

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>GAIL MOONEY</u>	NAME: <u>REUAN DIAZ</u>
ADDRESS: <u>657 LAKE DR</u>	ADDRESS: <u>5558 POPULAR DR</u>
CITY: <u>SNELLVILLE</u>	CITY: <u>STONE MOUNTAIN</u>
STATE: <u>GA</u> ZIP: <u>30039</u>	STATE: <u>GA</u> ZIP: <u>30087</u>
PHONE: <u>770.558.7895</u>	PHONE: <u>404.246.5271</u>
CONTACT PERSON: <u>GAIL MOONEY</u> PHONE: <u>770.558.7895</u>	
CONTACT'S E-MAIL: <u>gail@surveysystemsatlanta.com</u>	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

PRESENT ZONING DISTRICTS(S): R100 REQUESTED ZONING DISTRICT: R75

PARCEL NUMBER(S): R 6078 022 ACREAGE: 0.9

ADDRESS OF PROPERTY: 5558 POPULAR DR

PROPOSED DEVELOPMENT: RESIDENTIAL - SUBDIVIDE BACK TO ORIGINAL CONFIGURATION AND BUILD NEW HOUSE

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

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LEGAL DESCRIPTION:

ALL THAT OR PARCEL OF LAND LYING AND BEING IN THE LAND LOT 78 OF THE 6TH DISTRICT, GWINNETT COUNTY, GEORGIA, BEING LOT 3, BLOCK A, PLAT FOR J.S. DOBBS, AS PER PLAT RECORDED IN PLAT BOOK H, PAGE 169, GWINNETT COUNTY RECORDS, WHICH SAID PLAT IS INCORPORATED HEREIN BY THIS REFERENCE AND MADE A PART OF THIS DESCRIPTION AND BEING IMPROVED PROPERTY 5558 POPULAR DRIVE, STONE MOUNTAIN, GA.

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FOR J.S. DOBBS
L.L. 78, 6TH. DIST.
GWINNETT CO., GA.
2/18/60

SCALE 1" = 50'

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY GA
DATE 2-24-1960 TIME —
PLAT BOOK H PAGE 169
TOM LAWLER, CLERK FR
7-24-2002

PROTECTIVE COVENANTS

- 1- LOTS SHALL BE USED FOR SINGLE FAMILY RESIDENTIAL PURPOSES ONLY.
- 2- NO TEMPORARY HOUSE, SHACK, TENT OR TRAILER SHALL BE ERECTED OR OCCUPIED ON ANY LOT AS A RESIDENCE, SCHOOL, CHURCH OR KINDERGARTEN.
- 3- NO BUILDING SHALL BE ERECTED ON ANY LOT TO HAVE LESS THAN 1000 SQ. FT. OF GROUND FLOOR SPACE.
- 4- THE DEVELOPER RESERVES THE RIGHT TO APPROVE OR REJECT BUILDING PLANS AND SPECIFICATIONS BEFORE ANY BUILDING IS ERECTED OR PLACED ON ANY LOT.

THE ABOVE RESTRICTIVE COVENANTS HAVE BEEN ESTABLISHED THIS 2 DAY OF Feb, 1960.

J.S. Dobbs
DEVELOPER

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. *J.R. Fields REG-775*

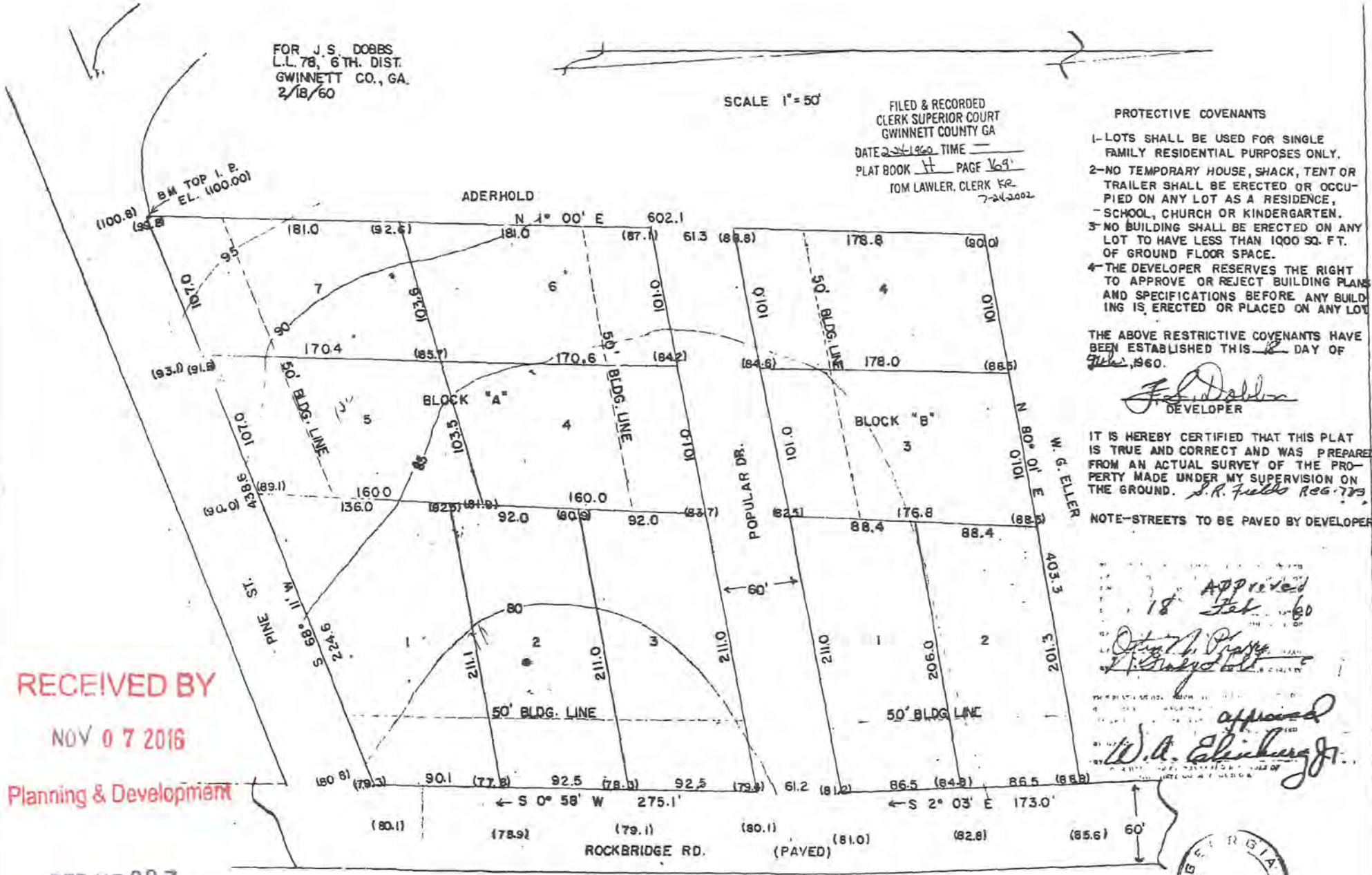
NOTE-STREETS TO BE PAVED BY DEVELOPER

Approved
18 Feb 1960
John H. Prater
W. G. Eller
approved
W. G. Eller



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PROPERTY ADDRESS:
5658 Popular Dr
Stone Mountain, GA 30087

LAND AREA:
38134 SF
0.8754 AC

ZONED:
R-100

SCALE 1" = 20'

PLAT PREPARED FOR:
Irma Monge

LOT 2 & 3	BLOCK A	SUBDIVISION J.S. DOBBS
LAND LOT 7B	8th DISTRICT	SECTION
BY:		
WINNETT COUNTY, GEORGIA	FIELD DATE 10-31-2016	TH
UNINCORP	DRWN DATE 11-01-2016	TW

DEED BOOK _____, PAGE _____
 ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 104746 FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

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. 15-9-87.



SURVEY SYSTEMS & ASSOC., INC.
657 Lake Drive, Snellville, GA 30039 ~ COA # LSFD00867 ~ INFO@SURVEYSYSTEMSATLANTA.COM
CELL 770-556-7895 ~ OFFICE 404-760-0010

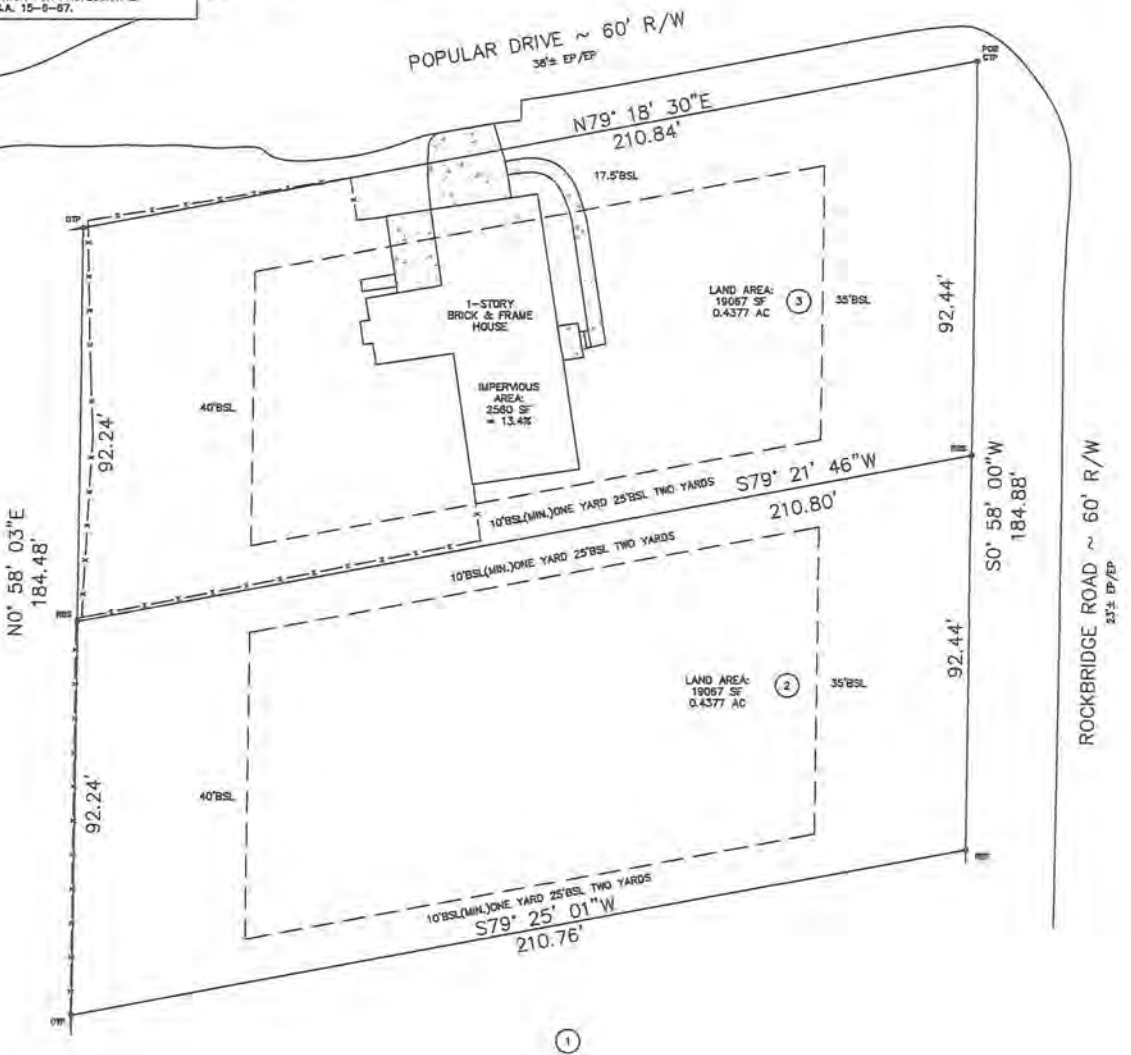
BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES.

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- * LEGEND *
- NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
- | | |
|-----------------------------|--------------------------------------|
| AKA ALSO KNOWN AS | N NEIGHBOR'S |
| APD AS PER DEED | N/F NOW OR FORMERLY |
| APP AS PER PLAT | NAIL NAIL FOUND |
| BSL BUILDING (SETBACK) LINE | P PLAT (BOOK/PAGE) |
| CP COMPUTED POINT | POB POINT OF BEGINNING |
| CTP CRIMP TOP PIPE FOUND | POC POINT OF COMMENCEMENT |
| D DEED (BOOK/PAGE) | R RADIUS LENGTH |
| DW DRIVEWAY | R/W RIGHT-OF-WAY |
| EP EDGE OF PAVEMENT | RBF REINFORCING BAR FOUND (1/2" UNO) |
| FEE FINISH FLOOR ELEVATION | RBS 1/2" REINFORCING BAR SET |
| FKA FORMERLY KNOWN AS | SW SIDEWALK |
| IPF IRON PIN FOUND | SSE SANITARY SEWER EASEMENT |
| L ARC LENGTH | SSCO SANITARY SEWER CLEANOUT |
| LL LAND LOT | -X- FENCE LINE |
| LLL LAND LOT LINE | |

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 - use will be a single family house

- (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 lot is too small to ~~do~~ does not have sufficient road frontage

- (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 - on the original plat there were 2 lots

- (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 Rezone will allow for a new single family house if approved

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SURVEY SYSTEMS ATLANTA
657 Lake Drive
Snellville, GA 30039
770-558-7895
gail@surveysystemsatlanta.com

November 3, 2016

REZONING APPLICATION
5558 POPULAR DR, STONE MOUNTAIN
TAX PARCEL R 6078 022

The current address is zoned R-100. In 2008, two lots were combined to form one lot. The current owner Renan Diaz, purchased the property in 2012. There is an existing house on the property. He now wishes to divide the lot back into two parcels to allow his daughter and her husband to build a house on the newly divided lot.

When the property was initially platted in 1960, R-100 zoning was not in place, and the original lots each had 92.5 feet of road frontage. R-100 zoning requires 100 feet of road frontage, so the lot would not qualify for a building permit based on this requirement. We are requesting the lot be rezoned to R-75, then we will submit a replat for 2 separate lots, and which would allow for a building permit on the new lot. The newly zoned R75 designation would not negatively impact the existing house or the neighborhood.

I have attached a copy of the boundary survey, and a copy of the lot division survey.

Thank you for your assistance in this matter.

Sincerely,

Gail Mooney
Senior Survey Specialist/Expediter

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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.

Gail Woney 11-3-16
Signature of Applicant Date

June Carpenter
Type or Print Name and Title

June Carpenter 11-3-16
Signature of Notary Public Date Notary Seal



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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.

Renán A. Diaz 11-3-16
Signature of Property Owner Date

RENÁN Antonio Diaz Rodriguez.
Type or Print Name and Title

June Carpenter 11-3-16
Signature of Notary Public Date



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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.

Gail Moody 11-3-16 GAIL MOODY, EXPEDITER
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Jane Carpenter 11-3-16
 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 GAIL MOODY
 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: 6 - 078 - 022
(Map Reference Number) District Land Lot Parcel

Gail Mandy 11-3-16
Signature of Applicant Date

GAIL MANDY EXPEDITER
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)

Deirdre Pitts TSA II
NAME TITLE

11/3/16
DATE

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