REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: Embry Group, LLC c\o Mill Creek Consulting	NAME: REO Funding Solutions V, LLC, JB Camp Etal & Donald Camp c\o Mill Creek Consulting
ADDRESS: 4480 Commerce Drive, Suite A	ADDRESS: 4480 Commerce Drive, Suite A
CITY: Buford	CITY: Buford
STATE: GA ZIP: 30518	STATE: GA ZIP: 30518
PHONE: 770-614-6511	PHONE: 770-614-6511

CONTACT PERSON: MITCH PEEVY PHONE: (770) 614-6511
EMAIL ADDRESS: millcreekconsulting@gmail.com

*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 _____ PROPERTY OWNER X CONTRACT PURCHASER

PRESENT ZONING DISTRICT (S): R-100,C-2 REQUESTED ZONING DISTRICT: TND RMD and OI

LAND DISTRICT (S): 6 LAND LOT: 062 ACREAGE: 27.9

ADDRESS OF PROPERTY: 4925 Stone Mountain Hwy

PROPOSED DEVELOPMENT: TND Residential Subdivision

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: 107	NO. OF BUILDINGS/UNITS: _____
DWELLING UNIT SIZE (SQ. FT.): 1,800	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: 3.84	DENSITY: _____
NET DENSITY: 3.84	

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PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

Legal Description

PARKHAVEN

All that tract or parcel of land lying and being in Land Lots 57 and 62 of the 6th District of Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a point **(P.O.B.)** formed by the intersection of the northern right-of-way line of U.S. Highway 78 (100' R/W) and the Northeastern right-of-way line of Puckett Road (80' R/W), along said right-of-way line a distance of 352.75' to a point; thence
leaving said right-of-way line N 43°39'24" W a distance of 105.79 feet; thence
N 37°02'26" W a distance of 119.37 feet to the **True Point of Beginning (T.P.O.B.)**; thence
commence the following calls and distances

N 37°02'26" W a distance of 342.48 feet to a point; thence
S 67°39'08" W a distance of 141.02 feet to a point; thence
Southeasterly a distance of 24.69 feet to a point on the Northeastern right-of-way line of Puckett Road (80' R/W); thence
along said right-of-way Northwesterly a distance of 407.11 feet to a point; thence
leaving said right-of-way Northeasterly a distance of 310.23 feet to a point; thence
N 24°52'29" W a distance of 93.98 feet to a point; thence
N 25°51'10" W a distance of 93.85 feet to a point; thence
N 26°20'07" W a distance of 93.80 feet to a point; thence
N 27°08'34" W a distance of 145.11 feet to a point; thence
N 64°35'43" E a distance of 99.84 feet to a point; thence
N 64°25'28" E a distance of 99.92 feet to a point; thence
N 64°36'51" E a distance of 99.98 feet to a point; thence
N 64°35'42" E a distance of 99.67 feet to a point; thence
N 64°29'40" E a distance of 99.83 feet to a point; thence
N 65°10'38" E a distance of 99.90 feet to a point; thence
N 65°15'33" E a distance of 99.91 feet to a point; thence
N 63°58'42" E a distance of 100.05 feet to a point; thence
S 19°46'53" E a distance of 228.23 feet to a point; thence
N 67°48'09" E a distance of 601.63 feet to a point; thence
S 26°13'19" E a distance of 183.28 feet to a point; thence
S 70°13'07" W a distance of 421.29 feet to a point; thence
S 19°46'53" E a distance of 894.80 feet to a point; thence
S 70°13'07" W a distance of 99.91 feet to a point; thence
S 09°31'04" E a distance of 41.16 feet to a point; thence
S 70°13'07" W a distance of 313.53 feet to a point; thence
Westerly a distance of 232.24 feet to a point; thence
Southwesterly a distance of 35.68 feet to the **True Point of Beginning (T.P.O.B.)**.

Said tract contains approximately 27.9 acres.

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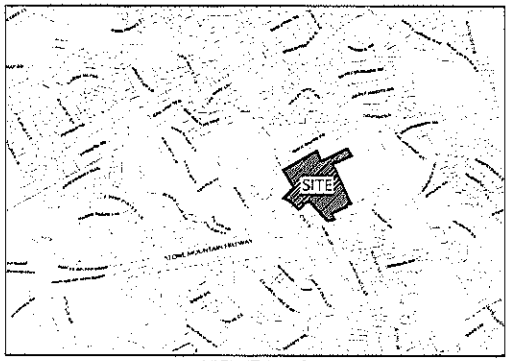
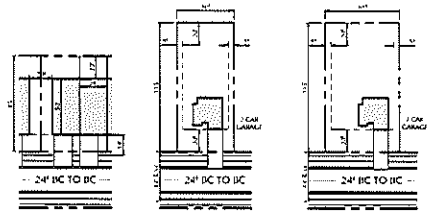


VICINITY MAP
N.T.S.

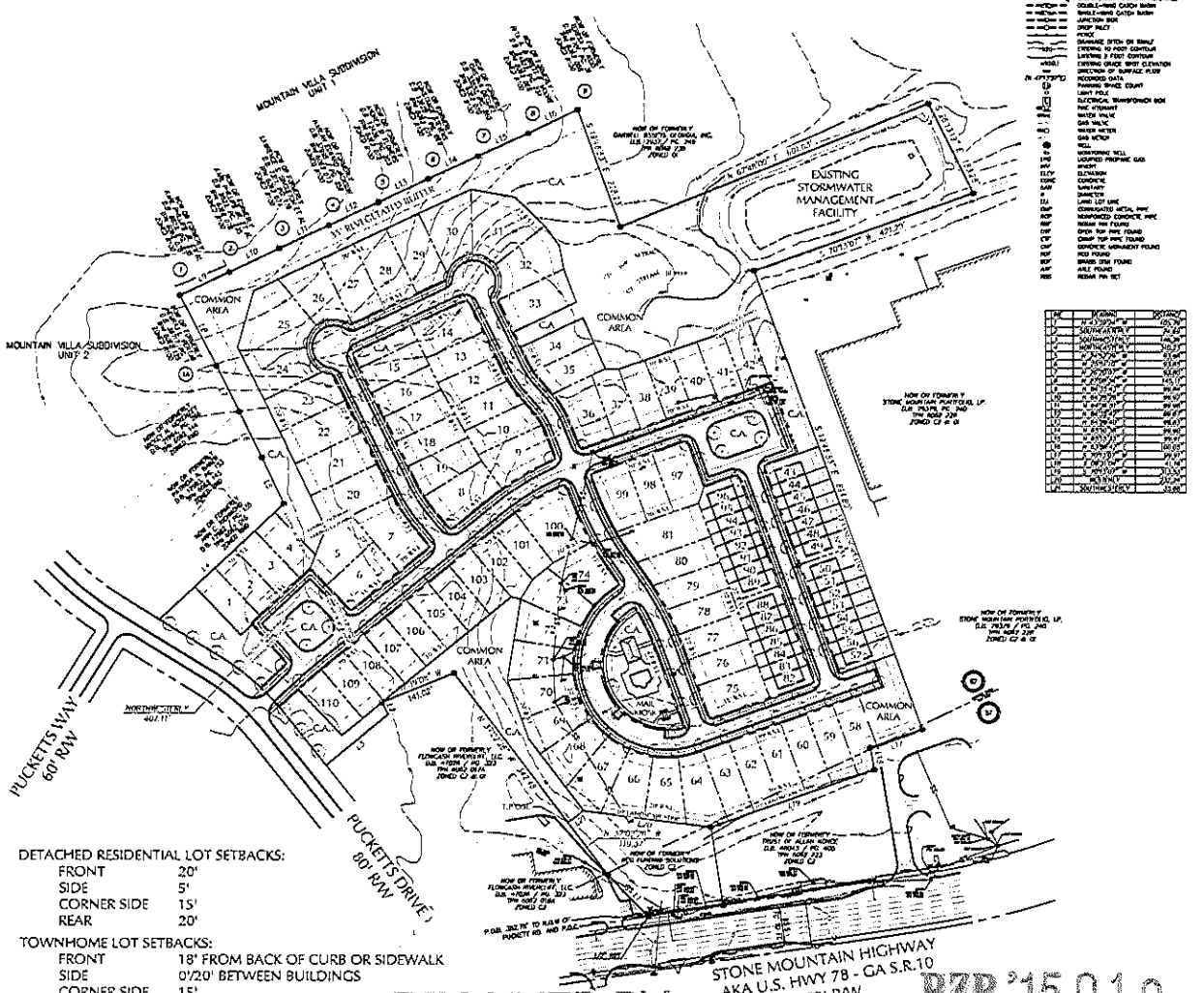


TOWNHOME LOT — FRONT LOADED — MIN. HOUSE SIZE 1,440 to 2,081
50' LOT — FRONT LOADED — MIN. HOUSE SIZE 2,420 to 3,262
65' LOT — FRONT LOADED — MIN. HOUSE SIZE 2,420 to 3,262

TYPICAL LOT DIAGRAMS
SCALE: 1"=50'

TOTAL SITE AREA	27.9 AC
EXISTING ZONING	C2, OI, RMD & R100
PROPOSED ZONING	TND
TOTAL PROPOSED LOTS	110
GROSS RES. DENSITY	3.94 U/AC
NET RES. DENSITY	3.94 U/AC
20% COMMON AREA	5.58 AC
RES. PARKING	220 (2/UNIT)
AMENITY PARKING	27
MAX. RES. BLDG. HEIGHT	35'

NOTES:
1) C.A. DENOTES COMMON AREA.
2) ACCORDING TO FEMA FIRM PANEL 13135C0135F DATED 09/29/2006 AND GWINNETT COUNTY GIS MAPPING, NO 100 YEAR FLOOD PLAIN EXISTS ON THIS SITE.
3) ACCORDING TO U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY MAPPING NO WETLANDS EXIST ON THIS SITE.
4) BOUNDARY SOURCE: GWINNETT COUNTY GIS MAPPING AND BECHTLER GREENFIELD SURVEYING.
5) TOPOGRAPHY SOURCE: GWINNETT COUNTY GIS MAPPING AND BECHTLER GREENFIELD SURVEYING.
6) SIDEWALKS WILL BE PROVIDED ACCORDING TO COUNTY STANDARDS.
7) BICYCLE PARKING WILL BE PROVIDED ACCORDING TO COUNTY STANDARDS.
8) SEWER AND WATER ARE AVAILABLE ALONG STONE MOUNTAIN FREEWAY FRONTAGE.
9) ALL UTILITIES WILL BE LOCATED UNDERGROUND.
10) A PROPERTY OWNER'S ASSOCIATION WILL BE ESTABLISHED. THE ASSOCIATION WILL ESTABLISH BYLAWS AND COVENANTS ACCORDING TO COUNTY REQUIRED STANDARDS. THE ASSOCIATION WILL ASSUME ALL RESPONSIBILITIES REQUIRED BY THE COUNTY ORDINANCE.



LEGEND

DETACHED RESIDENTIAL LOT SETBACKS:

FRONT	20'
SIDE	5'
CORNER SIDE	15'
REAR	20'

TOWNHOME LOT SETBACKS:

FRONT	18' FROM BACK OF CURB OR SIDEWALK
SIDE	0'/20' BETWEEN BUILDINGS
CORNER SIDE	15'
REAR	20'

TYPE	SIZE	YIELD
TOWNHOME LOTS	2000-5,999 SF	30
SMALL SF LOTS	5,000-7,499 SF	55
MEDIUM SF LOTS	7,500-9,499 SF	25
TOTAL LOTS		110

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0' 50' 100' 200' NORTH

STUDIO 3 — PLAN - DESIGN - ACHIEVE

REVISIONS		
NO.	DATE	REVISION
1	10/21/15	Comments

PARKHAVEN
GWINNETT COUNTY, GEORGIA
EMBRY GROUP LLC
BUFORD, GEORGIA

TITLE: ZONING PLAN

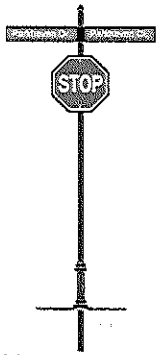
DATE	8/3/15
JOB NO.	15020
DWG FILE	15020zw1
DRAWN BY	TS
CHECKED	TS
SCALE	1"=100'
SHEET	Z-1
	1 of 2

Not Released For Construction

STREET SIGN

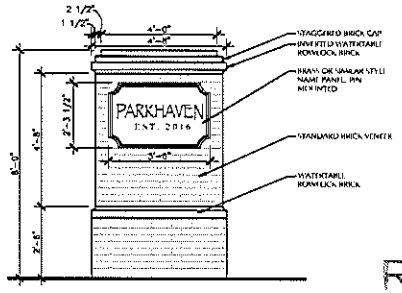
STREET SIGN

STOP SIGN

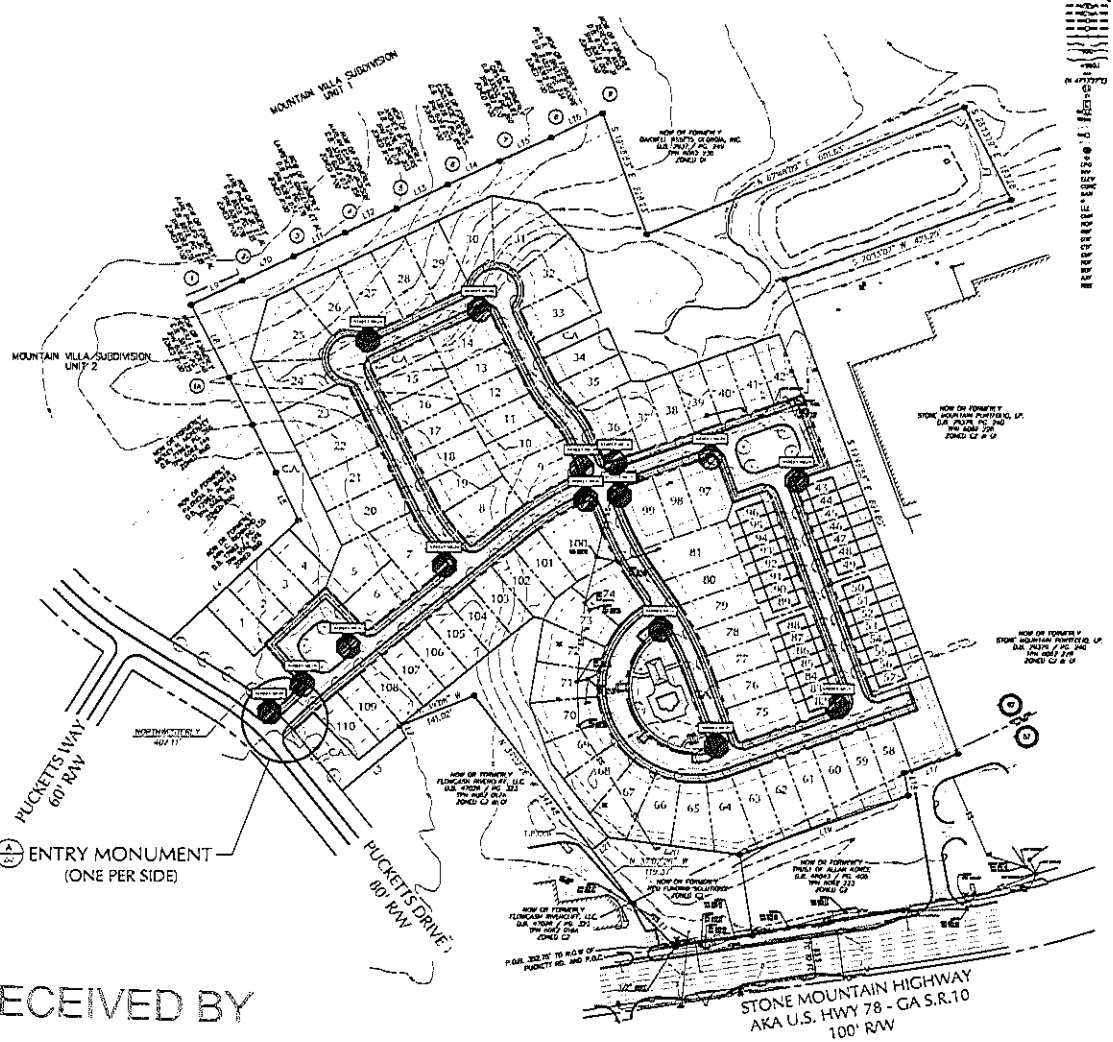


Option 1: 15'x5" fluted pole (P8) with tubular 8"x27" frames (HS) for 2 ea.7"x30" street name blades (SS2) to fit inside. These frames will be attached to a 3 1/2" aluminum sleeve and mounted perpendicular from each other on the pole. 30" Engineer grade reflective vinyl sign with 1" tubular frame (TF1) to be through bolted to the pole. Poles to include tall Europa base (B4) and acorn finial (F1).

TYPICAL STREET/STOP SIGN
FINAL SELECTION SUBJECT TO COUNTY APPROVAL



A/Z-2 ENTRY MONUMENT



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STUDIO 3
PLAN - DESIGN - ACHIEVE

REVISIONS

NO.	DATE	REMARKS
1	9/21/15	Comments

PARKHAVEN
GWINNETT COUNTY, GEORGIA
EMBRY GROUP LLC
BUFORD, GEORGIA

TITLE
UNIFIED SIGNAGE PLAN

DATE	8/1/15
JOB NO.	15020
DWG FILE	15020sw1
DRAWN BY	TS
CHECKED	TS
SCALE	1"=100'
SHEET	Z-2
	2 OF 2

Not Released For Construction

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 CORRIDOR MIXED-USE

(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, Embry Group, LLC, requests a rezoning from R-100, C-2, RMD and OI to TND for the purpose of developing a residential project. The subject property is located at 4925 Stone Mountain Highway. The property is an assemblage of 3 parcels containing a total of 27.9 acres with the largest parcel originally planned as a big box commercial use to compliment the adjacent Lowes Home Improvement store. The Developer has proposed a plan for this property that corresponds with the existing area and trends of today as there is absolutely no demand in the area for a big box retail facility.

The proposed development features 20% of the property or 5.58 acres to be used for common open space. There is also proposed to be an active recreation area with a cabana and a pool within the community. Access to the property will be by a single entrance onto Pucketts Drive. Sidewalks are planned along both sides of the street in the entire community.

The residential component is proposed to consist of 107 detached homes varying in size from 1,842 to 3,262 square feet of heated space. The front, sides and rear facades of the residential units will feature brick, stone, shake siding or of a concrete lap siding. The units will have granite countertops, stainless steel appliances, 9 foot ceilings and many additional upgrades available. The buildings will be two stories tall with a maximum height of thirty five feet with the price points as follows:

1. The 44 Villa Lot types will all be rear entry and range from 1,842 to 2,327 square feet and start in the $230's.
2. The 53 Small Lot types will all be front entry and range from 2,420 to 3,262 square feet and start in the $260's.
3. The 10 Medium Lot types will all be front entry and will range from 2,420 to 3,262 square feet and start in the $280's.

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RZR'15 019

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.

manager — July 9, 2015

Signature of Applicant — Date

James M. Embry manager

Type or Print Name and Title

Terri L. Daniel — July 9th 2015

Signature of Notary Public — Date

TERRI L DANIEL NOTARY PUBLIC GWINNETT CO., GEORGIA MY COMMISSION EXPIRES MAR. 4 2017

Notary Seal

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RZR '15 019

REZONING PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

Signature of Property Owner — Date: 7/14/15

Judd Gilats
Vice President

Type or Print Name and Title

BONNIE LYNN WOLD
Notary Public
State of Minnesota
My Commission Expires
January 31, 2020

Signature of Notary Public — Date: 7/15/15 — Notary Seal

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REZONING PROPERTY OWNER'S CERTIFICATION

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David Camp — 7/13/15

Signature of Property Owner — Date

DAVID CAMP

Type or Print Name and Title

JOANN BRANCHER NOTARY PUBLIC WALTON COUNTY GEORGIA EXPIRES JAN. 28, 2017

7/13/15

Signature of Notary Public — Date — Notary Seal

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Donald R. Camp — 7/13/15

Signature of Property Owner — Date

Donald R. Camp

Type or Print Name and Title

JOANN BRANCHER NOTARY PUBLIC WALTON COUNTY GEORGIA EXPIRES JAN. 28, 2017

Signature of Notary Public — 7/13/15 — 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 OF APPLICANT	DATE	TYPE OR PRINT NAME AND TITLE
[signature]	7-10-2015	James M Embry - manager

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

SIGNATURE OF NOTARY PUBLIC	DATE	NOTARY SEAL
[signature]		JERI ANN PEEVY NOTARY PUBLIC GWINNETT CO., GEORGIA COMMISSION EXPIRES JAN. 31 2017

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: (Map Reference Number) 6 (District) - 062 (Land Lot) - 17B (Parcel)

Signature of Applicant — 7-10-2015 (Date)

James M Embry manager
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

TSAI
TITLE

8-7-15
DATE

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VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

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PARCEL I.D. NUMBER: (Map Reference Number) 6 (District) . 062 (Land Lot) . 016D (Parcel)

X _____ 8-7-15
Signature of Applicant — Date

James M. Embry Manager
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)

_____ TSA I
NAME — TITLE

8-7-15
DATE

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PARCEL I.D. NUMBER: (Map Reference Number) 6 (District) . 062 (Land Lot) . 154 (Parcel)

X _____ 8-7-15
Signature of Applicant — Date

James M. Emery Manager
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)

_____ TSA I
NAME — TITLE

8-7-15
DATE

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