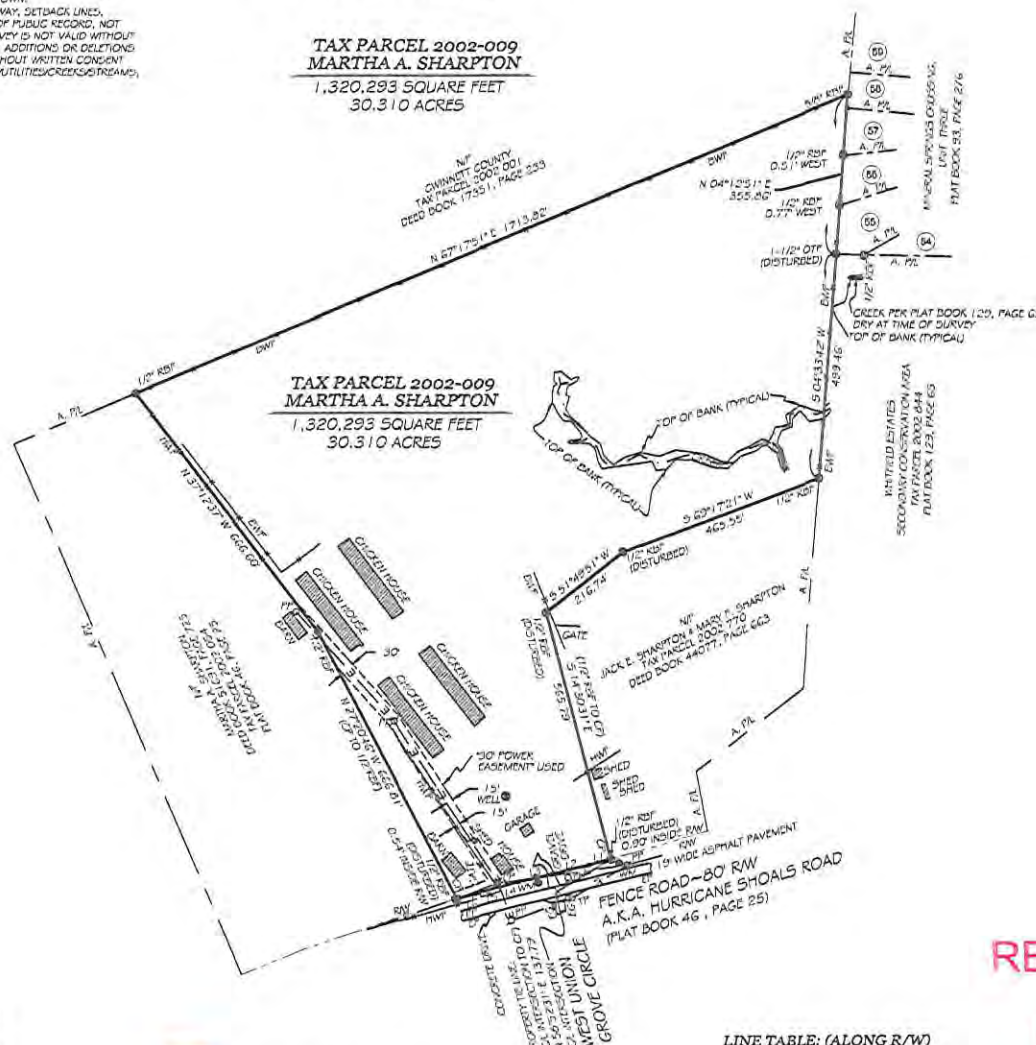
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,017,273 FEET.

BEARING NOTE:

BEARINGS ARE BASED ON GRID NORTH NAD 83 - GEORGIA STATE PLANE - WEST ZONE 1 003 ESTABLISHED USING LEICA VRS SOLUTIONS (PLAT BOOK 46)

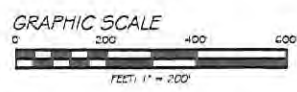
LEGEND:

- B.F. = BURN FOLE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMINGMENT
- R.P. = REBAR PIN FOUND
- R.S. = REBAR PIN SET
- O.P. = OPEN TOP PIPE FOUND
- C.P. = CONCRETE PIPE FOUND
- C.P. = CALCULATED POINT
- T.P. = TOWER POLE
- O.E. = OVERHEAD ELECTRIC
- M.H. = MISC HYDRANT
- W.M. = WATER METER
- W.V. = WATER VALVE
- E.P. = EDGE OF PAVEMENT
- D.C. = BACK OF CURB
- E.C. = EDGE OF GRAVEL
- A.P.L. = APPROXIMATE PROPERTY LINE
- A.L.L.L. = APPROXIMATE LAND LOT LINE
- C. = CONTIGUOUS
- L.L. = LAND LOT NUMBER
- L.L. = LAND LOT
- P.L. = PROPERTY LINE
- E. = EAST
- N. = NORTH
- S. = SOUTH
- R.W. = RIGHT OF WAY
- N.P. = NOW OR FORMERLY
- E.C. = EDGE OF CONCRETE
- H.W. = HOOD WIRE FENCE
- W.F. = WOOD FENCE
- D.W.F. = WAND WIRE FENCE
- A.E. = ACCESS EASEMENT
- T.P. = TAX PARCEL NUMBER
- F.K.A. = FORMERLY KNOWN AS



LINE TABLE (ALONG R/W)

LINE	BEARING	DISTANCE
L1	S 75° 03' 04\"/>	



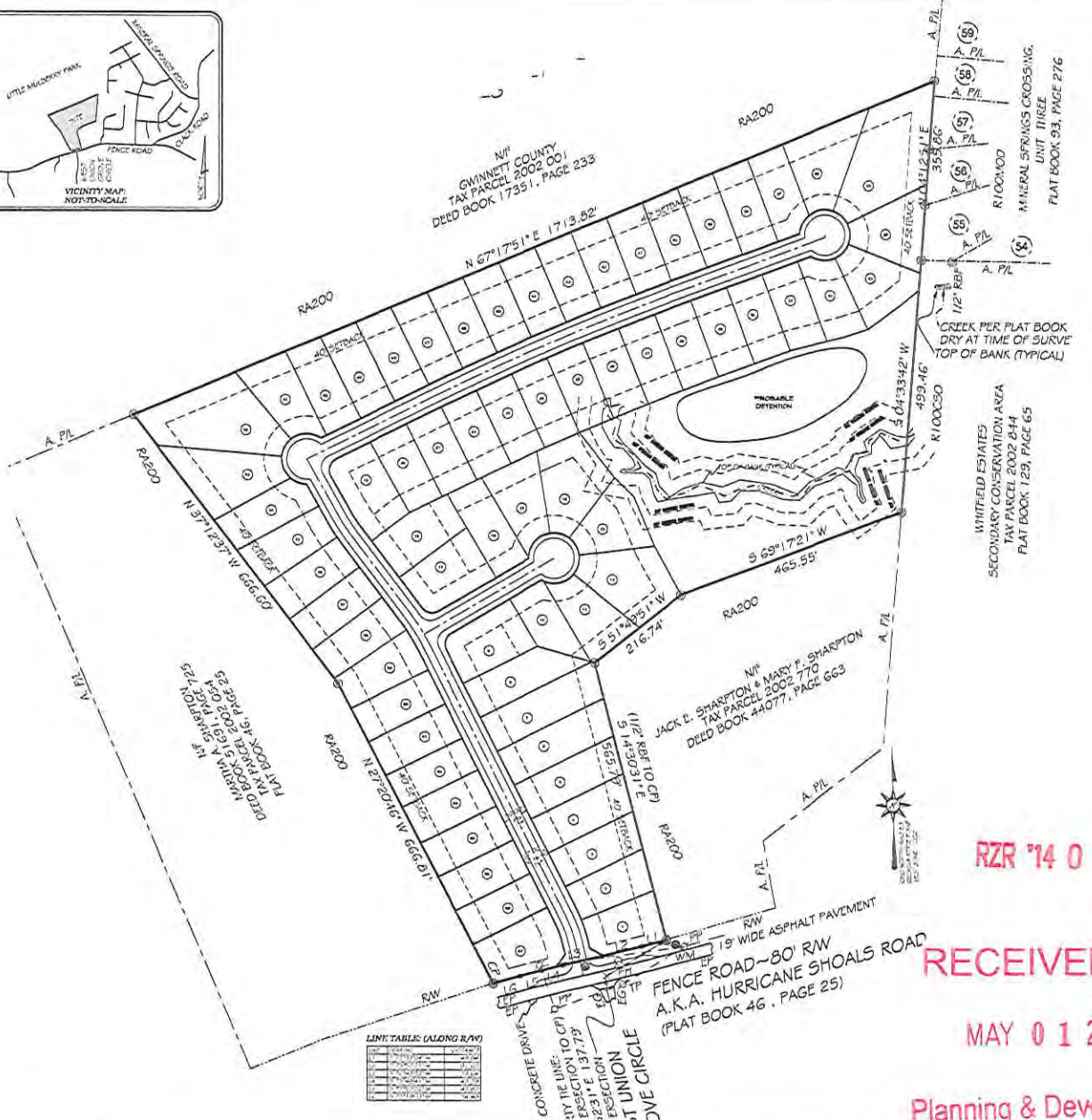
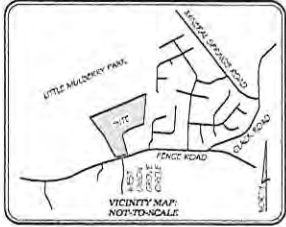
CO: A.H./P.C./K.S.	DRAWN: D.A.H.
PLAT DATE: 4/26/2014	CHECKED: C.W.C.
SCALE: 1 INCH = 200 FEET	
CLS PROJECT NUMBER: 2014040034	
SHEET NUMBER: 1 of 1	

CARTER LAND SURVEYORS & PLANNERS
 GEORGIA LAND SURVEYOR FIRM NO. LSF000244
 2780 Peachtree Industrial Boulevard
 Duluth, Georgia 30097
 Phone: 770-490-9793 Fax: 770-490-6202
 Email: CClark@Carterland.com
 Contact: Chris W. Clark, RLS

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BOUNDARY SURVEY FOR:
SOUTHERN REAL ESTATE HOLDINGS, LLC
 LOCATED IN:
 LAND LOT 2, 2nd LAND DISTRICT,
 G.M.D. 1587
 GWINNETT COUNTY, GEORGIA



LINE TABLE (ALONG R/W)

NO.	DESCRIPTION	WIDTH (FEET)
1	CONCRETE DRIVE	10
2	19' WIDE ASPHALT PAVEMENT	19
3	RIGHT OF WAY	80
4	FENCE ROAD	46
5	HURRICANE SHOALS ROAD	46

MINERAL SPRINGS CROSSING,
UNIT THREE
PLAT BOOK 93, PAGE 276

WHITEFIELD ESTATES
SECONDARY CONSERVATION AREA
TAX PARCEL 2002 044
PLAT BOOK 129, PAGE 65

19' WIDE ASPHALT PAVEMENT
FENCE ROAD ~ 80' RW
A.K.A. HURRICANE SHOALS ROAD
(PLAT BOOK 46, PAGE 25)

SUMMARY

PARCEL NO. 005
CURRENT ZONING RA100
PROPOSED ZONING R-15
AREA 50.30 ACRES

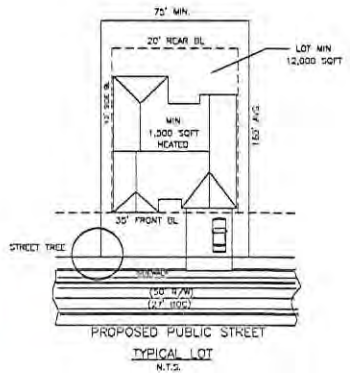
PROPOSED NO. LOTS 61
PROPOSED DENSITY 2139 UAC
PROPOSED NET DENSITY N/A

MIN. LOT WIDTH 75'
MIN. LOT AREA 12,000 SQFT

SETBACKS:
FRONT 35'
SIDE 10'
REAR 40'

TOPOGRAPHIC INFORMATION BASED ON GUNNETT COUNTY GIS
WATER AND SEWER TO BE PROVIDED BY GUNNETT COUNTY

PER FEMA FIRM PANELS 13130G0430 & 13130G0300 THIS SITE DOES NOT
LIE WITHIN A FLOOD HAZARD ZONE



3997 FENCE ROAD
AUBURN, GA 30011



ZONING PLAN
SHEET TITLE

DATE	DESCRIPTION

4/20/14
DATE
JOB NUMBER

C-1

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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:

SEE ATTACHED

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

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

SEE ATTACHED

- (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:

SEE ATTACHED

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

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 REZONING:

SEE ATTACHED

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STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

- A. The subject property is bordered on the east and west by R100CSO and R100MOD properties. The property to the north is Little Mulberry Park. Properties to the south are RA200. The proposed R75 single Family development will be compatible with the surrounding developments.
- B. The proposed Zoning is compatible with the adjacent property.
- C. The proposed zoning offers a more advantageous economic value to the owner.
The proposed zoning also offers a more advantageous economic value to the county tax base.
- D. Any impact to existing services will be offset by development fees and increased tax revenues.
- E. The Gwinnett County 2030 Unified Plan Future Development Map designates the area as Rural Estate Area. However, the proximity to properties zoned R100CSO and R100MOD along with the county park being adjacent to the site would warrant the rezoning request.
- F. Existing and proposed Single Family residential developments adjacent to this property along with water and sewer availability support approval of the rezoning request.

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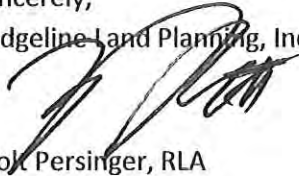
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Letter of Intent
to rezone 30.310 acres

The applicant is requesting to rezone 30.310 acres from RA200 to R75. The site is located at 3997 Fence Road, Auburn, GA 30011 in Gwinnett County. The subject property consists of 1 tax parcel # R2002-009. The applicant is proposing a 67 lot R75 single family subdivision. Gross density for the development is 2.139 units per acre. Homes will be constructed with a minimum heated floor area of 1,500 square feet. Homes shall be constructed of brick, stacked stone, cedar shake, stucco, or fiber cement siding on four sides. Soffits may be constructed of vinyl. All homes shall have a double car garage.

The applicant respectfully requests your approval of the rezoning application.

Sincerely,
Ridgeline Land Planning, Inc.



Holt Persinger, RLA
President

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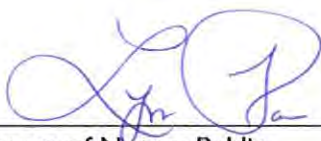
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REZONING APPLICANT'S CERTIFICATION

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 Date 4/30/14

HOCT PERSINGER _____
Type or Print Name and Title PRESIDENT

 _____
Signature of Notary Public Date 04-30-14



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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.

Martha A. Sharpton _____ 5-1-14
Signature of Property Owner Date

MARTHA A. SHARPTON _____
Type or Print Name and Title

[Signature] _____ 5/1/14
Signature of Notary Public Date



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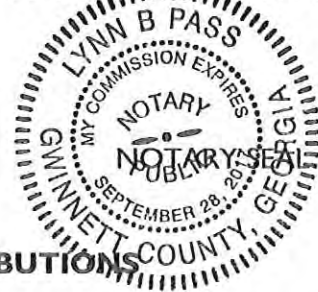
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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.


 SIGNATURE OF APPLICANT 4/30/14 DATE Holly Persinger - President TYPE OR PRINT NAME AND TITLE

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


 SIGNATURE OF NOTARY PUBLIC 04-30-14 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 Holly Persinger 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: 2nd - 2 - R2002-009
(Map Reference Number) District Land Lot Parcel

[Signature] _____ 4/29/2014
Signature of Applicant Date

Hoot Persinger PRESIDENT
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] _____ Tax Services Assoc
NAME TITLE

5-1-14
DATE

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