

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Robert Jackson Wilson, P.C.</u>	NAME: <u>Mrs. M. M. Boss</u>
ADDRESS: <u>10 Lumpkin Street</u>	ADDRESS: <u>1866 Kelleytown Road</u>
CITY: <u>Lawrenceville</u>	CITY: <u>McDonough</u>
STATE: <u>GA</u> ZIP: <u>30046</u>	STATE: <u>GA</u> ZIP: <u>30252-4123</u>
PHONE: <u>(770) 962-9780</u>	PHONE: _____
CONTACT PERSON: <u>Jack Wilson</u> PHONE: <u>(770) 962-9780</u>	
CONTACT'S E-MAIL: <u>jwilson@rjwpclaw.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R-100 REQUESTED ZONING DISTRICT: R-75

PARCEL NUMBER(S): 5158 018 ACREAGE: 1.3200

ADDRESS OF PROPERTY: 3322 Oak Grove Road, Loganville, GA 30052

PROPOSED DEVELOPMENT: Single Family Residential

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: <u>3</u>	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): <u>2200/2400</u>	Total Building Sq. Ft. _____
Gross Density: <u>2.25</u>	Density: _____
Net Density: <u>2.25</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LAND DESCRIPTION
PARCEL# 5158 018

All that tract or parcel of land lying and being in Land Lot 158, of the 5th District, Gwinnett County, Georgia and being more particularly described as follows:

To find the True Point of Beginning, begin at a Point from by the intersection of the Easterly Right-of-Way of Oak Grove Road (Apparent 80' Right-of-Way) and the common Land Lot Line of Land lots 157 and 158, said Point being The True Point of Beginning.

THENCE from said Point as thus established and following along said Land Lot Line of Land Lots 157 and 158, North 60 degrees 09 minutes 04 seconds East for a distance of 169.80 feet to a Point; THENCE , North 60 degrees 48 minutes 59 seconds East for a distance of 56.51 feet to a Point, said Point being along the centerline of an unnamed Creek; THENCE leaving said Land Lot Line and following along said centerline of Creek for a distance of 343.00' +/- to a Point; THENCE leaving said Centerline, South 75 degrees 58 minutes 02 seconds West for a distance of 212.42 feet to a Point along the Easterly Right-of-Way of Oak Grove Road (Apparent 80' Right-of-Way); THENCE following along said Right-of-Way, North 09 degrees 54 minutes 20 seconds West for a distance of 260.21 feet to a Point, said Point being The True Point of Beginning.

Said property contains 1.33 +/- acres.
Including easements within

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LEGEND

IPF	==	IRON PIN FOUND
IPS	==	1/2" REBAR PIN SET
LL	==	LAND LOT
LLL	==	LAND LOT LINE
PL	==	PROPERTY LINE
CL	==	CENTERLINE
BL	==	BUILDING LINE
R/W	==	RIGHT-OF-WAY
SSE	==	SANITARY SEWER EASEMENT
DE	==	DRAINAGE EASEMENT
MH	==	MANHOLE
CB	==	CATCH BASIN
JB	==	JUNCTION BOX
HW	==	HEADWALL
DI	==	DROP INLET
PP	==	POWER/UTILITY POLE
PH	==	FIRE HYDRANT
IE	==	INVERT ELEVATION
FFE	==	FINISHED FLOOR ELEVATION
BOC	==	BACK OF CURB
EP	==	EDGE OF PAVEMENT
S	==	SANITARY SEWER LINE/PIPE
SS	==	STORM SEWER LINE/PIPE
X-X-X	==	FENCE LINE
.....	==	FLOOD HAZARD ZONE LINE
N/F	==	NOW OR FORMERLY
POC	==	POINT OF COMMENCEMENT
POB	==	POINT OF BEGINNING

FLOOD HAZARD NOTE
 BY GRAPHICAL PLOTTING ONLY, NO PORTION OF THE SURVEYED AREA LIES WITHIN A 100 YEAR FLOOD HAZARD AREA, PER FIRM PANEL 13135C0131F, DATED SEPTEMBER 29, 2008.

THIS OPINION IS NOT A CERTIFICATION OF FLOOD HAZARD STATUS, BUT IS AN INTERPRETATION OF THE REFERENCED MAP AND PUBLIC DATA. IF THE EXACT LOCATION OF ELEVATION(S) OF FLOOD HAZARD BOUNDARIES ARE NECESSARY, A MORE DETAILED STUDY MAY BE NEEDED. THIS FIRM ASSUMES NO RESPONSIBILITY OR LIABILITY FOR THE ACCURACY OF THE ABOVE REFERENCED MAP OR PUBLIC DATA.

LAND DESCRIPTION
 PARCEL# 5158 018

All that (part) or parcel of land lying and being in Land Lot 158, of the 5th District, Gwinnett County, Georgia, and being more particularly described as follows:

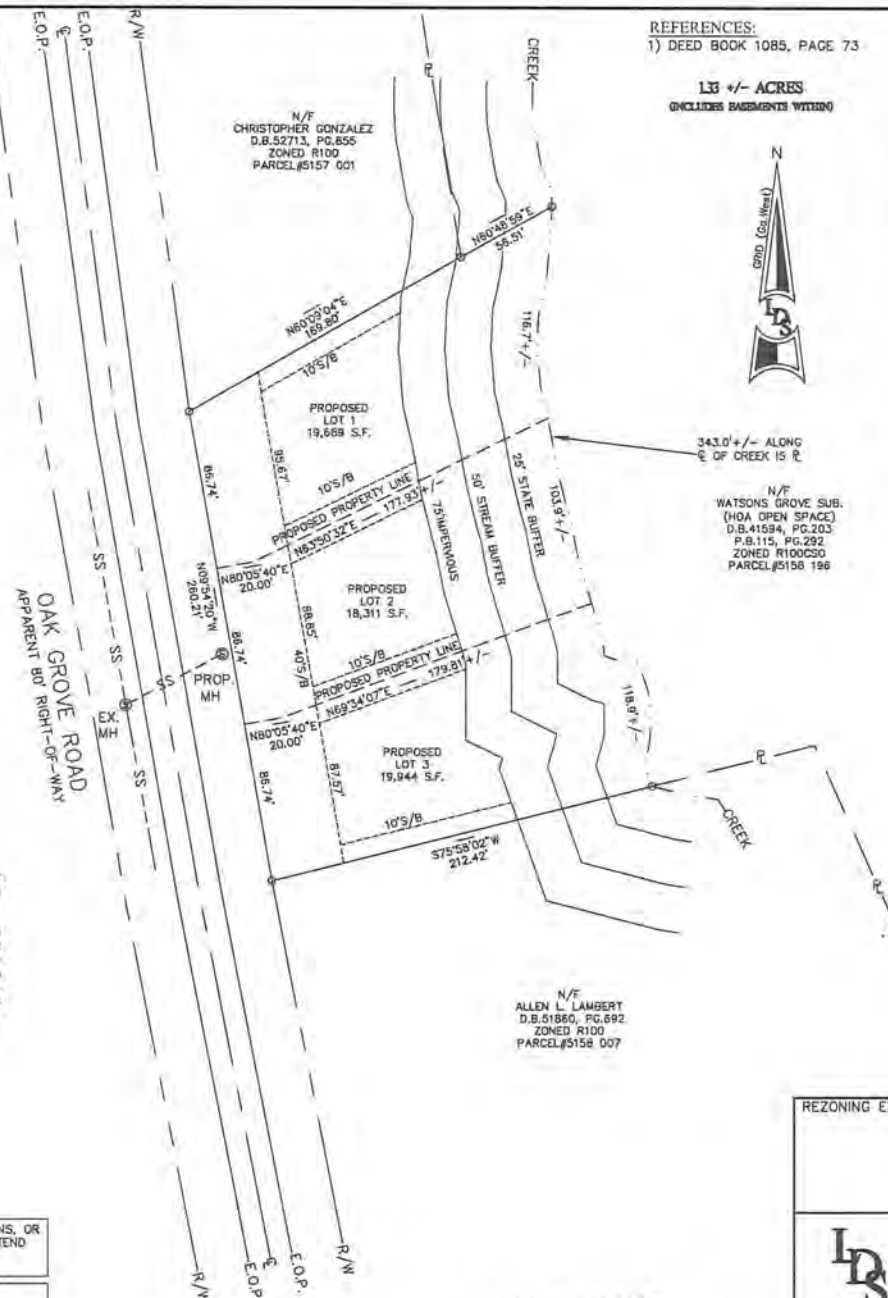
To find the True Point of Beginning, begin at a Point from the intersection of the Easely Right-of-Way of Oak Grove Road (Apparent 80' Right-of-Way) and the common Land Lot Line of Land lots 157 and 158, said Point being the True Point of Beginning.

THENCE from said Point as thus established and following along said Land Lot Line of Land Lots 157 and 158, North 60 degrees 09 minutes 04 seconds East for a distance of 149.80 feet to a Point; THENCE North 80 degrees 48 minutes 39 seconds East for a distance of 58.11 feet to a Point, said Point being along the centerline of an unnamed Creek; THENCE leaving said Land Lot Line and following along said centerline of Creek for a distance of 343.00' +/- to a Point; THENCE leaving said Centerline, South 75 degrees 58 minutes 02 seconds West for a distance of 212.42 feet to a Point along the Easely Right-of-Way of Oak Grove Road (Apparent 80' Right-of-Way); THENCE following along said Right-of-Way, North 09 degrees 34 minutes 29 seconds West for a distance of 260.21 feet to a Point, said Point being the True Point of Beginning.

Said property contains 1.33 +/- acres including easements within.

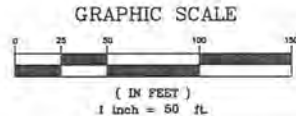
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED IN THE CERTIFICATE HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.



- GENERAL/SITE NOTES:**
- 1) OWNER: MRS. M. M. BOSS
 - 2) PROPERTY ADDRESS: 3322 OAK GROVE ROAD LOGANVILLE, GA 30052
 - 3) TAX PARCEL # 5158 018
 - 4) TOTAL LOT AREA: 1.33 +/- AC.
 - 5) ZONING: R100
 - 6) SITE ELEVATIONS BASED ON NAVD 88 OBTAINED BY MEANS OF LOCAL GPS NETWORK.
 - 7) ZONING INFORMATION TAKEN FROM GWINNETT COUNTY ZONING MAPS.

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REZONING EXHIBIT FOR:		
JACK WILSON		
LAND DEVELOPMENT SURVEYORS, INC.		
P.O. BOX 2050 DACULA, GA. 30019 (770) 682-8206 LDSURVEY@BELLSOUTH.NET GDA LSF#000832		
Date: 9/27/16	Land Lot: 158	District: 5th
County: GWINNETT, GA	Scale: GWINNETT, GA	Sheet No.
Field By: CJ & JB	Drawn By: MSF	Checked By: LJW
Job Number: 16176	File Number: 16176.DWG	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:

Yes. The single family use is consistent with adjacent and nearby uses.

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

No. The rezoning will enhance the value, use and usability of nearby property.

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

No. It is not feasible to use or improve the property 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:

No. The rezoning will not increase any burdens on infrastructure. The rezoning, if approved, will permit improvement of the property with sanitary sewer service, thus decreasing potential burden to the environment.

- (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:

Yes. Please see Applicant's letter of intent.

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ROBERT JACKSON WILSON, PC

ATTORNEY AT LAW

10 LUMPKIN STREET ■ LAWRENCEVILLE, GA 30046
770-962-9780

ROBERT JACKSON WILSON

jwilson@rjwpcclaw.com

October 7, 2016

Ms. Charlotte Nash, Chairman, and
Members of the Board of Commissioners
Gwinnett County Justice and Administration Center
75 Langley Drive
Lawrenceville, GA 30045

Re: 3322 Oak Grove Road, Loganville, GA 30052

Dear Chairman Nash and Members of the Board:

This firm represents the contract purchaser of the subject property. The property is vacant and unimproved. The purchaser seeks rezoning from R-100 to R-75 to permit three (3) residential dwelling lots on the property. Sanitary sewer is located in close proximity on the opposite side of Oak Grove from the subject property. The Applicant would prefer to develop residential units with sanitary sewer service. The rezoning allows a yield which makes the cost of making the necessary sewer improvements financially feasible. Constructing homes with sanitary sewer service would be better for the environment and adjoining and nearby properties than construction with septic systems. The purchaser proposes to build one single family residence on each of the three new lots. The homes would be Craftsman style, 2200 square feet for single story and 2400 feet for two story. If you have any questions or need any additional information, please do not hesitate to contact me.

With best regards, I am

Very truly yours,



Robert Jackson Wilson

RJW/bka

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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

10/7/16

Date

Robert Jackson Wilson, P.C., Attorney at Law

Type or Print Name and Title

Signature of Notary Public

10/07/16

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.

Barbara J. Keller, Executrix of Mrs. M. M. Boss Estate

Signature of Property Owner Date *10-04-16*

M. M. Boss, Property Owner

Type or Print Name and Title

Jan Hawkins

Signature of Notary Public

10-4-16

Date



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RZR 10 02 16

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 OF APPLICANT DATE 10/17/16 TYPE OR PRINT NAME AND TITLE
Robert Jackson Wilson, P.C.

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


SIGNATURE OF NOTARY PUBLIC DATE 10/07/16



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 Note: The contract purchaser is an LLC owned in part by Jeff Tullis, a Planning Commission member.

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: 5 - 158 - 018
(Map Reference Number) District Land Lot Parcel



10/7/16

Signature of Applicant

Date

Robert Jackson Wilson, P.C., Attorney at Law

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)

Debra Smith tax services associate
NAME TITLE

9.28.2016 2016 taxes due 10-15-2016
DATE

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7

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