

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Ann Langley</u>	NAME: <u>James E. Futral</u>
ADDRESS: <u>1936 Lake Lucerne Rd.</u>	ADDRESS: <u>3809 Stephens Rd.</u>
CITY: <u>Li'lburn</u>	CITY: <u>Loganville</u>
STATE: <u>GA</u> ZIP: <u>30047</u>	STATE: <u>GA</u> ZIP: <u>30052</u>
PHONE: <u>770-617-9156</u>	PHONE: <u>770-985-1063</u>
CONTACT PERSON: <u>Ann Langley</u> PHONE: <u>770-617-9156</u>	
CONTACT'S E-MAIL: <u>ann.langley@comcast.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): R5695 006 ACREAGE: 8.56

ADDRESS OF PROPERTY: 3809 Stephens Rd., Loganville, GA 30052

PROPOSED DEVELOPMENT: Farmers Market

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: _____
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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acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

ALL THAT TRACT or parcel of land lying and being in Land Lot 95 of the 5th District, Gwinnett County, Georgia, being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING: BEGIN at a point located in the center line of Stephens Road (12' Dirt), having a 50-foot right of Way, eight hundred eighty-eight (888.0) feet, northwesterly, as measured along the center line of said 12' dirt road, from the point of intersection of aforesaid dirt road with the center line of Loganville Road; run thence South 12° 36' 59" West from the center line of aforesaid dirt road, twenty-nine and sixty-one hundredths (29.61) feet to an axel found and THE TRUE POINT OF BEGINNING; run thence South 12° 36' 59" West along the Northwesterly line of property now or formerly owned by J.H. and Ruth M. Long, four hundred seventy-seven and thirty-seven hundredths (477.37) feet to an axel found; run thence South 59° 38' 26" West, along the Northwesterly line of property now or formerly owned by Frank B. and Betty C. Cheatham, one hundred eighty-four and thirty-one hundredths (184.31) feet to an axel found; run thence North 30° 38' 44" West along the Northeasterly line of property now owned by R. R. and Bertha J. Richardson and property now or formerly owned by Donald D. Wade, a total distance of one thousand thirty-nine and seventy-seven hundredths (1039.77) feet to an axel found; run thence North 59° 28' 08" East along the Southeasterly line of property now or formerly owned by Roy Lee Harvey, two hundred twenty-three and ninety-one hundredths (223.91) feet to an iron pin located on the Southwesterly right of way line of Stephens Road; run thence South 55° 14' 54" East, three hundred sixty-two hundredths (364.62) feet to an iron pin; continue thence South 51° 15' 23" East, three hundred eighty-six and two-hundredths (386.02) feet to an axel found and THE TRUE POINT OF BEGINNING: containing 8.73 acres, all as shown on a boundary survey prepared for James Futral by Horlbeck & Assoc., Inc., dated September 22, 1977, revised September 23, 1977.

GWINNETT CO., GEORGIA
REAL ESTATE TRANSFER TAX

27.00

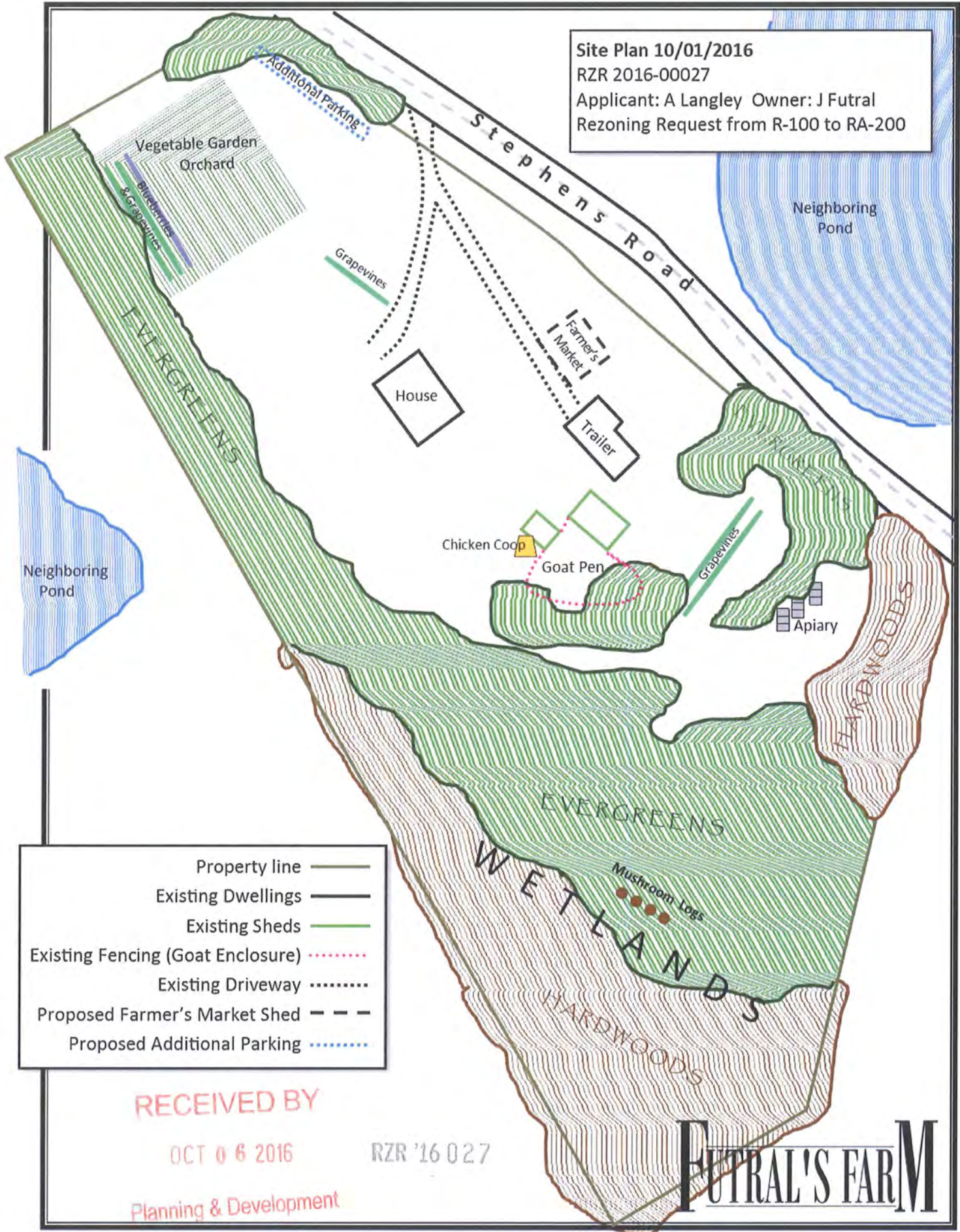
10-12-17

[Signature]
CLERK OF SUPERIOR COURT

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FILED IN 2016
CLERK SUPERIOR COURT
GWINNETT COUNTY GA
OCT 12 1 05 PM '17
REQ'D IN BK
PAGE NO. 34357
DATE 10-13-17
O HILLARD PEERY, CLERK

Site Plan 10/01/2016
 RZR 2016-00027
 Applicant: A Langley Owner: J Futral
 Rezoning Request from R-100 to RA-200



- Property line ———
- Existing Dwellings ———
- Existing Sheds ———
- Existing Fencing (Goat Enclosure) ·····
- Existing Driveway ·····
- Proposed Farmer's Market Shed - - - -
- Proposed Additional Parking ·····

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FUTRAL'S FARM

**Rezoning Request Letter of Intent for
3809 Stephens Rd., Loganville, GA 30052**

This 8.56 acre property is currently zoned R-100. We request that the zoning classification be changed to RA-200 for agricultural purposes.

We intend to use the property

- To keep bees, chickens, goats and a guard donkey for personal utility
- To offer "Pick-Your-Own" muscadines and blueberries
- As a farmer's market to sell onsite fruits, vegetables and bee by-products
- As an educational site to demonstrate sustainable gardening practices

The property will basically remain as is with two exceptions. Earlier this year we deconstructed a house built on the property in the late 1800's. All that remains of the house are the chimney, foundation stones, two concrete slabs and concrete steps. We plan to build a shed-style farmer's market stand on the existing site. In addition, we intend to fence in the entire property. We plan to use post and rails with 2"x4" fencing for the public areas of the property – a section facing Stephens Road and sections along the property lines adjoining our next door neighbors. For the remainder we plan to use 4"x4" fencing and posts.

Additional, limited onsite parking will be provided in permeable parking areas indicated on the site map.

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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. The property is not currently zoned for agricultural use

- (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:

The property has been used for agricultural purposes in the past.

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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.

James E. Futral 10-4-16
Signature of Property Owner Date

James E. Futral, Owner
Type or Print Name and Title

[Signature] 10-4-16
Signature of Notary Public Date Notary Seal

DIANE HERMEL
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Commission Expires Oct. 27, 2019

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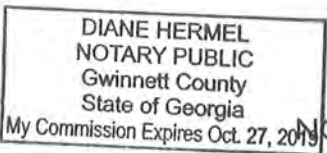
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CONFLICT OF INTEREST CERTIFICATION FOR REZONING

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.

Ann F. Langley 10-4-16 Ann F. Langley, Owners Agent
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Diane Hermel 10-4-16  NOTARY SEAL
 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 Ann F. Langley
 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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