

**REZONING APPLICATION**

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

| APPLICANT INFORMATION   | OWNER INFORMATION  |
|---|--|
| NAME: <u>White Horse 70, LLC</u><br>c/o Mill Creek Consulting   | NAME: <u>Barbara I. Bradberry</u><br>c/o Mill Creek Consulting |
| ADDRESS: <u>4480 Commerce Drive, Suite A</u>                    | ADDRESS: <u>4480 Commerce Drive, Suite A</u>                   |
| CITY: <u>Buford</u>   | CITY: <u>Buford</u>  |
| STATE: <u>GA</u> ZIP: <u>30518</u>                              | STATE: <u>GA</u> ZIP: <u>30518</u>                             |
| PHONE: <u>770-614-6511</u>                                      | PHONE: <u>770-614-6511</u>                                     |
| 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).

|   |  |
|---|--|
| <b>APPLICANT IS THE:</b>  |  |
| <u>      </u> OWNERS AGENT  | <u>      </u> PROPERTY OWNER <u>  X  </u> CONTRACT PURCHASER   |
| PRESENT ZONING DISTRICT (S): <u>R-100</u> REQUESTED ZONING DISTRICT: <u>R-75</u>  |  |
| LAND DISTRICT (S): <u>  7  </u>   | LAND LOT: <u>334</u> ACREAGE: <u>  20.003  </u>  |
| ADDRESS OF PROPERTY: <u>2053 Buford Dam Road</u>  |  |
| PROPOSED DEVELOPMENT: <u>Single Family Subdivision</u>  |  |
| <b>RESIDENTIAL DEVELOPMENT:</b><br>NO. OF LOTS/DWELLING UNITS: <u>  38  </u><br>DWELLING UNIT SIZE (SQ. FT.): <u>  2,700  </u><br>GROSS DENSITY: <u>  1.899 units\acre  </u><br>NET DENSITY: <u>  1.90 units\acre  </u> | <b>NON-RESIDENTIAL DEVELOPMENT:</b><br>NO. OF BUILDINGS/UNITS: <u>          </u><br>TOTAL GROSS SQUARE FEET: <u>          </u><br>DENSITY: <u>          </u> |

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PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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## Legal Description

Beginning at an iron pin on the western right of way of Buford Dam Road (80' right of way) said point being 134.51 feet from the intersection of the center line of Harbor Drive as measured westerly along the right of way of Buford Dam Road, said point being the point of beginning.

Thence along the right of way of Buford Dam Road N 75 37 16 W a distance of 23.86 feet to a point, Thence N 68 02 37 W a distance of 70.37 feet to a point; Thence N 65 23 47 W a distance of 53.83 feet; Thence N 63 03 33 W a distance of 51.21 feet to a point; Thence N 60 41 52 W a distance of 52.76 feet to a point; Thence N 59 03 15 W a distance of 40.06 feet to a point; Thence N 58 15 49 W a distance of 42.35 feet to an iron pin joining Barbara Bradberry tract; Thence leaving the right of way S 43 17 20 W a distance of 200.0 feet to an iron pin; Thence N 50 39 45 W a distance of 110.0 feet to an iron pin; Thence S 33 50 00 W a distance of 708.00 feet to an iron pin set; Thence S 40 30 46 E a distance of 40.45 feet to a point on the centerline of a stream; Thence along center line of stream S 25 56 19 E a distance of 128.16 feet; Thence S 12 55 47 E a distance of 57.92 feet; Thence S 63 34 00 E a distance of 32.95 feet; Thence S 02 58 49 W a distance of 87.62 feet; Thence S 77 00 47 E a distance of 22.70 feet; Thence S 01 51 27 W a distance of 64.49 feet; Thence S 18 50 44 W a distance of 87.65 feet; Thence S 01 38 29 E a distance of 54.53 feet; Thence S 84 00 55 E a distance of 34.23 feet; Thence S 38 00 04 W a distance of 46.68 feet; Thence S 72 42 37 W a distance of 28.28 feet; Thence S 48 50 05 W a distance of 57.73 feet; Thence S 47 25 42 E a distance of 39.46 feet; Thence S 03 39 08 W a distance of 121.31 feet; Thence S 46 43 18 W a distance of 31.02 feet; Thence S 30 22 56 W a distance of 156.95 feet; Thence S 10 28 04 E a distance of 45.32 feet; Thence S 02 59 42 E a distance of 111.24 feet; Thence S 07 52 52 W a distance of 43.81 feet; Thence S 27 59 11 W a distance of 26.24 feet; Thence S 38 56 48 E a distance of 68.68 feet; Thence S 18 25 03 W a distance of 105.83 feet; Thence N 75 21 19 W a distance of 24.16 feet; Thence S 01 40 29 E a distance of 40.88 feet to a point; Thence leaving the branch, N 57 45 40 E a distance of 384.18 feet to a pipe found; Thence N 21 27 44 E a distance of 453.61 feet to a pipe; Thence N 21 19 20 E a distance of 100.14 feet to a pipe; Thence N 21 32 56 E a distance of 200.04 feet to a pipe; Thence N 21 26 19 E a distance of 99.77 feet to a pipe; Thence N 21 38 16 E a distance of 100.25 feet to a pipe; Thence N 21 20 18 E a distance of 99.64 feet to a pipe; Thence N 21 28 47 E a distance of 100.05 feet to a pipe; Thence N 21 28 46 E a distance of 100.09 feet to a pipe; Thence N 21 27 50 E a distance of 134.66 feet to a pipe; Thence N 21 34 31 E a distance of 120.25 feet to a pipe; Thence N 21 28 40 E a distance of 238.95 feet to an iron pin on the right of way of Buford Dam Road, being the point of beginning.

Said tract containing 20.046 acres and being shown on a survey for Randall Pugh by W. T. Dunahoo and Associates, dated 12-18-1995. Said parcel is located in Land Lot 334 of the 7<sup>th</sup> District, Gwinnett County, Georgia. Said plat is recorded in plat book 71, page 262 of Gwinnett County.

Less and Except-

Less and Except a triangular shaped parcel shown as Tract 2 on a survey for Barbara P. Bradberry by W. T. Dunahoo and Associates dated 08-26-2014 and recorded in plat book 132, page 93 of Gwinnett

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County and being located in Land Lot 334 of the 7<sup>th</sup> District, Gwinnett County, Georgia and being described as follows-

Starting at an iron pin on the western right of way of Buford Dam Road (80' right of way) being the property line of Barbara P. Bradberry and Randall Pugh, measured as 518.0' from the centerline of Jimmy Dodd Road, being the point of beginning. Thence leaving the right of way S 43 58 12 W a distance of 195.87 feet to an iron pin; Thence N 54 23 44 E a distance of 105.52 feet to an iron pin; Thence N 32 15 21 E a distance of 94.05 to an iron pin on the right of way of Buford Dam Road, being the point of beginning.

Said tract cleared an encroached carport and containing 0.043 acres.

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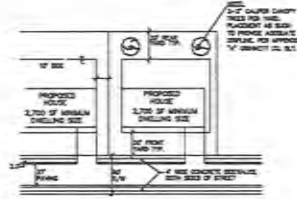
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- GENERAL NOTES**
1. TOTAL ACRES: 25.00 ACRES
  2. TOTAL NUMBER OF LOTS: 70
  3. ZONING: R-7S (SINGLE FAMILY RESIDENTIAL)
  4. PROPOSED ZONING: R-7S (SINGLE FAMILY RESIDENTIAL)
  5. COUNTY: GWINNETT COUNTY
  6. PROPOSED SUBDIVISION: 20 UNITS / 20.00 ACRES = 1.00 UNIT/ACRE
  7. NET ACRES: 25.00 ACRES (25.00 - 0.00 = 25.00 ACRES)
  8. PLANNED AREA: 0.25 ACRES
  9. NET DEVELOPABLE AREA: 25.00 ACRES (25.00 - 0.00 = 25.00 ACRES)
  10. TOTAL ROAD FRONTAGE: 4.25 MILES
  11. TOTAL ROAD WIDTH: 4.25 MILES
  12. TOTAL ROAD AREA: 0.25 ACRES
  13. TOTAL ROAD FRONTAGE: 0.25 MILES
  14. TOTAL ROAD WIDTH: 0.25 MILES
  15. TOTAL ROAD AREA: 0.25 ACRES

16. A PORTION OF THIS TRACT OF LAND IS LOCATED IN A SUBDIVISION ACCORDING TO PLAT NO. 10000, GWINNETT COUNTY, GEORGIA.
17. GWINNETT COUNTY DEEDS AND RECORDS DEPARTMENT HAS REVIEWED THIS PLAN AND HAS ISSUED A SUBDIVISION PLAT NO. 10000.
18. THIS PLAN IS SUBJECT TO ALL APPLICABLE ZONING ORDINANCES AND REGULATIONS.
19. ALL LOTS TO BE DEVELOPED BY GWINNETT COUNTY DEEDS AND RECORDS DEPARTMENT.
20. ALL OTHER AREAS TO BE DEVELOPED BY THE SUBDIVISION DEVELOPER.

**BLOCK & LOT CHART**

| BLOCK        | NO. OF LOTS |
|--------------|-------------|
| A            | 70          |
| <b>TOTAL</b> | <b>70</b>   |



- NOTES**
1. ALL LOTS SHALL BE RECALCULATED.
  2. A PORTION OF THIS TRACT OF LAND IS LOCATED IN A SUBDIVISION ACCORDING TO PLAT NO. 10000, GWINNETT COUNTY, GEORGIA.
  3. THIS PLAN IS SUBJECT TO ALL APPLICABLE ZONING ORDINANCES AND REGULATIONS.

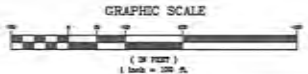


**LEGEND**

**SYMBOLS:**

- 1. PROPOSED LOTS (1-70)
- 2. EXISTING LOTS
- 3. PROPOSED ROADS
- 4. EXISTING ROADS
- 5. PROPOSED UTILITY LINES
- 6. EXISTING UTILITY LINES
- 7. PROPOSED SETBACKS
- 8. EXISTING SETBACKS
- 9. PROPOSED BUILDING FOOTPRINTS
- 10. EXISTING BUILDING FOOTPRINTS
- 11. PROPOSED DRIVEWAYS
- 12. EXISTING DRIVEWAYS
- 13. PROPOSED FENCES
- 14. EXISTING FENCES
- 15. PROPOSED POLES
- 16. EXISTING POLES
- 17. PROPOSED SIGNAGE
- 18. EXISTING SIGNAGE
- 19. PROPOSED LIGHTING
- 20. EXISTING LIGHTING
- 21. PROPOSED LANDSCAPING
- 22. EXISTING LANDSCAPING
- 23. PROPOSED TREES
- 24. EXISTING TREES
- 25. PROPOSED GRASS
- 26. EXISTING GRASS
- 27. PROPOSED SOIL
- 28. EXISTING SOIL
- 29. PROPOSED WATER
- 30. EXISTING WATER
- 31. PROPOSED SEWER
- 32. EXISTING SEWER
- 33. PROPOSED GAS
- 34. EXISTING GAS
- 35. PROPOSED CABLE
- 36. EXISTING CABLE
- 37. PROPOSED PHONE
- 38. EXISTING PHONE
- 39. PROPOSED FIBER
- 40. EXISTING FIBER
- 41. PROPOSED POWER
- 42. EXISTING POWER
- 43. PROPOSED TELEVISION
- 44. EXISTING TELEVISION
- 45. PROPOSED INTERNET
- 46. EXISTING INTERNET
- 47. PROPOSED SATELLITE
- 48. EXISTING SATELLITE
- 49. PROPOSED RADIATION
- 50. EXISTING RADIATION

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**PROJECT NAME:** BUNFORD DAM ROAD TRACT  
**LOCATED IN:** LAND LOT 308 OF THE DISTRICT, PARCELS ON GWINNETT COUNTY, GEORGIA

**CLIENT NAME:**

**LAND DEVELOPMENT ENGINEERING, INC.**  
 8888 LAWRENCEVILLE ROAD, SUITE 100, LAWRENCEVILLE, GA 30046  
 (770) 412-8810 FAX (770) 412-8811

**LDE**

**STAMP:** REGISTRY OF PROFESSIONAL ENGINEERS, STATE OF GEORGIA, LICENSE NO. 10000

**KEY:** DRAWN BY: 7/27/19, DATE: 19-011, JOB NUMBER

**REGISTERING ENGINEER'S:** R-7S

**SHEET TITLE:** f

**SHEET NUMBER:** 1

**DATE:** 7/27/19

DL VOISY, INC.

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 CHATTAHOOCHEE RIVER AREA

(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 \_\_\_\_\_

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## REZONING APPLICANT'S LETTER OF INTENT

The Applicant, White Horse 70, LLC, requests rezoning on 20.003 acres for the purpose of developing a Single Family detached subdivision. In order to develop the site as proposed, the Applicant respectfully requests a rezoning from R-100 to R-75. The subject property is located at 2053 Buford Dam Road and is found in the 7th district, land lot 334 in Gwinnett County.

The enclosed site plan indicates 38 units on the subject site. The site plan shows that the project will have one entrance onto Buford Dam Road. The minimum heated square footage for the dwellings will be 2,700 sf for all the homes with a maximum height for the proposed dwellings 35'. The exterior of all dwellings will consist of brick or stone accents on the front façade. The balance of the home may be the same or wood, cedar shake or fiber cement siding. Price range for the units will be from the mid \$300s and up. Sidewalks will be provided on the interior streets and along the entire frontage along Buford Dam Road. The 2 subdivisions that adjoin this property along the sides are in the City of Buford and are on septic tank lots. The subdivision to the rear, Little Mill Farms, is in the county and it is connected to sanitary sewer and has lots exactly the same size as the applicant is proposing. While there is no open space required, the applicant is proposing to provide 4.55 acres or 22% of the property as common open space. The open space will be dedicated to the mandatory Home Owners Association for maintenance and use by all the residents.

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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.

9-29-16

SIGNATURE OF APPLICANT

DATE

Harold A. ...

TYPE OR PRINT NAME AND TITLE

9/29/16

SIGNATURE OF NOTARY PUBLIC

DATE



-----  
CASE NUMBER RZR '16 026





**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 Barbara Bradberry 9/28/16  
Signature of Property Owner Date

Barbara Bradberry  
Type or Print Name and Title

Denise A Purser 9/28/16  
Signature of Notary Public Date Notary Seal

Denise A Purser  
NOTARY PUBLIC  
Gwinnett County, GEORGIA  
My Commission Expires December 10, 2018

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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.

X  9-28-2016 Harold A. Trip Manager  
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE  
 9/28/16  
 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 X White Horse 70, LLC. Harold A. Trip Manager  
 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:** 01 -        - 7334 005  
(Map Reference Number) District Land Lot Parcel

[Signature] MANAGER 9-28-2016  
Signature of Applicant Date  
White Horse 70, LLC. Harold A. Trip 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)

[Signature] Deidre Pitts TSA II  
NAME TITLE  
9/30/16 2016 taxes will be due by 10/15/16  
DATE

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