

**REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Richard Goldberg</u>	NAME: <u>Richard Goldberg</u>
ADDRESS: <u>4268 Allenhurst Dr.</u>	ADDRESS: <u>4268 Allenhurst DR.</u>
CITY: <u>Peachtree Corners</u>	CITY: <u>Peachtree Corners</u>
STATE: <u>GA</u> ZIP: <u>30092</u>	STATE: <u>GA</u> ZIP: <u>30092</u>
PHONE: <u>770-845-2061</u>	PHONE: <u>770-845-2061</u>
CONTACT PERSON: <u>Richard Goldberg</u> PHONE: <u>770-845-2061</u>	
CONTACT'S E-MAIL: <u>rgoldberg@stptitle.com</u>	

**APPLICANT IS THE:**

OWNER'S AGENT   
  PROPERTY OWNER   
  CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): R100 REQUESTED ZONING DISTRICT: O+I

PARCEL NUMBER(S): R7074 004 ACREAGE: 4.677

ADDRESS OF PROPERTY: 1535 Atkinson Road

PROPOSED DEVELOPMENT: None. Use existing Building and Parking Lot.

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: <u>None</u>	No. of Buildings/Lots: <u>Existing Building</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>7336</u>
Gross Density: _____	Density: _____
Net Density: _____	

**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

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EXHIBIT "A"

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 74 of the 7th Land District, Gwinnett County, Georgia, and being shown as 4.677 acres on a plat prepared by McNally & Patrick, Inc., more particularly Lloyd C. McNally, Jr., Georgia Registered Land Surveyor No. 2040, dated May 22, 1985, and revised July 16, 1985 and July 29, 1985, a copy of which is recorded in Plat Book 32, Page 42, in the Office of the Clerk of the Superior Court of Gwinnett County, Georgia, incorporated herein, and by this reference made a part hereof, and being more particularly described as follows:

**TO FIND THE TRUE POINT OF BEGINNING**, begin on the Land Lot corner common to Land Lots 42, 43, 74 and 75 of the 7th Land District; thence along the Land Lot line common to Land Lots 43 and 74 of the 7th Land District North 59 degrees 57 minutes 41 seconds East 2043.12 feet to an iron pin set on the Northeasterly right-of-way line of Atkinson Road, a public way having an eighty foot right-of-way width, (said iron pin set is also South 59 degrees 57 minutes 41 seconds West, along the Land Lot line common to Land Lots 43 and 74 of the 7th Land District, 1278.06 feet from the Land Lot corner common to Land Lots 43, 44, 73 and 74 of the 7th Land District); thence along said right-of-way line North 79 degrees 08 minutes 18 seconds West 157.09 feet to a point; thence following the curvature of an arc distance of 101.55 feet along the Northeasterly right-of-way line of Atkinson Road to a point of tangency (marked by an iron pin set) which arc is subtended by a chord distance of 101.43 feet with a course of North 74 degrees 15 minutes 43 seconds West, which point is the TRUE POINT OF BEGINNING; thence following the curvature of an arc distance of 69.02 feet along the Northeasterly right-of-way line of Atkinson Road to a point of tangency which arc is subtended by a chord distance of 68.98 feet with a course of North 66 degrees 04 minutes 19 seconds West; thence North 62 degrees 45 minutes 29 seconds West 61.46 feet to a point; thence following the curvature of an arc distance of 291.75 feet along the Northeasterly right-of-way line of Atkinson Road to a point of tangency which arc is subtended by a chord distance of 290.04 feet with a course of North 52 degrees 01 minutes 20 seconds West; thence North 41 degrees 17 minutes 11 seconds West 189.92 feet to a point; thence North 39 degrees 58 minutes 54 seconds West 60.33 feet to a point; thence North 59 degrees 53 minutes 42 seconds East 427.41 feet to an iron pin set; thence South 30 degrees 04 minutes 00 seconds East 507.72 feet to an iron pin set; thence South 29 degrees 48 minutes 23 seconds West 228.78 feet to the iron pin set marking the TRUE POINT OF BEGINNING.

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10-011827

NOTES:  
 1) THE FIELD DATA FROM WHICH THIS PLAN IS MADE HAS BEEN CHECKED AND FOUND TO BE CORRECT AND ACCURATE.  
 2) THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE GEORGIA SURVEYING ACT.  
 3) THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE PROPERTY IS NOT SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OTHER THAN THOSE SHOWN ON THIS PLAN.  
 4) THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THE PROPERTY IS NOT SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OTHER THAN THOSE SHOWN ON THIS PLAN.

CONTINUED ON REVERSE

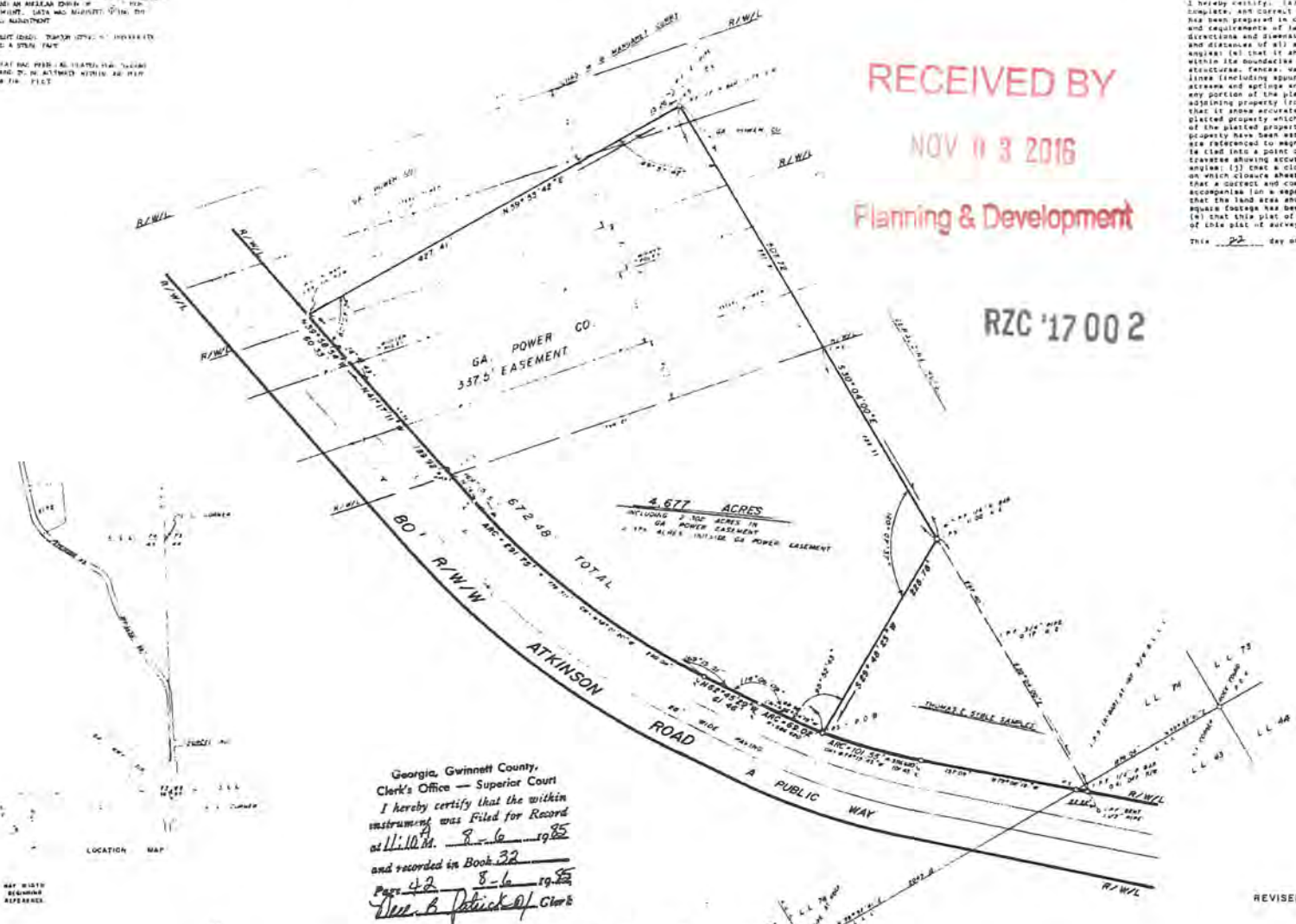
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I hereby certify: (a) that this plan is a complete, correct and accurate representation of the land plotted and has been prepared in conformity with the minimum standards and requirements of law; (b) that it is complete as to all bearings, directions and distances; (c) that it shows accurately the location and dimensions of all buildings, structures, fences, walls, driveways, parking areas, utility lines (including easements) and all other improvements, structures, streams and springs and also all visible obstructions of any portion of the plotted property as a means of showing the existing property boundaries; (d) that all corners of the plotted property are established by permanent monuments; (e) that all encumbrances and all other interests in the plotted property which do or might affect the title to the same have been established by this plan; (f) that all surveys are referenced to magnetic north; (g) that the plotted property is tied into a point considered reasonably permanent by a suitable traverse showing accurate courses, bearings and distances; (h) that a correct and complete record and bounded legal description, accompanied in a separate sheet (this plan) of survey; (i) that the land area shown herein and expressed in acreage and/or square footage has been computed by the computer method and (j) that this plan of survey is dated and all existing lines of this plan of survey are shown thereon.

This 22 day of May 1985

Alfred C. McNally  
 State of Georgia, Surveyor



Georgia, Gwinnett County,  
 Clerk's Office - Superior Court  
 I hereby certify that the within  
 instrument was filed for Record  
 as W.L.O. No. 8-6-1985  
 and recorded in Book 32  
 Page 42 8-6-1985  
Wm. B. Patrick of Clerk

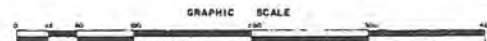
- SURVEY REFERENCES
- 1) SURVEY FOR SAM LEVY BY HANSON, MEERS & BROWN, DATED 3-2-70
  - 2) SURVEY BY S. FIELDS DATED 1-84, TITLED FROM R.W. NELSON TO LINDA C. VICKERS
  - 3) SURVEY BY B.H. ROCHSTER FOR THE EQUITY INVESTMENT FUND INC. DATED 7-12-72, LAST REVISED 8-10-72
  - 4) SURVEY FOR W.C. DOWNE BY S.B. FIELDS, DATED 7-9-70

REVISED 7-29-85 TO CORRECT L.L. No. 44

LEGEND

- 1" = 100' (SCALE)
- ROAD RIGHT OF WAY
- POWER LINE
- EASEMENT
- FENCE
- CURVE
- POINT OF BEGINNING
- POINT OF INTERSECTION
- POINT OF VIEW
- POINT OF TANGENCY
- POINT OF CURVATURE
- POINT OF SIGHT
- POINT OF INTERSECTION
- POINT OF TANGENCY
- POINT OF CURVATURE
- POINT OF SIGHT

SURVEY FOR  
 STATE OF GEORGIA  
 DEPARTMENT OF LABOR



LAND LOT 74  
 4.677 ACRES  
 GWINNETT COUNTY  
 OF THE 7th LAND DISTRICT  
 CITY, TOWN OR VILLAGE: N/A  
 SUBDIVISION: N/A  
 COUNTY: GEORGIA

DATE MAY 22, 1985  
 ORIGINAL SCALE: 1" = 50'

REVISION: JULY 4, 1985 TO SHOW  
 112 TO L.L. NUMBER 44 REVISION  
 PER P.A. COLWELL

LAND SURVEYING  
 FEASIBILITY STUDIES &  
 SUBDIVISION DESIGN

McNALLY & PATRICK, INC.  
 1505 HWY. 29 SOUTH  
 LAWRENCEVILLE, GEORGIA 30046  
 404/863-8520

IN MY OPINION THIS PLAN IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS & REQUIREMENTS OF LAW.





**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:

Nearby property is zoned O+I. The lot behind and touching this lot is O+i named Ember Business Center.

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

No- Nearby property is zoned O+I.

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

Nearly half of the land in under Georgia Power lines.

- (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- I currently employ 20 people at the Adjacent property "Ember Business Center". We have little to no visitors to our business.

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

Nearby Property is zoned O+I and the current site was used as an office building and training center for the Georgia Department of Labor.

- (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 was developed with a commercial use. There are several Commercial building nearby the subject property.

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LETTER OF INTENT

1535 Atkinson Road

Lawrenceville, GA 30043

The property was purchased from the state and used to be an office building that was the former Georgia Department of Labor building. I intend to renovate the interior so that I can move my existing business into the property. The property is 4.677 acres with 2.302 acres lying in a Georgia Power Easement.

The current building is a single story brick faced steel frame structure that has a usable square footage of 7340 square feet. There are 125 parking spaces. My company Southeast Title and Processing Inc currently employs 20 people and we intend for the building to be used as our Head Quarters.

I wish to rezone the property to Office-Institutional from its current R-100. Thank you.

Sincerely,

Richard Ashley Goldberg

Property Owner

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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.

10/31/2016

Signature of Applicant

Date

**Richard Goldberg Property Owner**

Type or Print Name and Title

10/31/16

Signature of Notary Public

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.



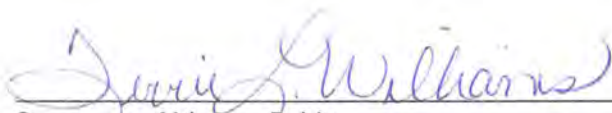
10/31/16

Signature of Property Owner

Date

Richard Goldberg Property Owner

Type or Print Name and Title



10/31/16

Signature of Notary Public

Date



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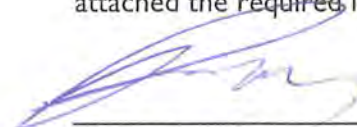
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**CONFLICT OF INTEREST CERTIFICATION FOR REZONING**

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.

 10-31-16 Richard Goldberg Property 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

 10/31/16  
 \_\_\_\_\_  
 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    Richard Goldberg  
 \_\_\_\_\_  
 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 - 74 - R7074 004  
(Map Reference Number) District Land Lot Parcel

 10-31-16  
Signature of Applicant Date

**Richard Goldberg**

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)

Kate Muzely TSAI  
NAME TITLE

11-3-16  
DATE

This is a true and correct copy of a  
Gwinnett County Property Tax

for the year of 2016

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Richard Steele  
Tax Commissioner  
Date 11-3-16