

## REZONING APPLICATION

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

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>Harborstone Properties, LLC</u> <u>c/o Alliance Engineering and Planning</u>	NAME: <u>Harborstone Properties, LLC</u>
ADDRESS: <u>4480 Commerce Drive, Suite A</u>	ADDRESS: <u>Same</u>
CITY: <u>Buford</u>	CITY: _____
STATE: <u>GA</u> ZIP: <u>30518</u>	STATE: _____ ZIP: _____
PHONE: <u>770-614-6511</u>	PHONE: _____
CONTACT PERSON: <u>MITCH PEEVY</u> PHONE: <u>(770) 614-6511</u>	
EMAIL ADDRESS: <u>Mitchpeevy@gmail.com</u>	

\*Include any person having a property interest and any person having a financial interest in any business entity having property interest (use additional sheets if necessary).

<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> OWNERS AGENT <input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICT (S): <u>RA-200</u> REQUESTED ZONING DISTRICT: <u>R-100</u>	
LAND DISTRICT (S): <u>2</u> LAND LOT: <u>003</u> ACREAGE: <u>4.661</u>	
ADDRESS OF PROPERTY: <u>Bailey Road</u>	
PROPOSED DEVELOPMENT: <u>6 detached homes</u>	
<b>RESIDENTIAL DEVELOPMENT:</b> NO. OF LOTS/DWELLING UNITS: <u>6</u> DWELLING UNIT SIZE (SQ. FT.): <u>2,600</u> GROSS DENSITY: <u>1.29</u> NET DENSITY: <u>1.29</u>	<b>NON-RESIDENTIAL DEVELOPMENT:</b> NO. OF BUILDINGS/UNITS: _____ TOTAL GROSS SQUARE FEET: _____ DENSITY: _____

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PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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## LAND DESCRIPTION

All that tract or parcel of land lying and being in Georgia Militia District 550, and the 3<sup>rd</sup> Land lot of the 2<sup>nd</sup> Land District Gwinnett County, Georgia, and being more particularly described as follows:

Beginning at a Nail Found at the Centerline intersection of West Union Grove Circle (Apparent 30' Easement) and Bailey Road (Apparent 30' Easement), said point being THE TRUE POINT OF BEGINNING.

THENCE from said Point as thus established and traveling along said Centerline of West Union Grove Circle, South 41 degrees 39 minutes 43 seconds East for a distance of 592.58 feet to a Point; Thence leaving said Centerline, South 49 degrees 09 minutes 47 seconds West for a distance of 656.17 feet to a point along the centerline of Bailey Road; THENCE along said Centerline, along a curve to the left having a radius of 520.35 feet and arc length of 13.78 feet being subtended by a chord of North 44 degrees 01 minutes 42 seconds East for a distance of 13.78 feet to a Point; THENCE North 47 degrees 32 minutes 13 seconds East for a distance of 135.71 feet to a Point; THENCE North 45 degrees 19 minutes 38 seconds East for a distance of 30.99 feet to a Point; THENCE along a curve to the right having a radius of 1058.85 feet and arc length of 128.64 feet being subtended by a chord of North 07 degrees 32 minutes 53 seconds East for a distance of 128.56 feet to a Point; THENCE North 05 degrees 37 minutes 42 seconds East for a distance of 286.02 feet to a Point; THENCE North 06 degrees 07 minutes 13 seconds East for a distance of 92.37 feet to a Point; THENCE North 05 degrees 10 minutes 52 seconds East for a distance of 105.89 feet to a Point; THENCE along a curve to the left having a radius of 1301.67 feet and arc length of 136.56 feet being subtended by a chord of North 02 degrees 42 minutes 30 seconds East for a distance of 136.50 feet to a Point; THENCE North 00 degrees 40 minutes 00 seconds East for a distance of 86.20 feet to a Point, said point being THE TRUE POINT OF BEGINNING.

Said property contains 4.661 Acres.

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**LEGEND**

- IPF = IRON PIN FOUND
- IPS = 1/2" REBAR PIN SET
- LL = LAND LOT LINE
- LLL = LAND LOT LINE
- PL = PROPERTY LINE
- CL = CENTERLINE
- BL = BUILDING LINE
- R/W = RIGHT-OF-WAY
- SSC = SANITARY SEWER EASEMENT
- OC = DRAINAGE EASEMENT
- W = WALL
- CB = CATCH BASIN
- JB = JUNCTION BOX
- HW = HEADWALL
- DI = DROP INLET
- PP = POWER/UTILITY POLE
- PH = FIRE HYDRANT
- IE = INVERT ELEVATION
- FTE = FINISHED FLOOR ELEVATION
- BGC = BACK OF CURB
- EP = EDGE OF PAVEMENT
- S = SANITARY SEWER LINE/PIPE
- ST = STORM SEWER LINE/PIPE
- F = FENCE LINE
- H = 11.000 HORIZONTAL CURVE INFO
- N/F = NOW OR FORMERLY



**FLOOD HAZARD NOTE**  
 BY GRAPHICAL PLOTTING ONLY, NO PORTION OF THE SURVEYED AREA LIES WITHIN A 100 YEAR FLOOD HAZARD AREA PER FIRM PANEL 13135C0049G, MARCH 4, 2013.

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.

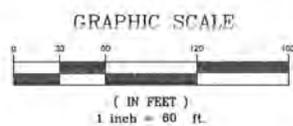
**4.661 ACRES**  
 (INCLUDES EASEMENTS WITHIN)  
 PARCEL ID # 2003-094

- GENERAL NOTES:**
- 1) OWNER: HARBORSTONE PROPERTIES, L.L.C.
  - 2) NUMBER OF LOTS=6
  - 3) ZONING= RA-200 TO R-100
  - 4) SITE TO BE SERVED BY SEPTIC TANKS.
  - 5) WATER SUPPLY TO BE PROVIDED BY GWINNETT COUNTY WATER SYSTEM.
  - 6) NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A DESIGNATED FLOOD HAZARD AREA PER GWINNETT COUNTY COMMUNITY PANEL NUMBER 13135C0049G, DATED 3/4/2013.
  - 7) NO WETLANDS HAVE BEEN DELINEATED ON THIS SITE.
  - 8) THERE ARE NO STATE WATERS BUFFERS ON THIS SITE.
  - 9) BUILDING SETBACKS:  
 FRONT = 35' (MINOR) 50' (MAJOR)  
 SIDE = 20'  
 REAR = 40'

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<b>REZONING EXHIBIT FOR:</b>	
<b>HARBORSTONE PROPERTIES, L.L.C.</b>	
<b>LAND DEVELOPMENT SURVEYORS, INC.</b> P.O. BOX 2050 DACULA, GA. 30019 (770) 582-8705 LDSURVEY@BELL-SOUTH.NET COA L5F#000832	
Date: 9/30/18	Land Lot: G.M.D. 550/003 District: 2nd
County: GWINNETT COUNTY, GA.	Scale: 1"=60'
Field By: _____	Drawn By: J.B./L.J. Checked By: L.J.J.
Job Number: 18142	File Number: Rezoning Exhibit.dwg
Sheet No. <b>1 OF 1</b>	

RZR 18-039

STANDARDS GOVERNING EXERCISE OF THE ZONING POWER

PURSUANT TO SECTION 1702 OF THE 1985 ZONING RESOLUTION, 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:

THE APPLICANT BELIEVES THE PROPOSED USE IS SUITABLE.

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

THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE USE OF THE SURROUNDING PROPERTIES.

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

THE APPLICANT BELIEVES THAT THE SUBJECT PROPERTY DOES NOT HAVE A 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 STREET, TRANSPORTATION FACILITIES, UTILITIES OR SCHOOLS:

THE PROPOSED USE WILL NOT PRODUCE AN ADVERSE AFFECT ON THE EXISTING INFRASTRUCTURE.

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

THE SUBJECT PROPERTY IS DESIGNATED AS RUAL ESTATE AREA

(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:

SEE LETTER OF INTENT.

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Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

.....  
PLANNING DIVISION USE ONLY

CASE NUMBER \_\_\_\_\_

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## REZONING APPLICANT'S LETTER OF INTENT

The Applicant, Harborstone Properties, LLC, requests a rezoning from RA-200 to R-100 for 2 separate properties at the intersection of Bailey Road and West Union Grove Road in district 2, land lot 003 in Gwinnett County. The first property is 4.661 acres and is proposed to have 6 homes. The second property is 3.52 acres and is proposed to have 5 homes. Sanitary sewer is not available in the area and so all of the homes will be on septic tanks making all of the lots larger than 25,500 square feet.

The homes are proposed to be a minimum of 2,600 square feet with all having at a minimum a 2 car garage with an option to add a third car garage. The price point for the homes will start in the \$300's and go up from there. The front façade of the homes will be a mixture of brick, stone or of a masonry siding and the sides and rear will be the same or of masonry siding. Lot number 5 in the first property is proposed to be 94.58 feet in width due to the triangle shape of the overall property. The lot itself is proposed to be 25,963 square feet but will need a variance due to the 100 foot requirement at the building line in R-100.

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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.

X 

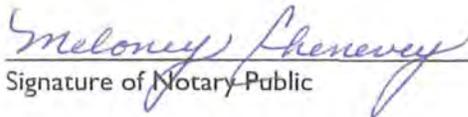
Signature of Applicant

10/1/18

Date

MARK RICHARDSON - MANAGER

Type or Print Name and Title



Signature of Notary Public

10/1/18

Date



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RZR'18 034

**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.

X *[Signature]* \_\_\_\_\_ 10/1/18  
Signature of Property Owner Date

MARK RICHMONDSON - MANAGER  
Type or Print Name and Title

*Meloney Cheneyey* \_\_\_\_\_ 10/1/18  
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.

X [Signature] 10/1/18 MARK RICHARDSON - MANAGER  
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

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

Meloney Cheney 10/1/18  
 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 X MARK RICHARDSON  
 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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RZR-18-039

**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:** 2 - 003 - 094  
(Map Reference Number) District Land Lot Parcel

X [Signature] 10/1/18  
Signature of Applicant Date

MARK R. CHAMBERSON - MANAGER  
Type or Print Name and Title

**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)

Cordrick Remy Senior TSA  
NAME TITLE

10/3/18  
DATE

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