

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Hyung Lee</u>	NAME: <u>Hyung Lee</u>
ADDRESS: <u>3565 Mclure Woods Dr</u>	ADDRESS: <u>2722 Duluth Hwy</u>
CITY: <u>Duluth</u>	CITY: <u>Duluth</u>
STATE: <u>GA</u> ZIP: <u>30096</u>	STATE: <u>GA</u> ZIP: <u>30096</u>
PHONE: <u>4044889872</u>	PHONE: <u>4044889872</u>
CONTACT PERSON: <u>Hyung Lee</u> PHONE: <u>4044889872</u>	
CONTACT'S E-MAIL: <u>hol2783@yahoo.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R01^{R-100} REQUESTED ZONING DISTRICT: R75

PARCEL NUMBER(S): R7160008 ACREAGE: .83

ADDRESS OF PROPERTY: 2722 Duluth Hwy Duluth, GA 30096

PROPOSED DEVELOPMENT: Residential

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: <u>2</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>2500sqft</u> <u>3000 sqft</u>	Total Building Sq. Ft. _____
Gross Density: <u>22 u/a</u> <u>2.6 u/a</u>	Density: _____
Net Density: _____	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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Land Description

All that tract or parcel of land lying and being in Land Lot 160, 7th District, Gwinnett County, Georgia and being more particularly described as follows:

Beginning at a 1/2 -inch rebar found along the northerly right-of-way line of Georgia Highway 120 (A.K.A. Duluth Highway – having a variable width Right-of-Way), said iron pin set being located 888', more or less, as measured in a westerly direction from the intersection of said right-of-way line of Georgia Highway 120 and the westerly corner of a mitered intersection of the westerly right-of-way line of Bunten Road; thence running, 113.99 feet along the arc of a curve to the left, having a radius of 44067.33 feet and being scribed by a chord bearing north $76^{\circ}18'14''$ West, 113.99 feet to an iron pin set; thence leaving said northerly right-of-way line of Georgia Highway 120 and running North $11^{\circ}58'22''$ East, 233.38 feet to a concrete monument found; thence, South $81^{\circ}04'07''$ East, 80.98 feet to an iron pin set; thence, South $28^{\circ}31'39''$ East, 195.96 feet to a concrete monument found; thence, South $57^{\circ}37'05''$ West, 131.74 feet to a 1/2-inch rebar found along said northerly right-of-way line of Georgia Highway 120 and being the true point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.83 acres, more or less.

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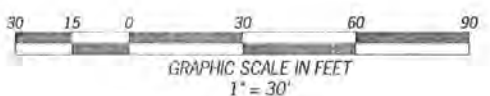
SUBJECT PROPERTY

OWNER: HUYUNG LEE (PER TAX ASSESSOR)
 SITE ADDRESS: 2722 DULUTH HIGHWAY, DULUTH, GA 30096
 AREA: 0.83 ACRES±
 REFERENCE: DEED BOOK 52891 - PAGE 63

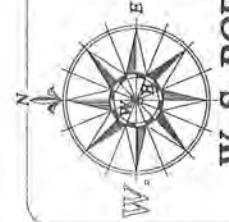
GENERAL NOTES

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS-OF-WAY NOT SHOWN HEREON.
 EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA GEOMAX ROBOTIC (DATE OF LAST FIELD VISIT: AUGUST 17, 2016)
 THE FIELD DATA UPON WHICH THIS SURVEY IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 30,474 FEET AND AN ANGULAR ERROR OF 0.03 PER ANGLE POINT AND WAS NOT ADJUSTED.
 THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 163,874 FEET.
 THE BASIS FOR THE DIRECTIONS SHOWN HEREON IS: DEED BOOK 52891 - PAGE 63 (1" SEE BASIS LINE OF SURVEY)
 NO PORTION OF THIS SITE APPEARS TO BE IN A SPECIAL FLOOD AREA AS DEFINED BY THE GWINNETT COUNTY F.E.M.A. F.I.R.M. COMMUNITY PANEL NUMBER 13135 C 0069 F DATED SEPTEMBER 25, 2006.

- LEGEND**
- FOC POINT OF COMMENCEMENT
 - POB POINT OF BEGINNING
 - IPF IRON PIN FOUND
 - OTF OPEN TOP PIPE
 - IPS IRON PIN SET
 - CMF CONCRETE MONUMENT FOUND
 - EP EDGE OF PAVEMENT
 - BC BACK OF CURB
 - N/F NOW OR FORMERLY
 - PB PLAT BOOK
 - DB DEED BOOK
 - PG PAGE
 - WM WATER METER
 - R/W RIGHT-OF-WAY
 - UP UTILITY POLE
 - OH OVERHEAD UTILITY LINES



PROVERBS 22:28
 REMOVE NOT THE ANCIENT LANDMARK
 WHICH YOUR FATHERS HAVE SET.



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 160, 7TH DISTRICT, GWINNETT COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A W/1/2 REBAR FOUND ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY 120 (A.K.A. DULUTH HIGHWAY - HAVING A VARIABLE WIDTH RIGHT-OF-WAY), SAID IRON PIN SET BEING LOCATED 888', MORE OR LESS, AS MEASURED IN A WESTERLY DIRECTION FROM THE INTERSECTION OF SAID RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY 120 AND THE WESTERLY CORNER OF A MITERED INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF BLUNTER ROAD; THENCE RUNNING, 113.99 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 44067.33 FEET AND BEING SCRIBED BY A CHORD BEARING NORTH 76°18'14" WEST, 113.99 FEET TO AN IRON PIN SET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY 120 AND RUNNING, NORTH 11°58'22" EAST, 233.38 FEET TO A CONCRETE MONUMENT FOUND; THENCE, SOUTH 81°04'07" EAST, 80.98 FEET TO AN IRON PIN SET; THENCE, SOUTH 28°31'39" EAST, 195.96 FEET TO A CONCRETE MONUMENT FOUND; THENCE, SOUTH 57°37'05" WEST, 131.74 FEET TO A W/1/2 REBAR FOUND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY 120 AND BEING THE TRUE POINT OF BEGINNING.
 TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS AND RESTRICTIONS OF RECORD.
 SAID PROPERTY CONTAINS 0.83 ACRES, MORE OR LESS.



PURPOSE NOTE

THE PURPOSE OF THIS SURVEY IS TO FULFILL THE REQUEST OF THE CLIENT FOR A BOUNDARY/SUBDIVISION SURVEY.

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE IN CONTRASTING INK OF SURVEYOR.

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. 15-6-67.

CERTIFICATE OF AUTHORIZATION: LSF000772

N/F LI HUAPING
 PARCEL #R7160 007
 DB 51464 - PG 876

N/F WILLOWSTONE AT DULUTH HOA INC
 PARCEL #R7160 175
 PB 103 - PG 27

N/F H.C. BRANNON
 PARCEL #R7160 008B
 NO RECORDED INFORMATION FOUND

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DEUTERONOMY 27:17
 "CURSED BE HE WHO REMOVES HIS NEIGHBOR'S LANDMARK,
 AND ALL THE PEOPLE SAY, AMEN."

BOUNDARY SURVEY FOR:

KYLE LEE

315 CASTLEWOOD RD.
 TYRONE, GA 30290
 770-312-5500
W. S. BODKIN SURVEYING, L.L.C.

LAND LOT 160 7TH DISTRICT GWINNETT COUNTY, GA

PROJECT NUMBER 16036 / 2016.197	
DRAWN BY NDW	CHECKED BY WSB
ISSUE DATE 8-23-16	
DRAWING NUMBER 1 OF 1	

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:

- (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:

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

- (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:

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REZONING APPLICANT'S RESPONSE

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed Rezoning Application will permit a use that is suitable in view of the use and development of adjacent and nearby property.
- (B) No, the proposed Rezoning Application will not adversely affect the existing use or usability of any of the nearby properties.
- (C) The Applicant submits that the property does not have reasonable economic use as currently zoned. It is almost 3 times as large as one of the adjacent properties that is classified the same as the property in question.
- (D) No, the proposed rezoning will not result in an excessive or burdensome use of the infrastructure systems.
- (E) Yes, the proposed Rezoning Application is in conformity with the policy and intent of the Gwinnett County Land Use Plan.
- (F) There are neither existing or changing conditions affecting the use and development of the property to support grounds for either approval or disapproval of the proposed Rezoning.

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LETTER OF INTENT FOR REZONING APPLICATION
OF 2722 DULUTH HIGHWAY

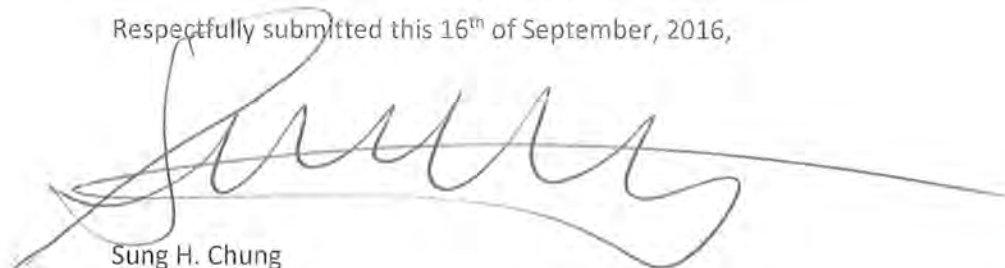
Hyung Lee (the "Applicant") submits this Letter of Intent and attached Rezoning Application for the purpose of rezoning to the R-75 zoning classification an approximate 0.83 acre tract (the "Property") situated along Duluth Highway west of its intersection with Bunten Road. The Property is currently zoned R-01.

The Applicant proposes to divide the single property into 2 separate properties, and develop 2 separate single-family residences. The proposed properties will be divided into 2 lots, .448 acres (19,500 Sq Ft) and .382 acres (16,650 Sq Ft) in size from West to East. The proposed development would have densities of approximately 2.2 units/acre and 2.6 units/acre respectively, which is below the maximum allowed density of 3.0 units/acre prescribed for the R-75 zoning classification in the Gwinnett County Unified Development Ordinance (the "UDO"). The proposed single-family community would consist of homes at a size, quality, and price-point commensurate with or exceeding homes in the surrounding area.

The proposed homes would include double-car garages as well as other attractive architectural elements. The building materials would consist of brick, stacked stone, or fiber-cement or shake siding. The homes in the proposed development will have 2 floors and a basement. The height of the homes will follow the set restrictions stated in the "UDO".

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Rezoning Application filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted this 16th of September, 2016,



Sung H. Chung

General Contractor

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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.

[Handwritten Signature]

5/24/16

Signature of Property Owner

Date

Hyung O Lee

owner

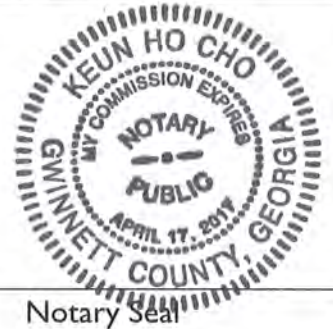
Type or Print Name and Title

[Handwritten Signature]

5/31/2016

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.

Hyung O Lee 5/24/16 Hyung O Lee / owner
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Keun Ho Cho 05/31/2016
 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 Hyung Lee
 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: 7 160 008
(Map Reference Number) District Land Lot Parcel

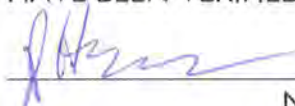
 9/8/16
Signature of Applicant Date

Hyung Lee, Owner
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)

 ISA II
NAME TITLE
9-8-16
DATE

2016 taxes not due until 10-15
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