

REZONING APPLICATION

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Michael J. Caswell	NAME: Otis P. & Sandra Jones
ADDRESS: 1911 Grayson Hwy. - Suite 8-333	ADDRESS: P.O. Box 304
CITY: Grayson	CITY: Lawrenceville
STATE: GA ZIP: 30017	STATE: GA ZIP: 30046
PHONE: 770-560-3689	PHONE: 770-277-9978
CONTACT PERSON: Tracey D. Mason, Esq. PHONE: 770-963-6909	
CONTACT'S E-MAIL: tracey@tdmasonlaw.com	

APPLICANT IS THE:

OWNER'S AGENT
 PROPERTY OWNER
 CONTRACT PURCHASER

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

PARCEL NUMBER(S): 7053 009 and 7053 068 ACREAGE: 18.46 ac

ADDRESS OF PROPERTY: 1434 Azalea Drive

PROPOSED DEVELOPMENT: Single-family detached subdivision

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: 49	No. of Buildings/Lots: _____
Dwelling Unit Size (Sq. Ft.): 1200 sf	Total Building Sq. Ft. _____
Gross Density: 2.65 units/acre	Density: _____
Net Density: 2.65 units/acre	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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LAND DESCRIPTION

1434 Azalea Drive
Lawrenceville, Georgia

ALL that tract or parcel of land lying and being in Land Lot 53 of the 7th District, Gwinnett County, Georgia, containing 18.46 acres, as shown on a ALTA/NSPS Survey for 1434 Azalea Drive, Lawrenceville, Georgia 30043 prepared by Blue Landworks, LLC, dated November 7, 2016, and being more particularly described as follows:

COMMENCING at an iron pin set (½" rebar) on the southern margin of Azalea Drive (60-foot right-of-way) having a State Plane Coordinate of N-1459880.26 E-2355836.66 said point being **THE TRUE POINT OF BEGINNING**; Thence continuing along said right-of-way along an arc of a curve to the left having a radius of 746.97 feet and a chord bearing and distance of South 48 degrees 04 minutes 59 seconds East, 162.80 feet to an iron pin set (½" rebar); Thence South 53 degrees 57 minutes 38 seconds East, 110.89 feet to an iron pin set (½" rebar); Thence along an arc of a curve to the right having a radius of 2,257.26 feet and a chord bearing and distance of South 51 degrees 21 minutes 16 seconds, 274.16 feet; Thence leaving said right-of-way South 60 degrees 45 minutes 25 seconds West, 1,680.40 feet to an iron pin found (½" rebar); Thence North 30 degrees 32 minutes 34 seconds West, 507.47 feet to and iron pin found (½" rebar); Thence North 60 degrees 42 minutes 03 seconds East, 1,489.77 feet to an iron pin set (½" rebar), said pin being **THE TRUE POINT OF BEGINNING**.

Said tract or parcel of land containing 18.46 acres, more or less.

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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:

Please see attached.

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

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS 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 STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS:

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

- (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:

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REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER
REZONING APPLICATION OF MICHAEL J. CASWELL

A. WHETHER THE PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

In view of the residential nature of this area and, more specifically, the R100 CSO which abuts this property to the rear, we submit that an R-75 single family detached neighborhood would be appropriate at this location.

B. WHETHER THE ZONING PROPOSAL WOULD ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY.

This neighborhood of single family homes would not interfere with the use of the surrounding residential properties.

C. WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.

We submit that the highest and best use of this property would be to be developed for residential use as an R-75 neighborhood.

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.

The development of this property as a residential single family neighborhood at 2.65 units per acre would not cause an excessive use of the existing streets, transportation facilities. Sanitary sewer is available at the rear of the property, at The Park at Glenss Ridge, Unit Two. It is our understanding that this school district has the capacity to accommodate the additional students who might reside here.

E. WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN.

The intent of the Land Use Plan is for this area to be zoned for detached single-family residential neighborhood, comparable to our proposal.

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 ZONING PROPOSAL.

At a density of 2.65 units per acre, we submit that this rezoning proposal is comparable to existing and anticipated development in the surrounding area.

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LETTER OF INTENT
REZONING APPLICATION OF
MICHAEL J. CASWELL

January 5, 2017

Gwinnett County Department of
Planning and Development
One Justice Square
446 West Crogan Street
Lawrenceville, GA 30046

Re: Rezoning Application of Michael J. Caswell, concerning 18.46 acres
located in the 7th Land District, Land Lot 53, Parcel Numbers 009 and
068, located at 1434 Azalea Drive in Gwinnett County, Georgia

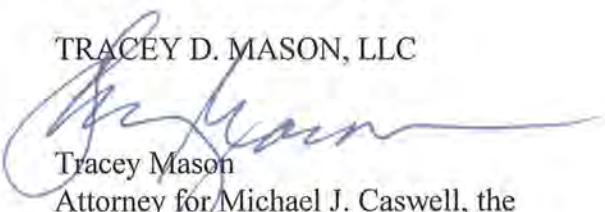
Dear Planning Department:

I am writing to you on behalf of Michael J. Caswell, the Applicant in the above-referenced case, to respectfully request your approval to rezone the subject property to R-75 (Single-Family Residence District) to allow for the development of a single family detached neighborhood. We are proposing to build 49 homes on this property, which would result in a gross and net density of 2.65 units per acre. We furthermore propose that each home contain a minimum of 1,200 square feet.

This Applicant has a tradition of developing quality neighborhoods in and around Gwinnett County and is committed to continuing that tradition with another successful community here. We see this rezoning request to be suitable in view of the use and development of nearby properties, and, therefore, respectfully request your approval of this proposed rezoning. We are available to meet with you at your convenience to discuss any questions or concerns that you may have.

Respectfully submitted,

TRACEY D. MASON, LLC



Tracey Mason
Attorney for Michael J. Caswell, the
Applicant

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cc: Michael J. Caswell
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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.



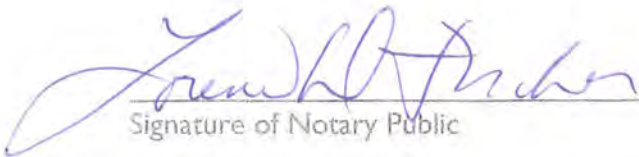
Signature of Applicant

12/21/16

Date

Michael J. Caswell

Type or Print Name and Title



Signature of Notary Public

12/21/16

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.

OPJ J 12-12-2016
Sandra I Jones 12-12-2016
Signature of Property Owner Date

OTIS P Jones
Sandra I Jones
Type or Print Name and Title

Susan G. Walton 12-12-2016
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.

SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

Tracy D. Mason 1-5-2017 Tracy D. Mason, LLC
 By: Tracy Mason

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

Linda S. Kieffer 1/5/2017 Managing Member

SIGNATURE OF NOTARY PUBLIC DATE

Linda S. Kieffer 1/5/2017



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 Tracy D. Mason LLC
 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)
<i>Please See Attached</i>		

Attach additional sheets if necessary to disclose or describe all contributions.

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TRACEY D. MASON, LLC
CAMPAIGN CONTRIBUTIONS DISCLOSURE

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (Which Aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within Last Two Years)
Commissioner Tommy Hunter	\$ 500.00 500.00	March 4, 2015 January 2016
Commissioner John Heard	\$ 500.00	March 26, 2015

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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: 7th - 53 - 009
(Map Reference Number) District Land Lot Parcel

[Signature] _____ 1-5-17
Signature of Applicant Date

Tracey D. Mason, LLC _____ Applicant's Attorney
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
1.5.2017
DATE

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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: 7th - 53 - 068
(Map Reference Number) District Land Lot Parcel

[Signature] _____ 1-5-17
Signature of Applicant Date

Tracey D. Mason, LLC, Attorney for Applicant
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

1.5.2017
DATE

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