

CHANGE IN CONDITIONS APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Shea & Company, Inc.</u>	NAME: <u>Charles Arnold</u>
ADDRESS: <u>5479 Portal Place</u>	ADDRESS: <u>1595 New Hope Rd</u>
CITY: <u>Norcross</u>	CITY: <u>Lawrenceville</u>
STATE: <u>GA</u> ZIP: <u>30092</u>	STATE: <u>Ga</u> ZIP: <u>30045</u>
PHONE: <u>770-807-0520</u>	PHONE: <u>404-277-8010</u>
CONTACT PERSON: <u>Chip Randall</u> PHONE: <u>404-202-2029</u>	
CONTACT'S E-MAIL: <u>Chiponein@gmail.com</u>	

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
ZONING DISTRICTS(S): <u>RTH</u>	PRIOR ZONING CASE: <u>CIC-08-003</u>
PARCEL NUMBER(S): <u>7-042-003b & 023</u>	ACREAGE: <u>3.759</u>
ADDRESS OF PROPERTY: <u>1368 Herrington Road</u>	
PROPOSED CHANGE IN CONDITIONS: <u>density 22 to 30 units, unit size, garage, no. diff elev's.</u>	

RESIDENTIAL DEVELOPMENT:	NON-RESIDENTIAL DEVELOPMENT:
NO. OF LOTS/DWELLING UNITS: <u>28</u>	NO. OF BUILDINGS/LOTS: _____
DWELLING UNIT SIZE (Sq. Ft.): <u>1600</u>	TOTAL GROSS SQUARE FEET: _____
GROSS DENSITY: <u>7.45 units/ac</u>	DENSITY: _____
NET DENSITY: <u>8 units/ac</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION

All that parcel of land lying and being in Land Lot 42 of the 7th District of Gwinnett County, Georgia, containing 3.759 acres, and said tract being more fully described as follows:

Commencing at the iron pin found on the easterly Right of Way line of Herington Road having an 80' Right of Way width, said point being the POINT OF BEGINNING;
Thence South 29 degrees 25 minutes 06 seconds East a distance of 1133.25 feet;
Thence South 60 degrees 41 minutes 07 seconds East a distance of 160.53 feet;
Thence North 29 degrees 16 minutes 35 seconds West a distance of 454.18 feet;
Thence North 29 degrees 23 minutes 05 seconds West a distance of 464.95 feet;
Thence North 07 degrees 14 minutes 14 seconds East a distance of 266.54 feet to the POINT OF BEGINNING, containing 3.759 acres.

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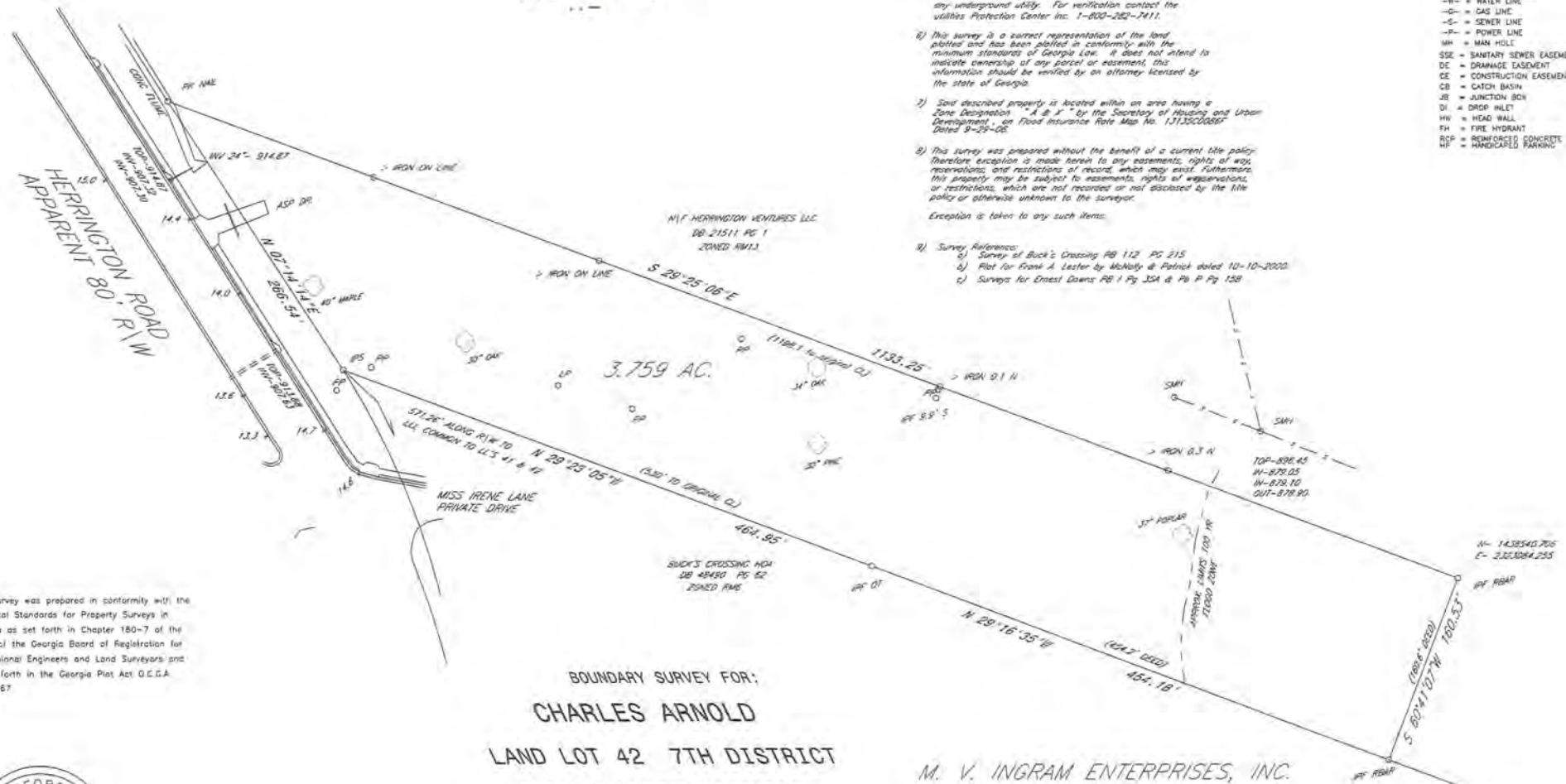


GENERAL NOTES

- 1) The field data upon which this plot is based has a precision of one foot in 61,041 feet and an angular error of 2" per angle point and was adjusted using least squares.
- 2) This plot has been calculated for closure and has an accuracy of one foot in 325,302 feet.
- 3) Field equipment used for this survey was a Topcon CRT-3005.
- 4) All easements, restrictions, or exceptions to title are shown based on information supplied to M.V. Ingram Enterprises, Inc. No Certification as to the completeness or accuracy of any matters of title is made by M.V. Ingram Enterprises, Inc.
- 5) Underground utilities shown on this plot were taken from field observation and from plots by others; the exact location of all utilities should be verified by the respective utility company. M.V. Ingram Enterprises, Inc. assumes no liability as to the exact location of any underground utility. For verification contact the utilities Protection Center Inc. 1-800-262-7411.
- 6) This survey is a correct representation of the land plotted and has been plotted in conformity with the minimum standards of Georgia Law. It does not intend to indicate ownership of any parcel or easement; this information should be verified by an attorney licensed by the state of Georgia.
- 7) Said described property is located within an area having a Zone Designation "A & X" by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No. 13130C0006F Dated 9-29-08.
- 8) This survey was prepared without the benefit of a current title policy; therefore exception is made herein to any easements, rights of way, reservations, and restrictions of record which may exist. Furthermore, this property may be subject to easements, rights of way, reservations, or restrictions, which are not recorded or not disclosed by the title policy or otherwise known to the surveyor. Exception is taken to any such items.
- 9) Survey References:
 - a) Survey of Buck's Crossing PG 112 PG 215
 - b) Plot for Frank A. Lester by McNulty & Patrick dated 10-10-2000
 - c) Surveys for Ernest Owens PG 1 Pg 35A & Pg P Pg 150

LEGEND

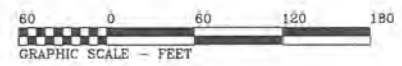
- IPF = IRON PIN FOUND
- IPS = IRON PIN SET
- CMF = CONCRETE MONUMENT FOUND
- R/W = RIGHT OF WAY
- BL = BUILDING LINE
- LLL = LAND LOT LINE
- LL = LAND LOT
- N/T = NOW OR FORMERLY
- NTS = NOT TO SCALE
- CL = CENTER LINE
- BM = BENCH MARK
- TC = TEMPORARY BENCH MARK
- PC = POINT OF CURVATURE
- PI = POINT OF INTERSECTION
- PT = POINT OF TANGENCY
- R = RADIUS
- CH = CHORD
- IE = INVERT ELEVATION
- T- = TELEPHONE LINE
- H- = WATER LINE
- G- = GAS LINE
- S- = SEWER LINE
- P- = POWER LINE
- MH = MAN HOLE
- SSE = SANITARY SEWER EASEMENT
- DE = DRAINAGE EASEMENT
- CE = CONSTRUCTION EASEMENT
- CB = CATCH BASIN
- JR = JUNCTION BOX
- DI = DITCH INLET
- HW = HEAD WALL
- PH = FIRE HYDRANT
- RCP = REINFORCED CONCRETE PIPE
- HP = HANDICAPPED PARKING



BOUNDARY SURVEY FOR;
CHARLES ARNOLD
 LAND LOT 42 7TH DISTRICT
 GWINNETT COUNTY GEORGIA
 1" = 60' JN-ARNOLD 9-27-16
 FIELD SURVEY 9-15-16 & 9-28-15

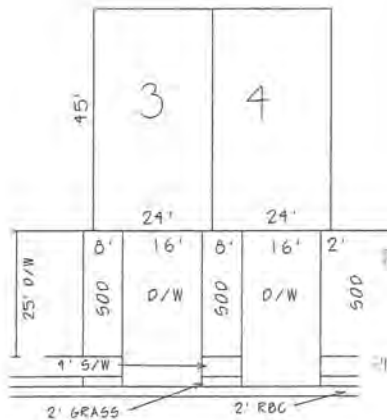
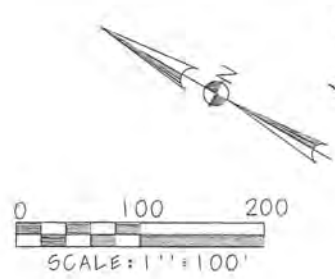
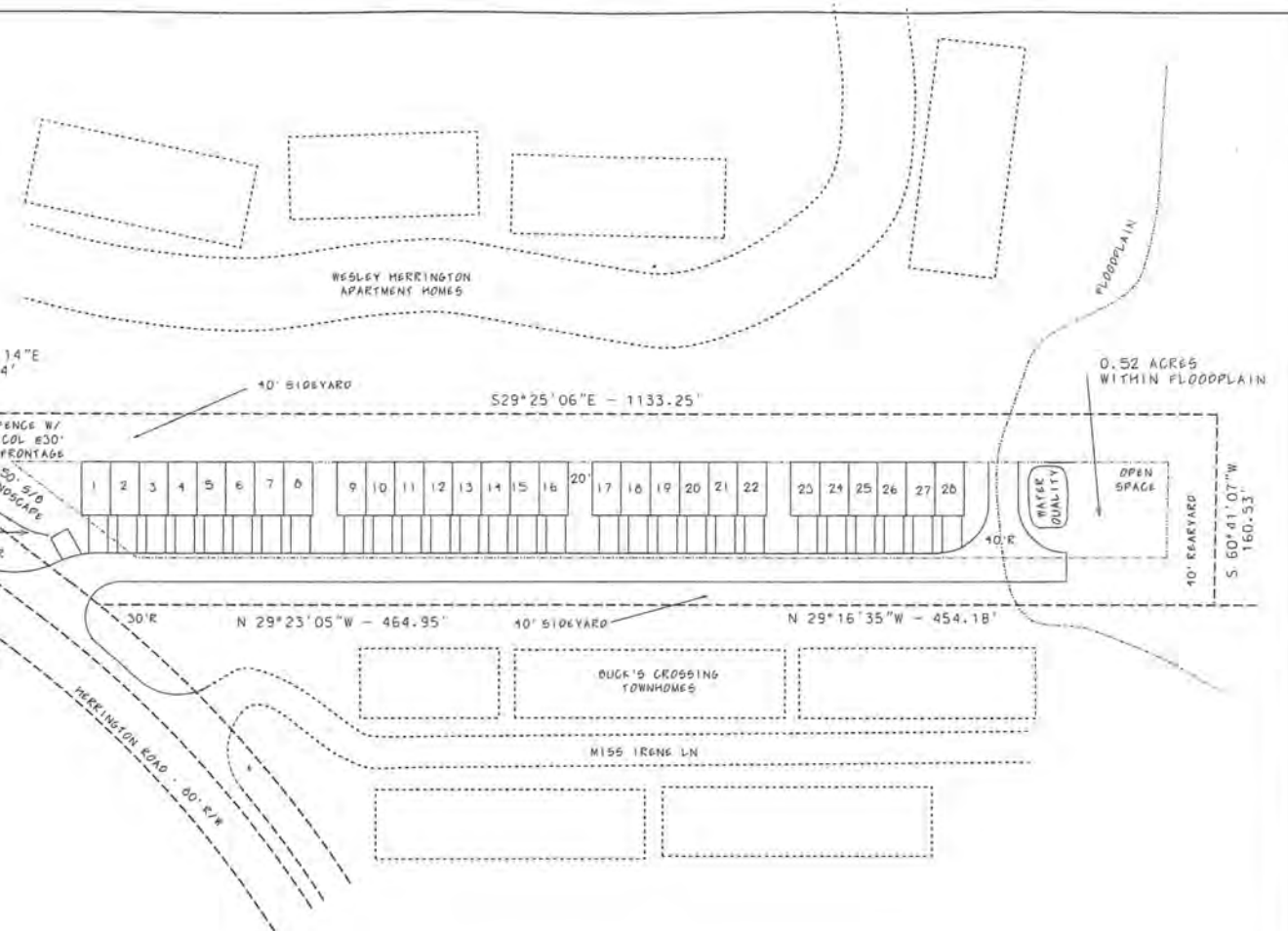
M. V. INGRAM ENTERPRISES, INC.
 LAND SURVEYING AND PLANNING
 P.O. BOX 464082
 LAWRENCEVILLE, GEORGIA 30246
 (770) 963-4801

This survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 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.C.G.A. 18-6-67





VICINITY MAP



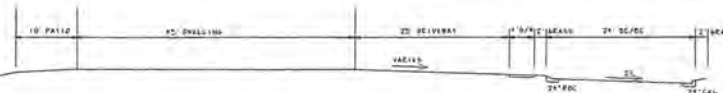
PLAN DETAIL

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SITE SECTION

CONCEPT PLAN
 T'HOME DEVELOPMENT
 3.76 ACRES - GROSS
 3.5 ACRES NET
 28 UNITS



*Clayton
Coomer
2/13*

PRELIMINARY
Not Released for Construction

COPYRIGHT NOTICE/WARNING
IF THIS NOTE DOES NOT APPEAR ON THIS PLAN,
THESE COPIES ARE NOT A REPRESENTATION
OF PERKINS+WORTHMAN AND IS SECURED
BY GARDEN CITY CONTRACTORS, P.C.

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8/2015

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

Yes the proposed change in density is an appropriate transition from RM6 to our south and RM13 to our north

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

No, This tract is the only undeveloped tract in the area. Development will enhance nearby property

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

The current density is not utilizing the entire property to its highest and best use, the requested density helps facilitate development

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

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

Yes, the proposed residential use is a conforming land 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 CHANGE IN CONDITIONS:

As stated, this is the only undeveloped tract in the immediate vicinity, development will enhance the area

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Shea & Company, Inc.

5479 Portal Place

Norcross, Georgia 30092

Phone 770-807-0520

October 6, 2016

Gwinnett County Department of Planning & Development
446 W. Crogan Street, Suite 250
Lawrenceville, Georgia 30046

RE: Change in Conditions Application – 3.76 Acres 1368 Herrington Rd
Seventy District of Gwinnett County and being in Land Lot 042 Parcels 003B & 023

To whom it may concern:

Please use this Letter of Intent to give details of the proposed use of the above referenced property. The proposed use for the property is a 30 unit townhome development. The development will consist of three 8 unit buildings, one 6 unit building and a common open space at the front and rear of the property. The tract is encumbered with the 100 year floodplain at the end of the proposed cul-de-sac. We feel the proposed density will be a good transition from RM6 to our south to RM13 to our north. The typical unit will have a one car garage, and be 24 feet wide and 45 feet deep. A minimum of 1600 square feet per unit with 4 different building elevations are proposed.

If you have any questions or need additional information please call Chip Randall at 404-202-2029.

Sincerely,
Shea & Company, Inc.



Chip Randall on behalf of J. Mark Shea

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CHANGE IN CONDITIONS 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 SHEA & COMPANY, Inc. 8-31-14
PRES Date

J. MARK SHEA PRES
Type or Print Name and Title

8/31/16
Signature of Notary Public Date Notary Seal



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CHANGE IN CONDITIONS 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.

Charles L. Arnold, Sr.
Signature of Property Owner

9-2-16
Date

Charles L. Arnold, Sr.
L

Type or Print Name and Title

Patricia A. Liley
Signature of Notary Public

9/2/16
Date



Notary Seal

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CONFLICT OF INTEREST CERTIFICATION FOR CHANGE IN CONDITIONS

The undersigned below, making application for a change in conditions, 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] 8-31-16 J MARK SHEA
 Signature of Applicant Date Type of Print Name and Title
 SHEA & COMPANY TREES

Signature of Applicant's Date Type or Print Name and Title
 Attorney or Representative

Catherine S. Walker 8/31/16
 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 J. Mark Shea
 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 CHANGE IN CONDITIONS**

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: 7 042 003b&023
(Map Reference Number) District Land Lot Parcel

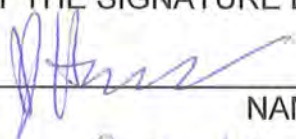
 9/2/14
Signature of Applicant Date

Chip H.S. Randall III Representative
Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

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
NAME TITLE
9-2-16 _____
DATE

**2016 taxes due Oct 15*

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