

## REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Richard Pinnock</u> <u>c/o Mill Creek Consulting</u>	NAME: <u>Richard Pinnock</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:	
____ OWNERS AGENT	<input checked="" type="checkbox"/> PROPERTY OWNER
____ CONTRACT PURCHASER	
PRESENT ZONING DISTRICT (S): <u>R-100 mod</u> REQUESTED ZONING DISTRICT: <u>RA-200</u>	
LAND DISTRICT (S): <u>7</u>	LAND LOT: <u>184</u> ACREAGE: <u>5.629</u>
ADDRESS OF PROPERTY: <u>Kilgore Road</u>	
PROPOSED DEVELOPMENT: <u>2 Single Family Homes</u>	
RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>2</u>	NO. OF BUILDINGS/UNITS: _____
DWELLING UNIT SIZE (SQ. FT.): <u>3,500</u>	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: <u>.355</u>	DENSITY: _____
NET DENSITY: <u>.355</u>	

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PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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L E G A L   D E S C R I P T I O N

All that tract of land lying and being in Land Lot 184 of the 7th Land District, Gwinnett County, Georgia and being more particularly described as follows:

Commence at the Pk nail found at the centerline intersection Of Kilgore Road (r/w varies) and Southpointe Hill Drive (50' r/w); THENCE North 53 degrees 34 minutes 36 seconds East for a distance of 237.14 to a point, said point being the **True Point of beginning**.

THENCE Traveling along Kilgore Road (r/w varies) North 50 degrees 25 minutes 09 seconds East for a distance of 40.46 feet to a point; THENCE North 50 degrees 25 minutes 09 seconds East for a distance of 40.42 feet to a point; THENCE leaving said right-of-way South 42 degrees 39 minutes 50 seconds East for a distance of 541.74 feet to a point, said point being an 1/2 inch rebar found; THENCE South 86 degrees 06 minutes 46 seconds East for a distance of 916.10 feet to a point, said point being an axle found; THENCE South 60 degrees 57 minutes 00 seconds West for a distance of 729.85 feet to a point, said point being an 3/4 inch rebar found; Thence North 42 degrees 44 minutes 33 seconds West for a distance of 1039.38 feet to a point, said point being on the Southern right-of way of Kilgore Road (r/w varies), said point being The **True Point of beginning**.

Said property contains 5.629 acres.

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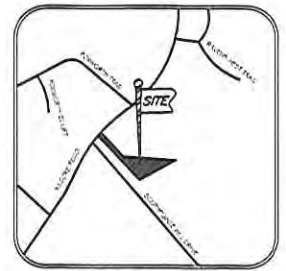
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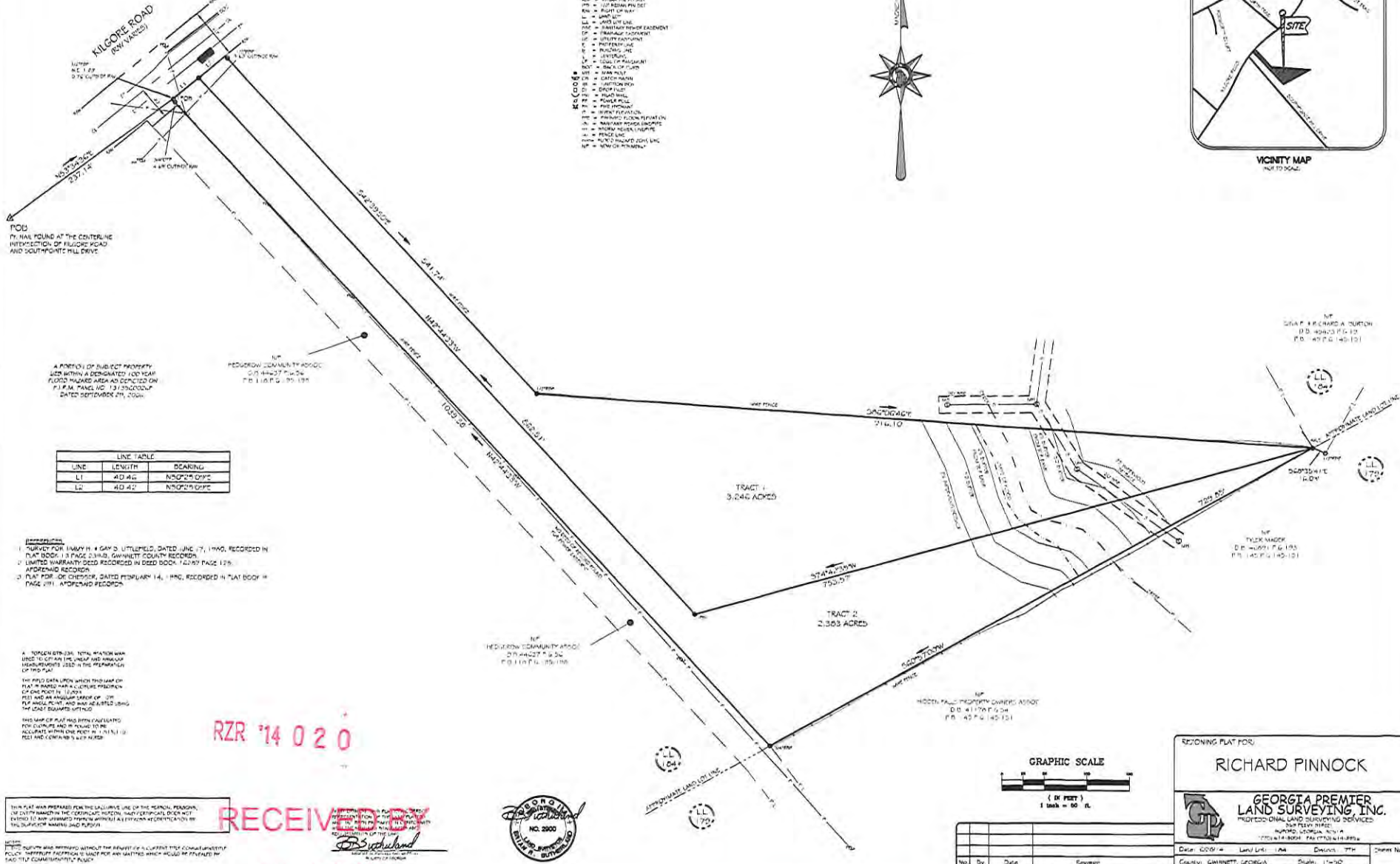
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**LEGEND**

T.P. = TRIP POINT  
M. = MILE  
E.P. = EXISTING PROPERTY  
P.P. = PROPOSED PROPERTY  
L.S. = LOT SURFACE  
R.L. = RIGHT OF WAY  
M.F. = MAIN FENCE  
S.F. = SIDE FENCE  
B.F. = BACK FENCE  
L.L. = LOT LINE  
E.E. = EASEMENT  
C.P. = CORNER POINT  
I.P. = INTERSECTION  
P.S. = PROPERTY SURFACE  
M. = MILE  
L. = LINE  
W. = WIDTH  
D. = DISTANCE  
S. = SOUTH  
N. = NORTH  
E. = EAST  
W. = WEST



VICINITY MAP



LINE TABLE	
LINE	BEARING
L1	42.41S
L2	42.41S

POB  
PIN NAIL FOUND AT THE CENTERLINE INTERSECTION OF KILCREASE ROAD AND SOUTHPOINT MILL DRIVE

A PORTION OF SUBJECT PROPERTY LIES WITHIN A DESIGNATED 100 YEAR FLOOD HAZARD AREA AS DESIGNATED ON F.P.M. PANEL NO. 131332002UP DATED SEPTEMBER 24, 2006

1. SURVEY FOR TRACT 1 & 2 BY D. LITTLEFIELD, DATED JUNE 17, 1990, RECORDED IN PLAT BOOK 13 PAGE 238-30, GWINNETT COUNTY RECORDS.
2. LIMITED WARRANTY DEED RECORDED IN DEED BOOK 74297 PAGE 129, ANNEAPOSTOLIS RECORDS.
3. PLAT FOR OF CENTERLINE, DATED FEBRUARY 14, 1996, RECORDED IN PLAT BOOK # PAGE 1781, ANNEAPOSTOLIS RECORDS.

4. TOPCEN SURVEYS, TOTAL MATCH WAS USED TO CORRECT THE LINEAR AND ANGLE OF THIS PLAT.

THE FPD DATA WERE CHECKED THROUGH PLAT REVISION WITH A CURRENT PROPERTY OF ONE FOOT IN 12000.  
PD'S AND ANGLE ARE CORRECT.  
THE FPD DATA WERE CHECKED USING THE LEAST SQUARES METHOD.

THIS MAP OF PLAT WAS RE-CALCULATED FOR CORRECT AND IN ACCORD TO THE ACCURACY WITH ONE FOOT IN 12000.  
PD'S AND ANGLE ARE CORRECT.

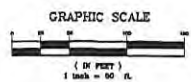
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*Richard Pinnock*

REGISTERED SURVEYOR

JUL 03 2014



RESORING PLAT FOR  
**RICHARD PINNOCK**

**GEORGIA PREMIER LAND SURVEYING, INC.**

No.	By	Date	Revised	County	Scale	Sheet No.
0001	AAA	7/3	1:40	GWINNETT, GEORGIA	1:40	1 OF 1

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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.

.....  
PLANNING DIVISION USE ONLY  
CASE NUMBER \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_

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## REZONING APPLICANT'S LETTER OF INTENT

The Applicant and Owner, Richard Pinnock, requests rezoning on 5.629 acres for the purpose of developing and building 2 Single Family homes. In order to develop the site as proposed, the Applicant respectfully requests a rezoning from R-100 Modified to RA-200. The subject property is located on Kilgore Road and is found in the 7th district, land lot 184 in Gwinnett County.

The property was rezoned with the adjacent tract for an R-100 modified subdivision in 2007. The property was never developed and the applicant purchased the property with the intent to build his personal home on the property. He has now been approached by an associate of his who would also like to build his home on part of the property. The homes are proposed to be a minimum of 3,500 square feet and will be brick, stone and cedar shake on the exterior. The applicant understands that if approved a variance will be required because of the limited amount of road frontage that the property has.

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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]*

Signature of Applicant

*7/1/2014*

Date

*Richard P Pinnock Commissioner*

Type or Print Name and Title

*Lolita Halfkenny*

Signature of Notary Public



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.

X *[Handwritten Signature]* 7/1/2014  
Signature of Property Owner Date

Richard P Pinnock Gwinnett  
Type or Print Name and Title

*Lolita Halfkenny* JULY 1 2014 [Notary Seal]  
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.

*[Signature]*      7/1/2014      Richard J. Fenwick  
 SIGNATURE OF APPLICANT      DATE      TYPE OR PRINT NAME AND TITLE

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

\_\_\_\_\_  
 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    *[Signature]*    \_\_\_\_\_  
 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      -      184      -      026  
(Map Reference Number)      District      Land Lot      Parcel

Richard A. [Signature]      7/1/2014  
Signature of Applicant      Date

Richard P. Pinnock, Owner  
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

July 3, 2014  
DATE

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