

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>AARON YOUNG</u>	NAME: <u>LUC R. MBAHA MOUTE</u>
ADDRESS: <u>4150 BEAVER ROAD</u>	ADDRESS: <u>4150 BEAVER ROAD</u>
CITY: <u>LOGANVILLE</u>	CITY: <u>LOGANVILLE</u>
STATE: <u>GA</u> ZIP: <u>30052</u>	STATE: <u>GA</u> ZIP: <u>30052</u>
PHONE: <u>352 988 8374</u>	PHONE: <u>770 985 8297</u>
CONTACT PERSON: <u>FIELDING D. ALDERMAN</u> PHONE: <u>770 862 4133</u>	
CONTACT'S E-MAIL: <u>fdalderman@bellsouth.net</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: RA-200

PARCEL NUMBER(S): R5096028 ACREAGE: 26.21

ADDRESS OF PROPERTY: 4150 BEAVER ROAD, LOGANVILLE, GA 30052

PROPOSED DEVELOPMENT: EQUESTRIAN BOARDING/TRAINING FACILITY

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: <u>1</u>	No. of Buildings/Lots: <u>8</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. _____
Gross Density: _____	Density: _____
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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BK 53459 PG 0240

Exhibit "A"

All that tract or parcel of land lying and being in Land Lot 96 of the 5th District of Gwinnett County, Georgia; being the same as that shown on a composite plat dated May 23, 1985, prepared for Richard A. & Judy K. Brown; said survey having been prepared by Michael A. Royston, Georgia Registered Professional Land Surveyor No. 1731; said property being more particularly described as follows:

Beginning at a point on the northeasterly right-of-way of Beaver Road (80' R/W) located northwesterly an arc distance of 233.20 feet along the aforementioned right-of-way and following the curvature thereof from the intersection of said right-of-way and the line dividing Land Lot 96 and Land Lot 246; from said point of beginning, running thence northwesterly along the northeasterly right-of-way of Beaver Road and following the curvature thereof an arc distance of 164.5 feet (said arc being subtended by a chord bearing north 60 degrees, 33 minutes, 06 seconds west and having a chord distance of 162.56 feet) to a point; running thence north 45 degrees, 05 minutes, 24 seconds west a distance of 291.71 feet along the northwesterly right-of-way of Beaver Road to a point; running thence North 59 degrees, 54 minutes, 32 seconds east a distance of 2227.23 feet along the southeast boundary of property now or formerly owned by W. J. Beaver to a point on the land lot line dividing Land Lot 96 and Land Lot 97; running thence south 31 degrees, 01 minutes, 04 seconds east a distance of 621.90 feet along said land lot line (also being the southwestern boundary of property now or formerly owned by Dr. High N. Mazzawi) to a point on the land lot line dividing Land Lot 96 and Land Lot 246; running thence south 59 degrees, 54 minutes, 26 seconds west a distance of 1118.56 feet along aforementioned land lot to a point; running thence north 30 degrees, 05 minutes, 34 seconds west a distance of 200.00 feet along the northeastern boundary of property now or formerly owned by Jeff Kilgore to a point; running thence south 59 degrees, 54 minutes, 26 seconds west a distance of 960.82 feet along the western boundary of the Kilgore Property to a point on the northeasterly right-of-way of Beaver Road; said point being the true point of beginning. Said property containing 26.210 acres, more or less.

Property Address: 4150 Beaver Road, Loganville, Georgia 30052

Tax Parcel: R5096-028

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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:

YES

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

NO

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

NO

- (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:

NO

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

YES

- (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:

THERE ARE EXISTING CONDITIONS SUPPORTING
GROUNDS FOR APPROVAL

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LETTER OF INTENT

To: Gwinnett County Planning Commission (District Three)
Chuck Warbington – Chairman
Tommy Hunter – Commissioner
Todd Hargrave – Planning Engineer

From: Fielding D. Alderman & Sonia Moretti – Consultants/Realtors

Subject: Rezoning Application: 4150 Beaver Road, Loganville, GA 30052

This Application is for the Rezoning of the subject property 4150 Beaver Road (“Property”). The Property is identified by Parcel I.D. R5096 028 and is a 26.21 acre tract currently zoned R100.

Rezoning Application is requesting down-zoning of Property to its original zoning of RA200. Property Owner desires to operate a business that boards, trains and breeds horses, and provides riding lessons and therapy for the Wounded Warriors Program, Autism Programs, and other “special needs” individuals utilizing retired gentle horses to assist and enhance therapy. It is understood that operating this business requires the down-zoning to RA200.

Application is not intended to request any newly “proposed” structures or changes to any of the existing structures, buffers or parking spaces. Current structures, as shown on Survey/Site Plan include:

- One Two-story Frame House – 28 Feet to peak
- One One-story Frame Structure w/Basement – 24 Feet to peak
- One Metal Horse Stable/Barn – 16 Feet to peak
- One Metal Horse Arena/Barn – 30 Feet to peak
- One Barn – 18 Feet to peak
- One Shed – 14 Feet to peak
- Three Feed Sheds – 10 Feet to peak each

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SUMMARY

In summary, the requested rezoning to RA200 is to allow owner to operate a business that provides boarding, breeding and training of horses, riding lessons and horse assisted therapy for special needs individuals. There are no plans for any public events or additions of any outdoor lighting. Self-imposed limitations are to include a limit of no more than 4 riding lesson pupils at any one time and no more than a total of 20 total horses being boarded on the property.

Currently, the Property is home to half a dozen privately owned horses. All farm operations are central to the 26 plus acres and there is a more than adequate existing buffer between operations and all surrounding neighboring properties. Buffer consists of mature trees, lake, double layer fencing and privacy fence separating adjacent subdivision. There is an active onsite manure management plan that is designed to be eco-friendly and a non-nuisance to neighbors. The area is home to many existing farms, ranches and large acre tracts.

Historically, the Property has been used as a privately owned horse and cattle farm. It was originally zoned RA200, but in the 70's was part of an area blanket rezoning to R100. There have been no known complaints from neighboring property owners. The area has long been home to farms and ranches and considered to be farm friendly.

For more specific details, please see the following business plan.

Application Fee check of \$2,000 is submitted with this Rezoning Request Package. Please direct any questions to Owner's Consultants:

Fielding D. Alderman	770.862.4133	fdalderman@bellsouth.net
Sonia Moretti	404.617.3279	moretti_legal@yahoo.com

Respectfully submitted this day of July 1, 2016.

Fielding D. Alderman

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Sonia Moretti

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Our business plan here at Lucky 12 Equine could be broken into two categories of long term and short term goals. Our initial plan is to open as a small lesson and boarding facility with an emphasis on keeping a small close knit family atmosphere. The services we plan to offer at opening are as follows.

- Horseback Riding Lessons

- We will offer lessons for all ages and experience levels from toddlers to seniors; and from completely green beginners to other trainers looking to hone their skills in a specific area of their riding. Lessons will be organized through a personalized lesson plan that will address the individual needs of each rider and allow them to grow in the discipline of their choice. We will offer both private and small group lessons though the group lessons will be limited to three riders at most to make sure that all students are able to get the attention they deserve. Most lessons will be scheduled for one hour though some may go over and some may go short to make sure that goals set for that day are met, and that lessons end on a good note for both student and horse. Students in our lesson program can expect to not only learn the theory and fundamentals of riding; but also care of the horse, identification and maintenance of tack, basic veterinary first aid and nutrition, and how to handle the horse safely from the ground. We will also offer the service of taking clients to horse shows and competitions and provide coaching at the event. The goal of our lesson program will be to introduce people to the joys of equestrian sports as well as to be safe and respect these animals, and to have fun while doing so.

- Boarding

- We will offer boarding and training services to a small number of clients with stall or pasture board available. The boarding services will include everyday care and feeding of the horse, administration of medicines and supplements, cleaning of the stall if the horse is kept inside the barn, daily turnout weather permitting, and support for the client (communication with vets and farriers etc.). We will offer packages that will include training and exercising of the horses as well as discounted lessons for the client.

- Training

- The head trainer Chessie Kopyscianki's training theory is as follows.

When training Chessie starts with patient and detailed ground work earning respect while isolating and strengthening the muscles of the horse, teaching transitions of gaits, and getting work off of the rear, and self-carriage. She believes relaxation is a key focus in the training processes. Her style is not to intimidate or force a horse into anything. The goal is to let the horse mentally understand what is being asked and work the horse within its ability toward full potential. Without relaxation this is not possible, stress and aggression are counterproductive. As the horse moves further in training it will begin to have quicker responses being able to respond to cues and utilizing its self properly. Her specialty is speed events but no matter the discipline her goal is to produce athletic, responsive, and safe horses. Horses that will reach their full potential toward any discipline, whether they are seasoned speed event horses, reining, or pleasure horses that just need tuning up. Chessie is especially passionate of training horses in the startup phase needing work from the ground up, she offers these services as well. She encourages all horse owners to come and view the progress of their horse and take lessons along with the training process.

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- Equine Assisted Therapy

-We will after our initial opening begin to offer equine assisted therapy or EAT services. EAT consists of using horse to assist in the therapeutic healing process in humans for physical, emotional, and mental afflictions. Horses have long been known to possess an unexplainable ability to heal and communicate in a way that other humans sometimes simply can't. They can provide this through a number of ways wether it is helping a child with autism begin to come out of his or her shell, helping a victim of abuse feel confident and in control again, or even helping a veteran find purpose and peace again. We plan to work in partnership with local support groups to find people who could potentially benefit form these services. We will also organize fundraisers to help pay for these services because it our personal belief that anyone who could potentially be helped by EAT deserves the opportunity to be healed by these animals.

- Breeding

-We will be overseeing a small scale private breeding program with the long term purpose of sales and providing our own potential training and show horses. We have already developed a personal relationship with the Theriogenology staff at the University of Georgia Veterinary Teaching Hospital and will continue to work with them in the future with the impregnating of our mares to the care of our foals, as well as the collection and sale of frozen semen from our stallions.

Our long term goals for Lucky 12 Equine is to become established and respected in the local community as well as in the world wide Equestrian community, allowing us to turn our focus more from providing lessons and basic boarding to becoming much more competitive on a national and international level and develop a small team of young riders and horses to travel and compete with. More emphasis will likely be put on our breeding program as well at this time after our program and stallions have established a reputation for producing quality and excellence in our foals. We also will be continuing with our Equine Assisted Therapy program and continue to reach out to the community through this as well as other outreach programs and events.

To summarize our goals in as few words as possible, We would like to establish a small yet elite program that emphasizes safety and learning as well as fun while introducing children and adults to equine world, while also providing a facility for local equestrians to continue to grow as riders and as horsemen and horsewomen.

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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

6/28/16

Date

AARON YOUNG

Type or Print Name and Title



Signature of Notary Public

6-28-16

Date



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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.



Signature of Property Owner

29/06/2016

Date

Luc Richard MIZAH A MOUTE

Type or Print Name and Title



Signature of Notary Public

6/29/2016

Date

Notary Seal

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BRIAN A VAZQUEZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01VA6331697
Qualified in New York County
My Commission Expires October 13, 2019

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] 6/28/16
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

AARON YOUNG
 Sonia Moretti

[Signature] 6/28/16
 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE

TERESA D. ALDERMAN

[Signature] 6-28-16
 SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE



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 AARON YOUNG
 YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL 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)

5 - 96 - 28
District Land Lot Parcel

Signature of Applicant

AARON YOUNG

Type or Print Name and Title

Date

6/28/16

*****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)

Cordrick Roney
NAME

Senior TSA

TITLE

6/28/16

DATE

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